

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, June 26, 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, Don Cvetan, Ryan Sazama & Jerry Jones

Staff present: Steve Sokolowski and Chad Pelishek

Others: Ken Horkan, Michael Wais, Jim Marshall, Doug Schwalbe, Leon Downing, Ald. Kevin Matichek, Roger Ostermann & David Adamavich

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

Approval of minutes of the June 12, 2012 meeting.

Jerry Jones moved, Ald. Kath seconded to approve the minutes of the June 12, 2012 meeting. The motion passed unanimously.

Conditional Use Permit and variance application by Marshall Sign to replace the cabinet of the existing monument sign at the Taylor Professional building located at 1414 N. Taylor Drive.

Jim Marshall was present to discuss this matter.

Marshall Sign is proposing to replace the cabinet of the existing monument sign at the Taylor Professional Building located at 1414 N. Taylor Drive. The applicant stated the purpose of the sign is to better identify/advertise the businesses located in the Taylor Professional Building. The proposed sign will continue to be double-faced monument signs and the total area of the sign face will be 74 square feet (approximately 8 x 9). The proposed monument signs will be 9.5 feet tall (8' tall & sits on an 18" tall concrete base). Applicant indicates the sign will meet the required 12 foot setback. The sign will be constructed of aluminum and have routed letters backed with white polycarbonate. It will be internally lit. A variance to the height requirement is being requested to have readable text size in order to identify multiple tenants.

Todd Wolf moved, Ryan Sazama seconded to approve the Conditional Use Permit and Variance application subject to the following conditions:

1. The necessary sign permits shall be obtained 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. All freestanding signs shall meet the required 12 foot setback from all property lines (closest edge of sign to property line). It is the responsibility of the applicant to insure the sign meets the required 12 foot sign setback.
4. The free standing signs shall be designed so as to not impede or impair vehicular and

pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.

5. If there are any amendments to the approved site/sign plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

The following variance was granted:

1. To have a 9 foot 6 inch high monument sign – maximum monument sign height is eight (8) feet.

The motion passed unanimously.

Conditional Use Permit and variance application by Festival Foods to install a new pylon sign at 595 S. Taylor Drive.

Tim Cullen, from TLC Sign was present to discuss the matter.

TLC Sign has submitted a request to install a new pylon sign at Festival Foods. The applicant stated the proposed sign will be a double-faced pylon sign that will be 25 feet tall and the total sign area will be 100 square feet (10 x 10). The sign is designed in such a manner as to match the Festival Foods facility in terms of colors and materials. In addition to advertising Festival Foods, the sign request proposes to advertise for Kwik Trip, NAPA and Culvers. The sign is proposed to be located on the Festival Food property between the storm drainage pond and the Taylor Drive Frontage Road. The reason for this location is it provides the best visibility both north and south along Taylor Drive.

In addition to Festival Foods, the pylon sign is designed in such a manner to provide tenant sign opportunities for Kwik Trip, NAPA and Culvers that presently do not have S. Taylor Drive frontage/visibility. The proposed Kwik Trip, NAPA and Culvers signs are considered an off-premise sign because they are proposed to be located on the Festival Foods property located at 595 S. Taylor Drive. Off-premise signs are not permitted by the City of Sheboygan Zoning Ordinance. However, it appears it is better to have one (1) attractive pylon sign instead of several free standing signs. Variances are being requested to install off-premise signage and to have a setback of two (2) feet.

Three (3) Box Elder trees that are located between Taylor Heights frontage road and South Taylor Drive are currently obstructing the view of the sign when driving from the South moving Northbound. The three (3) trees that are obstructing sign view would need to be removed and new trees are planned. The group involved in this application is willing to work with the city to satisfy request from the city regarding tree species and will bear the cost of tree removal, purchasing three new trees, and planting them.

Jerry Jones moved, Ald. Julie Kath seconded to approve the Conditional Use Permit and Variance application subject to the following conditions:

1. Applicant shall obtain the necessary sign permits 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. Sign shall be setback a minimum of two (2) feet to the property line (closest edge of sign to property line). Applicant is responsible to insure the sign meets the required 2 foot sign setback. If the sign does not meet the 2 foot setback, the applicant will be required to resubmit the conditional use, variance and sign permit application request.
4. The Kwik Trip portion of the sign will be for gas pricers only (not an electronic message center). This portion of the sign may only be converted to electronic message center if and only if the Plan Commission approves such a change.
5. 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.
6. The applicants shall work with the Department of Public Works and Parks with regards to tree removal, purchasing new trees, and planting them. The applicant will be responsible for all costs involved in this tree removal/relocation project. The new trees shall be planted by November 1, 2012.
7. If there are any amendments to the approved sign plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

The following variance was granted:

1. A variance to permit Kwik Trip, Napa and Culvers to install off-premise tenant signs on the Festival Foods pylon sign located at 595 S. Taylor Drive – Off-premise signage not permitted.
2. A variance to permit a pylon sign with a two (2) foot setback – minimum sign setback is 12 feet from the property line.

The motion passed unanimously.

Conditional Use Permit and variance application by RLO Sign to install new on premise and off-premise signage at BMO Harris Bank at 2315 S. Business Drive.

Roger Ostermann was present to discuss this matter.

RLO sign is proposing to install new signage at BMO Harris Bank located at 2315 S. Business Drive. BMO Harris recently purchased M&I and therefore is installing a new signage at the bank to reflect this name change. Sign changes include a new pylon sign, refacing signage on an existing pylon sign, a new wall sign and several auxiliary type signs. BMO Harris is requesting variances to install off-premise signage two pylon signs.

The Plan Commission should be aware that BMO Harris Bank property has no frontage along S. Business Drive. It appears the bank has frontage but the S. Business Drive frontage is actually owned by Aurora. Aurora has given authorization for BMO Harris to make such a conditional use permit application to replace and reface these pylon signs as proposed on Aurora's property. It appears both of these pylon signs have been used by the bank for many years.

Ryan Sazama moved, Don Cvetan seconded to approve the Conditional Use Permit and Variance application subject to 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. All freestanding sign shall meet the required 12 foot setback from all property lines (closest edge of sign to property line). It is the responsibility of the applicant to insure the sign meets the required 12 foot sign setback.
4. All temporary signage/banners shall be removed prior to sign permit issuance.
5. The free standing signs shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.

The following variance was granted:

1. Install a new pylon sign on Aurora's property located at 2307 S. Business Drive – Off-premise signage not permitted (BMO Harris is located at 2315 S. Business Drive).
2. Install three (3) off-premise BMO Harris tenant signs on the existing Aurora pylon sign located at 2307 S. Business Drive – Off-premise signage not permitted (BMO Harris is located at 2315 S. Business Drive).
3. To permit two freestanding signs - One Freestanding Sign per each public street frontage permitted.

The motion passed unanimously.

Site Plan Review application by Torginol, Inc. to construct a new storage tank and a new deck at 4617 S. Taylor Drive. SI Zone (Sheboygan Business Park Protective Covenants).

Doug Schwalbe was present to discuss this matter.

Torginol, Inc. is proposing to construct a new storage tank and a new deck at their facility located in the City of Sheboygan Business Park at 4617 S. Taylor Drive. The applicant stated Torginol would like to add an exterior tank at the facility's west side for the purpose of calcium carbonate (dry powder) storage, a key raw material in the production of company's main product line, ColorFlakes. In addition to cost savings from purchasing in bulk verses bags, it will reduce the need for manual handling of material thus reducing lifting and the associated risk of employee back injury.

The specific tank location is based on the shortest distance between the tank discharge point and injection point of the raw material into the manufacturing process and fits well with the overall site plan. The delivery system from tank to process will utilize a screw conveyor with proper dust control. The tank will measure 12' diameter and 45' in overall height. It is sized to hold roughly three weeks of inventory at our facility. Included in the site plan is the landscape improvement of three to five, 5' tall evergreens to improve the overall aesthetics of the property nearby the tank.

The second project is the construction of 20' x 28' exterior wood deck located nearby the existing lunchroom and restroom facilities along the southeast side of the building. The deck should provide a comfortable and relaxing space for use by employees during breaks.

Todd Wolf moved, Ald. Julie Kath seconded to approve the Conditional Use Permit and Variance application subject to the following conditions:

1. Submittal/approval of a proposed storm drainage plan.
2. Applicant shall obtain all necessary permits for the construction of the deck and tank as well as all necessary permits for the storage of hazardous chemicals (applicant shall be in contact with building inspection, fire department, etc.).
3. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance.
4. All areas used for parking and maneuvering shall be paved by August 31, 2012.
5. Landscaping as proposed by applicant will be installed to help screen the proposed tank by August 31, 2012.
6. 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.
7. Applicant shall meet all City of Sheboygan business Park Protective Covenants.

The motion passed unanimously.

Time extension request by Automation Products to complete paving and landscaping at 1614 Broadway Avenue.

David Adamavich was present to discuss this matter.

On July 12, 2011, the Plan Commission approved a conditional use permit by Automation Products to construct a building addition and site improvements at 1614 Broadway Avenue. The Plan Commission approved the request with several conditions of approval that included paving and landscaping of the property. Automation Products had a deadline of June 1, 2012 to pave and landscape the property. As of today, Automation Products has not completed the paving and landscaping as required.

Automation Products has submitted a letter to the Plan Commission to request a new completion date of August 15, 2012. The applicant stated the process of exploring all the avenues regarding our floor space requirements has taken longer than anticipated and with that the completion dates have arrived and now are passed but I am excited to say we are closer to a decision to our original intentions. We are requesting an extension of the paving and landscaping requirements until August 15th, this will allow us to continue with the plan to stay at our Broadway Avenue location. The present plan to construct an addition will require the paving from what was proposed in the 2011 addition, along with the storm water pond to be modified. By allowing us the added time we can complete the necessary plans and property acquisitions needed to plan for our future needs. The August 15th date allows ample time to pave and complete the landscaping in 2012 in the event we don't proceed with our addition.

Jerry Jones moved, Ald. Julie Kath seconded to approve the paving and landscaping time extension application subject to the following conditions:

1. Applicant shall install paving and landscaping by August 15, 2012. If the paving and landscaping are not completed by August 15, 2012, citations will be issued for each day the property remains in noncompliance.

The motion passed unanimously.

Gen. Ord. No. 15-12-13 amending Section 15.807 of the City of Sheboygan Zoning Ordinance relating to temporary signs so as to add a new subsection for noncommercial temporary signs.

Ald. Matichek and Leon Downing were present to discuss this matter.

Alderman Matichek has requested that City Attorney Steve McLean amend the temporary sign section of the zoning ordinance to include the following section:

- Noncommercial. One temporary sign, not more than 6 square feet in area, expressing a noncommercial message that does not fit into any other category of signs permitted or allowed under the Signage Regulations of Subchapter 15-8. Such sign shall not be located on public property including rights-of-way, and shall not impair vision or otherwise create a public nuisance.”

It is staff understanding that temporary residential signs were removed from residential districts when the zoning ordinance was rewritten in 1996 because of proliferation of signage in residential neighborhoods.

The Plan Commission should be aware that temporary signage is a constant issue throughout many of the commercial properties in the City of Sheboygan. Staff’s concern is that the commercial temporary sign issues including but not limited to number, aesthetics, materials, etc. will now occur on residential properties throughout the City and how City staff will enforce the ordinance with limited resources.

Jerry Jones moved, Todd Wolf seconded to hold the item until Ald. Matichek can provide the Commission with the following items:

- Examples of ordinances from other communities.
- Clarification of the time limit on how long the signs will be up.
- Review the not more than 6 square feet size.
- Whether a permit fee should be charged.

Being no further business, John Van Der Male moved, Ryan Sazama seconded to adjourn the meeting at 4:50 P.M. Motion carried.

Chad Pelishek
Development Manager