

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, January 26, 2010 at 4:00 P.M. in the Third Floor conference room, City Hall, 828 Center Avenue. Chairperson Mayor Bob Ryan presided.

Present: John Van Der Male, Bert Guillette, Mayor Ryan, Steve Hemsing, Ald. Mark Hanna, Ryan Sazama and Jerry Jones

Staff present: Steve Sokolowski

Others present: Martha Lepannen, Teresa and Roger Sizonen, Jacob Berdyck, Jim Theodoroff, Paul Gottsacker, Troy Mleziva, Eric Draskowski, Steve Ninemann, Raquel Warner, Shayne Hummitzsch and Bob Petrie

The Pledge of Allegiance was recited.

Approval of minutes of January 12, 2010 meeting.

Ald. Hanna moved, Bert Guillette seconded to approve the minutes of the January 12, 2010 meeting. The motion passed unanimously.

Conditional Use Permit application by Excel Engineering, Inc. to construct a new Kwik Trip service station/convenience store and signage at 2021 North Avenue (the former Muth property).

Martha Lepannen, Teresa and Roger Sizonen, Jacob Berdyck, Jim Theodoroff, Paul Gottsacker, Troy Mleziva, Eric Draskowski, Steve Ninemann, Raquel Warner, Shayne Hummitzsch and Bob Petrie were present to discuss this matter with the Commission.

The proposed service station/convenience store will be 5,400 square feet in size and the carwash will be 2,700 square feet. The facility will be open 24 hours a day and will employ approximately 20. There will be a total of 25 parking spaces. The building will be LEED certified and LED lighting will be utilized.

Kwik Trip is proposing to install several wall and free standing signs on their site. A monument sign is proposed along Calumet Drive and a pylon sign is being proposed along North Avenue.

Access to the site is proposed to come from the two existing ingress/egress drives on North Avenue and two new drives Calumet Drive. The northern most drive on Calumet Drive will allow for both ingress/egress to the site and the southern driveway will be exit only. The

southernmost driveway will be for delivery trucks and will serve as an escape lane for those wanting to leave the carwash waiting line.

Several of the neighbors present expressed concern regarding increased traffic in the area, use of the unimproved public alley to enter or exit the Kwik Trip, spillover lighting, increased noise, litter, location of the fence and landscaping.

Troy Mleziva, representing Kwik Trip, stated he would propose to install “No Exit” directional signs adjacent to the alley access easement opening, located at the northeast corner of the site, in order to prevent customers from using the alley as a street to egress/exit the Kwik Trip. He encouraged the neighbors to contact Kwik Trip with any concerns or complaints.

Jim Theodoroff indicated he supported the project, but did have concerns regarding traffic congestion in the North Avenue and Calumet Drive area.

Discussion was held regarding location of the fence along the alley (east property line). Neighbors asked if the fence could be moved off the property line in order to accommodate snowplowing of the alley.

Ald. Hanna moved, John Van Der Male seconded to approve with the following conditions and variances:

1. Submittal and approval of a proposed storm drainage plan.
2. Submittal/approval of a proposed landscape plan that provides a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan). Applicant shall also meet all landscape bufferyard requirements.
3. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
4. Applicant shall obtain all necessary permits for the construction, the storage and the handling of hazardous chemicals and/or fuels (applicant shall be in contact with building inspection, fire department, etc.).
5. Outdoor storage of materials, products or equipment shall be prohibited.
6. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
7. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance (site lighting, building lighting, signage, etc.). There shall be no spillover light onto adjacent properties or the streets.
8. All areas used for parking or maneuvering of vehicles shall be paved.
9. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
10. The southernmost drive egressing onto Calumet Drive shall be “Exit Only” and shall be designed in such a manner that permits right turns only (this driveway will be designed in such a manner that it does not permit ingress/entrance from Calumet Drive – exit only).
11. Applicant shall obtain the necessary conditional use/sign permits prior to installation.

12. Applicant shall meet Sections 15.804(a) and (c) of the City of Sheboygan Zoning Ordinance relating to signage and pedestrian/ traffic safety and sign timing/cycles. No signs containing flashing, intermittent or moving sections or intermittent or flashing lights shall be permitted.
13. Minimum setback for the monument and pylon sign is 12 feet.
14. Maximum height of the monument sign is 8 feet.
15. Maximum height of the pylon sign is 20 feet.
16. No sign shall be located on the roof or the top horizontal plane of the canopy.
17. The total height of any overhead canopy shall not exceed 20 feet as measured to the highest part of the structure.
18. Any new ingress/egress driveway openings shall be improved to City standards. Any drives to be closed or modified shall be constructed to City standards.
19. Applicant shall install eight (8) foot high solid fence along the south and east property lines. The fence/landscaping at the southwest corner of the site (Calumet Dr.) and northeast corner of the site (North Ave.) shall be no higher than four (4) feet high and 50% opaque for a distance of 20 feet from the street property lines to improve pedestrian and traffic safety by providing adequate vision. Fence shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
20. Fence along the alley (east property line) shall be setback a minimum of one (1) foot from the property line in order to permit snowplowing of the alley (the fence may be setback more than 1 foot).
21. Access easement that provides ingress/egress to the alley and the alley itself shall be accessible to residential properties to the east at all times including during construction, operation, etc. (alley running north/south on the east side of the Kwik Trip property). It is the applicant's responsibility to work and communicate with the neighbors.
22. A "No Exit" directional sign(s) shall be placed adjacent to the alley access easement opening, located at the northeast corner of the site, in order to prevent customers from using the alley as a street to egress/exit the Kwik Trip.
23. Any nuisance type of equipment including but not limited to vacuums, air pumps, carwash dryers, etc. shall be located as far away as possible from the residential properties located to the south and east.
24. An updated site plan shall be submitted showing and describing the location, height and opaqueness of the fence prior to building permit issuance.
25. Applicant must receive approval from the Architectural Review Board for all structures (building, canopy, etc.) prior to issuance of a building permit.
26. Applicant shall obtain all necessary razing permits for all structures to be demolished.
27. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

The following variances were granted:

1. Granted a 3 foot setback for an existing driveway and for a shared common access easement with the residential property to the east (northeast corner of the site) where a minimum permitted paving setback is 5 feet.
2. Granted a 10 foot bufferyard setback to install an 8 foot high decorative fence and to increase the required landscaping by 1.4 the required amount where a minimum 20 foot bufferyard setback is required with a 6 foot high fence.

3. Granted a 25 square foot sign on gas canopy where maximum permitted sign is 20 square feet.

The motion passed unanimously.

R. O. No. 375-09-10 submitting a Certified Survey Map for dedication of land for a storm water drainage pond located immediately south of the Stonebrook Crossing Subdivision.

The Certified Survey Map is creating an outlot in the Stonebrook Crossing Subdivision that Lee Realty of Sheboygan will be dedicating to the City of Sheboygan. The outlot is being dedicated to the City for stormwater management purposes.

Following due consideration, Bert Guillette moved, Jerry Jones seconded to recommend approval. The motion passed unanimously.

Res. No. 175-09-10 authorizing the proper City officials to solicit proposals to purchase and renovate the City-owned property located at 628-30 S. 13th Street.

The Building Inspection Department had approximately \$400,000 in building code violation fines. Since the property was assessed at \$67,000, the City Attorney's office felt the owner could never pay the fines. Therefore, the City agreed to dismiss the fines and ownership of the property was transferred to the City. The City will either sell the property in its current condition or rehabilitate the house and then sell it.

Jerry Jones moved, Ryan Sazama seconded to recommend approval of the Resolution. The motion passed unanimously.

Being no further business, the meeting adjourned at 4:55 P.M.

Carol Rudie
Recording Secretary