

APPLICANT/AUTHORIZED AGENT	<u>Bill Bindl</u>	BUSINESS NAME:	<u>Bindl Tire & Auto</u>
SITE ADDRESS:	<u>243 E. Court St.</u>	ZONING DISTRICT:	<u>Commercial Downtown</u>
TAX PARCEL:	<u>276-2100-0930</u>	REQUEST:	<u>Conditional Use Permit</u>
DESCRIPTION:	<u>Operate auto and tire repair shop</u>		
MEETINGS:	<u>Plan Commission 01/22/25 & Common Council on 02/04/25</u>		

Background:

Records show the subject property has operated as an automotive and tire repair facility for an extended duration with multiple Conditional Use Permits (CUPs) issued for this use. The most recent CUP expired in 2021.

Bindl Tire & Auto Ltd. has been operating without a valid CUP since 2021. As such a Notice of Violation was issued on 12/6/2024 (attached), requiring removal of non-conforming items and application for a new CUP. While the applicant has made some efforts to comply, full compliance has not been achieved as of 1/22/2025.

Ordinance Language:

408.04 CONDITIONAL USES IN A "C-DT" CENTRAL BUSINESS DISTRICT.

(4) Auto Repair garage or facility.

CRITERIA FOR CONSIDERATION	Yes	No
Is the project consistent with the Comprehensive Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Can the request demonstrate adequate public facilities, including roads and drainage, and utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the request minimize adverse effects on the natural environment? Refer to Condition #3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The request will not create undue traffic congestion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The request will not adversely affect public health, safety, and welfare. Refer to Condition #3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The request conforms to all applicable provisions of the code.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CONDITIONS FOR APPROVAL

1. The completed project must be consistent with the plans and specifications submitted at time of application and at the public hearing of the Plan Commission.
2. The applicant shall allow the Building Inspector and City Zoning Staff to have access to the project site for inspection purposes to verify compliance with applicable local and state regulations.
3. The applicant is prohibited from storing new or used tires outside, inoperable vehicles, scrap metal, auto parts, and similar items.
4. The CUP is valid for 1 year from the date of approval by the Common Council.
5. This CUP will be renewable if compliant with the applicable local and state regulations and conditions of this permit.
6. The conditional use permit is not transferable.

Staff Recommendation: Approval of CUP contingent upon compliance with the Notice of Violation by the next Common Council meeting on 2/4/2025.

Motion to recommend to the Common Council to approve the application of Bindl Tire and Auto for a conditional use permit to allow an auto repair garage at 243 E. Court St (Tax Parcel ID 276-2100-0930) with conditions as presented provided applicant has come into compliance as directed in the Notice of Violation.