

CITY OF SHEBOYGAN

PLAN COMMISSION

SEPTEMBER 11, 2018

1. OPENING OF MEETING MEMBERS PRESENT: Don Cvetan, Alderperson Jim Bohren, Marilyn Montemayor, Ryan Sazama, Mayor Michael Vandersteen, and Jerry Jones. MEMBERS ABSENT: Bill Thiel STAFF/OFFICIAL PRESENT: Director of Planning & Development Chad Pelishek and Manager of Planning & Zoning Steve Sokolowski

1.1 Call to Order.

Chair Mayor Vandersteen called the meeting to order at 4: 00 p.m.

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 August 28, 2018.

Motion by Marilyn Montemayor, seconded by Ryan Sazama to approve.

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.1 Conditional Use and variance application by Basudev Adhiahri to construct additions to the existing Tidy Store Gas Station/Liquor Store located at 810 N. 14 th Street.

Motion by Marilyn Montemayor, seconded by Alderperon 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, health, alcohol, storm drainage, etc.

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

Landscape plan shall include a legend that shows how the four (4) landscape criteria are being met.

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. Applicant shall obtain all necessary permits for the construction, the storage and the handling of hazardous chemicals and/or fuels (applicant shall be in contact with building inspection, fire department, etc.). Outdoor storage of materials, products or equipment shall be prohibited. Outdoor display of ice, propane, etc. is permitted by the dumpster enclosure or in the rear of the property.

Yearly and/or seasonal outdoor display is not permitted in front of the convenience store, liquor store, restaurant and/or in the fueling island.

These areas must be properly maintained.

Applicant will work with staff on this matter prior to building permit issuance.

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

This includes the new equipment as well as the existing equipment on the south end of the building on the roof of the existing convenience store (facing both south and west).

AC unit to be installed shall be screened.

Kitchen hood shall be concealed (kitchen hood shall not be visible). The uses

shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, 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 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. 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. 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 building and/or site improvements shall cross the property line (buildings, parking, retaining walls, signs, landscaping, 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. 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.). Applicant will provide adequate public access along the streets and the alley and will take all appropriate actions to minimize the time period that these sidewalks/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. Applicant shall properly maintain their landscaping at both of their properties located at 810 N. 14 th Street (convenience store) and 1418 Wisconsin Avenue (single-family dwelling).

Applicant shall remove the weeds, dead plant, etc. and properly maintain all landscape areas around the facility and site. Any future proposal to remodel the existing canopy (including signage) will require submittal of new conditional use and architectural review applications that will need to be approved prior to receiving a building permit for such canopy project. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design. 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. Variances granted: To the rear yard setback. To the parking requirements. From the locational landscape requirements. Motion carried.

3.2 Conditional use and variance application by KCG Development, LLC to construct Badger State Lofts at 1031 Maryland Avenue (Parcel # 505650 - former C. Coakley storage facility).

Motion by Marilyn Montemayor, seconded by Jerry Jones 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, demolition, 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. 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. Landscape plan shall also include the landscaping proposed to be installed within the City of Sheboygan public right-of-way.

This landscaping shall be incorporated into the encroachment required for use and improvement of these public rights-of-ways. If using dumpsters, 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 (site lighting, building lighting, signage, etc.).

There shall be no spillover light onto adjacent properties or the streets. Applicant shall work with staff with regards to appropriate 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. No sign shall be located on the roof of the building. 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 and any drives to be closed or modified shall be improved to standard City specifications. Applicant shall reinstall sidewalk along Illinois Avenue, Maryland Avenue, S. 10 th

Street and S. 11 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 old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, 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. 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.).

Applicant may only do this if the necessary encroachments have been obtained. Applicant shall be required to obtain the necessary encroachment(s) to utilize and improve City of Sheboygan public rights-of-ways (including, but not limited to building, parking, driveway openings, curb, gutter, sidewalk, pavement, utilities, landscaping, etc.).

The applicant shall work with City staff with regards to the specifications that will be required when utilizing/improving these public rights-of-ways.

Use and improvements of these encroachment areas shall be permitted only at such time as the applicant has obtained the necessary encroachment(s) from the City of Sheboygan.

Building permits shall be issued only at such time as all encroachment have been obtained for any of the structures, landscaping, parking, etc. that will utilize City of Sheboygan public rights of ways. 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. If applicant leases space to additional tenants (future commercial tenant), the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design. 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: To the building cover ratio. To have 42 units per acre. To have 118 units on 2.83 acres of land. To have a minimum lot area of 1,034 square feet per unit. To have a building height of 33 to 82 feet. To have a zero foot front/street yard setback along Illinois Avenue, Maryland Avenue, S. 10 th Street, and S. 11

th Street. To have a zero foot paving setback at the southeast corner of the building (patio). From the locational and bufferyard landscape requirements. Motion carried.

3.3 G.O. 15 - 18 - 19 by Alderperson Sorenson amending the City of Sheboygan Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located at 1436 S. 15 th Street (Parcel No. 59281513391) from Class Employment to Class Multi-Family Residential.

Motion by Jerry Jones, seconded by Don Cvetan to recommend approval with the condition that the closing of the purchase and sale of the VanDerVart property from VanDerVart Concrete Products, LLC to Green Street Development, LLC, or related entity, for development of a mixed use project (apartments, commercial, etc.), on or before December 31, 2019.

Motion carried.

3.4 R.O. 108 - 18 - 19 and G.O. 16 - 18 - 19 by Alderperson Sorenson amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of 1436 S. 15 th Street (Parcel No. 59281513391) from Class Urban Industrial (UI) to Class Urban Residential (UR).

Motion by Jerry Jones, seconded by Don Cvetan to recommend approval with the condition that the closing of the purchase and sale of the VanDerVart property from VanDerVart Concrete Products, LLC to Green Street Development, LLC, or related entity, for development of a mixed use project (apartments, commercial, etc.), on or before December 31, 2019.

Motion carried.

4. NEXT MEETING

4.1 September 25, 2018

5. ADJOURN

5.1 Motion to Adjourn

Motion by Jerry Jones, seconded by Alderperson Bohren to adjourn. Motion carried.

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