

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

PARCEL NO. 59281630212

MAP NO. \_\_\_\_\_

ZONING CLASSIFICATION: \_\_\_\_\_

Office Use Only

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

REVIEW DATE: \_\_\_\_\_

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

## CITY OF SHEBOYGAN APPLICATION FOR CONDITIONAL USE PERMIT

Requirements Per Section 15.905  
Revised May 2018

Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 208. 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: [Adam J. Stein, Logic Design & Architecture, Inc.](#)

ADDRESS: [802 N. 109<sup>th</sup> Street, Milwaukee, WI 53226](#)

E-MAIL: [astein@logicda.com](mailto:astein@logicda.com)

PHONE: [414.559.6324](tel:414.559.6324) FAX NO. ( ) \_\_\_\_\_

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

NAME OF PROPOSED/EXISTING BUSINESS:

[Existing use: vacant land. Proposed Starbucks: coffee shop with drive-thru and patio.](#)

ADDRESS OF PROPERTY AFFECTED:

[Lot 1 of prior 2108 North Avenue \(assume 2120 will be new address\)](#)

LEGAL DESCRIPTION: [See attached.](#)

---

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

[Existing use: vacant land.](#)

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

[The development of a new building \(+/- 2,230 SF\) for a coffee shop with drive-thru and patio \(+/- 250 SF\).](#)

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

Consistent with the previously approved CSM submittal, an exception/variance is being requested for otherwise required paving setbacks from the property lines. At two separate locations on this site, there is shared access between both adjacent sites to the East and West that is being handled with a shared cross access agreement. Shared utility and stormwater easements will also be utilized on this site, as identified on the included Civil drawings.

### **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?

The City of Sheboygan Comprehensive Plan ("Comp Plan") Future Land Use Map designates the Property, and neighboring properties, as Community Mixed Use. The proposed building advances several goals, objectives and policies of the Comp Plan, including:

- Accommodating a mix of uses within a finite amount of land.
- Following the existing land use pattern of the general neighborhood.
- Promoting infill development and redevelopment of aging sites, with compatible uses.
- Generally promote the mixture of compatible land uses on the same site.

A new building is proposed for the vacant land. Existing utilities are available to service proposed building.

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. As part of the property development, we are proposing to close two curb cuts (one located at the intersection of N 21<sup>st</sup> Street and North Ave, and the eastern one located on North Ave) so the development utilizes just one existing curb cut on North Ave and one existing curb cut on 21<sup>st</sup> Street, as shown on the site plan and CSM. A cross-access easement was also proposed as part of the CSM.

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 property is currently vacant but planned for use as a commercial development. Nearby property uses include several commercial uses, such as Advance Auto Parts, and various retail and restaurant/fast food uses. The property is zoned Urban Commercial District and no changes to the current zoning are proposed. Adjacent properties to the east, south and west are also zoned Urban Commercial District.

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. The proposed certified survey map also provides for cross-utility and cross access easements.

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

**OWNER OF SITE:** North/Calumet, LLC, a Wisconsin limited liability company

ADDRESS: 2551 N Wahl Ave, Milwaukee, WI 53211

E-MAIL: tschafer@wi.rr.com

**ARCHITECT:** Adam J. Stein, Logic Design & Architecture, Inc.

ADDRESS: 802 N 109th St Milwaukee WI 53226

E-MAIL: astein@logicda.com

**CONTRACTOR:** TBD

ADDRESS: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

**5. CERTIFICATE**

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

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

7.7.21  
\_\_\_\_\_  
**DATE**

Adam J. Stein, Architect  
\_\_\_\_\_  
**PRINT ABOVE NAME**

**CONDITIONAL USE APPLICATION SUBMITTAL REQUIREMENTS**

1. A certified survey map showing existing property boundaries and improvements.
2. A map providing the following information:
  - The map and all its parts shall be clearly reproducible with a photocopier at a size of 11" X 17" and map scale not less than 1' = 600' with lot dimensions of the subject property provided and a graphic scale and north arrow.
  - All lands for which the conditional use is proposed.
  - All other lands within 100 feet of the boundaries of the subject property.
  - The current zoning of the subject property and its environs (200 feet),
3. A site plan (conforming to the requirements of Section 15.908(3) of the subject property as proposed for development or if the proposed conditional use is a cluster development (per Section 15.206(1)(b) or a group development (per Section 15.208). A proposed preliminary plat or conceptual plat may be substituted for the final site plan, provided that the preliminary plat contains all information required on a site plan.

7/7/2021

City of Sheboygan  
Department of City Development  
828 Center Avenue – Suite 208  
Sheboygan, WI 53081

Property Owner:  
North/Calumet, LLC  
Thomas Schafer – sole member  
2551 N Wahl Ave  
Milwaukee, WI 53211  
tschafer@wi.rr.com and lwyant@wyantlaw.com

### **Proposed development narrative for Architectural Review and Conditional Use Approval**

#### General Project Information:

Restaurant with drive-thru is a permitted conditional use in the UC Zoning district. Proposed new building for sole tenant Starbucks coffee shop with drive-thru, to be located on the future “Lot 1” of prior 2108 North Avenue – CSM approved by PC on 6/29/21 for creation of “Lot 1” (currently vacant) and “Lot 2” (redeveloped of existing unoccupied building into Cousin’s). Anticipated new address of site is 2120 as indicated on our drawing submittal. The included proposal is for an approximate 2,230 square foot Starbucks café with drive thru and approximately 250 square foot outdoor patio area. The café will provide an indoor seating capacity of ±50 patrons and outdoor seating capacity of ±20 patrons. (1 parking stall per 3 seats is satisfied, see site plan, 26 total stalls) Proposed business hours will be daily from 5am-9pm (may vary on weekends). The café anticipates employing ±25-30 persons in total. The project schedule anticipates construction start in late Fall 2021 with completion in late Spring 2022.

### General Site and Adjacency Information:

The Property is located in a commercially-designated area within the City Urban Commercial (UC) Zoning District and has been previously used for commercial purposes; no zoning change is necessary. As part of the property development strategy, we are proposing to close two curb cuts (one located at the intersection of N 21st Street and North Ave, and the eastern one located on North Ave, as shown on the site plan) so the development utilizes just one existing curb cut on North Ave and one existing curb cut on N 21st Street. A cross-access and cross-utility easement was also proposed as part of the CSM. Nearby property uses include several commercial uses, such as Advance Auto Parts, and various retail and restaurant/fast food uses. Existing residential is located behind the property but note that the homes are located across the shared stormwater detention area and across Schetter Avenue, more than 100' from our proposed site paving areas and  $\pm 200'$  from our proposed building. Please refer to included site plan and landscape plan for proposed improvements to this area to further improve the residential buffer between these properties.

### Site Specifics:

Great care goes into selecting sites for Starbucks after a market has been identified – they must provide ample parking and drive-thru queuing to optimize guest experience. Great care was taken through exploring several different site plan options with Starbucks' team to ensure this criteria was being met, and also satisfying the Zoning requirements. The added bypass lane further improves site circulation and drive-thru efficiency. In regards to landscaping, the site has also been designed to exceed minimum zoning requirements in all sections - please note the summary under "Design Requirements" and "Proposed Plant Material Table" on sheet LSP1.0. Trash enclosure and Monument sign have also been designed with similar building materials to create a cohesive development.

### Building Specifics:

As presented, this design is consistent with Starbucks' new prototype but also includes several upgrades such as raised parapets for RTU screening and also façade massing/articulation (both up/down and in/out) to add some visual complexity and hierarchy to the façade designs. Please note that high quality materials are being used throughout the design – brick as a wainscot and also accent walls, precast sills, spruce fiber cement panels, and drainage type EIFS used only on upper portions of the building rear, which will be coated in a self-cleaning Sto Lotusan finish. Also note that several lighting solutions are being implemented – wall sconces from the façade, recessed lighting from the covered awnings at doors and drive-thru window, and also accent lighting on the spruce louvered awnings over the windows. These finish materials and building upgrades satisfy the prototype requirements of Starbucks, but also provide durable and high quality finishes in contrasting yet complimentary colors and textures to ensure a high quality building that is consistent with the future vision of the surrounding neighborhood.

Consistency with City Plans:

The City of Sheboygan Comprehensive Plan (“Comp Plan”) Future Land Use Map designates the Property, and neighboring properties, as Community Mixed Use. The proposed development advances several goals, objectives and policies of the Comp Plan, including:

- Accommodating a mix of uses within a finite amount of land.
- Following the existing land use pattern of the general neighborhood.
- Promoting infill development and redevelopment of aging sites, with compatible uses.
- Generally promote the mixture of compatible land uses on the same site.

Exceptions / Variance requested:

Consistent with the previously approved CSM submittal, an exception/variance is being requested for otherwise required paving setbacks from the property lines. At two separate locations on this site, there is shared access between both adjacent sites to the East and West that is being handled with a shared cross access agreement. Shared utility and stormwater easements will also be utilized on this site, as identified on the included Civil drawings.

Project Team:

Architect: Logic Design & Architecture, Inc.

Civil Engineer: Pinnacle Engineering Group

Landscape Design: InSite Landscape Design

Structural Engineer: TBD

Mechanical Engineer: TBD

We look forward to working with the city throughout the approval process to transform this site and believe that the proposed site layout, new building, parking, and landscaping all contribute to a better use, circulation, and substantial improvement to the overall aesthetic of the parcel and surrounding environment.

Warm regards,

Adam J. Stein  
Principal, Architect, NCARB

Signage shown as example only, final design/details submittal for AHJ approvals by tenants. Landscaping shown for reference only, refer to Landscape design drawings for final design & details

NW Corner



NE Corner



SE Corner



SW Corner



COPYRIGHT 2021 | LOGIC DESIGN & ARCHITECTURE, INC.

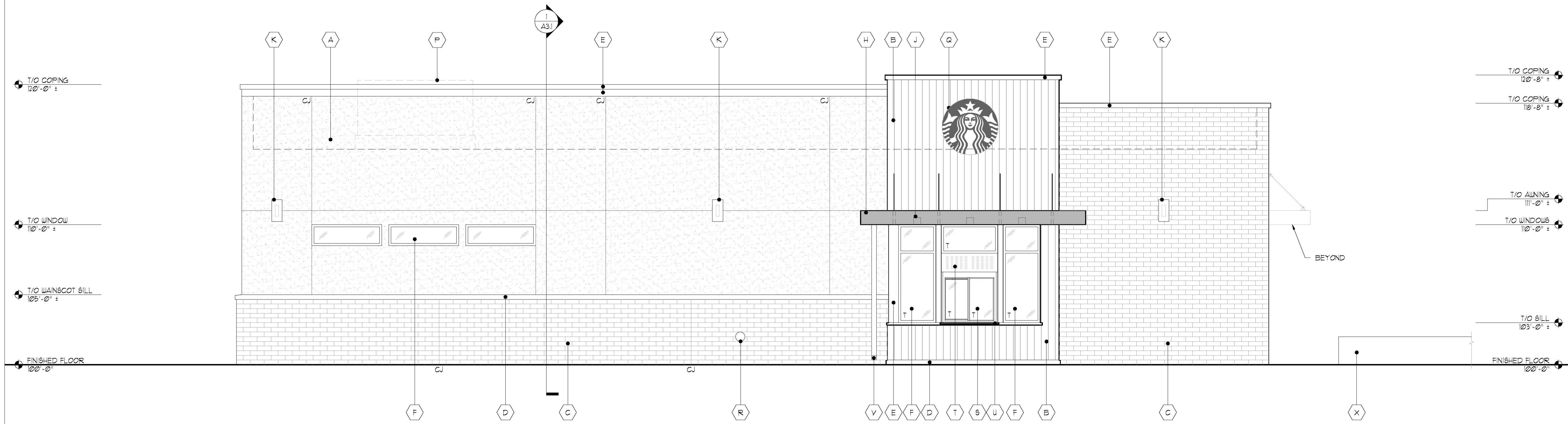
# Proposed Building @ 2120 North Ave

City of Sheboygan, WI | July 2021



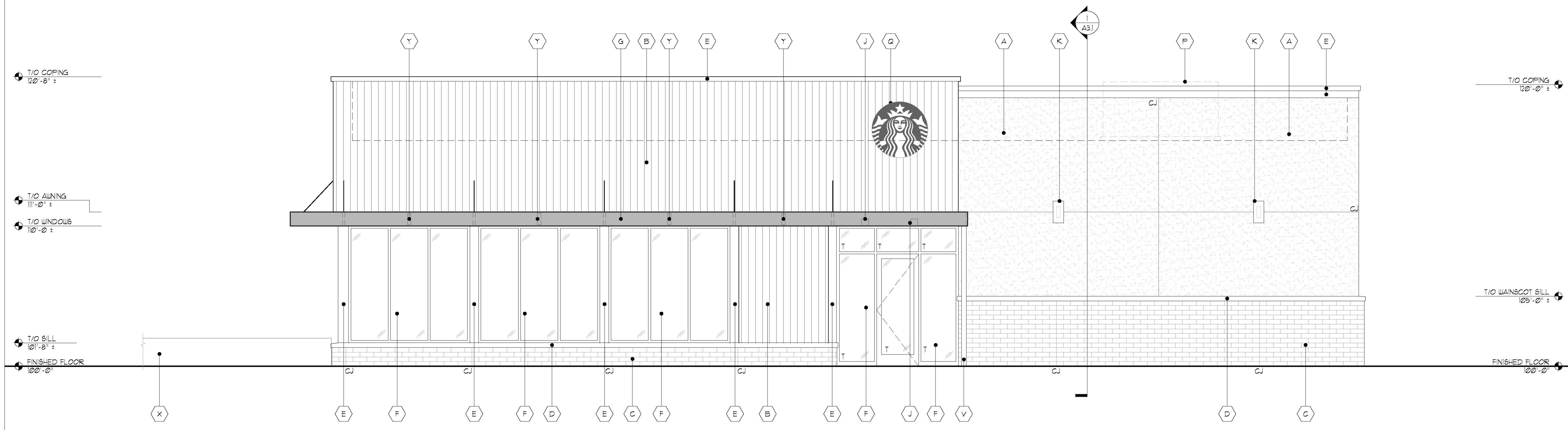
PLOT DATE: 7/6/2021

FILE NAME: C:\USERS\WMACDONALD\DROPBOX\_ACTIVE PROJECTS\21-057 STARBUCKS SHEBOYGAN SHEETS\21-057\_SBX\_SHEBOYGANDWG



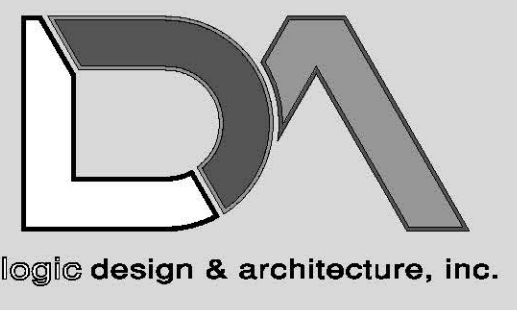
GLAZING: S = SPANDREL T = TEMPERED --- SIGNAGE SHOWN FOR REFERENCE PURPOSES ONLY - FINAL LOCATIONS, TYPE, AND AHJ APPROVALS BY TENANT, TYPICAL.

PROPOSED WEST ELEVATION  
1/4" = 1'-0" 2



GLAZING: S = SPANDREL T = TEMPERED --- SIGNAGE SHOWN FOR REFERENCE PURPOSES ONLY - FINAL LOCATIONS, TYPE, AND AHJ APPROVALS BY TENANT, TYPICAL.

PROPOSED EAST ELEVATION  
1/4" = 1'-0" 1



LogicDA.com | 414.909.0080  
Project Manager: WBM  
Job Number: 21-057

Additional Info

Project Name

Proposed Outlot  
2120 North Ave  
Sheboygan, WI 53083

Dates/Revisions  
07.06.21  
PLAN COMMISSION  
SUBMITTAL

Drawing Title  
ELEVATIONS

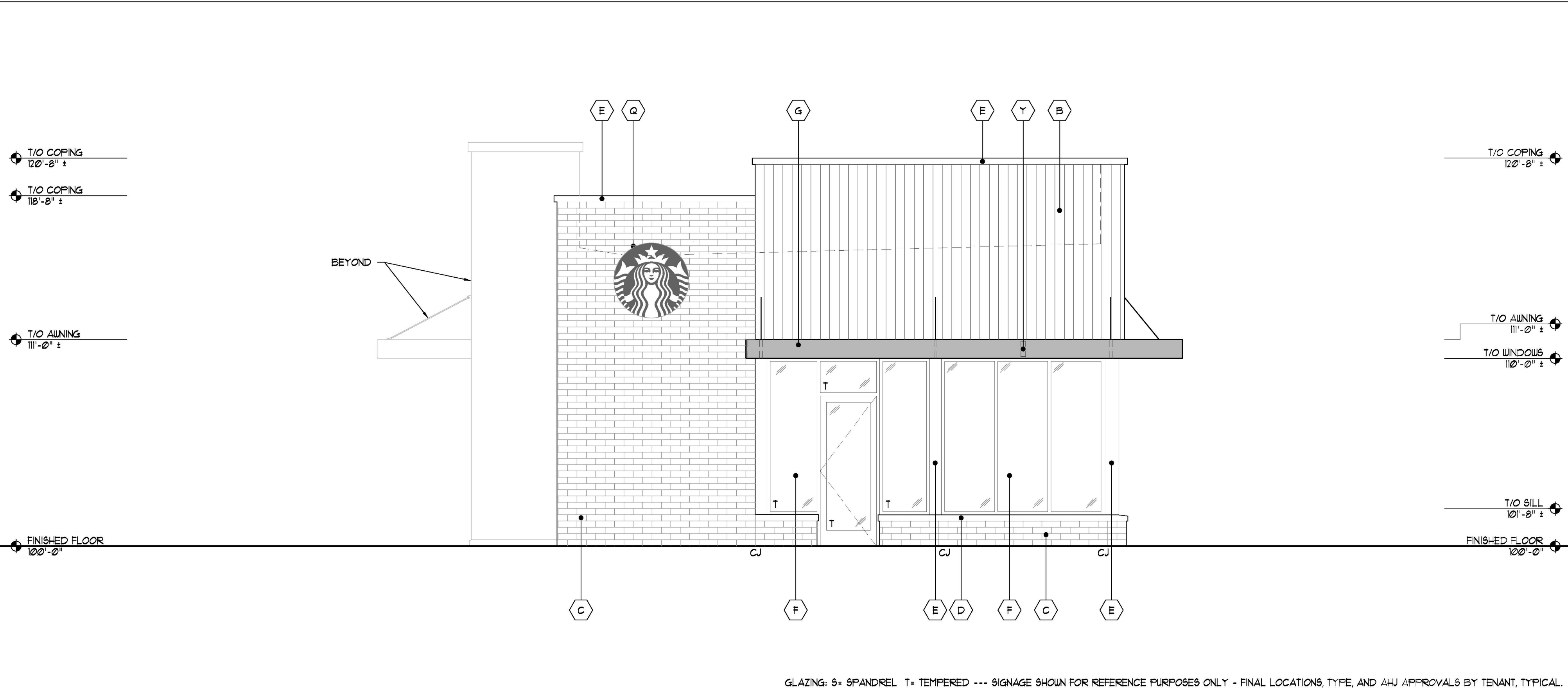
A2.1

- PRELIMINARY -  
NOT FOR CONSTRUCTION

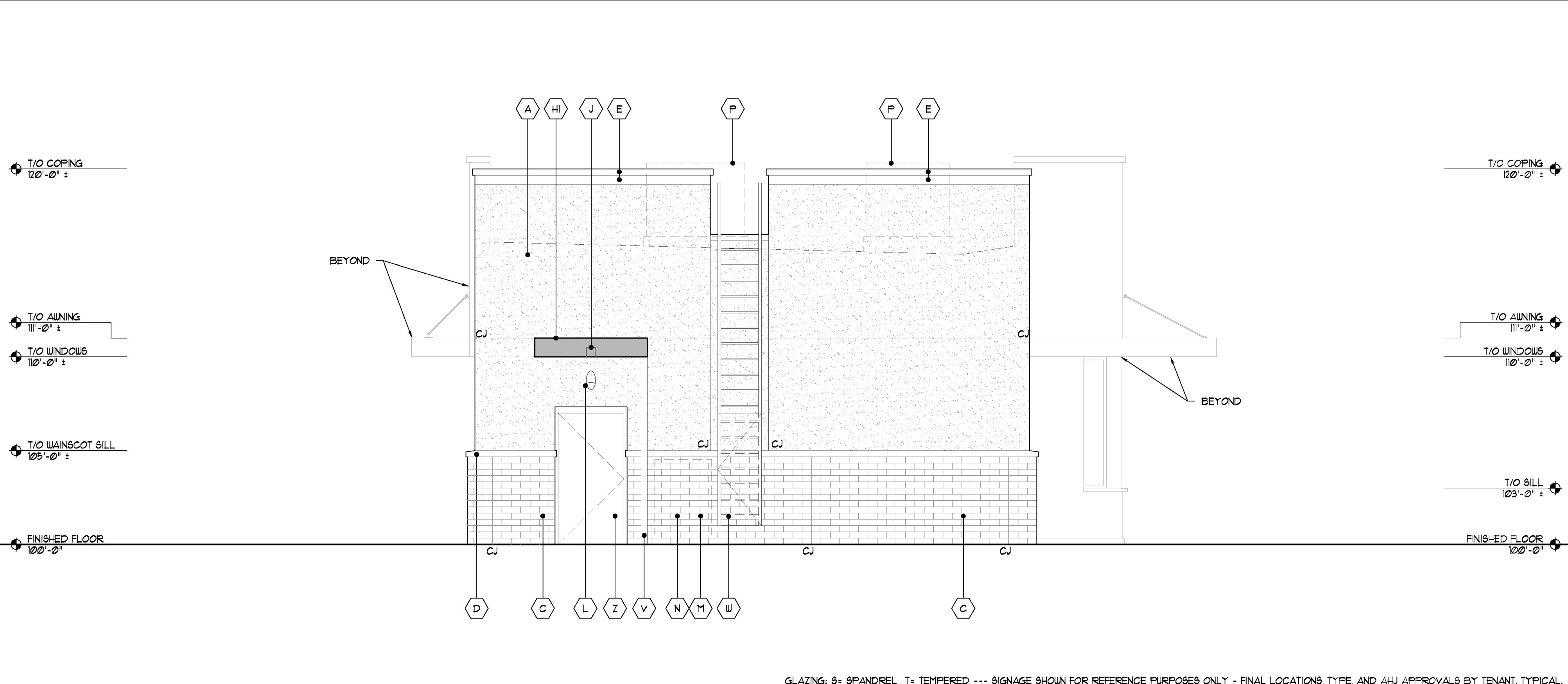
COPYRIGHT LOGIC DESIGN & ARCHITECTURE, INC. (LDA). 2021. ALL RIGHTS RESERVED. THIS DRAWING IS NOT TO BE REPRODUCED, CHANGED, COPIED OR ASSIGNED TO ANY THIRD PARTY IN ANY FORM OR MANNER WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION OF LDA. THE CLIENT AGREES TO INDemnIFY AND HOLD THE DESIGNER/ARCHITECT/ENGINEER HARMLESS FROM ANY DAMAGES, LIABILITY, OR COST, INCLUDING ATTORNEY'S FEES AND COSTS OF DEFENSE ARISING FROM ANY CHANGES OR ALTERATIONS MADE BY ANYONE OTHER THAN THE LDA, OR FROM ANY REUSE OF THE DRAWINGS OR DATA WITHOUT THE PRIOR WRITTEN CONSENT OF LDA.

| Exterior Material Schedule |   |  |   |                              |
|----------------------------|---|--|---|------------------------------|
| Key                        | Material  | Color / Spec   | Details / Add'l Info  | Mfg. Info                    |
| A                          | EFS Finish  | STO Lotusan   or Equal<br>  Color: SW 7068<br>Grizzle Gray                     | Drainage Type EFS per mfg.   Install per mfg.   **GC to provide Architect large color sample for final approval **  | STO Lotusan                  |
| B                          | Vintage Wood Fiber Cement Panels                              | Vintage Wood - Spruce  | Install Vertical   Use only factory corners, H/J trim, & coping and color matched sealants - R/T Elevations & Details, typical.   | Nichiha USA, Inc.            |
| C                          | Brick Veneer  | Heritage Collection<br>Color: Slate  | Running Bond   Unit Size   Mortar: Black (SM800)   Apply penetrating sealer to brick & grout per Mfg recommendations  | County Materials or similar  |
| D                          | Cast Stone / Precast Concrete                                 | Soft Gray   Smooth Finish  | Caps, bands, sills - refer to sections   Mortar: Gray (SM100)   Apply penetrating sealer per mfg.   Submit shop drawings for review and approval  | Custom Cast Stone / Spec Mix |
| E                          | Metal #1  | Color: Matte Black   | coping, flashing, etc. - also see sections  | Pac-Clad (Peterson)          |
| F                          | Aluminum Storefront System                                    | Black Frames   | Full lite doors w/ 1" insulated Low-E clear glazing (u.o.n.) w/ thermally broken frames - R/T elevations for tempered and spandrel locations.   | Kawneer or approved equal    |
| G                          | Steel Awning (with welded chamfered corners) & Spruce Louvers | Prime & Epoxy Paint<br>Sherwin Williams 6991<br>Black Magic   Sealed<br>Spruce | Galvanized Steel Tube perimeter w/ steel tube standoffs. Finish all with exterior epoxy coating system or equal per Mfg. recommendations   Submit shop drawings for review and approval.<br>Spruce to be stained <b>AND SEALED (ALL SIDES)</b> to match Nichiha | TBD                          |
| H                          | Steel Drive-Thru Canopy (with welded chamfered corners)       | Prime & Epoxy Paint<br>Sherwin Williams 6991<br>Black Magic                    | Galvanized Steel Tube perimeter w/ steel tube standoffs. Finish all with exterior epoxy coating system or equal per Mfg. recommendations   Submit shop drawings for review and approval   | TBD                          |
| H1                         | Steel Awning (with welded chamfered corners)                  | Prime & Epoxy Paint<br>Sherwin Williams 6991<br>Black Magic                    | Galvanized Steel Tube perimeter w/ steel tube standoffs. Finish all with exterior epoxy coating system or equal per Mfg. recommendations   Submit shop drawings for review and approval   | TBD                          |
| J                          | Recessed Lighting   | Black Finish   | Recessed LED - Coord. Locations w/ Reflected Ceiling Plan. Provide battery backup at all egress doors, typ.   | TBD                          |
| K                          | Wall Mounted Lighting   | Black Finish   | Down   CY91 40K MVD W X NCLR-B-RD8   Wall Mount 11'-0" AFF  | ConTech                      |
| L                          | Emergency Egress Lighting                                     | Black Finish   | TRL-EM-BR-EL   Wall mounted centered over door  | Triton LED                   |
| M                          | Gas Meter   | Prefinished  | GC to coordinate location with local utility & AHJ. Protect with bollards and maintain clear floor requirements   Exterior piping not permitted - Run supply line from meter through wall, up interior wall and overhead to RTU/s                               | TBD                          |
| N                          | Electric Service  | Prefinished  | GC to coordinate location with local utility & AHJ. Protect with bollards and maintain clear floor requirements   | TBD                          |
| P                          | Roof Top Unit   | Prefinished  | GC to coordinate location & Details w/ Tenant Drawings  | TBD                          |
| Q                          | Tenant Signage  | TBD by tenant  | Generic signage shown for reference - Tenants are responsible for actual signage design and AHJ approvals, typical. LL GC to coordinate w/ tenant for all sign locations, provide power & blocking as necessary.  | TBD                          |
| R                          | Overflow Downspout Nozzle                                     | Z199-Prefinished   | Mount 20" AFF   | TBD                          |
| S                          | Drive-Thru Window   | To Match Storefront  | Z75 Series - 47'-1/2" W x 43'-1/2" H with Manual open/Electronic Release (M.O.E.R.) - R/T Tenant Specs  | Ready Access                 |
| T                          | Drive-Thru Air Curtain  | To Match Storefront  | AA300 - Z75 Pass-Thru Air Curtain System - R/T Tenant Specs   | Ready Access                 |
| U                          | Drive-Thru Shelf  | Stainless Steel  | Z75 Series - 47'-1/2" W x 10" D - R/T Tenant Specs  | Ready Access                 |
| V                          | Open Face Downspout   | Color: Black   | Prefinished to match concrete panels  | TBD                          |
| W                          | Roof Access Ladder & Gate                                     | Color: Black   | Prefinished to match concrete panels   Submit shop drawings for review and approval   | TBD                          |
| X                          | Patio Wall  | Soft Gray   Smooth Finish  | Apply penetrating sealer per Mfg recommendations.   | TBD                          |
| Y                          | Awning Mounted Lighting                                       | Black Finish   | Down   9002 W1 RW LED3590 M BK L1 WRS   Wall Mount 10'-0" AFF   | Lumiere Lanterna             |
| Z                          | HM Painted Door   | Color: Black   | Hollow metal insulated door and frame   | TBD                          |

Notes: Refer to sections and wall types for additional information. GC to install all products per industry standards and manufacturer's recommendations. Design/Build Contractors and GC to coordinate Knox Box, Security Camera, and all other AHJ required items not shown on elevations, typical.



**PROPOSED WEST ELEVATION**  
1/4" = 1'-0" **2**



**PROPOSED NORTH ELEVATION**  
1/4" = 1'-0" **1**

**SCHEDULE** **3**

LogicDA.com | 414.909.0080  
Project Manager: WBM  
Job Number: 21-057

**Additional Info**

**Project Name**  
Proposed Outlot  
2120 North Ave  
Sheboygan, WI 53083

**Dates/Revisions**  
07.06.21  
PLAN COMMISSION  
SUBMITTAL

**Drawing Title**  
**ELEVATIONS**

**A2.2**

- PRELIMINARY -  
NOT FOR CONSTRUCTION

COPYRIGHT LOGIC DESIGN & ARCHITECTURE, INC. (LDA), 2021. ALL RIGHTS RESERVED. THIS DRAWING IS NOT TO BE REPRODUCED, CHANGED, COPIED, OR ASSIGNED TO ANY THIRD PARTY IN ANY FORM OR MANNER WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION OF LDA. THE CLIENT AGREES TO INDEMNIFY AND HOLD THE DESIGNER/ARCHITECT FIRM HARMLESS FROM ANY DAMAGES, LIABILITY, OR COST, INCLUDING ATTORNEY'S FEES AND COSTS OF DEFENSE ARISING FROM ANY CHANGES OR ALTERATIONS MADE BY ANYONE OTHER THAN THE LDA, OR FROM ANY REUSE OF THE DRAWINGS OR DATA WITHOUT THE PRIOR WRITTEN CONSENT OF LDA.



Project Manager: WBM  
Job Number: 2488.00

Additional Info

Project Name

SHEBOYGAN OUTLOT  
2120 NORTH AVENUE,  
SHEBOYGAN, WI 53083

Dates/Revisions

|          |                              |
|----------|------------------------------|
| 05.13.21 | PRELIM. (20%) SET FOR TENANT |
| 06.08.21 | PRELIM. SITE                 |
| 06.09.21 | PRELIM. SITE                 |
| 06.11.21 | PRELIM. (20%) SET FOR TENANT |
| 07.14.21 | TENANT COORD.                |

Drawing Title

SITE  
DIMENSIONAL &  
PAVING PLAN

C-3

COPYRIGHT LOGO DESIGN & ARCHITECTURE, INC. (LDA). 2020. ALL RIGHTS RESERVED. THIS DRAWING IS NOT TO BE REPRODUCED, CHANGED, COPIED OR ASSIGNED TO ANY THIRD PARTY IN ANY FORM OR MANNER WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION OF LDA. THE CLIENT AGREES TO INDEMNIFY AND HOLD THE DESIGNER/ARCHITECTS/CORP. HARMLESS FROM ANY DAMAGES, LIABILITY, OR COSTS OF DEFENSE ARISING FROM ANY CHANGES OR ALTERATIONS MADE BY ANYONE OTHER THAN THE LDA, OR FROM ANY REUSE OF THE DRAWINGS OR DATA WITHOUT THE PRIOR WRITTEN CONSENT OF LDA.

### LEGEND

- LIGHT DUTY ASPHALT PAVEMENT**
  - 1" - 1 1/2" CRUSHED AGGREGATE TB
  - 3" HMA PAVEMENT (2 LIFTS)
  - 2" BINDER COARSE - 3 LT 50-28.5
  - 1" SURFACE COARSE - 5 LT 50-28.5
- HEAVY DUTY ASPHALT PAVEMENT**
  - 1 1/2" - 1 3/4" CRUSHED AGGREGATE TB
  - 4" HMA PAVEMENT (2 LIFTS)
  - 2 1/2" BINDER COARSE - 3 LT 50-28.5
  - 1 1/2" SURFACE COARSE - 5 LT 50-28.5
- CONCRETE PAVEMENT**
  - 5" CONCRETE SLAB WITH 6 x 6 - W2.9 x W2.9 W.W.M.
  - 6" MIN. - 1 1/2" CRUSHED AGGREGATE TB
- CONCRETE SIDEWALK**
  - 5" CONCRETE SIDEWALK
  - 4" - 1 1/2" CRUSHED AGGREGATE TB
- 4" SOLID WHITE STRIPE**
- 4" DIAGONAL AT 45° SPACED 2" O.C.**
- ADA PARKING STALL SIGNAGE WITH BOLLARD (SEE DETAIL)**
- 18" CURB & GUTTER (SEE DETAIL)**
- 18" REVERSE PITCH CURB & GUTTER (SEE DETAIL)**
- ADA STALL INSIGNIA**
- INTEGRAL CURB AND GUTTER (SEE DETAIL)**
- BOLLARD**
- WHEEL STOP**
- ADA COMPLIANT RAMP, TAPER CURB HEAD AND INSTALL TRUNCATED DOMES**
- PARKING COUNT (FOR INFORMATION ONLY, NOT TO BE PAINTED)**

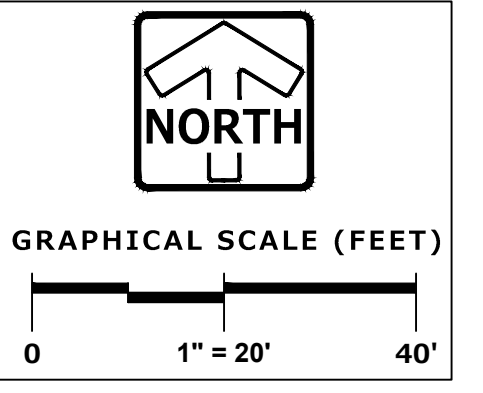
### SITE DATA

|                              |                      |
|------------------------------|----------------------|
| SITE AREA:                   | 0.77 AC              |
| DISTURBANCE LIMITS:          | 0.77 AC              |
| BUILDING AREA:               | 2,230 SF             |
| PROPOSED CAR PARKING SPACES: | 11 SPACES (2 A.D.A.) |
|                              | 15 SPACES (EXISTING) |
|                              | 26 SPACES TOTAL      |
| GRASS AREA:                  | 0.24 AC              |
| TOTAL IMPERVIOUS AREA:       | 0.53 AC              |
| GREEN SPACE (%):             | 30.85%               |

**CONTRACTOR RESPONSIBILITY: SEE ADDITIONAL CONSTRUCTION NOTES LOCATED ON SHEET C-2**

**LANDLORD GENERAL CONTRACTOR TO PROVIDE POLES AND TENANT GENERAL CONTRACTOR TO PROVIDE SIGNAGE FOR ALL SIGNS**

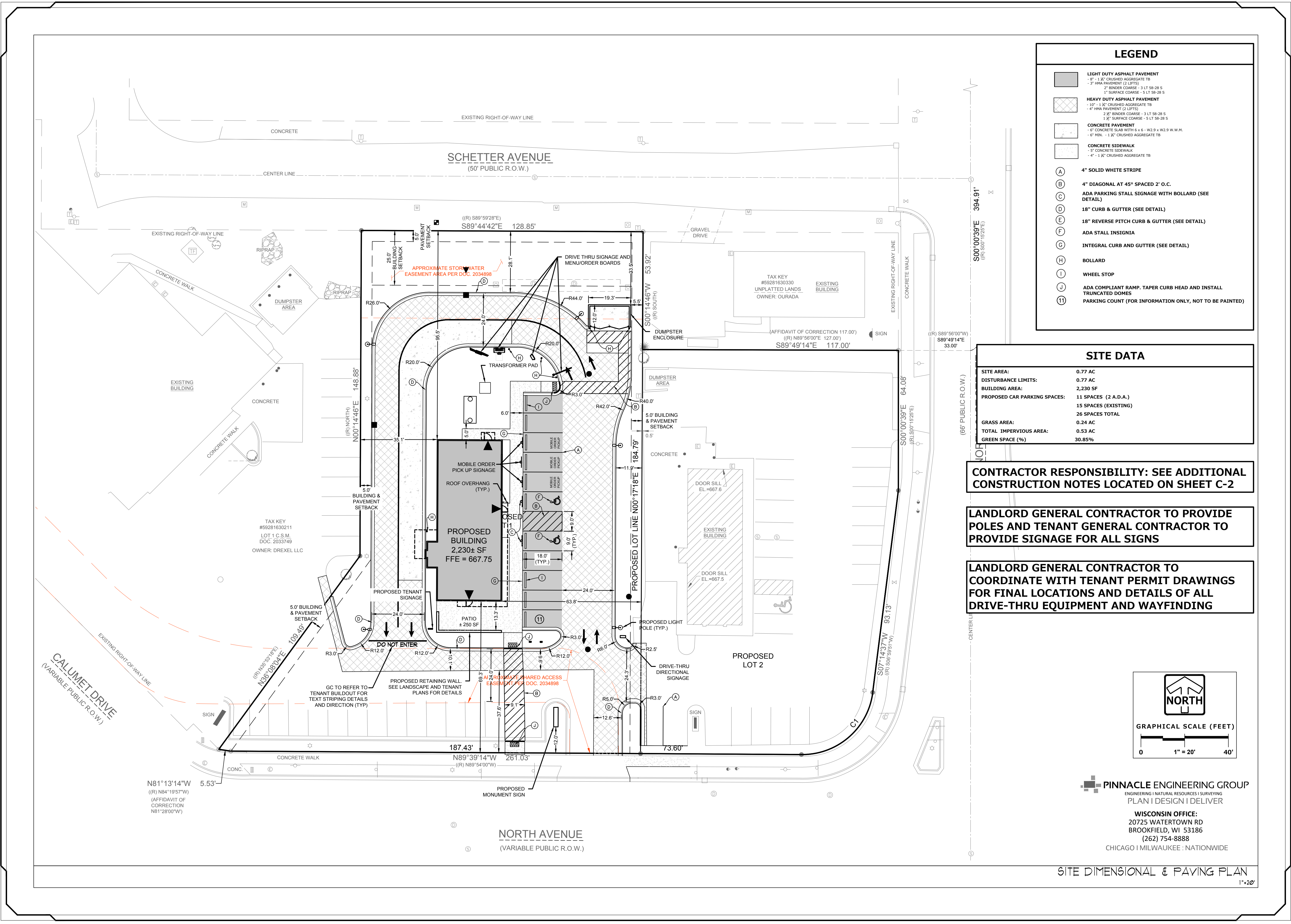
**LANDLORD GENERAL CONTRACTOR TO COORDINATE WITH TENANT PERMIT DRAWINGS FOR FINAL LOCATIONS AND DETAILS OF ALL DRIVE-THRU EQUIPMENT AND WAYFINDING**



**PINNACLE ENGINEERING GROUP**  
ENGINEERING | NATURAL RESOURCES | SURVEYING  
PLAN | DESIGN | DELIVER

**WISCONSIN OFFICE:**  
20725 WATERTOWN RD  
BROOKFIELD, WI 53186  
(262) 754-8888  
CHICAGO | MILWAUKEE | NATIONWIDE

SITE DIMENSIONAL & PAVING PLAN  
1"=20'



Project:

**SHEBOYGAN  
OUTLOT**  
2120 North Avenue  
Sheboygan, WI 53083

Issuance and Revisions:

| Date     | Number | Description               |
|----------|--------|---------------------------|
| 07/06/21 |        | Plan Commission Submittal |

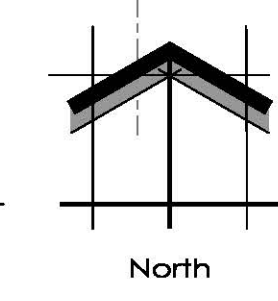
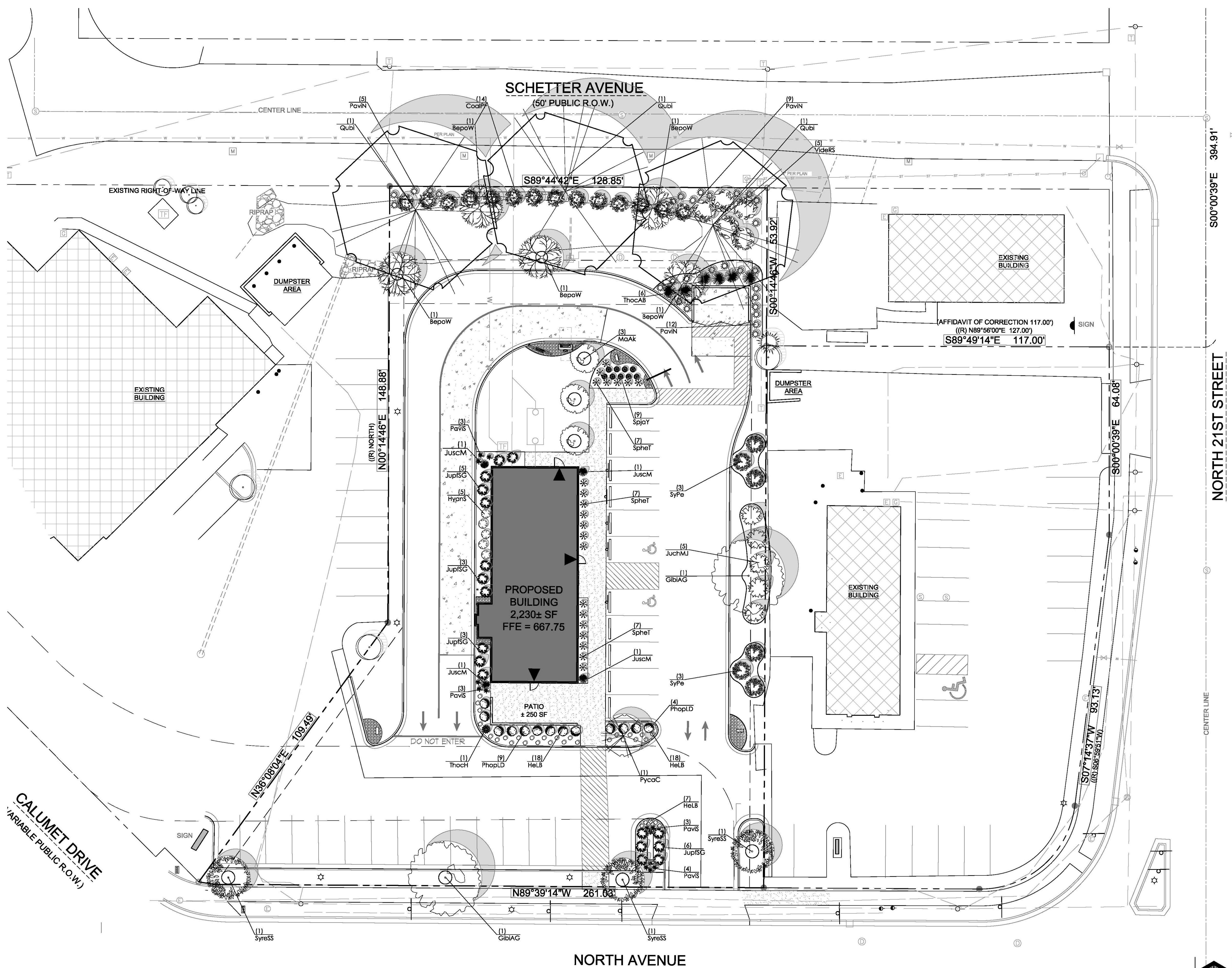
COPYRIGHT InSite Landscape Design Inc. 2020  
ALL RIGHTS RESERVED  
THIS DRAWING IS NOT TO BE REPRODUCED,  
CHANGED, COPIED OR ASSIGNED TO ANY THIRD  
PARTY IN ANY FORM OR MANNER WITHOUT FIRST  
OBTAINING THE EXPRESSED WRITTEN PERMISSION  
OF InSite Landscape Design, Inc. THE CLIENT AGREES  
TO INDEMNIFY AND HOLD THE InSite Landscape  
Design Inc. HARMLESS FROM ANY DAMAGES,  
LIABILITY, OR COST, INCLUDING ATTORNEYS FEES  
AND COSTS OF DEFENSE ARISING FROM ANY  
CHANGES OR ALTERATIONS MADE BY ANYONE  
OTHER THAN THE InSite Landscape Design Inc. OR  
FROM ANY REUSE OF THE DRAWINGS OR DATA  
WITHOUT THE PRIOR WRITTEN CONSENT OF THE  
InSite Landscape Design Inc.

Sheet Title:

PROPOSED LANDSCAPE PLAN.

|                  |             |
|------------------|-------------|
| Date of Drawing: | 07/06/21    |
| Scale:           | 1" = 16'-0" |
| Drawn By:        | MCD         |
| Job Number:      | L21-056     |
| Sheet Number:    |             |

**LSP1.1**



NOT FOR CONSTRUCTION - PRELIMINARY - FOR ESTIMATING AND REVIEW ONLY - DO NOT SCALE THESE DRAWINGS. These progress documents reflect progress & intent & may be subject to change, including additional notes and detail. These are not final construction documents and should not be used for final bidding or construction-related purposes.

# Certified Survey Map

A redivision of Lot 2 of Certified Survey Map recorded in the Sheboygan County Register of Deeds office on January 18, 2017 in Volume 27 of Certified Survey Maps on pages 297-299, as Document No. 2033749 and corrected by an Affidavit of Correction recorded September 28, 2017, as Document No. 2045941 and further corrected by an Affidavit of Correction recorded December 22, 2017, as Document No. 2050233, being part of Lot 1 of Certified Survey Map recorded in Volume 25 of Certified Survey Maps on pages 176-178, as Document No. 1946379 and corrected by an Affidavit of Correction, recorded August 15, 2012, as Document No. 1950555, being all of Lots 1 and 2 of Certified Survey Map recorded in Volume 20 of Certified Survey Maps on pages 161-164, as Document No. 1723561, being a redivision of Lot 1 and part of Lot 2 of Certified Survey Map recorded in Volume 3 of Certified Survey Maps on pages 278-279, as Document No. 1009745, and unplatted lands, all being part of the Northwest 1/4 of the Northwest 1/4 of Section 15, Township 15 North, Range 23 East, in the City of Sheboygan, Sheboygan County, Wisconsin.

Sheet 1 of 4

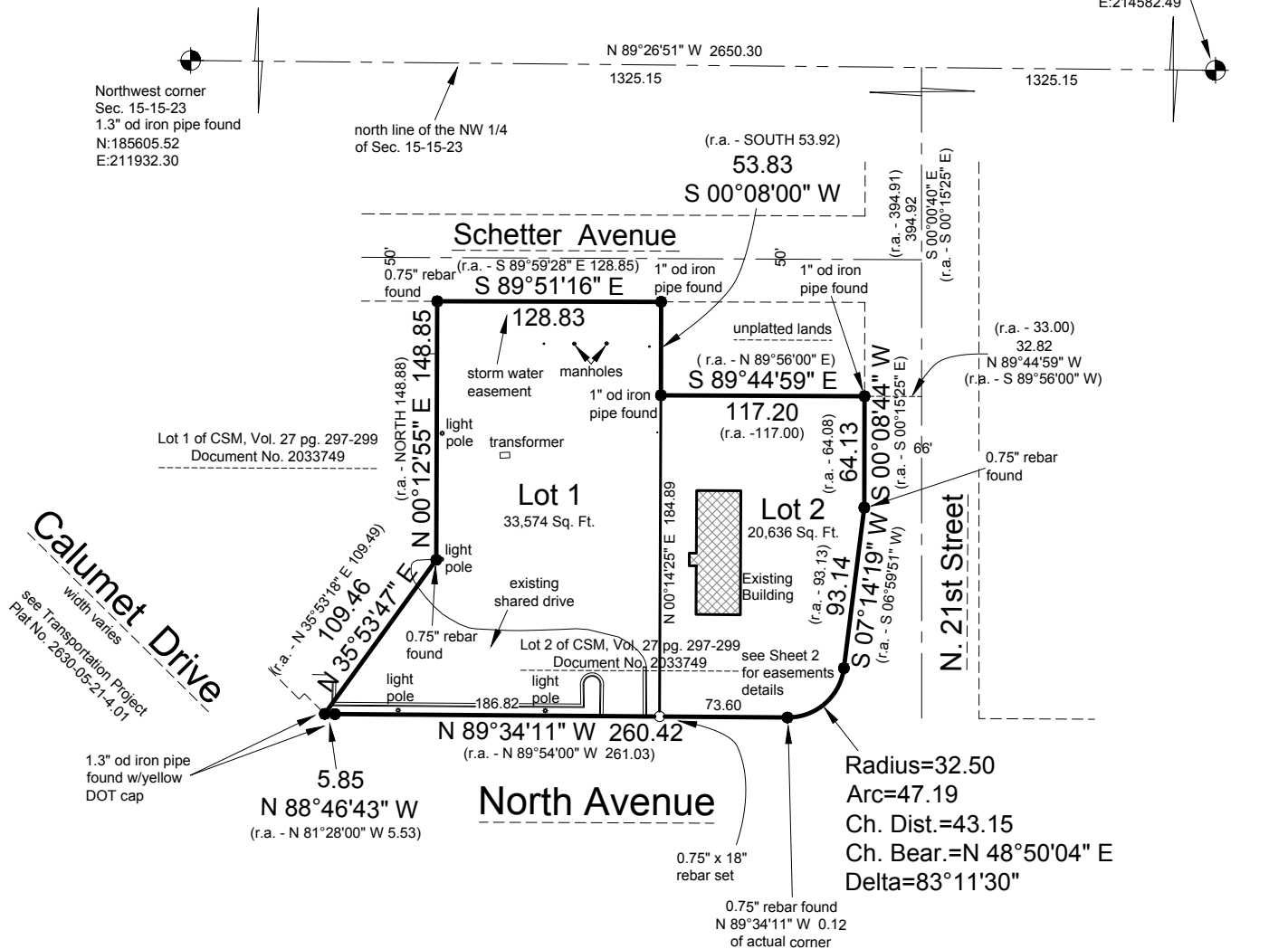
Owner

North/Calumet, LLC  
2551 N. Wahl Ave.  
Milwaukee, WI 53211

Surveyor

David J. Leininger  
Homeland Surveying, LLC  
2079 Cold Springs Rd.  
Saukville, WI 53080

North Quarter corner  
Sec. 15-15-23  
conc.mon/brass cap found  
N:185579.97  
E:214582.49



(r.a.) - means "recorded as"

- - indicates a found monument as indicated.
- - indicates a 0.75" x 18" rebar weighing 1.50 lbs./ft. set.

Bearings are referenced to WISCRS, the Wisconsin Coordinate Reference System, Sheboygan County. The north line of the NW 1/4 of Sec. 15-15-23 which has a field determined bearing of N 89°26'51" W.



0 50 100 200

Scale in feet  
1" = 100'

David J. Leininger S-2285

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021.

OFFICE USE ONLY

PARCEL NO.: \_\_\_\_\_

MAP NO.: \_\_\_\_\_

ZONING CLASSIFICATION: \_\_\_\_\_

OFFICE USE ONLY

REVIEW DATE: \_\_\_\_\_

APPROVAL: \_\_\_\_\_  
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: Adam J. Stein

ADDRESS: 802 N. 109th St., Milwaukee, WI 53226

E-MAIL ADDRESS: astein@logicda.com

PHONE: ( 414 ) 559.6324 FAX NO: ( )

**2. OWNER INFORMATION**

OWNER OF SITE: North/Calumet, LLC, a Wisconsin limited liability company

ADDRESS: 2551 N. Wahl Ave., Milwaukee, WI 53211

PHONE: ( 414 ) 840.6667 FAX NO: ( )

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

NAME OF PROPOSED/EXISTING BUSINESS: Starbucks

ADDRESS OF PROPERTY AFFECTED: 2120 North Avenue

USE OF PROPERTY: Coffee shop with drive-thru and patio

TYPE OF SIGN: Monument sign & Wall signs (submitted by tenant under separate cover)

DESCRIPTION OF PROPOSED SIGN: \_\_\_\_\_

MONUMENT SIGN WITH BRICK, PRECAST, AND  
WOOD (NICHIBA PANELS) TO MATCH BUILDING

**4. CONFIGURATION OF PROPOSED SIGN:**

HEIGHT: 8'-0' +/- X WIDTH: 7'-4' +/- = TOTAL SQUARE FOOTAGE: 52 sf

AMOUNT OF PUBLIC STREET FRONTAGE: 2'-8"

AMOUNT OF EXPOSED EXTERIOR WALL LENGTH: N/A

SETBACK: ±8'-0"

METHOD OF ATTACHMENT: PANEL SIGN IN CABINET ON MONUMENT SIGN

METHOD OF ILLUMINATION: INTERNALLY LIT

SIGN MATERIALS: BRICK, PRECAST, AND WOOD (NICHHA PANELS)  
TO MATCH BUILDING

TOTAL SQUARE FOOTAGE OF SIGNS ON SUBJECT PROPERTY: TBD

BEFORE PROPOSED SIGN: 0 AFTER PROPOSED SIGN: TBD

**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.**

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

7.7.21  
\_\_\_\_\_  
**DATE**

ADAM J. STEIN  
\_\_\_\_\_  
**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.















**CITY OF SHEBOYGAN**

**REQUEST FOR CITY PLAN COMMISSION CONSIDERATION**

---

**ITEM DESCRIPTION:** Application for Conditional Use with exceptions by Logic Design and Architecture, Inc. to construct/operate a Starbucks Coffee Shop with Drive Thru at 2108 North Avenue. UC Zone

---

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

---

**REPORT DATE:** July 23, 2021

**MEETING DATE:** July 27, 2021

---

**FISCAL SUMMARY:**

**STATUTORY REFERENCE:**

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

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

---

**BACKGROUND / ANALYSIS:**

Logic Design and Architecture is proposing to construct/operate a Starbucks Coffee Shop with Drive Thru at 2108 North Avenue. The applicant states the following about the project:

- This site is currently vacant and undeveloped (grass).
- The proposed redevelopment will include a new 2,230sf square foot Starbucks with a full-service drive-thru and a 250sf seasonal outdoor patio area. The café will provide an indoor seating capacity of approximately 50 patrons and an outdoor seating capacity of approximately 20 patrons.
- Starbucks anticipates 25-30 full and part time employees.
- Typical operating hours are 5 a.m. to 9 p.m. daily (may vary on weekends).
- This site was selected as it is an existing location with high visibility, sufficient building size, and adequate parking area.
- This proposal includes development of a vacant parcel into a prospering Starbucks. The existing lot will be divided into two (2) parcels. The westerly half is our current project and is identified on the site plan as project boundary indicating where the proposed split of Lot 1 would be.

- Starbucks anticipates construction start in late Fall 2021 with completion in late Spring 2022.
- The Property is located in a commercially-designated area within the City Urban Commercial (UC) Zoning District and has been previously used for commercial purposes. Nearby property uses include several commercial uses, such as Advance Auto Parts, and various retail and restaurant/fast food uses.
- Great care goes into selecting sites for Starbucks after a market has been identified – they must provide ample parking and drive-thru queuing to optimize guest experience. Great care was taken through exploring several different site plan options with Starbuck’s team to ensure these criteria was being met, and also satisfying the Zoning requirements. The added bypass lane further improves site circulation and drive-thru efficiency.
- In regards to landscaping, the site has also been designed to exceed minimum zoning requirements in all sections.
- Trash enclosure and monument sign have also been designed with similar building materials to create a cohesive development.
- A current access to North Avenue on the Cousins property will be eliminated and a new shared access for both Starbucks and Cousins will be constructed for both uses.

Specific site improvements include:

- The proposed restaurant will be 2,230sf in size.
- 26 parking spaces are provided (11 new and 15 existing along the south property line adjacent to North Avenue).
- The existing driveway connection to N. 21<sup>st</sup> Street will be modified to act as a shared driveway for both Starbucks and Cousins.
- There will be a cross access easement recorded between the property to the east and west allowing vehicles access to curb cuts/connections on both properties minimizing traffic stacking and impacts to North Avenue (CSM previously approved).
- The drive-thru lane provides for a minimum 100-foot stack from the “pass through” window and also meets the 40-foot minimum post window stack.
- A dumpster enclosure, constructed of sealed and stained spruce wood plank fencing, will be constructed at the northeast corner of the lot.
- Landscaping will be upgraded to add a variety of foundation and ground plantings to enhance the site, while preserving a majority of the mature trees around the parking lot and drive through. Additional decorative trees are also added to complement the site.
- Applicant is proposing a new monument sign setback 12 feet to the property line.

The applicant states the following about the restaurant architecture:

- The proposed design is consistent with Starbuck’s new prototype but also includes several upgrades such as raised parapets for RTU screening and also façade massing/articulation (both up/down and in/out) to add some visual complexity and hierarchy to the façade designs.

- High quality materials are being used throughout the design – brick as a wainscot and also accent walls, precast sills, spruce fiber cement panels, and drainage type EIFS used only on upper portions of the building rear, which will be coated in a self-cleaning Sto Lotusan finish.
- Also note that several lighting solutions are being implemented – wall sconces from the façade, recessed lighting from the covered awnings at doors and drive-thru window, and also accent lighting on the spruce louvered awnings over the windows.
- These finish materials and building upgrades satisfy the prototype requirements of Starbucks, but also provide durable and high-quality finishes in contrasting yet complimentary colors and textures to ensure a high-quality building that is consistent with the future vision of the surrounding neighborhood.

The applicant states the following about Starbucks:

- Our story began in 1971. Back then we were a roaster and retailer of whole bean and ground coffee, tea and spices with a single store in Seattle’s Pike Place Market. Today we are privileged to connect with millions of customers every day with exceptional products and more than 30,000 retail stores in 83 markets.
- Every day, we go to work hoping to do two things: share great coffee with our friends and help make the world a little better. It was true when the first Starbucks opened in 1971, and it’s just as true today.
- We’re not just passionate purveyors of coffee, but everything else that goes with a full and rewarding coffeehouse experience. We also offer a selection of premium teas, fine pastries and other delectable treats to please the taste buds. And the music you hear in store is chosen for its artistry and appeal.
- It’s not unusual to see people coming to Starbucks to chat, meet up or even work. We’re a neighborhood gathering place, a part of the daily routine – and we couldn’t be happier about it. Get to know us and you’ll see: we are so much more than what we brew.

**STAFF COMMENTS:**

The owner of the property recently submitted (and the Plan Commission approved) a Certified Survey Map (CSM) to create two (2) parcels out of this one (1) parcel which presently has the Loan Max facility (east side) and a vacant, undeveloped parcel on the west side. The owner is proposing two (2) lots which permits Cousins to purchase their proposed development site on Lot 2 and will create a 2<sup>nd</sup> parcel that Starbucks is proposing for development today.

The previously approved CSM shows an access agreement between the two (2) new parcels. This access easement permits each development to share a common driveway which will be located on the new Starbucks lot to the west (Lot 1 in the CSM). This shared driveway on the Starbucks lot allows Cousins to eliminate their driveway so now there will be just one (1) driveway onto North Avenue instead of two (2) separate driveways for each parcel.

There are a number of turning movements along this section of North Avenue, which is very close to the Calumet Drive intersection, and creating a shared access driveway minimizes the

number of turning movements in this area which is safer from a pedestrian and vehicular perspective. Having one (1) shared access driveway is much safer than having two (2) separate access drives for each property creating even more turning movements at this very busy intersection - Calumet and North intersection, North and N. 21<sup>st</sup> Street intersection and the other various driveway movements to and from the commercial strip centers on each side of North Avenue.

In addition, the Starbucks lot will be sharing a storm drainage facility with the multi-tenant facility to the west (Auto Zone – 2713 Calumet Drive).

Applicant shows they plan to install a 52sf internally lit monument sign near the driveway along North Avenue. The monument sign advertises the Starbucks logo and will be constructed of brick, precast and wood (Nichia panels) to match the building.

Applicant shows some general information about wall signage. Applicant shall work with staff with regards to constructing a well-designed sign package for the site that utilizes colors and materials similar to the building. Staff may bring the proposed signage design back to the Plan Commission if there any concerns.

The Plan Commission may want the applicant to explain the following:

- Explanation of drive thru business and access to North Avenue.
- What is there thought about building signage?
- Explanation of patio – fencing, furniture, bollards, etc.
- When is construction proposed to begin and when might the Starbucks open?

The proposed Starbucks is a nice development and appears to be a nice fit with many of the other commercial restaurants and retail/service establishments located along this redeveloping North Avenue/Calumet Drive intersection.

Applicant is requesting the following exceptions:

- Requesting a paving variance to be zero (0) feet to the west property line – minimum paving setback is five (5) feet.

This is located at both the east and west property lines and serves as a shared access drive to these three (3) properties. This existing driveway that connects the Starbucks with the Cousin's and this shared access allows for one (1) driveway instead of two (2) driveways onto North Avenue for both properties.

- Requesting a variance from the locational landscaping requirements - Applicant shall meet the four (4) locational and bufferyard landscaping requirements.

#### **ACTION REQUESTED:**

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

1. Prior to building permit issuance, the applicant shall obtain all licenses and permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC,

- fire, water, sewer, storm drainage, health, DNR, 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. If properties are sharing stormwater facilities, the proper agreements/easements shall be officially documented and recorded prior to building permit issuance.
  3. Submittal and approval of a landscape plan prior to building permit issuance. Landscape plan shall provide a legend that shows how the four (4) landscape criteria are being met (create a legend along with the landscape plan site plan). Landscaping shall be installed prior to issuance of an occupancy permit.
  4. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility and shall be completed prior to issuance of an occupancy permit.
  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. Any unused mechanical boxes, equipment, etc. shall be removed from the site.
  8. Any fencing/retaining wall shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance. Applicant shall work with staff with regards to constructing appropriate and well-designed fence/retaining wall and shall obtain the necessary 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. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance (site lighting, building lighting, signage, etc.). There shall be no spillover light onto adjacent properties or the streets.
  10. Applicant shall work with staff with regards to appropriate signage. Only at such time as the sign package has been reviewed and approved may the applicant obtain sign permits to install the proposed signage. If staff has any concerns with proposed signage design, the matter may be brought back to the Plan Commission for their consideration.
  11. Applicant shall install individual letter signs – no cabinet or flat panel signs.
  12. Applicant shall be permitted a freestanding monument sign for the site. Minimum setback of a monument sign is 12 feet. Maximum height of the monument sign is eight (8) feet.
  13. All areas used for parking/maneuvering of vehicles shall be paved. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
  14. The parking lot and drive-through facilities shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.
  15. There shall be no access to/from Schetter Avenue.
  16. Any new ingress/egress driveway openings shall be improved to standard City specifications. All existing access drives that are no longer used shall be removed and all unused driveways shall be closed and improved to standard City specifications.
  17. Absolutely no portion of the new building and/or site improvements shall cross the property lines including but not limited to buildings, balconies, decks, foundations, walls, gutters, eaves, roof, parking, fencing/retaining walls, signs, landscaping, etc.
  18. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, grading, etc.).
  19. Applicant will provide adequate public access along all streets and sidewalks and will take all appropriate actions to minimize the time period that adjacent properties and streets/sidewalks are impacted by the development (utilities, streets, etc.).

20. Applicant shall immediately clean any and all sediments, materials, tracking, etc. that may be spilled off-site on private or public lands and streets.
21. Streets and infrastructure damaged and/or disturbed during construction of all private and/or public improvements shall be promptly repaired by the applicant.
22. All vehicles, equipment, materials, products, etc. shall be located on the applicant's property (no storage on public rights-of-way).
23. 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).
24. City Development staff will issue a building permit only if the applicant has adequately satisfied all concerns related to water and sewer.
25. 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.
26. The Conditional use permit is approved if and only if the City of Sheboygan Department of City Development and/or Planning Commission approve the Certified Survey Map (CSM) reconfiguring lot lines and/or creating the parcels as proposed.
27. City Development staff will sign the proposed CSM only if the proposal exactly matches the approved development plan/property layout. If there are any amendments to the approved site plan and/or parcel configuration, the applicant will have to submit an amended conditional use permit for review by the City of Sheboygan Plan Commission that accurately reflects any and all changes.
28. Building permits will only be issued at such time as the applicant can provide documentation from Sheboygan County that the CSM has been officially recorded and the applicant can demonstrate that they are the owner of newly created lot.
29. 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, shared access, parking, stormwater facilities, utilities, etc. This easement document shall be officially recorded by Sheboygan County.
30. Prior to building permit issuance, the City of Sheboygan Architectural Review Board shall review/approve the proposed building design.
31. 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 and required attachments

**CITY OF SHEBOYGAN**

**REQUEST FOR CITY PLAN COMMISSION CONSIDERATION**

---

**ITEM DESCRIPTION:** R.O. 39-21-22 and G.O. 11-21-22 by Alderperson Dekker amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use.

R.O. No. 39-21-22 and G.O. 12-21-22 by Alderperson Dekker amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC).

---

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

---

**REPORT DATE:** July 23, 2021

**MEETING DATE:** July 27, 2021

---

**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

Wisconsin Statutes:  
Municipal Code: N/A

---

**BACKGROUND / ANALYSIS:**

Chong Kia Moua is proposing to:

- To amend the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use.
- To amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC).

The applicant states the following:

- The purpose for the proposed amendment is to rezone the property at 530-532 S. 14<sup>th</sup> Street so the zoning of the property is compatible with the buildings previous and future commercial use(s).

- The east  $\frac{3}{4}$  of the building is commercial and the west  $\frac{1}{4}$  is a living unit so this is a mixed-use building. Presently, the commercial space is vacant and the apartment is occupied.
- The property is zoned Neighborhood Residential (NR-6) which is a single-family and two-family zone. However, the property has been used for commercial purposes for many years. Thus, the commercial use of the building is considered a legal nonconforming use (legal because it has been there for many years, nonconforming because a commercial space is not a permitted or conditionally permitted use in NR-6 zone).
- A legal nonconforming use may not be expanded or intensified and a change in use must be approved by the City of Sheboygan Board of Appeals. Therefore, every time the owner wants to lease the building to a new user, the new/proposed business must submit a variance application to the Board of Appeals prior to occupancy and operation.
- The rezone from Neighborhood Residential (NR) to Neighborhood Commercial (NC) will eliminate this required approval process and if the proposed use is similar to the previous use, the applicant can simply obtain an occupancy permit (procedurally much less time consuming). That being said, if the use is conditionally permitted in the NC zone, such proposals would need to be considered and approved by the Plan Commission.
- The applicant believes the best use of the property is a mixed-use facility that has commercial and residential uses.
- In addition, the applicant is proposing to amend the comprehensive plan map from Neighborhood Preservation to Neighborhood Mixed Use. This Neighborhood Mixed Use designation is consistent with the proposed rezone to Neighborhood Commercial (NC).

The City of Sheboygan Comprehensive Plan identifies several key initiatives including the following:

- Promoting infill development and redevelopment to grow efficiently, strengthen existing business districts and neighborhoods, and leverage existing infrastructure and connectivity.

The proposed hotel development will accomplish these key initiatives by:

- Support mixed-use development projects that integrate residential and non-residential uses into high-quality, unified places. Mixed-use areas provide nodes of concentrated activity and integrate people with jobs, services, and shopping in a pedestrian-friendly environment.
- Encourage redevelopment and infill development over greenfield development wherever feasible, while planning for long-term growth of office, industrial, commercial, and residential uses in the City.

The Neighborhood Commercial (NC) zone is identified as the most appropriate zoning for this facility along this mixed-use S. 14<sup>th</sup> Street corridor.

#### **STAFF COMMENTS:**

The surrounding neighborhood zoning is:

- The properties to the north, east and west are zoned Neighborhood Residential (NR-6).
- The properties to the south are zoned Neighborhood Residential (NR-6) and Neighborhood Commercial (NC).

It is important for the Plan Commission to understand that if the property zoning designation is changed from NR-6 to NC, an applicant could apply to use the property for any use that is permitted and/or conditionally permitted in the NC zone.

If the Common Council approves the rezone, the applicant needs to be aware that a conditional use will need to be submitted to and reviewed by the City of Sheboygan Plan Commission prior to a new a new tenant proposing to occupy and operate from this commercial space.

The proposed Comprehensive Plan Amendment to Central Mixed Use in the Future Land Use map in the City of Sheboygan Comprehensive Plan will be consistent with the proposed Neighborhood Commercial (NC) zoning designation being requested

**ACTION REQUESTED:**

Motion to recommend the Common Council approve the proposed amendment to the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use.

Motion to recommend the Common Council approve the proposed rezone to the City of Sheboygan Zoning Map from Neighborhood Residential (NR-6) to Neighborhood Commercial (NC) for property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC).

**ATTACHMENTS:**

Rezone Application and required attachments

II

3.1

R. O. No. 39 - 21 - 22. By CITY CLERK. July 19, 2021.

Submitting an application from Chong Kia Moua for a change in zoning classification for 530/532 S. 14<sup>th</sup> Street (Parcel #59281502500) from Class Neighborhood Residential (NR-6) to Neighborhood Commercial (NC).

---

CITY CLERK

*City plan*

X

6.1

Gen. Ord. No. 11 - 21 - 22. By Alderperson Dekker. July 19, 2021.

AN ORDINANCE amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located 530/532 S. 14<sup>th</sup> Street (Parcel #59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use Classification.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Chapter 2 of the Sheboygan Comprehensive Plan establishing future land use classifications is hereby amended by changing the Future Land Use Maps thereof and Use Classifications of the following described lands from Class Neighborhood Preservation to Class Mixed Use Classification:

Property located at 530/532 S. 14<sup>th</sup> Street (Parcel #59281502500):

Section 22, Township 15 North, Range 23 East. The S 39.7' of lot 12 and the S 39.7' of the E 37' of lot 11, block 169 of the original plat of the City of Sheboygan.

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

*Dean Dekker*

*city Plan*

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

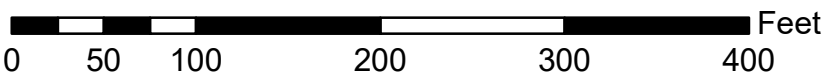
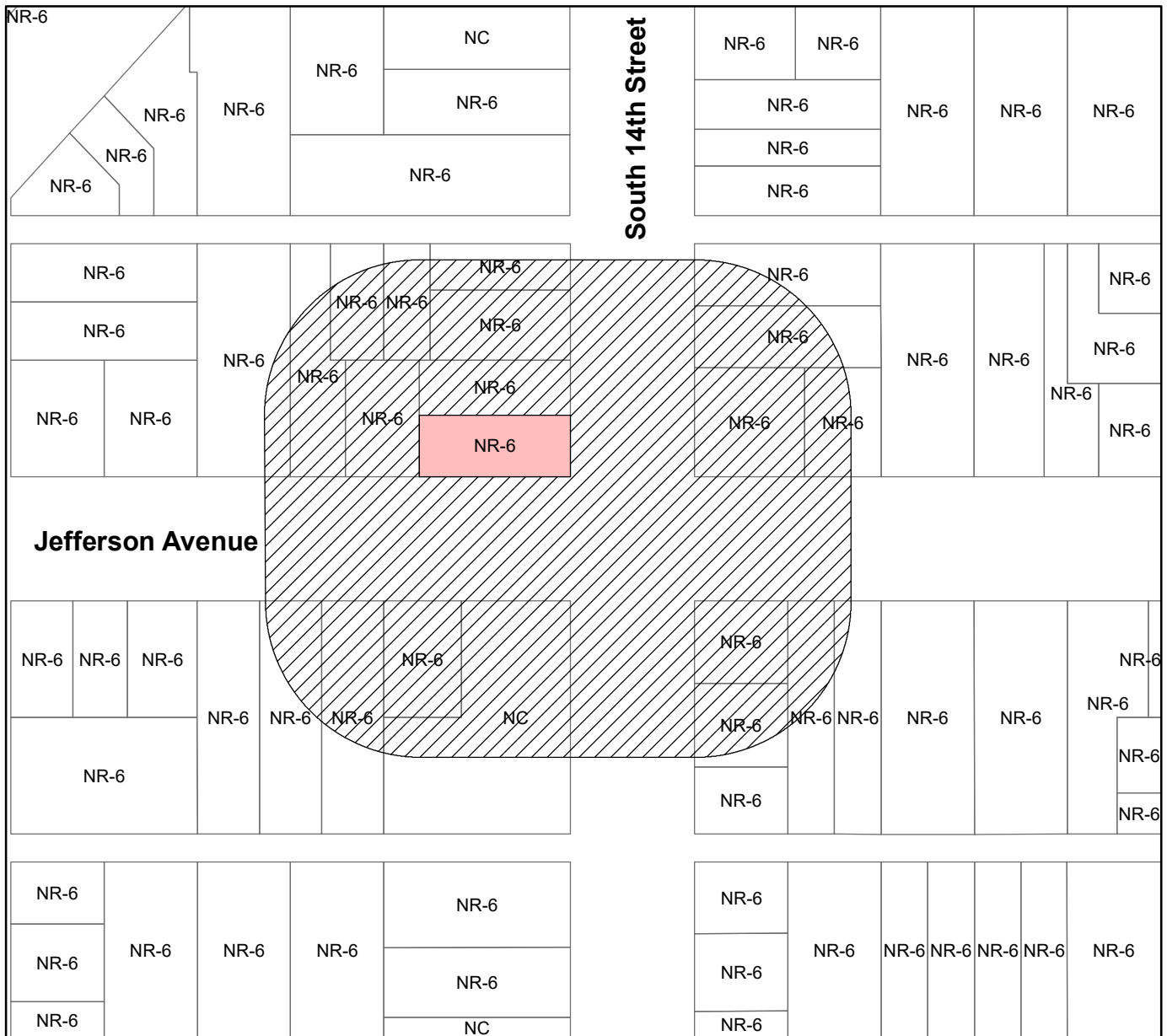
Dated \_\_\_\_\_ 20\_\_\_\_, \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_, \_\_\_\_\_, Mayor

# PROPOSED COMPREHENSIVE PLAN AMENDMENT FROM NEIGHBORHOOD PRESERVATION TO TO NEIGHBORHOOD MIXED USE

SECTION 22, TOWNSHIP 15 NORTH, RANGE 23 EAST

ORIGINAL PLAT THE S 39.7' OF LOT 12 AND THE S 39.7'  
OF THE 37' OF LOT 11 BLOCK 169



~~X~~

6.2

Gen. Ord. No. 12- 21 - 22. By Alderperson Dekker. July 19, 2021.

AN ORDINANCE amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for 530/532 S. 14<sup>th</sup> Street - Parcel #59281502500 from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC) Classification.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Appendix A, Chapter 15 of the Sheboygan Zoning Ordinance establishing zoning districts and prescribing zoning standards and regulations is hereby amended by changing the Official Zoning Map thereof and Use District Classification of the following described lands from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC) Classification:

Property located at 530/532 S. 14<sup>th</sup> Street - Parcel #59281502500:

Section 22, Township 15 North, Range 23 East. The S 39.7' of lot 12 and the S 39.7' of the E 37' of lot 11, block 169 of the original plat of the City of Sheboygan.

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

Dean Dekker

City Plan

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

|                      |                                |
|----------------------|--------------------------------|
| OFFICE USE ONLY      |                                |
| APPLICATION NO.:     |                                |
| RECEIPT NO.:         |                                |
| NG FEE: \$150.00     | FILE                           |
| FILING FEE: \$200.00 | (Payable to City of Sheboygan) |

**CITY OF SHEBOYGAN  
APPLICATION FOR  
AMENDMENT OF OFFICIAL ZONING MAP**  
(Requirements Per Section 15.903)  
Revised May, 2012

Completed application is to be filed with the Office of the City Clerk, City Hall, 828 Center Avenue. Application will not be processed if all required attachments and filing fee of \$200 (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: Chong Kia Moua PHONE NO.: (920)254-4121  
 ADDRESS: 3942 S 18<sup>th</sup> St E-MAIL: chongkia53@gmail.com  
 OWNER OF SITE: Chong Kia Moua PHONE NO.: (920)254-4121

**2. DESCRIPTION OF THE SUBJECT SITE**

ADDRESS OF PROPERTY AFFECTED: 530/532 S 14<sup>th</sup> St  
LEGAL DESCRIPTION: THE S 39.7' OF LOT 12 AND THE S 39.7' OF THE E 37'  
OF LOT 11 BLOCK 169 OF THE ORIGINAL PLAT OF THE CITY OF SHEBOYGAN

PARCEL NO. 59281502500 MAP NO.  
**EXISTING** ZONING DISTRICT CLASSIFICATION: Neighborhood Residential  
 (NR-6)  
**PROPOSED** ZONING DISTRICT CLASSIFICATION: Neighborhood Commercial  
 (NC)

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

I purchased the building in 2005. I also purchased the business, a video rental and clothing store at that time with existing residential on the north side of the building. Went out of business in 2020 and have been unable to rent the space due to current zoning.

**BRIEF DESCRIPTION OF THE PROPOSED OPERATION OR USE:**

We want to leave residential rental on one side and be able to rent the south side for a business use. I am flexible as far as the tenant but have had interest from a Mary Kay agent, a tee shirt business and a fruit/smoothie vendor among others.

**3. JUSTIFICATION OF THE PROPOSED ZONING MAP AMENDMENT**

How does the proposed Official Zoning Map amendment further the purposes of the Zoning Ordinance as outlined in Section 15.005 and, for flood plains or wetlands, the applicable rules and regulations of the Wisconsin Department of Natural Resources and the Federal Emergency Management Agency?

Not applicable.

Which of the following factors has arisen that are not properly addressed on the current Official Zoning Map? (Provide explanation in space provided below.)

- The designations of the Official Zoning Map should be brought into conformity with the Comprehensive Master Plan.
- A mistake was made in mapping on the Official Zoning Map. (An area is developing in a manner and purpose different from that for which it is mapped.) *NOTE: If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the City may intend to stop an undesirable land use pattern from spreading.*
- Factors have changed, (such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
- Growth patterns or rates have changed, thereby creating the need for an amendment to the Official Zoning Map.

Explain:

TYPE HERE

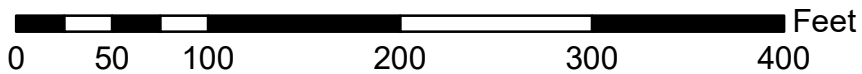
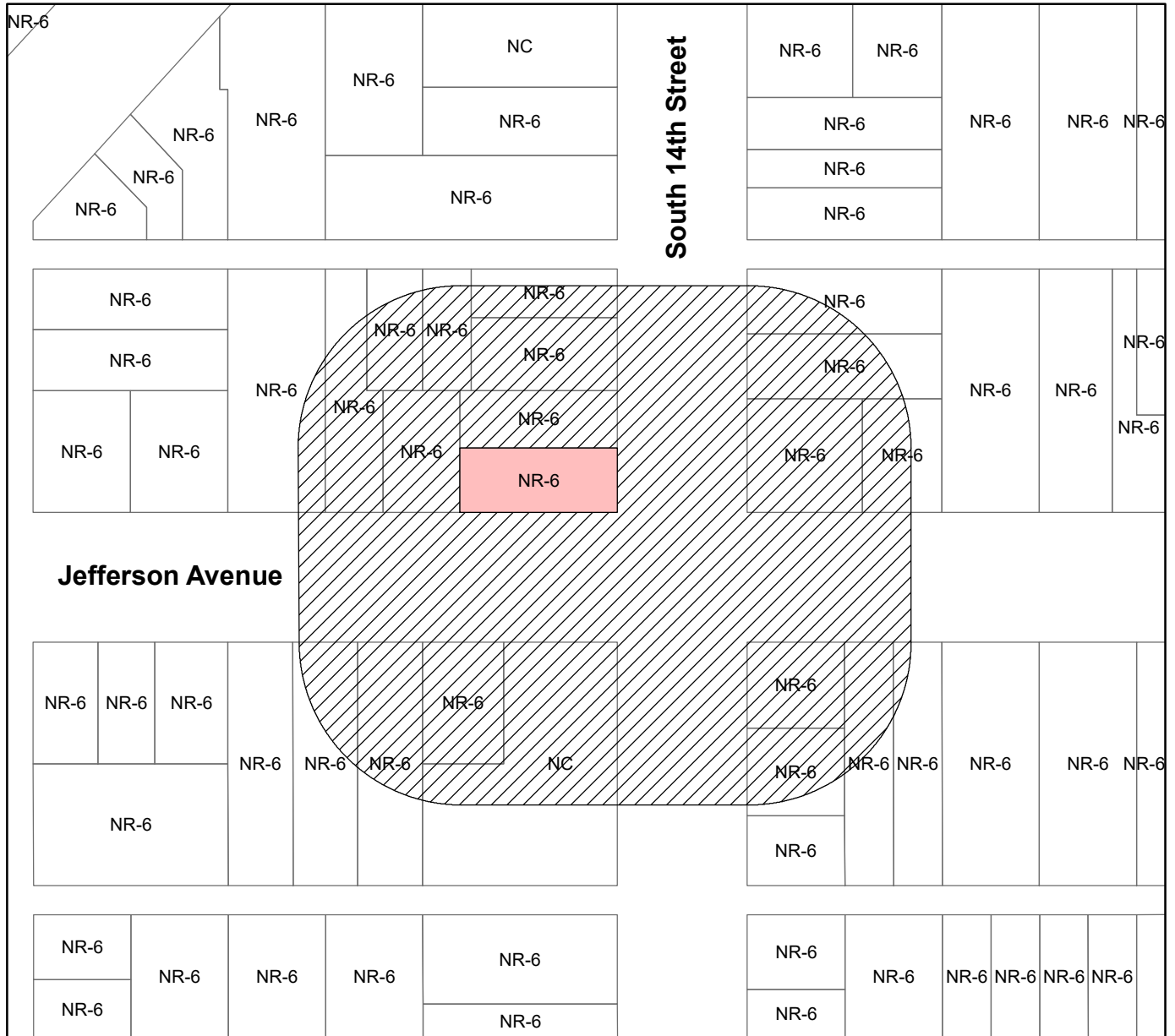
How does the proposed amendment to the Official Zoning Map maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

The rezoning brings consistency to the current use as it has always been a commercial building. Similar properties along 14th street are zoned neighborhood commercial.

# PROPOSED REZONE FROM NEIGHBORHOOD RESIDENTIAL (NR-6) TO NEIGHBORHOOD COMMERCIAL (NC)

SECTION 22, TOWNSHIP 15 NORTH, RANGE 23 EAST

ORIGINAL PLAT THE S 39.7' OF LOT 12 AND THE S 39.7' OF THE 37' OF LOT 11 BLOCK 169



July 12, 2021

To the City of Sheboygan Plan Commission, members of the Common Council and Mayor Sorenson:

Re: 530/532 S 14<sup>th</sup> Street rezoning request

I am writing today about the property I own at 530/532 S 14<sup>th</sup> Street here in the City of Sheboygan. When I purchased the building more than 10 years ago, I also became the owner of the business that already existed there, a shop specializing in Asian-language movie rentals and clothing. The previous owner stated that the property had always been used commercially. He had run an Oriental food market there prior to transitioning to the rental and fashion shop I bought.

The other unit, to the north, was a residential space when I purchased the property. I would like it to remain a rental. I recently applied for and received funding through the City's Upper Floor Residential Rehabilitation and Façade and Landscaping programs. Together with my own investment, this totaled more than \$30,000 in improvements to the property.

Streaming services and the internet severely limited movie rentals. When COVID entered the picture, I knew it was time to close. I am enjoying my retirement but would like to see the space used. I have had several people interested in renting the unit for their business including a smoothie shop, a nail salon, a Mary Kay beauty consultant, a shop offering sewing and alterations, and a carryout-only restaurant. But, because it is zoned Neighborhood Residential (NR-6), the status of non-conforming use has made renting the space almost impossible.

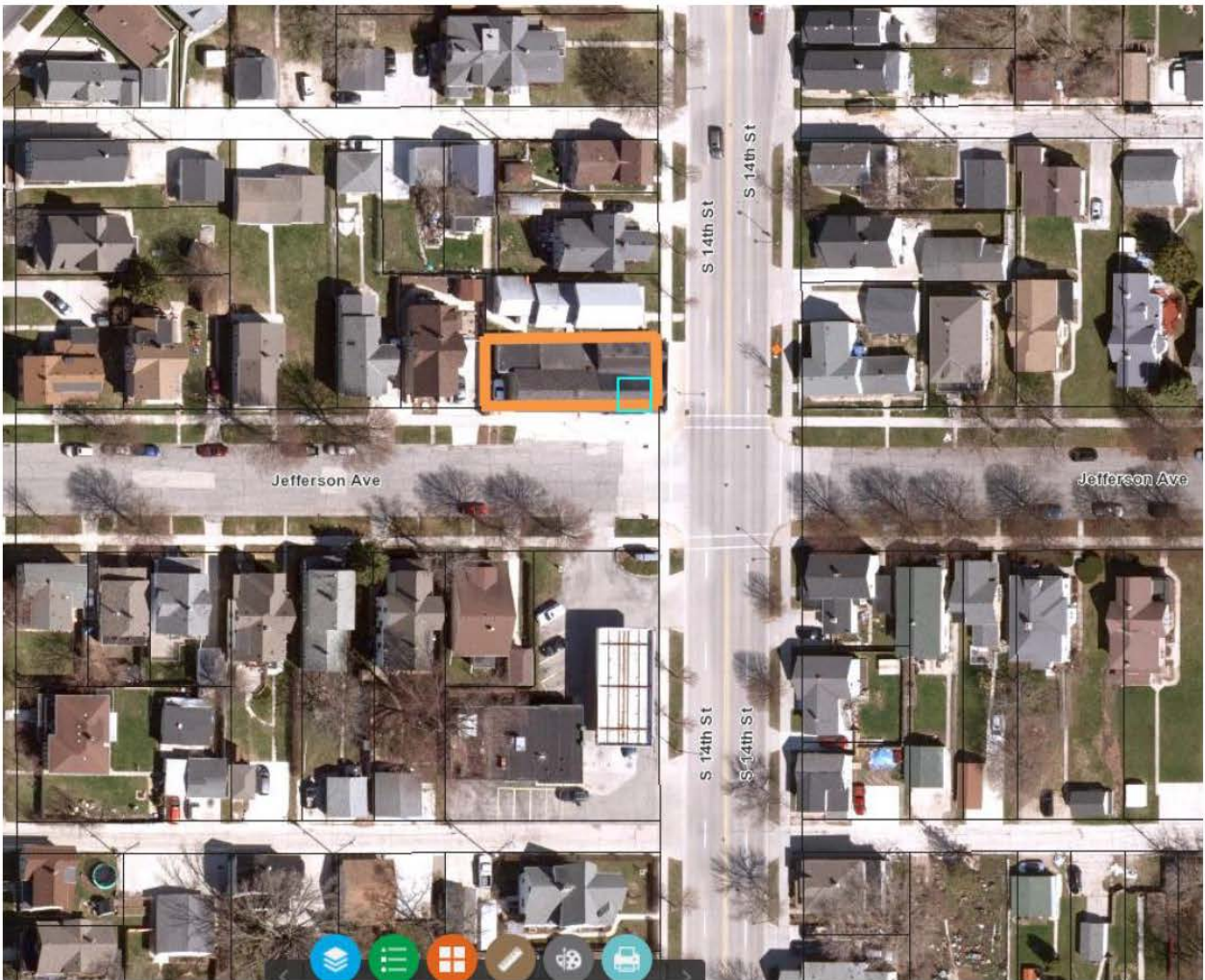
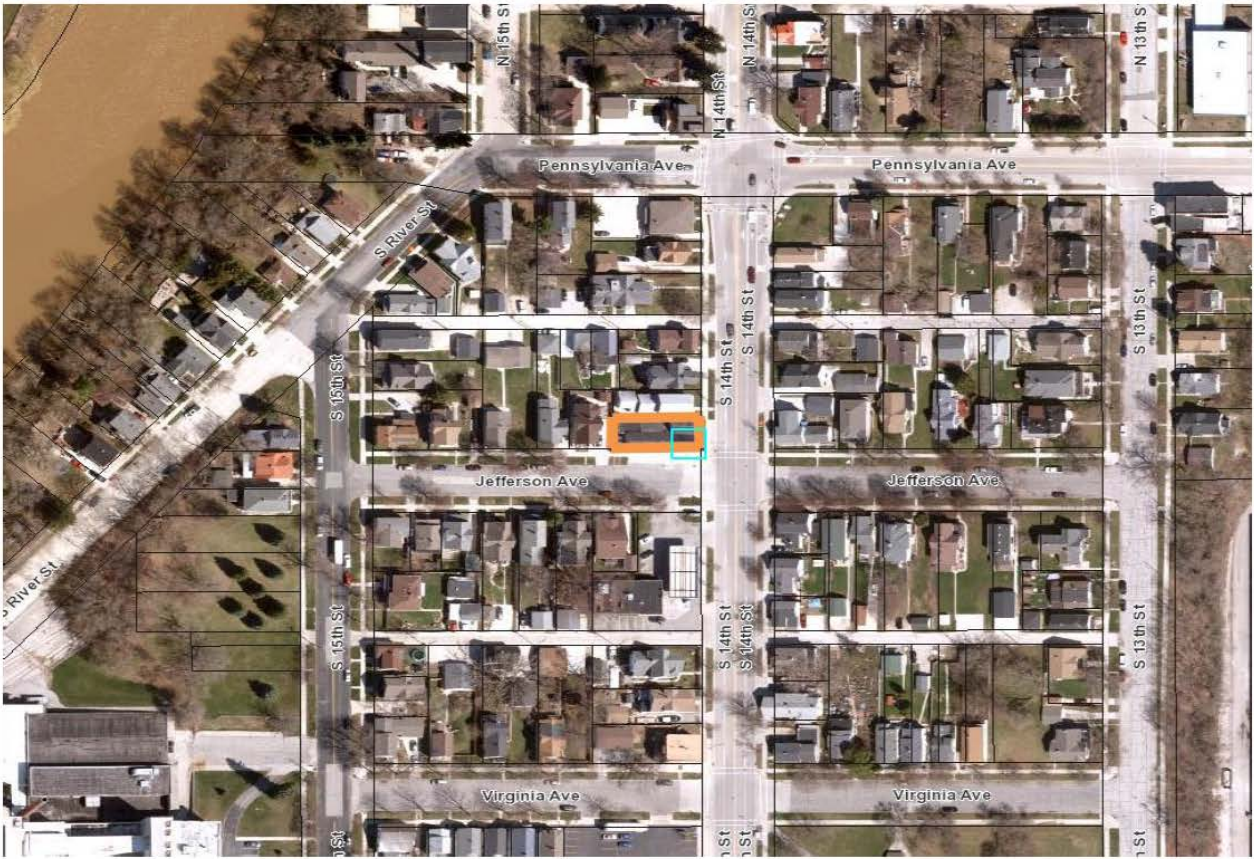
I am requesting a rezoning of the property to Neighborhood Commercial. It has long operated as a commercial space. There are currently seven properties zoned Neighborhood Commercial within a three- block radius of the property. I believe the continued use of the space for business is a good use of the space and good for the neighborhood and City.

I appreciate your consideration and am happy to answer any questions you may have.

Thank you,



Chong Kia Moua  
3942 S 18<sup>th</sup> St.  
920.254.4121  
chongkia53@gmail.com









**CITY OF SHEBOYGAN**

**REQUEST FOR CITY PLAN COMMISSION CONSIDERATION**

---

**ITEM DESCRIPTION:** R.O. 39-21-22 and G.O. 11-21-22 by Alderperson Dekker amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use.

R.O. No. 39-21-22 and G.O. 12-21-22 by Alderperson Dekker amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC).

---

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

---

**REPORT DATE:** July 23, 2021

**MEETING DATE:** July 27, 2021

---

**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

Wisconsin Statutes:  
Municipal Code: N/A

---

**BACKGROUND / ANALYSIS:**

Chong Kia Moua is proposing to:

- To amend the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use.
- To amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC).

The applicant states the following:

- The purpose for the proposed amendment is to rezone the property at 530-532 S. 14<sup>th</sup> Street so the zoning of the property is compatible with the buildings previous and future commercial use(s).

- The east  $\frac{3}{4}$  of the building is commercial and the west  $\frac{1}{4}$  is a living unit so this is a mixed-use building. Presently, the commercial space is vacant and the apartment is occupied.
- The property is zoned Neighborhood Residential (NR-6) which is a single-family and two-family zone. However, the property has been used for commercial purposes for many years. Thus, the commercial use of the building is considered a legal nonconforming use (legal because it has been there for many years, nonconforming because a commercial space is not a permitted or conditionally permitted use in NR-6 zone).
- A legal nonconforming use may not be expanded or intensified and a change in use must be approved by the City of Sheboygan Board of Appeals. Therefore, every time the owner wants to lease the building to a new user, the new/proposed business must submit a variance application to the Board of Appeals prior to occupancy and operation.
- The rezone from Neighborhood Residential (NR) to Neighborhood Commercial (NC) will eliminate this required approval process and if the proposed use is similar to the previous use, the applicant can simply obtain an occupancy permit (procedurally much less time consuming). That being said, if the use is conditionally permitted in the NC zone, such proposals would need to be considered and approved by the Plan Commission.
- The applicant believes the best use of the property is a mixed-use facility that has commercial and residential uses.
- In addition, the applicant is proposing to amend the comprehensive plan map from Neighborhood Preservation to Neighborhood Mixed Use. This Neighborhood Mixed Use designation is consistent with the proposed rezone to Neighborhood Commercial (NC).

The City of Sheboygan Comprehensive Plan identifies several key initiatives including the following:

- Promoting infill development and redevelopment to grow efficiently, strengthen existing business districts and neighborhoods, and leverage existing infrastructure and connectivity.

The proposed hotel development will accomplish these key initiatives by:

- Support mixed-use development projects that integrate residential and non-residential uses into high-quality, unified places. Mixed-use areas provide nodes of concentrated activity and integrate people with jobs, services, and shopping in a pedestrian-friendly environment.
- Encourage redevelopment and infill development over greenfield development wherever feasible, while planning for long-term growth of office, industrial, commercial, and residential uses in the City.

The Neighborhood Commercial (NC) zone is identified as the most appropriate zoning for this facility along this mixed-use S. 14<sup>th</sup> Street corridor.

#### **STAFF COMMENTS:**

The surrounding neighborhood zoning is:

- The properties to the north, east and west are zoned Neighborhood Residential (NR-6).
- The properties to the south are zoned Neighborhood Residential (NR-6) and Neighborhood Commercial (NC).

It is important for the Plan Commission to understand that if the property zoning designation is changed from NR-6 to NC, an applicant could apply to use the property for any use that is permitted and/or conditionally permitted in the NC zone.

If the Common Council approves the rezone, the applicant needs to be aware that a conditional use will need to be submitted to and reviewed by the City of Sheboygan Plan Commission prior to a new a new tenant proposing to occupy and operate from this commercial space.

The proposed Comprehensive Plan Amendment to Central Mixed Use in the Future Land Use map in the City of Sheboygan Comprehensive Plan will be consistent with the proposed Neighborhood Commercial (NC) zoning designation being requested

**ACTION REQUESTED:**

Motion to recommend the Common Council approve the proposed amendment to the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use.

Motion to recommend the Common Council approve the proposed rezone to the City of Sheboygan Zoning Map from Neighborhood Residential (NR-6) to Neighborhood Commercial (NC) for property located at 530-532 S. 14th Street (Parcel # 59281502500) from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC).

**ATTACHMENTS:**

Rezone Application and required attachments

II

3.1

R. O. No. 39 - 21 - 22. By CITY CLERK. July 19, 2021.

Submitting an application from Chong Kia Moua for a change in zoning classification for 530/532 S. 14<sup>th</sup> Street (Parcel #59281502500) from Class Neighborhood Residential (NR-6) to Neighborhood Commercial (NC).

---

CITY CLERK

*City plan*

X

6.1

Gen. Ord. No. 11 - 21 - 22. By Alderperson Dekker. July 19, 2021.

AN ORDINANCE amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located 530/532 S. 14<sup>th</sup> Street (Parcel #59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use Classification.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Chapter 2 of the Sheboygan Comprehensive Plan establishing future land use classifications is hereby amended by changing the Future Land Use Maps thereof and Use Classifications of the following described lands from Class Neighborhood Preservation to Class Mixed Use Classification:

Property located at 530/532 S. 14<sup>th</sup> Street (Parcel #59281502500):

Section 22, Township 15 North, Range 23 East. The S 39.7' of lot 12 and the S 39.7' of the E 37' of lot 11, block 169 of the original plat of the City of Sheboygan.

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

*Dean Dekker*

*city Plan*

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

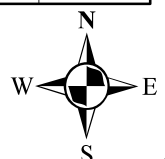
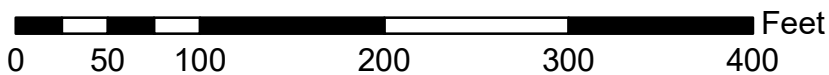
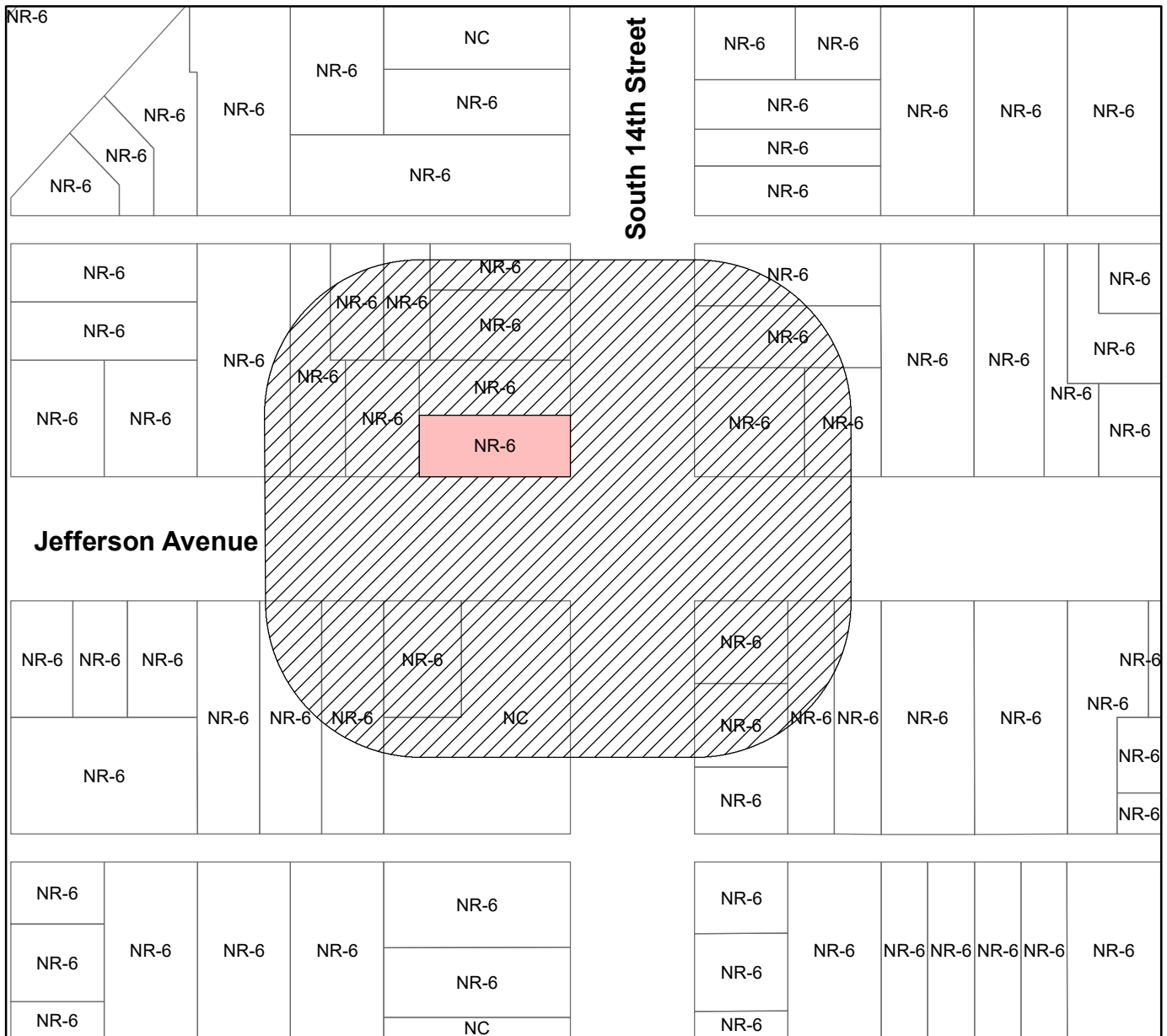
Dated \_\_\_\_\_ 20\_\_\_\_, \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_, \_\_\_\_\_, Mayor

# PROPOSED COMPREHENSIVE PLAN AMENDMENT FROM NEIGHBORHOOD PRESERVATION TO TO NEIGHBORHOOD MIXED USE

SECTION 22, TOWNSHIP 15 NORTH, RANGE 23 EAST

ORIGINAL PLAT THE S 39.7' OF LOT 12 AND THE S 39.7'  
OF THE 37' OF LOT 11 BLOCK 169



~~X~~

6.2

Gen. Ord. No. 12- 21 - 22. By Alderperson Dekker. July 19, 2021.

AN ORDINANCE amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for 530/532 S. 14<sup>th</sup> Street - Parcel #59281502500 from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC) Classification.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Appendix A, Chapter 15 of the Sheboygan Zoning Ordinance establishing zoning districts and prescribing zoning standards and regulations is hereby amended by changing the Official Zoning Map thereof and Use District Classification of the following described lands from Class Neighborhood Residential (NR-6) to Class Neighborhood Commercial (NC) Classification:

Property located at 530/532 S. 14<sup>th</sup> Street - Parcel #59281502500:

Section 22, Township 15 North, Range 23 East. The S 39.7' of lot 12 and the S 39.7' of the E 37' of lot 11, block 169 of the original plat of the City of Sheboygan.

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

Dean Dekker

City Plan

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

|                      |                                |
|----------------------|--------------------------------|
| OFFICE USE ONLY      |                                |
| APPLICATION NO.:     |                                |
| RECEIPT NO.:         |                                |
| NG FEE: \$150.00     | FILE                           |
| FILING FEE: \$200.00 | (Payable to City of Sheboygan) |

**CITY OF SHEBOYGAN  
APPLICATION FOR  
AMENDMENT OF OFFICIAL ZONING MAP**  
(Requirements Per Section 15.903)  
Revised May, 2012

Completed application is to be filed with the Office of the City Clerk, City Hall, 828 Center Avenue. Application will not be processed if all required attachments and filing fee of \$200 (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: Chong Kia Moua PHONE NO.: (920)254-4121  
 ADDRESS: 3942 S 18<sup>th</sup> St E-MAIL: chongkia53@gmail.com  
 OWNER OF SITE: Chong Kia Moua PHONE NO.: (920)254-4121

**2. DESCRIPTION OF THE SUBJECT SITE**

ADDRESS OF PROPERTY AFFECTED: 530/532 S 14<sup>th</sup> St  
LEGAL DESCRIPTION: THE S 39.7' OF LOT 12 AND THE S 39.7' OF THE E 37'  
OF LOT 11 BLOCK 169 OF THE ORIGINAL PLAT OF THE CITY OF SHEBOYGAN

PARCEL NO. 59281502500 MAP NO. \_\_\_\_\_  
**EXISTING** ZONING DISTRICT CLASSIFICATION: Neighborhood Residential  
 (NR-6)  
**PROPOSED** ZONING DISTRICT CLASSIFICATION: Neighborhood Commercial  
 (NC)

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

I purchased the building in 2005. I also purchased the business, a video rental and clothing store at that time with existing residential on the north side of the building. Went out of business in 2020 and have been unable to rent the space due to current zoning.

**BRIEF DESCRIPTION OF THE PROPOSED OPERATION OR USE:**

We want to leave residential rental on one side and be able to rent the south side for a business use. I am flexible as far as the tenant but have had interest from a Mary Kay agent, a tee shirt business and a fruit/smoothie vendor among others.

**3. JUSTIFICATION OF THE PROPOSED ZONING MAP AMENDMENT**

How does the proposed Official Zoning Map amendment further the purposes of the Zoning Ordinance as outlined in Section 15.005 and, for flood plains or wetlands, the applicable rules and regulations of the Wisconsin Department of Natural Resources and the Federal Emergency Management Agency?

Not applicable.

Which of the following factors has arisen that are not properly addressed on the current Official Zoning Map? (Provide explanation in space provided below.)

- The designations of the Official Zoning Map should be brought into conformity with the Comprehensive Master Plan.
- A mistake was made in mapping on the Official Zoning Map. (An area is developing in a manner and purpose different from that for which it is mapped.) *NOTE: If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the City may intend to stop an undesirable land use pattern from spreading.*
- Factors have changed, (such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
- Growth patterns or rates have changed, thereby creating the need for an amendment to the Official Zoning Map.

Explain:

TYPE HERE

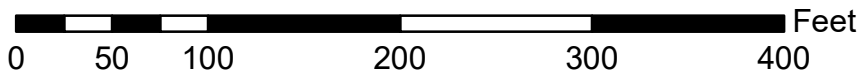
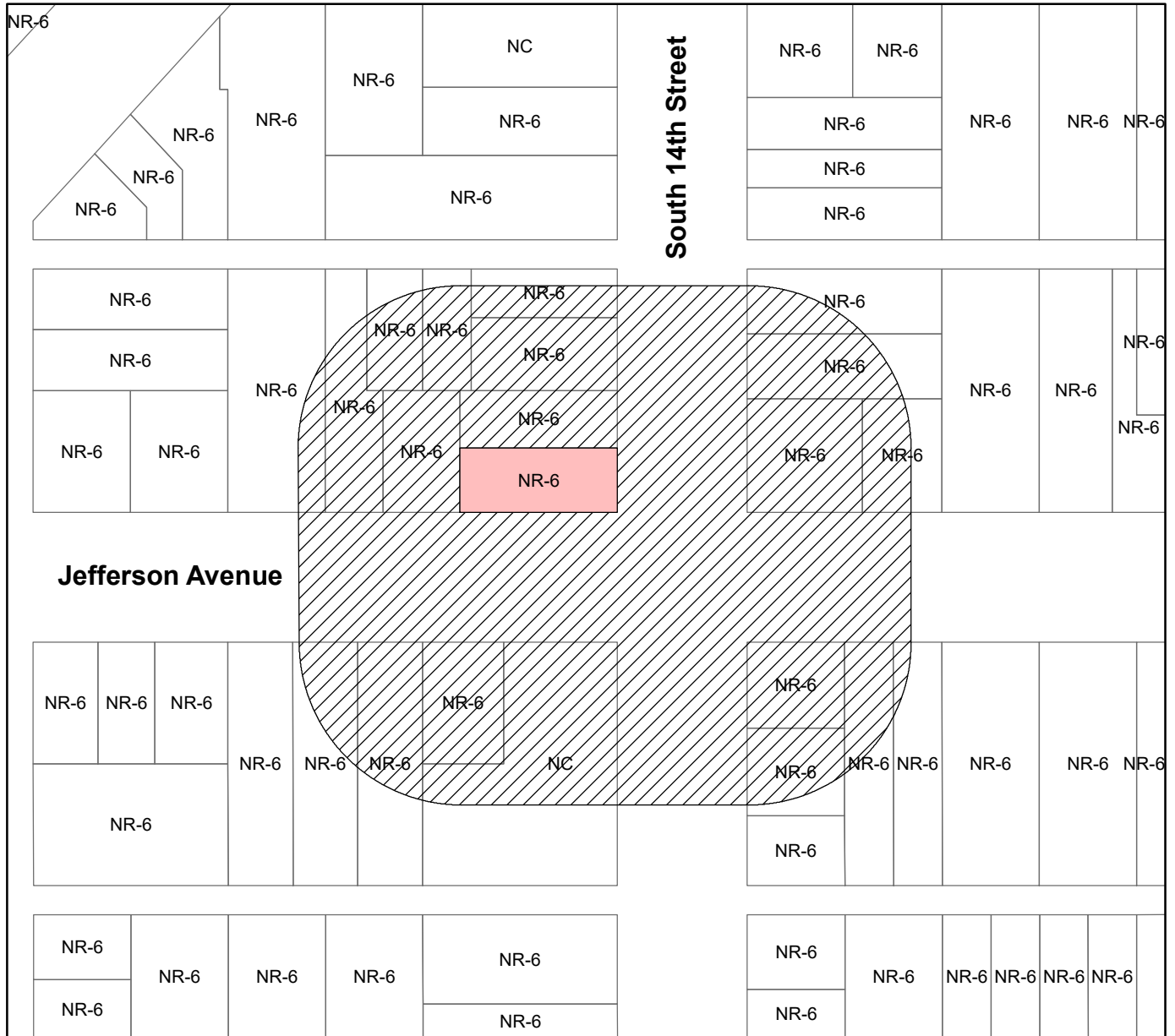
How does the proposed amendment to the Official Zoning Map maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

The rezoning brings consistency to the current use as it has always been a commercial building. Similar properties along 14th street are zoned neighborhood commercial.

# PROPOSED REZONE FROM NEIGHBORHOOD RESIDENTIAL (NR-6) TO NEIGHBORHOOD COMMERCIAL (NC)

SECTION 22, TOWNSHIP 15 NORTH, RANGE 23 EAST

ORIGINAL PLAT THE S 39.7' OF LOT 12 AND THE S 39.7' OF THE 37' OF LOT 11 BLOCK 169



July 12, 2021

To the City of Sheboygan Plan Commission, members of the Common Council and Mayor Sorenson:

Re: 530/532 S 14<sup>th</sup> Street rezoning request

I am writing today about the property I own at 530/532 S 14<sup>th</sup> Street here in the City of Sheboygan. When I purchased the building more than 10 years ago, I also became the owner of the business that already existed there, a shop specializing in Asian-language movie rentals and clothing. The previous owner stated that the property had always been used commercially. He had run an Oriental food market there prior to transitioning to the rental and fashion shop I bought.

The other unit, to the north, was a residential space when I purchased the property. I would like it to remain a rental. I recently applied for and received funding through the City's Upper Floor Residential Rehabilitation and Façade and Landscaping programs. Together with my own investment, this totaled more than \$30,000 in improvements to the property.

Streaming services and the internet severely limited movie rentals. When COVID entered the picture, I knew it was time to close. I am enjoying my retirement but would like to see the space used. I have had several people interested in renting the unit for their business including a smoothie shop, a nail salon, a Mary Kay beauty consultant, a shop offering sewing and alterations, and a carryout-only restaurant. But, because it is zoned Neighborhood Residential (NR-6), the status of non-conforming use has made renting the space almost impossible.

I am requesting a rezoning of the property to Neighborhood Commercial. It has long operated as a commercial space. There are currently seven properties zoned Neighborhood Commercial within a three- block radius of the property. I believe the continued use of the space for business is a good use of the space and good for the neighborhood and City.

I appreciate your consideration and am happy to answer any questions you may have.

Thank you,



Chong Kia Moua  
3942 S 18<sup>th</sup> St.  
920.254.4121  
chongkia53@gmail.com

