

CITY OF SHEBOYGAN

CITY PLAN COMMISSION - 4: 00 PM

Tuesday, August 10, 2021

1. OPENING OF MEETINGMEMBERS PRESENT: Mayor Sorenson, Alderperson Mitchell,
Ryan Sazama, Jerry Jones, Marilyn Montemayor, and David HoffmanMEMBERS EXCUSED:

John MotiskaSTAFF/OFFICIALS PRESENT:

Planning & Development Director Chad Pelishek and Manager of Planning & Zoning
Steve Sokolowski

1.1 Call to Order

Chair Mayor Sorenson called the meeting to order.

1.2 Pledge of Allegiance

The Pledge of Allegiance was recited.

1.3 Introduction of committee members and staff.

Introductions were made.

1.4 Identify potential conflict of interest.

No committee member had a conflict of interest.

2. MINUTES

Minutes:

2.1 Approval of the Plan Commission minutes from July 27, 2021.

Motion by Dave Hoffman, second by Jerry Jones to approve. Motion carried.

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.1 Application for Conditional Use with exceptions by Watershed Development, LLC to construct/operate the Watershed Hotel at the northwest intersection of Niagara Avenue and N. 15 th Street along the Sheboygan River (Parcel 59281550023).

Motion by Jerry Jones, second by Ryan Sazama 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, Sheboygan Floodplain Zoning Ordinance, DNR, Army Corp, etc. (Applicant shall be in contact with building inspection, fire, police, etc.).

An occupancy permit will be granted only at such time as the applicant has met all requirements. Applicant is responsible to ensure that the proposed buildings are meeting all Federal, State and Local codes pertaining to the Sheboygan River Floodplain. Applicant shall obtain the necessary liquor license in order to serve alcohol.

Applicant may serve alcohol if and only if all required liquor licenses are obtained. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.

If properties are sharing stormwater facilities (Watershed Hotel and River Edge Condominiums), the proper agreements/easements shall be officially documented and recorded 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).

Landscaping shall meet the minimum number of landscaping points for these criteria and the bufferyard.

Landscaping shall be installed prior to issuance of an occupancy permit.

In addition to the landscape plan, applicant will work with staff with regards to installation of street trees along the property s street frontages (number, type, location, etc.). The street trees will be provided on the landscape plan and are in addition to the required development landscape plan points (not counted as landscape plan points). If any street trees are removed for the project, the applicant will be required to reinstall those street trees. If using dumpsters, 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.

Applicant will also be responsible for installing a dumpster enclosure on the Water s Edge Condos property and will work with staff regarding, location, design, 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, etc.). Any unused mechanical boxes, equipment, etc. shall be removed from the site. 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. Any fencing/retaining wall shall be installed per Section 15.720 (3)(c) of the City of Sheboygan Zoning Ordinance. Applicant shall work with staff with regards to constructing appropriate and well-designed fence/retaining wall and shall obtain the necessary permits prior to installation. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. Applicant shall work with staff with regards to appropriate signage.

If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. Applicant shall to install individual letter signs no cabinet or flat panel signs. 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 eight (8) feet.

Sign shall be located outside of the 15 -foot vision triangle. 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. Applicant shall reinstall sidewalk along N. 15 th Street, Niagara Avenue and portions of Wisconsin Avenue, to standard City specifications. If proposing a drop off lane on N. 15 th Street, the applicant shall be required to obtain the necessary approvals to utilize and improve N. 15 th Street public right-of-way (including, but not limited to drop off lane, parking, driveway openings, curb, gutter, sidewalk, pavement, utilities, landscaping, etc.).

Applicant shall work with City Engineering staff to determine the specifications that the proposed improvements shall meet and whether or not an encroachment is required.

Applicant may construct N. 15 th Street drop off lane improvements only at such time as the engineering department approves the required plans. The parking lot and drives shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, 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, drop off lane, curb, gutter, sidewalk, pavement, utilities, street trees, etc.). Applicant will provide adequate public access along all streets and sidewalks and will take all appropriate actions to minimize the time period that adjacent properties and streets/sidewalks are impacted by the development (utilities, streets, etc.). 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. Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary). 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. If the applicant does not proceed with this project by September 1, 2022, the applicant shall restore to its original condition all private and public lands/property, temporary roads, temporary access drives, etc.

Applicant shall also be required to remove any permanent off-premise signage and/or temporary advertising from these parcels within this same 30 day period.

Applicant shall complete this restoration by October 14, 2022. 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. Prior to building permit issuance, the applicant is responsible for providing all shared agreements/easements between the subject property and adjoining properties including but not limited to ingress/egress, shared access, parking, stormwater facilities, utilities, etc. This easement document shall be officially recorded by Sheboygan County. Applicant will have an executed developer s agreement prior to building permit issuance. If there are any amendments to the approved conditional use permit (including but not limited to site plan, architectural design, use, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments. Exceptions granted: To have a 9.6 foot side yard setback to the south property line adjacent to the River s Edge Condos

To have a
14.2 (southwest corner of hotel) and
15.3 (northwest corner of pavilion) rear yard setback (towards the Sheboygan

River) To have a paving variance to be zero (0) feet to the south property line (shared lot line with the condos) To have 27 parking spaces

From the locational and bufferyard landscaping requirements Motion carried.

3.2 Application for Conditional Use Permit with exceptions by Fifth Generation Properties, LLC to construct new building improvements at 4464 Gateway Drive and parking on parcel # 59281479063 located along Behrens Parkway in the Sheboygan Business Park.

Motion by Jerry Jones, second by Alderperson Mitchell 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, water, sewer, storm drainage, DNR, Army Corp of Engineers, etc. Applicant shall obtain all necessary Federal, State and Local licenses/permits and/or meet all requirements/codes prior to building permit issuance (wetlands, topsoil issues, etc.). Submittal/approval of a proposed storm drainage plan prior to building permit issuance. Submittal and approval of a proposed 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). Landscaping shall meet the minimum number of landscaping points for these criteria. Applicant shall provide and maintain landscaping, berming and screening that adequately screens the proposed trailers and dock doors from Weeden Creek Road and the property lines. This landscaping/berming/screening shall be incorporated into the landscape plan and/or stormwater grading plan and shall be installed per approved plans. If using dumpsters, dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. Outdoor storage of materials 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 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. If signage is to be installed, the applicant shall work with staff with regards to constructing appropriate and well-designed signage and 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 for their consideration. Fencing/retaining wall shall be installed per Section 15.720 (3)(c) of the City of Sheboygan Zoning Ordinance. Applicant shall work with staff with regards to constructing appropriate and well-designed fence and shall obtain the necessary permits prior to installation. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. All areas used for parking/maneuvering of vehicles shall be paved. Applicant shall meet the minimum required paving setback of 50 feet to street and 25 feet to side and rear for all new areas to be paved. All areas that are not required to be paved shall be grass and/or approved landscaping. Any new ingress/egress driveway openings shall be improved to standard City specifications. All existing access drives that are no longer used shall be removed and all unused driveways shall be closed and improved to standard City specifications. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc. Applicant is responsible for working with all private and public utilities in order to

adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary). Any work within City of Sheboygan Public rights-of-way or storm water easement 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, landscape boulevard, pavement, utilities, retaining walls, street trees, storm water, etc.). Applicant will provide adequate public access along public streets/alley 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). Applicant shall adequately address all Sheboygan Water Utility concerns related to this development. 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. The applicant may construct a driveway connecting the new parking lot to the loading dock on the north side of the warehouse at 4464 Gateway Drive through the City of Sheboygan stormwater easement if and only if the applicant obtains the required easement agreement from the City permitting this to occur (this will require the parcel reconfiguration as proposed by the applicant). This easement shall be completed prior to building permit issuance. This driveway crossing the storm water easement shall be constructed to specifications required by the City Engineering Department. The driveway construction/specifications drawings shall be approved prior to building permit issuance. Prior to building permit issuance, the applicant is responsible for providing all shared agreements/easements between the subject property and adjoining properties including but not limited to ingress/egress, shared access, parking, stormwater facilities, utilities, etc. This easement document shall be officially recorded by Sheboygan County. 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. Building permits for the parking lot shall only be issued at such time as the applicant can provide documentation from Sheboygan County that the CSM of the reconfigured lots from three (3) to two (2) as proposed has been officially recorded by Sheboygan County. Applicant shall meet the Sheboygan Business Park Protective Covenants. If there are any amendments to the approved conditional use permit and/or site plan, the applicant will be required to submit a new conditional use application reflecting those amendments. Exceptions granted: From the locational landscaping requirements Motion carried.

3.3 Application for Site Plan by SunPeak to install a new Alliant Energy ground mounted solar field on Parcel # 59281479030 in the City of Sheboygan Business Park.

Motion by Jerry Jones, second by Alderperson Mitchell 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, storm drainage, health, Local, State, Federal, etc. Applicant shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc. Submittal/approval of a proposed storm drainage plan prior to building permit issuance. Outdoor storage of materials, products or equipment shall be prohibited. Fencing shall be installed per Section 1720 (3)(c) of the City of Sheboygan Zoning Ordinance. Applicant shall work with staff with regards to constructing appropriate and well-designed fence/retaining wall and shall obtain the necessary permits prior to installation. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. 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 that will cause nuisances or traffic hazards. Applicant shall appropriately maintain the landscaping on this site. Applicant shall work with staff with regards to appropriate signage. Only at such time as the sign package has been reviewed and approved may the applicant obtain sign permits to install the proposed signage. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. If the solar field is causing interference with traffic signals or controls, obstructs a motorist's line of sight, or creates other nuisances (noise, lighting, glare, etc.), this conditional use permit can be reviewed by the City of Sheboygan Plan Commission. Absolutely no portion of the structures, site improvements, etc. shall cross property lines. 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, grading, etc.). Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary). 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). At the end of the lease, the applicant shall be responsible for the removal of all equipment, structures, etc. from this site and restoring the site back to its original conditions 60 days after the City is notified that the applicant will no longer be leasing the site. If the applicant does not remove its equipment, structures, etc. within the specified time, the city reserves the right to repair or remove the equipment, structures, etc. at the applicant's expense. If there are any amendments to the approved use permit (including but not limited to site plan, use, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments. Motion carried.

3.4 Gen. Ord. No. 14 - 21 - 22 by Alderperson Perrella amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located off of S. 14 th Street between Illinois Avenue and Indiana Avenue - Parcel # 59281506350 from Class Central Mixed Use to Class Multi-family Residential Classification.

Motion by

Ryan Sazama, second by Marilyn Montemayor to recommend approval. Motion carried.

3.5 Gen. Ord. No. 15 - 21 - 22 by Alderperson Perrella amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located off of the corner of S. 14 th Street and Illinois Avenue - Parcel # 59281506260, Parcel # 59281506240, and Parcel # 59281506230 from Class Neighborhood Preservation to Class Multi-family Residential Classification.

Motion by Dave Hoffman, second by Jerry Jones to recommend approval. Motion carried.

3.6 R.O. 54 - 21 - 22 and G.O. 16 - 21 - 22 by Alderperson Perrella amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of S. 14 th Street and Illinois Avenue - Parcel # 59281506260 and Parcel # 59281506240 from Class Urban Commercial (UC) to Class Urban Residential (UR- 12) Classification.

Motion by Jerry Jones,

second by Marilyn Montemayor

to recommend approval. Motion carried.

3.7 R.O. 55 - 21 - 22 and G.O. 17 - 21 - 22 by Alderperson Perrella amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of S. 14 th Street between Illinois Avenue and Indiana Avenue - Parcel # 59281506350 and Parcel # 59281506230 from Class Urban Industrial (UI) to Class Urban Residential (UR- 12) Classification.

Motion by Jerry Jones, second by Marilyn Montemayor to recommend approval. Motion carried.

4. NEXT MEETING

August 24, 2021

5. ADJOURN

5.1 Motion to Adjourn

Motion by

Aldersperson Mitchell, second by Jerry Jones to adjourn. Motion carried.

Being no further business, the meeting was adjourned at 4: 38 p.m.