

PLANNING AND ZONING COMMISSION DRAFT MINUTES SEPTEMBER 8, 2014

PUBLIC HEARING AGENDA Item #7- SU140702 - Specific Use Permit - 521 W. Marshall Drive (City Council District 2). Senior Planner Doug Howard presented the case report and a Power Point presentation to approve Specific Use Permit for Automotive Uses; Quick Lube & Tune Services (Oil Change), and Minor Auto Repair. The subject property is located at 521 W. Marshall Dr. and zoned General Retail District (GR). The owner/applicant is Pastor Gomez.

Mr. Howard stated the applicant is requesting a Specific Use Permit to allow Quick Lube & Tune Services which would also allow minor auto repair. By an affirmative vote from the City Council, this request was permitted to return and be reviewed by the Planning and Zoning Commission.

Mr. Howard stated the applicant wishes to operate a Quick Lube & Tune Services and a State Inspections station. In GR zoning, a State Inspection use is allowed by right. Quick Lube and Tune is defined by the UDC as, "a business or facility where the principal use is changing oil, lubrication, and minor auto repair. This may also include state vehicle inspections and the minor repairs necessary to pass the state requirements."

Mr. Howard stated the applicant has provided staff with a detailed operational plan. The building on site once had three vehicle bays. Two of the bays were replaced by large windows, but will be converted back to vehicle bays: Bay 1 will facilitate any storage needed for the site and will be used for any pickups or deliveries. Bay 2 will service the vehicle state inspections. Bay 3 will be used for oil changes and replacements of spark plugs, filters, and other related minor auto repairs.

Mr. Howard stated according to the site plan, the applicant is proposing to have the majority of the parking along the street frontage of Virginia Drive. For new developments a 3ft screening hedge would have been required to screen the parking from the public right-of-way, however, because this is an existing site, the UDC does not require this property to conform to today's landscaping standards.

Mr. Howard stated though the applicant is no longer requesting the tire sales and installation use, due to the property's adjacency to residential homes, the Development Review Committee is still not in support of the proposed automotive use and does not recommend approval of the requested specific use permit.

Commissioner Gray asked the DRC's position on this request.

Mr. Howard stated their concern is the surrounding residential neighborhood.

Commissioner Philipp asked when the building was last occupied.

Mr. Howard stated back in 2005 it was being occupied as a Bible study area and then a produce store.

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

Janett Avila, 938 Pangburn Street, Grand Prairie, TX was present representing the case and to respond to questions from the Commission. Mrs. Avila stated they purchased the property before they knew they needed a Specific Use Permit for their type of business. She said they are willing to work with the city to comply with all the regulations and requirements, she knows they are taking a risk at this location, but asked they be giving the opportunity to provide the neighborhood with a place to take their vehicles close to home instead of having to drive too far out of their neighborhood. Mrs. Avila said their current business is located in Dallas and have been there for the past four year with a good standing record with the City of Dallas. Mrs. Avila submitted a letter from the City of Dallas stating the City does not possess any records of any violations from the Code Compliance Division for their property in Dallas. Mrs. Avila asked the Commission to provide them six months to one year to conduct their business at this location.

Commissioner Motley asked if they have ever operated this type of business adjacent to a residential neighborhood.

Mrs. Avila replied yes, their current business in Dallas is adjacent to residential. They have been in operation in Dallas for the past four years, but her husband has been in this type of business for the past ten years.

Commissioner Motley said staff is not in support of this request, but would like for the applicant to understand that they would need to operate in a proper manner, not irritating the neighborhood, and meeting all of staff's requirements, this facility has been vacant for seven years and the applicant is proposing to renovate the property.

Mr. Hinderaker said the improvements would enhance the property, but staff feels this property is not big enough for growth or future expansion of this type of business.

Commissioner Motley said he appreciates the applicant willing to make improvements to the facility.

Commissioner Spare asked if there are any other examples of this type of use close to residential elsewhere in the city.

Mr. Crolley replied not that staff is aware of there have not been any complaints to Code Enforcement.

Commissioner Johnson asked the applicant how long before they start the renovations.

Mrs. Avila replied as soon as they can obtain their permits.

There being no further discussion on the case, Commissioner Motley stated this city is built by people wanting to make improvements and families that are trying to make a better life for themselves, and with this case he is willing to give the applicants the opportunity. Mr. Motley

moved to close the public hearing and recommend approval of case SU140702. The action and vote being recorded as follows:

Motion: Motley

Second: Johnson

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

Nays: None

Approved: **8-0**

Motion: **carried.**