

PLANNING AND ZONING
October 4, 2011
DRAFT MINUTES

The regular meeting of the Planning and Zoning Commission was called to order by Chairman Richard McNeese at 6:30 p.m. for consideration of scheduled items in the Council Chambers in City Hall of the Municipal Complex. Chairman Richard McNeese stated there was a quorum of members of the Planning and Zoning Commission present.

MEMBERS AND STAFF PRESENT:

Chairman Richard McNeese
Commissioner Monty Huffman
Commissioner Luann Portugal
Commissioner Jeremy Tompkins
Commissioner David Brown
Mike Collins, Director of Planning & Economic Development
Ron Young, Director of Public Works

MEMBERS ABSENT:

Vice Chairman Troy Mennis
Commissioner George Zahn

VISITORS:

Michael Cornell

THE INVOCATION AND THE PLEDGE OF ALLEGIANCE: The Invocation was given by Commissioner Monty Huffman and the Pledge of Allegiance was given by Commissioner Luann Portugal.

ITEM 1 APPROVAL OF MINUTES for called meeting of September 20, 2011.

Commissioner Monty Huffman made a motion to approve the minutes for called meeting of September 20, 2011. Commissioner Jeremy Tompkins seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Commissioners Huffman, Portugal, Tompkins and Brown.

Nays: None

Abstention: None

The motion carried (5-0-0)

ITEM 2 CASE #11-13-SUP – HOLD PUBLIC HEARING REGARDING A SPECIFIC USE PERMIT AND CONSIDER A RECOMMENDATION FOR AN ORDINANCE

Receive public input and motion to approve a request for a Specific Use Permit on International/Regional Industrial Complex, Block A, Lot 2 for Motor Vehicle Dealer (Internet Auto Sales) in Heavy Industrial District (I-2) zoning at 1401 Royal Parkway Suite D and consider recommendation for an Ordinance.

Chairman McNeese opened the public hearing.

Mike Collins, Director of Planning and Economic Development, gave a brief description of the case. 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. The Planning and Zoning Commission originally recommended approval of this SUP on August 24, 2010. The City Council approved the SUP on September 14, 2010.

The applicant, Mr. Cornell is requesting the renewal of an SUP for internet sales of vehicles to occupy approximately 2,500 sq. ft. of space, of which 500 sqft is used as an office and the remainder as storage for the vehicles. MSDN Motors intends to continue to sell the vehicles online and only utilize the interior leased space as storage for the vehicle inventory. No vehicles are stored outside of the leased space. The business maintains an on-site average of 1 to 3 vehicles. No major mechanical work is performed on the premises. The owner/operator offers that the business would be run between the hours of 9:30am to 2:30pm.

The Development Services Group has reviewed and certified the application for a renewal of the SUP.

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

Chairman McNeese asked the applicant to describe his lease terms of the space his business occupies. The applicant responded that he is operating under a two (2) year lease and that he has 18 months remaining. Mr. McNeese asked if this was his full time business. Mr. Cornell answered that it was not that he operated this as more of a hobby business. Mr. McNeese then asked about the nature of the operation and whether individuals view the website and call to schedule an appointment to come see the vehicle they desire to purchase. Mr. Cornell said that it could work that way, but that what typically happens is that his business is based on referrals from family and friends, and if he sees a vehicle that he could market for sale, he will buy that vehicle and let his family and friends know about it.

Mr. McNeese ended by saying how much he appreciated Mr. Cornell being at the meeting this evening and wished him good luck with his business.

Commissioner Portugal made a motion to recommend approval of case #11-12-SUP with the following conditions:

- 1) Tied to the owner, Mr. Michael Cornell; and,
- 2) Tied to the business name: MDSN Motors, LLC.; and
- 3) No outdoor advertising display other than a permitted sign indicating the name of the business; and,
- 4) No outdoor storage or display of vehicles; and,
- 5) No on-site major mechanical or auto body work to be performed on vehicles; and,
- 6) 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.

Commissioner Brown seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Commissioners Huffman, Portugal, Tompkins and Brown.

Nays: None

Abstention: None

The motion carried (5-0-0)

ITEM 3 REPORTS

There were no reports.

ITEM 4 DIRECTOR'S REPORT

There were no reports.

There being no further business the meeting was adjourned at 6:51 p.m.

Chairman McNeese

Date