

CITY OF SHEBOYGAN
CITY PLAN COMMISSION MINUTES

Tuesday, September 24, 2024

MEMBERS PRESENT: Mayor Ryan Sorenson, Alderperson John Belanger, Marilyn Montemayor, Public Works Director Travis Peterson, Jerry Jones, Braden Schmidt and Kimberly Meller

STAFF/OFFICIALS PRESENT: Director of Planning & Development Diane McGinnis Casey, Associate Planner Ellise Rose and Building Inspection Specialist Linnae Wierus

OPENING OF MEETING

1. Roll Call

Mayor Sorenson called the meeting to order at 4pm.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Identify potential conflict of interest

No committee member had a conflict.

MINUTES

4. Approval of the Plan Commission minutes from September 10, 2024.

MOTION TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON SEPTEMBER 10, 2024.

Motion made by Jerry Jones, seconded by Braden Schmidt

Voting yea: Mayor Ryan Sorenson, Alderperson John Belanger, Marilyn Montemayor, Public Works Director Travis Peterson, Jerry Jones, Braden Schmidt and Kimberly Meller

PUBLIC HEARINGS

5. Application for Conditional Use with exceptions by Mee Y. Lee to operate Hmong Delights Bakeshop at 827 Michigan Avenue.

No public comment.

6. Application for Conditional Use Permit with exceptions by Joel Pipkorn to construct a five-unit townhome building on the east side of S. Business Drive (parcel # 59281430782).

No public comment.

7. General Development Plan amendment by Malibu Apartments, LLC to construct the Malibu Apartments on parcel 59281318390. PUD Planned Unit Development Zone.

Andrew Bauman spoke about the access for the kites, traffic/parking and control city infrastructure to keep the beach as nature as possible.

MOTION TO CLOSE THE PUBLIC HEARING.

Motion made by Alderperson John Belanger, seconded by Jerry Jones

Voting yea: Mayor Ryan Sorenson, Alderperson John Belanger, Marilyn Montemayor, Public Works Director Travis Peterson, Jerry Jones, Braden Schmidt and Kimberly Meller

Motion carried.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

8. Res. No. 77-24-25 by Alderpersons Belanger and Ramey approving the final plat of the 29th Street Subdivision located east of St. Nicholas Hospital on North 29th Street between Superior Avenue and Saemann Avenue. REFER TO CITY PLAN COMMISSION

MOTION TO RECOMMEND APPROVAL TO THE COMMON COUNCIL ADOPT THE ORDINANCE.

Motion made by Alderperson John Belanger, seconded by Jerry Jones

Voting yea: Mayor Ryan Sorenson, Alderperson John Belanger, Marilyn Montemayor, Public Works Director Travis Peterson, Jerry Jones, Braden Schmidt and Kimberly Meller

Motion carried.

9. Application for Conditional Use with exceptions by Mee Y. Lee to operate Hmong Delights Bakeshop at 827 Michigan Avenue.

MOTION TO APPROVE WITH THE FOLLOWING CONDITONS

Motion made by Alderperson John Belanger, seconded by Kimberly Meller

Voting yea: Mayor Ryan Sorenson, Alderperson John Belanger, Marilyn Montemayor, Public Works Director Travis Peterson, Jerry Jones, Braden Schmidt and Kimberly Meller

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, food, alcohol, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Dumpsters and/or grease receptacles 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 Slating (PDS) material in order to effectively screen the dumpster. Dumpsters shall be screened and enclosed prior to issuance of an occupancy permit.
3. Outdoor storage of materials, products or equipment shall be prohibited.
4. Any new lighting shall be installed per Section 105-932 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
5. 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.
6. No outdoor seating is permitted in the Michigan Avenue sidewalk area without obtaining the required Sidewalk Café permit.
7. If there are 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.
8. 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.

10. Application for Conditional Use Permit with exceptions by Joel Pipkorn to construct a five-unit townhome building on the east side of S. Business Drive (parcel # 59281430782).

MOTION TO APPROVE WITH THE FOLLOWING CONDITONS

Motion made by Alderperson John Belanger, seconded by Jerry Jones

Voting yea: Mayor Ryan Sorenson, Alderperson John Belanger, Marilyn Montemayor, Public Works

Director Travis Peterson, Jerry Jones, Braden Schmidt and Kimberly Meller

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, State of Wisconsin, 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 hazardous materials and contamination.
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. 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.
6. Concrete and gravel surfaces that are not being improved, including, but not limited to, the existing drive and concrete pool/deck, are to be removed and landscaped with grass and/or approved landscaping.
7. Outdoor storage of materials, products or equipment shall be prohibited.
8. Any fencing/retaining wall shall be installed per Section 105-945 of the City of Sheboygan Zoning Ordinance.
9. All new lighting shall be installed per Section 105-932 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. All areas used for parking/maneuvering of vehicles shall be paved.
11. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
12. 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 improved to standard City specifications.
13. Absolutely no portion of the new building shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, etc.
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, relocation of street lights, grading, etc.).
15. 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.).
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. 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).
19. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility.
20. 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.
21. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
22. If the applicant does not proceed with either phase, 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. 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.
23. 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 and/or architectural review application reflecting those amendments.

Exceptions granted:

- From the street yard setback requirements
- To the landscape points required and to the required location of said plantings. Landscape Plan still required and required points must be met.

Motion carried.

11. General Development Plan amendment by Malibu Apartments, LLC to construct the Malibu Apartments on parcel 59281318390. PUD Planned Unit Development Zone.

MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS.

Motion made by Alderperson John Belanger, seconded by Kimberly Meller

Voting yea: Mayor Ryan Sorenson, Alderperson John Belanger, Marilyn Montemayor, Public Works Director Travis Peterson, Jerry Jones, Braden Schmidt and Kimberly Meller

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. Submittal and approval of a proposed storm drainage plan prior to building permit issuance.
3. Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the apartment building to be occupied.
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. 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.).
6. All areas used for parking/maneuvering of vehicles shall be paved.
7. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
8. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.

9. 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.).
10. 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.).
11. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
12. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
13. 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, art, etc.
14. Applicant is responsible for working with all private and public utilities in order to adequately service this development (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
15. 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.
16. Owner/Developer and City understand that the landscape plan is to be installed in phases.
17. Owner/Developer is responsible for installation of the entire approved landscape plan. If the owner/developer elects to amend the landscape plan in any fashion, the owner/developer shall resubmit an amended plan to Department of City Planning & Development for approval.
18. Plantings located around all ingress/egress of the site shall be maintained to not interfere with vehicular/pedestrian traffic.
19. Plantings located around the Fire Department Connection must be maintained to make sure that it is accessible at all times.
20. Plantings located by light poles should be maintained to keep areas well lit.
21. The Department of Planning & Development must inspect the landscaping. Failure to comply with any of the above conditions may require the removal and replanting of plants.
22. All plantings will need to be maintained per Section 105-894(b) Maintenance.

If there are any amendments to the approved GDP the applicant will have to submit an amended GDP for review that accurately reflects any and all proposed changes.

Motion carried.

12. Specific Implementation Plan amendment by Malibu Apartments, LLC to construct the Malibu Apartments on parcel 59281318390. PUD Planned Unit Development Zone.

MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS.

Motion made by Alderperson John Belanger, seconded by Jerry Jones

Voting yea: Mayor Ryan Sorenson, Alderperson John Belanger, Marilyn Montemayor, Public Works Director Travis Peterson, Jerry Jones, Braden Schmidt and Kimberly Meller

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. Submittal and approval of a proposed storm drainage plan prior to building permit issuance.
3. Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the apartment building to be occupied.

4. Outdoor storage of materials, products or equipment shall be prohibited.
5. 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.).
6. All areas used for parking/maneuvering of vehicles shall be paved.
7. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
8. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.
9. 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.).
10. 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.).
11. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
12. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
13. 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, art, etc.
14. Applicant is responsible for working with all private and public utilities in order to adequately service this development (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
15. 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.
16. Owner/Developer and City understand that the landscape plan is to be installed in phases.
17. Owner/Developer is responsible for installation of the entire approved landscape plan. If the owner/developer elects to amend the landscape plan in any fashion, the owner/developer shall resubmit an amended plan to Department of City Planning & Development for approval.
18. Plantings located around all ingress/egress of the site shall be maintained to not interfere with vehicular/pedestrian traffic.
19. Plantings located around the Fire Department Connection must be maintained to make sure that it is accessible at all times.
20. Plantings located by light poles should be maintained to keep areas well lite.
21. The Department of Planning & Development must inspect the landscaping. Failure to comply with any of the above conditions may require the removal and replanting of plants.
22. All plantings will need to be maintained per Section 105-894(b) Maintenance.

If there are any amendments to the approved SIP the applicant will have to submit an amended SIP for review that accurately reflects any and all proposed changes.

Motion carried.

NEXT MEETING

13. October 15, 2024

The next meeting is scheduled to be held on October 15, 2024.

ADJOURN

14. Motion to Adjourn

MOTION TO ADJOURN AT 4:18 PM

Motion made by Jerry Jones, seconded by Alderperson John Belanger

Voting yea: Mayor Ryan Sorenson, Alderperson John Belanger, Marilyn Montemayor, Public Works

Director Travis Peterson, Jerry Jones, Braden Schmidt and Kimberly Meller