

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, July 13, 2010 at 4:00 P.M. in the Third Floor conference room, City Hall, 828 Center Avenue. Vice-chairperson Jerry Jones presided.

Present: Ald. Marilyn Montemayor, Jerry Jones, Ryan Sazama, Don Cvetan and Steve Hemsing

Excused: Mayor Bob Ryan

Staff present: Steve Sokolowski

Others present: Dolcye Johnson, Jeff Knier, Michael Greiveldinger, Bill Koritzsch, Russell Gilman, Ray and Genny Ten Pas, Bob Feckler, Ted Shonts and Bill Hilbert

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

Approval of minutes of June 29, 2010 meeting.

John Van Der Male moved, Ald. Montemayor seconded to approve the minutes of June 29, 2010 meeting. The motion passed unanimously.

Conditional Use Permit and variance application by Reinhold Sign Company to install new signage with a LED message center at Lakeshore Lanes, 2519 South Business Drive.

Bill Koritzsch and Bill Hilbert were present to discuss this matter with the Commission.

The applicant is proposing to change the existing pylon sign with a new 20 foot high pylon sign consisting of two cabinets with an LED message center. The total sign is 82 square feet. The sign will be in the same location as the existing sign and will use the existing support poles.

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

1. Applicant shall obtain the necessary sign permit 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. 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.

4. The supports for the existing legal nonconforming freestanding sign shall not be relocated any closer to the property line.
5. Absolutely no portion of the new pylon sign shall cross any property lines. If any portion of the proposed pylon sign crosses a property line, the applicant will need to obtain the necessary encroachment prior to sign permit issuance.
6. Maximum height of the pylon sign is 20 feet.
7. Support poles of pylon sign shall be boxed in with material and colors that match the bowling alley's materials and colors.
8. The pylon sign shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.

The motion passed unanimously.

Conditional Use Permit application by Randy Oskey to install new signage at 8th Street Ale Haus, 1132 North 8th Street (former Skybox).

Bill Koritzsch were present to discuss this matter with the Commission.

The applicant is proposing to install a new 42 square foot (6 by 7 feet) wall sign on the east elevation/8th Street and a new 25 square foot (2.5 by 10 feet) wall sign on the north elevation/St. Clair Avenue.

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

1. Applicant shall obtain the necessary sign permit 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.

The motion passed 5-1 with Don Cvetan abstaining.

Conditional Use Permit and variance application by Planet Pre Played to locate a temporary mobile trailer for the purchasing of DVD's and video games at the southeast corner of South Business Drive and Wilson Avenue (Parcel #431132).

The applicant was not present.

Dolcye Johnson indicated she was opposed to the proposed use.

Ald. Montemayor moved, Ryan Sazama seconded to hold until the next to give an opportunity for the applicant to be present. Motion failed on a 3-3 vote.

Following further discussion, John Van Der Male moved, Don Cvetan seconded to deny the Conditional Use Permit and variance application. The motion passed 5-1 with Hemsing voting no.

Site Plan Review application by Wisconsin Power and Light Co. for the installation of a Selective Catalytic Reduction system at the Edgewater Generating Station, 3738 Lakeshore Drive.

Jeff Knier, Michael Greiveldinger, Bob Feckler and Ted Shonts were present to discuss this matter with the Commission.

Alliant Energy is proposing to install Selective Catalytic Reduction (SCR) technology to reduce the emission of nitrogen oxides (NOx) from Unit 5 of the Edgewater Generating Station. The purpose of the SCR is to reduce the emissions of NOx from this unit and will positively impact ozone levels.

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

1. Submittal/approval of a proposed storm drainage plan.
2. All fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
3. 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.
4. All vehicles, equipment, materials, products, etc. shall be located on the WPL's property (no storage on public rights-of-way).
5. All trucks transporting materials shall use designated truck routes in the City of Sheboygan.
6. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands.
7. Applicant shall obtain all necessary licenses/permits and/or meet all requirements from the Environmental Protection Agency (EPA), the Wisconsin Department of Natural Resources (DNR), the City of Sheboygan, etc. for the construction and operations of the proposed SCR project.
8. Prior to building permit issuance, the applicant shall obtain all licenses/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, hazardous materials, health, etc. for the construction of all SCR project structures. (applicant shall be in contact with building inspection, fire department, etc.).
9. All building structures will meet the 75 foot setback from the Lake Michigan ordinary high water mark.
10. The applicant shall restore all private and public land/property with appropriate landscaping 60 days after the SCR project is complete.
11. If any structures are proposed to be razed, applicant shall obtain all necessary razing permits.

The motion passed unanimously.

Gen. Ord. No. 12-10-11 and R. O. No. 124-10-11 granting James J. Bukovic Jr. the privilege of encroaching upon described portions of Pennsylvania Ave. located at 1054 Pennsylvania Ave. for the purpose of constructing and maintaining a fence.

The applicant is proposing to replace the existing fence along the south property. In order to construct a new fence in the same location, an encroachment is required.

Ald. Montemayor moved, John Van Der Male seconded to recommend approval of the encroachment. The motion passed unanimously.

R. O. No. 122-10-11 submitting a communication from Russell T. Gilman Jr. of R&G Holdings, LLC requesting to purchase approximately 6' of City land to the south of the property line at 827 Pennsylvania Ave. (Penn Ave. Pub).

Russell Gilman was present to discuss this matter with the Commission.

Mr. Gilman indicated he would like to acquire approximately 163 square feet from the City which is part of the parking lot adjacent to the Penn Avenue Pub property. He would propose to use this property for outdoor seating. Staff indicated he would need to submit the necessary conditional use permit application to construct an outdoor seating area.

Staff indicated that a purchase price would need to be negotiated. This document was also referred to the Sheboygan Transit Commission.

Following due consideration, Ald. Montemayor moved, Steve Hemsing seconded to recommend Report of Officer be placed on file and further recommends the City Attorney be authorized to negotiate the sale of the subject property to Mr. Gilman. The motion passed unanimously.

R. O. No. 123-10-11 submitting a communication from Ray Ten Pas requesting that he be allowed to purchase the unused road right-of-way, Parcel #470622 from the City of Sheboygan.

Ray and Genny Ten Pas were present to discuss this matter with the Commission.

Mr. Ten pas has previously made this request and the City previously informed Mr. Ten Pas that such a proposal would be considered if Mr. Ten Pas provided other property to the City that would permit the City to install a City of Sheboygan Business Park sign along I-43. Staff would consider recommending that the subject parcel be sold only if Mr. Ten Pas provided property that is visible along I-43 in order for the City to construct a Sheboygan Business Park sign.

Following due consideration, Ald. Montemayor moved, Don Cvetan seconded to recommend the document be placed on file and continue to working with Mr. Ten Pas regarding swapping property. The motion passed unanimously.

Being no further business, the meeting adjourned at 4:50 p.m.

Carol Rudie
Recording Secretary