

ITEM 6 CASE #11-17-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 J W Lewellyn Addition, Block 1, Lot 2, for a Motor Vehicle Dealership in Light Industrial District (I-1) zoning, and consider a recommendation regarding an Ordinance. This property is located on 2811 W. Euless Boulevard.

Stephen Cook, Senior Planner, gave a brief description of the case. Mr. Damir Guilmanov requests the renewal of a Specific Use Permit to sell used motor vehicles through internet sales at the above location. The Specific Use Permit was approved by the City Council on January 11, 2011.

The Unified Development Code requires a motor vehicle dealership located within the I-1 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 original Specific Use Permit allowed Mr. Guilmanov to conduct minimal diagnostic work on the vehicles for sale. No vehicles for sale would be allowed to be stored outside of the leased space. Mr. Guilmanov has had one instance with Code Compliance in which he was asked to move vehicles interior to the building and he complied. Staff has recommended that if approved, no changes be made to the Specific Use Permit, but that the condition of timeframe of one year be renewed for this permit.

Mr. Guilmanov is proposing to continue to occupy approximately 5,000 square feet of space and keep an inventory of five to ten vehicles.

The Development Services Group (DSG) has reviewed and certified the application. Staff recommends approval.

Mr. Cook stated that on January 16<sup>th</sup>, prior to the Planning and Zoning Commission meeting, letters were submitted to the Planning and Development Department from Mr. Guilmanov, the business owner, and Mr. Keith Crawford, the tenant next to the RD Auto Group stating that the vehicles which were observed by the City Code Compliance officer exterior to the building were not for sale and did not have any for sale signs on them.

Chairman McNeese read into the record that a letter from Mr. Damir Gilmanov and a letter from Mr. Keith Crawford were received by the Planning and Zoning Commission.

Stephen Cook stated the applicant, Damir Guilmanov, was available for any questions.

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

Commissioner Zahn made a motion to approve case #11-17-SUP with the following conditions:

1. Tied to the owner, Mr. Damir Guilmanov; and,

2. Tied to the business name: RD Auto Group; 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 (this condition does not include computer diagnostic of vehicles which may be performed; 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.

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

Ayes: Chairman McNeese, Vice Chairman Mennis, Commissioners Zahn, Portugal, Tompkins, and Brown.

Nays: None

Abstention: None

The motion carried (6-0-0).