



CITY COUNCIL COMMUNICATION

August 11, 2009

SUBJECT: HOLD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 09-05-SUP, AND CONSIDER FIRST AND FINAL READING OF ORDINANCE NO. 1854

SUBMITTED BY: Stephen A. Cook, AICP – Senior Planner

REFERENCE NO: 09-05-SUP

ACTION REQUESTED:

Receive public input and motion to approve a Specific Use Permit on J P Halford Addition, Block D, Lot 7 for Automotive Tire and Mower Repair in TX-10 (Texas Highway 10 Multi-Use District) zoning on 116 W. Euless Boulevard and approve Ordinance No. 1854, concurring with the Planning and Zoning Commission's 5-0 recommendation on July 7, 2009.

ALTERNATIVES:

1. Open the Public Hearing and continue it to the next meeting.
2. Open, conduct, and close the Public Hearing.
3. Approve the request – *simple majority*
4. Approve the request with modifications – *simple majority*
5. Deny the request – *simple majority*

SUMMARY OF SUBJECT:

Mr. Al Silva, representing Al's Tires and Mowers, is requesting a Specific Use Permit (SUP) for an automotive tire and mower repair shop located at 116 W Euless Boulevard. The property is zoned "TX-10" (Texas Highway 10 Multi-Use District). The applicant intends to conduct a retail automotive tire and small engine (lawnmower) repair business from the location. The site currently consists of an existing building and covered and screened outdoor storage to the rear of the building.

The building most recently housed a retail outlet and has been unoccupied less than six months from the time of the application for the SUP thereby allowing the existing structure to continue to be a legally existing, non-conforming structure.

The proposed business would be a small operation in which all tire exchange, tire storage (new and used) and mower repair operations would be conducted interior to the building or within the screened and covered area to the rear of the structure. The property has adequate parking to accommodate the proposed use. Hours of operation are proposed to be from 8:00 AM to 7:00 PM Monday through Friday and from 9:00 AM to 5:00 PM on Saturdays. The business will be closed on Sundays.

There is a limited amount of landscaping currently on the property. The property owner has proposed to install additional boxwood shrubs to the front planting area and clean up the maintenance of the areas containing existing turf on the property. Staff would require that said landscaping improvements be installed prior to the issuance of the Certificate of Occupancy.

The DRC certified this case and recommended approval to the Planning and Zoning Commission. The Planning and Zoning Commission held a public hearing on July 7, 2009 and recommended approval of the SUP with the following conditions:

1. The SUP would be tied to the owner of the business – Mr. Al Silva and the name of the business – Al's Tires and Mowers;
2. All tires stored on site whether new or used, shall be screened from public view from the right-of-way and shall be stored under cover so as to not allow the collection of rainwater within the tires;
3. All repair of tires and mowers shall be conducted within the building or within the fenced area behind the building;
4. No outdoor storage would be allowed in front of the building; and
5. The term of the SUP shall be granted for one year in order to gauge the further appropriateness of the use at the specific location.

SUPPORTING DOCUMENTS:

- Ordinance No. 1854
- SUP Form
- Exhibit
- Draft Minutes – P & Z
- Application
- Map 1, Map 2, and Map 3

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **SC** _____

City Secretary's Office