

PLANNING AND ZONING COMMISSION DRAFT MINUTES AUGUST 4, 2014

PUBLIC HEARING AGENDA Item #6- SU120404A - Specific Use Permit Renewal - 2502 Central Avenue (City Council District 5). Chief City Planner Jim Hinderaker presented the case report and a Power Point presentation to approve a Specific Use Permit Renewal 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 agent is Steve Keeton, Keeton Surveying and the owner is Vincente Duan.

Mr. Hinderaker stated as required by Ordinance No. 9358-2012 for Specific Use Permit 886 the City Council shall conduct a public hearing two (2) years 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.

Mr. Hinderaker stated 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 all operations on the site appear to be currently in conformance with required conditions of the Specific Use Permit as approved by City Council; however, due to the number of violations leading up to the two year review, staff recommends that an additional SUP renewal be conducted in one year to ensure continued compliance with the SUP conditions of approval.

Mr. Hinderaker stated due to the number of violations leading up to the two year review, staff recommends that an additional SUP renewal be conducted in one year to ensure continued compliance with the SUP conditions of approval.

Commissioner Motley said if the Commission grants this renewal how would we know the applicant would not be in compliance in the future, and how many times would he have to be in violation before they SUP renewal can be denied.

Mr. Hinderaker stated Mr. Duan has made improvements to the property, but Code Enforcement and Environmental Services would need to go periodically to make sure there are no reoccurring violations on the premises. He stated Mr. Duan would need to provide a paint booth before he can conduct any type of auto body shop on the property and come into compliance with the City's ordinance staff would work with the applicant in providing him an extension to give him time provide a paint booth.

Chairman Garrett noted there were no questions for staff, opened the public hearing, and asked for speakers.

Vincent Duan, 2812 Montell Court, Plano, TX was present representing the case and to respond to questions from the Commission.

Chairman Garrett asked Mr. Duan if he would be providing a paint booth.

Mr. Duan replied yes.

Mr. Motley stated the property has had numerous violations, and asked why an SUP renewal should be granted.

Mr. Duan stated he has a new tenant on the property, and according to the lease they would have to be in compliance with the ordinance, he said the previous tenant was not in compliance.

Commissioner Arredondo asked when he plans on purchasing the paint booth.

Mr. Duan replied within the next two weeks he would apply for the paint booth permit.

Commissioner Moser asked at what point, could the SUP, be revoked.

Mr. Hinderaker replied if the applicant continues to be in violation, staff would have to bring this case forward to the Commission and Council for a revocation of the SUP.

Commissioner Moser said as the owner of the property Mr. Duan is responsible, he needs to make sure his tenants are in full compliance with the City's ordinance, yes he has made improvements on the property, but would asked that he only be provided with a six month review, not a one year renewal.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case SU120404A per staff's recommendations that the applicant provide a paint booth in order to conduct an auto body shop, with a six months review of the Specific Use Permit Renewal. The action and vote being recorded as follows:

Motion: Moser

Second: Gray

Ayes: Arredondo, Garrett, Gray, Johnson, Moser, Motely, Philipp, Spare, and Womack

Nays: None

Approved: **9-0**

Motion: **carried.**