

CITY OF SHEBOYGAN
CITY PLAN COMMISSION MINUTES

Tuesday, April 11, 2023

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

EXCUSED: Dave Hoffman

STAFF/OFFICIALS PRESENT: 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

No committee member had a conflict

MINUTES

4. Approval the Plan Commission minutes from March 28, 2023

Motion by Jerry Jones, second by Kimberly Meller to approve. Motion carried.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. Application for Conditional Use Permit with exceptions by General Capital Group to construct the Berkshire Sheboygan Riverfront apartments and townhomes at the northeast corner of the S. 10th Street and Indiana Avenue intersection.

Motion by Ryan Sazama, second by Alderperson Mitchell 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, water, sewer, storm drainage, health, DNR, State of Wisconsin, etc. (Applicant shall be in contact with building inspection, fire, police, etc.). An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Applicant is responsible to ensure that the proposed buildings are meeting all Federal, State and Local codes pertaining to hazardous materials and contamination.
3. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
4. Submittal and approval of a landscape plan prior to building permit issuance. Landscape plan shall provide a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan). Landscaping shall be installed prior to issuance of an occupancy permit.
5. In addition to the landscape plan, applicant will work with staff with regards to installation of street trees along the property's street frontages (number, type, location, etc.). The street trees will be provided on the landscape plan and are in addition to the required development landscape plan

points (not counted as landscape plan points). If any street trees are removed for the project, the applicant will be required to reinstall those street trees.

6. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the first apartment building to be occupied.
7. Outdoor storage of materials, products or equipment shall be prohibited.
8. Fencing and retaining wall shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. Applicant is required to submit specific fence and retaining wall details to staff. If staff has any concerns with the fence and/or retaining wall design, the matter may be brought back to the Plan Commission for their consideration (fencing and retaining wall need a decorative design).
9. 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.).
10. 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.
11. 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.
12. Applicant shall to install individual letter signs – no cabinet or flat panel signs.
13. Applicant shall be permitted a freestanding monument sign for the site. The sign shall meet the monument sign requirements.
14. All areas used for parking/maneuvering of vehicles shall be paved.
15. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
16. Any new ingress/egress driveway openings shall be improved to standard City specifications. All existing access drives that are no longer used shall be removed and improved to standard City specifications.
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, fencing/retaining walls, 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, relocation of street lights, grading, etc.).
19. Applicant will provide adequate public access along all streets and sidewalks and will 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 shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
21. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
22. 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).
23. **City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility.**
24. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Fire Department, including but not limited to fire lane access at the site, sprinkler systems, hydrants, water pressures, etc.

25. If applicant leases space to additional tenants, the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy (future tenants, if any)
26. The Certified Survey Map (CSM) will be reviewed if and only if the Plan Commission approves the conditional use permit. The proposed CSM will exactly match the approved site plan/property layout.
27. Applicant shall submit a Certified Survey Map (CSM) that meets the City of Sheboygan Subdivision Ordinance.
28. Building permits will only be issued at such time as the applicant can provide documentation from Sheboygan County that the CSM has been officially recorded and that General Capital Group is the owner of the parcel.
29. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
30. If the applicant does not proceed with either phase, the applicant shall grade and landscape/grass all private and public lands/property, temporary roads, temporary access drives, etc. 60 days after the City is notified that the applicant is not proceeding. Within this same 60 day period, the applicant shall also be required to remove any permanent/temporary off-premise signage, structures, etc. from this parcel.
31. 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 and/or architectural review application reflecting those amendments.
32. Applicant will have an executed developer's agreement prior to building permit issuance.

Exceptions granted:

- To have a minimum lot area of 997sf per unit for 1.9 acres (just the apartments)
- To have a minimum lot area of 819sf per unit for 1.9 acres (apartments and townhomes)
- To have a building height of 57 feet
- To have 118 parking spaces
- From the locational landscaping bufferyard requirements. Landscape Plan still required and required point must be met.

Motion carried.

6. Application for Conditional Use Permit with exceptions by Kara Ottum to construct two (2) new single-family dwellings at the northwest intersection of N. 8th Street and Huron Avenue.

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

1. Applicant shall obtain all licenses and building permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, environmental, State of Wisconsin, DNR, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Applicant is required to meet all requirements regarding the contamination on the property and will address any concerns and/or issues accordingly with the DNR.
3. Prior to building permit issuance for either house, the applicant shall show the contamination location on the survey in order for the building department to verify the house is located outside of the contaminated area.
4. Building permits shall be issued if and only if the applicant submits plans very similar to those plans submitted to and approved by the Plan Commission (design, materials, colors, location, square footage, exceptions, etc.). However, if the applicant changes the general design concepts, the site plan, lot configurations, location, etc. and/or if staff has any concerns with the proposal, the matter may be brought back to the Plan Commission for their consideration.
5. Maximum size accessory building/shed shall be 200sf and shall be compatible design to match that of the house.

6. Outdoor storage of materials, products or equipment shall be prohibited.
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 properties or the streets.
8. All areas used for parking/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/hardscaping.
10. Any new ingress/egress driveway openings shall be improved to standard City specifications. All existing access drives that are no longer used shall be removed and improved to standard City specifications (Huron Avenue and 8th Street).
11. Applicant will obtain all required permits/approvals prior to constructing the driveway, parking area, hardscape area, etc. including but not limited to building permit, site plan, storm water, etc.
12. Vehicles parked on the driveway of the southern lot must be completely located on the lot and not within the City of Sheboygan N. 8th Street sidewalk/public right-of-way.
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. 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, fencing/retaining walls, signs, landscaping, etc. unless an encroachment is obtained permitting use of public right-of-way.
15. 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.).
16. The Certified Survey Map (CSM) will be reviewed if and only if the Plan Commission approves the conditional use permit. The proposed CSM will exactly match the approved site plan/property layout.
17. Applicant shall submit a Certified Survey Map (CSM) that meets the City of Sheboygan Subdivision Ordinance.
18. Building permits will only be issued at such time as the applicant can provide documentation from Sheboygan County that the CSM has been officially recorded.
19. If operating as a short term rental, the applicant will be required to file the proper room tax paper work with the City of Sheboygan.
20. If there are any amendments including but not limited to the approved use, building design, floor plans, site plans, lot configuration, exceptions, etc., the applicant will be required to submit a new conditional use application reflecting those amendments.

Exceptions granted:

Coach House (northern lot)

- To have a 4,480sf foot lot
- To have a 56-foot lot width
- To have a front street yard setback of 10 feet from Huron Avenue
- To have a rear yard setback of seven (7) feet
- To have an interior sidewalk that has a zero (0) foot setback to the property line
- To have a minimum single-family house footprint as presented on site plan which is less than 24 x 40 (approximately 27 x 39)

Kara's House (southern lot)

- To have a 5,040sf foot lot
- To have a 46-foot lot width
- To have a front yard setback of 10 feet from N. 8th Street
- To have a rear yard setback of eight (8) feet (west yard)
- To have an interior sidewalk that has a zero (0) foot setback to the property line

- To have a minimum single-family house footprint as presented on site plan which is less than 24 x 40 (approximately 21 x 60 without including garage)

Motion carried.

7. Application for Conditional Use and Sign Permit with exceptions by RLO Sign, Inc. to install a new electronic readerboard monument sign at the new BP Service Station located at 1441 N. 26th Street.

Motion by Alderperson Mitchell, second by Kimberly Meller to approve with the following conditions:

1. Applicant shall obtain the necessary sign permits prior to installation.
2. 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.
3. 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.
4. The sign shall meet the minimum 12-foot setback to the N. 26th Street property line, 24 feet from the face of curb on Superior Avenue and be located outside the 15 foot vision triangle. It is the applicant's responsibility to insure the sign meets the required setbacks.
5. The maximum height of the sign shall be eight (8) feet tall (top of sign to grade).
6. Sign messages and/or location shall not create any pedestrian/vehicular conflicts.
7. Any future wall signage shall be individual letter signs (no flat panel or interior lit cabinet signs).
8. If there are any amendments to the approved sign or location, the applicant will be required to submit a new conditional use application reflecting those amendments.

Motion carried.

8. R. O. No. 128-22-23 by City Clerk submitting an application from Jack VanDerWeele for a change in zoning classification for property on Pershing Avenue - Parcel No. 59281012240 from Suburban Residential (SR-3) to suburban Residential (SR-5) Classification.

Motion by Jerry Jones, second by Ryan Sazama to recommend approval. Motion carried.

9. Gen. Ord. No. 30-22-23 by Alderperson Filicky-Peneski amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property on Pershing Avenue – Parcel #59281012240 from Suburban Residential (SR-3) to Suburban Residential (SR-5) Classification.

Motion by Jerry Jones, second by Alderperson Mitchell to recommend approval. Motion carried.

NEXT MEETING

10. April 25, 2023

ADJOURN

11. Motion to Adjourn

Motion by Jerry Jones, second by Alderperson Mitchell to adjourn. Motion carried.

Being no further business, the meeting was adjourned at 4:51 p.m.