



Memorandum

To: Mayor Nelson and Members of the City Council

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

Date: February 25, 2020

Subject: Cars R Us CUP Application – 1109 County Highway 10 NE

At its January 27 meeting, the Planning Commission held a public hearing on an application from Cars R Us, LLC to open an auto detailing business at 1109 County Highway 10 NE. The Commission, after receiving the staff report, had additional questions regarding hours of operation and parking requirements. The applicant, despite being notified of the meeting, was not present at the public hearing to answer the Commission's questions. Subsequently, the Commission tabled the CUP request until the February 24, 2020 meeting.

Over the past month, staff has attempted to gather additional information from the applicant, with limited success. In fact, in response to an email, the broker for the property stated that Cars R Us, LLC has moved out of the space and that they are looking for a tenant to backfill that leased space.

Unfortunately, the applicant did not submit a letter or e-mail stating they wished to withdraw the CUP application. Therefore, the Planning Commission made a recommendation to the City Council to deny the CUP application due to a lack of information relating to parking demand, number of employees and hours of operation of the business. The Commission made the following findings:

1. Prior to the applicant's request, the site was home to a previously unpermitted auto detailing business which generated a number of complaints and ordinance violations. Due to the site's past history, the conditional use permit application requires additional scrutiny to ensure its operation complies with the City's zoning code.
2. The Planning Commission was unable to obtain key information from the applicant regarding parking requirements, number of employees and hours of operation, information which is required to determine if the proposed use complies with the City's zoning code.
3. Applicant has been non-responsive to staff and Commission requests for information.

If you have any questions, please don't hesitate to contact me at 763-784-6491.