

**CITY OF TWO RIVERS
PLAN COMMISSION
March 14, 2016**

MINUTES

The meeting was called to order by Chairman Buckley at 5:37 PM.

Present: Chairman Gregory Buckley, David England, City Engineer Jim McDonald, Jayne Rulseh and Adam Wachowski.

Absent and excused: Vince Alber and Adam Becker.

Also present: Gary Herrmann, Tom Palzer, Leah Lemanche, Diane Molanders, Hans Zietlow, Kwik Trip; Martin Marchek, City Planner; and Vicky Berg, Recording Secretary.

Consider request for a change in zoning from R-3 Single and Double Family Residence District to B-1 Business District for the property known as 2110 Jefferson Street, submitted by James Meverden (owner) and Kwik Trip (buyer)

Motion by Commissioner McDonald and seconded by Commissioner Wachowski to recommend approval and forward to Council for public hearing. Upon a roll call vote, Ayes (5): Buckley, England, McDonald, Rulseh and Wachowski; Noes (0). Motion carried.

Consider request for a change in zoning from I-1 Industrial District to B-1 Business District for the property known as 1408 - 21st Street, submitted by Kwik Trip (owner)

Motion by Commissioner Wachowski and seconded by Commissioner McDonald to recommend approval and forward to Council for public hearing. Upon a roll call vote, Ayes (5): Buckley, England, McDonald, Rulseh and Wachowski; Noes (0). Motion carried.

At this time Mr. Marchek and Mr. Zietlow provided a general overview of Kwik Trip's proposed 2016 expansion project.

Following the overview, the Chairman invited questions from the public. Concerns from those present included the following:

- The existing underground tanks will be removed and new tanks installed
- The diesel fuel pumps provided for smaller trucks
- Retention pond operations, landscaping, standing water, safety ledge (5-steps), possible fencing adjacent to residences
- Car wash noise during night hours
- Demolition of existing buildings related to dust control
- Proximity of driveway to Mr. Herrmann's driveway at the curb line

Mr. Zietlow stated Kwik Trip shall install a 4-foot high, board-on-board, fence along the north property lines as requested by the City and along any additional adjacent property lines requested by Mr. Palzer or Mr. Herrmann. Said fencing shall be installed in accord with local ordinances related to height and location.

Consider request for a Conditional Use Permit for a gas station including a convenience store with a two-bay car wash at 2107 Washington Street, submitted by Kwik Trip (owner)

Motion by Commissioner McDonald and seconded by Commissioner England to recommend approval and forward to Council for public hearing with the following conditions:

- a. This Permit shall become effective upon the execution and recording by the Owner of the Premises as acceptance hereof.
- b. This Permit shall be void unless proper application, pursuant to the Building and Zoning Codes of this Municipality, for appropriate Building and Zoning Use Permit(s) in conformity to this Permit, is made within twelve (12) months of the date hereof.
- c. This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of this Municipality.
- d. Construction and operation of the use permitted shall be in strict conformity to the approved site, building, operation, lighting and landscaping plans filed in conjunction with the petition for this Permit and such plans are incorporated herein by reference as if set forth in detail herein.
- e. Any substantial change or expansion of the facilities permitted by the initial issuance of this Permit would require approval by the Plan Commission and City Council as an amendment to this Permit.
- f. This Permit is specifically issued to Kwik Trip and shall lapse upon a change in ownership of the subject premises.
- g. Conditions of Operations:
 1. Hours of operation: 24 hours/365 days.
 2. Inspection by the TRFD prior to opening for business.
 3. Signage in accord with the City's Sign Code.
 4. All landscaping plantings shall be maintained and kept in good health or be replaced. Landscaped areas shall be maintained in such a manner to be free of weeds.
 5. Car wash operations shall comply with City noise ordinance at all times.
 6. Outdoor display or storage of merchandise shall be limited to the private sidewalk adjacent to the building and the areas under the fuel island canopies.

Further discussion included limiting the hours of operation for the carwash, such as no operations from 11PM - 6AM; or reserving the right for the City to revisit the hours of operation for the car wash.

It was noted no other car wash in the City has limited hours of operations and this may set precedent for any future car wash operations.

A friendly amendment was made by Commissioner England and seconded by Commissioner Rulseh to add the condition that the City reserves the right to reconsider hours of operation for the car wash.

Upon a roll call vote, Ayes (2): England and Rulseh; Noes (3): Buckley, McDonald and Wachowski. Motion failed.

The original motion was presented for action.

Upon a roll call vote, Ayes (5): Buckley, England, McDonald, Rulseh and Wachowski; Noes (0). Motion carried.

Consider Site, Architectural, Lighting and Landscaping Plans for a proposed new Kwik Trip store at 2107 Washington Street to include a gas station including a convenience store with a two-bay car wash.

Motion by Commissioner McDonald and seconded by Commissioner Rulseh to approve the plans with the following condition(s):

- a. Any requirements of the City Engineer related to infrastructure, storm water management and driveways.
- b. Any requirements of the Plan Commission.
- c. Any requirements of the Fire Department.
- d. Provide a decorative privacy fence along all lot lines of the existing residences at 1416 - 21st Street and 2102 Jefferson Street adjacent to the Kwik Trip property. Should the current owner(s) request removal of said fence, or any portion of said fence, Kwik Trip shall remove said fence with no continued obligation to re-install the fence.

Upon a roll call vote, Ayes (4): Buckley, England, McDonald and Rulseh; Noes (1): Wachowski. Motion carried.

Consider request for an electronic changing message (ECM) sign to be located in the northwest corner of the Kwik Trip property at 2107 Washington Street

Motion by Commissioner Wachowski and seconded by Commissioner England to approve the ECM sign with the following conditions:

- a. Color schemes used shall not mimic traffic lights or emergency vehicles.
- b. Interval at which the sign message shall change - no flashing or moving messages
- c. Intensity of the ECM lights shall be dimmed daily at dusk.

Upon a roll call vote, Ayes (5): Buckley, England, McDonald, Rulseh and Wachowski; Noes (0). Motion carried.

At 7:05 PM motion by Commissioner McDonald and seconded by Commissioner Wachowski to adjourn. Upon a voice vote, motion carried.

Vicky Berg, Recording Secretary