

MEMORANDUM

TO: Members of the Planning Commission
FROM: Brent N. Damman, Zoning Administrator *BND*
SUBJECT: Conditional Use Permit Superior Auto
1475 Scott St. Napoleon, Ohio
HEARING DATE: November 10, 1998 5:00 PM
HEARING #: PC 98/10

BACKGROUND:

on behalf
An application for public hearing has been filed by Richard Ford ~~Dea~~ Superior Auto Inc. P.O. Box 630 Huntertown, IN. on behalf of owners Lange & Lytle G.P. 1820 W. Riverview Ave. Napoleon, Ohio. The applicant is requesting the issuance of a Conditional Use Permit for the purpose of establishing a used car sales operation at the location of 1475 Scott St. Napoleon, Ohio. The request is pursuant to City Code chapter 1141. The subject property is located within an I-1 Enclosed Industrial Zoning District.

RESEARCH AND FINDINGS:

1. The plan as submitted meets all applicable zoning requirements.
2. Auto sales lots are permissible in the C-4 & C-5 Commercial Districts by issuance of a zoning permit by the Zoning Administrator. In those districts green belt areas are required along the front, sides & rear property lines. Through the issuance of a Conditional Use permit by City Council, Auto sales lots are permissible in the I-1 Industrial District in which this site is located. However, it is up to City staff and this commission to make reasonable provisions to reduce adverse effects to neighboring properties. The plan as submitted exhibits proper green areas and setbacks which should eliminate any adverse effects to the neighbors.
3. The plan shows adequate parking area for customers. The City Engineer will need to approve the construction plans for the parking lot areas prior to commencement of construction.
4. If the Commission wishes to make recommendation to the Council a resolution will need to be passed.
(copy attached)

ADMINISTRATIVE OPINION AND RECOMMENDATIONS:

The proposed use should be compatible with surrounding property uses and should not have an appreciable impact on the use or value of property in the immediate vicinity. Therefore, I am recommending that this Conditional Use Resolution # PC98/10 be submitted to City Council with your recommendation.

The Planning Commission shall make written findings of fact and shall submit same together with its recommendation to the City Council after the close of the hearing on a conditional use. The Planning Commission's report to the City Council shall indicate the vote of each member present and shall contain a statement of reasons why a member or members did not vote in favor of a recommendation. No conditional use shall be recommended by the Planning Commission unless the Commission finds that:

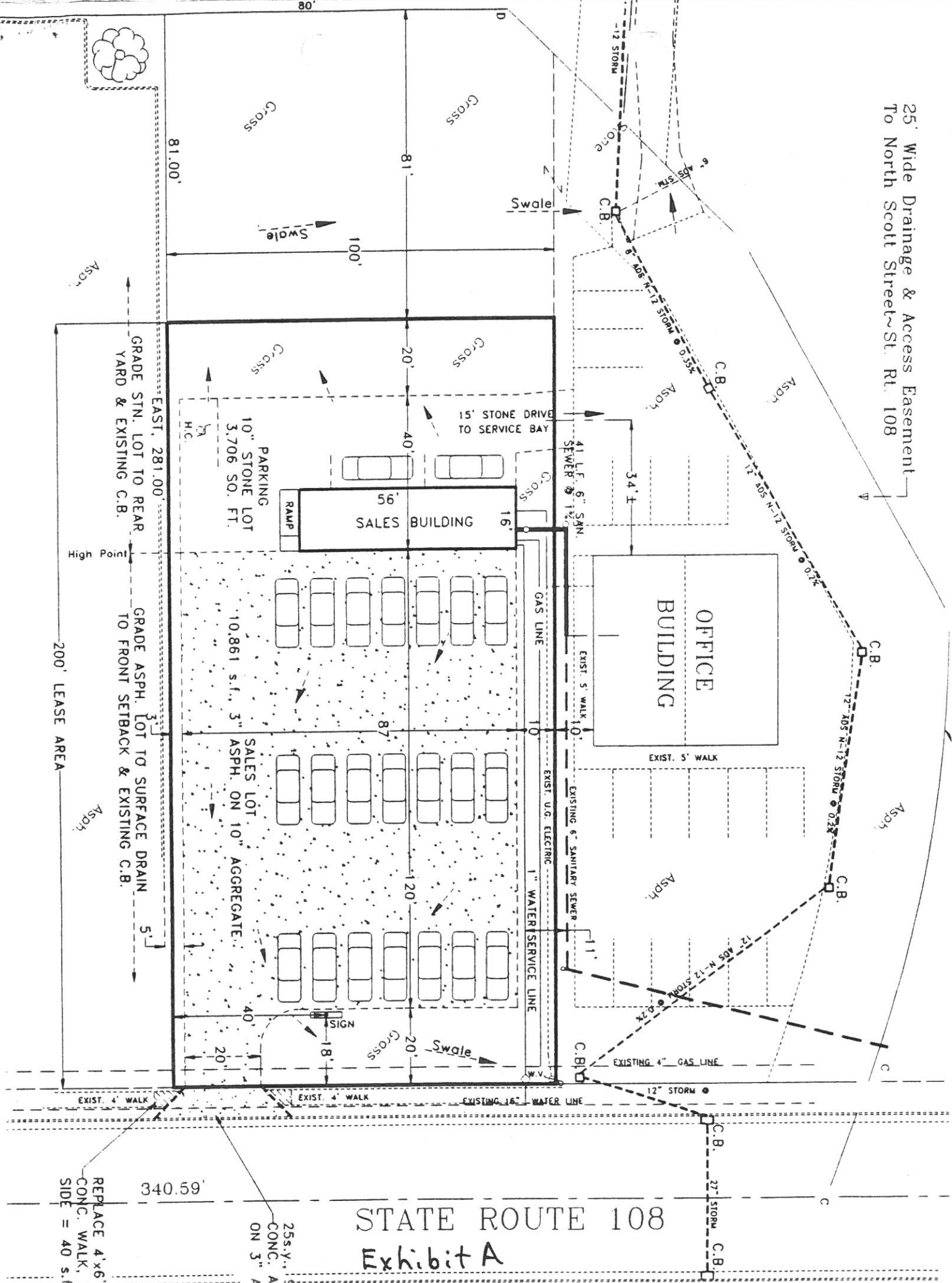
- (1) The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
- (2) The conditional use will not be injurious to the use and enjoyment of lawfully used property in the immediate vicinity or substantially diminish or impair property values within the neighborhood.
- (3) The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (4) The exterior architectural appearance and functional plan of the conditional use premises will not be incompatible with the architectural appearance and functional plan of any structures already in the immediate area, or with the character of the zoning district.
- (5) Adequate utilities, access roads, and drainage, water, sewer, and other environmental facilities have been or are being provided for the conditional use project.
- (6) Adequate measures have been or will be taken to provide

ingress and egress to the premises so designated to minimize traffic congestion in the public street.

- (7) The conditional use shall conform to the applicable regulations of the district in which it is located except as such regulations may, in each instance, be modified by the conditions of the special use permit.

The above paragraphs shall be addressed and it shall be determined whether or not this Conditional Use will meet this criteria and explanations as to why it will or will not meet each set of criteria.

25' Wide Drainage & Access Easement
To North Scott Street ~ St. Rt. 108



STATE ROUTE 108
Exhibit A