

SPECIAL USE PERMIT

Case Coordinator: Loren Shapiro

GENERAL PROJECT INFORMATION

SITE ZONING: (FWY) Freeway District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	(FWY) Freeway District	Warehouse
SOUTH	(FWY) Freeway District	Warehouse
EAST	(FWY) Freeway District	Warehouse
WEST	(FWY) Freeway District	Warehouse

REQUEST: Approval of a SUP to allow an indoor used car dealership

PROPOSED USE: Indoor used automobile and light truck sales

ACRES/LOTS: Approximately 2.2085 acres / 1 lot

LOCATION: 1330 Capital Parkway

HISTORY:

- On December 6, 2018 the Planning and Zoning Commission recommended approval of the Special Use Permit for the indoor used car dealership.
- On November 1, 2018 the Planning and Zoning Commission recommended amendments to the zoning ordinance, including the prohibition of used car dealerships in the (FWY) Freeway District. The City Council adopted CZO amendments including the prohibition of used car dealerships on December 11, 2018.
- The current zoning on the property was established on June 2, 1997.
- The most recent replat of the property was filed on September 27, 1985.

COMPREHENSIVE PLAN: High Intensity Commercial

TRANSPORTATION PLAN: Capital Parkway is designated as a (A4D) Four-Lane Divided Arterial.

OWNER: Zahed Lateef

REPRESENTED BY: Majestic Cast Inc./Sammy Jibrin

STAFF ANALYSIS

PROPOSAL

This is a request to establish a Special Use Permit (SUP-454) to allow an indoor used car dealership. The applicant has provided conceptual site and landscape plans.

The application was submitted prior to Planning and Zoning Commission action of text amendments to the Comprehensive Zoning Ordinance on November 1, 2018 and City Council adoption of an ordinance prohibiting used car dealerships in the (FWY) Freeway District on December 11, 2018.

ZONING ORDINANCE

Indoor used car dealerships had required a Special Use Permit in the (FWY) Freeway District, prior to January 1, 2019. Special Use Permits require Planning and Zoning Commission recommendation and City Council approval.

ELEMENTS TO CONSIDER

- On November 1, 2018 staff presented various amendments to the Comprehensive Zoning Ordinance to the Planning and Zoning Commission including the prohibition of certain uses in the (FWY) Freeway District. The purpose of restricting certain uses in the (FWY) Freeway District is to reduce industrial and warehouse uses improving the “front door” of the community along the highly visible I-35E corridor. One of the recommended changes were to prohibit indoor or outdoor used car dealerships in the (FWY) Freeway District.
 - City Council approved an ordinance amending the Comprehensive Zoning Ordinance text on December 11, 2018.
 - Staff believes the proposed SUP for used car sales indoors is not appropriate in the (FWY) Freeway District. Additionally, the proposed use would contradict the approved amendments to the (FWY) Freeway District uses of land attempting improve the image of Carrollton along I-35E.
- The applicant is proposing all storage and sales of vehicles to locate inside the existing 31,276 square foot building (See Conceptual Floor Plan). The indoor auto display of vehicles will occupy 19,629 square feet of the building area.
 - A conceptual site and landscape plan adds shrubs along the west side of the building and a flowerbed on the property near the intersection of Capital Parkway and Crescent Circle.
 - The applicant is proposing a capacity of 200 vehicles stored and displayed indoors.
 - The applicant’s exhibits show the current landscaping on the property and along Capital Parkway and Crescent Circle.
 - The applicant stated that all vehicles for sale will be indoors.

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- On December 6, 2018 the applicant requested to the Planning and Zoning Commission that ornamental metal security fencing be allowed with the Special Use Permit, instead of the prohibition, to protect the property and transport trucks left onsite overnight.
- The Planning and Zoning Commission recommended approval of the Special Use Permit with the following revised stipulations:
 - An ornamental metal security fence can be allowed around the perimeter of the property in lieu of an opaque fence or wall.
 - Transport trucks delivering vehicles are stored at the back or northwest portion of the property.

While staff does not support the Special Use Permit request, the following stipulations are recommended, in addition to the Commission's added conditions, should the City Council approve the case:

- Include the applicant's proposed conceptual site and landscape plan.
- Prohibit any outside storage and outside display of vehicles.

CONCLUSION

Staff believes the indoor car dealership is not an appropriate use in the (FWY) Freeway District. Additionally, granting the Special Use Permit would contradict the proposed zoning text amendments prohibiting used car dealerships in the (FWY) Freeway District and improving the I-35E corridor.