

**CITY OF SHEBOYGAN**  
**CITY PLAN COMMISSION MINUTES**

**Tuesday, February 28, 2023**

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**OPENING OF MEETING**

**MEMBERS PRESENT:** Mayor Sorenson, Ryan Sazama, Marilyn Montemayor, Kimberly Meller, Alderperson Trey Mitchell and Jerry Jones

**EXCUSED:** Dave Hoffman

**STAFF/OFFICIALS PRESENT:** Development Director Chad Pelishek and Manager of Planning & Zoning Steve Sokolowski

**OPENING OF MEETING**

1. Roll Call

Mayor Sorenson called the meeting to order.

2. Pledge of Allegiance

The Pledge of Allegiance is recited.

3. Identify potential conflict of interest

Steve Sokolowski identified conflict with items #10 - #18.

**MINUTES**

4. Approval of the Plan Commission minutes from February 14, 2023.

**ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

5. Application for Conditional Use and Sign Permit with exceptions by Sheboygan Area School District to install a new video scoreboard at North High School located at 2926 N. 10th Street.

Motion by Jerry Jones, second Marilyn Montemayor to approve with the following conditions:

1. Applicant shall obtain the necessary permits to install the scoreboard/sign.
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. Applicant shall meet Sections 15.804(a) and (c) of the City of Sheboygan Zoning Ordinance relating to signage and pedestrian/traffic safety and sign timing/cycles. No signs containing flashing, intermittent or moving sections or intermittent or flashing lights shall be permitted.
4. The electronic message center shall be for North High School events only (no off-premise business advertising is permitted on the electronic message center).
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.

Exception granted:

- To install a 380sf scoreboard

Motion carried.

6. Application for Conditional Use with exceptions by Kathleen and Scott LaBonte to operate Sheboygan Area Pay It Forward at 933 Michigan Avenue.

Motion by Marilyn Montemayor, second by Jerry Jones to approve with the following conditions:

1. Prior to operation/occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, State of Wisconsin, Sheboygan County, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements
2. If using a dumpster, the dumpster 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 the dumpster. Dumpsters shall be screened and enclosed prior to issuance of an occupancy permit.
3. Outdoor storage of materials, products or equipment shall be prohibited.
4. All ground level and rooftop mechanicals shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
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 sign permits prior to installation. Applicant shall work with staff with regards to constructing a well-designed signage for the site that utilizes colors and materials similar to the building. Staff may bring the proposed signage design back to the Plan Commission for review/approval.
7. Proposed signage will be individual letter signs (no flat panel or interior lit cabinet signs).
8. If there are to be any renovation to the exterior of the facility, the applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for such renovation.
9. Applicant shall adequately monitor the Sheboygan Area Pay It Forward and in no instance shall the use create a nuisance for neighboring properties (noise, hours of operation, garbage, loitering, etc.). If any issue(s) arises, the Plan Commission may again review the conditional use permit.
10. If there are any amendments to the approved use and/or floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

Motion carried.

7. Application for Conditional Use Permit with exceptions by Kamlesh Brahmabhatt to remodel the existing vacant carwash section of the building into additional dining and kitchen space at the BP Service Station located at 905 Erie Avenue.

Motion by Marilyn Montemayor, second by Ryan Sazama to approve with the following conditions:

1. Prior to building permit issuance, the applicant shall obtain all licenses and permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, storm drainage, health, food, alcohol, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Applicant shall obtain the necessary liquor license in order to serve alcohol. Applicant may serve alcohol if and only if all required liquor licenses are obtained.
3. Applicant shall obtain all necessary permits for the construction, the storage and the handling of hazardous chemicals and/or fuels (applicant shall be in contact with building inspection, fire department, etc.).
4. Dumpsters and/or grease receptacles 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 the dumpster. Applicant shall submit final dumpster enclosure plans and location to staff for review. Dumpsters shall be screened and enclosed prior to issuance of an occupancy permit or by July 28, 2023.

5. Missing section of guardrail/fence shall be reinstalled and shall match in terms of design, materials and color. Guardrail/fence shall be installed by July 28, 2023.
6. Graffiti on rear retaining wall shall be removed by July 28, 2023.
7. Old shed shall be removed or repainted by July 28, 2023.
8. Outdoor storage of materials, products or equipment shall be prohibited.
9. All unused rooftop mechanical equipment shall be removed.
10. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
11. All kitchen exhaust shall vent through the roof.
12. The kitchen/restaurant and service station shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
13. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance (site lighting, building lighting, signage, etc.). There shall be no spillover light onto adjacent properties or the streets.
14. Applicant shall work with staff with regards to appropriate signage. Only at such time as the sign package has been reviewed and approved may the applicant obtain sign permits to install the proposed signage. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
15. Applicant shall install individual letter signs for future signage – no cabinet or flat panel signs.
16. Prior to sign permit issuance, applicant shall remove various types of temporary signage located throughout the site on the light poles, poles near monument sign, bollards near convenience store, building walls/windows, etc.
17. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, patio, signs, landscaping, etc.
18. 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, grading, etc.).
19. Applicant will provide adequate public access along all streets, sidewalks and alley and shall take all appropriate actions to minimize the time period that adjacent properties and streets/sidewalks are impacted by the development (utilities, streets, etc.).
20. Applicant is responsible for working with all private and public utilities in order to adequately service this apartment complex development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
21. The applicant shall construct the exterior renovations per the plan submitted and approved by the Plan Commission. However, if staff has any concerns with the design, the matter may be brought back to the Plan Commission for their consideration.
22. If there are to be any changes from the plans for the remodel/renovations to the exterior of the facility, the applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for such remodel/renovation.
23. Any future/additional uses of the facility/property such as additional tenants, additions, site improvements, etc. may require conditional use permit, architectural review, occupancy permit, etc.
24. If there are any amendments to the approved conditional use permit (including but not limited to site plan, architectural design, use, etc.), the applicant will be required to submit a new conditional use application reflecting those amendments.

Motion carried.

8. Application for Conditional Use Permit with exceptions by Michael Thomas to operate Midwest Boxing and Beauty Art Dance (BAD) University in the multi-tenant facility located at 1224 Weeden Creek Road.

Motion by Jerry Jones, second by Alderperson Trey Mitchell to approve with the following conditions:

1. Prior to operation/occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, alcohol, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Dumpsters 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 the dumpster. Dumpsters shall be screened and enclosed prior to issuance of an occupancy permit.
3. Outdoor storage of materials, products or equipment shall be prohibited.
4. All ground level and rooftop mechanicals shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
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 sign permits prior to installation. Applicant shall work with staff with regards to constructing a well-designed signage for the site that utilizes colors and materials similar to the building. Staff may bring the proposed signage design back to the Plan Commission for review/approval.
7. Proposed signage will be individual letter signs (no flat panel or interior lit cabinet signs).
8. If there are to be any renovation to the exterior of the facility, the applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for such renovation.
9. If there are any amendments to the approved use and/or floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

Motion carried

9. Gen. Ord. No. 27-22-23 by Alderperson Mitchell amending Section 15.207 of the City of Sheboygan Zoning Ordinance, Nonconforming Use Regulations, and Section 15.934, Zoning Board of Appeals, so as to streamline and expedite the process of reviewing nonconforming use applications.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

10. Gen. Ord. No. 21-22-23 by Alderperson Felde amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 1) from Public Parks and Open Space to Multi-Family Residential Classification.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

11. R. O. No. 107-22-23 by City Clerk submitting an application from Froedtert Health, Inc. for a change in zoning classification for property off of the Northeast corner of N. Taylor Drive and Saemann Avenue - Parcel No. 59281631481 (Lot 1) from Suburban Residential (SR-5) to Urban Residential (UR-12) Classification.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

12. Gen. Ord. No. 24-22-23 by Alderperson Felde amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 1) from Suburban Residential (SR-5) to Urban Residential (UR-12) Classification.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

13. Gen. Ord. No. 22-22-23 by Alderperson Felde amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 2) from Public Parks and Open Space to Institutional and Community Facilities Classification.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

14. R. O. No. 108-22-23 by City Clerk submitting an application from Froedtert Health, Inc. for a change in zoning classification for property off of the Northeast corner of N. Taylor Drive and Saemann Avenue - Parcel No. 59281631481 (Lot 2) from Suburban Residential (SR-5) to Suburban Office (SO) Classification.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

15. Gen. Ord. No. 25-22-23 by Alderperson Felde amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 2) from Suburban Residential (SR-5) to Suburban Office (SO) Classification.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

16. Gen. Ord. No. 23-22-23 by Alderperson Felde amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 3) from Public Parks and Open Space to Multi-Family Residential Classification.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

17. R. O. No. 109-22-23 by City Clerk submitting an application from Froedtert Health, Inc. for a change in zoning classification for property off of the Northeast corner of N. Taylor Drive and Saemann Avenue - Parcel No. 59281631481 (Lot 3) from Suburban Residential (SR-5) to Urban Residential (UR-12) Classification.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

18. Gen. Ord. No. 26-22-23 by Alderperson Felde amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 3) from Suburban Residential (SR-5) to Urban Residential (UR-12) Classification.

Motion by Marilyn Montemayor, second by Jerry Jones to recommend approval. Motion carried.

#### **NEXT MEETING**

19. March 14, 2023

#### **ADJOURN**

20. Motion to Adjourn

Motion by Ryan Sazama, second by Marilyn Montemayor to adjourn. Motion carried.

Being no further business, the meeting was adjourned at 5:13 p.m.