



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** June 24, 2013

**Common Council Meeting Date:** July 10, 2013

**Item:** Special Use Permit #7-13 for a used automobile and truck sales and display lot and a car wash (detailing) facility

**Case Manager:** Jeff Towne

### GENERAL INFORMATION

**Owner/Applicant:** Emanuel Martinez, applicant; Robert Hofacker-property owner

**Address/Parcel #:** 1211 East Wisconsin Avenue/31-1-1323-00

**Petitioner's Request:** The applicant is requesting a Special Use Permit for a used automobile and truck sales and display lot and a car wash (detailing) facility.

### BACKGROUND

The original structure is believed to have been constructed in 1952. The building is currently vacant with an existing paved parking lot.

### STAFF ANALYSIS

**Existing Site Conditions:** The property is developed with an existing structure. The site is relatively compact; however, adequate vehicular access and off-street parking exist on the site.

**Display Lot Landscape Analysis:** In order to establish a used automobile and truck sales and display lot, a Special Use Permit must be applied for and approved per the Zoning Ordinance regulations. As part of the Special Use regulations for a used automobile and truck sales and display lot, perimeter landscaping is required per the Zoning Ordinance. The Zoning Ordinance requires a minimum of a five (5) foot wide buffer along front and side yard perimeters. This requirement will be met along East Wisconsin Avenue, per the Zoning Ordinance. The existing pavement extends to both the eastern and western lot lines. There is an existing fence along the eastern lot line on the adjacent property to the east. There is no fencing or landscaping located along the western lot line. Customer parking will be provided in two designated spaces which is the requirement per Section 23-172.

Shrubs will be installed to meet the landscaping buffer requirement along East Wisconsin Avenue. An adopted City policy relating to this landscaping buffer requirement states, "landscaping requirements for used car sales reviewed through the Special Use Permit process be done to reflect the needs of the business as well as the needs of the City and the intent of the Zoning Code." Staff believes adding any additional landscaped buffer along the eastern and western property lines will create internal vehicle circulation challenges by reducing the width of the parking/display area and drive aisle to an inadequate width. The paved area has been used as a parking lot in the past and the proposed use will not be a major change to that in that vehicles will be kept there. Therefore, Staff believes the intent of this section of the Zoning Ordinance has been met.

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**Parking/ display lot layout**

The proposed used automobile and truck sales and display area will be located within the designated display stalls as shown on the development plan. The car wash (detailing) facility will occur within the interior service bays in the building and two parking spaces will be reserved for this use.

**Car Wash (detailing) Analysis**

In order to establish a car wash (detailing) facility, a Special Use Permit must be applied for and approved per the Zoning Ordinance regulations. A car wash is defined in the Zoning Ordinance as the use of a tract of land, building, or portion thereof, for the manual or automatic washing and cleaning of passenger vehicles, recreational vehicles or other light duty equipment. The proposed car wash (detailing) facility use will be located within the existing building as shown on the development plan. The car wash operation will be a hand wash and detailing service. There will not be automatic car washing equipment installed on the site. Two exterior parking spaces will be reserved for vehicles awaiting this use. These two spaces in addition to the one interior bay will satisfy the ordinance requirement of three (3) spaces for the car wash use per Section 23-172.

**Surrounding zoning and land uses:**

North: C-2 General Commercial District – Moose Lodge  
South: R-1B Single-family Residential District- Residential  
West: C-2 General Commercial District – Vacant lot  
East: C-2 General Commercial District – Auto Repair Use

**2010-2030 Comprehensive Plan:** The Community Development staff has reviewed the City's 2010-2030 Comprehensive Plan which indicates this area is appropriate for commercial uses. The proposed Special Use Permit for the subject site is consistent with the following goals and objectives of the 2010-2030 Comprehensive Plan:

**Overall Community Goals**

- **Goal 1 – Community Growth** (Chapter 10 – Land Use)

Appleton will continue to provide opportunities for residential, commercial and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods and greenfield development sites at the City's edge.

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under 23-66 (e)(1-6), which were found in the affirmative.

**Technical Review Group Report (TRG):** This item was discussed at the June 11, 2013 Technical Review Group meeting. No negative comments were received.

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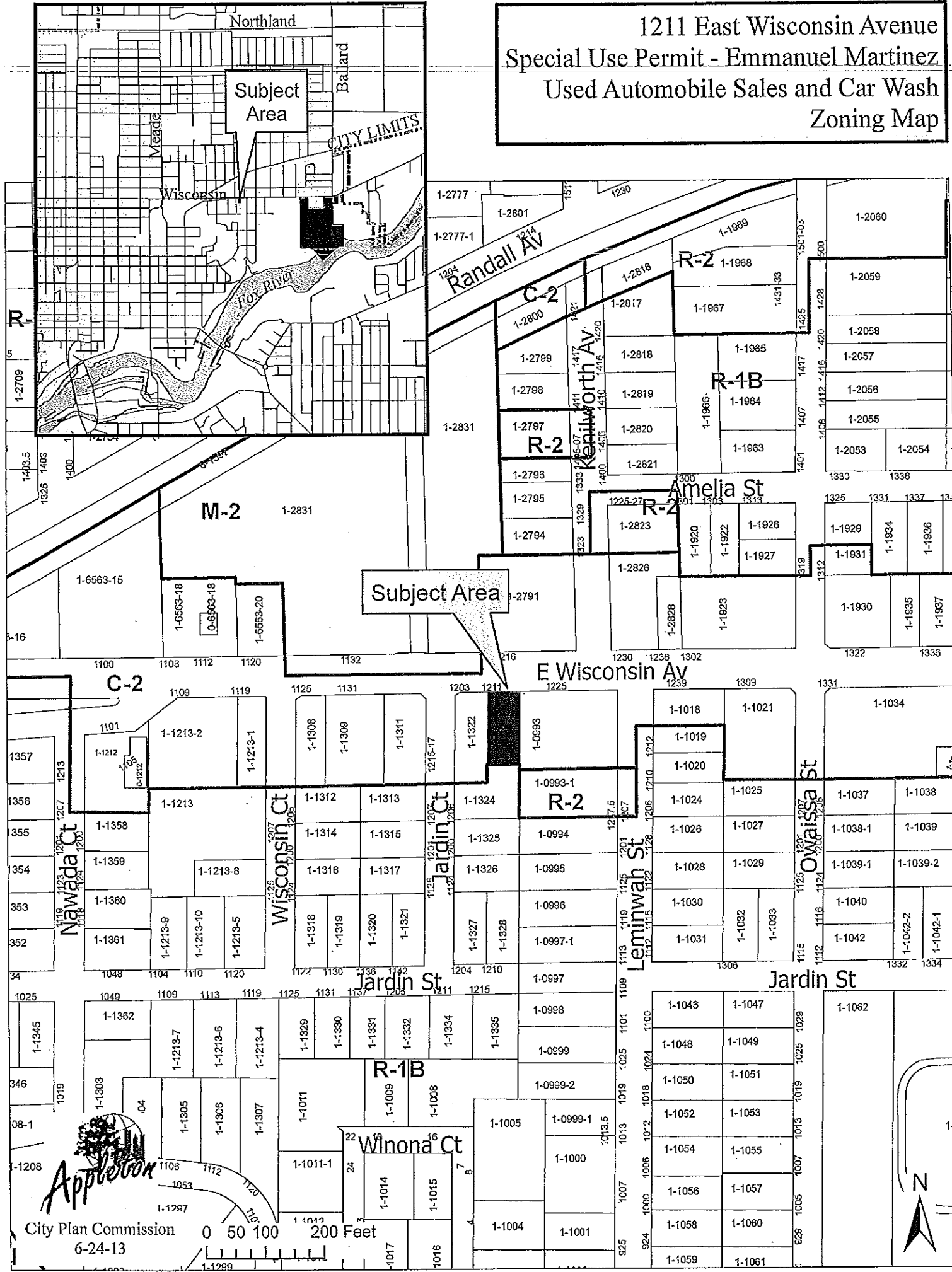
**RECOMMENDATION**

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Staff recommends, based on the above, that Special Use Permit #7-13 for a used automobile and truck sales and display lot and a car wash (detailing) facility, as shown on the attached maps and development plan and subject to the following conditions, **BE APPROVED**:

1. Vehicles for sale are limited to used automobiles and trucks only. No other motor vehicles may be sold at this site under this Special Use Permit.
2. Vehicles for sale that are displayed for sale outdoors shall be kept within the four (4) designated display spaces shown on the attached development plan. The other exterior spaces are designated for the car wash use (2) and for customers (2).
3. Only operable and licensed vehicles may be stored outside per Sec. 12-30(18) of the Municipal Code.
4. All applicable Codes, Ordinances and regulations, including but not limited to Fire and Building Codes and the Noise Ordinance, shall be complied with.
5. Perimeter landscaping along East Wisconsin Avenue, as shown on the development plan, shall be installed prior to City signatures being affixed on the State of Wisconsin Motor Vehicle Dealers License.
6. A State of Wisconsin Motor Vehicle Dealer's License will be required prior to the commencement of used vehicle sales on the property.

1211 East Wisconsin Avenue  
 Special Use Permit - Emmanuel Martinez  
 Used Automobile Sales and Car Wash  
 Zoning Map



Subject Area

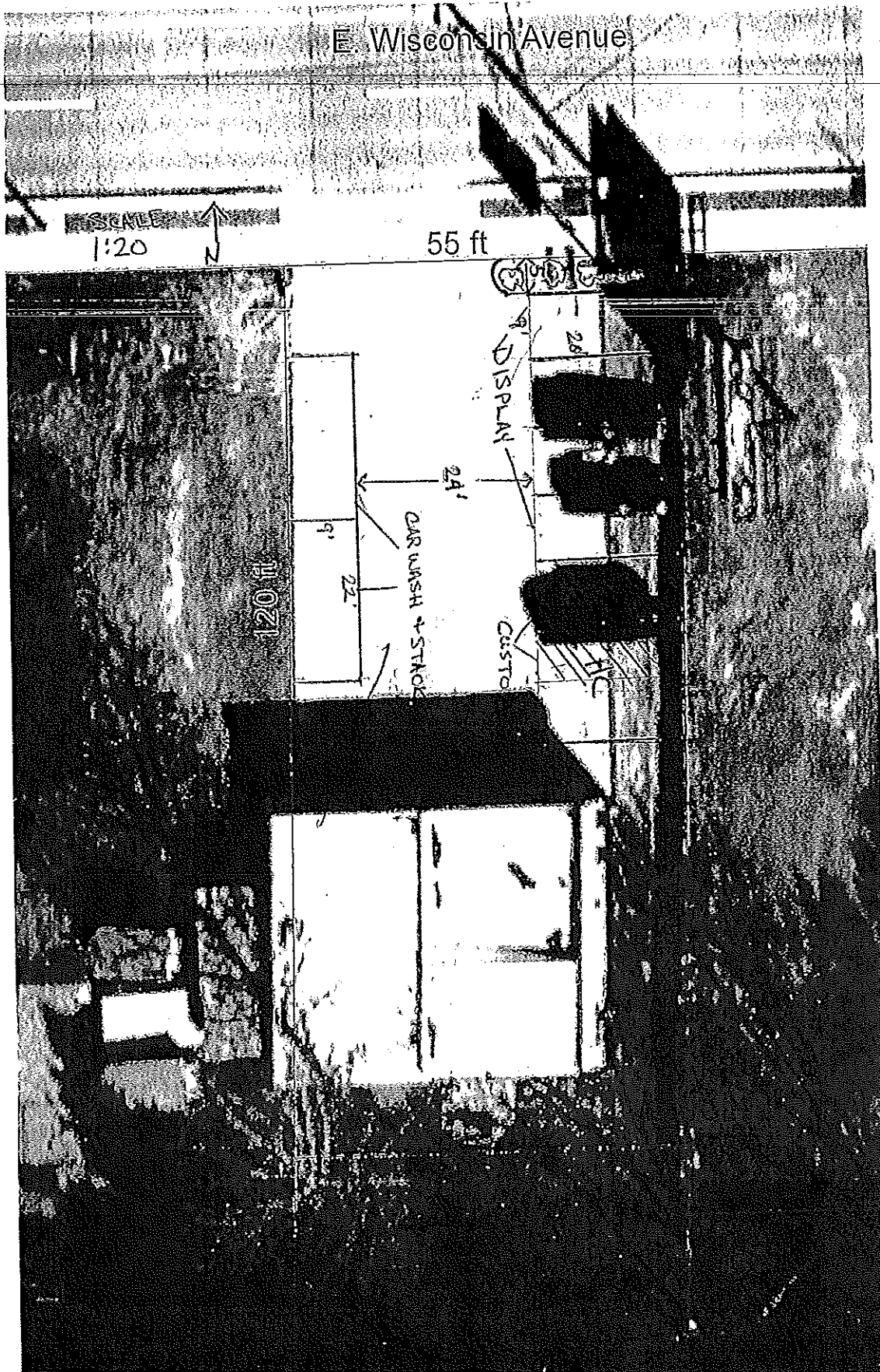
Subject Area



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0 50 100 200 Feet





E. Wisconsin Avenue

SCALE  
1:20



55 ft

120 ft

DISPLAY

24'

CAR WASH + STORAGE

9'

22'

CUSTOMER



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1211 East Wisconsin Avenue  
Special Use Permit - Emmanuel Martinez  
Automobile Sales and Car Wash