

## **MEMORANDUM**

**TO:** Claire Powell, City Manager

**FROM:** Richard E. Luedke, AICP, Planning Director

**DATE:** December 16, 2024

**SUBJECT:** **Public Hearing: Consideration of an Ordinance Amending Ordinance 0712-24-SUP in Order to Expand the Special Use Permit Granted Thereby to Allow two Automobile Repair (Minor) Uses on Portions of an Approximately 1.5871-Acre Tract, Legally Described as Fairway Business Park Addition, Lot 9, Block A, Located at 1504 Eagle Court, Save for the Portion of the Tract Specified by and Subject to Ordinance 0317-21-SUP, Zoned Light Industrial District (LI); as Requested by John Lam, of Alltrades, on Behalf of AIP Eagle Court, LLC, the Property Owner (Case No. 24-11-20-SUP).**

### **BACKGROUND:**

Liberty Hail is a paintless dent repair business. This type of business is considered an Automotive Repair (Minor) use in the Unified Development Code (UDC) and requires the approval of a special use permit (SUP). The City Council approved an SUP for D Taylor Automotive on March 15, 2021 that was specific to a particular suite within the building. A second SUP was approved by Ordinance 0712-24-SUP on November 4, 2024 for Texas Star Automotive allowing them to occupy 1,800 square feet anywhere within the building except for the specific suite occupied by D Taylor Automotive. The proposed amendment to Ordinance 0712-24-SUP will allow two additional automobile repair (minor) uses of 1,800 square feet each to occupy any space in the building except for the specific suite occupied by D Taylor Automotive. The Planning and Zoning Commission recommended unanimous approval (7-0) on December 3, 2024.

### **ANALYSIS:**

#### *Site, Landscaping and Building*

The proposed business will be located in the Alltrades Industrial Park located off of Eagle Court. The industrial park was developed in 2019 and met all of Lewisville's development regulations at that time. Liberty Hail is not making any changes to the site and will only be operating in one of the tenant spaces. The site, landscaping and building will not be altered from what was approved in 2019. The business will operate from 9:00 am. to 5:00 pm. Monday through Friday, and 10:00 am. through 4:00 pm. on the weekend. The applicant has made a commitment to prohibit any vehicles being serviced from being stored or parked outside. No additional free-standing signage is proposed with this SUP amendment.

*Compatibility Criteria for Approval*

Article III, Chapter 9, Section 2 of the UDC lists the criteria for approval for special use permits. Staff's analysis for each criterion is outlined below:

**A. Compatibility with surrounding uses and community facilities.**

The surrounding uses and facilities are industrial, and the proposed use is consistent and compatible.

**B. Compatibility with the comprehensive plan and any adopted long-range plans addressing the area.**

Though the Lewisville 2025 Vision Plan calls for diverse and thriving neighborhoods in this location, the area is largely industrial with an adjacent electrical substation and rail line. The small scale of this business coupled with limitations on free-standing signage and the storage of vehicles outside the building adds diversity to the overall neighborhood and contributes to the overall well-being of the area.

**C. Enhancement or promotion of the welfare of the area.**

The proposed SUP continues to promote economic welfare of the area and will provide a needed service to the residents of the general area.

**D. Whether the use will be detrimental to the public health, safety, or general welfare; and**

Staff has not identified any negative impacts to the public health, safety, or general welfare.

**E. Conformity with all zoning regulations and standards.**

The physical site will remain largely unchanged. This is an appropriate location for minor automotive businesses.

*Summary*

Staff believes the proposal meets the compatibility criteria for SUP approval. The proposed use will have a minimal impact on adjacent properties and is suitable for this particular location.

**CITY STAFF'S RECOMMENDATION:**

That the City Council approve the ordinance as set forth in the caption above.