

ORDINANCE NO. 2013-43

AN ORDINANCE AMENDING ORDINANCE NO. 2005-24 FOR A SPECIAL USE PERMIT, SUP13-03 (DRIVER'S AUTO), ON APPROXIMATELY 0.7 ACRES FOR AN AUTO REPAIR AND OTHER HEAVY VEHICLE SERVICE USE, LEGALLY DESCRIBED AS TRACT 57 OF THE J DICKINSON SURVEY, GENERALLY LOCATED NORTH OF FM 518, EAST OF BAY AREA BOULEVARD AND WEST OF OAK CREEK DRIVE WITH THE APPROXIMATE ADDRESS BEING IN THE 4800 BLOCK OF FM 518 IN THE CITY OF LEAGUE CITY.

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 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 of the City of League City, Texas 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 0.7-acre tract of land, legally described as Tract 57 of the J Dickinson Survey, generally located north of FM 518, east of Bay Area Boulevard and west of Oak Creek Drive, with the approximate address being in the 4800 block of FM 518, which parcel is currently zoned "CG" (General Commercial), is requesting a special use permit for a "Auto Repair and Other Heavy Vehicle Service" use; as described in the metes and bounds in Exhibit "A" and depicted on the conceptual site plan in Exhibit "B", and

WHEREAS, the City Council of the City of League City, considered the 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 auto repair and other heavy vehicle service use is consistent with the standards for issuance for a special use permit; and

WHEREAS, the City Council of the City of League City has discretionary authority under Section 125-50 and applicable law to grant or withhold approval of a special use permit.

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 0.7-acres of land legally described as Tract 57 of the J Dickinson Survey, generally located north of FM 518, east of Bay Area Boulevard and west of Oak Creek Drive in the City of League City is hereby conferred a permitted special use for an auto repair and other heavy vehicle service use within the boundaries as described in the metes and bounds in Exhibit "A" and depicted on the conceptual site plan in Exhibit "B" with the following conditions:

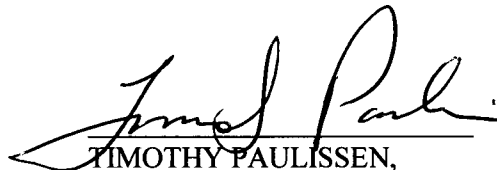
1. Services of the business would be limited to oil changes, tune-ups, vehicle inspections, air conditioning repair, and minor transmission and engine repair, excluding any body / fender repair or painting of vehicles on the site.
2. Hours of operation will be limited to between 7:00 A.M. to 7:00 P.M.

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 8th day of October, 2013.

PASSED second reading the 22nd day of October, 2013.

PASSED AND ADOPTED the 22nd day of October, 2013.


TIMOTHY PAULISSEN,
Mayor

ATTEST:


DIANA M. STAPP,
City Secretary

Ordinance No. 2013-43
Exhibit A

November 21, 2012

**0.7387 acre in the John Dickinson League, Abstract No. 9,
Galveston County, Texas**

A FIELD NOTE DESCRIPTION of 0.7387 acre (32,178 square feet) of land in the John Dickinson League, Abstract No. 9, Galveston County, Texas; said 0.7387 acre tract being the remainder of a tract of land conveyed to Jean Butler Wood, as recorded in Book 1735, Page 36 of the Galveston County Deed Records; said tract being more particularly described by metes and bounds as follows with the bearings being based on the Texas State Plane Coordinate System, South Central Zone using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a 5/8-inch iron rod with cap stamped "TEAM" set in the northwest right-of-way line of F.M. 518 (140 feet wide), as recorded in Galveston County Clerk's File No. 8112050 in the west line of a called one acre tract of land conveyed to Robert G. Brock and Leland S. Brock, as recorded in Galveston County Clerk's File No. 8505885 and for the east corner of this tract; from which a 1/2-inch iron rod inside a 3/4-inch iron pipe in concrete bears North 21° 15' 42" West - 1.07 feet and from which a TXDOT brass disc found in concrete bears North 63° 14' 49" East - 295.91 feet;

THENCE, South 63° 14' 49" West - 159.54 feet with the northwest right-of-way line of said F.M. 518 to a 5/8-inch iron rod with cap stamped "TEAM" set in the natural centerline of Cedar Gully, as described in Book 3325, Page 40 of the Galveston County Deed Records for a southeast corner of a 20.755 acre tract of land conveyed to Galveston County Municipal Utility District No. 2, as recorded in Book 3325, Page 40 of the Galveston County Deed Records and for the south corner of this tract;

THENCE, with the natural centerline of said Cedar Gully also being the northeast line of said 20.755 acre tract the following 12 calls:

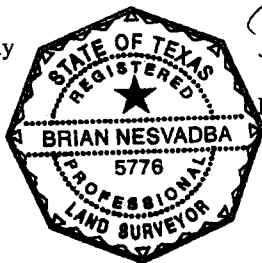
North 13° 39' 19" East - 35.58 feet to a point;
North 39° 34' 36" West - 19.00 feet to a point;
North 05° 37' 54" East - 33.62 feet to a point;
North 34° 06' 19" West - 35.66 feet to a point;
North 88° 10' 56" West - 21.81 feet to a point;
North 10° 42' 16" West - 27.32 feet to a point;
South 87° 55' 44" West - 23.37 feet to a point;
North 22° 12' 39" East - 33.97 feet to a point;
North 43° 17' 04" West - 17.45 feet to a point;
North 89° 45' 04" West - 16.47 feet to a point;
North 33° 36' 54" West - 26.03 feet to a point;
North 86° 02' 39" West - 1.44 feet to a 5/8-inch iron rod with cap stamped "TEAM" set for the west corner of this tract;

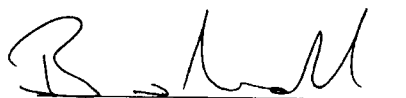
THENCE, North 63° 14' 49" East - 158.45 feet with the south line of a called 1.004 acre tract of land conveyed to Robert G. Brock and Wife, Leland S. Brock, as recorded in Book 1945, Page 632 of the Galveston County Deed Records to a 1/2-inch iron rod inside a 3/4-inch iron pipe in concrete found for the east corner of said 1.004 acre tract, for the west corner of said one acre tract, and for the north corner of this tract;

THENCE, South 26° 24' 11" East - 228.91 feet with the southwest line of said one acre tract to the POINT OF BEGINNING and containing 0.7387 acre (32,178 square feet) of land.

Note: This metes-and-bounds description was compiled in conjunction with a survey performed on even date.

COMPILED BY:
Texas Engineering And Mapping Company
Civil Engineers - Land Surveyors
Stafford, Texas
Job No. 171-27




Brian Nesvadba
Registered Professional Land Surveyor
State of Texas No. 5776

