



PLANNING AND ZONING COMMISSION MEMORANDUM

FROM: Planning & Zoning Department **DATE:** May 6, 2021
SUBJECT: SUP 2021-01 Public hearing and consideration of a request from Deborah Walls for a special use permit for a secondhand goods dealer at 7651 Davis Boulevard, being 0.332 acres described as Lot 1, Block 2, Woodbert Addition.
PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

On behalf of AMS Property Holdings 1 LLC, Deborah Walls is requesting a special use permit for a secondhand goods dealer on 0.332 acres located at 7651 Davis Boulevard.

GENERAL DESCRIPTION:

The site is located at the southwest corner of Davis Boulevard and Woods Lane, south of Green Valley Drive. The property is currently developed with an 840-square foot building and small parking lot.

In November 2019, Behance Beauty & Wellness, a salon and retail store, began operation in the building. However, in November 2020, a second business operation was added without obtaining a new certificate of occupancy. This tenant, [Deep Dive Vintage](#), is a secondhand goods dealer, which sells used clothing and accessories. The owner was advised that a certificate of occupancy could not be issued unless a special use permit was approved for the use. The owner has applied for a special use permit to authorize the business at this location.

The zoning ordinance was amended in March 2012 to add a definition for secondhand dealer and provide for special use permit consideration for the use in all commercial zoning districts. This use applies to any person or entity engaged in buying, selling, trading, or handling any kinds of used or secondhand goods, wares, or merchandise.

Attached are a letter from the applicant, which describes the business operation, and a conceptual site plan of proposed improvements to the property. The proposed improvements include striping of the parking lot, the addition of an accessible parking space and route to the building, and landscape setbacks adjacent to Davis Boulevard and Woods Lane.

The proposed conditions of approval for this special use permit are attached. The zoning ordinance provides that special use permits may establish reasonable conditions of approval on the operation and location of the use to reduce its effect on adjacent or



surrounding properties. These conditions are based on the applicant's proposed development of the property and Development Review Committee recommendations, and include the items described in detail below. These conditions may be modified throughout the public hearing process, but the conditions are subject to final approval by City Council.

For the purposes of the special use permit application, the site plan is considered a conceptual layout of the development. The layout shown does not meet the general standards for a site plan. If the special use permit is approved, a formal site plan application that addresses the standards described below would need to be submitted for approval by the Development Review Committee (DRC) prior to the issuance of building permits or construction.

- a. Site plan. A formal site plan application that addresses these standards must be submitted for approval by the Development Review Committee (DRC) prior to the issuance of building permits or construction.
- b. Accessible parking. At least one van-accessible parking space must be provided, as required by ADA Standards for Accessible Design. An accessible route must be provided from the space to the building.
- c. Parking spaces. All parking spaces must be striped.
- d. Landscaping. A landscaped area of screening shrubs must be provided between the parking lot and the street frontages on Davis Boulevard and Woods Lane. The shrubs must be planted three feet on center, located at least two feet from the edge of pavement, and located within a planting bed separate from the surrounding turf.

LAND USE PLAN: This area is designated on the Land Use Plan as Office Commercial. This designation encourages professional, medical, and administrative offices, such as traditional office buildings, executive suites, and co-working spaces. It also encourages as limited commercial establishments that benefit adjacent and nearby residential areas, and in which all business is conducted indoors.

CURRENT ZONING: The property is currently zoned C-1 Commercial. This district is intended to provide for development of retail service and office uses principally serving community and regional needs. The district should be located on the periphery of residential neighborhoods and be confined to intersections of major arterial streets. It is also appropriate for major retail corridors as shown on the comprehensive plan.

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	C-1 (Commercial)	Office Commercial	Commercial use (Tex Turf Sod)
WEST	C-1 (Commercial)	Office Commercial	Vacant property
SOUTH	C-1 (Commercial)	Office Commercial	Office use (Precision Construction)
EAST	C-2 (Commercial)	Office Commercial	Vacant property



PLAT STATUS: The property is platted as Lot 1, Block 2, Woodbert Addition.

DRC RECOMMENDATION. The current development policy in North Richland Hills is to monitor closely land uses in the city in order to establish an optimal mix of residential, commercial, restaurant, retail, and office establishments that best serve the varied needs of residents and consumers. To implement this policy, all secondhand goods dealer uses are subject to approval of a special use permit or other zoning action.

The Development Review Committee's (DRC) recommendation for denial of the special use permit application is based on the following.

1. In accordance with the Vision 2030 Land Use Plan approved by the North Richland Hills City Council on July 22, 2019, the City aims to foster a commercial climate that reflects its identity and community values. The NRH community desires uses that provide needed goods and services, convenience, and add to the overall quality of life. The City should encourage existing commercial vacancies to be occupied by uses that serve and benefit the overall community.
2. The use is inconsistent with the Vision 2030 Land Use Plan. The plan designates the area as Office Commercial. This designation encourages professional, medical, and administrative offices as well as limited commercial service establishments that benefit adjacent and nearby residential area.
3. The current development policy in North Richland Hills is to monitor closely the number and location of new secondhand goods dealer uses in order to reduce their proliferation and evaluate their effects on the community. To implement this policy, these uses are subject to approval of a special use permit or other zoning action.

CITY COUNCIL: The City Council will consider this request at the May 24, 2021, meeting following a recommendation by the Planning and Zoning Commission.

RECOMMENDATION:

Deny SUP 2021-01.