

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

**CITY OF SHEBOYGAN**

**REQUEST FOR PLANNING COMMISSION CONSIDERATION**

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**ITEM DESCRIPTION:** Conditional Use and variance application by Abacus Architects to construct a new multi-tenant professional office building on Kohler Memorial Drive (parcel #214110). SO Zone

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

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**REPORT DATE:** April 20, 2018

**MEETING DATE:** April 24, 2018

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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:**

Abacus Architects is proposing to construct a new multi-tenant professional office building on vacant, undeveloped parcel #214110 located on north side Kohler Memorial Drive between 2108 and 2024 Kohler Memorial Drive (east of the N. 23<sup>rd</sup>). The applicant states:

- The proposed development will be constructed as a multi-tenant building to accommodate office and professional service type uses. Applicant presently has no tenants.
- The proposed 7,200sf (60 x 120) building will be one-story concrete slab on grade with a membrane flat roof with a parapet wall on all sides. Exterior wall materials will consist of cast stone, face brick and ledgerstone veneers. All door and window framing will consist of dark bronze aluminum framed storefront assemblies. The proposed design is consistent with and blends in well with neighboring buildings.

Site improvements include:

- New asphalt drives, parking and concrete walks.
- There will be 38 off-street parking spaces.
- New landscaping, site lighting, etc.
- New dumpster enclosure to match building materials.
- Signage will consist of the primary building signage and monument signage identifying the operating business.

**STAFF COMMENTS:**

The applicant is proposing to maintain the existing access aisle configuration so that it is consistent/uniform and continues to work well with the existing development to the east. The applicant believes maintaining the access aisle drive as is provides a more aesthetic development pattern along Kohler Memorial Dr. in terms of access, parking, landscaping etc. The applicant shall provide and/or create an access easement/agreement between all the property owners involved in sharing this access from the Kohler Memorial Drive curb cut.

Applicant shows the dumpster located at the northwest corner of the property that is accessed from the adjoining property to the west. In order to access from the adjoining property, the applicant will need to provide an agreement/easement with this that permits such access from the 2108 Kohler Memorial Drive property.

No formal sign package has been presented. 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 review/approval.

The existing old/weathered pylon sign shall be removed and will likely be replaced with a new monument sign.

The applicant is requesting the following variances:

- Requesting a variance to have a zero (0) foot sideyard paving setback along the east and west property lines - The minimum side yard paving setback is five (5) feet.

Applicant is requesting a zero (0) foot paved surface setback along the east and west property lines in order to maintain the existing shared access drive currently utilized by adjacent properties and customers to access these facilities. The applicant will need to provide documentation of a shared access agreement between the lot to be developed, 2108 and 2024 Kohler Memorial Drive to staff prior to building permit issuance.

- Requesting a variance to have a zero (0) foot front yard paving setback along the south property line without curbing - The minimum front yard paving setback is five (10) feet.

Applicant is requesting a zero (0) foot paving setback along the south property line to maintain the existing shared access drive and parking as they presently exist today.

- Requesting to create a parcel without public street access – All lots shall have public street frontage access.

The lot to be developed has public street frontage but does not have public street access. In order for the Plan Commission to consider such a variance, the applicant will need to provide documentation that this lot has access to a City public street right-of-way. The

shared access agreement will need to be provided to staff prior to building permit issuance.

- Requesting a variance to have a landscape ratio of 21% - minimum landscape ratio is 25%
- Requesting a variance from the locational landscaping requirements – Applicant shall meet the four (4) locational landscaping requirements.

The variance will permit the applicant to install landscaping where is most useful and attractive.

### **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/permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, water, sewer, storm drainage, health, etc. (Applicant shall be in contact with building inspection, fire, police, etc.). An occupancy permit will be granted only at such time as the applicant has met all requirements.
2. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
3. Submittal/approval of a landscape plan prior to building permit issuance. Landscape plan shall provide a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan). Landscape plan shall also meet the bufferyard requirements.
4. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If the dumpster is to be accessed from an adjoining property, the applicant shall provide the required access agreement prior to building permit issuance.
5. Outdoor storage of materials, products 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 new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance (site lighting, building lighting, signage, etc.). There shall be no spillover light onto adjacent properties or the streets.
8. Applicant shall 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.
9. Applicant shall remove existing pylon sign.
10. 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.
11. Applicant shall install individual letter signs – no cabinet or flat panel signs.
12. All areas used for parking/maneuvering of vehicles shall be paved.

13. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
14. Any new ingress/egress driveway openings and any drives to be closed or modified shall be improved to standard City specifications.
15. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).
16. Applicant will provide adequate public access along all streets, sidewalks and private drives 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.).
17. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
18. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
19. Applicant is responsible for working with all private and public utilities in order to adequately service this development proposal (applicant will need to provide the necessary easements and/or relocate utilities as necessary).
20. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to the Sheboygan Water Utility.
21. 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.
22. Prior to building permit issuance, the applicant is responsible for providing all shared agreements/easements between the subject property and adjoining properties including but not limited to ingress/egress, parking, stormwater facilities, utilities, dumpster, etc.
23. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
24. 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. 214110  
MAP NO. \_\_\_\_\_  
ZONING CLASSIFICATION: 50

Office Use Only  
APPLICATION/FILE NO. \_\_\_\_\_  
REVIEW DATE: 4/24/18

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: ABACUS ARCHITECTS, INC. - DERREK LEMAHIEU  
1135A MICHIGAN AVE. DLEMAHIEU @  
ADDRESS: SHEBOYGAN, WI 53081 E-MAIL: ABACUSARCHITECTS.NET  
PHONE: (920) 452-4444 FAX NO. ( - ) -

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

NAME OF PROPOSED/EXISTING BUSINESS: MULTI-TENANT OFFICE  
TENANTS T.B.D.  
ADDRESS OF PROPERTY AFFECTED: 2042 KOHLER MEMORIAL DR.  
SHEBOYGAN, WI 53081  
LEGAL DESCRIPTION: SEE ATTACHMENT.

BRIEF DESCRIPTION OF EXISTING OPERATION OR USE: VACANT LOT

DETAILED DESCRIPTION OF PROPOSED OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: MULTI-TENANT  
OFFICE BUILDING - TENANTS T.B.D.

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

April 9, 2018

## **Application for Conditional Use Permit – City of Sheboygan**

*New Multi-Tenant Office Building*

*2042 Kohler Memorial Drive, Sheboygan, Wisconsin 53081*

*Project No. 2018-8.2*

### **Legal Description**

SEC 22 T15N R23E PRT OF SE1/4 NW1/4 SEC 22 DESC AS FOLLOWS: COM AT A PT IN W LN OF SE1/4 NW1/4 S 00\*14'E 167.8' FROM NW COR OF SD SE1/4 NW1/4, SD COR ALSO KNOWN AS NE COR OF LOT 8, ELLEN M BATES SUBD, TH S 00\*14'E 151.1' TO N LN OF KOHLER MEM DR, TH N 89\*51'E 258.53', TH N 00\*14'W 46', TH S 89\*51'W 98.53', TH N 00\*14'W 104.22', TH S 89\*42'W 160' TO THE POB

### **Zoning District**

Suburban Office (SO)

### **Existing Land Use**

Vacant

### **Proposed Land Use**

Office (Permitted by Right)

Personal or Professional Service (Permitted by Right)

### **Brief description of existing operation or use:**

Vacant.

### **Detailed description of proposed operation or use including any changes to the existing use:**

The proposed development will be constructed as a multi-tenant office building to accommodate office and personal or professional services uses.

**Brief description of all requested variances from provisions of the zoning ordinance, which are related to the proposed operation or use:**

1. Proposed variance for a 0' pavement setback along the east and west property lines to allow for the continued use of the cross access drive as it exists today
  - a. Ordinance: Section 15.105, (3) Non-residential Districts, (b) Suburban Office District, 4. Regulations Applicable to Non-Residential Uses, b. Non-residential Bulk Requirements, I. Minimum Paves Surface Setback
    - i. Required Setback: 5 feet from site or rear; 10 feet from street
    - ii. Actual Setback: 0 feet
2. Proposed variance for a 0' pavement setback along the south property line to allow for continued parking at this location as it exists today
  - a. Ordinance: Section 15.105, (3) Non-residential Districts, (b) Suburban Office District, 4. Regulations Applicable to Non-Residential Uses, b. Non-residential Bulk Requirements, I. Minimum Paves Surface Setback
    - i. Required Setback: 5 feet from site or rear; 10 feet from street
    - ii. Actual Setback: 0 feet
3. Proposed variance for non-conformance to the required "Off Street Parking and Traffic Circulation Standards" for parking along the south property line as it exists today
  - a. Ordinance: Section 15.704 Off-Street Parking and Traffic Circulation Standards, (6) Off-Street Parking and Traffic Circulation Design Standards, (b) Curbing.
    - i. Required Condition: All off-street parking areas designed to have head-in parking within 6 ½ feet of any lot line shall provide a tire bumper or curb of adequate height and which is properly located to ensure that no part of any vehicle will project beyond the required setbacks of this chapter as determined by the Plan Commission.
    - ii. Actual Condition: Curbing shall be omitted at paved areas along the south property line as exists today.
  - b. Ordinance: Section 15.704 Off-Street Parking and Traffic Circulation Standards, (6) Off-Street Parking and Traffic Circulation Design Standards, (h) Parking Space Design Standards.
    - i. Required Condition: The minim length of parking spaces shall be 15 feet plus an additional 1.5 foot of vehicle overhang area at the end of the stall.
    - ii. Actual Condition: Parking spaces shall be 16 feet total, including overhang area, as exists today.
4. Proposed variance for non-conformance to the required Landscape Surface Ratio
  1. Ordinance: Section 15.105, (3) Non-residential Districts, (b) Suburban Office District, 4. Regulations Applicable to Non-Residential Uses, a. Non-residential Density and Intensity Requirements:, Minimum Landscape Surface Ratio (LSR)
  2. Required Landscape Surface Ratio: .25
  3. Actual Landscape Surface Ratio: .21
  4. Actual Landscape Surface Ratio (not including paved east property extension): .25

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

Outside of the non-conforming existing conditions outlined in the variances section above, the proposed development ideally fits this property and the requirements of the Suburban Office (SO) zoning district. The proposed building blends in with the scale, aesthetics and uses of the adjacent properties and the greater surrounding neighborhood.

**Is the proposed condition use located in an area that will be adequately served by utilities, or services provided by public agencies?**

Yes. Adequate power, phone and data, water main, sanitary sewer and storm sewer services are provided for this development.

**Site Data**

**Total Site Areas**

Total Site Area	28,554 sq. ft.	
Building Footprint Area	7,200 sq. ft.	(25.2% of total site)
Pavement, Concrete & Misc.	15,144 sq. ft.	(53.0% of total site)
Total Impervious Area	22,344 sq. ft.	(78.2% of total site)
Landscape Area Remaining	6,210 sq. ft.	(21.8% of total site)

**Total Site Areas Not Including Paved East Property Extension  
(Justification for Variance)**

Total Site Area	24,000 sq. ft.	
Building Footprint Area	7,200 sq. ft.	(30.0% of total site)
Pavement, Concrete & Misc.	10,590 sq. ft.	(44.1% of total site)
Total Impervious Area	17,790 sq. ft.	(74.1% of total site)
Landscape Area Remaining	6,210 sq. ft.	(25.9% of total site)

**Density, Intensity and Setback Requirements**

<b>Requirement Description</b>	<b>Required</b>	<b>Actual</b>
Min. Landscape Ratio	.25 min.	.218
Building Coverage Ratio	.50 max.	.252
Min. Street Building Setback	25' min.	70'
Min. Side Building Setback (Non-Res.)	10' min.	20'
Min. Rear Building Setback (Non-Res.)	10' min.	20'
Min. Street Pavement Setback	10' min.	0'
Min. Side and Rear Pavement Setback	5' min.	0'
Max. Building Height	35' max.	23'

### **Parking Requirements**

Minimum Number of Off-Street parking Spaces required on the Lot:

- Office and Personal or Professional Services: 1 space per 300 sq. ft. of building area per Section 15.206 of the City of Sheboygan Zoning Ordinance.
- Off-Street Parking Spaces Required: 7,200 sq. ft. (Proposed Building)/ 300 sq. ft. = 24 spaces
- Off-Street Parking Spaces Provided: 38 spaces

### **Summary of Site Improvements**

New asphalt drives, parking and concrete walks

New landscaping in compliance with current City of Sheboygan Zoning Ordinance

New site lighting in compliance with current City of Sheboygan Zoning Ordinance

New signage in compliance with current City of Sheboygan Zoning Ordinance

New building with face brick, cast stone masonry and ledgerstone veneers

New dumpster enclosure to match building materials

### **Landscape Requirements**

Landscape plan submittal complying with all standards per City of Sheboygan Zoning Ordinance Subchapter 15-6 to be provided at time of permitting.

A final landscape plan will be submitted to City of Sheboygan Planning and Development prior to permitting.

### **Performance Standards / Potential Nuisances / Site Lighting**

All performance standards comply per City of Sheboygan Zoning Ordinance Subchapter 15-7 to ensure this development will not become a nuisance to adjacent property owners.

Locations of light fixtures to be determined at time of submittal to City of Sheboygan Building Inspection Department.

### **Signage Regulations**

Formal signage submittals per City of Sheboygan Zoning Ordinance Subchapter 15-8 to be provided at a future date.

**Building Design**

The proposed building will be one-story concrete slab on grade with a membrane flat roof with a parapet wall on all sides. Exterior wall materials will consist of cast stone, face brick, and ledgerstone veneers. All door and window framing will consist of dark bronze aluminum framed storefront assemblies.

This building, being located on a primary commercial corridor on Kohler Memorial Drive, is surrounded by a mix of commercial uses varying slightly in style but often times sharing similar scale, material and color. It is our belief that the proposed design blends in well with the neighboring buildings.



**Proposed Multi-Tenant Office Building – 2042 Kohler Memorial Drive**



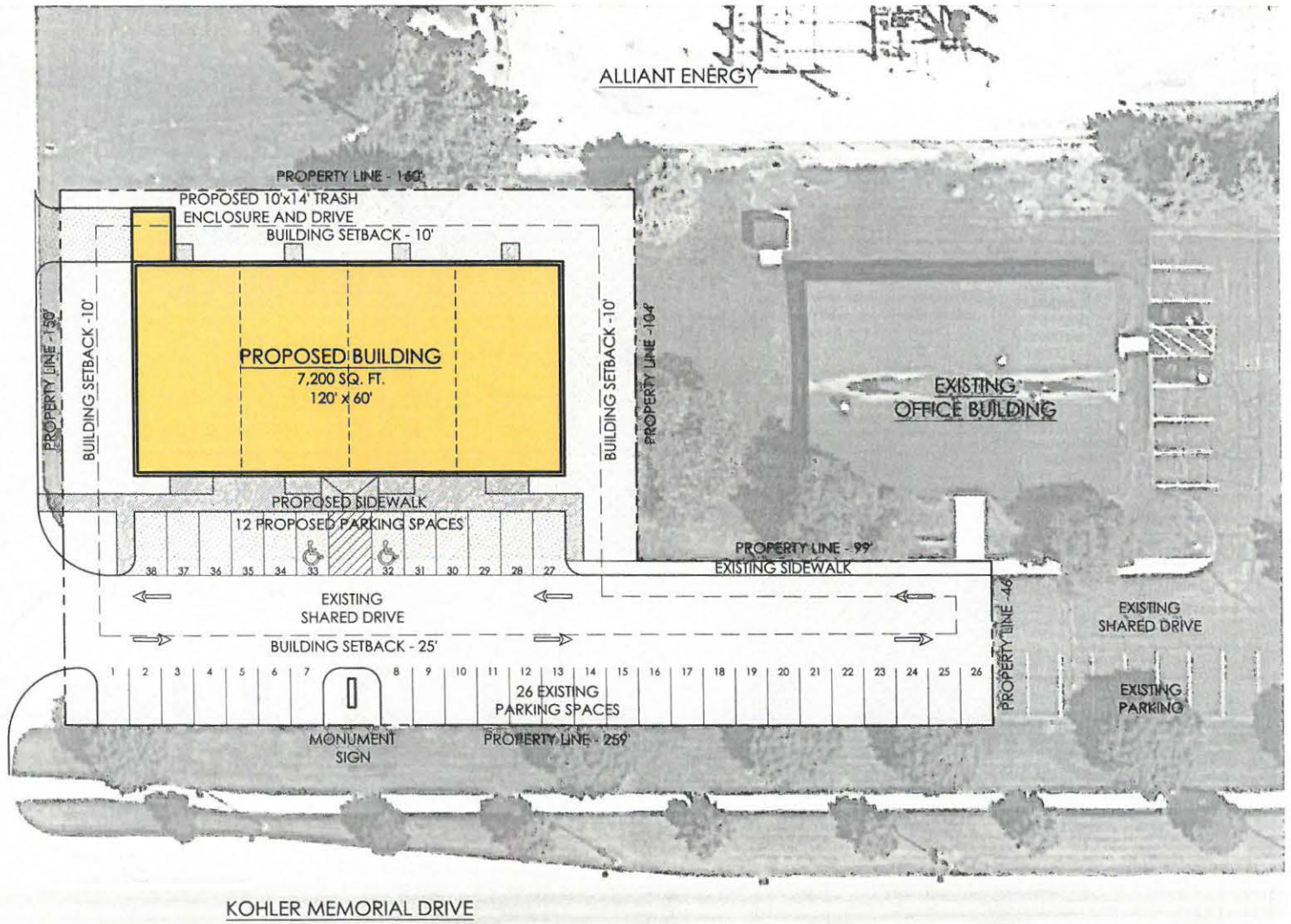
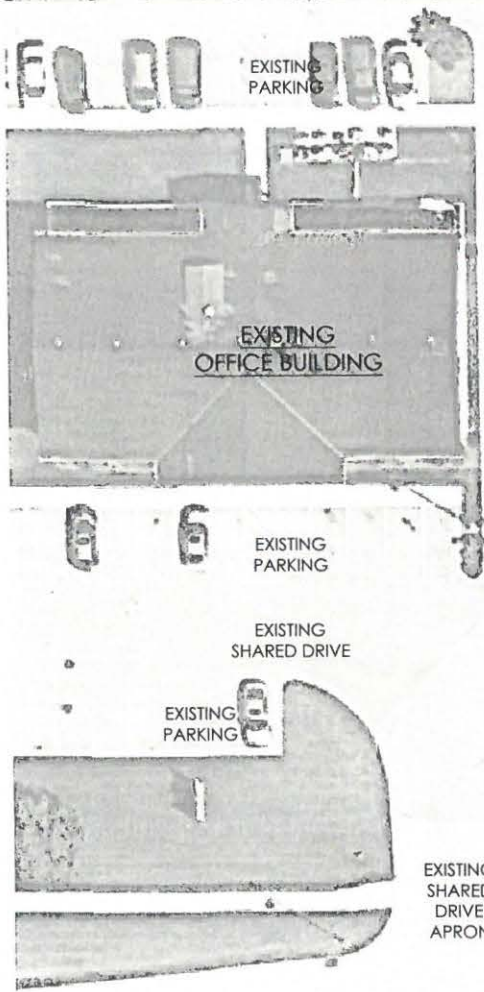
**Kohler Memorial Drive and 23<sup>rd</sup> Street**



**2124 Kohler Memorial Drive**



**2108 Kohler Memorial Drive**



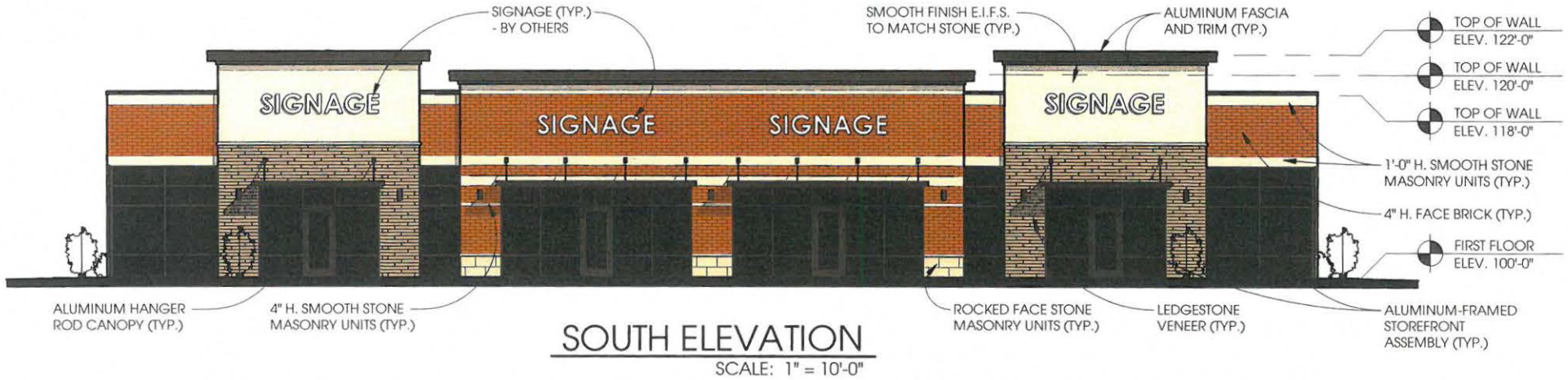
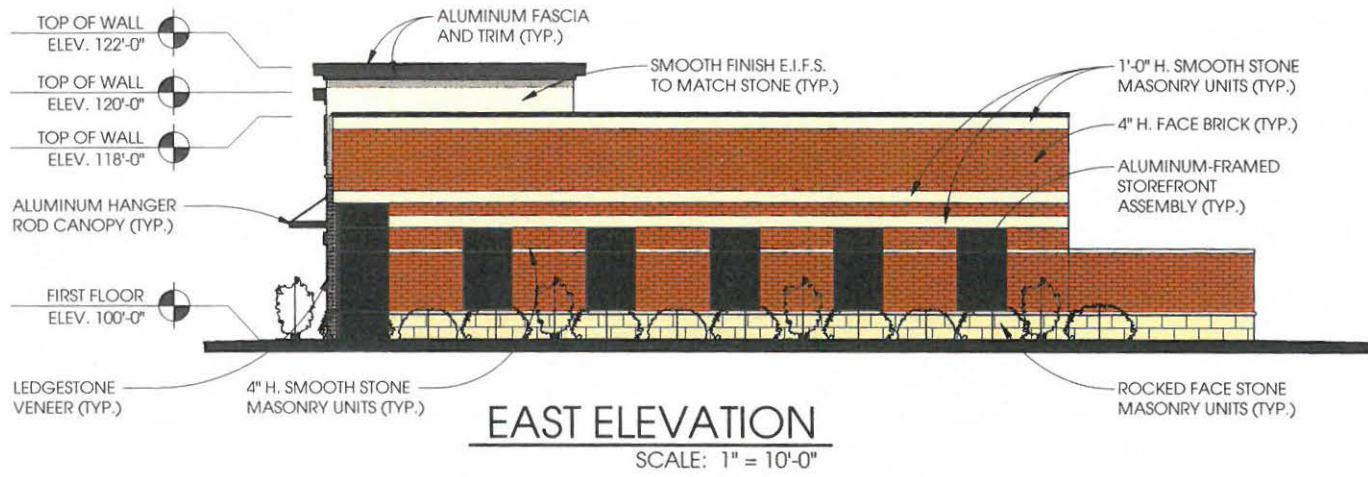
MARCH 22, 2018  
**MULTI-TENANT OFFICE BUILDING**  
 2042 KOHLER MEMORIAL DRIVE, SHEBOYGAN, WISCONSIN 53081  
 PROJ. NO. 2018-8.2

**SITE PLAN**  
 SCALE: 1" = 30'-0"



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MARCH 22, 2018

PROPOSED NEW BUILDING

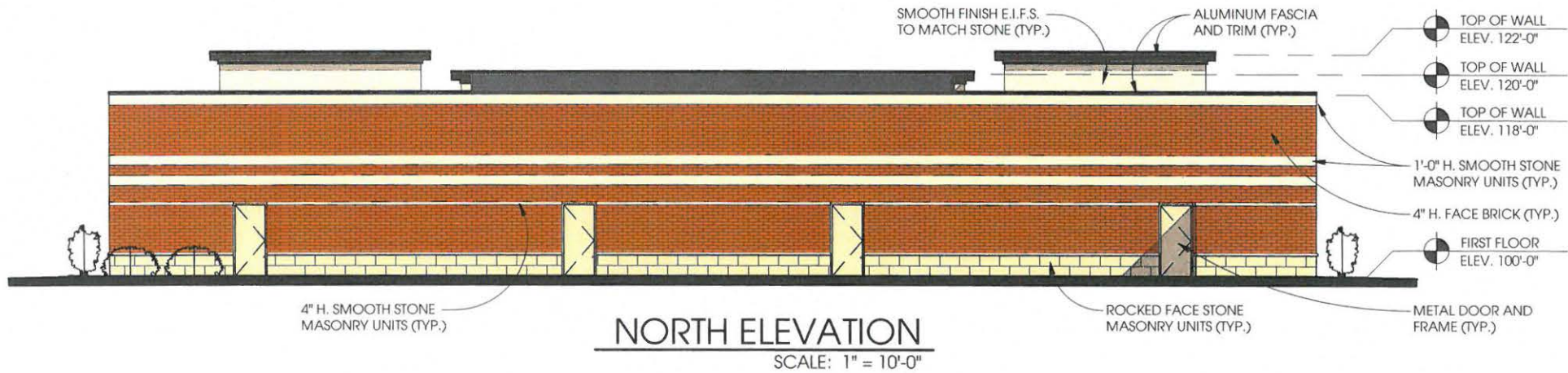
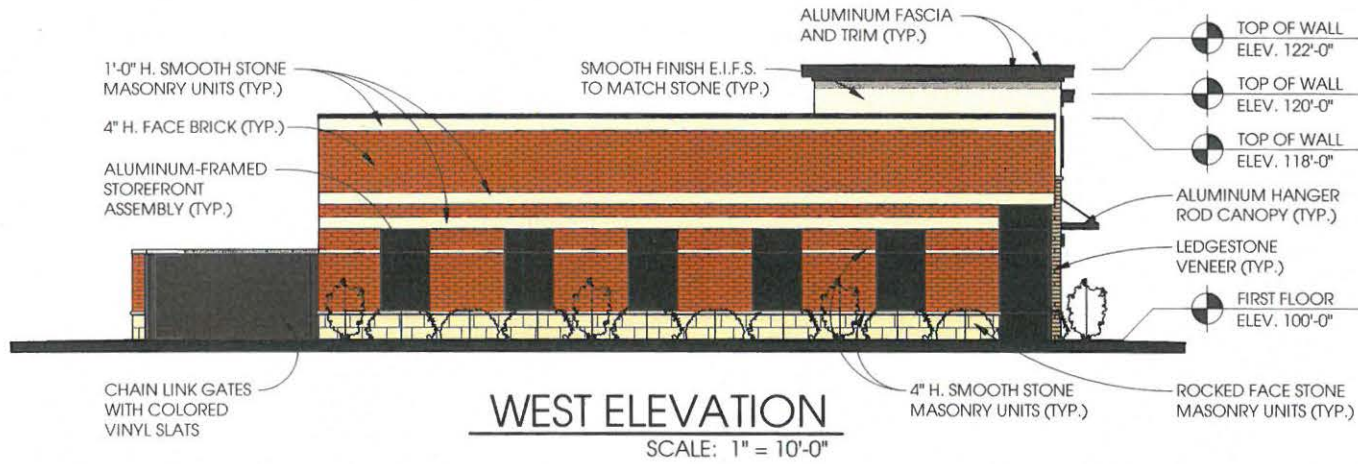
# MULTI-TENANT OFFICE BUILDING

2042 KOHLER MEMORIAL DRIVE, SHEBOYGAN, WISCONSIN 53081

PROJ. NO. 2018-8.2

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MARCH 22, 2018  
PROPOSED NEW BUILDING  
**MULTI-TENANT OFFICE BUILDING**

2042 KOHLER MEMORIAL DRIVE, SHEBOYGAN, WISCONSIN 53081  
PROJ. NO. 2018-8.2

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