

CITY OF SHEBOYGAN
CITY PLAN COMMISSION MINUTES

Tuesday, April 26, 2022

Persons with disabilities who need accommodations to attend this meeting should contact the Department of City Development, (920) 459-3377. Persons other than commission, committee, and board members who wish to participate remotely shall provide notice to the City Development Department at 920-459-3377 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

OPENING OF MEETING

1. Call to Order

MEMBERS PRESENT: Mayor Sorenson, Jerry Jones, Marilyn Montemayor, David Hoffman and Alderperson Mitchell

MEMBERS EXCUSED: John Motiska and Ryan Sazama

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

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 April 12, 2022.

Motion by Dave Hoffman, second by Marilyn Montemayor to approve. Motion carried.

ITEMS FOR DISCUSSION/ACTION

6. Application for Conditional Use Permit with exceptions by Quasius Construction to construct a new fuel station canopy with signage at the previously approved new convenience store and service station at the southeast corner of N. 26th Street and Superior Avenue.

Motion by Jerry Jones, second by Dave Hoffman 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, alcohol, 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 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.
4. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
5. 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.
6. 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. The street trees 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.
7. 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 (dumpster to be masonry with privacy slatted gates).
8. Outdoor storage of materials, products or equipment shall be prohibited (no soda machines, product displays for sale, equipment, etc.).
9. Outdoor display of ice, propane and firewood is permitted but shall be properly maintained in an orderly fashion at all times (south end of the front/west side of the building and/or dumpster enclosure). Yearly and/or seasonal outdoor display is not permitted in the street yards and/or in the fueling island under the canopy. Prior to building permit issuance, the applicant shall work with staff and submit an updated site plan detailing exactly where these items will be displayed outdoors on the property (locations, dimensions, type of structures, etc.). If staff has any concerns with the proposed outdoor display/storage, this matter may be brought back to the Plan Commission for review.
10. Any fencing/retaining wall shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. Applicant shall work with staff with regards to constructing appropriate and well-designed fence/retaining wall and shall obtain the necessary permits prior to installation. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
11. 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.).
12. 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.
13. 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.
14. Applicant shall install individual letter signs – no cabinet or flat panel signs.
15. 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.
16. Maximum canopy sign square footage permitted is 20sf for the gas fuel canopy signage.
17. No sign shall be located on the roof or the top horizontal plane of the canopy.
18. Applicant shall not be able to have string lights, pennants, inflatables, or other various types of temporary signage.
19. The total height of any overhead canopy shall not exceed 20 feet as measured to the highest part of the structure (top of canopy to grade).

20. All areas used for parking/maneuvering of vehicles shall be paved. Applicant shall meet the minimum 10 foot paving setback to street property lines and minimum five (5) foot paving setback to all interior side or real lot lines.
21. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
22. 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.
23. 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.
24. 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.
25. 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.).
26. 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.).
27. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
28. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
29. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
30. 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).
31. Building permits shall be issued only at such time as the applicant can provide documentation that the lots have been combined into one (1) parcel which has been officially recorded by Sheboygan County.
32. The facility hours of operation shall be 5:00am to 10:00pm Sunday to Thursday and 5:00 am to 11:00pm on Friday and Saturday.
33. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design and canopy. Architectural Review Board shall determine the height of the masonry to be installed on the canopy support structures.
34. If there are any amendments to the approved conditional use permit (including but not limited to site plan, architectural design, use, canopy, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments.

Motion carried.

7. Application for Conditional Use Permit with exceptions by Quasius Construction to construct a new multi-tenant convenience store and service station at the northwest corner of N. 15th Street and Geele Avenue (2206 N. 15th Street).

Motion by Dave Hoffman, 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, storm drainage, health, alcohol, 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 in a clean and dust free condition. If the applicant demolishes the building and removes the concrete from the site but does not move forward with the project, the applicant shall be required to landscape the property with grass in a timely fashion (property will not be left in a disturbed state).
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. The facility will meet all zoning requirements including but not limited to noise, smells, vibration, hazardous materials, etc.
5. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
6. Submittal/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.
7. 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. The street trees 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.
8. 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 (dumpster to be masonry with privacy slatted gates).
9. Outdoor storage of all of their materials, products or equipment shall be prohibited (no soda machines, product displays for sale, equipment, etc.).
10. Outdoor display of ice, propane and firewood is permitted but shall be properly maintained in an orderly fashion at all times (east side of the building). Yearly and/or seasonal outdoor display is not permitted in the street yards and/or in the fueling island under the canopy. Prior to building permit issuance, the applicant shall work with staff and submit an updated site plan detailing exactly where these items will be displayed outdoors on the property (locations, dimensions, type of structures, etc.). If staff has any concerns with the proposed outdoor display/storage, this matter may be brought back to the Plan Commission for review.
11. Any fencing/retaining wall shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
12. Applicant shall install a vinyl fence along the north property line. 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.
13. 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.).
14. 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.
15. 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.
16. Applicant shall install individual letter signs – no cabinet or flat panel signs.

17. 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.
18. Maximum canopy sign square footage permitted is 20sf for the gas fuel canopy signage.
19. No sign shall be located on the roof or the top horizontal plane of the canopy.
20. Applicant shall not be able to have string lights, pennants, inflatables, or other various types of temporary signage.
21. The total height of any overhead canopy shall not exceed 20 feet as measured to the highest part of the structure (top of canopy to grade).
22. All areas used for parking/maneuvering of vehicles shall be paved. Applicant shall meet the minimum five (5) foot paving setback to all property lines.
23. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
24. 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.
25. 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.
26. 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.
27. 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.).
28. 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.).
29. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
30. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
31. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
32. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility.
33. 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.
34. 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).
35. Any future/additional uses of the facility/property, additions, site improvements, etc. may require conditional use permit and architectural review.
36. Building permits shall be issued only at such time as the applicant can provide documentation that the lots have been combined into one (1) parcel which has been officially recorded by Sheboygan County.
37. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design and canopy.
38. If there are any amendments to the approved conditional use permit (including but not limited to site plan, architectural design, use, canopy, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments.

Exceptions granted:

- To have 19 parking spaces.
- From the locational and bufferyard landscaping requirements.

Roll Call vote:

Aye: Jerry Jones, Marilyn Montemayor, David Hoffman and Alderperson Mitchell

Nay: Mayor Sorenson

Motion carried.

8. R.O. 146-21-22 and G.O. 43-21-22 by Alderperson Dekker granting Old World Creamery, LLC, its successors and assigns, the privilege of encroaching upon described portions of St. Clair Avenue right of way in the City of Sheboygan for the purpose of creating a concrete approach.

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

NEXT MEETING

9. May 10, 2022

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 4:30 p.m.

In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

*City Hall • Mead Public Library
Sheboygan County Administration Building • City's website*