

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use Permit with exceptions by Jos. Schmitt Construction Co., Inc. to renovate the Bitter Neumann warehouse and loading dock located at 827 N 14th St. UC Zone.

REPORT PREPARED BY: Ellise Rose, Associate Planner

REPORT DATE: April 3, 2024

MEETING DATE: April 9, 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:

Jos. Schmitt Construction Co., Inc. is proposing to renovate the Bitter Neumann warehouse and loading dock located at 827 N 14th St. The applicant states the following:

- The existing Bitter Neumann facility is comprised of 5 connected structures (3 buildings to the west side of the site, a lower connector building, and a 3-story warehouse to the east) which contain retail space, a service department, and warehousing.
- The current facility is served by 1 loading dock on the north, and 3 on the east. Based on the current configuration of loading docks, semis using 2 of the east docks are forced to park in Niagara Ave and N. Commerce St. while the trucks are unloaded.
- The current Bitter Neumann facility does not have a dedicated location for a compactor, which forces the dumpsters to be located on the east side of the building on N. Commerce St.
- A lower roofed area is currently used as connector between the 3 buildings to the west and the 3-story warehouse to the east. The roof in this area is lower than the buildings surrounding it, so it acts like a swimming pool. After years of water and snow build-up in this area the roof and underlying structure is failing.
- The retail space is located on the 1st and 2nd floors of the southern building, and on the 2nd floor of the western middle building. The remainder of the buildings are used for warehouse and service of furniture and appliances.

- Merchandise is delivered to the site through the loading docks on the east side of the building. It is then stored in the 3-story warehouse or put on display on the sales floor.
- Bitter Neumann delivery trucks are loaded at the north loading dock.
- An existing service elevator and a series of ramps connect the different levels of the warehouse to the other structures.

Site improvements include:

- Bitter Neumann is proposing the demolition of approximately 11,000 SF of the warehouse and loading dock space located at the northeast corner of the property.
- A new 2,800 SF structure will be erected to resolve the roof issues of the interior connector building and create 3 new loading docks to accommodate semi-trailer parking and a compactor on-site.
- To access the new loading docks, a recessed loading dock pit will be constructed starting at the new dock face and sloping up to the existing grade at the intersection of Niagara Ave and N. Commerce St.
- New metal siding will be installed on the remaining portions of the 3-story warehouse. The siding color will match the color scheme that was selected during the 14th St. façade renovation project.
- The new addition will contain 3 loading docks. One dock will be used for merchandise deliveries, one will be used for a semi-trailer to house large appliances and furniture for recycling, and the final will be used for a new compactor.
- The addition will match the existing floor level of the service and retail spaces allowing a more direct flow through the first floor.
- The new addition will contain a new egress stair which will serve the second-floor retail space and all levels of the existing warehouse. Approximately 1,150 SF of retail space will be included on the second floor of the addition, which will help improve the existing second floor circulation path.

STAFF COMMENTS:

The applicant is requesting the following exceptions:

- Requesting an exception from the Minimum Landscape Surface Ratio of .10. The existing facility is not conforming to this standard and the area of renovation of this project and the need for paved surface to access the loading docks does not provide an opportunity to add additional landscape surface to the site.
- Requesting an exception from the Minimum Paved Surface Setback of 5 Feet. Pavement will be required up to and through the property line to connect the new loading docks to Niagara Ave and N. Commerce St.

- Requesting a variance from the 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, demolition, fire, water, sewer, storm drainage, health, hazardous materials, State of Wisconsin, Federal, 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. Applicant shall meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
3. Submittal and approval of a proposed storm drainage plan prior to building permit issuance.
4. Submittal and approval of a proposed landscape plan prior to building permit issuance. Landscaping shall be installed prior to issuance of an occupancy permit.
5. Outdoor storage of materials, products or equipment shall be prohibited (except as authorized/approved by the Plan Commission).
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. Absolutely no portion of the new 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.
12. 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.).
13. 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.).
14. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
15. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.

16. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
17. 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.
18. Applicant shall adequately address all Sheboygan Water Utility concerns related to this development.
19. Applicant shall adequately address all Fire Department concerns related to this development.
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, architectural review, etc. reflecting those amendments.

ATTACHMENTS:

Conditional Use Permit Application and Attachments