

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for conditional use with exceptions by Basudev Adhikari to construct a new multi-tenant convenience store and service station located at parcel #59281431172. UC Zone.

REPORT PREPARED BY: Ellise Rose, Associate Planner

REPORT DATE: January 28, 2025

MEETING DATE: February 11, 2025

FISCAL SUMMARY:

STATUTORY REFERENCE:

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

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

BACKGROUND / ANALYSIS:

Basudev Adhikari is proposing to construct a new multi-tenant convenience store and service station located at parcel #59281431172. The applicant states the following:

- The site is currently not in use. The existing metal building will be demolished as part of this project.
- The project consists of a gas station canopy, and a mixed-use building to include a convenience store, liquor store, shipping store and restaurant.
- This property was selected for this development for its appealing location along the South Business Drive corridor and complimenting businesses to the north and south.
- We believe this location aligns well with the City of Sheboygan’s Comprehensive plan for development and redevelopment. It eliminates a vacated site on a primary city street.
- Constructing a gas station & mixed-use Building in this area would provide a quick, convenient location for residents to stop and satisfy multiple needs at one location.
- The new development would serve as a quick, easily accessible location for residents of nearby residential neighborhoods.
- This development strengthens the City of Sheboygan’s Comprehensive goal to promote “Complete Neighborhoods” with a mix of residences and beneficial service businesses.
- Noise and odors as a result of the filling stations & restaurant will be minimal and should not be considered a nuisance concern for the nearby community.
- Outdoor storage on this site will be limited to Firewood, LP Storage, and Ice Storage. There will not be any vending machines or dispensers located on the exterior of the building.
- Firewood display: A small firewood rack will be displayed on the exterior of the building. Customers are to purchase firewood at the register and pick-up outside.

- LP & Ice Storage: A locked LP Storage cage & Ice box will be located on the south face of the building. Customers are to purchase LP & Ice products inside the convenience store and are to be assisted by a store employee to get access to the products.
- Air/Vacuum equipment will not be present on this site.
- Restaurant will be run by the Owner and sell traditional Indian Foods. The restaurant will be a small sit and dine that can accommodate up to twenty-four (24) sit-down customers at a time.
- Dumpster enclosure to be constructed using Masonry concrete blocks wrapped in thin stone veneer, to match exterior. Located in the back on the east side to the north.
- Dumpster pickups will not interfere with sidewalk/traffic.
- Rooftop water will be collected on the east (backside) of the building and drain to storm system.
- The Owner has committed to using the same/similar architectural flow provided and approved for the 26th & Superior building on future projects throughout the City. This is the architectural flow that was used in the building design for this development.
- The Owner is aiming to achieve uniformed, identifiable building design going forward.
- Monument Sign to be submitted by separate contractor at a later date. Location TBD through signage approval requirements & process.

Architectural Site Improvements

- The building will be constructed using an architecturally pleasing combination of Gray Stone veneer masonry, Cavern Steel LP Horizontal panel siding, light gray EIFS, and black accent bands.
- The masonry veneer will be used as a base wainscot for the building.
- Exterior building materials are shown to closely resemble the recently completed 26th & Superior J-Mart and the approved 15th & Geele project in construction. The owner is looking to identify this architectural image as his branded image for new locations.
- Entrance storefront glass doors are emphasized with complimentary suspended awnings & store signage (signage to be submitted at a later date).
- Buildings will have rooftop parapet walls to conceal all rooftop mechanical equipment.
- The proposed BP Fueling Canopy will follow the standard BP architectural guidelines outlined in the attached Canopy Renderings. This canopy aligns well with design of other BP fueling stations around the City of Sheboygan and will serve as a recognizable, convenient destination along a heavily traveled corridor.
- The proposed Canopy will include Masonry piers wrapped steel Canopy Columns as requested by the City of Sheboygan. Masonry piers will consist of a gray-tone stone veneer, matching the base material used on the exterior of the J-Mart Convenience Store.
- The stone veneer will wrap the columns up to 8'-0", similar to the project recently completed on Superior Avenue. BP standard painting requirements will be followed for the exposed column above the Masonry.
- The Canopy will consist of prefinished metal facia facade painted to align with the attached BP standard architectural flow.
- (2) Helios will be installed on the facia of the canopy.
- Helios will not extend above the horizontal plain of the canopy.
- Helios will be under 20SF ea.

STAFF COMMENTS:

Applicant shall work with staff with regards to constructing a well-designed sign package for the site that utilizes colors and materials similar to the building. Staff may bring the proposed signage design back to the Plan Commission if there are any concerns.

Applicant is requesting the following exceptions:

- Requesting an exception from the locational and bufferyard landscaping requirements – Applicant shall meet the four (4) locational landscaping and bufferyard requirements.
- Requesting an exception to the paved surface setback requirements – minimum paved setback is 5 feet. Applicant is requesting zero feet where the parking lot is connecting to the neighboring parking lot in three separate areas.

ACTION REQUESTED:

Staff recommends approval of the conditional use permit 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, storm drainage, health, alcohol, 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. 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.).
3. The facility will meet all zoning requirements including but not limited to noise, smells, vibration, hazardous materials, etc.
4. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
5. 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). Landscaping shall be installed prior to issuance of an occupancy permit.
6. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility and shall be completed prior to issuance of an occupancy permit.
7. All new lighting shall be installed per Section 105-932 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. Applicant shall work with staff with regards to appropriate signage. Only at such time as the sign package has been reviewed and approved may the applicant obtain sign permits to install the proposed signage. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
9. Maximum canopy sign square footage permitted is 20sf for the gas fuel canopy signage.
10. No sign shall be located on the roof or the top horizontal plane of the canopy.
11. Applicant shall not be able to have string lights, pennants, inflatables, or other various types of temporary signage.
12. The total height of any overhead canopy shall not exceed 20 feet as measured to the highest part of the structure (top of canopy to grade).
13. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.

14. The parking lot and drive-through facilities shall be designed so as to not impede or impair vehicular and pedestrian traffic movement or exacerbate the potential for pedestrian/vehicular conflicts.
15. Any new ingress/egress driveway openings shall be improved to standard City specifications. All existing access drives that are no longer used shall be removed and all unused driveways shall be closed and improved to standard City specifications.
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, curb, gutter, sidewalk, pavement, utilities, street trees, grading, 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. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
22. 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).
23. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design and canopy.
24. If there are any amendments to the approved conditional use permit (including but not limited to site plan, architectural design, use, canopy, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use Permit Application and Attachments