

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of June 26, 2024**

Hold A Public Hearing To Consider An Ordinance Amending The Zoning To **Amend SUP-312 To Allow An Automobile, Motor Vehicle, Heavy Load Truck And Watercraft Paint And Body Shop (Vehicle Wrap, Window Tint, And Window Replacement)** In An Approximately 2,000 Square Foot Space Zoned (LR-2) Local Retail District And Located At 3609 North Josey Lane: Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-071 Neu Tint Auto Glass.** Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, presented this item. He advised that the current SUP-312 allows car alarms and audio equipment installations, and the business is no longer operating at this location. He stated the applicant is requesting to allow a vehicle wrap, window repair and window tint use. This use in the CZO falls under vehicle paint and body shop. He noted that the building space is currently unoccupied. A zoning locator map was reviewed. Mr. McCauley added that one comment card in opposition was received. He also stated that staff is recommending denial due to the use not being compatible to other surrounding uses and its proximity to single-family residential. If approved, however, staff recommends the motion includes the stipulations outline in the staff report, which includes the prohibition of paint and bodywork.

Commissioner Foster asked whether the next tenant could possibly do body shop work. Mr. McCauley responded “no.”

Commissioner Overholt commented that Stipulation 2 states no body shop work and Stipulation 3 states all work shall be done indoors. Mr. McCauley confirmed there will be no body shop or outdoor work.

Commissioner Doyle asked whether the previous SUP still applies since this request is to “amend SUP-312.” Mr. McCauley responded that the SUP number remains the same but the allowed usage changes. The current use for alarm and audio installation would be removed.

Commissioner Kramer asked how the enforcement would occur if paint and body work were to occur. Mr. McCauley stated that the Certificate of Occupancy would not allow it and the Code Enforcement Department would enforce it.

Chair Windrow asked if there was an applicant present who would like to speak. The applicant’s representative did not attend the meeting, and the proposed business owner could not communicate due to a language barrier. Mr. McCauley advised that because the applicant, who is also the proposed business owner’s translator, is not present, and if the Commission chooses, the item could be continued to the next meeting date.

Chair Windrow opened the public hearing. There were no speakers and with no questions from the Commissioners, he opened the floor for a motion. He reviewed the one comment card in opposition received.

** Commissioner Doyle moved to keep the public hearing open on Case No. PLSUP 2024-071*

Case No. PLSUP 2024-071 Neu Tint Auto Glass

Neu Tint Auto Glass and continue this item to the August 1, 2024, Planning and Zoning Commission meeting. Commissioner Kramer seconded the motion. The motion was approved with a 7-0 vote (Martin and Powell absent).

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of August 1, 2024**

Hold A Public Hearing To Consider An Ordinance Amending The Zoning To **Amend SUP-312 To Allow An Automobile, Motor Vehicle, Heavy Load Truck And Watercraft Paint And Body Shop (Vehicle Wrap, Window Tint, And Window Replacement)** In An Approximately 2,000 Square Foot Space Zoned (LR-2) Local Retail District And Located At 3609 North Josey Lane; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2024-071 Neu Tint Auto Glass.** Case Coordinator: Michael McCauley.

Mike McCauley provided a zoning locator map, as well as an aerial photo of the shopping center at 3609 North Josey Lane where this proposal is located. He also provided a photo of the rear of the building showing an overhead door for the suite. The suite is currently vacant. He described that the zoning categorizes this use as an automobile, motor vehicle, heavy load truck and watercraft paint and body shop. However, this business would only be for vehicle wrap, and window tint, repair and replacement. The current use allowed with SUP-312 is for vehicle alarm and installation. Staff is recommending denial, however, if the Commission votes to approve it, staff has suggested some stipulations. Public comment cards were received.

Commissioner Foster inquired where the work would be done. Mr. McCauley responded that a stipulation would require no outdoor operation.

Commissioner Kramer asked if other operations would be prohibited by stipulation. Mr. McCauley responded they would, and any future requests to deviate from what is permitted would have to come back to P&Z and Council for approval.

Commissioner Martin asked how many vehicles could fit inside the suite. Mr. McCauley responded two or three.

Chair Windrow asked what makes this use not compatible with other uses in the shopping center. Mr. McCauley responded because it is next to residential.

Commissioner Doyle asked how the city would monitor the uses inside the building. Mr. McCauley stated that during the Certificate of Occupancy process, city staff would inspect the building for the allowed use. After that, a complaint would trigger an inspection.

Chair Windrow asked if there is an applicant who would like to speak. Property Manager for the Shopping Center, Yugendra Shahi, stated the suite is 2,000 square feet and is currently vacant. The proposed tenant currently has a mobile window (windshield) replacement business and wants to begin operation from this specific location. The rear overhead door at this site is what he needs. All waiting vehicle parking will be in the front parking lot. He added that having a clean shopping center is most important to him and a cleaning crew comes twice per week. A dumpster on site is emptied once per week. All work will be done inside and there are no smells. A pre-inspection has already been performed by the city.

Commissioner Overholt asked the applicant whether the adjacent businesses are okay with this type of business locating there. The applicant responded yes; they welcome the additional foot traffic.

Commissioner Kramer asked how many employees will be working there. The applicant responded just the tenant and his wife.

Chair Windrow opened the public hearing. He stated that one comment card in favor was received and two opposed were received. There were no requests to speak.

There being no speakers, Chair Windrow opened the floor for discussion or a motion.

* *Commissioner Martin moved to approve Case No. PLSUP 2024-071 Neu Tint Auto Glass with stipulations; second by Commissioner Powell. The motion failed with a vote of 3 - 6 as follows:*

In favor: Commissioners Overholt, Martin, and Doyle

Opposed: Commissioners Foster, Yarbrough, Windrow, Powell, Kramer, and Hermon

Chair Windrow advised that since this item was not approved by the Planning and Zoning Commission, the applicant has 10 days from today to file a written appeal to the City Council.