

**\*\*\*ATTACHMENTS\*\*\***

**CITY OF SHEBOYGAN**

**REQUEST FOR CITY PLAN COMMISSION CONSIDERATION**

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**ITEM DESCRIPTION:** Conditional Use application by George Bee Yang to convert 2nd floor office space into two apartments at 1227 N. 9th Street. CC Zone.

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

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**REPORT DATE:** October 11, 2019

**MEETING DATE:** October 15, 2019

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**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

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

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**BACKGROUND / ANALYSIS:**

George Bee Yang is proposing to convert 2nd floor office space into two (2) apartments at 1227 N. 9th Street and 831 Michigan Avenue. The applicant states the following about the project:

- The 2<sup>nd</sup> floor of 831 Michigan Avenue has spaces that were previously used as American Family Insurance offices. The 2<sup>nd</sup> floor office space is on the east side of the building and is presently vacant (some minor storage use).
- We would like to convert this space into two (2) apartments. One unit has a kitchen, living room, bathroom, two bedrooms. While the other unit has one bedroom, living room, kitchen and bathroom. Prior to being converted to commercial offices, this 2<sup>nd</sup> floor space was previously used as two (2) apartments (approximately 10 years ago).
- Lower level tenant spaces will remain commercial. The applicant plans on moving Georgebee Home Health Care to 831 Michigan Avenue (relocating from 1227 N. 9<sup>th</sup> Street). The applicant will be leasing the 1227 N. 9<sup>th</sup> Street section of the building.
- Applicant is not proposing any exterior and/or site improvements. There are 18 parking spots on the east side of the building.

**STAFF COMMENTS:**

It is staff understanding that the 2<sup>nd</sup> floor space is pretty much vacant with some 1<sup>st</sup> floor business storage use. Staff and the Plan Commission have been encouraging downtown living and the proposed conversion provides additional housing opportunities downtown.

The applicant will need to work with the building inspection department regarding the conversion of the 2<sup>nd</sup> floor space into residential apartments. The applicant will also work with the building inspection department regarding occupancy of the 1<sup>st</sup> floor commercial tenant spaces (1227 N. 9th St. and 831 Michigan Ave.). Occupancy shall be granted for any of the commercial tenant spaces and/or dwelling units only at such time as all permits and codes have been met.

The Plan Commission may want to have the applicant address their plans regarding garbage. Presently, it appears there are no dumpsters on site. If the applicant intends on having a dumpster, the dumpster will need to be screened and enclosed. Appears this will only be able to take place in the parking lot. Dumpster shall not be located on the west property line adjacent to N. 9<sup>th</sup> Street.

**ACTION REQUESTED:**

Staff recommends approval of the conditional use and variance 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, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. 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 the dumpster. The dumpster shall not be placed along the 9<sup>th</sup> Street property line.
3. Outdoor storage of materials, products or equipment shall be prohibited. The dumpsters shall not be located along the public streets.
4. All ground level and rooftop mechanicals shall be screened/enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
5. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
6. 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.
7. Proposed wall signage will be individual letter signs (no flat panel or interior lit cabinet signs).
8. Applicant shall remove all signage pertaining to businesses that no longer operate from the site (Scotts Home Improvement).
9. Any 1<sup>st</sup> and/or 2<sup>nd</sup> floor use changes will require the applicant to obtain all necessary land use and building approvals/permits prior to occupancy (future uses and/or phases may require conditional use permits, building/mechanical permits, occupancy permits, etc.).
10. If there are to be any renovation to the exterior of the facility, the applicant will be required to obtain approval from the Architectural Review Board prior to receiving a building permit for such renovation.
11. If there are any amendments to the approved use and/or floor/site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

**ATTACHMENTS:**

Conditional Use Permit Application and required attachments.

PARCEL NO. 59281102760

MAP NO. Lot 6, Block 63 Original

ZONING CLASSIFICATION: CC

Office Use Only

APPLICATION/FILE NO. \_\_\_\_\_

REVIEW DATE: 10/15/19

FILING FEE: \$250.00 (Payable to City of Sheboygan)

**CITY OF SHEBOYGAN  
APPLICATION FOR  
CONDITIONAL USE PERMIT**

Requirements Per Section 15.905  
Revised May 2012

Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 104. To be placed on the agenda of the City Plan Commission, application must be filed two weeks prior to date of meeting. Applications will not be processed if all required attachments and filing fee of \$250 (payable to the City of Sheboygan) is not submitted along with a complete and legible application. Application filing fee is non-refundable.

**1. APPLICANT INFORMATION**

APPLICANT: GEORGE BEE YANG

ADDRESS: 6519 Cloverleaf Ct, Sheboygan, WI E-MAIL: abrahamnoah2001@yahoo

PHONE: 920-287-1582

FAX NO. 920-783-6033

**2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT**

NAME OF PROPOSED/EXISTING BUSINESS: Yang Financial Group

ADDRESS OF PROPERTY AFFECTED: 1227 N. 9<sup>th</sup> and 831 Michigan Ave

LEGAL DESCRIPTION: Lot 6 block 63 original plant, City of Sheboygan

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BRIEF DESCRIPTION OF **EXISTING** OPERATION OR USE: 1<sup>st</sup> floor of 831 Michigan will stay as is. 2<sup>nd</sup> Floor of 831 Michigan will convert to two apartments

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DETAILED DESCRIPTION OF **PROPOSED** OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: Converting 2<sup>nd</sup> floor to two apartments.

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BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: None

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*SEE Attached*

George Yang  
6519 Cloverleaf Ct  
Sheboygan, WI 53081

1227 N. 9<sup>th</sup> St is now Georgebee Home Healthcare and Guaranty Life Insurance Partners. On top of 831 Michigan Ave has spaces that were used as American Family Insurance Offices. These spaces or rooms used to be two apartments. Each unit on top of 831 Michigan Ave has its own bedrooms, bathrooms, living rooms and kitchens. On the Michigan (weast) end of the building has a kitchen, living room, bathroom, two bedrooms. On the east end of the building has one bedroom, living room, kitchen and bathroom. I would like to convert the 2<sup>nd</sup> floor back to two apartments. I have 18 parking spots on the east side of the building. Not only the 18 parking stalls, both sides of Michigan Ave and North 9<sup>th</sup> Street can be utilized. Lower level will remain as commercial.

I like this location because many of us like living near main roads, attractions, public transportation and downtown. One of the reasons why I like this location is because I rent 1227 N. 9<sup>th</sup> Street for six years doing my home health care agency and life insurance. I believe this is good location for residential and commercial combination.

1227 N. 9<sup>th</sup> Street will have their office hours Monday to Friday, 8am to 5pm. 1227 N. 9<sup>th</sup> Street will have approximately five employees. Customers or personal care workers will drop their time sheets and leave on every other week.

Each apartment unit will only have one tenant per unit. Georgebee Home Healthcare and Guaranty Life Insurance Partners have seven people. I will have garbage bins here for both the apartments and offices. I will instruct both the apartments and business to park in my parking spots and keep voices in minimal. There will not be outdoor storage of materials.

George Yang

Smies & Associates, Arch.  
635 Mayflower Avenue  
Sheboygan, WI. 53083

Phone : (920) 458-0771  
Cell: 920-980-2745  
E-mail : jeff@smiesarchitects.com

Transmittal

09/18/19

Telephone confirmation

Fax

Total pages, including cover sheet:

1

**SEND TO**

**Steve Sokolowski**

Name :

City of Sheboygan

Address :

Office of Planning

Project Number :

Project :

George Yang office and Apartment conditional use

9th and Michigan

Please Review  
& Comment

For your information

As Requested

Shop Drawings

For your approval

Reply ASAP

**COMMENTS**

Steve and Planning Department,

Enclosed find (2) 11" x 17" & 24" x 36" building floor plans as requested for review

Also find (2) copies of the site survey of the property and county mapping birds eye color copies

of the same property. We are doing nothing to the outside of this building. We are asking

to have this reviewed so that the property that was all offices for the last 10+ years can be

reverted back to offices on the first floor with 2 apartment upstairs. These apartments were still

finished as apartments but when Burkhart Heisdorf was in here they just used the apartments

as 2nd floor offices and now we want to official put them back to apartments so they can be

rented out. I have previously sent this site survey plan to you and you felt it would be ok for this

review process. We are therefore not indicating many of the items you ask for on the form because

they have all been this way for 20-30 years. If you have any questions feel free to contact me

or the owner. Let me know when the review will occur?

**COPIES**

File

Jeff Smies, Architect, AIA



SMIES &  
ASSOCIATES  
ARCHITECTS (LLC)

635 West 17th Street  
3rd Floor  
Portland, OR 97201  
Phone: 503.228.1100  
www.smies.com

DESIGN: CD-68-14-01

PROJECT NAME:

EXISTING BUILDING OF:  
GEORGE YANG APARTMENT AND OFFICE BUILDING

SCALE:

DATE: 08/08/14

BY: [Signature]

PROJECT NO:

DATE:

BY:

PROJECT NO:

DATE:

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PROJECT NO:

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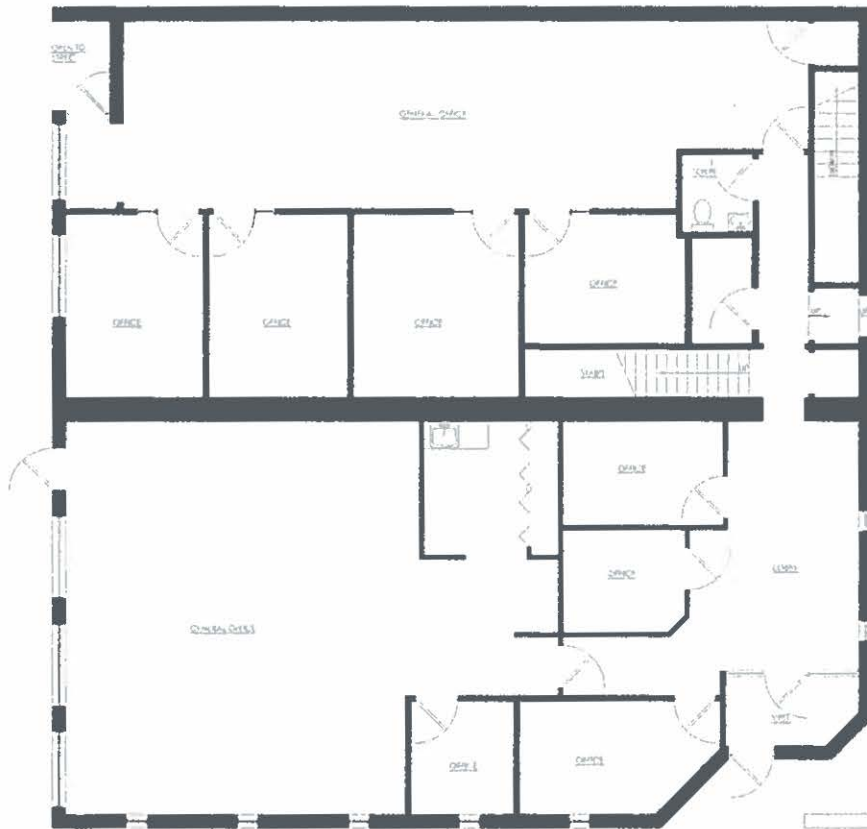
DATE:

BY:

PROJECT NO:



2 2ND FLOOR PLAN  
A1.1



1 1ST FLOOR PLAN  
A1.1

A  
1.1

# HINZE & ASSOCIATES INC.

DESCRIPTION: Lot 6, Block 63, Original Plat, City of Sheboygan, Sheboygan County, Wisconsin.

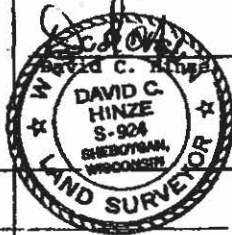
Scale: 1"=20'

JANUARY, 1987

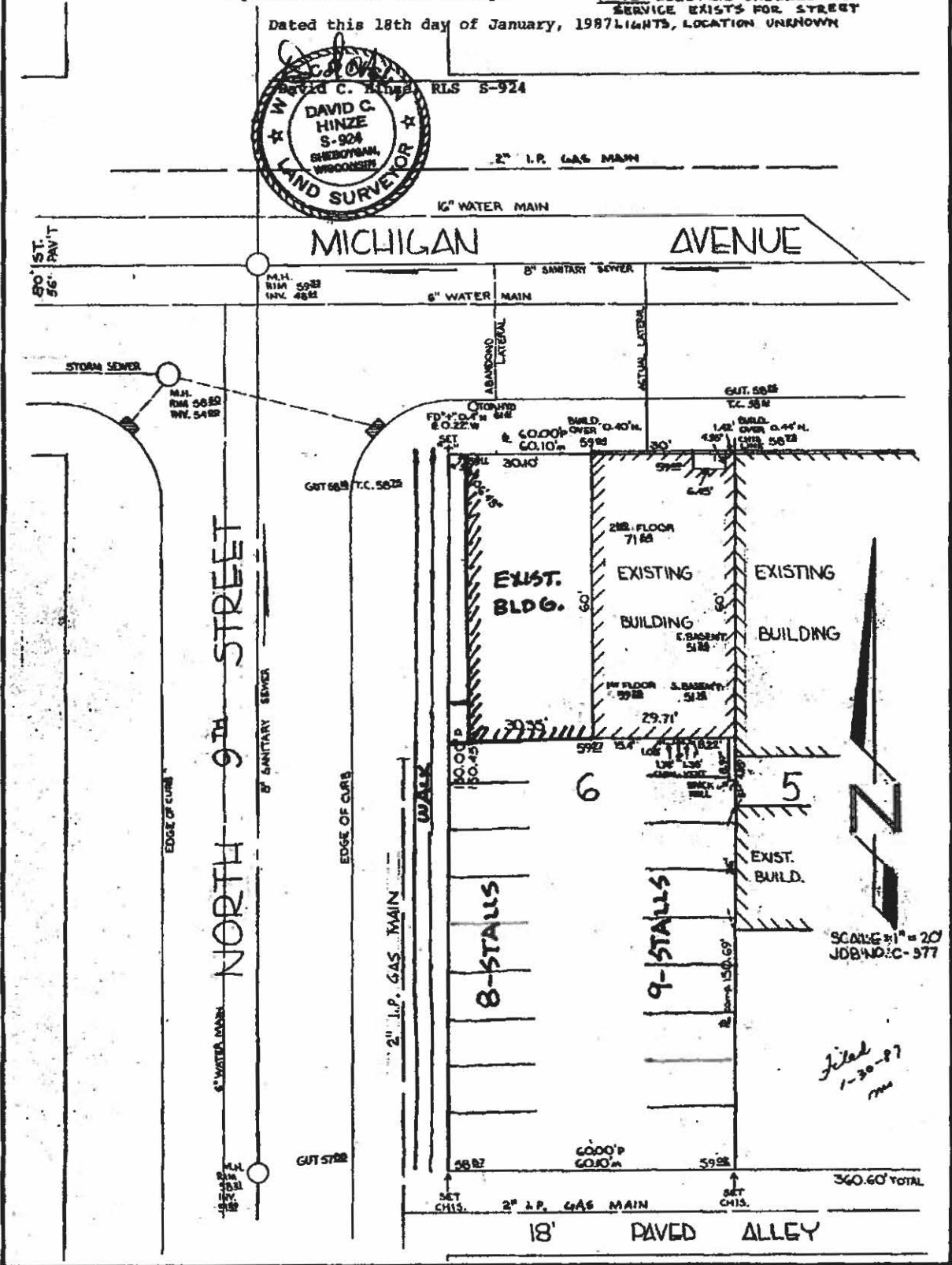
I, David C. Hinze, Registered Land Surveyor certify that I have caused the survey to be made of the above described property and that the drawing shown is a true representation of that survey.

NOTE: ELECTRIC UNDERGROUND SERVICE EXISTS FOR STREET LIGHTS, LOCATION UNKNOWN

Dated this 18th day of January, 1987



DAVID C. HINZE  
S-924



SCALE: 1" = 20'  
JOB NO.: C-577

*filed*  
1-30-87  
m

BB-1432

BB-1432

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92532328

Show search results for 592...



N 9th St

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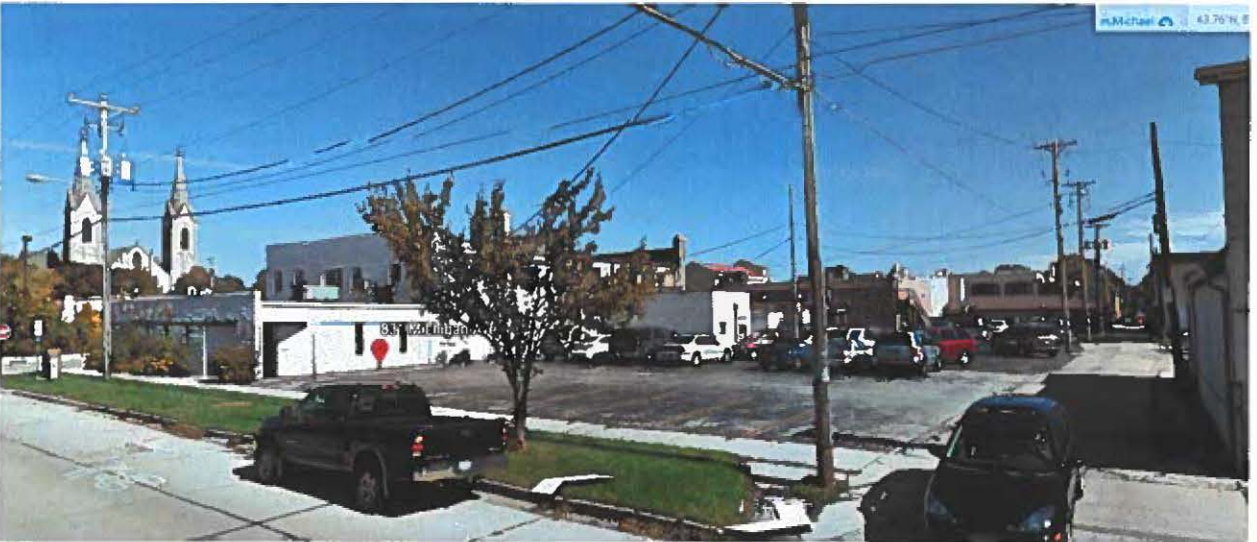
PROPERTY

-87.714 43,758 Degrees

40ft







**CITY OF SHEBOYGAN**

**REQUEST FOR CITY PLAN COMMISSION CONSIDERATION**

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**ITEM DESCRIPTION:** Conditional Use and variance application by A Million Dreamz, Inc. to operate a family enrichment and child care center at 1423 N. 29th Street. SC Zone

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

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**REPORT DATE:** October 11, 2019

**MEETING DATE:** October 29, 2019

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**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

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

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**BACKGROUND / ANALYSIS:**

A Million Dreamz, Inc. is proposing to operate a family enrichment and child care center at 1423 N. 29th Street. The applicant states:

- We are in the process of organizing a non-profit group childcare center run under licensing of the Wisconsin Department of Children and Families and following codes and regulations of Wisconsin Administrative Code DCF 251 and offering all levels of inclusivity recommended or required under American Disability Act Title III. We aim to become Youngstar quality rated to accept Wisconsin Shares child care subsidy.
- Million Dreams is proposing a phased use of the facility that will include the following planned programs and projected timeline in which they will be executed starting with phase one and the establishment of the organization:

Phase 1:

- Childcare: all inclusive, 24 hours a day, 7 days a week
- Young child clothing and need exchange

Phase 2:

- Parent Support Groups: multiple groups for different types of families: working through nationally accredited Parents Anonymous organization model.
- Respite care for youth and young adults with disabilities to allow permanent caregivers time to focus on their own needs and promote healthy family dynamics.

- Big Helpers for Little Needs
- Advocacy and preparation for critical parenting situations
- Parental mentoring / classes

Phase 3:

- Therapy location and access through outside contractors (perhaps leading to employees of AMO)
- STUFF: Supplying Tangibles to Underfunded Families

Phase 4:

- First responders emergency foster placement
  - Life **skills** training, employment referral and possible on site employment for youth and young adults with disabilities
- Our center will operate multiple shifts for both full time and part time employees and part time volunteers in order to provide care 24 hours per day and seven (7) days per week.
  - We will be providing healthy meals and snacks for all children in care through the Wisconsin Child and Adult Care Food Program (CACFP), as well as entertainment and learning activities appropriate for all age groups as needed.
  - Our facility will be operated by a staff led by the guidance of a carefully chosen non-profit board of directors, each of whom has knowledge and passion to represent a faction of our clientele.
  - Clients will include families in Sheboygan and surrounding communities particularly for those families in need of second or third shift care, weekend care, early morning care and special needs care. To our knowledge, these needs are not being adequately met in the community.

The applicant states the following about the proposed building improvements:

- Upgrades to existing buildings will include new horizontal Pad-Clad precision series HWP metal siding in Berkshire Blue. This will be both aesthetically fitting with the neighborhood and environmentally responsible as steel has a longer service life than many other materials. It is recyclable and made from recycled materials, shows less wear, is more resistant to weathering, fire and damage and will require less maintenance. We have chosen blue to be calming and inviting as well as being unobtrusive visually.
- Additional upgrades will include a new Pad-Clad metal roof in the snap-clad style in Interstate Blue on the fourth building section to the south as well as above the main entrance and the posterior entrances.

- We will be adding new energy efficient heating and cooling systems as well as taking care to insulate the building as to be more energy efficient.
- New commercial doors and double paned windows with a high insulated rating will be trimmed in clean white edges with shutters alongside the windows to complete the look while keeping in line with our energy efficient efforts.
- Privacy glass will be installed in all windows facing outside the privacy fence allowing for the bright sunshine to light the children's space while maintaining privacy and safety. Second story windows will not require privacy glass.
- Repair and resealing of original brickwork and cinder block will be done and we will be removing all current overgrown and unkempt shrubs and trees and replacing with neatly kempt flower beds and small shrubbery.
- An addition of an ADA compliant elevator to the back portion of section two of the building will be installed facing inward.
- The interior will receive a complete remodel into a childcare and family center compliant to the Wisconsin Department of Family Services requirements and all ADA standards.
- New additions will include an operational kitchen, laundry room, nursery, four (4) bedrooms, a large gross motor skills sensory room, library and multipurpose room, art room, storage and five (5) bathrooms, three of which will be ADA compliant and one of those will be a full bath.
- The entire building will be converted to be ADA accessible including the addition of the aforementioned elevator. We are creating a warm and child friendly environment that is accessible to all within this commercial setting and the construction will be considering that in all decisions. Though this is a commercial business and building, we hope to give the families that come here a feeling of being in our home and consequently a feeling of a second unconditional home to them.

The applicant states the following about the proposed site improvements:

- The addition of a parking lot with 17 spaces that, along with the parking parallel to the front of the building, will be sufficient for the predicted number of employees and clients as well as an addition of a van accessible parking drop off spot adjacent to the front entry to the building. Parking lot will be carefully lit to avoid light pollution affecting the residential community. Exits will not cause lights to disturb neighbors as they are pointed into a drive rather than a home.
- A stormwater retention area will be landscaped for runoff in the northeast corner allowing for greenspace and a clear line of sight at the corner of 28<sup>th</sup> and Superior.

- High quality vinyl dual color tone fencing in white and soft grey will surround the outside childcare area to ensure the safety and privacy of children while providing a buffer to residential neighbors. We have chosen PVC because of its durability in regards to weathering and deterioration and in an effort to maintain the overall clean appearance long term without a requirement for continuous maintenance. Fencing will have an emergency exit gate to the parking lot.
- Additionally we will be converting the northwest corner from the current pavement to greenspace with our monument sign and walking path, again taking care to have low level plant life to allow for a clear line of sight at the corner. Our signage will be a monument style with the base made of the same block in grey to match what is already on the building. The top will be aluminum shaped as a cloud with polycarbonate bearing our design and logo in blue and yellow. It will be illuminated from within and be identical on each side to give the same visual line to both eastern and western bound traffic on Superior Avenue. There will be a plaque adhered to the block on each side denoting: Family Enrichment Center and Child Care. The monument will be approximately five (5) feet tall and five feet, ten inches wide.
- We will be adding a dumpster enclosure at the southwest corner of the property adjacent to the building which will utilize the same siding of the building.
- We will be installing privacy fence height to be raised to six (6) foot to ensure the safety and privacy of children; fenced refuse area to be placed on the southwest corner near the lot line for easy access for collection; storage shed next to the east side of building on the corner of the parking lot opening into the fenced in area and clad in the same materials as the rest of the building (siding and roof); and an addition of a parking lot on north side of green space.

The applicant states the following about how a Million Dreamz services can address some of the existing childcare needs in the community:

- Personal research has shown that there is currently a lack of enough quality childcare in the Sheboygan area. With the number of large employers in our county who run multiple shifts, there is not adequate off shift care available to employment seekers. It is our understanding that companies struggle with employees unable to find the childcare that is needed to start on second or third shifts or to be able to work weekends or overtime. From the other perspective, parents can be frustrated with the long wait lists and high costs that accompany finding quality care. We hope to put an end to the struggles that this county and its residents have with childcare.
- In the scope of special needs children the situation is even worse. We have experienced firsthand and have many anecdotes from others about the lack of quality trained care available for special needs. Although it is required by the American Disabilities Act that

licensed childcare centers make accommodations for clients with special needs, it is clear that this does not always happen. This has left a number of the residents in our community without the support that they require to provide and maintain a healthy family structure and to become successful in their chosen career paths. We aim to end this division while also offering these children and their families in an all-inclusive and accepting environment without barriers of any kind.

- The family center would be so much more than just a childcare. It would be a resource place for all families and provide services such as support groups, educational classes to encourage healthy living and good parenting tips, on site therapies for children with special needs, respite care for teens and young adults, advocacy for low income families and so much more.
- The location at N. 29th and Superior Avenue is ideal due to the easy access to main thoroughfares in the city of Sheboygan and access to highway 23 and interstate 43 bringing access to all of Sheboygan County. We aim to offer services to a diverse multitude of clients who will be using a number of different ways to reach us. The central location at 29th and Superior provides public transport options to those who need it.
- Additionally, the site offers sufficient greenspace to promote healthy outdoor activities to the children in our care and potential additions to the existing building. The size of the location and the layout of the building lends itself to our vision of a homelike childcare center. It has ample room to accommodate a large number of children, a large safe space for gross motor skills activities within a sensory integration playroom and accommodation for overnight children so that they may have a comfortable and restful sleep. There will also be room to utilize for our additional support programs.
- Working within the city's vision of a diverse and prosperous coastal community, A Million Dreamz, Inc. will be assisting the community in a number of ways. We will be creating jobs, but more importantly, we will be offering the services that many families currently lack so that they may seek a better quality of life through employment, continual education or a blend of both. By providing childcare during all hours of the day and all the days of the week, as well as other services to clients in a time of need, we will be appealing to an economically diverse clientele, some of which are already seeking these services and others who will be further drawn to our community knowing that these services are available to their families.
- Furthermore, we will be aiding to the nourishment of healthy family dynamics while providing a safety net for families who don't currently have others to turn to for support. We will be collaborating with multiple social service organizations within the greater Sheboygan area in an effort to offer our clients and their client's access to any services that they need.
- We believe that the Million Dreamz will positively impact the neighborhood. We are planning on renovations to the outside of the building that will make a marked improvement on the appearance of the location. The chosen color of siding and the new

roof also coincides with external colors and styles of some of the businesses in close proximity to the building. However, when possible we will be maintaining a residential feel in our design including shutters, vinyl fencing and greenspace.

- In addition to the visual improvement, we believe that the impact of the services we will be offering will positively affect the greater community, beginning with the neighborhood and expanding throughout the county. We have worked closely with the architect to ensure that there will be no issues with cross-traffic or parking. We have taken into consideration the negative impact of light casting from our parking lot into adjacent properties and avoided the issue by controlling the flow of traffic. The majority of our traffic will be to drop off and pick up. That drop off will be located on 29<sup>th</sup> Street – vehicles will enter and exit onto 29<sup>th</sup> Street to avoid additional congestion on Superior Avenue. We will have an established curfew for the children and staff to follow to eliminate any noise disturbances that may come from the outside play area during the late or very early hours.

#### **STAFF COMMENTS:**

The property is made up of approximately five (5) lots. The applicant will be required to combine all of these parcels into one (1) parcel lot prior to issuance of a building permit.

It appears that the existing sidewalk along N. 28<sup>th</sup> Street is directly behind the curb (no landscape boulevard). It appears there is additional N. 28<sup>th</sup> Street public right-of-way west of the sidewalk. It will be the applicant's responsibility to understand where exactly their property line is located because none of their proposed improvements are permitted to be installed/constructed within this City of Sheboygan N. 28<sup>th</sup> Street public right-of-way (i.e. the fence). The site plan appears to indicate that the fence will be located in the right-of-way.

The applicant will need to work with the building inspection department regarding the proposed development phases – the proposed uses and the areas of the building to be occupied for each phase. Occupancy for future uses and buildout shall be granted only at such time as all permits and codes have been met permitting an occupancy permit to be issued for that particular use and section of the building.

The applicant shows a conceptual drawing that details a proposed monument sign at the northwest corner of the property (southeast corner of the intersection of N. 29<sup>th</sup> Street and Superior Avenue). The applicant will need to submit a formal sign permit application and site plan for such a monument sign proposal. A monument sign requires a 12 foot setback to the property line. The applicant has not provided a site plan showing the proposed setback. If the setback is less than 12 feet, the applicant will be required to submit a conditional use and variance for such a proposal.

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 for their review.

Applicant shows a dumpster enclosure at the southeast corner of the property and a new storage shed at the north east corner of the building. Both of these structures will be very

visible from the streets. Applicant shall work with staff with regards to constructing well-designed accessory structures that utilizes colors and materials similar to the building. Staff may bring the proposed dumpster and/or storage shed structure designs back to the Plan Commission for their review.

The applicant is requesting the following land use variances:

- To have a six (6) foot solid fence in the front/street yard – A fence may be four (4) feet high and 50% open in the front/street yard.

The applicant is making this request to ensure the safety and privacy of children. The applicant is proposing a well-designed vinyl fence. It appears the only portion of the privacy fence that will be located in the front/street yard is along N. 28<sup>th</sup> Street.

- To have a zero (0) foot paving setback – Minimum paving setback is three (3) feet.

Existing situation at the southwest corner of the property due to the property to the south was owned/used by the previous owner.

- To have a total of 22 parking spaces – Minimum parking required is one space per five students, plus one space for each employee on the largest work shift.
- Requesting a variance from the locational and bufferyard landscaping requirements - Applicant shall meet the four (4) locational landscaping requirements.

#### **ACTION REQUESTED:**

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

1. Prior to building permit issuance, the applicant shall obtain all licenses and permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, storm drainage, health, State of Wisconsin, 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 is responsible to insure that the proposed family enrichment and child care center uses are meeting all Federal, State and Local codes.
3. Applicant shall work with the building inspection department regarding the phased development and use of the building. Applicant may only use the portions of the building that have been issued occupancy permit.
4. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
5. Submittal and 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.

6. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. Dumpster enclosure shall be completed prior to issuance of an occupancy permit for the first apartment building to be occupied.
7. Outdoor storage of materials, products or equipment shall be prohibited.
8. 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.).
9. 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.
10. Applicant shall work with staff with regards to appropriate signage. Only at such time as the sign package has been reviewed and approved may the applicant obtain sign permits to install the proposed signage. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
11. Applicant shall to install individual letter signs – no cabinet or flat panel signs.
12. Applicant shall be permitted a freestanding monument sign for the site. Minimum setback of a monument sign is 12 feet. Maximum height of the monument sign is 8 feet. Sign shall be located outside of the 15 foot vision triangle.
13. Fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. Applicant shall work with staff with regards to constructing appropriate and well-designed fence and shall obtain the necessary permits prior to installation. If staff has any concerns with proposed fence design, the matter may be brought back to the Plan Commission for their consideration.
14. Storage shed shall be constructed of like materials and colors of the facility. If staff has any concerns with proposed storage shed design, the matter may be brought back to the Plan Commission for their consideration.
15. All areas used for parking/maneuvering of vehicles shall be paved. Applicant shall meet the minimum required 10 foot setback from the property line for the new parking lot to be constructed along Superior Avenue.
16. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
17. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.
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. 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, grading, etc.).
20. 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.).
21. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
22. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.

23. Applicant is responsible for working with all private and public utilities in order to adequately service this apartment complex development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
24. 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.
25. The Conditional use permit is approved if and only if the City of Sheboygan Department of City Development and/or Planning Commission approve the Certified Survey Map (CSM) reconfiguring lot lines and/ creating the parcel as proposed.
26. City Development staff will sign the proposed CSM only if the proposal exactly matches the approved development plan/property layout. If there are any amendments to the approved site plan and/or parcel configuration, the applicant will have to submit an amended conditional use permit for review by the City of Sheboygan Plan Commission that accurately reflects any and all changes.
27. Applicant shall submit a Certified Survey Map (CSM) that meets the City of Sheboygan Subdivision Ordinance.
28. Building permits shall be issued only at such time as the applicant can provide documentation from Sheboygan County that the CSM has been officially recorded and that the lots as depicted on the approved site plan have been created.
29. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve all proposed structures including but not limited to main building, accessory structures, etc.
30. 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 required attachments.

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59281213230, 59281211090, 59281211100  
MAP NO.  
ZONING CLASSIFICATION:

Office Use Only

APPLICATION/FILE NO.

REVIEW DATE:

FILING FEE: \$250.00 (Payable to City of Sheboygan)

**CITY OF SHEBOYGAN**  
**APPLICATION FOR**  
**CONDITIONAL USE PERMIT**  
Requirements Per Section 15.905  
Revised May 2018



Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 104. To be placed on the agenda of the City Plan Commission, application must be filed two weeks prior to date of meeting. Applications will not be processed if all required attachments and filing fee of \$250 (payable to the City of Sheboygan) is not submitted along with a complete and legible application. Application filing fee is non-refundable.

**1. APPLICANT INFORMATION**

APPLICANT: Angel Berry and Nena Bemis (A Million Dreamz Inc.)

ADDRESS: 639 N. 25<sup>th</sup> St. Sheboygan, WI 53081

E-MAIL: amilliondreamz2@gmail.com

PHONE: (262)537-3181 or (920)912-3889 FAX NO. ( )

**2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT**

NAME OF PROPOSED/EXISTING BUSINESS: A Million Dreamz Inc.

ADDRESS OF PROPERTY AFFECTED: 1423 N. 29<sup>th</sup> St Sheboygan, WI 53081

LEGAL DESCRIPTION: Smith Gardens Lot 7 Blk 7 S.21 T.15 R.23; Smith Gardens Lot 8 Blk 7 Exc that part RW Conv to City Sheb in WD #2060830; O C Neumeisters Re Subd No 2 Lot 1 Blk 3, also part of lot 6 Blk 7 Smith Gardens Desc as: com in E line lot 6 14.2; S of NE cor Lot 6, Th W 1.5', Th S-00-DEG-03'-45"E 82.4, Th E 0.6' to E line lot 6, Th N 82.4 Alg Sd E line to Pnt of Beg; O C Neumeisters Re Subd No 2 the N 60' of Lot 2 Blk 3 & the N 60' of S 120' of lot 6, Blk 7, Smith Gardens S21 T15 R23; Smith Gardens the N 120' of Lot 6 Blk 7 EXC Com in the E line lot 6 14.2; S of NE Corn of lot 6, TH W 1.5; Th S-00-DEG-03;-45:E 82.4, TH E 0.6; To the E Line of lot 6, TH N 82.4; ALG said E line of lot 6 to POB;

BRIEF DESCRIPTION OF **EXISTING** OPERATION OR USE: Former Superior Electric Supply, currently vacant and greenspace. Prior use of greenspace included both residential and a liquor store, since demolished.

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**DETAILED DESCRIPTION OF PROPOSED OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE:**

Proposed location of A Million Dreamz Inc. Family Enrichment Center and Child Care.

We are in the process of organizing a non-profit group child care center run under licensing of the Wisconsin Department of Children and Families and following codes and regulations of Wisconsin Administrative Code DCF 251 and offering all levels of inclusivity recommended or required under American Disability Act Title III. We aim to become Youngstar quality rated to accept Wisconsin Shares child care subsidy. Our center will operate multiple shifts for both full time and part time employees and part time volunteers in order to provide care twenty four hours per day and seven days per week. We will be providing healthy meals and snacks for all children in care through the Wisconsin Child and Adult Care Food Program (CACFP), as well as entertainment and learning activities appropriate for all age groups as needed. Our facility will be operated by a staff led by the guidance of a carefully chosen non-profit board of directors, each of whom has knowledge and passion to represent a faction of our clientele. Clients will include families in Sheboygan and surrounding communities particularly for those families in need of second or third shift care, weekend care, early morning care and special needs care. These needs are currently not being adequately met in the community to our knowledge. Please see attached Addendum A for a list of our planned programs as well as the projected timeline in which they will be executed starting with phase one and the establishment of the organization.

Exterior changes to include the addition of a parking lot with 17 spaces that, along with the parking parallel to the front of the building, will be sufficient for the predicted number of employees and clients as well as an addition of a van accessible parking drop off spot adjacent to the front entry to the building. Parking lot will be carefully lit to avoid light pollution affecting the residential community. We have also considered the neighbors in regards to parking by situating our additional lot independent of a shared lot line. Exits will not cause lights to disturb neighbors as they are pointed into a drive rather than a home. A water retention area will be designated and landscaped for runoff in the northeast corner allowing for outward facing greenspace and a clear line of sight path. High quality vinyl dual color tone fencing in white and soft grey will surround the outside childcare area to ensure the safety and privacy of children while providing a buffer for disturbance to residential neighbors. (see attached example Addendum B) We have chosen PVC because of its durability in regards to weathering and deterioration and in an effort to maintain the overall clean appearance long term without a requirement for continuous maintenance. Fencing will have an emergency exit gate to the parking lot. Additionally we will be converting the northwest corner from the current pavement to greenspace with our monument sign and walking path, again taking care to have low level plant life to allow for a clear line of sight. Our monument style sign will have a base of cinder block to match the existing building (please refer to Addendum C for proposed look of the signage) . The top portion of the sign will be aluminum frame and backlit polycarbonate viewable from both the eastbound and westbound Superior Avenue traffic. The monument will be approximately five feet tall and five feet, ten inches wide. We will

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be adding a structure to contain refuse and recycle on the southwest corner of the property adjacent to the building and encased in the same siding.

Upgrades to existing buildings will include new horizontal Pad-Clad precision series HWP metal siding in Berkshire Blue. (see Addendum D) This will be both aesthetically fitting with the neighborhood and environmentally responsible as steel has a longer service life than many other materials. It is recyclable and made from recycled materials, shows less wear, is more resistant to weathering, fire and damage and will require less maintenance. We have chosen blue to be calming and inviting as well as being unobtrusive visually. Additional upgrades will include a new Pad-Clad metal roof in the snap-clad style in Interstate Blue on the fourth building section to the south as well as above the main entrance and the posterior entrances. We will be adding new energy efficient heating and cooling systems as well as taking care to insulate the building as to be more energy efficient. New commercial doors and double paned windows with a high insulated rating will be trimmed in a clean white edges with shutters alongside the windows to complete the look while keeping in line with our energy efficient efforts. Privacy glass will be installed in all windows facing outside the privacy fence allowing for the bright sunshine to light the children's space while maintaining privacy and safety. Second story windows will not require privacy glass. Repair and resealing of original brickwork and cinder block will be done and we will be removing all current overgrown and unkempt shrubs and trees and replacing with neatly kempt flower beds and small shrubbery. An addition of an ADA compliant elevator to the back portion of section two of the building will be installed facing inward.

The interior will receive a complete remodel into a childcare and family center compliant to the Wisconsin Department of Family Services requirements and all ADA standards. New additions will include an operational kitchen, laundry room, nursery, four bedrooms, a large gross motor skills sensory room, library and multipurpose room, art room, storage and five bathrooms, three of which will be ADA compliant and one of those will be a full bath. The entire building will be converted to be ADA accessible including the addition of the aforementioned elevator. We are creating a warm and child friendly environment that is accessible to all within this commercial setting and the construction will be considering that in all decisions. Though this is a commercial business and building, we hope to give the families that come here a feeling of being in our home and consequently a feeling of a second unconditional home to them.

#### **BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE:**

Requesting variance for privacy fence height to be raised to 6' to ensure the safety and privacy of children; fenced refuse area to be placed on the south west corner near the lot line for easy access for collection; storage shed next to the east side of building on the corner of the parking lot opening into the fenced- in area and clad in the same materials as the rest of the building (siding and roof), addition of a parking lot on north side of green space.

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### **3. JUSTIFICATION OF THE PROPOSED CONDITIONAL USE**

Written justification for the proposed conditional use, indicating reasons why the applicant believes the proposed conditional use is appropriate.

Personal research has shown that there is currently a lack of enough quality childcare in the Sheboygan area. With our county having a plethora of large employers who run multiple shifts, there is not adequate off shift care available to employment seekers. It is our understanding that companies struggle with employees unable to find the childcare that is needed to start on second or third shifts or to be able to work weekends or overtime. From the other perspective, parents can be frustrated with the long wait lists and high costs that accompany finding quality care. We hope to put an end to the struggles that this county and its residents have with childcare. In the scope of special needs children the situation is even worse. We have experienced first hand and have many anecdotes from others about the lack of quality trained care available for special needs. Although it is required by the American Disabilities Act that licensed childcare centers make accommodations for clients with special needs, it is clear that this does not always happen. This has left a number of the residents in our community without the support that they require to provide and maintain a healthy family structure and to become successful in their chosen career paths. We aim to end this division while also offering these children and their families in an all inclusive and accepting environment without barriers of any kind.

The Family center would be so much more than just a childcare. It would be a resource place for all families and provide services such as support groups, educational classes to encourage healthy living and good parenting tips, on site therapies for children with special needs, respite care for teens and young adults, advocacy for low income families and so much more.

The location at 29th and Superior Avenue is ideal due to the easy access to main thoroughfares in the city of Sheboygan and access to highway 23 and interstate 43 brining access to all of Sheboygan County. We aim to offer services to a diverse multitude of clients who will be using a number of different ways to reach us. The central location at 29th and Superior opens up public transport as a feasible alternative to those who need it.

Additionally the site offers sufficient greenspace to promote healthy outdoor activities to the children in our care and potential additions to the existing building. The size of the location and the layout of the building lends itself to our vision of a homelike childcare center. It has ample room to accommodate a large number of children, a large safe space for gross motor skills activities within a sensory integration playroom and accommodation for overnight children so that they may have a comfortable and restful sleep. There will also be room to utilize for our additional support programs.

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How is the proposed conditional use (independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the City of Sheboygan Comprehensive Master Plan?

Working within the city's vision of a diverse and prosperous coastal community, A Million Dreamz Inc will be assisting the community in a number of ways. We will be creating jobs, but more importantly, we will be offering the services that so many families currently lack so that they may seek a better quality of life through employment, continual education or a blend of both. By providing childcare during all hours of the day and all the days of the week, as well as other services to clients in a time of need, we will be appealing to an economically diverse clientele, some of which are already seeking these services and others who will be further drawn to our community knowing that these services are available to their families. Furthermore we will be aiding to the nourishment of healthy family dynamics while providing a safety net for families who don't currently have others to turn to for support. We will be collaborating with multiple social service organizations within the greater Sheboygan area in an effort to offer our clients and their clients access to any services that they need.

Does the conditional use, in its proposed location, result in any substantial or undue adverse impact on nearby property the character of the neighborhood, environment, traffic, parking, public improvements, public property or rights-of-way?

It does not. We believe that the impact in the neighborhood will be a positive one. We are planning on renovations to the outside of the building that will make a marked improvement on the appearance of the location. The chosen color of siding and the new roof also coincides with external colors and styles of some of the businesses in close proximity to the building. (refer to Addendum E for examples) However, when possible we will be maintaining a residential feel in our design including shutters, vinyl fencing and greenspace. In addition to the visual improvement, we believe that the impact of the services we will be offering will positively affect the greater community, beginning with the neighborhood and expanding throughout the county. We have worked closely with the architect to ensure that there will be no issues with cross-traffic or parking. We have taken into consideration the negative impact of light casting from our parking lot into adjacent properties and avoided the issue by controlling the flow of traffic. The majority of our traffic will be to drop off and pick up. That drive through will be located on 29th Street and exiting onto 29th Street to avoid additional congestion on Superior Ave. We will have an established curfew for the children and staff to follow to eliminate any noise disturbances that may come from the outside play area during the late or very early hours. We have been diligent in our planning to include storm drainage and greenspaces which we believe are important to making a neighborhood feel like home.

How does the proposed conditional use maintain the desired consistency of land uses in relation to the setting within which the property is located?

The location is currently vacant and situated next to several automotive related businesses within a residential area. Our plans for the outside of the structure, the

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landscaping and the purpose of our business will be more in tune with the residential nature of the neighborhood than the previous businesses located there and the current neighboring businesses. We will be bringing a softer look and a family feel to our location by creating an inviting, all inclusive and judgement free environment. As we will be open to all families, we expect that the owners of residential properties in the area will be pleased to have our business so close and may take advantage of our services.

Is the proposed conditional use located in an area that will be adequately served by utilities, or services provided by public agencies? If not, please explain.

Yes

**4. NAMES AND ADDRESS (Indicate N/A for "Not Applicable" items)**

**OWNER OF SITE:** (will be) A Million Dreamz Inc.  
**ADDRESS:** 639 N. 25<sup>th</sup> St. Sheboygan, WI 53081  
**E-MAIL:** amilliondreamz2@gmail.com

**ARCHITECT:** Robert Heimerl

**ADDRESS:** 1135A Michigan Ave Sheboygan, WI 53081  
**E-MAIL:** rheimerl@abacusarchitacts.net

**CONTRACTOR:** J and N Construction LLC

**ADDRESS:** 1628 Calumet Ave Sheboygan, WI 53081  
**E-MAIL:** jandndconstructionllc@gmail.com

**5. CERTIFICATE**

I hereby certify that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
**APPLICANT'S SIGNATURE**

\_\_\_\_\_  
**DATE**

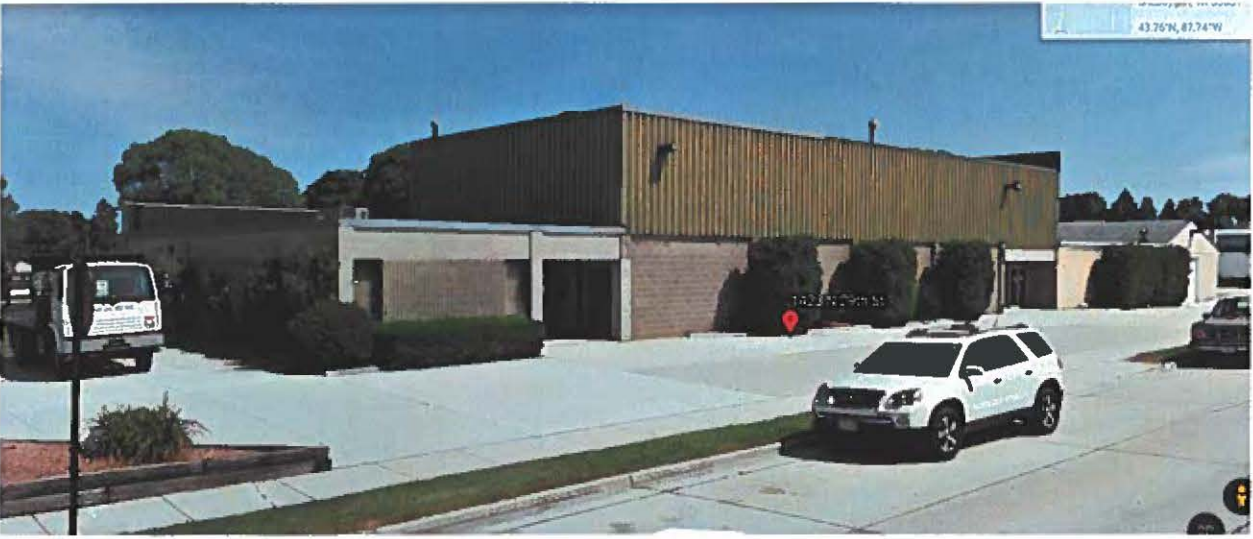
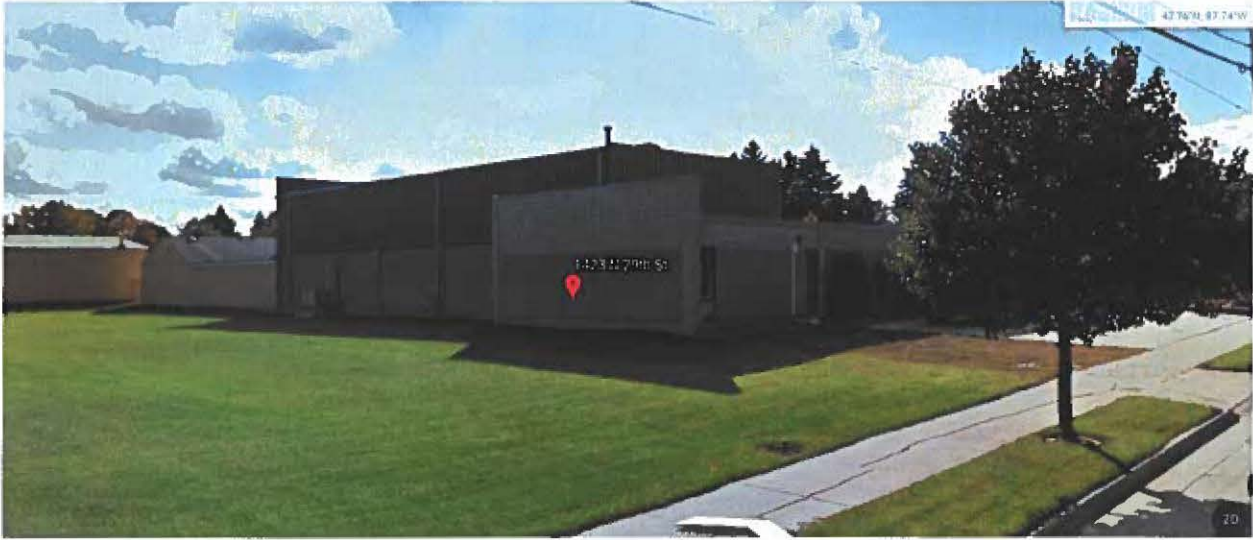
Angel Berry Nena Bemis

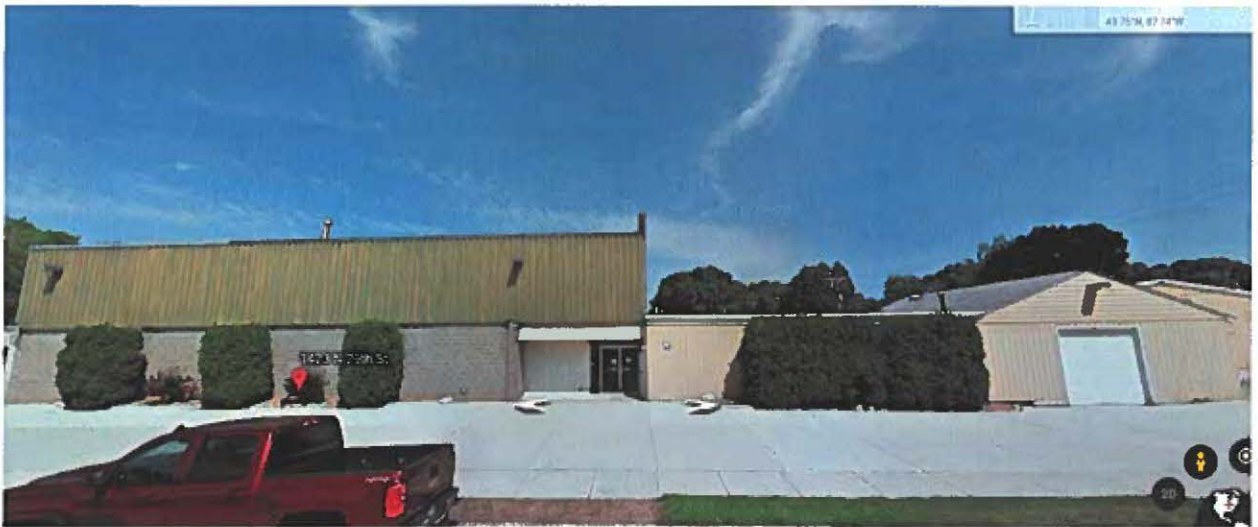
**PRINT ABOVE NAME**

**CONDITIONAL USE APPLICATION SUBMITTAL REQUIREMENTS**

1. A certified survey map showing existing property boundaries and improvements.
2. A map providing the following information:
  - The map and all its parts shall be clearly reproducible with a photocopier at a size of 11" X 17" and map scale not less than 1' = 600' with lot dimensions of the subject property provided and a graphic scale and north arrow.









**ADDENDUM A**

**A Million Dreamz Program List**

**Phase One**

- ❖ Childcare: all inclusive, 24 hours a day, 7 days a week.
  - Offering sliding scale and scholarship programs to those in need
  - Providing vouchers or transportation to and from the daycare location
  - ADA compliant to breach boundaries
  
- ❖ Neutral parental drop off location for divided families
  
- ❖ Young child clothing and need exchange
  - Donate gently used outgrown items
  - Trade for credit toward larger sizes
  - Diapers, formula and baby food
  - School items for older children
  - Donations from community

**Phase Two**

- ❖ Parent Support Groups: multiple groups for different types of families: working through nationally accredited Parents Anonymous organization model
  - Families with special needs members
  - young parents
  - parenting teens
  - single parents
  
- ❖ Respite care for youth and young adults with disabilities to allow permanent caregivers time to focus on their own needs and promote healthy family dynamics
  
- ❖ Big Helpers for Little Needs
  - service that provides mentoring and assistance to children with special needs in a variety of community settings to avoid exclusion due to a lack of qualified individuals available on-site to assist them
  
- ❖ Advocacy and preparation for critical parenting situations
  - IEP meetings
  - Therapy initiation
  - Disability Determination Application
  - Provider search and selection

- ❖ Parental mentoring / classes
  - Budgeting
  - Parenting techniques
  - Cooking for families
  - Credit building
  - 1,2,3 Magic
  - Creating your own chore chart
  - Healthy living tips

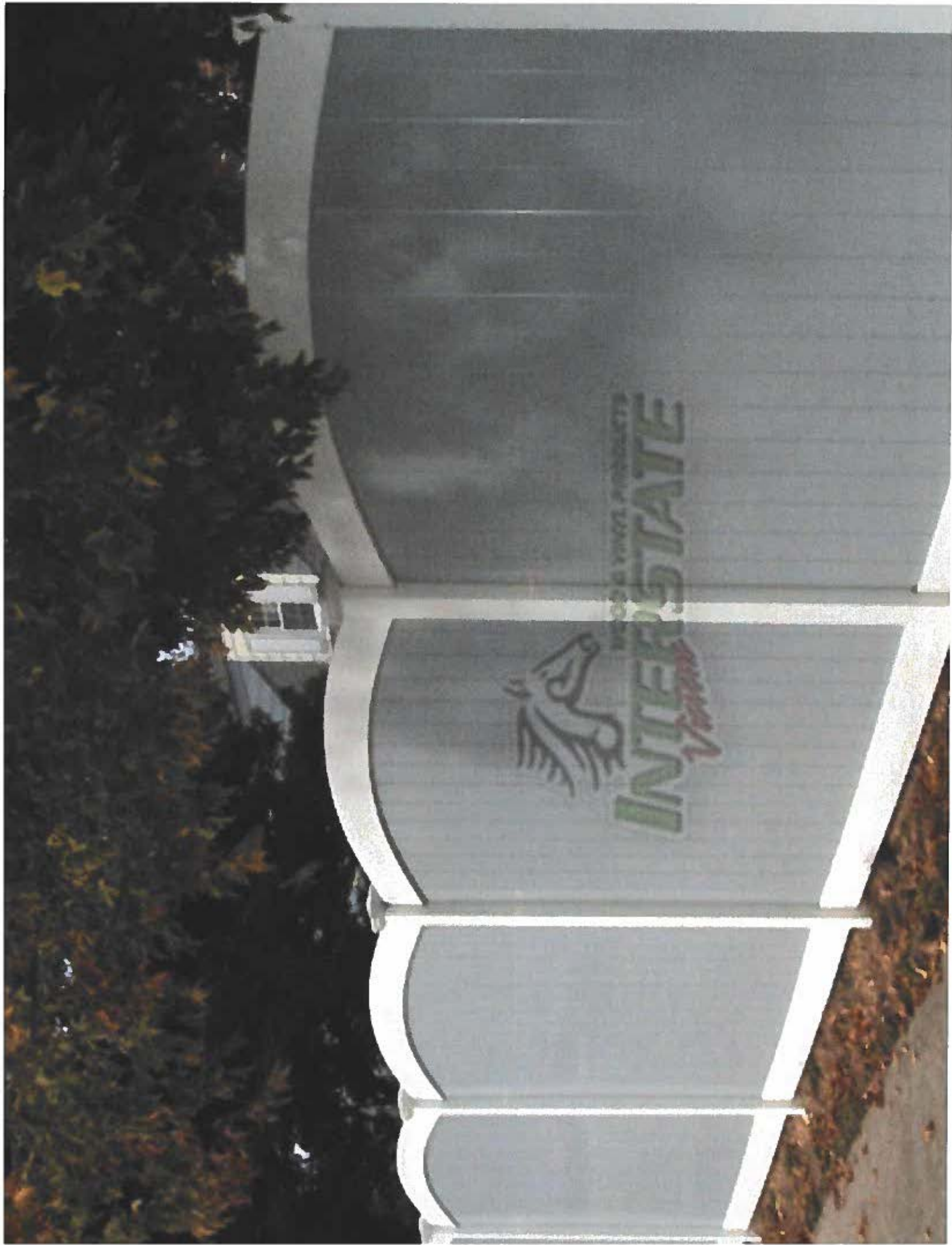
### **Phase Three**

- ❖ Therapy location and access through outside contractors (perhaps leading to employees of AMD)
  - Physical
  - Occupational
  - Speech
  - Art
  - Music
  - Sensory Integration
- ❖ STUFF: Supplying Tangibles to Underfunded Families
  - Donations from the community
  - Direct donate from giver to receiver
  - Small amounts stored
  - Vouchers for items from local thrift stores
  - Vouchers for city transportation and/or gas cards

### **Phase Four**

- ❖ First responders emergency foster placement
  - CBRF Certification
  - Foster Parent licensing for some staff
  - Social worker on staff
- ❖ Life skills training, employment referral and possible on site employment for youth and young adults with disabilities

**ADDENDUM B**

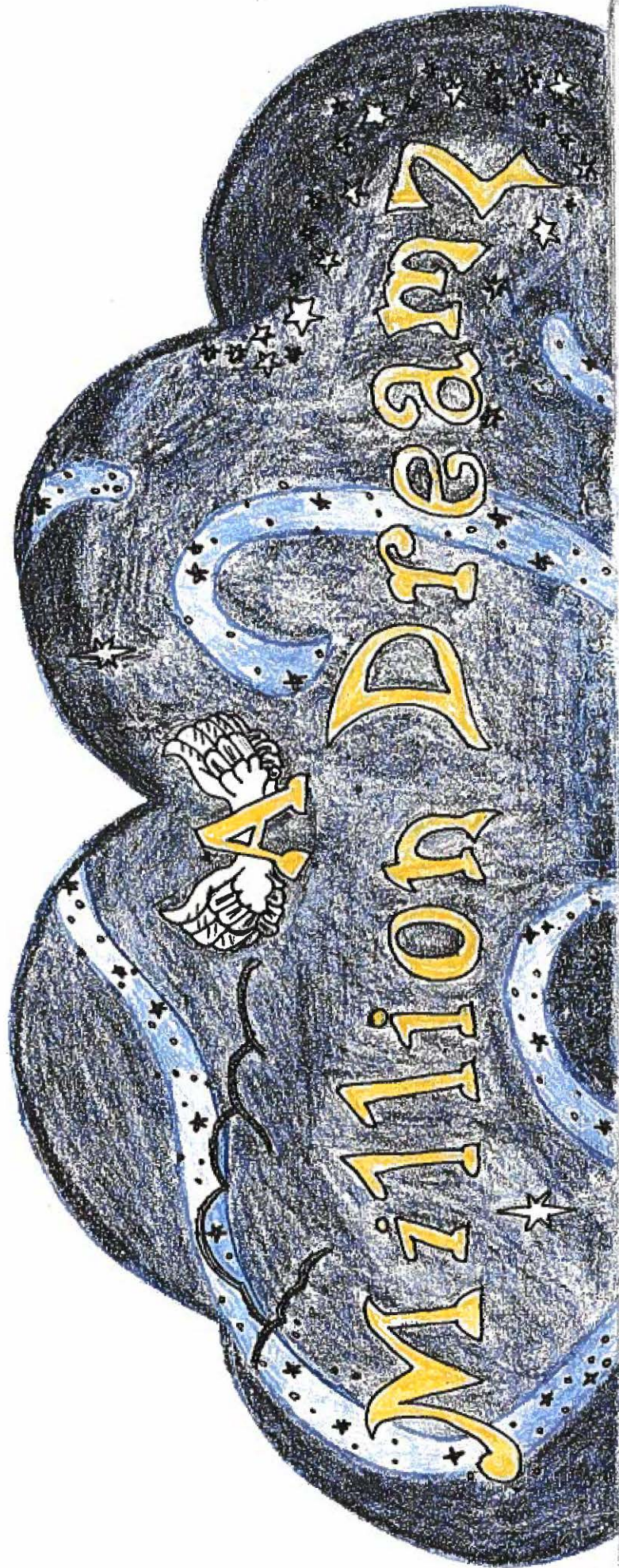




**ADDENDUM C**

## **Signage**

Our intended signage will be a monument style with the base made of the same cinder block in grey to match what is already on the building. The top will be aluminum shaped as a cloud with polycarbonate bearing our design and logo in blue and yellow. It will be illuminated from within and be identical on each side to give the same visual line to both eastern and western bound traffic on Superior Avenue. There will be a plaque adhered to the block on each side denoting : Family Enrichment Center and Child Care. Please see Addendum C.



Family Enrichment Center and Day Care

**ADDENDUM E**

Similar siding styles within the same corridor



Current photos of the building and site













## Other Required Questions

- ❖ An explanation of the previous/existing use and all business activities to take place onsite (vacant former electrical contractor).
  - Portion of property was previously used as residential
  - Portion of property was previously used as a liquor store
  - Only building still standing is a former electrical contractor
- ❖ An explanation of the proposed use and all business activities that will take place onsite – what exactly will you do at this property (services offered, daycare, classes/school, office, indoor activity, outdoor activity, etc.).
  - See addendum A for services offered
  - Outdoor activity will be childcare related with occasional family functions and fundraisers
- ❖ Please explain why the daycare is being proposed from this property and why the plan commission should consider approving the proposal at this site.
  - The location at 29th and Superior Ave. is ideal due to the easy access to main thoroughfares in the city, the Sheboygan bus line and easy entry onto highway 23 and interstate 43 bringing access to all of Sheboygan County. Additionally the site offers ample greenspace to promote healthy outdoor activities to the children in our care and for potential additions to the existing building.
- ❖ Provide a very specific explanation of your business – What type of work do you do from the site? How do you operate and monitor facility? Clients?
  - We are in the process of organizing a non-profit group child care center run under licensing of the Wisconsin Department of Children and Families and following codes and regulations of Wisconsin Administrative Code DCF 251 and offering all levels of inclusivity recommended or required under American Disability Act Title III. We aim to become Youngstar quality rated to be able to accept Wisconsin Shares child care subsidies. Our center will operate multiple shifts for both full time and part time employees and part time volunteers working together to provide care twenty four hours per day and seven days per week. We will be providing healthy meals and snacks for all children in our care through the Wisconsin Child and Adult Care Food Program (CACFP) as well as providing entertainment and learning activities appropriate for all age groups as needed. Our facility will be operated by a staff led by the guidance of a carefully selected non-profit board of directors, each of

whom has knowledge and passion to represent a faction of our clientele. In addition we will host parent support groups following the evidence based approach of Parents Anonymous, a nationally accredited program. Clients will include families in Sheboygan and surrounding communities, particularly for those families in need of second or third shift care, weekend care, early morning care and special needs care. These needs are currently not being adequately met in the community to our knowledge.

- ❖ Please provide a specific description and location of all outdoor activity to take place at the site and (plans and or pictures would be helpful).
  - Outside activities will be child play time including a newly paved area for ride on toys, chalk play and ball games. The grassy areas will be sectioned for different age groups to safely make use of available outdoor play equipment. The full play area will be fenced in with a six foot tall vinyl privacy fencing. (see Addendum B for sample). Within the privacy fencing the separate sections will be surrounded by a four foot tall white picket fencing and gates.
  - See attached addendum B for fencing sample
  - See attached Addendum E for current photos of the building and attached site plans
- ❖ Explain all improvements proposed for the site (building, interior buildout, architectural renovations, parking lot, fencing, landscaping, signage, mechanicals, etc.).
  - Addition of a parking lot with 17 spaces that, along with the parking parallel to the front of the building, will be sufficient for the predicted number of employees and clients as well as an addition of a van accessible parking drop off spot adjacent to the front entry to the building.
    - Parking lot will be carefully lit to avoid light pollution affecting the residential community.
    - Exits will not cause lights to disturb neighbors as they are pointed into a drive rather than a home.
  - A water retention area will be designated and landscaped for runoff in the northeast corner allowing for outward facing greenspace and a clear line of sight path.
  - High quality vinyl dual color tone fencing in white and soft grey will surround the outside childcare area to ensure the safety and privacy of children while providing a buffer for disturbance to residential neighbors. (see attached example Addendum B)
    - Fencing will have an emergency exit gate to the parking lot.

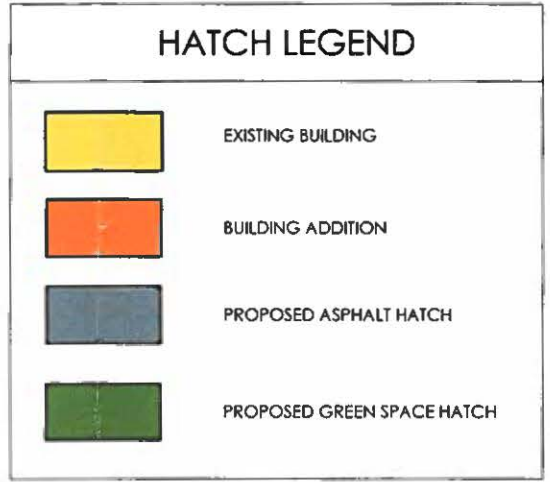
- Converting the northwest corner from the current pavement to greenspace with our monument sign and walking path, again taking care to have low level plant life to allow for a clear line of sight.
  - Our monument style sign will have a base of cinder block to match the existing building (please refer to Addendum C for proposed look of the signage) . The top portion of the sign will be aluminum frame and backlit polycarbonate viewable from both the eastbound and westbound Superior Avenue traffic.
  - The monument will be approximately five feet tall and five feet, ten inches wide.
- We will be adding a structure to contain refuse and recycle on the southwest corner of the property adjacent to the building and encased in the same siding.
- ❖ An explanation of the proposed architectural style and materials and how it is compatible with the development in and around the area. A written description of the proposed general design, arrangement, texture, material and color of the buildings/structures. An explanation of any interior and/or exterior renovations.
  - See proposal from Abacus Architecture
- ❖ What are the days and hours of operation?
  - 24 hours a day, 7 days a week to be available to all families. This will meet a need in the community that is currently lacking.
- ❖ How many employees will you have?
  - Starting with an estimated 15 employees to cover all shifts at the regulated child to staff ratio, we will be adding employees as our numbers grow. As we add our additional services and as we find additional needs for our clients, we will be further adding to our staff with both paid employees and volunteers. All staff and volunteers will be trained under the regulations of DCF 251 and have passed a background check.
- ❖ How will you insure that the proposal will not become a nuisance to adjoining property owners (i.e. traffic, outdoor activities, vehicles, equipment, lighting, noise, hours of operation, garbage, parking, etc.)?
  - The privacy fencing will contain much of what may cause a nuisance.
  - There should be little to no noise during evening and overnight hours due to a curfew policy
  - Parking will be carefully lit to avoid being intrusive to neighbors. Exits will not cause lights to disturb neighbors as they are pointed into a drive rather than a home by controlling the flow of traffic.

- Most activities of clients entering and departing will be conducted on the west side of the building which directly faces business lots rather than residential.
  - Refuse will be neatly enclosed in a fenced area.
  - Most traffic will travel from 29th Street to 29th Street to avoid additional traffic congestion on Superior Ave.
- ❖ · Are you proposing any fencing and landscaping? What are your plans to properly screen/landscape (landscaping, fencing, etc.) the parking lot from adjoining neighbors (vehicle lighting, vehicles, equipment, lighting, noise, etc.)?
  - See above
- ❖ · Number of parking spaces you have and the number of parking spaces required. Parking Regulations: One space per five students, plus one space for each employee on the largest work shift.
  - See attached lot plans from Abacus Architects
  - Addition of parking lot with 17 spaces
  - 2 ADA spaces
  - Five additional spaces parallel to front of building
- ❖ · How will site be accessed and where are the proposed access points?
  - See attached lot plans from Abacus Architects
- ❖ · Any signage being proposed?
  - See above
- ❖ · Who are your clients?
  - Families with children
  - Low income families who do not qualify for state level assistance for child care costs
  - Employees of local businesses that have children and work outside of a standard Monday through Friday first shift schedule.
  - Families with a special needs member
  - Families in crisis or facing potential crisis
  - Children who need emergency foster placement
  - Families with children who need respite care
- ❖ · What licenses are required and what are you licensed for?
  - Group Child Care licensing
  - Foster care licensing
  - Youngstar rating and compliance
  - ADA compliance



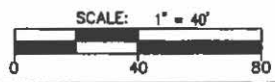
### SITE INFORMATION

<b>TOTAL AREA</b>	1.35 AC.
<b>EXISTING SITE:</b>	
IMPERVIOUS	0.52 AC.
PERVIOUS	0.83 AC.
<b>PROPOSED SITE:</b>	
IMPERVIOUS	0.65 AC.
PERVIOUS	0.70 AC.
<b>PROPERTY ZONED:</b>	SUBURBAN COMMERCIAL
<b>CONDITIONAL USE:</b>	GROUP DAY CARE CENTER
<b>BUILDING SETBACKS:</b>	
STREET YARD -	25 FEET
SIDE YARD -	10 FEET
REAR YARD -	10 FEET
<b>PAVING SETBACKS -</b>	
STREET YARD -	10 FEET
SIDE/REAR YARD -	10 FEET
<b>PARKING COUNTS</b>	
STANDARD PARKING STALLS	23 SPACES
ADA PARKING STALL	1 SPACE
<b>TOTAL</b>	24 SPACES



### OVERALL SITE PLAN

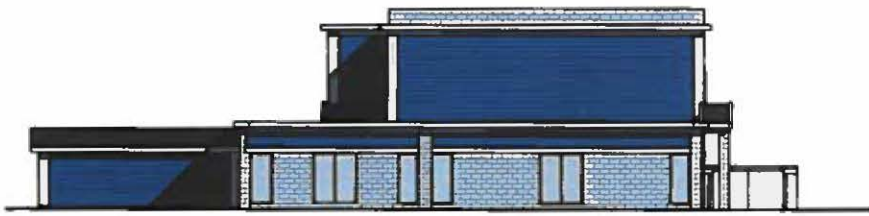
SCALE: 1"=40'



September 24, 2019  
**A Million Dreamz**  
 Sheboygan, WI 2019-62

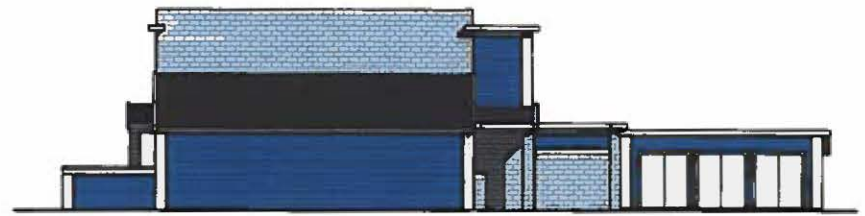
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## NORTH ELEVATION

SCALE: 1/16" = 1'-0"



## SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



## EAST ELEVATION

SCALE: 1/16" = 1'-0"



## WEST ELEVATION

SCALE: 1/16" = 1'-0"

09/24/2019

PROJECT DESCRIPTION

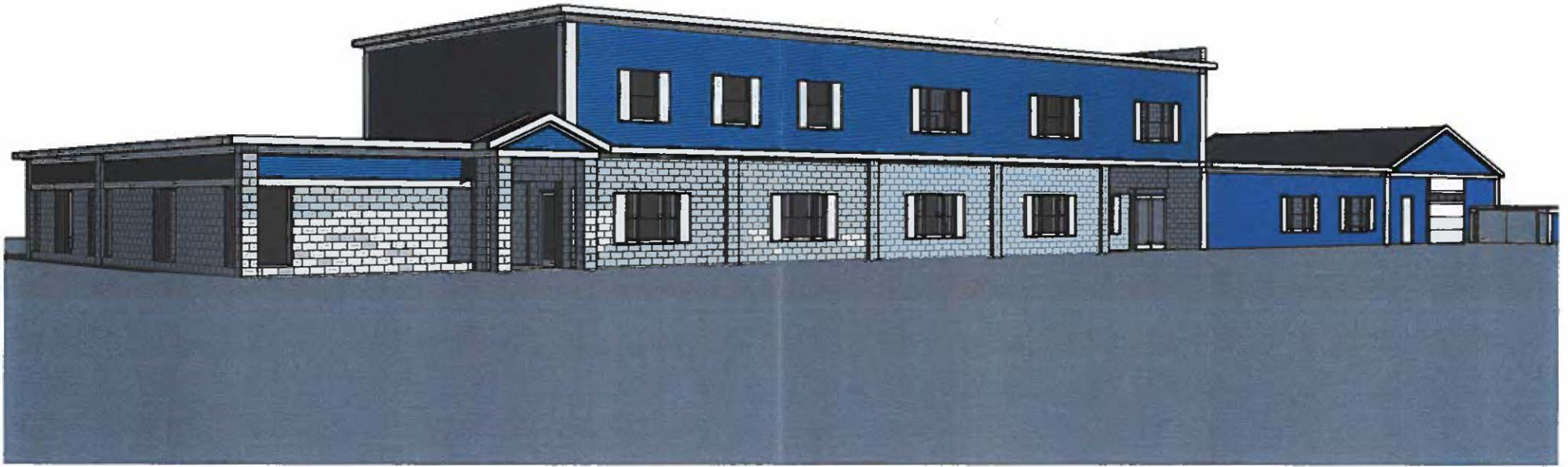
# A MILLION DREAMZ

SHEBOYGAN, WI, 53081

PROJ. NO. 2019-62

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3D View SE

09/24/2019

PROJECT DESCRIPTION

## A MILLION DREAMZ

SHEBOYGAN, WI, 53081

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3D View SW

09/24/2019

PROJECT DESCRIPTION

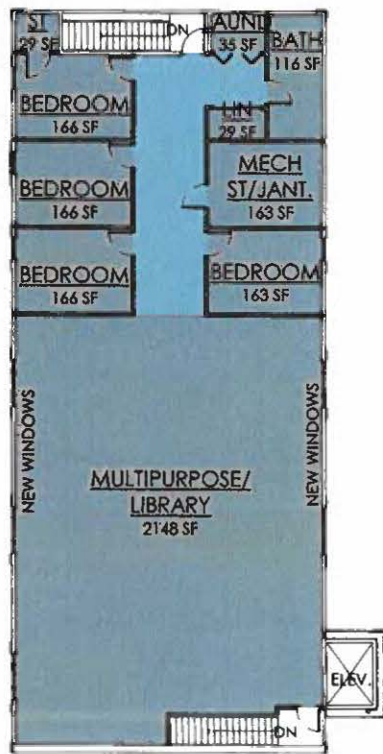
## A MILLION DREAMZ

SHEBOYGAN, WI, 53081

PROJ. NO. 2019-62

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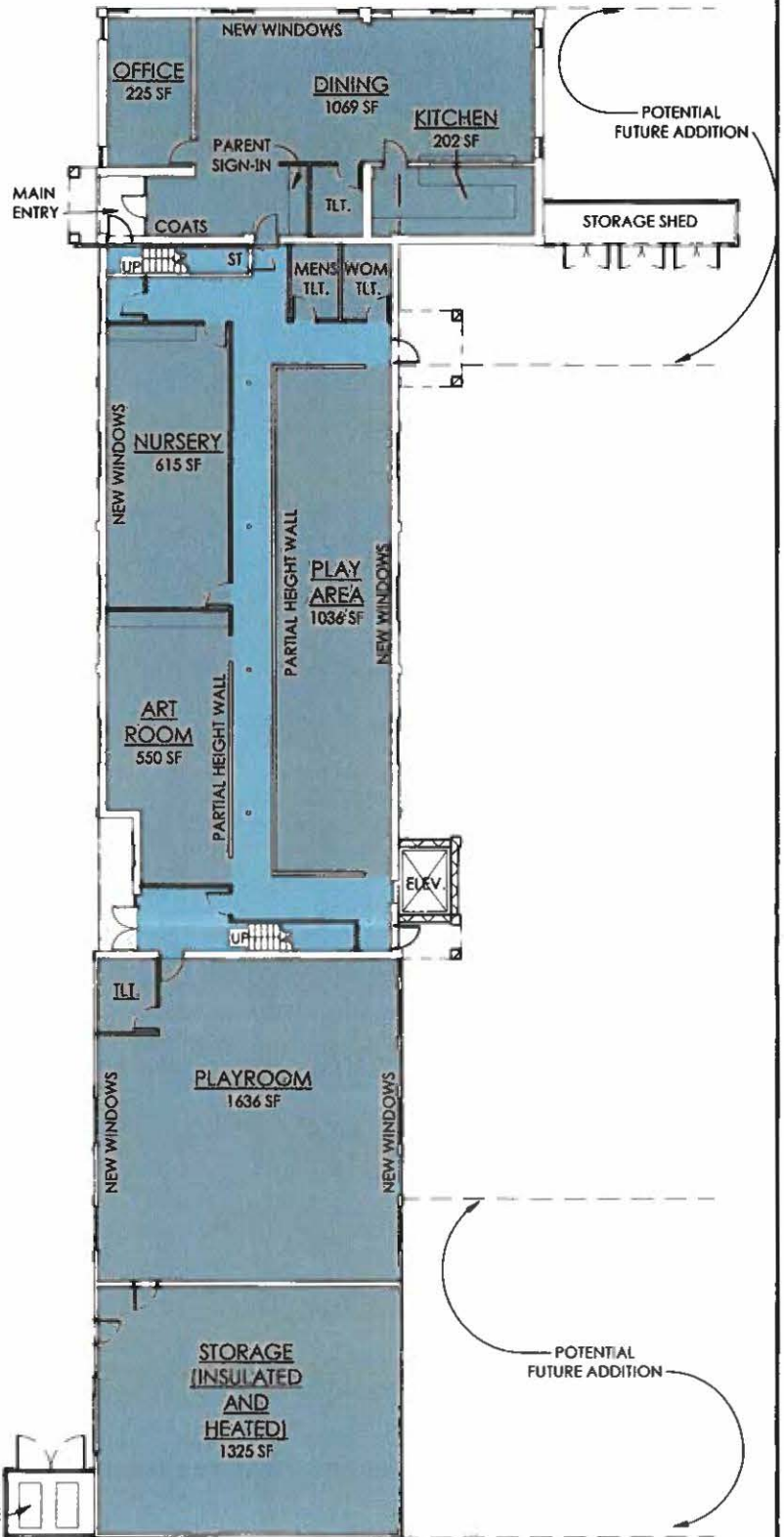


## SECOND FLOOR

SCALE: 1/16" = 1'-0"

## COLOR LEGEND

- CORRIDORS
- PROGRAM SPACE



## FIRST FLOOR

SCALE: 1/16" = 1'-0"

09/24/2019

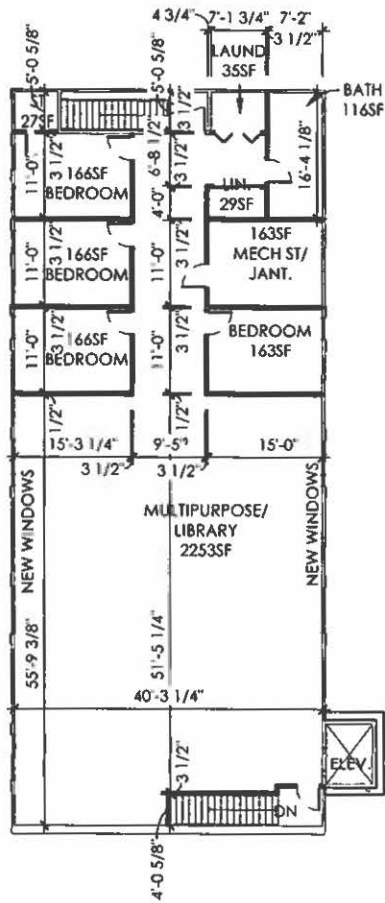
# A MILLION DREAMZ

SHEBOYGAN, WI, 53081

PROJ. NO. 2019-62

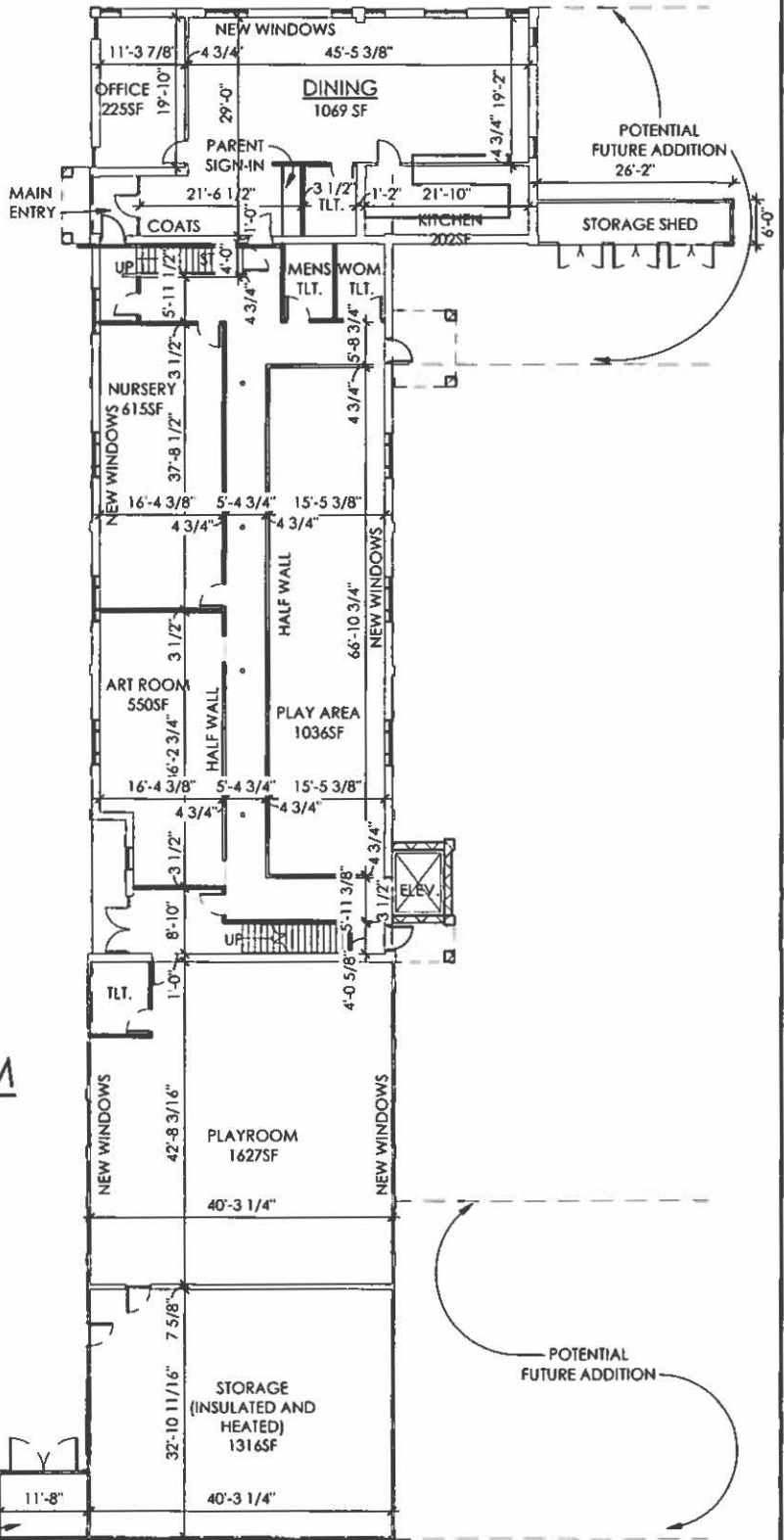
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**SECOND FLOOR DIM**

SCALE: 1/16" = 1'-0"



**FIRST FLOOR DIM**

SCALE: 1/16" = 1'-0"

09/24/2019

**A MILLION DREAMZ**

SHEBOYGAN, WI, 53081

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## 3D View SE

10/03/2019

PROJECT DESCRIPTION

# A MILLION DREAMZ

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## 3D View NW

10/03/2019

PROJECT DESCRIPTION

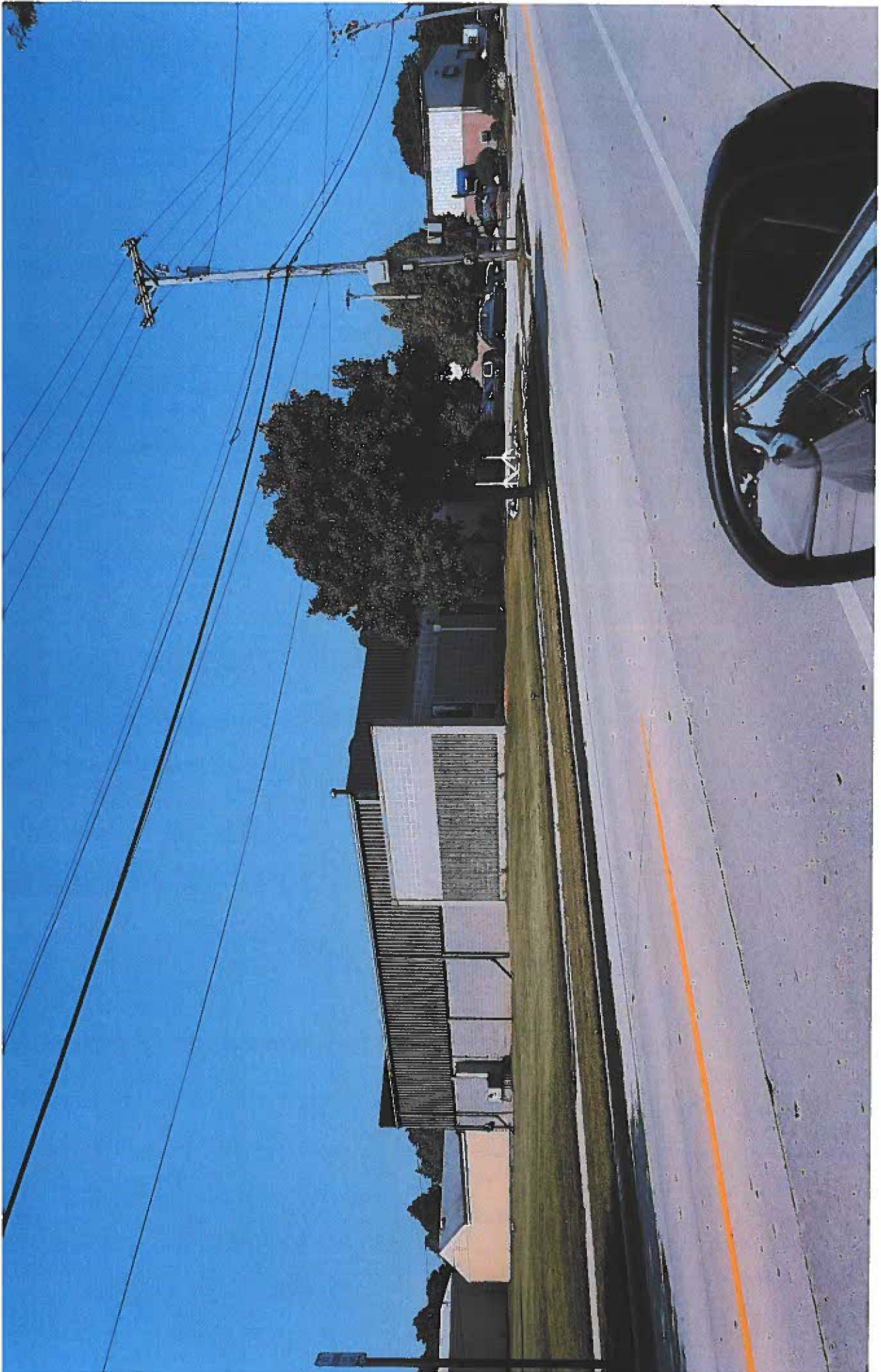
# A MILLION DREAMZ

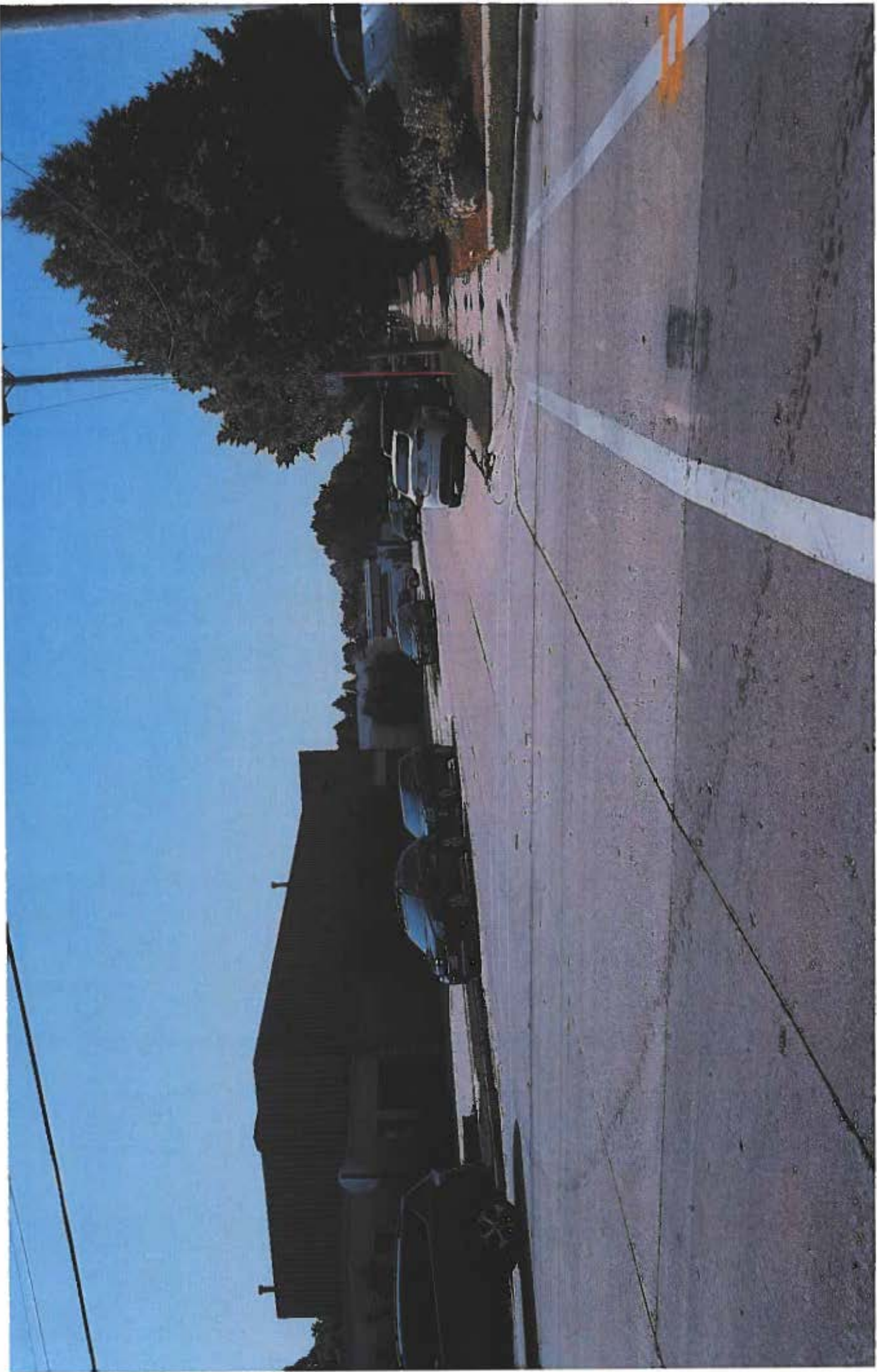
SHEBOYGAN, WI, 53081

PROJ. NO. 2019-62

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**CITY OF SHEBOYGAN**

**REQUEST FOR CITY PLAN COMMISSION CONSIDERATION**

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**ITEM DESCRIPTION:** Communications 1-19-20, 2-19-20 and 3-19-20 from Chris Merklein, Director of Development, Van Horn Real Estate, requesting encroachments for Kingsbury Village Apartments.

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

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**REPORT DATE:** October 11, 2019

**MEETING DATE:** October 15, 2019

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**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

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

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**BACKGROUND / ANALYSIS:**

On August 13, 2019 (amended on September 24, 2019) the Plan Commission approved a conditional use permit by Van Horn Real Estate to construct the Kingsbury Apartments on the vacant, undeveloped parcel located at the southwest intersection of Wisconsin Avenue and N. 10th Street (Parcel # 59281107740, former Kingsbury Brewery property). The Kingsbury Apartments are a 33 unit apartment development complex.

As part of the site plan approval, Van Horn Real Estate proposed and the Plan Commission conditionally approved site improvements to be located within the unimproved City of Sheboygan Water Street public right-of-way. These improvements were approved provided the applicant obtained the required encroachment permitting such improvements to be constructed in the City public right-of-way.

Today, the Plan Commission is reviewing Van Horn Real Estate's three (3) encroachment requests.

**STAFF COMMENTS:**

Applicant is proposing to utilize City of Sheboygan Water Street public right-of-way for access from N. 10<sup>th</sup> Street, as well as, for sidewalk along the west side of the riverfront apartments. This is unimproved right-of-way (grass). In order to utilize this public right-of-way for these purposes, the applicant will need to obtain the required encroachments. These encroachments were required to be obtained prior to issuance of building permits for this project (condition of approval of the conditional use permit). The applicant is requesting encroachments for:

- Access Drive (Encroachment #2) - To construct the access drive that leads to and from N. 10<sup>th</sup> Street into the apartment complex. This new access drive is to be located on unimproved City of Sheboygan public-right-of-way. This area is presently grass. This access drive will line up with New York Avenue to the east.
- Sidewalk (Encroachment #1 and #3) - To construct sidewalk on the west side of building number 1 that faces the Sheboygan River. This apartment building is to be constructed right along the property line. The applicant would like to provide sidewalk on the west side of these apartment so tenants can access their properties from the west side that faces the river.

To construct a very small portion of private sidewalk at the southeast corner of the site to connect the apartments to the public sidewalk along N. 10<sup>th</sup> Street (very small triangular shaped encroachment).

**ACTION REQUESTED:**

Staff recommends approval of the proposed encroachments.

**ATTACHMENTS:**

Communications 1-19-20, 2-19-20 and 3-19-20.



I

4.1

Com. No.      |      - 19 - 20. By CITY CLERK. October 7, 2019.

Submitting a communication from Chris Merklein, Director of Development, Van Horn Real Estate, requesting an encroachment for Kingsbury Village Apartments (Encroachment Area #1 = 36.125 square feet).

*Plan.  
Commissioner*

\_\_\_\_\_  
City Clerk

**I**

4.2

Com. No. 2 - 19 - 20. By CITY CLERK. October 7, 2019.

Submitting a communication from Chris Merklein, Director of Development, Van Horn Real Estate, requesting an encroachment for Kingsbury Village Apartments (Encroachment Area #2 = 1939.61 square feet).

*Plan  
Commission*

\_\_\_\_\_  
City Clerk

I

4.3

Com. No. 3 - 19 - 20. By CITY CLERK. October 7, 2019.

Submitting a communication from Chris Merklein, Director of Development, Van Horn Real Estate, requesting an encroachment for Kingsbury Village Apartments (Encroachment Area #3 = 1503.44 square feet).

Plan  
Commission

\_\_\_\_\_  
City Clerk



REAL ESTATE

October 1, 2019

City of Sheboygan  
828 Center Avenue  
Sheboygan, WI 53081

Attn: Mayor Mike Vandersteen & Common Council

Re: Encroachment Request – Kingsbury Village Apartments

Dear Mr. Mayor and Common Council Members,

As you are aware, Van Horn Development LLC and Kingsbury Village LLC are developing a 33-unit luxury apartment project on the former Kingsbury Brewery site in Sheboygan. The Kingsbury site is triangle-shaped parcel including 1.791 acres. We have worked closely with City of Sheboygan Representatives in the design of the site and buildings. Everything has been approved by the Plan Commission, Architectural Review Board, and Common Council.

The site design was challenging for several reasons. We were able to successfully design the project to have enough parking, storm water management space, dumpster corral, and required turn radiuses, etc. However, making all of this fit on the small site required us to place some hard surfaces on city-owned property. In total, there are three (3) separate areas that require us to create encroachments.

- Encroachment Area #1 = 36.125 square feet
- Encroachment Area #2 = 1,939.61 square feet
- Encroachment Area #3 = 1,503.44 square feet
- TOTAL ENCROACHMENT AREA = 3,479.175 square feet

The required site plans, survey, and legal descriptions are attached for your review. Additionally, a check for \$5,218.76 accompanies this submittal. If you have any questions please do not hesitate to contact me directly. This approval is the final step before we can get started with construction. With the Wisconsin winter months approaching quickly, we are anxious to get started.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Merklein". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

**Chris Merklein**  
Director of Development  
[chris@vanhornre.com](mailto:chris@vanhornre.com)  
920.838.6628



# Encroachment Map - Exhibit B for Kingsbury Village

Lot 1, 2, 3, 4, 5, 6, 9, 10, 11 and 12 of Block 132 (Being all of Block 132 as plotted in the Original Plat), City of Sheboygan, located in the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 23, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin.

