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Developer wants limit eased, contends project will spur growth in village

It was late last year that Ansay Real Estate Development unveiled plans for a proposed Kwik Trip gas station and convenience store at one of the Village of Saukville's most visible intersections.

Since that time, the developer and village officials have been trying to determine how the project fits in with the zoning code.

The issue came to a head last week, when the Village Board unanimously rejected a zoning code amendment proposed by Ansay that would clear the way for the project.

The village zoning ordinance was tweaked in 2007 to prohibit the construction of a fueling station within 1,000 feet of a conservancy area or primary environmental corridor.

That restriction would block the developer from building a 5,600-square-foot Kwik Trip store on a 15-acre parcel at the northwest corner of I-43 and Highway 33. The north end of the parcel is part of a wetland that drains into the Milwaukee River.

To counter the limitation, the developer asked that the ordinance be changed so that the Plan Commission would have the authority to determine whether the project poses an environmental risk.

Taking its lead from the commission, the board denied the ordinance change last week. The action prompted another attempt by Ansay to reduce the restriction at last week's commission meeting, this time asking that the village ordinance be rewritten simply to allow whatever state law permits.

As happened in the previous case, the commission rejected the developer's proposed change.

However, the planning body then backed a staff-authored ordinance change that would reduce the setback from wetlands to 600 feet, the minimum distance required by state law, while giving the commission discretion to allow fuel pumps even closer to protected areas if it can be shown that they would pose no environmental risk.

The staff recommendation also calls for retaining the 1,000 buffer from any municipal well site. The proposed ordinance also prohibits truck fueling stations in any business district.

Public hearings on both of those ordinance changes — the one recommended and the one rejected by the commission — will be held before the Village Board on Oct. 2.

At last week's hearing before the Village Board, the owners of several gas station/convenience stores in the village asked that the 1,000-foot setback be retained.

Tom Beck, owner of Beck's Green Bay Ave. Mart, spoke most forcefully against reducing the

1,000-foot setback from wetlands.

“That restriction was put into place to encourage good development and to protect the environment. I would like to see this change denied,” Beck said.

Trustee Robert Hamann also urged his colleagues to reject the Ansay proposal to make the 1,000-foot setback discretionary.

“This language is very vague. It doesn’t give the Plan Commission any direction for granting an exemption. When the Board of Appeals considers granting a waiver, it has very specific conditions it has to consider,” Hamann said.

Neil Tiziani, general manager for Ansay Real Estate, said the jockeying over the ordinance could put the Kwik Trip project in jeopardy.

“This is a great location and there is no question that it is going to be developed, but I think getting Kwik Trip to locate here would be a great thing for the community and it is likely to spur development elsewhere,” Tiziani said.

The preliminary development plans call for a related car wash at the site, as well as an outlot that is already being eyed by a restaurant if the Kwik Trip is built.

“Kwik Trip is a company with a reputation for doing their homework. If they choose to locate in a community, other companies are sure to notice and could follow their lead,” Tiziani said.

“I see Kwik Trip as a piece of a much larger puzzle for the Saukville interstate corridor that would bring jobs and value to the tax base.”

Although the company has a strong interest in locating in Ozaukee County, he said it could choose another community if obstacles can’t be avoided in Saukville.