



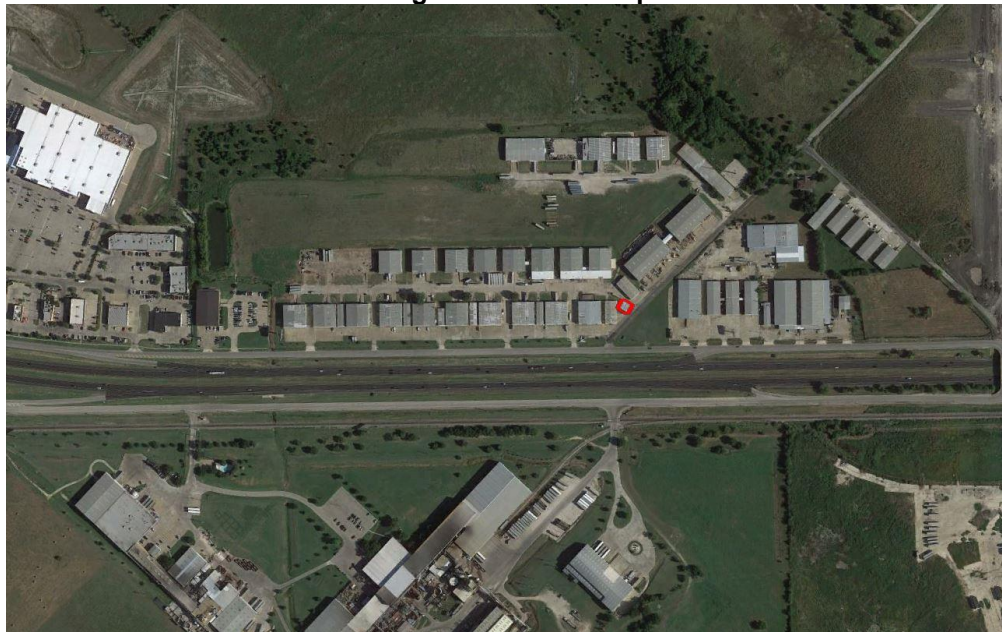
Planning and Zoning Commission Agenda Item Summary Report

Meeting Date: October 8, 2020	Submitted by: A.C. Dixon
Item Title: Hold a public hearing and discuss and consider approval of a Conditional Use Permit for a major auto repair facility to operate at 12549 Reeder Road.	
Public Hearing Item <input checked="" type="checkbox"/> Consent/Action Item <input type="checkbox"/>	Documentation Attached: Application Letter Site Plan

Item Summary:

Dr. Dentless LLC, requests approval of a Conditional Use Permit. The purpose of the request is to allow a paintless dent repair facility as an approved use at 12549 Reeder Road.

Image 1: Location Map



Current Standards:

The property is currently zoned within the Commercial zoning district. 12549 Reeder Road consists of a 1,216 square foot structure located on a 50.06-acre lot. The previous use was a storage. Parking is legal non-conforming shared parking with adjacent businesses.

Proposed Use:

As stated in the application letter, Dr. Dentless LLC would like to operate a paintless dent repair facility at 12549 Reeder Road.

The applicant requests to operate under the zoning classification of major auto repair. The Zoning Ordinance provides the following use definition:

“AUTOMOBILE REPAIR, MAJOR - General repair or reconditioning of engines, air-conditioning systems and transmissions for motor vehicles; wrecker service; collision repair services including body, frame or fender straightening or repair; customizing; painting; vehicle steam cleaning; undercoating and rust proofing; those uses listed under "Automobile Repair, Minor"; and other similar uses.”

The applicant’s business repairs hail damage, door dings and minor dents through a process of pushing the metal back in to shape. The applicant has stated that he would not engage in any hazardous processes. There will be no filling, sanding, grinding or replacement of automotive panels and no repainting of the vehicle.

The applicant has stated that in some cases, the process of paintless dent repair is completed in one day and that no vehicle will be parked outside overnight. Because there are limited tools needed to perform the job, outside storage of any kind would not be necessary. If issued a Conditional Use Permit (CUP), City Council has the authority to remove the CUP if the applicant were to abuse their outdoor storage privileges or create code enforcement issues in the future.

Image 2: Site Photograph



Accessibility:

The property has direct access to the Reeder Road.

Zoning Ordinance Considerations:

When considering applications for a Conditional Use Permit, the City of Forney Zoning Ordinance provides the following considerations for the Planning and Zoning Commission and City Council:

1. The proposed use at the specified location is consistent with the goals, objectives and policies contained in the adopted Comprehensive Plan;
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

3. The proposed use meets all supplemental standards specifically applicable to the use as set forth in Article V of this Ordinance;
4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:
 - a. Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;
 - b. Off-street parking and loading areas;
 - c. Refuse and service areas;
 - d. Utilities with reference to location, availability, and compatibility;
 - e. Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;
 - f. Control of signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
 - g. Required yards and open space;
 - h. Height and bulk of structures;
 - i. Hours of operation;
 - j. Exterior construction material and building design; and
 - k. Roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.
5. The proposed use is not materially detrimental to public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.

Notification:

Notification was provided in the newspaper and to property owners within two-hundred feet (200') of the property. As of this writing, staff has received no public comment regarding this request.

Future Requirements:

If the request is approved, only a Certificate of Occupancy (staff inspection) will be required for the business to operate.

Staff Recommendation:

Due to the history of abuse of outdoor storage privileges and code enforcement violations in this commercial area, staff is supportive of businesses that do not require outside storage of equipment and vehicles. Staff recommends approval.