



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
DECEMBER 3, 2018**

COMMISSIONERS PRESENT: Chairperson Josh Spare, Vice-Chairperson John Lopez, Commissioners Max Coleman, Clayton Fisher, Lynn Motley, Shawn Connor and Eduardo Carranza.

COMMISSIONERS ABSENT: Secretary Cheryl Smith and Bill Moser

CITY STAFF PRESENT: Steve Norwood, Director of Development Services, David Jones, Chief City Planner, Charles Lee, Senior Planner, Savannah Ware, Senior Planner, Ted Helm, Planner, Daon Stephens, Transportation Planner, Mark Dempsey, Deputy City Attorney, Chris Hartmann, Executive Assistant.

PUBLIC HEARING AGENDA Item #13– SU151004D – Specific Use Permit Renewal – 309 SE 14th Street (City Council District 5). Chief City Planner David Jones presented the case report and gave a Power Point presentation to approve a renewal of Specific Use Permit 978D for Major Auto Repair and Auto Body and Paint Uses in the Commercial District. The 0.3-acre property, located at 309 SE 14th Street is zoned C, Commercial District. The owner is Vincent Duan.

Mr. Jones stated as required by Ordinance No. 10426-2018 for Specific Use Permit 978D the City Council shall conduct a public hearing one year 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. 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 some of the operations on the site appear to not be currently in conformance with required conditions of the Specific Use Permit as approved by City Council. The violations as noted by Code Compliance are as follows:

- Outside storage of vehicle parts
- Fail to comply with conditions of the SUP /park or store in the aisle
- Fail to comply with the SUP/ parking inop and storage in the front designated parking spaces
- Evidence of painting not in booth
- Storage of flammables not related to the approved use

Mr. Jones stated due to the numerous and repeated violations, staff recommends the revocation of the Specific Use Permit and Ordinance No. 10426-2018.

Chairperson Spare stated that back on January 8th Mr. Duan said he would be in partnership with the new tenant and make sure the business runs correctly and he would be spending more time at the property. Has the applicant been made aware of the violations and recommendation? Mr. Helm replied yes.

Miguel Zuniga, 2828 Forest Avenue, Fort Worth, TX stepped forward representing the case and to answer questions from the commission. Mr. Zuniga stated he spoke with Code Enforcement and Environmental, he explained that the car was left onsite from a client for only a short time, it was just bad timing, the Code Officer just happen to be passing by this one time. He said he spoke with Office Philip Curtis regarding the trash pick-up and said it was not a problem.

Mr. Jones stated the revocation is more of the history of the property not necessarily the tenant.

Commissioner Lopez asked Mr. Zuniga if Mr. Duan ever mentioned to him to go to the City to make sure of the requirements. Mr. Zuniga replied no, he said Code Enforcement gave him a list of rules to follow.

Commissioner Lopez said it becomes the property owner's responsibility to make sure the tenant knows the rules.

Commissioner Motley asked if he understood his business and family would be impacted if they do not follow the rules. Mr. Zuniga replied yes it would not impact just his family, but five other workers and their families he runs a clean business, but it is very stressful.

Commissioner Motley said he is willing to extend the SUP for a short-time.

Commissioner Coleman said he is in support of the extension, and knows Code Enforcement Office Curtis would work with him, but he might need to look at finding a new location this location is very visible for this type of business.

Vincent Duan, 2812 Montell Court, Plano, TX stated he is working closely with Mr. Zuniga to make sure there are no violations.

Chairperson Spare asked that Mr. Duan speak with Mr. Zuniga and provide him with a list of rules.

Commissioner Lopez noted in October there were no violations. Mr. Jones replied that is correct there were no violations in October.

There being no further discussion on the case commissioner Coleman moved to close the public hearing and approve SU151004D with a 90 day review. Commissioner Lopez made a friendly amendment that there be one follow-up inspection from the city during the 90 day period. The action and vote being recorded as follows:

Motion: Coleman

Second: Motley

Ayes: Carranza, Coleman, Connor, Fisher, Lopez, Motley, Spare

Nays: None

Approved: 7-0

Motion: **carried.**