



CITY COUNCIL COMMUNICATION

September 14, 2010

SUBJECT: HOLD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 10-06-SUP, AND CONSIDER FIRST AND FINAL READING OF ORDINANCE NO. 1888

SUBMITTED BY: Chris D. Barker, Director of Planning and Development

REFERENCE NO: 10-06-SUP

ACTION REQUESTED:

Receive public input regarding the request for a Specific Use Permit on International/Regional Industrial Complex, Block A, Lot 2, for Motor Vehicle Dealer (Internet Auto Sales) in I-2 (Heavy Industrial District) zoning at 1401 Royal Parkway and approve Ordinance No. 1888, concurring with the Planning and Zoning Commission's 6-0 recommendation on August 24, 2010.

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, MDSN Motors, represented by the company's owner Mr. Michael Cornell, is requesting approval of a Specific Use Permit for an appointment based motor vehicle dealership to be located at 1401 Royal Parkway Suite D. The subject property is currently zoned "I-2" Heavy Industrial District. 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. Cornell is proposing to occupy approximately 2,500 sq. ft., of which 500 sq ft would be used as an office and the remainder as storage for the vehicles. MSDN Motors would intend to sell the vehicles online and only utilize the interior leased space as storage for the vehicle inventory. No vehicles would be stored outside of the leased space. The business would propose to maintain on-site an average of 1 to 3 vehicles. Interested buyers would make an appointment to view the vehicle in person that they had researched. No major mechanical work would be performed on the premises. The owner/operator would propose that the business would be run between the hours of 9:30am to 2:30pm.

The Development Review Committee (DRC) has reviewed and certified the application. Staff recommends approval of the Specific Use Permit. The Planning and Zoning Commission recommended approval of the Specific Use Permit with the following conditions:

- 1) Tied to the owner, Mr. Michael Cornell; and,
- 2) Tied to the business name: MDSN Motors, LLC.; and
- 3) Permitted for the period of one year to be renewed through the Specific Use Permit process; and,
- 4) No outdoor advertising display other than a permitted sign indicating the name of the business; and,
- 5) No outdoor storage or display of vehicles; and,
- 6) No on-site major mechanical or auto body work to be performed on vehicles; and,
- 7) No more than five gallons of fuel stored per vehicle (including fuel in the vehicle gas tank) and no more than thirty (30) cumulated gallons stored within this facility.

SUPPORTING DOCUMENTS:

- Ordinance No. 1888
- Draft Minutes – P & Z
- Application
- Explanatory Letter
- Approval Letter: V. Stagliano
- Elevations
- Map 1, Map 2 and Map 3

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **SC** _____

City Secretary's Office