

**ITEM 3      CASE #09-03-SUP – HOLD PUBLIC HEARING REGARDING A SPECIFIC USE PERMIT AND CONSIDER A RECOMMENDATION FOR AN ORDINANCE**

Receive public input regarding a request for a Specific Use Permit on Airport Business Park, Block 2, Lot 10R, for a Motor Vehicle Dealer in I-2 (Heavy Industrial District) zoning, and consider a recommendation regarding an Ordinance. This property is located on 1127 S. Airport Circle.

Chairman McNeese opened the public hearing.

Stephen Cook, Senior Planner, gave a brief description of the case. 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.

Stephen Cook stated the applicant's representative, Robb O'Brien, was available for any questions.

Robb O'Brien, 2192 Raines Court, Euless, Texas, stated he appreciated the Commissions consideration. He is going on his second year of business and has not had a single complaint on any vehicle he has sold. This location will be an improvement because it has more space compared to the previous location where he frequently moved vehicles around to get to the vehicle in the back.

Chairman McNeese asked for any proponents/opponents to come forward for any comments. Seeing none the public hearing was closed.

Commissioner Bearden asked the applicant's representative if he will have a mechanic that does minor work on the vehicles at this facility.

Robb O'Brien stated that occasionally he will have a mechanic do minor repair such as a spark plug but there will be no major repairs performed.

Commissioner Bearden asked on his exhibit that shows the mechanical area, if the dash line was actually a wall.

Robb O'Brien stated that it is an imaginary wall that was originally meant for a mechanical area but he has other people that do repairs off site so there is no need for a mechanical area.

Commissioner Bearden asked if the labeled office spaces on the exhibit were existing offices.

Robb O'Brien stated they are existing offices and if it is possible he would like to one day lease them out.

Commissioner Portugal asked the applicant's representative how he advertises his business and asked if he has a web page available.

Robb O'Brien stated he does not do much advertising besides handing out flyers and word of mouth. He is in the process of setting up his webpage but since he is the only employee it is taking him some time.

Commissioner Zahn made a motion to approve case #09-03-SUP with the following conditions: 1) Tied to the owner, Mr. Robb O'Brien; 2) No outdoor display allowed (advertising or banners); 3) No outdoor storage or display of vehicles; 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). Commissioner Mennis seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman May, Commissioners Zahn, Huffman, Portugal, Bearden, Mennis

Nays: None

Abstentions: None

The motion carried (7-0-0)