



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** January 7, 2020

**Common Council Meeting Date:** January 8, 2020

**Item:** Special Use Permit #12-19 for a car wash

**Case Manager:** Jessica Titel

### GENERAL INFORMATION

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**Owner:** Rory Burton, Xceed Investments, LLC

**Applicant:** Jeremie Lamine – Deep Blue Car Wash, LLC

**Address/Parcel #:** 4029 E. Calumet Street (Tax Id #31-9-5812-00)

**Petitioner's Request:** The applicant is requesting a Special Use Permit for a car wash.

### BACKGROUND

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The subject site is approximately 54,680 square feet in area and is currently being used as an automobile sales lot. The property was annexed to the City with the Eisenhower Drive Annexation in 2010.

### STAFF ANALYSIS

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**Project Summary:** The applicant proposes to construct a car wash as shown on the attached conceptual plans. The existing building will remain and will serve to supplement the proposed car wash, and potential uses within the existing building may be auto detailing or self-serve dog wash. Site Plan Review, in accordance with Section 23-570, is required prior to construction of the proposed facility.

**Existing Site Conditions:** The site is approximately 54,680 square feet in size and is currently being used as an auto sales lot. Access is from Lorna Lane and an existing shared drive aisle with the property to the east. Lorna Lane is classified as a local street.

**Zoning Ordinance Requirements:** The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, a car wash requires a Special Use Permit in the C-2 District. The definition for car wash, per the Zoning Ordinance, means 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. In order to permit a car wash facility, the Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds (2/3) vote of the Common Council is required for approval.

**Operational Information:** A plan of operation is attached to the Staff Report.

**Surrounding Zoning and Land Uses:** The surrounding area is under the jurisdiction of the City of Appleton and the Town of Buchanan. The adjacent parcels contain commercial uses.

North: Town of Buchanan. The adjacent land use to the north is commercial.

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South: C-2 General Commercial District. The adjacent land use to the south is commercial (restaurant).

East: C-2 General Commercial District. The adjacent land uses to the east are a mix of commercial uses (multi-tenant building).

West: C-2 General Commercial District. The adjacent land use to the west is currently professional services (bank).

**Appleton Comprehensive Plan 2010-2030:** Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Commercial designation shown on the City's *Comprehensive Plan 2010-2030 Future Land Use Map*. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

*Goal 1 – Community Growth*

*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.*

*Goal 8 – Economic Development*

*Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.*

*OBJECTIVE 9.4 Economic Development:*

*Ensure the continued vitality of downtown and the City's neighborhood commercial districts.*

*OBJECTIVE 10.5 Land Use:*

*Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.*

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under Sections 23-66(e)(1-6) of the Municipal Code, which were found in the affirmative, as long as all stipulations are satisfied.

**Technical Review Group (TRG) Report:** This item was discussed at the December 17, 2019 Technical Review Group meeting. Discussion occurred regarding verifying the presence of a cross access easement for the existing shared drive aisle. No negative comments were received.

**RECOMMENDATION**

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Staff recommends, based on the above, that Special Use Permit #12-19 for a car wash at 4029 E. Calumet Street (Tax Id #31-9-5812-00), as shown on the attached maps and per attached plan of operation, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. All applicable codes, ordinances, and regulations, including but not limited to Fire and Building Codes, shall be complied with.
2. Any deviations from the approved development plan may require a major or minor amendment

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request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.

3. Once a new use has been established on this property, the use of the property for automobile sales shall expire and shall be discontinued. Future use of the property for automobile sales, or other proposed uses, shall be reviewed in accordance with applicable Zoning Code standards.
4. Compliance with the plan of operation is required at all times. Changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
5. A recorded cross access easement for the existing shared drive aisle shall be provided in conjunction with the Site Plan review.
6. Site Plan review and approval is required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division. Zoning Ordinance requirements will be examined during the review of the Site Plan.

## RESOLUTION

### CITY OF APPLETON RESOLUTION APPROVING SPECIAL USE PERMIT #12-19

**WHEREAS**, Jeremie Lamine (Deep Blue Car Wash, LLC) has applied for a Special Use Permit for car wash located at 4029 E. Calumet Street, also identified as Parcel Number 31-9-5812-00; and

**WHEREAS**, the location for the proposed car wash is located in the C-2 General Commercial District and the proposed use is permitted by special use within this zoning district; and

**WHEREAS**, the City of Appleton Plan Commission held a public hearing on January 7, 2020, on Special Use Permit #12-19 at which all those wishing to be heard were allowed to speak or present written comments, and other materials presented at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission has considered the application, the staff reports, oral and written, the Comprehensive Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-6) of the Municipal Code, and forwarded Special Use Permit #12-19 to the City of Appleton Common Council with a                   favorable                   or                   not favorable                   (CIRCLE ONE) recommendation; and

**WHEREAS**, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on \_\_\_\_\_, 2020 and found it to be acceptable.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Appleton Common Council approves Special Use Permit #12-19 for car wash located at 4029 E. Calumet Street, also identified as Parcel Number 31-9-5812-00 and orders as follows:

#### CONDITIONS OF SPECIAL USE PERMIT #12-19

1. All applicable codes, ordinances, and regulations, including but not limited to Fire and Building Codes, shall be complied with.
2. Any deviations from the approved development plan may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
3. Once a new use has been established on this property, the use of the property for automobile sales shall expire and shall be discontinued. Future use of the property for automobile sales, or other proposed uses, shall be reviewed in accordance with applicable Zoning Code standards.
4. Compliance with the plan of operation is required at all times. Changes to the plan of

operation shall be submitted to the Community and Economic Development Department for review and approval.

5. A recorded cross access easement for the existing shared drive aisle shall be provided in conjunction with the Site Plan review.
6. Site Plan review and approval is required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division. Zoning Ordinance requirements will be examined during the review of the Site Plan.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Timothy M. Hanna, Mayor

ATTEST:

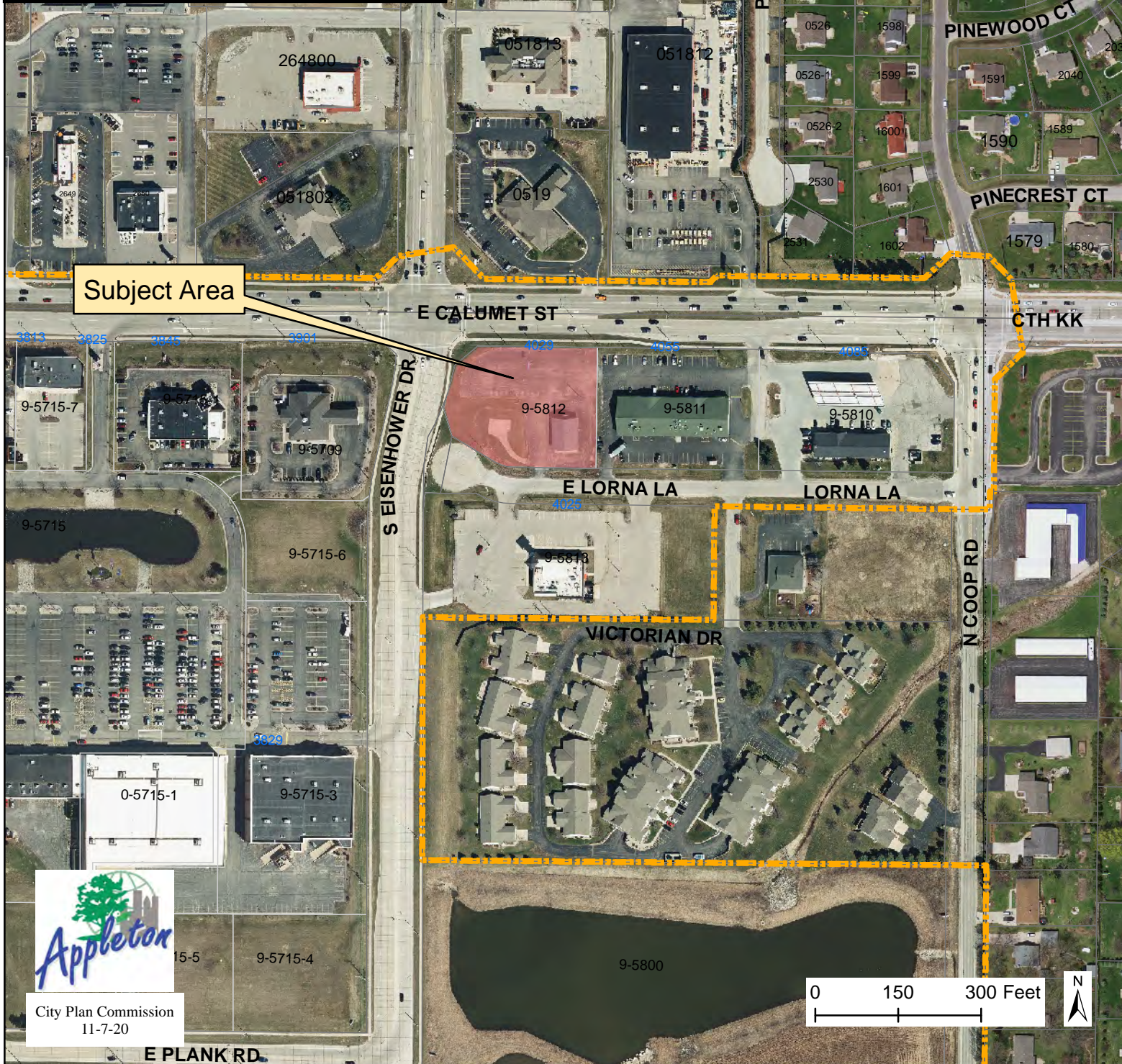
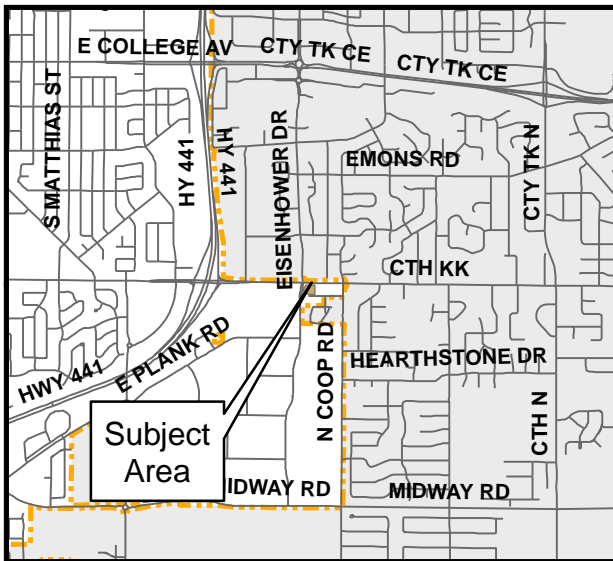
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Kami Lynch, City Clerk

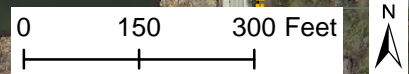




4029 E. Calumet Street  
Special User Permit #12-19  
Car Wash  
Aerial Map



City Plan Commission  
11-7-20





## PLAN OF OPERATION AND LOCATIONAL INFORMATION

### Business Information:

Name of business: Deep Blue Car Wash, LLC

Years in operation: 15 Years D.B.A. Best Car Wash, LLC

Type of proposed establishment (detailed explanation of business):

An Exterior Express Car Wash is proposed to be constructed on the parcel as shown on the included preliminary site plan. The existing building on the parcel will remain. The use of the existing building is unknown at this time but it would likely serve to supplement the proposed car wash business. The use would likely be automotive detailing.

### Proposed Hours of Operation:

| Day      | From   | To     |
|----------|--------|--------|
| Week Day | 8:00am | 8:00pm |
| Friday   | 8:00am | 8:00pm |
| Saturday | 8:00am | 8:00pm |
| Sunday   | 8:00am | 8:00pm |

### Building Capacity and Area:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: 26 persons

Gross floor area of the existing building(s):

2,200 square feet

Gross floor area of the proposed building(s):

Approximately 5,500 square feet

Identify location, number, capacity and flammable liquid materials stored in storage tanks or containers:

None



Describe any potential smoke, odors emanating from the proposed use and plans to control them:

None

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**Describe Any Potential Noise Emanating From the Proposed Use:**

Describe the noise levels anticipated from all mechanical equipment:

There will be dyers located within the building at the exit of the car wash bay. There will also be vacuums located outside of the building, along the south side of the building. Refer to the site plan included with this application.

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How will the noise be controlled?

The dryers will be new state of the art dryers. The dryers will be located within the proposed building and will be mounted in a position where noise will be directed primarily into the car wash bay. The external vacuums will consist of a central vacuum system with motor(s) located within the proposed building. Hours of operation would be 8:00am-8:00pm seven days a week.

**Outdoor Lighting:**

Type: LED

Location: Existing outdoor lighting will remain in place with the exception of a couple light poles that will need to be relocated to accommodate building construction. Additional LED lighting and decorative lighting will be installed as needed.

**Off-Street Parking:**

Number of spaces existing: Used car lot

Number of spaces proposed: 15

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Site access is adequate. There is an ingress/egress easement that has been established with the property to the east. In addition, there is access to Lorna Lane.

A right-in/right-out access or a right-in only access from

Eisenhower Drive to Lorna Lane would be desirable but not required.

Adequate room for vehicle stacking is provided on the included site plan

**Outdoor Uses:**

Type, location, size of outdoor storage area(s) of business property, goods, or merchandise not intended for customer viewing or immediate sale:

None

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Type and height of screening of plantings/fencing/gating for outdoor storage area(s):

None

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Type, location, size of outdoor display area(s) of merchandise for sale:

None

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**Number of Employees:**

Number of existing employees: Unknown

Number of proposed employees: 3

Number of employees scheduled to work on the largest shift: 3

**GENERAL PROJECT NOTES:**

PROJECT NAME: DEEP BLUE CAR WASH, LLC  
 PROPERTY ADDRESS: 4029 E CALUMET STREET  
 CITY OF APPLETON, CALUMET COUNTY, WI  
 TAX KEY NUMBER: 31-9-5812-00  
 LEGAL DESCRIPTION: ALL OF LOT 3 OF THE KWIK TRIP PLAT AS RECORDED IN PLAT CABINET B SLIDE 163 AS DOCUMENT NO. 245114, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 4, T21N, R18E, CITY OF APPLETON, CALUMET COUNTY  
 ZONING DESCRIPTION: C2-GENERAL COMMERCIAL DISTRICT  
 PROPOSED USE: EXPRESS CAR WASH  
 FIRE PROTECTION: NOT SPRINKLERED  
 ZONING INFORMATION:

|                    | PROVIDED     | REQUIRED         |
|--------------------|--------------|------------------|
| LOT SIZE:          | 54,680 S.F.  | 14,000 S.F.      |
| LOT WIDTH:         | 276.79'      | REQ'D MIN. = 60' |
| BUILDING HEIGHT:   | 26'          | MAXIMUM 35'      |
| BUILDING SETBACKS: |              |                  |
| FRONT YARD:        |              |                  |
| NORTH:             | 42.5'        | REQ'D MIN. = 10' |
| WEST:              | 56.7', 63.9' | REQ'D MIN. = 10' |
| SOUTH:             | 55'          | REQ'D MIN. = 10' |
| SIDE YARD:         |              |                  |
| EAST:              | 84.7'        | REQ'D MIN. = 0'  |
| REAR YARD:         | NO REAR YARD | REQ'D MIN. = 20' |

PARKING CALCULATIONS:  
 TOTAL SPACES PROVIDED = 15  
 CAR WASH - 3 STALLS FOR EMPLOYEES  
 GREATER THAN SIX (6) STACKING SPACES  
 AUTO DETAILING - 12 PARKING STALLS (4 STALLS PER BAY)

LOADING AREA CALCULATIONS:  
 ONE (1) SPACE PROVIDED

DUMPSTER & RECYCLING CALCULATIONS:  
 ALL REFUSE AND RECYCLING CONTAINERS ARE STORED WITHIN THE PROPOSED BUILDING.

**GENERAL SITE PLAN NOTES:**

NO PRODUCTS WILL BE MANUFACTURED, SOLD, OR STORED ON SITE.  
 NO HAZARDOUS MATERIALS WILL BE STORED ON SITE.  
 A KNOX BOX WILL BE PROVIDED AT THE BUILDING FRONT ENTRANCE.  
 EXCESS SNOW THAT CANNOT BE STORED ON SITE WILL BE HAULED AWAY.  
 LANDSCAPE AREAS WILL MEET REQUIREMENTS OF THE CITY OF APPLETON ZONING ORDINANCE.  
 THE EXISTING PYLON SIGN WILL BE REMOVED. PROPOSED SIGNS WILL BE MOUNTED TO THE PROPOSED BUILDING.  
 THE EXISTING LED SITE LIGHTING WILL REMAIN WITH THE EXCEPTION OF ONE POLE MOUNTED FIXTURE. ADDITIONAL LED LIGHTING CONSISTING OF DECORATIVE WALL MOUNTED LIGHTING AND WALL MOUNTED SECURITY LIGHTING IS PROPOSED. LIGHTING WILL MEET REQUIREMENTS OF THE CITY OF APPLETON ZONING ORDINANCE.  
 THE EXISTING PARKING LOT IS ASPHALTIC SURFACE. THE PROPOSED SURFACE WILL BE A MIXTURE OF ASPHALT AND CONCRETE PAVEMENT.

**[#] SITE PLAN KEY NOTES:**

1. PROPOSED OFFICE
2. PROPOSED CAR WASH BAY
3. PROPOSED MECHANICAL ROOM
4. PAY STATIONS (3 TOTAL)
5. VACUUM STALLS (6 TOTAL)
6. VEHICLE STACKING AREA
7. OFF-STREET LOADING SPACE
8. ESCAPE LANE
9. STORMWATER MANAGEMENT DEVICE



**PRELIMINARY  
 CONCEPTUAL SITE PLAN  
 NOT FOR CONSTRUCTION**



**McMAHON**  
 ENGINEERS ARCHITECTS  
 1445 McMAHON DRIVE NEENAH, WI 54956  
 Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025  
 PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

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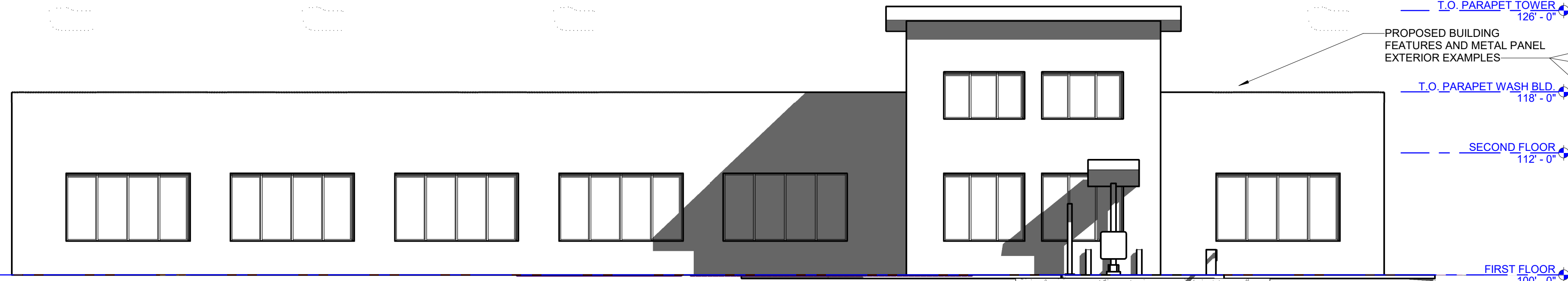
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**LAMINE SITE PLAN - 4029 E CALUMET STREET  
 CITY OF APPLETON, CALUMET COUNTY  
 PRELIMINARY CONCEPTUAL SITE PLAN**

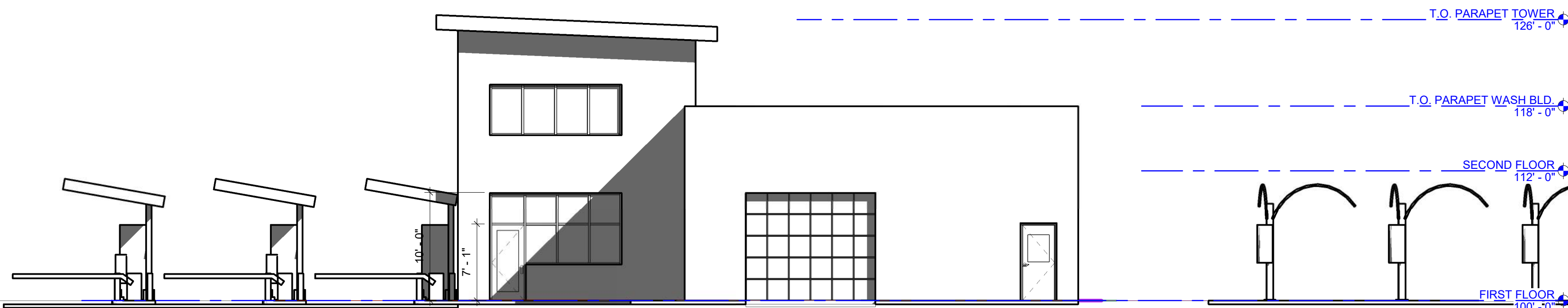
|                        |              |
|------------------------|--------------|
| DESIGNED<br>MPK        | DRAWN<br>MPK |
| PROJECT NO.<br>TBD     |              |
| DATE<br>DEC 2019       |              |
| SHEET NO.<br><b>01</b> |              |



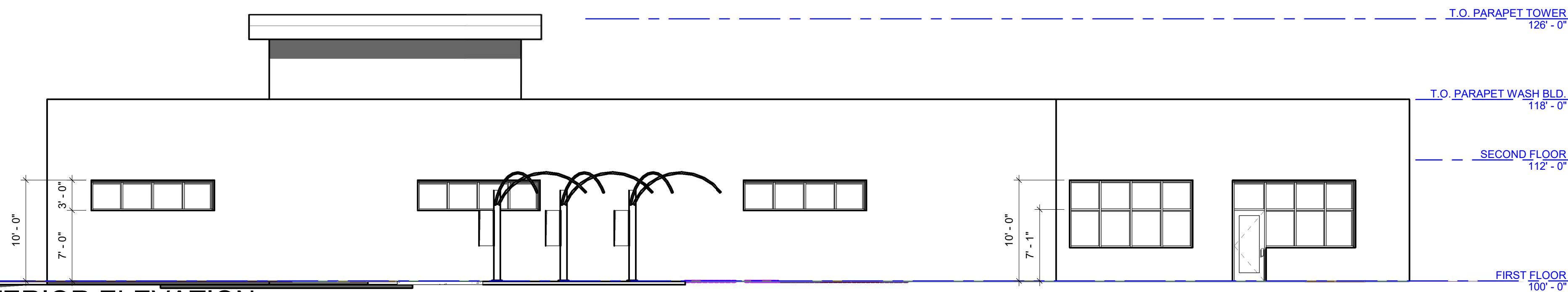
1 NORTH EXTERIOR ELEVATION  
A391 1/8" = 1'-0"



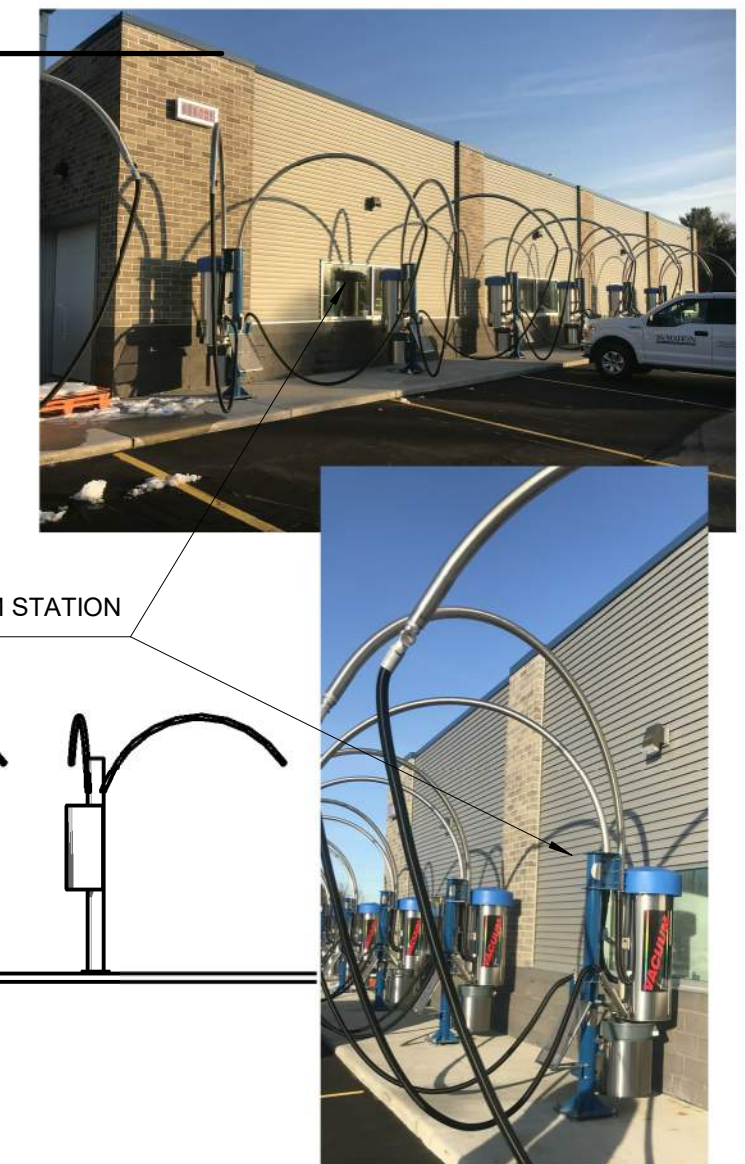
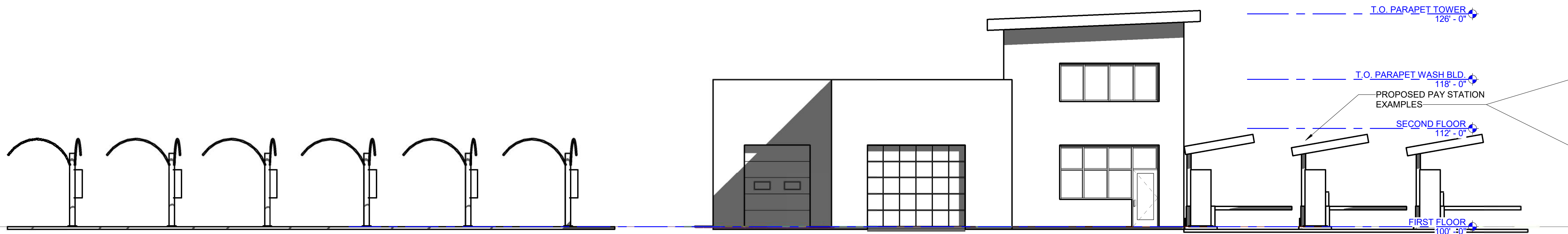
2 WEST EXTERIOR ELEVATION  
A391 1/8" = 1'-0"



3 SOUTH EXTERIOR ELEVATION  
A391 1/8" = 1'-0"



4 EAST EXTERIOR ELEVATION  
A391 1/8" = 1'-0"



PRELIMINARY NOT FOR CONSTRUCTION

**McMAHON**  
ENGINEERS ARCHITECTS  
McMAHON ASSOCIATES, INC. E 4886  
1445 WILSON AVENUE, SUITE 100  
MILWAUKEE, WI 53212  
Tel: (920) 751-4200 Fax: (920) 751-4284  
www.mcmgrp.com

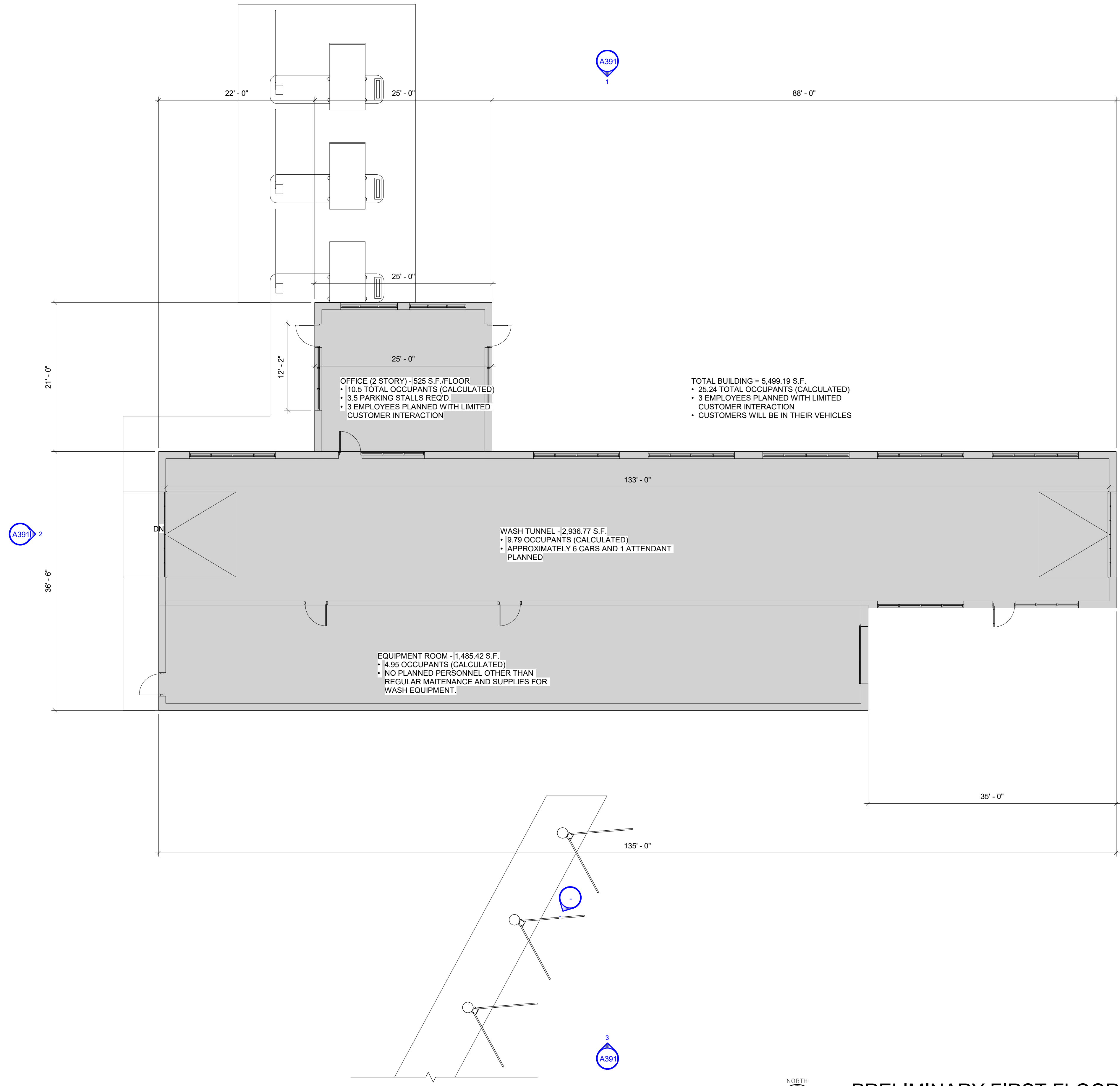
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LAMINE SITE PLAN - 4029 E CALUMET STREET  
CAR WASH CITY OF APPLETON, CALUMET COUNTY  
PRELIMINARY EXTERIOR ELEVATIONS

|             |                |
|-------------|----------------|
| DESIGNED    | DRAWN          |
| PROJECT NO. | TBD            |
| DATE        | DECEMBER, 2019 |
| SHEET NO.   |                |

A391





**GENERAL PLAN NOTES**

- DO NOT SCALE FROM DRAWINGS. BRING ANY DISCREPANCIES TO THE ARCHITECTS ATTENTION IMMEDIATELY.
- COORDINATE LOCATIONS AND QUANTITY OF WORK WITH MECHANICAL, ELECTRICAL, AND PLUMBING CONTRACTORS.
- ALL DIMENSIONS ARE CLEAR FROM THE FACE OF FINISHED WALL/PARTITION TO FACE OF FINISHED WALL/PARTITION OR FACE OF EXISTING WALLS ACTUAL FACE.
- ALL PIPING, CONDUIT AND RELATED MECHANICAL AND ELECTRICAL ITEMS SHALL BE CONCEALED WITHIN GYPSUM BOARD FURRING AS REQUIRED IN FINISHED AREAS WHETHER SHOWN ON DRAWINGS OR NOT, UNLESS NOTED OTHERWISE.
- PROVIDE METAL PLATE BACKING AND/OR TREATED WOOD BLOCKING IN WALLS WHERE WALL-MOUNTED EQUIPMENT IS SHOWN ON PLANS OR ELEVATIONS. VERIFY HEIGHT AND LENGTH WITH ACTUAL EQUIPMENT.
- SEE SHEET A011 & A012 FOR LIFE SAFETY PLAN AND FIRE PARTITION RATINGS.
- SHADED AREA INDICATES BUILDING ADDITION AND RENOVATION AREAS.
- CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS BEFORE CONSTRUCTION.

**(X) KEYED PLAN NOTES**

PRELIMINARY NOT FOR CONSTRUCTION

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LAMINE SITE PLAN - 4029 E CALUMET STREET  
CAR WASH CITY OF APPLETON, CALUMET COUNTY  
PRELIMINARY FIRST FLOOR PLAN

|             |                |
|-------------|----------------|
| DESIGNED    | DRAWN          |
| PROJECT NO. | TBD            |
| DATE        | DECEMBER, 2019 |
| SHEET NO.   | A211           |