

CITY OF SHEBOYGAN

PLAN COMMISSION

FEBRUARY 26, 2019

1. OPENING OF MEETING MEMBERS PRESENT: Ryan Sazama, Jerry Jones, Mayor Michael Vandersteen, Marilyn Montemayor, and Dave Hoffman MEMBERS EXCUSED: Alderperson Jim Bohren and Don Cvetan STAFF/OFFICIALS PRESENT: Planning & Development Director Chad Pelishek, Manager of Planning & Zoning Steve Sokolowski, Superintendent of Parks and Forestry Joe Kerlin, and Business Manager Dawn 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.

Introductions 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 February 12, 2019.

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

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.3 Discussion on conditions of approval for a Conditional Use and variance approved permitting Sheboygan Human Rights Association, Inc. to operate a family support service office at 1706 S. 11 th Street (former St. Andrew Lutheran Church Parsonage).

Motion by Ryan Sazama, seconded by Marilyn Montemayor to approve with the following amended 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, etc.

An occupancy permit will be granted only at such time as the applicant has met all requirements. The applicant shall to construct a concrete ramp with decorative rails that match the colors of the structure.

If staff has any concerns with the handicap ramp design, the matter may be brought back to the Plan Commission for their consideration.

Proposed handicap ramp shall meet all required building codes. If using dumpsters, 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. Outdoor storage of materials, products or equipment shall be prohibited. If applicant installs any new ground level and rooftop mechanicals those 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. Existing fencing is weathered and shall be re-stained a color compatible with that of the primary structure by June 28, 2019.

The maximum sign square footage permitted is four (4) square feet.

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.

If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. This conditional use permit only allows SHRAI to use the structure/property located 1706 S. 11 th Street.

SHRAI may not lease this property to any other tenant, agency, organization,

etc. If SHRAI sells this structure/property located 1706 S. 11 th Street, it shall be sold as a single-family home use only. 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 (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. Motion carried.

3.1 Conditional Use application by Power Pubs, LLC to operate the Sheboygan Biergarten from Area 8 of Kiwanis Park located at 726 Kiwanis Park Road.

Motion by Marilyn Montemayor, 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, fire, water, sewer, storm drainage, health, alcohol, etc. (Applicant shall be in contact with building inspection, fire, police, etc.). Applicant shall obtain the necessary liquor license in order to serve alcohol at the biergarten. Applicant may serve liquor/alcohol at the biergarten if and only if all required liquor licenses are obtained. If required, submittal/approval of a proposed storm drainage plan prior to building permit issuance. 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 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.

There shall be no spillover light onto adjacent properties or the streets. Applicant shall work with staff with regards to appropriate 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. Absolutely no portion of the building and/or site improvements shall cross the ground specifically designated for the Sheboygan Biergarten (buildings, parking, fencing, 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, 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 is responsible for properly maintaining the site/buildings and shall not create any nuisance issues such as garbage, noise, lighting, etc.

At such time as the biergarten no longer operates from this area in Kiwanis

Park (Area 8), the applicant shall restore to its original condition all public property, structures, etc. 60 days after the City is notified that the applicant is no longer proposing to operate the Sheboygan Biergarten from Kiwanis Park.

Such restoration will include but is not limited to the removal of crushed stone, reinstall landscaping, fixing damages structures, etc. Applicant shall also be required to remove any permanent off-premise signage and/or temporary advertising from these parcels within this same 60 day period. Applicant shall meet all obligations of the operating agreement between the City of Sheboygan and Power Pubs, LLC. If there are any amendments to the approved site plan and/or operation of the biergarten, the applicant will be required to submit a new application reflecting those amendments (operating agreement would likely need to be amended as well). Motion carried.

3.2 Conditional Use and variance application by Lamar to replace a static poster panel with a new electronic message center on the south side of the existing single-pole, 2 -sided billboard structure at 924 N. 14 th Street.

Motion by Jerry Jones, seconded by Marilyn Montemayor to approve with the following conditions: Applicant shall obtain the necessary sign permits prior to installation. 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 that will cause nuisances or traffic hazards. In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed

0.30 foot-candles above ambient lighting conditions on a cloudless night. 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. The standard time between message changes permitted for the electronic message center shall be ten (10) seconds (messages permitted to rotate every 10 seconds). Audio speakers and all forms of pyrotechnics are prohibited. If the electronic changeable message billboard is causing interference with traffic signals or controls, creates a confusing or dominating background that might reduce the clarity or effectiveness of a traffic control device, or otherwise obstructs a motorist s line of sight with traffic signals or controls, this conditional use permit can be reviewed by the City of Sheboygan Plan Commission. The continuing operation of a malfunctioning sign that causes and glare shall be considered an immediate traffic hazard.

At such time, the sign shall be turned off immediately and the applicant shall work with City staff to rectify the operational issue to mitigate the hazard prior to operation. The applicant will include a default design to freeze a display in one still position so that if a malfunction occurs traffic safety is maintained. Applicant shall be willing to work with the City when necessary in regards to public service announcement messages such as advertising community messages, events, alerts and warnings. The maximum height of the billboard

shall be 30 feet (peak to grade). Applicant shall remove two poster panel billboards as proposed at 1636 Indiana Avenue.

The two (2) poster panel billboard signs that are to be removed from 1636 Indiana Avenue shall no longer be included in the City of Sheboygan maximum billboard sign number cap (these signs are eliminated from the billboard cap). Applicant shall be responsible for insuring that these exterior building walls at 1636 Indiana Avenue are properly designed/maintained.

If these building walls, property, etc. are in poor shape (have not been properly maintained), Lamar shall be responsible for addressing these property maintenance issue concerns by June 1, 2019.

Any exterior remodeling will match the other building elevations from a design perspective (materials, colors, etc.).

Sign permits shall be issued only at such time as the existing billboards at 1636 Indiana Avenue have been removed as presented and the building elevations of 1636 Indiana Avenue have been properly addressed and approved by the Department of City Development. If there are any amendments to the approved site plan, the applicant will be required to submit a new site plan and/or conditional use application reflecting those amendments. Variance granted: To maintain the existing six (6) foot sign setback from the property line. Motion carried.

4. NEXT MEETING

March 12, 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 4: 35 p.m..