

AGENDA
CITY OF STURGEON BAY
CITY PLAN COMMISSION
Wednesday, June 18, 2014
7:00 p.m.
Council Chambers, City Hall
421 Michigan Street

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.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

2:00 p.m.
6/13/14
CN

Plan Commission Members:
Dan Wiegand – Chair
Richard Wiesner
Mike Gilson
Laurel Brooks
Jeff Norland
Steve Parent
Dennis Statz

CITY PLAN COMMISSION

Wednesday, April 16, 2014

A meeting of the City Plan Commission was called to order at 7:04 p.m. by Chairperson Dan Wiegand in Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members Dan Wiegand, Richard Wiesner, Mike Gilson, Laurel Brooks, Jeff Norland, Steve Parent and Dennis Statz were present. Also Present were Community Development Director Marty Olejniczak and Municipal Services Assistant Jennifer Lenius.

Adoption of Agenda: Moved by Mr. Statz, seconded by Mr. Parent to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from February 19, 2014.
4. Public comment on non-agenda items.
5. Consideration of: Modification of PUD – Two additions for Pinecrest Village, 1241 N. 18th Avenue.
6. Consideration of: Vacation of a portion of a 25-foot wide alley, known as Lama Lane, between Alabama Street and Bluebird Lane.
7. Consideration of: Zoning code and sign code amendments to create Institutional District.
8. Consideration of: Sign code amendment to allow electronic message signs in residential districts.
9. Consideration of: Setback from bridge right-of-way for U.S.C.G. building at Sawyer Park.
10. Adjourn.

All in favor. Carried.

Approval of minutes from February 19, 2014: Moved by Mr. Wiesner, seconded by Mr. Norland to approve the minutes from February 19, 2014. All in Favor. Carried.

Nobody spoke during public comment.

Consideration of: Modification of PUD – Two additions for Pinecrest Village, 1241 N. 18th Avenue:

Mr. Olejniczak explained the request from Pinecrest Village to add on a single-story 22' x 22' activity room and a 4' x 22' single-story addition to the dining room and stated that under section 20.24(6) of the zoning code, the Plan Commission has the ability to allow minor changes to the PUD. He stated that because of the configuration of the building both additions are on the back side of the building and would not be visible from the street or adjacent properties. The modification does not violate any required setbacks.

Moved by Mr. Gilson, seconded by Ms. Brooks to approve the modifications to the final PUD as submitted. All in favor. Carried.

Consideration of: Vacation of a portion of a 25-foot wide alley, known as Lama Lane, between Alabama Street and Bluebird Lane: Mr. Olejniczak stated the request came from three of the seven property owners whose land abuts the alleyway. All of the properties have street access except for a private park which allows some of the property owners their only access to the lagoon.

The following people spoke: Gerald Richter, 1205 N. 3rd Avenue; Joan Briggs, 1225 N. 3rd Avenue; Ann Thenell, property owner of 126 Alabama Street; Susan Londo, 212 Alabama Street.

Three letters were read aloud from: Chris Kellems, 120 Alabama Street; Robert and Marianne Arends, 225 Bluebird Drive; Jeraldene Bloom, 1237 N. 3rd Avenue.

The petitioners requested abandonment from Alabama Street to the north line of the Briggs parcel. Concerns that were discussed included; access to the lagoon for property owners, access for utilities to enter the property, deeding land to adjacent property owners, how it would affect property taxes, and whether other property owners in the subdivision have rights to the private park

Mr. Norland suggested the seven property owners come to a consensus of what they want to see happen to this property if it is vacated.

No action taken.

Consideration of: Zoning code and sign code amendments to create Institutional District: Mr. Olejniczak stated this issue has been before the committee over the last few months due to the request of several churches wanting to install electronic message signs. The concern of how rezoning properties such as churches, hospitals and schools would affect the surrounding residential properties was addressed. Mr. Olejniczak researched what other municipalities do of similar size to the City of Sturgeon Bay in northeast Wisconsin. He found out that only three of the nine he checked have an Institutional zoning District.

It was discussed if an Institutional Zoning District was implemented should all affected properties be rezoned city wide and retro-fitted creating spot zoning or if it would be better to wait for the affected properties to come forward and request to be rezoned. Ms. Brooks expressed her concern of adding electronic signage to the residential district and how it would compromise safety by distracting drivers. Mr. Parent expressed that creating an Institutional zoning district for large tracts of land may make sense, but simply rezoning a single parcel in a residential area is not necessarily good since it doesn't change the fact of its location near homes. Mr. Weisner stated that if approved the commission can regulate the size of the sign, where it can be placed and when it is allowed to be on.

Mr. Norland stated that while Institutional Zoning has its merits, the commission is dealing with two distinct issues of zoning and signage and that if the signage is going to be allowed, then the commission needs to look at rezoning. Mr. Statz suggested it was too early to make a decision at this point and more thought should be put into the idea of creating an Institutional Zoning District before a decision is made.

Consideration of: Sign code amendment to allow electronic message signs in residential districts: Mr. Olejniczak stated regardless of whether or not an Institutional Zoning District is adopted, a decision would still need to be made if an amendment should be made to the sign code. There are three options that include:

- Amend the sign code to allow electronic variable message signs in residential districts with the current standards
- Amend the sign code to allow electronic variable message signs in residential districts with additional restrictions such as size, intervals and time limits
- Reject the request to amend the sign code

Motion by Ms. Brooks, seconded by Mr. Statz to not make any changes to the current sign code. Members Wiegand, Gilson, Brooks, Norland, Parent and Statz in favor. Member Wiesner opposed. Motion carried.

Consideration of: Setback from bridge right-of-way for U.S.C.G. building at Sawyer Park: Mr. Olejniczak explained the U.S.C.G. would like to replace two smaller buildings on the north side of the Oregon Street Bridge corridor with one larger 40' x 60' storage building on the land it leases from the City at Sawyer Park south of the Oregon Street Bridge corridor. The current setback for the C-2 district is 15 feet, but the zoning code allows smaller setbacks if approved by the Plan Commission. The proposed building has an 8.5 foot setback. The plan has already been approved by the Waterfront Design Review Board and Common Council.

Moved by Mr. Wiegand, Seconded by Ms. Brooks to approve a reduced setback of a minimum of 8 feet from the right-of-way for the U.S.C.G. building so it can be constructed per the approved site plan. All in favor. Carried.

Adjourn: Moved by Mr. Gilson, Seconded by Ms. Brooks to adjourn. All in favor. Carried. Meeting adjourned at 8:35 p.m.

Respectfully Submitted,

Jennifer M. Lenius
Municipal Services Assistant

EXECUTIVE SUMMARY

Title: Conditional Use – 16-Unit Multiple-Family Dwelling for Marina View Apartments (Lot #3)

Background: Marina View Apartments LLC (Dan Schott, agent) seeks a conditional use approval for a 16-unit multiple-family dwelling. The proposal also includes detached garage buildings. The subject property is Lot 3 of the proposed plat of Marina View Subdivision, which is located at the end of the proposed extension of Thorn Street. The proposed lot contains approximately 1.80 acres.

The proposed multifamily building is a continuation of the redevelopment of the former Sturgeon Bay Yacht Harbor property and related property into multiple-family dwellings. Five 8-unit buildings and one 4-unit building have already been constructed and another 8-unit building has been approved but not yet constructed. In addition, two other 8-unit buildings are also proposed under separate conditional use applications.

Existing Conditions: The proposed site is part of Marina View Subdivision. This plat has not been recorded yet, so the site is currently part of Lot 2 of certified survey map #2721. In order to file the final plat to officially create the lot for apartment development, the developer must either complete the public improvements (street, utilities, drainage) or post a bond covering the cost of the improvements. The Council recently affirmed the design of Thorn Street, so the developer is now able to proceed with final engineering and construction.

Lot 3 of the proposed plat is currently vacant space at the north end of the Marina View Apartments property. It is situated between Bay Marine's storage/repair/sales building and the marina parcel. To the south is the boat storage building that was previously approved to be relocated.

The subject site is within the C-2 Central Business District zoning classification, which requires a conditional use approval for multiple-family dwellings. The surrounding abutting parcels are also zoned C-2. Other nearby uses include the marina, Bay Marine boat storage and repair, and Roen Salvage Company.

Comprehensive Plan: The Future Land Use Map of the Sturgeon Bay Comprehensive Plan recommends Recreational & Tourist Commercial land use for this site. This land use area is described in the plan as "areas which are characterized by uses that are recreational in nature or are geared toward visitors and tourists, such as marinas, hotels, galleries, restaurants and the like. These areas are mostly located along the waterfront and near to the central business district to take advantage of the waterfront recreational opportunities and the pedestrian nature, and emphasize retail goods and services which cater to the visiting public. It may also include some residential uses such as condominiums."

Another plan recommendation that relates to this subject site is the proposed waterfront pedestrian loop that runs through this area. The plan envisions a waterfront pathway (10 feet wide) leading to the existing waterfront walkway downtown. While the path wouldn't necessarily have to be across the subject site, it is proposed to be somewhere in this vicinity. As part of the approval of the preliminary plat for Marina View Subdivision and the approval of previous conditional uses for apartments, the developer was required to identify an easement for the future pedestrian facility. An agreement was been recorded, which grants the easement, and is located along the edge of the property line between the marina and the apartment lots. Official dedication of the formal easement will occur when other easements or right-of-way is obtained to extend the walkway back to the City street network. This avoids the situation of having a "dead end" walkway easement.

Building and Design Considerations: The maximum density for multiple-family dwellings is one unit per 3,500 square feet of lot area. A maximum of 22 units could potentially be constructed on the subject site, so the proposed 16 units are within the density requirement.

The proposed 16-unit building is two stories high. The building has three sections that are angled to create a sort of "C" shape. This design provides more views of the water than having two separate buildings and allows the building to fit on the lot better than a straight building. The basic design of the units generally matches the design for the existing and proposed 8-unit buildings. It complies with the design standards under the zoning code. There are six detached garages, each with three stalls so that each apartment has one garage parking space with two spaces left over. The garages match the design of the existing garages for the previously approved apartments. Like the apartment building, they need to be approved as part of the conditional use.

The project is subject to the aesthetic design and site plan review process of the zoning code. The Aesthetic Design and Site Plan Review Board must issue a certificate of appropriateness. The Board will schedule its review after action by the Plan Commission.

Site Layout: The apartment building complies with the minimum yard requirements. The layout creates a nice common space that the units overlook. Some of the garages are situated in front of the apartments as viewed by the street. This is generally not desirable and is different from the other apartment lots where the garages tend to be on the side. The minimum street yard for the garages is 25 feet, but one of the garages is just 15 feet from the cul-de-sac right-of-way. This garage building must be shifted at least 10 feet. Other alternatives are to move one of the garages to the other side of the parking area or eliminate one of the garage stalls. By meeting the 25-foot street yard for the garages, the view from the road will be improved

The outdoor parking area is located across from the garages. A total of 21 outdoor spaces are provided. The parking complies with the required number of spaces and design. However, the parking area gets very close to the adjoining Bay Marine property in a few places. While there is no required setback for surface parking from side and rear lot lines, it is advisable to have at least a couple of feet of separation due to potential grade differences and buffering. There appears to be room to adjust the parking area slightly to create some separation from the lot line. In addition, at least three canopy-type trees must be planted within 10 feet of the perimeter of the parking area.

The trash/recycling receptacle is located near the street for easier access. Previously, the Plan Commission has required that the trash enclosure be moved to the back of the lot. A different alternative is to establish a common trash/recycling area for multiple apartment buildings. Mr. Schott has stated his intention to have the common trash/recycle area. If that is done, then having a single enclosure adjacent to the street should be acceptable in order to make it convenient.

The landscaping plan shows some proposed shrubs surrounding the foundation and street trees along the right-of-way. There are no specific landscaping requirements for the apartments other than the canopy tree required for the parking area. The Plan Commission can require additional or alternative landscaping if it deems necessary or it can let the Aesthetic Design and Site Plan Review Board handle the landscaping review.

The developer submitted an overall plan showing potential development on all the lots within the Marina View Subdivision. All lots show multiple-family dwellings. In the opinion of staff, this type of development is reasonable on the property given its location, market potential and zoning classification. The nearness to the water and to downtown and the mixed-use character of the surrounding area make multiple-family dwellings viable. It is important to note, however, that the current requests are only for the development of Lots 3, 4, and 6 so the Plan Commission is not acting upon the overall development. City staff has only reviewed the proposed development of the specific lots that the developer has applied for.

Stormwater Management: An overall stormwater management plan was submitted and approved through the subdivision review process. The proposed development will follow that plan. One minor

change is that the biofilter on this lot will be rotated 90-degrees to be situated along the lot line between Lots 3 and 4. The runoff from the cul-de-sac will flow through the biofilter lengthwise. A grading plan for the lot is required to ensure that runoff flows properly.

Utilities: Sanitary sewer and water service already exists. The mains run in an easement that is roughly along the south lot line. Laterals connect to the south side of the building. Sturgeon Bay Utilities reports no concerns with utilities for the development. SBU does not want the water meters to be installed in the individual units and wants them in a separately accessible part of the building like was done for the 8-unit buildings. Mr. Schott has indicated that the water meter room will be placed in the triangular area between the 6-unit and 4-unit wings of the buildings.

Street Construction: The proposal requires the extension of Thorn Street. The design/layout was approved by the Council. The developer intends to start the construction during this construction season, but might wait to complete asphalt paving until next spring in order to avoid damage from construction vehicles for the apartments. As stated earlier, the road must be finished or a bond posted in order to create the lots through final platting.


Sidewalk: The Council's approval of the design for Thorn Street did not include sidewalks along the street. However, the Council required the easement for the future waterfront walkway. The Council also required the walkway from the end of the cul-de-sac leading to the future waterfront walkway. The Council required that the walkway be built upon completion of development of Lots 3 or 4, but agreed that the walkway wouldn't have to be dedicated as a public walkway until the waterfront walkway is formally dedicated. Basically, the typical sidewalk that would be constructed on Thorn Street is waived in exchange for pedestrian facilities between Lots 3 and 4 and the easement for the waterfront walkway. That decision is consistent with the previous Plan Commission actions regarding pedestrian facilities for Marina View Apartments.

Fiscal impact: The City would receive park and recreation fees for the 16 new dwelling units for a total of \$4,800. Costs to extend the utilities and street and install drainage improvements will be paid by the developer. The City will need to provide services, such as police and fire protection to the new residents. The property value for tax assessment is not known yet, but based upon previous phases of Marina View Apartments, the value of the proposed buildings should be around \$1,300,000.

Recommendation: Staff recommends that the Plan Commission 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. 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.

Prepared by: 
Martin Olejniczak
Community Development Director

June 13, 2014
Date

Reviewed by: _____
Tony Depies
City Engineer

Date

Reviewed by: 
Stephen McNeil
City Administrator

6/13/14
Date

PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN:

North: Rec 7 TOURIST COMMER
South: 11 11 11
East: 11 11 11
West: 11 11 11

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? NO IF YES, EXPLAIN: _____

Attach an 8-1/2" X 11" detailed site plan (if site plan is larger than 8-1/2" x 11", also include 15 large sized copies), full legal description (preferably on disk), 8-1/2 x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of person who drew plan, etc.

Mervin Vieu Apts LLC [Signature] 5/22/14
Property Owner (Print Name) Signature Date

Devinel Schott [Signature] 5/22/14
Applicant/Agent (Print Name) Signature Date

I, _____, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

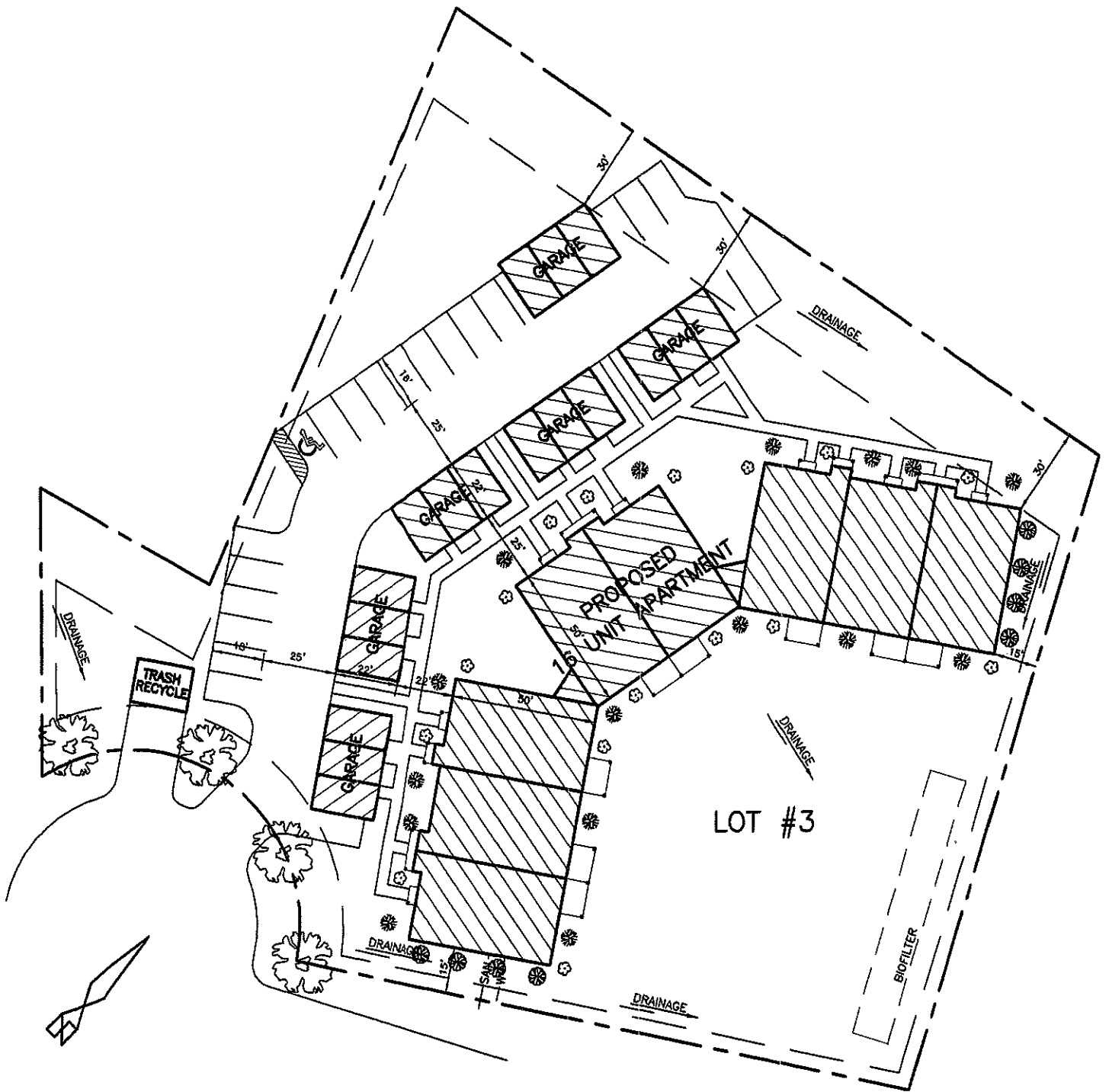
Date of review meeting Applicant Signature Staff Signature

- Attachments:
Procedure & Check List
Agreement For Reimbursement of Expenses

STAFF USE ONLY

Application conditions of approval or denial:

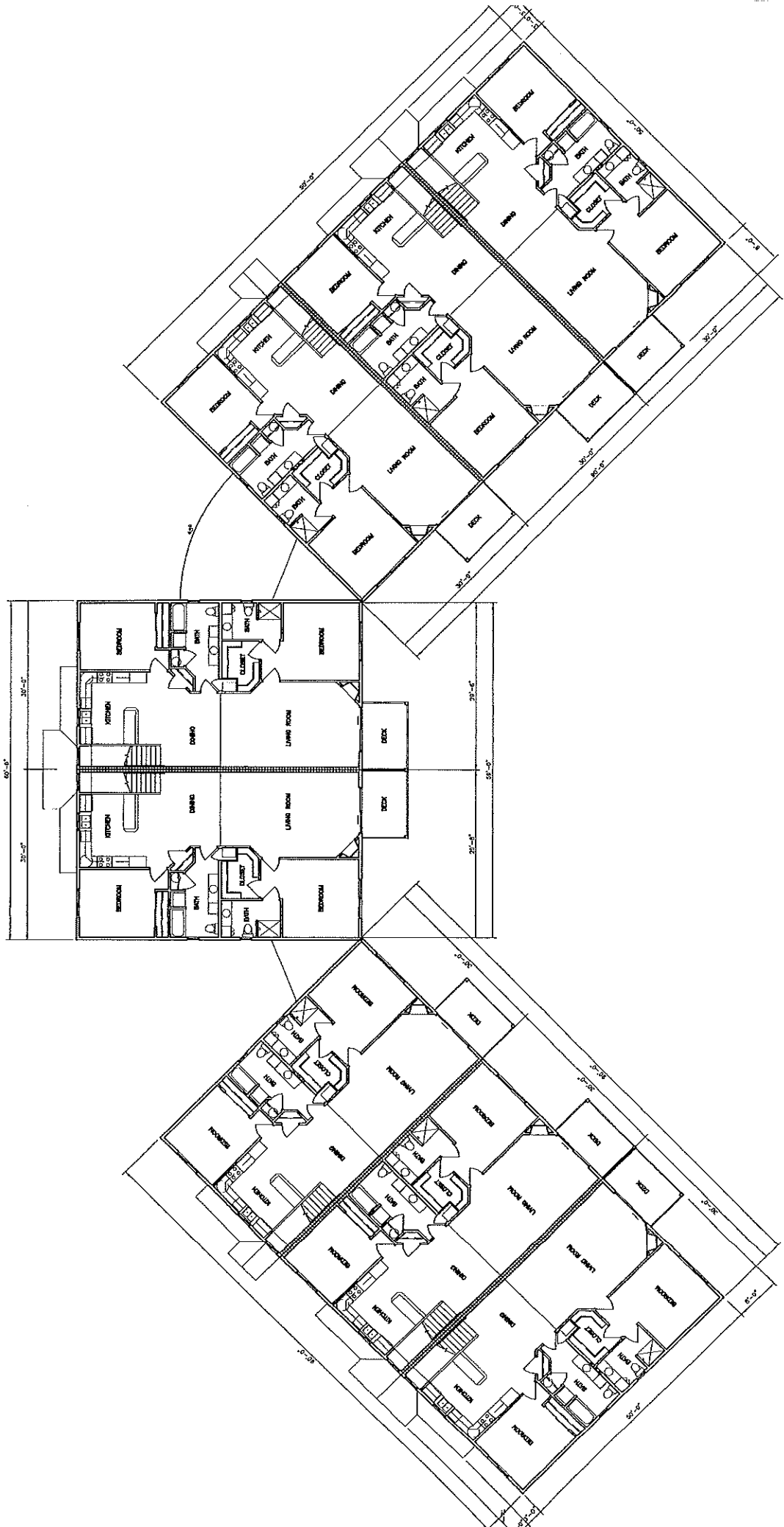
Date _____ Community Development Director



S I T E P L A N

SCALE : 1" = 50'

16 UNIT APARTMENT BUILDING
MARINA VIEW APARTMENTS
 STUREGON BAY WISCONSIN 54235 (920) 743-3311

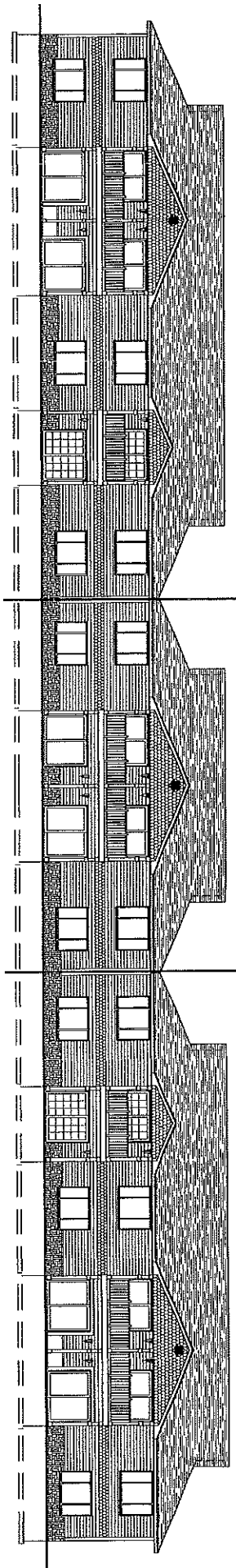


SECOND FLOOR PLAN

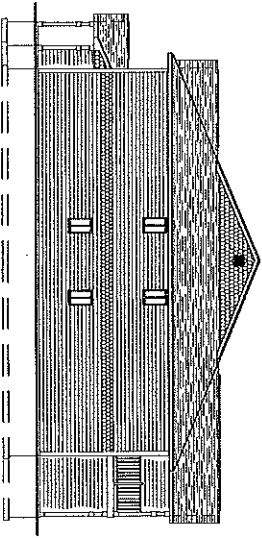
FLOOR PLAN S.F. 1,514 / UNIT

16 UNIT APARTMENT

MARINA VIEW APARTMENTS



NORTH ELEVATION

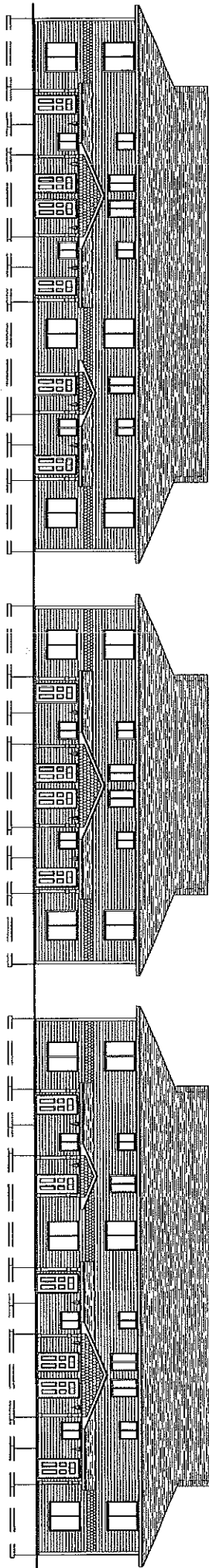


EAST ELEVATION

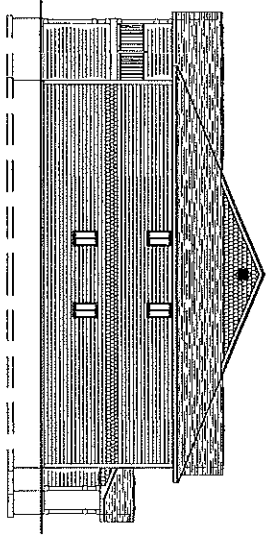
16 UNIT APARTMENT

MARINA VIEW APARTMENTS

2 NAUTICAL DRIVE GREENBAY, WISCONSIN 54305 (920) 747-7344



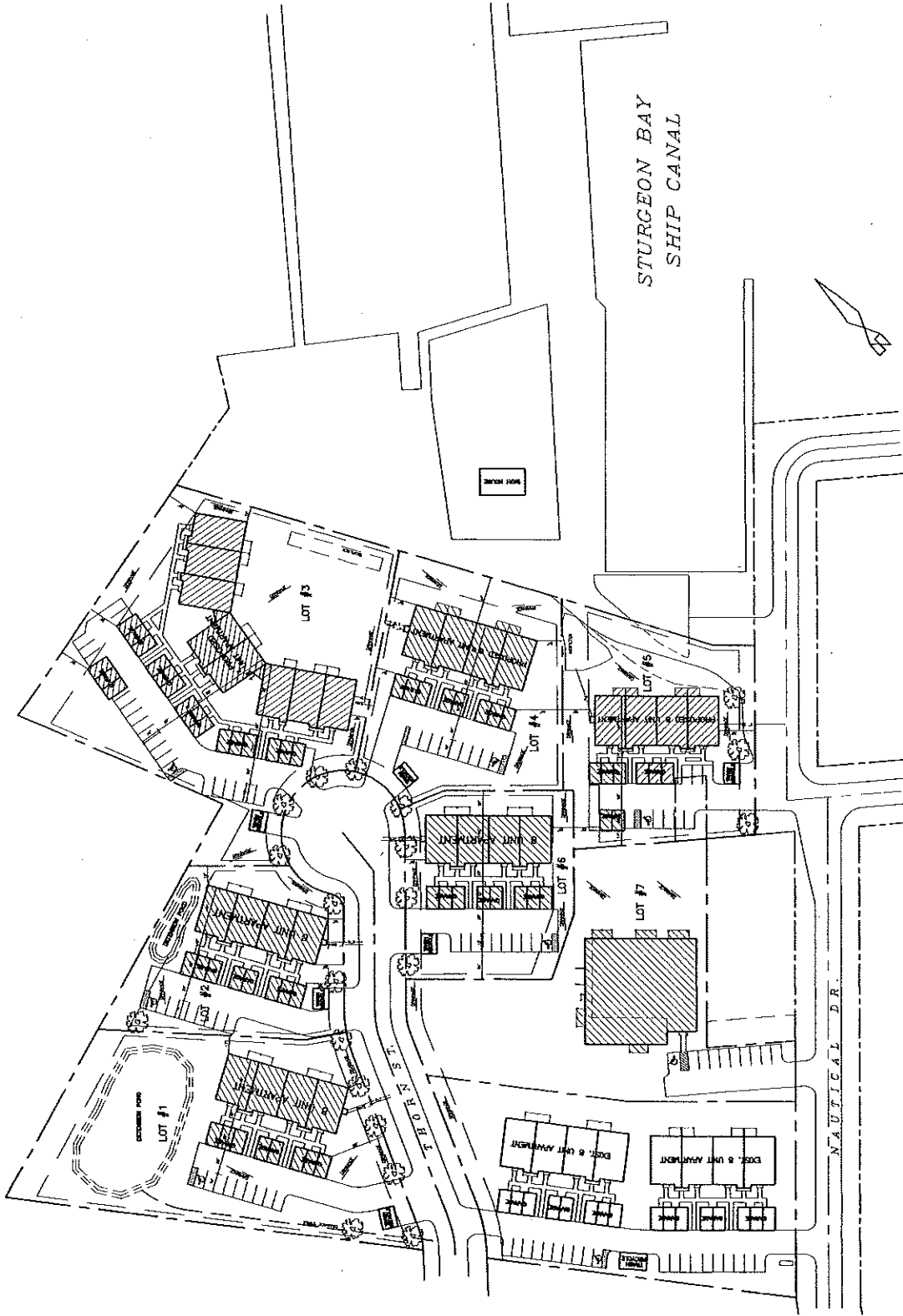
SOUTH ELEVATION



WEST ELEVATION

16 UNIT APARTMENT

MARINA VIEW APARTMENTS



S I T E P L A N

SCALE : 1" = 100'

MARINA VIEW APARTMENTS
 STURGEON BAY WISCONSIN 54235 (920) 743-3311

Marina View Apartments LLC
P.O. Box 227
226 – 1 Nautical Dr
Sturgeon Bay WI 54235

920-743-6511

June 13, 2014

Marty, Tony, John, Don

I have read Marty's letter dated June 12th 2014 in reviewing the building site and will make the following comments.

Lot 3:

2. Water Room will be located in between the six unit and four unit
3. The garages will be moved back to so the setback to the lot line is 25'
4. The Handi-cap space will be moved and the other parking close to the road will be moved closer allowing there to be 5' off the lot line with paving along Bay Marine's land.
5. Additional trees will be installed behind parking lot
6. Trash, there is to be central trash pickup on lot 1

Lot 4:

1. Additional Tree by parking lot
2. Trash/garbage will be central on lot 1

Lot 6:

1. We will seek a variance
2. Garage will be moved together to enable 25' setback from front lot line and variance for rear
3. Tree will be added by parking lot
4. Trash is to be central pickup on Lot 1

General Issues

1. A 20 foot easement is to be given for water easement and walking path along the lot line. Ten feet on either side of the lot line between lot 3 and lot 4, water easement on the north side and walking path on the south side.
2. The Bio Filter will run along the north side of the lot line in the water easement. It is turned 90 degrees as shown on existing plan to run along the lot line.
3. Davel will indicate where water flows on road plan and it is to be just off the pavement not inside property line as shown on existing plan (in city right-a-way) and the street and grading plans to be done and presented.
4. We are on agenda for variance and site review board per Marty

I believe this covers everything and Davel will get his plans corrected and to you all and me and I will have the architect correct garages, trees, parking and trash/garbage.

Thank You

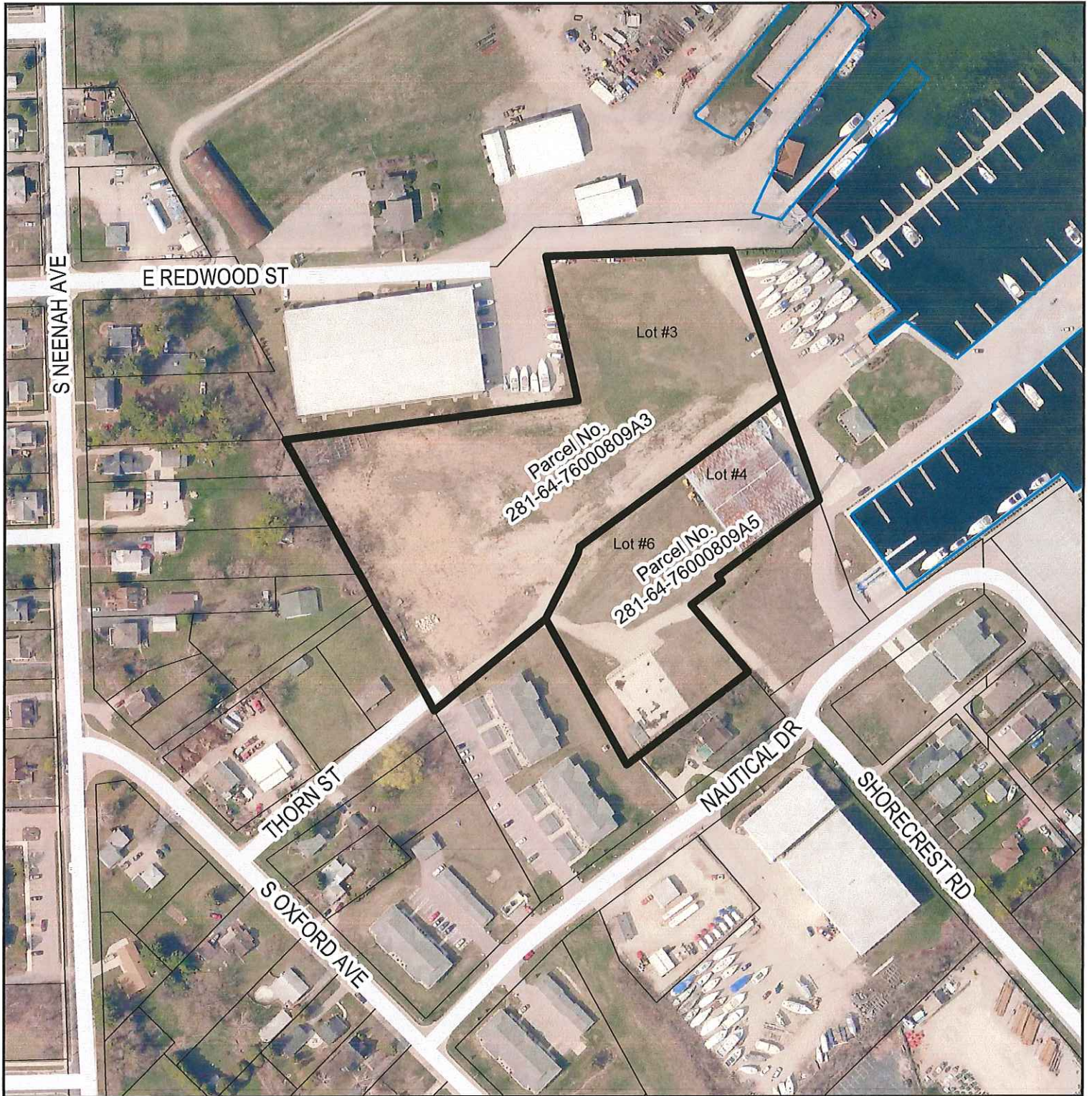
Daniel Schott, Marina View Apartment LLC.

PUBLIC HEARING NOTICE

The City of Sturgeon Bay Plan Commission will conduct a public hearing in the Council Chambers, 421 Michigan Street, Sturgeon Bay, Wisconsin on Wednesday, June 18, 2014, at 7:00 p.m. or shortly thereafter, regarding a petition from Marina View Apartments, for approval of three conditional uses under Section 20.15(2)(d) of the Municipal Code (Zoning Code). The proposal is for one 16-unit multiple-family dwelling, located at 252 Thorn Street, and two 8-unit multiple-family dwellings, located at 249 and 267 Thorn Street, all with detached garage buildings. The three subject parcels are all located on a proposed extension of Thorn Street, a portion of parcel #281-64-76000809A3 and parcel #281-64-76000809A5. The applications are on file with the Community Development Department, located at City Hall, 421 Michigan Street, and can be viewed weekdays between 8:00 a.m. and 4:30 p.m. The public is invited to give testimony in favor or against the proposed conditional uses, either in person at the hearing or in writing (must be received by 4:00 p.m., June 18th).

By order of:
City of Sturgeon Bay Plan Commission

**Location Map
Public Hearing
Conditional Use Request
Marina View Apartments, LLC**



Subject Area



Note: Public Hearing to be held on June 18, 2014

EXECUTIVE SUMMARY

Title: Conditional Use – 8-Unit Multiple-Family Dwelling for Marina View Apartments (Lot #4)

Background: Marina View Apartments LLC (Dan Schott, agent) seeks a conditional use approval for an 8-unit multiple-family dwelling. The proposal also includes detached garage buildings. The subject property is Lot 4 of the proposed plat of Marina View Subdivision, which is located at the end of the proposed extension of Thorn Street. The proposed lot contains approximately 0.87 acre.

The proposed multifamily building is a continuation of the redevelopment of the former Sturgeon Bay Yacht Harbor property and related property into multiple-family dwellings. Five 8-unit buildings and one 4-unit building have already been constructed and another 8-unit building has been approved, but not yet constructed. In addition, another 8-unit building and a 16-unit building are also proposed under separate conditional use applications.

Existing Conditions: The proposed site is part of Marina View Subdivision. This plat has not been recorded yet, so the site is currently part of Outlot 1 of certified survey map #2826. In order to file the final plat to officially create the lot for apartment development, the developer must either complete the public improvements (street, utilities, drainage) or post a bond covering the cost of the improvements. The Council recently affirmed the design of Thorn Street, so the developer is now able to proceed with final engineering and construction.

Lot 4 of the proposed plat is where the existing boat storage building for the marina is located. That building was approved to be relocated, thus opening up the site for the proposed apartment building. The recently completed apartment building is immediately to the south. To the east is the marina property. To the north and west are additional sites for apartments.

The subject site is within the C-2 Central Business District zoning classification, which requires a conditional use approval for multiple-family dwellings. The surrounding abutting parcels are also zoned C-2, except the DuPont parcel on Nautical Drive is zoned Mixed Commercial-Residential (C-5) and contains a two-family home. Other nearby uses include the marina, Bay Marine boat storage and repair, and Roen Salvage Company.

Comprehensive Plan: The Future Land Use Map of the Sturgeon Bay Comprehensive Plan recommends Recreational & Tourist Commercial land use for this site. This land use area is described in the plan as “areas which are characterized by uses that are recreational in nature or are geared toward visitors and tourists, such as marinas, hotels, galleries, restaurants and the like. These areas are mostly located along the waterfront and near to the central business district to take advantage of the waterfront recreational opportunities and the pedestrian nature, and emphasize retail goods and services which cater to the visiting public. It may also include some residential uses such as condominiums.”

Another plan recommendation that relates to this subject site is the proposed waterfront pedestrian loop that runs through this area. The plan envisions a waterfront pathway (10 feet wide) leading to the existing waterfront walkway downtown. While the path wouldn't necessarily have to be across the subject site, it is proposed to be somewhere in this vicinity. As part of the approval of the preliminary plat for Marina View Subdivision and the approval of previous conditional uses for apartments, the developer was required to identify an easement for the future pedestrian facility. An agreement has been recorded, which grants the easement, and is located along the edge of the property line between the marina and the apartment lots. Official dedication of the formal easement will occur when other easements or right-of-way is obtained to extend the walkway back to the City street network. This avoids the situation of having a “dead end” walkway easement.

Building and Design Considerations: The maximum density for multiple-family dwellings is one unit per 3,500 square feet of lot area. A maximum of 10 units could potentially be constructed on the subject site, so the proposed 8 units are within the density requirement.

The proposed 8-unit building is two stories high. Its design matches the existing apartment buildings. It complies with the general design standards under the zoning code. There are three detached garages, two with three stalls and one with two stalls (8 stalls total), so that each unit has one garage parking space. The garages match the design of the existing garages for the previously approved apartments. Like the apartment building, they need to be approved as part of the conditional use.

The project is subject to the aesthetic design and site plan review process of the zoning code. The Aesthetic Design and Site Plan Review Board must issue a certificate of appropriateness. The Board will schedule its review after action by the Plan Commission.

Site Layout: The apartment building and garages comply with the minimum street, side and rear yards. The placement of the apartment building takes advantage of the nice view of the water and the marina. The garages are in front of the apartments as viewed by the street. This is generally not desirable and is different from the other apartment lots where the garages tend to be on the side. But, given that the garages are 80 feet from the cul-de-sac right-of-way at the closest point and the desire to maximize views for the future residents, the site layout is reasonable.

The outdoor parking area is located across from the garages. A total of 9 outdoor spaces are provided. The parking complies with the required number of spaces and design. However, at least one canopy-type tree must be planted within 10 feet of the perimeter of the parking area.

The trash/recycling receptacle is located near the street for easier access. Previously, the Plan Commission has required that the trash enclosure be moved to the back of the lot. A different alternative is to establish a common trash/recycling area for multiple apartment buildings. Mr. Schott has stated his intention to have the common trash/recycle area. If that is done, then having a single enclosure adjacent to the street should be acceptable in order to make it convenient.

The landscaping plan shows some proposed shrubs surrounding the foundation and two street trees at the corners of the lot. There are no specific landscaping requirements for the apartments other than the canopy tree required for the parking area. The Plan Commission can require additional or alternative landscaping if it deems necessary or it can let the Aesthetic Design and Site Plan Review Board handle the landscaping review.

The developer submitted an overall plan showing potential development on all the lots within the Marina View Subdivision. All lots show multiple-family dwellings. In the opinion of staff, this type of development is reasonable on the property given its location, market potential and zoning classification. The nearness to the water and to downtown and the mixed-use character of the surrounding area make multiple-family dwellings viable. It is important to note, however, that the current requests are only for the development of Lots 3, 4, and 6, so the Plan Commission is not acting upon the overall development. City staff has only reviewed the proposed development of the specific lots that the developer has applied for.

Stormwater Management: An overall stormwater management plan was submitted and approved through the subdivision review process. The proposed development will follow that plan. A grading plan for the lot is required to ensure that runoff flows properly.

Utilities: Sanitary sewer and water service already exists. The mains run in an easement that is roughly along the north lot line. Laterals connect to the north side of the building. Sturgeon Bay Utilities reports no concerns with utilities for the development.

Street Construction: The proposal requires the extension of Thorn Street. The design/layout was approved by the Council. The developer intends to start the construction during this construction season, but might wait to complete asphalt paving until next spring in order to avoid damage from construction vehicles for the apartments. As stated earlier, the road must be finished or a bond posted in order to create the lots through final platting.

Sidewalk: The Council's approval of the design for Thorn Street did not include sidewalks along the street. However, the Council required the easement for the future waterfront walkway. The Council also required the walkway from the end of the cul-de-sac leading to the future waterfront walkway. The Council required that the walkway be built upon completion of development of Lots 3 or 4, but agreed that the walkway wouldn't have to be dedicated as a public walkway until the waterfront walkway is formally dedicated. Basically, the typical sidewalk that would be constructed on Thorn Street is waived in exchange for pedestrian facilities between Lots 3 and 4 and the easement for the waterfront walkway. This decision is consistent with the previous Plan Commission actions regarding pedestrian facilities for Marina View Apartments.

Fiscal impact: The City would receive park and recreation fees for the 8 new dwelling units for a total of \$2,400. Costs to extend the utilities and street and install drainage improvements will be paid by the developer. The City will need to provide services such as police and fire protection to the new residents. The property value for tax assessment is not known yet, but based upon previous phases of Marina View Apartments, the value of the proposed buildings should be around \$650,000.

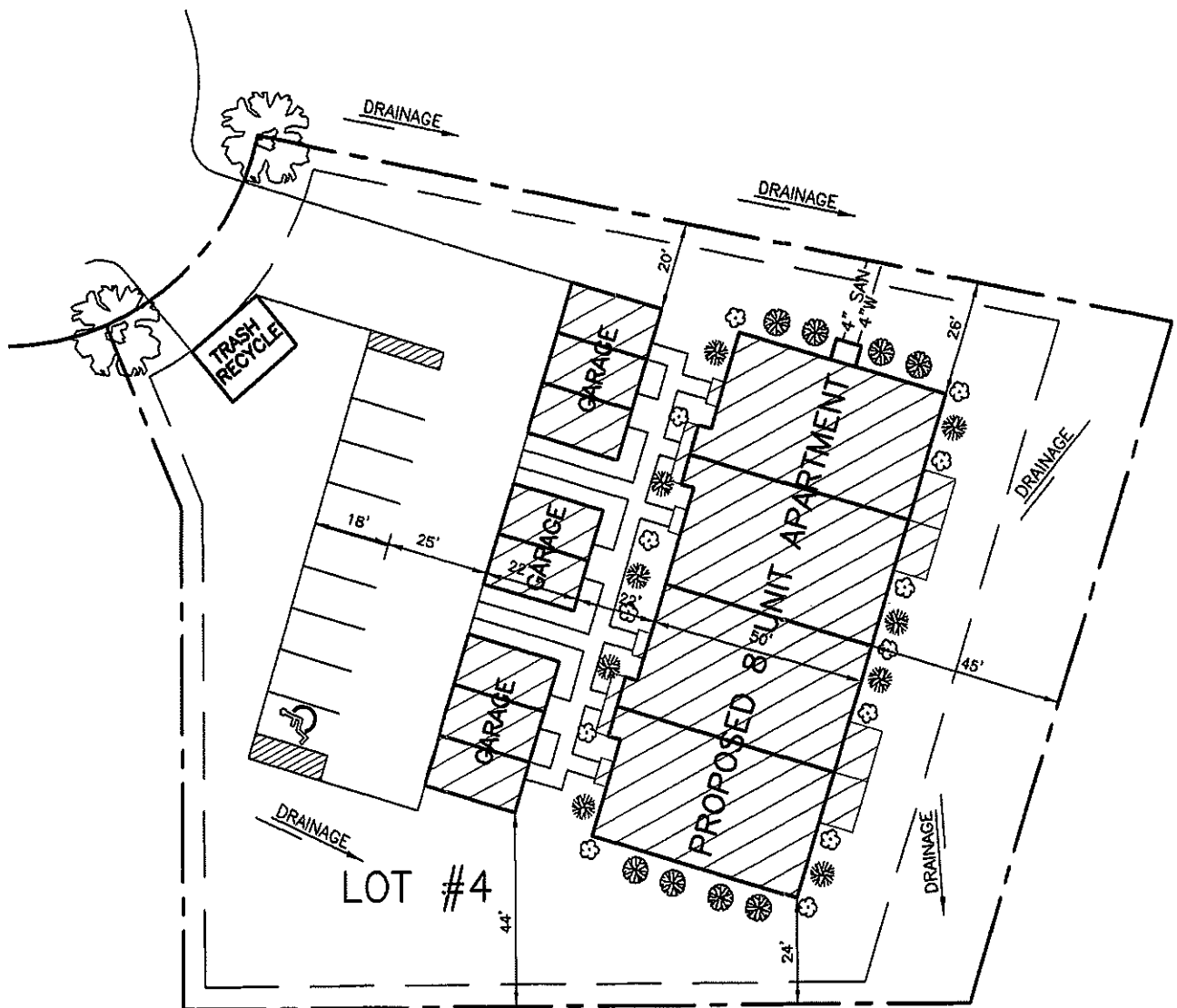
Recommendation: Staff recommends that the Plan Commission approve the conditional use subject to the following conditions:

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 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.
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.

Prepared by: Martin Olejniczak June 13, 2014
Martin Olejniczak Date
Community Development Director

Reviewed by: _____
Tony Depies Date
City Engineer

Reviewed by: Stephen McNeil 6/13/14
Stephen McNeil Date
City Administrator

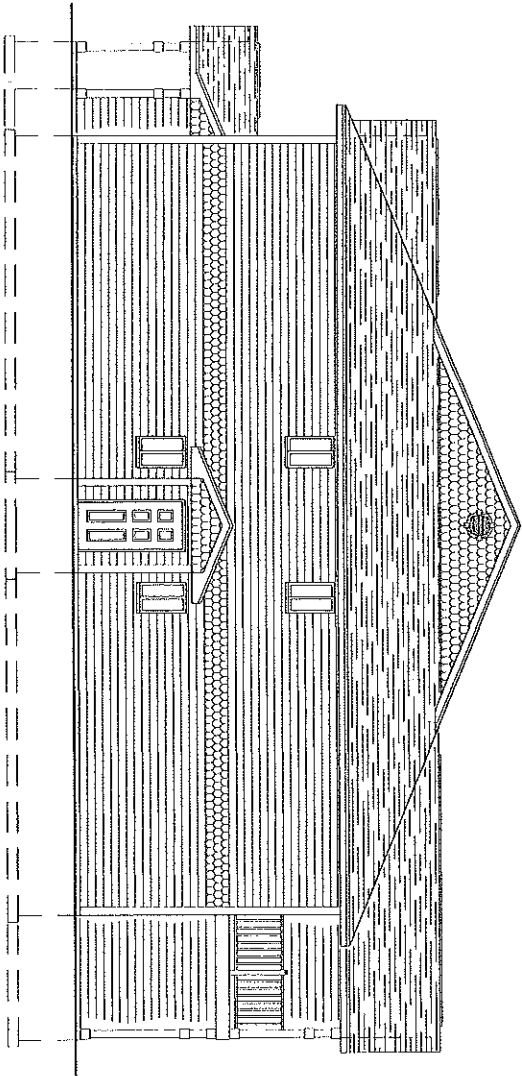


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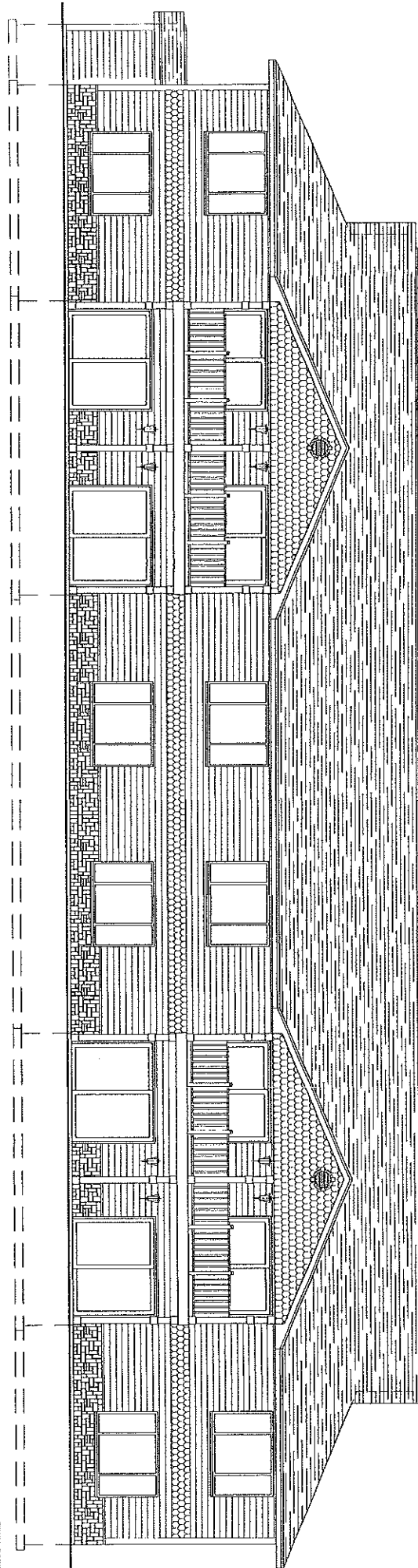
SCALE : 1" = 40'

8 UNIT APARTMENT BUILDING
MARINA VIEW APARTMENTS
 STUREGON BAY WISCONSIN 54235 (920) 743-3311

EAST ELEVATION

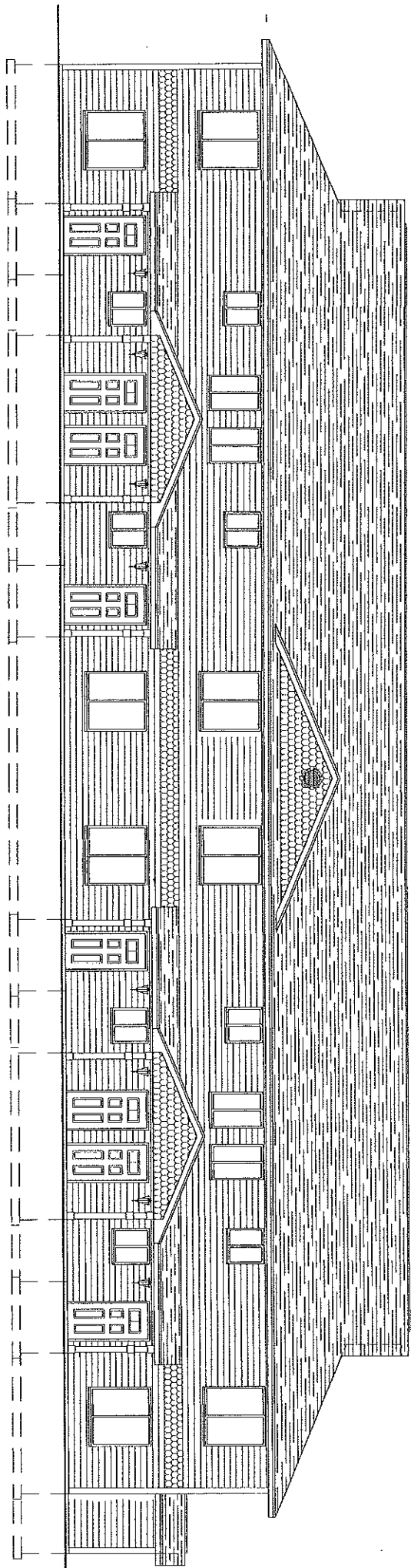


NORTH ELEVATION

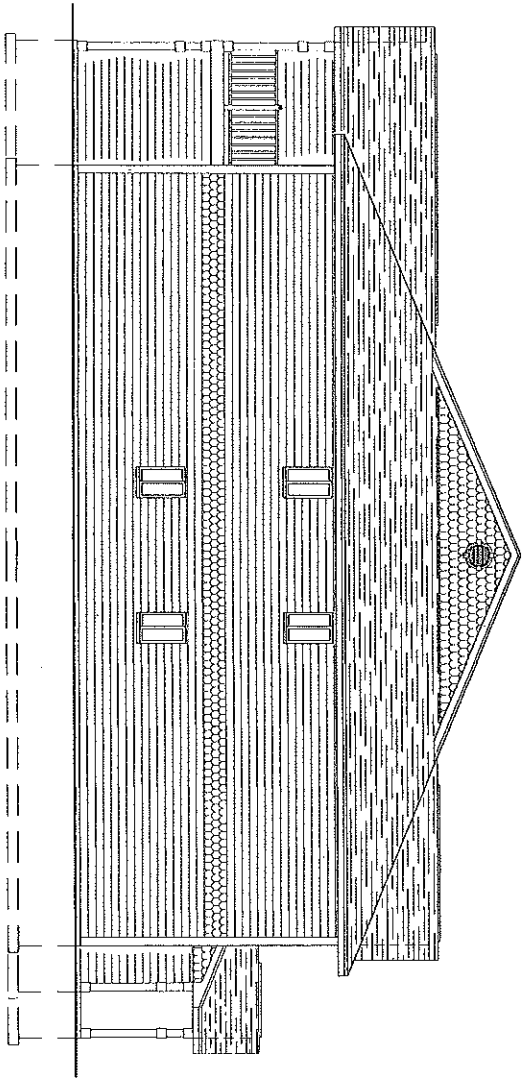


B UNIT APARTMENT

MARINA VIEW APARTMENTS



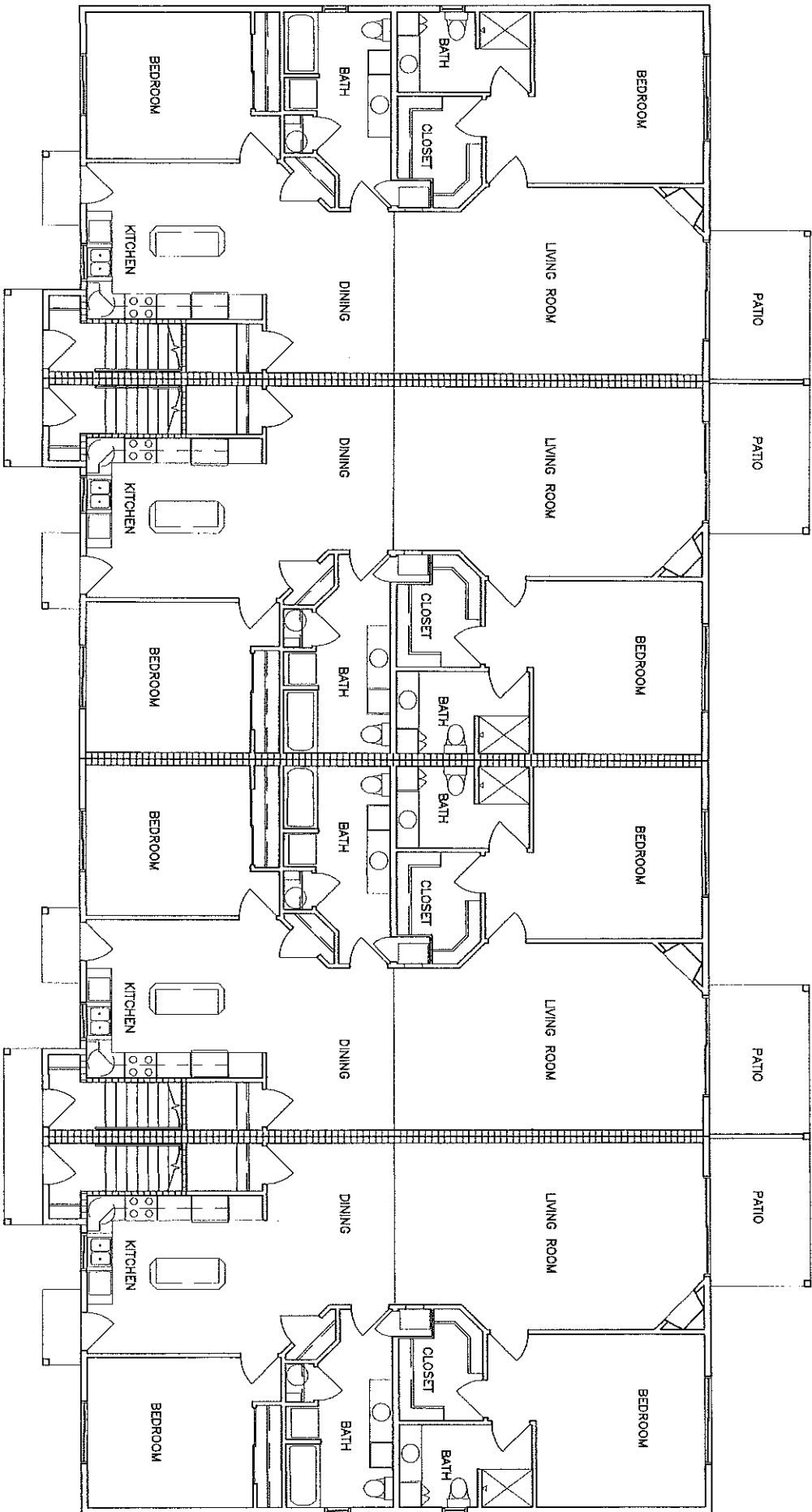
SOUTH ELEVATION



WEST ELEVATION

8 UNIT APARTMENT

MARINA VIEW APARTMENTS

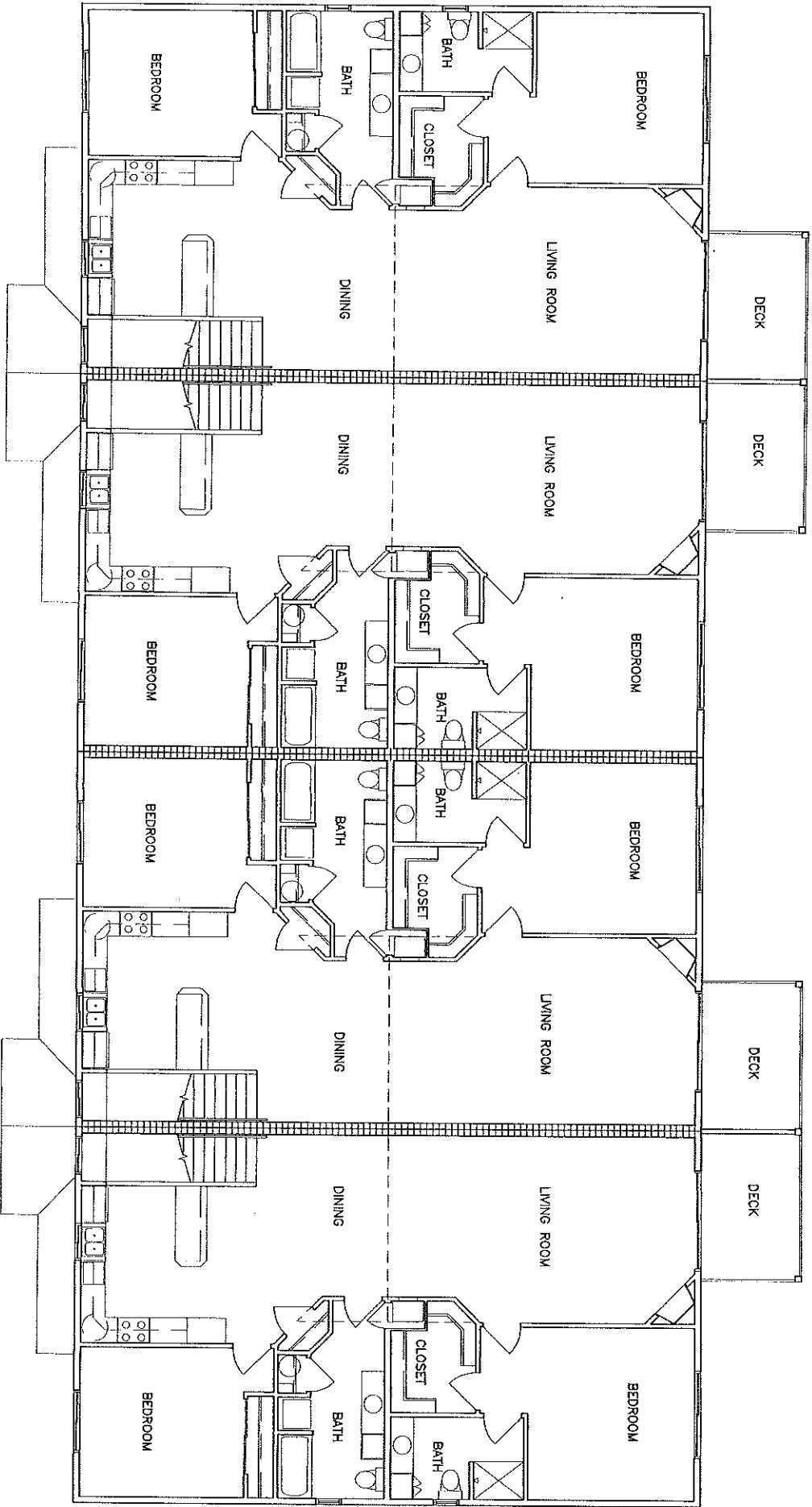


FIRST FLOOR PLAN

FLOOR PLAN S.F. 1,465 / UNIT

8 UNIT APARTMENT

MARINA VIEW APARTMENTS



SECOND FLOOR PLAN

FLOOR PLAN S.F. 1,514 / UNIT

MARINA VIEW APARTMENTS

8 UNIT APARTMENT

EXECUTIVE SUMMARY

Title: Conditional Use – 8-Unit Multiple-Family Dwelling for Marina View Apartments (Lot #6)

Background: Marina View Apartments LLC (Dan Schott, agent) seeks a conditional use approval for an 8-unit multiple-family dwelling. The proposal also includes detached garage buildings. The subject property is Lot 6 of the proposed plat of Marina View Subdivision, which is located on the south side of the proposed extension of Thorn Street. The proposed lot contains approximately 0.65 acre.

The proposed multifamily building is a continuation of the redevelopment of the former Sturgeon Bay Yacht Harbor property and related property into multiple-family dwellings. Five 8-unit buildings and one 4-unit building have already been constructed and another 8-unit building has been approved, but not yet constructed. In addition, another 8-unit building and a 16-unit building are also proposed under separate conditional use applications.

Existing Conditions: The proposed site is part of Marina View Subdivision. This plat has not been recorded yet, so the site is currently part of Outlot 1 of certified survey map #2826. In order to file the final plat to officially create the lot for apartment development, the developer must either complete the public improvements (street, utilities, drainage) or post a bond covering the cost of the improvements. The Council recently affirmed the design of Thorn Street, so the developer is now able to proceed with final engineering and construction.

Lot 6 of the proposed plat is currently vacant space near the center of the Marina View property. It is surrounded by existing or proposed apartment sites. To the south is the "old foundation building" that is used for storage.

The subject site is within the C-2 Central Business District zoning classification, which requires a conditional use approval for multiple-family dwellings. The surrounding abutting parcels are also zoned C-2, except for the DuPont parcel on Nautical Drive is zoned Mixed Commercial-Residential (C-5) and contains a two-family home. Other nearby uses include the marina, Bay Marine boat storage and repair, and Roen Salvage Company.

Comprehensive Plan: The Future Land Use Map of the Sturgeon Bay Comprehensive Plan recommends Recreational & Tourist Commercial land use for this site. This land use area is described in the plan as "areas which are characterized by uses that are recreational in nature or are geared toward visitors and tourists, such as marinas, hotels, galleries, restaurants and the like. These areas are mostly located along the waterfront and near to the central business district to take advantage of the waterfront recreational opportunities and the pedestrian nature, and emphasize retail goods and services which cater to the visiting public. It may also include some residential uses such as condominiums."

Another plan recommendation that relates to this subject site is the proposed waterfront pedestrian loop that runs through this area. The plan envisions a waterfront pathway (10 feet wide) leading to the existing waterfront walkway downtown. While the path wouldn't necessarily have to be across the subject site, it is proposed to be somewhere in this vicinity. As part of the approval of the preliminary plat for Marina View Subdivision and the approval of previous conditional uses for apartments, the developer was required to identify an easement for the future pedestrian facility. An agreement has been recorded, which grants the easement, and is located along the edge of the property line between the marina and the apartment lots. Official dedication of the formal easement will occur when other easements or right-of-way is obtained to extend the walkway back to the City street network. This avoids the situation of having a "dead end" walkway easement.

Building and Design Considerations: The maximum density for multiple-family dwellings is one unit per 3,500 square feet of lot area. A maximum of 8 units could potentially be constructed on the subject site, so the proposed 8 units are within the density requirement.

The proposed 8-unit building is two stories high. Its design matches the existing apartment buildings. It complies with the general design standards under the zoning code. There are three detached garages, two with three stalls and one with two stalls (8 stalls total), so that each unit has one garage parking space. The garages match the design of the existing garages for the previously approved apartments. Like the apartment building, they need to be approved as part of the conditional use.

The project is subject to the aesthetic design and site plan review process of the zoning code. The Aesthetic Design and Site Plan Review Board must issue a certificate of appropriateness. The Board will schedule its review after action by the Plan Commission.

Site Layout: The apartment building complies with the minimum 15-foot street yard and 5-foot side yard. But, it doesn't meet the 25-foot rear yard. It is just 22 feet from the rear lot line, though the site plan mislabels it as 25 feet. The depth of the lot is 162 feet and the building is 125 feet deep. So there isn't enough space to fit this building as designed without a variance. This is mainly due to a 5-foot wide single-story bump-out on the north side that is used to house the water meters. The applicant could petition for a variance or try to adjust the design of the building to put this bump-out elsewhere (if feasible). Mr. Schott has indicated to staff his intention to petition for the variance.

Another problem with the site layout concerns the required setbacks for the garages. The garages need to be 25 feet from the street right-of-way and have a minimum 10-foot side yard and 25-foot rear yard. The garage buildings as proposed do not meet the minimum street yard or the minimum rear yard. One of the garages could be shifted to the other side of the parking area or the garages could be shifted closer together in order to comply.

The outdoor parking area is located across from the garages. A total of 10 outdoor spaces are provided. The parking complies with the required number of spaces and design. However, at least one canopy-type tree must be planted within 10 feet of the perimeter of the parking area.

The trash/recycling receptacle is located near the street for easier access. Previously, the Plan Commission has required that the trash enclosure be moved to the back of the lot. A different alternative is to establish a common trash/recycling area for multiple apartment buildings. Mr. Schott has stated his intention to have the common trash/recycle area. If that is done, then having a single enclosure adjacent to the street should be acceptable in order to make it convenient.

The landscaping plan shows some proposed shrubs surrounding the foundation and street trees along the right-of-way. There are no specific landscaping requirements for the apartments other than the canopy tree required for the parking area. The Plan Commission can require additional or alternative landscaping if it deems necessary or it can let the Aesthetic Design and Site Plan Review Board handle the landscaping review.

The developer submitted an overall plan showing potential development on all the lots within the Marina View Subdivision. All lots show multiple-family dwellings. In the opinion of staff, this type of development is reasonable on the property given its location, market potential and zoning classification. The nearness to the water and to downtown and the mixed-use character of the surrounding area make multiple-family dwellings viable. It is important to note, however, that the current requests are only for the development of Lots 3, 4, and 6 so the Plan Commission is not acting upon the overall development. City staff has only reviewed the proposed development of the specific lots that the developer has applied for.

Stormwater Management: An overall stormwater management plan was submitted and approved through the subdivision review process. The proposed development will follow that plan. A grading plan for the lot is required to ensure that runoff flows properly.

Utilities: Sanitary sewer and water service already exists. The mains roughly follow Thorn Street. Laterals connect to the north side of the building. Sturgeon Bay Utilities reports no concerns with utilities for the development.

Street Construction: The proposal requires the extension of Thorn Street. The design/layout was approved by the Council. The developer intends to start the construction during this construction season, but might wait to complete asphalt paving until next spring in order to avoid damage from construction vehicles for the apartments. As stated earlier, the road must be finished or a bond posted in order to create the lots through final platting.

Sidewalk: The Council's approval of the design for Thorn Street did not include sidewalks along the street. However, the Council required the easement for the future waterfront walkway. The Council also required the walkway from the end of the cul-de-sac leading to the future waterfront walkway. The Council required that the walkway be built upon completion of development of Lots 3 or 4, but agreed that the walkway wouldn't have to be dedicated as a public walkway until the waterfront walkway is formally dedicated. Basically, the typical sidewalk that would be constructed on Thorn Street is waived in exchange for pedestrian facilities between Lots 3 and 4 and the easement for the waterfront walkway. That decision is consistent with the previous Plan Commission actions regarding pedestrian facilities for Marina View Apartments.

Fiscal impact: The City would receive park and recreation fees for the 8 new dwelling units for a total of \$2,400. Costs to extend the utilities and street and install drainage improvements will be paid by the developer. The City will need to provide services, such as police and fire protection to the new residents. The property value for tax assessment is not known yet, but based upon previous phases of Marina View Apartments, the value of the proposed buildings should be around \$650,000.

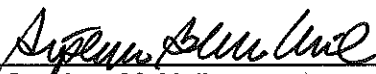
Recommendation: The proposed multiple-family dwelling as currently laid out does not meet the zoning standards unless the variance is granted from the Zoning Board of Appeals or the design is altered. The Plan Commission has the options of acting on the conditional use subject to the variance or the alteration or postponing action to see if the variance is granted or adjustments made. Assuming the setback issues are ultimately met, the conditional use should be approved. The recommended conditions are:

1. The required street and rear yards for the apartment building must be met either through the grant of a variance by the Zoning Board of Appeals or by adjusting the location of the meter room.
2. The required street and rear yards for the garages must be met by either shifting the garages closer together or by moving one of the garages to the west side of the parking area.
3. The lot must be created by recording the plat of Marina View Subdivision or other means.
4. 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.
5. All portions of the stormwater management system for Marina View Subdivision impacted by the proposed development on Lot 6 must be installed, including off-site improvements.
6. Any exterior lighting needs to use the cutoff fixtures to prevent spillover onto adjoining parcels.

7. At least one canopy tree must be planted within 10 feet of the perimeter of the parking area.
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. Approval of a certificate of appropriateness by the Aesthetic Design and Site Plan Review Board.
10. Approval of the final grading plan by the City Engineer.

Prepared by:  June 13, 2014
Martin Olejniczak
Community Development Director
Date

Reviewed by: _____
Tony Depies
City Engineer
Date

Reviewed by:  6/13/14
Stephen McNeil
City Administrator
Date

PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN:

North: Rec of TOURIST COMMER
South: 11
East: 11
West: 11

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? NO IF YES, EXPLAIN: _____

Attach an 8-1/2" X 11" detailed site plan (if site plan is larger than 8-1/2" x 11", also include 15 large sized copies), full legal description (preferably on disk), 8-1/2 x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of person who drew plan, etc.

Moravia View Apts LLC
Property Owner (Print Name)

[Signature]
Signature

5/22/14
Date

Devel Schott
Applicant/Agent (Print Name)

[Signature]
Signature

5/22/14
Date

I, _____, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

Date of review meeting

Applicant Signature

Staff Signature

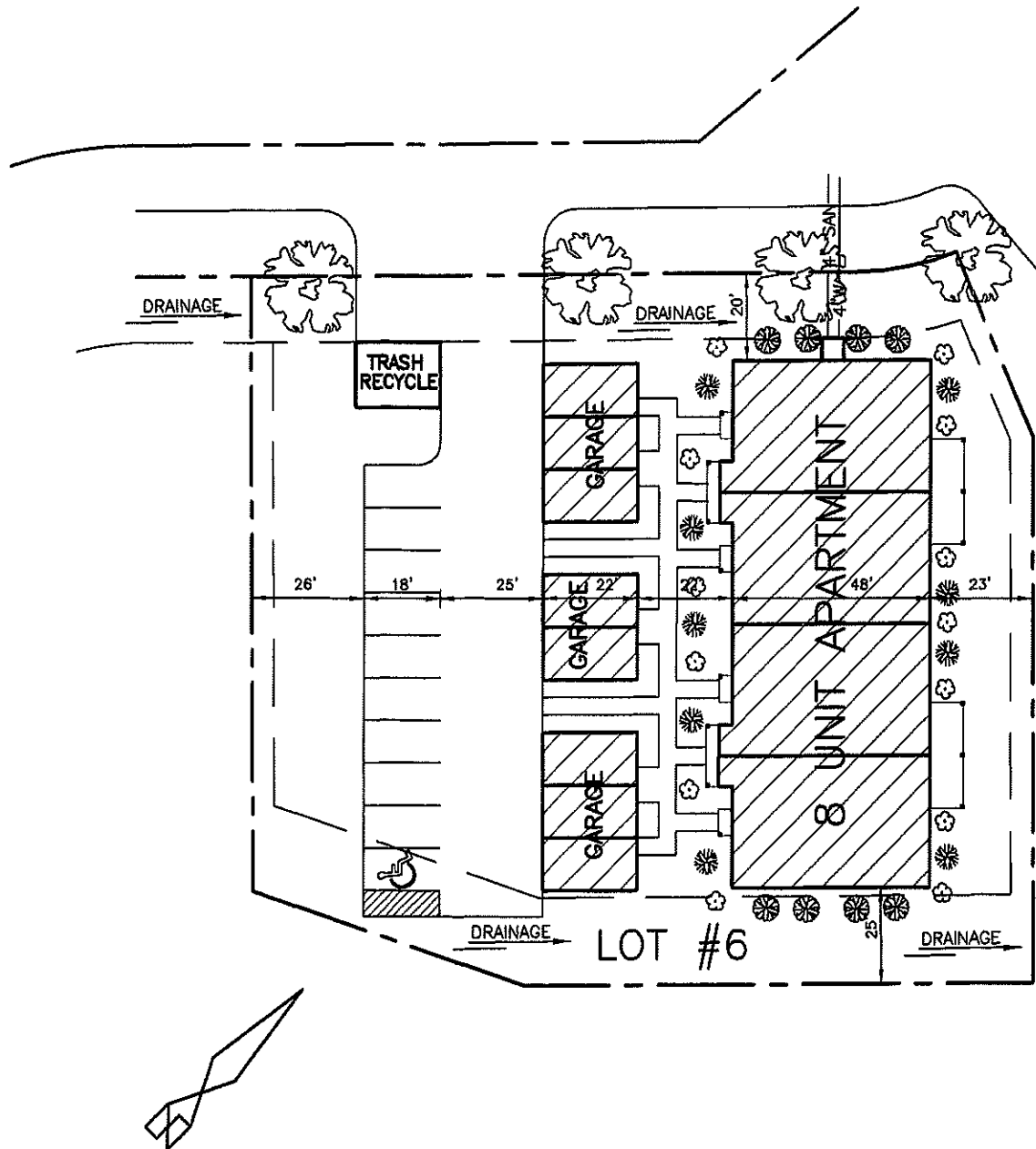
- Attachments:
Procedure & Check List
Agreement For Reimbursement of Expenses

STAFF USE ONLY

Application conditions of approval or denial:

Date

Community Development Director

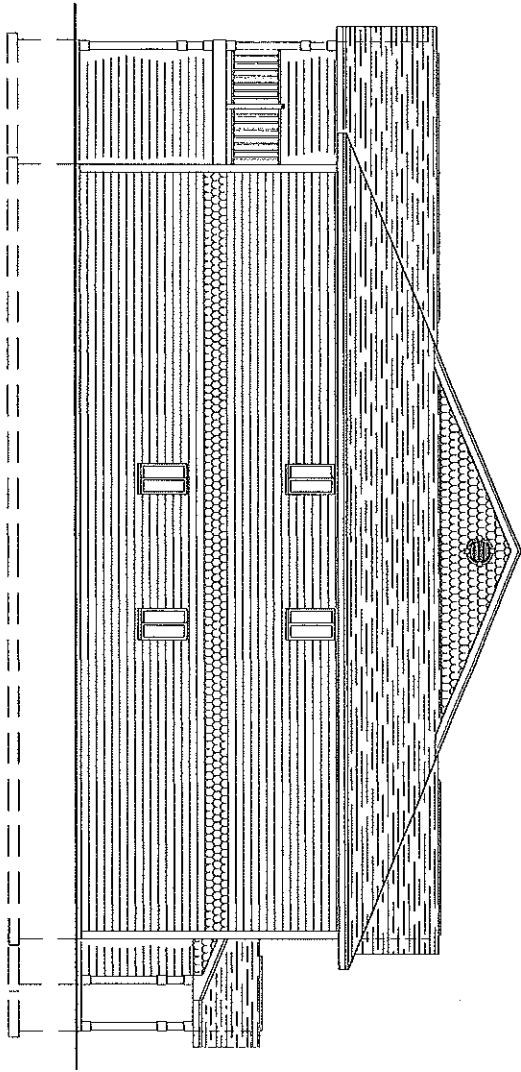


S I T E P L A N

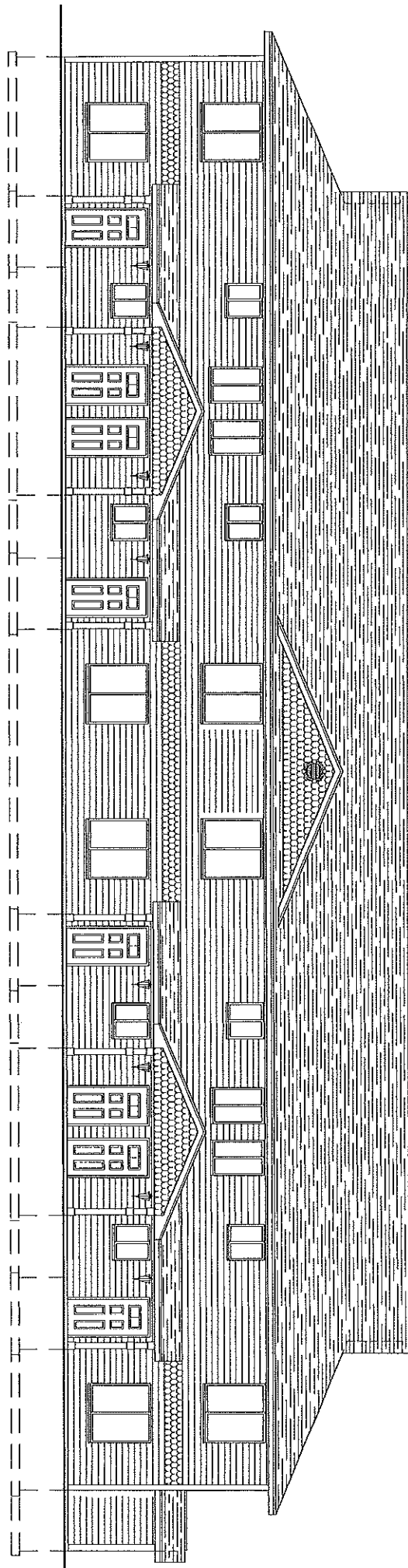
SCALE : 1" = 40'

8 UNIT APARTMENT BUILDING
MARINA VIEW APARTMENTS
 STUREGON BAY WISCONSIN 54235 (920) 743-3311

WEST ELEVATION



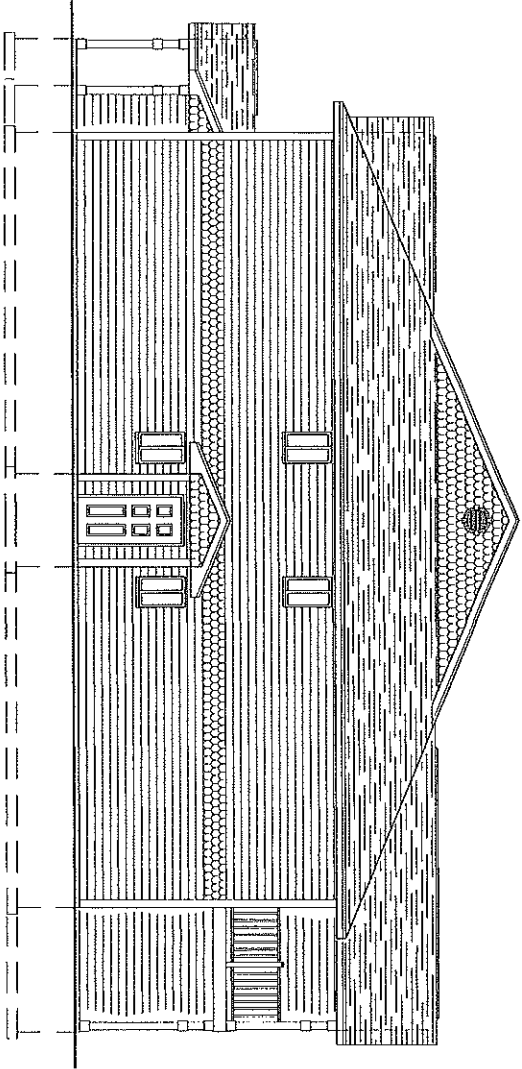
SOUTH ELEVATION



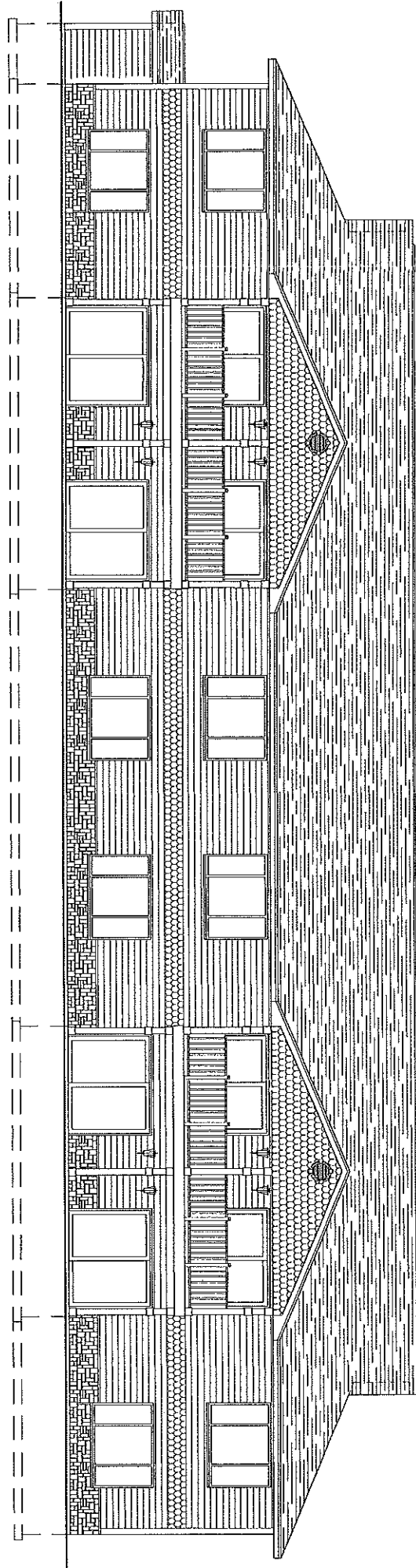
8 UNIT APARTMENT

MARINA VIEW APARTMENTS

EAST ELEVATION

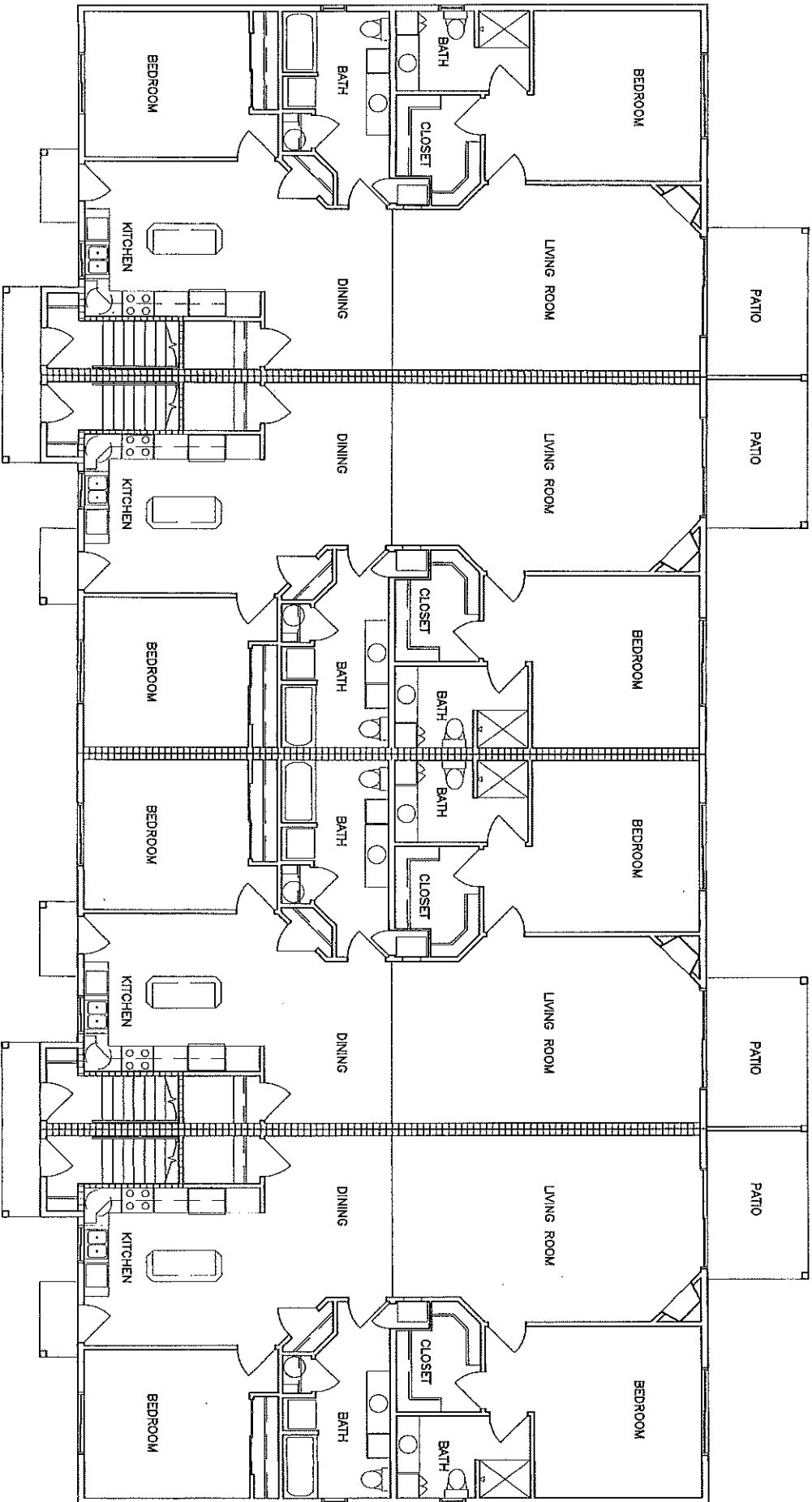


NORTH ELEVATION



8 UNIT APARTMENT

MARINA VIEW APARTMENTS

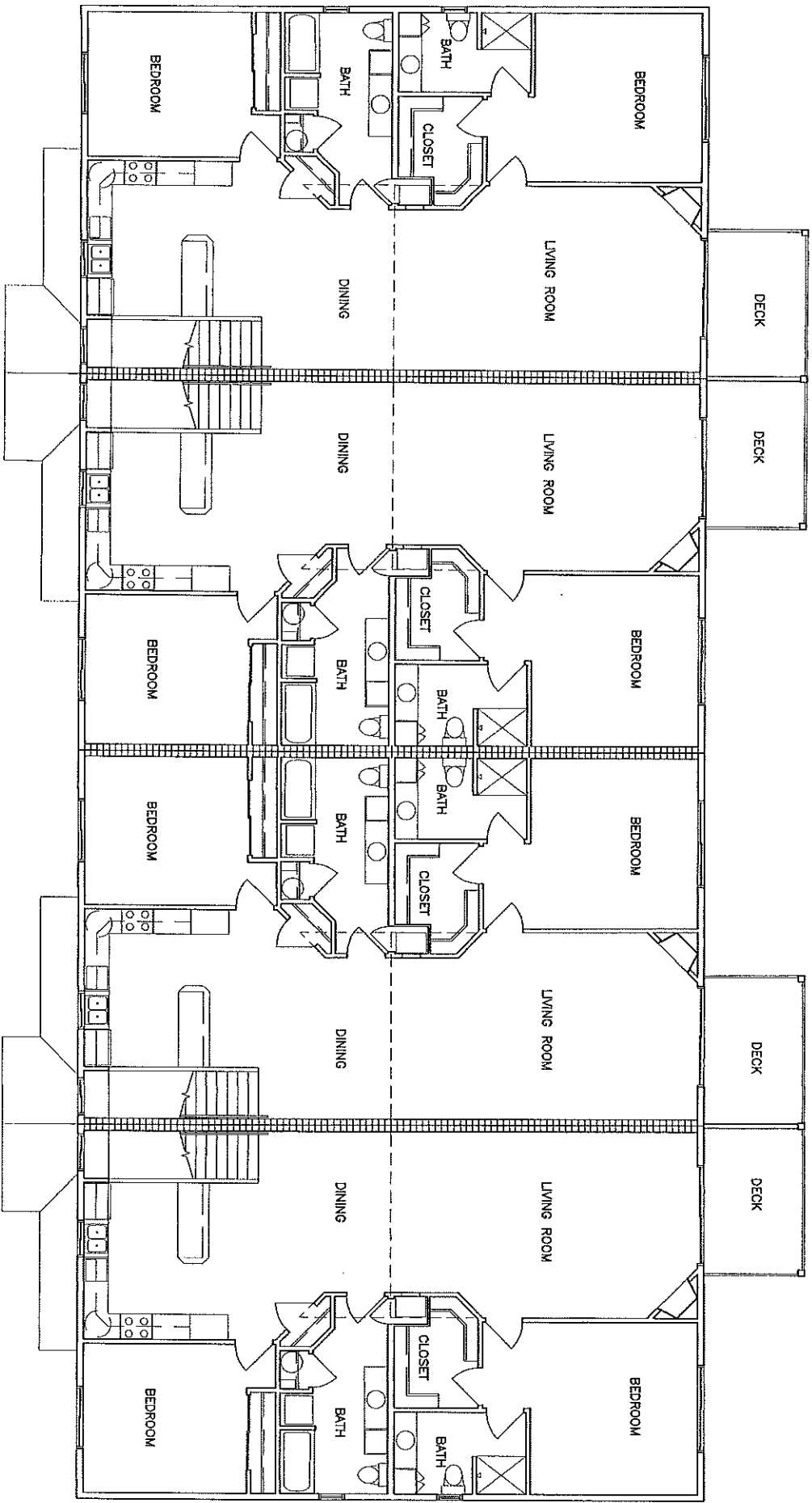


FIRST FLOOR PLAN

FLOOR PLAN S.F. 1,465 / UNIT

8 UNIT APARTMENT

MARINA VIEW APARTMENTS



SECOND FLOOR PLAN

FLOOR PLAN S.F. 1,514 / UNIT

MARINA VIEW APARTMENTS

8 UNIT APARTMENT



ROEN SALVAGE COMPANY

180 E. REDWOOD ST. P.O. BOX 26 STURGEON BAY, WI 54235 920-743-6533 FAX: 920-743-2411



MARINE CONTRACTORS

June 4, 2014

Sturgeon Bay Planning Commission
421 Michigan Street
Sturgeon Bay, WI 54235

Dear Planning Commission:

We are in receipt of your public hearing notice with a location map, regarding a public hearing that is to be held June 18, 2014 requesting a conditional use permit for multiple-family dwellings for Dan Schott's Marina View Apartments.

Please be advised that Roen Salvage Company has been operating out of this commercially zoned property for over 50 years and it is what it is. That is, a marine construction yard where a lot of activity takes place throughout the year. There are cranes and front end loaders with back-up alarms operating there at various times of the day and night. We have a variety of welding machines, air-compressors and motorized vehicles working throughout the day. A large stone or steel project may have a multitude of construction trucks entering and leaving our facility at all times of the day and night delivering products such as stone fill, rip rap or steel sheet piling. On certain occasions we off-load dredge material day and night in our yard which is then trucked away to a disposal facility. All of these operations create some level of noise.

We do not have black top on our roads or in our storage areas because they would just be torn up by our huge crawler cranes. Because of this, if the wind is in the wrong direction, there can be dust in the air. We are no different than Bay Ship on a windy day, it's part of heavy construction and "Mother Nature."

I hope that you will take the above into consideration concerning Mr. Schott's request. I do not want someone living in an apartment building adjoining our construction yard complaining about dust or noise from our operations. We have not had a problem in the past 50 years with our neighbors. That is because we have had the DNR with their parking lot and building on one side of us and Sturgeon Bay Yacht Harbor, now Bay Marine, on the other side. I am concerned of possible fallout from neighbors residing in residential buildings close to our tug, barge and yard operations.

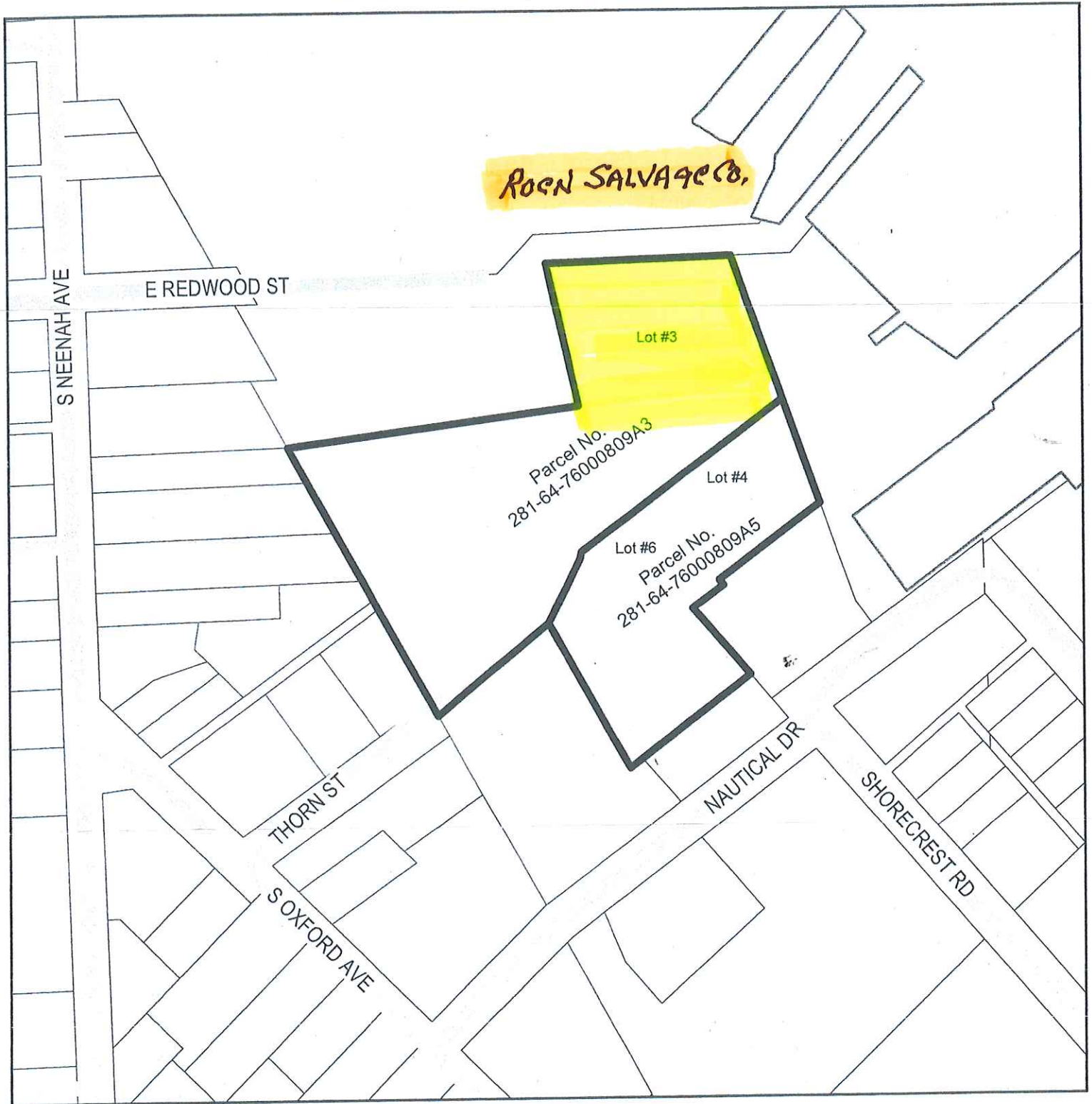
Should you have any questions please feel free to contact me at 920-743-6533, ext. 333.

Sincerely,

ROEN SALVAGE COMPANY

John Roen Asher
President

Location Map
Public Hearing
Conditional Use Request
Marina View Apartments, LLC



Subject Area



Note: Public Hearing to be held on June 18, 2014