

10. New Business:A. Planning and Zoning:1. Amended Special Use Permit to Operate an Automotive Window Tinting and Automotive Accessory Business in a C-2 Commercial District Adjacent to a Residential District. 8445 University Avenue. Tom Yang. Street Scenes Tint.

Mayor Wells reported that the Planning and Zoning Commission recommended approval of the request at its October 27, 2003 meeting.

Mr. Yang stated that he proposes to operate an automotive window tinting business at 8445 University Avenue and he will also install car stereo and alarm systems and offer automotive accessories for sale.

Mr. Yang explained that vehicles will be brought into the building where film is placed on the window(s) with a mixture of water and baby shampoo therefore, there are no toxic materials used or stored within the facility. Mr. Yang stated that the process takes approximately four hours to dry and cure before the vehicle is moved out of the building and into the parking lot.

Councilmember Mason asked if tires will be mounted at this facility. Mr. Yang replied positively explaining that tire repair will be done at another location and the tire is merely replaced on the vehicle at his facility. Mr. Yang stated that the doors of the building will be closed at all times adding that the work area is air conditioned so there should be no need to have the doors open except to drive vehicles in and out.

Mayor Wells read the Planning Commission's motion for approval of the Special Use Permit for Street Scenes Tint.

Councilmember Carlson stated that she would prefer No. 4 to read, "Noise during the normal business hours must be maintained at a level so as not to disturb any residents" rather than "Noise outside the"... The Council agreed.

MOTION BY COUNCILMEMBER HAWLEY APPROVING A SPECIAL USE PERMIT TO OPERATE AN AUTOMOTIVE WINDOW TINTING AND AUTOMOTIVE ACCESSORY BUSINESS AT 8445 UNIVERSITY AVENUE NE, AS REQUESTED BY TOM YANG, WITH THE FOLLOWING CONDITIONS: (1) HOURS OF OPERATION: MONDAY THROUGH FRIDAY: 9 AM TO 6:30 PM, SATURDAY AND SUNDAY: 12 NOON TO 5:30 PM; (2) NO OUTSIDE STORAGE OF VEHICLES OR MATERIALS; (3) OVERHEAD DOORS TO BE KEPT CLOSED AT ALL TIMES EXCEPT FOR THE MOVEMENT OF VEHICLES IN AND OUT OF THE BUILDING; AND (4) NOISE DURING THE NORMAL BUSINESS HOURS MUST BE MAINTAINED AT A LEVEL SO AS NOT TO DISTURB ANY RESIDENTS. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

2. Amended Special Use Permit to Provide Light Auto Repair Services Adjacent to a Residential District. 8443 University Avenue NE. Paul Johnson/T. J. Murphy. Aurora Tech

Mayor Wells reported that the Planning and Zoning Commission recommended approval of the Amended Special Use Permit at their October 27, 2003 meeting.

Mr. Paul Johnson stated that he is proposing to establish as automotive service center for light, general auto repair work including brakes, oil changes, shocks and alignments at 8443 University Avenue.

Mr. Johnson explained that until the rolling gate is installed at the northeast corner of the building two posts with a chain between them will be installed to deter vehicular traffic to the rear parking lot after hours.

Mayor Wells, referring to the condition regarding outside storage, asked Attorney Carson for a definition of storage.

Attorney Carson stated his belief that a vehicle currently being worked on is not considered to be stored however, the Council could state the number of days a vehicle can be parked in the back lot.

Councilmember Carlson pointed out that other Special Use Permits have stated a certain number of vehicles that can be stored outside. Mayor Wells suggested that the condition could state that there could be outside storage of a certain number of vehicles for a certain period of time but no storage of equipment or parts.

Building Official Brainard pointed out that the Planning Commission preferred no vehicle parking in front of the building after hours, with all vehicles behind the rolling gate which would secure the rear area.

Attorney Carson suggested that vehicles should not be parked more than 24 hours on the University Avenue side of the site.

Councilmember Mason stated her opinion that the number of bays inside should coincide with the number of vehicles outside. Brief discussion regarding the number of vehicles stored outside for a specified period of time.

MOTION BY COUNCILMEMBER HAWLEY APPROVING AN AMENDED SPECIAL USE PERMIT TO PROVIDE LIGHT AUTO REPAIR SERVICES ADJACENT TO A RESIDENTIAL DISTRICT AT 8443 UNIVERSITY AVENUE NE, AS REQUESTED BY PAUL JOHNSON AND T.J. MURPHY, (AURORA TECH) WITH THE FOLLOWING CONDITIONS: (1) HOURS OF OPERATION: MONDAY THROUGH FRIDAY: 7 AM TO 9 PM; SATURDAY 7AM TO 4 PM AND NO SUNDAY HOURS; (2) DOORS MUST BE CLOSED DURING HOURS OF OPERATION (3) NO MORE THAN FIVE (5) KEY DROP OFF VEHICLES PARKED OVERNIGHT (24 HOUR PERIOD) ON THE UNIVERSITY SIDE (WEST) OF THE SITE; MAXIMUM OF SIX (6) VEHICLES IN REAR (EAST) PARKING LOT FOR NO MORE THAN FIVE (5) DAYS AND NO OUTSIDE STORAGE OF PARTS OR EQUIPMENT AND (4) INSTALLATION OF A FOUR FOOT CHAIN LINK FENCE WITH ROLLING GATE ON THE NORTHEAST CORNER OF BUILDING. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

3. Special Use Permit to Operate a Motorcycle Manufacturing and Repair Business in an I-1 District. 8421 Center Drive NE. Tom Tengerdy. Blue Flame Custom Cycles

Mayor Wells reported that the Planning and Zoning Commission recommended approval of the Special Use Permit at their October 27, 2003 meeting.

Mr. Tom Tengerdy stated that his prospective tenant, Jeff Miles, proposes to conduct a custom motorcycle manufacturing and repair business at 8421 Center Drive. Mr. Tengerdy explained that the 3500 square foot space will contain a showroom, a parts department, office, manufacturing and storage areas. Mr. Tengerdy stated that the manufacturing area is equipped to build custom motorbikes, is ventilated to eliminate odors and the three workstations contain an overhead exhaust fan to vent fumes outside.

Mayor Wells asked Mr. Miles to explain how he conducts his business. Mr. Miles stated that he builds custom ordered motorcycles from "scratch" and performs motorcycle repair.