



**REGULAR PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
AUGUST 5, 2019**

COMMISSIONERS PRESENT: Chairperson Josh Spare, Commissioners Bill Moser, Shawn Connor, Eduardo Carranza, Clayton Fisher, Warren Landrum, Eric Hedin.

COMMISSIONERS ABSENT: Cheryl Smith, Max Coleman

CITY STAFF PRESENT: Steve Norwood, Director of Development Services, David Jones, Chief City Planner, Charles Lee, Senior Planner, Savannah Ware, Senior Planner, Ted Helm, Planner, Raul Orozco, Planning Intern, Mark Dempsey, Deputy City Attorney, Brett Huntsman, Transportation Planner, and Chris Hartmann, Executive Assistant.

Chairperson Josh Spare called the meeting to order in the Council Chambers in the City Hall Building at 6:35 p.m. Commissioner Moser gave the invocation, Chairperson Spare led the pledge of allegiance to the US Flag, and the Texas Flag.

PUBLIC HEARING AGENDA Item #17- SU120404E – Specific Use Permit Renewal or Revocation - 2502 Central Avenue (City Council District 5). Planner Ted Helm presented the case report and gave a Power Point presentation for renewal or revocation of a Specific Use Permit for an auto body shop with general auto repair on 1.026 acres. The subject property, zoned Commercial (C) District, is located at the northeast corner of Central Avenue and N.E. 25th Street. The subject property is located within the Central Business District-Four (CBD-4) Corridor Overlay District. The owner is Vincente Duan.

Mr. Helm stated as required by Ordinance No. 10217-2017 for Specific Use Permit 886D the City Council shall conduct a public hearing one year after City Council adoption of this Ordinance to confirm compliance with all applicable codes which shall include, but not be limited to, the requirements of this SUP Ordinance, the Unified Development Code, The City of Grand Prairie Code of Ordinances, City adopted building codes, city adopted fire codes and other applicable regulatory requirements and/or enforced by the state and federal government. As required, staff requested inspections of the property and operations by the Code Enforcement Division and the Environmental Services Department. The inspections conducted indicated that there are numerous violations that span multiple years and are not improving significantly. The violations as noted by Planning and Code Compliance in July were as follows:

- Outside storage of vehicle parts.
- Trash and other materials lying in piles outside of the building.

- Failure to comply with the SUP / parking inoperable vehicles in front of screening fence and not inside buildings.
- Vehicles are stacked over designated parking spaces, fire lanes are blocked.
- Storage of flammables not related to the approved use.
- The Service/Repair ledger was not available at the time of inspection.

Mr. Helm stated as of August, these violations are still existing. DRC recommends the Planning & Zoning Commission approve the renewal of SUP-886D subject to three month renewal extension period and subsequent evaluation for compliance with and other applicable regulations upon completion of this period. If there aren't substantial positive changes in compliance, this SUP will be brought forward as a revocation with no further extensions.

Commissioner Connor said the commission would be setting a precedence if the commission continues to allow Mr. Duan to improve the property a little at a time.

Chairperson Spare stated there were no more questions for staff, opened the public hearing, and called for individuals wishing to speak on this item.

Vincent Duan, 2812 Montrell Court, Plano, TX stepped forward representing the case and to answer questions from the commission. Mr. Duan said he has cleaned up the property and would be hiring a property manager that would be onsite at all times.

Commissioner Carranza said the commission's position is not to allow him more time to clean up the property, but to deny the request.

Commissioner Fisher said we have seen him too many times come before this commission, and there are still continued problems.

Commissioner Connor stated he has two properties with issues, and asked why he is setting himself up with this property both of his properties have had problems meeting the city's ordinances.

Bianca Garcia spoke on behalf of her father who occupies one of Mr. Duan's buildings she stated they were not aware there were any violations the tenants want to do what is right and are working towards a solution to abide by the city's requirements the tenants are hardworking people with families.

Commissioner Fisher stated he would love to see hard working families stay in business, but the property needs to follow the conditions set by staff.

Tim Kim, 2107 N Kirbywood, Grand Prairie, TX stated he is one of the tenants he was cleaning up his site for the Fire Marshall when the pic was taken of the gas cans. He said all his business conducted inside the building.

Bryan Sanchez stated he has been helping Mr. Duan clean up the property in the past two months moving the vehicles behind the fence.

Commissioner Hedin stated he does not have all of the history on the case, but Mr. Duan is here and he is sympathetic to Ms. Garcia he would be in favor of giving him three month renewal extension.

Commissioner Moser stated he was on the commission in 2014 and 2017 when this case initially came before them we keep giving him more time after time, the tenants cause the problems, but Mr. Duan is the owner and he does not do what he says he will do.

There being no further discussion on the case commissioner Carranza moved to close the public hearing and deny the renewal and revoke case SU120404E. The action and vote being recorded as follows:

Motion: Carranza

Second: Connor

Ayes: Carranza, Connor, Fisher, Landrum, Moser, Spare

Nays: Hedin

**Approved: 6-1**

Motion: **carried.**