



CITY PLAN COMMISSION  
MINUTES

The City Plan Commission met on Tuesday, April 23, 2013 in the Third Floor Conference Room at City Hall, 828 Center Avenue. Mayor Mike Vandersteen presided.

Present: Mayor Mike Vandersteen, Jerry Jones, Todd Wolf, Ald. Scott Versey, John Van Der Male, Ryan Sazama, and Don Cvetan

Staff present: Steve Sokolowski and Kristi Kane

Others: Angela Henrickson, David Albright, Ammee Lee, Pakula Lee, Yer Lee, Brian Spilger (Nemschoff), Rick Neerhof (Nemschoff), Tim Burns, Toni Habermann, Ron Wakefield, Basil Buchko, Michael Tasche, Jim Weinmann, Joe Richardson III, Jim Marshall, Scott Matula, Stefano Viglietti, Chuck Worth and Pastor Warren Waddell.

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

Approval of minutes of the April 9, 2013 meeting.

Ald. Scott Versey moved to approve the minutes of the April 9, 2013 meeting, Jerry Jones seconded.

The motion passed unanimously.

Conditional Use application by Sheboygan Area School District to install a new electronic message center wall sign at the Early Learning Center located at 1227 Wilson Avenue.

Toni Habermann, David Albright and Ron Wakefield were present to discuss this item.

Sheboygan Area School District is proposing to install a new electronic message center wall sign at the Early Learning Center located at 1227 Wilson Avenue. The sign is 13sf and will advertise Early Learning Center activities and events. Neighbor Ron Wakefield had some concerns about sign placement, lighting, flashing but did not object.

Ald. Scott Versey moved, Ryan Sazama seconded to approve with 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. 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.

The motion passed unanimously.

Conditional Use Permit application by Angela Henrickson to convert a single-family dwelling into a duplex at 2213 N. 9<sup>th</sup> Street.

Angela Henrickson was present to discuss this item.

Angela Henrickson is proposing to convert the single-family dwelling into a duplex at 2213 N. 9<sup>th</sup> Street. She would live in the lower unit and lease the upper unit. This conversion would give the applicant the opportunity to earn income as she is going to school. She indicated the home was previously used as a 2-family dwelling.

Staff indicated they had received a letter from neighbors Robert and Carol Den Boer who live at 822 Geele Avenue who provided photos and had concerns about miscellaneous items scattered throughout the backyard as a single-family and inquired about what the yard might look like as a 2-family. They have concerns about their neighborhood and whether a two-family dwelling should be allowed.

Steve Sokolowski also informed the commission that Mrs. Henrickson is using a tarp for her overhead garage door. Staff was recommending that Mrs. Henrickson be required to install an overhead garage door and clean up the yard prior to receiving a building permit for the duplex conversion.

Committee discussed the conversion, single-family v. duplex, and debris clean-up.

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

1. Prior to receiving a building permit for the proposed conversion, the applicant shall first install the garage door.
2. Prior to receiving a building permit for the proposed conversion, the applicant shall be required to clean all garbage and miscellaneous debris located on the property in order to receive a building permit for the proposed conversion to a duplex.
3. Prior to construction and conversion, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, occupancy, address, etc.

The motion passed 6-1. Nays: Versey.

Conditional Use permit application by Van Horn Hyundai to operate a car dealership in the northwest parking lot at Memorial Plaza Shopping Center located at 3424 – 3506 Kohler Memorial Drive (southeast intersection of Wilgus Avenue and N.36<sup>th</sup> Street).

Basil Buchko, Michael Tasche, Tim Burns were present to discuss this item.

Plankview Green Development recently purchased the Memorial Plaza property which includes Office Max, Big Lots, Dunham's, Marcus Cinema, McDonald's and Pizza Ranch. Van Horn Hyundai is now proposing to use the parking lot to display vehicles for sale. Display area is in the parking lot located in the rear of the commercial facility (Office Max, Big Lots, and Dunham's) that abuts Wilgus Avenue and N. 36<sup>th</sup> Street (southeast intersection of Wilgus Ave. and N.36<sup>th</sup> St.).

Neighbor Tim Burns from Marcus Corporation had some concerns with parking lot, pothole at entrance. Mr. Buchko stated it was the new owner's intent to speak to the rest of the business owners located on the property.

The committee discussed stormwater issues with the site, signage, landscaping, garbage, improvements to the site and building, pothole at entrance, etc.

Ald. Scott Versey moved, Don Cvetan 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, occupancy, etc.

2. Submittal and approval of a proposed drainage plan. Applicant will be required to work with the City of Sheboygan Engineering Department prior to receiving a building permit to improve any parking lot and/or hard surface areas on the property in order to rectify outstanding stormwater related issues.
3. Submittal and approval of a proposed landscape plan (showing plants that are to be removed, location of new plants to be installed, types of plants, etc.).
4. Applicant shall repair the damaged grass landscape area at the south end of the display area parking lot (adjacent to N. 36<sup>th</sup> St.).
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.
7. All vehicles shall be displayed on the paved parking area only (vehicles are not permitted on landscape areas and gravel is not permitted).
8. Applicant shall remove all garbage and miscellaneous debris from the Memorial Plaza (landscape areas, parking lot, etc.).
9. 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.
10. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
11. Van Horn Hyundai shall not have temporary signage located all over site. Applicant shall be permitted to have temporary signage other than what is permitted by Section 15.807 of the City of Sheboygan Zoning Ordinance.
12. If the applicant is remodeling the exterior of the building, the applicant shall obtain City of Sheboygan Architectural Review Board approval prior to remodel construction.
13. If there are any amendments to the approved plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

The motion passed unanimously.

Conditional Use application by Bounleung Vatsana to operate Thai Lotus Restaurant/Bar from 1332 S. 13<sup>th</sup> Street.

Ammee Lee, Pakula Lee, Yer Lee, Scott Matula and Chuck Worth were present to discuss this item.

Thai Lotus Restaurant, presently located at 1119 Michigan Avenue, is proposing to relocate to the former La Raza Mexi-Mart building at 1332 S. 13<sup>th</sup> Street. The applicant is looking to remodel the building in order to operate both a restaurant and a bar from 1332 S. 13<sup>th</sup> Street (Thai Lotus Restaurant/Bar). Proposed hours are 11:00am to bar closing time. The capacity will be 60 people in the bar/dining area and 40 people in the original dining room. There are approximately 34 parking spaces in the adjacent parking lot.

The committee discussed parking, painting/ remodeling the exterior, restaurant and bar/night club, who is all using the existing parking lot.

Mrs. Lee indicated that this would be primarily a restaurant and secondarily a bar. They initially plan on operating the tavern on Saturdays, however, the tavern could potentially operate more in the future.

Ald. Scott Versey moved, Ryan Sazama seconded to approve with 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. If a dumpster is used, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
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. 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. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
7. Applicant is required to paint all light poles in the parking lot white or an earth tone color. The light poles shall be painted prior to Thai Lotus receiving an occupancy permit to operate.
8. If the applicant is remodeling the exterior of the building, the applicant shall obtain City of Sheboygan Architectural Review Board approval prior to remodel construction.
9. If there are any amendments to the approved floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

The motion passed 6-1. Nays: Jones

Conditional Use and variance application by Aspire Architects to construct a new building addition at Trattoria Stefano located at 522 S. 8<sup>th</sup> Street.

Scott Matula and Stefano Viglietti were present to discuss this item.

The proposed addition is 600sf and will be located at the northwest corner of the building adjacent to the alley and the City parking lot. The addition will be used to expand the restaurants kitchen area.

The applicants indicated that they are looking at different construction options for the addition utilizing complimentary materials and colors and will be resubmitting them to the Architectural Review Board.

Don Cvetan moved, Ald. Scott Versey approve with 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. If a dumpster is used, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
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. 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. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
7. Applicant shall meet rear yard setback of seven (7) feet from the property line.
8. If the applicant is remodeling the exterior of the building, the applicant shall obtain City of Sheboygan Architectural Review Board approval prior to remodel construction.
9. If there are any amendments to the approved floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

Variance granted:

- The applicant is requesting a seven (7) foot rear yard setback – Minimum rear yard setback is 10.

The motion passed unanimously.

Conditional Use Permit and variance application by Nsighttel Wireless, on behalf of Cellcom, to construct a 60-foot high communication tower at 924 N. 14<sup>th</sup> Street.

Jim Weinmann and Joe Richardson III were present to discuss this item.

The proposed site is a 60 foot pole approximately 12 inches in diameter. The pole will hold 3 antennas for Cellcom's network. The pole and antennas will be painted brown as shown in the attached photo simulations and pictures of existing light poles. The antennas will be mounted to the top of the pole and extend approximately 7 feet to 9 feet above the pole depending on the type of antenna used. The antennas will be approximately the same diameter as the pole. At the base of the pole there will be a cedar fenced in area approximately 20 feet by 25 feet (500sf). Inside the fence Cellcom will locate power and meters as well as its ground equipment.

Neighbor Joe Richardson III owns property to the south and west of the site. Mr. Richardson explained conceptual development plans and wanted to better understand the tower proposal so the proposal does not negatively impact his potential development plans.

The committee discussed if it was located on private land, N. 15<sup>th</sup> Street unimproved right-of-way, lighting on the tower, coverage.

Ryan Sazama moved, Ald. Scott Versey seconded to approve with conditions:

1. The applicant shall obtain all necessary permits/licenses from all required agencies to construct the communications tower, associated mechanical equipment, fencing, paving, etc. as proposed.
2. Submittal and approval of a proposed drainage plan.
3. Submittal and approval of a proposed landscape plan.
4. The wireless communication tower and equipment shall be properly maintained.
5. No lighting shall be permitted on a tower except as required by the FAA.
6. Towers 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, or, if required by the FAA, be painted pursuant to the FAA's requirements.
7. If the wireless telecommunications tower has been discontinued for a period of six consecutive months or longer it is hereby declared "abandoned." If there are two or more users of this wireless telecommunications tower, then this abandonment is not effective until all users cease using this wireless telecommunications tower.
8. Abandoned facilities, as defined in condition 8 above, shall be removed by the property owner within ninety (90) days from date of abandonment. If the wireless telecommunications tower is not removed within said ninety (90) days, the City may remove the wireless telecommunications tower at the property owner's expense.
9. Any future installations and/or providers wishing to collocate on this wireless telecommunications tower shall be required to obtain a conditional use permit prior to installation and operation.
10. Tower shall be constructed to a Federal Class III design standard.

Variations granted:

- To locate the tower approximately 29 feet to the south property line.
- To locate the tower approximately 16 feet to the west property line.

The motion passed unanimously.

Conditional Use and variance application by the City of Sheboygan to install a new monument sign with an electronic message center at the northwest corner of Fountain Park (Parcel # 104760).

Steve Sokolowski (on behalf of City Development Department) and Pastor Warren were present to discuss this item.

The proposed monument sign is 30sf, will have an electronic message center, will have a vinyl cabinet and will have a masonry base and columns. The proposed monument sign will be located at the northwest corner of Fountain Park facing the intersection of Erie Avenue and N. 9<sup>th</sup> Street (southeast corner of Erie and N. 9<sup>th</sup> intersection). The sign was designed by the Department of City Development as part of a way-finding sign plan that is currently being completed to direct visitors to notable locations within the City.

Pastor Warren Waddell of Fountain Park United Methodist Church had some questions about the location of the sign, concerns with the electronic message center and if the church could also proposed such an electronic message center sign.

John Van Der Male moved, Jerry Jones seconded to approve with 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. 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.

Variance granted:

- To locate a sign zero (0) feet from the property lines.

Conditional Use and variance application by Marshall Sign to replace the existing Jackson School monument sign with a new LED message center monument sign at 2530 Weeden Creek Road.

Jim Marshall and Dave Albright were present to discuss this matter.

Marshall Sign, Inc. is requesting to replace the existing Jackson School monument sign with a new 40sf LED message center monument sign at 2530 Weeden Creek Road. The sign will advertise Jackson School activities and events.

Jerry Jones moved, Don Cvetan seconded to approve with 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. 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 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.

Variance granted:

- To locate a sign 3.5 feet from the property line.

Res. No. 182-13-14 authorizing the execution of a lease agreement between the City of Sheboygan and Nemschoff Chairs, Inc. to include additional City-owned land.

Rick Neerhof and Brian Spilger were present to discuss.

Nemschoff Chairs, Inc. would like to increase the amount of employee parking at their facility located at 2218 Julson Court. Nemschoff presently leases City property for parking purposes near their facility. Nemschoff is now requesting to lease additional City property in order to increase the number of parking spaces available for their employees. The lease will be forwarded to Council for their approval and then Nemschoff could submit an application to the Plan Commission to construct a new parking lot.

John Van Der Male moved, Ald. Scott Versey seconded to approve.

Res. No. 183-12-13 authorizing the purchase of 1014 and 1016 Erie Avenue for the purposes of the razing the property for new private investment in the neighborhood as part of the Neighborhood Revitalization Strategy Area activities.

Ald. Scott Versey moved, Ryan Sazama seconded to approve.

#### Adjournment

Being no further business, John Van Der Male moved, Jerry Jones seconded to adjourn the meeting at 5:05 pm. Motion carried.