



CITY PLAN COMMISSION MINUTES

The City Plan Commission met on Tuesday, June 25, 2013 in the 3rd Floor Conference Room at City Hall, 828 Center Avenue. Mayor Mike Vandersteen presided.

Present: Mayor Mike Vandersteen, Jerry Jones, John Van Der Male, Ryan Sazama, Jose Araujo and Ald. Scott Versey

Excused: Don Cvetan

Staff present: Steve Sokolowski, Chad Pelishek and Janet M Duellman

Others: Mordecai Fayas (Sprint), DuWayne Hameister (Hameister Architects), Mark DeAmico (American Orthodontics), Rory Riesterer (American Orthodontics), Wa Lee, Mai Xiong Lee, Erik Jensen (LJM Architects), Ald. Susan Lessard (Law & Licensing), Ald. Jodi VanderWeele (Law & Licensing), Ald. Kevin Matichek (Law & Licensing) and Mike LoCicero (Sheboygan Press)

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

Approval of minutes of the June 11, 2013 meeting.

Jose Araujo moved to approve the minutes, Ryan Sazama seconded. Motion passed unanimously.

Conditional Use Permit application by Sprint Nextel to install additional wireless antennas and equipment at 3321 Paine Avenue.

Mordecai Fayas was present to discuss this item.

Sprint is proposing to upgrade their network at 3321 Paine Avenue because the current network is not meeting the public's demand for faster and better service on their mobile devices. The proposal includes adding three (3) new 6' x 1' flat panel antennas to the tower and two (2) new cabinets on the existing platform. The old antennas and cabinetry will be removed within six months.

Ryan Sazama moved, Jerry Jones 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 Application by Wa and Mai Lee to operate a new liquor store from the TCL Foto multi-tenant commercial building located at 1322 N. 13th Street.

Wa Lee, Mai Xiong Lee, Ald. Susan Lessard, Ald. Jodi VanderWeele and Ald. Kevin Matichek were present to discuss this item.

Wa and Mai Lee are proposing to operate a new liquor store from the TCL Foto multi-tenant commercial facility located at 1322 N. 13th Street. Wa Lee stated they are proposing to remodel existing storage space into a new liquor store; the liquor store will be open seven (7) days a week from 9:00am to 9:00pm; the liquor store will employ approximately 3 employees; they will have City Building Inspection come through the property to get an occupancy permit and will bring the building up to code.

Ald. Kevin Matichek stated his concerns about a new liquor store in this neighborhood because of the number of taverns already located along Michigan Avenue. Ald. Matichek stated that the addition of a liquor store to the tavern district would not be beneficial to the area; that he had concerns locating a liquor store next to the new bike trail; that Law and Licensing held over the liquor license until the next Law and Licensing meeting pending the City Plan Commission decision on Mr. Lee's request.

Ald. Susan Lessard inquired about notification to the adjacent property owners. Steve Sokolowski explained that 25 property owners, not tenants, were notified and that he had not heard from any of the property owners that received the notice.

The committee discussed the liquor store location within the building, the size of the store (approximately 500sf), hours of operation (9am to 9pm), and if there is a separate entrance.

Steve Sokolowski informed the Plan Commission that staff felt there were several issues that needed to be addressed that included temporary ground signs, banners and pennants, permanent signs; grafetti; garbage and miscellaneous materials; and that the building was pretty weathered and needed to be repainted.

John Van Der Male moved, Ald. Scott Versey 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. Applicant shall adequately monitor/regulate the liquor store.
3. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance.
4. 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.).
5. If a dumpster is used, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.

6. Outdoor storage of materials, products or equipment shall be prohibited. Applicant shall clean this dumpster enclosure area prior to receiving an occupancy permit – remove garbage and store material/equipment indoors.
7. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation (new liquor store, Lee's Kitchen, etc.).
8. Applicant shall remove all temporary pennants, banners and ground signs immediately.
9. Owner shall remove graffiti on west wall prior to receiving an occupancy permit to operate the liquor store from the site.
10. Owner shall repaint the weathered white buildings walls on the north south and east elevations by Friday, September 6, 2013.
11. If remodeling the exterior of the building, the applicant shall obtain City of Sheboygan Architectural Review Board approval prior to remodel construction.
12. 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 motion passed unanimously.

Conditional Use Permit and Variance Application by American Orthodontics to amend the previously approved parking lot plan and to construct/install additional site improvements at 3524 Washington Avenue.

DuWayne Hameister, Rory Riesterer and Mark DeAmico were present to discuss this item.

In April of 2012, the Plan Commission approved a site plan from American Orthodontics to construct site improvements, to remodel the exterior of the facility and to operate from the former Thomas facility at 3524 Washington Avenue. American Orthodontics has submitted a number of revised plans of various site improvements (parking lot, smoking shelter, landscaping, etc.).

The proposed revision is to increase on-site parking to ease mid-afternoon shift change challenges and to accommodate for future growth. The new plan is to have 592 parking spaces which include the elimination of landscape islands and the parking lot roundabout. Also included in the revision is a widening of the driveway to include a right turn lane at the Washington Avenue entrance.

Ryan Sazama mentioned that the cost of the widening of the entrance was to be covered by American Orthodontics.

Jerry Jones moved, John Van Der Male seconded to approve with the following conditions:

1. Prior to construction, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, occupancy, hazardous materials, etc.
2. Submittal and approval of a proposed storm drainage plan.
3. Submittal and approval of a proposed landscape plan.
4. If dumpsters are used, the dumpster(s) 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 and enclose the tanks.

5. Outdoor storage of materials, products or equipment shall be prohibited.
6. 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, except for those areas that received a variance.
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. 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.
10. 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, median, etc.).
11. Applicant will provide adequate public access along Washington Avenue and S. Taylor Drive will take all appropriate actions to minimize the time period that these sidewalks/streets will be closed/affected.
12. If there are any amendments to the approved site plan, the applicant will be required to submit a new site plan and/or conditional use application reflecting those amendments.

Variance granted:

- Variance to be permitted a 24% Landscape Ratio

The motion passed unanimously.

Conditional Use and variance application by the City of Sheboygan to install a new Gateway Community Garden sign on the south property line of Parcel # 104445 (northeast corner of Erie Avenue and N. 10th Street).

Chad Pelishek was present to discuss this item.

The proposed monument sign will be located on the south property line facing Erie Avenue. The sign will be constructed of sign foam which has a wood like appearance and the wood posts will be painted. The sign will be 20sf and 6ft tall.

Jerry Jones moved, John Van Der Male seconded to approve with the following conditions:

1. Applicant shall obtain the necessary sign permits to install the sign.
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. The sign may not cross the property line.

Variance granted:

- zero (0) feet from the sidewalk

The motion passed unanimously.

Site Plan application by Johnston Bakery to construct a new building addition to the facility located at 3320 Weeden Creek Road.

Erik Jensen was present to discuss this item.

The proposed 6,250sf (50' x 125') addition to the east side of the existing facility is due to Johnston's Bakery experiencing an increase in demand for its frozen dough products. The expansion will provide additional productions and cold storage space for operations. The plant produces dough for cookies and other bakery products and fast-freezes it. A new nitrogen tank is proposed to be installed at the northeast corner of the new building and the tank is proposed to be enclosed with an eight (8) foot chain link fence.

Ald. Scott Versey moved, Jerry Jones seconded to approve with the following conditions:

1. Submittal and approval of a proposed storm drainage plan.
2. Submittal and approval of a proposed landscape plan.
3. Prior to construction, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, driveway, occupancy, health, etc.
4. 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.).
5. Dumpster(s) and nitrogen tank 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.
6. Outdoor storage of materials, products or equipment shall be prohibited.
7. 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.
8. All areas used for parking or maneuvering of vehicles shall be paved.
9. Applicant shall meet minimum required five (5) foot paving setback.
10. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
11. The addition will meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
12. 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, DNR, etc.).
13. A sign permit shall be obtained prior to installing signage on the site. Any signage must be reviewed and approved by the City of Sheboygan Architectural Review Board as required by the protective covenants of the Sheboygan Business Park.
14. Applicant shall meet all of the protective covenants of the Sheboygan Business Park.
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.

Motion passed (5-0-1 abstained: Araujo)

GO 9-13-14 & RO 51-13-14 relative to granting North and Calumet, LLC, Inc. the privilege of encroaching upon described portions of Schetter Avenue and N. 22nd Place located in the City of Sheboygan for the purpose.

Steve Sokolowski explained that In May of 2013, the Plan Commission approved a conditional use permit for Dickey's Barbecue Pit to operate in the multi-tenant facility located at 2719 Calumet Drive. The conditional use permit also proposed several site improvements including a sidewalk that would provide access to each of the tenant spaces at the rear of the building so tenants may receive deliveries and take their garbage out directly to the dumpster enclosure.

Portions of the new sidewalk are proposed to actually cross the property line. In order to pave up to the property line the applicant needed a variance (previously approved by the Plan Commission) and an encroachment to actually cross the property line and locate some of the sidewalk on City public right-of-way.

The Plan Commission is considering the applicant's request to have the proposed sidewalk encroach onto City public right-of-way. The Plan Commission should be aware that this is a very minor encroachment containing 7.6sf. Thus, only a very small portion of the sidewalk is proposed to be located in the City public right-of-way.

Jose Araujo moved, Jerry Jones seconded to approve.

The motion passed unanimously.

Adjournment.

John Van Der Male motion to adjourn, Jose Araujo seconded.

The motion passed unanimously. Meeting adjourned at 4:28 pm.

Janet M Duellman
Recording Secretary