# **CITY OF SHEBOYGAN**

# CITY PLAN COMMISSION MINUTES

# Tuesday, April 09, 2024

MEMBERS PRESENT: Mayor Ryan Sorenson, Jerry Jones, Marilyn Montemayor, Braden Schmidt, Alderperson Trey

Mitchell and Public Works Consultant Aaron Groh

**EXCUSED:** Kimberly Meller

STAFF/OFFICIALS PRESENT: Planning and Zoning Administrator Elke Daugherty, Associate Planner Ellise Rose and

**Building Inspection Specialist Linnae Wierus** 

### **OPENING OF MEETING**

1. Roll Call

Mayor Ryan Sorenson called the meeting to order at 4pm.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Identify potential conflict of interest

No committee member had a conflict.

#### **MINUTES**

4. Approval of the Plan Commission minutes from March 26, 2024

# MOTION TO APPROVE.

Motion made by Marilyn Montemayor, seconded by Jerry Jones

Voting yea: Mayor Ryan Sorenson, Jerry Jones, Marilyn Montemayor, Braden Schmidt, Alderperson Trey Mitchell and Public Works Consultant Aaron Groh

# **PUBLIC HEARINGS**

 Public hearing regarding application for Conditional Use Permit with exceptions by Jos. Schmitt Construction Co., Inc. to renovate the Bitter Neumann warehouse and loading dock located at 827 N 14th St.

No public comment.

5. Public hearing regarding application for Conditional Use with exceptions by SACO AEI Polymers to install a new free-standing chemical storage container at 3220 Crocker Avenue.

No public comment.

7. Public hearing regarding the General Development Plan by Van Horn Properties of Sheboygan LLC to construct a new Van Horn Kia facility on parcels 59281215827 and 59281215833.

No public comment.

8. Public hearing regarding General Development Plan by Abacus Architects, Inc. to construct a new addition to Sheboygan Christian School located at 929 Greenfield Avenue (Parcels 59281321763, 59281321761, and 59281321762).

No public comment.

MOTION TO CLOSE ALL PUBLIC HEARINGS.

Motion made by Jerry Jones, seconded by Marilyn Montemayor

Voting yea: Mayor Ryan Sorenson, Jerry Jones, Marilyn Montemayor, Braden Schmidt, Alderperson Trey Mitchell and Public Works Consultant Aaron Groh

### ITEMS FOR DISCUSSION AND POSSIBLE ACTION

9. Application for Conditional Use Permit with exceptions by Jos. Schmitt Construction Co., Inc. to renovate the Bitter Neumann warehouse and loading dock located at 827 N 14th St.

MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS.

Motion made by Jerry Jones, seconded by Marilyn Montemayor

- Prior to building permit issuance, the applicant shall obtain all licenses/permits as well as meet all
  required codes including but not limited to building, plumbing, electrical, HVAC, demolition, fire,
  water, sewer, storm drainage, health, hazardous materials, State of Wisconsin, Federal, 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 shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
- 3. Submittal and approval of a proposed storm drainage plan prior to building permit issuance.
- 4. Submittal and approval of a proposed landscape plan prior to building permit issuance. Landscaping shall be installed prior to issuance of an occupancy permit.
- 5. Outdoor storage of materials, products or equipment shall be prohibited (except as authorized/approved by the Plan Commission).
- 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, etc.).
- 7. All new lighting shall be installed per Section 105-932 of the City of Sheboygan Zoning Ordinance. There shall be no spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity.
- 8. All areas used for parking or maneuvering of vehicles shall be paved (no gravel permitted).
- 9. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
- 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 all unused driveways shall be closed and improved to standard City specifications.
- 11. 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.
- 12. Any work within City of Sheboygan Public rights-of-way, stormwater easements, etc. shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new street improvements, new and/or closed ingress/egress driveway

- openings, driveways over storm water easements, curb, gutter, sidewalk, pavement, utilities, retaining walls, street trees, etc.).
- 13. 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.).
- 14. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
- 15. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
- 16. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
- 17. 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.
- 18. Applicant shall adequately address all Sheboygan Water Utility concerns related to this development.
- 19. Applicant shall adequately address all Fire Department concerns related to this development.
- 20. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
- 21. 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, architectural review, etc. reflecting those amendments.

- To the minimum landscape surface ration of .10
- To the minimum paved surface setback of 5 feet
- From the locational landscaping requirements. Landscape plan is still required and required points must be met.
- 10. Application for Conditional Use with exceptions by SACO AEI Polymers to install a new free-standing chemical storage container at 3220 Crocker Avenue.

### MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS.

Motion made by Jerry Jones, seconded by Marilyn Montemayor

- 1. Prior to building permit issuance, the applicant shall obtain all licenses/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, storm drainage, health, State of Wisconsin DNR, Army Corp of Engineers, floodplain, etc.
- 2. 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/police departments, etc.).
- 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.
- 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.
- 7. All areas used for parking/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. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.

- 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 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.).
- 12. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
- 13. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
- 14. 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.

- To have a 10ft building separation
- 11. General Development Plan by Van Horn Properties of Sheboygan LLC to construct a new Van Horn Kia facility on parcels 59281215827 and 59281215833.

## MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS.

Motion made by Jerry Jones, second by Alderperson Trey Mitchell

- Prior to building permit issuance, the applicant shall obtain all licenses/permits as well as meet all
  required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer,
  storm drainage, health, 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. Submittal and approval of a proposed storm drainage plan prior to building permit issuance.
- 3. Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the first apartment building to be occupied.
- 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, etc.).
- 6. Applicant shall work with staff with regards to appropriate signage. Applicant will be required to submit the final package in order to be incorporated into the approved PIP. 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.
- 7. All areas used for parking/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. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.
- 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 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.).

- 12. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
- 13. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
- 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, art, etc.
- 15. Applicant is responsible for working with all private and public utilities in order to adequately service this development (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
- 16. 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.
- 17. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the Van Horn facility.
- 18. Any changes to the landscape plan will need City Staff approval prior to installation.
- 19. Plantings located around all ingress/egress of the site shall be maintained to not interfere with vehicular/pedestrian traffic.
- 20. Plantings located around the Fire Department Connection must be maintained to make sure that it is accessible at all times.
- 21. Plantings located by light poles should be maintained to keep areas well lite.
- 22. All plantings will need to be maintained per Section 105-894(b) Maintenance.
- 23. The Department of Planning & Development must inspect the landscaping. Failure to comply with any of the above conditions may require the removal and replanting of plants. Please call Janet M Duellman for an onsite inspection at 920/459-3380.
- 24. If there are any amendments to the approved SIP (including but not limited to site plan, architectural design, etc.) the applicant will have to submit an amended SIP for review that accurately reflects any and all proposed changes.
- 12. Specific Implementation Plan by Van Horn Properties of Sheboygan LLC to construct a new Van Horn Kia facility on parcels 59281215827 and 59281215833.

### MOTION TO APPROVAL WITH THE FOLLOWING CONDITIONS:

Motion made by Jerry Jones, second by Marilyn Montemayor

- 1. Prior to building permit issuance, the applicant shall obtain all licenses/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, storm drainage, health, 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. Submittal and approval of a proposed storm drainage plan prior to building permit issuance.
- 3. Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the first apartment building to be occupied.
- 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, etc.).
- 6. Applicant shall work with staff with regards to appropriate signage. Applicant will be required to submit the final package in order to be incorporated into the approved PIP. 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.

- 7. All areas used for parking/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. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.
- 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 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.).
- 12. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
- 13. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
- 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, art, etc.
- 15. Applicant is responsible for working with all private and public utilities in order to adequately service this development (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
- 16. 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.
- 17. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the Van Horn facility.
- 18. Any changes to the landscape plan will need City Staff approval prior to installation.
- 19. Plantings located around all ingress/egress of the site shall be maintained to not interfere with vehicular/pedestrian traffic.
- 20. Plantings located around the Fire Department Connection must be maintained to make sure that it is accessible at all times.
- 21. Plantings located by light poles should be maintained to keep areas well lite.
- 22. All plantings will need to be maintained per Section 105-894(b) Maintenance.
- 23. The Department of Planning & Development must inspect the landscaping. Failure to comply with any of the above conditions may require the removal and replanting of plants. Please call Janet M Duellman for an onsite inspection at 920/459-3380.
- 24. If there are any amendments to the approved SIP (including but not limited to site plan, architectural design, etc.) the applicant will have to submit an amended SIP for review that accurately reflects any and all proposed changes.

- To Section 105-929(f)(2) of the City of Sheboygan Municipal Code requiring curb and gutter within parking areas is requested
- To have an additional drive
- To the table 15.305 City of Sheboygan Nonresidential Intensity Standards Min LSR of 20.3%.
- To the maximum 0.5 foot candles at a property line per Section 105-932(d)(2)
- To the required landscaping per Section 105-886/105-888/105-889 for landscaping for building foundations, street frontages, and paved areas.
- 13. Direct Referral Gen. Ord. No. 43-23-24 by Alderperson Mitchell amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located around 929 Greenfield Avenue including Parcel Nos. 59281321761, 59281321762, and

59281321763 from Class Suburban Residential (SR-5) to Class Suburban Residential (SR-5) with PUD overlay Classification.

MOTION TO RECOMMEND APPROVAL TO THE COMMON COUNCIL ADOPT THE ORDINANCE Motion made by Braden Schmidt, second by Jerry Jones

Voting yea: Mayor Ryan Sorenson, Jerry Jones, Marilyn Montemayor, Braden Schmidt, Alderperson Trey Mitchell and Public Works Consultant Aaron Groh

14. Direct Referral R. O. No. 133-23-24 by City Clerk submitting an application from Jacob Norberte for amendment of the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance for property located around 929 Green field Avenue including Parcel Nos. 59281321761, 59281321762, and 59281321763 from Class Suburban Residential (SR-5) to Class Suburban Residential (SR-5) with PUD Overlay Classification.

#### MOTION TO RECOMMEND THE COMMON COUNCIL FILE THEIR R.O.

Motion made by Alderperson Trey Mitchell, second by Jerry Jones

Voting yea: Mayor Ryan Sorenson, Jerry Jones, Marilyn Montemayor, Braden Schmidt, Alderperson Trey Mitchell and Public Works Consultant Aaron Groh

15. General Development Plan by Abacus Architects, Inc. to construct a new addition to Sheboygan Christian School located at 929 Greenfield Avenue (Parcels 59281321763, 59281321761, and 59281321762).

## MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS.

Motion made by Jerry Jones, second by Marilyn Montemayor

- 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, health, storm drainage, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
- 2. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
- 3. All new lighting shall be installed per Section 105-932 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.
- 4. All areas used for parking/maneuvering of vehicles shall be paved prior to issuance of an occupancy permit.
- 5. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
- 6. 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.).
- 7. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
- 8. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
- 9. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
- 10. Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).

- 11. 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.
- 12. Any changes to the landscape plan will need City Staff approval prior to installation.
- 13. Owner and the City of Sheboygan understand that the project will be done in phases. Each construction phase and corresponding landscape will need to be completed at the same time.
- 14. Owner and City of Sheboygan understand that future phased construction may change. If such changes occur, the landscape plan will need to be re-evaluated at that time.
- 15. The Department of Planning and Development must inspect the landscaping. Failure to comply with any of the above conditions may require the removal and replanting of plants. Please call Janet M Duellman for an onsite inspection at 920/459-3380.
- 16. Plantings located around the Fire Department Connection must be maintained to make sure that it is accessible at all times.
- 17. All plantings will need to be maintained per Section 105-894(b) Maintenance.
- 18. If there are any amendments to the approved GDP (including but not limited to site plan, architectural design, use, etc.), the applicant will be required to submit a new GDP application reflecting those amendments.

- To have a 15ft setback
- To not meet the location requirements for Sections 105-886 (Building Foundation), 105-887 (Developed Lot), 105-888 (Street Frontage), and 105-889 (Paved Area).
- 16. Specific Implementation Plan by Abacus Architects, Inc. to construct a new addition to Sheboygan Christian School located at 929 Greenfield Avenue (Parcels 59281321763, 59281321761, and 59281321762).

# MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS.

Motion made by Marilyn Montemayor, second by Jerry Jones

- 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, health, storm drainage, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
- 2. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
- 3. All new lighting shall be installed per Section 105-932 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.
- 4. All areas used for parking/maneuvering of vehicles shall be paved prior to issuance of an occupancy permit.
- 5. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
- 6. 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.).
- 7. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.

- 8. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
- 9. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
- 10. Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
- 11. 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.
- 12. Any changes to the landscape plan will need City Staff approval prior to installation.
- 13. Owner and the City of Sheboygan understand that the project will be done in phases. Each construction phase and corresponding landscape will need to be completed at the same time.
- 14. Owner and City of Sheboygan understand that future phased construction may change. If such changes occur, the landscape plan will need to be re-evaluated at that time.
- 15. The Department of Planning and Development must inspect the landscaping. Failure to comply with any of the above conditions may require the removal and replanting of plants. Please call Janet M Duellman for an onsite inspection at 920/459-3380.
- 16. Plantings located around the Fire Department Connection must be maintained to make sure that it is accessible at all times.
- 17. All plantings will need to be maintained per Section 105-894(b) Maintenance.
- 18. If there are any amendments to the approved GDP (including but not limited to site plan, architectural design, use, etc.), the applicant will be required to submit a new GDP application reflecting those amendments.

- To have a 25ft setback
- To not meet the location requirements for Sections 105-886 (Building Foundation), 105-887 (Developed Lot), 105-888 (Street Frontage), and 105-889 (Paved Area).

### **NEXT MEETING**

17. April 23, 2024

The next meeting is scheduled to be held on April 23, 2024.

#### **ADJOURN**

18. Motion to Adjourn

MOTION TO ADJOURN AT 4:14 PM.

Motion made by Jerry Jones, second by Alderperson Trey Mitchell