

Tab 5

ALAGOZ CONDITIONAL USE PERMIT CU-08-01

Staff Report
Conditional Use Permit (CU0801)
Alagoz Auto Sales

BACKGROUND:

The property located at 639 8th Avenue West has historically been utilized for automobile repair and other automobile associated uses. A muffler repair shop most recently occupied the building. The property is located at the highly visible southwest intersection of 8th Avenue West and 7th Street West. The applicant (Mr. Cemal Alagoz) is attempting to rent the building from the owner of the property. The owner of the property also owns the two abutting properties to the south. City staff has had discussions with a developer for future redevelopment of the combined parcels. At this point, however, the owner of the properties has decided not to sell the land. Until the property is redeveloped, it is not in the best interest of the City of Palmetto to have vacant high profile properties, including this parcel.

The applicant met with Planning staff requesting information on acquiring an Occupational License (now known as a Business Tax) to open an auto sales establishment on the subject property. A review of the zoning map revealed that the property is zoned CC (Commercial Core). Auto sales are a conditional use in the CC zoning district. As such, this Conditional Use Permit application is being presented. The existing building on the property has been vacant for several months. Prior to entertaining this application, staff suggested that the applicant request a courtesy inspection from the Building Department for verification of safe occupancy and identification of necessary structural improvements. The building was recently inspected by the Building Department. Although structural improvements were identified, the building was acceptable for occupancy as an auto sales establishment. The applicant has decided, therefore, to proceed with the Conditional Use Permit application.

If approved, building permits will be authorized to remedy the necessary structural alterations. In addition, the applicant intends to perform other related clean-up work that does not require permits. The improvements will enhance the site and eliminate the current blighted condition.

GENERAL LOCATION/PARCEL SIZE:

Location: 639 8th Avenue West

EXISTING LAND USE/ZONING CATEGORY:

Future Land Use: COMC (Commercial Core)
Zoning: CC (Commercial Core)

REQUESTED APPROVAL

A conditional use permit may be issued for the establishment of auto sales in the CC zoning district pursuant to Article XV of the Zoning Ordinance. The proposed use will not create an unsafe condition or be detrimental to health, safety, and welfare of the general public. The following conditions have been analyzed in reviewing this request:

- (1) The proposed use shall be consistent with the purpose and intent of the applicable zoning district regulations, this article, and the comprehensive plan. **The proposed request is consistent with the review criteria of the CC zoning district and COMC future land use designation.**
- (2) The proposed use shall be compatible with surrounding land uses and the general character of the area, considering, without limitation, such factors as traffic, lighting, appearance, and effect on surrounding property values. **The use should not generate enough traffic to create congestion beyond the current condition. The intersection is well lit and the improved appearance of the site will have a positive effect on surrounding property values.**
- (3) The conditional use will not adversely impact on the public interest or adjacent property and all necessary alternative measures shall be taken by the applicant to prevent any such impact. **Staff is recommending that the outdoor auto display be limited to that area in front of the building nearest to the corner. No display is allowed in the sight visibility triangle. The applicant is proposing an indoor showroom as well. Public parking will occupy the south side of the building.**
- (4) The conditional use is not discriminatory, considering similar situations in the general area and in past decisions under this article. **This request is not discriminatory. There are two other auto sales uses within close proximity of the subject property.**
- (5) The purpose of the requirement is otherwise fully achieved, or more important purposes of this article will be served thereby, or the requirement serves no valid public purpose in the particular case. **The proposed use achieves the purpose of the requirement.**
- (6) The proposal shall be consistent with the stated purpose and intent of the applicable district regulations and this article. **The proposal is consistent with stated purpose and intent of the CC (Commercial Core) zoning district regulations.**

- (7) The proposal shall comply, where applicable, to the regulations of the zoning district in which the proposed use is most commonly permitted. **To the extent that the building exists and Palmetto promotes business, the proposed use is commonly permitted and compatible with the surrounding area.**
- (8) The proposal shall not create hazardous vehicular or pedestrian traffic conditions or any other type of unsafe condition. **The proposed use shall not create hazardous conditions. As previously mentioned, auto sales uses do not generate a lot of traffic. Automobiles are large ticket items that the people do not purchase very often.**

STAFF RECOMMENDATION:

The existing building was built in 1947 according to the Manatee County Property Appraisers records. Until the building is removed as part of some future redevelopment, staff recommends some use of the existing building. Potential tenants have elected to pass on occupancy of the building due to the cost and effort required to occupy the structure. The applicant has expressed the willingness to put forth such effort. As such, staff recommends approval of this Conditional Use Permit with the following conditions:

1. Outdoor auto display areas shall be limited to the areas adjacent to the building along both 8th Avenue West and 7th Street West. Customer parking is allowed adjacent to the building's south side.
2. No lighting shall be directed to the west of the subject property.
3. A landscape buffer shall be provided along the west property line. Planting details shall be reviewed administratively.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board recommended **APPROVAL, APPROVAL WITH CONDITIONS, or DENIAL** of the proposed Conditional Use Permit.

CITY COMMISSION

The City Commission shall **APPROVE, APPROVE WITH CONDITIONS or DENY** the proposed conditional use permit.

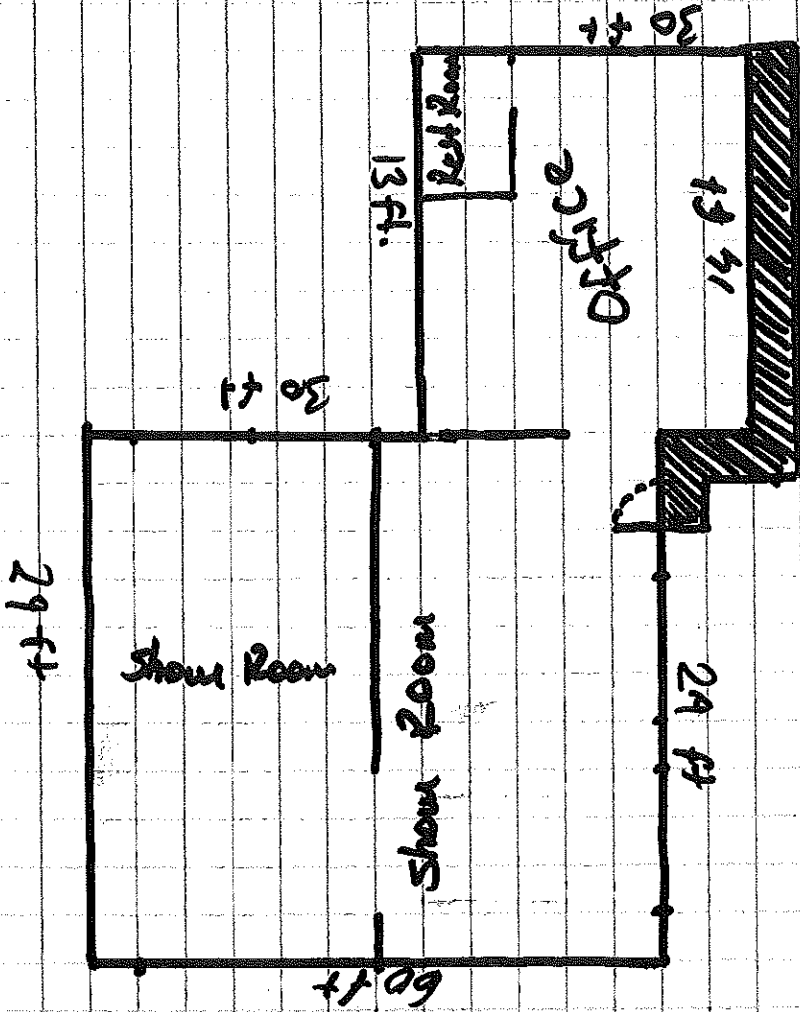
Attachments:

Site Plan Sketch from Applicant

Aerial with Site Plan

Photographs of Site

W ← 7th St. → E



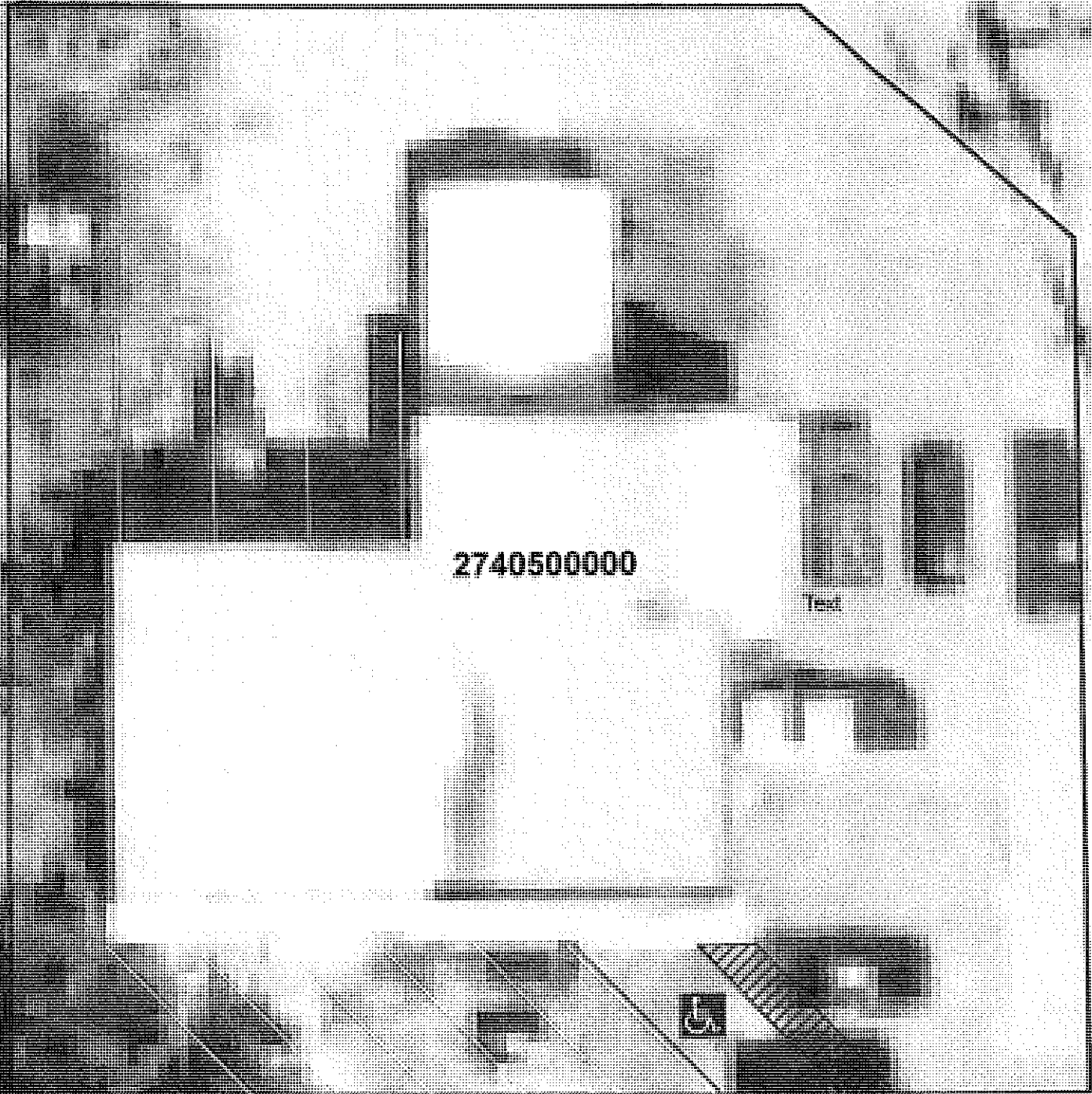
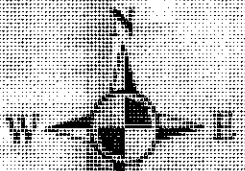
56-8th Ave → N

Cemal Fagor
941-580-7523

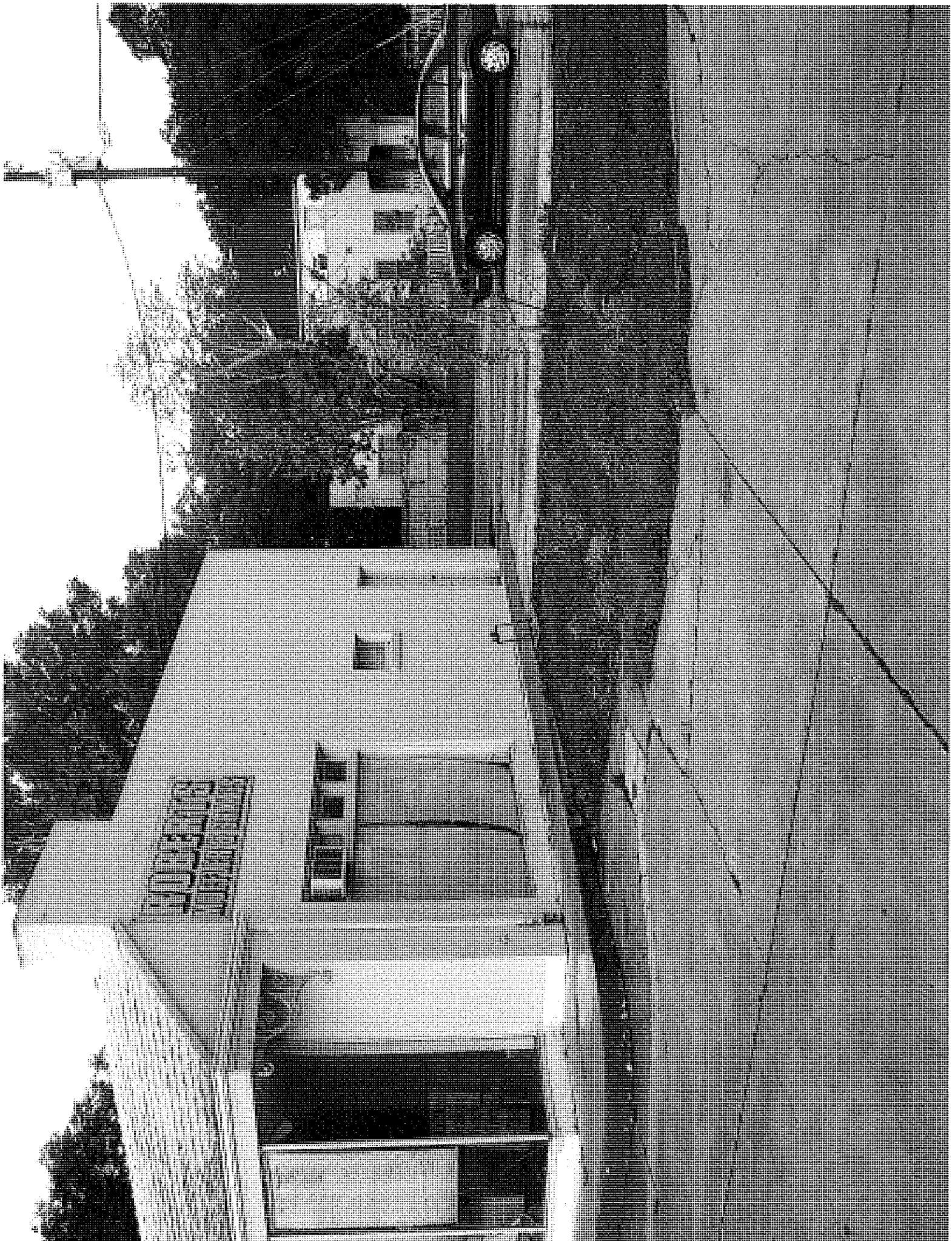


Alagoz Site Plan

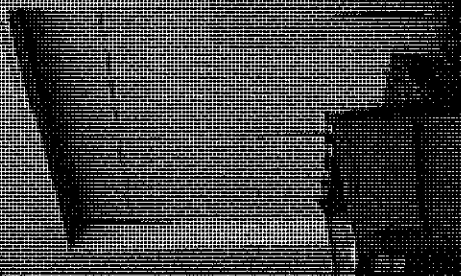
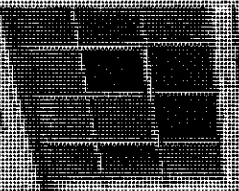
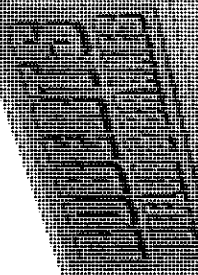
7TH ST W NCT



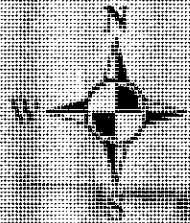
8TH AVE W NCT



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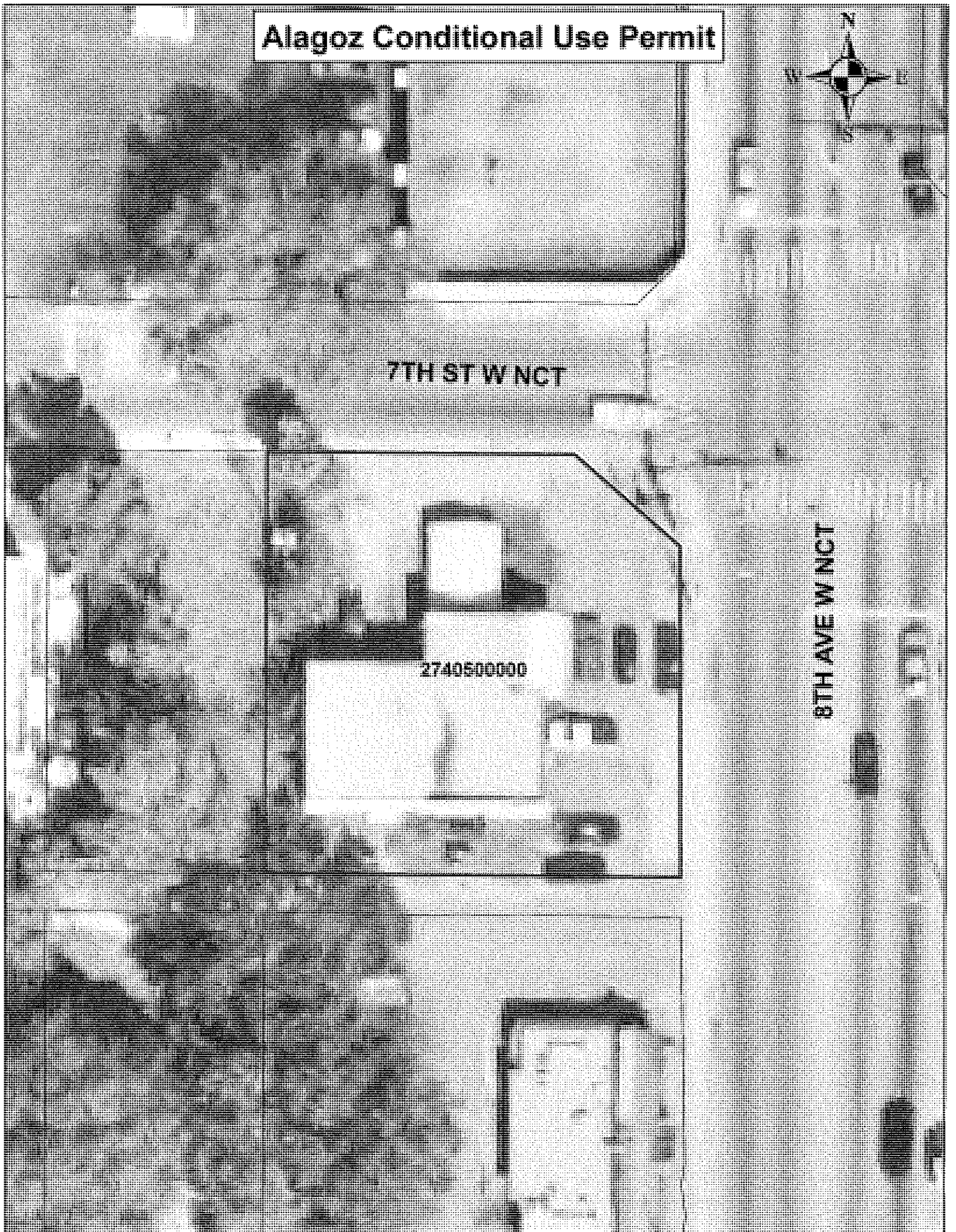
Alagoz Conditional Use Permit



7TH ST W NCT

8TH AVE W NCT

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OLD BUSINESS

NEW BUSINESS