



PLANNING AND ZONING COMMISSION COMMUNICATION

May 17, 2016

SUBJECT: Hold Public Hearing for Specific Use Permit Case No. 16-11-SUP, and Consider Recommendation for an Ordinance

SUBMITTED BY: Stephen Cook, AICP – Senior Planner

REFERENCE NO: 16-11-SUP

ACTION REQUESTED:

Receive public input regarding the request for a Specific Use Permit on Oakwood Terrace Addition Block 1, Lot A43R, 230 Vine Street for Automotive Repair Shop in Texas Highway 10 Multi-Use District (TX-10) and consider recommendation for an Ordinance.

ALTERNATIVES:

- Approve the request with modifications
- Table the request
- Deny the request

SUMMARY OF SUBJECT:

Applicant: Mr. James Hartman, Jr. representing JR's Euless Transmission

Location / Zoning: 230 Vine Street. The property is zoned Texas Highway 10 Multi Use Zoning District (TX-10).

Project Summary: In 2013, Mr. Hartman Sr. had been issued a Specific Use Permit (SUP) to allow an auto repair shop at 230 Vine Street. In 2014, Mr. Hartman Jr. became the owner, with a new SUP approved in September of 2014 that enabled him to operate the business in the same manner and under the same conditions that were included in the previously approved SUP. Mr. Hartman would continue to operate the business from the rear portion of the building for mechanical work and utilize the front of the building as office and storage. Mr. Hartman proposes to continue to provide automotive repair services which have been specifically listed in the SUP. These activities are included in the Auto Repair and Tire Repair definitions.

The business owner will be required to perform all work internal to the structure. The rear of the building contains several bays with overhead doors. In addition, no vehicles will be

stored exterior to the building overnight and exterior display of merchandise would not be allowed.

There have been multiple occurrences in which Mr. Hartman has been in violation of storing vehicles outdoors, to the extent that the front lot cannot function as a parking lot. In addition, vehicles posted with For Sale signs would also be placed outdoors. Staff has worked patiently with professional courtesy in the last 12 months to gain compliance. Efforts by staff to enforce the condition of no outdoor storage of these vehicles would result in Mr. Hartman coming into compliance for a short period of time, only to return to the condition of being in violation once again. It appears that perhaps the property is not adequate in size to support the level of business being conducted. To provide Mr. Hartman the benefit of the doubt, staff is recommending that renewal of the SUP be considered as valid for a six month period of time. Based on representations made by Mr. Hartman, this would enable him the opportunity to prove his ability to operate the business in compliance with the conditions established in the SUP. If the SUP is approved, Mr. Hartman has been told that the SUP will be revoked at any time during the six month period of time if one or more of the conditions imposed by this permit has not been met or has been violated.

Auto Repair uses require a Specific Use Permit within the TX-10 zoning district. Staff recommends approval with the following conditions:

- a. The Specific Use Permit is tied to the Business Owner: James Hartman, Jr.; and,
- b. The Specific Use Permit is tied to the Business Name: JR's Eules Transmission; and,
- c. All repairs of vehicles, including but not limited to: mechanical repair and maintenance operations will be conducted within the building. No work will be conducted exterior to the building; and,
- d. Outdoor storage of vehicles or exterior display of merchandise is not permitted within view of the public right-of-way; and,
- e. The double parking of vehicles in the front parking area shall be prohibited and,
- f. The services allowed at this facility are as follows: Brake Replacement, Timing Belt Replacement, Water Pump Replacement, Power Steering Pump Replacement, Belts and Hoses Replacement, Fuel Pump Replacement, Transmission Rebuild, Strut Replacement, Shock Replacement, Distributor Replacement, Tune Ups, Front and Rear Suspension Repair, Axle Replacement, Rack & Pinion Replacement, Air Conditioning Service, Heater Core Replacement, Instrument Cluster Replacement, Window Motor and Regulator Repair, Transmission Control Module Repair, Engine Control Module Repair, Differential Service, Head Gasket Replacement, Intake Gaskets, O2 Sensor Replacement, Fuel Filter Service, Oil Changes, Transmission Service, and Computerized Diagnostics. Auto services not listed here are thereby prohibited; and,
- g. The term of this Specific Use Permit shall be granted for a period of six months in order to gauge the further appropriateness of the use at the specific location; and,
- h. The Specific Use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

SUPPORTING DOCUMENTS:

- Draft Ordinance XXXX
- Application
- Map 1, Map 2, and Map 3

APPROVED BY:

MIKE COLLINS

Director of Planning and Economic Development

STEPHEN COOK

Senior Planner