

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, November 9, 2010 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, John Van Der Male, Don Cvetan and Ryan Sazama

Excused: Ald. Marilyn Montemayor, Jerry Jones and Steve Hensing

Staff present: Steve Sokolowski and Chad Pelishek

Others present: Chad Loritz, Mark Marchi, Robert Harker, David and Kristin Casper, Dan Benson, Bill Bittner and Topher Jacobson

Mayor Ryan opened the meeting and the Pledge of Allegiance was recited.

Approval of minutes of October 19, 2010 and October 26, 2010 meetings.

John Van Der Male moved, Ryan Sazama seconded to approve the minutes of the October 19 and October 26, 2010 meetings. The motion passed unanimously.

Conditional Use Permit and Variance application by Sheboygan County Historical Society to install a monument sign with an LED message center at the southwest corner of the Museum property located at 3110 Erie Avenue.

Robert Harker was present to discuss this matter with the Commission.

The applicant is proposing to install a new LED message center monument sign at the southeast corner of Erie Avenue and Taylor Drive. The proposed sign will be approximately 64 square feet and eight feet high.

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

1. Applicant shall obtain the necessary sign permits to install the sign.
2. Applicant shall meet the 12-foot sign setback (edge of sign to property line).
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. 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.

5. The monument sign shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.

A variance was granted to install a 64 square foot monument sign where a maximum 24 square foot sign is permitted.

The motion passed unanimously.

Conditional Use Permit to operate a piano studio home occupation from your apartment located at 625-A North 8th Street.

David and Kristin Casper were present to discuss this matter with the Commission.

The applicant will be offering lessons on a part-time basis. The instrument that will be used is a Clavinova which is digital and the volume may be adjusted or headphones may be used when playing. Customers can parking on the street or use the public parking lot next to the Boston Store.

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

1. Applicant shall meet all home criteria per Section 15.206(8)(s) of the City of Sheboygan Zoning Ordinance.
2. The home occupation may only utilize 25 percent of the living area of the dwelling.
3. Not more than one sign, not to exceed two square feet, non-illuminated and flush wall mounted only, will be used to advertise the home occupation. Applicant would be required to obtain a sign permit. Also, no temporary signage is permitted for home occupations.
4. If the piano studio business creates a nuisance, the Plan Commission will have the authority to again review the home occupation conditional use permit.
5. If the applicant moves from the present location, the conditional use permit will discontinue immediately.

The motion passed unanimously.

Conditional Use Permit application M. T. Wine Glass, Inc. to locate Soup A Go-Go at 623 North 8th Street.

Topher Jacobson, the applicant, was present to discuss this matter with the Commission.

The applicant is proposing to sell soup and prepackaged items. There will be limited seating but no table service. All items will be packed to leave the store whether or not the customer stays there or takes it out.

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

1. Prior to operation/occupancy, the applicant shall obtain an occupancy permit as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, food etc.
2. Applicant shall obtain the necessary conditional use/sign permits prior to installation.

The motion passed unanimously.

Site Plan Review application by Rice Engineering for Just Kids Dental Clinic proposed to be located along North Taylor Drive between Associated Bank and Rautmann Schils Real Estate (parcel #'s 215814 and 215810).

Chad Loritz and Mark Marchi, representing the applicant, were present to discuss this matter with the Commission.

The proposed dental clinic will be 9,800 square feet. There is an existing parking lot on the east side of the site. Main access to the site will be from a 40 foot wide driveway on Taylor Drive. There is a secondary access from the shared parking lot/access drive from Michigan Avenue. There will be 25 new parking spaces adjacent to the dental clinic and 43 existing parking spaces on the east side of the property. There is a shared parking and access agreement with Rautmann Realty to the north.

The Architectural Review Board approved the project at their November 8, 2010 meeting.

Per the Zoning Ordinance, there needs to be a buffer along the east property line between the residences and the clinic. The applicant will be required to meet the landscape and bufferyard requirements through the use of landscaping and/or a fence.

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. 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.

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 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. Applicant shall be permitted a freestanding monument sign for the site. Minimum setback of a monument sign is 12 feet. Maximum height of the monument sign is 8 feet.
11. If any fencing is to be installed, fence shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. Any fencing/landscaping adjacent to public right-of-ways (Taylor and/or Michigan) shall be no higher than four (4) feet high and 50% opaque for a distance of 10 feet from the street property lines to improve pedestrian and traffic safety by providing adequate vision.
12. Applicant is responsible for working with all private and public utilities in order to adequately service the dental clinic proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
13. 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, etc.).
14. Prior to building permit issuance the applicant shall provide documentation that all property line issues have been resolved (the facility is proposed to be located over the shared common property line that the properties presently share – this property line must be eliminated in order for the project to proceed).
15. If there are any amendments to the approved site plan, the applicant will be required to submit a new application reflecting those amendments.

The motion passed unanimously.

Gen. Ord. No. 38-10-11 amending the City's zoning map to establish the Use District Classification of property located at 1232 N. 40th St. as SC Suburban Commercial.

This property was recently annexed to the city and this document establishes an SC Suburban Commercial zoning on the property.

Don Cvetan moved, Ryan Sazama seconded to recommend approval of the Ordinance. The motion passed unanimously.

Gen. Ord. No. 38-10-11 amending the City's zoning mp to establish the Use District Classification of property located at 1232 N. 40th St. as SC Suburban Commercial.

This single family house was recently annexed and this document establishes an NR Neighborhood Residential zoning on the property.

Don Cvetan moved, Ryan Sazama seconded to approve the Ordinance. The motion passed unanimously.

Res. No. 131-10-11 approving the Capital Improvements Program recommended by the Capital Improvements Commission for the year 2011; and adopting the 2011 program for implementation.

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

Discussion and possible action regarding calling for a public hearing on the proposed Tax Incremental District No. 14 creation in the City of Sheboygan.

Folllowing due consideration, John Van Der Male moved, Ryan Sazama to set the public hearing for December 14, 2010 in order to create TIF #14. The motion passed unanimously.

Being no further business, the meeting adjourned at 4:25 P.M.

Carol Rudie
Recording Secretary