

ITEM 3 CASE #10-10-SUP – HOLD PUBLIC HEARING REGARDING A SPECIFIC USE PERMIT AND CONSIDER A RECOMMENDATION FOR AN ORDINANCE

Receive public input regarding a request for a Specific Use Permit on J P Halford Addition, Block D, Lot 7 for a Tire Shop in TX-10 (Texas Highway 10 Multi-Use District) zoning and consider a recommendation regarding an Ordinance. This property is located at 116 W. Eules Boulevard.

Chairman McNeese opened the public hearing.

Stephen Cook, Senior Planner, gave a brief description of the case. Mr. James Sosa, applicant and owner of Hwy 10 Tire Shop has requested a Specific Use Permit to allow a tire repair and sales store located at 116 W Eules Blvd. The property is currently zoned Texas Highway 10 (TX10) zoning district which requires a SUP for the operation of this type of business. Mr. Sosa is requesting to operate his business out of the rear portion of the existing structure. His business will take up approximately 4,000 square feet of the existing building and fenced yard area. The remaining portion of the building facing State Hwy 10 is currently vacant, but would be available to be leased to another tenant. Mr. Sosa proposes to conduct tire repair and sales, and storing all tires within the facility. The business hours would be between 8:00am and 6:00pm Monday through Saturday. A previous SUP for a tire and lawn mower repair business at this location was recommended for approval by the Planning and Zoning Commission and approved by the City Council on August 11, 2009. This SUP is for a new business and new business owner.

Stephen Cook stated the applicant, James Sosa, was available for any questions.

Chairman McNeese asked for any proponents/opponents to come forward for any comments. Seeing none the public hearing was closed.

Commissioner Zahn asked where the business sign will be located.

Stephen Cook stated the signs would be located on the building and placed in accordance with the appropriate provisions of Article VI of the Unified Development Code (Sign Ordinance).

Commissioner Zahn asked if it would be on the central portion of the building instead of the portion out front that will be leased to another.

Stephen Cook stated he believed as a part of the lease that the applicant could have signs on the front portion of the building.

Commissioner Zahn asked if there had been any discussion regarding a change of the color of the building.

Stephen Cook stated that staff had encouraged the applicant to consider changing the color to perhaps a neutral color. The applicant responded he would be discussing the change with the owner of the building.

Commissioner Zahn made a motion to approve case #10-10-SUP with the following conditions: 1) The Specific Use Permit is tied to the business owner, James Sosa; 2) The Specific Use Permit is tied to the business name, Hwy 10 Tire Shop; 3) All tires stored on site whether new or used, shall be stored in a manner that is 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; 4) All repair of tires shall be conducted within the building or within the fenced area behind the building; 5) Outdoor storage is prohibited in front of the building; and 6) The term of this Specific Use Permit shall be granted for a period of one year in order to gauge the further appropriateness of the use at the specific location. Commissioner Brown seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Mennis, Commissioners Zahn, Huffman, Portugal, and Brown

Nays: None

Abstention: None

The motion carried (6-0-0)