

CITY PLAN COMMISSION

Wednesday, June 18, 2014

A meeting of the City Plan Commission was called to order at 7:03 p.m. by Chairperson Dan Wiegand in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Mike Gilson, Dennis Statz, Laurel Brooks, Steve Parent, Rick Wiesner, Jeff Norland, and Dan Wiegand were present. Also present were Community Development Director Marty Olejniczak and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Mr. Wiesner, seconded by Mr. Norland to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from April 16, 2014.
4. Public comment on non-agenda items.
5. Conditional use request from Marina View Apartments to construct a 16-unit multiple-family dwelling, with detached garage buildings, located at 252 Thorn Street (Lot 3 of Marina View Subdivision).
Presentation
Public hearing
Consideration of
6. Conditional use request from Marina View Apartments to construct an 8-unit multiple-family dwelling, with detached garage buildings, located at 267 Thorn Street (Lot 4 of Marina View Subdivision).
Presentation
Public hearing
Consideration of
7. Conditional use request from Marina View Apartments to construct an 8-unit multiple-family dwelling, with detached garage buildings, located at 249 Thorn Street (Lot 6 of Marina View Subdivision).
Presentation
Public hearing
Consideration of
8. Consideration of: Meeting date for July.
9. Adjourn.

Carried.

Approval of minutes from April 16, 2014: Moved by Ms. Brooks, seconded by Mr. Gilson to approve the minutes from April 16, 2014. Carried.

Public comment on non-agenda items: No one spoke during public comment.

Conditional use request from Marina View Apartments to construct a 16-unit multiple-family dwelling, with detached garage buildings, located at 252 Thorn Street (Lot 3 of Marina View Subdivision).

Presentation: Mr. Olejniczak gave a brief overview of the request for a 16-unit multiple-family dwelling to be constructed on the largest lot (Lot 3) of Marina View's eight lot

subdivision that has preliminary plat approval. The architecture is very similar to the existing 8-unit buildings. The only difference is that the 16-unit will be built in sections. It meets all density and setback requirements. The design for Thorn Street was recently approved by Council. Marina View is required to reserve an easement for a public sidewalk from the end of the cul-de-sac leading to the future waterfront walkway that runs along the edge of the marina property.

Dan Schott, owner of the property, stated that this is a continuation of the development. His intention is to put all the foundations in as soon as possible and finish it out within the next two years. The final paving of the street will continue after all the heavy construction vehicles are done working so they don't destroy the street. He will most likely set up an escrow account with the City for the final paving. Marina View Apartments are fully rented and already have four deposits down on the 16-unit building. He added that 80% of the tenants are ages 65 and older.

Public hearing: Chairperson Wiegand opened the public hearing at 7:10 p.m.

No one spoke during the hearing. Ms. Nault read two letters of concern from Roen Salvage Company and Jennifer DuPont.

The public hearing was declared closed at 7:15 p.m.

Consideration of: Mr. Wiegand stated he would like the City Attorney contacted in regard to anything the City can do in response to Roen Salvages concern with dust and noise.

Mr. Wiegand also mentioned that Mr. Ireland will be taking over Mr. Wiesner's position on the Plan Commission beginning in July. Moved by Mr. Wiegand, seconded by Ms. Brooks to postpone consideration of this item at this time until Mr. Ireland joins the Plan Commission and the City Attorney has been contacted. Motion failed, with Mr. Wiegand and Mr. Wiesner voting aye and Ms. Brooks, Mr. Norland, Mr. Gilson, Mr. Parent, and Mr. Statz voting no.

Mr. Olejniczak stated that this is not unusual to have multi-family near other types of uses.

Mr. Norland added that Mr. Schott is the one taking the risk of not being able to rent the apartments next to Roen Salvage knowing there is dust and noise.

Drainage, a recreation area for the residents, and landscaping was discussed.

Mr. Olejniczak stated that the Aesthetic Design and Site Plan Review Board will also need to approve the buildings, landscaping and site design. In regard to a recreational area, he had no recommendations. The Plan Commission can require some type of gazebo, benches, or other common area.

Mr. Parent suggested some type of screening along the 30' utility easement that could block some of the view, noise and dust. It would have to be verified with Sturgeon Bay Utilities that the easement could be planted over.

Mr. Gilson suggested drafting an agreement where Marina View acknowledges that Roen Salvage exists and what their business is all about.

Mr. Schott stated he has lived on the property for 3 years and didn't think Roen Salvage was a problem. The tenants have not complained. There will be no driveway between Marina View Apartments and Bay Marine. It is also his intent to put evergreens all along the property line. He also mentioned his plans for the future of constructing an indoor pool, recreational area, and an area for residents to cook out on the marina property.

Mr. Wiegand would like to see a landscaping plan showing evergreens along the property line.

After further discussion, it was moved by Mr. Gilson, seconded by Mr. Norland to approve the conditional use, subject to:

1. The lot must be created by recording the plat of Marina View Subdivision or other means.
2. Thorn Street must be dedicated and constructed in accordance with plans approved by the Common Council or the required bond to cover construction costs must be posted.
3. The required street yard for the garages must be met by either shifting the garages, eliminating one or more garage stalls or by moving one of the garages to the west side of the parking area.
4. The parking lot should be adjusted, so that it is at least three feet from the lot line.
5. At least three canopy trees must be planted within 10 feet of the perimeter of the parking area.
6. All portions of the stormwater management system for Marina View Subdivision impacted by the proposed development on Lot 3 must be installed, including off-site improvements.
7. Any exterior lighting needs to use the cutoff fixtures to prevent spillover onto adjoining parcels.
8. The trash recycling area shall be enclosed by solid fencing and shall be relocated to the end of the parking area, unless it is a joint trash/recycling area for multiple apartment buildings.
9. Record an agreement for the creation of the 10-ft wide pedestrian easement and installation of the walkway from the end of Thorn Street to the east line of the Marina View Subdivision. The parameters for construction and dedication of the walkway shall be consistent with the Common Council action from May 20, 2014.
10. Approval of a certificate of appropriateness by the Aesthetic Design and Site Plan Review Board.
11. Approval of the grading plan by the City Engineer.
12. Approval by the Community Development Director and City Forester of a landscape plan for the north lot line.

There was continued discussion on the motion and on the potential need for recreational area for the residents and whether stone work should be required for the water side of the building.

Moved by Mr. Wiegand, seconded by Mr. Wiesner to amend the motion to include stone facing on the building the same as the two buildings to the south and to have a designated

gathering or common area. Roll call vote on the amendment to the motion: Carried, with Mr. Wiesner, Mr. Wiegand, Ms. Brooks, and Mr. Statz voting yes, and Mr. Parent, Mr. Norland, and Mr. Gilson voting no.

A roll call vote was taken on the original motion as amended. All ayes. Carried.

Conditional use request from Marina View Apartments to construct an 8-unit multiple-family dwelling, with detached garage buildings, located at 267 Thorn Street (Lot 4 of Marina View Subdivision).

Presentation: Mr. Olejniczak stated this request is for an 8-unit multi-family dwelling designed just like the other existing 8 unit multi-family dwellings. This complies with all density and setback requirements of the City.

Ken Lynch, 1522 Lynch's Bluff Rd., Brussels, WI, stated that the 8-unit apartment building will have stone facing, since it is a waterfront lot, and is identical to the 8-unit that was just completed.

Public hearing: Chairperson Wiegand opened the public hearing at 8:03 p.m. No one spoke during the hearing.

The correspondence that was read at the first hearing pertained to all three hearings.

The public hearing was declared closed at 8:04 p.m.

Consideration of: Mr. Statz stated that it has been difficult to know what exactly is going on with this property. He assumes that nothing is planned for the proposed lot containing the old "foundation" building and wondered if conditions could be placed that pertain to other lots.

After more discussion, it was moved by Mr. Wiegand, seconded by Mr. Parent to approve the conditional use, subject to the following conditions:

1. The lot must be created by recording the plat of Marina View Subdivision or other means.
2. Thorn Street must be dedicated and constructed in accordance with plans approved by the Common Council or the required bond to cover construction costs must be posted.
3. All portions of the stormwater management system for Marina View Subdivision impacted by the proposed development on Lot 4 must be installed, including off-site improvements.
4. Any exterior lighting needs to use the cutoff fixtures to prevent spillover onto adjoining parcels.
5. At least one canopy tree must be planted within 10 feet of the perimeter of the parking area.
6. The trash/recycling area shall for this apartment building shall be a common trash/recycling area for multiple apartment buildings either on this lot or elsewhere in the Marina View Apartment development.
7. Record an agreement for the creation of the 10-ft wide pedestrian easement and installation of the walkway from the end of Thorn Street to the east line of the Marina

View Subdivision. The parameters for construction and dedication of the walkway shall be consistent with the Common Council action from May 20, 2014.

8. Approval of a certificate of appropriateness by the Aesthetic Design and Site Plan Review Board.
9. Approval of the grading plan by the City Engineer.
10. Create a specific gathering or common area for residents between the parking lot and right-of-way for the cul-de-sac

Mr. Gilson suggested not specifically designating the area for the common area and let it be anywhere within the overall development.

A vote was taken on the motion. Carried, with Mr. Norland and Mr. Statz voting no.

Conditional use request from Marina View Apartments to construct an 8-unit multiple-family dwelling, with detached garage buildings, located at 249 Thorn Street (Lot 6 of Marina View Subdivision).

Presentation: Mr. Olejniczak explained that the layout was similar to the previous 8-unit that was just approved. The building doesn't fit on the lot because of the location of the 5-foot bump-out for the water meters room. It does not meet the required 25-foot rear yard and the 15-foot front yard. Mr. Schott plans on seeking a variance. Also, one garage needs to be shifted to meet the setback or the garages be moved closer together.

Ken Lynch stated that this is not a waterfront unit and they do not intend to place the stone facing on the building.

Public hearing: Chairperson Wiegand opened the public hearing at 8:30 p.m. No one spoke during the hearing.

The two letters of correspondence that were read for the first hearing also pertained to this hearing.

The public hearing was declared closed at 8:31 p.m.

Consideration of: Moved by Mr. Wiegand, seconded by Ms. Brooks to postpone until after the variance approval. Roll call vote: Carried, with Mr. Gilson voting no.

Consideration of: Meeting date for July: It was the consensus of the Commission to hold the next Plan Commission meeting on Wednesday, July 30, 2014, at 7:00 p.m.

Adjourn: Moved by Ms. Brooks, seconded by Mr. Statz to adjourn. Carried. Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Cheryl Nault
Community Development Secretary