



PLANNING AND ZONING CASE SUMMARY

BACKGROUND

APPLICANT: Sean Morrissey

REQUESTED ACTION: (1) Amend PD ordinance #2949 to allow used car sales as a conditional use
(2) Approve a conditional use permit for used car sales on Tract 2 of the PD.

LOCATION: Northwest corner of N. Galloway Ave. and Republic Pkwy.

CASE NUMBER: 1461-149-2016

STAFF COMMENTS AND ANALYSIS

In 1994, the subject vacant tract and some adjacent properties were rezoned to PD-Light Commercial (ordinance #2949). The PD was divided into tracts. The subject property is Tract 2 of the PD. New car sales are currently permitted on Tract 2, but used car sales are only permitted if a part of the Trophy Nissan business located across Galloway Ave. The applicants have requested a PD amendment to simply allow used car sales by Conditional Use Permit (CUP) and have also requested a CUP for used car sales on the property. The proposed used would be a Mitsubishi dealership selling both new and used cars.

The request is consistent with the recommendations of the Comprehensive Plan.

No comment forms were returned from area property owners in favor or opposition.

RECOMMENDATION

At the January 9, 2017, meeting the Planning and Zoning Commission voted to approve the request by a vote of 4-1 (Commissioner Bell dissenting) with the following conditions:

Amend:

1. Outdoor sales shall be limited to new car dealers, provided that used car sales shall only be permitted by Conditional Use Permit.

Add New:

5. A conditional use permit for the sale of used cars is hereby approved on Tract 2 subject to the following conditions:
 - a. Any vehicle for sale shall be operable and maintained in good condition.
 - b. No vehicle for sale shall have body damage greater than four inches in diameter.
 - c. Painted repairs shall match the paint on the rest of the vehicle.
 - d. Any vehicle for sale shall not have broken or cracked windows.
 - e. All parking and display surfaces shall be paved except for display surfaces in showroom areas.
 - f. Any vehicle not ready for sale and in need of repair or detailing shall be kept in the rear of the property on a paved surface or inside of a structure.