

## Legislation Details (With Text)

<b>File #:</b>	2023-5703	<b>Name:</b>	
<b>Type:</b>	Public Hearing - Sworn	<b>Status:</b>	Presented
<b>File created:</b>	6/2/2023	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	7/11/2023	<b>Final action:</b>	7/11/2023
<b>Title:</b>	Public Hearing: Application #PL2023-079 - Special Use Permit renewal for automotive sales and major automotive repair - Instant Auto, 2151 NE Independence Avenue; Instant Auto, applicant.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. PC Action Report, 2. Staff Letter, 3. Site Plan, 4. Original SUP Approval Ordinance No. 7332, 5. Photos of Surrounding Area, 6. Location Map, 7. Staff Presentation		

Date	Ver.	Action By	Action	Result
7/11/2023	1	City Council - Regular Session	presented	
6/8/2023	1	Planning Commission	recommended for approval as amended	Pass

Public Hearing: Application #PL2023-079 - Special Use Permit renewal for automotive sales and major automotive repair - Instant Auto, 2151 NE Independence Avenue; Instant Auto, applicant.

Issue/Request:

The applicant is requesting renewal of their special use permit (SUP) for automotive sales and major automotive repair facility which expired on May 16, 2023, and was originally granted for a 10-year duration. The application for the SUP was submitted to the City on March 29, 2023, prior to the expiration of the original SUP.

The applicant initially requested a 20-year time period for the renewal. To remain consistent with the previously approved SUP and comparable SUPs throughout the community, staff is recommending approval of the renewal for a 10-year period. Staff has spoken with the applicant regarding the 10-year recommendation which they are amenable to.

Shelley Livingston, Applicant's Representative  
Hector Soto, Jr., AICP, Senior Planner

Recommendation: With the conditions of approval as outlined in the staff letter and below, the application meets the requirements of the UDO.

1. The special use permit renewal shall be granted for a period of ten (10) years from the current special use permit expiration date, to expire on March 16, 2033.
2. A modification shall be granted to the requirement for a 10' display area setback from the north and south property lines, to allow a 6' setback.
3. A modification shall be granted to the requirement that no fencing extend beyond the main building, to allow a parking area with decorative fencing forward of the building so as to provide security for vehicle inventory as currently installed. **(amended by Planning Commission)**

Committee Recommendation: On a motion by Mr. Loveless, seconded by Mr. Kitchens, the Planning Commission unanimously voted on June 8, 2023, to recommend approval of Application #PL2023-079 - Special Use Permit renewal for automotive sales and major automotive repair - Instant Auto, 2151 NE Independence Avenue; Instant Auto, applicant, with an amendment to the end of condition #3 for the purpose of providing some specificity that any future new/replacement fencing match the style currently in use.