

**City of Richland Center
Staff Report**

**Conditional Use Permit # CUP01-2024
For: Auto repair**

**Meetings:
Common Council Meeting –**

Applicant:

**Eric Johnson/Johnson LLC
Driftless Diesel & Auto LLC
Parcel ID: 276-2159-2000
943 Sextonville Rd.**

**Zoning District:
Commercial General (CG)**

Ordinance Language:

407.02 PERMITTED USES IN A "C-G" GENERAL BUSINESS DISTRICT. The following uses are permitted in a "C-G" District:

- (1) The following residential uses:
 - (a) Duplex dwellings [**Amended by Ord 1993-15**]
 - (b) Small multi-family residences containing three (3) or four (4) dwelling units.
 - (c) Dwelling units which are located in and which share a building with a permitted retail sales and/or service business, including professional offices, or a conditional use for which a conditional use permit has been issued.
 - (d) Condominiums in which the units are designed and used for residential purposes or for those commercial uses which are permitted uses in this district.
 - (e) Boarding House.
- (2) Municipal buildings of the City of Richland Center, and governmental offices of the United States, the State of Wisconsin, Richland County or any agency thereof, where the use conducted is generally for offices.
- (3) Universities, colleges and vocational schools.

407.04 CONDITIONAL USES IN A "C-G" GENERAL BUSINESS DISTRICT. Within any "CG" General Business District no structure or land shall be used for any of the following uses except with a Conditional Use Permit:

- (4) Auto Repair garage or facility.
- (5) Automobile or other vehicles of transportation sales whether new or used units.
- (22) Open sales lot or open storage.

Criteria:

1. The request is consistent with applicable provisions of the comprehensive plan.

Yes, this meets future requirements for the comprehensive plan which is stated to be commercial.

2. The request is compatible with the existing or allowable uses of adjacent properties.

Yes, the project is consistent with the properties along Sextonville Road; however, the properties along Sheldon Street are residential and there may be conflict. The surrounding properties are mixed with multiple R-1, R3/4 and CG properties.

3. The request can demonstrate adequate public facilities, including roads, drainage, potable water, sanitary sewer, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.

The property has access to adequate public facilities including public roads. There are concerns about the amount of oil that is present on the sidewalks in front of the building contaminating the storm sewer systems.

4. The request can demonstrate adequate provisions for maintenance of the use granted by the conditional use permit and associated structures approved under said permit.

As per the attached photos there are concerns that the provisions for maintaining the grounds and the building are not met. There are multiple vehicles that are stripped down and appear to have been sitting idle for an extended period of time.

5. The request has minimized, to the degree possible, adverse effects on the natural environment.

The main concern is stormwater runoff and oils, gases and grease getting into the stormwater system. Control of the stormwater on the site could be a condition of the permit.

6. The request will not create undue traffic congestion

Sextonville Rd. is a very well-traveled road, but and will not unduly create additional traffic. Parking of inoperable vehicles on the public right-of-way is prohibited in the City Code of Ordinances and will not be allowed for this project.

7. The request will not adversely affect public health, safety and welfare.

Yes, this permit will not adversely affect public health, safety and welfare.

8. The request conforms to all applicable provisions of this code. [History Ord 20022]

The Auto Repair facility is allowed through the Conditional Use Permit provisions of the City Code of Ordinance. Conditions are as follows:

Conditions (if approved by the Plan Commission):

- The project must be consistent with the plans and specifications submitted at the time of application and at the public hearing of the Plan Commission.
- The applicant shall allow City Zoning Staff to have access to the site for inspections of the property throughout the term of the permit.
- The applicant and its tenants shall use any means of absorption, such as oil dry, to contain oil, gas and grease spills, and properly disposed of that material.
- Inoperable vehicles shall not be parked on public roads and rights of way.
- The screening provisions of the City of Richland Center Code of Ordinance § 409.06 (2)(b) shall be applied to this project and site. i.e. If the abutting lot is zoning any of the Residential districts, the applicant shall provide and maintain a wall fence or planting so as to screen and reduce the noise and dust between the two uses and to inhibit eye level vision between the residential and commercial use.
 - A zoning permit is required for the fence.
- The conditional use permit is Not Transferable.
- The conditional use permit, if approved, is good for 1 year from the date of approval by the Common Council.
- The permit is not renewable without another public hearing of the Plan Commission and final decision of the Common Council.
- Any denial of a conditional use may be appealed to the Board of Zoning Appeals and then to Circuit Court.

























