

# **Memorandum**

**To:** Planning Commission Members  
**From:** The Development Department  
**CC:** Honorable Members of City Council, Clerk of Council, City Departments  
**Date:** February 28, 2014  
**Re:** Staff Report for Block S. Corp – Special Use Permit (Automotive Service)

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## **Item #2 – Block S. Corp – Special Use Permit (Automotive Service)**

**(PID# 201401240001)**

**Application:** Special Use Permit (Automotive Service)  
**Location:** 3188 Broadway  
**Applicant:** Todd Boucher, Block S. Corp dba Meineke Car Care  
**Zoning:** C-2 (Retail Commercial)  
**Use:** Automotive Service

### **Relevant Code Section(s):**

- 1135.09 (b) (12) Special Use Permits

### **Project Summary:**

The applicant is requesting a special use permit to conduct automotive services at 3188 Broadway, part of the Anchor Retail Center. Auto services to be offered on site include oil changes, brakes, mufflers, tires, wheel alignments, air conditioning, batteries, alternators, radiators, and transmission fluid replacement.

The site was previously approved for a car wash; however the building was renovated to remove the former wash bays and convert the interior to retail tenant spaces. With the proposed special use permit, the tenant spaces would be converted back to automotive bays for automotive services and repair work. Additional site work includes repaving the front grass area to allow vehicles to pull into the service bays. Landscape peninsulas will be installed between the bay doors on the east side of the structure. All other landscaping will remain and materials state that any landscape disturbed during construction will be relocated or replaced.

The proposed auto repair center will have five (5) bays, with the potential to expand to seven (7) bays in the future. Proposed hours of operation are from 7:30am-7:00pm Monday through Friday, 7:30am-4:00pm Saturdays, and 9:00am-4:00pm Sundays. Materials indicate that any cars left on the site overnight, if a customer is unable to pick them up the same day of service, will be moved into the service bays. No abandoned or disabled vehicles will be held on the property. Additionally, materials state that no

automotive parts will be stored outside of the building and that waste oil, tires and fluids to be recycled as well as parts and batteries will be stored inside the building until picked up by a third party recycler.

The submitted site plan shows the customer vehicle drop-off area being located on the north side of the structure, in the form of three parallel parking spaces. A sidewalk is proposed to be installed between the office / waiting area and the customer vehicle pick-up area to provide separation between pedestrian and vehicles on the site. Employee parking is proposed to the east of the structure, near the existing dumpster on the site.

### **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 service use does not change the intended character of the district. The site was previously approved for an automotive use (car wash).

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

**Standard is Met:** The proposed use will not affect the use of adjacent properties. All work will be conducted inside the structure, with bay doors closed to contain the noise. Materials state that the air compressor will be located in the enclosed mezzanine to further contain noise within the structure. Mature trees exist along the east property line to screen the site from the apartments to the east. Materials show the existing parking lot contains the capacity to hold employee vehicles, as well as customer vehicles being dropped-off and awaiting pick-up.

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 service will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. All work will be conducted within the structure and no parts or materials to be recycled will be stored outside.

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 service 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 submitted a site plan showing employee parking in the eastern parking area near the dumpster, and separate areas for customer vehicle pick-up and drop-off.

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.

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 work will be conducted and no equipment or materials will be stored outside of the structure.

**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 as submitted.