

**Excerpt from Draft Minutes  
Planning & Zoning Commission  
Meeting of January 7, 2016**

Public Hearing To Consider And Act On An Ordinance To Amend The Zoning And Establish A Special Use Permit For A Used Car and Boat Dealership To Allow Outdoor Display With Special Conditions On A 1.25-Acre Tract Zoned (LI) Light Industrial District And Located At 3231 Commander Drive; Amending The Official Zoning Map Accordingly. Case No. 01-16SUP2 Legend Marine Group. Case Coordinator: Michael McCauley.

McCauley presented the request stating the site was not immediately abutting Midway Road and noting other SUPs approved in the area. He advised that the applicant was previously at a location along the freeway in Carrollton for about 10 years where he was allowed outdoor display and relocated to 3231 Commander Drive and received a Certificate of Occupancy for the indoor display of used vehicles in December 2015. He referred to the applicant's sketch of the parking display noting that the eastern most portion of the lot would be used for customer and employee parking. Staff was comfortable with the parking numbers provided and the display area for the vehicles and used photos to illustrate the parking and types of boats. In referring to the staff stipulations, he requested the Commission delete letter E as it related to number 3 because E was part of the ordinance that allows outdoor display of vehicles without the benefit of a special use permit. He advised that staff had not received any opposition to the request and received one card in support. McCauley noted that the applicant had a concern with one of the stipulations as it relates to closing off one of the ingress/egress points since they had made some improvements and find that it would be very challenging to remove that particular driveway.

Greg Connell, applicant, stated he was requesting the special use permit in order to display pre owned automobiles and boats as well as new vehicles. He stated the business was located on Forms Drive for the last 10 years without any problems with regard to receiving any notices. He stated he was not aware that a special use permit was needed until he received his C.O. He stated that the price points on the boats that he carries and would display average between \$300,000 and \$1.5M. The automobiles were from \$25,000 - \$50,000. He talked about the enhancements and modifications made to the property.

Chair McAninch asked if he had read and understood the stipulations and Mr. Connell replied affirmatively. He stated the only issue was the stipulation where it's blocking the center drive because that's the one where the ramp was installed. He also voiced concern about closing the driveway because he was leasing the property. He explained that he began looking in the Commander and Skylane area because of the proximity to the airport and because it included buildings large enough to meet his needs. Chair McAninch asked if the boats would be inside at night and Mr. Connell replied that 99% of them would be inside at night and if possible, all would be inside. Chair McAninch noted that the boats were visible from Midway.

Kiser asked staff to explain the stipulation to close the curb cut. McCauley stated this portion of the multi tenant building had more curb cuts and linear street frontage as the one on the north

side and stated it was an effort to bring it closer into compliance with the current driveway ordinance.

Chair McAninch opened the public hearing; there being no speakers, Chair McAninch offered the applicant an opportunity to make closing remarks.

Mr. Connell asked the Commission to consider his circumstances and his 10 year history with Carrollton.

There being no other speakers, Chair McAninch closed the public hearing and opened the floor for discussion or a motion.

Kiser stated that if this were a green site that didn't already have curb cuts but in this case he felt it was a little arbitrary to try to remove the curb cut and make it harder for the use of the property.

Chair McAninch stated as in the past she is opposed to outdoor display although she felt the applicant would run a good business and would vote against the request.

Kraus asked that except for the SUP, the Commission would not be talking about closing any of the openings and Chair McAninch replied affirmatively. Kraus stated he did not think the City should make him close one of the cuts.

*\*Averett moved to approve Case No. 01-16SUP2 Legend Marine Group with staff stipulations, except Stipulation 1 and 3E; second by Nesbit and the motion was approved with a 6-2 vote, McAninch and Chadwick opposed.*