

*****ATTACHMENTS*****

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Conditional Use application by Power Pubs, LLC to operate the Sheboygan Biergarten from Area 8 of Kiwanis Park located at 726 Kiwanis Park Road. SR-5 Zone

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

REPORT DATE: February 22, 2019

MEETING DATE: February 26, 2019

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

BACKGROUND / ANALYSIS:

Power Pubs, LLC (John Powers) is proposing to operate the Sheboygan Biergarten from Area 8 of Kiwanis Park located at 726 Kiwanis Park Road. The applicant states the following about the use:

- Power Pubs, LLC is proposing to operate an authentic German Biergarten from Area 8 of Kiwanis Park beginning in May 2019. This is a picnic area at the southeast corner of Kiwanis Park that has a concession stand, a covered pavilion building and a bathroom building (and a baseball diamond to the west). Area 8 is a somewhat underutilized picnic area.
- Area 8 was selected because of its beautiful setting along the Sheboygan River – it provides a setting and atmosphere similar to Biergartens in Germany.
- Beverages offered will include German beer and cider along with root beer, Gatorade, and water. As in Germany, the beer will be served in liter and half liter steins. The applicant is applying for a liquor license.
- Food offered will include giant pretzels, cheese curds, and cured sausages. As in Germany, patrons will be encouraged to bring their own food to the Biergarten.

The applicant states the following about the scope of work to operate the Biergarten:

- There will be some construction, plumbing, electrical, painting, etc. done to the concession stand, each bathroom and around the Biergarten area. There will be some

significant investment to improve these structures/areas to operate the biergarten.

- Applicant will be removing grass and installing crushed stone in a number of locations. The crushed stone will be placed in the picnic table area, in the food and drink line, in the pathway to the pavilion and in the area used as a pad for the beer truck.
- Applicant will be installing picnic tables, umbrella stands, string lights, etc. Phase 1 will start with 20 tables and may expand to 40 tables as demand grows throughout the summer. If successful there is room to add tables in Phases 2 and 3. The tables will be imported from Germany.
- Applicant provides some concepts regarding potential biergarten signage - entrance signage, bathroom signage, menu signs, glass return window signs, rule signs, beer truck sign, etc. No formal sign package has been submitted.
- Fencing will be installed to define the biergarten space from the rest of the park.
- There will be no new permanent structures added to the site.

The applicant states the following about the Sheboygan Biergarten operations:

- Biergarten season will begin May 25 (Memorial Weekend) and last until October 20 (weather depending).
- The hours of operation of the biergarten will be 3-10pm Monday-Thursday and 12-10pm on Friday and Saturday.
- Signs will be posted that no one under the age of 21 will be allowed in the biergarten without being accompanied by an adult and staff will be checking to ensure that no one under the age of 21 purchases alcohol.
- Park Closes at 10PM - People gone, vehicles gone, lights out (except for night lights).
- Music – There will be background music to enhance the relaxed biergarten mood (should not interfere with people’s conversation). Occasionally “live” music and polka dancing will be offered to enhance the authentic German feel. Live music will end around 8:00pm.
- Garbage Pick Up - Staff will haul garbage to dumpsters on a regular basis throughout the day (garbage cans and their receptacles to be provided by DPW).
- Storage of Materials - There is storage available in the bathroom building and in the main park building near the skate park. All materials required for biergarten operations will be stored inside.
- Parking - Only street parking is available.

Benefits of the Sheboygan Biergarten include:

- It offers a no cost social gathering place open to all.
- It will draw families to this underutilized area of the park.
- It provides income to the local government and supports maintaining park structures.
- It provides a true European experience without leaving Sheboygan.
- It has the potential to become a tourist draw for Sheboygan.
- Prost!

STAFF COMMENTS:

The Plan Commission should be aware that the Public Works Committee has previously reviewed and approved the Sheboygan Biergarten. In addition, the City Council has approved and has executed an operating agreement with Power Pubs, LLC. This agreement stipulates the responsibilities of both parties pertaining to the biergarten use. This operating agreement permits the applicant to operate the biergarten until December 31, 2023 (there is an ability to negotiate an extension prior to the expiration date).

The Plan Commission should be aware that the applicant is applying for a liquor license which would permit the sale of beer, wine and liquor. The Plan Commission may want to have the applicant explain the need for the liquor license – what other beverages may be sold?

The operating agreement includes biergarten blackout dates so as to avoid conflicts with long standing festivals in Kiwanis Park that include:

- Hmong Festival - The third weekend in July
- Jaycee Bratwurst Days – First weekend in August

The Plan Commission should be aware that parking for the biergarten will be on-street parking (no off-site parking is proposed at this time).

The Plan Commission may want to have the applicant explain who Power Pubs, LLC is and how they will operate and manage the biergarten site.

ACTION REQUESTED:

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

1. Prior to building permit issuance, the applicant shall obtain all licenses/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, storm drainage, health, alcohol, etc. (Applicant shall be in contact with building inspection, fire, police, etc.).

2. Applicant shall obtain the necessary liquor license in order to serve alcohol at the biergarten. Applicant may serve liquor/alcohol at the biergarten if and only if all required liquor licenses are obtained.
3. If required, submittal/approval of a proposed storm drainage plan prior to building permit issuance.
4. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
5. Outdoor storage of materials or equipment shall be prohibited.
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 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. There shall be no spillover light onto adjacent properties or the streets.
8. Applicant shall work with staff with regards to appropriate signage and shall obtain the necessary sign permits prior to installation. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
9. Absolutely no portion of the building and/or site improvements shall cross the ground specifically designated for the Sheboygan Biergarten (buildings, parking, fencing, signs, landscaping, etc.).
10. 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, etc.).
11. It will be the applicant's responsibility to work with all private and public utilities in order to provide easements and/or relocate utilities as necessary.
12. Applicant is responsible for properly maintaining the site/buildings and shall not create any nuisance issues such as garbage, noise, lighting, etc.
13. At such time as the biergarten no longer operates from this area in Kiwanis Park (Area 8), the applicant shall restore to its original condition all public property, structures, etc. 60 days after the City is notified that the applicant is no longer proposing to operate the Sheboygan Biergarten from Kiwanis Park. Such restoration will include but is not limited to the removal of crushed stone, reinstall landscaping, fixing damages structures, etc. Applicant shall also be required to remove any permanent off-premise signage and/or temporary advertising from these parcels within this same 60 day period.
14. Applicant shall meet all obligations of the operating agreement between the City of Sheboygan and Power Pubs, LLC.
15. If there are any amendments to the approved site plan and/or operation of the biergarten, the applicant will be required to submit a new application reflecting those amendments (operating agreement would likely need to be amended as well).

ATTACHMENTS:

Conditional Use Permit Application and required attachments.

PARCEL NO. 500170
MAP NO. _____
ZONING CLASSIFICATION: SR-5

Office Use Only
APPLICATION/FILE NO. _____
REVIEW DATE: 2/26/19

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

CITY OF SHEBOYGAN
APPLICATION FOR
CONDITIONAL USE PERMIT *PL*
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: JOHN POWERS (POWER PUBS LLC)
ADDRESS: 4792 N. CRAMER ST
WHITEFISH BAY, WI 53211 E-MAIL: JOHN.POWERS@POWERPUBS.COM
PHONE: (414) 975-5536 FAX NO. () NONE

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

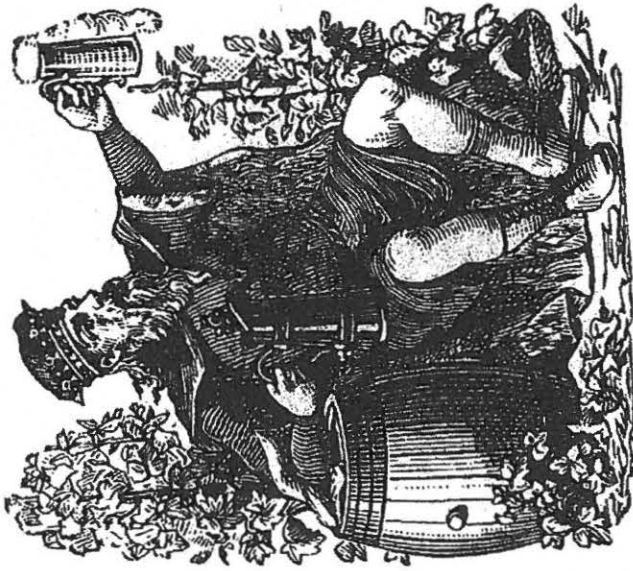
NAME OF PROPOSED/EXISTING BUSINESS: SHEBOYGAN BIERGARTEN
ADDRESS OF PROPERTY AFFECTED: 511 KIWANIS PARK RD.
SHEBOYGAN, WI 53081
LEGAL DESCRIPTION: NA

BRIEF DESCRIPTION OF EXISTING OPERATION OR USE: GREEN SPACE -
SEE ATTACHED

DETAILED DESCRIPTION OF PROPOSED OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: BIERGARTEN - SEE ATTACHED

BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: NONE THAT I AM AWARE OF

SHEBOYGAN BIERGARTEN
– Conditional Use Application Submission



PRESENTED BY POWER PUBS LLC

January 20, 2019

TABLE OF CONTENTS

✓ Brief Description of Existing Operation

✓ Detailed Description of Proposed Operation

✓ Justification of the Proposed Conditional Use

✓ Conditional Use Application Submittal Requirements

2. BRIEF DESCRIPTION OF EXISTING OPERATION



- Picnic area with concession stand, bathroom building, and covered pavilion in an isolated area of Kiwanis Park (SE corner)
- Baseball field next door is rarely used
- Pavilion is occasionally rented out

TABLE OF CONTENTS

- ✓ Brief Description of Existing Operation
- ✓ Detailed Description of Proposed Operation
- ✓ Justification of the Proposed Conditional Use
- ✓ Conditional Use Application Submittal Requirements

3. DETAILED DESCRIPTION OF PROPOSED OPERATION



The Sheboygan Biergarten will look like this!

- Open an authentic German Biergarten in Area 8 of Kiwanis Park
- Beautiful setting on the river
- German beer, cider, soda, and water offered (would like to offer wine as well)
- Pretzels, cheese curds, cured sausages offered food from elsewhere welcome
- Occasional “live” music and polka dancing offered to enhance authentic German feel
- Family friendly and dogs welcome (requires bi-law change)

TABLE OF CONTENTS

- ✓ Brief Description of Existing Operation
- ✓ Detailed Description of Proposed Operation
- ✓ Justification of the Proposed Conditional Use
- ✓ Conditional Use Application Submittal Requirements

3. WHY A BIERGARTEN?



Friendship



Beauty



Community

3. SHEBOYGAN BIERGARTEN COMMUNITY BENEFITS



- ✓ It is a social gathering place open to all - young and old, rich and poor
- ✓ It will draw families to this underserved portion of the park
- ✓ It offers a no cost gathering place for groups
- ✓ It provides income to government and support in maintaining park structures
- ✓ It provides a true European experience without leaving Sheboygan
- ✓ It might become a tourist draw for Sheboygan

3. BIERGARTEN ACCLAMATIONS

Milwaukee County has opened 6 biergartens since 2012 and openly promotes them on its website (see below), so they see biergartens as a valuable park asset to the community

Excerpt from article in Oshkosh Independent titled "The Traveling Beer Garden" dated Sep 14, 2018

NOTE: Joe Mrozinski is Assistant Chief of Business Development for Milwaukee County Parks

The revenue is an important positive externality, said Mrozinski. The overall purpose of the beer gardens is to bring people from the community together, to enjoy the parks, spend time with their family and friends, and get to know neighbors in the fresh air. Further, "a busy park is a safe park," he said, adding that he has lots of stories about how such goals are being met.

One is that of a call he got from an older lady during the first year of the beer gardens. Through her tears of gratitude she told Mrozinski that she was "so grateful that the garden went to her neighborhood park because every year her family has a reunion, and the same people came every year. When they heard about the beer garden, they planned the reunion around the beer garden and held it there. All kinds of new people came and she said it really brought the family together." Another called to say that he had been neighbors with a person for ten years but hadn't talked to him until they met at the beer garden.

Asked whether there was opposition to the program based upon alcohol being involved or for other reasons, Mrozinski replied, "There has been a complete shift in public opinion. When it was first proposed in 2011, there was a lot of concern expressed by the public about drunkenness and behavior problems in the parks and neighborhoods that would result, but the opposite has happened. There have actually been fewer incidents." Again, a busy park is safe park. He pointed to Estabrook Park's permanent beer garden, which proclaims itself America's first public beer garden since prohibition, as a prime example. According to him, prior to the establishment of the Estabrook beer garden, disturbances and police calls to the park were common, but now "they don't happen at all."



Join Us Next Spring for the 2019 Beer Garden Season

There are two seasons in Milwaukee: Winter and #BeerGarden! Our open-air beer gardens are open between April and October. Choose between five permanent beer gardens or the Traveling Beer Garden, which visits 13 different Milwaukee County parks each season. Bring your own glass and remember, when you drink at a beer garden, you're helping to fund future projects in the parks!

3. SCOPE OF WORK FOR BIERGARTEN INVESTMENT (1 of 3)

Carpentry – Concession Stand:

Remove old window safety locks and replace with new latches (provided by Owner)

Provide 4" x 72" cut in ledge at the "beer pour area" opening where beer truck will be located (see drawing for location)

Make screen window for deposit return opening with 18" x 12" door insert

Furnish and Install new steel entry door with deadbolt lock – change to swing out

Furnish and Install wood shelf for HWH (see drawing for location)

Carpentry – Each Bathroom:

Furnish and Install 4 ft of steel shelving

Install toilet paper dispensers (provided by Owner)

Install paper towel dispenser (provided by Owner)

Install soap dispensers (provided by Owner)

Carpentry - Elsewhere:

Furnish and install zip line in trees (approximately 200lf) for stringing lights

Install strings of patio lights (provided by Owner)

Install signage at site per signage sheet (provided by Owner)

Install 6 umbrella stands (provided by Owner)

3. SCOPE OF WORK FOR BIERGARTEN INVESTMENT (2 of 3)

Painting – Concession Stand:

Prime and paint interior

Prime and paint new steel entry door

Prime and paint exterior

Seal coat concrete floor

Painting - Bathroom:

Prime and paint walls

Paint partitions

Seal coat concrete floor

Plumbing – Concession Stand:

Furnish and install 4-compartment sink and faucets (see drawing for location)

Furnish and install wash sink and faucet (see drawing for location)

Furnish and install mop sink and faucet (see drawing for location)

Furnish and install electric HWH

Install 2-16" glass rinsers (provided by Owner)

Furnish and install water, waste, and vent lines as needed to ensure all plumbing fixtures are operational

Lower water access pipe to be level with concrete surface

3. SCOPE OF WORK FOR BIERGARTEN INVESTMENT (3 of 3)

Electric:

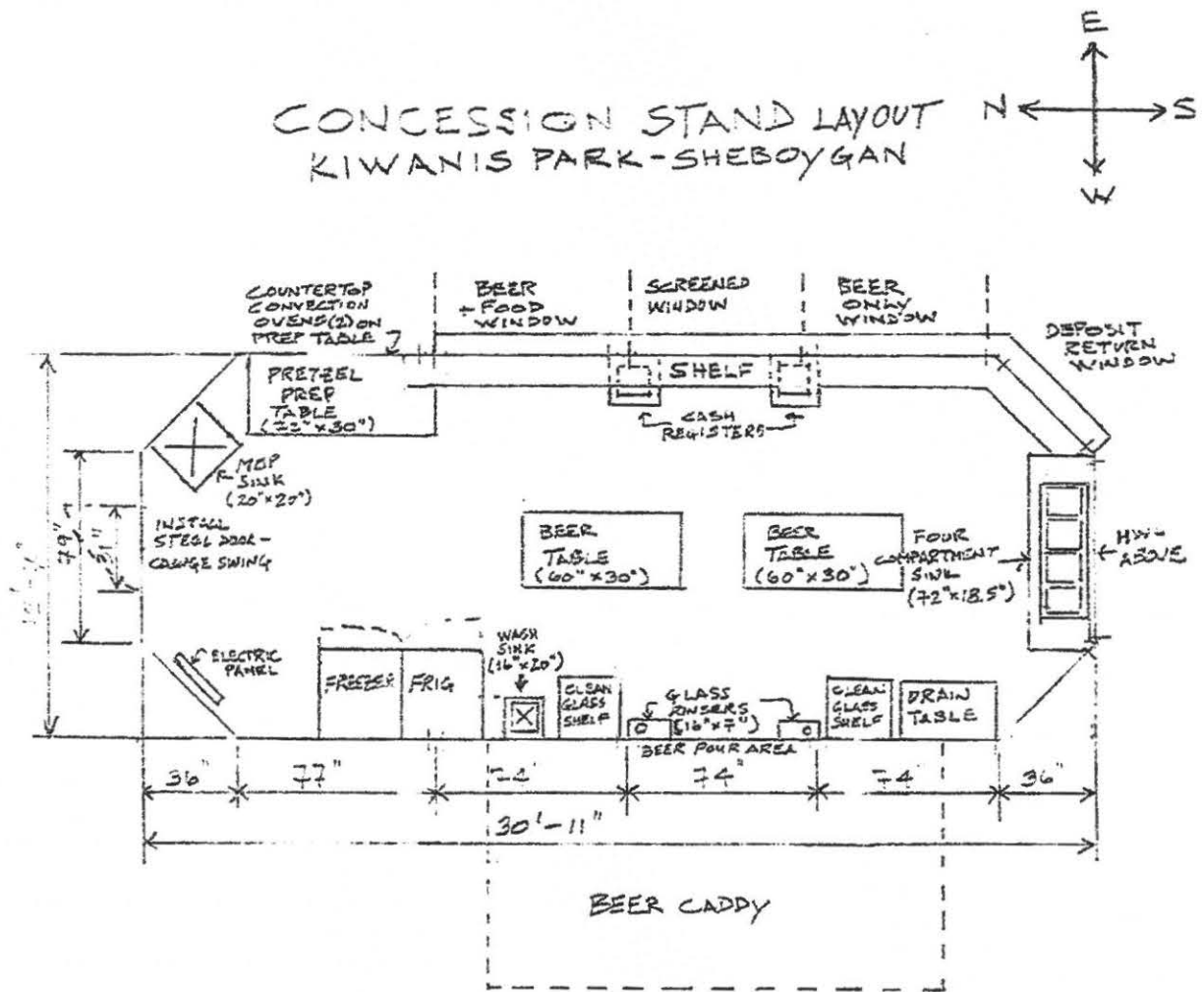
- Provide adequate power in Concession Stand for the following appliances and devices (see drawing for locations):
 - Refrigerator (1), Freezer (1), Countertop Conveyor Ovens (2), 4-compartment sink submersible pump, Industrial Dish Washer (for possible future installation), Electric HWH, Cash Registers (2), Beer Cady, Lighting in trees, Cameras (2), WiFi
- Exterior outlets (2) on side of concession stand for speaker hook-up
- Furnish and install light at the outside entrance to the concession stand
- Furnish and install light above the outside menu board next to the ordering window at concession stand
- Furnish and install emergency exit lighting inside the concession stand
- Furnish and install fluorescent lights inside the concession stand with dimmers
- Furnish and install ceiling fans (2) inside the concession stand
- Furnish and install ceiling mounted electric heaters (2) with dimmers inside the concession stand
- Install outlet on outside of bathroom building for patio lights
- Re-install electric hand-dryers in the bathrooms

Paving:

Remove grass and Install crushed stone (see drawing for locations)

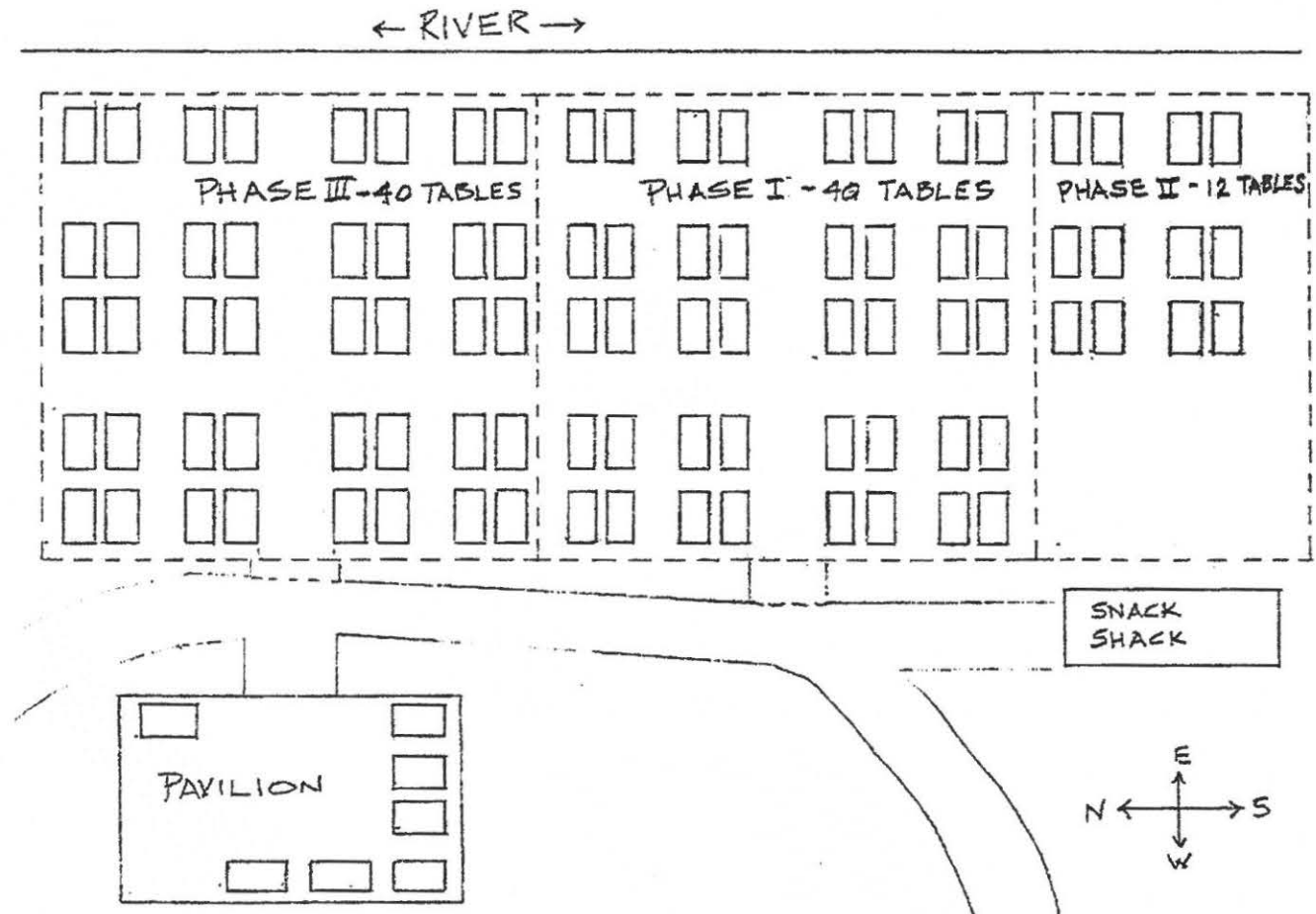
3. CONCESSION STAND LAYOUT

- Concession Stand is currently "raw" space
- Major investment is focused on the Concession Stand where food and drink will be served
- Bathrooms will be painted and new bathroom accessories will be installed
- No investment is planned for the JC Pavilion



3. SITE LAYOUT

- Phase I will start with 20 tables and expand throughout the summer as demand grows to 40 tables
- If successful, there is room to add tables in Phases II and III
- **NOTE: NO NEW PERMANENT STRUCTURES WILL BE ADDED TO THE SITE**



3. BIERGARTEN OPERATIONAL DETAILS

➤ 2019 SCHEDULE

Opening: May 25 (Memorial Day Weekend)

Closing: October 20 (weather permitting)

➤ HOURS OF OPERATION

M – TH: 3-10PM

F – S: 12-10PM

➤ NEIGHBORLY BEHAVIOR

A. Park Closes at 10PM – People gone, vehicles gone, lights out (except for night lights)

B. Music – Will end at or before 8PM and will be background music to enhance the relaxed, biergarten mood (should not interfere with people's conversations)

C. Garbage Pick Up – Staff will haul garbage to dumpsters on a regular basis throughout the day (garbage cans and their receptacles to be provided by Park District)

D. Underaged Drinking – Signs will be posted that no one under the age of 21 will be allowed in the biergarten without being accompanied by an adult and staff will be checking to ensure that no one under the age of 21 purchases alcohol

E. Storage of Materials – There is storage available in the bathroom building and in the main park building near the skate park. All materials required for biergarten operations will be stored inside.

F. Parking – Only street parking is available.

TABLE OF CONTENTS

- ✓ Brief Description of Existing Operation
- ✓ Detailed Description of Proposed Operation
- ✓ Justification of the Proposed Conditional Use

✓ Conditional Use Application Submittal Requirements

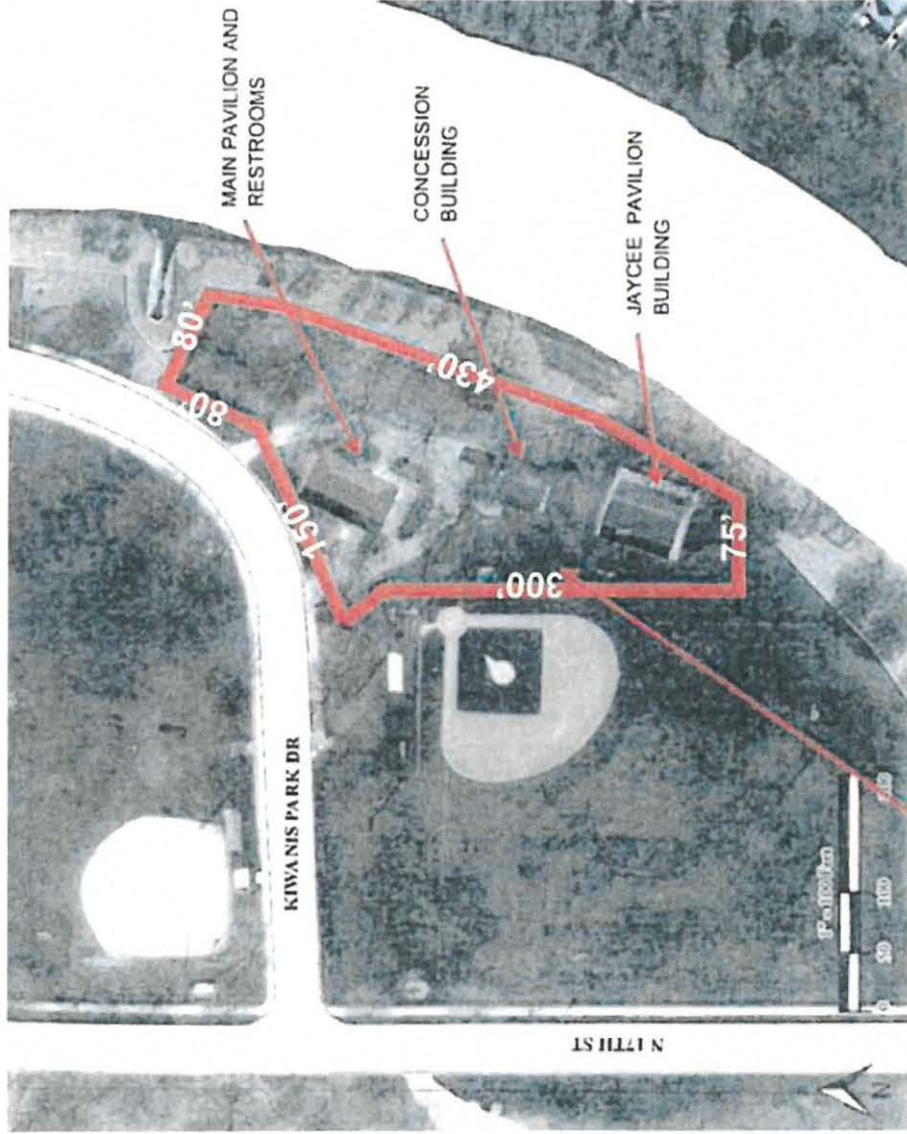
1 CERTIFIED SURVEY MAP

- ✓ PROPERTY BOUNDARY FOR BIERGARTEN – red outline in Exhibit A from the fully executed contract approved by Common Council
- ✓ There are no site improvements (i.e. additional buildings) being added to the site
- ✓ Fencing will be installed by the Park District over time and Power Pubs will fund a portion of that cost

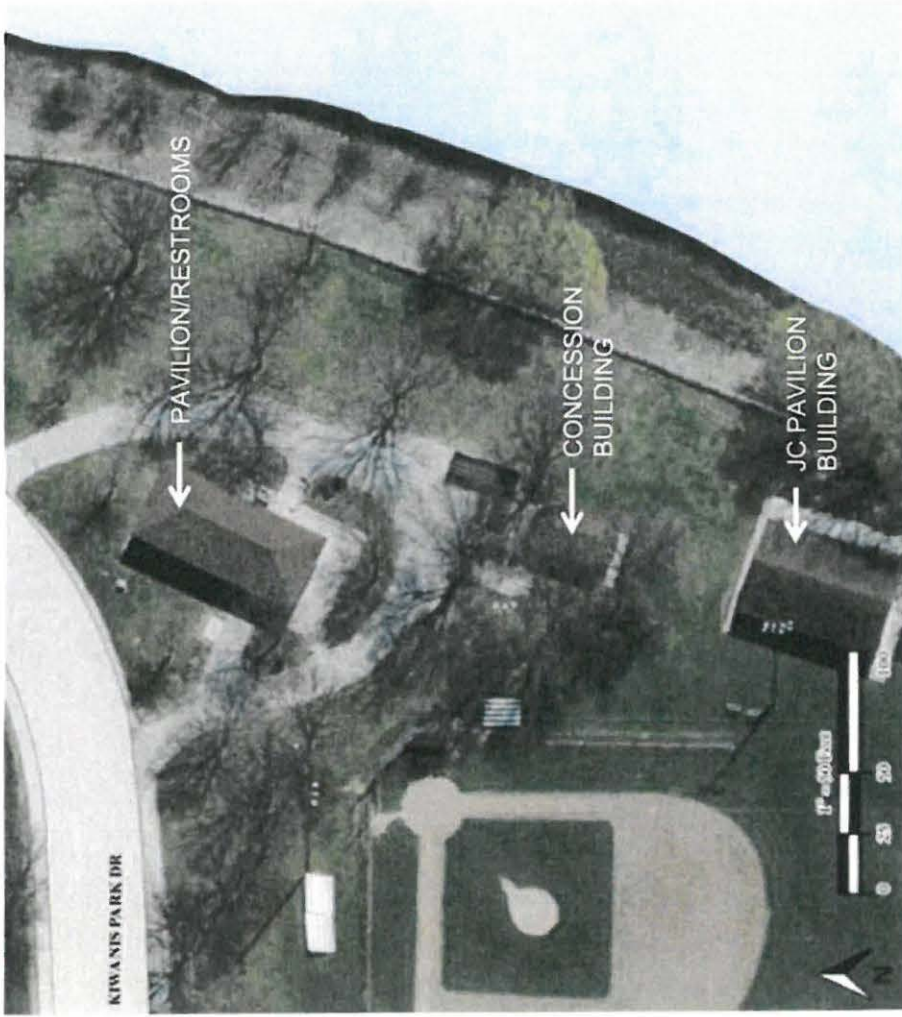
EXHIBIT A
SITE PLAN
KIWANIS PARK BIERGARTEN



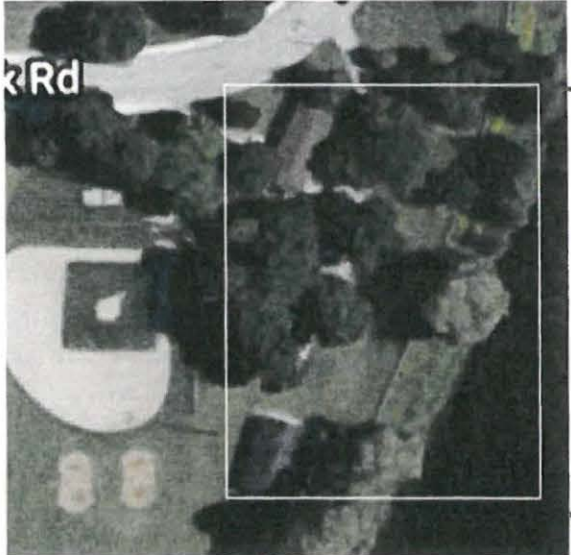
2 MAP WITH DIMENSIONS



3 SITE PLAN – SHOWING EXISTING BUILDINGS

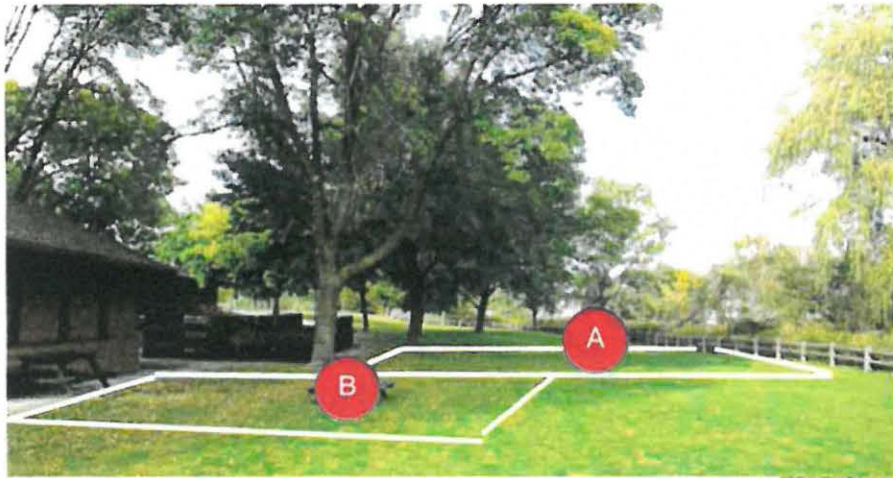


3 SHEBOYGAN BIERGARTEN – PAVING AREAS (Overhead)



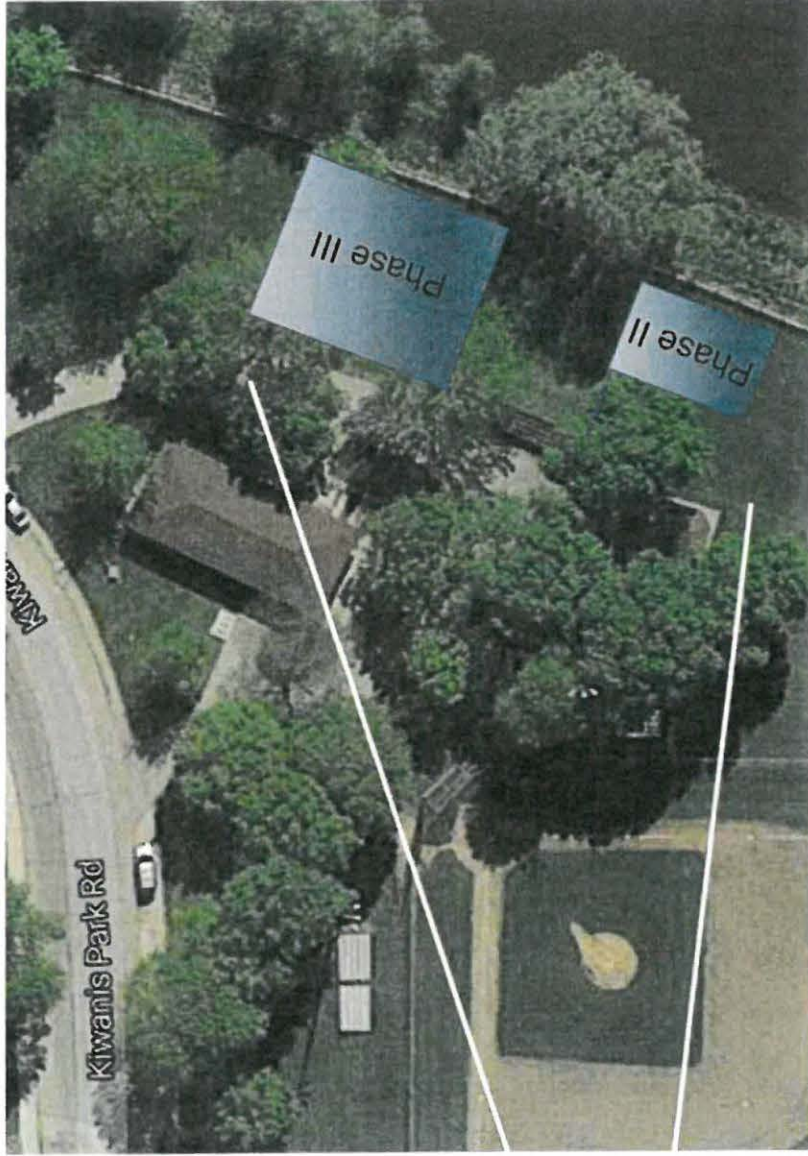
- A** = crushed stone picnic table area (67' x 62')
- B** = crushed stone food and drink line (42' x 40')
- C** = crushed stone pathway to pavilion (15' x 48')
- D** = crushed stone pad for beer truck (5' x 32')

3 SHEBOYGAN BIERGARTEN – PAVING AREAS (Street View)



- A** = crushed stone picnic table area (67' x 62')
- B** = crushed stone food and drink line (42' x 40')
- C** = crushed stone pathway to pavilion (15' x 48')
- D** = crushed stone pad for beer truck (5' x 32')

3 SITE PLAN – POSSIBLE FUTURE PAVING EXPANSION



3 SIGN CONCEPTS OVER ENTRANCE(S) TO BIERGARTEN



3 OTHER SIGNS



Bathroom entrances



Sign at Glass Return Window



Stationary Beer Truck Signage



Menu Sign on Concession Stand Wall



Rules Sign at Biergarten Entrance



Sign Along Biergarten Entrance Pathway

POWER PUBS – SHEBOYGAN BIERGARTEN SUMMARY



- Open an authentic German biergarten at the southeast corner of Kiwanis Park beginning in May 2019
- Put down crushed stone and initially install about 40 tables with lights in trees. The tables will be imported from Germany.
- Beverages offered will include German beer and cider or wine along with root beer, Gatorade, and water. No other alcoholic beverages will be allowed on the premises. As in Germany, the beer will be served in liter and half liter steins.
- Food offered will include giant pretzels, cheese curds, and cured sausages. As in Germany, patrons will be encouraged to bring their own food to the biergarten.
- Biergarten season will begin May 25 and last until October 20.

PROST!

APPENDIX

JOHN POWERS - OWNER



John began his investment career in Private Placements with MetLife's Capital Markets Group where he worked for 5 years and invested over \$1 billion in companies throughout the USA. Over the past 22 years, John has been actively engaged in transactional activities (M&A, license, JV, alliance, contract brewing, and distribution agreements) for Miller Brewing Company's domestic and international operations and those of its 800 nationwide distributors. John also created and managed a team specializing in distribution efficiency and turnaround consulting and has performed turnarounds throughout the USA and overseas. Most recently, he led Strategy and Corporate Development efforts for SABMiller's global brands in the Americas and was a member of the executive leadership team.

John received his BS degree in Civil Engineering from the University of Illinois and his MBA degree from Northwestern University's Kellogg School of Management.

RICK SCHMIDT - BIERGARTEN CONSULTANT RESUME

(1 OF 2)

RICHARD T. SCHMIDT
 1005 W. SHAKER CIRCLE
 MEQUON, WI 53092
 Phone (414) 594-4437

EXECUTIVE MANAGEMENT

Operations, Customer Service, Food, Beverage and Supply Industry

Designed career history, writing, defining and operating food and beverage services with a primary focus on maximizing profitability. Proven track record of customer needs, market trends, and the ability to translate into restaurant sales.

SIGNIFICANT ACCOMPLISHMENTS

Over the years, successfully built, designed and operated multiple restaurant themes and business infrastructures. Enterprises had 350 employees in six unique and profitable restaurants with total revenues of 10 million dollars.

- Established General Manager positions in restaurants. Provided, hired and trained all GM's
- Created leadership development team for General Managers to enhance communication and develop skill sets
- Created high level of team work and retained turnover through management recognition program
- Defined and implemented standards of consistent across all restaurants
- Created name and brand response chief to increase sales
- Assisted GM's with labor changes through the creation and implementation of a hiring profile
- Assisted office manager and staff on a daily basis. Responsible for all payroll, account payable and vendor transactions
- Created new sales manager for Group purchasing organization subject to independent restaurant
- Built and owned Tavern/Restaurant in Sheboygan, WI from 2004-2017

PROFESSIONAL EXPERIENCE

2017 - Present

FCIS BROTHERS Outside Sales Rep.
 Local restaurant equipment dealer with sales exceeding 9 million. Family owned and operated
 Hired as only outside sales Rep. for entire state to redeveloped territory
 Conversations directed to school equipment and mid-sized restaurants

OAKCREST TAVERN Owner/Operator

2006-April 2017

- Rebuilt and opened downtown property in four months. Designed a full service upscale restaurant theme.
- Hired and trained 25 employees including General Manager and 4 supervisors
- Designed menu, trained and created online book (Brussels, Maine Tavern)
- Developed program, opened and earned over 100000
- First year sales of \$1.2m. Ending sales of \$900K
- First really another five restaurant in state (Overseer and Mayor award)
- Owned and operated for 10 years with profitable sale

RESTAURANT RESOURCE GROUP INC-Owner

2002-Present

Created a restaurant consulting business with prior base of independent restaurant operators. Formed a partnership agreement with a restaurant Group Purchasing Organization in (Missouri, WI) and helped grow debt membership to 83 restaurants.

- Recruitment/employment piece was added for operations and searches have been satisfied at all staffing positions
- Revised listing operations (Cempanese, Little Caesars)
- Opened new restaurant operations for French brewery, Rustic Road, Clark's table
- Developed auxiliary service contracts with a nationwide distributor and various suppliers

2006-Nov. 2002

2002-Present

Richard T. Schmidt

Mississippi
 Developed and launched the G.P.O. as start-up business and opened 1st regional branch in Milwaukee, Wisconsin
 Set up and established profitable distributor communication plan.

- Directed and hired restaurant personnel for order pickup
- Established customer base of 40 independent restaurant accounts within 9 months
- Co-Managed 71 territorial Managers of distributor partners on daily basis
- Generated leads to 125 restaurants on cold calls and direct mail Marketing Blitz material to 75 potential customers
- Established territory to include entire state with option to open Chicago market
- Annualized purchases to exceed \$2,000,000.
- Generated new supply partnership deals with food vendors
- Participated on board of local C.I.P.A. (board) for independent restaurants of America) and supported the various and raising events
- Set up exhibition and sold at trade shows in Wisconsin, Minnesota and Illinois

RIVER HOUSE RESTAURANT-Vice President/Partner

1997 to Sept. 2000

- Developed and launched this restaurant concept targeted at bringing high quality fresh seafood to the Milwaukee area
- Set up and established fresh sea food purchase and delivery
- Directed the management team which resulted in a sales increase from 200,000 to \$1,200,000 annually
- Created brand identity and promoted identity through numerous events including Baseball Days and Riverplex, two of Milwaukee's most recognizable festivals.

HISTORIC TURNER RESTAURANT - Vice President/Partner

1997 to Sept. 2002

- Renovated Historic Building and opened this event based, full service restaurant located beside Milwaukee's premier entertainment complex, The Bradley Center
- Building fitted as a historical landmark in 1997
- Created "Best Fish Fry" in Milwaukee in 1999
- Official post-game sponsor of the Milwaukee Wave (professional indoor soccer team) generating over \$100,000 in new revenue
- Established and opened a "Wedding Banquet" service, generating new revenue of over \$150,000 in the traditionally quiet time of the year
- Set new single days sales record on March 3, 1999 of \$24,700
- Created three new revenue plans that increased individual customer check averages

OAKLAND TRATTORIA-Vice President/Partner

1994 to Sept. 2002

- Renovated and repositioned existing eat-in style restaurant, introducing first wood burning oven in Milwaukee area
- Recognized as one of Milwaukee's top ten pizzas for restaurant critic for *The Aired/Summer/Inc.* 11/99
- Directed the management team and grew business from 200,000 to \$1.5 million in two year time period
- Received significant kitchen line training award by developing a double kitchen order check system to ensure consistent customer quality and order times/Deployed strategy to other locations
- Designed rapid changes to increase sales volume through a repositioned menu and targeted new client profile

WALTER STREET RESTAURANT-Vice President/Partner 2 locations

1997 to Sept. 2002

- Opened and created first brew pub in Milwaukee. Sales volume exceeds \$2.5 million since inception of this business, operations
- From 1997 forward, opened a second location at Sunflower grounds for three major festivals including Summer Pavilion includes more than one hundred employees from other company events. Occupied sales space to more than \$350,000
- Renovated, old building and became first restaurant to establish itself in the now designated Milwaukee entertainment district
- Won Bronze and Silver medals at the "Great American Beer" festival in Denver, CO. In 1999 for Honey Lager Light and 1987 for Octoberfest



CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Conditional Use and variance application by Lamar to replace a static poster panel with a new electronic message center on the south side of the existing single-pole, 2-sided billboard structure at 924 N. 14th Street. SC Zone

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

REPORT DATE: February 22, 2019

MEETING DATE: February 26, 2019

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

BACKGROUND / ANALYSIS:

Lamar is proposing to replace a static poster panel with a new electronic message center on the south side of the existing 2-sided, single-pole billboard structure at 924 N. 14th Street. The applicant states the following:

- Lamar Advertising is requesting to remove the existing static billboard panel on the south face of their billboard located at the northeast corner of 924 N. 14th Street. Lamar is proposing to replace this static panel with an electronic readerboard (both sides of the billboard would be electronic message centers).
- The size of the panel will remain the same at 244sf (10.5 x 22.8) but the look will be greatly improved because a digital sign panel is far more aesthetically pleasing than the existing static panel. The sign is 244sf and 25 feet tall so we are under the 288 square feet panel size and 30' height limit requirements.
- The electronic reader board will be illuminated with LED lighting. This will not cause any visibility or safety issues with traffic, pedestrian safety or residential homes. We have included an article dated Dec. 9, 2016 about a Billboard Safety Study conducted by the FHWA in 2012 stating the same.
- We will require a variance to the sign setback. The city requires a 12 foot setback from the property line. The sign was built with a six (6) foot setback from the property line and the billboard has been at this location since 2008.

- The materials we will be using are stainless steel, aluminum and plastic. We will also plant some vegetation around the bottom of the sign to cover the electrical connection and keep in line with the 14th Street redevelopment.
- As part of the sign permit request, Lamar is also proposing to remove two (2) billboards at 1636 Indiana Avenue (northeast intersection of Indiana Avenue and 17th Street). The single-sided billboards are located on the east and west sides of the building. Removing these eyesores will help to clean up Indiana Avenue and 17th Street.
- We would also offer to work with the city on advertising community messages, events, alerts and warnings.

The applicant states the following about the proposed LED lighting for the electronic changeable message face:

- Currently the south static poster panel is illuminated by a 400 watt "Panel-Vue" Halogen light positioned to reflect light off the face for visibility at night. Our proposal will eliminate this light and now both sides of the billboard will be "illuminated" by LED technology.
- As for brightness levels on LED, our own industry (Outdoor Advertising Association of America) recommends that light produced by a digital (LED) board should not exceed 0.3 foot-candles over ambient light levels. To that end, every digital sign we install is controlled by a photocell light sensor whereby we can adjust brightness levels to meet code requirements.
- The LED, or changeable message sign, face will not have any flashing, scrolling or flickering lights, or any streaming video that will distract motorists. The FHWA has made a declarative statement that they do not view the way the messages change on these signs as "flashing."
- In most markets in the U.S., a static message is shown for 6 – 10 seconds and then a new static message instantaneously replaces it. We are proposing that this sign will rotate six (6) different "spots" (messages) every 10 seconds.
- Finally, since reflective light actually creates more area light than LED lighting, overall illumination and brightness levels at this site will decrease substantially with acceptance of the sign change proposal, creating another benefit to the city.

STAFF COMMENTS:

Lamar has installed a couple of electronic message center billboards in the City of Sheboygan and staff does not recall any issues with these billboards with regards to brightness, flashing, scrolling, safety, etc.

As part of their application, Lamar is proposing to remove/eliminate two (2) poster panel billboards at 1636 Indiana Avenue. These billboards are presently located on the east and

west sides of this building. They total 484sf. By eliminating these billboards, Lamar is proposing to reduce their total number of billboards in the City by two (2) and reduces their total billboard square footage by 484sf. Staff would strongly recommend that the Plan Commission include a condition that removes those two (2) poster panels from the maximum billboard sign number cap due to the fact that the applicant may now advertise significantly more messages with the Electronic Changeable Message face.

Staff is concerned with what the exterior of the building at 1636 Indiana Avenue will look like at such time the billboards are removed (now exposing these previously covered building facades to the streets). Staff will be recommending a condition that requires Lamar to be responsible for insuring that these exterior building walls at 1636 Indiana Avenue are properly designed/maintained. If these building walls, property, etc. are in poor shape (have not been properly maintained), Lamar shall be responsible for addressing these property maintenance issue concerns by June 1, 2019. Any exterior remodeling will match the other building elevations from a design perspective (materials, colors, etc.).

Applicant is requesting the following variance:

- Requesting a variance to maintain the existing six (6) foot sign setback from the property line - The minimum sign setback is 12 feet to the property line.

When the sign was previously constructed it was installed with a six (6) foot setback to the property line. The billboard has been at this location since 2008. The only change that is occurring is to replace the poster panel - the sign portion of the billboard and not the foundation pole.

ACTION REQUESTED:

Staff recommends approval of the conditional use/sign permit and variance subject to the following conditions:

1. Applicant shall obtain the necessary sign permits prior to installation.
2. 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 that will cause nuisances or traffic hazards.
3. In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.30 foot-candles above ambient lighting conditions on a cloudless night.
4. Applicant shall meet Sections 15.804(a) and (c) of the City of Sheboygan Zoning Ordinance relating to signage and pedestrian/ traffic safety and sign timing/cycles. No signs containing flashing, intermittent or moving sections or intermittent or flashing lights shall be permitted.
5. The standard time between message changes permitted for the electronic message center shall be ten (10) seconds (messages permitted to rotate every 10 seconds).
6. Audio speakers and all forms of pyrotechnics are prohibited.

7. If the electronic changeable message billboard is causing interference with traffic signals or controls, creates a confusing or dominating background that might reduce the clarity or effectiveness of a traffic control device, or otherwise obstructs a motorist's line of sight with traffic signals or controls, this conditional use permit can be reviewed by the City of Sheboygan Plan Commission.
8. The continuing operation of a malfunctioning sign that causes and glare shall be considered an immediate traffic hazard. At such time, the sign shall be turned off immediately and the applicant shall work with City staff to rectify the operational issue so as to mitigate the hazard prior to operation.
9. The applicant will include a default design to freeze a display in one still position so that if a malfunction occurs traffic safety is maintained.
10. Applicant shall be willing to work with the City when necessary with regards to public service announcement messages such as advertising community messages, events, alerts and warnings.
11. The maximum height of the billboard shall be 30 feet (peak to grade).
12. Applicant shall remove two poster panel billboards as proposed at 1636 Indiana Avenue. The two (2) poster panel billboard signs that are to be removed from 1636 Indiana Avenue shall no longer be included in the City of Sheboygan maximum billboard sign number cap (these signs are eliminated from the billboard cap).
13. Applicant shall be responsible for insuring that these exterior building walls at 1636 Indiana Avenue are properly designed/maintained. If these building walls, property, etc. are in poor shape (have not been properly maintained), Lamar shall be responsible for addressing these property maintenance issue concerns by June 1, 2019. Any exterior remodeling will match the other building elevations from a design perspective (materials, colors, etc.).
14. Sign permits shall be issued only at such time as the existing billboards at 1636 Indiana Avenue have been removed as presented and the building elevations of 1636 Indiana Avenue have been properly addressed and approved by the Department of City Development.
15. If there are any amendments to the approved site plan, the applicant will be required to submit a new site plan and/or conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use Permit Application and required attachment.

PARCEL NO. 500142
MAP NO. _____
ZONING CLASSIFICATION: UC

Office Use Only

APPLICATION/FILE NO. _____
REVIEW DATE: 2/26/19

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

**CITY OF SHEBOYGAN
APPLICATION FOR
CONDITIONAL USE PERMIT**
Requirements Per Section 15.905
Revised May 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: Lamar Advertising
ADDRESS: 2809 S. 5th Court E-MAIL: bcampbell@lamar.com
PHONE: (414) 615-3912 FAX NO. (414) 257-0558

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: Off-premise Advertising Billboard
ADDRESS OF PROPERTY AFFECTED: 924 N. 14th Street
LEGAL DESCRIPTION: Being part of Lot 1, Block 112

BRIEF DESCRIPTION OF **EXISTING** OPERATION OR USE: Freestanding Billboard
is used for off-premise advertising. One side is digital and one side is static.

DETAILED DESCRIPTION OF **PROPOSED** OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: The billboard will still be used for off-premise advertising. The panel will change from static to an electronic readerboard.

BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: We are requesting a variance from the 12' setback as required in the city ordinance to the existing setback of 6'.

OFFICE USE ONLY

PARCEL NO.: 500142
MAP NO.: _____
ZONING CLASSIFICATION: UC

OFFICE USE ONLY

REVIEW DATE: _____
APPROVAL: 2/26/19
Steve Sokolowski, City Planner

**CITY OF SHEBOYGAN
DEPARTMENT OF CITY DEVELOPMENT**

828 Center Avenue Suite 104, Sheboygan, WI 53081
Phone: (920) 459-3377 Fax: (920) 459-7302
E-Mail: development@ci.sheboygan.wi.us

SIGN PERMIT APPLICATION

(November, 2009)

Completed application and all required attachments are to be filed with the Department of City Development, 828 Center Avenue, Suite 104 for review by the City Planner.

1. APPLICANT INFORMATION

APPLICANT: Lamar Advertising

ADDRESS: 2809 S. 5th Court

E-MAIL ADDRESS: bcampbell@lamar.com

PHONE: (414) 615-3912 FAX NO: (414) 257-0558

2. OWNER INFORMATION

OWNER OF SITE: Lamar Advetising

ADDRESS: Same as above

PHONE: () FAX NO: ()

3. DESCRIPTION OF THE PROPOSED SIGN AND USE OF THE SUBJECT SITE

NAME OF PROPOSED/EXISTING BUSINESS: Billboard for Lamar Advertising

ADDRESS OF PROPERTY AFFECTED: 924 N. 14th Street

USE OF PROPERTY: Billboard for off-premise advertising

TYPE OF SIGN: Freestanding Off-premise Billboard

DESCRIPTION OF PROPOSED SIGN: Install a 10' 6" x 22' 9" electronic readerboard on the south panel of our existing Freestanding Off-premise Billboard.

4. CONFIGURATION OF PROPOSED SIGN:

HEIGHT: 10' 6" X WIDTH: 22' 9" = TOTAL SQUARE FOOTAGE: 239'

AMOUNT OF PUBLIC STREET FRONTAGE: Approx. 35.98'

AMOUNT OF EXPOSED EXTERIOR WALL LENGTH: 0

SETBACK: Approx. 14' from the highway right of way.

METHOD OF ATTACHMENT: Clamps

METHOD OF ILLUMINATION: Digital LED lighting

SIGN MATERIALS: Stainless Steel, Aluminum and plastic

TOTAL SQUARE FOOTAGE OF SIGNS ON SUBJECT PROPERTY:

BEFORE PROPOSED SIGN: 239 s.f. each side AFTER PROPOSED SIGN: 239 s.f. each side

5. CERTIFICATE

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

Barbara Campbell
APPLICANT'S SIGNATURE

2/8/2019
DATE

Barbara Campbell
PRINT ABOVE NAME

6. APPLICATION SUBMITTAL REQUIREMENTS

- a. *For new development*, the approved site plan for the subject property, showing the location and dimensions of all buildings, structures, signs on the subject property, property boundaries and dimensions; and the location of the proposed sign.
- b. *For existing development*, a site plan approved by the City Planner & Zoning Manager, showing the location and dimensions of all buildings, structures, signs on the subject property, property boundaries and dimensions; and the location of the proposed sign.
- c. A scale drawing of the proposed sign listing the height, width, total square footage, method of attachment, method of illumination, sign materials, design and appearance.



February 14, 2019

Dear Plan Commission Members:

Lamar Advertising respectfully presents the following permit request to remove the existing static billboard panel on the south face of our freestanding off-premise billboard located on the north side of 924 N. 14th Street and replace it with an electronic reader board.

The materials we will be using are stainless steel, aluminum and plastic. We are under the 288 square feet panel size and 30' height limit. The size of the panel will remain the same, 10' 6" x 22' 9", but the look will be greatly improved. A digital sign panel is far more aesthetically pleasing than the existing static panel.

The electronic reader board will be illuminated with LED lighting. This will not cause any visibility or safety issues with traffic, pedestrian safety or residential homes. Attached is an article dated Dec. 9, 2016 about a Billboard Safety Study conducted by the FHWA in 2012 stating the same.

We will however, require a variance to the sign setback. The city requires a twelve foot setback from the property line. When the sign was built it was six feet from the property line. We will not be moving the sign and request that the six foot difference be grandfathered in. The billboard has been at this location since 2008. It will not harm the area and it fits within the city's development plan.

We will also plant some vegetation around the bottom of the sign to cover the electrical connection and keep in line with the 14th Street redevelopment.

We would like the city to consider our request for a conversion in return Lamar will remove two signs on Indiana Avenue and 17th Street. One is on the wall and the other is a freestanding sign next to the building, approximate 484 square feet. Removing these eyesores will help to clean up Indiana Avenue and 17th Street.

We would also offer to work with the city on advertising community messages, events, alerts and warnings.

We appreciate your attention in this matter. If you have any questions, please feel free to call me.

Sincerely,

Barbara Campbell
Real Estate Manager

Enclosure

Lamar Advertising
2809 S. 5th Court
Milwaukee, WI 53207

New Electronic Readerboard Panel
924 N. 14th Street



10' 6" X 22' 9" Poster

Zoned: UC - Urban Commercial

Existing Panel: 10' 6" x 22' 9" = 239 sq. ft.

New Panel: 10' 6" x 22' 9" = 239 sq. ft.

New Panel will be attached with clamps

Sign will be illuminated with digital LED lighting.

Sign materials are Stainless steel, aluminum and plastic

924 N. 14th Street - Location Photos



South side of sign with electronic reader board



North side of sign



South side of sign now



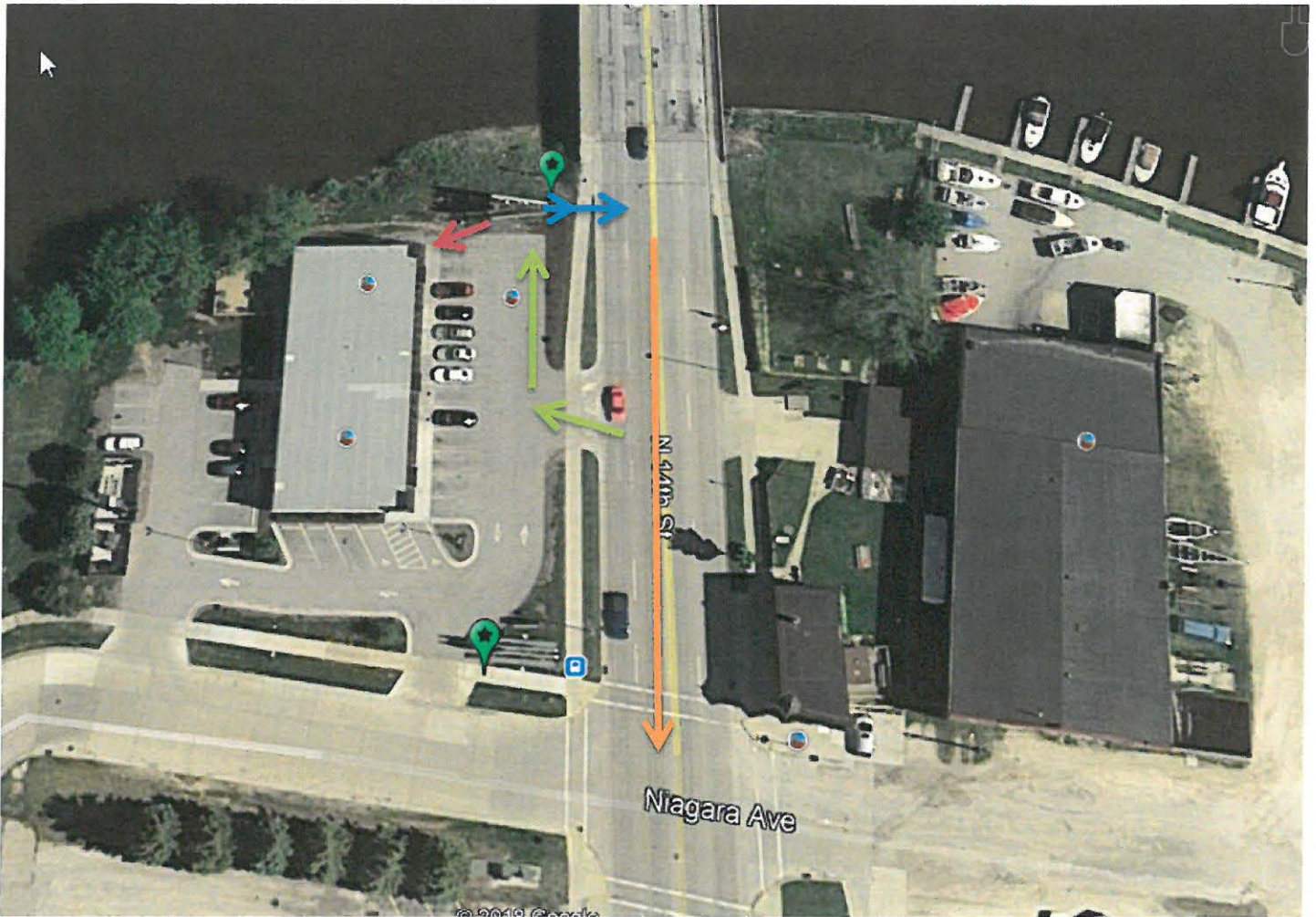
Side View

924 N. 14th Street - Location Photos



Property lines of parcel. We own an easement under the sign approximately 36' x 35'

924 N. 14th Street - Location Photos



- Distances from the sign to the highway right of way 14', (center line): 31'**
- Distance to the adjacent buildings: 33'**
- Nearest cross street: Niagara Ave**
- Sign site will be accessed off of Highway 28/14th Street.**

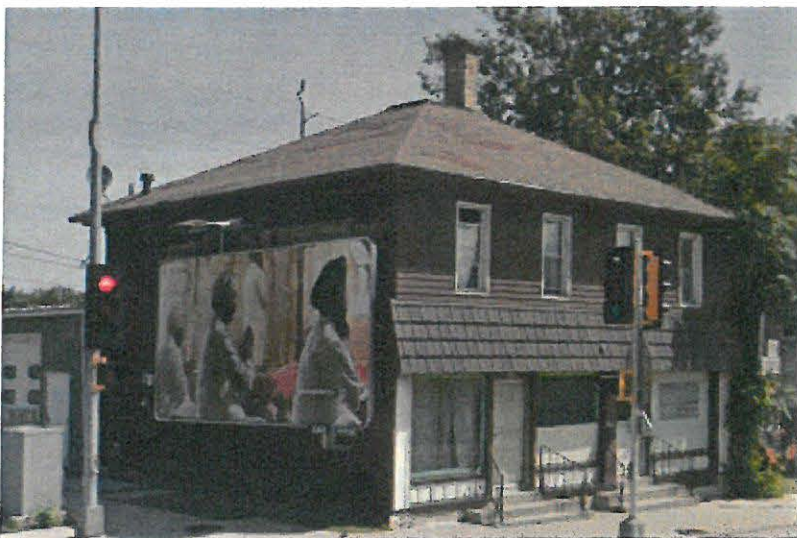


Indiana and 17th signs to be removed in exchange for an electronic reader board at 924 N. 14th Street.

Ground sign and wall sign together are approximately 484 square feet.



Ground Sign



Wall sign



Location



Kids faces hang here

Let's Roll, Mom!

AUTO LOANS



UnitedOne
Member of Citi

Member of Citi
Member of Citi

3241 CEMEX





201 Daktronics Dr. PO Box 5128
Brookings, SD 57006-5128

tel 800-325-7446 605-692-0200
fax 605-692-0381

www.daktronics.com

February 20, 2019

City Hall
828 Center Avenue
Sheboygan, WI 53081

Re: Brightness Certification Letter

To Whom It May Concern:

In compliance with the requirements of Chapter 98 of the City of Sheboygan Zoning Code, the following information pertains to the Digital Display provided by Daktronics, Inc.

Per Zoning Ordinance, the sign is capable of complying with Illuminating Engineering Society of North America-based standards requiring that the sign cannot exceed 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area, measured as follows:

$$\text{Measurement distance} = \sqrt{(40 \text{ Sq. Ft.} \times 100)} = 63.2$$

Standard digital billboard size measuring distances

Billboard Dimensions (ft.)	Measurement Distance (ft.)
11x22	150
10.5x36	200
14x48	250
20x60	350

All of Daktronics digital billboard products are designed to comply with the 0.3 foot candle industry lighting standard.

The sign comes equipped with a light-sensor (photocell) that detects ambient light levels and adjusts the display intensity automatically according to natural ambient light conditions. With the ambient light sensor operating, this nighttime intensity is factory programmed and password-protected from manipulation.

201 Daktronics Dr. PO Box 5128
Brookings, SD 57006-5128

tel 800-325-1446 605-692-0200
fax 605-332-0361

www.daktronics.com

Daktronics, Inc. is the world leader in the design and manufacture of electronic display systems. We are committed to providing LED displays that adhere to the regulatory environment, working closely with our customers for a responsible approach to the market.

Please let me know if you have any questions or concerns.

Sincerely,
DAKTRONICS, INC.

Valida Azamatova
Signage Legislation
605-692-0200

CITY OF SHEBOYGAN

REQUEST FOR PLANNING COMMISSION CONSIDERATION

ITEM DESCRIPTION: Discussion on conditions of approval for a Conditional Use and variance approved permitting Sheboygan Human Rights Association, Inc. to operate a family support service office at 1706 S. 11th Street (former St. Andrew Lutheran Church Parsonage). NR Zone

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

REPORT DATE: February 22, 2019

MEETING DATE: February 26, 2019

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

BACKGROUND / ANALYSIS:

In December of 2018, the Plan Commission approved a conditional use permit application by Sheboygan Human Rights Association, Inc. (SHRAI) to operate a family support service office at 1706 S. 11th Street (former St. Andrew Lutheran Church Parsonage). The Plan Commission approved the proposal with 14 conditions of approval.

Subsequently, SHRAI stated that they had concerns with condition #13 which stated:

Applicant is required to work with City staff regarding a payment in lieu of taxes (PILOT) for their facility located at 1706 S. 11th Street (parcel # 400130). Applicant will have an executed PILOT with the City of Sheboygan prior to issuance of a building permit.

As staff reviewed SHRAI request, it was determined that 1706 S. 11th Street was formerly used as the St. Andrew Lutheran Church Parsonage. Based on this previous tax exempt church use of the property, staff agrees that a PILOT should not be required.

The applicant also asked for clarification of conditions #5 and #9 that stated:

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.).

Applicant shall not be able to install any signage at this site.

The applicant has requested the following revisions to these conditions:

- **All ground level and rooftop mechanical shall be screened** – revise to any additional units added that are not currently in place shall be screened
- **Applicants shall not be able to install any signage at this site** – revised to being able to install a sign up to a certain amount of square feet.
- **Applicant is required to work with City staff regarding a payment in lieu of taxes (PILOT)** - the PILOT condition to be removed.

STAFF COMMENTS:

If the Plan Commission agrees with these revisions staff would recommend the conditions be amended as follows:

- If applicant installs any new ground level and rooftop mechanicals those mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
- The maximum sign square footage permitted is four (4) square feet. 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. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
- The PILOT condition to be removed.

ACTION REQUESTED:

Staff recommends approval of the conditional use/sign permit and variance 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, health, storm drainage, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
- 2) The applicant shall to construct a concrete ramp with decorative rails that match the colors of the structure. If staff has any concerns with the handicap ramp design, the matter may be brought back to the Plan Commission for their consideration. Proposed handicap ramp shall meet all required building codes.
- 3) If using dumpsters, 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.
- 4) Outdoor storage of materials, products or equipment shall be prohibited.

- 5) If applicant installs any new ground level and rooftop mechanicals those mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
- 6) 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.
- 7) Existing fencing is weathered and shall be re-stained a color compatible with that of the primary structure by June 28, 2019.
- 8) The maximum sign square footage permitted is four (4) square feet. 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. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
- 9) This conditional use permit only allows SHRAI to use the structure/property located 1706 S. 11th Street. SHRAI may not lease this property to any other tenant, agency, organization, etc.
- 10) If SHRAI sells this structure/property located 1706 S. 11th Street, it shall be sold as a single-family home use only.
- 11) If there are to be any remodel/renovations 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 remodel/renovation.
- 12) 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.

CITY OF SHEBOYGAN

REQUEST FOR PLANNING COMMISSION CONSIDERATION

ITEM DESCRIPTION: Conditional Use and variance application by Sheboygan Human Rights Association, Inc. to operate a family support service office at 1706 S. 11th Street (former St. Andrew Lutheran Church Parsonage). NR Zone.

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

REPORT DATE: December 7, 2018

MEETING DATE: December 11, 2018

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

BACKGROUND / ANALYSIS:

Sheboygan Human Rights Association, Inc. (SHRAI) is proposing to operate the SHRAI family support services office from 1706 S. 11th Street (former St. Andrew Lutheran Church Parsonage). The applicant states the following about the project:

- Sheboygan Human Rights Association, Inc. (SHRAI) oversees and operates Sheboygan County Head Start/Early Head Start (SCHS/EHS) and Growing Generations Childcare (GGC). Our proposed use, for 1706 S. 11th Street, would be to move our SCHS family support staff to this office space (approximately 5 people conducting home visiting activities). The type of work would be mostly educational support for parents and their children. The staff members hold a Bachelor's degree in Social Work or a related field and work directly with parents on goal-setting, parenting skills, and family strengthening activities. We believe that parents are their child's first and most important teachers and support them in this effort.
- Conditional Use of this building would allow us to serve children and families by conducting small family development meetings; one-on-one enrollment, registrations, and parent orientations; small parenting skill workshops; and occasional Early Head Start socialization classes (these are educational classes for parents with their child, ages 0-3 years, conducted up-to twice a month on for an hour and a half during the weekday hours and usually involves 3-6 parents).

- We also want to provide a learning garden within the existing fenced in area of this parcel. This will provide a learning opportunity for children and parents showing the evolution of a seed to product of consumption. In addition, the enhancement of the garden will provide maintenance of the exterior of the property in a pleasurable manner for the neighborhood.
- We would continue the same type of work as the church did for over 100 years, specifically related to, community outreach, education, family development and engagement. The church donated the property to our organization because of our work with children and families. Our Head Start/Early Head Start families live at or below the federal poverty level (i.e. a family of 4 at or below \$25,100 a year). The congregation saw it as a way to continue, in part, their work in local, community outreach and as a legacy of their congregation into the future. We are a local community organization and our clients are Sheboygan families, 25% of the families that we work with live in a five (5) block radius from this location. Our Head Start operations offer center-based preschool classes for the purpose of giving our most vulnerable children in Sheboygan needed educational and developmental support. Early Head Start operates as a home-based program where the majority of educational and developmental support happens in the homes with parents.
- While the church, after renovations, will offer ample space for our preschool and large family activities/events, it will not provide enough room for our additional family development activities. Once it is remodeled, it is not large enough to provide all of the space needed to run the entire program. The plan is to remodel the church to house the following:
 - Several new classrooms on the upper and lower level of our main building (the hope is to add 7 large classrooms currently fellowship hall in the lower level using for larger family and staff events & activities).
 - Teacher offices (for approximately 20 Teachers).
 - Support staff offices (4 program assistants).
 - Large motor/family event room (the current Sanctuary which cannot be used/converted for another 1.5 years as a condition of the donation from the congregation).
 - Health room/office (Nurse and Health Assistant).
 - Space for special needs & mental health specialist s work (3-4 Consultant Specialists)
 - Kitchen for meals & nutrition office (Food Service Manager and 3 cooks).
 - A training room that will double as our conference/meeting room.
 - Staff breakroom & small kitchenette.
 - Administrative and program content offices (8 staff).

- The location is ideal since it is located directly across the street and faces our main building; has an alley directly to the South; Broadway Avenue directly to the north, and the backside runs along one neighbor to the West.
- As mentioned previously, both programs work with the parents to strengthen the family by setting and working on personal or family goals, such as, obtaining a GED, pursuing higher education, workforce training/education, find stable housing (several of our families have been or are homeless), mental and physical wellness, obtaining a driver's license, improve parenting skills, just to name a few things that we do with parents. Approximately 75% of this work is accomplished in the home and the location we are requesting the conditional use for is needed office space for our Family Advocate staff and the small meetings discussed earlier. This is small snapshot of our work, but shows the very consistent aspects of the similar work that was happening through the church previous to our proposal.

STAFF COMMENTS:

Staff has several comments and concerns with the proposed use of this single-family dwelling for office purposes:

- When the Plan Commission approved the SHRAI conditional use permit to use the former St. Andrew Lutheran Church for their programs, the applicant stated (July 2018):

Sheboygan Human Rights Association, Inc. (SHRAI) oversees and operates Sheboygan County Head Start/Early Head Start and Growing Generations Childcare. The first phase of our proposed use (approximately 2 years), will be to move our SHRAI administrative staff (approximately 4 people) and our Head Start/Early Head Start content area specialist for our preschool programming (approximately 8 people), and our family support staff (they conduct home visiting activities approximately 4 people). The staff listed would be operating out of existing offices located on the lower level and first floor of the building.

Why now is it necessary to use the single-family dwelling as additional office space when the original plan was to house these services in the main facility at 1711 S. 11th Street?

- If the office use is approved, the applicant needs to be aware that the structure will be considered a commercial building and will need to meet all commercial building codes. It is likely that there will be some costs involved to convert such a single-family dwelling to a commercial building.
- No formal signage sign package has been proposed. Staff would recommend that the applicant not be permitted any signage in this residential neighborhood.

The Plan Commission should have the applicant address the following:

- What types of building and site improvements are proposed (architectural, parking, landscaping, signage, etc.)?
- What is the proposed timeframe for occupancy/use of the facility?
- When the facility is at full capacity how many employees, children, adults, etc. will be at the site?
- Explain the construction and design of the new handicap ramp and sidewalk proposed on the north side of the property.

The applicant has provided a site plan that shows a new handicap ramp on the north side of the property but provides no details regarding its design (colors, materials, etc.). If approved, staff will be recommending a condition that requires the applicant to construct a concrete ramp with decorative rails that match the colors of the structure.

If approved, staff will be recommending that the applicant be required to negotiate a payment in lieu of taxes (PILOT).

The applicant is requesting the following land use variances:

- Requesting to maintain the existing building setback to the property lines - The minimum setback for an indoor institutional use to a property line is 50 feet.
- Requesting a variance from the minimum parking requirements (2 parking spaces) – The minimum number of onsite parking is four (4). One space per 300sf and the house is approximately 1,200sf.

ACTION REQUESTED:

Staff is recommending that the proposed office use of 1706 S. 11th Street be denied based on the following concerns:

- SHRAI has adequate room in the former St. Andrew Lutheran Church/School facility to house this family service program.
- The original use of the property was as a single-family dwelling (a parsonage).
- Such a proposed office use may conflict with the adjacent residential uses that surround this property.
- Minimal onsite parking is available.

- It is staff position that the best use of the 1706 N. 11th Street property is as a single-family dwelling similar to all of the other residential uses in and around this neighborhood.

However, if the Plan Commission elects to approve the conditional use and variance requests, staff would recommend 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, health, storm drainage, etc. An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. The applicant shall to construct a concrete ramp with decorative rails that match the colors of the structure. If staff has any concerns with the handicap ramp design, the matter may be brought back to the Plan Commission for their consideration. Proposed handicap ramp shall meet all required building codes.
3. If using dumpsters, 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.
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, etc.).
6. All 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.
7. Existing fencing is weathered and shall be re-stained a color compatible with that of the primary structure by June 28, 2019.
8. Applicant shall not be able to install any signage at this site.
9. This conditional use permit only allows SHRAI to use the structure/property located 1706 S. 11th Street. SHRAI may not lease this property to any other tenant, agency, organization, etc.
10. If SHRAI sells this structure/property located 1706 S. 11th Street, it shall be sold as a single-family home use only.
11. If there are to be any remodel/renovations 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 remodel/renovation.
12. Applicant is required to work with City staff regarding a payment in lieu of taxes (PILOT) for their facility located at 1706 S. 11th Street (parcel # 400130). Applicant will have an executed PILOT with the City of Sheboygan prior to issuance of a building permit.
13. 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.

PARCEL NO. _____

MAP NO. _____

ZONING CLASSIFICATION: _____

Office Use Only

APPLICATION/FILE NO. _____

REVIEW DATE: 12/11/18

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 \$150 (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: Theresa Christen-Liebig

ADDRESS: 1711 S. 11th St. Sheboygan, WI E-MAIL: Theresa@hsshebco.org

PHONE: (920) 458-1154 X2115 FAX NO. (920) 458-0451

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: Former St Andrew Lutheran Church Parsonage

ADDRESS OF PROPERTY AFFECTED: 1706 S. 11th St.

LEGAL DESCRIPTION: Lots 1 Block 1 of Assessment Subdivision No 18

BRIEF DESCRIPTION OF **EXISTING** OPERATION OR USE:

Recent use and operations included, Religious (Worship), Fellowship, Community Outreach, Fundraising, Mission work, Family Engagement, Church Offices,

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

Sheboygan Human Rights Association, Inc. (SHRAI) oversees and operates Sheboygan County Head Start/Early Head Start and Growing Generations Childcare. Our proposed use of this location would be to move our SHRAI family support staff (they conduct home visiting activities, approximately 5 people) to this office space. The type of work would be mostly educational support for parents and their children. However, we would serve children and families by conducting small family development meetings; one-on-one enrollment, registrations, and parent orientations; small parenting skill workshops, and Early Head Start socialization classes (these are educational classes for parents with their child [ages 0-3 years] conducted up to twice a month for an hour and a half during the weekday hours). We

would continue the same type of work as the church, specifically related to, community outreach, education, family development and engagement. We also want to provide a learning garden within the existing fenced in area of this parcel. This will provide a learning opportunity for the children showing the evolution of a seed to product of consumption. In addition, the enhancement of the garden will provide maintenance of the exterior of the property in a pleasurable manner for the neighborhood.

BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: We are requesting a conditional use permit for Indoor / Outdoor Institutional use conforming with the city's description

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.

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?

Under the designation of Neighborhood Preservation, our land use category follows suite with the designation set by the city comprehensive plan. The proposed conditional use is to become an adjunct / extension to the main school building and not become empty, deteriorate, or become blight. It will be repurposed and continue to be maintained and used for community enrichment and education which is outlined in the city's comprehensive plan. Our use is directly related to Education: "Continue to work to support Sheboygan's outstanding schools to advance personal success, meet modern workforce demands, and support entrepreneurship" as we do this through our work with children and families.

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?

No, we currently operate our Head Start and Early Head Start in a neighborhood on the Northside of Sheboygan and have operated Head Start and Early Head Start in several Sheboygan neighborhoods throughout our 50 years of operation, which includes formally operating a class and offices out of the property in St. Andrew Church. We have never had any complaints against or problems with our operations in any neighborhood ever. In addition, the property is across the street and directly faces our main building; has an alley directly to the South; Broadway Ave. directly to the North and the backside runs along one neighbor to the West.

The days and hours of operation/parking requirements would be:
Monday-Fridays between the hours of 8:00am-6:00pm The only weekend hours would for maintenance of the property, such as, cleaning, mowing, shoveling, snow removal, etc.

Our current parking would be sufficient for any and all operations and events that would occur and would not impact nearby property owners adversely. This parcel would have

immediate parking need but we would encourage people to park in the school parking lot across the street. Parking would equal 1 space per 3 parents.

Traffic during normal business hours and during events would not be heavy or disruptive as we currently lease from First Presbyterian Church on the corner of Superior Ave. and N. 5th St. where we have 5 classrooms, offices, and currently hold many of these events and we have never had a problem in the 50 years we have resided in that neighborhood.

There will be limited outdoor activities consisting of planting, weeding, and harvesting in the proposed garden. These activities will be mainly for limited times during the day but some weekends may be required to do upkeep as needed to keep the garden proper.

The location of the dumpsters would remain the same as the location when the church was in operation and garbage pick-up would continue to have a similar pick-up schedule (the dumpster is located at our main building).

The proposed lighting will remain the same as what is currently there on site.

Proposed signage will remain the same size and dimensions that are currently on the property.

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 church donated the property to our organization because of our work with children and families. Our Head Start/Early Head Start families live at or below the federal poverty level. They saw it as a way to continue, in part, their work in community outreach and as a legacy of their congregation. We are a community agency and our clients are Sheboygan families, 25% of the families that we work with live in a 5 block radius from this location. Our Head Start operations offer center-based preschool classes for the purpose of giving our most vulnerable children educational and developmental support. Early Head Start operates as a home-based program where the educational and developmental support happens in the homes with parents. Both programs work with the parents to strengthen the family by setting and working on personal or family goals, such as, obtaining a GED, pursuing higher education, workforce training/education, find stable housing (several of our families have been or are homeless), mental and physical wellness, obtaining a driver's license, improve parenting skills, just to name a few things that we do with parents. This is small snapshot of our work, but shows the very consistent aspects of the similar work that was happening through the church previous to our proposal.

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: Sheboygan Human Rights Association, Inc.

ADDRESS: 1711 S. 11th St., Sheboygan, WI 53081 **E-MAIL:** Theresa@hsshebco.org

Dear Plan Committee Members,

Sheboygan Human Rights Association, Inc. (SHRAI) oversees and operates Sheboygan County Head Start/Early Head Start (SCHS/EHS) and Growing Generations Childcare (GGC). Our proposed use, for 1706 S. 11th St., would be to move our SCHS family support staff (they conduct home visiting activities, approximately 5 people) to this office space. The type of work would be mostly educational support for parents and their children. The staff members hold a Bachelor's degree in Social Work or a related field and work directly with parents on goal-setting, parenting skills, and family strengthening activities. We believe that parents are their child's first and most important teachers and support them in this effort.

Conditional Use of this building would allow us to serve children and families by conducting small family development meetings; one-on-one enrollment, registrations, and parent orientations; small parenting skill workshops; and occasional Early Head Start socialization classes (these are educational classes for parents with their child [ages 0-3 years] conducted up-to twice a month on for an hour and a half during the weekday hours and usually involves 3-6 parents).

We would continue the same type of work as the church did for over 100 years, specifically related to, community outreach, education, family development and engagement. We also want to provide a learning garden within the existing fenced in area of this parcel. This will provide a learning opportunity for children and parents showing the evolution of a seed to product of consumption. In addition, the enhancement of the garden will provide maintenance of the exterior of the property in a pleasurable manner for the neighborhood.

The church donated the property to our organization because of our work with children and families. Our Head Start/Early Head Start families live at or below the federal poverty level (i.e., a family of 4 at or below \$25,100/year). The congregation saw it as a way to continue, in part, their work in local, community outreach and as a legacy of their congregation into the future. We are a local community organization and our clients are Sheboygan families, 25% of the families that we work with live in a 5 block radius from this location. Our Head Start operations offer center-based preschool classes for the purpose of giving our most vulnerable children in Sheboygan needed educational and developmental support. Early Head Start operates as a home-based program where the majority of educational and developmental support happens in the homes with parents.

While the church, after renovations, will offer ample space for our preschool and large family activities/events, it will not provide enough room for our additional family development activities. Once it is remodeled, it is not large enough to provide all of the space needed to run the entire program. The plan is to remodel the church to house the following:

- several new classrooms on the upper and lower level of our main building (the hope is to add 7 large classrooms—currently fellowship hall in the lower level using for larger family and staff events & activities)
- teacher offices (for approximately 20 Teachers)
- support staff offices (4 program assistants)

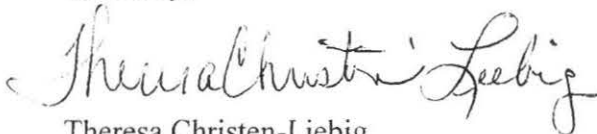
- large motor/family event room (the current Sanctuary which cannot be used/converted for another 1 ½ years as a condition of the donation from the congregation)
- health room/office (Nurse and Health Assistant)
- space for special needs & mental health specialists work (3-4 Consultant Specialists)
- kitchen for meals & nutrition office (Food Service Manager and 3 cooks)
- a training room that will double as our conference/meeting room
- staff breakroom & small kitchenette
- administrative and program content offices (8 staff),

This was an additional reason the congregation donated the parsonage to our organization. Also, the location is ideal since it is located directly across the street and faces our main building; has an alley directly to the South; Broadway Ave. directly to the North, and the backside runs along one neighbor to the West.

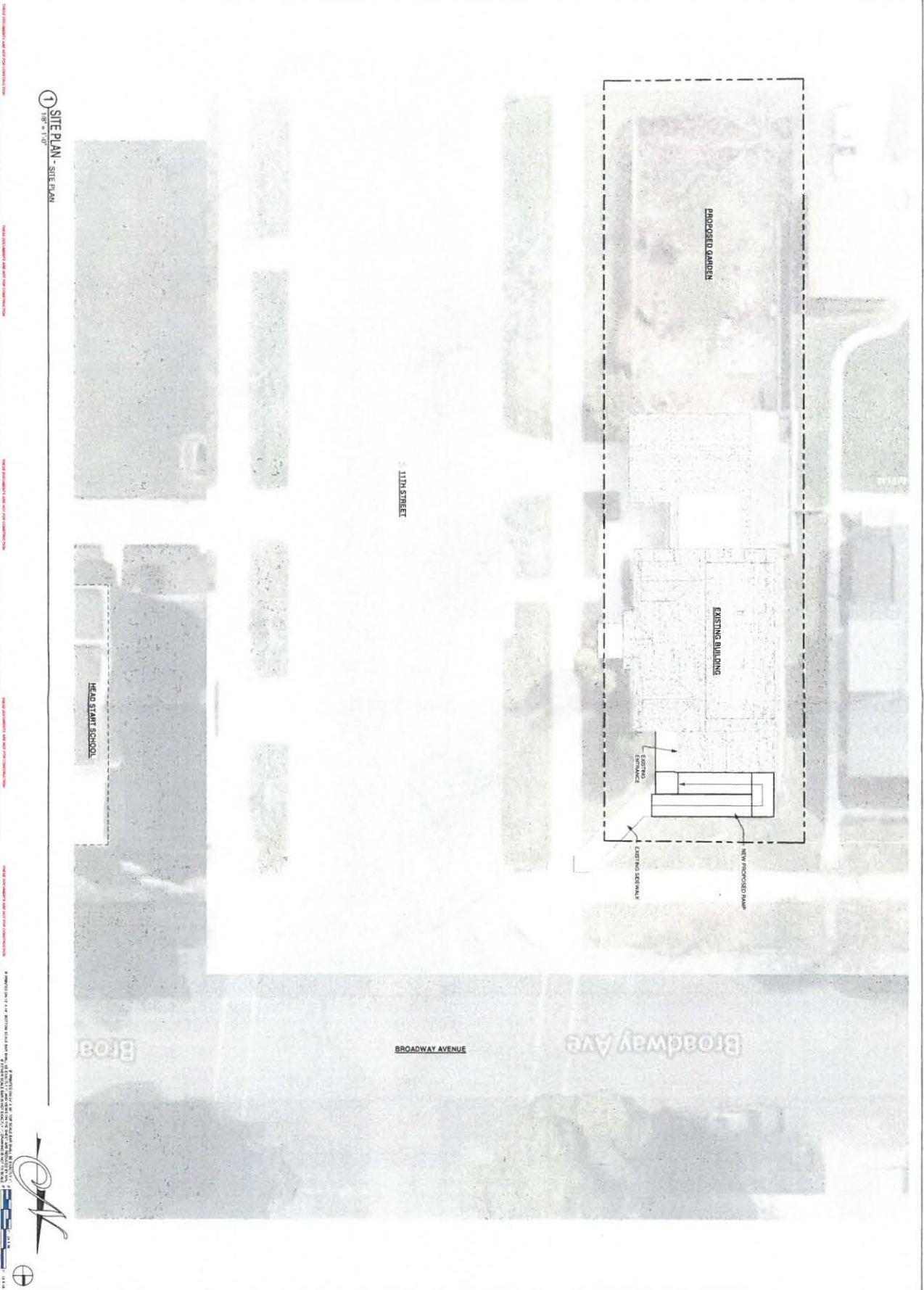
As mentioned previously, both programs work with the parents to strengthen the family by setting and working on personal or family goals, such as, obtaining a GED, pursuing higher education, workforce training/education, find stable housing (several of our families have been or are homeless), mental and physical wellness, obtaining a driver's license, improve parenting skills, just to name a few things that we do with parents. Approximately 75 % of this work is accomplished in the home and the location we are requesting the conditional use for is needed office space for our Family Advocate staff and the small meetings discussed earlier. This is small snapshot of our work, but shows the very consistent aspects of the similar work that was happening through the church previous to our proposal.

Thank you for your time and consideration!

Sincerely,



Theresa Christen-Liebig
Executive Director
Sheboygan Human Rights Association, Inc.
Dba, Sheboygan County Head Start/Early Head Start
Growing Generations



① SITE PLAN - SITE PLAN
1/8" = 1'-0"

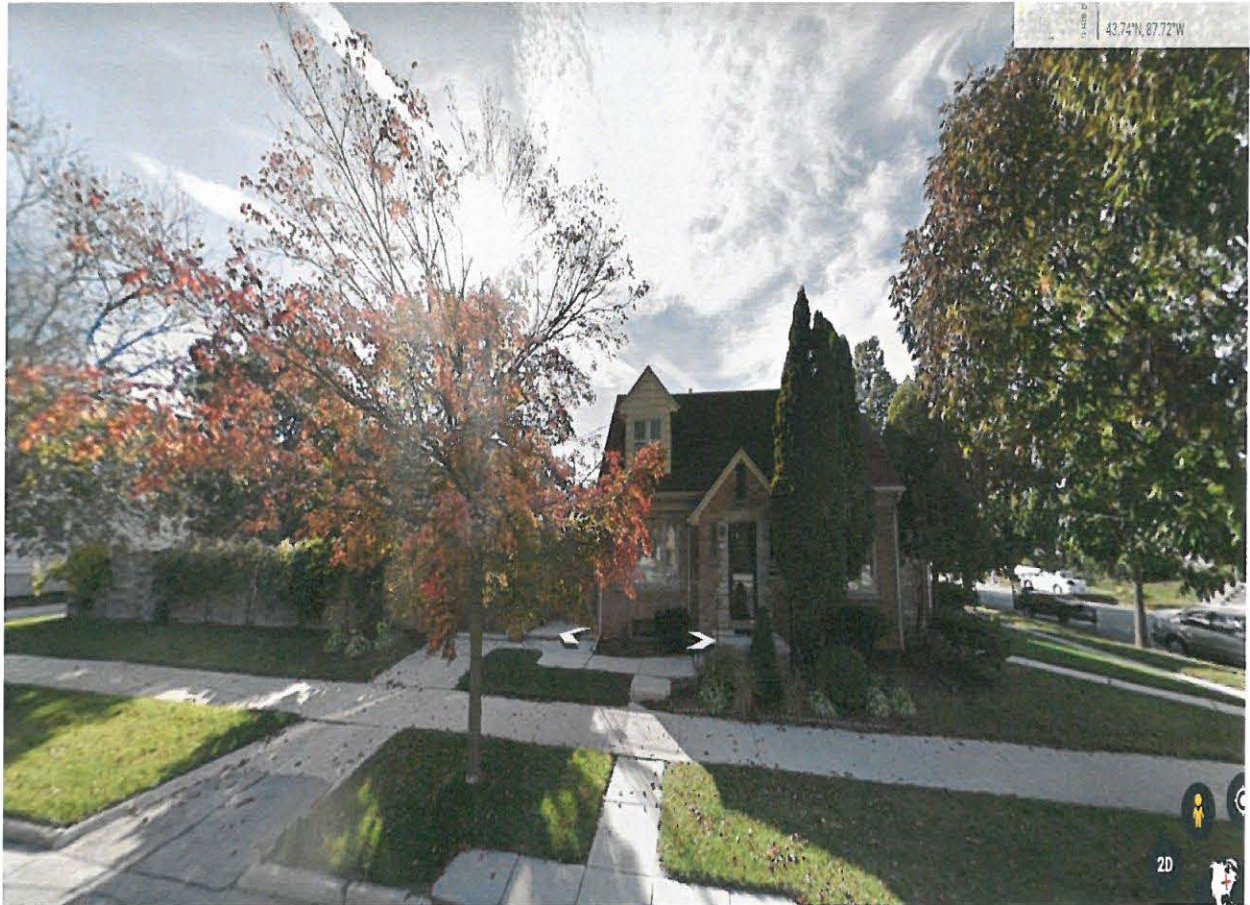
THIS DOCUMENT IS NOT FOR CONSTRUCTION. THIS DOCUMENT IS NOT FOR CONSTRUCTION. THIS DOCUMENT IS NOT FOR CONSTRUCTION. THIS DOCUMENT IS NOT FOR CONSTRUCTION. THIS DOCUMENT IS NOT FOR CONSTRUCTION.



<p>SCALE: 1/8" = 1'-0"</p> <p>DATE: 9/17/18</p> <p>DRAWN BY: ACE</p> <p>CHECKED BY: SAMP</p> <p>PROJECT #: 18-051</p>	<p>C100</p>	<p>SITE PLAN</p>	<p>PRELIMINARY PLANS</p>	<p>S.H.R.A.I.</p> <p>PARSONAGE REMODEL</p> <p>PROJECT ADDRESS</p> <p>CITY/STATE</p>	<p>215 Pine Street Shaboygan Falls, WI 53085 Ph: (262) 345-1199 www.distinctivedesignstudio.com</p>	<p>REVISIONS</p>	
						<table border="1"> <thead> <tr> <th>#</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	#
#	DATE	DESCRIPTION					

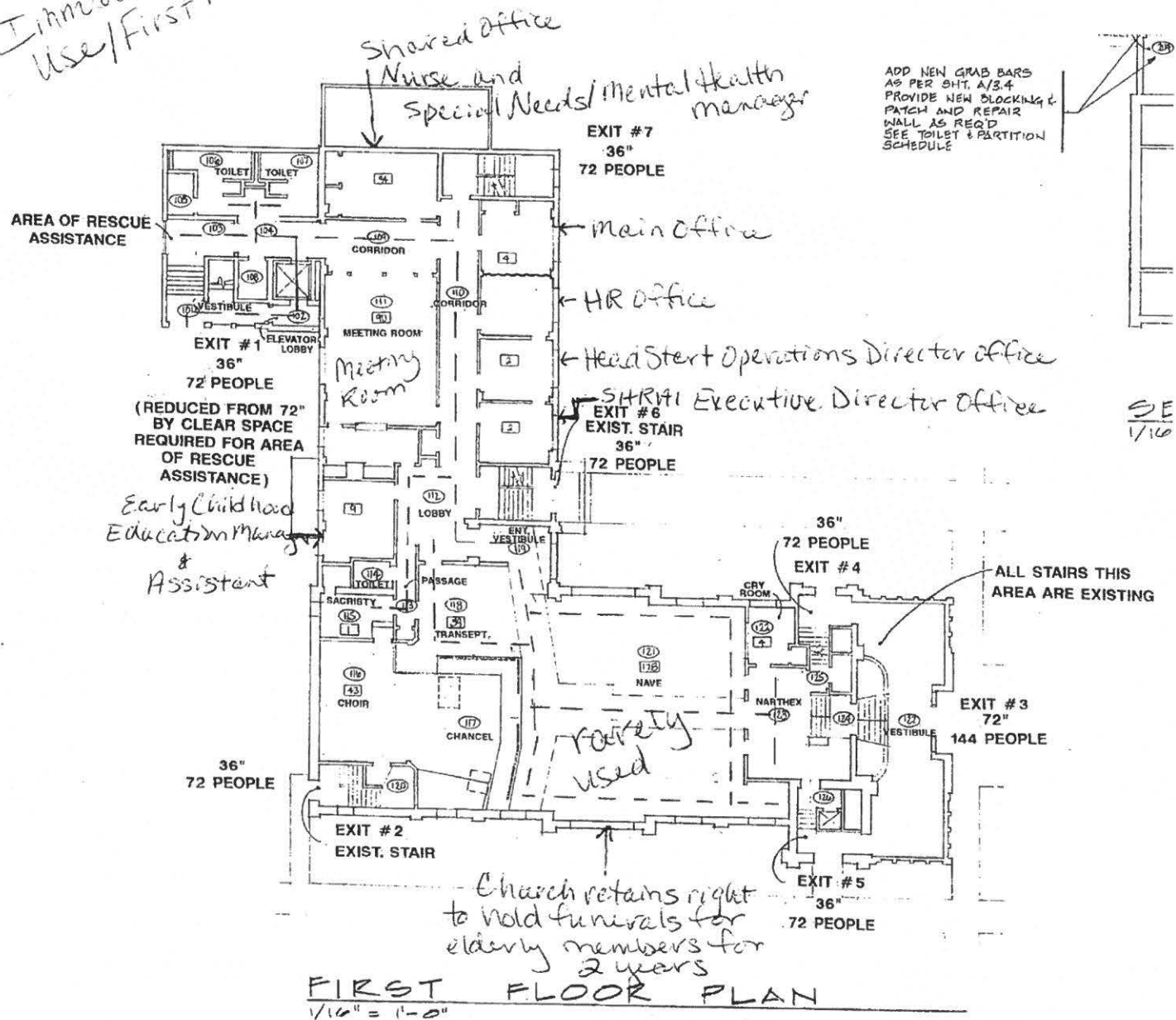
THIS DOCUMENT IS NOT FOR CONSTRUCTION. THIS DOCUMENT IS NOT FOR CONSTRUCTION. THIS DOCUMENT IS NOT FOR CONSTRUCTION. THIS DOCUMENT IS NOT FOR CONSTRUCTION. THIS DOCUMENT IS NOT FOR CONSTRUCTION.

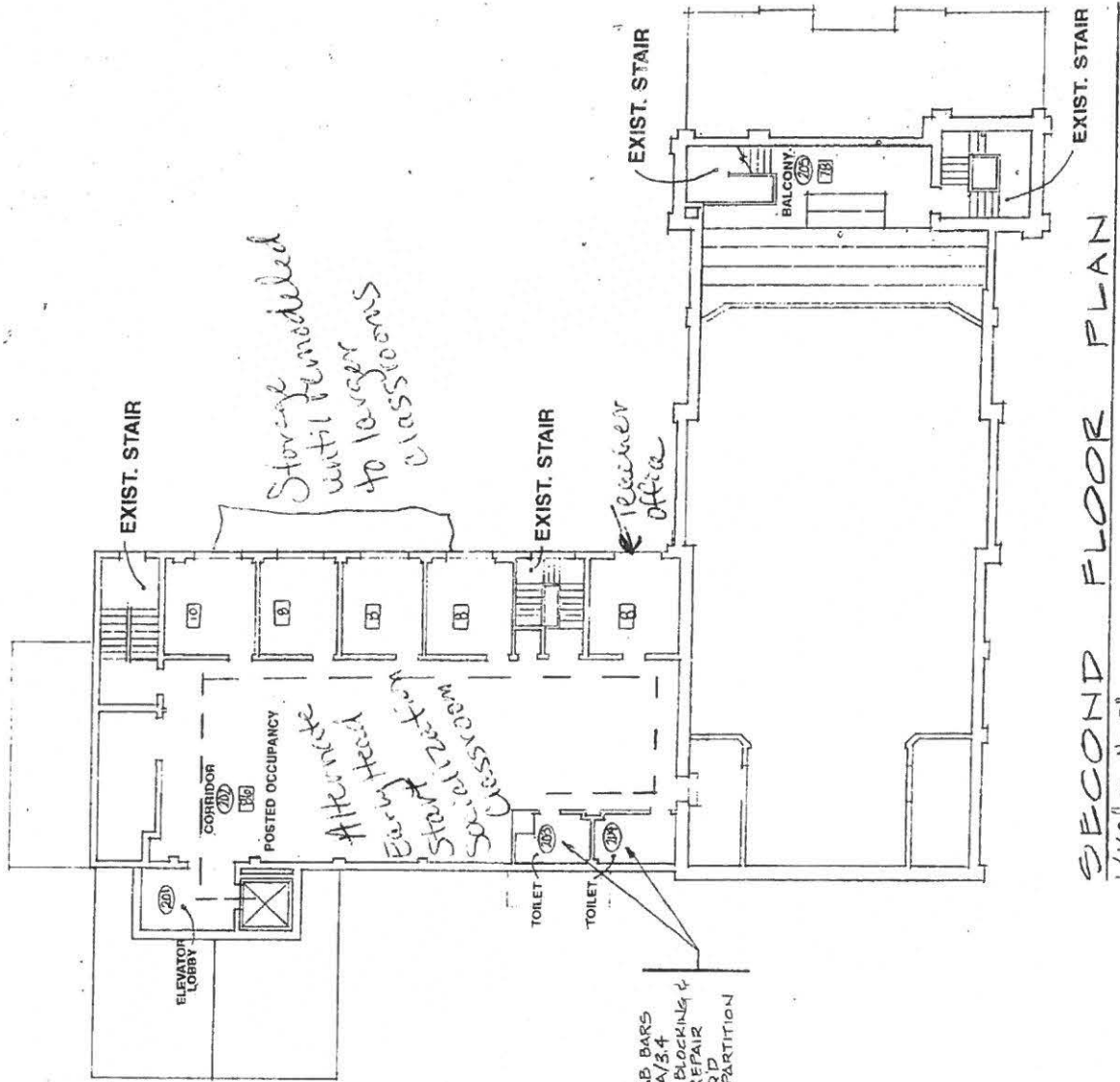






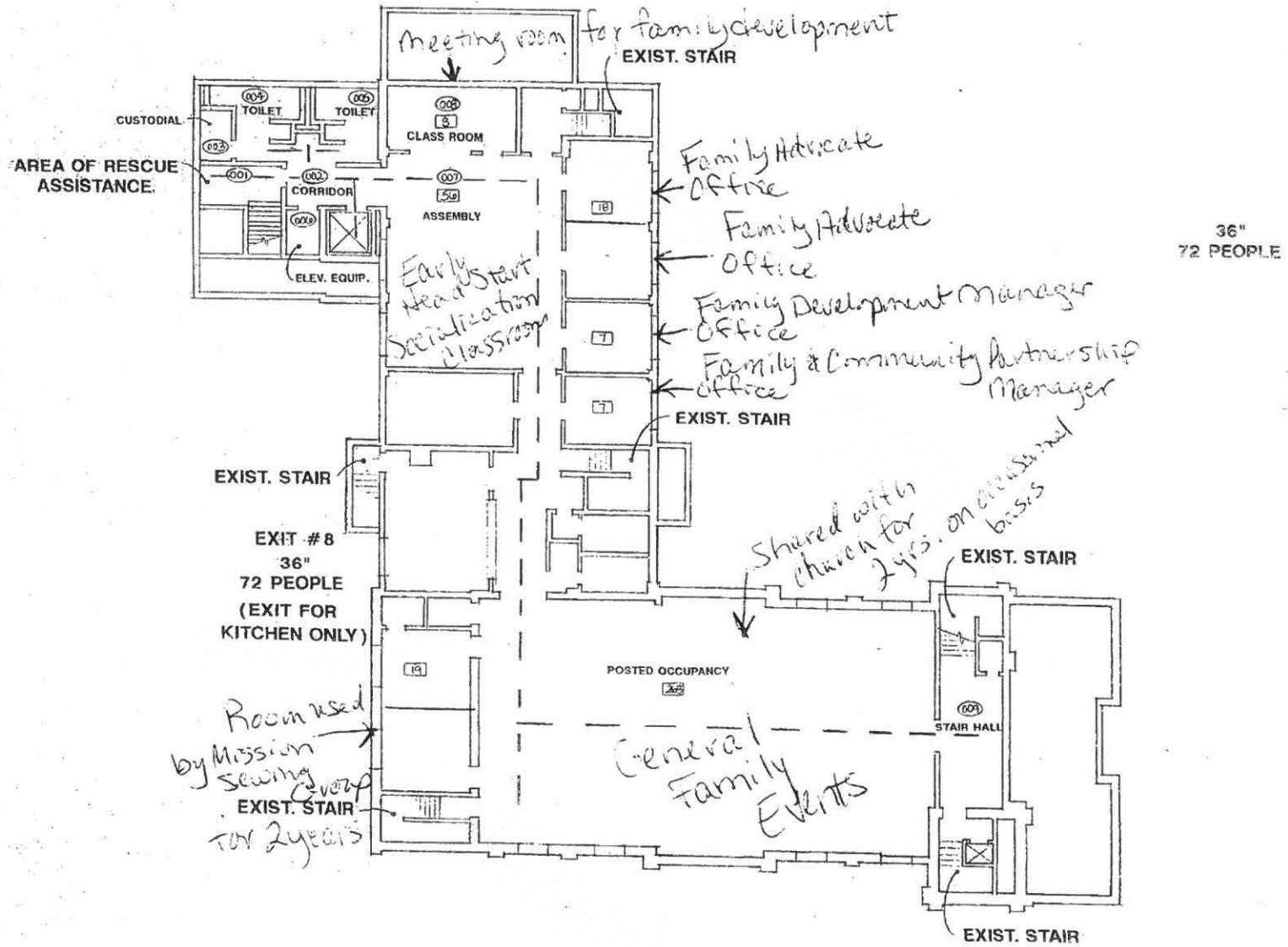
Immediate Use / First Phase





ADD NEW GRAB BARS AS PER INT. A/3.4 PROVIDE NEW BLOCKING & PATCH AND REPAIR WALL AS REQD SEE TOILET PARTITION SCHEDULE

SECOND FLOOR PLAN
1/16" = 1'-0"



BASEMENT FLOOR PLAN
 SCALE 1/16" = 1'-0"