

CITY OF SHEBOYGAN

PLAN COMMISSION

AUGUST 28, 2018

1. OPENING OF MEETINGMEMBERS PRESENT: Marilyn Montemayor, Ryan Sazama, Mayor Michael Vandersteen, Alderperson Jim Bohren, Don Cvetan and Bill ThielMEMBERS EXCUSED: Jerry JonesSTAFF/OFFICIALS PRESENT: Manager of Planning & Zoning Steve Sokolowski and Planning & Development Director Chad Pelishek

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 has a conflict of interest with any item on this agenda.

2. MINUTES

2.1 Approval of the Plan Commission minutes from August 14, 2018.

Motion by Marilyn Montemayor, seconded by Alderperson Bohren to approve.

Motion carried.

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.1 Conditional Use application by Viand Hospitality, LLC to construct a new outdoor patio and to install a temporary mobile serving station at Parker John s Restaurant located at 705 Riverfront Drive.

Motion by Alderperson Bohren, seconded by Marilyn Montemayor to approve with 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. Applicant is responsible to insure that the proposed building is meeting all Federal, State and Local codes pertaining to the Sheboygan River Floodplain. Applicant shall obtain the necessary liquor license in order to serve alcohol on the new outdoor patio (extension of premises).

Applicant may serve alcohol on the outdoor patio if and only if all required liquor licenses are obtained/amended. Submittal and approval of a storm drainage plan prior to building permit issuance. 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 will be required to obtain a sign permit for each sign to be installed on the property prior to installation.

All signs shall meet the Sheboygan Riverfront Shanty Area guidelines (wood with carved insert letters).

No temporary signage is permitted in the outdoor patio area or on the mobile serving station. Absolutely no portion of the building and/or site improvements shall cross the ground lease 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, river walk, etc.). Applicant will provide adequate public access to the Sheboygan Riverfront Shanty Area (Riverwalk and parking lot facilities) and will take all appropriate actions to minimize the time period that these areas will be closed/affected. Applicant shall be permitted to install the mobile serving station at Parker John s Restaurant on a yearly basis from May 1 to October

31. If any issue(s) arise with the mobile serving station use, the City may again review the conditional use permit. The mobile serving station conditional use permit shall become null and void if Parker John s Restaurant does not install the mobile serving station during a yearly season and/or if Parker John s Restaurant no longer operates from 705 Riverfront Drive (shall not transfer to any new user). Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.

The building shall meet the intent of the Sheboygan Riverfront Shanty Area Guidelines. Applicant will have an executed lease agreement with the City of Sheboygan prior to issuance of a building permit. 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.

3.2 Conditional use and variance application by Project 4 Services, LLC to construct Water s Edge Condominiums on Parcel # 59281500560 (former Richardson Lumber Storage yard along N. 15 th Street).

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 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 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).

Landscape plan shall also incorporate the landscaping to be installed to minimize negative impacts on the single-family residence located at 730 N. 15 th Street.

This landscaping shall be incorporated into the encroachment required for use and improvement of Wisconsin Avenue. 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 for the first 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 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. 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 N. 15 th Street, Niagara Avenue and portions of Wisconsin Avenue, to standard City specifications. Applicant shall be required to obtain the necessary encroachment to utilize and improve Wisconsin Avenue public right-of-way (including, but not limited to parking, driveway openings, curb, gutter, sidewalk, pavement, utilities, landscaping, 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 for any of the structures that will utilize Wisconsin Avenue for access until such time as the encroachment has been obtained. 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 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. Applicant will work with staff with regards to constructing a kayak amenity. 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 Phase 2, 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 Phase

2. 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 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. Variance Granted: To have a zero (0) foot front yard setback along N. 15 th Street. To have a zero (0) foot front/street yard setback along Wisconsin Avenue. To have 18 units per acre. From the locational and bufferyard landscaping requirements. Motion carried.

3.3 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 Don Cvetan, seconded by Bill Thiel to adjourn meeting to the basement of Mead Library for Tornado Warning siren.

Motion carried.

Motion by Don Cvetan, seconded by Bill Thiel to reconvene meeting in basement.

Motion carried.

Motion by Alderperson Jim Bohren, seconded by Bill Thiel to HOLD until next meeting.

Motion carried.

#### 4. NEXT MEETING

4.1 August 28, 2018

5. ADJOURN

5.1 Motion to Adjourn

Motion by Alderperson Bohren, seconded by Ryan Sazama to adjourn.

Motion carried.

Being no further business the meeting was adjourned at 4: 45 p.m.