

ORDINANCE NO. 2015-01

AN ORDINANCE AMENDING ORDINANCE NO. 2005-24 FOR SPECIAL USE PERMIT SUP14-04 (JOHN EAGLE HONDA) FOR AN AUTOMOBILE / VEHICLE / EQUIPMENT SALES AND SERVICES USE ON PROPERTY LEGALLY DESCRIBED AS LOT 1, UNRESTRICTED RESERVES A THRU E OF THE MARSHALL'S CALDER SUBDIVISION AND A 60-FOOT RIGHT-OF-WAY OF MARGARET DRIVE (PROPOSED TO BE ABANDONED), GENERALLY LOCATED NORTH OF BIG LEAGUE DREAMS PARKWAY, SOUTH OF LEAGUE CITY PARKWAY AND EAST OF CALDER ROAD WITH THE APPROXIMATE ADDRESS BEING 2205 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 Council adopted Ordinance No. 2005-24 amending Chapter 125 of the Code of Ordinances of the City of League City, Texas (the "Code of Ordinances") and adopting zoning ordinances consistent with the Comprehensive Plan for the City of League City, Texas; and

WHEREAS, Section 125-50 provides that the City Council may grant a special use permit for special uses that are otherwise prohibited by this ordinance, and may impose appropriate conditions and safeguards to conserve and protect property and property values in the neighborhood; and

WHEREAS, the owner of a certain 16.3-acre tract of land, legally described as Lot 1, Unrestricted Reserves A thru E of the Marshall's Calder Subdivision and a 60-foot right-of-way of Margaret Drive (proposed to be abandoned), generally located north of Big League Dreams Parkway, south of League City Parkway and east of Calder Road with the approximate address being 2205 Gulf Freeway South, which parcel is currently zoned "CM" (Commercial Mixed Use) and "CG" (General Commercial), is requesting a special use permit for an "Automotive / Vehicle / Equipment Sales and Rental" use; as shown in the Marshall's Calder Subdivision plat in Exhibit "A" and depicted on the conceptual site plan in Exhibit "B"; and

WHEREAS, the City Council considered the affirmative recommendation of the Planning and Zoning Commission and duly conducted a public hearing as required by law; and

WHEREAS, the applicant presented adequate testimony that the proposed Automotive / Vehicle / Equipment Sales and Rental use is consistent with the standards for issuance for a special use permit; and

WHEREAS, the City Council has discretionary authority under Ordinance No. 2005-24 and applicable law to grant or withhold approval of a special use permit; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

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

Section 2. A special use permit is hereby granted and the 16.3-acres of land legally described as Lot 1, Unrestricted Reserves A thru E of the Marshall's Calder Subdivision and 60-foot right-of-way of Margaret Drive (proposed to be abandoned), generally located north of Big League Dreams Parkway, south of League City Parkway, and east of Calder Road with the approximate address of 2205 Gulf Freeway South in the City of League City is hereby conferred a permitted special use for an Automotive / Vehicle / Equipment Sales and Rental use within the boundaries as shown in the Marshall's Calder Subdivision plat in Exhibit "A" and depicted on the conceptual site plan in Exhibit "B", and subject to the following conditions:

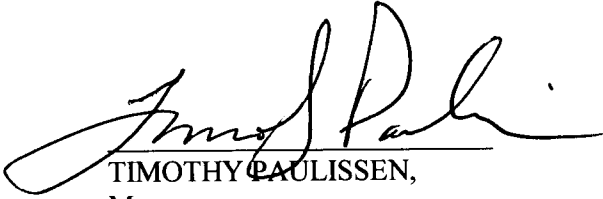
1. Both agreements (between the Property Owner and the City of League City and the Property Owner with the Applicant of this request) be approved and properly recorded with Galveston County prior to submittal of the first application for development.
2. The Special Use Permit shall expire after a period 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. 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, a carwash / detailing facilities, and quick lube facilities, while excluding any painting of vehicles.
4. The site shall be similar to that shown on the conceptual plan, including a future expansion of the site not to exceed 15,000 square feet.
5. Provide a 10-foot wide landscaped buffer yard along the property line adjacent to the residence in the west/northwest corner of the property having an address of 2490 Calder Road.
6. The permanent sanitary sewer connection shall be made within 3 months of the date of acceptance of the proposed sanitary sewer line to be installed along Calder Road.
7. Roll up doors serving vehicular access into the building for servicing of vehicles that face the I-45 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 rights-of-way.
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 measureable amount of light created by the project beyond three feet of the SUP boundary shall be no more than 0.2 foot candles.

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.

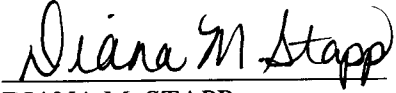
PASSED first reading the 13th day of January, 2015.

PASSED second reading the 27th day of January, 2015.

PASSED AND ADOPTED the 27th day of January, 2015.

  
TIMOTHY PAULISSEN,  
Mayor

ATTEST:

  
DIANA M. STAPP,  
City Secretary





**JOHN EAGLE  
HONDA**  
LEAGUR CITY, GALVESTON CO.,  
TX

**Gensler**  
5401 13th J. Freeway  
Suite 1100  
Dallas, TX 75240  
Tel: 214.271.1500

Issue #	Issue Date	Issue Description
1	10/15/2014	ISSUE

**PRELIMINARY**  
THESE DOCUMENTS ARE INCOMPLETE AND NOT FOR  
REGULATORY APPROVAL, PERMIT OR CONSTRUCTION.  
SEP. 17, 2014  
TEXAS ARCHITECT REGISTRATION #19362  
TED WOLSKEL, AIA

**Project Name**  
JOHN EAGLE HONDA

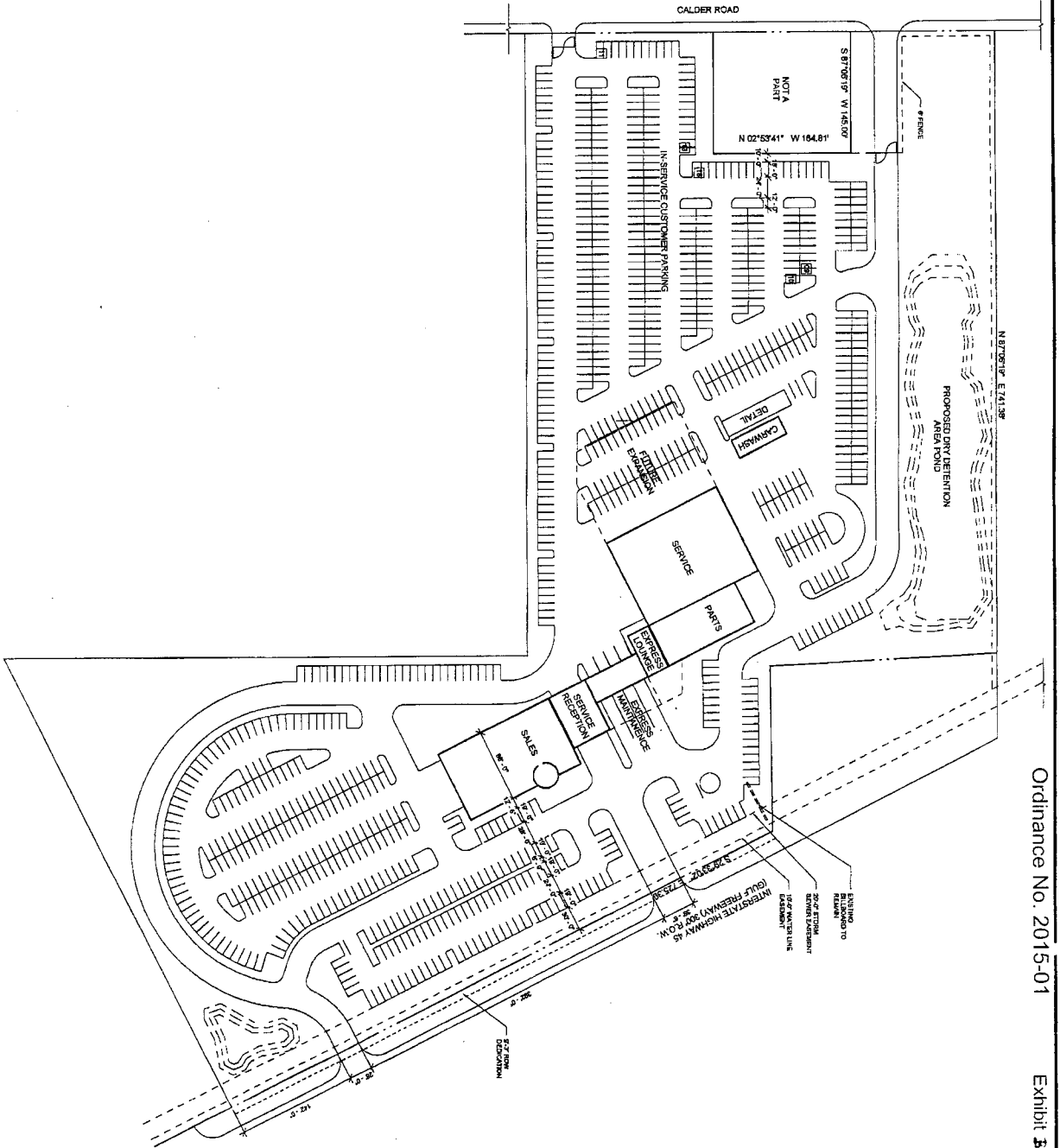
**Project Number**  
27346000

**Designer**  
GENSLER

**Scale**  
1" = 30'-0"

**A00.50**

© 2014 Gensler, Inc.



1 SITE PLAN -  
SCALE: 1" = 30'-0"