

CITY OF APPLETON MEMO

To: Board of Zoning Appeals

From: Kurt W. Craanen, Inspections Supervisor



Date: July 12, 2022

RE: Variance Application for 1935 E. Calumet St. (31-9-1115-00)

Description of Proposal

The applicant proposes to alter the site that would create 85% lot coverage. Section 23-113(h)(2) of the zoning ordinance limits lot coverage to 75%.

Impact on the Neighborhood

In the application, the applicant states that the site meets the landscape buffering requirements of the Zoning Ordinance, and the lot coverage will not impact neighboring properties.

Unique Condition

In the application, the applicant states that there is large easement on the property that limits the options for landscaping and parking on the site.

Hardship

In the application, the applicant states that if the variance is not granted the pavement dedicated to the maneuvering of trucks and vehicles would be greatly reduced, causing possible conflicts between truck refueling underground tanks, trucks delivering goods and customers. The granting of the variance would help ensure the safety of the people utilizing the property for its proposed land use.

Staff Analysis

The size of this parcel is 66,175 sq. ft. The minimum size of a parcel in the C2 zoning district is 14,000 sq. ft.

The lot is not abnormally small or a unique shape. The applicant must show that the dimensional limitations of the lot cause a hardship, rather than the preference of the site designer. For example, could the parking lot or building be decreased in size? There appears to be alternatives.

Return to: Department of Public Works
 Inspection Division
 100 North Appleton Street
 Appleton, Wisconsin 54911
 (920) 832-6411

City of Appleton Application for Variance

Application Deadline June 27, 2022 Meeting Date July 18, 2022 7pm

Please write legibly and also submit a complete reproducible site plan (maximum size 11" x 17"). A complete site plan includes, but is not limited to, all structures, lot lines and streets with distances to each. There is a non-refundable \$125.00 fee for each variance application. The nonrefundable fee is payable to the City of Appleton and due at the time the application is submitted.

Property Information	
Address of Property (Variance Requested) 1935 E. Calumet St.	Parcel Number 31-9-1115-00
Zoning District C2	Use of Property Residential <input type="checkbox"/> <input checked="" type="checkbox"/> Commercial

Applicant Information	
Owner Name ASSOCIATED BANK NATIONAL ASSOCIATION	Owner Address 433 MAIN ST GREEN BAY WI 54301
Owner Phone Number 414-930-7948	Owner E Mail address (optional)
Agent Name Christian Cabrera	Agent Address 1524 Delancey St. Philadelphia, PA 19102
Agent Phone Number 215-717-9702	Agent E Mail address (optional) ccabrera@bergmannpc.com

Variance Information
Municipal Code Section(s) Project Does not Comply Section 23-113(h)(2) – Maximum lot coverage is 75%
Brief Description of Proposed Project Proposed plan would cause 85% of the lot to be covered. Section 23-113(h)(2) of the Zoning Ordinance limits lot coverage to 75% in the C2 zoning district.

Owner's Signature (Required): DocuSigned by:
David Knight Date: 6/24/2022
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Recp 116590692

Return to: Department of Public Works
Inspection Division
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Appleton, Wisconsin 54911
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Questionnaire

In order to be granted a variance each applicant must be able to prove that an unnecessary hardship would be created if the variance were not granted. The burden of proving an unnecessary hardship rests upon the applicant. The attached sheet provides information on what constitutes a hardship. (Attach additional sheets, if necessary, to provide the information requested. Additional information may be requested as needed.

1. Explain your proposed plans and why you are requesting a variance:

Proposal for a new 5,200 SF. Holiday Stationstores Convenience Store with 1,458 SF attached Carwash with associated fuel sales and a 3,936 SF fuel canopy. Fuel Canopy will cover six (6) fuel islands with fueling available on both sides of each island. Driveways, access aisles, utilities, parking, and landscaping area are also part of the proposal. A variance to Section 23-113(h)(2) of the Zoning Ordinance is being requested for not meeting the required maximum lot coverage for the project site. Section 23-113(h)(2) requires a maximum lot coverage of 75% of the lot area. This proposal is requesting that a lot coverage of 85% of the lot area be approved. The lot coverage is reduced to the maximum extent possible while providing sufficient room for fuel or goods delivery truck maneuvering separate from standard vehicle and pedestrian traffic maneuvering around the store front, fuel station and carwash.

2. Describe how the variance would not have an adverse impact on the surrounding properties:

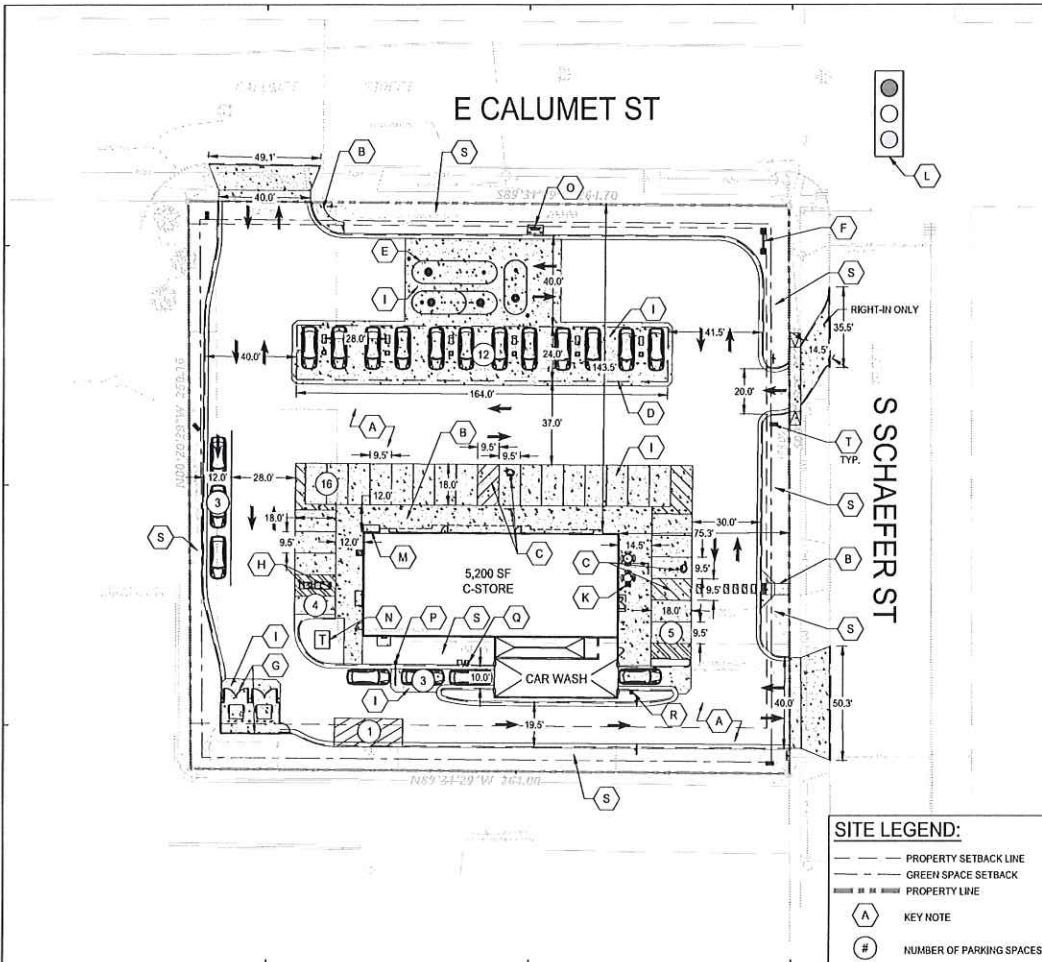
The surrounding properties are zoned C-2 General Commercial District or R-3 Multifamily District and are occupied by commercial / residential properties or are vacant properties previously occupied by developments. The proposed site layout meets the required minimum perimeter landscape buffer per Section 23-172(g)(1). The variance for lot coverage does not impede on the surrounding properties as the perimeter landscaping required for the site will be maintained.

3. Describe the special conditions that apply to your lot or structure that do not apply to surrounding lots or structures:

The project site contains 66,168 SF of lot area including a permanent easement, per document no. 195829 (Ex. 11), dedicated to a sanitary sewer that runs along the western portion of the site. The lot width is approximately 264 ft while the lot length is about 250 ft. Given the site dimensional constraints, landscape requirements, parking requirements, and anticipated maneuvering of trucks and vehicles throughout the site, etc. the lot dimensions would limit the development to provide safe maneuvering of trucks, vehicles, and pedestrians throughout the site.

4. Describe the hardship that would result if your variance were not granted:

If the variance to the lot coverage was not granted, the pavement dedicated to the maneuvering of trucks and vehicles would be greatly reduced. This would cause reoccurring conflicts between trucks refueling the underground fuel tanks, delivery trucks loading goods into the convenience store, standard vehicles utilizing the store front or fueling at the fueling station or utilizing the carwash, and pedestrians accessing the store through the dedicated cross walk. The pavement widths currently shown are minimum standards of Holiday Stationstores through observation of previous developments and the conflicts they have observed. The granting of the variance would help ensure the safety of the people utilizing the property for its proposed land use.



SITE DATA:

ZONING: C-2 GENERAL COMMERCIAL DISTRICT

CURRENT LAND USE: BANK

TOTAL LOT AREA: 11.52 ACRES

LOT COVERAGE: 466,168 SQ. FT.

GROSS FLOOR AREA OF BUILDINGS: 5,200 SQ. FT. (C-STORE) 1,458 SQ. FT. (CAR WASH)

BUILDING SETBACKS: 10' FRONT, NONE SIDE, 20' REAR

GREENSPACE SETBACKS: 8' FRONT (NORTH), 8' FRONT (EAST), 5' SIDE (WEST), 5' REAR

PARKING REQUIRED: (SP: 9'x15', LP: 12'x30' PER CODE)
 RETAIL BUSINESS - ONE (1) SPACE PER 250 SQUARE FEET OF GFA AREA - 5,200/250 = 21 SP
 LOADING - ONE (1) STRIPED LOADING SPACE FOR EACH 5,000 TO 20,000 SF GFA
 CAR WASH - DRIVE THRU: FIVE (5) STACKING SPACES
 GASOLINE SALES: TWO (2) SPACES LOCATED AT EACH PUMP
 TOTAL REQUIRED: 39 SPACES

PARKING PROVIDED:
 23 SP + 2 ADA + 1 LP + 6 STACKING + 12 PUMP = 44 SPACES
 STANDARD PARKING SPACES DIMENSION = 9.5'x18'
 LOADING PARKING SPACES DIMENSION = 12'x30'
 STACKING SPACE DIMENSION = 9'x19'

KEY NOTES:

- A. STANDARD PAVEMENT SECTION
- B. CONCRETE SIDEWALK
- C. ADA STRIPING AND SIGNAGE (TYP.)
- D. FUEL CANOPY
- E. FUEL TANKS
- F. CIRCLE K ID SIGN
- G. DUMPSTER ENCLOSURE
- H. AIR & WATER PUMP AND VACUUM
- I. CONCRETE PAVEMENT SECTION
- J. NOT USED
- K. OUTDOOR SEATING AREA
- L. SIGNALIZED INTERSECTION
- M. PROPANE EXCHANGE
- N. ELECTRIC TRANSFORMER
- O. VENT PIPES
- P. CARWASH CRASH BAR
- Q. CARWASH ENTRY SYSTEM EQUIPMENT
- R. CARWASH DRYER TIMER
- S. LANDSCAPING
- T. INTERNAL DIRECTIONAL SIGNAGE

SITE LEGEND:

--- PROPERTY SETBACK LINE

--- GREEN SPACE SETBACK

--- PROPERTY LINE

(A) KEY NOTE

(#) NUMBER OF PARKING SPACES

SCALE BAR: 0 40 80 120 FT
1" = 40' SCALE BAR

PROFESSIONAL SEAL:

PROJECT NAME: E. CALUMET ST. AND S. SCHAEFER ST. APPLETON, WI NORTHERN TIER BU

PROJECT NUMBER: 015453

SHEET TITLE: CONCEPTUAL SITE PLAN

SHEET NUMBER: CSP

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1000 W. CALUMET ST.
 APPLETON, WI 54911
 PH: 920.833.1111
 WWW.BERGMANNWI.COM

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June 27, 2022

City of Appleton
Department of Public Works
Inspection Division
Attn: Mr. Kurt Craanen, Inspections Supervisor
100 North Appleton Street
Appleton, WI 54911
Ph: 920.832.6411

RE: Holiday Stationstores LLC
Application for Variance
Southwest corner of E Calumet St & S Schaefer St
Appleton, WI 54915

Dear Mr. Craanen,

On behalf of Holiday Stationstores LLC, we are pleased to submit the following items for a variance request.

- One (1) copy of the Application for Variance.
- One (1) fee paid online in the amount of \$125 for the application fee.
- One (1) 11"x17" copy of the Site Plan of the convenience store with attached car wash dated June 27, 2022.
- One (1) PDF copy of the submittal.

We are submitting the aforementioned materials to request the Department of Public Works and the Zoning Board of Adjustments/Appeals to approve the requested variance on the lot coverage requirements for the proposed development given the current zoning requirements of the subject property. The project includes the construction of a 5,200 SF convenience store with attached car wash and fuel station. The proposed development is located at 1935 E Calumet Street, Appleton, WI, 54915. Variance will be required for the proposed lot coverage requirement which would dictate a maximum lot coverage of 75% is required for the proposed development. The attached site plan indicates that the lot coverage would be 85%, necessary to maintain minimum standards of Holiday Stationstores for the protection of truck, vehicle, and pedestrian traffic maneuvering throughout the site; thus, a variance is required for the project.

Thank you in advance for your consideration. Please feel free to contact us should you have any questions or require any additional information.

Sincerely,

Christian A. Cabrera
Bergmann

cc: Jim Goeppner, Circle K (digital copy)
Glenn W. Harvey, Bergmann (digital copy)
Stephen Harrison, Bergmann (digital copy)