



## **CITY COUNCIL COMMUNICATION**

June 9, 2009

**SUBJECT:** HOLD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 09-03-SUP, AND CONSIDER FIRST AND FINAL READING OF ORDINANCE NO. 1848

**SUBMITTED BY:** Mike Collins, Director of Planning and Development

**REFERENCE NO:** 09-03-SUP

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### **ACTION REQUESTED:**

Receive public input and motion to approve a Specific Use Permit on Airport Business Park, Block 2, Lot 10R, for Motor Vehicle Dealer in I-2 (Heavy Industrial District) zoning on 1127 S. Airport Circle and approve Ordinance No. 1848, concurring with the Planning and Zoning Commission's 7-0 recommendation on May 19, 2009.

### **ALTERNATIVES:**

1. Open the Public Hearing and continue it to the next meeting.
2. Open, conduct, and close the Public Hearing.
3. Approve the request – *simple majority*
4. Approve the request with modifications – *simple majority*
5. Deny the request – *simple majority*

### **SUMMARY OF SUBJECT:**

The applicant, 6 and Under Auto Sales, represented by the company's owner Mr. Robb O'Brien, is requesting approval of a Specific Use Permit for an appointment based motor vehicle dealership to be located at 1127 South Airport Circle. The subject property is currently zoned "I-2" Heavy Industrial District. The applicant had previously received approval of an S.U.P. in May 2008 to operate the same business from 1118 S. Airport Circle #150. The Unified Development Code requires a motor vehicle dealership located in I-2 zoning district to have a Specific Use Permit and that the minimum area devoted to the sale of new or used vehicles is not less than five (5) acres. An exception to this minimum standard may be recommended by the P&Z and approved by the City Council through the SUP.

Mr. O'Brien is proposing to occupy approximately 3,604 sq. ft. at 1127 South Airport Circle. 6 and Under Auto Sales would intend to continue fulfilling a unique niche in the automobile industry specializing in the sale of dependable, affordable automobiles in a specific price range. Unlike the traditional auto sales dealership where location and

outside visibility of inventory is paramount, 6 and Under Auto Sales effectively utilizes word of mouth and the internet to market its inventory. All inventories would remain internal to the building, with no outside storage or outside display of vehicles. The business would propose to maintain on-site an average of 8 – 12 vehicles. Interested buyers would make an appointment to view the vehicle in person that they had researched. 6 and Under Auto Sales hours of operation would be Tuesday through Friday from 10:00 AM until 2:00 PM.

The Development Review Committee (DRC) recommends approval of the Specific Use Permit with the following conditions:

- 1) Tied to the owner, Mr. Robb O'Brien; and,
- 2) No outdoor display allowed (advertising or banners); and,
- 3) No outdoor storage or display of vehicles; and,
- 4) No on-site major mechanical work to be performed on vehicles; and,
- 5) No more than five gallons of fuel stored per vehicle (including fuel in the vehicle gas tank).

**SUPPORTING DOCUMENTS:**

- Ordinance No. 1848
- SUP Form
- Exhibits
- Draft Minutes – P&Z
- Application
- Approval Comment
- Map 1, Map 2, and Map 3

**APPROVED BY:**

\_\_\_\_\_ **GM** \_\_\_\_\_ City Manager's Office

\_\_\_\_\_ **SC** \_\_\_\_\_ City Secretary's Office