



CITY PLAN COMMISSION MINUTES

The City Plan Commission met on Tuesday, August 13, 2013 in the 3rd Floor Conference Room at City Hall, 828 Center Avenue. Mayor Mike Vandersteen presided.

Present: Mayor Mike Vandersteen, Don Cvetan, John Van Der Male, Ryan Sazama, Jose Araujo and Ald. Scott Versey

Excused: Jerry Jones

Staff present: Steve Sokolowski, Chad Pelishek and Janet M Duellman

Others: Susan Hubbard, Dwight Hubbard, Keith Grupe, Jenna Fanslau, Ald. Mark Hermann, David O'Brien, Aaron Brault, Dan Kotunski, David Koplín, Ken Herkan, Jeff Rinartz, Timothy Asta, Virgil Eickhoff, and Erik Jensen

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

Election of vice-chairperson

John Van Der Male nominated Ald. Scott Versey, Ryan Sazama seconded.

Ryan Sazama moved to close nomination, John Van Der Male seconded. Motion passed unanimously.

Ald. Scott Versey is the new Vice Chairperson of the City Plan Commission.

Approval of minutes of the July 23, 2013 meeting.

Jose Araujo moved to approve the minutes, Ald. Scott Versey seconded. Motion passed unanimously.

Conditional Use Permit and variance application by the Sheboygan Leadership Academy to install a new 6-foot high chain link fence around the off-site parking lot/playground parcel located to the north of the 1305 St. Clair Avenue (Parcel #'s 203220 and 203210).

Keith Grupe was present to discuss this item.

Sheboygan Leadership Academy is proposing to install a six foot high chain link fence for safety and security for the students around the off-site parking lot/ playground area north of the school property. The fence will be installed along the north, south, and east property lines. The north and south fence will be galvanized chain link and the east will be black vinyl coated chain link to blend in with the improvements of the bike trail.

Keith Grupe explained that the children used the parking lot last year and that they would like to put up the fence to keep the children and balls out of the street and neighboring properties.

He also mentioned that he had looked into doing the black vinyl for the whole fence and it would be an additional \$800.00.

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

1. Applicant obtains that necessary fence permit.
2. Fence shall be installed per Section 15.720 of the City of Sheboygan Zoning Ordinance (except for approved height variance).
3. Maximum height of fence is six (6) feet high (peak of fence to grade).
4. Fence shall be located on the Sheboygan Leadership Academy/RCS property and shall meet the minimum one (1) foot setback to all front/street property lines. Applicant is responsible for knowing where their lot lines are.
5. Applicant shall meet all requirements of Section 15.703 of the City of Sheboygan Zoning Ordinance visibility standards (15 foot vision triangle requirements).
6. Applicant shall remove the large amount of weeds located along the west property line.
7. Applicant shall install black vinyl coated fence along the east (bike path) and south (St. Clair Avenue Street frontage) property lines.

Variance granted:

- To install 6 foot high chain link fence.

The motion passed unanimously.

Conditional Use Permit application by the Sheboygan Jaycees to operate the Dominion of Terror Haunted House at 2024 N. 15th Street.

Jenna Fanslau was present to discuss this item.

The Sheboygan Jaycee's are again requesting to operate the Dominion of Terror Haunted House from the second floor of the RCS owned facility as they have for the last nine years. The hours of operation will be 7pm to 10pm through the month of October to the beginning of November. Security, fire, and medical staff will be provided by Jaycee's. Off-street parking will be located on the gravel parking lot to the north of the building, on the grass around the old carwash, in the RCS lot just north of the carwash, and the grass to the south of the RCS plant.

The City of Sheboygan City Development, Building Inspection and Fire Departments do have some concerns with health, safety and welfare issues that the Jaycee's must meet in order to operate the haunted house from this site. Thus, The Jaycee's will again be required to provide specific plans that show how the construction of the haunted house will meet all Special Amusement occupancy requirements (these requirements specifically protect the health, safety and welfare of all people attending the haunted house). This includes but is not limited to the Jaycee's providing specific construction plans such as a detailed specific floor plan that designates all required exiting construction requirements.

Don Cvetan moved, Ald. Scott Versey seconded to approve with the following conditions:

1. Prior to constructing the haunted house, a design of the haunted house layout shall be submitted to and approved by the building and fire departments. Applicant shall meet all building/fire code requirements prior to operation (the construction shall meet all the Special Amusement occupancy requirements).
2. A walk through by the building and fire department shall take place a minimum of 48 hours prior to opening to public.
3. No haunted house activities shall take place outside of the facility after 10:30pm.
4. A new conditional use permit shall be required if the Jaycees use additional space in the facility at the 2024 N. 15th Street and/or if the haunted house is relocated to a new location in the City of Sheboygan. All the conditions approval must continue to be met and the Jaycees are still responsible for working with the City of Sheboygan Building Inspection and Fire Departments in order to meet all required building/fire code requirements prior to operation.

The motion passed unanimously.

Conditional Use and variance application by Susan Hubbard to operate Carino Capelli Salon III Beauty Salon at 2708 Superior Avenue.

Susan Hubbard, Dwight Hubbard, Erik Jensen and Virgil Eickhoff were present to discuss this item.

Carino Capelli Salon will offer haircuts, styling, color, highlighting, straightening and perming services along with facial waxing and nail services. The hours of operation will be Monday through Friday, 9am to 8pm and Saturday, 8am to 3pm. The neighborhood consist of mixed use, such as; Kirby, Edward Jones Financial Services, Medical Eye Associates, and Superior Bar and Grill. The new tenant will be making the following site improvements: interior space, remove existing overhead garage door, construct new main entry and windows facing east towards N 27th.

Virgil Eickhoff (neighbor) asked is it was an existing business that was expanding or if it was a new business altogether. Susan stated that she was moving her existing business to this new location. Mr. Eickhoff was pleased to hear it was an existing business and stated that he is in support of the request.

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, health, occupancy, etc.
2. Submittal and approval of a proposed storm drainage plan (if increasing the footprint of the building or parking - increasing the amount of hard surface).
3. If dumpsters are to be used, 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 dumpsters.
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. Applicant shall work with staff with regards to constructing a well-designed sign for the site that utilizes colors and materials similar to the building.
8. All areas used for parking and maneuvering of vehicles shall be paved.
9. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.

Variance granted:

- To have eight parking spaces.

The motion passed (5-0-1 abstained: Jose Araujo).

Conditional Use Permit and variance application by Bayland Buildings, Inc. to construct a new Culver's on Parcel Number 431752 (Washington Square Outlot – Washington Avenue).

Ken Herkan and David O'Brien were present to discuss this item.

The new Culver's Restaurant will be approximately 4,000sf and is propose to be located on the 1.6 acre parcel just to the west of Walgreens in the Washington Square Development. They will be creating 45 full and part time positions. There will be approximately 100 seats in the restaurant.

The following site improvements will be made: new asphalt drives, parking, and concrete walks, new landscape and storm drainage, screened and enclosed dumpster, and 68 parking spaces.

John Van Der Male moved, Jose Araujo seconded to approve with 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. 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 and 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(s) for the site. Minimum setback of a monument sign is 12 feet. Maximum height of the monument sign is 8 feet.
11. The development shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.
12. Applicant shall meet all vision triangle requirements of Section 15.703 of the City of Sheboygan Zoning Ordinance.
13. 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.
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, driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).
15. Applicant will provide adequate public access along S. Business Drive II, Washington Avenue and the Washington Square frontage road and will take all appropriate actions to minimize the time period that these sidewalks and streets will be closed/affected.
16. Applicant will be required to provide documentation that a shared access agreement between the applicant and the property owner of the Walgreens property has been approved and recorded. This shared access agreement needs to be recorded prior to receiving an occupancy permit. If the agreement cannot be obtained, no cross access is permitted and the applicant shall appropriately pave and landscape this area to matching the rest of the parking lot and landscaping.
17. 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.

Variance granted:

- To have a zero (0) foot paving setback at northeast corner to potentially create a shared access drive with Walgreens to the east.

The motion passed unanimously.

Site Plan Application by Mayline to add new loading docks at 619 N. Commerce Street.

Dan Kotunski, David Koplín, and Erik Jensen were present to discuss this item.

Mayline is proposing to construct two new loading docks in the warehouse and shipping section of the facility. One of the docks will be positioned in an existing grade level overhead door opening and the other will be cut into the existing concrete masonry wall. Parking will be adjusted slightly but the total number of spaces will not change. Semi-trucks will back into the loading docks and fully off the street and sidewalk when their loading position.

Staff made the Plan Commission aware the City (Mayor, Building Inspection, Planning and Police) is in the process of working with property owners, along the west side of the Sheboygan River from Indiana to Erie, to clean up and maintain their properties based upon the significant amount of investment both in the Sheboygan River (\$80 million dollars) and

the new bike path (\$3.3 million dollars). Staff is working with Mayline to develop a plan for maintenance of their facility/property and a timeframe to implement that plan.

Ryan Sazama moved, Don Cvetan seconded to approve with the following conditions:

1. Submittal/approval of a proposed storm drainage plan.
2. Dumpster(s) shall be screened and enclosed and constructed of like materials and colors of the facility.
3. All ground level and rooftop mechanicals shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.). 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.
5. All areas used for parking/maneuvering of vehicles shall be paved. If the applicant is proposing to pave any unpaved surface, the applicant will be required to provide a new storm drainage plan.
6. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
7. Applicant will be required to obtain a conditional use/sign permit for any/each sign to be installed on the property prior to installation.

The motion passed unanimously.

An R. O. 81-13-14 by the City Clerk submitting a communication from Dick White of White's Auto Repair stating that the City is trying to shut down his business.

Ald. Mark Hermann was present to discuss this item.

Steve Sokolowski and Chad Pelishek explained that during recent site inspections, the City of Sheboygan Building Inspection Department, the Department of City Development, the Police Department and the Fire Department, verified that Mr. White is operating an auto repair business at 1627 Indiana Avenue without the required approvals to do so.

Staff has made Mr. White aware of these land use and building violations both in person during site inspections and by mail. Staff has made Mr. White aware on several occasions how he could apply to operate an auto repair business from the site but Mr. White has not followed through and continues to illegally operate from the building/property.

Thus, the Department of City Development made Mr. White aware during the site visit and per a July 24, 2013 letter that if the business continues to illegally operate after Friday, August 2, 2013, citations will be issued.

Ald. Mark Hermann explained that Mr. White has been operating for 55-60 years and doesn't understand why at this point he is being told to close shop.

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

The motion passed unanimously.

Res. 42-13-14 authorizing the purchase of 1020 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.

Chad Pelishek explained that the City has been purchasing houses in the Gateway Neighborhood around the 1000 block of Erie Ave in order to have Habitat build new homes and redevelop this neighborhood.

Ald. Scott Versey moved to approved, Jose Araujo seconded.

The motion passed unanimously.

RO 84-13-14 and GO 15-13-14 requesting an encroachment for the installation of new underground conduit structures for fiber optic cable (N. 10th St and Bluff Ave). RO 83-13-14 and GO 14-13-14 requesting an encroachment for the installation of new underground conduit structures for fiber optic cable (N. 10th St and North Ave). RO 82-13-14 and GO 13-13-14 requesting an encroachment for the installation of new underground conduit structures for fiber optic cable (Pennsylvania Ave and S. Evans St).

Ald. Scott Versey moved to approve the encroachment requests with the condition that the applicants do not need to be present at future City Plan Commission meetings for future encroachments provided staff has adequately reviewed and is acceptable to those requests, Ryan Sazama seconded.

The motion passed unanimously.

Adjournment.

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

The motion passed unanimously. Meeting adjourned at 4:47 pm.

Janet M Duellman
Recording Secretary