

**CITY OF EULESS  
PLANNING AND ZONING COMMISSION  
JUNE 7, 2016  
MINUTES**

A regular meeting of the Planning and Zoning Commission was called to order by Chairman Richard McNeese at 5:30 p.m. on June 7, 2016 in the Pre-Council Conference Room of City Hall, 201 North Ector Drive. Those present included Chairman Richard McNeese, Vice Chairman LuAnn Portugal, and Commission Members: Eric Owens, Kenny Olmstead, Ronald Dunckel, and Steve Ellis. Commissioner David Brown was not in attendance.

During the Pre-Session Meeting:

- Director of Planning and Economic Development Mike Collins discussed a potential amendment to Unified Development Code, Chapter 84, Article III. on Nonconformance, reviewed agenda items and presented the Development Update including Glade Parks, Glade Parks South, Mid-Town, Gala at Oak Crest and Riverwalk!

**PLANNING AND ZONING CONSIDERATION OF SCHEDULED ITEMS – COUNCIL CHAMBERS**

The Euless Planning and Zoning Commission continued their meeting in the Council Chambers at 6:36 p.m. for consideration of scheduled items.

**STAFF PRESENT:**

Mike Collins, Director of Planning and Economic Development  
Hal Cranor, Director of Public Works  
Paul Smith, Fire Marshall  
Mollie Snapp, Administrative Secretary  
Michele Crooks, Development Secretary

**VISITORS:**

Denelra Dorsett  
Judson Pedigo

**INVOCATION**

Commissioner Ellis gave the invocation.

**THE PLEDGE OF ALLEGIANCE**

Commissioner Olmstead led the pledge of allegiance.

**ITEM 1. APPROVED PLANNING AND ZONING MINUTES**

Chairman McNeese noted a typo on page 9.

Commissioner Dunckel made a motion to approve the minutes with the correction on page 9 for the regular meeting of May 17, 2016. Commissioner Owens seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, and Commission Members: Owens, Olmstead, Dunckel and Ellis.

Nays: None

Abstention: Vice Chairman Portugal

Chairman McNeese declared the motion carried. (5-0-1)

**ITEM 2. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 16-04-SUP, AND CONSIDERED A RECOMMENDATION FOR AN ORDINANCE**

Chairman McNeese opened the public hearing at 6:40 p.m.

Director of Planning and Economic Development Mike Collins gave a brief description of the case. Mr. Sosa has been operating his Tire Repair Shop at this location for the past five years. Since the first Specific Use Permit (SUP) was approved in November 2010, this will be the third renewal of the SUP, with each renewal containing the same conditions of operation. Over the previous five years, there have been multiple occurrences in which Mr. Sosa has been out of compliance. Prior to each renewal being considered for approval, Mr. Sosa would take the actions necessary to establish compliance. After the approval of the renewal, the operation of the business would again become out of compliance. During this past year, this history repeated itself with City of Euless Code Compliance officers discussing violations of the SUP. These repeated violations include outdoor storage of tires and materials, and performing repairs to vehicles outside of the building. The outdoor storage of tires has been done with no external cover from the elements so that rainwater is captured in the tires, posing a potential health risk due to the creation of mosquito breeding areas.

Mr. Sosa is requesting to continue operation of his business from the rear portion of the existing structure, with his business open between 8:00 a.m. and 6:00 p.m. Monday through Saturday. His business occupies approximately 4,000 square feet of the existing building and fenced yard area.

At this time, Mr. Sosa has no permanent solution implemented that would enable continuous compliance with all of the SUP conditions. He has increased the amount of interior space dedicated to the storage of tires. To provide Mr. Sosa the benefit of the doubt, staff is recommending that renewal of the SUP be considered as valid for a six

month period of time. If the SUP is approved, Mr. Sosa has been told that the SUP may be revoked by a public hearing, if within the six month period of time one or more of the conditions imposed by this permit has not been met or has been violated.

The Development Services Group has certified the application and recommends the following conditions of the Specific Use Permit:

- a. The Specific Use Permit is tied to the Business Owner: James Sosa; and,
- b. The Specific Use Permit is tied to the Business Name: Hwy 10 Tire Shop; and,
- c. 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; and,
- d. All repair of tires shall be conducted within the building or within the fenced area behind the building; and,
- e. Outdoor storage is prohibited in front of the building; and,
- f. The auto repair services provided by this establishment are tire repair and wheel-related repairs. Any other auto repair services are in violation of this Specific Use Permit.; 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. At the end of this six month period the City Council shall determine whether to renew or extend the Specific Use Permit; 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.
- i. Upon revocation or expiration of the Specific Use Permit, all uses permitted hereunder shall cease.

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Seeing none Chairman McNeese closed the public hearing at 6:43 p.m.

Commissioner Ellis asked if the tires that are stored on the exterior of the building were new or used tires.

Mr. Collins stated that the tires stored outside were used tires that would be stored until a disposal company comes to collect them and new tires to sell were stored internally.

Chairman McNeese inquired as to what actions were taken to inform the applicant of the conditions.

Mr. Collins stated that 2 actions were taken: a written document was sent stating the conditions, as well as three personal visits to discuss the conditions with the applicant on site.

There were no further questions or comments presented by the Commission.

Vice Chairman Portugal made a motion to approve Case No. 16-04-SUP for a Specific Use Permit on J. P. Halford Addition, Block D, Lot 7, 116 W. Euless Boulevard for a Tire Repair Shop in the Texas Highway 10 Multi-Use District (TX-10) and approved recommendation for an Ordinance. Commissioner Ellis seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal, and Commission Members: Owens, Olmstead, Dunckel, and Ellis.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (6-0-0)

**ITEM 3. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 16-08-SUP, AND CONSIDERED A RECOMMENDATION FOR AN ORDINANCE**

Chairman McNeese opened the public hearing at 6:46 p.m.

Director of Planning and Economic Development Mike Collins gave a brief description of the case. Real Life Ministries is seeking approval of a Specific Use Permit (SUP) for a place of worship and intends to lease 4,000 square feet of space from the property owner at 1717 W. Euless Boulevard. The remaining portion of the building has been occupied by the property owner who runs a transportation company (leased limousine service). The church has stated that they will have approximately 70 people at this location. The parking for the site has well over 70 parking spaces outside of the area that is utilized for the storage of the limousine vehicles.

Parking for places of worship are calculated at a typical one parking space for four seats within the place of worship. The site would accommodate up to three hundred members of the community.

The times the church would be in operation are 7:00 p.m. to 9:00 p.m. on Wednesdays and on Sunday mornings from 9:00 a.m. to 1:00 p.m. These hours of operations are not in conflict with the typical peak usage times of the transportation company.

Staff recommends approval with the following conditions:

- a. Tied to the place of worship representative, Denelra Dorsett and,
- b. Tied to the place of worship name, Real Life Ministries C.O.G.I.C; and,
- c. 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. At the end of this one year period the City Council shall determine whether to renew or extend the Specific Use Permit; and,

- d. 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.
- e. Upon revocation or expiration of the Specific Use Permit, all uses permitted hereunder shall cease.

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Seeing none Chairman McNeese closed the public hearing at 6:48 p.m.

Commissioner Olmstead asked the total square footage of the existing structure.

Pastor Denelra Dorsett representing Real Life Ministries, 8740 Tigress Trail, Fort Worth, Texas stated that the existing structure was 6,500 total square feet.

Chairman McNeese asked for the hours of operations and service times.

Pastor Dorsett gave an overview of the service times and hours of operation as mentioned above, including prayer at noon on Mondays and Fridays and after-school tutoring for about 15 elementary aged students during the school year on Tuesday and Thursday afternoons.

Chairman McNeese inquired about the size of the congregation and from where the church is relocating.

Pastor Dorsett explained that they are relocating from Hurst and seek a more private and independent establishment and stated that the current count of the congregation was about 95 to 150 members.

There were no further questions or comments presented by the Commission.

Kenny Olmstead made a motion to approve Case No. 16-08-SUP for a Specific Use Permit for a Place of Worship on Eules Industrial Park Addition, Block 3, Lot 1, 1717 W. Eules Boulevard, Suite 200 in the Texas Highway 10 Multi-Use District (TX-10) and approved recommendation for an Ordinance. Commissioner Owens seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal, and Commission Members: Owens, Olmstead, Duncel, and Ellis.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (6-0-0)

**ITEM 4. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 16-12-SUP, AND CONSIDERED A RECOMMENDATION FOR AN ORDINANCE**

Chairman McNeese opened the public hearing at 6:54 p.m.

Director of Planning and Economic Development Mike Collins gave a brief description of the case. Autrey Motorsports is an existing business located within the subject property. The business is a retail auto parts store and installation business. The business is seeking a Specific Use Permit (SUP) to house vehicles for sale through an internet based appointment process. The City of Euless has had several of these businesses located within this area of the community, with each of these businesses staying in compliance with the established conditions. The square footage of the leased space would allow for up to 20 cars. The applicant has requested in the attached letter that he be allowed to display vehicles for sale outside. One primary aspect of the internet based car sales that makes it fundamentally different from a traditional car sales lot is there is no outdoor display. Staff is therefore recommending that this condition not be allowed.

The Development Services Group has reviewed and certified the application for a Specific Use Permit. Staff recommends approval with the following conditions:

- a. Tied to the business owner: Judson Pedigo; and,
- b. Tied to the business name: Autrey Motorsports LLC; and,
- c. No outdoor advertising display other than a permitted sign indicating the name of the business; and,
- d. No outdoor storage or display of vehicles; and,
- e. No on-site mechanical or auto body work to be performed on vehicles; and,
- f. No more than five gallons of fuel stored per vehicle (including fuel in the vehicle gas tank) and no more than 50 gallons stored within the facility; and,
- g. 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

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Seeing none Chairman McNeese closed the public hearing at 6:56 p.m.

Commissioner Olmstead asked several questions regarding operations at Autrey Motorsports including: how long Mr. Pedigo has been in business, if the other employees did any mechanical or body shop work, how many vehicles were on location, whether any business was by consignment.

Judson Pedigo representing Autrey Motorsports, 3832 Brookside Drive, Bedford, Texas, answered that the current business began in January, the one other employee did not do any mechanical or body shop work, 20 vehicles were currently on site and all sales were new retail and not by consignment.

Vice Chairman Portugal asked for clarification on the amount of fuel to be stored on site and if Mr. Pedigo was comfortable with the 7 conditions of the SUP.

Mr. Pedigo confirmed that he was in agreeance with the current conditions.

Mr. Collins explained that in any one vehicle there can be no more than 5 gallons of fuel and no more than 50 gallons total on premise at one time.

Mr. Pedigo asked if that included customer installations or just the cars on site for sale online.

Fire Marshall Paul Smith confirmed that the fuel stored on site pertains only to the internet car sales and not to the customer cars that are temporarily on site and clarified that the internet sales component is going to result in vehicles that will be stored for extended periods of time whereas the automotive accessory installation will be more transient.

Chairman McNeese sought further clarification as to what business he is currently operating and how that business will affect the fuel stored on site.

Mr. Pedigo gave an overview of what his current business installs on trucks, Jeeps and SUV's, such as lift kits, custom wheels and tires, side steps and bed covers.

Chairman McNeese asked if that would meet the intent of the law of the building codes.

Mr. Smith clarified that the internet sales component is going to result in vehicles that will be stored for extended periods of time whereas the automotive accessory repairs will be more transient. Therefore, the fuel storage amount is a condition specific to the automobiles for sale.

Chairman McNeese asked if the SUP took into consideration mechanical repair.

Mr. Smith confirmed that it will not because all repairs are cosmetic rather than mechanical and do not affect the operation of the vehicle.

Mr. Collins inquired about the interior of the warehouse and if it was segregated.

Mr. Pedigo explained that the 10,000 square foot warehouse was split into two sections: 4,000 square feet of office space and 6,000 square feet of warehouse space which will be separated into 3,000 square feet as installation area and 3,000 square feet as an online sales showroom with vehicles clearly identifiable by the Buyer's tag on the windows.

Commissioner Owens asked for a clarification between the current Fire Codes and how this SUP relates to those codes.

Mr. Smith confirmed that Fire Codes follow different occupancy classifications. Due to this being a merchandising business it changes the classification from a auto repair classification. With the online car sales aspect the further restriction of fuel in the amount of gallons would be added to the SUP, as well as discussions to prepare to put up a fire rated wall, if one was a requirement.

Commissioner Dunckel asked if the fire rated wall would be determined at a later date or if it should be included in the SUP as one of the conditions.

Mr. Collins explained that the intent of the SUP was on the condition of the land use. Once the SUP is approved by City Council any building renovations or construction plans would be addressed through the Certificate of Occupancy process.

Chairman McNeese asked if Mr. Pedigo was in agreeance with the 7 conditions of the SUP.

Mr. Pedigo stated that he was in agreeance with all the conditions.

There were no further questions or comments presented by the Commission.

Commissioner Ellis made a motion to approve Case No. 16-12-SUP for a Specific Use Permit for Online Auto Sales on Airport Business Park Addition, Block 1, Lot 1R at 1205 Texas Star Parkway, Suite 120 in the Heavy Industrial District (I-2) and approved recommendation for an Ordinance. Vice Chairman Portugal seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal, and Commission Members: Owens, Olmstead, Dunckel, and Ellis.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (6-0-0)

**ITEM 5. ADJOURN**

There being no further business, the meeting was adjourned at 7:18 p.m.

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Chairman Richard McNeese

Date