

CITY OF SHEBOYGAN
CITY PLAN COMMISSION MINUTES
Tuesday, June 28, 2022

OPENING OF MEETING

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

STAFF/OFFICIALS PRESENT: Planning & Development Director Chad Pelishek and Manager of Planning & Zoning Steve Sokolowski

OPENING OF MEETING

1. Roll Call

Chair Mayor Sorenson called the meeting to order.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Introduction of committee members and staff

Introductions were made.

4. Identify potential conflict of interest

No committee member had a conflict of interest.

MINUTES

5. Approval of the Plan Commission minutes from May 24, 2022.

Motion by Marilyn Montemayor, second by Jerry Jones to approve. Motion carried.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

6. Application for Conditional Use with exceptions by MVP Storage, LLC to operate a multi-tenant commercial facility at 1029 Michigan Avenue (former Salvation Army).

Motion by Jerry Jones, second by Ryan Sazama to approve 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. Applicant shall obtain all necessary permits for the storage and the handling of hazardous chemicals and/or fuels (applicant shall be in contact with building inspection, fire department, etc.).
3. Applicant shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
4. The applicant is not permitted to store vehicles inside the building nor do auto repair/service from this building.
5. If using dumpsters, the dumpsters 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 Slatted

(PDS) material in order to effectively screen the dumpster. Dumpsters shall be screened and enclosed prior to issuance of an occupancy permit.

6. Outdoor storage of materials, products or equipment shall be prohibited (no soda machines, product displays for sale, equipment, etc.).
7. All ground level and rooftop mechanicals shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
8. 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.
9. 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.
10. Applicant may reface existing cabinet sign but any proposed and future signage at this property/facility shall be individual letter signs (no flat panel or interior lit cabinet signs).
11. Applicant shall not be able to have string lights, pennants, inflatables, or other various types of temporary signage.
12. Applicant shall remove all unused signage and all signage referring to previous business.
13. 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).
14. 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.).
15. Any future/additional uses of the facility/property such as additional tenants, additions, site improvements, etc. may require conditional use permit and architectural review.
16. 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.
17. 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.

7. Application for Conditional Use with exceptions by Caliber Collision to operate from at 645 S. Taylor Drive (former Napa Auto Parts).

Motion by Jerry Jones, second by Dave Hoffman to approve 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, state, federal, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. 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.).
3. The facility will meet all zoning requirements including but not limited to noise, smells, vibration, hazardous materials, etc. If any issues arise, this matter may be brought back to the Plan Commission for review.
4. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
5. 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. Dumpster fencing shall match fencing of outdoor vehicle storage area fence.

6. The applicant may store outdoors vehicles waiting to be serviced in the screened and enclosed outdoor storage area (vehicles only) and this vehicular outdoor storage area shall be properly maintained in an orderly fashion at all times (south side of building). This area may not be used to store inoperable or unlicensed vehicles. If any issues arise concerning outdoor storage, this matter may be brought back to the Plan Commission for review.
7. All other outdoor storage of materials, products or equipment shall be prohibited.
8. Any fencing/retaining wall shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
9. Applicant shall install chain link fence/gates with black slatting materials for the outdoor vehicle storage area (per the submitted plans). Applicant shall submit proposed fence to staff for review. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. Applicant shall obtain the necessary permits prior to installation.
10. 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.). Applicant shall work with staff with regards to constructing a well-designed rooftop and ground level mechanical screening for the site that utilizes colors and materials similar to the building. Staff may bring the proposed mechanical design back to the Plan Commission for review/approval.
11. Applicant shall install the low profile rooftop venting and not stacks (The low profile duct package) that keeps the exhaust stack at four (4) feet above the roof and the intake makes a 90 degree turn and runs parallel to the roof to get the 10 foot separation). The applicant shall provide these HVAC plans to planning staff prior to building permit issuance.
12. 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.
13. 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.
14. Proposed and future signage at this property/facility shall be individual letter signs (no flat panel or interior lit cabinet signs).
15. Applicant shall remove all unused signage and all signage referring to previous businesses.
16. 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).
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. 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.
19. All vehicles shall be located on the private property and shall not be located on any City streets, public rights-of-way, other private properties, etc. Vehicles may be parked/stored on paved surfaces (not gravel or landscaped areas).
20. 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.
21. 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.

8. Application for Precise Implementation Plan by South Pier Family Investments, LLC, to construct the 2nd Phase of SP Riverfront Condominiums located in the S. Pier District along S. Pier Drive (between Phase 1 Condos and the fish cleaning station).

Motion by Jerry Jones, second by Marilyn Montemayor to approve 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, floodplain, 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.
2. Applicant is responsible to ensure that the proposed buildings are meeting all Federal, State and Local codes pertaining to the Sheboygan River Floodplain.
3. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
4. 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.
5. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. Dumpster shall be completed prior to issuance of an occupancy permit.
6. Outdoor storage of materials, products or equipment shall be prohibited.
7. 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.).
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 install signage meeting the South Pier Design Guidelines and shall work with staff with regards to appropriate signage. Applicant will be required to submit the final design package in order to be incorporated into the approved PIP. 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. Wall signage will be individual letter signs (no flat panel or interior lit cabinet signs).
11. All areas used for parking/maneuvering of vehicles shall be paved.
12. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
13. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.
14. Applicant is responsible for installing sidewalk and all public improvements along S. Pier Drive and/or fish cleaning station to standard City specifications.
15. Applicant will provide adequate public access along all streets, sidewalks and riverfront promenade and will take all appropriate actions to minimize the time period that adjacent properties and streets/sidewalks are impacted by the SP Riverfront Condominiums development (utilities, streets, etc.).
16. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
17. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
18. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
19. 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. Nothing will be located on the City Sheboygan public right-of-way unless the required encroachments are obtained (stairs on riverside).
20. 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.).
 21. If necessary, the applicant shall be required to obtain the necessary encroachment to utilize the riverfront promenade public right-of-way and/or the 35-foot utility easement for building, landscaping, etc. Applicant shall work with City Development and Engineering staff to determine the exact locations of these improvements. No building and/or sign permits shall be issued for any of the structures that will utilize the riverfront promenade public right-of-way and/or the 35-foot utility easement until such time as the encroachment has been obtained.
 22. Applicant is responsible for working with all private and public utilities in order to adequately service this condo development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
 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. Applicant shall not negatively impact soils, deadmen tie backs of the seawall, etc.
 25. The applicant is responsible for all of the documentation, construction and costs involved in relocating the utilities as necessary for Phase 2.
 26. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the SP Riverfront Condominiums.
 27. If applicant has not obtained building permits for Phase 2 within a one (1) year after PIP approval, the applicant will assign the remaining property back to the City of Sheboygan Redevelopment Authority (area east of the center line of the City public utility easement).
 28. If the applicant does not proceed with Phase 2, the applicant shall grade and landscape/grass all private and public lands/property, temporary roads, temporary access drives, etc. 60 days after the City is notified that the applicant is not proceeding with Phase 2. Within this same 60 day period, the applicant shall also be required to remove any permanent/temporary off-premise signage, structures, etc. from this parcel.
 29. If there are any amendments to the approved PIP (including but not limited to site plan, architectural design, etc.) the applicant will have to submit an amended PIP for review by the Plan Commission that accurately reflects any and all proposed changes.

Exceptions granted:

- To have a building height of 33.3 feet (condo roof 33.3 feet and stair tower roofline is 40 feet) - Maximum building height is 20 feet (zoning).
- To have a zero (0) foot rear building setback.

Motion carried.

9. Application for Conditional Use Permit with exceptions by Judy Moncree to operate Oneness Child Care Center in the multi-tenant facility located at 509B Superior Avenue.

Motion by Jerry Jones, second by Marilyn Montemayor to approve 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, State of Wisconsin, Sheboygan County, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.

2. Applicant is responsible to ensure that the proposed child care center uses are meeting all Federal, State and Local codes and licensing requirements. Applicant shall provide the required license prior to issuance of an occupancy permit to occupy and operate from this address/site.
3. If using dumpsters, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
4. Outdoor storage of materials, products, equipment, toys, etc. shall be prohibited except within the playground area.
5. The applicant shall submit the outdoor play ground plans back to staff for review and approval before any outdoor playground can be opened and operated from this site (location, fencing, bollards, designs, materials, colors, dimensions, heights, landscaping, etc.). Applicant shall design the playground to be appropriately safe from vehicles that will also be located in the parking lot. Applicant shall landscape the driveway area along the alley so no vehicles can enter the parking lot from the alley in order to protect playground to be installed adjacent to this area (west of their tenant space at the southwest corner of the property). If staff has any concerns with proposed playground design, the matter may be brought back to the Plan Commission for their consideration.
6. Any fencing/retaining wall shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
7. Maximum height of such fence will be six (6) foot high.
8. Applicant shall submit proposed fence plans to staff for review. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. Applicant shall obtain the necessary permits prior to installation.
9. 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.
10. Applicant shall obtain the necessary sign permits prior to installation. Proposed signage will be individual letter signs (no flat panel or interior lit cabinet signs). 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.
11. If there are any exterior alterations, those alterations will be reviewed by the City of Sheboygan Architectural Review Board.
12. At such time as the daycare moves or stops operating from the site, the owner shall be required to remove the playground and bring back the parking lot to its original state.
13. 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 carried.

10. Application for Conditional Use Permit with exceptions by Walmart to relocate their pick-up and delivery service and to replace/install new signage at 3711 S. Taylor Drive.

Motion by Ryan Sazama, second by Marilyn Montemayor to approve 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, 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. 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. 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.
5. Dumpsters shall be screened/enclosed and constructed of like materials/colors of the facility.
6. Outdoor storage of materials, products or equipment shall be prohibited.

7. All containers located at the east/rear side of the property shall be removed once the project is complete (loading dock area west of Greenwing Drive).
8. Any fencing/retaining wall shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
9. Applicant shall install matching ornamental fencing as proposed per plans (design, materials, colors, heights, etc.). The fence shall be a color similar to that of the building. Applicant shall submit proposed fence to staff for review. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration. Applicant shall obtain the necessary permits prior to installation.
10. 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.).
11. 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 (except those areas granted an exception).
12. Applicant shall obtain the necessary sign permits for each sign permit to be installed prior to installation. Applicant shall be permitted to install individual letter signs – no cabinet or panel signs.
13. For any wall signage to be removed, the applicant shall patch and repair the wall as needed utilizing finishes that match the existing building (signage to be removed per plan).
14. Future signage at this property/facility shall be individual letter signs (no flat panel or interior lit cabinet signs).
15. Maximum height of directional signs shall be eight (8) feet tall.
16. 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.
17. All areas used for parking or maneuvering of vehicles shall be paved.
18. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
19. 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).
20. 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.
21. Any future/additional uses of the facility/property, additions, site improvements, etc. may require conditional use permit and architectural review.
22. Building shall be painted per plans submitted/approved.
23. 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.
24. 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.

Exceptions granted:

- To have additional wall and directional signage.

Motion carried.

11. Preliminary Plat Approval for North Town in the Town of Sheboygan.

Motion by Jerry Jones, second by Alderperson Mitchell to recommend approval. Motion carried.

12. Res. No. 32-22-23 by Alderperson Mitchell pursuant to the extraterritorial plat approval jurisdiction of the City of Sheboygan approving the final plat of Maywood Estates subdivision in the Town of Sheboygan.

Motion by Marilyn Montemayor, second by Dave Hoffman to recommend approval. Motion carried.

13. R. O. No. 24-22-23 by City Clerk submitting a communication from M. Squared Properties requesting an encroachment on their property located at 1444 Pershing avenue for the purpose of creating an asphalt driveway and parking lot.

Motion by Jerry Jones, second by Alderperson Mitchell to recommend approval. Motion carried.

14. Gen. Ord. No. 4-22-23 by Alderperson Felde granting M Squared Properties, its successors and assigns, the privilege of encroaching upon described portions of 1444 Pershing Avenue in the City of Sheboygan for the purpose of creating an asphalt driveway and parking lot.

Motion by Jerry Jones, second by Alderperson Mitchell to recommend approval. Motion carried.

15. R. O. No. 23-22-23 by City Clerk submitting a communication from Grateful Properties, LLC requesting an encroachment on their property located at 340/342 South Pier Drive for the purpose of adding an outdoor seating deck.

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

16. Gen. Ord. No. 3-22-23 by Alderperson Perrella repealing Gen. Ord. No. 39-21-22 granting Harbor Cafe, LLC, its successors and assigns, the privilege of encroaching upon certain portions of 340/342 South Pier Drive in the City of Sheboygan and granting Grateful Properties, LLC, its successors and assigns, the privilege of encroaching upon expanded portions of 340/342 South Pier Drive, as described in the City of Sheboygan for the purpose of adding an outdoor seating deck.

Motion by Jerry Jones, second by Ryan Sazama to recommend approval. Motion carried.

NEXT MEETING

17. July 12, 2022

ADJOURN

18. Motion to Adjourn

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

Being no further business, the meeting was adjourned at 4:41 p.m.