

**ITEM 3      CASE #10-03-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 Oakwood Terrace North Addition, Block 16, Lot AR1 for conversion of Auto Use to Convenience Store in TX-10 (Texas Highway 10 Multi-Use District) zoning, and consider a recommendation regarding an Ordinance. This property is located at 1600 W. Euless Boulevard.

Chairman McNeese opened the public hearing.

Stephen Cook, Senior Planner, gave a brief description of the case. The applicant and owner, Adan Ocampo, is requesting approval of a Specific Use Permit. The property is located at 1600 W. Euless Boulevard and is zoned TX-10 (Texas Highway 10 Multi-Use District). Mr. Ocampo received approval of a Specific Use Permit for his auto service business in October 2005. There are two structures on the property. Mr. Ocampo proposes to renovate the structure fronting onto SH 10/W. Euless Blvd by converting the full structure from auto service to a convenience store with fuel sales. The rear building facing Wilshire will remain auto service. The full conversion of the front building is substantially different from the uses approved by the previous Specific Use Permit, that staff requested that a new application for a Specific Use Permit be brought forward. The building to be converted contains 1747 sqft. All of the current auto service bays will be closed and converted to the convenience store use. The interior will be renovated with new restrooms, refrigeration units and a small service/food counter. Additional landscaping and parking lot striping will be completed to increase parking on the site. The existing concrete masonry unit building would be repainted and a wainscoting level of brick would be applied to the lower third of the building facades visible from the street. In the intervening years since the approval of the SUP in 2005, Mr. Ocampo has had several issues with maintaining the conditions of the property in compliance with nuisance, zoning and the conditions of the Specific Use Permit. These include the parking and screening of vehicles which are being serviced, the outdoor storage of tires and other items; signs on both buildings which were not in conformance to the sign ordinance. Mr. Ocampo in the past nine months has been working with the Building Inspections and Code Compliance offices to bring the existing conditions of the site into compliance with the City's regulations. If approved, Mr. Ocampo intends to convert the front building to the convenience store which would allow him to sign on with a national branding company for the store and fuel sales. The new branding would require a change in color of the fuel canopy and roof sign areas.

Stephen Cook stated the applicants representatives, Adan Ocampo and Alfredo Levy, were 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 Tompkins asked the applicant's representative if on the east side of the building, if the shown window will be a walk up or drive thru window.

Alfredo Levy, 3551 Flair Drive, Dallas, Texas, stated it will be a window but will be blocked from the inside.

Commissioner Tompkins asked what the hours of operation would be.

Adan Ocampo, 1600 W. Euless Boulevard, Euless, Texas, stated the hours will be 6:00 a.m. to 11:00 p.m.

Commissioner Portugal asked the applicant's representative if the applicant understands that there is significant work to be done and everything will be done within this special dollar amount.

Alfredo Levy stated the previous contractor had the amount a little higher. They are working to find someone with experience and do the work under budget. Also they will use a thin brick as opposed to a full brick to help with cost savings. A lot of the interior amenities/materials are available on sale due to the economy. The electrical supplies are sufficient and they will relocate breakers and not add electrical service.

Commissioner Portugal asked if there will be a branding change.

Alfredo Levy stated that is up to Diamond Shamrock. Currently Valero brand still has a lot of Shamrock stations.

Commissioner Portugal asked if they would not want to brand the store under the name.

Alfredo Levy stated there are two separate items, the gas service and the convenience store.

Commissioner Portugal asked if the mechanics will be displaced or employed at the other station.

Alfredo Levy stated they have been gainfully employed at the other building because it is more efficient to keep all parts and supplies at one location. It has been several months since they have not used the front section for repair; this gave rise to do something with the space.

Chairman McNeese asked if this business decision for the convenience store is because the automotive business is doing well.

Alfredo Levy stated this is correct.

Chairman McNeese asked if it is being operated under Diamond Shamrock brand.

Alfredo Levy stated that is Shamrock.

Chairman McNeese asked if this may or may not operate under another branding.

Alfredo Levy stated Diamond Shamrock changed their name to Valero. They have converted some but not all to Valero.

Chairman McNeese asked if there is any verbal or written agreement between the applicant and national brand.

Adan Ocampo stated he has spoken with the supplier and the first thing he needs them to do is make improvements to the building. After he completes the remodeling he will work to get it branded by Valero. Once that happens Valero will redo the outside of the building.

Chairman McNeese asked if he is still negotiating this.

Adan Ocampo stated he has to do his part but feels it will happen because he is a good customer (of Valero). They do not brand with a mechanic shop inside, it has to be a complete convenience store.

Commissioner Portugal made a motion to approve case #10-03-SUP with the following conditions: 1)The Specific Use Permit would be tied to the owner: Mr. Adan Ocampo; 2) The Specific Use Permit would be tied to the business names: Adam's Auto Service and Adam's Food Mart; 3) All signage for both businesses specifically would be maintained to be in compliance with the Sign Ordinance of the City of Euless as amended; and, 4) All landscaping as shown on the site plan approved by the Specific Use Permit be installed prior to the issuance of a Certificate of Occupancy for the convenience store. Commissioner Tompkins seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Commissioners Huffman, Portugal, Tompkins and Brown

Nays: None

Abstention: None

The motion carried (5-0-0)