

## **PLANNING AND ZONING COMMISSION DRAFT MINUTES NOVEMBER 3, 2014**

PUBLIC HEARING AGENDA Item #14- SU141103 - Specific Use Permit - 301 N. Belt Line Road (City Council District 5). Senior Planner Doug Howard presented the case report and a Power Point presentation for the approval of a Specific Use Permit for Quick Lube and Tune services and Tire Sales and Installation with Outside Display within a General Retail (GR) District. The subject site is located at 301 N. Belt Line Rd at the northwest corner of Small Hill St. and N. Belt Line Road. The agent is Joel Downs, Texas Horse Stalls and the owner is Mohammad Ghanim, Belal Investment, Inc.

Mr. Howard stated the business is named Car Zone. The earliest Certificate of Occupancy for tire sales at this site was issued in 1984. Current zoning requires a Specific Use Permit to operate a tire sales use in a General Retail District. The business is growing and expansion is being proposed. The applicant is proposing to expand non-conforming use of Auto Tire Sales and Installation. By receiving a Specific Use Permit, the property will be in a legal conforming status. The applicant is also proposing, as part of the expansion, to add Quick Lube and Tune Services, comprising of oil changes with minor auto repair.

Mr. Howard stated the current 2185sqft building has 3 vehicle bays. The proposed new building will add 2400sqft and with another 3 vehicle bays. The applicant will be adding new concrete and expanding the parking areas and adding landscaping to comply with current zoning regulations.

Mr. Howard noted Car Zone is open Monday through Saturday from 8AM to 6PM and employee at least 3 full time employees. The business will provide several automotive services; oil changes, auto tire sales and installation, and minor auto repair. The site will have 6 vehicle bays; 2 bays for oil changes, 2 bays for tire installation, and 2 bays for minor auto repair. A detailed operational plan is attached to this report. The operational plan mentions old tires being stored on a trailer and routinely transported to a tire disposal site once a week; however, accessory outside storage is prohibited within a General Retail District and would not be permitted. The property fronts on both N. Belt Line Rd. and Small Hill St. Currently, the site has 3 access points along Small Hill St and 2 access points along Belt Line Rd. The applicant will be required to close the access point closest to the Belt Line Rd/Small St intersection. The applicant has also proposed to close the existing access point closest to the west property line along Small Hill St.

Mr. Howard stated the Development Review Committee does not support outside tire displays nor the storing of old tires on a trailer outside; however staff does not oppose the other requests from the applicant. Staff has concerns about the multiple code violations on this property throughout the years. The history of non-compliance raises concerns, but staff does recognize that this request was made to help the property come into compliance with local ordinances. Staff recommends approval of a Specific Use Permit for Auto Tire Sales and Installation and Quick Lube and Tune Services with the conditions listed below:

1. The development shall conform to the City Council approved Site Plan: Exhibit B - Site Plan/Dimensional Control Plan, Exhibit C – Building Elevations, and Exhibit D – Site/Parking Areas & Landscape Plan.

2. As outlined within the submitted Operational Plan contained within the Specific Use Permit Application File No. SU141103, and as more specifically stated and codified herein, the development shall adhere to the following operational standards:
  - a. All operations shall be conducted entirely on-site. The public right-of-way shall not be used for maneuvering of customer vehicles;
  - b. The existing drive accesses nearest to the Belt Line Rd/Small Hill St intersection shall be closed as shown in the approved site plan, Exhibit B;
  - c. The existing drive access along Small Hill St, nearest to the west property line shall be closed as shown in the approved site plan, Exhibit B;
  - d. All vehicle work shall be done indoors;
  - e. There shall be no outside storage or displays;
  - f. All vehicle parking shall be parked on city approved surfaces.
  - g. Parking or storage of inoperable vehicles, as defined by the Unified Development Code (UDC), shall be prohibited.
3. All operations must maintain compliance with all federal, state and local regulations;
4. All operations shall maintain compliance with City Ordinance No. 7408 Automotive Related Business (ARB) regulations;
5. All operations must practice all best management practices listed in its storm water pollution prevention plan;
6. A Texas Commission of Environmental Quality (TCEQ) closure report for removal of underground storage tanks are required and must be submitted to Environmental Services before approval of any building permit;
7. Before any permit is issued, an official plat must be filed with the county;
8. Future expansions to this facility will require the submittal of a revised site plan for review and approval to the Planning Department.
9. The Specific Use Permit shall only be valid with the completion of the construction of the "Proposed Building", as indicated on the approved site plan (Exhibit "B"). The proposed building must pass all inspections as determined by the Building Inspections Division of the Planning and Development Department. Oil changes shall not occur until such time.

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

Amer Bani Mustafa, 301 N. Belt Line Road, Grand Prairie, TX was present representing the case and to respond to questions from the Commission.

Chairman Garrett asked if Mr. Mustafa was the owner of the business, and would all of the outside storage of tires be moved inside the building, what about the trailer.

Mr. Mustafa replied he is not the owner, but the project manager, but all of the tires would be moved inside the building and the trailer would be removed. He said they would comply with the city codes.

Commissioner Moser said he is not the owner of the property nor operates the business, but drew up the building plans. He stated the Commission was briefed on the case and there were a lot of

code violations on the property that the Commission would like addressed by the owner or operator of the business. Mr. Moser stated he would like for the owner or operator of the business to be present at the meeting.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and table case SU141103 in order for the owner or the business operator to be present at the hearing. The action and vote being recorded as follows:

Motion: Moser

Second: Gray

Ayes: Garrett, Gray, Johnson, Philipp, Moser, Motley, Spare, and Womack

Nays: None

Approved: None

Tabled: **8-0**

Motion: **carried.**