

## CITY OF SHEBOYGAN

### REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

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**ITEM DESCRIPTION:** R.O. 23-22-23 and G.O. 3-22-23 by Alderperson Perrella repealing Gen. Ord. No. 39-21-22 granting Harbor Cafe, LLC, its successors and assigns, the privilege of encroaching upon certain portions of 340/342 South Pier Drive in the City of Sheboygan and granting Grateful Properties, LLC, its successors and assigns, the privilege of encroaching upon expanded portions of 340/342 South Pier Drive, as described in the City of Sheboygan for the purpose of adding an outdoor seating deck.

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

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**REPORT DATE:** June 24, 2022

**MEETING DATE:** June 28, 2022

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#### FISCAL SUMMARY:

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:

The Plan Commission and Common Council approved a deck encroachment for Harbor Café in March of 2022. The owner/contractor has constructed the deck differently than what was approved and now portions of the deck are located outside of the encroachment area that was previously approved (design and location). Thus, the owner now needs to request a new encroachment due to this location change.

The applicant previously stated the following about the project:

Harbor Café, LLC is requesting an encroachment to install/construct an outdoor patio/deck at Harbor Café located at 340 s. Pier Drive. The applicant states:

- Harbor Café is requesting an encroachment to build an outdoor seating deck. The owner believes one reason Sheboygan is such a special place is the beautiful atmosphere along Lake Michigan and the Sheboygan River surrounding the South Pier District. In order to fully appreciate the location, I would like to ask the Mayor's Office and the Common Council for permission and approval to build an outdoor seating deck on the north side of the 340/342 South Pier Drive property along the Sheboygan River.
- The deck is being designed and constructed by Quasius Construction who will build the new deck on the north side of the existing building to add additional outdoor seating

capacity for the newly constructed café. We will be using high end materials for the deck and improving the landscaping design/plantings with regard to the layout of the new deck.

- The exterior of the building utilizes cedar siding, a standing seam metal roof and aluminum clad wood windows. The proposed design of the deck is intended to closely match and coordinate with the existing materials that are utilized on the building.

#### **STAFF COMMENTS:**

In September of 2021, the Plan Commission approved a conditional use permit so owner Jason LaBouve could open the Harbor Café. Harbor Cafe will be a family-friendly atmosphere for patrons of all ages and will not serve alcohol. The menu will be simple and not require any fryers or grills. Beverages will include: water, flavored sparkling waters, coffees, espressos, teas and smoothies. Food will include: soups, salads, wraps, mini deli-style sandwiches, charcuterie boards (featuring local cheeses and sausages), bakery, and specialty deserts. The menu will source ingredients locally wherever possible.

Similar encroachments have been granted permitting owners to utilize the Sheboygan Riverfront Promenade for outdoor deck/patio purposes to take advantage of the amazing views of the Sheboygan River and Lake Michigan for these S. Pier Shanty structures.

If the encroachment is approved, Harbor Café, LLC will need to pay the required encroachment fee prior to building permit issuance for the new deck.

#### **ACTION REQUESTED:**

Staff does not object to the encroachment as proposed.

Staff is recommending repealing Gen. Ord. No. 39-21-22 granting Harbor Cafe, LLC, its successors and assigns, the privilege of encroaching upon certain portions of 340/342 South Pier Drive in the City of Sheboygan and granting Grateful Properties, LLC, its successors and assigns, the privilege of encroaching upon expanded portions of 340/342 South Pier Drive, as described in the City of Sheboygan for the purpose of adding an outdoor seating deck.

#### **ATTACHMENTS:**

R.O. 23-22-23 and G.O. 3-22-23