



CITY COUNCIL COMMUNICATION

June 28, 2016

SUBJECT: Hold Public Hearing for Specific Use Permit Case No. 16-04-SUP and Consider First and Final Reading of Ordinance No. 2119

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

REFERENCE NO: 16-04-SUP

ACTION REQUESTED:

Receive public input regarding the request 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 approve Ordinance No. 2119.

ALTERNATIVES:

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

SUMMARY OF SUBJECT:

Applicant: Mr. James Sosa, representing Hwy 10 Tire Shop.

Location / Zoning: 116 W. Euless Boulevard. The property is zoned Texas Highway 10 Multi-Use District (TX-10).

Project Summary: Since the first Specific Use Permit (SUP) was approved in November 2010, Mr. Sosa has been operating his Tire Repair Shop at this location for the past five years. 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. 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 in the existing structure, with his business open between 8:00am and 6:00pm Monday through Saturday. His business occupies approximately 4,000 square feet of the existing building and fenced yard area.

Mr. Sosa has increased the amount of interior space dedicated to the storage of tires. Staff is recommending that renewal of the SUP be considered as valid for a six month period of time. If approved, 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 Planning and Zoning Commission held a public hearing on June 7, 2016 and recommended approval with the following conditions:

- 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 (6) 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.

SUPPORTING DOCUMENTS:

- Ordinance No. 2119
- Minutes – P & Z
- Application
- Map 1, Map 2, and Map 3

APPROVED BY:

_____ LG

City Manager's Office

_____ KS

City Secretary's Office