

CITY OF SHEBOYGAN

PLAN COMMISSION

MAY 14, 2019

1. OPENING OF MEETING MEMBERS PRESENT: Don Cvetan, Marilyn Montemayor, Mayor Michael Vandersteen, Ryan Sazama, Jerry Jones, and David Hoffman MEMBERS EXCUSED: Alderperson Jim Bohren STAFF/OFFICIALS PRESENT: Chief of Police Christopher Domagalski, Planning & Development Director Chad Pelishek, and Manager of Zoning & Planning 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.

Introductions were made.

1.4 Identify potential conflict of interest.

No committee member has a conflict of interest with any item on this agenda.

2. MINUTES

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

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

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.1 Conditional Use application by Bryan Evans to operate a multi-tenant facility from 1803 Calumet Drive (former Macco's Floor Covering Center).

Motion by Marilyn Montemayor, seconded by Don Cvetan to approve with the following conditions: 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, demolition, fire, water, sewer, storm drainage, health, etc. Occupancy permits for each tenant will be granted only at such time as the applicant has met all requirements. If reconstructing the parking lot, submittal/approval of a proposed storm drainage plan prior to building permit issuance. If reconstructing the parking lot, submittal and approval of a proposed landscape plan prior to building permit issuance. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.

Applicant will provide plans that show the location of any dumpsters and will provide plans that show how the dumpster is to be screened and enclosed (design, materials, colors, location, etc.). Outdoor storage of materials (pallets) 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 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 will be required to obtain a sign permit for each sign to be installed on the property prior to installation.

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

If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. No temporary signage is permitted (banners, pennants, etc.). Applicant shall paint the weathered area under the old Macco sign to match the color of the rest of the building by June 14, 2019 (front/west wall of north building). Applicant shall remove the graffiti and shall paint to match the color of the rest of the building by June 14, 2019. Applicant shall adequately address storm drainage issues by June 14, 2019 or citations will be issued. 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 and/or closed ingress/egress driveway openings, curb, gutter, sidewalk, storm water, pavement, utilities, retaining walls, street trees, etc.). If applicant proposes to lease space to additional tenants, the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy.

Before any new tenants are issued an occupancy permit, all storm drainage

issues will be required to be rectified (no new tenants until stormwater issue has been adequately resolved). If there are to be any remodel/renovations 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 remodel/renovation. 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. Motion carried.

3.2 Conditional Use and variance application by Paul Weaver permitting Dulmes Decor Carpet One to remodel and operate from the existing facility located at 822 N. 14 th Street (former Richardson Furniture).

Motion by Jerry Jones, seconded by Dave Hoffman to approve with the following conditions: 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, demolition, fire, water, sewer, storm drainage, 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 shall pave the site as proposed or 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 Submittal and approval of a landscape plan prior to building permit issuance.

Landscaping shall be installed prior to issuance of an occupancy permit.

Applicant shall include landscape island in the newly paved parking lot. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.

If staff has any concerns with proposed screenwall/dumpster enclosure design, the matter may be brought back to the Plan Commission for their consideration. Outdoor storage of materials 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 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 work with staff with regards to appropriate signage (wall, roof, etc.).

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. Proposed wall signage will be individual letter signs (no flat panel or interior lit cabinet 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. Fencing 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. 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. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications. Applicant shall reinstall sidewalk along Niagara Avenue and N. 15 th Street to standard City specifications. 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/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 all streets, sidewalks and alleys 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.). Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets. Absolutely no portion of the building and/or site improvements shall cross the property lines including but not limited to buildings, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc.).

Applicant may only do this if the necessary encroachments have been obtained. Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary). Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design. If applicant leases space to additional tenants, the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy (converting to multi-tenant facility). 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. Variances granted: To maintain the existing roof sign.

From the locational landscape requirements. Motion carried.

3.3 Conditional Use and variance application by Paul Weaver to operate the new

Central Tool House multi-tenant facility at 1320 Niagara Avenue (former Boat Doctors facility and Harmony Bar).

Motion by Jerry Jones, seconded 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, health, storm drainage, Sheboygan Floodplain Zoning Ordinance, DNR, Army Corp, 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 is responsible to insure that the proposed buildings are meeting all Federal, State and Local codes pertaining to the Sheboygan River Floodplain. Submittal/approval of a proposed storm drainage plan prior to building permit issuance. Submittal/approval of a landscape plan prior to building permit issuance. The proposed landscape and bufferyard 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. Dumpster(s) shall be screened/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 City of Sheboygan Zoning Ordinance.

There shall be no spillover light onto adjacent streets and/or properties. 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. Proposed wall signage will be individual letter signs (no flat panel or interior lit cabinet 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. Applicant shall remove pylon sign that was previously used by Harmony Bar. 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/retaining wall 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. All areas used for parking or maneuvering of vehicles shall be paved. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc.

Nothing will be located on the City Sheboygan public right-of-way unless the required encroachments are obtained (entrance canopy and signage along Niagara Avenue). 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, pavement, utilities, retaining walls, street trees, etc.). Applicant shall be required to obtain the necessary encroachment to utilize Niagara Avenue public right-of-way for building, signage, etc.. Applicant shall work with City Development and Engineering staff to determine the exact locations of these improvements. No building and/or sign permits shall be issued for any of the structures that will utilize Niagara Avenue until such time as the encroachment has been obtained. 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. Applicant will provide adequate public access along public 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). 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. Applicant shall submit a Certified Survey Map (CSM) that meets the City of Sheboygan Subdivision Ordinance. 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. The applicant may temporarily maintain the existing gravel parking lot and/or provide a temporary parking lot on the east side of the facility.

The applicant shall submit a parking lot design, stormwater plan, landscaping plan, etc. and shall construct the permanent install such parking lot by October 2, 2020. The east parking lot will be constructed on the applicant's property, it shall be permitted two (2) access drives to Niagara Avenue and it shall be curbed. Applicant shall work with the Engineering and Development in terms of

design of the temporary parking lot, sidewalks, etc. All three (3) properties will be required to be the same zone (not a split zoned parcel). Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve all proposed structures Applicant will have an executed developer s agreement prior to building permit issuance. 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: For the parking lot to be temporarily gravel. For paving setback of zero (0) feet. From the parking requirements (approximately 66 spaces). From the locational landscaping requirements. Motion carried.

3.4 R.O. 6 - 19 - 20 and G.O. 1 - 19 - 20 by Alderperson Phillips amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1316 Niagara Avenue from Class Urban Industrial (UI) to Class Urban Commercial (UC).

Motion by Marilyn Montemayor, seconded by Don Cvetan to recommend approval. Motion carried.

3.5 Conditional Use and variance application by Tim Frey to construct and operate Vista Care Community Based Residential Facilities from the vacant and undeveloped Parcel # 59281624220 located west of N.17 th Street between Superior Avenue and Cambridge Avenue.

Motion by Marilyn Montemayor, seconded by Ryan Sazama to approve with the following conditions: 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, fire, health, water, sewer, storm drainage, 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/approval of a landscape plan prior to building permit issuance. The proposed landscape and bufferyard 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. Dumpster(s) shall be screened/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 City of Sheboygan Zoning Ordinance.

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

Applicant shall be permitted to install individual letter signs no cabinet or flat panel signs.

If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. 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/retaining wall 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. All areas used for parking or maneuvering of vehicles shall be paved. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping. If the future development site for buildings 2 and 3 to the north of building 1 are not under construction within one (1) year of approval, the applicant will be required to landscape (grass) this area prior to issuance of an occupancy permit for building 1. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, 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 street improvements, new and/or closed ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, retaining walls, street trees, etc.). 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. Applicant will provide adequate public access along public 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). 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. If the applicant elects to divide the property in the future, the lots shall be designed so the three (3) CBRF facilities are meeting all Urban Residential bulk requirements. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve all proposed structures including but not limited to main building, greenhouse, etc. 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: From the locational landscape requirements. Motion carried.

4. NEXT MEETING

May 28, 2019

5. ADJOURN

5.1 Motion to Adjourn

Motion by Jerry Jones, seconded by Ryan Sazama to adjourn.

Motion carried.

Being no further business the meeting was adjourned at 5: 09 p.m.