

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use Permit with exceptions by Carol Theodoroff to operate Theo’s Pizza & Catering, Inc. located 2329 S Business Dr. Urban Commercial Zone.

REPORT PREPARED BY: Ellise Rose, Zoning Administrator

REPORT DATE: April 7, 2026

MEETING DATE: April 14, 2026

FISCAL SUMMARY:

STATUTORY REFERENCE:

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

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

BACKGROUND / ANALYSIS:

Carol Theodoroff is proposing to operate Theo’s Pizza & Catering, Inc. located 2329 S Business Dr. The applicant states the following:

- The applicant, Theo’s Pizza & Catering, Inc. (“Theo’s”), which is also the name of the project and tenant, has been a successful and popular operator of a pizza restaurant, catering, and take-out business in the City of Sheboygan, with its current base of operations located at 3329 South Business Drive, Sheboygan, Wisconsin (the “Southtown Mall Location”).
- Carol Theodoroff, the founder and President of Theo’s has successfully grown the business in the community, including significant support of community non-profit activities, a popular dine-in and take-out restaurant, and catering.
- The growth of the business provides an opportunity to add an additional area retail location directly fronting on South Business Drive (instead of in a shopping center) with the opportunity to add wholesale sales and storage to fulfill the interest of area grocery stores in stocking Theo’s frozen pizzas.
- The Subject Site, at 2329 South Business Drive, is zoned UC-Urban Commercial and intended for uses like this and is owned by an affiliate owner, TAT CT, LLC (the “Site Owner”), the property manager of which is Carol’s brother Jim Theodoroff who also operates the adjacent KFC restaurant, and the member of which is Carol’s mother Clara Theodoroff.
- The assembly of pizzas at this location is the same as at the current Southtown Mall Location, with all dough, sauces, and toppings already made off-site, brought to the property in packages, and simply assembled, similar to other area pizza restaurants, like Papa John’s, Little Ceasars, and Faye’s, which have the same zoning.

- The Subject Site has had historic use as a retail and restaurant space with former uses as Art's BBQ, Mars, and Taco Bell.
- The applicant will not be using the drive-thru, deliver driver service, or provide dine-in service at the Subject Site.
- Dine-in customers and food delivery services (such as Eat Street, Door Dash and Uber Eats) will continue to visit the current Southtown Mall Location at 3329 South Business Drive. Therefore, the traffic and parking impact at the Subject Site and the neighborhood is significantly less than prior uses of the Subject Site.
- The Subject Site will employ approximately four (4) employees, with total future employment not to exceed ten (10) employees.
- Customer traffic will be limited due to continued use and promotion of the Southtown Mall Location as the primary location, with no dine-in or drive-thru or food delivery services at the Subject Site, and will be limited to those customers who prefer to pick up their own take-away pizza during the hours that the Subject Site retail counter is open.
- Hours of business operation at the Subject Site will be not earlier than 9:00AM and not later than 8:00PM, with retail counter hours more limited and dependent upon customer demand.
- The products sold from the Subject Site will include items on the current Theo's menu and related food retail (including spices, flavors, and sauces) and restaurant items.
- The Subject Site is 200 feet (side yard) by 144 feet (street frontage and rear yard) or 28,800 square feet.
- The building setbacks are more than required, with 66.7 feet from the street frontage, 63 feet from the northeast side, 45 feet from the southwest side (operated by the affiliate KFC), and 75 feet from the rear yard.
- An existing fence provides privacy screening from the residential apartments southeast of the Subject Site.
- The trash dumpster is contained in an enclosure.
- The building is 2,100 square feet and has a newly painted white stucco exterior, with black metal shingle roof, and has a single stylized architectural arch feature on the front of the building.
- The building and grounds are suitable with and consistent with the neighboring parcels.
- The exterior of the Subject Site provides thirty-five (35) parking stalls with handicapped parking stalls.
- No additional exterior renovations or changes are planned or requested.
- No exceptions or variances are required or requested for the Subject Site.
- Sheboygan County has confirmed that it will defer to the State of Wisconsin Food and Health inspectors due to the continuation of Theo's existing business at a second location. The State of Wisconsin Food and Health inspectors will be inspecting the interior premises for compliance after the installation of remaining additional equipment.
- The remaining equipment is available for delivery to and installation at the Subject Site and will be delivered and installed immediately after the issuance of the Conditional Use Permit by the City.
- Therefore, the timeline is (1) issuance of the City CUP, (2) delivery and installation of remaining food related equipment, (3) State of Wisconsin inspection, and (4) open for business, all as soon as possible.
- The Subject Site was selected due to the appropriate use on South Business Drive, the sufficiency of the existing building without an exterior remodeling, the affiliation of

the Site Owner, the existing compliance with setback, traffic and parking requirements, and the presence of a commercial kitchen in the building at the premises.

- The Conditional Use of wholesale storage and sales of frozen pizzas is consistent with the existing use of the neighboring area for retail restaurant businesses and complements the proposed retail operation of the Subject Site.
- The proximity to the Southtown Mall Location (less than 1-½ miles away) enables the necessary expansion of the Theo's business without losing on-site management supervision and oversight at both locations and provides the needed floor area of the building at the Subject Site to increase the business operations to meet the demand.
- The activity of making pizzas from dough, sauces, and toppings already made off-site by vendors and brought to the property in packages (as an accessory CUP use) is the same as at other pizza restaurants. Pizzas will be made more efficiently to enable Theo's to conduct wholesale sales of its successful frozen pizzas.
- Wholesale delivery and distribution operations of the pizzas will be limited in impact with vehicles no larger than mini-van automobiles.
- The impact of operations under the CUP on the neighborhood will be less than prior uses and will result in no adverse impact on nearby property, the character of the neighborhood, environment, traffic, parking, public improvements, public property, or rights of way.
- This is a consistent use of the Subject Site and all utilities and services by public agencies are sufficient.

STAFF COMMENTS:

The applicant has not submitted a specific sign package for the site at this time. Applicant shall work with staff with regards to constructing a well-designed sign package for the site that utilizes colors and materials similar to the building. Staff may bring the proposed signage design back to the Plan Commission if there any concerns.

ACTION REQUESTED:

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

1. Prior to operation/occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, state, federal, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. The facility will meet all zoning requirements including but not limited to noise, smells, vibration, hazardous materials, etc. If any issues arise, this matter may be brought back to the Plan Commission for review.
3. If using dumpsters, dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If using chain link fencing, the applicant shall install Privacy Decorative Slatting (PDS) material in order to effectively screen and enclose the dumpster.
4. All outdoor storage of materials, products or equipment shall be prohibited.
5. Any fencing/retaining wall shall be installed per Section 105-945 of the City of Sheboygan Zoning Ordinance.

6. All new lighting shall be installed per Section 105-932 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
7. Applicant shall obtain the necessary sign permits prior to installation. Applicant shall work with staff with regards to constructing a well-designed signage for the site that utilizes colors and materials similar to the building. Staff may bring the proposed signage design back to the Plan Commission for review/approval.
8. Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal.
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 and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).
10. Absolutely no portion of the building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc.
11. If there are any amendments to the approved use and/or site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use Permit Application and Attachments