

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, May 10, 2011 at 4:00 P.M. in the Third Floor conference room, City Hall, 828 Center Avenue. Chairperson Mayor Ryan presided.

Present: Mayor Ryan, Ald. Kevin Sampson, Don Cvetan, Jerry Jones, Steve Hemsing, Ryan Sazama and John Van Der Male

Staff present: Steve Sokolowski and Chad Pelishek

Others present: Jason LaGon, Joshua Dawson, Bill TeWinkle, David Borsuk, Paul Breckheimer, Shelly and John Gosse, Gary Hauch, Ingrid and Jerry Wenninger, Mike LaLonde, Craig Ostermann and Hardik Khatri

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

Election of vice-chairperson.

John Van Der Male moved, Ryan Sazama seconded to nominate Jerry Jones for vice-chairperson. Steve Hemsing moved, John Van Der Male seconded to close the nominations and cast a unanimous ballot for Jerry Jones for vice-chairperson. The motion passed unanimously.

Approval of minutes of the April 26, 2011 meeting.

John Van Der Male moved, Don Cvetan seconded to approve the minutes of the April 26, 2011 meeting. The motion passed unanimously.

Conditional Use Permit and variance application by J&S Gosse, LLC to operate Lakeshore HVAC & Solar Co., Inc. at 1146 Union Avenue.

Shelly and John Gosse, Ingrid and Jerry Wenninger, Jason LaGon, Joshua Dawson and Gary Hauch were present to discuss this matter with the Commission.

The applicants, Shelly and John Gosse, propose to locate and operate their office and showroom out of 1146 Union Avenue. The majority of their work and services performed for customers is done at the jobsite. They currently have two employees and may have one to two more employees in the future.

There is a parking area in the rear of the building for two vehicles. There is on-street parking available on Union Avenue. The Zoning Ordinance requires 7 parking spaces and, therefore, the applicant is requesting a variance to provide 2 off-street parking spaces. The east-west alley is a public alley.

Jerry Wenninger, representing the VFW, indicated the driveway between the two buildings is owned by the VFW and people use it as access to the back of the buildings and park in the driveway. He indicated concerns regarding the lack of parking in the area and problems with snow removal.

The Plan Commission encouraged the applicant to work with the VFW regarding the issues and concerns discussed at the meeting.

Following due consideration, Steve Hemsing moved, John Van Der Male seconded to approve with the following conditions:

1. 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.
2. If using a dumpster, the dumpster 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 Slatting (PDS) material in order to effectively screen the dumpster.
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. Applicant shall obtain the necessary sign permit prior to installation.

Variance was granted to allow 2 off-street parking spaces where 7 spaces are required.

The motion passed unanimously.

Conditional Use Permit application by RLO Sign, Inc. to install new signage at Super 8 Motel, 3402 Wilgus Avenue.

Craig Ostermann and Hardik Khatri were present to discuss this matter with the Commission.

This matter was held at the February 8, 2011 meeting to give the applicant an opportunity to rectify a number of outstanding issues regarding construction and building permits. The majority of the issues have been resolved; however, the applicant does owe the City a significant amount of property taxes.

The applicant is proposing to install a new 28 square foot wall sign on the south elevation facing Wilgus Avenue and replace the existing pylon sign with a 160 square foot sign. The sign is proposed to be 30 feet high. The sign shall meet the required 12 foot setback from the property line.

Mr. Khatri explained he needs the new signage to assist his customers because they are finding it difficult to find the Super 8 Hotel because the present signage states America's Best Value Inn.

There are semi-trailers, a work trailer and wood pallets being stored on the property that will need to be removed.

Commission discussed the outstanding room taxes and property taxes and Mr. Khatri indicated he would set up a payment plan with the City and County regarding the back taxes.

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

1. The necessary sign permit shall be obtained prior to installation.
2. Prior to sign permit issuance, the applicant shall resolve all issues with the City of Sheboygan and obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, health, food, occupancy, hospitality permit, room taxes, property taxes, etc.
3. Prior to sign permit issuance, all tax issues will be satisfactorily resolved and/or payment plans established with both the City of Sheboygan and the County of Sheboygan.
4. Prior to sign permit issuance, all semi-trailers, work trailers, miscellaneous debris/equipment shall be removed from the site by August 5, 2011.
5. 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.
6. Sign shall meet the required 12 foot setback (closet edge of sign to property line). If the sign does not meet the 12 foot setback, the applicant will be required to resubmit the conditional use/sign permit application request.
7. The supports for the existing legal nonconforming freestanding sign shall not be relocated any closer to the property line.
8. Absolutely no portion of the new pylon sign shall cross any property lines.
9. Maximum height of the pylon sign is 30 feet.
10. Applicant shall install landscaping around support poles of pylon sign by August 5, 2011.

The motion passed unanimously.

Site Plan Review application by LaLonde Contractors, Inc. to construct and operate a temporary batch plant on the Van Der Vaart property located at 1436 S. 15th Street.

Mike LaLonde was present to discuss this matter with the Commission.

The batch plant will be located at the southeast corner of the Van Der Vaart property. The batch plant will be used for the City's paving program and will operate approximately from May to the end of October. The batch plant will consist of a concrete mixing plant, conveyors, a generator trailer, an admixture trailer and a control trailer.

Following due consideration, Steve Hemsing, Don Cvetan seconded to approve with the following conditions:

1. Applicant shall obtain all permits necessary to operate the batch plant (building/electrical/plumbing/HVAC permits, water hook up permits, erosion control, WI DNR, etc.).
2. Applicant shall not create any nuisances to the surrounding neighborhood due to the operation of the batch plant including but not limited to noise, dust, traffic, etc.

3. Applicant shall operate batch plant per City of Sheboygan Municipal Ordinance pertaining to hours of operation.
4. Applicant shall adequately clean up all streets/public right-of-way from dust, tracking, etc.
5. Submittal and approval of a proposed storm drainage plan.
6. Applicant shall disassemble the temporary batch plant by November 18, 2011.

The motion passed unanimously.

Gen. Ord. No. 3-11-12 and R. O. No. 6-11-12 relative to granting Joint Venture Rentals, LLC the privilege of encroaching upon described portions of Michigan Avenue located at 920 Michigan Avenue for the purpose of installing and maintaining a doorway.

Steve Sokolowski requested this item be held. The contractor indicated the encroachment was no longer necessary, but the owner was requested to put the withdrawal in writing. The written withdrawal was not received as of the meeting time.

Jerry Jones moved, John Van Der Male seconded to hold. The motion passed unanimously.

Gen. Ord. No. 2-11-12 amending the text of the Zoning Ordinance in Section 15.205 Regulations Applicable to All Land Uses so as to add (12).

The proposed Ordinance addresses concerns regarding vacant “large scale buildings”. The Ordinance would require a plan to be submitted to the City continued maintenance of the property and/or removal or proposed reuse of the building within 12 months of becoming vacant.

The proposed Ordinance places an absolute maximum building size of 155,000 square feet. Cap may be exceeded only if approved by the Plan Commission through the conditional use permit process. Also requires outlot buildings to be architecturally comparable to the primary structure.

Following due consideration, Ryan Sazama moved, Jerry Jones seconded to recommend approval. The motion passed unanimously.

Gen. Ord. No. 1-11-12 and R. O. No. 7-11-12 relative to amending the text of the Zoning Ordinance in Sections 15.105, 15.203 and 15.206 so as to permit a junkyard or salvage yard as a conditional use within the UI Urban Industrial District.

The proposed Ordinance would permit a junkyard or salvage yard in the UI Urban Industrial district as a Conditional Use Permit and add a section (f) that states:

In the UI District, permitted uses include Junkyards or Salvage Yards that operated prior to adoption of the 1996 Zoning Ordinance (Subs. Gen. Ord. No. 10-96-97) and consist of not less than 13 acres. This does not permit the expansion of land area for existing Junkyard or Salvage Yard uses or creation of new Junkyards or Salvage yards in the UI District.

Currently the UI zone does not allow junkyards or salvage yards. Therefore, the Gus Holman Company is considered a legal nonconforming use. Gus Holman is requesting this amendment to the zoning ordinance to permit to permit its scrap metal processing use of the property as a conditional use rather than a legal nonconforming use.

The legal nonconforming status concerns Sadoff greatly because in the event the buildings are destroyed by fire and/or other catastrophe, Gus Holman might be prohibited from rebuilding.

Following due consideration, John Van Der Male moved, Steve Hensing seconded to recommend approval of the Ordinance. The motion passed unanimously.

Res. No. 5-11-12 authorizing the sale of City-owned property at 1026 Erie Avenue and 712 S. Water Street.

Chad Pelishek indicated Habitat for Humanity is interested in constructing new single-family, owner occupied houses on these properties. Mr. Pelishek recommended the property at Erie Avenue be sold and the property at 712 S. Water Street be sold with the condition that the property along the river be dedicated for use as a river walkway.

Following due consideration, Ryan Sazama moved, Jerry Jones seconded to recommend approval of the Resolution with the condition that the land along the river at 712 S. Water Street be dedicated for a walkway along the river through the Certified Survey Map process. The motion passed unanimously.

Being no further business, the meeting adjourned at 4:55 P.M.

Carol Rudie
Recording Secretary