

## **PLANNING AND ZONING COMMISSION DRAFT MINUTES, APRIL 4, 2016**

PUBLIC HEARING AGENDA Item #10 – SU141103A - Specific Use Permit Renewal - 301 N Belt Line Road (City Council District 5). Chief City Planner Jim Hinderaker presented the case report and gave a Power Point presentation for approval to renew a Specific Use Permit for Quick Lube and Tune services and Tire Sales and Installation 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. The agent is Joel Downs, Texas Horse Stalls and the owner is Mohammad Ghanim, Belal Investment, Inc.

Mr. Hinderaker stated as required by Ordinance 9803-2014 for Specific Use Permit 945 the City Council shall conduct a public hearing one (1) year following the adoption of said 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 staff conducted inspection of the property and determined that the property is not in compliance with the conditions outlined within Ordinance 9803-2014. One of the major elements of this ordinance was a proposal by the owner of the subject property to construct additional parking and to construct an addition to the existing service facility to provide for more onsite parking and additional space for the service of vehicles. The owner was issued a building permit on January 21, 2016, but to date construction has not started.

The following are comments provided by Environmental Services and Code Enforcement.

1. Environmental Service Comments:

Car Zone Tires and Wheels (301 N. Beltline Rd) – After speaking with Echo, issued a citation for improper vehicle discharges to the ground, and issued NOV for not cleaning up spills immediately, and for outside storages of (10+) tires w/out rims (all three violations have been noted in previous inspections in 2015 & 2012). During inspection we saw an antifreeze spill running down the driveway from the main bay, and noted several other old and new spills and vehicle fluid discharges from inoperable vehicles. I let him know his SUP renewal is pending clean-up, and I will re-inspect in 7 days (that's the soonest I can get back there due to my training schedule next week)

2. Code Enforcement Comments:

- a. There has been no additions to the building for the additional use. Closures of the drive approaches noted in the conditions have not been started.
- b. Citation 11/24/15 C/O non-compliance violations for parking on non-approved surface, inoperable vehicle storage, outside repairs
- c. Written Notice 7/15/15 for outside storage, outside repairs, heavy repairs, inoperable vehicles, parking on non-approved surface
- d. Verbal notice 5/20/15 for outside accumulation of parts and debris
- e. Citation 4/29/15 for improper discharge
- f. Citation 3/10/15-excessive Inoperable vehicles

- g. Violation Notice 3/10/15 outside repair, storing salvage parts, excess outside display

Mr. Hinderaker stated staff recommends that Specific Use Permit 945 be renewed for six month subject to Section 4 of Article 5: Specific Uses of the Unified Development Code.

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

Aladdin Hamed, 301 N. Beltline Road, Grand Prairie, TX was present representing the case and to respond to questions from the Commission. Mr. Hamed said he is the business owner not the property owner he has done his best to clean up the property his business has been cut in half waiting on the construction of the addition.

Chairperson Garrett asked who would be constructing and responsible for the addition, is he aware of the violations that have been presented.

Mr. Hamed stated the owner of the property would be responsible for constructing the addition yes he is aware of the violations and has cut his business in half in order to comply with city regulations.

Commissioner Johnson asked if used cars are being sold at this location.

Mr. Hamed replied no, his business is not to fix vehicles and sell them.

Commissioner Motley stated in 2014 they were told a building would be build, and there are currently code violations on the property, and asked why should the Commission give him more time to build the addition when it was supposed to be constructed over a year ago. Mr. Motley asked if he understands he can lose his business if he does not comply with city regulations, why not look for another place if he does not have the room at this location.

Mr. Hamed stated he has cleaned up the property since then, but needs a little more time to finish the construction of the addition.

Chairperson Garrett asked who would construct the addition.

Amer Bami Mustafa, property owner, 1110 Schenectady Road, Arlington, TX stepped forward in support of this request. He said the construction of the addition would start tomorrow, what happen was that he paid a contactor to do the work and filed for the permits and now he is unable to reach him, so he has to hire another contractor and re-permit the construction, Mr. Downs is no longer the contractor on the job.

There being no further discussion on the case, Commissioner Motley moved to close the public hearing and approve case SU141103A with a four (4) month extension beginning on April 5, 2016 to construct the addition and comply with all code violations. The action and vote being recorded as follows:

Motion: Motley

Second: Lopez

Ayes: Garrett, Johnson, Lopez, Motley, Dr. Perez, Philipp, Spare, and Womack

Nays: None

Approved: 8-0

Motion: **carried**