

CITY PLAN COMMISSION - 4 PM (Tuesday, November 10, 2015) Generated by Janet Duellman on Wednesday, November 11, 2015

1. OPENING OF MEETING Present: Marilyn Montemayor, Jerry Jones, Ryan Sazama, Todd Wolf, Mayor Michael Vandersteen, and Ald. John Belanger Excused: Don Cvetan Staff: Chad Pelishek, Steve Sokolowski, and Janet M Duellman

1.1 Pledge of Allegiance

2. ITEMS FOR ACTION

2.1 Approval of the Plan Commission minutes from October 27, 2015. Todd Wolf moved to approve, Jerry Jones seconded. Motion passed unanimously.

2.2 Conditional use permit and variance application by Colortech of Wisconsin to install a new monument sign with an electronic message center for the Sheboygan Theater Company at Horace Mann Middle School located at 2820 Union Avenue. Ald. John Belanger moved, Jerry Jones seconded to approve with the following conditions: Applicant shall obtain all necessary sign permits prior to installation. 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.

There shall be no spillover light onto adjacent properties or the streets. The sign shall meet the minimum 12 foot setback from the property line (closest edge of sign to property line).

It is the responsibility of the applicant to insure the sign meets the required 12 foot sign setback. The maximum height of the sign shall be 10 feet (top of sign to grade). Sign location shall not create any pedestrian/vehicular conflicts. Due to the number of messages the electronic readerboard can advertise, the applicant will be required to remove all temporary banners at the site. Variances Granted: Applicant is requesting a 65 sf sign - Maximum permitted sign area in a residential zone is 24 sf. Applicant is requesting to install a 10 foot tall monument sign - Maximum permitted sign height is 8 feet tall. Motion passed unanimously.

2.3 Conditional Use Permit and variance by Marc Elher to operate BoMallies Restaurant and Bar from 2427 Calumet Drive (Salon Shibui facility). Jerry Jones moved, Ryan Sazama seconded to approve with the following conditions: Prior to construction and operation, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, health, food, alcohol, occupancy, etc.

An occupancy permit will be granted only at such time as the applicant has met all requirements. Applicant shall obtain the necessary liquor license in order to serve alcohol in the new restaurant, bar and outdoor patio area.

Applicant may serve alcohol in the outdoor patio if and only if all required liquor licenses are obtained (extension of premises). Applicant shall obtain the necessary conditional use/sign permits prior to installation.

Applicant shall work with staff with regards to constructing a well-designed sign for the site that utilizes colors and materials similar to the building. If a dumpster is used, the 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 the tanks. 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 (especially residential properties). 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. Prior to selling any of the presently owned parcels, the applicant shall provide a recorded agreement that permits the businesses at 2427 Calumet Drive to continue utilizing 2419 and 2435 Calumet Drive for parking and/or dumpster enclosure purposes (if properties are sold to a new owner). New fencing shall be installed per Section 15.720 (3)(c) of the City of Sheboygan Zoning Ordinance.

Applicant shall install a shadow box style fence. The fence on 2419 and 2435 Calumet Drive shall be no higher than four (4) feet high and 50 % opaque from the front of the single-family dwelling to the Calumet Drive property line (the front yard).

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.). 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 (such as demolishing a house, adding new parking, adding additional restaurant space in the facility, etc.). Variance Granted: To have 26 parking stalls minimum number of parking stalls required is 37. Motion passed unanimously.

2.4 Conditional Use, variance and CSM application by LJM Architects to

increase the lot size and construct a new building addition at El Durnago Market located at 1035 Indiana Avenue and to decrease the lot size of the single-family home lot located at 1113 S. 11 th Street. Ald. John Belanger moved, Todd Wolf seconded to approve with the following conditions: Prior to issuing a 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. 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/enclosed and constructed of like materials and colors of the facility.

Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the first apartment building to be occupied. 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.). 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. 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. Absolutely no portion of the new building and other site improvements shall cross the property line including but not limited to balconies, decks, foundation, walls, gutters, eaves, roof, signs, landscaping, 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 (including, but not limited to, new and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, etc.). 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) creating the two parcels as proposed.

No building permits shall be issued until such time as the applicant can show City staff that the CSM has been officially recorded by Sheboygan County. City Development staff will sign the proposed CSM only if the proposed CSM exactly matches the approved site plan/property layout (all existing and proposed structures, setbacks, dimensions, etc. shall be shown on CSM).

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. Prior to building permit issuance, the City

of Sheboygan Architectural Review Board shall review/approve all structures including the apartment buildings, the garages, the clubhouse, 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. Variance Granted: To construct a new building with a zero (0) foot setback minimum rear yard setback for a commercial building is 10 feet. To permit an existing single-family dwelling to have a 3 foot setback to the north side lot line minimum side yard setback is 10 feet. To reduce the size of an existing legal nonconforming single-family lot to 3,840 sf Minimum single-family lot is 6,000 sf. Motion passed unanimously.

2.5 Site Plan Application by Dr. Naline Rajamannan to operate Sacred Heart of Jesus Cardiology and Valvular Institute at 703 N. 8 th Street. Jerry Jones moved, Ald. John Belanger 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, health, 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, 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. Applicant shall obtain the necessary sign permits prior to installation (the sign shall meet the Downtown Sheboygan design requirements). If there are to be any renovation to the exterior of the facility, the applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for such renovation. 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 (5 - 1 Nay:Mayor Vandersteen)

2.6 Site Plan application by ACE Building Service to construct a new building addition at Torginol located at 4617 S. Taylor Drive. Ald. John Belanger moved, Todd Wolf 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, 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 of the tanks as well as all necessary permits for the storage of hazardous chemicals (applicant shall be in contact with building inspection, fire department, etc.). 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. Dumpsters shall be screened and 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 the dumpster. 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. 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 addition will meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc. A sign permit shall be obtained prior to installing signage on the site.

Signage must be reviewed and approved by the City of Sheboygan Architectural Review Board as required by the protective covenants of the Sheboygan Business Park. 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. Applicant will provide adequate public access along Weeden Creek Road, S. Taylor Drive and Concord Drive and will take all appropriate actions to minimize the time period that these sidewalks and 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. 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 shall meet all Sheboygan Business Park Protective Covenants. 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. Motion passed unanimously.

### 3. ADJOURN

3.1 Motion to Adjourn Jerry Jones moved to adjourn, Todd Wolf seconded.

Motion passed unanimously. Being no further business the meeting was adjourned at 4: 35 pm.