



# Memorandum

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**To:** Chair Hansen and Members of the Planning Commission  
**From:** Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer  
**Date:** July 19, 2022  
**Subject:** Tint Pros Interim Use Permit

Tint Pros, 1313 Osborne Road, has applied for an interim use permit to permit automobile sales in the I-1 zoning district.

Tint Pros originally applied for a conditional use permit to allow their business to expand into the 1313 Osborne Road premises. They also applied for a text amendment to permit auto sales in the I-1 zoning district as a conditional use. The City Council approved the request from Tint Pros to approve a conditional use permit to allow auto detailing and light repair at 1313 Osborne Road on June 6, 2022.

The City Council, in consultation with the Planning Commission, came to consensus that auto sales as a conditional use is not appropriate for the I-1 zoning district but that it may be appropriate for an interim use. An ordinance amending the zoning code to establish an interim use permit process and to include automobile sales as an interim use was considered by the Commission at its June 27 meeting and subsequently approved by the City Council at the July 5 Council meeting.

The difference between a conditional use and an interim use is that a conditional use is a permitted use with reasonable conditions that runs with the land. An interim use ends at a specific time or event.

After discussing the City Council's action with the applicant, Tint Pros agreed to amend their application to seek an interim use permit to permit automobile sales in the I-1 zoning district.

Staff has reviewed the application and recommends approval of the interim use permit with the following conditions:

1. The applicant shall store automobile vehicles for sale inside the building. No outdoor storage of vehicles and associated merchandise is permitted.
2. The interim use permit shall expire either upon the sale or transfer of ownership of the building and/or business, a violation of the conditions of the interim use permit or a change in the City's zoning regulations which renders the use nonconforming, whichever is earlier.

We recommend the following findings of fact for approval of the interim use permit:

1. The proposed use is a reasonable use of the property, anticipated as an Interim Use in the I-1, Light Industrial District.
2. Automobile sales will occur entirely inside a building, thereby not having a detrimental effect on surrounding properties or lower property values.
3. Adjacent roadways and the existing parking lot are adequate to handle anticipated traffic and vehicles using the site.
4. No changes are proposed to site grading and drainage and therefore stormwater management should be adequate as it exists now.
5. There are no unusual odors, fumes, dust, noise or vibration associated with the interim use.
6. No residential use is proposed on the site and therefore incompatible growth in that regard is not an issue with this use.

If you have any questions regarding the application, please do not hesitate to contact me at 763-784-6491.