

**CITY OF SHEBOYGAN**

**REQUEST FOR CITY PLAN COMMISSION CONSIDERATION**

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**ITEM DESCRIPTION:** Application for Conditional Use Permit with exceptions by A.C.E. Building Service, Inc. to construct a new connecting link located at 3217 Behrens Parkway in the Sheboygan Business Park (parcels 59281479085 and 59281479081). SI Zone

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**REPORT PREPARED BY:** Ellise Rose, Associate Planner

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**REPORT DATE:** September 4, 2024

**MEETING DATE:** September 10, 2024

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**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

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

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**BACKGROUND / ANALYSIS:**

A.C.E. Building Service, Inc. is proposing to construct a new connecting link located at 3217 Behrens Parkway in the Sheboygan Business Park. The applicant states the following:

- The existing structure at Behrens Parkway is 67,500 square feet and Tower Drive is 131,250 square feet.
- It is our request as agent of Torginol, Inc. for approval to construct either a 4,116 square foot or 8,085 square foot connecting link structure. The site design includes crossing the drainage swale and existing fire lane access road around the Tower Drive facility.
- The connecting link will allow pedestrian, forklift and material travel between the two facilities in an enclosed and weather protected environment.
- Storm piping will be installed under the proposed link structure to allow stormwater flow to the existing regional stormwater pond.
- Downspouts for the expansion will run into the existing swale connecting to the pond.
- The connecting link will include overhead doors on each side of the structure, in line with the existing fire lane road.
- The purpose of the link structure is to allow access for Torginol staff to go between the Tower Drive and Behrens Parkway buildings without having to enter public ways or exit the building.

- The site will be landscaped to meet the requirements of the City of Sheboygan.
- Exterior lighting will consist of building mounted wall pack lighting to match existing conditions.
- There will be no exterior dumpster storage or dumpster enclosure included in the scope of the project. Any refuse will be transferred to one of the other facilities and disposed of in existing compactor docks.
- No interior renovations are included with this project.
- At completion, the Behrens Parkway and Tower Drive facilities will have a total of (5) driveway access points that will provide 360-degree access around the combined campus. The project will allow for continued access to the fire lane that surrounds the west side of the Tower Drive facility.
- The proposed project timeline will coincide with the Behrens Parkway expansion with sitework to commence in the fall of 2024 and construction of the structure to commence in spring of 2025. The project is expected to be completed within 9 months. The project is being quoted in a parallel path to this approval. Final costs are not known at this time but are anticipated to fall somewhere between 600,000 and 900,000 dollars.

Specific improvements include:

- Floor area: either 4,116 or 8,085 square feet
- Landscape area: 1,000 square feet (seeded & landscaped area)
- Parking area: N/A
- Total area of impact: 5,116 square feet
- The proposed expansion will be added between the existing structures. Dimensions will measure either 28' x 147' or 55' x 147'.
- The design of the expansion will be an extension of the Behrens Parkway facility in terms of style, materials and colors.

#### **STAFF COMMENTS:**

The applicant is proposing to construct a link that will connect Torginol's new warehouse addition to their facility to the east at 4530 Tower Drive. The proposed link crosses a 50 foot stormwater easement that accepts water from many of the properties up stream and deposits the stormwater into the City Business Park retention pond located at the southwest intersection of Behrens Parkway and Tower Drive (parcel # 59281479084). A couple of comments concerning this proposed driveway and required easements:

- The applicant shall work with the City and the engineering department on the required easement and the specifications that the connecting link will be required to meet in order to ensure that the stormwater easement continues to appropriately function.
- City staff has no issues with this connection as long as the link is constructed properly and does not impact this storm water facility. The applicant will work with the City and

the Engineering Department on the proposed easement and construction drawings/specifications prior to any construction taking place.

- The stormwater easement document between the applicant and the City shall reserve all of the rights required for the adequate operation of this stormwater easement facility and shall place obligations on Torginol including but not limited to maintenance, cleaning, etc.
- Such a storm water easement document requires City Council approval.

The applicant is requesting the following variances:

- Requesting a variance from the locational landscaping requirements - Applicant shall meet the four (4) locational landscaping requirements.

**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/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, storm drainage, health, hazardous materials, State of Wisconsin DNR, Army Corp of Engineers, 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 and approval of a proposed storm drainage plan prior to building permit issuance.
3. Submittal and approval of a proposed landscape plan prior to building permit issuance. Applicant will submit a landscape plan that addresses all four (4) landscaping requirements (except for approved landscape locational variance). Landscaping shall be installed prior to issuance of an occupancy permit.
4. Outdoor storage of materials, products or equipment shall be prohibited.
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 105-932 of the City of Sheboygan Zoning Ordinance. There shall be no spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity.
7. All areas used for parking or maneuvering of vehicles shall be paved (no gravel permitted).
8. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
9. 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.
10. 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.).

11. 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.).
12. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
13. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
14. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
15. 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.
16. Applicant shall adequately address all Sheboygan Water Utility concerns related to this development.
17. Applicant shall adequately address all Fire Department concerns related to this development.
18. This connecting link crossing the storm water easement shall be constructed to specifications required by the City Engineering Department. The link construction/specifications drawings shall be approved prior to building permit issuance.
19. Prior to building permit issuance, the applicant is responsible for providing all shared agreements/easements between the subject property and adjoining properties including but not limited to ingress/egress, shared access, parking, stormwater facilities, utilities, etc. This easement document shall be officially recorded by Sheboygan County.
20. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
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 application reflecting those amendments.

**ATTACHMENTS:**

Conditional Use Permit Application and Attachments