- Utica Energy LLC is proposing to rezone property located at 704 S. 15th Street from Urban Industrial (UI) to Heavy Industrial (HI) in order to redevelop the existing Cargill Malting facility into an Ethanol Facility.

- Applicant states the following concerning the rezone proposal:

  - Change in zoning represents the highest and best use of the facility that has been developed as a grain processing and storage complex.
  - The property has always been used as a grain drying facility and the change in zoning would merely expand the grain industry related uses of the facility.
  - The proposed change would allow the installation of an Ethanol facility that would create 30-35 jobs on the site and another 80-100 support jobs.

- When considering a zoning designation change, the Plan Commission and Common Council need to consider what the purpose of the zoning ordinance is and if the proposed rezone meets that purpose.

Section 15.005(2) and (3) state the following:

*This Chapter is designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems; to encourage the protection of groundwater resources; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.*

*Specifically, this Chapter is adopted for the purpose of protecting the public health, safety, morals, comfort, convenience and general welfare by implementing certain goals and objectives of the Comprehensive Master Plan.*

Therefore, the Plan Commission and Common Council will have to make a determination as to whether or not the proposed rezone meets the purpose and intent of the City of Sheboygan Zoning Ordinance and Comprehensive Plan.

- The City of Sheboygan Comprehensive Plan states, “Over the last twenty years, the City of Sheboygan has worked diligently to make planning, zoning, development and redevelopment decisions that both avoid and correct areas of conflict...”

- The Comprehensive Plan specifically identifies several areas of land use conflicts including this area along the Sheboygan River from the Harbor
westerly to Taylor Drive (this area includes the Cargill Malting facility). The Comprehensive Plan states that the City of Sheboygan has been active in acquiring, cleaning and facilitating redevelopment of older industrial and storage facilities to residential, office and commercial uses. The Department of City Development continues to actively promote redevelopment along the Sheboygan River. South Pier and the Water Street Development are just a few very successful examples of redevelopment along the Sheboygan River (old industrial sites that have been successfully redeveloped into mixed residential/commercial projects). The Department of City Development views the Cargill Malting facility as an ideal candidate for this type of redevelopment.

- This is an area of conflict, a large industrial use located within a residential neighborhood. As stated above, the City has been active in redeveloping such areas along the Sheboygan River and it is staff's position that we should continue this strategy for correcting areas of land use conflict such as this. Therefore, staff does not believe rezoning this parcel to Heavy Industrial is in the best interest of the City because it will increase the amount of conflict in this area.

- The area surrounding the Cargill property is considered a residential neighborhood. To the south, north and west are properties zoned Neighborhood Residential (NR). The uses include single-family dwellings, duplexes, churches, schools and parks. One has to seriously consider whether rezoning the property to Heavy Industrial (HI) is prudent within this residential neighborhood located in the central area of the City of Sheboygan.

- As the Plan Commission is aware, the City of Sheboygan has created a significant amount of Industrial zoned property on the south side of the City in order to reduce conflict between industry and residential property. This type of long term planning by the City has provided the best possible balance between the quality of life and the cost of living. This vision has resulted in reducing the amount of land use conflict within the City of Sheboygan.

- It is critically important for the Plan Commission to understand that if the property zoning designation is changed from UI to HI, any use that is permitted and/or conditionally permitted in the HI zone may be applied for. Thus, increasing the likelihood that the Cargill Facility could be used for any number of heavy industrial purposes.

- If the Common Council approves the proposed rezone, the applicant needs to be aware that a conditional use and/or site plan will need to be submitted to and reviewed by the City of Sheboygan Plan Commission prior to redeveloping this site.
The overall focus of planning is to provide the best possible balance between the quality of life and the cost of living. The ability to reach this goal results from a combination of long term planning strategies that establish the community’s vision and the day to day decisions made by the Plan Commission and Common Council in reviewing development proposals and making public investment decisions. It is staff’s position that the proposed rezone to Heavy Industrial should be denied because it does not promote effective planning.

Again, the City of Sheboygan Comprehensive Plan states “over the last twenty years, the City of Sheboygan has worked diligently to make planning, zoning, development and redevelopment decisions that both avoid and correct areas of conflict…” This proposal will increase conflict. Therefore, is staff’s recommendation that the proposed rezone from Urban Industrial (UI) to Heavy Industrial (HI) should be denied for the following reasons:

- It does not protect water and or air quality.
- It does not protect and enhance the unique functional qualities of the Sheboygan Riverfront.
- It does not ensure that conflicts between neighboring land uses are minimized.
- It does not ensure that heavy industrial development proposals are located within location sensitive lands and it does not take advantage of more appropriate industrial zoned land.
- It does not provide for adequate road capacities and road quality.
- It does not provide for the minimization of transportation facility disruptions by land use.
- It does not encourage the maintenance and upkeep of existing housing.
- It does not facilitate the provisions of balancing community wide needs with local concerns.
- It does not protect the public health, safety, morals, comfort, convenience and general welfare of City of Sheboygan citizens.