

CITY PLAN COMMISSION - 4 PM (Tuesday, April 26, 2016)Generated by Janet Duellman on Wednesday, April 27, 2016

1. OPENING OF MEETING

Present:

Mayor Vandersteen, Jerry Jones, Ald. John Belanger, Todd Wolf, and Don CvetanExcused: Marilyn Montemayor and Ryan SazamaStaff: Steve Sokolowski, Chad Pelishek, and Janet M Duellman

1.1 Pledge of Allegiance

2. ITEMS FOR ACTION

2.1 Approval of the Plan Commission minutes from April 12, 2016.Ald John Belanger moved to approve, Todd Wolf seconded.

Motion passed unanimously.

2.2 Election of Vice ChairpersonAld. John Belanger nominated Jerry Jones, Don Cvetan seconded.

No other nomination were made.Ald. John Belanger moved to approve Jerry Jones as Vice Chairperson, Todd Wolf seconded.

Motion passed (4 - 0 - 1 abstained: Jones)

2.3 Conditional Use Permit and Variance Application by Little Caesar s to construct a new drive thru and operate from the new multi-tenant building located at 2932 S. Business Drive.Ald. John Belanger moved, Jerry Jones seconded to approve with the following conditions: Prior to construction, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, health, etc.

An occupancy permit shall 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.

Applicant will need to relocate the landscaping impacted by the construction of the new drive thru. Submittal and approval of a proposed 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, 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. 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.

New drive thru needs to be properly signed. 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 site plan, the applicant will be required to submit a new conditional use application reflecting those amendments. Variance Granted: Requesting a variance from the locational landscaping requirements - Applicant shall meet the four (4) locational landscaping requirements. Motion passed unanimously.

2.4 Conditional Use Permit and Variance Application by Basudev Adhiahri to construct and operate a new convenience store/gas station from 2206 N. 15 th Street. Ald. John Belanger moved, Don Cvetan 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, alcohol, storm drainage, etc.

An occupancy permit will be granted only at such time as the applicant has met all requirements. Applicant may only sell beer/alcohol if and only if all required beer/liquor licenses are obtained (2 nd tenant may be a liquor store). 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 install a fence or landscaping along the entire north property line to buffer the convenience store/gas station from the house.

Applicant will work with staff with regards to this buffer requirement.

Staff may bring the proposed buffer design back to the Plan Commission for review/approval. If a fence is to be installed it shall be at a minimum a shadow

box style fence and it shall be installed per Section 15.720 (3)(c) of the City Zoning Ordinance. Fence/landscaping at the northeast and southwest 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. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.

If using chain link fencing, the applicant shall install Privacy Decorative Slating (PDS) material in order to effectively screen and enclose these mechanical units. 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.). 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.). The uses shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, 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. All areas used for parking or maneuvering of vehicles shall be paved.

Minimum paving setback to the property line is 5 feet. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation. Applicant shall be permitted a free standing monument sign.

The maximum height of the monument sign is 8 feet and the minimum setback for the monument sign is 12 feet. Monument sign shall be located outside of the required 15 foot vision triangle. No sign shall be located on the roof or the top horizontal plane of the canopy. The total height of any overhead canopy shall not exceed 20 feet as measured to the highest part of the structure. Canopy structure shall meet the minimum setback of 10 feet to the property line. The applicant shall be permitted a total of 2 driveways/curb cuts 1 on N. 15 th Street and 1 on Geele Avenue.

The maximum curb cut width permitted is 40 feet wide.

Applicant will work with staff on the best placement of the curb cuts. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.

Absolutely no portion of the new building and/or site improvements shall cross the 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, etc.). Applicant will provide adequate public access along Geele Avenue and N. 15 th Street and will take all appropriate actions to minimize the time period that these sidewalks/streets will be closed/affected. 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. Building permits shall be issued only at such time as the applicant can provide recorded documentation from Sheboygan County that the 5 parcels have been combined into one (1) lot as depicted on the approved site plan and that Basudev Adhiahri owns the parcel. Variance Granted: Requesting a variance to have a total of 11 parking spaces Minimum number of parking spaces required is 17. Requesting a variance from the locational landscaping requirements - Applicant shall meet the four (4) locational landscaping requirements. Motion passed unanimously.

2.5 Conditional Use and Variance Application by Jerry McCabe to construct and operate a new carryout restaurant and drive thru from 1303 N. 11 th Street Ald. John Belanger moved, Jerry Jones 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, DNR, 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. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.

If using chain link fencing, the applicant shall install Privacy Decorative Slatting (PDS) material in order to effectively screen and enclose these mechanical units 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 July 1, 2016.

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 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. Applicant shall obtain the necessary sign permits prior to installation. 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, etc.). Applicant will provide adequate public access along Michigan Avenue and N. 11 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.). If there is an official 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. 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. Variance Granted: 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 passed unanimously.

3. ADJOURN

3.1 Motion to Adjourn Jerry Jones moved to adjourn, Ald. John Belanger seconded.

Motion passed unanimously. Being no further business the meeting adjourned at 4: 44 pm.