

## CITY OF SHEBOYGAN

### REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

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**ITEM DESCRIPTION:** Application for Conditional Use with exceptions by Amy Lee to operate Chubby Bunny Boba at 3325A Business Drive. UC Zone.

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**REPORT PREPARED BY:** Ellise Rose, Program Assistant

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**REPORT DATE:** November 6, 2023

**MEETING DATE:** November 14, 2023

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#### FISCAL SUMMARY:

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|-----------------------|-----|
| Budget Line Item:     | N/A |
| Budget Summary:       | N/A |
| Budgeted Expenditure: | N/A |
| Budgeted Revenue:     | N/A |

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#### STATUTORY REFERENCE:

|                 |     |
|-----------------|-----|
| Wisconsin       | N/A |
| Statutes:       |     |
| Municipal Code: | N/A |

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#### BACKGROUND / ANALYSIS:

Amy Lee is proposing to operate Chubby Bunny Boba at 3325A South Business Drive. The applicant states:

- The space at 3325A S Business Drive prior usage was an office space for TDL Drivers Inc. The space is now vacant, and we are proposing to lease and renovate the indoor space into a retail boba tea café offering desserts, lemonade, fruit teas, milk tea, and blended drinks.
- All drinks will be prepared in the space along with desserts.
- The café is being proposed from this property due to it being on a busy road within the city and it provides easy access to Interstate 43. The location is close to surrounding cities, only 4 miles from Sheboygan Falls and the Village of Kohler, 9 miles from Oostburg and 10 miles from Howards Grove.
- A boba café on the South side of Sheboygan would serve as a great asset to the city, introducing new cultural experiences to the residents.
- Southtown mall is currently occupied by eight tenants, Theo's Pizza, Dollhouse Dance Factory, Clay Crafts, Spa Nails, POSC, Robertson Ryan, Youth Center and Peak Fitness Performance.
- The unit intended for lease is 1440sqft. with a parking lot containing 98 parking stalls at the front of the building for customers and 23 employee parking stalls at the back.

- No outdoor improvements will be done to the property, besides including outdoor seating for customers during the summer months and installation of a business sign.
- The following interior renovations will include but not limited to –
  - Installation of vinyl flooring
  - Changing ceiling tiles and lights
  - Plumbing
  - Adding more electrical outlets for appliances
  - Installation of privacy wall for kitchen and storage area
  - Demolition of backroom wall
  - Installation of countertop space
  - Installation of handwashing sink
  - Installation of dishwashing sink and grease trap
  - Painting walls
- The space will be modernly designed to allow customers to sit and dine in or quickly order for take-out as there is sufficient parking in the parking lot for customers to quickly grab and go.
- A sign with our store name, Chubby Bunny, will also be professionally installed in the front of the store, after getting required approval.
- The project timeline is to start renovation December 2023, with an intended opening date in March 2024.
- The estimated value of the project is \$40,000.
- We intend to employ 4-6 employees in the shop, which mainly consists of family members.
- The café will be a great asset to Southtown mall and the city of Sheboygan as we offer products not widely available in the Sheboygan County area. Our business is a great complement to the surrounding tenants as well, since most of them offer a service, besides Theos Pizza.
- The business will ensure to not become a nuisance by ensuring the following –
  - Parking in designated parking spot in employee parking stall
  - Maintaining outside cleanliness
  - Proper disposals of garbage
  - Actively managing music and noises outside business hours
  - Provide customers appropriate business hours – Tuesday-Saturday 11am-9pm, Sunday 11am-8pm and closed Monday.

## **STAFF COMMENTS:**

The applicant will need to work with the Sheboygan County Health Department and the City Inspections Department regarding required permits and occupancy.

The applicant mentions possible signage but no formal sign package has been submitted. Applicant shall work with staff with regards to constructing a well-designed sign package for

the site that utilizes colors and materials similar to the building Individual letter sign). Staff may bring the proposed signage design back to the Plan Commission if there any concerns.

Chubby Bunny Boba is a nice way of filling this vacant Business Drive commercial tenant space.

**ACTION REQUESTED:**

Staff recommends approval of the conditional use permit subject to 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, food, alcohol, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. 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. 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. 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.
8. 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.

**ATTACHMENTS:**

Conditional Use and required attachments