

CITY OF SHEBOYGAN

PLAN COMMISSION

AUGUST 14, 2018

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

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.

Introduction were made.

1.4 Identify potential conflict of interest.

Alderperson Bohren has a conflict with item 3.2 and will abstain from vote.

2. MINUTES

2.1 Approval of the Plan Commission minutes from July 24, 2018.

Motion by Jerry Jones, seconded by Alderperson Bohren to approve.

Motion carried.

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.1 Conditional Use Permit and variance application by Jerry McCabe to construct and operate a new carryout restaurant and drive thru from 1303 N. 11 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, hazardous materials, DNR, 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 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. Outdoor storage of materials, products or equipment shall be prohibited. Applicant shall remove all miscellaneous materials equipment, debris, etc. from 1303 N. 11 th Street by September 28, 2018.

The applicant needs to be aware of that if all the miscellaneous materials equipment, debris, etc. are not removed from 1303 N. 11 th Street by September 28, 2018, citations will be issued and this matter will be forwarded to the City Attorney for further action. 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 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. The drive-through facility shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.

In no instance shall a drive-through facility be permitted to operate which endangers the public safety. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved 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, street lights, 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 adjacent streets and 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. Absolutely no portion of the new building and/or site improvements shall cross the property line (buildings, parking, retaining walls, signs, landscaping, etc.). If there is an access easement on the north part of 1303 N. 11 th Street property, Mr. McCabe is responsible for maintaining this access for the property owner to the east. Prior to building permit issuance for the 1303 N. 11 th Street project, the applicant shall complete the exterior remodeling at 1035 Michigan. Applicant shall remove the stone above the trellis and replace it with horizontal siding to match the rest of the building. The applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for this project. If there are any amendments to the approved conditional use/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments. Variances granted: From locational landscape requirement. Each drive-up lane shall have a minimum stacking length of 100 feet before the pass through window and 40 feet beyond the pass through. Motion carried.

3.2 Conditional Use and variance application by James Klunck to construct a building addition at Klunck Masonry located at 1422 S. 15 th Street

Motion by Jerry Jones, 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, fire, health, water, sewer, storm drainage, hazardous materials, etc.

An occupancy permit will be granted only at such time as the applicant has met all requirements. 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/police departments, etc.). Applicant shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc. 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 (applicant shall meet the landscape point requirements).

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.

Outdoor storage of materials, products or equipment shall be prohibited. Applicant shall maintain all of his vehicles, materials, equipment, etc. on his property or inside his building and not on S. 15 th Street. 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. 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 or modified ingress/egress driveway openings and any existing driveways to be closed shall be improved to standard City specifications. Applicant will provide adequate public access along the street will take all appropriate actions to minimize the time period that these streets will be closed/affected. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant. 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. 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.). 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 expand a legal nonconforming use To have a building setbacks of eight (8) feet along north property line, six (6) feet along the west property line, and 5.5 feet along the south property line. From the location landscaping requirements Motion carried (5 - 0 - 1 abstained: Bohren).

3.3 Conditional Use and variance application by DeLeers Construction to construct Trinity Medical Complex on Superior Avenue just south of N. 35 th Street (Parcel # 215910).

Motion by Jerry Jones, seconded by Alderperson Bohren 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.

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 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. 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. 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. 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 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 streets and interior roads 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). 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. Future shed/garage facility shall be designed to match the main Trinity Medical Complex building in terms of design, colors, materials, etc.

If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. Prior to building permit issuance, the applicant is responsible for providing all shared agreements/easements between the subject property and adjoining properties including but not limited to ingress/egress, parking, stormwater facilities, utilities, etc. The applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for this project. 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 have a sideyard paving setback of zero (0) feet. From the locational landscaping requirements. Motion carried.

3.4 Site Plan Application by HSHS St. Nicholas Hospital to modify sections of their existing parking lot and access drives at 3100 Superior Avenue.

Motion by Jerry Jones, 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, fire, water, sewer, storm drainage, health, 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 proposed landscape 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 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.

In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.50 footcandles. 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. Applicant shall meet the minimum required paving setback of 10 feet for all new areas to be paved. Any new ingress/egress driveway openings and any driveways to be closed or modified shall be improved 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.). Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications. 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. 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.

3.5 Landscape Ordinance Discussion

Jerry Jones commented that he has seen other communities try to prohibit stone and it has not worked.

It doesn't matter if it is rock or mulch, it is a matter of how it is maintained.

He has seen both mulch and stone have weeds in them. It should be left up to the property owner and staff as to what works for the development.

Ryan Sazama stated that you will notice a lot of the newer buildings are using both.

They put the stone right around the building for drainage reasons and then continue with mulch for the rest of the bed.

Also rain gardens need stone which is something that is become more popular and are great for drainage.

Alderman Bohren mentioned that he agrees with the discussion and since there appears to be no concerns with stone it should remain as is.

Don Cvetan stated that if the stone or mulch is installed properly you wouldn't have an issue with weeds.

Marilyn Montemayor commented that she really likes the idea of rain gardens and their use of stones.

Also she stated she is in support of stone as an option.

The consensus of the commission was to leave things as they are and not recommend drafting an ordinance amendment prohibiting stone and only allowing mulch.

The commission stated that it should be up to the property owner to install what works for the property from an aesthetic and drainage perspective.

4. NEXT MEETING

Next meeting will be August 28, 2018.

5. ADJOURN

5.1 Motion to Adjourn

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

Motion carried.

Being no further business the meeting was adjourned at 4: 33 p.m.