

CITY OF SHEBOYGAN

PLAN COMMISSION

SEPTEMBER 24, 2019

1. OPENING OF MEETINGMEMBERS PRESENT: Jerry Jones, Don Cvetan, Ryan Sazama, Mayor Michael Vandersteen, Marilyn Montemayor, Dave Hoffman, and Alderperson Jim BohrenSTAFF/OFFICIALS PRESENT: Planning & Development Director Chad Pelishek, and Manager of Planning & Zoning Steve Sokolowski

1.1 Call to Order.

Chair Mayor Michael Vandersteen called the meeting to order.

1.2 Pledge of Allegiance

The Pledge of Allegiance was recited.

1.3 Introduction of committee members and staff.

Introduction were made.

1.4 Identify potential conflict of interest.

No one on the committee has a conflict of interest.

2. MINUTES

2.1 Approval of the Plan Commission minutes from September 10, 2019.

Motion by Marilyn Montemayor, second by Dave Hoffman to approve. Motion carried.

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.1 Conditional Use and variance application by Kieffer Starlite to install an interior lit projecting sign for WigWam Mills at 3402 Crocker Avenue.

Motion by Alderperson Bohren, second by Jerry Jones to approve with the following conditions: Applicant shall obtain all necessary permits prior to installation of the sign. Maximum square footage of projecting sign is 12 sf. Maximum projection over right-of-way is 4.5 feet. Projecting sign shall be located a minimum of 10 feet above grade (bottom of sign to grade). Swinging projecting signs are not permitted. Any future signage shall be individual letter signs no cabinet or flat panel signs. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance.

There shall be no spillover light onto adjacent properties or the streets. If there are any amendments to the approved plans, the applicant will be required to submit a new conditional use application reflecting those amendments. Variance Granted: To have an interior lit projecting sign. Motion carried.

3.2 Conditional Use application by Work It Own It, LLC, to operate a 1 st floor real estate office and 2 nd floor office or apartment at 2516 Calumet Drive.

Motion by Marilyn Montemayor, second by Dave Hoffman to approve with the following conditions: Prior to operation/occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements. If using dumpsters, dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If using chain link fencing, the applicant shall install Privacy Decorative Slating (PDS) material in order to effectively screen the dumpster. Outdoor storage of materials, products or equipment shall be prohibited. All ground level and rooftop mechanicals shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.). All new lighting shall be installed per Section 1707 of the City of Sheboygan Zoning Ordinance.

There shall be no spillover light onto adjacent properties or the streets. Applicant shall obtain the necessary sign permits prior to installation (pylon, wall, etc.).

Applicant shall work with staff with regards to constructing a well-designed signage for the site that utilizes colors and materials similar to the building.

Proposed wall signage will be individual letter signs (no flat panel or interior lit cabinet signs).

Staff may bring the proposed signage design back to the Plan Commission for review/approval. Applicant shall remove all signage referring to the former wedding business operation). If applicant leases space to additional tenants,

the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy (future uses and/or phases may require conditional use permits, building/mechanical permits, occupancy permits, etc.). If there are to be any renovation to the exterior of the facility, the applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for such renovation. If there are any amendments to the approved use and/or floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments. Motion carried.

3.3 Conditional Use application by Jeremiah and Nicole Reynolds to operate Escape Sheboygan at 1133 Indiana Avenue.

Motion by Marilyn Montemayor, second by Don Cvetan to approve with the following conditions: Prior to operation/occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, food, alcohol, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements. Applicant may serve liquor/alcohol if and only if all required liquor licenses are obtained. If using dumpsters, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.

If using chain link fencing, the applicant shall install Privacy Decorative Slatting (PDS) material in order to effectively screen the dumpster. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.). Outdoor storage of materials, products or equipment shall be prohibited. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance.

There shall be no spillover light onto adjacent properties or the streets. Applicant shall obtain the necessary sign permits prior to installation.

Proposed signage will be individual letter signs (no flat panel or interior lit cabinet signs).

Applicant shall work with staff with regards to constructing a well-designed signage for the site that utilizes colors and materials similar to the building.

Staff may bring the proposed signage design back to the Plan Commission for review/approval. If the owner leases space to additional tenants, the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy. If the glass block windows remain under the plywood, the applicant should remove the plywood and once again expose the glass block windows.

The applicant shall work with staff regarding this matter and if there are any concerns staff may bring the proposed design back to the Plan Commission for review/approval. If there are to be any renovation to the exterior of the facility, the applicant will be required to obtain approval from the

Architectural Review Board prior to receiving a building permit for such renovation. If there are any amendments to the approved use and/or site plan, the applicant will be required to submit a new site plan and/or conditional use application reflecting those amendments. Motion carried.

3.4 Conditional Use and variance application by Altmeyer Electric to construct a new off-site parking lot adjacent to their facility at 827 S. 21 st Street (Parcel # 59281209370).

Motion by Marilyn Montemayor, second by Alderperson Bohren to approve with the following condtions: Prior to building permit issuance, the applicant shall obtain all licenses/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, razing, water, sewer, storm drainage, etc. Submittal/approval of a proposed storm drainage plan prior to building permit issuance. Submittal and approval of a proposed landscape plan prior to building permit issuance. If using dumpsters, dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. Outdoor storage of materials or equipment shall be prohibited. All lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance.

There shall be no spillover light onto adjacent properties or the streets (except for area approved for the variance). If signage is to be installed, the applicant shall work with staff with regards to constructing appropriate and well-designed signage and shall obtain the necessary sign permits prior to installation. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. Fencing shall be installed along the north property line to buffer the parking lot from the single-family dwelling at 2043 New Jersey Avenue.

Fencing/retaining wall shall be installed per Section 15.720 (3)(c) of the City of Sheboygan Zoning Ordinance.

Applicant shall work with staff with regards to constructing appropriate and well-designed fence and shall obtain the necessary permits prior to installation. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. The applicant may temporarily maintain the existing gravel parking lot on this property. The applicant shall submit a parking lot design, stormwater plan, landscaping plan, etc. and shall construct the permanent parking lot by July 10, 2020.

All areas used for parking/maneuvering of vehicles shall be paved. All areas that are not required to be paved shall be grass and/or approved landscaping. It will be the applicant s responsibility to work with all private and public utilities in order to provide easements and/or relocate utilities as necessary. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new street improvements, new and/or closed ingress/egress driveway openings, curb, gutter, sidewalk, landscape boulevard, pavement, utilities, retaining walls, street trees, etc.). Applicant will provide adequate public access along public streets/alley and will take all

appropriate actions to minimize the time period that these streets/alley will be closed/affected. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way). Absolutely no portion of the site improvements shall cross property lines (parking, fencing, signs, landscaping, retaining wall, etc.). If the applicant is able to vacate the unimproved alley, the applicant shall combine all of their properties into one (1) parcel and provide easement documentation for any other property owner who may need access to the former alley prior to building permit issuance for parking lot construction. If there are any amendments to the approved conditional use permit and/or site plan, the applicant will be required to submit a new conditional use application reflecting those amendments. Variance Granted: To have a zero (0) street yard paving setback from the locational and bufferyard landscape requirements. Motion carried.

3.5 Van Horn Real Estate is proposing a minor building and site plan amendment to the previously approved conditional use and variance application to construct the Kingsbury Village apartments on the vacant, undeveloped parcel located at the southwest corner of Wisconsin Avenue and N. 10th Street (Parcel # 59281107740, former Kingsbury Brewery property).

Motion by Dave Hoffman, second by Marilyn Montemayor to approve with following conditions:

Prior to building permit issuance, the applicant shall obtain all licenses and permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, storm drainage, health, DNR, etc. (Applicant shall be in contact with building inspection, fire, police, etc.).

An occupancy permit will be granted only at such time as the applicant has met all requirements. Submittal/approval of a proposed storm drainage plan prior to building permit issuance. Submittal and approval of a landscape plan prior to building permit issuance.

Landscape plan shall provide a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan).

Landscaping shall be installed prior to issuance of an occupancy permit. In addition to the landscape plan, applicant will work with staff with regards to installation of street trees along Wisconsin Avenue and N. 10th Street (number, type, location, etc.).

The street trees will be provided on the landscape plan.

The street trees are in addition to the required development landscape plan points (not counted as landscape plan points). Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.

Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the first apartment building to be occupied. Outdoor storage of materials, products or equipment shall be prohibited. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.). All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance (site lighting, building lighting, signage, etc.).

There shall be no spillover light onto adjacent properties or the streets. Applicant shall install a bicycle rack within the interior of the development site. Applicant shall work with staff with regards to appropriate signage.

Only at such time as the sign package has been reviewed and approved may the applicant obtain sign permits to install the proposed signage.

If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. Applicant shall to install individual letter signs no cabinet or flat panel signs. Applicant shall be permitted a freestanding monument sign for the site.

Minimum setback of a monument sign is 12 feet.

Maximum height of the monument sign is 8 feet.

Sign shall be located outside of the 15 foot vision triangle. Painted signs shall be long-lasting and graffiti-resistant to the greatest extent possible. The applicant shall properly maintain mural signs and any issues of disrepair shall be addressed immediately.

If, for whatever reason, the mural falls into disrepair, the building owner will be reëquired to make necessary repairs within 60 days. All areas used for parking/maneuvering of vehicles shall be paved. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, grading, etc.). Applicant shall be required to obtain the necessary encroachment to utilize and improve N. Water Street unimproved public right-of-way (including, but not limited to ingress/egress, parking, driveway openings, curb, gutter, sidewalk,

pavement, utilities, landscaping, grading, etc.).

Applicant shall work with City Development and Engineering staff to determine the specifications that the proposed improvements shall meet.

No building permits shall be issued until such time as the encroachment has been obtained. Applicant will provide adequate public access along all streets and sidewalks and will take all appropriate actions to minimize the time period that adjacent properties and streets/sidewalks are impacted by the development (utilities, streets, etc.). Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant. Applicant is responsible for working with all private and public utilities in order to adequately service this apartment complex development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary). City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Fire Department, including but not limited to fire lane access at the site, sprinkler systems, hydrants, water pressures, etc. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design. If the applicant does not proceed with future phase, the applicant shall restore to its original condition all private and public lands/property, temporary roads, temporary access drives, etc. 60 days after the City is notified that the applicant is not proceeding with future phases. If there are any amendments to the approved conditional use permit (including but not limited to site plan, architectural design, use, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments. Variance Granted: To have a zero (0) foot front/street yard setback for Building # 1 (west/river). To have a 12.3 foot front/street yard setback for Building # 2 (north/Wisconsin Avenue). To have a zero (0) foot front/street yard for Building # 3 (east/N. 10 th Street). To have 400 square foot painted wall signs/murals on Buildings 1 and 2. To have a zero (0) foot paving setback. From the locational and bufferyard landscaping requirements. Motion carried.

3.6 Conditional use and variance application by Green Street Development Group, LLC to construct the Oscar apartment complex at 1436 S. 15 th Street (the Van Der Vaart property).

Motion by Jerry Jones, second by Alderperson Bohren to approve with the following conditions: Prior to building permit issuance, the applicant shall obtain all licenses and permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, storm drainage, health, DNR, etc. (Applicant shall be in contact with building inspection, fire, police, etc.).

An occupancy permit will be granted only at such time as the applicant has met all requirements. Applicant shall obtain all necessary razing permits for all structures to be demolished. Once structures have been demolished, the

applicant will maintain the site(s) in a clean and dust free condition. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.

If different properties are sharing these stormwater facilities, the proper agreements/easements shall be officially documented prior to building permit issuance. Submittal and approval of a landscape plan prior to building permit issuance.

Landscape plan shall provide a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan).

Landscaping shall be installed prior to issuance of an occupancy permit. If the future commercial development site at the southeast corner of the property is not immediately going to be under construction, the applicant will be required to landscape (grass) this area prior to issuance of an occupancy permit for the Oscar Development. If any street trees are removed for the project, the applicant will be required to reinstall those street trees. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.

Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the first apartment building to be occupied. Outdoor storage of materials, products or equipment shall be prohibited. If fencing is to be installed, fence shall be installed per Section 15.720 (3)(c) of the City of Sheboygan Zoning Ordinance. Applicant is required to submit specific fence details to staff. If staff has any concerns with the fence design, the matter may be brought back to the Plan Commission for their consideration (fencing would need a decorative design). All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.). All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance (site lighting, building lighting, signage, etc.).

There shall be no spillover light onto adjacent properties or the streets. Applicant shall install a bicycle rack within the interior of the development site. Applicant shall work with staff with regards to appropriate signage.

Only at such time as the sign package has been reviewed and approved may the applicant obtain sign permits to install the proposed signage.

If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. Applicant shall to install individual letter signs no cabinet or flat panel signs. Applicant shall be permitted a freestanding monument sign for the site.

Minimum setback of a monument sign is 12 feet.

Maximum height of the monument sign is 8 feet.

Sign shall be located outside of the 15 foot vision triangle. All areas used for parking/maneuvering of vehicles shall be paved. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping. Any new ingress/egress driveway openings shall be improved to standard City specifications.

All existing access drives that are no longer used shall be removed and all unused driveways shall be closed and improved to standard City specifications. The applicant will be required to improve the damaged section of N. 15 th Street adjacent to this property (area as you ingress/egress the property).

Applicant shall work with the City Engineering Department regarding this matter (standard City street specifications). Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, grading, etc.). Applicant will provide adequate public access along all streets and sidewalks and will take all appropriate actions to minimize the time period that adjacent properties and streets/sidewalks are impacted by the development (utilities, streets, etc.). Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant. Applicant is responsible for working with all private and public utilities in order to adequately service this apartment complex development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary). City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Fire Department, including but not limited to fire lane access at the site, sprinkler systems, hydrants, water pressures, etc. The Conditional use permit is approved if and only if the City of Sheboygan Department of City Development and/or Planning Commission approve the Certified Survey Map (CSM) reconfiguring lot lines and/ creating the parcel as proposed. City Development staff will sign the proposed CSM only if the proposal exactly matches the approved development plan/property layout. If there are any amendments to the approved site plan and/or parcel configuration, the applicant will have to submit an amended conditional use permit for review by the City of Sheboygan Plan Commission that accurately reflects any and all changes. Building permits shall be issued only at such time as the applicant can provide documentation from Sheboygan County that the CSM has been officially recorded and that the lots as depicted on the approved site plan have been created. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design. If the applicant does not proceed with future phase, the applicant shall restore to its original condition all private and public lands/property, temporary roads, temporary access drives, etc. 60 days after the City is

notified that the applicant is not proceeding with future phases. Approval of this conditional use permit is based upon mutual understanding that the final traffic impact analysis findings are acceptable to the City, and any improvements directly related to the development(s), during the traffic analysis planning horizon, be the responsibility of Green Street Development Group. If there are any amendments to the approved conditional use permit (including but not limited to site plan, architectural design, use, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments. Applicant will have an executed developer s agreement prior to building permit issuance. Variance Granted: To have 17 units per acre. To have a building height of 50 ft. To have a flat roof with parapet walls to hide AC condensing units. To have a zero (0) foot paving setback. From the locational and bufferyard landscaping requirements. Motion carried.

#### 4. NEXT MEETING

October 15, 2019

#### 5. ADJOURN

##### 5.1 Motion to Adjourn

Motion by Jerry Jones, second by Dave Hoffman to adjourn.

Motion carried.

Being no further business the meeting was adjourned at 5: 03 p.m.