

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, February 22, 2011 at 4:00 P.M. in the Third Floor conference room in City Hall, 828 Center Avenue. Chairperson Mayor Bob Ryan presided.

Present: Mayor Ryan, Ald. Marilyn Montemayor, Steve Hemsing, Don Cvetan, Ryan Sazama and John Van Der Male

Excused: Jerry Jones

Staff present: Steve Sokolowski

Others present: Jeff Nance, Jodie Zajkowski, Pam Greger, Dan Benson, Dick Rogers, Augie Vega, David Baum, Eric Thom, Max Franzen, Max Dickman, Gary Hughes, Bob Jeske, Max Bulbin, Elizabeth Williams, Joe Gulig, DuWayne Hameister and Craig Ostermann

Mayor Ryan called the meeting to order and the Pledge of Allegiance was recited.

Conditional Use Permit and variance application by RLO Sign, Inc. to install new signage at Denny's Bar, 2140 Calumet Drive.

Craig Ostermann was present to discuss this matter with the Commission.

The applicant is proposing to install a 25 square foot illuminated sign which will replace a projecting sign that recently fell and was damaged.

The tavern is located in an NR Neighborhood Residential zoning district and is considered a legal nonconforming use.

Following due consideration, Ald. Montemayor moved, Steve Hemsing seconded to approve with the following conditions:

1. The necessary sign permit shall be obtained prior to installation.
2. 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.
3. Prior to sign permit issuance, the applicant shall remove the former projecting sign support structure located on the roof.

The motion passed unanimously.

Conditional Use Permit application by the Sheboygan Jaycees to operate the Dominion of Terror Haunted House at 2024 North 15th Street.

Jodie Zajkowski and Pam Greger were present to discuss this matter with the Commission.

The Jaycees have been using this building for a haunted house since 2005. They will be operating the haunted house April 29 and 30 and in October 1, 7, 8 14, 15, 21, 22, 23, 26, 27, 28, 29, 30 and 31. The Jaycees provide security, fire and medical staff. The Fire and Building Inspection Departments inspect the property prior to opening to the public.

Following due consideration, Ald. Montemayor moved, Steve Hemsing seconded to approve with the following conditions:

1. Prior to constructing the haunted house, a design of the haunted house layout shall be submitted to and approved by the building and fire departments. Applicant shall meet all building/fire code requirements prior to operation (the construction shall meet all the Special Amusement occupancy requirements).
2. A walk through by the building and fire department shall take place a minimum of 48 hours prior to opening to public.
3. No haunted house activities shall take place outside of the facility after 10:30 p.m.

The motion passed unanimously.

Conditional Use Permit application by the Knights of Columbus to locate/operate their new lodge facility and install new signage at 833 Center Avenue.

Gary Hughes, Bob Jeske and DuWayne Hameister were present to discuss this matter with the Commission.

The Knights of Columbus is proposing to remodel the interior and exterior of the building, install signage, etc. The building will be used as the KC Center which was previously located on Saemann Avenue. There will be a total of 11 off-street parking spaces behind the building. There are several off-street and on-street parking spaces available during the hours of operation of the KC Center.

The applicant is proposing to install several wall signs:

- 9 square foot (3 x 3) "K of C" logo wall sign - front elevation facing Center Ave.
- 13 square foot (2 x 6.3) LED message center - front elevation facing Center Ave.

- 9 square foot (3 x 3) "K of C" logo wall sign - west elevation facing N. 9th Street.
- 30 square foot (3.8 x 7.7) "Knights of Columbus" - west elevation facing N. 9th Street.

- 9 square foot (3 x 3) "K of C" logo wall sign - rear elevation facing Penn Ave/parking lot.

At this time, there will not be an outdoor dumpster enclosure.

Following due consideration, Ald. Montemayor moved, Don Cvetan seconded to approve with the following conditions:

1. Prior to construction and operation, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, health, food, alcohol, occupancy, etc.
2. If a dumpster is used, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
3. Outdoor storage of materials, products or equipment shall be prohibited
4. 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.
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, satellite dishes, etc.).
6. If the applicant is remodeling the exterior of the building, the applicant shall utilize materials and colors that are compatible and consistent with the rest of the building (adding and/or closing any new doors/windows, painting, etc.).
7. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
8. Applicant shall meet Sections 15.804(a) and (c) of the City of Sheboygan Zoning Ordinance relating to signage and pedestrian/ traffic safety and sign timing/cycles. No signs containing flashing, intermittent or moving sections or intermittent or flashing lights shall be permitted.

The motion passed unanimously.

Gen. Ord. No. 51-10-11 granting Sheboygan Columbus Institute the privilege of encroaching upon described portions of N. 9th St. located at 833 Center Avenue for the purpose of maintaining the building.

This document is necessary to legalize the existing encroachments.

Following due consideration, Steve Hemsing moved, Ryan Sazama seconded to recommend approval of the encroachments. The motion passed unanimously.

Conditional Use Permit application by AT&T to replace/install new panel antennas on the existing telecommunications tower at 1705 Martin Avenue.

Jeff Nance was present to discuss this matter with Commission.

AT&T is proposing to update their antennas on the existing telecommunications tower located on the Polyfab property located at 1705 Martin Avenue. The modifications include removing three (3) existing panel antennas and replacing them with six (6) new panel antennas. The new

antennas will be six (6) feet tall. All equipment will be placed inside the equipment shelter located adjacent to the tower.

Following due consideration, Ald. Montemayor moved, John Van Der Male seconded to approve with the following conditions:

1. Antennas and related telecommunications equipment shall have a non-reflective surface and a neutral color that is the same or similar color as the supporting structure to be as visually unobtrusive as possible.
2. Applicant shall obtain all necessary permits required to install the antennas and related telecommunications equipment (including but not limited to building, electrical, HVAC, plumbing, etc.).
3. Antennas shall be designed and installed to meet all applicable governmental and industry safety standards (FCC, FAA, etc.).

The motion passed unanimously.

Conditional Use Permit by Cellcom Wireless to install a new 105 foot monopole telecommunications tower and related equipment at 1202 South Wildwood Avenue.

Dick Rogers was present to discuss this matter with the Commission.

Cellcom Wireless is proposing to construct a new 105-foot high wireless telecommunications monopole tower and associated mechanical equipment. The tower will permit up to three (3) additional providers to collocate on the tower. The applicant will be leasing a 3,600 square foot (60 x 60) area from the Blue Line Center to construct the new tower and equipment. This leased area is located northeast of the existing parking lot. The applicant is proposing to construct a six (6) foot high chain link fence with three (3) strands barbwire for a total height of 7 feet.

The proposed access drive is proposed to be gravel, but Zoning Ordinance requires all traffic circulation areas need to be paved.

Following due consideration, Ald. Montemayor moved, Don Cvetan seconded to approve with the following conditions:

1. Submittal and approval of a proposed drainage plan.
2. Submittal and approval of a proposed landscape plan.
3. Applicant shall obtain all necessary permits required to install the antennas and related telecommunications equipment (including but not limited to building, electrical, HVAC, plumbing, etc.).
4. All fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. If using chain link fencing, the applicant shall install Privacy Decorative Slating (PDS) material in order to effectively screen tower and associated mechanical equipment.
5. Antennas shall be designed and installed to meet all applicable governmental and industry safety standards (FCC, FAA, etc.).

6. The applicant shall pave the access drives that lead to the tower.
7. The wireless communication tower and equipment shall be properly maintained.
8. No lighting shall be permitted on a tower except as required by the FAA.
9. Towers shall have a non-reflective surface and a neutral color that is the same or similar color as the supporting structure to be as visually unobtrusive as possible, or, if required by the FAA, be painted pursuant to the FAA's requirements.
10. If the wireless telecommunications tower has been discontinued for a period of six consecutive months or longer it is hereby declared "abandoned." If there are two or more users of this wireless telecommunications tower, then this abandonment is not effective until all users cease using this wireless telecommunications tower.
11. Abandoned facilities, as defined in condition 9 above, shall be removed by the sub-leaser within ninety (90) days from date of abandonment. If the wireless telecommunications tower is not removed within said ninety (90) days, the City may remove the wireless telecommunications tower at the sub-leaser's expense.
12. Any future installations and/or providers wishing to collocate on this wireless telecommunications tower shall be required to obtain a conditional use permit prior to installation/operation.

The motion passed unanimously.

Conditional Use Permit and variance application by Continental Properties to construct a new Pick' N Save grocery store at 2633 South Business Drive.

Augie Vega, David Baum, Eric Thom, Max Franzen, Max Dickman, Max Bulbin, Elizabeth Williams, representing the applicant, and Joe Gulig, an adjacent neighbor, were present to discuss this matter with the Commission.

Continental Properties is proposing to replace the K-Mart store with a new 71,000 square foot Pick 'N Save store. The building will be moved to the west towards South Business Drive away from the residential properties to the east. The proposed hours of operation will be from 6:00 a.m. to 12:00 p.m. daily. There will be a total of 348 parking spaces provided which exceeds the required 233 spaces. The store will utilize the three existing ingress/egress driveways on South Business Drive.

The applicant is requesting a one foot setback for the main pylon sign a variance from the 12 foot setback requirement and indicated they will work with staff regarding signage for the site.

Joe Gulig, an adjacent neighbor, had questions regarding stormwater runoff, the condition of the existing fence, if semis will be parked overnight and left running and storage of plowed snow.

Max Dickman, representing Roundy's, addressed Mr. Gulig's concerns. It is against company policy to have semis parked overnight. There will be storm water interceptors in the parking lot to handle parking lot runoff. If the storage of snow causes any problems to the residence to the east, Roundy's will address the problems. The fence is in disrepair and will be addressed.

Following due consideration, Ald. Montemayor moved, Ryan Sazama seconded to approve with the following conditions:

1. Submittal/approval of a proposed storm drainage plan.
2. Submittal/approval of a proposed landscape plan that provides a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan). Applicant shall also meet all landscape bufferyard requirements.
3. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. Dumpster enclosure, as depicted on the site plan and the architectural elevations, is acceptable.
4. All fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. If the applicant installs new fencing, the applicant shall utilize materials and colors that are consistent the entire length of the fence (applicant may not construct new fencing in one area and maintain old fencing in another).
5. Any and all fences, landscape walls, or decorative posts shall be erected so as to locate visible supports and other structural components toward the subject property.
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, satellite dishes, etc.).
8. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance, except where variances were granted. Lighting variance does not include the residential properties to the east - there shall be no spillover light onto adjacent residential properties. Proposed lighting shall not create a nuisance.
9. All areas used for parking or maneuvering of vehicles shall be paved.
10. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
11. Applicant shall obtain the necessary conditional use/sign permits prior to installation.
12. Applicant shall work with staff with regards to constructing a well designed pylon sign for the site that utilizes colors and materials similar to the building. Staff may bring the proposed pylon sign design back to the Plan Commission for review/approval.
13. Prior to building permit issuance, the applicant is responsible for providing all necessary ingress/egress and/or shared parking agreements between Pick n' Save and adjoining properties.
14. 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.
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. Applicant will provide adequate public access along S. Business Drive and will take all appropriate actions to minimize the time period that these sidewalks and streets will be closed/affected.
17. Applicant shall obtain all necessary razing permits prior to demolishing the existing store. If construction of the new store does not begin within 30 days of razing the old store, the applicant shall immediately take all actions necessary to keep the property in a dustless

condition including but not limited to installing landscaping/grass on the entire redevelopment site.

The following variances were granted:

1. Zero (0) foot paving setbacks on the north and south property lines, as well as around the H&R Block property, in order to continue permitting cross access between properties. Minimum paving setback is five (5) feet.
2. Exceeding the .50 footcandles at the north, south and west commercial property lines (not the east residential property line) where maximum .50 footcandles are allowed at the property line.
3. Maintain a one (1) foot setback for the main pylon sign where a minimum 12 foot setback is required.

The motion passed unanimously.

Res. No. 212-10-11 repealing Res. No. 190-58-59 which granted permission to Metropolitan Life Insurance Co. to construct certain driveways.

This document is necessary to clear the record title for the City building located at 833 Center Avenue which is being sold to the Knights of Columbus. The driveways that were approved by the Resolution passed in 1958 no longer exist.

Following due consideration, Ald. Montemayor moved, John Van Der Male seconded to recommend approval of the Resolution. The motion passed unanimously.

Being no further business, the meeting adjourned at 4:50 P.M.

Carol Rudie
Recording Secretary