

CITY OF SHEBOYGAN

PLAN COMMISSION

AUGUST 13, 2019

1. OPENING OF MEETING MEMBERS PRESENT: Marilyn Montemayor, Mayor Michael Vandersteen, Don Cvetan, Jerry Jones, Ryan Sazama, and Dave Hoffman MEMBERS EXCUSED: Alderperson Jim Bohren STAFF: Planning & Development Director Chad Pelishek, Development Intern Ellise Rose, and Manager of Planning & Zoning Steve Sokolowski

1.1 Call to Order.

Chair Mayor 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 committee member had a conflict of interest with any item on this agenda.

2. MINUTES

2.1 Approval of the Plan Commission minutes from July 23, 2019.

Motion by Marilyn Montemayor, second by Don Cvetan to approve. Motion carried.

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.1 Public Hearing regarding the proposed amendments of project plans for Tax Incremental Districts No. 12 & 13.

No member from the public was present to speak at the public hearing.

Motion by Marilyn Montemayor, second by Jerry Jones to close hearing. Motion carried.

3.2 Consideration of Resolution Approving a Project Plan Amendment for Tax Incremental District No. 12, City of Sheboygan, Wisconsin .

Motion by Dave Hoffman, second by Marilyn Montemayor to recommend Common Council adopts the resolution approving a Project Plan Amendment for Tax Incremental District No. 12. Motion carried.

3.3 Consideration of Resolution Approving a Project Plan Amendment for Tax Incremental District No. 13, City of Sheboygan, Wisconsin .

Motion by Ryan Sazama, second by Dave Hoffman to recommend Common Council adopts the resolution approving a Project Plan Amendment for Tax Incremental District No. 13. Motion carried.

3.4 Conditional Use Permit and variance application by RLO Sign, Inc. to install a new monument sign for DG Dental located at 2926 S. 12 th Street.

Motion by Marilyn Montemayor, second by Jerry Jones to approve with the following conditions: Applicant shall obtain the necessary sign permits prior to installation. Sign shall be located in the exact same location (shall not be moved any closer to the property line).

Applicant is permitted a 12 -foot setback from the curb (the closest edge of sign to property line).

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 use and/or floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments. Variance granted: For a 12 foot sign setback to the curb. Motion carried.

3.5 Conditional Use Permit and variance application by RLO Sign, Inc. to

install a new electronic readerboard monument sign for Old World Creamery located at 1606 Erie Avenue.

Motion by Jerry Jones, second by Don Cvetan to approve with the following conditions: Applicant shall obtain the necessary sign permits prior to installation. The maximum height of the sign is 12 feet tall (top of sign to grade). Sign shall meet the minimum 25 foot setback to the curb along Erie Avenue and N. 17 th Street (closest edge of sign to curb).

Sign shall meet 15 foot vision triangle.

It is the applicant s responsibility to insure the sign meets the required setbacks. Applicant shall meet Sections 15.804 (a) and (c) of the City of Sheboygan Zoning Ordinance relating to signage and pedestrian/traffic safety and sign timing/cycles.

No signs containing flashing, intermittent or moving sections or intermittent or flashing lights shall be permitted.

Sign messages and/or location shall not create any pedestrian/vehicular conflicts.

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. Existing pylon sign shall be removed immediately after the new monument sign is installed. An approved landscape plan will need to reviewed/approved prior to sign permit issuance. 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. Variance granted: For a 12 foot tall monument sign. Motion carried.

3.6 Conditional use and variance application by the Sheboygan Area School District to install/replace fencing and gates at several schools throughout the district.

Motion by Jerry Jones, second by Dave Hoffman to approve with the following conditions: Applicant shall obtain all required building permits. Absolutely no portion of the new fencing and/or site improvements shall cross the property lines including but not limited to fencing/retaining walls, landscaping, etc. Applicant is responsible for knowing where their lot lines are. Fence shall be installed per Section 15.720 of the City of Sheboygan Zoning Ordinance (except for approved height and setback variance). Maximum height of fence is six (6) to eight (8) feet high per SASD approved plans/site plans (peak of fence to grade). Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications. Applicant will provide adequate public access along streets and sidewalks and

will take all appropriate actions to minimize the time period that these sidewalks/streets will be closed/affected. 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. Variances granted: To

install six (6) to eight (8) foot high chain link fence/gates on the front/street yard property lines. Motion carried.

3.7 Conditional use and variance application by Van Horn Real Estate to construct the new Kingsbury Village Apartments on the vacant, undeveloped parcel located at the southwest intersection of Wisconsin Avenue and N. 10 th Street (Parcel # 59281107740, former Kingsbury Brewery property).

Motion by Ryan Sazama, second by Marilyn Montemayor 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. 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. 10 th 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. Variances granted: To have a zero (0) foot front/street yard setback for Building # 1 (west/river). To have a zero (0) foot front/street yard setback for Building # 3 (east/N. 10 th St.). To have a 12.3 foot front/street yard setback for Building # 2 (north/Wisconsin Ave). To have 400 square feet 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.

3.8 Special Use application by Johnston Bakery to construct a new building addition to their facility located at 3228 Weeden Creek Road.

Motion by Jerry Jones, second by Don Cvetan to approve with the following condition: 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, health, storm drainage, hazardous materials, etc.

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

Landscaping shall be installed prior to issuance of an occupancy permit. Submittal and approval of a proposed storm drainage plan prior to building permit issuance. Dumpsters shall be screened and enclosed and constructed of like materials and colors of the facility.

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 Zoning Ordinance. Applicant shall meet minimum 25 foot building setback to the north/side property line. All areas used for parking/maneuvering of vehicles shall be paved. Applicant shall meet minimum five (5) foot paving

setback to the north/side property line. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping. The addition will meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc. Applicant shall obtain the necessary sign permits prior to installation.

The proposed signage shall meet the City of Sheboygan Zoning Ordinance and Business Park Protective Covenants.

All signage must be submitted to and reviewed/approved by the City of Sheboygan Architectural Review Board. Applicant shall be permitted to install individual letter signs no cabinet or panel signs. Applicant will provide adequate public access along the streets and will take all appropriate actions to minimize the time period that these streets 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). 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 and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.). Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building and sign design. Applicant shall meet all Sheboygan Business Park Protective Covenants. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments. Motion carried.

3.9 R.O. 52 - 19 - 20 and G.O. 13 - 19 - 20 by City Clerk submitting a communication from David Gass, Rohde Dales LLP, on behalf of Office Service Company, LLP, requesting an encroachment upon the Niagara Avenue right-of-way located at 1320 Niagara Avenue (Parcel No. 52981500120) for the purpose of a canopy that hangs over the Niagara Avenue right-of-way.

Motion by Jerry Jones, second by Marilyn Montemayor to approve. Motion carried.

3.10 Res. No. 58 - 19 - 20 by Alderperson Bohren pursuant to the extraterritorial plat approval jurisdiction of the City of Sheboygan approving the final plat of Lake Aire Subdivision No. 5, no preliminary plat having been submitted.

Motion by Jerry Jones, second by Don Cvetan to approve. Motion carried.

4. NEXT MEETING

August 27, 2019

5. ADJOURN

5.1 Motion to Adjourn

Motion by Jerry Jones, second by Don Cvetan to adjourn.

Motion carried.

Being no further business the meeting was adjourned at 4: 47 p.m.