

Memorandum

To: Planning Commission Members
From: The Development Department
CC: Honorable Members of City Council, Clerk of Council, City Departments
Date: September 30, 2011
Re: Staff Report for AA Precise Collision Repair, Inc. – Special Use Permit (Automotive Repair)

**Item #1 – AA Precise Collision Repair, Inc. – Special Use Permit (Automotive Repair)
(PID# 201108220026)**

Application: Special Use Permit
Location: 2401 Stringtown Rd
Applicant: Sergey Akopyan
Zoning: C-2 (Retail Commercial)
Use: Automotive Repair

Relevant Code Section(s):

- 1135.09 (b) (12) Special Use Permits

Project Summary:

The applicant is requesting a special use permit to conduct automotive repair for post-accident auto body and refinishing work at 2401 Stringtown Road. AA Precise Collision Repair will operate from 8:00am – 6:00pm Monday through Friday and from 10:00am – 2:00pm on Saturday, with between six (6) and eleven (11) employees on site.

As part of the proposed activity, the rear of the property behind the existing structure will be used for the storage of vehicles. The storage area will be enclosed by a six (6) foot tall split faced concrete block wall to provide solid screening from surrounding properties. The applicant has indicated that between 20 and 23 customer vehicles can be on the property at one time, nine of which would be inside the building being repaired. The remaining vehicles would be parked in the rear of the lot within the storage area, accessed from a gate between the front parking area and the rear storage area. Any vehicles deemed to be total losses will be removed from the site within two to five business days after determined as such.

The front parking area, between the structure and Stringtown Road, contains sixteen (16) parking spaces that will be reserved for the pick up and drop off of vehicles and for employee parking and will be screened with a three (3) foot tall continuous landscape hedge. Access to the site will remain as existing, with one curb-cut off Stringtown Road.

Code Analysis:

Per Section 1135.09, the Planning Commission is responsible for reviewing Special Use Permit requests and recommending approval, approval with modifications or denial to City Council based on findings of compliance with the standards and requirements of this Code (*see relevant code sections*) and subject to the conditions established by the Planning Commission to ensure compliance with the letter and intent of this Code. The following is the Development Department's evaluation based on code standards and requirements.

1. *The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

Standard is Met: The proposed automotive repair use does not change the intended character of the district. The existing uses on the site are automotive in nature and the site is bordered by other automotive uses, including a gas station directly adjacent to the east.

2. *The proposed use shall not adversely affect the use of adjacent property;*

Standard is Met: The proposed automotive repair use and corresponding outdoor storage area will not affect the use of adjacent property. The applicant is proposing to install six (6) foot masonry fencing around the perimeter of the storage area to screen the storage area from adjacent properties. The screened area will largely be blocked from view by adjacent structures.

3. *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*

Standard is Met: The proposed automotive repair and outdoor storage area will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. The automotive repair will be conducted in the structure with compressed air power tools installed in the basement level of the facility to reduce noise from the structure. The site of the proposed use is bordered on all sides by non-residential uses and is more than 600 feet from a residential district.

The applicant has indicated that in its 13 year history, AA Precise has never been cited by the EPA or any state equivalent for any environmental violations from the operation of its facility. All waste products generated on the site are removed by a nationally recognized hauler of hazardous waste and safety measures for air quality have also been taken to perform in accordance with Ohio and federal environmental and occupational safety laws.

4. *The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and school;*

Standard is Met: The proposed use will be adequately served by public facilities.

5. *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*

Standard is Met: The proposed use will not impose a traffic impact significantly different from other uses in the district.

6. *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*

Standard is Met: The use is in accordance with the intent of all applicable code requirements and ordinances of the City.

7. *The proposed use complies with the applicable specific provisions and standards of this Code;*

Standard is Met: The use is in accordance with the intent of all applicable code requirements.

8. *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special use in the district in which it is proposed to be located;*

Standard is Met: The site of the proposed use is zoned C-2, in which automotive repair is permitted with a special use permit.

9. *A completed application indicating the Specific Special Use permit activity intended by the applicant shall be submitted to the Department of Development by the Council approved submittal dates;*

Standard is Met: The applicant properly submitted a completed application.

10. *Parking of employee vehicles, vehicles used in the operation of the business, vehicles awaiting service or return to customers after services, and vehicles held for disposal shall only be permitted in the locations approved on the site plan.*

Standard is Met: The applicant has submitted a site plan indicating that the front parking area will be used for employee parking and for client parking to pick up and drop off vehicles for service, and that the rear parking area will be for cars awaiting service.

11. *Vehicle sales, rental, or leasing shall not be permitted on the site unless specifically approved.*

Standard is Met: No vehicle sales will be conducted on the site. Short term vehicle rental is offered for customers awaiting vehicle repairs only.

12. *Outdoor repair, preparation, cleaning, assembly, disassembly, of vehicles shall not be permitted unless the nature and location of such activity is specifically identified in the application and approved by the Board. Outdoor display, storage, or sale of goods shall not be permitted on the site unless specifically approved as a condition of the Special Use Permit and in conformance with the supplementary standards for outdoor display, storage, and sale. The storage area shall be completely surrounded by a gated masonry wall six (6) feet in height or other screening approved by the Planning Commission. Such screening shall be set back from residential districts at least six (6) feet and landscaped according to the approved site plan.*

Standard is Met: No vehicle repair or disassembly will be conducted outside of the structure. The proposed storage area will be bordered by a six (6) foot tall masonry (split faced concrete block) wall and is not adjacent to any residential areas. The storage area is clearly indicated on a site plan submitted with the application.

13. *Outdoor sales, storage, or display shall only be permitted in areas identified on the approved site plan. No such activity shall be located closer than fifty feet to a residential zoning district boundary or road right-of-way abutting any residential zoning district or within ten feet of any road right-of-way. Such activities shall not occupy any required parking area or driveway.*

Standard is Met: The proposed outdoor storage area is more than 600 feet from the nearest residential district and is clearly indicated on the site plan submitted with the application. Adequate parking is provided on the site and the storage area will not occupy any driveways or parking areas.

14. *Any outdoor sales, storage, or display area located closer than one hundred feet to a residential district shall, if determined to be visible from such district, be screened by a landscape buffer strip or other means indicated on the approved site plan.*

Standard is Met: The proposed outdoor storage area is located more than 600 feet from the nearest residential district. The screening around the storage area will not be easily visible from either Stringtown Road or Old Stringtown Road, due to structures on the site and on adjacent sites.

15. *Illumination of outdoor sales, storage, or display areas shall be designed to prevent glare or direct light from the illumination source into residential areas.*

Standard is Met: The applicant is not proposing any additional illumination for the outdoor storage area.

16. *Outdoor display areas shall be maintained in a neat and orderly fashion*

Standard is Met: The proposed outdoor storage area will be completely enclosed by a 6 (six) foot tall masonry fence accessed by a single gate, screening the storage area from adjacent properties. No shop materials, supplies, or parts will be stored outside the building.

17. *Signage for outdoor sales or displays shall comply with Chapter 1145*

Standard is Met: No additional signage is proposed for the outdoor storage area.

Recommendation(s):

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit with the following stipulation:

1. There shall be no overnight parking or storage of vehicles outside of the fenced area.