



September 11, 2025

Chair and Members of the Village Plan Commission
Village of Black Earth
1210 Mills St., PO Box 347
Black Earth, WI 53515

Re: Conditional Use Permit (CUP) for Automobile Service Shop at 1111 Mills Street, Village of Black Earth

Dear Mr. Helmenstine and Plan Commission Members:

The above-referenced Conditional Use Permit (CUP) application was received in our office for review on behalf of the Village of Black Earth. The CUP Applicant is Mr. Zhi Hang Jiang ("Justin"). This CUP application would allow for the operation of an automobile repair shop.

We have reviewed the following application material (received August 11, 2025 unless otherwise noted):

- *1111 Mills St. CUP App.pdf*
- *PDF 1796_Combinedplanset.pdf* (Vierbicher staff stitched the six (6) individual pages together)
- *Signage – Earthmotor 53779 Sign Review Proof Sheet-Madison.pdf* (provided 2025-08-21)

Summary of the Request

The Applicant wishes to operate an automobile repair shop.

This parcel is zoned [B-1 General Commercial](#), with no rezone necessary. Per [§310-28\(B\)](#), "Automobile repair" and "Automobile sales and service" are conditional uses in the [B-1 General Commercial](#) zoning district, thus the need for a Conditional Use Permit (CUP) application review.

Site Information

Location: 1111 Mills St., Parcel No. [107-0806-264-2914-5](#)

Adjacent Land Uses: N, S, W – Commercial
E – Residential

Zoning (no change): [B-1 General Commercial](#)

Review Comments

The Village should determine if the five (5) criteria for conditional uses have been met, per Village Code [§310-43](#).

1. *The establishment, maintenance or operation of the conditional use will be in strict conformance with the requirements of this chapter ([Chapter 310 Zoning](#)).*

vision to reality

The Applicant's application appears to follow Village Zoning Code. The car repair shop appears to have been operating prior to this CUP process. Additionally, some residents have reached out to the Village (specifically, to Public Works Director Matt Kahl) regarding the sightliness of vehicles listed for sale.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the neighborhood.*

This proposed use is in an existing commercial building on Mills Street (STH 78). The nearest residential property is due east, behind the property. Applicant's application notes the following intended services:

Routine maintenance (oil changes, brakes, tires, batteries); suspension; vehicle detailing; tinting; engine diagnostics.

Planned business hours are 8:00am-6:00pm Monday-Friday, Saturdays 8:00am-12:00pm (optional).

As stated previously, it appears that automobile sale is currently occurring. Automobile sale is NOT listed/requested in the CUP Application, and residents have reached out to PW Director Matt Kahl regarding vehicle sales occurring.

3. *Adequate utilities, access road, drainage and/or necessary facilities have been or are being provided.*

The Applicant's application notes:

- *No changes to the building (two (2) two-post lifts will be installed in the shop area)*
- *Traffic – estimated 2-5 vehicles daily, no long-term parking (parking available for customers and employees at rear and side of the building)*
- *Waste Plan – trash and recycling handled weekly by Pellitteri's dumpster.*
- *Signage – Two (2) exterior signs desired and proposed.*

Action Item 1: Applicant shall clarify signage locations.

Applicant email correspondence on August 17, 2025 clarified the (maximum) storage, location, and responsible disposal of used oils, fluids, tires, etc.:

50 gallon used oil barrel are stored inside the shop area, used tires are stored at the shed located behind the shop. Full used oil 50 gallon barrels will be taken to designated oil dump sites and emptied. All used tires will be taken to Dane County Landfill.

*Public Waste Oil Sites: Dane Co. Highway Garage at Fish Hatchery & Badger Road.
Monona Golf Course at Monona Drive & East Dean Ave*

Action Item 2: Applicant shall clarify if all used motor oils (5W-30, etc.) go into one barrel, and the frequency that used motor oil or tires will be discarded. Applicant shall follow all applicable

Village, Dane County, State, and/or federal laws regarding responsible disposal of used fluids and/or tires.

4. *Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*

The estimated traffic volumes are not anticipated to create capacity concerns on nearby roadways. Applicant email correspondence on August 17, 2025 clarified vehicle volumes and outdoor vehicle storage quantity and duration:

Correction - 2-5 vehicles per day instead of 3-10. The 2-5 vehicles per day does include parking for our employees.

2 parking spots in the rear of the building in front of the shed, 1 parking spot in front of the garage door, 2 parking spots alongside the building. (The 2 parking spot alongside of building and 1 parking spot in front of garage door is used for customers, 2 parking spots at rear is for staff and/or customer)

Maximum duration of all stay on-premise vehicles is 48 hours.

Action Item 3: Applicant shall demonstrate that there is sufficient parking for five (5) vehicles - employees plus customers.

Action Item 4: Applicant shall limit the maximum duration of time a vehicle may stay on-premises to forty-eight (48) hours.

Action Item 5: Applicant shall engage in business services only within the building on the Property; repair or diagnostics outdoors on the Property is not permitted.

Action Item 6: Applicant shall not sell vehicles on the Property.

Applicant email correspondence on August 17, 2025 clarified indoor shop area capacity:

The inside shop area shall fit up to 2 vehicles max. Vehicles with extensive repairs will be parked into the inner bay, vehicles with quick repairs will use the outer bay located by the garage door. Outer bay must be free of vehicles prior to loading vehicles inside the inner bay. Vehicles may be rotated into the outer bay without interfering with the vehicle in the inner bay.

Action Item 7: Applicant shall have a maximum of two (2) vehicles inside the indoor shop area.

Action Item 8: Applicant shall demonstrate they A) have an access easement across Parcel No. 080626429361 (owned by TDS/ Black Earth Telephone Company) OR B) Applicant shall OBTAIN an access easement from TDS/ Black Earth Telephone Company across Parcel No. 080626429361.

5. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

Signage was provided for review August 21, 2025. The proposed signage is two (2) identical wall-mounted signs (flush against the wall(s) of the building) with dimensions 60" width and 60" height (5ft by 5ft). These proposed, duplicate signs meet signage requirements in Village Code, as they are both less than 500 square feet in area.

Action Item 9: Applicant shall apply for one (1) building permit from Building Inspector Tracy Johnson (Johnson Inspection LLC, www.jiportal.com) for two (2) identical wall signs. Applicant shall confirm to Building Inspector Tracy Johnson that the signs shall not be mounted more than six (6) inches from the face of the building walls to fulfill Village Code.

Possible motion language (attached) outlines the expectation that the CUP follows all Village ordinances for the life of the CUP.

Recommendation

The Plan Commission may consider:

- Conditional approval of the Conditional Use Application (CUP), plus
- Recommendation to the Village Board

I will attend the September 17, 2025 Plan Commission meeting to answer any questions.

Sincerely,



Matthew G. Miller, AICP, CNU-A
Vierbicher

Enclosure: 1111 Mills St. CUP App.pdf
PDF 1796_Combinedplanset.pdf
Earthmotor 53779 Sign Review Proof Sheet-Madison.pdf
Possible Motion Language

Cc: Village Board
Dani Eastman, Administrative Assistant
Beth Marty, Deputy Clerk/Treasurer
Matt Kahl, Director of Public Works
Terry Moyer, Village President
Zhi Hang Jiang ("Justin"), Owner-Operator
Christopher Nelson, Attorney, Axley Brynelson LLP
Tracy Johnson, Building Inspector
Nickolas Bubolz, PE, Town & Country Engineering Inc.
Andrew R. Kurtz, Planning and Community Development Manager, Vierbicher