

**EXCERPT FROM THE MINUTES OF THE
SEPTEMBER 15, 2016 PLANING AND ZONING COMMISISON MEETING**

**C.2 SUP 2016-03 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM
BILLY MCDANIEL FOR A SPECIAL USE PERMIT FOR A SECONDHAND DEALER
BUSINESS LOCATED AT 7520 NE LOOP 820.**

APPROVED

Planning Manager Clayton Comstock introduced the Special Use Permit request.

Applicant Billy McDaniel, 10301 White Settlement Rd, Fort Worth, came forward to present the request.

Hunter McElhaney representing the property owner, Woodcrest Capital, came forward to discuss the landscape plan.

Commissioner Mike Benton asked about requirements for dumpster screening on the site.

Planning Manager Comstock responded that screening from the public right of way is required if they choose to add a dumpster.

Chairman Shiflet asked if a business of this size would be required to have a dumpster.

Mr. Comstock said that there is no requirement for a dumpster in the city code, but screening is required if they choose to have one.

Chairman Shiflet commented that a provision for an enclosure could be added to the motion made by the Commission.

Commissioner Don Bowen asked if any furniture will be built on the proposed site.

Mr. McDaniel said that all furniture will be built at a shop located at his residence.

Mr. Comstock summarized the staff report and stated that the approval recommendation from staff is tied to the proposed property improvements. These include applying the Freeway Corridor Overlay standards and the addition of irrigated parking lot landscaping.

Ex-Officio Jerry Tyner asked about fencing requirements along City Point Drive.

Mr. Comstock replied that if this were a new development, they would be required to screen the loading docks from the public right of way. Since the value of the proposed improvements are likely not 75% or more of the total appraised value of the property, staff does not believe that screening and landscaping along City Point Drive is required at this time.

Chairman Shiflet asked about the timeline for the landscaping improvements along Boulevard 26 that were required from the previous Events Center Special Use Permit case.

Mr. Comstock replied that those were required to be completed within 12 months of that previous approval.

Commissioner Kathy Luppy stated that it would be nice to tie these proposed landscaping improvements in with what was done in the Boulevard 26 median recently as those plantings are drought tolerant. She also asked if a deli was to be included in this project.

Mr. McDaniel said they were keeping that as a future option at this point.

Mr. Comstock stated that staff is recommending a "sunset" or an expiration for this Special Use Permit which would expire after a certain amount of time and the use would become legally non-conforming. This allows the use to continue unless it is vacated for more than six months. Staff is recommending either a three or five year sunset in this case.

Chairman Shiflet asked about other antique malls in the Dallas-Fort Worth Metroplex and what the competition is for this business.

Mr. McDaniel responded that there is in Plano, one on 377, and on Montgomery Street in Fort Worth.

Chairman Shiflet asked the property owner if they were confident in the decision to use the existing pole sign for the proposed lease space given its size compared with the total building area.

Mr. McElhaney said this 50,000 square foot space is the largest space in the center.

There was a discussion about the current uses in the shopping center.

Chairman Shiflet asked about the current taxable value of the property listed on the Tarrant Appraisal District website and why it is much lower than was shown in previous years.

Mr. McElhaney said that his company recently acquired the property and cannot speak to the difference.

Commissioner Bill Schopper stated that the current amount listed by the appraisal district may reflect the price that the new property owner paid.

Chairman Shiflet stated that this is a public hearing and called for anyone wishing to speak to come forward. Seeing no one, he closed the public hearing.

Commissioner Mark Haynes moved to approve the request with all the staff conditions as well as a three year sunset clause. In addition, if a dumpster is added, it needs to meet all screening criteria.

Commissioner Mike Benton seconded the motion.

Chairman Shiflet wished the applicant well and said his vote against the plan is not personal, however he does not believe this proposal is consistent with the effort to improve the entrance into North Richland Hills.

Commissioner Benton commented that the landscaping and frontage improvements in the plan got his attention.

Commissioner Schopper stated that he is pleased to see someone fill the vacant space.

COMMISSIONER HAYNES MOVED TO APPROVE SUP 2016-03 WITH ALL CONDITIONS IN THE STAFF REPORT, A THREE YEAR SUNSET CLAUSE AND, IF A DUMPSTER IS ADDED, IT MUST MEET ALL CITY SCREENING CRITERIA. COMMISSIONER BENTON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-1. (SHIFLET)