

CITY PLAN COMMISSION - 4 PM **AMENDED** (Tuesday, May 24, 2016)Generated by Janet Duellman on Wednesday, May 25, 2016

1. OPENING OF MEETINGPresent: Ald. John Belanger, Ryan Sazama, Don Cvetan, Todd Wolf, Mayor Vandersteen, and Marilyn MontemayorExcused: Jerry JonesStaff: Steve Sokolowski, Chad Pelishek, Darrell Hofland, and Janet M Duellman

1.1 Pledge of Allegiance

2. ITEMS FOR ACTION

2.1 Approval of the Plan Commission minutes from May 10, 2016.Todd Wolf moved to approve, Ald. John Belanger seconded.

Motion passed unanimously.

2.2 Conditional Use and variance application by Doyle Sign, Inc. to install temporary banners at Aldi s located at 919 S. Taylor Drive.Ald. John Belanger moved, Don Cvetan seconded to approve with the following conditions:

The banner shall be appropriately maintained in a professional appearance. The free standing temporary sign shall be located on the Aldi s property and shall not create any pedestrian and/or vehicular conflicts. All temporary signage shall be removed by December 31, 2016. If applicant proposes to install any banners in the future, they will be required to obtain the necessary permits to do so.

Variance Granted: To install a temporary advertising banner for more than 30 days. To install two, 120 sf banners.

Motion passed unanimously.

2.3 Conditional Use application by Aurora Health Care to remodel and operate Aurora Behavioral Health Center from 1221 N. 26 th Street.Ald. John Belanger moved, Todd Wolf seconded 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, health, etc.

An occupancy permit will be granted only at such time as the applicant has met

all requirements. Submittal and approval of a proposed landscape plan prior to building permit issuance.

Submittal and approval of a proposed storm drainage plan prior to building permit issuance. All existing dumpster(s) on the east side of the facility 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, satellite dishes, 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. 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. Applicant shall obtain the necessary sign permits prior to installation.

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 N. 25 th and N. 26 th Street and will take all appropriate actions to minimize the time period that these sidewalks/streets will be closed/affected. If there are any amendments to the approved use and/or site plan, the applicant will be required to submit a new site plan and/or conditional use application reflecting those amendments.

Motion passed unanimously.

2.4 Conditional Use and variance application by Bridgestone Retail Operations to construct a new Firestone Auto Care Facility on Parcel Number 431739 (Washington Square Outlot - Washington Avenue).Ald. John Belanger moved, Todd Wolf seconded 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 and 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). Applicant shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc. 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, satellite dishes, 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. Applicant shall obtain the necessary sign permits prior to installation. 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. Applicant shall obtain the necessary sign permits prior to installation. Applicant shall be permitted to install individual letter signs only on the structure to match the signs in the Washington Square Development no cabinet signs are permitted.

Applicant may work with staff provided signs meet zoning ordinance requirements. Applicant shall be permitted a freestanding monument sign(s) for the site.

Minimum setback of a monument sign is 12 feet.

Maximum height of the monument sign is 8 feet. 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 Washington Avenue, S. Business Drive II and the Washington Square frontage roads 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. The applicant is responsible for and will work with the City Engineering Department with regards to the public sidewalk to be installed in the Washington Avenue public right-of-way adjacent to the Firestone property.

At such time as the public sidewalk is installed in the Washington Avenue public right-of-way, the applicant shall be required to install a private sidewalk from the front entrance door to the public sidewalk.

Applicant shall install the private sidewalk 60 days after the public sidewalk has been installed.

Variance Granted: Requesting a variance from the locational landscaping requirements.

Motion passed unanimously.

2.5 Conditional Use Permit, Variance and Certified Survey Map application by Cave Enterprises, LLC to construct a new Burger King on Parcel Number 431754 (Washington Square Outlot S. Business Drive). Ald. John Belanger moved, Don Cvetan seconded 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 and 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, satellite dishes, 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 on the structure to match the signs in the Washington Square Development no cabinet signs are permitted.

Applicant may work with staff provided signs meet zoning ordinance requirements. 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 S. Business Drive, Wilson Avenue and the Washington Square frontage roads and will take all appropriate actions to minimize the time period that these streets will be closed/affected. 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 parking, access, signage, etc. agreements between proposed Lots 1 and

2. Building permits will only be issued at such time as the applicant can provide documentation from Sheboygan County that the CSM has been officially recorded and the applicant can demonstrate that they are the owner of newly created lot. 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 create parcels that are .72 acres (Burger King) and .78 acres (multi-tenant facility). Applicant is proposing a sideyard paving setback of

2.8 feet for the Burger King Parcel. Applicant is proposing a sideyard paving setback 0 feet for the multi-tenant parcel. To permit the multi-tenant facility to have an off-premise sign on the Burger King Property that is 4.8 feet from the property line. Requesting a variance from the locational landscaping requirements.

Motion passed unanimously.

2.6 Conditional Use Permit, Variance and Certified Survey Map application by KVG Building to construct a new Harbor Freight building addition to Memorial Plaza located at 3424 Kohler Memorial Drive. Todd Wolf moved to hold until all items have been addressed, Ald. John Belanger seconded.

Motion passed unanimously.

2.7 Conditional Use and variance application by SMET Construction to construct a new parking lot for Starbucks located at 1026 N. 14 th Street. Todd Wolf moved, Marilyn Montemayor seconded 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, driveway, etc. Submittal and 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 all the required bufferyard requirements except for the setback distance variance of 10 feet. Applicant shall install six (6) foot high solid vinyl fence along the west property line.

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/landscaping at the southwest and northwest corners of the site shall be no higher than four (4) feet high and 50 % opaque for a distance of 10 feet from the street property lines.

Fence shall be installed per Section 15.720 (3)(c) of the City of Sheboygan Zoning Ordinance.

Dumpster enclosure shall be reconstructed to match the existing materials/colors. 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, satellite dishes, etc.). 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. 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. The parking lot 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 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.). All vehicles, equipment, materials, products, etc. used during construction shall be located on the Starbucks property (no storage on public rights-of-way without proper permits). Applicant will provide adequate public access along Ontario Avenue, Erie Avenue and N. 14 th Street 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 and/or site improvements shall cross the property line (buildings, parking, retaining walls, signs, landscaping, etc.). Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation. Applicant shall obtain all necessary razing permits for all structures to be demolished.

Once the existing homes have been demolished, the applicant will maintain the site(s) in a clean and dust free condition. Building permits shall be issued only at such time as the applicant can provide recorded documentation from Sheboygan County that the three (3) parcels have been combined into one (1) lot as depicted on the approved site plan and that Lag Investments II, LLC owns the parcel. The Conditional Use Permit is approved if and only if the approved site plan and proposed lot exactly match the parcel to be created.

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: Applicant is proposing a street yard paving setback of 0 feet along the south property line. Requesting a variance from the locational landscaping requirements. Requesting a variance to have a 10 foot bufferyard setback.

Motion passed unanimously.

2.8 Site Plan application by Ideas Academy of the Sheboygan Area School District to construct a portable shelter at the Habitat Restore located at 1911 N. 8 th Street. Todd Wolf moved, Don Cvetan seconded to approve with the following conditions:

Outdoor storage of materials, products or equipment shall be prohibited.

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 will provide adequate public access along N. 8 th Street and will take all appropriate actions to minimize the time period that the parking lot, sidewalks, streets, etc. will be closed/affected. Applicant shall not create any nuisances to the surrounding neighborhood due to the construction of the portable shelter. The parking lot facilities shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts. Applicant shall remove portable shelter and all miscellaneous equipment, trailers, materials, etc. by no later than September 2, 2016.

3. ADJOURN

3.1 Motion to AdjournAld. John Belanger moved to adjourn, Todd Wolf seconded.

Motion passed unanimously. Being no further business the meeting was adjourned at 5: 00 pm