

## Legislation Text

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**File #:** 4126, **Version:** 1

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**CC MEETING:** January 8, 2019

**DATE:** December 26, 2018

**TO:** Erin Rinehart, City Manager

**FROM:** Loren Shapiro, AICP, Chief Planner

Hold A **Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit For Indoor Used Car Sales On An Approximately 2.2085 Acre Tract Zoned To The (FWY) Freeway District And Located At 1330 Capital Parkway; And Amending The Official Zoning Map Accordingly. Case No. 12-18SUP3 1330 Capital Parkway.**

**BACKGROUND:**

This is a request for a special use permit to allow indoor used car sales at 1330 Capital Parkway.

On November 1, 2018, the Planning and Zoning Commission unanimously recommended approval of various zoning ordinance text amendments -- *including the prohibition of used car sales in the (FWY) Freeway District as a principal use.*

On December 11, 2018 City Council approved an ordinance amending the Comprehensive Zoning Ordinance, which included the prohibition of used car sales in the (FWY) Freeway District. *The applicant applied for the special use permit prior to the Planning and Zoning Commission action and City Council approval of the zoning ordinance text amendments.*

**FINANCIAL IMPLICATIONS:**

There are no financial implications on the current or future operating budgets regarding this request.

**STAFF RECOMMENDATION/ACTION DESIRED:**

On December 6, 2018 the Planning and Zoning Commission recommended **APPROVAL** of the request with revised stipulations. However, the action of the Commission was not unanimous. No public comments were received for the request.

Staff is recommending **DENIAL** of the special use permit request as the use is not appropriate at this location and due to the recent adoption of the Comprehensive Zoning Ordinance amendments that prohibit used car sales as a principal use in the (FWY) Freeway District. The proposed ordinance reflects the Planning and Zoning Commission recommendation with revised conditions and staff's stipulations.