

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, November 15, 2011 at 4:00 P.M. in the Third Floor conference room, City Hall, 828 Center Avenue.

Present: John Van Der Male, Ald. Kevin Sampson, Don Cvetan, Jerry Jones, Todd Wolf and Mayor Ryan

Excused: Ryan Sazama

Staff present: Steve Sokolowski and Chad Pelishek

Others present: Scott Julius, Scott Timm, Frank Cvetan, Patrick Burke, Ald. Joe Heidemann, Joe Jantz, Scott Matula, Roger Ostermann, Ying Ka Vue, Robin Braatz, Neu Xiong

Vice-chairman Jerry Jones called the meeting to order and the Pledge of Allegiance was recited.

Approval of minutes of the October 25, 2011 meeting.

John Van Der Male moved, Kevin Sampson seconded to approve the minutes of the October 25, 2011 meeting. The motion passed unanimously.

Conditional Use Permit and variance application by RLO Sign to install new signage at Dairy Queen located at 2263 Calumet Drive.

Roger Ostermann was present to discuss the application.

Dairy Queen is updating their logo and signage. The proposed pylon sign is 90 square feet and 28.5 feet tall. The existing pylon sign is 138 square feet and 29.6 feet tall. The new pylon sign will be a reduction of 48 square feet and one foot in height. The proposed wall sign will be 21 square feet on the front elevation facing Calumet Drive and is 19 square feet less than the existing signage.

The Commission discussing boxing in the support poles of the pylon sign. Mr. Ostermann said that would not be a problem.

John Van Der Male moved, Kevin Sampson seconded to approve with the following conditions:

1. The necessary sign permit 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. Sign shall meet the required 12 foot setback (closest edge of sign to property line). If the sign does not meet the 12 foot setback, the applicant will be required to resubmit the conditional use/sign permit application request.
4. The supports for the existing pylon sign shall not be relocated any closer to the property line.
5. Maximum height of the pylon sign is 28.5 feet.
6. Applicant shall maintain landscaping around pylon sign.
7. Dairy Queen shall not be permitted to have temporary signage other than what is permitted by Section 15.807 of the City of Sheboygan Zoning Ordinance.
8. Support poles of pylon sign shall be boxed in with material and colors that match the restaurant materials and colors.

The motion passed unanimously.

Mayor Ryan took over chairing the meeting.

Conditional Use Permit and variance application by Colortech of Wisconsin, Inc. to install new signage at the Phillips 66 Gas Station located at 905 Indiana Avenue.

Scott Timm was present to discuss this matter with the Commission.

The proposed pylon sign is 75 square feet and 19 feet tall. The existing pylon sign is 132 square feet and 30 feet tall. The new pylon sign will be 11 feet lower and 60 square feet less than the existing pylon sign. There will be two Phillips 66 logo signs on the north and east sides of the canopy. Each logo will be 5.6 square feet. The proposed canopy signage is 17 square feet less than existing.

Following due consideration, Kevin Sampson moved, Jerry Jones seconded to approve with the following conditions:

1. The necessary sign permit 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. The supports for the existing pylon sign shall not be relocated any closer to the property line.
4. Absolutely no portion of the new pylon sign shall cross any property lines.
5. Maximum height of the pylon sign is 19 feet.
6. Applicant shall maintain landscaping around support poles of pylon sign.
7. Phillips 66 shall not be permitted to have temporary signage other than what is permitted by Section 15.807 of the City of Sheboygan Zoning Ordinance.
8. Applicant shall clean garbage at the back of the facility prior to sign permit issuance (tires, bed mattress/box spring, miscellaneous garbage, etc.).

A variance was granted to allow a 19 foot high legal nonconforming sign and an approximate 1 foot setback where the maximum sign height is 15 feet and required setback is 12 feet.

The motion passed unanimously.

Conditional Use Permit application by Patrick Burke to construct a new office/community room facility at the Eisner Court Apartments located at 3427 Eisner Court.

Patrick Burke was present to review the application.

The proposal is for a new, stand alone building of less than 1,000 square feet that will house the manager's office, an exercise room, a community room, a business center and assessable bathrooms. The building will be located in the center of the complex. The exterior of the apartment complex is scheduled to be rehabilitated and the new building will match.

The Architectural Review Board approved the project at their November 14, 2011 meeting.

Frank Cvetan, an adjacent property owner, indicated he did not object to the new building, but did have a concern about the lighting on the east side of the complex shining in his house.

Mr. Burke indicated he would make sure Mr. Cvetan's concern will be taken care of.

Following due consideration, Jerry Jones moved, Todd Wolf seconded to approve with the following conditions:

1. Submittal and approval of a proposed storm drainage plan.
2. Submittal and approval of a proposed landscape plan.
3. 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.
4. Onsite dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. Dumpster shall be constructed prior to occupancy.
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 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 will be to obtain a sign permit for each sign to be installed on the property prior to installation.
10. 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 motion passed unanimously.

Conditional Use Permit application by Ying Ka Vue to operate an oriental grocery store with takeout kitchen from 2919 S.12th Street (former Aurora Pharmacy Building).

Ying Ka Vue, Robin Braatz and Neu Xiong were present to discuss this matter with the Commission.

Mr. Vue is proposing to remodel the former pharmacy into a grocery store with a takeout kitchen. A new loading door will be located on the north side of the building. The new dumpster will be screened and enclosed.

Commission discussed possible smells that might cause a nuisance to the neighboring properties emanating from the kitchen. Mr. Vue indicated the kitchen will be properly ventilated and cooking will take place during certain times each day.

Following due consideration, 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, 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. If using chain link fencing, the applicant shall install Privacy Decorative Slating (PDS) material in order to effectively screen and enclose the dumpster. Dumpster shall be constructed prior to occupancy.
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.). Such mechanicals shall be screened and enclosed prior to occupancy.
6. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
7. If the applicant is remodeling the exterior of the building, the applicant shall obtain City of Sheboygan Architectural Review Board approval prior to remodel construction.
8. 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.
9. If the store creates any nuisances (garbage, smells, etc.), the Plan Commission will have the authority to again review the conditional use permit.

The motion passed unanimously.

Conditional Use Permit application by Scott Julius of Turning Point Endeavors, LLC, to operate Toppers Pizza at 1102 N. 8th Street.

Scott Julius and Scott Matula were present to discuss this matter with the Commission.

The applicant proposes to locate Toppers Pizza on the northwest corner of North 8th Street and Erie Avenue. Toppers Pizza is mostly carry-out and delivery, but there is some limited seating. The building is located in a CC Central Commercial zone and the parking requirements are waived, but there is a 20-car parking lot to the north of the building.

The Commission reviewed the proposed wall signage, awnings and interior signs.

Following due consideration, Jerry Jones moved, Todd Wolf 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, food, alcohol, occupancy, 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.). Any screening shall be constructed prior to occupancy.
3. 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. Dumpster shall be constructed prior to occupancy.
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. Applicant shall obtain the necessary conditional use/sign permits prior to installation.
7. The restaurant shall not be permitted to have temporary signage other than what is permitted by Section 15.807 of the City of Sheboygan Zoning Ordinance.
8. If the applicant does any type of exterior renovation and/or remodel, the proposal must be reviewed and approved by the Architectural Review Board prior to beginning such exterior remodel work.

The motion passed unanimously.

Gen. Ord. No. 43-11-12 granting Joseph E. and Kathleen E. Jantz the privilege of encroaching upon described portions of Wisconsin Avenue located at N. 15th St. and Wisconsin Avenue for the purpose of paving a parking lot (810 N. 14th St.).

Joe Jantz was present to discuss this request.

On October 11, 2011, the Plan Commission approved a parking lot addition to the Tidy Car property located at 810 North 14th Street. In order to construct the parking lot, an encroachment

was necessary. Mr. Jantz is now requesting the encroachment. Mr. Jantz has already completed the paving prior to obtaining the encroachment.

Following due consideration, Todd Wolf moved, Kevin Sampson seconded to recommend approval of the encroachment. The motion passed unanimously.

Gen. Ord. No. 42-11-12 granting Joseph E. and Kathleen E. Jantz, the privilege of encroaching upon described portions of N. 15th St. located at N. 15th St. and Wisconsin for the purpose of paving a parking lot (1418 Wisconsin Ave.).

Mr. Jantz will be required to apply for a Conditional Use Permit to accomplish paving this area. Therefore, Steve Sokolowski recommended this document be held until the next meeting so the Conditional Use Permit application and the encroachment can be discussed at the same time.

John Van Der Male moved, Kevin Sampson seconded to hold. The motion passed unanimously.

R. O. No. 252-11-12 submitting a communication from Joe Jantz, owner of Tidy Car of Sheboygan, requesting encroachments for areas around his business at 810 N. 14th St. and 1418 Wisconsin Ave.

Kevin Sampson moved, Jerry Jones seconded to recommend the document be placed on file. The motion passed unanimously.

Being no further business, John Van Der Male moved, Kevin Sampson seconded to adjourn at 4:40 P.M.

Carol Rudie
Recording Secretary