

CITY OF SHEBOYGAN

PLAN COMMISSION

APRIL 11, 2017

1. OPENING OF MEETING MEMBERS PRESENT: Mayor Michael Vandersteen, Don Cvetan, Ryan Sazama, Todd Wolf, Alderperson John Belanger, and Marilyn Montemayor MEMBERS EXCUSED: Jerry Jones STAFF/OFFICIALS: City Administrator Darrell Hofland, Finance Director Nancy Buss, Planning and Development Director Chad Pelishek, Manager of Planning and Zoning Steve Sokolowski, and Alderperson Mark Hermann

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

1.1 Pledge of Allegiance

2. ITEMS FOR ACTION

2.1 Identify potential conflict of interest.

No committee member has a conflict of interest with items on this agenda.

2.2 Approval of the Plan Commission minutes from March 28, 2017.

Motion by Alderperson Belanger, seconded by Todd Wolf to approve the minutes.

Motion carried.

2.3 Tax Incremental District Number 13 Project Plan Hearing

No one requested to speak.

Motion by Alderperson Belanger, seconded by Todd Wolf to close the public hearing.

Motion carried.

2.4 Conditional Use and variance application by Acuity to install a new

freestanding electronic message center sign at 2800 S. Taylor Drive.

Motion by Todd Wolf, seconded by Don Cvetan to approve with the following conditions: Applicant shall obtain the necessary sign permits prior to installation. The maximum height of the structure shall be 34 feet (peak to grade). 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. In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.30 footcandles 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 minimum standard time between message changes permitted for the electronic message center face shall be ten (10) seconds (messages permitted to rotate every 10 seconds). Audio speakers and all forms of pyrotechnics are prohibited. If the electronic message center 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 so as 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 will be willing to work with the City when necessary with regards to public service announcement messages such as Amber alerts, emergency weather issues, etc. This conditional use permit may be reviewed again in six (6) months if it is determined that the electronic message center is creating traffic/public safety or other nuisances by possibly increasing the number of vehicle crashes in the area or by increasing the number of complaints received from residents in the area. Variance Granted: To have a 1,700 square feet (34 x 50) free standing sign (sign as depicted on the approved specification drawings) - maximum freestanding sign permitted is 250 square feet. Motion carried.

2.5 Conditional Use Permit by Jefferson Elementary School to renovate the existing playground at 1538 N. 15 th Street.

Motion by Alderperson Belanger, seconded by Todd Wolf to approve with the following conditions: Prior to operation/occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, hazardous materials, 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. 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 properties and/or streets. All areas used for parking and 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 the public streets and will take all appropriate actions to minimize the time period that these streets will be closed/affected. 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. Motion carried.

2.6 Conditional use, variance and Certified Survey Map application by Commerce State Bank to construct a new bank with drive thru at the northeast corner of N. 23 rd Street and Kohler Memorial Drive (Parcel # 206640 and 206650).

Motion by Alderperson Belanger, seconded by Todd Wolf 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 provide a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan). Dumpster(s) shall be screened and 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 spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity. Applicant shall obtain the necessary conditional use/sign permits prior to installation. Applicant shall be permitted to install individual letter signs only no cabinet signs are permitted. 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. The development shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts. 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. 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 Kohler Memorial Drive, N. 23rd Street and the shared access drive 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). The Certified Survey Map (CSM) will be reviewed if and only if the Plan Commission approves the conditional use permit. The proposed CSM will exactly match the approved site plan/property layout. Applicant shall submit a Certified Survey Map (CSM) that meets the City of Sheboygan Subdivision Ordinance. The proposed Certified Survey Map (CSM) shall show all shared agreements between proposed Lots 1 and 2 (parking, access, etc.). Prior to building permit issuance, the applicant will provide all shared agreements between proposed Lot 1, Lot 2, 2108 Kohler Memorial Drive, 2124 Kohler Memorial Drive (parking, access, etc.). Building permits will be issued only at such time as the that the CSM has been officially recorded and that Commerce State Bank has officially acquired the new lot that has been created. 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. Variance Granted: To have a zero (0) foot sideyard paving setback along the east side of the property (north and south access drives). To create a parcel without public street access. To exceed the .5 footcandles at the southeast property line. To the locational landscaping requirements. Motion carried.

2.7 Conditional Use and variance application by Walmart to add a new delivery service and new signage at 3711 S Taylor Drive.

Motion by Alderperson Belanger, seconded by Todd Wolf 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, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements. 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. 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 obtain the necessary sign permits for each sign permit to be installed prior to installation. Applicant shall be permitted to install individual letter signs no cabinet or panel signs. Applicant shall remove the existing Outdoor Living sign located at the southwest corner of the west wall and shall patch and repair the wall as needed utilizing finishes that match the existing building. If the existing screened compactor is removed, the applicant shall patch and repair the wall/area as needed utilizing finishes that match the existing building. 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. 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. Variance granted: To install additional wall and freestanding signage. Motion carried.

2.8 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 Alderperson Belanger, seconded by Todd Wolf to hold until next meeting.

Motion carried.

2.9 Resolution approving an amendment to the Project Plan for Tax Incremental District 13, City of Sheboygan, Wisconsin.

Motion by Todd Wolf, seconded by Alderperson Belanger to approve the resolution.

Motion carried.

2.10 Final Plat Approval for Aspen Trail Estates in the Town of Sheboygan

Motion by Alderperson Belanger, seconded by Todd Wolf to approve.

Motion carried.

3. ADJOURN

3.1 Motion to Adjourn

Motion by Alderperson Belanger, seconded by Todd Wolf to adjourn.

Motion carried.

Being no further business, the meeting was adjourned at 4: 41 p.m.

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