

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, April 24, 2012 at 4:00 P.M. in the Third Floor conference room at City Hall, 828 Center Avenue. Chairperson Mayor Terry Van Akkeren presided.

Present: Mayor Terry Van Akkeren, Todd Wolf, John Van Der Male, Ald. Julie Kath, Jerry Jones, Ryan Sazama and Don Cvetan

Staff present: Steve Sokolowski and Kristin Reichart

Others: Matt Quasius, Ray Haen, Jon MacDonald, Randy Voelz, Jeremy Cynkar, Jim Wilson, Peter Ogorek, Patrick Blum, Jayne Ringel

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

Approval of minutes of the April 10, 2012 meeting.

John Van Der Male moved, Todd Wolf seconded to approve the minutes of the April 10, 2012 meeting. The motion passed unanimously.

Conditional Use Permit and Variance application by Quasius Construction Inc. to raze 9,000 sq. ft. of the southernmost existing storage facility and to construct new site improvements at 1716 N. 16th Street.

Ray Haen, Matt Quasius, Jon MacDonald and Jayne Ringel were present to discuss this matter.

Quasius Construction is proposing to raze 9,000sf of the southernmost existing storage facility and to construct new site improvements including parking lot, fencing, etc. at 1716 N. 16th Street. The applicant states Quasius will raze 9,000sf of existing wood frame storage structures located adjacent to N.16th Street and Cambridge Avenue. The building is in very poor condition and is not repairable. The area created by the removal would be resurfaced and utilized for construction vehicle parking. The remaining structure would remain and continue its current use of enclosed material storage. The storage building removed will be supplemented by a proposed new indoor storage use at the former Sheboygan Auto Parts Building at 1524 Saemann Avenue (Plan Commission approved this conditional use permit request at the April 10, 2012 meeting). The removal will include the west wall of the structure. The retaining wall will stay and a wood fence will be constructed on top of the retaining wall. The fence will be 6 foot high, board on board style, wood stained. Approximately 50 feet of the south wall starting at the southwest corner would also be removed and replaced with a wood fence. The fence will be 5 feet 8 inches high, board on board style, wood stained. The newly exposed west storage building wall will be covered with wood ship lap siding to match the portion of the building to remain. The new and existing courtyard walls would be surfaced with prefinished metal building vertical siding panels to match the existing wall to the north. The remaining wood siding street facing walls would be repaired and repainted to match the existing. The newly created courtyard will not be used for

material storage. This area would be used for construction vehicle parking. A new gate will be constructed on the northwest corner of the courtyard for access to the alley.

Quasius Construction is considered a legal nonconforming use (legal because the business has been there for many years, nonconforming because a contractor's use is not permitted in the NR zone today). Therefore, any proposed changes to a nonconforming use must be considered by the Plan Commission through the conditional use permit and variance application.

Jayne Ringel, a neighbor, stated that she was happy to see Quasius improving the property and that Quasius is cooperating with her regarding property line issues that have been brought to their attention because of a new survey.

Ryan Sazama moved, Jerry Jones seconded to approve the Conditional Use Permit and variance application subject to 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, razing, etc.
2. Submittal and approval of a proposed landscape plan.
3. Submittal and approval of a proposed storm drainage plan.
4. If a dumpster is 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 dumpster.
5. Outdoor storage of materials, products or equipment shall be prohibited.
6. 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.).
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 (especially residential properties).
8. Board on Board fences shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
9. All areas used for parking or maneuvering of vehicles shall be paved.
10. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
11. Applicant shall obtain the necessary conditional use/sign permits prior to installation.
12. 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.
13. Applicant shall close Cambridge Avenue access drive – this former driveway cut shall be closed per standard City specifications. Applicant shall work with the engineering department regarding closure of this driveway cut.
14. 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, landscaped boulevard, pavement, utilities, street trees, etc.).

15. Applicant will provide adequate public access along Cambridge Avenue, N. 16th Street and the alley and will take all appropriate actions to minimize the time period that these sidewalks, streets and alley will be closed/affected.
16. Applicant will be required to submit architectural plans to the City of Sheboygan Architectural Review Board for all newly exposed building elevations and proposed repairs/alterations prior to building permit issuance.
17. Applicant shall paint the west side of the office building by **June 29, 2012**.
18. 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 following variances were granted:

1. To install a new parking lot with a six (6) inch setback to the south street yard property line – minimum paved surface setback is 10 feet from the south street yard.
2. To install a new 8 foot 8 inch high fence along the Cambridge Avenue Street frontage with a six (6) inch street yard setback – Maximum height of a fence in a street yard is four (4) feet high, 50% open and have a one (1) foot setback to the street yard.
3. To install a new 8 foot 8 inch high fence along the west property line – Maximum height of a fence in a street yard is six (6) feet high.

The motion passed unanimously.

Conditional Use Permit and Variance application by Destree Architecture and Design to install new signage and to remodel the exterior of the Applebee's Restaurant at 526 S. Taylor Drive.

Randy Voelz and Jeremy Cynkar were present to discuss this matter.

Destree Architecture and Design is proposing to install new signage and remodel the exterior of the Applebees restaurant located at 526 S. Taylor Drive. The applicant state that the Applebee's Neighborhood Grill and Bar located at 526 S. Taylor Dr. is proposing to upgrade the exterior appearance of the building to meet their recently updated corporate standards. Proposed exterior changes to the building include modifying the appearance of the main entrance, replacing the awnings and replacing the existing signage. At the main entrance corner we are proposing to add veneer stone over the existing brick on both the south and east facades to mark the entrance. A new dark bronze canopy will be added above both set of doors with an integrated LED accent light in the top of the canopy. On the south and east elevations the existing wall signage will be removed. New "Applebee's" signs will be added over the new canopy to mark the entrance. Small "Neighborhood Bar and Grill" signage will also be added to the both faces of the canopy. On the north elevation the existing "Applebee's" sign will be replaced with a new smaller sign and the existing "Carside To Go" will remain. All new wall signs will be made of aluminum with acrylic faces. They will be lit internally with LED lighting. The canopy signage will be cutout of the face of the aluminum canopy and covered with Plexiglas. These signs will be internally lit with a single fluorescent lamp. The existing fabric awnings over the windows and doors will be replaced with new metal awnings. The awnings will be a shade of yellow with dark bronze supports and apple graphics. The apple on the awning closest to the entrance on the east elevation will be colored red and green, while the rest of the awning apples will be a darker

yellow tone. LED lights will be integrated into the supports to accent light the face of the awnings.

Jerry Jones moved, Ald. Julie Kath seconded to approve the Conditional Use Permit and variance application subject to 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, etc.
2. 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.).
3. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance (site lighting, building lighting, signage, etc.).
4. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
5. Prior to building permit issuance, the proposed Applebee's building elevations will be reviewed and approved by the Architectural Review Board.

The following variances were granted:

1. To be permitted a total of six (6) wall and awning signs on the north wall - maximum of four (4) signs permitted.
2. To be permitted a total of seven (7) wall and awning signs on the east wall - maximum of four (4) signs permitted.
3. To be permitted a total of five (5) wall and awning signs on the south wall - maximum of four (4) signs permitted.

The motion passed unanimously.

Conditional Use Permit and Variance application by Berengaria GW, LLC to construct and operate a new Goodwill Retail Store and Donation Center and to install new signage on Parcel # 479114 (property located on the northeast intersection of Washington Ave. Frontage Road and Greenwing Dr., east of WG&R and Wal-Mart).

Peter Ogurek and Patrick Blum were present to discuss this matter.

Berengaria GW, LLC is proposing to construct a new Goodwill Retail Store and Donation Center on Parcel #479114 (property located on the northeast intersection of Washington Avenue Frontage Road and Greenwing Drive, east of WG&R and Wal-Mart). The applicant stated the new building will be approximately 20,000sf on a 3.76 acre parcel. The proposed development is a relocation of Goodwill's existing Sheboygan location at Southtown Mall along S. Business Drive. The front of the building will face west towards Greenwing Avenue (Wal-Mart and WG&R). The proposed location blends in nicely with the surrounding area that includes an existing Wal-Mart Supercenter, a WG&R Furniture store, other various retail and industrial facilities, a storm water facility and railroad tracks. The proposed Sheboygan Goodwill will employ 40-50 individuals in full or part time employment, ranging from management to

supervisory, to various production and customer service opportunities. Installation of a new 12 foot tall Goodwill monument sign at the northwest corner of the site (north of the parking lot and adjacent to Greenwing Drive). Overall sign package will be submitted for review at a later date. The goal would be to start construction in August, 2012 for a Grand Opening in February, 2013.

Todd Wolf moved, Don Cvetan seconded to approve the Conditional Use Permit and variance application subject to the following conditions:

1. Submittal and approval of a proposed landscape plan that provides a legend that shows how the four (4) landscape criteria are being met.
2. Submittal and approval of a proposed storm drainage plan.
3. If a dumpster is used, the 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 12 foot tall freestanding monument sign for the site. Minimum setback of a monument sign is 12 feet.
11. 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.
12. 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 ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).
13. Applicant will provide adequate public access along Greenwing Drive and Washington Avenue Frontage Road and will take all appropriate actions to minimize the time period that these sidewalks and streets will be closed/affected.
14. The applicant shall be required to create the parcel as depicted on the site plan (a certified survey map). Only at such time that the applicant can provide documentation from Sheboygan County that the lot has been officially recorded and created will the Building Inspection Department release construction permits for this development.
15. The Conditional Use Permit is approved if and only if the approved site plan and proposed lot exactly match the parcel to be created. 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.
16. Prior to building permit issuance, the proposed Goodwill building elevations will be reviewed and approved by the Architectural Review Board.

The following variance was granted:

1. To install a new 12 foot tall Goodwill monument sign - Maximum monument sign height is eight (8) feet.

The motion passed unanimously.

Gen. Ord. No. 84-11-12 and R.O. No. 409-11-12 amending the zoning ordinance to change the Use District Classification of property located at 1305 St. Clair Ave. from Class UI Urban Industrial to Class UC Urban Commercial Classification.

Rehabilitation Center of Sheboygan (RCS) is proposing to rezone the former RCS facility at 1305 St. Clair Avenue from Urban Industrial (UI) to Urban Commercial (UC) in order to potentially lease the facility/property for Pre-K to eighth grade charter school. Presently, the property is zoned for industrial uses. A school is not a permitted or conditional use in the UI zone. In order for a school to have the ability to apply to locate in this former industrial facility, the property needs to be rezoned to a district that permits a school use. A school is a permitted conditional use in the UC zone. Therefore, if the property is rezoned to UC, an applicant could now apply for a conditional use to operate a school from this facility/property.

Ald. Julie Kath questioned how the school use may impact dwellings in the areas used for transitional living such as sex offenders. Staff indicated they would research this issue but the Plan Commission is making a decision on land use only. Should the property be zoned Urban Industrial or Urban Commercial as requested. It is staff position that the best use of this property is commercial and the proposed rezoning would be consistent with the existing commercial development in the area.

Todd Wolf moved, Ryan Sazama seconded to approve the request. The motion passed unanimously.

Gen. Ord. No. 90-12-13 repealing and recreating Section 15.915 of the City of Sheboygan Zoning Ordinance relating to historic preservation regulations and the city housing rehabilitation loan program.

Todd Wolf moved, Ald. Julie Kath seconded to approve the request. The motion passed unanimously.

Gen. Ord. No. 87-11-12 repealing and recreating Subsection 15.936(1) of the City of Sheboygan Zoning Ordinance relating to fees.

Todd Wolf moved, Ryan Sazama seconded to approve the request. The motion passed unanimously.

Being no further business, John Van Der Male moved, Todd Wolf seconded to adjourn the meeting at 4:40 p.m. Motion carried.

Kristin Reichart
Recording Secretary