

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, August 28, 2012 at 4:00pm in the third floor conference room at City Hall, 828 Center Ave, Sheboygan WI. Chairperson Mayor Terry Van Akkeren presided.

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

Excused: Jerry Jones

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

Others: Dan Benson (Sheboygan Press), Derrek Lemahieu (Abacus Architects), Al Steffen, Greg Wagner (Wagner Excavating), Ray Haen (Quasius Construction), Aaron Brault (Sheboygan County), Steve Larson (YMCA), Donna Wendlandt (YMCA), Jim Post (YMCA), Erik Jensen (LJM), Gary Gartman (Quasius Construction), Nancy Wagner (Vollrath), Peter Scheibel (Vollrath), Steven Schmitt (Joseph Schmitt & Sons), Tim Lent (YMCA) and Roger Ostermann (RLO)

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

Approval of minutes of the August 14, 2012 meeting.

Todd Wolf moved, Ald. Julie Kath seconded to approve the minutes of the August 14, 2012 meeting. The motion passed unanimously.

Conditional Use permit application by CherryBerry self serve yogurt bar to operate in the multi-tenant facility located at 2723 Calumet Drive.

Derrek Lemahieu was present to discuss this matter.

CherryBerry is proposing to operate from the new multi-tenant facility located at 2723 Calumet Drive. The tenant space is approximately 1,400 sf with a 312 sf outdoor seating area. Upon entering customers grab a cup and assemble their own frozen yogurt creations, choosing the yogurt and topping of their choice, then they weight it and pay for it by the ounce.

Ryan Sazama moved, Don Cvetan seconded to approve the conditional use 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, food, 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 (applicant may work with staff).
7. Applicant may construct an outdoor patio provided they install the tree that was to be located in this area to another landscape area of the development.

The motion passed unanimously.

Conditional Use Permit and variance application by Vollrath Company to construct a 137,000 sf addition at 1236 N 18th Street (SE intersection of N 23rd Street and Superior Avenue)

Eric Jensen, Ray Haen, Greg Wagner, Gary Gartman, Peter Scheibel, Nancy Wagner, and Al Steffen were present to discuss this matter.

Vollrath is proposing to construct a 156,000sf new product distribution warehouse and office facilities on the vacant portion of their property. The new 137,000sf warehouse facility will provide increased ease and efficiency in storing and shipping of products produced by the plant. Along with the warehouse addition, will be 18,000sf office space addition. The addition will be constructed in the vacant, undeveloped greenspace property at the NW corner of the site (SE intersection of N 23rd Street and Superior Avenue), facing N 23rd Street and will be attached to the existing building. The new loading docks will be located on the South side of the property (toward police station) effectively screening the docks from public view. Truck traffic will be directed to the new access off of N 23rd Street located at the SW corner of the property. A new driveway off of Superior Avenue will be constructed for employee parking. Landscaping will be installed along the streets in order to soften the street edge and visually break up the long facades of the structure.

A neighbor to Vollrath voiced concern about the lighting on the North & West sides of the building along with the vision triangle at N 23rd Street and Superior Avenue.

Todd Wolf moved, John Van Der Male 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/approval of a proposed storm drainage plan.
3. Submittal/approval of a proposed landscape plan that provides a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan).
4. 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 dumpster.
5. If fencing is to be installed, fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
6. Outdoor storage of materials, products or equipment shall be prohibited.
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. 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 street and properties.
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. It will be the applicant's responsibility to work with all private and public utilities in order to provide/execute 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 and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).
13. Applicant will provide adequate public access along Superior Avenue and N. 23rd Street and will take all appropriate actions to minimize the time period that these sidewalks and streets will be closed/affected.
14. The N. 23rd Street ingress drive shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.
15. Any new and/or existing ingress/egress driveway openings shall be improved to City standards. Any driveways to be closed or modified shall be constructed to City standards.
16. Any new and/or existing City sidewalk shall be improved to City standards.
17. Applicant shall obtain the necessary conditional use/sign permits prior to installation.
18. Absolutely no portion of the building, parking lot, landscaping, etc. shall cross the property line (parcels need to be combined).
19. The applicant shall combine these parcels into one (1) parcel. 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. Also, the site plan shall exactly match that of the new lot configuration.

20. 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 variance was granted:

1. To install 3,000 landscape points - minimum of 3,016 landscaping points is required for this project.

The motion passed unanimously.

Conditional Use Permit and variance application by Sheboygan County YMCA to construct an addition on the NE corner of their property located at 812 Broughton Drive.

Eric Jensen, Ray Haen, Steve Larson, Donna Wetland, Jim Post, Aaron Brault, and Tim Lent were present to discuss this matter.

The YMCA intends to construct an addition and to remodel major portions of its facility. The current project is aimed at providing a state of the art fitness center in a new addition and renovating and refreshing several other areas of the building to provide upgraded spaces for a variety of functions. The fitness center, named "Lifestyle", will occupy the new 2-story addition at the NE corner of the building. The space will nearly double the size of the existing fitness center, now located in a basement room. Other areas that will be remodeled include the day care, the coffee shop, the entry concourse/ service desk, offices, accessible family locker rooms and the men's locker room. The remodeled main entrance will provide new sheltered steps and a ramp for accessibility. The paved area is proposed to merge with a raised cross walk across Broughton Drive designed to slow traffic and create a safe passage for pedestrians moving between the YMCA, the parking lot and Deland Park. The crosswalk is a joint effort between the YMCA, the City of Sheboygan, and Sheboygan County.

Todd Wolf moved, Ald. Julie Kath seconded to approve the conditional use 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, food, occupancy, etc.
2. Submittal/approval of a proposed storm drainage plan.
3. Submittal/approval of a proposed landscape plan that provides a legend that shows how the four (4) landscape criteria are being met (create a legend along

- with the landscape plan site plan).
4. 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. If fencing is to be installed, fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
 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 street and properties.
 8. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
 9. 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.
 10. 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, pavement, utilities, street trees, etc.).
 11. Applicant will provide adequate public access along Broughton Drive, Washington Court, and Wisconsin Avenue and will take all appropriate actions to minimize the time period that these streets, sidewalks and driveways will be closed/affected.
 12. The new front entrance shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.
 13. Absolutely no portion of the building, parking lot, landscaping, etc. shall cross the property line (appears the building and landscaping is very close to the property line and the new sidewalk entrance does cross the property line).
 14. Applicant shall obtain the necessary encroachment to construct the front entrance sidewalk/ramp as presently designed prior to receiving a building permit to construct these improvements.
 15. Applicant shall meet all vision triangle requirements of Section 15.703 of the City of Sheboygan Zoning Ordinance.
 16. Applicant shall obtain the necessary conditional use/sign permits prior to installation.
 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.

The following variance was granted:

1. Requesting a setback variance for the new building addition to Washington Court that varies from 1.25 feet to 13.8 feet – Minimum street setback is 25 feet.
2. Requesting a setback variance for the new building addition to Broughton Drive that varies from 0 feet to 13.8 feet – Minimum street yard setback is 25 feet.

3. Requesting a setback variance for the new entrance canopy addition to Broughton Drive that varies from 3.2 feet to 4.25 feet – Minimum street setback is 25 feet.
4. Requesting a paving setback variance for the new sidewalk to Broughton Drive of 0 feet – Minimum paving setback 10 feet.
5. Requesting a variance to have a 20% landscape ratio – minimum landscape ratio is 55%.

The motion passed unanimously.

Conditional Use Permit and variance by Van Horn Mazda to install a new Mazda pylon sign at 3512 Wilgus Avenue.

Roger Ostermann was present to discuss this matter.

Van Horn Hyundai is proposing to install new Mazda pylon at 3512 Wilgus Avenue. The pylon sign will be 113 sf (approximately 10' x 11') and is proposed to be 30 ft high meeting the minimum 12 ft setback. The new sign will inform prospective buyers that Van Horn is no longer just a Hyundai dealer.

Ald. Julie Kath moved, Todd Wolf seconded to approve the conditional use with 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.
3. The sign shall be a maximum height of 30 feet (grade to peak).
4. The sign shall meet the minimum 12-foot setback from all property lines. Applicant is responsible to insure that the pylon sign meets the minimum 12-foot setback.
5. Prior to sign permit issuance, all vehicles shall be located on the parking lot and not in the landscape area, street right-of-way, etc.
6. Prior to sign permit issuance, all temporary signage shall be removed.

The following variance was granted:

1. To have two (2) pylon signs - One freestanding sign per each public street frontage. 1 street frontage permits 1 free standing sign.

The motion passed unanimously.

Gen. Ord. No. 21-12-13 and RO No 115-12-13 relative to rezoning property located north of Erie Ave, west of N 29th Street, south of Wilgus Avenue, and east of N Taylor Drive (parcel # 215096) from Urban Residential (UR) to Suburban Commercial (SC).

Steve Schmitt was present to discuss this matter.

The applicant is proposing to rezone the vacant, undeveloped property, parcel # 215096 from Urban Residential to Suburban Commercial to permit future commercial development.

Ryan Sazama moved, John Van Der Male seconded to approve.

The motion passed unanimously.

Being no further business, John Van Der Male moved, Ryan Sazama seconded to adjourn the meeting at 4:45 pm. Motion carried.

Janet M Duellman
Recording Secretary