

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use with exceptions by Breakwater Church to operate at 733 Broadway Avenue. NC Zone

REPORT PREPARED BY: Steve Sokolowski, Manager of Planning and Zoning

REPORT DATE: November 23, 2022

MEETING DATE: November 29, 2022

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

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

BACKGROUND / ANALYSIS:

Breakwater Church is proposing to purchase and operate at 733 Broadway Avenue (presently vacant but was previously the Boys and Girls Club). The applicant states the following:

- The proposed land use would be for a public worship gathering of the congregation of Breakwater Church.
- Breakwater currently holds one (1) worship gathering at 10:00 AM on Sunday mornings, which averages 40-55 attendees consisting of 12 families. The worship gathering will be handled in the multi-purpose space.
- There is a single employee who would be occupying the building during officer hours throughout the week.
- Additional program offerings could be offered in the same space and would run on Wednesday evenings or Saturday mornings.
- The site was selected due to its location to neighborhoods which are seeking to establish a cohesiveness. This is a point of emphasis for our organization.
- Additionally, our organization aims to provide a positive environment for youth and families. This location makes it a key site for a "facility for youth" identified in the Community Development Block Grant 2020-2024--Consolidated Plan. Our interactions with neighbors have anecdotally confirmed that there is a desire for such an organization.

- The purpose of the organization is to partner with neighbors to achieve positive outcomes in the community. This fits with a building that is situated in neighborhoods. We also intend to provide a space for young people in the community to enjoy recreation and instruction.
- The previous occupant did significant work to preserve the structure of the building. The proposed renovations, apart from replacing broken ceiling tiles and a fresh coat of paint, are designed to bring the building into compliance with modern accessibility standards. The updates include the following:
 - EXTERIOR - Install an entrance walk on the southeastern corner of the building and install a wheel-chair accessible entry way there. This walk will be connected to the off-street unloading area to provide safe access off a busy street.
 - INTERIOR - Installation of a ramp to the stage to provide access for individuals who are otherwise abled. Installation of a two-stall, two sink women's restroom and renovation of a single occupant men's restroom located off the multi-purpose space
- There are currently 10-off street parking spaces which provide a safe loading area for members. Upon completion of the renovations, there will be ADA-compliant access to the building via a walk from the off-street parking.
- Existing signage will be left intact and repurposed to include the logos and information concerning to Breakwater Church.
- We anticipate that our renovation project will be completed in the months of January or February. We estimate that the renovation project will cost \$100,000 in addition to the agreed purchase price of \$325,000.
- Breakwater Church has "our city" as a stated core value. Our goal is to see the city flourish and to see our neighborhoods flourish. Those big ideas only come to fruition when we take simple steps to be good neighbors. We will avoid causing any disruptions, as far as it remains with us. We have already spoken with the business to the immediate south and have offered to continue their use of the parking lot during our off-hour times. This illustrates the cooperative spirit we intend to make the hallmark of our neighborhood interactions.
- The proposed usage of the building is in significant alignment with its previous use. Our goal is to provide a positive place for kids, but also to create positivity in the community beyond our own walls. This makes our organization a good fit for the key initiatives named in the City of Sheboygan's Comprehensive Plan. We intend for our presence to strengthen the existing community and to foster connectivity within the neighborhood. We do not foresee our presence to cause any adverse impact on the neighborhood, traffic, or environment. Our proposed use will be adequately served by the existing utilities and public services.

STAFF COMMENTS:

The applicant intends on constructing a new handicap ramp and new entrance to the building on the east side of the building next to the parking area (southeast corner of the building). That ramp and door should be constructed to match design, materials, and colors to be consistent with the look of the existing facility.

The applicant states they may repurpose some of the existing signage, however, no sign package has been submitted at this time just some general concepts. 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. Staff may bring the proposed signage design back to the Plan Commission if there any concerns.

The Plan Commission should have the applicant address the following:

- What is the proposed timeframe for occupancy/use of the facility?
- When the facility is at full capacity how many employees, children, adults, etc. will be at the site?
- Explain the construction and design of the new entrance, the handicap ramp and the sidewalk proposed on the east side of the property.
- Where will the screened and enclosed dumpsters be located on the property?

The applicant is requesting the following exceptions:

- Requesting a variance from the minimum parking requirements to maintain the existing parking at the site (10 spaces) – The minimum number of onsite parking for a church is one (1) space per five (5) seats at maximum capacity.

The congregation currently averages Sunday attendance of 40-55 congregants, with approximately 10 families. The current parking lot, which consists of 10 parking spaces, would hold the entirety of our congregation as it presently stands.

Prior land use involved more weekly hours of traffic (75 hours of traffic) than will be anticipated by current land use (3 hours of traffic). Weekly service times will run Sundays from 9 AM-12 noon, with possible addition of Wednesday evening programming.

ACTION REQUESTED:

Staff recommends approval of the conditional use permit and exceptions subject to 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, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility and shall be completed prior to issuance of an occupancy permit. Applicant shall work with staff with regards to appropriate location and design of enclosure.
3. Outdoor storage of materials, products or equipment shall be prohibited.
4. Any fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. Applicant shall work with staff with regards to constructing appropriate and well-designed fence/retaining wall and shall obtain the necessary permits prior to installation. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.

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. 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.
7. 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.
8. Proposed and future signage at this property/facility shall be individual letter signs (no flat panel or interior lit cabinet signs).
9. Applicant shall be permitted a freestanding monument sign for the site. Minimum setback of a monument sign is 12 feet. Maximum height of the monument sign is 8 feet. Sign shall be located outside of the 15 foot vision triangle.
10. Applicant shall remove all unused signs and all signage referring to previous businesses.
11. All areas used for parking/maneuvering of vehicles shall be paved.
12. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
13. 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.
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 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, curb, gutter, sidewalk, pavement, utilities, retaining walls, street trees, etc.).
16. 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.
17. The applicant shall construct a new entrance and handicap ramp with decorative rails that match the colors of the structure. If staff has any concerns with the design, the matter may be brought back to the Plan Commission for their consideration.
18. If there are to be any 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.
19. Building permits shall be issued only at such time as the applicant can provide documentation that they own the parcel.
20. Any future/additional uses of the facility/property (such as multi-tenant facility), additions, site improvements, etc. may require conditional use permit and architectural review.
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 and/or architectural review applications reflecting those amendments.

ATTACHMENTS:

Conditional Use and required attachments