

CITY OF SHEBOYGAN

CITY PLAN COMMISSION - 4: 00 PM

Tuesday, March 23, 2021

1. OPENING OF MEETING MEMBERS PRESENT: Mayor Vandersteen, Alderperson Jim Bohren, Ryan Sazama, David Hoffman, Marilyn Montemayor, and Jerry Jones, MEMBERS EXCUSED:

Don Cvetan STAFF/OFFICIALS PRESENT:

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

1.1 Call to Order

Chair Mayor Vandersteen 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 March 9, 2021.

Motion by Alderperson Jim Bohren, second by Ryan Sazama to approve. Motion carried.

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

3.1 Application for Conditional Use with exceptions and Certified Survey Map by 645 South Taylor Owner Equities, LLC to create a new Noodles parcel at Taylor Heights Shopping Center located at 549 S. Taylor Drive.

Motion by Dave Hoffmann, second by Marilyn Montemayor

to approve with the following conditions: Applicant shall submit a Certified Survey Map (CSM) that meets the City of Sheboygan Subdivision Ordinance. Prior to the City signing the proposed CSM, the applicant will provide all shared agreements between proposed Lot 1 and Lot 2 (parking, access, signage, storm drainage, landscaping, utilities, etc.). Prior to the City signing the proposed CSM, the applicant shall construct the pylon sign as submitted by the sign company and as approved by the City of Sheboygan. If there are any amendments to the approved CSM, the applicant will be required to submit a new conditional use application reflecting those amendments. Exceptions granted: Requesting a variance to have a zero (0) foot sideyard paving setback along the new common property line. Requesting a variance to exceed the .5 foot candles at the common property lines. Motion carried.

3.2 Application for Conditional Use with exceptions and Certified Survey Map by SmitCo Eateries, Inc. to create new lots and construct/operate a Popeyes Drive Thru Restaurant at 3207 S. Business Drive (former Ryder Truck).

Motion by Marilyn Montemayor, 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, storm drainage, health, DNR, 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 shall obtain all necessary razing permits for all structures to be demolished. Once structures have been demolished, the applicant will maintain the site(s) in a clean and dust free condition. Submittal/approval of a proposed storm drainage plan prior to building permit issuance. If properties are sharing stormwater facilities, 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 5 (create a legend along with the landscape plan site plan). Landscaping shall be installed prior to issuance of an occupancy permit. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility and shall be completed prior to issuance of an occupancy permit. 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. 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. Applicant shall 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. 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 and drive-through 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 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. 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 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. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way). 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 water and sewer. 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. 6 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. 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. 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 City of Sheboygan Architectural Review Board shall review/approve the proposed building design. 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: Requesting a paving variance to be zero (0) feet to the south property line. Requesting a variance from the locational landscaping requirements. Motion carried.

3.3 Application for Conditional Use with exceptions by Meradita Moreno to operate a daycare from the facility located at 1720 N. 8 th Street.

Motion by Marilyn Montemayor, second by Ryan Sazama

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, health, State of Wisconsin, 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 daycare uses are meeting all Federal, State and Local codes and licensing requirements. If using dumpsters, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. 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.). 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. Fence shall be installed per Section 15.720 (3)(c) of the City of Sheboygan Zoning Ordinance. Applicant may install six (6) foot high solid fence along the north, south and west property lines. 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. Prior to installation of the fence along the south property line, the applicant shall verify there are no access easements/agreements that would prevent the installation of such fence. Fence/landscaping at the northeast corner of the site shall be no higher than four (4) feet high and 50 % opaque for a distance of 20 feet from the street property lines. Applicant shall install a six (6) foot tall chain link fence with privacy slats for the playground area. 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. 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. Applicant shall 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. Applicant shall remove all signage referring to previous uses. 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 and drive-through 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 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. 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). City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to water and sewer. 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. Applicant is responsible for verifying that there are no easements and/or agreements with the building to the south at 1714 N. 8 th Street (zero lot line neighbor to the south). If there are any exterior alterations, those alterations will be reviewed by the City of Sheboygan Architectural Review Board. 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. Exception

granted: Maintain the existing zero (0) foot paving setbacks to the north and south property lines. Motion carried.

3.4 Application for Conditional Use with exceptions by Tim Fettig to operate a Verlo Mattress Store from the multi-tenant facility located at 4315 S. Taylor Drive.

Motion by Alderperson Jim Bohren, second by Dave Hoffman 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, health, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements. If using dumpsters, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. 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.). 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 shall obtain the necessary sign permits prior to installation. Applicant shall work with staff with regards to constructing a well-designed signage for the site that utilizes

colors and materials similar to the building. Staff may bring the proposed signage design back to the Plan Commission for review/approval. Proposed signage will be individual letter signs (no flat panel or interior lit cabinet signs). 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 is 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. Exceptions granted: To have the Plan Commission approve Verlo's proposed plans for its combined manufacturing and retail showroom as presented (% of retail space and proposed floor plan).

4. NEXT MEETING

April 13, 2021

5. ADJOURN

5.1 Motion to Adjourn

Motion by Jerry Jones, second by Ryan Sazama to adjourn. Motion carried.

Being no further business the meeting adjourned at 4: 49 p.m.