



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: September 8, 2014

Common Council Meeting Date: September 17, 2014

Item: Special Use Permit #11-14 for an automotive body repair and paint shop

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 an automotive body repair and paint shop.

BACKGROUND

The original structure is believed to have been constructed in 1952. This business was granted a Special Use Permit in 2013 for auto sales and a car wash business. The body repair and paint shop will be an additional aspect of the existing business which will continue to operate on the site.

STAFF ANALYSIS

Existing Site Conditions: The property is developed with an existing structure and an auto sales and car wash business.

Analysis: The site is relatively compact; however, adequate vehicular access and off-street parking exist on the site. Vehicles on the site must be kept in the designated parking spaces and the drive aisle may not be blocked. Vehicles awaiting body repair shall be kept inside the building and no repair or painting shall occur outside of the building. The Zoning Ordinance states that all body repair and/or painting shall occur within a completely enclosed building, which means that the doors of the building shall remain closed when this work is occurring. The owner shall limit the number of vehicles kept on the site at any given time so that all vehicles for sale, awaiting repair or painting and being serviced at the car wash are kept within designated parking stalls or within the building.

In addition to meeting all applicable building, fire and health codes, body repair and/or paint shops are considered Special Uses in the C-2 District, and are subject to the standards of 23-66(h)(4)(a-d):

(4) *Body repair and/or paint shop.*

- a. All repair, painting and service of vehicles shall occur within a completely enclosed building.
- b. No vehicles awaiting repair shall be located within the front yard of the lot or visible from any right-of-way or adjacent property and must be completely screened from view.

- c. All outdoor display and storage must be screened to their full height from view from adjacent property in the side and rear yard.
- d. No off-site impacts regarding noise, odor, hazardous materials discharge or vibration shall occur on adjacent properties.

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 – Landscaping Business

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 August 26, 2014 Technical Review Group meeting. No negative comments were received.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #11-14 for an automotive paint shop, as shown on the attached maps and development plan and subject to the following conditions, **BE APPROVED:**

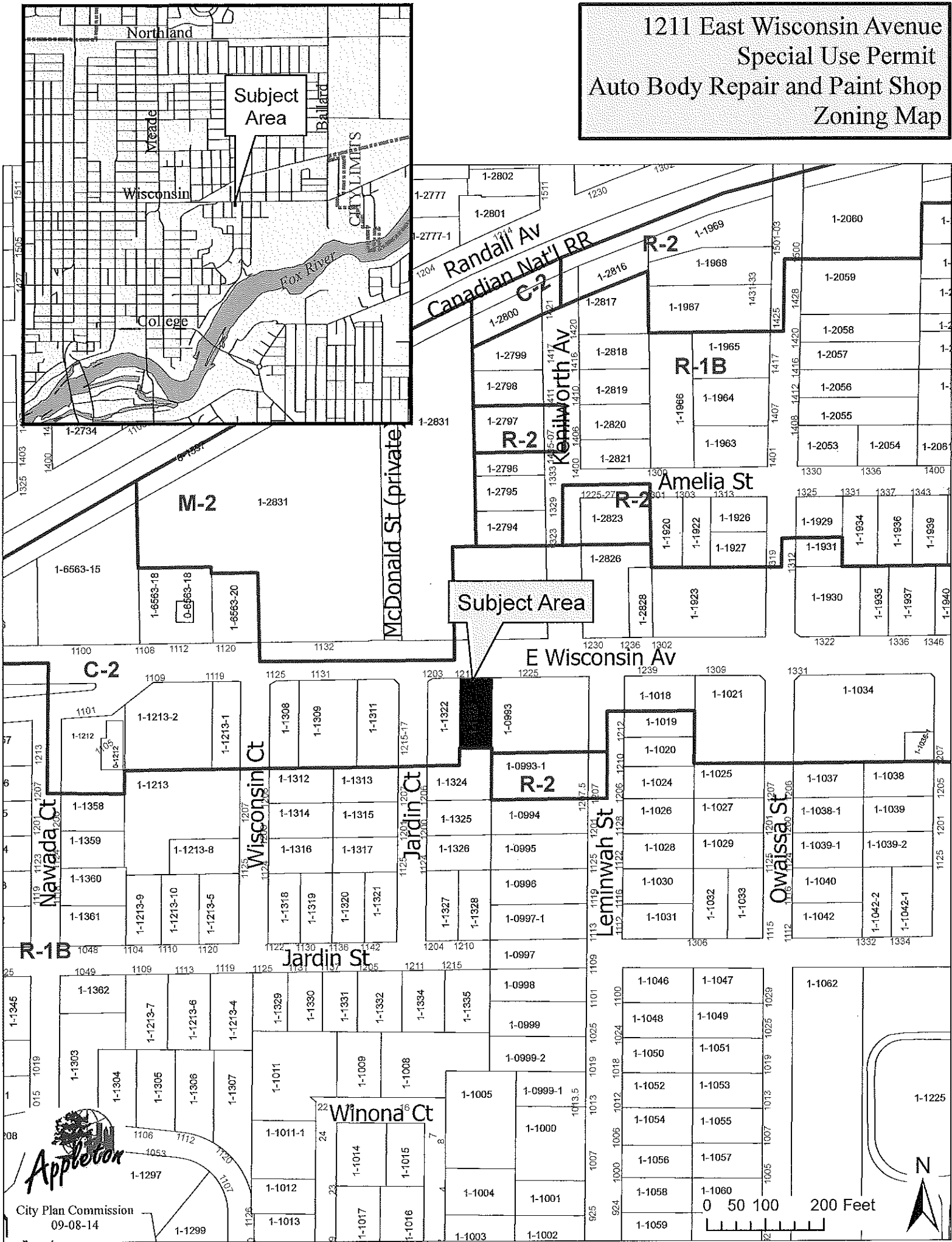
1. The business shall comply with the standards of 23-66(h)(4)(a-d):

- (4) *Body repair and/or paint shop.*

- a. All repair, painting and service of vehicles shall occur within a completely enclosed building. All doors and windows of the building shall be kept closed at all times during business hours except when employees, customers or vehicles enter or exit the building.

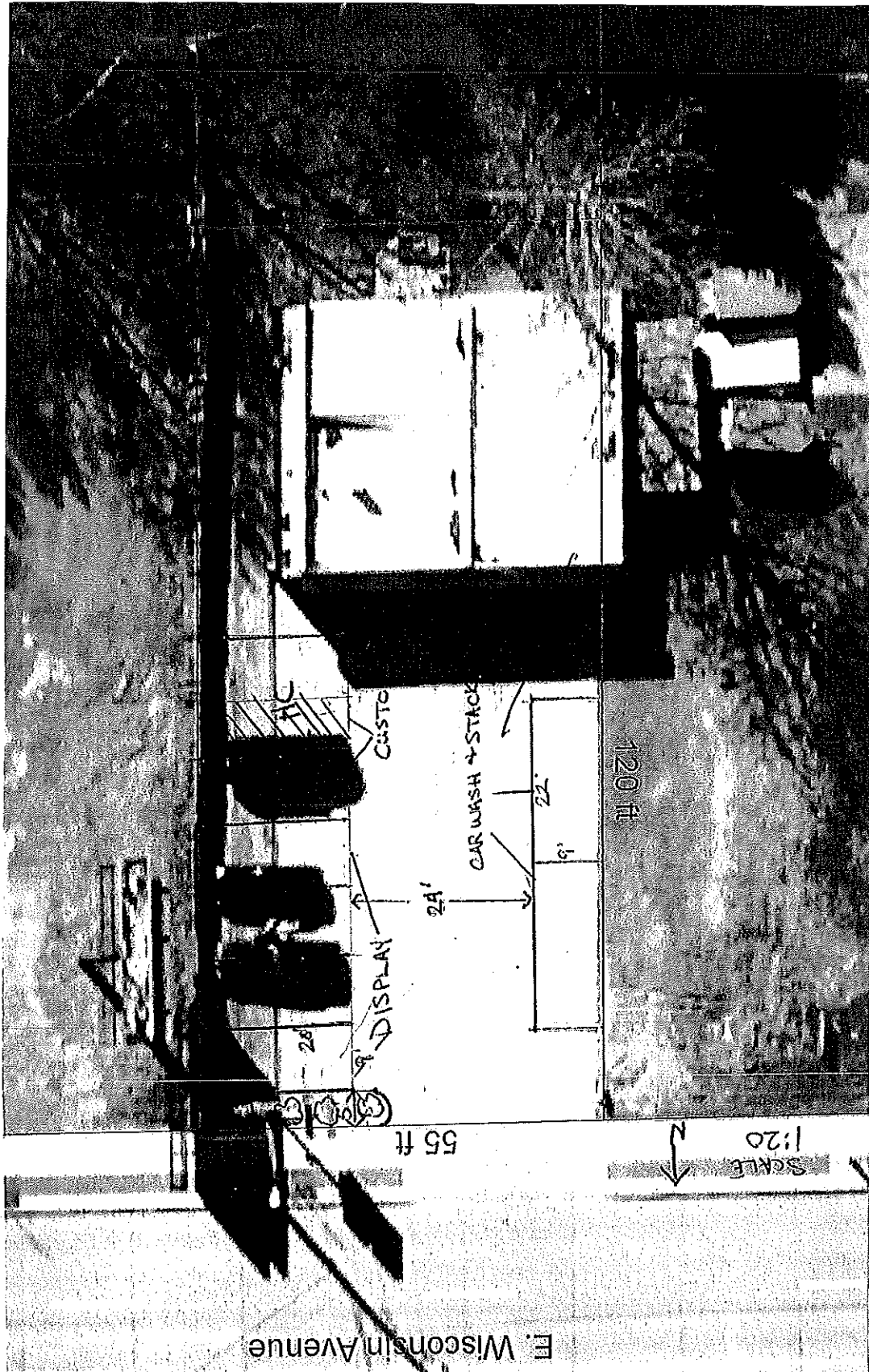
- b. No vehicles awaiting repair shall be located within the front yard of the lot or visible from any right-of-way or adjacent property and must be completely screened from view.
 - c. All outdoor display and storage must be screened to their full height from view from adjacent property in the side and rear yard.
 - d. No off-site impacts regarding noise, odor, hazardous materials discharge or vibration shall occur on adjacent properties.
2. All applicable Codes, Ordinances and regulations, including but not limited to Fire and Building Codes and the Noise Ordinance, shall be complied with at all times.

1211 East Wisconsin Avenue
 Special Use Permit
 Auto Body Repair and Paint Shop
 Zoning Map



Subject Area

Subject Area



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