

*****ATTACHMENTS*****

CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: Application for Conditional Use Permit with exceptions by Torginol, Inc. to construct two new tanks at their facility located at 4617 S. Taylor Drive. SI Zone

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

REPORT DATE: January 8, 2021

MEETING DATE: January 12, 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:

Torginol is proposing to construct two (2) new storage tanks at their facility located at 4617 S. Taylor Drive. The applicant states the following about the project:

- Torginol would like to expand their bulk tank facilities in order to hold increased quantities of key raw materials for the manufacture of Torginol’s flagship product, Polymer Color Flakes.
- The two (2) new steel tanks are needed to increase production levels and support current and future product demand. The budgeted project cost is \$750,000 and includes foundation pads, tanks and feed system.
- Torginol is proposing to locate two (2) exterior tanks at the southwest corner of the facility facing Concord Drive. The new tanks will be located adjacent to two (2) existing tanks. The new tanks will be identical in paint color and appearance; however, they will be taller and larger in diameter.
- The proposed tank heights are 60.3 feet while the existing tanks are 30.4 feet and 46 feet. Thus, the proposed tanks will be approximately 26 feet and 14 feet taller in height than the existing tanks.
- Due to the 60.3 foot high tank design, Torginol is requesting a building height exception because the proposed tank height exceeds the maximum building height limit of 50 feet by 10 feet.

Following is detailed information of the existing and proposed tanks:

	Tank #1 (existing)	Tank #2 (existing)	Tank #3 (proposed)	Tank #4 (proposed)
Usable Capacity, ft ³	3,673 ft ³	1,923 ft ³	6,978 ft ³	6,978 ft ³
Diameter, ft	12'	12'	14'	14'
Overall Height, ft	45' - 11"	30' - 5"	60' - 2 13/16"	60' - 2 13/16"
Paint Color	White	White	White	White
Manufacturer	Imperial Industries	Imperial Industries	Imperial Industries	Imperial Industries
Current Use	Calcium Carbonate	Barium Sulfate	n/a	n/a
Future Use	Barium Sulfate	Barium Sulfate	Calcium Carbonate	Calcium Carbonate

- Torginol manufactures and markets decorative materials that contribute to the design and performance qualities of high-performance floor coating systems. Products include: polymer flakes, coated quartz granules, pearlescent mica powders, veneer wood chips, polyester glitter, and mica flakes. In addition to operations, Specialty Products, Technical Services, Customer Service, Administration, and Management are located at this facility.
- Torginol manufactures, stores & ships flakes, pigments & granules from its existing Sheboygan facilities located at 4617 S. Taylor Drive and 4350 Tower Drive in Sheboygan, WI. The company also operates a facility in northern Mexico in Torreón, Coahuila.
- Torginol, Inc. is a locally owned and operated company with 300 employees.

STAFF COMMENTS:

The Plan Commission may want to have the applicant address if they will install additional tanks and/or other structures in the future at this facility or their Tower Drive facility?

The applicant is requesting an exception to construct two (2) 60.3 foot high tanks – the maximum height permitted is 50 feet.

Staff has no objections to this proposal.

ACTION REQUESTED:

Staff recommends approval of the conditional use permit 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, health, storm drainage, hazardous materials, etc.
2. Submittal/approval of a proposed storm drainage plan prior to building permit issuance.
3. Dumpsters shall be screened and enclosed and constructed of like materials and colors of the facility.
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance.
6. All areas used for parking/maneuvering of vehicles shall be paved.
7. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.

8. The addition will meet all zoning requirements including but not limited to noise, vibration, hazardous materials, etc.
9. Applicant shall obtain all necessary permits for the storage of hazardous chemicals (applicant shall be in contact with building inspection, fire department, etc.).
10. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

ATTACHMENTS:

Conditional Use Permit Application and Attachments

PARCEL NO. 470928
MAP NO. _____
ZONING CLASSIFICATION: SI

Office Use Only
APPLICATION/FILE NO. _____
REVIEW DATE: 1/12/21

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

pd

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: Tom Testwuide, Jr.
ADDRESS: 4617 S. Taylor Drive, Sheboygan, WI 53081
E-MAIL: tom@torginol.com
PHONE: (920) 694-4815 FAX NO.: (920) 694-4801

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: Torginol, Inc.
ADDRESS OF PROPERTY AFFECTED: 4617 S. Taylor Drive, Sheboygan, WI
LEGAL DESCRIPTION: Torginol, Inc.

BRIEF DESCRIPTION OF **EXISTING** OPERATION OR USE: The existing operation includes manufacturing and processing decorative materials for the high-performance resinous flooring market and other specialty applications. Products include: polymer flakes, coated quartz granules, pearlescent mica powders, veneer wood chips, polyester glitter, and mica flakes. In addition to operations, Specialty Products, Technical Services, Customer Service, Administration, and Management are located at this facility.

DETAILED DESCRIPTION OF **PROPOSED** OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: Torginol, Inc. will continue to use the site in the same manner with the following addition: two steel tanks located on the exterior of the building for storage of a key raw material, calcium carbonate.

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

OPERATION OR USE: The proposed tank height is sixty feet and exceeds the maximum building height by ten feet.

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 tank height on the initial proposal was 80' and after discussion with the City, Torginol revised the project by reducing the height to 60'. This is closer to the 50' maximum allowable height and more consistent in size with the existing tanks on the site.

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.

How does the proposed conditional use maintain the desired consistency of land uses in relation to the setting within which the property is located? We feel the exterior tanks are appropriate in an industrial park and tanks of this size and larger are present at other facilities located in South Business Center.

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

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

OWNER OF SITE: Torginol, Inc.

ADDRESS: 4617 S. Taylor Drive, Sheboygan, WI 53081

E-MAIL: tom@torginol.com

ARCHITECT: Chris Herzog, A.C.E. Building Service

ADDRESS: 3510 S. 26th Street, P O Box 1626 Manitowoc, WI 54221

E-MAIL: cherzog@acebuildingservice.com

CONTRACTOR: Chris Herzog, A.C.E. Building Service

ADDRESS: 3510 S. 26th Street, P O Box 1626 Manitowoc, WI 54221

E-MAIL: cherzog@acebuildingservice.com

5. CERTIFICATE

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



Tom Testwuide, Jr.
President & Owner

Torginol, Inc.
4617 South Taylor Drive
Sheboygan, WI 53081
USA

Toll-Free: 800.558.7596
Phone: 920.694.4800
Fax: 920.694.4801

Office: 920.694.4815
Mobile: 920.627.1699

Skype: tom.testwuidejr
Email: tom@torginol.com
Website: www.torginol.com

December 21, 2020

Steve Sokolowski
Manager of Planning & Zoning
CITY OF SHEBOYGAN
828 Center Avenue, Suite 104
Sheboygan, WI 53081

Re: *Calcium Carbonate Tank Project – Conditional Use Review*

Dear Steve:

We would like to expand our exterior bulk tank facilities at 4617 South Taylor Drive to hold increased quantities of key raw materials for the manufacture of Torginol's flagship product, Polymer ColorFlakes™. The two new tanks are needed for storage of a key raw material and will allow us to increase production levels and support current and future product demand. Due to the tank design, we are requesting a building height exception because the proposed tank height exceeds the maximum building height limit of fifty feet by ten feet. The budgeted project cost is \$750,000 and includes two foundation pads, two tanks, and a state-of-the-art feed and weighing system.

Following is detailed information of the existing and proposed tanks:

	Tank #1 (existing)	Tank #2 (existing)	Tank #3 (proposed)	Tank #4 (proposed)
Usable Capacity, ft ³	3,673 ft ³	1,923 ft ³	6,978 ft ³	6,978 ft ³
Diameter, ft	12'	12'	14'	14'
Overall Height, ft	45' - 11"	30' - 5"	60' - 2 13/16"	60' - 2 13/16"
Paint Color	White	White	White	White
Manufacturer	Imperial Industries	Imperial Industries	Imperial Industries	Imperial Industries
Current Use	Calcium Carbonate	Barium Sulfate	n/a	n/a
Future Use	Barium Sulfate	Barium Sulfate	Calcium Carbonate	Calcium Carbonate

Torginol, Inc., a locally owned and operated company with 300 employees, manufactures and markets decorative materials that contribute to the design and performance qualities of high-performance floor coating systems. The company also operates a facility in northern Mexico in Torreón, Coahuila.

Kindly find the following project documents attached: (02) Site Plan, (03) Rendering, and (04) Tank Pad Drawings. Please do not hesitate to let us know if you have any questions, concerns, or require additional information. Thank you for your assistance on this matter.

Sincerely,

Tom Testwuide, Jr.



PROPOSED BULK STORAGE TANKS

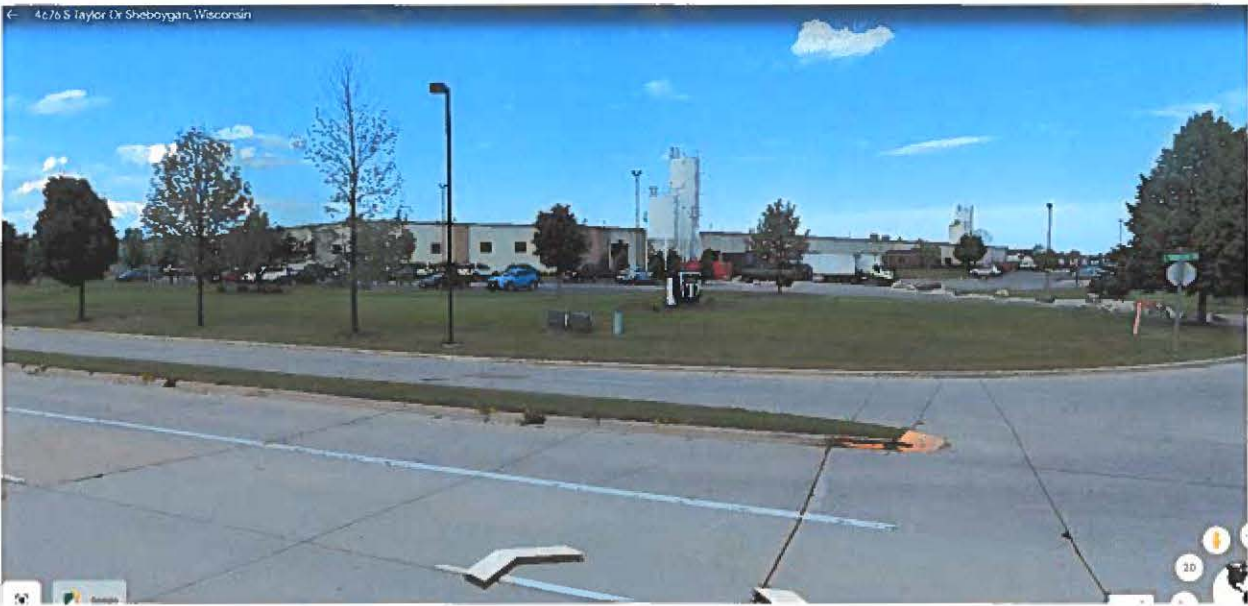
TORGINOL, INC.

4617 S. TAYLOR DRIVE





C- 4676 S Taylor (Y Sheboygan, Wisconsin)



II

3.1

R. O. No. 116 - 20 - 21. By CITY CLERK. December 21, 2020.

Submitting a communication from John Michael Kohler Arts Center requesting an encroachment on a portion of the 600 block of New York Avenue to add a second entrance sign.

Copy Plan

CITY CLERK

I

6.1

Gen. Ord. No. 29 - 20 - 21. By Alderperson Donohue. December 21, 2020.

AN ORDINANCE granting John Michael Kohler Arts Center, its successors and assigns, the privilege of encroaching upon described portions of the 600 block of New York Avenue in the City of Sheboygan for the purpose of adding a second entrance sign.

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

Section 1. Subject to the terms and conditions contained herein, John Michael Kohler Arts Center, its successors and assigns, is hereby granted the privilege of encroaching portions of the 600 block of New York Avenue, City of Sheboygan, Sheboygan County, Wisconsin, as follows:

Commencing at the northeast corner Block 309, Original Plat, City of Sheboygan; thence N89°34'00"W, along the north line Block 309, 80.73 feet; thence N00°26'00"E 7.66 feet to the point of beginning:

Thence, continuing N00°26'00"E 11.43 feet to the back of the south curb of New York Avenue; thence N89°46'09"W, along said back of curb, 11.00 feet; thence S00°26'00"W 11.37 feet to the face of the south sidewalk of New York Avenue; thence S89°28'18"E, along said face of walk, 11.00 feet to the point of beginning, and containing 125 square feet of land.

Also,

Commencing at the northeast corner Block 309, Original Plat, City of Sheboygan; thence N89°34'00"W, along the north line Block 309, 158.43 feet; thence N00°26'00"E 7.78 feet to the point of beginning:

Thence, continuing N00°26'00"E 11.03 feet to the back of the south curb of New York Avenue; thence N89°46'09"W, along said back of curb, 11.00 feet; thence S00°26'00"W 10.98 feet to the face of the south sidewalk of New York Avenue; thence S89°29'39"E, along said face of walk, 11.00 feet to the point of beginning, and containing 121 square feet of land.

for the purpose of adding a second entrance sign in accordance with the sketch attached hereto and made a part hereof.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said John Michael Kohler Arts Center, its successors and assigns:

a. Shall become primarily responsible and liable for all and any damage to persons or property caused by and arising from the grant and exercise of such privilege.

City Clerk

b. Shall remove the encroachment allowed herein within ten (10) days after notice so to remove given by the State of Wisconsin or the City of Sheboygan; in the event of the failure so to remove, the said John Michael Kohler Arts Center its successors and assigns: shall pay the costs of removal by the State of Wisconsin or the City of Sheboygan, waiving all claim or claims for damages resulting from such removal, whether the removal is done by the said John Michael Kohler Arts Center, its successors and assigns, or by the State of Wisconsin or by the City of Sheboygan.

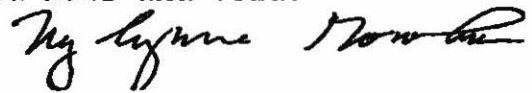
c. Shall pay such compensation to the City of Sheboygan for the grant of this privilege as may be determined by a board consisting of the Mayor, the Director of Public Works and the City Attorney; the compensation shall be paid into the General Fund.

d. Shall make such construction and/or alterations and maintain the same subject to the approval of the City Building Inspector and Director of Public Works, and shall waive the right to contest in any manner the validity of this ordinance or the amount of compensation charged.

Section 3. The provisions of §66.045(1)(2) of the Wisconsin Statutes are incorporated herein by reference to all intents and purposes as if set out fully.

Section 4. The City Clerk is authorized and directed to record a certified copy of this ordinance in the office of the Register of Deeds for Sheboygan County, Wisconsin, the costs thereof to be charged to the General Fund.

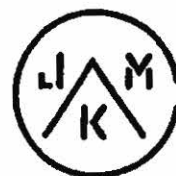
Section 5. This ordinance shall take effect and be in full force from and after its passage and publication and upon payment of the consideration to be determined hereunder, provided, however, that in the event of failure to exercise the privilege herein granted and the payment of such consideration within six (6) months from the effective date hereof, then and in that event such privilege shall be rendered null and void.



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



November 2, 2020

To whom it may concern:

I write to you today to request consideration of an additional parking lot entrance sign.

Currently, we have one parking lot entrance sign next to the east driveway of our parking lot on New York Ave. across from the Arts Center. We are currently in the process of updating our branding and changing out the signage around the building.

One of the changes we would like to add is a second entrance sign next to the west driveway of the same parking lot. This would give a sense of balance to the two entrances as well as make the west entrance more visible to the arriving visitors.

We appreciate the consideration in this matter and look forward to any questions that you may have.

Thank you!

Douglas Brusky

Deputy Director of Operations

**John Michael
Kohler Arts Center**

608 New York Ave
Sheboygan, WI 53081
+1 920 458 6144
jmkac.org

JOHN MICHAEL KOHLER ARTS CENTER ENCROACHMENT REQUEST

DESCRIPTION

Part of the 600 block of New York Avenue, City of Sheboygan, Sheboygan County, Wisconsin.

Commencing at the northeast corner Block 309, Original Plat, City of Sheboygan; thence N89°34'00"W, along the north line Block 309, 80.73 feet; thence N00°26'00"E 7.66 feet to the point of beginning;

Thence, continuing N00°26'00"E 11.43 feet to the back of the south curb of New York Avenue; thence N89°46'19"W, along said back of curb, 11.00 feet; thence S00°26'00"W 11.37 feet to the face of the south sidewalk of New York Avenue; thence S89°28'18"E, along said face of walk, 11.00 feet to the point of beginning, and containing 125 square feet.

Also,

Commencing at the northeast corner Block 309, Original Plat, City of Sheboygan; thence N89°34'00"W, along the north line Block 309, 158.43 feet; thence N00°26'00"E 7.78 feet to the point of beginning;

Thence, continuing N00°26'00"E 11.03 feet to the back of the south curb of New York Avenue; thence N89°46'19"W, along said back of curb, 11.00 feet; thence S00°26'00"W 10.98 feet to the face of the south sidewalk of New York Avenue; thence S89°29'39"E, along said face of walk, 11.00 feet to the point of beginning, and containing 121 square feet.

I HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

EDGAR HARVEY, JR. WI RLS NO S-1489



NEW YORK AVENUE

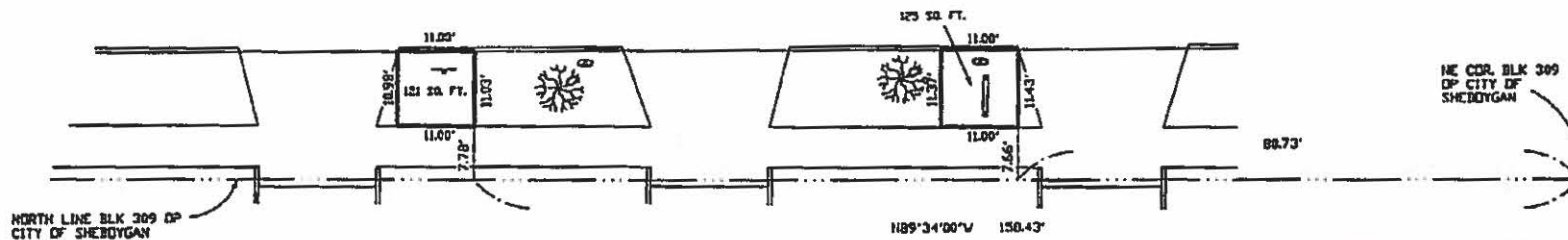
BEARINGS HEREON ARE REFERENCED TO THE SHEBOYGAN COUNTY COORDINATE GRID.



SCALE: 1" = 20'

LEGEND

- ONE INCH IRON PIPE FOUND
- ⊥ PARKING RESTRICTION SIGN
- ⊞ PARKING METER
- ▭ EXISTING SIGN TO BE REPLACED



ED HARVEY'S LAND OFFICE, L.L.C.
 N3625 TIMBERVIEW ROAD
 WALDO, WI 53093
 920-528-7071

S1) D/F Illuminated Directional

Remove existing parking monument to grade. Install (2) new d/f illuminated directionals, one per entrance. Directionals to have aluminum construction with push-thru copy Logo (and possibly "visitor parking" copy) to be routed and backed due to size.

 Faces & Returns: Painted H935P Black

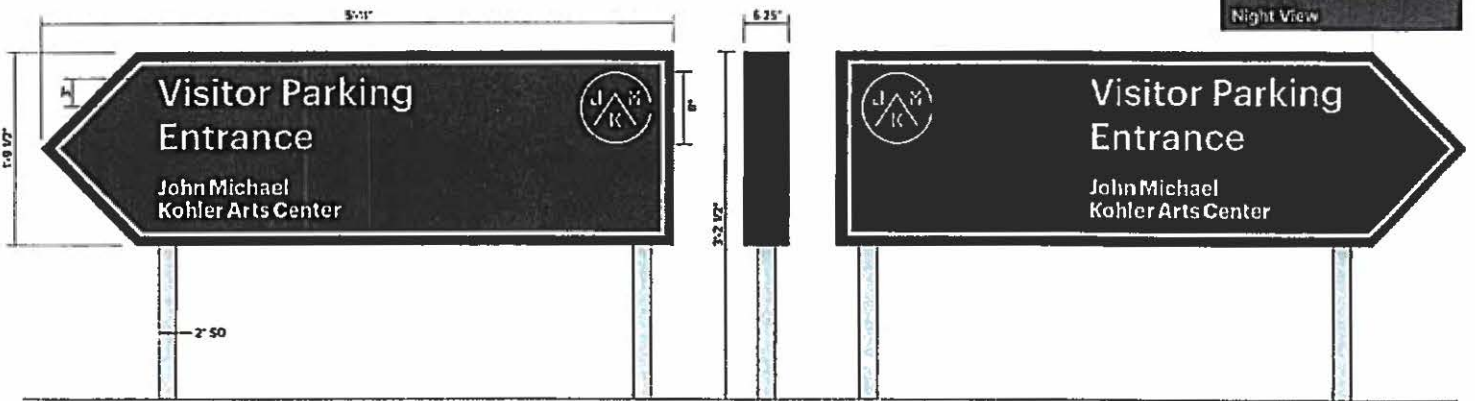
 3M #3630-20 white vinyl

Before



Existing Sign: 71" x 34"

After



Scale 1/16



Design:
 Date: 08/11/10
 Rev: 08/11/10
 Project: 100-100-100

Reviewed:
 Date:
 Rev:

Approved:
 Date:
 Rev:

File Name: S1102
 Date: 08/25/10
 City: State University, AL

Drawing #: **C67646-2**
 Date: 10/01/10

AS CR EN Design: PV TB Address: 621 New York Ave

S1 D/F Illuminated Directional

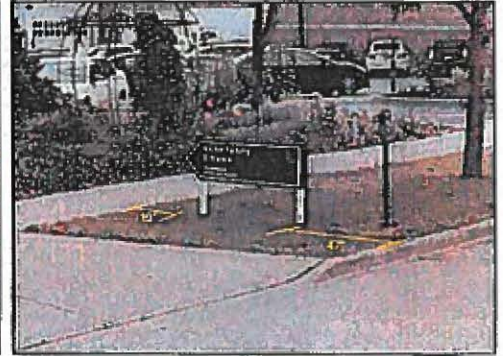
Placement/Setback Info

DIRECTIONAL 1

Before



After



Existing Sign: 71" x 34"

DIRECTIONAL 2

Before



After



Revisions

Revisions

Revisions

File Search: S100
Draw Date: 03/24

Date: 01/25/2022

City/State: Montgomery, MD

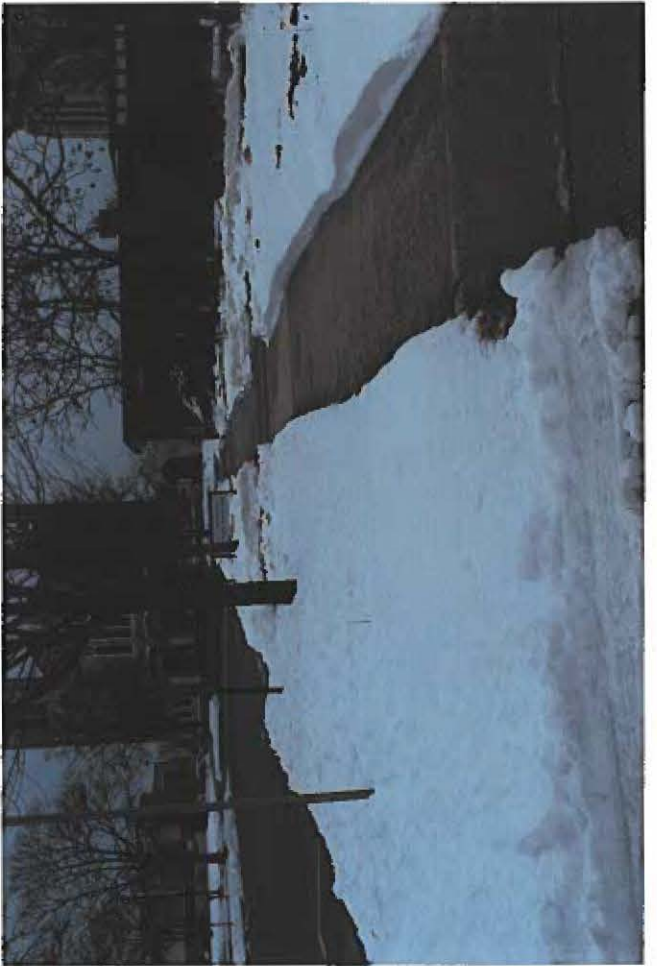
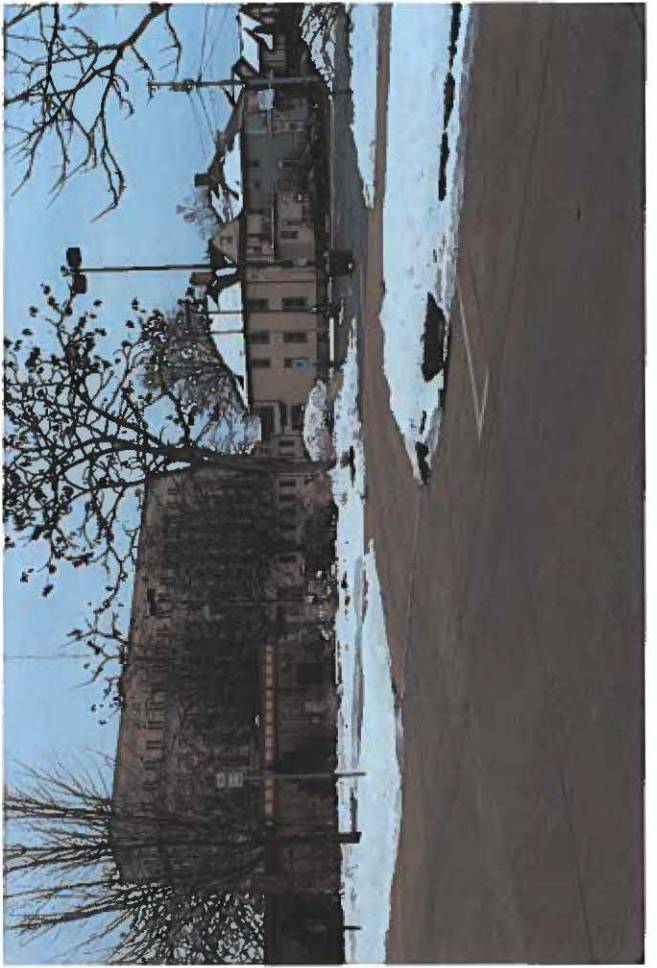
Drawing # **C67646-23**

AS CR DR

Project: 10

Address: 515 New York Ave

Sheet: 137038



CITY OF SHEBOYGAN

REQUEST FOR CITY PLAN COMMISSION CONSIDERATION

ITEM DESCRIPTION: R.O. 116-20-21 and G.O. 29-20-21 by Alderperson Donohue granting John Michael Kohler Arts Center, its successors and assigns, the privilege of encroaching upon described portions of the 600 block of New York Avenue in the City of Sheboygan for the purpose of adding a second entrance sign.

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

REPORT DATE: January 8, 2021

MEETING DATE: January 12, 2021

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

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

BACKGROUND / ANALYSIS:

John Michael Kohler Arts Center (JMKAC) is requesting encroachments to install two (2) directional signs at their facility art located at 608 New York Avenue. The applicant states:

- The directional signs are proposed to be located within the green space of the City of Sheboygan New York Avenue public right-of-way adjacent to the JMKAC parking lot.
- The parking lot for the art center is located on the south side of New York Avenue. The parking lot has three (3) driveway cuts and the existing directional sign is located on the west side of the eastern most driveway. The existing sign is located within the grass boulevard space between the back of the curb and the sidewalk.
- JMKAC is now requesting encroachments for two (2) directional signs to be located within the green boulevard space of the New York Avenue public street right of-way:
 - To locate a sign on the west side of the eastern most driveway cut.
 - To locate a sign on the east side of the western most driveway cut.
- JMKAC believes that locating the two (2) directional signs within the green boulevard space will help make the east and west driveway cuts more visible to arriving visitors.
- JMKAC is in the process of updating their branding and changing the signage around the building to reflect this rebranding image. JMKAC also wants to incorporate the new image on their parking lot directional signs.

JMKAC states the following about the signs:

- These signs will be illuminated and will advertise “John Michael Kohler Art Center Visitor Parking Entrance.”
- The directional signs are approximately 12sf (2 x 6) and 3.3 feet tall.

STAFF COMMENTS:

It appears the signs could be installed on the JMKAC parking lot property.

The sign locations shall not impact vehicular or pedestrian safety.

If the encroachments are approved, JMKAC will need to pay the required encroachment fee and obtain the required sign permits prior to installation.

ACTION REQUESTED:

Staff does not object to the encroachments as proposed.

ATTACHMENTS:

R.O. 116-20-21 and G.O. 29-20-21