

REPORT OF CITY PLAN COMMISSION
February 2, 2015 – 6:00 PM
Lincoln Center – 1519 Water Street

PRESENT: Mayor Gary Wescott, Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Anna Haines, Commissioner Daniel Hoppe, Commissioner Garry Curless, and Commissioner Dave Cooper.

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, City Attorney Beveridge, Alderperson Wiza, Alderperson Trzebiatowski, Alderperson R. Stroik, Alderperson Walther, Alderperson Phillips, Alderperson M. Stroik, Alderperson Doxtator, Mike Klaus, Sam Scaffidi, Joel Bereitzman, Cathy Dugan, Joshua Rasmelen, Jaime White, David Ramsdgn, Lloyd Graff, Barb Jacob, Bob Larson, Nate Enwald, Reid Rocheleau, Brandi Makuski , Steve Winter, and Chris Winter.

INDEX:

1. Report of the January 5, 2015 Plan Commission meeting.
2. Request from Colortech of Wisconsin, representing Scaffidi Motors, for a sign variance to construct a new cabinet on an existing non-conforming freestanding sign pole exceeding the maximum height requirements at **201 Green Avenue (Parcel ID 2408-27-2100-03)**.
3. Request from Storage Unlimited LLC, for a conditional use permit for the purposes of operating an indoor storage facility at **3256 Church Street (Parcel ID 2308-04-2008-34)**
4. Director's Update (*This item is for informational purposes only; no formal action will be taken.*)
 - a. Update on the public hearing process.
 - b. Update on the Comprehensive Plan process.
5. Adjourn.

-
1. Report of the January 5, 2015 Plan Commission meeting.

Motion by Alderperson Moore to approve the report of the January 5, 2015 meeting; seconded by Commissioner Curless. Motion carried 7-0.

2. Request from Colortech of Wisconsin, representing Scaffidi Motors, for a sign variance to construct a new cabinet on an existing non-conforming freestanding sign pole exceeding the maximum height requirements at **201 Green Avenue (Parcel ID 2408-27-2100-03)**.

Director Ostrowski explained the request is to remove the existing sign cabinet and reconstruct a new sign cabinet approximately 142 square feet in area on the existing a 55 foot sign pole. The existing sign is non-conforming due to the height. Staff has reviewed the request and is recommending denial, as they have do not feel that a hardship or unique property characteristic is present, which would warrant the proposed variance. Furthermore, he indicated a driver would not be able to see this sign at 55 feet in height, or 20 feet in height in order to make the exit from the interstate. Therefore, the proposed height would not make a significant difference at this location.

Commissioner Cooper asked how this request is different from the Honda dealership sign, to which Director Ostrowski answered, staff recommended denial of that request as well, but Common Council voted to allow

the exception. He also indicated that this property has more of a clearing in the trees than the property that the Honda dealership is on.

Commissioner Patton asked how this sign is different from the former Amoco, BP, and Econo Lodge sign that is along Interstate 39 and Main Street, to which Director Ostrowski stated the sign ordinance allows for changes to the face plate of non-conforming cabinet signs.

Mike Klaus, Colortech, stated the reason for the request is that the property and sign area is lower than the highway making it not visible. Furthermore, he indicated a smaller sign would be detrimental to the business.

Commissioner Patton asked how much lower the property was compared to the interstate, but Mr. Klaus was not able to provide that information.

Sam Scaffidi, 201 Green Avenue North, pointed out the truck center is an interstate business both for buyers and for service work. He feels his business and sign would not compete with any other local businesses as it is just for large trucks. The property is very flat and the highway is significantly higher especially by the ramps. Placing a sign along Green Avenue would not work for his business as his customer base is really interstate and semi traffic.

Commissioner Haines asked if the semi-trucks really use the signage, or would they inquire information from the internet and smart phones. Mr. Scaffidi stated they have business drawn to his facility from both means.

Commissioner Hoppe asked if the existing sign was illuminated, to which Mr. Scaffidi stated yes, but it is in need of maintenance which was held off due to the proposed replacement of the sign.

Joel Breitzman, 3233 Stanley Street, pointed out the reason for the replacement is due to rebranding by Mack Trucks and their new image.

Alderman Randy Stroik stated he understands the request, but if you are trying to attract semi-truck traffic from the interstate, by the time the sign is seen, you are already past the exit ramps from both directions. You would have to proceed to the next exit and turn around. He does not feel a sign will help, but did suggest billboards for better advertising; he does not support this request.

Alderman Trzebiatowski disagrees, and feels that when you are driving a truck you are up higher than other vehicles and that a higher sign will help get a better view; he supports this request.

Reid Rocheleau, 408 Cedar Street, stated he is in support of the sign, and as a prior semi-truck driver, when you are in need of service or assistance, you will be looking for signs for a service center.

Alderman Wiza urges the commission to approve the sign request. He continued stating this sign would be placed along the highway and not in a residential area. Furthermore, a unique property characteristic exists with having lower elevation.

Cathy Dugan, 615 Sommers Street, is in support of the request, but feels our community should look at its ordinance.

Motion by Commissioner Patton to approve the request from Colortech of Wisconsin, representing Scaffidi Motors, for a sign variance to construct a new cabinet on an existing non-conforming freestanding sign pole

exceeding the maximum height requirements at 201 Green Avenue North (2408-27-2100-03), seconded by Commissioner Curless.

Commissioner Haines pointed out this is not a true variance, but an exception, to which Director Ostrowski stated correct.

Director Ostrowski added, to continue to allow the exceptions will ultimately reduce the creditability of our sign code. In order to be fair to all businesses, he would recommend amending the code to better meet the needs of everyone involved. Mayor Wescott asked if the commission should possibly review the sign code at the same time as the comprehensive plan. Director Ostrowski stated he feels the comprehensive plan should be completed first, but then the commission should address the zoning and sign codes.

Commissioner Cooper pointed out that the Honda sign was recently approved along the interstate, which makes it difficult to deny other similar requests. Alderperson Moore pointed out the intent of the code, and stated 20 feet high off of the interstate road bed is much different than the elevation of the property in question, therefore this request would meet the intent of the code. Commissioner Hoppe added that the hardship would be the property being lower than the highway.

Mayor Wescott asked the city attorney if there was any legal issue with approving the request even though the applicant identified no hardship on the application. Attorney Beveridge stated if we were to deny the request this evidence would be justified, but if we approve it, there would not be a legal issue.

Commissioner Haines pointed out that we are continually seeing exceptions and feels the sign code will need to be addressed in the future.

Motion carried 7-0.

3. Request from Storage Unlimited LLC, for a conditional use permit for the purposes of operating an indoor storage facility at **3256 Church Street (Parcel ID 2308-04-2008-34).**

Director Ostrowski explained this request is at the former Copp's grocery store which is zoned B-4 and would require a conditional use permit for indoor or outdoor storage. The proposed storage would have approximately 180-200 storage units. Our Comprehensive Plan shows this area to be developed for commercial use, as well as the Business 51 corridor being a redevelopment area. In reviewing the standards of review, Director Ostrowski indicated that staff felt that the proposed storage unit facility would not meet standards two and three. This specific property, because of its large size, extending from block to block, could serve as a transitional area from the commercial along Church Street to the residential area across Water Street. The proposed storage use will likely have limited intensity, meaning that it will not have a high amount of customers visiting the site on a daily basis. While this may benefit the few surrounding residential areas, the use may stifle the redevelopment and growth of other properties along the Business 51 corridor. A majority of the site will remain undeveloped, including the parking area south of the building and loading area to the north. This lack of foot traffic may hinder redevelopment or improvement of the corridor as a whole. The entire property's appearance would mimic one of a vacant property due to the limited amount of traffic to the site. Staff would argue that although the proposed use occupies a vacant building, long-term, it may impede redevelopment potential for surrounding properties in the area and along the Church Street corridor. Staff would recommend denial of the conditional use permit.

Commissioner Haines asked what are seen as possibilities for that area and building. Director Ostrowski stated this development would give a short term gain by filling the property, but staff felt it would have a long term loss for the area as a whole. Development of the site and around the area may be stifled which decreases the chances of a more fitting use such as office or retail.

Alderson Moore asked if the taxes are paid and if the proposed development would increase or decrease the tax base. Director Ostrowski stated yes the taxes are paid. The property is assessed at about \$2 million. The increase or decrease in value would need to be set by the assessor. Alderson Moore stated he is unsure if this is the best and highest use for this building, and questions if it meets the requirements of review.

Commissioner Curless stated he can see both sides of the argument as to infilling the space, or trying to redevelop the lot.

Director Ostrowski pointed out that with big box stores, when a business moves out, there are times that they are still paying rent to the property owner, which may inhibit some sellers to adequately market and try to sell or lease the property because they are still collecting the rent.

Jamie White, 620 Seventh Street, stated she disagrees with staff findings and feels there is future growth and development with this business in this location. They not only have a conditional offer of purchasing this property, but also of purchasing the out lot along Water Street to the north. She feels this development will bring foot traffic to the area and will continue to grow.

Steven Winter, owner of the property, stated they have tried to market this building for the last 2.5 years and has only had a couple of proposals. Dividing a building this size for redevelopment is hard as well as extremely expensive. The up-keep for utilities and taxes is around \$100,000.00. He feels this is a good development for this building.

Bob Larson, 3283 Lindbergh Avenue, supports the staff recommendation and feels the seller should be looking for a full service grocery store considering the site is right for it.

Steven Winter stated the store has been offered to two other grocers for \$1 million, but they have not shown any interest.

Commissioner Hoppe asked if the outlot was equivalent to the Hardees lot, to which Director Ostrowski stated it is smaller and if developed, the additional parking for the large building is limited.

Commissioner Patton stated it is hard to envision anything else in that location. The fact the developers are purchasing and not renting shows a commitment to the property.

Commissioner Curless asked about lesser intensity approvals downtown such as residential uses on the first floor. Director Ostrowski pointed out that the Common Council denied a request allowing residential on the first floor in downtown.

Mayor Wescott pointed out that if you are looking for a reason not to say yes, it is pointed out in the staff report.

Chris Winter, 4820 Tanglewood, questioned if not storage, then what other use would fit in the building. The building cannot be split and the only inquiries were for a hardware store and small manufacturing facility. He feels the assessment will increase for the property.

Commissioner Patton stated he feels he needs more information before he can vote on this at council and plans to do more research.

Motion by Commissioner Hoppe to approve the request from Storage Unlimited LLC for a conditional use permit for the purposes of operating an indoor storage facility at 3256 Church Street (Parcel ID 2308-04-2008-34); seconded by Commissioner Curless.

City Attorney Beveridge stated commissioners should provide reasoning and justification for approval or denial of the conditional use permit.

Commissioner Hoppe stated he feels that this development will not inhibit development in the area, as the building is positioned sideways on the site, set back from Church Street, and has been vacant for over 2.5 years. Furthermore, plenty of foot traffic will be generated into the area by the new Kwik Trip.

Commissioner Curless feels it is a tough call, but does not want to see the building left vacant.

Motion failed 2-4, with Wescott, Moore, Patton, and Haines voting in the negative, and Cooper abstaining.

Motion by Commissioner Patton to deny the request from Storage Unlimited LLC for a conditional use permit for the purposes of operating an indoor storage facility at 3256 Church Street (Parcel ID 2308-04-2008-34); seconded by Commissioner Haines.

Commissioner Patton clarified his motion to deny the conditional use by citing the unmet standards of review identified in the staff report.

Motion carried 4-2, with Hoppe and Curless voting in the negative, and Cooper abstaining.

4. Director's Update (*This item is for informational purposes only; no formal action will be taken.*)

- a. Update on the public hearing process.
- b. Update on the Comprehensive Plan process.

Director Ostrowski stated the Common Council approved the ordinance amendment allowing the public hearings to be held at the Plan Commission. The public hearings will start in March, as we already had a request submitted for this month.

Director Ostrowski said staff has completed all eleven district meetings for the Comprehensive Plan update. Staff would like to meet to go over the process, present the findings, and work on vision and goals. He suggested meeting on February 11, 2015.

The next plan commission meeting for the Comprehensive Plan update was decided to be on February 11, 2015 at 7:00 PM.

5. Adjourn.

Meeting Adjourned at 7:13 PM.