

ITEM NO. 2 SPECIAL USE PERMIT FOR CAR TOYS; 711 W 23RD STREET (SLD)

SUP-12-10-08: Consider a Special Use Permit to allow *Light Equipment Repair* for Car Toys (stereo installation) at The Malls located at 711 West 23rd Street. Submitted by Murl Westheffer for Malls Investment Company, LLC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

Commissioner Hird asked if the entrance for installations would be in the back of the building.

Ms. Day replied, yes.

APPLICANT PRESENTATION

The applicant was not present.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Finkeldei said he was glad to see businesses going in this location.

ACTION TAKEN

Motioned by Commissioner Carter, seconded by Commissioner Hird, to approve SUP-12-10-08, a Special Use Permit allow *Light Equipment Repair* for Car Toys (stereo installation) in the CN2 District located at 711 West 23rd Street, suite 5, based upon the findings presented in the body of the staff report and subject to the following conditions:

1. Execution of a Site Plan Performance Agreement.
2. Provision of a revised site plan to include a note that all installation activities shall occur in the building.
3. Publication of an ordinance per Section 20-1306(j).

Commissioner Moore asked if the SUP only applied to the user Car Toys.

Ms. Day replied, yes.

Mr. McCullough said it could run with the tenant space that Car Toys occupies. Typically the Site Plan would govern and the CUP would govern the space.

Commissioner Moore suggested adding more site specific wording of 'suite 5.'

Ms. Day agreed that would be fine.

The amendment was accepted by Planning Commission to add the wording 'suite 5' to be more specific.

Unanimously approved 8-0, with Commissioner Rasmussen not present for the vote.