

## CITY OF SHEBOYGAN

### REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

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**ITEM DESCRIPTION:** Application for Conditional Use Permit with exceptions by Bret's 24-Hour Towing & Auto Repair to construct a new indoor vehicle repair building located at parcels 59281416430, 59281416420, and 59281416410. UC Zone

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

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**REPORT DATE:** March 5, 2024

**MEETING DATE:** March 26, 2024

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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:

Bret's 24-Hour Towing & Auto Repair is proposing to construct a new indoor vehicle repair building located at parcels 59281416430, 59281416420, and 59281416410. The applicant states:

- The parcel to be developed are defined as tax parcel 59281416410, 59281416420 and 59281416430 (to be combined by Certified Survey Map prior to construction).
- The proposed lot area (after Certified Survey Map consolidation) is 38,525 square feet (0.884 acres).
- The current site consists of three separate parcels with two separate and independent buildings. A single story 1,855 square foot restaurant building (Pho VN Vietnamese Restaurant) and a single story 3,352 square foot auto repair shop (Bret's Towing). The remainder of the lot consists entirely of asphalt pavement.
- There is NO EXISTING GREEN SPACE associated with the entire three parcels.
- The development allows the new owner of the previous Bret's towing site to expand their business capability/capacity.
- The proposed indoor vehicle repair coincides with the existing vehicle repair facility directly south.

The applicant states the following about site and building improvements:

- Both existing buildings to be completely demolished as part of the proposed development.
- The complete removal of all asphalt north of the Bret's Towing property defined as 2223 South Business Drive (tax parcel 59281416430).

- The complete demolition of the existing fueling canopy located on the Bret's Towing property.
- The proposed development consists of a single 75'-0" x 150'-0" long (11,250 square foot) indoor vehicle repair shop building with overhead doors on the south (entry) and north (exit) sides.
- The proposed building will be set back 15.6-feet back from the South Business Drive Right of Way. The rear of the proposed building will be 8-feet from the rear property line.
- The proposed building will be single story with a maximum wall height of 26'-0" above grade.
- The two southernmost driveway aprons within South Business Drive (within the Bret's Towing property) will be maintained. The remainder of driveway aprons to the north to Oakland Avenue to be removed and the curb/gutter to be restored. No new driveway access or apron construction required within South Business Drive Right of Way.
- The proposed extent of new asphalt pavement will be limited to the exiting of the north side of the proposed building to maximize proposed landscape areas. The accumulative (Post Developed) impervious surface area will be reduced by 9,472 square foot.
- Both public sanitary sewer and public water main are available within South Business Drive and Oakland Avenue and will be extended into the property.

EXISTING ASPHALT PAVEMENT TO BE REMOVED = 21,878 SQUARE FEET  
 EXISTING BUILDING FOOTPRINT TO BE REMOVED= 5,207 SQUARE FEET  
 EXISTING FUELING CANOPY TO BE REMOVED = 972 SQUARE FEET  
 EXISTING CONCRETE PAVEMENT TO REMAIN = 10,468 SQUARE FEET  
 TOTAL PRE-DEVELOPED IMPERVIOUS AREA = 38,525 SQUARE FEET  
 PROPOSED BUILDING FOOTPRINT = 11,250 SQUARE FEET  
 PROPOSED PAVEMENT = 7,620 SQUARE FEET  
 PROPOSED CONCRETE WALK = 310 SQUARE FEET  
 EXISTING CONCRETE PAVEMENT TO REMAIN = 9,873 SQUARE FEET  
 TOTAL POST DEVELOPED IMPERVIOUS AREA = 29,053 SQUARE FEET (9,472 SQ. FT. REDUCTION)

- Because the property is less than an acre and we have an overall reduction in impervious area, storm water management will consist of pre-treatment (water quality) standards with the City but should be exempt from City of Sheboygan peak discharge requirements. Final review/discussion of the storm water requirements will still need to take place and infrastructure incorporated into the final grading/storm water plan as developed.
- Landscape plan to comply with the requirements of Section 15.6 and the subsequent point values defined for all four landscape point criteria (Building Foundation, Developed Lot, Lot Frontage and Pavement). The post developed green space created as part of pavement setbacks and paved parking lot designs will be utilized to meet the landscape ordinance requirements.
- Site lighting will be limited to wall mounted fixtures over each door (internal to the development).
- No pole lighting will be provided.
- The proposed exterior building construction (exterior elevations included) will consist of 48" high colored brick around the entire perimeter of the building with colored vertical wall panels above. The roof will be flat with a 24" high parapet.
- The proposed building includes overhead door entry on the south end and exiting on the north end. Overhead doors to be solid with transom windows within the top panel(s). On

the southern and northern end of the site landscaping will be provided to screen the overhead doors from traffic on South Business Drive.

### **STAFF COMMENTS:**

The owner will be submitting a Certified Survey Map (CSM) to combine parcels 59281416430, 59281416420 and 59281416410.

The commission may want to ask:

- How many vehicles will be on site at a time?
- Where will clients and employees park?
- How many employees will you have and how will the site/grounds be managed?
- Do clients have scheduled appointments with minimal walk-in traffic?
- Explain number of vehicles, trailers, miscellaneous equipment used for your business and where those vehicles and equipment are stored.

The applicant is requesting the following exceptions:

- To have an 8' rear yard setback – Minimum rear yard setback is 25 feet. The proposed rear setback reduction will allow for the proposed building to be setback back 15+ feet off of South Business Drive (front yard).
- To have 24 parking spaces – Minimum parking spaces required is 38.

### **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. Outdoor storage of materials, products or equipment shall be prohibited.
3. 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.).
4. 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.
5. 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.
6. 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.
7. The applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit.

8. Applicant shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
9. Dumpster(s) shall be screened and 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 and enclose the dumpsters. Dumpster enclosure will be completed prior to issuance of an occupancy permit.
10. The applicant may not store any inoperable vehicles on the property.
11. Vehicle location shall not cause any type of pedestrian/vehicle conflict or safety issues.
12. In no instance shall the auto repair create a nuisance for neighboring properties (noise, hours of operation, garbage, etc.). If any issue(s) arises, the Plan Commission may again review the conditional use permit.
13. Applicant shall submit a Certified Survey Map (CSM) that meets the City of Sheboygan Subdivision Ordinance.
14. The Conditional use permit is approved if and only if the City of Sheboygan Department of City Development and/or Planning Commission approve the Certified Survey Map (CSM) reconfiguring lot lines and/or creating the parcel as proposed.
15. Building permits will only be issued at such time as the applicant can provide documentation from Sheboygan County that the CSM has been officially recorded.
16. 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