

PLANNING AND ZONING COMMISSION DRAFT MINUTES, OCTOBER 5, 2015

PUBLIC HEARING AGENDA Item #17 – SU151006 - Specific Use Permit - Import Auto Center, Inc. (City Council District 2). Senior Planner Doug Howard presented the case report and gave a Power Point presentation for approval of a Specific Use Permit for used auto sales and to codify existing non-conforming Automotive Business Related uses on the property. The site is 0.67 acres and is zoned Light Industrial (LI). The property is generally located south of Arkansas Ln. and east of Forum Dr. The owner is Hieu V Ha.

Mr. Howard stated 2621 Skyway Dr. is currently an auto repair facility performing auto body and major repair activity. There are 2 businesses occupying the site; Destiny Auto Repair and Import Auto Center. The applicant has provided a detailed operational plan, which is included as an attachment in this staff report. The applicant occasionally buys vehicles with body damage on a prearranged basis for a customer, and then sells the customer that vehicle.

Mr. Howard noted no changes to the building are being proposed as part of this request. Auto Related Businesses are required 1 space per 400sqft of building area. The existing building is 12,250sqft, which would require 31 total parking spaces. The site plan is showing 26 spaces. The applicant shows they have 16 spaces behind a security fence. 10 spaces are in front of the security fence on the eastern side of the property; 2 spaces for the business operators, and 3 spaces for display vehicles, leaving 5 for customers. The building itself can hold 18 more vehicles, if needed. There will be no inoperable vehicles stored outside. 31 parking spaces are required, due to the building's size; 1 space per 400sqft. The site currently has 26 parking spaces. The applicant is asking for a reduction in the parking requirement. Staff could support a reduction of 5 spaces if the building was not subdivided any further.

Mr. Howard stated the Development Review Committee recommends approval of the proposed site plan and specific use permit request with the following conditions:

1. Site plan mylars must be submitted for approval prior to any building permit or certificate of occupancy can be released or approved.
2. Operations must conform to the approved site plan. All vehicles must be parked within a clearly marked parking space.
3. All business activities must take place onsite. Use of the rights-of-way shall be prohibited.
4. No repair work shall be performed outside.
5. No inoperable vehicles shall be stored outside.
6. No salvaging shall occur, onsite.
7. There are 2 businesses currently operating. No more than 2 Certificates of Occupancy may be issued at a time.
8. A ledger with vehicle information for all vehicles receiving service onsite shall be kept and available upon request for review by Police and Code Enforcement Officers.
9. Must comply with the Automotive Related Business Ordinance.
10. Any outstanding comments found in City Case File, #SU151006, must be addressed.

Mr. Howard added a condition of approval in his presentation: The property shall be free of code violations before a certificate of occupancy can be issued

Commissioner Spare asked how long the applicant needs to be in conformance without any violations on the property.

Mr. Howard replied at all times, but would have a one year review to make sure there are no violations.

Steve Alcorn noted the applicant is currently operating without a Certificate of Occupancy.

Mr. Howard stated they have a CO, but not a specific use permit for auto sales.

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

Hieu Van Ha, 2621 Skyway Drive, Grand Prairie, TX was present representing the case and to respond to questions from the Commission.

Commissioner Spare noted the applicant seems to have a parking shortage, and the owner of the property is responsible for his tenants.

Mr. Ha stated there is a mechanic shop at the back of the property that parks on the street, but he does have enough parking and would only have a few cars for sale on the premises. Mr. Ha stated he would speak with his tenant about parking along the street.

Joe Ezzell, 2211 Texas Drive, Irving, TX stepped forward in support of this request. He stated there are cars parked all along Skyway, not just on his property. He noted they would be designating parking for their customers.

Commissioner Moser stated they would need to come back before the Commission for a one year review, and asked that he control his tenants.

There being no further discussion on the case, Commissioner Motley moved to close the public hearing and approve case SU151006 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Motley

Second: Moser

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

Nays: Womack

Approved: **8-1**

Motion: **carried.**