

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use Permit with exceptions by Torginol, Inc. to construct a new warehouse addition located at 3217 Behrens Parkway in the Sheboygan Business Park. SI Zone

REPORT PREPARED BY: Ellise Rose, Associate Planner

REPORT DATE: July 16, 2024

MEETING DATE: July 23, 2024

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:

Torginol, Inc. is proposing to construct a new addition to their warehouse 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. The proposed addition is either a 68,225 square foot or 104,225 square foot expansion.
- Torginol is a manufacturer of materials used in the resinous floor industry. They manufacture inert decorative color flake and pigmented granular materials that are used for various types of floor coatings in commercial, industrial, and residential applications.
- The expansion will add capacity to Torginol's production and warehouse capacity. They plan to have a mix of approximately 50% warehouse and 50% manufacturing operations in the completed facility.
- There will be approximately 35 employees on first shift, 25 employees on second shift, there is currently not a third shift and there are no current plans to add a third shift.
- 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 3.5 million and 4 million dollars for the 68,225 square foot option.
- The project timeline is not solidified, but could be ready to commence work in the 3rd quarter of 2024. The project is expected to be completed within 9 months.
- Torginol's business model, operations, and building design is compatible with adjacent properties in the area as they too have manufacturing and warehouse occupancies.

Adjacent building types are either precast concrete or pre-engineered steel, which complement the existing building and proposed expansion.

- The planned expansion is simply an extension in every way of what Torginol currently does and who they currently are as a company. There will not be any new operations, products, processes, or radical design changes as a result of the expansion. They simply need additional square footage to accommodate client demand.
- The expansion is required to accommodate growth and respond to client demand. This will create additional revenue for Torginol, which in turn will allow them to create additional future employment opportunities and doing so in a way that is code compliant, that does not negatively impact the community or the environment, and that has a trickle-down effect to other local businesses that provide services to Torginol.

Specific improvements include:

- The site design includes the construction of an access road around the west and south sides of the facility.
- The road will then cross the drainage swale to access the adjacent south parcel and continue in a westward direction and connect to the existing access road of the Tower Drive facility. The road will allow access to the proposed loading docks, access for fire department and emergency response vehicles, and create an access path that encircles both facilities, providing access for Torginol staff to go between the Tower Drive and Behrens Parkway buildings easily and efficiently without having to enter public ways.
- The project will include the installation of new stormwater piping that will tie into the existing storm water pond to the northeast of the proposed building location.
- Downspouts for the expansion will be tied into the proposed storm piping.
- 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. In addition, light poles will be installed to illuminate the south parking lot.
- 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.
- Proposed floor area, landscape area, and parking area expressed in square feet and acreage.
 - Floor area: either 68,225 or 104,225 square feet / 1.57 or 2.39 acres
 - Landscape area: 107,000 square feet (seeded & landscaped area)
 - Parking area: 28,000 square feet / 0.64 acres
 - Total area of impact: 203,000 square feet / 4.66 acres
- The proposed expansion will be added to the south of the existing structure.
- Dimensions will measure either 180' x 375' or 180' x 575'.
- Either option will have a 29'x25' loading dock structure on the south face.
- The design of the expansion will be an extension of the existing building in terms of style, materials, colors, eave heights, and glass.

- Both the expansion and the existing building are compatible with the other businesses in the area and consistent with their general designs and building features.
- Two framed openings will be created between the existing building and the expansion to create traffic flow between the two spaces.
- On the exterior, the only renovation on the existing building will be the conversion from a red accent band color to black. The material will remain in the same locations.
- 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 add (70) parking spots that will benefit both the Behrens Parkway and Tower Drive facilities.
- The project will be in full compliance with all zoning, stormwater management, building code, and other regulatory agency standards. There will not be a significant amount of new traffic created, the project exceeds the amount of parking needed for current employment levels, and there will be no negative impacts on public property or rights-of-way as a result of the expansion.
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STAFF COMMENTS:

The applicant is proposing to construct a driveway that will connect Torginol's new warehouse addition to their facility to the east at 4530 Tower Drive. The proposed driveway 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 will need to create an access easement between their three (3) properties allowing each property to utilize and share this proposed access drive. Applicant is requesting a variance to the paving setback and the access easement helps justify such a request. This access easement shall be created prior to building permit issuance.
- The applicant shall work with the City and the engineering department on the required easement and the specifications that the driveway will be required to meet in order to ensure that the stormwater easement continues to appropriately function.
- City staff has no issues with this driveway connection as long as the required easement document is completed and as long as the driveway 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 zero (0) foot sideyard paving setback – The minimum sideyard paving setback is five (5) feet.

Will require an access easement between the properties located at 4350 S. Tower Drive to the east, parcel #59281479086 to the south, and the warehouse facility permitting the three (3) lots to share access.

- 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. Fencing shall be installed per Section 105-945 of the City Zoning Ordinance.
5. Outdoor storage of materials, products or equipment shall be prohibited.
6. 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.).
7. 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.
8. All areas used for parking or maneuvering of vehicles shall be paved (no gravel permitted).
9. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
10. 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.
11. 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.).

12. 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.).
13. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
14. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
15. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
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. Applicant shall adequately address all Sheboygan Water Utility concerns related to this development.
18. Applicant shall adequately address all Fire Department concerns related to this development.
19. The applicant may construct a driveway connecting parcels 59281479085, 59281479086, and 59281479081 if and only if the applicant obtains the required easement from the City permitting this to occur. This easement shall be completed prior to building permit issuance.
20. This driveway crossing the storm water easement shall be constructed to specifications required by the City Engineering Department. The driveway construction/specifications drawings shall be approved prior to building permit issuance.
21. 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.
22. Applicant shall meet the Sheboygan Business Park Protective Covenants.
23. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
24. 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