

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use with exceptions by Trinity Lutheran Church and School to install a new fence and new playground at 824 Wisconsin Avenue. CC Zone

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

REPORT DATE: August 19, 2022

MEETING DATE: August 23, 2022

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

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

BACKGROUND / ANALYSIS:

Trinity Lutheran Church and School is proposing to install a new fence and new playground at 824 Wisconsin Avenue. The applicant states:

- Trinity Lutheran School provides education to students grades 1-8. The property referred to in this request is the paved lot located on the East side of the school building. This lot currently serves as a playground for students and the current fence has a vehicle gate so the paved area can also be used for weekend parking.
- The lot has fencing that runs primarily along the East and South sides, with a small section on the South/West side providing pedestrian access and a small area on the back North/West section providing pedestrian access.
- Trinity Lutheran Church and School is proposing to replace the current six (6) foot fence around the playground/paved lot with an eight (8) foot tall fence with privacy screening along the South and East fencing.
- This proposal would remove the vehicle access gate and thus removing the ability to park on the lot. Instead, this entire area will be used as a playground.
- Along with replacing fencing, Trinity Lutheran will be remodeling the playground itself. The area that is currently covered in woodchips will be replaced with artificial surfacing to improve safety. A new playground structure will be installed, replacing the current structure that has peeling paint and faded surfaces. Additionally, we will add auxiliary equipment next to the structure to allow for more students to play at a time.

- The blacktop area will be completely repaved. Currently, the broken, uneven pavement poses a safety hazard and is an eyesore. A half-court basketball court, four-square courts, and a small track will be painted onto the surface, and a Gaga ball pit will be installed in the South/East corner. Playground updates are to improve both safety and appearance.

The purpose of this project is twofold:

1. Primarily, our concern is student safety. Our location downtown is incredibly beneficial, but it also means we must exercise caution. We hope to deter scaling the fence by increasing the height. Increasing the fence height also decreases the frequency of playground balls going over the fence into our neighbor's alley way or the street. This improves safety and reduces inconveniencing our neighbors.

Additionally, we aim to add privacy screening to keep our children out of sight. We have had incidents with individuals standing outside of our fence watching our students during recess (not casually walking past, but stopping and watching for extended periods). Some of these incidents have been unsettling for our teachers and students and had to be resolved by calling local authorities.

Finally, we are removing the vehicle gate on the South end of the playground, which currently allows for easy access to the property since it does not lock. We will have a locked pedestrian entrance instead.

2. The secondary purpose is aesthetic. We would like to install a black fence instead of a gray chain link. Additionally, the privacy screen will give the illusion of a smooth surface, resulting in an overall sleeker look to the property. The current space is an utter eye sore, so the playground needs to be updated as well. We plan to resurface the area, remove the woodchips in exchange for artificial surfacing, and replace the play structure. All of these changes together will give the space a much more appealing look. Improved fencing is the first step.

STAFF COMMENTS:

The applicant indicates that when the new fence is installed there will no longer be a gate permitting parking in the playground area. Therefore, staff will be requiring a condition of approval that the existing driveway on Wisconsin Avenue be closed to standard City specifications (curb, gutter, etc.).

A couple of questions the Plan Commission may want the applicant to address include:

- The fence is proposed to be black chain link. Will the black screening material be privacy decorative slatting or mesh?
- The applicant states that the area will no longer be used for parking so it appears there will be no off-street parking. Since this lot is no longer available, where will visitors park?
- Will the applicant be removing the arbor vitae landscaping currently located on the south side of the playground where the fence is to be installed? If the landscaping is to remain, will the fence be located behind the landscaping like the fence is today?

The applicant is requesting the following exception:

- To install an 8-foot-tall fence – Maximum fence height is six (6) feet tall along street frontage and property lines.

Applicant discusses school and playground safety concerns and is proposing to install a black vinyl fence with decorative slatting which is important especially along the very visible Wisconsin Avenue Street frontage.

ACTION REQUESTED:

Staff recommends approval of the conditional use permit and exception subject to the following conditions:

1. The applicant shall obtain all licenses/permits as well as meet all required codes.
2. Fence shall be installed per Section 15.720(3)(c) of the City Zoning Ordinance.
3. The fence to be installed will be black in color (chain link, posts and screening materials).
4. The maximum height of the fence will be eight (8) feet tall (top of fence to grade).
5. The applicant shall install and maintain the privacy decorative slatting and/or mesh material as designed. If there are any issues with the screening material of the fence being damaged and/or in disrepair, the applicant will have 30 days to address/fix the issue.
6. Absolutely no portion of the site improvements shall cross the property line.
7. Applicant will provide adequate access along the streets and private properties and will take all appropriate actions to minimize the time period that these areas are closed/affected.
8. The existing access drive on Wisconsin Avenue that will no longer be used shall be removed and the former driveway shall be closed and improved to standard City specifications (replace with curb, gutter, etc.).
9. 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.).
10. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use Permit Application and required attachments.