

## CITY OF SHEBOYGAN

### REQUEST FOR PLANNING COMMISSION CONSIDERATION

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**ITEM DESCRIPTION:** Application for Conditional Use with exceptions by Hameister Architects, Inc. to renovate the existing facility and to install new site improvements at 1937 S. Business Drive. UC Zone.

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

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**REPORT DATE:** August 5, 2022

**MEETING DATE:** August 9, 2022

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#### FISCAL SUMMARY:

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

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#### STATUTORY REFERENCE:

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

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#### BACKGROUND / ANALYSIS:

Hameister Architects, Inc., on behalf of owner Juana Villa, is proposing to renovate the existing facility and to install new site improvements at 1937 S. Business Drive. The applicant states the following about the project:

- Owner is proposing to renovate an existing underutilized commercial property along the S. Business Drive commercial corridor to a “White Box” state in order to attract a new commercial tenant. Examples of potential tenants include a small professional service office, retail, etc.
- Based on the building location and visibility from a high traffic count on S. Business Drive, the owner believes that improving the building and site will lead to a commercial tenant wanting to operate from this facility/property.
- Vehicles may enter and exit the site from the main driveway entrance on the West side of the site off of S. Business Drive and a secondary entrance off of the alley on the South side of the property.
- Paint existing office building.
- New canopy down lighting to be installed in existing building canopy.
- Pave existing gravel parking lot that allows for proper storm water management. There will be eight (8) off-street parking spaces.

- Add required landscaping to comply with all standards per City of Sheboygan Zoning Ordinance.
- No dumpster enclosures will be required because the site use does not require the need for a dumpster.

The project creates a new business along the S. Business Drive commercial corridor. With the completion of this project, improvements will be made to an unimproved lot by paving an existing gravel parking lot, and adding the appropriate amount and type of site landscaping. The vacant building will be rejuvenated with new paint that is in a neutral pallet to not stand out from its surroundings.

### **STAFF COMMENTS:**

The Plan Commission is reviewing a conditional use permit to improve the building and site for a small professional service and/or retail use. There is no tenant at this time. This will permit the owner to improve the building and site and get it ready for a tenant. If a small professional service or retail is the intended use, then the owner/tenant may apply for an occupancy permit at that time. However, if the proposed use is conditionally permitted (drive thru, auto sales, etc.) then the applicant would be required to submit a new conditional use permit for review and approval by the Plan Commission.

The building/site has been vacant for many years and has not been properly maintained. Prior to the applicant occupying the building and operating from the site a number of improvements will be required (painting, paving, landscaping, etc.).

At such time as the improvements are completed (painting, paving, landscaping, etc.), the applicant will need to work with the building inspection department regarding the proposed use of the facility. Occupancy permit shall be granted only at such time as all permits and codes have been met.

The applicant states they will be painting the building. The Plan Commission may want to ask the applicant:

- What exactly are they painting and what is the timeframe for the building to be repainted?
- Building appears to be painted a cream/tan. Verify painting color proposed.
- The roof tiles appear to be painted a rust or brown. Verify tile painting color proposed.
- What are the applicant's plans with regards to the windows that are boarded up on the back/east side of the building? Are they filling them in with block or installing windows?

The parking lot and much of the site is presently gravel. All areas used for the parking and maneuvering of vehicles are required to be paved. There is an ability to landscape some of this area as well. The applicant has indicated that are willing to pave the parking lot. Staff will

be recommending a condition of approval that the parking lot is paved (those areas that are to be used for parking and maneuvering of vehicles). In addition to the paving, there are certain paving setback areas that will need to be landscaped.

The Plan Commission should have the applicant address when they plan on paving and landscaping the property. Staff will be recommending a condition of approval that requires the site to be paved and landscaped prior to issuance of an occupancy permit for a business to operate from the site.

The applicant and/or the contractor shall meet with staff to discuss the parking lot plans and shall obtain all required storm water, landscaping, lighting approvals prior to issuance of a building permit for constructing the new parking lot.

A couple of sign 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.
- The applicant shall work with staff to come up with sign designs that are more appropriate for this location.
- Any new wall signage will need to be individual letter signs and not flat cabinet signs.
- The site has an older legal nonconforming pylon sign along S. Business Drive. S. Business Drive is a very visible commercial corridor that staff and the Plan Commission have been working on in order to continue improving the aesthetics of this corridor. The applicant shall work with staff to come up with sign designs that are more appropriate for this location.
- The applicant may propose to reface the existing pylon sign on the property. However, if the pylon sign is ever removed from this site, the applicant will be permitted a monument style free standing sign.

Other property/site issues include:

- Remove the soda machine located in the front of the building.
- Remove pile of rock and debris located on the south side of the building.
- Remove temporary banner sign located on the north side of the building.
- Remove the weeds, dead plant, etc. and properly maintain all landscape areas around the facility and site

The applicant is requesting the following exception:

- Requesting an exception from the locational landscaping requirements - Applicant shall meet the four (4) locational landscaping requirements.

This facility/property has been tired and weathered for a significant period of time. The proposed improvements certainly have the opportunity to improve this property along this very visible and highly traveled S. Business Drive commercial corridor.

#### **ACTION REQUESTED:**

Staff recommends approval of the conditional use and exception 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, hazardous materials, health, water, sewer, storm drainage, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
3. Submittal/approval of a landscape plan prior to building permit issuance. Landscape plan shall provide a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan). Landscaping shall be installed prior to issuance of an occupancy permit.
4. 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.
5. Outdoor storage of materials, products or equipment shall be prohibited (no soda machines, product displays for sale, equipment, etc.).
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 15.707 of the City of Sheboygan Zoning Ordinance (site lighting, building lighting, signage, etc.). There shall be no spillover light onto adjacent properties or the streets.
8. 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.
9. Proposed and future signage at this property/facility shall be individual letter signs (no flat panel or interior lit cabinet signs)
10. If the intent is to use the existing legal nonconforming pylon sign, the applicant shall work with staff to improve the overall look of the sign.
11. If the pylon sign is ever removed from the property, the applicant will be permitted a freestanding monument style sign.
12. Applicant shall not be able to have string lights, pennants or other various types of temporary signage.

13. Prior to issuance of an occupancy permit, all areas used for parking or maneuvering of vehicles shall be paved and all areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
14. Applicant shall meet the minimum-paving setback of five (5) feet to all property lines.
15. 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.
16. Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
17. 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.).
18. 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.
19. All vehicles shall be located on the private property (paved parking lot) and shall not be located on any City streets, public rights-of-way, landscape areas, etc.
20. Applicant shall remove soda machine located in the front of the building.
21. Applicant shall remove pile of rock and debris located on the south side of the building.
22. Applicant shall remove temporary banner sign located on the north side of the building.
23. Applicant shall remove the weeds, dead plant, etc. and properly maintain all landscape areas around the facility and site.
24. The applicant shall work with staff regarding the windows that are boarded up on the back/east side of the building – provide a plan how this area is to be improved.
25. If the applicant proposes any type of exterior remodel/renovation to the building, City of Sheboygan Architectural Review Board approval is required prior to construction.
26. Any future/additional uses of the facility/property such as additional tenants, additions, site improvements, etc. may require conditional use permit, architectural review, occupancy permit, etc.
27. 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 and/or architectural review applications reflecting those amendments.

#### **ATTACHMENTS:**

Conditional Use Permit Application and required attachments.