

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, July 10, 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 Kristi Jacobs

Others: Scott Matula, Ray Haen, Brandon Jovanovich, Jason Violetta, Fernando Pena, Javier Pena and Ald. Kevin Matichek,

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, Todd Wolf seconded to approve the minutes of the June 26, 2012 meeting. The motion passed unanimously.

Public Hearing regarding the proposed project plan amendments for Tax Incremental District No. 11 & 12 in order to share increment with Tax Incremental District No. 6.

No one appeared at the public hearing.

Jerry Jones moved, John Van Der Male seconded to close the public hearing. The motion passed unanimously.

Consideration of Resolution Approving a Project Plan Amendments for Tax Incremental District No. 11 & 12 to share increment with Tax Incremental District No. 6, City of Sheboygan, Wisconsin.

Phil Cosson reviewed the Project Plan Amendment with the Plan Commission and explained the purpose of the amendment, development assumptions and cash flow pro forma.

Following due consideration, Jerry Jones moved, John Van Der Male seconded to recommend approval of the Resolution designating proposed amended boundaries and approving a Project Plan Amendments for Tax Incremental District No. 11 & 12 to share increment with Tax Incremental District No. 6. The motion passed unanimously.

Conditional Use Permit application by Speakeasy Bar to construct a small building addition, to increase the outdoor seating area, to replace/install fencing and to construct exterior renovations to the front of the building at 1002 Michigan Avenue.

Scott Matula, Ray Haen, Brandon Jovanovich, Jason Violetta were present to discuss this matter.

This project is a multi-phased project. The first phase consists of extending the fenced in area to the alley and will include construction of a new dumpster enclosure. Sand will be added as noted on the plan to provide patrons with additional outdoor opportunities. We will also be adding a 50' x 10' covered exterior bar area over existing concrete. The existing south facing fence will be removed and replaced with a wrought iron railing. Phase 2 will be removing the existing canopy on the south facade and replacing it with a signboard and cornice. The existing EFIS will also be repaired and the lower portion of the facade will be replaced. The final phase will include replacing enclosed window panels on the 2nd floor with new "period" style windows and the upper cornice will be repainted.

The Plan Commission asked the applicant the proposed timing of the phased development and Ray Haen of Quasius Construction indicated he hoped all phases would be complete by Fall 2012.

Staff spoke of concerns regarding the gravel parking lot and the two (2) curb cuts along N. 10th Street that are broken up and poorly maintained. Staff is recommending that the applicant be required to pave the parking area and to reconstruct the driveway approach (only needs to pave parking and maneuvering areas - applicant can landscape this area). The applicant shall be permitted one (1) access drive and shall reconstruct the drive and landscape area to standard City specifications. The Plan Commission should provide a date certain for this parking lot, driveway, and landscaping to be completed by such as July 12, 2013.

Applicant requested that they not be required to gate the dumpster enclosure because for the most part it will be screened and enclosed. Staff indicated the Plan Commission typically requires dumpster enclosures to be completely enclosed. Plan Commission members were concerned that the proposed dumpster faces N. 10th Street and would be very visible without the screened gates.

Commissioner Wolf asked about the use of sand. Brandon Jovanovich, owner, stated the sand will be used as an area to hangout outside with beach chairs, not a volleyball area. The Plan Commission wants to make sure this area is properly maintained.

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

Staff recommends approval of the conditional use permit subject to 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, health, food, alcohol, occupancy, etc.
2. Submittal/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. Applicant shall include gates on the dumpster that also shall be appropriately screened.
4. Fencing shall be installed per Section 15.720 of the City of Sheboygan Zoning Ordinance.
5. Outdoor storage of materials, products or equipment shall be prohibited.

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 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.).
8. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
9. Applicant shall obtain the necessary liquor license in order to serve alcohol in the new outdoor area (extension of premises).
10. Applicant shall insure that all decks, landscaping, fencing, structures, overhangs, gutters, etc. will all be located on the Speakeasy property and shall not cross a property line (nothing will be located on the City of Sheboygan and/or neighboring properties).
11. All areas used for parking or maneuvering of vehicles shall be paved. The parking lot shall be paved by July 12, 2013. If the parking lot is not completed by July 12, 2013, the applicant will be required to appropriately grass and landscape the site by July 26, 2013.
12. Applicant will be permitted one (1) driveway/access point onto N. 10th Street. The new ingress/egress access drive on N. 10th Street shall be constructed to standard City specifications and shall be completed by July 12, 2013.
13. Any existing ingress/egress drive that is to be closed or partially closed shall be constructed to standard City specifications (curb, gutter, sidewalk, greenspace, etc.) and shall be completed by July 12, 2013.
14. 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.

Conditional Use Permit application by Zieggy's Bar and Grill to construct a small building addition and other various minor improvements due to a recent fire at 933 Indiana Avenue.

Scott Matula, Fernando Pena and Javier Pena were present to discuss this matter.

Zieggy's Bar and Grill is proposing to construct a small building addition and other improvements due to a recent fire at 933 Indiana Avenue. The applicant states this project will involve removing an approximately 8' x 20' portion of the building and replacing it. We will also be removing an existing covered porch area and add a walk in cooler/freezer. We are proposing to keep the existing dumpsters and grease traps in their existing locations. An existing game room will be converted to a "smoking lounge." The damaged windows on the north facade will be replaced and operable windows will be installed in lieu of the fixed windows.

Dumpster and grease trap are not presently screened and enclosed. The applicant is requesting to leave them unscreened. Staff is recommending the dumpsters and grease trap be screened and enclosed. Plan Commission members wanted the dumpsters and grease trap screened/enclosed.

Javier Pena, property owner of 929/929A Indiana Avenue stated that he has had issues over the years with Zieggy's Bar grease trap and/or hood and with regards to storm water that flows onto his property. Grease has been spraying all over the west wall of the duplex for several years and

is very difficult to remove. Storm water has been flowing onto his property as well because Zieggy's facility does not appear to have gutters. Often times large sheets of ice and snow fall from the Zieggy's facility onto his property. Plan Commission wanted these issues properly addressed and Mr. Matula stated they would look at these issues and address them.

Ryan Sazama moved, Don Cvetan seconded to approve the Conditional Use Permit subject to 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, health, food, alcohol, occupancy, etc.
2. 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.
3. The dumpster(s) and grease trap 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 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.
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. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
8. Applicant shall insure that all decks, landscaping, fencing, structures, overhangs, gutters, etc. will all be located on the Zieggy's property and shall not cross a property line (nothing will be located on the City of Sheboygan and/or neighboring properties).
9. Owner is responsible for meeting all State of Wisconsin and City rules and regulations regarding a "Smoking Room."
10. Applicant shall install hood/grease trap so all grease is maintained on site (no grease shall impact neighboring properties).
11. Applicant shall install downspouts in such a manner that all water is maintained on the property (stormwater shall not impact neighboring properties).
12. 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.

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 was present to discuss this matter.

This matter was tabled at the last meeting in order for Ald. Matichek to provide the Commission with additional information including but not limited to the following:

- Examples of ordinances from other communities.
- Clarification of the time limit on how long the signs will be up.
- Review the 6 square foot size (is this too big).

- Whether a permit fee should be charged.

Alderman Matichek indicated that City Attorney Steve McLean used the City of Madison as a model ordinance, indicated the signs are permitted for 30 days and discussed the potential issues regarding permit fees.

Mayor Van Akkeren discussed some issues regarding the proposed ordinance and recommended the ordinance be held.

Todd Wolf moved, John Van Der Male seconded to hold the item

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

Kristi Jacobs
Neighborhood Development Specialist