



Memorandum

To: Chair Hansen and Members of the Planning Commission

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: August 16, 2022

Subject: American Enterprises LLC Interim Use Permit

American Enterprises, LLC (d/b/a Efficient Auto Sales) has applied for an interim use permit to permit automobile sales at their property at 8302 Highway 65 NE. The property is zoned C-2, Neighborhood and Service Center Commercial.

The property is currently operating under a Conditional Use Permit for an auto repair business/transportation company (Resolution 19-21, approved 8/5/19). The applicant is seeking an auto dealer's license to be able to purchase vehicles at an auto auction for his business. The applicant has indicated that, due to supply chain issues, the cost of vehicles has increased. The applicant believes having access to an auto auction will lower that cost. The applicant needs a dealer's license to participate in auto auctions.

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.

Automobile sales is an interim use in the C-2 zoning district. SLPC 16.36.010(A) establishes performance standards for auto sales within the City. In addition, SLPC 11.20.040 addresses used car dealer licensing. That ordinance establishes a 500-foot setback between auto sales dealerships. This property is in compliance with that provision.

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

1. The applicant intends to use the interim use permit to purchase vehicles at wholesale or through auto auctions. Should the applicant choose to sell a vehicle under this license, the applicant must store any vehicles for sale inside the building, in compliance with SLPC 16.36.010(A). No outdoor storage of vehicles for sale 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. Applicant is primarily utilizing the dealer's license to purchase vehicles at wholesale or through an auto auction. Such a use will not have 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 don't hesitate to contact me at 763-784-6491.