



CITY COUNCIL COMMUNICATION

June 14, 2016

SUBJECT: Hold Public Hearing for Specific Use Permit Case No. 16-09-SUP and Consider First and Final Reading of Ordinance No. 2116

SUBMITTED BY: Mike Collins, Director of Planning and Economic Development

REFERENCE NO: 16-09-SUP

ACTION REQUESTED:

Receive public input regarding the request for a Specific Use Permit on Plaza on the Lake Addition, Block A, Lot 1, 401 S. Industrial Boulevard for an Automotive Repair Shop proposed to be located in the Community Business District (C-2) and approve Ordinance No. 2116.

ALTERNATIVES:

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

SUMMARY OF SUBJECT:

Applicant: Saad Aljabban, representing Joudi Group Inc, Ten Minute Oil Change.

Location / Zoning: 401 S. Industrial Boulevard / Community Business District (C-2).

Project Description: Mr. Aljabban is the owner of the business located at 401 S. Industrial Boulevard. This Specific Use Permit (SUP) was originally approved on April 9, 2013 and renewed on December 9, 2014. Mr. Aljabban requests that the SUP be renewed. There have been a few occasions in which the property was not in compliance with the SUP regarding outdoor storage and merchandising. The applicant has remedied these violations.

The Planning and Zoning Commission held a public hearing on May 17, 2016. The Planning and Zoning Commission voted to recommend approval of the Specific Use Permit by a vote of 5-0 with the following conditions:

- a. The Specific Use Permit is tied to the Business Owner: Saad Aljabban; and,
- b. The Specific Use Permit is tied to the Business Name: Ten Minute Oil Change; and,
- c. All repair 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, including tires are not permitted; and,
- e. 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 interior to the building so as to not allow the collection of rainwater in the tires; and,
- f. The services allowed at this facility are as follows: Oil Change, Brake Repair and Replacement, Tire Repair and Replacement, Engine and Radiator Flush, Air Conditioning Service, Tune Ups, Engine Diagnostic Service, State Inspection, Light Mechanical Repair. Auto services not listed here are thereby prohibited; and,
- g. 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; 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.

Since the Planning and Zoning Commission met to consider its recommendation, staff and the city attorney have had further discussions related to how the term “outdoor storage of vehicles” is used within the conditions established for the operation of automotive services businesses. It was determined that perhaps the term should be more clearly defined. Prior to the Comprehensive Zoning Ordinance being adopted by the City in 1997, which contained the requirement that automotive services businesses must operate under a Specific Use Permit, these businesses were generally conducting repair work and parking inoperable vehicles in various stages of disrepair in plain view of public right of way. The original spirit and intent of this SUP requirement was to clean up the view from the public right of way. This would be done by requiring the automotive services activity to be completed internal to the building, and other than during normal business hours, to prevent vehicles in various stages of disrepair from being stored or parked overnight within view from public right of way. As additional SUP’s for automotive services businesses were considered over the years, the requirement related to the outdoor parking evolved from no overnight parking of inoperable vehicles to simply no outdoor storage of vehicles. As other commercial business lots permit 24 hour parking, staff is recommending a clarification of the term “outdoor storage of vehicles”.

Therefore, staff is recommending that the City Council consider approval of the Planning and Zoning Commission recommendation, with the following amendments that are contained in the portions of the conditions found in d., e., h., and j. that are in bold:

- a. The Specific Use Permit is tied to the Business Owner: Saad Aljabban; and,
- b. The Specific Use Permit is tied to the Business Name: Ten Minute Oil Change; 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 inoperable or dilapidated vehicles or exterior display of merchandise is not permitted within view of the public right-of-way; and,**
- e. **All vehicles within view of the public right-of-way must be parked in a parking space fully compliant with Chapter 84, Section 84-201 of the City of Euless Code of Ordinances; and,**
- f. 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 interior to the building so as to not allow the collection of rainwater in the tires; and,
- g. The services allowed at this facility are as follows: Oil Change, Brake Repair and Replacement, Tire Repair and Replacement, Engine and Radiator Flush, Air

Conditioning Service, Tune Ups, Engine Diagnostic Service, State Inspection, Light Mechanical Repair. Auto services not listed here are thereby prohibited; and

- h. 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,
- i. 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; and,
- j. **Upon revocation or expiration of the Specific Use Permit, all uses permitted hereunder shall cease.**

SUPPORTING DOCUMENTS:

- Ordinance No. 2116
- Minutes – P & Z
- Application
- Map 1, Map 2, and Map 3

APPROVED BY:

_____ LG

City Manager's Office

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City Secretary's Office