

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, February 23, 2010 at 4:00 P.M. in the Third Floor conference room at City Hall, 828 Center Avenue. Chairperson Mayor Ryan presided.

Present: Mayor Ryan, Bert Guillette, Steve Hemsing, Ryan Sazama and Jerry Jones

Excused: Ald. Mark Hanna

Staff present: Steve Sokolowski

Others present: Dan and Flora Georgia, Jim Gilles, Jim Price, Josh Lintereur, Gregg Wagner, Craig Rusch and Ald. Jim Gischia

The Pledge of Allegiance was recited.

Approval of minutes of January 26, 2010 meeting.

Jerry Jones moved, Bert Guillette seconded to approve the minutes of the January 26, 2010 meeting. The motion passed unanimously.

Conditional Use and variance application by Daniel Georgia to convert the single-family dwelling at 1206 Superior Avenue into a commercial tenant building (photography studio, massage and commercial tenant space).

Dan and Flora Georgia were present to discuss this matter with the Commission.

The applicant is proposing to convert the single family dwelling into a small scale, boutique style, and photography and massage studio. The west wing is 636 square feet and the applicant is proposing to rent it out to a retail or professional service type business that will likely employ 1 or 2 people. A 5 space parking lot will be constructed on the north side of the building adjacent to Plath Court.

There is a common property line shared by 1206 and 1210 Superior Avenue that runs directly through the middle of the west wing office building of 1206 Superior Avenue. The property owners are working together to resolve the property line issue.

Hans Graf, the owner of the property located at 1210 Superior Avenue, has signed a letter supporting the conditional use permit, variance, parking and lot line adjustment.

Following due consideration, Jerry Jones moved, Bert Guillette seconded to approve with the following conditions and variances:

1. Submittal/approval of a proposed storm drainage plan.
2. Submittal/approval of a proposed landscape plan.
3. If a dumpster is to be used, the dumpster shall be screened/enclosed and constructed of like materials and colors of the facility.
4. 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.
5. Prior to building permit issuance for the business to be located in the west wing office facility, the applicant shall provide official documentation that all property line issues between 1206 and 1210 Superior Avenue have been resolved (the applicant shall provide written documentation that they have obtained property from 1210 Superior Avenue as depicted on the approved site plan).
6. Prior to operation/occupancy of the business to be located in the west wing office facility, 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.
7. Outdoor storage of materials, products or equipment shall be prohibited.
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. All areas used for parking or maneuvering of vehicles shall be paved. Parking area shall be completed by June 1, 2010.
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. Minimum setback for the monument sign is 12 feet.
13. Maximum height of the monument sign is 8 feet.
14. Any new ingress/egress driveway openings shall be improved to City standards. Any drives to be closed or modified shall be constructed to City standards.
15. 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.

The following variance was granted for the property located at 1210 Superior Avenue:

1. A side yard setback of 4.1 feet where a minimum side yard setback is 5 feet for the property located at 1210 Superior Avenue.

The following variances were granted for the property located at 1206 Superior Avenue:

1. A side yard setback of 2.9 feet – minimum side yard setback is 5 feet.
2. A rear yard setback of 7.7' feet – minimum rear yard setback is 10 feet.
3. A paved surface setback of 3 feet – minimum paved surface setback is 5 feet.
4. A parking approach of 44' along R.O.W. line – maximum parking approach is 40 feet but may be increased with Plan Commission permission.

The motion passed unanimously.

Conditional Use application by Jim Pankow, Inc. to construct Gilly's Restaurant at 2720 S. Business Drive (the former Avis Rental Car facility/property).

Jim Gilles and Jim Price were present to discuss this matter with the Commission.

The applicant is proposing to construct a retro-style drive in restaurant with car hop service. There will be no inside seating and will be open seasonally. The building will be approximately 1,876 square feet. The drive-in canopy will extend approximately 120 feet from the front of the restaurant towards South Business Drive and will permit parking for a total of 26 cars (13 on each side of the canopy). The existing building will be demolished.

There will be a total of 57 parking spaces on the site. On-site circulation will be one-way around the site. There will be a 22 by 22 foot utility shed and a 19 by 22 dumpster enclosure located at the southwest corner of the site.

Tim Frey, owner of the property located at 2732 South Business Drive south of the proposed Gilly's, sent an email that he was in support of the project.

Planning staff indicated they were able to assist Gilly's in finding this site after their first choice for a site did not work out.

Following due consideration, Ryan Sazama moved, Jerry Jones seconded to approve with the following conditions:

1. Submittal and approval of a proposed storm drainage plan.
2. Submittal/approval of a proposed landscape plan - provide a legend showing how the four (4) landscape criteria are being met.
3. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If the dumpster is to be chain link, the applicant will install Privacy Decorative Slating (PDS).
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, satellite dishes, etc.).
6. 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 and/or the streets.
7. All areas used for parking or maneuvering of vehicles shall be paved.
8. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
9. Applicant shall obtain the necessary conditional use/sign permits prior to installation.

10. Any modifications to existing ingress/egress driveway openings shall be improved to City standards.
11. The restaurant facility and site shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.
12. Prior to razing/building permit issuance, the applicant will be required to provide the appropriate documentation that they officially own the site.
13. Applicant shall obtain all necessary razing permits for all structures to be demolished.
14. 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.
15. Applicant must receive approval from the Architectural Review Board prior to issuance of a building permit.

The motion passed unanimously.

Being no further business, the meeting adjourned at 4:30 P.M.

Carol Rudie
Recording Secretary