

## PLANNING BOARD PROJECT NARRATIVE

### **DeMan Motorsport**

530 Route 9W  
Upper Nyack NY 10960

11 November 2022

S&Co. 2216

### **DESCRIPTION**

The project is located at 530 North Highland Avenue in the OB (Office/Business) zone. The existing building, which is proposed to remain, comprises 4,073 GSF at a single level. The building's use since 2005 was as a bicycle sales and service business. Prior to that use, it functioned as an automotive service garage from 1969 to 2005 via a special use permit. The property's current owner, Rick DeMan, plans to return the facility to an automotive service use as a new home for DeMan Motorsport, a full-service Porsche facility established in 1990 that provides engine modifications, maintenance, repair and rebuilds for Porsche automobiles from around the country. Vehicles are shipped to the facility via common carrier (e.g., Plycar), and leave by the same method. Up to six vehicles may be serviced simultaneously and all serviced vehicles, whether not yet started, in process or completed are housed inside the building. Because of DeMan Motorsport's highly specific service type and geographic reach, customer visits to the facility are rare, averaging approximately one per month for a total of approximately twelve per year. There are a total of four employees, and business hours are from 7AM to 4PM Monday through Friday, excluding holidays.

Given the property's prior history as an automotive service facility, the only changes needed at this time are the reinstallation of an existing roll-up door that was previously removed to create a second service bay at the current main entry location, and the concomitant relocation of that entry to the northern end of the building's east façade. No exterior signage is planned due to the nature of the business and the fact that there are no walk-in customers.

The owner seeks a Special Permit for the proposed use as a motor vehicle service facility subject to the conditions of §9.5 and §9.6.9 of the Village of Upper Nyack 2022 Zoning Law as follows:

#### §9.5 General Standards Applicable to All Special Permit Use Applications

- §9.5.1 and §9.5.2: The site will remain essentially as is, with no changes planned in the essential nature of the site or the building. The site will thus be in harmony with appropriate and orderly development of the area and will not discourage such development. Existing utility service is adequate for the proposed use.

- §9.5.3: The owner will ensure that the use will not be more objectionable to nearby properties than would be the operations of permitted uses not requiring a Special Permit and is prepared to monitor the subject use for its continued compliance and to make reasonable modifications as may be required to mitigate the effects of any objectionable characteristics.
- §9.5.4: The existing parking situation meets the parking requirements for the Special Permit use and is adequate for that use. Existing screening will remain.
- §9.5.5: Lighting will comply with §6.6 of the Village of Upper Nyack Zoning Law.

#### §9.6 Standards Applicable to Specific Special Permit Use Applications

- §9.6.9 Motor Vehicle Service Facilities
  - §9.6.9.1 & §9.6.9.2: Since the site will remain as is, the existing nonconformities regarding minimum Net Lot Size, minimum Building Setbacks and the stipulation that vehicles cannot be parked within the required Front Yard Setback do not allow conformance with these sections. The existing building and lot configuration will meet the 2022 Zoning Law in all other respects.
  - §9.6.9.3: All bulk petroleum products and similar substances will be stored underground and in compliance with all applicable laws and regulations.
  - §9.6.9.4, §9.6.9.5 & §9.6.9.6: All vehicles being serviced, whether not yet started, in process or completed will be housed inside the building.
  - §9.6.9.7: Tow trucks and other similar vehicles will not be parked on site.
  - §9.6.9.8/.1&.2: There will be no outdoor application of spray paint or outdoor storage of tools, equipment, materials and merchandise.

In closing, we believe that the proposed use will have little or no impact on the site's use patterns or appearance, and we therefore respectfully ask that the Planning Board approve the request for a special permit for this property and to allow the existing configuration, including existing nonconformities, to remain.