

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

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 with conditions as presented and contingent upon compliance with the Notice of Violation by the next Common Council meeting on 2/4/2025.

Planning Recommendation from 1/22/25:

CONSIDER THE APPLICATION OF BINDL TIRE & AUTO FOR A CONDITIONAL USE PERMIT TO ALLOW AN AUTO REPAIR GARAGE OR FACILITY AT 243 E COURT ST (TAX PARCEL ID 276-2100-0930)

Williams advised Bindl Tire and Auto's conditional use permit expired in 2021, and they have been operating without a valid permit since. Violations include storing prohibited items outside. Some efforts have been made to address compliance issues, but full compliance has not been achieved. Williams advised that the permit is contingent on compliance with local and state regulations. It is valid for one year and non-transferable.

Williams recommended the approval of the permit with conditions as presented contingent upon obtaining compliance by the next council meeting on February 4th, 2025.

Motion by Jelinek to recommend to the City Council to grant the request for the application of Bindl Tire & Auto for a Conditional Use Permit to allow an auto repair garage at 243 E Court St. Seconded by Miller. Motion carried 5 – 0.

REQUESTED COUNCIL ACTION:

Motion 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 the applicant has come into compliance as directed in the Notice of Violation.