

*****AMENDED*** CITY OF SHEBOYGAN****CITY PLAN COMMISSION****Tuesday, March 15, 2022****1. OPENING OF MEETING**

MEMBERS PRESENT: Mayor Sorenson, Jerry Jones, Marilyn Montemayor, John Motiska, Ryan Sazama, David Hoffman and Alderperson Mitchell

STAFF/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**2.1 Approval of the Plan Commission minutes from February 15, 2022..**

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

3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**3.1 Application for Conditional Use Permit with exceptions by Martin Lambert to operate a dermatology medical office at 832 Michigan Avenue.**

Motion by Marilyn Montemayor, second by Jerry Jones to approved with the following conditions:

1. 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.
2. If using dumpsters, 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 dumpster.
3. Outdoor storage of materials, products or equipment shall be prohibited.
4. All ground level and rooftop mechanicals shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, hoods, venting, etc.).

5. 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.
6. All areas used for parking/maneuvering of vehicles shall be paved. Applicant shall pave and/or landscape the all gravel areas on property by June 2, 2023. Applicant will obtain all required approvals including but not limited to site plan, storm water, landscaping, etc.
7. Submittal/approval of a proposed storm drainage plan prior to building permit issuance for parking lot construction.
8. Submittal and approval of a landscape plan prior to building permit issuance for parking lot construction. 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).
9. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
10. 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.
11. 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
12. Proposed and future signage at this property/facility shall be individual letter signs (no flat panel or interior lit cabinet signs).
13. Applicant shall remove all unused signage and all signage referring to previous businesses.
14. 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).
15. 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.).
16. 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.
17. All vehicles shall be located on the private property (paved parking lot) and shall not be located on any City streets, public rights-of-way, landscape areas, etc.
18. If the applicant proposes any type of exterior remodel/renovation to the building, City of Sheboygan Architectural Review Board approval is required prior to construction
19. If there are any amendments to the approved use and/or floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments

Motion carried

3.2 Application for Conditional Use with exceptions by Jim Petr to construct two new 2nd floor apartments at 516 N. 8th Street.

Motion by Jerry Jones, second by Ryan Sazama to approved with the following conditions:

1. 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, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. If using dumpsters, 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 the dumpster.
3. 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.).
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. 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.
6. Applicant will provide adequate public access along streets and the parking lot/alley and will take all appropriate actions to minimize the time period that the street will be closed/affected.
7. 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.
8. 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. unless an encroachment is obtained permitting use of public right-of-way.
9. The applicant shall remove all nonfunctioning fixtures/mechanicals/supports on the north wall facing the alley.
10. 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, driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).
11. Applicant shall obtain the necessary sign permits prior to installation. Proposed signage will be individual letter signs and shall meet the 8th Street design guidelines (no flat panel or interior lit cabinet signs).
12. If there are to be any exterior renovations to the facility, the applicant will be required to obtain Architectural Review Board approval prior to receiving a building permit for such renovation. The colors and materials are to complement/match the existing building.
13. If applicant leases space to additional tenants, the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy (future uses and/or phases may require conditional use permits, building/mechanical permits, occupancy permits, etc.).
14. If operating as a short term rental, the applicant will be required to file the proper room tax paper work with the City of Sheboygan.
15. If there are any amendments to the site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

Motion carried

3.3 Application for Conditional Use Permit with exceptions by Mau and Associates to construct a new Scooter's Coffee Drive Thru on parcel #59281431722 (located directly south of the new Cousin Subs at 2720 S. Business Drive).

Motion by Jerry Jones, second by Ryan Sazama to approved with the following conditions:

1. 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, 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.
2. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
3. 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 be installed prior to issuance of an occupancy permit.
4. 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.
5. Outdoor storage of materials, products or equipment shall be prohibited.
6. 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.).
7. Any unused mechanical boxes, equipment, sign poles, remaining sections of structures, etc. shall be removed from the site.
8. 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.
9. 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.
10. Applicant shall install individual letter signs – no cabinet or flat panel signs.
11. 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 10 feet.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.).
 17. 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.).
 18. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
 19. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
 20. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
 21. 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).
 22. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to water and sewer.
 23. 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.
 24. Building permits shall be issued only at such time as the applicant can provide documentation that they own the parcel.
 25. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
 26. 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 seven (7) wall signs
- To have a 10 foot tall monument sign
- From the locational landscaping requirements

Motion carried.

3.4 Application for Conditional Use Permit with exceptions by Cardinal Capital Management to convert 1st floor commercial space into 10 additional dwelling units at the 7Penn Apartments located at 622 Pennsylvania Avenue.

Motion by Marilyn Montemayor, second by Dave Hoffman to approved with the following conditions:

1. 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, 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.

2. If storing dumpsters outside, the 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 unit to be occupied.
3. Outdoor storage of materials, products or equipment shall be prohibited.
4. 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.).
5. 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
6. 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.
7. Applicant shall install individual letter signs – no cabinet or flat panel signs.
8. 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. Sign shall be located outside of the 15 foot vision triangle.
9. 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.).
10. 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, retaining walls, street trees, etc.).
11. Applicant is responsible for working with all private and public utilities in order to adequately service this apartment complex development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
12. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility.
13. 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.
14. 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 76 units on 1.03 acres
- To have a minimum lot area of 573sf per unit (1 acre)

Motion carried.

3.5 Application for Conditional Use Permit with exceptions by Cardinal Capital Management to convert the former Sheboygan Press building into a new apartment building at 632 Center Avenue.

Motion by Marilyn Montemayor, second by Dave Hoffman to approved with the following conditions:

1. 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, water, sewer, storm drainage, health, 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.
2. Applicant shall receive a certificate of appropriateness from the City Historic Preservation committee prior to building permit issuance.
3. 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.
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. 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.
6. 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.).
7. Any unused mechanical boxes, equipment, etc. shall be removed from the site.
8. 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.
9. 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
10. 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.
11. Applicant shall be permitted to install individual letter signs only – no cabinet or flat panel signs are permitted.
12. 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.).
13. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
14. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
15. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
16. Applicant is responsible to work with all private and public utilities in order to provide the necessary easements and/or relocate utilities as necessary.

17. 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.).
18. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to water and sewer.
19. 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.
20. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve any proposed exterior renovations.
21. 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.

Motion carried.

3.6 R.O. 128-21-22 and G.O. 39-21-22 by Alderperson Perrella granting Harbor Cafe, LLC, its successors and assigns, the privilege of encroaching upon described portions of 340/342 South Pier Drive in the City of Sheboygan for the purpose of adding an outside seating deck.

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

3.7 Preliminary Plat Approval for Maywood Estates in the Town of Sheboygan. Extra-Territorial Plat Review.

Motion by Marilyn Montemayor, second by Ryan Sazama to approve. Motion carried.

4. NEXT MEETING

4.1 March 29, 2022

5. ADJOURN

5.1 Motion to Adjourn

Motion by Ryan Sazama, second by Marilyn Montemayor to adjourn. Motion carried.

Being no further business, the meeting was adjourned at 5:10p.m.