

CITY OF SHEBOYGAN

REQUEST FOR PLANNING COMMISSION CONSIDERATION

ITEM DESCRIPTION: Specific Implementation Plan by Malibu Apartments, LLC to construct the Malibu Apartments on parcel 59281318390. PUD Planned Unit Development Zone.

REPORT PREPARED BY: Ellise Rose, Associate Planner

REPORT DATE: July 2, 2024

MEETING DATE: July 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:

Today the Plan Commission will be reviewing the Malibu Apartments Specific Implementation Plan (SIP) for property located at parcel #59281318390. The process for review and approval of the SIP is similar to that for conditional use permits.

Malibu Apartments, LLC is proposing to construct the Malibu Apartments on parcel #59281318390.

The applicant states the following about the Malibu Apartments project:

- Malibu Apartments is a very complex project due to many factors including the contamination and inadequate subsoils. For this project to be financially viable we need to achieve approval for the submitted density, parking, setbacks and height for this project to move forward.
- This site is connected to what is known as “Kite Beach”. The name “Malibu Apartments” is being used to forever memorialize this area as “The Malibu of the Midwest”.
- This project will help bring hundreds of people, who otherwise might not ever have this opportunity, to live right on Sheboygan’s most plentiful natural resource—Lake Michigan.
- Enhancing the beach community by bringing more people to the shores of Lake Michigan to live at a property that purposely focuses on holistic wellness is a goal and overall “Theme” of our project.

- The property will bring many new amenities to Sheboygan such as a lake front pool and common area, state of the art work out facility with lake views, pet wash stations, we will have surf boards, paddle boards, kayaks, lawn games and other outdoor recreational equipment available for our residents to utilize as a way to connect with nature.
- Malibu Apartments provides opportunities for a high quality of life in relaxed luxury apartments with breathtaking water views and seamless connectivity to Kite Beach, South Pier, King Park, and South Sheboygan areas.
- Malibu Apartments is also a pet friendly community for those residents with furry family members.
- Malibu Apartments is a nautical looking building fitting the larger community appeal with an interior parking structure that is wrapped with apartments, lobby spaces, and community areas along South 7th street and brick veneer around the north and south walls of the structure.
- The project also includes the potential for waterfront commercial restaurant space at the end of Clara Avenue. A new lake front restaurant with spectacular views would be a new social gathering place for the larger community and serve as an excellent amenity for the residents as well.

Below are unit mix and parking details for Malibu Apartments:

- Phase 1
- 24 Studios
- 63 One-bedroom units
- 62 Two-bedroom units
- 8 Three-bedroom units
- 157 total units
- 3,758 sf of Commercial restaurant space
- 213 parking stalls (141 interior stalls, 72 surface stalls, + street parking)

*Typically for an urban setting like this with high walkability and located on a bus route, parking ratios tend to be close to 1 stall per unit.

- The building areas for Phase 1 are as follows: (to be used for Floor Area Ratio calculations):
 - Main Level (garage level) = 67,659 sf
 - Second Floor = 43,383 sf
 - Third Floor = 42,590 sf
 - Fourth Floor = 42,590 sf
 - Fifth Floor = 42,590 sf
 - Total area = 238,812 sf.

- An enormous amount of forethought and planning went into creating a development that not only cleans up and receives closure on an old brownfield DNR site but also works to achieve city goals outlined in the Comprehensive Master plan and also addresses housing shortages outlined within the new city housing study.

STAFF COMMENTS:

The City has been seeking to improve this section of S 7th St. for some time and the Malibu Apartments present a great opportunity to achieve this vision. The proposed project will:

- Provide revitalization to an area of the city that has been underutilized in a manner that compliments and positively will impact the mixed use neighborhood.
- Provide needed housing opportunities for individuals and families.
- Increase the City's tax base on this vacant and undeveloped property.

ACTION REQUESTED:

Motion to recommend the Common Council approve the proposed Specific Implementation Plan 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, 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. Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the apartment building to be occupied.
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 areas used for parking/maneuvering of vehicles shall be paved.
7. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
8. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.
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. 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.).
11. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.

12. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
13. 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, art, etc.
14. Applicant is responsible for working with all private and public utilities in order to adequately service this development (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
15. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Fire Department, including but not limited to fire lane access at the site, sprinkler systems, hydrants, water pressures, etc.
16. Owner/Developer and City understand that the landscape plan is to be installed in phases.
17. Owner/Developer is responsible for installation of the entire approved landscape plan. If the owner/developer elects to amend the landscape plan in any fashion, the owner/developer shall resubmit an amended plan to Department of City Planning & Development for approval.
18. Plantings located around all ingress/egress of the site shall be maintained to not interfere with vehicular/pedestrian traffic.
19. Plantings located around the Fire Department Connection must be maintained to make sure that it is accessible at all times.
20. Plantings located by light poles should be maintained to keep areas well lit.
21. The Department of Planning & Development must inspect the landscaping. Failure to comply with any of the above conditions may require the removal and replanting of plants.
22. All plantings will need to be maintained per Section 105-894(b) Maintenance.

If there are any amendments to the approved SIP the applicant will have to submit an amended SIP for review that accurately reflects any and all proposed changes.

ATTACHMENTS:

Specific Implementation Plan (SIP) and required attachments.