

**ITEM 5      CASE #11-14-SUP – HOLD PUBLIC HEARING REGARDING A SPECIFIC USE PERMIT AND CONSIDER A RECOMMENDATION FOR AN ORDINANCE**

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

Chairman McNeese opened the public hearing.

Mike Collins, Director of Planning & Economic Development, gave a brief description of the case. On November 2, 2010 the Planning and Zoning Commission recommended approval of a Specific Use Permit for a Tire Shop to be located at 116 W Euless Blvd. The City Council approved the SUP on November 9, 2010. Mr. Sosa has been operating his Tire Shop at the location for the past year. As a condition of the approved SUP, Mr. Sosa is required to renew the SUP after one year of operation. During the past year, the City of Euless Code Compliance officers have had to discuss violations of the SUP on at least three occasions. There were instances that included storage of materials and repairs to vehicles outside of the building. Mr. Sosa has been made aware of these issues and has issued a letter stating that these issues have been resolved with the City.

Mr. Sosa is requesting to continue operation of his business from the rear portion of the existing structure. His business occupies approximately 4,000 square feet of the existing building and fenced yard area. The remaining portion of the building facing State Hwy 10 is not currently leased.

Mr. Sosa proposes to continue to conduct tire repair and sales and to store all tires within the facility. The business hours are between 8:00am to 6:00pm Monday through Saturday.

The Development Services Group has reviewed the application and has determined that it meets the requirements for a Specific Use Permit.

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

Property Owner, Bill Byers, 308 Shadow Lane, Euless, TX came forward to represent the applicant James Sosa. Mr. Byers stated that Mr. Sosa is a good tenant and has completed all necessary steps to come into compliance with the requirements of the Specific Use Permit. Mr. Sosa has moved a large majority of overflow inventory offsite to another location.

Commissioner Tompkins stated that he has utilized this location in order to support this small business owner. The business appeared to have a lot of inventory for such a

small property so moving the items off with help. Overall this is a good business and he does his best in a confined space.

Commissioner Portugal stated that it is a testament to the business owner that the property owner was here to represent him. She asked Mr. Byers if the owner was a good tenant overall.

Mr. Byers stated that he is a very good tenant and a very good business man.

Vice Chairman Troy Mennis made a motion to recommend approval of Case #11-14-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.
6. The term of this Specific Use Permit shall be granted for an additional 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 Huffman, Portugal, Tompkins and Brown.

Nays: None

Abstention: None

The motion carried (6-0-0)