

**Excerpt From Draft Minutes
Planning & Zoning Commission
Meeting of November 2023**

Hold A Public Hearing To Consider An Ordinance Amending The Zoning To **Amend SUP-486 To Allow Automobile Or Light Load Truck Repair Garage And Automobile, Motor Vehicle, Heavy Load Truck And Watercraft Paint And Body Shop As Accessory Uses, To Modify Conceptual Plans, And To Revise Development Standards** On An Approximately 1.9-Acre Tract Zoned (LI) Light Industrial District And Located At 1729 South Broadway Street And On The East Side Of South Broadway Street Approximately 600 Feet South Of Burning Tree Lane; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2023-100 Texas Car One.** Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, advised that the applicant currently operates an indoor used car sales business and is requesting to amend the SUP to allow a repair garage and a paint and body shop as accessory uses. He reviewed that a few months ago the applicant had requested approval for outdoor auto sales at this location and that request was denied. He did not choose to appeal to the City Council and instead is taking a different approach. He would like to add approximately 3,100 square feet of space to the existing building. A concept site plan and landscape plan were reviewed. Mr. McCauley added that the request complies with the Comprehensive Zoning Ordinance. He advised that staff is recommending approval with stipulations.

Commissioner Overholt inquired about staff stipulations, in particular the verbiage “heavy load truck and watercraft paint and body shop.” Mr. McCauley responded that is the language that the CZO uses.

Commissioner Powell asked if the review process considered whether the possible noise from the business would be detrimental to residents to the east. Mr. McCauley advised that yes, that was considered. He added that no public comments were received and stated that there is a noise ordinance. Mr. McCauley reviewed the site plan and explained that the bay doors for each building are facing inwards toward each other so noise would be directed away from the residents.

Commissioner Martin inquired whether this size of building is typical for this type of business. Mr. McCauley responded that the applicant will only be working on cars he has for sale at his business and will not be providing repairs for the public.

Chair Windrow asked if there was an applicant present who would like to speak. Applicant Homan Sepasi, 1729 S. Broadway, was present to answer any questions.

Commissioner Doyle asked the applicant about other structures built that were done without a permit. The applicant advised that this is his first commercial business, and some mistakes were made in that regard and he is in the process of correcting those mistakes.

Chair Windrow opened the Public Hearing.

Pegah Ganji, 1800 N. Field St. Dallas, real estate agent for the property, spoke on behalf of Mr. Sepasi.

Commissioner Overholt voiced concerns regarding a paint and body shop being near residents due to noise.

Commissioner Martin requested clarification regarding the applicant's prior request and this one, noting the reference to truck repair. Mr. McCauley responded that when the term "car" is used it refers also to light-duty trucks, jeeps or mini-vans, and the like, not trucks categorized as large. He also reviewed that the previous request was for outside sales. It was noted that in an industrial zoning area, auto repair and paint and body shops are allowed by right.

Chair Windrow stated that since the bay doors open inwardly there should be no issue with noise, so he will vote affirmatively.

Chair Windrow opened the public hearing; no one came forward to speak. He offered the applicant an opportunity for closing remarks; Mr. Sepasi had nothing to add.

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

**** Commissioner Powell moved to close the public hearing and approve Case No. PLSUP 2023-100 Texas Car One with staff stipulations; second by Commissioner Martin. The motion was approved 8-0 (Kramer absent).***

Chair Windrow advised this case will be forwarded to the City Council for consideration on December 5, 2023.