

**CITY OF SHEBOYGAN**  
**CITY PLAN COMMISSION MINUTES**

**Tuesday, July 25, 2023**

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**MEMBERS PRESENT:** Mayor Ryan Sorenson, Ryan Sazama, Marilyn Montemayor, Kimberly Meller, Jerry Jones, Alderperson Trey Mitchell and Braden Schmidt

**EXCUSED:** Kimberly Meller

**STAFF/OFFICIALS PRESENT:** Program Assistant Ellise Rose

**OPENING OF MEETING**

1. Roll Call

Mayor Sorenson called the meeting to order.

2. Pledge of Allegiance

The Pledge is recited.

3. Identify potential conflict of interest

No committee member had a conflict.

**MINUTES**

4. Approval of the Plan Commission minutes from July 11, 2023.

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

**ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

5. Application for Conditional Use with exceptions by Froedtert and Medical College of WI to construct and operate a Froedtert Sheboygan Medical Center at the northeast corner of Taylor Drive and Saemann Avenue (Parcel #59281631481).

Motion by Ryan Sazama, second by Jerry Jones to approve 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, demolition, fire, water, sewer, storm drainage, health, hazardous materials, State of Wisconsin, Federal, 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 meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
3. 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.).
4. Submittal and approval of a proposed storm drainage plan prior to building permit issuance.
5. Submittal and approval of a proposed landscape plan prior to building permit issuance. Applicant will submit a landscape plan that addresses all four (4) landscaping requirements. Landscaping shall be installed prior to issuance of an occupancy permit.

6. 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.
7. Outdoor storage of materials, products or equipment shall be prohibited (except as authorized/approved by the Plan Commission).
8. 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.).
9. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity.
10. 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.
11. Applicant shall be permitted to install individual letter signs – no cabinet or panel signs.
12. All areas used for parking or maneuvering of vehicles shall be paved (no gravel permitted).
13. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
14. Any work within City of Sheboygan Public rights-of-way, stormwater easements, etc. 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, driveways over storm water easements, curb, gutter, sidewalk, pavement, utilities, retaining walls, street trees, etc.).
15. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specification.
16. 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.).
17. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
18. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
19. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
20. 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.
21. Applicant shall adequately address all Sheboygan Water Utility concerns related to this development.
22. Applicant shall adequately address all Fire Department concerns related to this development.
23. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
24. 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, architectural review, etc. reflecting those amendments.

Exceptions granted:

- To utilize a 9' x 18' on-site parking stall size
- To have 410 on-site parking stalls
- To have the building height equal to approximately 65 feet 4 inch (masonry dimension) at the south end

Motion carried.

6. Application for Conditional Use with exceptions by Matter Development to construct a Senior Living Community at the southeast corner of Taylor Drive and Geele Avenue (Parcel #59281631481).

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/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, demolition, fire, water, sewer, storm drainage, health, hazardous materials, State of Wisconsin, Federal, 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 meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
3. 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.).
4. Submittal and approval of a proposed storm drainage plan prior to building permit issuance.
5. Submittal and approval of a proposed landscape plan prior to building permit issuance. Applicant will submit a landscape plan that addresses all four (4) landscaping requirements. Landscaping shall be installed prior to issuance of an occupancy permit.
6. 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.
7. Outdoor storage of materials, products or equipment shall be prohibited (except as authorized/approved by the Plan Commission).
8. 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.).
9. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity.
10. 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.
11. Applicant shall be permitted to install individual letter signs – no cabinet or panel signs.
12. All areas used for parking or maneuvering of vehicles shall be paved (no gravel permitted).
13. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
14. Any work within City of Sheboygan Public rights-of-way, stormwater easements, etc. 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, driveways over storm water easements, curb, gutter, sidewalk, pavement, utilities, retaining walls, street trees, etc.).
15. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specification.
16. 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.).
17. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.

18. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
19. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
20. 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.
21. Applicant shall adequately address all Sheboygan Water Utility concerns related to this development.
22. Applicant shall adequately address all Fire Department concerns related to this development.
23. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
24. 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, architectural review, etc. reflecting those amendments.

Exceptions granted:

- To utilize a 9' x 18' on-site parking stall size
- To have 143 on-site parking stalls
- To have the building height equal to 55 feet
- To have two monument signs

Motion carried.

7. Application for Conditional Use with exceptions by Sheboygan Pop Ops, LLC to construct and operate a Popeyes Drive Thru Restaurant at 3207 S. Business Drive (former Ryder Truck).

Motion by Alderperson Mitchell, second by Jerry Jones 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, 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.
2. 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.
3. 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.
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 and 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. Any unused mechanical boxes, equipment, etc. shall be removed from the site.
9. 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.

10. 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.
11. Applicant shall install individual letter signs – no cabinet or flat panel signs.
12. 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.
13. All areas used for parking/maneuvering of vehicles shall be paved.
14. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
15. 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.
16. 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.
17. 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.
18. 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.).
19. 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.).
20. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
21. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
22. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
23. 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).
24. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to water and sewer.
25. 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.
26. 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.
27. 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.
28. 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.

29. 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.
30. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
31. 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 paving variance to be zero (0) feet to the south property line.
- From the locational landscaping bufferyard requirements. Landscape Plan still required and required point must be met.

Motion carried.

8. Gen. Ord. No. 11-23-24 by Alderperson Ramey amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1923 Erie Avenue (Parcel #59281215510) from Class Urban Industrial (UI) to Class Suburban Office (SO) Classification.

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

#### **NEXT MEETING**

9. August 15, 2023

#### **ADJOURN**

10. Motion to Adjourn

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

Being no further business, the meeting was adjourned at 4:50 p.m.