



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
OCTOBER 2, 2017**

COMMISSIONERS PRESENT: Chairperson Lynn Motley, Vice-Chairperson Joshua Spare, Commissioners, Cheryl Smith, John Lopez, Janie Adhikari, Clayton Fisher, Eduardo Carranza, and Max Coleman.

COMMISSIONERS ABSENT: Shawn Connor

CITY STAFF PRESENT: Steve Norwood, Director of Development Services, David Jones, Chief City Planner, Charles Lee, Senior Planner, Savannah Ware, Senior Planner, Colby Collins, Planner, Ted Helm, Planner, Megan Mahan, Assistant City Attorney, and Chris Hartmann, Executive Assistant

Chairperson Motley called the meeting to order in the Council Chambers in the City Hall Building at 6:35 p.m.

PUBLIC HEARING AGENDA Item #15– SU141101B/S141101B - Specific Use Permit Renewal - 1629 E. Main St (City Council District 5). Chief City Planner David Jones presented the case report and gave a Power Point presentation request to renewal of Specific Use Permit No. 973 for Automotive Re-Builder and Inoperable Auto Holding Yard uses and to codify existing non-conforming Automotive Related Business uses. The subject site is located at 1629 E Main St and is zoned Light Industrial (LI) District within Central Business District No. 3 (CBD 3). This property is generally located on the south side of E. Main St and east of S.E. 16th St. The owner is Hamid Moussavi.

Mr. Jones stated pavement of the property according to the approved site plan was required to be completed by September 15, 2017. As of September 29, the paving has only been partially completed and the fire lane has not been aligned. The applicant is requesting an extension to the SUP to allow more time to complete paving. Due to other violations observed on the property in the two years since the SUP was approved, and the uncertainty as to whether the paving can be completed in a timely manner, staff recommends that the SUP for this property be discontinued as detailed in the Recommendation section. As of August 2017, the property is non-compliant with several SUP requirements, including vehicle work in an unenclosed building, not maintaining required records, not completing re-alignment of the fire lane, not keeping the fire lane clear, and incomplete paving of the property, which was required to be completed on September 15, 2017. City Staff inspected the property in August 2017 with representatives of the Code Enforcement Division and the Environmental Services Department, and the Planning Division. The inspections found that operations on the site appear to not be currently in

conformance with required conditions of the Specific Use Permit as approved by City Council in December 2015.

Mr. Jones stated an SUP was approved by City Council on September 15, 2015. The purpose of the SUP was to bring existing operations into compliance and to cause improvements to take place on the property. The SUP was approved for an Auto Body & Paint Shop, Major Auto Repair, Automotive Re-Builder, Inoperable Vehicle Holding Yard and Used Auto Sales with the following stipulations. **Staff comments are in bold.**

The development shall adhere to the following operational standards:

1. The Auto Body & Paint Shop, Major Auto Repairs, Automotive Re-Builder, Inoperable Vehicle Holding Yard and Used Auto Sales facility shall be in substantial conformance with the Site Plan and all applicable standards of the Grand Prairie Municipal Code and Unified Development Code.
2. Prior to issuance of a Certificate of Occupancy, the owner/operator shall submit the Site Plan Mylar w/ Phasing Plan for review and approval by the Chief City Planner.

The Site Plan mylar with Phasing Plan with submitted and signed by the Chief Planner on August 31, 2015.

3. Within 90 days of this ordinance approval, the owner-operator shall submit a demolition permit application to Building Inspections for the installation of the concrete fire lane and hammerhead turnaround in accordance with Phase I of the approved Site Plan.

A permit was submitted before this deadline.

4. Within 90 days of this ordinance approval, the owner/operator shall submit a building permit application to Building Inspections for the installation of the concrete fire lane and hammerhead turnaround in accordance with Phase I of the approved Site Plan.
5. Within 180 days of this ordinance approval, all hard surface parking spaces shall be striped in accordance with Phase I of the approved Site Plan.

Site was not fully striped/paved by this deadline.

6. Within 180 days of this ordinance approval, the portion of the building blocking the proposed fire lane shall be removed in accordance with Phase I of the approved Site Plan.

The building was moved before this deadline.

7. Within 180 days of this ordinance approval, the installation of the concrete fire land and hammerhead turnaround shall be completed in accordance with Phase I of the approved Site Plan.

Concrete fire lane was not completed by this deadline.

8. Within 2 years of this ordinance approval, the installation of the concrete drive aisles and parking spaces shall be completed in accordance with Phase II of the approved Site Plan.

The purpose of this request is to extend this deadline. To date, the paving of the Fire Lane and hammerhead has been approximately 75% completed. The applicant states he is currently unable to complete the remainder of the paving. The gravel parking areas make it difficult to establish clearly marked parking spaces as required by the SUP.

9. Per the approved Site Plan, the proposed drive aisles, fire lane and hammerhead turnaround, and parking spaces shall be concrete and constructed to minimum city standards.
 - a. All vehicles must be parked within clearly marked parking spaces, as shown on the approved site plan. There shall be no parking within drive aisles or fire lanes. The use of

the public rights-of-way for parking, loading, or unloading shall be prohibited.

During the August 2017 inspection, vehicles were observed outside of designated parking areas & in fire lane. Because the lot has not been completely paved, pavement markings are not clear. The fire lane has also not been realigned between the front building and Main Street.

- b. No salvaging activities shall take place onsite. Complete automobiles, body clips, or any other vehicle component shall not be salvaged for parts.

The inspection revealed vehicles being stored for what appeared to be salvaging. See pictures.

- c. No vehicle parts may be stored outside. Front clips and rear clips may be stored within a designated vehicle parking space for no longer than 90 days. All body clips must be purchased. No vehicle may be disassembled, dismantled, or cut for the purpose of creating a body clip;

Parts and engines are clearly sitting outside & in the back of a box-truck box (detached). See pictures.

- d. All repairs or maintenance to vehicles must be performed indoors. Carports and canopies shall not be used to store inoperable vehicles. No repairs of any kind are to be performed under a carport or canopy.

Upon inspection, the canopy was unenclosed with vehicles being repaired underneath it.

- e. A ledger shall be kept on-site and be maintained by the business operator and shall be presented upon request by the Police Department and/or Code Enforcement during inspections or investigations. The ledger shall maintain information and documentation for each vehicle receiving repairs or services and for each car clip stored onsite. Items maintained and contained in this ledger shall include:

- i. Date the vehicle or body clip entered the site for services, repairs, or storage.
- ii. Customer Name.
- iii. Vehicle Identification Number, Make, Model and Year. Body clips must be identified and marked in the event that a Vehicle Identification Number is not available.
- iv. Type of services or repairs needed and/or performed.
- v. Estimated time of completion.
- vi. Date the vehicle or body clip was removed from site.

Business was not maintaining ledger as required.

- f. All operations shall maintain compliance with all federal, state, and local environmental regulations.
- g. All operations shall maintain compliance with City Ordinance No. 7408, Automotive Related Business (ARB) regulations.
- h. Must practice all best management practices listed in its storm water pollution prevention plan.

Code Enforcement and Environmental Services conducted an inspection on August 16, 2017 and made these findings:

- The business was not maintaining a ledger of vehicles with information as required. I inquired about 2 vehicle hulls stored in the back holding area (VIN's

WBAVB335X6FS16167 & 2G1115S35G9157991) and the person in charge could not locate vehicle in records.

- The Fire Lane was observed to be obstructed with vehicles.
- Vehicles on the property were not parked or stored consistent with site plan that was approved. Vehicles were not in clearly marked lanes.
- I observed Work being on vehicles being conducted under the awning.
- Additionally the business is using a box van for permanent storage

Mr. Jones stated due to the degree of incompleteness in the site improvements, which were required to be completed within two years of approval of the SUP, coupled with the violations observed during the period since the SUP was approved, staff does not recommend approval of an extension. In discussion with the applicant, staff believes paving of the remainder of the lot is projected to take place over a matter of years. In light of these factors, staff recommends the following restrictions be placed on the SUP:

1. That use of the unpaved area be suspended between the south property line and the back of the building for the purpose of storing or parking vehicles until the paving is completed as required.
2. That all Auto Repair work cease within the unenclosed/canopy area and not resume until the canopy is fully enclosed.
3. That use of the front lot for Auto Sales and display cease until the fire lane is completely aligned between E Main Street and current terminating point of the fire lane.

Chairperson Motley noted there were no questions for staff, opened the public hearing, and asked for speakers. Mr. Motley noted the applicant was not present to represent his case.

There being no further discussion on the case Commissioner Spare moved to close the public hearing and deny the Specific Use Permit Renewal case SU141101B/S141101B as recommended by staff. The action and vote being recorded as follows:

Motion: Spare

Second: Fisher

Ayes: Adhikari, Carranza, Coleman, Fisher, Lopez, Motley, Smith, and Spare

Nays: None

Approved to Deny: 8-0

Motion: **carried.**