

CITY OF SHEBOYGAN

PLAN COMMISSION

AUGUST 15, 2017

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

Chair Mayor Michael Vandersteeen called the meeting to order.

1.1 Pledge of Allegiance

The Pledge of Allegiance was recited.

2. ITEMS FOR ACTION

2.1 Identify potential conflict of interest.

No committee member had a conflict with any item on the agenda.

2.2 Approval of the Plan Commission minutes from July 25, 2017.

Motion by Jerry Jones, seconded by Marilyn Montemayor to approve.

Motion carried.

2.3 Conditional Use and variance application by Lakeshore Community Health Care to construct a new detached garage/storage building at 1714 Cambridge.

Motion by Alderperson John Belanger, 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, demolition, 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 in a clean and dust free condition if construction of the garage does not take place immediately (grass). Submittal/approval of a proposed storm drainage plan prior to building permit issuance. Submittal/approval of a landscape plan prior to building permit issuance. Dumpsters shall be screened/enclosed and constructed of like materials and colors of the facility. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite, etc.). Outdoor storage of materials, products 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. 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. Applicant shall obtain the necessary sign permits prior to installation. Proposed signage will be individual letter signs (no flat panel or interior lit cabinet signs). 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. 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 adjacent streets and the alley and will take all appropriate actions to minimize the time period that these sidewalks/streets will be closed/affected. 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 new building, signs and/or site improvements shall cross the property line (buildings, parking, retaining walls, signs, landscaping, etc.). All miscellaneous construction/storage trailers, equipment, materials, etc. shall be removed from the south parking lot by November 3, 2017. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve all proposed structures. If there are any amendments to the conditional use permit and/or site plan, the applicant will be required to submit a new conditional use application reflecting those amendments. Variance Granted: From the locational landscaping requirements For a front yard building setback of 12 feet. Motion carried.

2.4 Conditional Use and variance application by Meijer Stores Limited Partnership to construct a new Meijer Store with fueling station at 3347 Kohler Memorial Drive (former Memorial Mall property).

Motion by Alderperson John Belanger, seconded by Jerry Jones 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, demolition, storm drainage, DNR, health, liquor, 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. 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.). Submittal/approval of a proposed storm drainage plan prior to building permit issuance. If different properties are sharing these stormwater facilities, the proper agreements/easements shall be officially documented 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).

If installing landscaping on other properties, those property owners understand that they are responsible for the upkeep and maintenance of said landscaping. If the future development site to the south of the Meijer store is not immediately going to be under construction, the applicant will be required to landscape (grass) this area prior to issuance of an occupancy permit for the Meijer Store. All dumpster(s) and compactors shall be screened/enclosed and constructed of like materials and colors of the Meijer facility Provide screening on the northeast corner of Bed, Bath and Beyond by compactor and dumpster area (this can be completed with building structures, landscaping, etc.). Plans will be forwarded to City Development staff for review/approval. Outdoor storage of materials, products or equipment shall be prohibited. Outdoor display is permitted in the parking lot island area adjacent to the pharmacy drive-up/east of the garden center and shall include garden center related products only. The outdoor display in this area will not cause any pedestrian and/or vehicular conflicts due to visibility issues, its location, etc. Outdoor display of ice and propane is permitted at the fueling station by the dumpster enclosure and will have the screen wall as proposed by the applicant. Seasonal outdoor display is not permitted in front of the convenience store or in the fueling island as depicted on the site plan. Applicant shall install the ornamental fence as depicted in the approved site plan for the Garden Center. Applicant is required to submit specific fence details to staff. If staff has any concerns with the fence design, the matter may be brought back to the Plan Commission for their consideration. Fence shall be installed per Section 15.720 (3)(c) of the City of Sheboygan Zoning Ordinance. 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. Absolutely no portion of the new building and/or site improvements shall cross the property line (buildings, parking, retaining walls, signs, landscaping, utilities, etc.). Onsite sidewalk shall be installed as depicted on site plan. Applicant 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 and/or Architectural Review Board for their consideration. Applicant shall be permitted a 54 foot tall pylon sign along HWY 23 /Kohler Memorial Drive (northeast corner of the property). Applicant shall be permitted a 30 foot tall pylon sign along S. Taylor Drive (east property line). The Taylor Drive pylon sign may be utilized by the other properties in this redevelopment site. Only these properties are permitted to utilize advertising space on this pylon sign. All freestanding signs shall meet the 12 foot sign setback to the property line. Applicant shall remove all existing Memorial Mall signage including but not limited to the pylon signs on Kohler Memorial Drive and Taylor Drive, all directional signage, etc. No sign shall be located on the roof or the top horizontal plane of the fueling canopy. The total height of any overhead canopy shall not exceed 21 feet as measured to the highest part of the structure. 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 parking lot and drive-through facilities shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts. Any new or modified ingress/egress driveway openings shall be improved to standard City specifications. All existing access drives on 36 th Street shall be removed and all unused driveways shall be closed and improved to standard City specifications. Applicant shall replace all street trees that are required to be removed. 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 adjacent streets and interior road system and shall 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 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. Any future development on any of the other newly created lots will require a separate conditional use permit review/approval. 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/or creating the parcels 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 and addresses all issues including but not limited to dedications, creation of new utility easements, access and parking easements, stormwater, etc. Prior to building permit issuance, the applicant is responsible for providing all shared agreements/easements between Meijer and adjoining properties including but not limited to ingress/egress, parking, stormwater facilities, utilities, etc. Building permits shall be issued only at such time as the that the CSM has been officially recorded and that Meijer owns the new lot that they propose to develop.

The applicant shall officially record the Certified Survey Map (the lots shall be formally created and owned by Meijer) by no later than December 22, 2017. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve all proposed structures. 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 exceed .5 footcandles at the property line From the locational landscaping requirements For a

landscape bufferyard of

7.8 feet to

11.6 feet along N. 36 th Street From landscape ratio requirements For a gas canopy height of 21 feet For four (4) banners that are 260 sf (4 x 65) and are proposed to be located on the construction fence for the length of the construction project To permit off-premise signage on the Erie Avenue monument sign To permit off-premise signage on the Taylor Drive pylon sign For a pylon sign height of 54 feet tall For 11 wall signs From the minimum drive-thru stacking length. Motion carried (6 - 0 - 1 abstained: Thiel).

2.5 Site plan application by Vinton Construction Company to operate a temporary mobile crusher on the Van Der Vaart property located at 1436 S. 15 th Street.

Motion by Alderperson John Belanger, seconded by Don Cvetan to approve with the following conditions: Applicant shall obtain all permits necessary to operate the mobile crusher including but not limited to building, electrical, plumbing, HVAC, water hook up permits, storm water, erosion control, WI DNR, etc. Applicant shall not create any nuisances to the surrounding neighborhood due to the operation of the mobile crusher including but not limited to noise, dust, traffic, tracking of materials, etc. Applicant shall operate mobile crusher per City of Sheboygan Municipal Ordinance pertaining to hours of operation. Applicant shall immediately clean any and all sediments, materials, tracking, dust, etc. that may be spilled off-site on private or public lands (streets, public right-of-ways, etc.). Roadbeds, drainage facilities, and associated roadway infrastructure damaged and/or disturbed during construction/operation shall be promptly repaired by the applicant. All trucks transporting materials shall use designated City truck routes. Applicant shall remove the temporary mobile crusher from the site and shall restore the property to its pre-existing condition by December 15, 2017. Motion carried.

3. ADJOURN

3.1 Motion to Adjourn

Motion by Jerry Jones, seconded by Bill Thiel to adjourn.

Motion carried.

Being no further business the meeting was adjourned at 4: 32 p.m.

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