

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use Permit with exceptions by Guggenheim Development Services, LLC, to construct and operate a new Jiffy Lube on a newly created parcel directly south of Applebee's in the former Shopko parking lot (Parcel # 59281215106). SC Zone

REPORT PREPARED BY: Steve Sokolowski, Manager of Planning and Zoning

REPORT DATE: July 19, 2022

MEETING DATE: July 26, 2022

FISCAL SUMMARY:

Budget Line Item:	N/A
Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin	N/A
Statutes:	
Municipal Code:	N/A

BACKGROUND / ANALYSIS:

Guggenheim Development Services, LLC, is proposing to construct and operate a new Jiffy Lube on a newly created parcel directly south of Applebee's in the former Shopko parking lot (Parcel # 59281215106). The applicant states the following about the project:

- Guggenheim Development Services, LLC is requesting conditional use approval for construction of a new Jiffy Lube on parcel #59281215106 (south of the Applebee's located at 526 S. Taylor Drive).
- The lot was recently created by Corta Development who is redeveloping the old Shopko facility into a Hobby Lobby and a Ross Dress for Less. The new parcel is approximately 2 acres and is presently part of the parking lot and also some of the landscape area to the south that leads to the Glacial Lakes Conservancy property down the hill to the south (proposed development site is 39% impervious and the remainder is a wooded slope).
- This will be a 3,045sf single-story automotive service center building which will provide preventive maintenance to automobiles including, oil change, battery, brakes, engine, filters, fluids, suspension, inspections, tires, etc.
- Location was selected due to S. Taylor Drive being a heavily traveled commercial corridor through the City with excellent visibility and access.
- Store hours are normally 8:00 a.m. to 7:00 p.m. Monday – Friday, 9 a.m. to 5 p.m. Saturday and Sunday from 10:00 a.m. to 4:00 p.m.

- Each store employs a total of one (1) manager, one to two (1-2) assistant managers, and six to eight (6-8) additional employees.
- There will be one (1) oil product delivery each week during regular business hours.
- All new bulk oil is contained in tanks that exceed EPA requirements, all waste oil is recycled and shipped by a carrier that has been registered with the EPA and has an EPA identification number.
- The proposed development timeline is a March/April 2023 start with an anticipated completion date of September 2023.

The applicant states the following about the architecture:

- The proposed Jiffy Lube development will include a single-story building with a 3,045 gross square foot footprint, a detached waste enclosure and on-site parking.
- The architectural style of the building will fit in and compliment surrounding commercial developments.
- Exterior finishes will be made of a mixture of full brick, as well as EIFS.
- The roof will have parapet wall heights that screen any rooftop equipment.

Site improvements include:

- New building with parking, landscaping, signage, and associated utilities (stormwater management, sanitary sewer, water distribution system, etc.).
- Access to the development will be via access agreement (this was completed as part of the Certified Survey Map process to create this new lot.). Internal parking and access drives will connect to all properties in this area.
- New utility lines will be brought into the site from existing utilities that serve the overall development.
- Stormwater from the site will be directed towards proposed inlets and will outfall at the existing ditch in the ROW.
- Landscaping will be provided in accordance with the City ordinance, in an approach which ensures species resiliency and complimentary aesthetics.
- Site lighting will comply with the City ordinance in a fashion that provides appropriate light intensity for safety with cut-off fixtures for minimal light trespass.
- Waste enclosure to be located to the west of the building (southwest corner of parking lot).
- Total Parking Provided: 13 spaces provided; including one (1) accessible space.

- A ground mounted pylon sign is proposed to the east of the proposed building (south of the entrance drive in the northeast corner of the proposed parcel). Additionally, building signage will be included on the east, north, and west elevations as shown in the colored elevations.

STAFF COMMENTS:

The applicant indicates there will be building signage and a pylon sign to be installed. The applicant has not provided a sign package at this time. Thus, applicant shall work with staff with regards to appropriate signage. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.

Staff will be recommending a monument style sign because Corta Development is proposing to replace the old pylon sign with a new pylon sign and this sign will have a tenant space for this new lot. Thus, Jiffy Lube will have the ability to have their signage on this new pylon sign.

The maximum number of wall signs is four (4).

The applicant is requesting the following land use exceptions:

- Applicant is proposing a side yard paving setback 0 feet - The minimum paving setback is 5 feet.

Applicant is requesting a zero foot paved surface setback along the north side of the site in order to create a shared access with the rest of the development. This variance is required in order to create the new shared parking and access driveway that customers from all facilities will use to enter and exit from these properties. The shared access reduces the number of potential traffic conflicts on S. Taylor Dr. and is consistent with the approved Applebee's development immediately north of the proposed Jiffy Lube development.

The shared access agreement will need to be officially documented prior to building permit issuance.

- Applicant is proposing to exceed .5 footcandles at the property line – Maximum .5 footcandles permitted at the property line.

It is important to provide adequate lighting for safety purposes for customers and employees as they share the main common access drive at their common property line. The proposed lighting will provide better light distribution throughout the parking lot, travel lanes and properties and will not adversely impact adjoining properties.

- Requesting a variance from the locational landscaping requirements - Applicant shall meet the four (4) locational landscaping requirements.

The Plan Commission may want to have the applicant address the following:

- Does the applicant have all of the shared access and utility agreements/easements between the properties?

ACTION REQUESTED:

Staff recommends approval of the conditional use and exceptions subject to the following conditions:

1. Prior to building permit issuance, the applicant shall obtain all licenses and permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, health, storm drainage, DNR, etc. (Applicant shall be in contact with building inspection, fire, police, etc.). An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
3. Submittal and approval of a landscape plan prior to building permit issuance. Landscape plan shall provide a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan).
4. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. Dumpster enclosure shall be completed prior to issuance of an occupancy permit.
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, etc.).
7. Any unused mechanical boxes, equipment, etc. shall be removed from the site.
8. 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 (except for common property line/shared access drive area granted an exception).
9. Applicant shall work with staff with regards to appropriate signage. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
10. Applicant shall to install individual letter signs – no cabinet or flat panel signs.
11. Applicant shall be permitted a freestanding monument sign for the site. Minimum setback of a monument sign is 12 feet. Maximum height of the monument sign is eight (8) feet.
12. All areas used for parking/maneuvering of vehicles shall be paved.
13. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
14. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.
15. The parking lot and drives shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts. The site shall be curbed.
16. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc.).
17. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new and old ingress/egress driveway openings, drop off lane, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).
18. Applicant will provide adequate public access along all streets and sidewalks and will take all appropriate actions to minimize the time period that adjacent properties and streets/sidewalks are impacted by the development (utilities, streets, etc.).
19. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.

20. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
21. Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
22. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility.
23. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Fire Department, including but not limited to fire lane access at the site, sprinkler systems, hydrants, water pressures, etc.
24. Prior to building permit issuance, the applicant will provide formal documentation that all required easements, agreements, etc. between the property owners have been officially recorded by Sheboygan County. Easements/agreements including but not limited to shared parking, access, utilities, storm drainage etc.
25. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building plans.
26. If there are any amendments to the approved conditional use permit (including but not limited to site plan, architectural design, use, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use and required attachments