

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Grace Martin-Young, Planner

DATE: December 17, 2024

SUBJECT: **PUBLIC HEARING:** Consider Terminating Ordinance No. 0129-19-SUP; a Special Use Permit for Minor Automobile Services Including Tune-up and Repair Services and a Car Wash Facility; on a 1.221-Acre Lot, Legally Described as Lot 3, Block A, The Corners at Valley Parkway Addition; Located at 1111 West Round Grove Road, Zoned Local Commercial (LC).

BACKGROUND:

On July 15th, 2019, the City Council adopted Ordinance No. 0129-19-SUP, approving a Special Use Permit for Kwik Kar, a car wash facility with minor automotive repair services including tune-ups and repairs. This Special Use Permit was granted prior to the adoption of the Unified Development Code. *Section 6. Rescinding and Termination* of the approved Special Use Permit states that the City Council may rescind and terminate the Special Use Permit after a public hearing due to the occurrence of any one of five items including violation or filature to meet one or more of the conditions imposed by the Special Use Permit or abandonment of the structure, lease space, lot, or tract of land for 180 days or more.

ANALYSIS:

Staff has found sufficient evidence of the occurrence of the two items warranting termination listed above.

- Firstly, the landscape plan approved as a part of Exhibit “B” and a condition of the Special Use Permit, called for the addition of landscaping. Particularly, two red oak trees were to be provided in the medians just east of the repairs building. The site is not in compliance with Exhibit B, as required by Section 3, and Section 6, as the required trees are not on the site.
- Secondly, street imagery shows that Kwik Kar has removed business signage, and ceased operation, as of February 2024, at the latest.

The business that applied for the special use permit is no longer in operation, eliminating the utility of Ordinance No. 0129-19-SUP. Further, another business seeks approval of a special use permit for a car wash which was recommended for approval by the Planning and Zoning Commission on November 5th, 2024 and is closer in alignment with the goals of the City’s Comprehensive and Long-Range Planning efforts. Therefore, the termination of this Special Use Permit is in the best interest of the City and local businesses and is supported by staff.

CITY STAFF’S RECOMMENDATION:

That the Planning and Zoning Commission recommend approval of terminating Ordinance No. 0219-19-SUP.