



## Legislation Details (With Text)

**File #:** 18-188      **Version:** 1

**Type:** New Business      **Status:** Approved

**File created:** 6/22/2018      **In control:** City Council

**On agenda:** 7/17/2018      **Final action:** 7/17/2018

**Title:** PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow Sunray Custom Tint to operate an "Automobile Repair, Sales and Service" establishment including the installation of automobile, residential, and commercial window tints within a 3,375 square-foot building, located on a 0.90-acre lot on the east side of South Main Street (US HWY 377), approximately 700 feet southeast of the intersection of South Main Street (US HWY 377) and Kroger Drive at 1401 South Main Street, being Lot 2, Block 1, Keller, Fred Higgins and Birk Hendrix Addition, and Zoned C (Commercial). Sandra Leder, owner. Sunray Custom Tint, Yarnus, Inc. applicant. (SUP-18-0016)

**Attachments:** 1. 071718\_SunrayTintSUP\_Ordinance 1895, 2. 071718\_SunrayTintSUP\_ExhibitA, 3. 071718\_SunrayTintSUP\_Exhibit A email, 4. 071718\_SunrayTintSUP\_ExhibitA\_SitePlan, 5. 071718\_SunrayTintSUP\_StaffAttachment, 6. 071718\_SunrayTintSUP\_Maps, 7. H-4 Presentation

Date	Ver.	Action By	Action	Result
7/17/2018	1	City Council		
7/17/2018	1	City Council		

**To:** Mark R. Hafner, City Manager

**From:** Susan Kenney, Community Development Director

### Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow Sunray Custom Tint to operate an "Automobile Repair, Sales and Service" establishment including the installation of automobile, residential, and commercial window tints within a 3,375 square-foot building, located on a 0.90-acre lot on the east side of South Main Street (US HWY 377), approximately 700 feet southeast of the intersection of South Main Street (US HWY 377) and Kroger Drive at 1401 South Main Street, being Lot 2, Block 1, Keller, Fred Higgins and Birk Hendrix Addition, and Zoned C (Commercial). Sandra Leder, owner. Sunray Custom Tint, Yarnus, Inc. applicant. (SUP-18-0016)

### Action Requested:

Consider an ordinance approving a Specific Use Permit (SUP) to allow Sunray Custom Tint to operate a proposed "Automobile Repair, Sales and Service" use to include the installation of automobile, residential, and commercial window tinting in a the C (Commercial) zoning district.

### Property Description:

Located in an existing vacated 3,375 square-foot building on approximately 0.90-acres of property, located at 1401 S. Main Street (US HWY 377).

### Background:

Sunray Custom Tint has been located at 1495 S. Main Street, Suite 103 in Keller for approximately 15 years. Due to limited space at their current location Sunray Custom Tint seeks to transition to a

larger facility in order to serve more customers.

The original site plan for the existing vacated building was approved by City Council on November 2, 2010 per Resolution 3006. Multiple UDC variance requests were approved along with the site plan for the prior occupant “Pet Hollywood”.

**Analysis:**

The purpose of this Specific Use Permit is to allow an “Automobile Repair, Sales and Service” use within an approximately 3,375 square-foot building on a 0.90-acre property in the Commercial zoning district.

The use will be maintained indoors and no outside storage is being requested by the applicant.

**Building:**

The building is existing and the applicant does not intend to make any exterior changes or modifications to the building.

**Parking:**

UDC Section 8.07 (G) requires one (1) space per five hundred (500) square feet of gross floor space. The building is 3,375 square-feet and requires seven (7) parking spaces. The site currently has four (4) onsite parking spaces with one (1) handicap space.

A site plan amendment is required for this property.

**Existing Roadway Access:**

South Main Street (US 377), a six (6) lane divided arterial to the west.

**Surrounding Zoning & Land Uses:**

North/South: Commercial use

East: consists of Commercial (C) and SF-36 (Single-Family Residential-36,000 square foot lots)  
Blomgren Addition

West: City of Fort Worth

**Summary:**

Section 8.04 (B.2.a) of the UDC states that when considering a SUP request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;
- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;
- 3) The nature of the use is reasonable and appropriate in the immediate area;
- 4) Any negative impact on the surrounding area has been mitigated; and
- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

**Citizen Input:**

On June 15, 2018, the City mailed out twelve (12) letters of Notifications for this Public Hearing within three hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.

As of July 9, 2018, City staff has received no written responses from the public.

**Board Recommendation:**

The Planning and Zoning Commission recommended approval of this Specific Use Permit request by a vote of (6-0) on June 25, 2018 meeting.

**Professional Opinion:**

Staff's professional opinion is approval of this Specific Use Permit request.

**Alternatives:**

City Council has the following options when considering a Specific Use Permit:

- Approve as submitted
- Approve with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny