

Notice of a Meeting
Dalworthington Gardens Planning and Zoning Commission

March 7, 2024 at 6:00 p.m.
City Hall Council Chambers, 2600 Roosevelt Drive, Dalworthington Gardens, Texas

The Planning and Zoning Commission reserves the right to adjourn into closed session at any time during the course of this meeting as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney).

1. Call to Order
2. Citizens who wish to speak to the Planning & Zoning Commission Members will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and Planning and Zoning Commission Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.
3. Minutes
 - i. 12.13.2023 Minutes
 - ii. 12.19.2023 Minutes
 - iii. 1.10.2024 Minutes
4. Consideration of a Special Exception Application for motor vehicle sales – indoor: Showroom wholly within a building; no vehicle display visible from outside the building; detailing for sale but no mechanical work allowed; no outside storage, in accordance with the City of Dalworthington Garden’s Zoning Ordinance subsection (a)(15) of Section 14.02.224. Business located at 2209 Michigan Ave, Dalworthington Gardens, Texas
 - i. Conduct public hearing
 - ii. Discussion and action
5. Future agenda item
5. Adjourn

CERTIFICATION

This is to certify that a copy of the **March 7, 2024**, Planning and Zoning Commission Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City’s website, www.cityofdwtg.net, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: _____ TIME OF POSTING: _____ TAKEN DOWN: _____

Sandra Ma, City Secretary

Dalworthington Gardens Planning and Zoning Commission
Meeting Minutes
December 13, 2023

1. Call to Order

Chairperson Todd Batiste called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Todd Batiste, Chairperson

Paul Switzer

Anthony Parker, Alternate

Members Absent:

Maurice Clark

Brian Colin

Johanna Storm

Staff Present:

Sandra Ma, Interim City Secretary

2. Citizens who wish to speak to the Planning & Zoning Commission Members will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and Planning and Zoning Commission Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.

None.

3. Approval of minutes

- i. October 23, 2023 meeting minutes

A motion was made by Sweitzer and seconded by Parker to approve items 3i

Motion carried by the following vote:

Ayes: Members Sweitzer, Parker, Batiste

Nays: None

4. Discussion and possible action regarding a Zone Change Application requesting a rezone from single-family "SF" residential to garden homes "GH" base zoning with a mixed-use "MU" overlay for properties located at 2500 California Lane and 2512 California Lane, Dalworthington Gardens.

- i. Conduct public hearing
ii. Discussion and action

This agenda item and associated public hearing are continued to December 19, 2023 at 6:00 p.m.

5. Future agenda items:

Not needed.

6. Adjourn

The meeting was adjourned at 6:02 p.m.

Dalworthington Gardens Planning and Zoning Commission
Meeting Minutes
December 19, 2023

1. Call to Order

Chairperson Todd Batiste called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Todd Batiste, Chairperson
Brian Colin
Paul Sweitzer

Members Absent:

Maurice Clark
Johanna Storm
Anthony Parker-Alternate

Staff Present:

Sandra Ma, Interim City Secretary

2. Citizens who wish to speak to the Planning & Zoning Commission Members will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and Planning and Zoning Commission Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.

None

3. Discussion and possible action regarding a Zone Change Application requesting a rezone from single-family "SF" residential to garden homes "GH" base zoning with a mixed-use "MU" overlay for properties located at 2500 California Lane and 2512 California Lane, Dalworthington Gardens.

- i. Conduct public hearing
- ii. Discussion and action

Background Information: A Zone Change Application was received for properties located at 2500 California Lane and 2512 California Lane for a change from single family "SF" residential to garden home "GH" base zoning with a mixed-use "MU" overlay.

Per Local Government Code, Chapter 211, zone changes must comply with the City's Comprehensive Plan as follows: Sec. 211.004. COMPLIANCE WITH COMPREHENSIVE PLAN. (a) Zoning regulations must be adopted in accordance with a comprehensive plan and must be designed to:

- (1) lessen congestion in the streets;
- (2) secure safety from fire, panic, and other dangers;
- (3) promote health and the general welfare;
- (4) provide adequate light and air;
- (5) prevent the overcrowding of land;
- (6) avoid undue concentration of population; or
- (7) facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

The Future Land Use Map from the current 2005 adopted Plan shows these properties to remain as single family residential. However, in the latest Plan draft amendment from June 2023 includes changes to proposed Bowen Road future land uses as described below. The full description can be found in your packet.

The Bowen Road Planned Development Overlay may include Large Lot Residential uses but may also include a mixture of Medium Density Single Family Garden Homes, and Commercial Uses with a preference toward agricultural related businesses (vegetable and meat markets, farm and ranch supply, etc.) and restaurants. Garden Home developments shall include 10 percent open space for parks and community gardens. The Planned Development shall provide an orderly transition from commercial uses to the large lot Residential uses and incorporate suitable separation barriers with a preference to vegetated barriers in lieu of hardened barriers such as fences. Uses other than large lot residential uses shall be planned development.

The applicant has communicated to the City he desires to build garden homes with a few small foot print restaurants on the south end of the development.

Chairman Todd Batiste opened the public hearing at 6:17 p.m.

Trevor Turnbow, 4726 Lennon, owner of land began with a presentation.

Scott McCaskey, 2501 California, spoke that he likes to see homes being built first and then commercial buildings last. He is concerned with drainage and fencing going down Texas Drive.

Dixon Holeman, 7304 Baychase Drive, spoke in clarification with Trevor Turnbow about Garden Homes Lots to be built first to help fund the rest of the development.

Cindy Fulton and Michael Pair, 2916 Texas Drive, questions regarding setbacks, living area, and divider between property.

Michael Pair, 2916 Texas Drive, spoke with question about drainage and sewage.

With no one else desiring to speak, the public hearing was closed at 6:36 p.m.

Chairperson Todd Batiste asked a question to Trevor Turnbow if he is pursuing a request with Garden Home Zoning with a Commercial Overlay or change request to the Bowen Road Overlay. Dixon said their intent is to conform to the Bowen Road Overlay because of this technicality public notices will need to be re-sent with this zoning. Attorney clarified we would need to make a motion for this current agenda item to recommend approval or denial. If applicant intends to proceed with the Bowen Road Overlay he will need to submit application and public notices will need to be sent for meeting.

After discussion with Dixon, a continuance was asked with no actions taken. In the meantime he can discuss with Trevor on which zoning and overlay they would want to proceed with. They could withdraw and resubmit before the next meeting.

Chairman Todd Batiste gave comment regarding drawings saying it was more appealing than the last drawings. The Garden Homes would be nice to see creative something instead of straight line set of homes. He likes the deacceleration lane that was added.

Chairman Colin also said he likes the deacceleration lane and the right turn lane that was added.

Chairman Switzer said he would like a little more detail on the car garage because he has concerns with spacing.

Chairman Todd Batiste re-opened public hearing at 6:48 p.m.

Chairman Colin made a motion to move to table to the date of next P&Z meeting January 10, 2024 at 6:00 p.m. and Chairman Paul Switzer seconded the motion.

Motion carried by the following vote:

Ayes: Members Sweitzer and Colin

Nays: None

4. Discussion and possible action on a replat for property described as Lot 2R, Block 1 of Dalworthington Gardens Addition, Dalworthington Gardens, Tarrant County, Texas otherwise known as 3428 E. Arkansas Lane Dalworthington Gardens, Tarrant County, Texas

- i. Conduct public hearing
- ii. Discussion and action

Background Information: Section 1.02.151 of the City's Code of Ordinance states the purpose of a replat is to revise or subdivide any part or all of any block or previously platted subdivision, addition, or lot. On November 16, 2023, John W. Guerin submitted a replat application for property described as Lot 2R, Block 1 of Dalworthington Gardens Addition, Dalworthington Gardens, Tarrant County, Texas otherwise known as 3428 W. Arkansas Lane Dalworthington Gardens, Tarrant County, Texas. The plat application was forwarded to the city engineer for review. On December 4, 2023, the city engineer conducted his final review of the plat and determined the plat conforms with the City's ordinance and recommended approval of the plat. Local Government Code , Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirements of city ordinance. As such, staff recommends approval of this plat

Attorney clarified that motion to approve are actually recommendation for approval which will then go to city council for action.

Chairman Todd Batiste opened the public hearing at 6:14 p.m.

John Guerin, Contactor, spoke regarding the reason for the plat is to add a parking lot to the property.

With no one else desiring to speak, the public hearing was closed at 6:15 p.m.

A motion was made by Commissioner Brian Colin and seconded by Commissioner Paul Sweitzer to recommend approval of a replat application from John Guerin for property described as Lot 2R, Block 1 of Dalworthington Gardens Addition, Dalworthington Gardens, Tarrant County, Texas otherwise known as 3428 W. Arkansas Lane Dalworthington Gardens, Tarrant County, Texas

Motion carried by the following vote:

Ayes: Members Sweitzer and Colin

Nays: None

5. Future agenda items:

Not needed.

6. Adjourn

The meeting was adjourned at 6:50 p.m.

Dalworthington Gardens Planning and Zoning Commission
January 10, 2024 at 6:00 p.m.

1. **Call to Order**

Chairperson Todd Batiste called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Todd Batiste, Chairperson
Maurice Clark, Vice Chairperson
Anthony Parker, Alternate
Brian Colin

Members Absent

Johanna Storm
Paul Sweitzer

Staff Present:

Sandra Ma, City Secretary

2. **Citizens who wish to speak to the Planning & Zoning Commission Members will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and Planning and Zoning Commission Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.**

None.

3. **Discussion and possible action regarding a replat for property described Lots 1&2, Block 1 of Urcarco Addition, Dalworthington Gardens, Tarrant County, Texas otherwise known as 2715 W. Pioneer Parkway, Dalworthington Gardens, Tarrant County Texas**
- i. Conduct public hearing**
 - ii. Discussion and action**

Background Information: Section 1.02.151 of the City's Code of Ordinance states the purpose of a replat is to revise or subdivide any part or all of any block or previously platted subdivision, addition, or lot. On August 9, 2023, Diana King submitted a replat application for property described Lots 1&2, Block 1 of Urcarco Addition, Dalworthington Gardens, Tarrant County, Texas otherwise known as 2715 W. Pioneer Parkway, Dalworthington Gardens, Tarrant County, Texas. The plat application was forwarded to the city engineer for review. On December 8, 2023, the city engineer conducted his final review of the plat and determined the plat conforms with the City's ordinance and recommended approval of the plat. Local Government Code, Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirements of city ordinance. As such, staff recommends approval of this plat

Chairman Todd Batiste opened the public hearing at 6:01 p.m.

Dana King, Architect, gave a presentation. This is one business located on two lots.

With no one else desiring to speak, the public hearing was closed at 6:02 p.m.

A motion was made by Commissioner Anthony Parker and seconded by Commissioner Brian Colin to recommend approval of a replat application from Diana King for property described Lots 1&2, Block 1 of Urcarco Addition, Dalworthington Gardens, Tarrant County, Texas otherwise known as 2715 W. Pioneer Parkway, Dalworthington Gardens, Tarrant County, Texas.

Motion carried by the following vote:

Ayes: Members Clark, Parker, Colin

Nays: None

4. Discussion and possible action regarding vacancy on P&Z board

No recommendations from board regarding applicants for vacancy, no action taken

5. Future agenda items.

Roosevelt Estates will not on the next meeting February 1, 2024 with public notices sent in advance.

6. Adjourn

The meeting was adjourned at 6:09 p.m.

Staff Agenda Report

Agenda Subject: Consideration of a Special Exception Application for motor vehicle sales – indoor: Showroom wholly within a building; no vehicle display visible from outside the building; detailing for sale but no mechanical work allowed; no outside storage, in accordance with the City of Dalworthington Garden’s Zoning Ordinance subsection (a) (15) of Section 14.02.224. Business located at 2209 Michigan Ave, Dalworthington Gardens

Background Information: Business Owner Amel Kohnic is requesting a special exception in accordance with Section 14.02.224(a)(15) for motor vehicle sales – indoor: Showroom wholly within a building; no vehicle display visible from outside the building; detailing for sale but no mechanical work allowed; no outside storage as outline in Ordinance No. 2023-25

Mr. Kohnic originally applied for a certificate of occupancy on May 30, 2019 and was given a certificate of occupancy July 2, 2019 for auto repair and motorcycle shop. Mr. Kohnic is seeking to renew his dealer’s license with the State. He has denied renewal from the State with an explanation per Dalworthington Gardens City Ordinance 14.02.224, which does not permit vehicle sales

An application for a certificate of occupancy was submitted on January 22, 2024 and was returned from Safebuilt, which is DWG 3rd party plan reviewer/inspection with a denial letter on January 26, 2024.

Consideration for special exceptions should abide by the following guidelines from the ordinance. They differ from variances in that a hardship is not required to be shown or proven.

Notifications of tonight’s public hearing was sent to all property owners within 200 feet of the subject property as well as being posted in the Commercial Record. Of the nine property owner notificaitons sent, 1 was returned with comments. 1 were returned in favor of the zoning change and 0 were returned in opposition of the zoning change. All comments included on the notifications returned will be read during the public hearing.

Recommended Action/Motion:

Motion to recommend a Special Exception Application for motor vehicle sales – indoor: Showroom wholly within a building; no vehicle display visible from outside the building; detailing for sale but no mechanical work allowed; no outside storage, in accordance with the City of Dalworthington Garden’s Zoning Ordinance subsection (a) (15) of Section 14.02.224.

OR

Motion to deny a Special Exception Application for motor vehicle sales – indoor: Showroom wholly within a building; no vehicle display visible from outside the building; detailing for sale but no mechanical work allowed; no outside storage, in accordance with the City of Dalworthington Garden’s Zoning Ordinance subsection (a) (15) of Section 14.02.224.

Attachments:

Ordinance No. 2023-25

Special Exception Application

Certificate of Occupancy Application from 2019

Certificate of Occupancy Application from 2024

Letter from Applicant

Public Notice Response

ORDINANCE NO. 2023-25

AN ORDINANCE AMENDING CHAPTER 14, "ZONING," OF THE CODE OF ORDINANCES, CITY OF DALWORTHINGTON GARDENS, TEXAS, BY AMENDING SECTION 14.02.224, "'B-3' BUSINESS DISTRICT," OF DIVISION 6, "COMMERCIAL AND INDUSTRIAL DISTRICT REGULATIONS" TO AMEND REGULATIONS FOR MOTOR VEHICLE SALES; AMENDING SECTION 14.02.225, "LI" LIGHT INDUSTRIAL DISTRICT" OF DIVISION 6, "COMMERCIAL AND INDUSTRIAL DISTRICT REGULATIONS" TO ADD REGULATIONS FOR MOTOR VEHICLE SALES; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PUBLICATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dalworthington Gardens is a Type-A general law municipality located in Tarrant County, created in accordance with the provisions of Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council previously established zoning regulations governing motor vehicle sales; and

WHEREAS, the City Council desires to clarify regulations for motor vehicle sales; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to amend Chapter 14 of the City Code, as amended, as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, THAT:

SECTION 1.

Subsection (a)(15) of Section 14.02.224. "'B-3' Business District." of Division 6, "Commercial and Industrial District Regulations." of Chapter 14, "Zoning." of the Code of Ordinances. City of Dalworthington Gardens. Texas is hereby amended to read as follows:

"...

(15) Motor Vehicle Sales – indoor: Showroom wholly within a building; no vehicle display visible from outside the building; detailing for sale but no mechanical work allowed; no outside storage. Motor Vehicle Sales as provided herein are only permitted pursuant to a special exception as provided in division 8 of this article."

SECTION 2.

Section 14.02.225, "'LI' Light Industrial District," of Division 6, "Commercial and Industrial District Regulations," of Chapter 14, "Zoning," of the Code of Ordinances, City of Dalworthington Gardens, Texas is hereby amended to read as follows:

"...

(14) Motor Vehicle Sales – indoor: Showroom wholly within a building; no vehicle display visible from outside the building; detailing for sale but no mechanical work allowed; no outside storage. Motor Vehicle Sales as provided herein are only permitted pursuant to a special exception as provided in division 8 of this article."

SECTION 3.

This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances, City of Dalworthington Gardens, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2,000.00. Each day that a violation continues shall be deemed a separate offense.

SECTION 6.

All rights and remedies of the City of Dalworthington Gardens, Texas are expressly saved as to any and all violations of the City's Zoning Ordinance, as amended, which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 7.

The City Secretary of the City of Dalworthington Gardens is hereby directed to publish at least twice in the official newspaper of the City of Dalworthington Gardens, the caption and the penalty clause of this ordinance in accordance with Section 52.011 of the Local Government Code.

SECTION 8.

This ordinance shall be in full force and effect from and after its passage and publication as required by law,

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 21st day of December, 2023.

CITY OF DALWORTHINGTON GARDENS

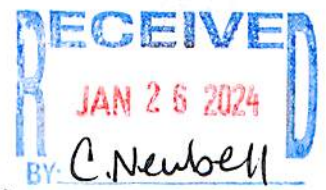
By: Laurie Bianco
Laurie Bianco, Mayor

ATTEST:

Sandra Ma
Sandra Ma, Interim City Secretary



CITY OF DAL WORTHINGTON GARDENS
SPECIAL EXCEPTION APPLICATION



Amel Kohnic

1-22-24

Applicant's Name (please print)

Date

2241 Sophie Ln Arlington TX 76010

817-614-5371

Address

Telephone Number

2209 Michigan Ave Dalworthington Gardens TX 76013

Property Address

Amel Kohnic

2241 Sophie Ln

817-614-5371

Property Owner

Address

Telephone Number

4,000 square foot building with offices, garage

Legal Description of Property

Space and indoor showroom.

I hereby apply to the Planning and Zoning Commission and City Council for the following special exception.

Be sure to include the following with your application:

- (1) Exact special exception requested;
- (2) Site plan sketch showing location of the use on property;
- (3) A statement as to why the proposed special exception will not cause substantial injury to the value, use or enjoyment of other property in the neighborhood;
- (4) A statement as to how the proposed special exception is to be designed, arranged and operated in order to ensure that development and use of neighboring property in accordance with the applicable district regulations will not be prevented or made unlikely, and that the value, use and reasonable enjoyment of such property will not be impaired or adversely affected; and
- (5) An identification of any potentially adverse effects that may be associated with the proposed special exception and the means proposed by the applicant to avoid, minimize or mitigate such effects.

We would like a special exception for vehicle sales in our indoor showroom. Please see attached letter.

Amel Kohnic

1-22-24

Applicant's Signature

Date

For Office Use Only

Fee Amount: \$500.00

Date: 1/26/2024

Receipt Number: CK250590

Transaction Code - 161

00 377

1129



CERTIFICATE OF OCCUPANCY APPLICATION

CITY OF DALWORTHINGTON GARDENS
2600 Roosevelt Drive, DWG, TX 76016
TEL. 817-274-7368 FAX 817-265-4401
www.cityofdwa.net

A non-refundable \$100.00 processing fee is required with application submittal along with Photo Identification

Application Date 5-30-19 (application will expired after 60 days of submittal)

Address of Use 2209 Michigan Ave Suite No.

Business Name AA MOTORS Phone # 817-614-5371

Proposed Use of Building (be specific) motorcycle shop/auto repair

Nature of Business: [X] Auto Repair, [] Manufacturing, [] Office, [] Restaurant, [] Retail, [] School, [] Warehouse, [X] Other: motorcycle shop

Number of Square Feet to be used for the following: Total Area 3600 Office 1400 Warehouse use 2200

Will signs be replaced or installed? [X] Yes [] No Is this a sub-lease? [] Yes [X] No

Is your business required to collect sales tax? [] Yes [X] No [] Unsure

If Yes, list your sales tax permit number and business name (sales tax #) (business name)

Type of Application (check all that may apply): [] New Construction/Shell, [] Change of Ownership, [X] Change of Occupant/ New Business, [] Clean & Show (over 30 days), [] Existing Business/New Owner, [] Existing Business Name Change, [] Expanding Lease Space, [] Other

Occupant/Lessee Name Amel Kohnic

Phone Number Cell Phone 817-614-5371 Fax Number

Email Address Amel.200@aol.com - 614-5371

Mailing Address (other than application address) 2241 Sophie Ln Arlington TX 76010

Building Owner Name Amel Kohnic

Mailing Address 2241 Sophie Ln Arlington TX 76010

Phone Number Cell Phone 817-614-5371 Fax Number

Email Address [Redacted]

Emergency Contact Name Amel Kohnic Phone Number [Redacted]

Name Saniya Kohnic Phone Number [Redacted]

Printed Name

Amel Kalmic

Signature

Amel Kalmic

Date

05.30.19

(Address)

I hereby certify that I have completed this questionnaire for 2204 Michigan Ave and know the same to be true and correct.

C. O. Questionnaire		YES	NO																											
1.	Are you enlarging an existing tenant space by combining suites, or portions of suites? If yes, list lease spaces being combined	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
2.	Will you store, use, dispense or mix flammable or combustible liquids for purposes other than maintenance for operation of equipment? If yes, specify the type of product and the protected quantities	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
3.	Will there be any spray painting on the premises? If yes, specify the type and protected quantities	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
4.	Will you handle or use any hazardous or toxic chemicals such as but not limited to oxidizers, corrosive liquids, poisonous gases and radioactive materials? If yes, specify the type and protected quantities	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
5A	Will the principal use of the building or tenant space be used for storage? If yes what materials will be stored? What percentage will be used for storage? How high will materials be stacked? Will the materials be stored on racks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
6.	Will the building be equipped with a <input type="checkbox"/> fire sprinkler system <input type="checkbox"/> standpipe system <input type="checkbox"/> hood ansul system	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
7.	Will food or beverages be manufactured, packaged, stored, distributed, sold or prepared in any manner other than vending machines? Will alcoholic beverages be sold for consumption on the premises?	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
8.	Will the building or tenant space be used for a sexually-oriented business or adult entertainment? As defined within the Code of Ordinance Chapter 17.8.C.15	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
10.	Trash Disposal <input type="checkbox"/> Rented Dumpster <input checked="" type="checkbox"/> Curb-Side Pick-Up	<input type="checkbox"/>	<input checked="" type="checkbox"/>																											
11.	I have installed or plan to install an alarm system. (Notify DPS and obtain a \$10.00 permit!)	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
12.	Will any goods, merchandise or raw materials be stored outdoors?	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
13.	Will any goods or merchandise be displayed outdoors?	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
14.	Will used goods be sold on the premises?	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
15.	Will you be performing any of the following processes on the premises? If yes, check: <input type="checkbox"/> Manufacturing <input type="checkbox"/> Treating <input type="checkbox"/> Formulation/Mixing/Processing <input type="checkbox"/> Vehicle Washing	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
16.	Will any liquid wastes or sludges be generated which are not disposed of in the sewer system? Will any form of waste water pre-treatment be utilized at this facility?	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
17.	If yes, briefly describe	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
18.	Will combustible dust be generated [sawdust, fine metal shavings, grain processing/storage]	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
19.	Will a swimming pool be located on the premises?	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
20.	Will any portion of the building/space be utilized as a classroom, training room or daycare? If yes, <input type="checkbox"/> Age 0-2 1/2 <input type="checkbox"/> older than 2 1/2 (Number of students) <input type="checkbox"/> older than 2 1/2 (Number of students)	<input checked="" type="checkbox"/>	<input type="checkbox"/>																											
21.	Will you be performing any of the following activities or processes on the premises? Check all that would apply	<input type="checkbox"/>	<input checked="" type="checkbox"/>																											
<table border="0"> <tr> <td><input type="checkbox"/> Medical/Dental</td> <td><input type="checkbox"/> Sale of alcoholic Beverages</td> <td><input type="checkbox"/> On-site Sewage Facility</td> </tr> <tr> <td><input type="checkbox"/> Use of Medical Gas</td> <td><input type="checkbox"/> Grocery or Convenience Store</td> <td><input type="checkbox"/> Formulation/Mixing/Processing</td> </tr> <tr> <td><input type="checkbox"/> Bar Area</td> <td><input type="checkbox"/> Parts or Vehicle Wash</td> <td><input type="checkbox"/> Manufacturing</td> </tr> <tr> <td><input type="checkbox"/> Personal Services</td> <td><input type="checkbox"/> Sanding Mill or Wood Cutting</td> <td><input type="checkbox"/> Painting or Cooling</td> </tr> <tr> <td><input type="checkbox"/> Child Care Center</td> <td><input type="checkbox"/> Welding or Cutting</td> <td><input type="checkbox"/> Flammable/Combustible Liquids</td> </tr> <tr> <td><input type="checkbox"/> Dance Floor</td> <td><input type="checkbox"/> Food Products</td> <td><input type="checkbox"/> Incineration</td> </tr> <tr> <td><input type="checkbox"/> Office</td> <td><input type="checkbox"/> Siding Mill or Wood Cutting</td> <td><input type="checkbox"/> Items stacked higher than 12'</td> </tr> <tr> <td><input type="checkbox"/> Retail Sales</td> <td><input type="checkbox"/> Assembly/Gathering/Worship</td> <td><input type="checkbox"/> Outside Storage or Display</td> </tr> <tr> <td><input type="checkbox"/> Restaurant</td> <td><input type="checkbox"/> Smoking Section on Premise</td> <td><input type="checkbox"/> Tire Storage</td> </tr> </table>				<input type="checkbox"/> Medical/Dental	<input type="checkbox"/> Sale of alcoholic Beverages	<input type="checkbox"/> On-site Sewage Facility	<input type="checkbox"/> Use of Medical Gas	<input type="checkbox"/> Grocery or Convenience Store	<input type="checkbox"/> Formulation/Mixing/Processing	<input type="checkbox"/> Bar Area	<input type="checkbox"/> Parts or Vehicle Wash	<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Personal Services	<input type="checkbox"/> Sanding Mill or Wood Cutting	<input type="checkbox"/> Painting or Cooling	<input type="checkbox"/> Child Care Center	<input type="checkbox"/> Welding or Cutting	<input type="checkbox"/> Flammable/Combustible Liquids	<input type="checkbox"/> Dance Floor	<input type="checkbox"/> Food Products	<input type="checkbox"/> Incineration	<input type="checkbox"/> Office	<input type="checkbox"/> Siding Mill or Wood Cutting	<input type="checkbox"/> Items stacked higher than 12'	<input type="checkbox"/> Retail Sales	<input type="checkbox"/> Assembly/Gathering/Worship	<input type="checkbox"/> Outside Storage or Display	<input type="checkbox"/> Restaurant	<input type="checkbox"/> Smoking Section on Premise	<input type="checkbox"/> Tire Storage
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Certificate of Occupancy

City of Dalworthington Gardens Department of Building Inspection

This Certificate issued pursuant to the requirements of the City of Dalworthington Gardens certifying that at the time of issuance this structure was in compliance with the various ordinances of the City regulating building structure or use.

Business Name: AA Motors
Address: 2209 Michigan Ave
DWG, Texas 76013

Permit No.: 1129
Zone: B-3

Building Owner
Name: Amel Kohnic
Address: 2241 Sophie Lane
Arlington, Texas 76010
Phone: 817-614-5371
Building Official: Gary Harsley
Date: July 2, 2019

Building Occupant
Name: Amel Kohnic
Address: 2241 Sophie Lane
Arlington, Texas 76010
Phone: 817-614-5371



Plan Review Information

Jurisdiction: Dalworthington Gardens

Applicant: 2255

Contractor:

Permit Type: Occupancy

Total Square Footage: 4,000.00

Description of Work: Occupancy - auto repairs and online indoor showroom sales

Building Permit #: 2255

Jobsite Address: 2209 Michigan Avenue, Dalworthington Gardens, TX 76013

Contractor Phone #:

Occupancy: Occupancy

Business Name:

Submittal Name and #: SAFEbuilt Plan Review #1

Initial Submittal

Resubmittal

Date Received for Review: 01/22/2024

Plan Review Completion Status:

Approved

Approved with Comments

Resubmittal Required

Building Code(s):

Plans Examiner(s): Joseph Newton, Building, Electrical, Mechanical, Plumbing, jnewton@bbgcode.com

Completion Date:

Plan Review Comments:

Building, Electrical, Mechanical, Plumbing: Resubmittal Required - Joseph Newton, jnewton@bbgcode.com

C/O is Disapproved with the following comments:

1. Per Ordinance No. 2023-25, no online sales are permitted without special approval of the Planning & Zoning Commission.



Plan Review Information

Your plans have been reviewed under code(s) listed above. These plans have only been reviewed for compliance with building codes adopted by this jurisdiction.

If "Resubmittal Required" is checked under Plan Review Completion Status above, a resubmittal of plans addressing the comments is required.

If "Approved" or "Approved with Comments" is checked under Plan Review Completion Status above, any remaining comments shall be addressed during construction. The commencement of work constitutes acceptance of all items listed herein.



CERTIFICATE OF OCCUPANCY APPLICATION

CITY OF DALWORTHINGTON GARDENS
2600 Roosevelt Drive, DWG, TX 76016
TEL. 817-274-7368 www.cityofdww.net
email: permits@cityofdww.net

Permit Number 2255

A non-refundable \$100.00 processing fee is required with application submittal along with Photo Identification

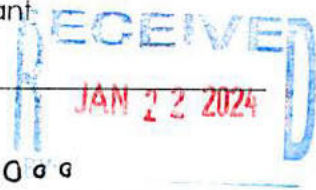
Application Date 1-22-24 (application will expired after 60 days of submittal)

Address of Use 2209 Michigan Ave Suite No.

Business Name AA MOTORS Phone # 817-614-5371

Proposed Use of Building (be specific) auto repair and online indoor showroom sales

Nature of Business (Check all that apply)
[X] Auto Repair [] Manufacturing [] Office [] Restaurant
[] Retail [] School [] Warehouse
[X] Other indoor showroom sales



Number of Square Feet to be used for the following:

Total Area 4,000 Office 1,000 Warehouse use 3,000

Will signs be replaced or installed? [] Yes [X] No Is this a sub-lease? [] Yes [X] No

Is your business required to collect sales tax? Yes X No Unsure

If Yes, list your sales tax permit number and business name (sales tax #) (business name)

Type of Application (check all that may apply)

[] New Construction/Shell [] Change of Ownership [] Change of Occupant/ New Business
[] Clean & Show (over 30 days) [] Existing Business/New Owner [] Existing Business Name Change
[] Expanding Lease Space [X] Other adding showroom sales

Occupant/Lessee Name Amel Kohnic DBA AA MOTORS

Phone Number 817-861-5544 Cell Phone [redacted] Fax Number 817-274-6710

Email Address AAMOTORS@att.net

Mailing Address (other than application address) 2241 Sophie Ln Arlington TX 76010

Building Owner Name Amel Kohnic

Mailing Address 2241 Sophie Ln Arlington TX 76010

Phone Number Cell Phone 817-614-5371 Fax Number

Email Address Amel100@aol.com

Emergency Contact

Name Aner Kohnic Phone Number [redacted]

Name Saniya Kohnic Phone Number [redacted]

JAN 22 2024

C. O. Questionnaire		YES	NO
1.	Are you enlarging an existing tenant space by combining suites, or portions of suites? If yes, list lease spaces being combined _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Will you store, use, dispense or mix flammable or combustible liquids for purposes other than maintenance for operation of equipment? If yes, specify the type of product and the projected quantities _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Will there be any spray painting on the premises?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Will you handle or use any hazardous or toxic chemicals such as but not limited to oxidizers, corrosive liquids, poisonous gases and radioactive materials? If yes, specify the type and projected quantities _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5A	Will the principal use of the building or tenant space be used for storage? If yes what materials will be stored? _____ What percentage will be used for storage? _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5B	How high will materials be stacked? _____ Will the materials be stored on racks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.	Will the building be equipped with a <input type="checkbox"/> fire sprinkler system <input type="checkbox"/> standpipe system <input type="checkbox"/> hood ansul system	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.	Will food or beverages be manufactured, packaged, stored, distributed, sold or prepared in any manner other than vending machines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.	Will alcoholic beverages be sold for consumption on the premises?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.	Will the building or tenant space be used for a sexually-oriented business or adult entertainment As defined within the Code of Ordinance Chapter 17.8.C.15	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.	Trash Disposal <input type="checkbox"/> Rented Dumpster <input checked="" type="checkbox"/> Curb-Side Pick-Up		
11.	I have installed or plan to install an alarm system. (Notify DPS and obtain a \$10.00 permit)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12.	Will any goods, merchandise or raw materials be stored outdoors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13.	Will any goods or merchandise be displayed outdoors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14.	Will used goods be sold on the premises?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15.	Will you be performing any of the following processes on the premises? If yes, check: <input type="checkbox"/> Manufacturing <input type="checkbox"/> Treating <input type="checkbox"/> Formulation/Mixing/Processing <input type="checkbox"/> Vehicle Washing	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16.	Will any liquid wastes or sludges be generated which are not disposed of in the sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17.	Will any form of waste water pre-treatment be utilized at this facility? If yes, briefly describe _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18.	Will combustible dust be generated (sawdust, fine metal shavings, grain processing/storage)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19.	Will a swimming pool be located on the premises?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20.	Will any portion of the building/space be utilized as a classroom, training room or daycare? If yes, <input type="checkbox"/> Age 0-2 1/2 _____ (Number of students) <input type="checkbox"/> older than 2 1/2 _____ (Number of students)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21	Will you be performing any of the following activities or processes on the premises? Check all that would apply		
	<input type="checkbox"/> Restaurant <input checked="" type="checkbox"/> Retail Sales <input type="checkbox"/> Office <input type="checkbox"/> Dance Floor <input type="checkbox"/> Child Care Center <input type="checkbox"/> Personal Services <input type="checkbox"/> Bar Area <input type="checkbox"/> Use of Medical Gas <input type="checkbox"/> Medical/Dental	<input type="checkbox"/> Sale of alcoholic Beverages <input type="checkbox"/> Grocery or Convenience Store <input type="checkbox"/> Food Products <input type="checkbox"/> Sanding Mill or Wood Cutting <input type="checkbox"/> Parts or Vehicle Wash <input type="checkbox"/> Welding or Cutting <input type="checkbox"/> Warehouse <input type="checkbox"/> Smoking Section on Premise <input type="checkbox"/> Assembly/Gathering/Worship	<input type="checkbox"/> Tire Storage <input type="checkbox"/> Outside Storage or Display <input type="checkbox"/> Items stacked higher than 12' <input type="checkbox"/> Incineration <input type="checkbox"/> Flammable/Combustible Liquids <input type="checkbox"/> Painting or Coating <input type="checkbox"/> Manufacturing <input type="checkbox"/> Formulation/Mixing/Processing <input type="checkbox"/> On-Site Sewage Facility

I hereby certify that I have completed this questionnaire for 2209 Michigan Ave and know the same to be true and correct. (Address)

Amel Kohnic

Printed Name

Amel Kohnic

Signature

1-22-24

Date

Office Use Only

Amount Paid \$100.00 Date Received 1/22/2024 Receipt Number CK256362

Clerk C. Newbell Zone B3

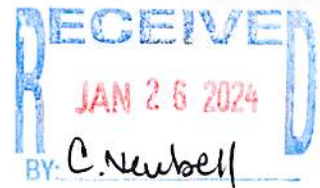
Approved by _____

Inspected by _____ Special Conditions _____

TXU Release Date _____ Confirmation Number _____

Fire Inspection Date _____ Approved by _____

Gas Line Inspection Needed Yes No



AA Motors
2209 Michigan Ave
Dalworthington Gardens, TX 76013

To the Attention of: City of Dalworthington Gardens

Dear Sir/Madam,

Our company AA Motors is a family owned business that has been providing exceptional auto services to the residents of Dalworthington Gardens since 2019 and prior to that we were located in Arlington since 1996 making our business 28 years old. Our commitment to quality service and community support has allowed us to establish a positive presence in the area.

We are reaching out to address the recent ordinance related to auto sales which require a special exception. AA Motors operates its sales division of the business exclusively online without a physical presence. Since being in Dalworthington Gardens and even before while in Arlington we have never had a customer at random or by chance stop by and want to purchase a vehicle. This is because on our property we don't have any signs that state or implies sales, we are strictly one hundred percent online. We have an indoor showroom where the whole operation takes place. Our online sales approach is in line with the intent of the city's new ordinance. We kindly request the city's consideration and approval of our application for a special exception from the aforementioned ordinance.

It's important to note that AA Motors has been an integral part of the Dalworthington Gardens community since 2019. We firmly believe that we should be grandfathered in, as we have been in the city since 2019 and were seeking resolution regarding our business practices prior to the ordinances adoption on December 21, 2023.

In our previous interactions with the city in 2019 when getting our building ready for operation a former city inspector understood our business model and what we do. He told us specifically not to put any signs outside that said vehicle sales or have cars parked outside with advertising. He told us to keep everything inside the showroom (we're not sure why he didn't advise us to put sales on our COO). This is the way we have been doing business to date. Nobody can see that there are any kind of sales going on. The dealers license expires every two years. We've had ours renewed twice. But this year when getting it renewed the license specialist came across a rule that Dalworthington Gardens doesn't allow any kind of car sales but he didn't scroll down the whole city ordinance zoning list. Under city zoning online indoor showroom sales are permitted. To get our license renewed we need a letter from the city that states we are allowed to conduct business. Regrettably, this misunderstanding could now impact a major significant portion of our business. We are trying to convert our COO to show online sales and make sure everything is in correct order. Auto sales are crucial for our operations and if we were to lose our license we would be impacted in a severe way.

RECEIVED
JAN 26 2024
BY: C Newbell

By granting this special exception there would not be any negative effects to the community. Since acquiring our property in 2019 and to this date the property value has increased by seventy five percent. We maintain our property to the highest standard both inside and outside. We strive to achieve this because it is important to us as a business to have a positive outlook on both ourselves and the community.

We kindly ask for your understanding and consideration in granting our request for a special exception. This would allow us to continue providing valuable services to the residents of Dalworthington Gardens while ensuring compliance with city regulations.

Thank you for your time and consideration. We look forward to a positive resolution that benefits us both. Since 2019 while being in Dalworthington Gardens this city has felt like home to us. We frequent the business' that include Green's produce, multiple food establishments and everything in between. We hope to continue calling Dalworthington Gardens our home.

Sincerely,
AA Motors



CITY OF DALWORTHINGTON GARDENS

NOTICE OF PUBLIC HEARINGS

Re: Special Exception for motor vehicle sales – indoor: Showroom wholly within a building; no vehicle display visible from outside the building; detailing for sale but no mechanical work allowed; no outside storage.

To Property Owners within 200' of 2209 Michigan Ave Dalworthington Gardens, Tarrant County, Texas

Notice is hereby given that the Dalworthington Gardens Planning and Zoning Commission will hold a public hearing on March 7, 2024 at 6:00 p.m. and the Dalworthington Gardens City Council will hold a public hearing on March 21, 2024 at 7:00 p.m., both to be held in the City Hall Council Chambers, 2600 Roosevelt Drive, Dalworthington Gardens, Texas to consider the following:

A Special Exception Application for motor vehicle sales in accordance with the City of Dalworthington Garden's Zoning Ordinance Section 14.02.321 (c)(15) City Ordinance 2023-25, online motor vehicle sales for property located at 2209 Michigan Ave, Dalworthington Gardens.

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved city tax roll. All interested persons are encouraged to attend the public hearing and express their opinions on the amendment. If you are unable to attend but wish to have your opinions made part of the public record, please mail your opinions to the address below prior to the public hearing. Please include your name, address, and property description on all correspondence.

COMMENTS:

I AM IN FAVOR: I HAVE NO OBJECTIONS: I HAVE OBJECTIONS:

DR PETUA OKOLO *Petua Okolo*
(PRINTED NAME) (SIGNATURE)
2207 MICHIGAN AVE
DALWORTHINGTON GARDENS TX 76013

(ADDRESS) (CITY, STATE, ZIP)

MAIL TO:
CITY OF DALWORTHINGTON GARDENS
CITY SECRETARY
2600 ROOSEVELT DRIVE
DALWORTHINGTON GARDENS, TX 76016

For questions: 817-385-6454 or sandra@cityofdwwg.net

DFW INTERNAL MED
2207 MICHIGAN AVE
CDG, TX 76013

RECEIVED
FEB 20 2024
BY: _____

NORTH TEXAS TX P&DC
DALLAS TX 750
24 FEB 2024 PM 3:11



|||||
CITY OF DALWORTHINGTON GARDENS
ATTN: CITY SECRETARY
2600 ROOSEVELT DRIVE
DALWORTHINGTON GARDENS, TX 76016

76016-560900



