



Planning and Economic Development

Ed Anzek, AICP, Director

From: Sara Roediger, AICP
Date: 2/10/2016
Re: **Autorite (City File #15-005.2)**
Planning Commission Conditions Review #1

At its January 19, 2016 meeting, the Planning Commission recommended that the City Council approve a conditional use permit for the above referenced project subject to a number of findings and conditions (see below). In addition to the conditions for conditional use, the Planning Commission identified a number of site plan changes that were identified as conditions of approval, prior to this matter being presented to the City Council, refer to the comments below. Staff has reviewed the submitted plans for consistency with the approval and will forward the plans to the February 22, 2016 City Council meeting.

Conditional Use Conditions

1. That the construction of the new facility and all site improvements be completed by October 31, 2016. If the completion date is not met the applicant can request an extension to be granted by the Planning Commission. If no extension is requested the City will initiate action to revoke the conditional use permit. *In compliance, the applicant agrees to this timeframe.*
2. A total of 12 vehicles shall be allowed for display and two in the bays at one time, prior to City Council consideration of the plans. *The applicant has provided revised plans that show 12 display spaces, along with 6 alternate locations. The applicant in a letter to the Planning Commission dated February 8, 2016 asks for reconsideration of this condition including referencing an approval by the planning department, which is not true. Planning staff has not met with or discussed providing additional cars on this site. City Council should determine whether or not the applicant's request warrants consideration, but please reference the Planning Commission minutes as there was much discussion regarding concerns for over parking this site. If the City Council upholds the Planning Commission recommendation to limit the site to 12 cars (plus 2 in the bay) then revised plans eliminating the six alternate locations must be submitted.*
3. The use of surrounding, local neighborhood streets by Auto Rite customers shall be strictly prohibited. *Not in compliance, a note must be added on the plans before final staff approval.*
4. If two or more violations, as determined by the local district court or violations of the conditions occur in one year on the west or east lot, the Conditional Use Permit shall be considered revoked, and staff shall be directed to initiate legal revocation proceedings of the Conditional Use Permit. *The applicant also requests reconsideration of this condition to make it a monetary penalty instead of revocation. If the City Council upholds the Planning Commission recommendation no changes are needed, but if the City Council reconsiders the monetary penalties shall be clearly identified.*
5. Add a note to the plans that no cars will be allowed to be displayed or stored on the west property, prior to City Council consideration of the plans. *In compliance, a note has been added on the plans.*

Site Plan Conditions

1. City Council approval of the conditional use. *In progress.*
2. Provide a landscape bond for replacement trees and landscaping in the amount of \$5,935, plus inspection fees, prior to issuance of a Land Improvement Permit for this development. *Must be provided before LIP.*
3. Provide an irrigation plan and cost estimate, prior to issuance of a Land Improvement Permit. *Must be provided before LIP.*
4. Payment of \$2,600 into the City's Tree Fund, prior to final approval by staff. *Due to landscaping requirement that could not be met due to utilities and spacing requirements, must be provided before LIP.*

5. Reduce access approach on the eastern property line to 24 feet in width if access is ever provided off of Hessel. ***Not in compliance, a note must be added on the plans before final staff approval.***
6. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff. *Will be reviewed before final staff approval.*
7. The gate on Hessel shall be shown as removed and replaced with a solid fence, prior to City Council consideration of the plans. ***The applicant also requests reconsideration of this condition keep the current fence and gate that exist at the site presently. Staff believes the intent of this condition was to prevent access in and out of the site, and if the applicant welds the gate shut it will meet the intent of this condition, and if the City Council agrees, then revised plans indicating the gate will be welded shut must be submitted.***
8. The color blue on the façade shall be replaced with an earth tone color, as approved by staff, prior to City Council consideration of the plans. *In compliance, the blue façade has been replaced with an grey façade.*
9. The CMU on the second floor east elevation shall be a natural finish split face block to match the rest of the building, as approved by staff, prior to City Council consideration of the plans. *In compliance, the second floor east elevation depicts brick to match the building.*
10. The western most property can be used for construction material during construction of the property to the east. *In compliance, a note has been added on the plans stating no storage or display of vehicles will be allowed on the west property.*
11. The second floor area is not allowed to be used for residential purposes. ***Not in compliance, a note must be added on the plans before final staff approval.***
12. No string lights or outside storage shall be allowed on the property. *In compliance, a note has been added on the plans.*
13. The plans shall be amended regarding the corner clearance issue prior to City Council consideration of the plans. *In compliance, the plans have been revised and have received approval with conditions from the Engineering Dept., see attached February 9, 2016 review letter. While approval is recommended the corner clearance is not shown correctly on the west side of the driveway, which will likely result in the removal of one parking space in that location. Staff continues to recommend that a permanent barrier be installed to prevent encroachment into the corner clearance, such as curbing or a planter box.*