

CITY OF SHEBOYGAN
CITY PLAN COMMISSION MINUTES
Tuesday, December 13, 2022

OPENING OF MEETING

MEMBERS PRESENT: Mayor Sorenson, Jerry Jones, Marilyn Montemayor, Kimberly Meller and David Hoffman

EXCUSED: Alderperson Trey Mitchell and Ryan Sazama

STAFF/OFFICIALS PRESENT: Planning & 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

No committed member had a conflict of interest.

MINUTES

4. Approval of the Plan Commission minutes from November 29, 2022.

Motion by Dave Hoffman, second by Jerry Jones to approve. Motion carried.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. Application for Conditional Use Permit with exceptions by VUE 14, LLC to construct the View 14 Apartments at the southeast corner of the S. 14th Street and Illinois Avenue intersection.

Motion by Marilyn Montemayor, second by Jerry Jones 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, 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/approval of a proposed storm drainage plan prior to building permit issuance.
3. 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.
4. 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.

5. 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.
6. Outdoor storage of materials, products or equipment shall be prohibited.
7. 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).
8. 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.).
9. 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.
10. 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.
11. Applicant shall to install individual letter signs – no cabinet or flat panel signs.
12. Applicant shall be permitted a freestanding monument sign for the site. The maximum height of the monument sign is 8 feet.
13. The minimum setback of the monument sign is eight (8) feet to the west/14th Street property line and 12 feet to the south property line. It is the applicant's responsibility to insure the sign meets these required setbacks.
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. Applicant shall construct the emergency access drive to standards acceptable to the City Engineering and Fire Departments (emergency access drive at the southwest corner of the facility accessing S. 14th Street). This drive is for emergency purposes only and may not be utilized for everyday ingress/egress purposes.
18. 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.
19. 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.).
20. 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.).
21. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
22. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.

23. 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).
24. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility.
25. 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.
26. If applicant leases space to additional tenants, the tenants shall obtain all necessary land use and building approvals/permits prior to occupancy
27. Building permits shall be issued only at such time as the applicant can provide a Certified Survey Map (CSM) or recorded documentation from Sheboygan County that the four (4) parcels have been combined into one (1) parcel as depicted on the approved site plan.
28. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
29. 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.
30. Applicant will have an executed developer's agreement prior to building permit issuance.

Exceptions granted:

- To have 28 units per acre and more than 24 units per building
- To have a minimum lot area of 1,579sf per unit for 1.74 acres
- To have a zero (0) foot front/street yard setback along the N. 14th Street property line
- To have a zero (0) foot front/street yard setback along the Illinois Avenue property
- To have a zero (0) foot setback for uncovered steps in the front/street yard
- To have a building height of 45 feet
- To have a minimum eave width of one (1) foot
- To have 72 parking spaces
- To have a 2.27-foot paving setback for the parking lot adjacent to the S. 14th Street property line (emergency access)
- To have a monument sign that is 42sf with an eight (8) foot setback to the west/14th Street property line
- To have a 207sf maintenance shed
- From the locational landscaping requirements. Landscape Plan still required and required point must be met.

Motion carried.

6. Application for Special Use Permit by Johnston Bakery to construct a new building addition to their facility located at 3320 Weeden Creek Road.

Motion by Jerry Jones, second by Dave Hoffman 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, health, storm drainage, hazardous materials, DNR, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. The addition will meet all zoning requirements including but not limited to noise, vibration, hazardous materials, 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. 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. Dumpsters shall be screened and enclosed and constructed of like materials and colors of the facility.
 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, generators, etc.).
 8. All new lighting shall be installed per Section 15.707 of the Zoning Ordinance.
 9. Applicant shall obtain the necessary sign permits prior to installation. The proposed signage shall meet the City of Sheboygan Zoning Ordinance and Business Park Protective Covenants. All signage must be submitted to and reviewed/approved by the City of Sheboygan Architectural Review Board.
 10. Applicant shall be permitted to install individual letter signs – no cabinet or panel signs.
 11. Applicant shall meet minimum 50 foot building setback to the south street side property line. Applicant shall submit an updated site plan reflecting this 50 foot setback. It is the applicant's responsibility to insure the building meets the required setback.
 12. All areas used for parking/maneuvering of vehicles shall be paved (no gravel permitted).
 13. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
 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.
 15. 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.).
 16. 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.).
 17. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
 18. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
 19. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
 20. 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.
 21. Applicant shall adequately address all Sheboygan Water Utility concerns related to this development.
 22. Applicant shall adequately address all Fire Department concerns related to this development.
 23. Building permits shall be issued only at such time as the applicant can provide a Certified Survey Map (CSM) or recorded documentation from Sheboygan County that the two (2) parcels have been combined into one (1) parcel as depicted on the approved site plan.
 24. Applicant shall meet the Sheboygan Business Park Protective Covenants.
 25. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
 26. 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.

Motion carried.

NEXT MEETING

7. January 10, 2023

ADJOURN

8. Motion to Adjourn

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

Being no further business, the meeting was adjourned at 4:14 p.m.