



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 17, 2024
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

First Reading: Consideration, discussion, and possible action on a Specific Use Permit for one (1) lot on 1.273 acres, more or less, and being located at 13105 FM 1100, Manor, TX to allow for a 14,020sf general retail / Mexican market building, six MPDs, three diesel MPDs, and associated parking and drive aisles.
Applicant: Professional StruCIVIL Engineers Inc
Owner: Najib Wehbe

BACKGROUND/SUMMARY:

This property is concurrently being annexed and zoned C-2 Medium Commercial. C-2 Medium Commercial zoning requires a Specific Use Permit to be approved for gas station uses.

They are proposing a 14,020 sf convenience store and market, 6 MPDs (12 fueling locations), and 3 diesel MPDs.

The closest existing gas stations are 8,536 feet to the west and 2,526' to the east. The gas station 8,536' away is on the westbound side of US 290 (the same side as this proposed gas station) and the one 2,526' away is on the eastbound side of US 290 (the opposite side of the road as the proposed gas station).

As proposed, the conceptual layout meets the city's requirements for gas stations on US 290:

Gas Station, Limited	<ul style="list-style-type: none"> • See article 4.02, Alcoholic Beverages.
	<ul style="list-style-type: none"> • Permitted only within 200 feet of the right-of-way lines of intersecting streets, unless the use is an accessory use to a commercial development such as a grocery store or retail center with a gross floor area of 50,000 square feet or more.
	<ul style="list-style-type: none"> • Permitted at a maximum of two corners at an intersection of two arterial streets; and a maximum of one corner of an intersection with a collector or local street.
	<ul style="list-style-type: none"> • Automotive repair and automobile washing facilities are prohibited.
	<ul style="list-style-type: none"> • No more than four multi-fuel dispensers (eight fuel positions) shall be permitted except where one of the following conditions is met:

	<ul style="list-style-type: none"> ◻ The property is located along and has direct access from US Highway 290 East.
	<ul style="list-style-type: none"> ◻ The proposed gas station is an accessory use to a commercial development such as a grocery store or retail center with a gross floor area of 50,000 square feet or more.
	<ul style="list-style-type: none"> • In no case shall a gas station be permitted more than ten multi-fuel dispensers (20 fuel positions).
	<ul style="list-style-type: none"> • In the neighborhood business (NB) and light commercial (C-1) districts the canopy and arrangement of multi-fuel dispensers shall be designed in a relatively square pattern as opposed to a linear distribution of the multi-fuel dispensers, as depicted below (where X = one multi-fuel dispenser = two fuel positions): <p>Acceptable Pump Arrangement</p> <pre>X X X X</pre> <p>Unacceptable Pump Arrangement</p> <pre>X X X X</pre>
	<ul style="list-style-type: none"> • Multi-fuel dispensers, air, vacuum, and water stations must be 100 feet from a residential district.
	<ul style="list-style-type: none"> • Fuel positions, air, vacuum, water stations and other similar equipment is prohibited between the principal structure and the property line of a residential district and shall comply with the building setbacks in all other circumstances.
	<ul style="list-style-type: none"> • Freestanding light fixtures shall be reduced in height to 15 feet if the use is adjacent to a residential district.

Staff recommends a discussion on the site’s layout. Our architectural standards state that canopies should be oriented away from intersections. An example gas station layout has been provided in the backup that shows the gas pumps to the side of the building and the diesel pumps in the rear of the building. This allows the front of the building and any retailers who locate in that space to have open access and views to US 290.

It should also suggested to discuss limiting or prohibiting the ability for large commercial vehicles/tractor-trailers to park overnight on the property.

When considering a Specific Use Permit, the following are the listed criteria for approval:

Section 14.03.005: In recommending that a specific use permit for the premises under consideration be granted, the planning and zoning commission shall determine that such proposed use(s) are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, area or security lighting, heights of structures and compatibility of buildings. The

planning and zoning commission and city council shall consider the following criteria in determining the appropriateness of the specific use permit request:

- (1) Whether the use is harmonious and compatible with its surrounding existing uses or proposed uses;
- (2) Whether the activities requested by the applicant are normally associated with the requested use;
- (3) Whether the nature of the use is reasonable; and
- (4) Whether any adverse impact on the surrounding area has been mitigated.

The Planning and Zoning Commission voted 5-1 to postpone action so the applicant can provide a TIA or TxDOT approved traffic improvements. The Planning and Zoning Commission also provided conditions on the development they wanted to see when it is brought back. Those improvements are:

- 1. Remove the diesel pumps
- 2. Move the gas pumps to the side and turn the canopy 90 degrees
- 3. Add EV chargers
- 4. Prohibit overnight large commercial vehicle parking

The Planning and Zoning Commission discussed the following concerns:

- 1. Large commercial vehicles not having the turning radius leaving the property onto FM 1100
- 2. Damage to FM 1100 from the commercial vehicle traffic
- 3. Commercial vehicles parking overnight
- 4. No EV charging stations
- 5. The City having enough gas stations and wanting to provide space/development for other uses the residents need. The development should be in the residents' and city's interest.
- 6. Not having enough information about the proposed market and uses in the retail portion

Commissioner Nila, the dissenting vote, stated this development would provide a fueling option for visitors to and through the city that doesn't currently exist. Commissioner Nila wanted fueling options for all vehicle types, including EV chargers, so all visitors to the City have a place to stop which would bring in more sales tax revenue.

LEGAL REVIEW:	Not Applicable
FISCAL IMPACT:	No
PRESENTATION	No
ATTACHMENTS:	Yes

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| <ul style="list-style-type: none"> • Letter of Intent • Aerial Image • Conceptual Layout | <ul style="list-style-type: none"> • Distance to Existing Gas Stations • Example Layout • Public Notice • Mailing Labels |
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STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council discuss the recommendation from the Planning and Zoning Commission and postpone action on a Specific Use Permit for one (1) lot on 1.273 acres, more or less, and being located at 13105 FM 1100, Manor, TX to allow for a that includes a 14,020sf general retail / Mexican market building, six MPDs, three diesel MPDs, and associated parking and drive aisles.

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
			X - postpone
