

**PLANNING COMMISSION MEETING
TUESDAY, JANUARY 19, 2016
4:30 P.M., DENMARK VILLAGE HALL**

CALL TO ORDER/ROLL CALL

Chairperson Mleziva called the meeting to order at 4:30 p.m.

Present: G. Steinberger, A. Schilke, M. Lax, D. Kralovetz, K. Peterson, J. Duckart,
G. Mleziva

Also Present: S. Konkol, K. Coogle, E. Sisel, E. Runge, Planner from Ayres and Associates

REVIEW THE SITE PLAN APPLICATION FOR A NEW RETAIL STRUCTURE LOCATED AT CTH
KB (APPOXIMATELY 618 DEPERE ROAD). NATIONAL RETAIL DEVELOPMENT, LLC.

Runge presented the Staff Report to the Planning Commission.

- Site plan Design Review approval for new retail structure
Stormin' Properties is the property owner at parcel VD-97-45-1 it is zoned B-2
Commercial (Re-zoned 2015) Surrounding land uses are Commercial to the
North, Undeveloped to the South and East and Commercial, Residential to the
West.

Criteria for Review:

1. All standards of the Section 207-6 in the Zoning Ordinance have been met, with the exceptions that are noted.
2. Adequate public facilities and utilities are provided, Modifications needed:
Water and sanitary sewer is available from DePere Road. A 4" sanitary sewer connection is proposed at the northwest frontage. A 1" water line will be connected to stub on northeast frontage of property.
Denmark Staff noted the following:
Sanitary:
The sanitary lateral is proposed to connect by coring into the manhole. This cannot be done this way. The sanitary sewer must be tapped into the sewer main. According to the Village Sewer User Ordinance "Pipes should always be tapped on a 45 degree angel from a horizontal plane, and not within six inches (15cm) of the joint or within 24 inches (60 cm) of another lateral connection. All service connections to mains must comply with State plumbing code. Service connections to an existing sewer main shall be made by means of a saddled wye or specially adapted tee." They should go straight out to the main.
Water:
The Village has concerns about stagnant water in the 8" main that is being connected to. So the Village will need to flush it with a hydrant. The Village is proposing to put a hydrant on that line in the utility easement area. The hydrant would have to be installed after the water is connected. The Village will have to coordinate this timing of their hook up and the installation of the hydrant. Also, a curb stop (water shut off valve) needs to be located in the utility easement.
3. Adequate storm water and erosion control measures. Disruption of existing topography, drainage patterns and vegetative cover is maintained as practical. Meets criteria with follow up.

Wisconsin DNR permit for site disturbance has been submitted by applicant. Staff has also requested that with respect to the bio-retention pond, a controlled pond be considered at the outlet on the far southeast corner of the site for proper erosion control during a large storm event. This can be addressed when the DNR permitting documentation is submitted to the Village.

4. Adequate traffic control, parking, ingress/egress, and pedestrian ways are provided. The former access will be removed. The purposed new access is located further to the east. An access permit is necessary from Brown County because DePere Road is a County Trunk Highway (CTH KB).
 - a) All parking lots and/or driving areas are paved with concrete or asphalt.
 - The parking lot is paved.
 - b) Landscaped islands, trellises, raised sidewalks or similar techniques are employed.
 - Sidewalk is across the east – west frontage of development. The restrictive covenants associated with this parcel require sidewalks. There is no room in the parking lot for landscaped islands which was part of the approved variance request regarding the lot and the reduced parking spaces.
 - c) Parking lots are located to the side or rear of the building, whenever possible.
 - Parking lot is in the front of the structure to provide continuity with the adjacent commercial development.
5. A minimum of 10% of the gross lot area is landscaped and/or open space area. The total lot is 50,010 square feet. The building is 8,320 square feet; the asphalted area will be approximately 22,737 square feet. These dimensions do meet open space criteria.
6. Exterior lighting is contained on the lot to the extent practicable. Lights are identified in the parking lot. Project engineers report they will cast light downward to minimize light spillage outside the development.
7. Outside refuse bins are located behind the principal structure and screened from view by use of solid screening or opaque fencing. Two dumpsters are shown southeast of the store structure. Enclosure materials are to be a wooden picket fence.
8. A minimum 10-foot vegetative buffering or opaque fencing is provided adjacent to any R-1 to R-5, RD zoned lots. The project has been given a side yard landscaping setback variance by the Board of Appeals. (Nov 2015). In the B-2 zone, the criteria states landscaping *and* a fence. In the Site Design criteria, it is “or” a fence. Section 24.02 (4) states where more restrictive requirements are in place the higher standard will prevail. However, the variance submittal showed a fence in the plans, but was not in the language of the variance request. These current plans do not have a fence. Therefore, a clarification of the variance will need to be done with the Board of Appeals as the applicant does not show a fence on the eastern side.
9. The appearance of buildings maintains a consistency of design, materials, colors, and arrangements.
 - a) Buildings have an articulated front façade and/or varied rooflines.
 - b) A minimum of 50 % of a front façade that faces a street shall be finished with brick, split-face masonry or natural stone.
 - There is cement wall paneling, in complimentary shades that bread up the front façade.

- c) In the I-1 District where metal siding is used, it is coated with a colorfast abrasion and corrosion resistant, long life finish, etc.
 - d) All mechanical equipment is enclosed or screened.
 - The HVAC equipment is located behind the building and is, therefore, screened from view.
 - e) Loading docks and areas are located on the side or rear of the building(s)
 - The loading area is on the eastern side of the building.
 - f) Principal structures shall have their primary façade oriented parallel to the primary street frontage.
 - The front of the building is oriented toward CTH KB.
10. Appropriate building orientation is maintained to complement and enhance neighborhood character.
The proposal is complimentary to adjacent uses and is in keeping with the comprehensive plans strategies for this corridor.

Staff Recommendation:

Based on the criteria for approval and other considerations, staff recommends APPROVAL of the site plan with the following CONDITIONS:

1. Final plans to be submitted to the Village with the changes and have staff approval.
2. Sanitary and sewer connection modifications are to be made per staff recommendations. Final plans to be submitted reflecting these changes.
3. Access onto County Trunk Highway KB is controlled by Brown County Highway. The new driveway access permit process requires submittal to and approval by the county.
4. The results of the Wisconsin Department of Natural Resources storm water management permit request shall be provided to the Village prior to the Village issuing permits for construction to begin. The DNR permitting report will be reviewed by staff to see how the DNR reviewed and responded to the southeast corner drainage of the site. Staff raised concern about large storm events in this area. Staff evaluation included that drainage in this area should be addressed as a part of the storm water permitting documentation.
5. The clarification of the variance regarding the fence exception, separating this B-2 zoned property from the adjacent RD Rural Residential, will need to occur via a meeting with the Board of Appeals.
6. Any other additional permitting or other requirements to meet village, county, state, and/or federal requirements, as applicable.

Kralovetz/Steinberger moved to approve the site plan application with the 6 conditions outlined by our Municipal Planner. Motion carried.

ADJOURN

Steinberger/Peterson moved to adjourn at 5:10p.m. Motion carried.

Minutes submitted by Sherri Konkol, Village Clerk