

Items 23-0481 and 23-0482: Special Use Permit #3-23 for a car wash use located at 4029 East Calumet Street

City Plan Commission

Wed, May 10, 2023 3:30PM

Mayor Jake Woodford 01:07

Alright, on to public hearings and appearances. We have one public hearing this afternoon. This is item 23-0481 special use permit number 3-23 for a carwash located at 4029 East Calumet Street as shown on the attached maps and per the attached plan of operation. And to tell us about that is Jess Titel. District seven, all right.

Principal Planner Jessica Titel 01:34

Okay. This property is on the southeast corner of Calumet and Eisenhower. It was formerly a car sales lot, and it is for a proposed carwash with vacuum stations. There is an existing building on site that will remain. The use will supplement the proposed carwash. Most likely a car detailing operation will occur inside that building.

Principal Planner Jessica Titel 01:56

Carwashes are a special use in the C2 zoning district which is what this property is zoned. The access for the carwash will come off Lorna Lane. There will be no access off Eisenhower for this for this property. A special use permit for the same carwash and applicant was issued back in January of 2020; however, at that point, the applicant didn't move forward. So that special use permit has expired. Staff reviewed the proposal against the zoning code standards for special use permits, and we would recommend approval.

Mayor Jake Woodford 02:31

Okay, thank you. This is a public hearing is there anyone who wishes to speak on this item? Please state your name and address for the record. Welcome.

Mark B. (Representative For TJ's Thai and Steakhouse) 02:47

Mark Burwell and I'm speaking on behalf of TJs Thai and Steakhouse on Lorna Lane. And the concerns that I have, I'm looking at—actually as a past resident too of Victorian Village which is also in that area for 10 years—but I'm speaking on behalf of the owner, Ming Xiao and Cindy Lin. And the concern I guess they've had for years, and that is, and I'd like to bring before you today, is that is that is there proper vehicle public access from the Lorna Lane and Eisenhower to use into that property, because it has been a hazard. Is there going to be presented before the building commit proper landscaping and access drives to the city to meet code to get this building permit?

Mark B. (Representative For TJ's Thai and Steakhouse) 03:49

Thirdly, the backup to Coop road causes traffic concern and has for years. It has been a detriment to the restaurant. And I know personally I've witnessed many of safety issues with cars trying to tear through that parking lot and actually, in a couple cases, seen accidents in that parking lot. That has been blocked off obviously because of their concerns and their insurance carrier.

Mark B. (Representative For TJ's Thai and Steakhouse) 04:21

There's also a daycare center and a senior living center. When I say Senior Living it's—Victorian Village is really for, mainly for 55 and older even though it is a condo association. But the daycare scares me because of the traffic. When you're coming down Calumet Street to turn in, probably the main area to get in is a parking lot next to Little Caesars, otherwise people do not want to drive all the way around. For some reason years ago (I

think it was probably the first year that I moved into Victorian Village) that was cut off. Calumet closed that so buses could be in that roundabout. Now I know the cut through was issued, and TJ's had that up for a number of years until a lot of the accidents were happening there in their parking lot. Trash, everything was being accumulated there.

Mark B. (Representative For TJ's Thai and Steakhouse) 05:27

The second or the fifth point here I want to make is, I want to consider a carwash. I know there's 14 carwashes within a two-and-a-half-mile radius. Do we really need as a City Planning Commission for more than that when there's really 30 on the east side already? But 14 within that radius? I worry about OSHA requirements, the decibel five in regard to noise in that area, children playing outside, elderly.

Mark B. (Representative For TJ's Thai and Steakhouse) 06:02

Fi—number five here, the owner of TJ's has invested a lot of money in the parking lot. They just invested another \$20,000 because of the parking lot, because of people tearing through there because there is no public access. When Appleton annexed that property, there was no way to get into that area. So, to have another business in there really scares me a little bit because of the safety and concerns and backup. The stoplight was put in; that's made it safe getting in and out on out of Coop Road, but it's made a tremendous backup. And another business of that magnitude with turnover of cars is going to be I think something to really consider.

Mark B. (Representative For TJ's Thai and Steakhouse) 06:50

In summary, I know this is a C2 general commercial district, and I think you really should look at zoning as really being your main tool as city planners for future planning and protecting the safety and the landscape. So, we're asking that you preserve the character this neighborhood. Possibly, I know, that probably has a special meaning that will be coming up, I'm sure in not too near future that could even make that even a better neighborhood. But once that's put in, I don't know. I would like to make sure that those cut throughs, the backup, and maybe Omni or somebody would do a traffic study, because it'll be a real mess and I'm sure I talked about down the road. So, thank you for your listening.

Mayor Jake Woodford 07:38

Thank you. Welcome. Your name and address for the record, please.

Brannin Gries (Gries Architecture) 07:47

Brannin Gries 500 North Commercial Street, Neenah, Wisconsin, architect for the project representing the owner who was unable to make it today. But yeah, we're here again in front of you. He had, owner had, gotten a special use permit approved I think two years ago which expired, so we're trying to renew that. Same use. It is a proposed drive thru carwash, which supplements you see has a detailing facility on site. So, it's really a supplemental use to his existing business.

Brannin Gries (Gries Architecture) 08:19

I do—you know to address a few concerns, I can't speak to all of them. But the site development will clean up access to the site, landscaping, circulation, and stormwater. There's some stormwater issues now even going down to Coop Road, which our civil team and us are helping the City address and look into where some of those stormwater considerations should go and how that will impact our site. But I certainly think with the building and the landscaping and redevelopment of this site that would clean up that corner quite a bit. Do know if you have any particular questions about the development?

Mayor Jake Woodford 08:57

Not at this time, but thank you.

Brannin Gries (Gries Architecture) 08:59

Thank you.

Mayor Jake Woodford 09:03

This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? Hearing no further, I declare this public hearing closed.

Mayor Jake Woodford 09:20

We'll move on now to the associated action item. This is item 23-0482 request to approve special use permit number 323 for a carwash located at 4029 East Calumet Street. Need a motion.

Aldersperson Denise Fenton (District 6) 09:36

Move to approve.

Mayor Jake Woodford 09:37

Have a motion. Is there a second? We have a motion and a second to approve. We'll open the floor for discussion.

Mayor Jake Woodford 09:45

I would just like to begin by addressing one of the points that came up during the public hearing which is the question of whether another carwash is needed in in this general area, and just to speak to that from plan commission perspective and from a from a city perspective, it's not the role of the planning commission to make determinations about the types of private uses on private property in the city in terms of what kind of business is located in a general vicinity. A similar example would be in a case where there are multiple fast-food restaurants in close proximity. We don't evaluate whether one fast food restaurant—there's already a McDonald's here, why would a Tom's go here? That's not the role of the Plan Commission to make those determinations, and that's not a that's not a subject of our evaluation or staff's evaluation. So, I just wanted to be clear about that, that the city doesn't make doesn't dictate the types of businesses that locate in particular locations, so long as the use is conforming with the applicable codes. So just wanted to address that point.

Mayor Jake Woodford 11:02

Was there anything else just as you were listening to comments during public hearing, anything else that you wanted to share just for context in terms of staff review or any of the other points that came up?

Principal Planner Jessica Titel 11:15

Yeah, I can address just a few questions for clarity. Regarding the access to the property, it will come off Lorna Lane, and I did check with our traffic engineer regarding this user, and there were no concerns with what's being shown. For backup information, the city is doing some striping at the Coop and Calumet Street intersection coming up, I believe, this summer, that will help alleviate some of that backup in that area. So that should help that some.

Principal Planner Jessica Titel 11:49

As far as reviewing for adequate landscaping and building permit, the second step for this user would be a site plan review. That application comes to our office. We review landscaping, setbacks, parking, fire code, and our building inspection also reviews that. So, all of that, those details, are reviewed through that process to make sure that it complies with the city's zoning code standards. Let me see if there is...

[Someone spoke off microphone.]

Principal Planner Jessica Titel 12:21

There is—there's not a specific traffic study done for this user.

Mayor Jake Woodford 12:26

I'm sorry, excuse me. If you have a follow up question, I just ask that you please step to the microphone. I— yeah, that's fine, please. No, that's—I understand. Understood, I just want... No, no, no, it's fine. I just want to make sure that we capture it. Yeah. And I just wanted to make sure that we capture what you're sharing with us for the record. And we don't have a microphone. Of course, of course. Yes. Thank you. And if you wouldn't mind, just try and bring that mic a little bit closer. That might that might help...

Principal Planner Jessica Titel 13:05

Sorry about that

Mayor Jake Woodford 13:05

...with the audio. So, thank you. So, regarding the traffic analysis.

Principal Planner Jessica Titel 13:10

Yeah. So, regarding the traffic, our traffic engineer has reviewed the concept plan that was provided showing the access points and had no concerns. There are some improvements planned for the striping at the Coop and Calumet signalized intersection that should help with backups.

Mayor Jake Woodford 13:26

Thank you. Any other discussion from the Commission? Okay.

Commission Member 13:34

I just had a question about whether or not there had been any changes to the application since its initial application since its initial approval back in 2020.

Principal Planner Jessica Titel 13:45

Not really, I looked through and it's the same applicant, same name of the carwash. I didn't study the exact layout, but I don't believe anything has changed significantly.

Commission Member 13:56

Okay, thank you.

Mayor Jake Woodford 13:57

Further discussion from the Commission? All right, hearing none, we have a motion and a second to approve. All those in favor please signify by saying aye. Aye. Any opposed? Hearing none, the motion passes. The item has been approved.