### AGENDA CITY OF STURGEON BAY CITY PLAN COMMISSION

Monday, September 30, 2019 6:00 p.m. City Council Chambers 421 Michigan Street, Sturgeon Bay, WI

- 1. Roll call.
- 2. Adoption of agenda.
- 3. Approval of minutes from August 21, 2019.
- 4. Combined/Preliminary Planned Unit Development (PUD) for Northpointe Development to develop 40 housing units, including converting the former West Side School, located at 17 W. Pine Street and a new addition extending into the West Side Field property, located at 37 W. Redwood Street.

Presentation:

Public Hearing:

Consideration of:

- 5. Consideration of: Zoning Code sec. 20.31(4)(b) Surfacing of parking lots.
- 6. Public comment on non-agenda Plan Commission related items.
- 7. Adjourn.

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.

Plan Commission Members

Mayor David Ward Ald. Kirsten Reeths Ald. David Hayes Mark Holey Jeff Norland Dennis Statz Debbie Kiedrowski

9/26/19 11:00 a.m. CN

#### **CITY PLAN COMMISSION**

Wednesday, August 21, 2019

A meeting of the City Plan Commission was called to order at 6:00 p.m. by Chairperson David Ward in the Council Chambers, City Hall, 421 Michigan Street.

**Roll Call:** Members Kirsten Reeths, Mark Holey, David Hayes, Debbie Kiedrowski, Jeff Norland, David Ward, and Dennis Statz were present. Also present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, Community Development Secretary Cheryl Nault, and several members of the public.

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

- 1. Roll call.
- 2. Adoption of agenda.
- 3. Approval of minutes from July 17, 2019 and August 6, 2019.
- 4. Consideration of: Comprehensive Plan Update Timeline and Public Participation Plan.
- 5. Consideration of: Zoning Code sec. 20.31(4)(b) Surfacing of parking lots.
- 6. Consideration of: Tourist Rooming House ordinance review.
- 7. Public comment on non-agenda Plan Commission related items.
- 8. Adjourn.

#### Carried.

Approval of minutes from July 17, 2019 and August 6, 2019: Moved by Mr. Holey, seconded by Mr. Hayes to approve the minutes from July 17, 2019. All ayes. Carried.

Moved by Ms. Reeths, seconded by Mr. Norland to approve the minutes from August 6, 2019. All ayes. Carried.

Consideration of: Comprehensive Plan Update – Timeline and Public Participation Plan: Mr. Olejniczak stated that the contract for the Comprehensive Plan update with the consultant, Vandewalle & Associates has been signed. He went over the project timeline. The kick-off meeting is scheduled for October 16<sup>th</sup>, with completion in June, 2020. It was noted that the December Plan Commission meeting will be held on the 11<sup>th</sup> instead of the regular scheduled date of the 18<sup>th</sup>. A resolution is required to approve the adoption of a public participation plan. The timeline may get adjusted over time.

A short discussion was held. Moved by Mr. Norland, seconded by Ms. Kiedrowski to recommend to Council approval of Resolution 2019-01 recommending the adoption of a public participation plan for the update of the Comprehensive Plan.

Mr. Holey questioned whether or not Plan Commission members are allowed to attend non-Plan Commission meetings that would be held with staff, the Mayor, and Vandewalle, as well as how much they would be able to participate. Mr. Olejniczak responded that the open meetings law must be complied with. Mayor Ward added Plan Commission members could attend for informational purposes.

A vote was taken on the motion. All ayes. Carried.

Consideration of: Zoning Code sec. 20.31(4)(b) – Surfacing of parking lots: Mr. Olejniczak stated that this item was brought back for discussion for two issues. The first is getting clarification on what surfacing is required and secondly, if there should be other exemptions besides single-family, two-family, and private professional storage uses.

Mr. Sullivan-Robinson stated that previous discussion had been held including different options for surfacing of parking lots based on location of the parking lot, overall size of the parking lot, type of use related to the parking lot, intensity of the use, or no change at all. It seemed as though the Commission was not in favor of changing the code based on some of the issues discussed, such as being able to use gravel or crushed cement or asphalt as an alternative to asphalt or cement. They thought that the ordinance should better defined how driveways and parking areas can be surfaced.

Mr. Sullivan-Robinson offered a couple of new options regarding surfacing. One of the options included allowing brick and porous/permeable pavement and pavers. The other option defines the current regulations with an addition that the asphalt or concrete must meet a carrying capacity of 4000 pounds. This also creates a separate section for the exemption that any heavy equipment vehicular storage areas not open to the general public do not need to be paved. Although, those areas must be maintained in a durable dustless position. Any driveway leading to that area must by paved with asphalt or concrete. As of now, paving is required. If one believes they have a hardship or reason not to pave, it can be brought to the Zoning Board of Appeals for a variance request.

Mr. Holey thought that the ordinance should just be made clearer and by combining the two options presented. Another thing to consider is requiring an additional 5 feet of concrete to buffer the gravel from the sidewalk, if gravel is allowed.

Ms. Kiedrowski thought that the seasonal use exemption should also be added.

Mr. Olejniczak agreed with Mr. Holey's comment about adding a concrete apron within 5 feet of a sidewalk, if a sidewalk exists.

Mr. Sullivan-Robinson was directed to come back to the next Plan Commission with a final draft including the changes discussed and a recommendation could then be made to Council.

Consideration of: Tourist Rooming House ordinance review: Mr. Olejniczak provided a brief history of previous Plan Commission meetings in which tourist rooming houses were discussed. For a long time Sturgeon Bay did not allow tourist rooming houses, aka short-term rentals or vacation rentals in the City, except in commercial or multi-family zones. It was requested that it be looked at. Since 2016 the City has allowed them anywhere in the City with a license and a few minor restrictions. Not long after the City opened it up to allow tourist rooming houses, the state legislature adopted rules that prohibited cities from restricting tourist rooming houses with a rental period of more than 7 days. But, you could restrict tourist rooming houses that operated for 6 or fewer days, as well as restricting the 7<sup>th</sup> -28<sup>th</sup> day period to no more than 180 consecutive days in an 365 day period. There have been some complaints and concerns from hotels about the impact of tourist rooming houses.

Mr. Statz met with some hotel and tourist rooming house owners to create an ordinance. He said that everyone who currently owns a tourist rooming house would be grandfathered in.

Jerry Kobishop, Sturgeon Bay, stated that he has three tourist rooming houses in Thunderhill Estates. He charges \$150 per night and offers a free family pass at the YMCA.

Jennifer Bacon, 728 Georgia Street, said that she doesn't own a tourist rooming house, but manages them. She has 4 employees. It is a busy season at this time and would rather this discussion be brought up in the winter. There is a short-term rental group that has been formed. They want to be part of the solution, not the problem. Tourist rooming houses should continue to be reviewed. Everyone should work together as a community.

Elaine Carmichael, 408 Snake Island Road, stated that tourist rooming houses are not the same as a hotel or resort. Currently, tourists have 3-4 day stays. People who run short-term rentals want to share the experience of Sturgeon Bay. Reviewing this in fall would be a better idea.

Alisa Landman, 330 N Joliet Avenue, stated that she has two short-term rentals. Most guests stay 3 – 5 days. Many guests are first time visitors.

Ben Keleny, 313 S Lansing Avenue, also owns two short-term rentals, along with one long-term rental. If anything changed, a lot of dollars will go away to other communities.

Mayor Ward stated that he didn't see a need to be hasty about this. He did suggest that we see how many rentals that we have and what the trend is.

Mr. Hayes mentioned that he owns a B & B and wondered what the differences were between that and a tourist rooming house.

Ms. Kiedrowski thought that the Marquette study that was included in the packet was useful information. She didn't think that the seven day limit made any sense.

Ms. Bacon added that Airbnb's and VRBO's (vacation rentals by owner) collect state taxes and submits them back to zip codes. There is an issue on how the tax is being distributed.

Mr. Norland wondered if the building was not operated as a short-term rental, what would it be operated as? Mr. Kobishop responded that he really didn't want to be in permanent rental business. The revenue is different. Ms. Carmichael responded they would leave one of their rentals for family and the other would be office.

Mr. Olejniczak explained that the reason for consecutive 180 days is to make it easier for municipalities to monitor and regulate. The ordinance mimics state rules. The City cannot prohibit a rental period of 7 days or longer in a consecutive 180 day period. You can pick your 180 days and let the City know what they are. The 180 days is a level that the City can regulate up to. The City can leave the ordinance as it is today and it would be in compliance with state statue. Currently, a short-term rental is allowed as long as it is licensed, pays room and state tax, is inspected by the Dept. of Agriculture, Trade and Consumer Protection, and the owner lives in Door, Brown, or Kewaunee counties or has a manager that lives in one of those counties. Also, the owner cannot have a sign larger than 2 square feet.

Ms. Bacon stated that the rest of Door County will follow suit with Sturgeon Bay's actions.

Mayor Ward would like more research done and will discuss this again at a few future meeting.

Mr. Sullivan-Robinson will draft an ordinance with what the state will allow us to regulate up to, along with what the current ordinance is.

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

**Adjourn:** Moved by Mr. Norland, seconded by Mr. Statz to adjourn. All ayes. Carried. Meeting adjourned at 7:08 p.m.

Respectfully Submitted,

Cheryl Nault

Community Development Secretary

## CITY OF STURGEON BAY PLANNED UNIT DEVELOPMENT APPLICATION

Date Received: Fee Paid \$	9/6/19	
Received By:	CN	

NAME OF PROPOSED PLA	ANNED UNIT DEVELOPMENT: SAM	YER SCHOOL LOFTS
	APPLICANT/AGENT	LEGAL PROPERTY OWNER
Name	Jonathan Brinkley	Andy Dumke (Under contract
Company	Excel Engineering, Inc	Northpointe Development
Street Address	100 Camelot Dr	230 Ohio St
		Suite 200
City/State/Zip	Fond du Lac, WI 549345	Oshkosh, WI 54902-5894
Daytime Telephone No.	920-322-1708	920-230-3628
Fax No.		
	ERTY AND NO. OF LOTS: 1.85 Acres;  SIFICATION: Single Family Residential (	
CURRENT USE AND IMPR adjacent parking lot. Parce	OVEMENTS: Parcel 2814665040101 is al 2814665041401 use is outdoor recreation	an unused historic school building with on (baseball/softball field)
	DESIGNATION OF SUBJECT PROPERTY	Central Business District Commercial
COMPREHENSIVE PLAN I		

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3-story, ਕ੍ਰੰਕੂ apartment unit addition.	:	
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	C-2) & Single Family Residential (R-2)	
West: Single Family Residential F	V-2]	*
North: Central Business District C	IATION OF ADJACENT SURROUNDING LAND U	SES:
South: Central Business District C		
East: Central Business District C		
West: Single Family Residential -	Higher Density	
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BEING REQUESTED? If yes, des	cribe:	
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HAVE THERE BEEN ANY VARIANG PROPERTY? IF YES, EX	CES, CONDITIONAL USE PERMITS, ETC. GRANT PLAIN: Unknown	ED PREVIOUSLY FOR THIS
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Andy Dumke		
Property Owner (Print Name)	Signature	Date
Levelleen Drinkler	James South	08/26/19
Jonathan Brinkley Applicant/Agent (Print Name)	\$ignature	Date
approurangent (i microame)		
regard to the applicant.  8-28 · 19	, have attended a review meeting with at lesible for sign placement and following all stages	s listed on the check list in
Date of review meeting	Applicant Signature	Staff Signature



August 28, 2019

#### **Project Narrative – PUD Variance Request**

Project:

West Side School Lofts

17 W Pine St / 37 W Redwood St

Sturgeon Bay, WI

Northpointe Development is requesting PUD review and approval for adaptive reuse of the historic West Side School Building, along with a 3-story addition, into multi-family apartments. The property is vacant and is zoned R-2.

The redevelopment project involves the complete remodel of the existing school building along with a 56,585 SF building addition to the south of the existing building. In total, the existing and proposed buildings will create 40 housing units. The proposed redevelopment will provide 43 surface parking stalls and 30 interior stalls for a total of 73 parking stalls provided; this exceeds the code required minimum of 72 parking stalls.

The proposed development requests for relief from zoning regulations for street yard setbacks found in Section 20.27 of the City of Sturgeon Bay Municipal Code which requires a 25-foot building setback. The proposed 3-story addition encroaches minimally into the setback. The proposed addition design has numerous bump outs & recesses as requested by the City during the conceptual PUD review. The eastern bump out of the addition along S. Madison Ave encroaches into the building setback. The street yard setback encroachment is requested to provide adequate and efficiently planned space for the multi-family apartments.

# PROPOSED REMODEL AND ADDITION FOR: NORTHPOINTE DEVELOPMENT

# STURGEON BAY, WISCONSIN

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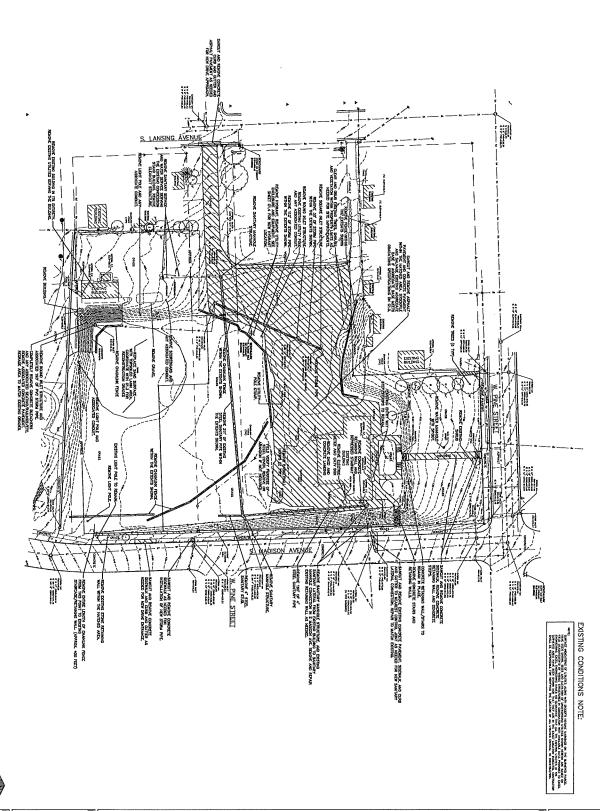
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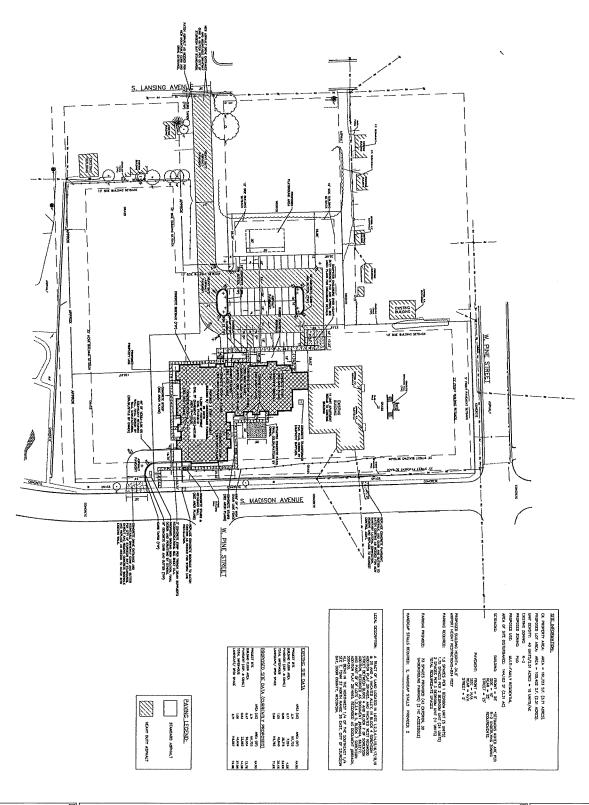




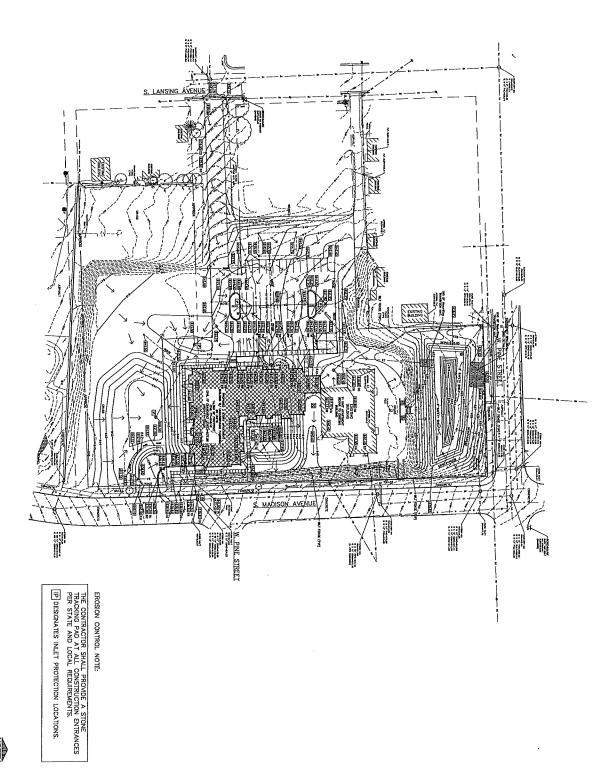


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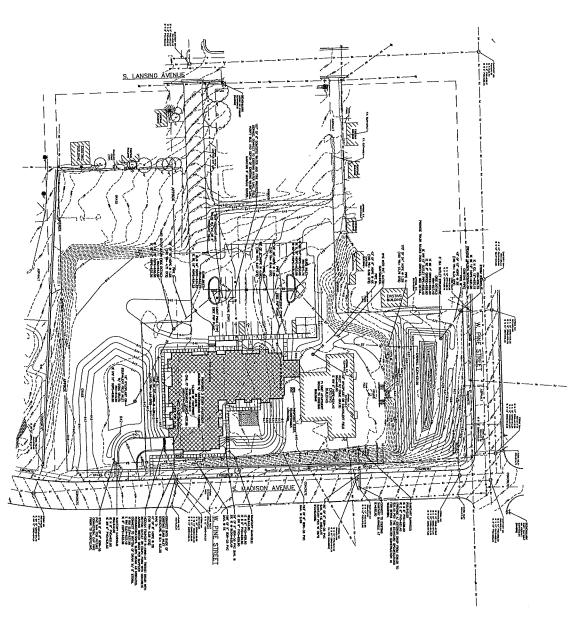






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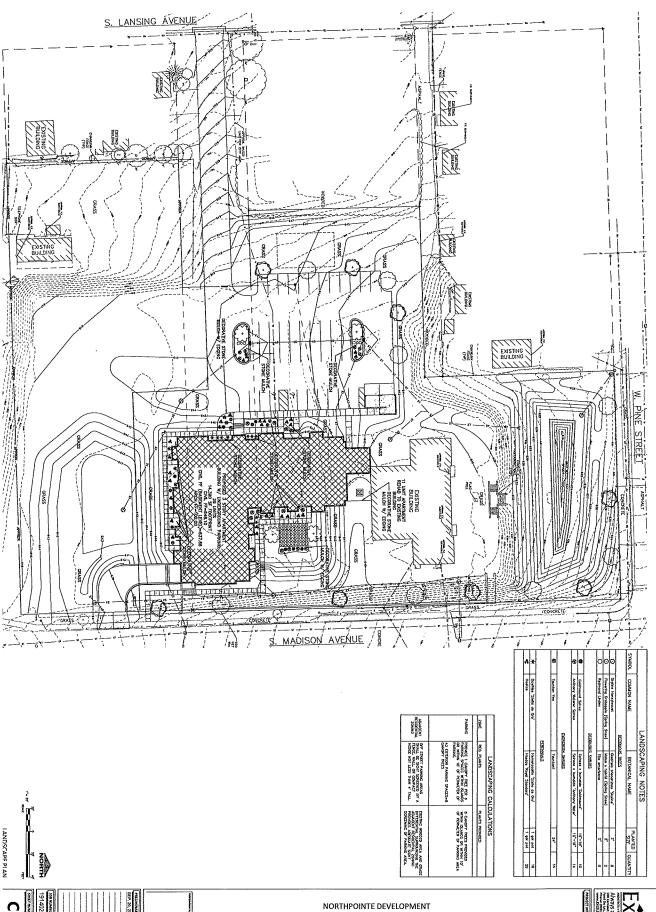
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NORTHPOINTE DEVELOPMENT

#### **SAWYER SCHOOL LOFTS**

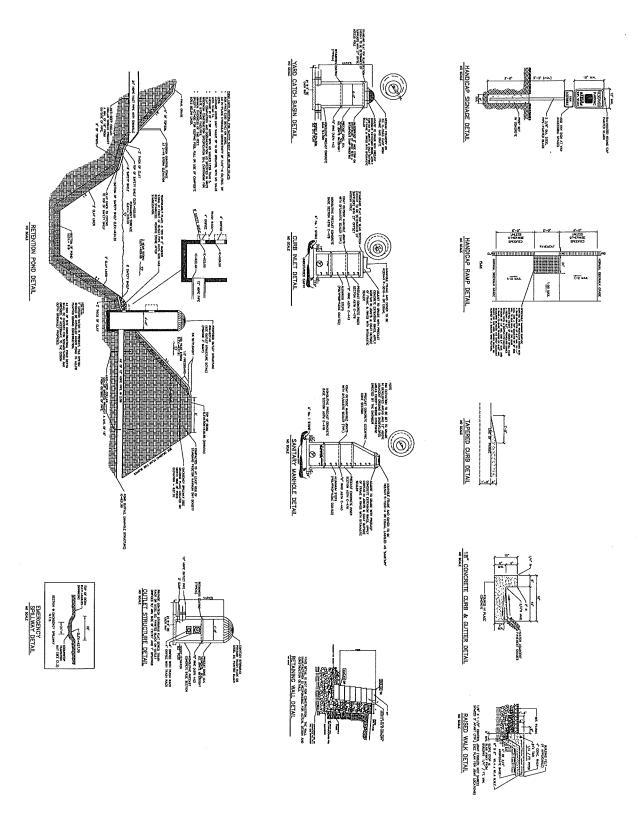
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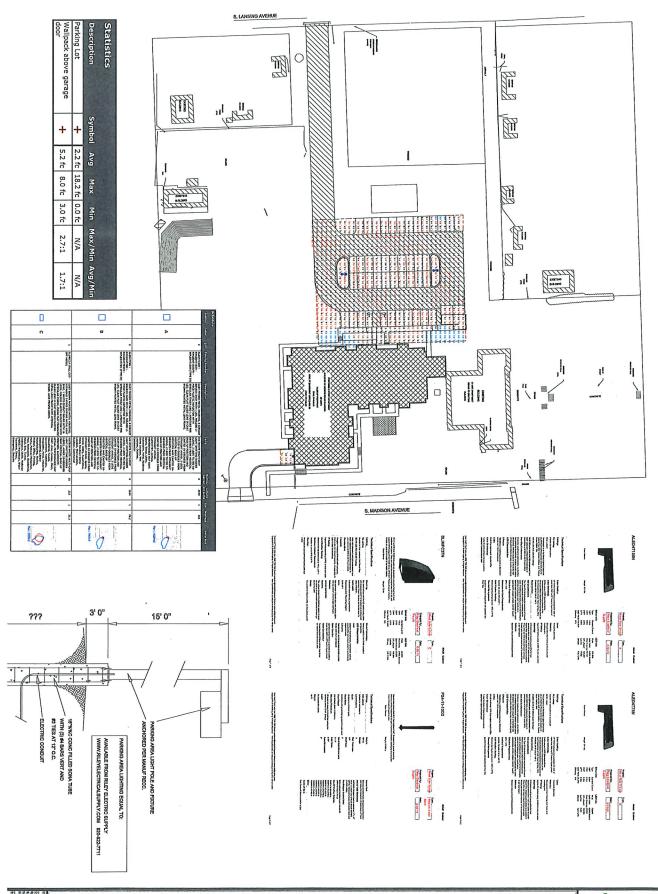


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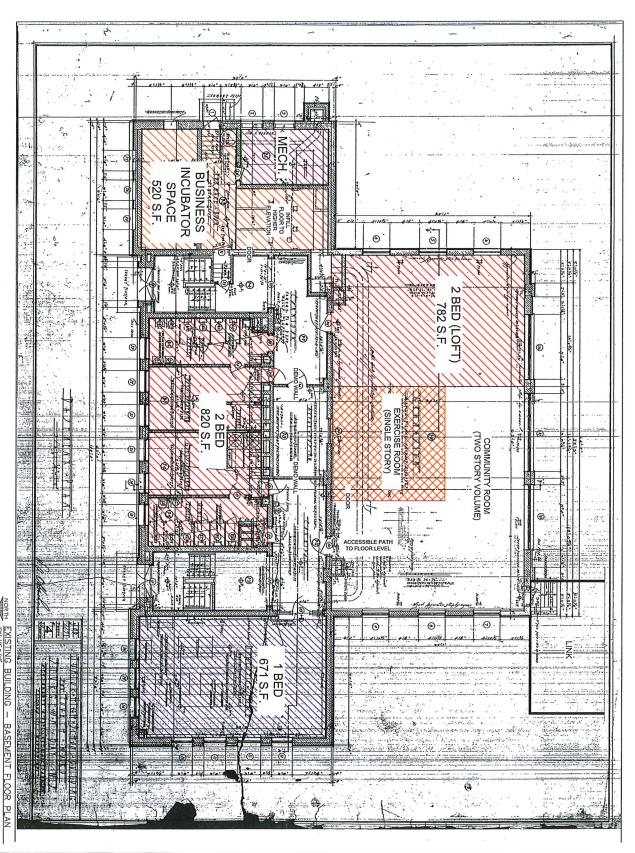
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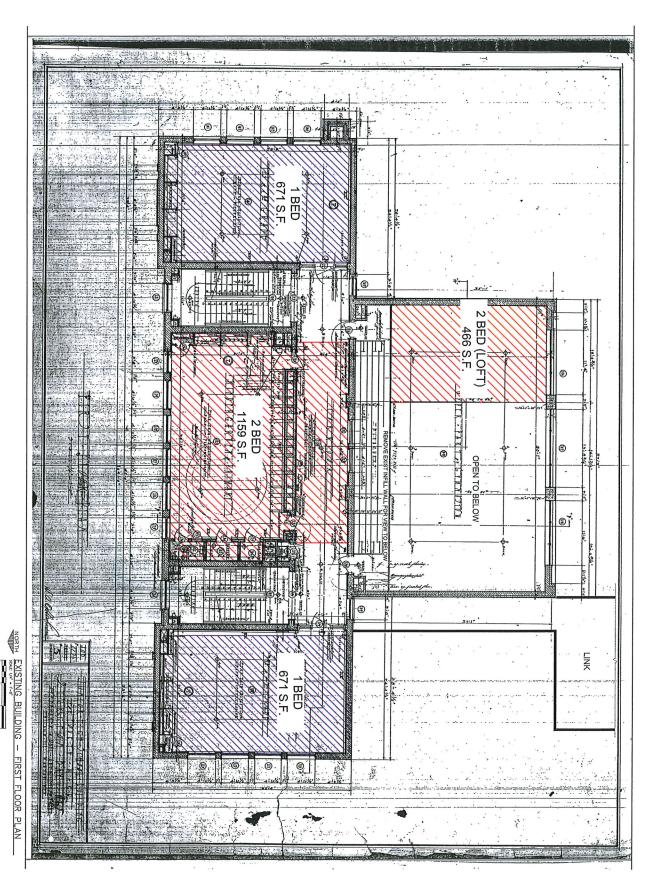






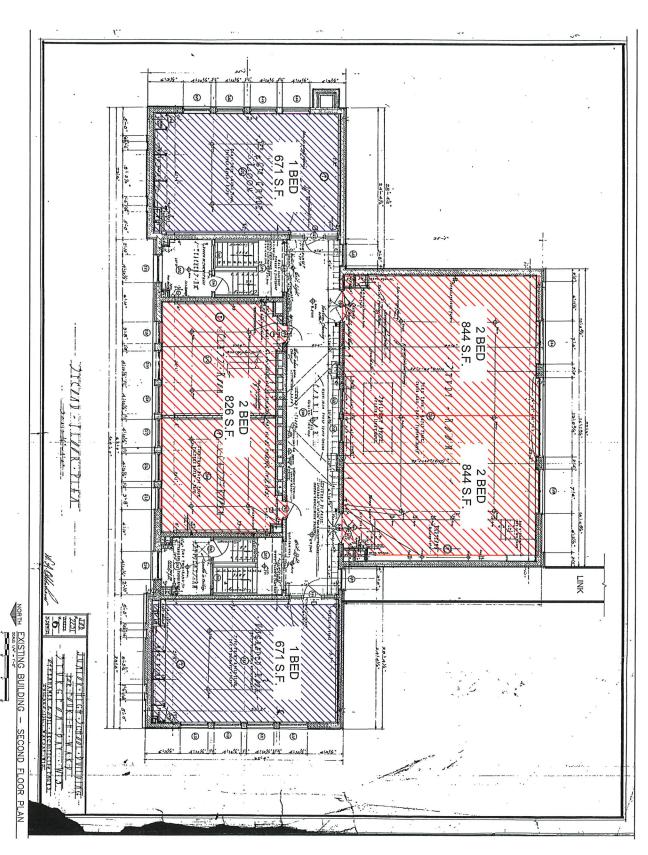
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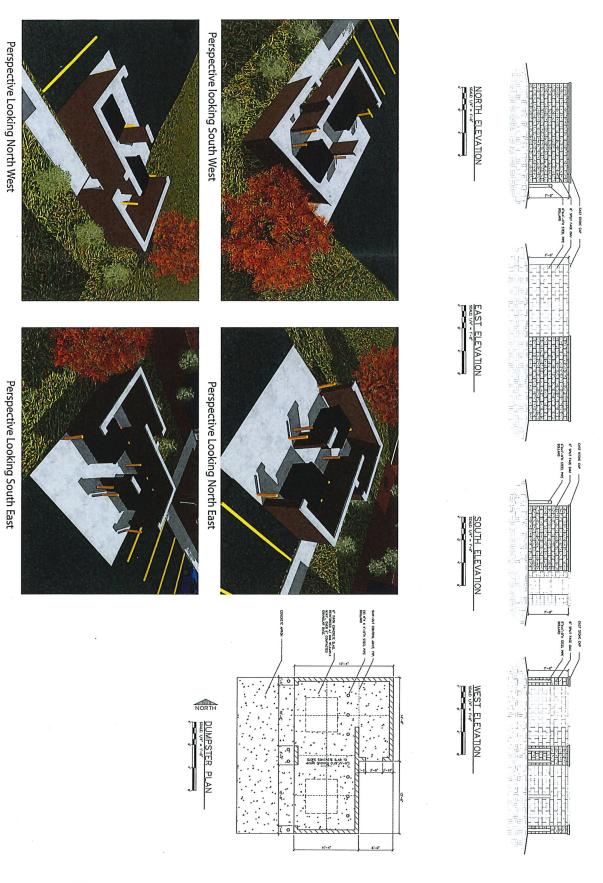
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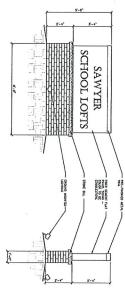














### Staff Report Planned Unit Development Sawyer School Lofts

**Proposal:** Northpointe Development is petitioning for approval of a Planned Unit Development (PUD) for a 40-unit apartment building. The project proposal involves remodeling the privately-owned former West Side Elementary School at 17 W. Pine Street into 11 apartments and the construction of a 3-story addition containing an additional 29 apartments. This addition will extend into the City-owned property containing the West Side Softball Field at 37 W. Redwood Street. These apartments will be affordable units as defined by the Department of Housing and Urban Development (HUD) and rents will be based upon the tenant's income. In addition, the project includes 520 square feet of business incubator space that is proposed to be located in the lower level of the school building.

The applicant has a purchase agreement with the property owner of the West Side School and has been given initial permission by the Common Council to continue with the proposed plan and potential acquisition of the City-owned portion of the site. The developer would acquire some or all of the park property located north of the alley between Redwood Street and Spruce Street.

**PUD Required:** The rezoning to PUD is required because the current zoning does not allow multiple-family dwellings and zoning ordinance requires a PUD for multiple-family housing projects that exceed 25 units on a single parcel. In addition, this process is necessary because the development requires some deviations from the standard zoning requirements. Planned Unit Developments are special zoning districts in which the allowed uses and district requirements are unique to, and based upon, the specific development proposal. PUD's allow for flexibility of development requirements, but also require a greater degree of scrutiny by the City prior to approval.

Existing Conditions: The proposed site contains the West Side Softball Field and the former West Side Elementary School. It is bordered by Pine Street on the north, Madison Avenue on the east, a platted alley (which is unbuilt) to the south, and single-family dwelling to the west and northwest. The overall site totals 3.7 acres if all of the land north of the alley is acquired. The elevation declines about 40 feet from the southwest corner of the site to the northeast corner. A large stone retaining wall is present along the Madison Avenue side.

The site is currently zoned R-2 Single-Family Residential. It is bordered by additional R-2 properties, except for C-2 Central Business District zoning to the north and west across Pine St and Madison Ave and also except for one parcel zoned C-5 Mixed Commercial-Residential to the southwest. The nearest R-4 Multiple-family Residential district is kitty-corner to the southeast across Madison Ave.

The surrounding uses include a mixture of single-family, two-family, and multiple-family dwellings. There also are commercial uses to the north and east. Immediately to the south is the City's skate park, which is unaffected by the proposed acquisition of the West Side Field.

Comprehensive Plan: The Future Land-Use Plan Map of the Sturgeon Bay Comprehensive Plan has the subject property with Central Business District designation. This is defined as the business core of the City. It includes a range of retail, services, offices, entertainment and institutional uses within a geographically compact setting near the center of the City. Higher density residential uses are often found within the CBD.

The Housing Chapter describes a set of goals, objectives and policies with regards to future growth and development decision-making. This project directly supports the City's goals to maintain a diverse, high quality housing inventory, meeting the needs of the community; the provision of adequate attainable

housing; and development of mixed-use projects along major corridors and downtown. The housing policies also include infill development and the use of planned unit developments to carefully control the new development to protect existing neighborhoods.

The Cultural Resources Chapter includes an objective to encourage the continued maintenance and improvement of existing historical structures, under which the renovation of the former school would qualify. On the whole, staff believes the proposed project is compatible with the Comprehensive Plan.

**Door County Housing Study:** The housing study that was completed on behalf of the Door County Economic Development Corporation earlier this year demonstrated that there is an existing deficit within our current housing stock for both owner-occupied and rental apartments in the central part of Door County. The apartment complexes currently under construction or recently completed equate to approximately half of that deficit. However, none of those projects fit into the affordable category as defined by HUD. This project proposal meets that definition and will have a positive influence on the senior population and young workforce.

Site Plan and Design Consideration: The following is a summary of the major site and design issues:

<u>Proposed Uses:</u> The project consists of 40 apartments and 520 square feet of business incubator space. Those uses are consistent with the Comprehensive Plan and staff has no concerns with that mix of uses. Depending upon the underlying zoning district approved for the PUD, the ordinance likely will need to specify that such uses are permitted.

<u>Building Layout:</u> The school building's orientation will remain unchanged. The building is three stories with the first level being partially underground. It will contain a total of 11 apartment units, an exercise room, common space, and the business incubator space. The proposed addition will extend off the south side of the school, then "L" toward Madison Street. This addition is 3-story with an underground parking level. The addition contains 29 apartment units.

The building meets area and dimensional requirements of the zoning code, except the building will encroach into the normal residential street yard (setback). The required street yard is 25 feet and the building is 21.83 feet from the Madison Ave right-of-way. Staff is supportive of this deviation for two reasons. The Comprehensive Plan designates the site within the Central Business District future land use category. Typically, buildings in the CBD only need to be 15 feet from the right-of-way and the Plan Commission can approve even lesser street yards for downtown buildings. Secondly, the elevation of the proposed building is about ten feet above the grade along Madison Avenue due to the slope/retaining wall. Thus, the benefits of the normal setback from privacy and landscaping standpoints don't apply. If the City is comfortable with the proposed setback, the deviation can be made as part of the PUD ordinance.

<u>Driveway Access:</u> There are two vehicular accesses to the proposed development. The first is via W. Redwood Street, which currently leads to the parking area for the old school. As proposed in the plan all existing pavement will be removed and a new two-lane driveway installed to S. Lansing Avenue. This driveway will be used to access the surface parking. The second access point is a new driveway that will extend off of S. Madison Avenue and lead to the underground parking area. This proposed new driveway has been reviewed by the City Engineer and approved.

It is noted that the existing access into the site from the alley located between Pine and Redwood Streets will be eliminated. The houses abutting the alley would still have vehicular access since the pavement within the alley right-of-way would not be impacted. But the pavement connecting the site to the alley would be removed. The Fire Chief has reviewed and approved the access plan. Also, by eliminating the

access from the alley and adding a driveway to Madison Ave, it should limit the traffic impact on the neighborhood since a large percentage of tenants would use the Madison Ave access and because four residential properties use the alley for vehicular access as opposed to just one property that uses Redwood Street for vehicular access.

<u>Density:</u> The zoning code requires that multiple-family construction not exceed one unit per 3,500 square feet of lot area; or 12.4 units per acre. The overall property that the developer intends to acquire is 3.71 acres, which equates to a residential density of 10.8 units per acres. However, the developer also believes the property could be re-divided to create a potential senior housing site in the south portion of the West Side Field. This proposed property line is shown on the site plan. If this lot split happens the area of the subject lot would be 2.5 acres for a proposed density of 16 units per acre. It is noted that other multiple-family residential developments that have been constructed under the PUD zoning designation within the downtown area exceed the usual maximum density. For instance, The Bay Lofts has a density of nearly 34 units per acre. If the City is comfortable with the proposed density, a deviation can be made as part of the PUD ordinance.

<u>Building Design:</u> The school building will retain its existing architecture, with the exception of one area at the southwest corner where it ties into the proposed addition. The exterior design of the addition matches the architectural elements of the existing school. It uses similar brick and cast stone as well as multiple colors of cement siding to create a vibrant look and transition into the downtown. There are recesses and building extensions that eliminate any blank wall. The building conforms to the general design standards of the code.

The building has a combination of common entrances and private entrances which are accessed from the south, east, and west side of the building. The existing entrances into the school building to the north and east are retained, but will be used only for emergency egress.

The project's overall design is subject to review by the Aesthetic Design and Site Plan Review Board, which is scheduled to meet on October 7, 2019.

Mix of Units: The proposal includes 5 one-bedroom units, 24 two-bedroom units, and 11 three-bedroom units. All of the one-bedroom units and none of the three-bedroom units are located in the school building.

<u>Parking</u>: A total of 73-78 off-street parking spaces are proposed. 43 spaces will be provided in the surface parking lot and 30-35 spaces will be provided in the underground parking structure. The zoning code requires 72 spaces so the requirement has been met.

<u>Pedestrian Access:</u> Sidewalks are proposed that lead from the parking area to the various common and private building entrances on the south and west sides. In addition, a sidewalk is proposed from the east side of the building to Madison Ave, thereby connecting to the existing sidewalk network. The current sidewalk/stairs leading from Pine Street will be removed to accommodate a storm retention pond. Staff believes that pedestrian facilities are adequately addressed, but suggest moving the connection to Madison Ave northerly if such move is feasible given the existing retaining wall.

<u>Traffic:</u> The City Engineer did not require a transportation impact analysis (TIA) for the project. These are typically only required for residential projects exceeding 100 units. The traffic will be split by having accesses to both Lansing Ave and Madison Avenue. The amount of traffic generated by the units is not expected to require any improvements or changes to the surrounding streets.

<u>Utilities:</u> The development will be served by municipal utilities. Water will come from the existing main within W. Redwood Street. A new 8" sanitary sewer main will replace an existing 4" pipe along the east edge of the site. Sturgeon Bay Utilities (SBU) have reviewed the utility plans and have no significant concerns. However, new or updated easements may be needed for the portions of the mains located within the development site.

Another issue for utilities is that in order to service the remaining parkland (Skate Park) with sewer and water facilities, new easements and a service laterals are needed. A sanitary lateral stub and easement are needed leading from the end of the sanitary main at the southeast corner of the site. The City will also need a water lateral stub and easement running from Redwood Street along the west edge of the property.

The Fire Chief requests that the proposed hydrant shown within the parking lot landscaped island be shifted westerly to the end of the public right-of-way for Redwood St. Consistent with this request, staff prefers that the water main be publicly owned and maintained for the portion up to the end of the street right-of-way and privately owned and maintained beyond the R/W.

Stormwater Management: The total impervious surface of the site is 45,940 square feet, which is well below the maximum 70% impervious surface ratio. The developer has submitted an engineered stormwater management plan for review by the City Engineer. The plan proposes bio-swales to the south and east of the building addition. Storm pipes would extend from the swales through the east parking lot and down to a wet pond located in front of the school. Ultimately, the water would exit to the street to existing stormwater facilities. This will serve to limit the quantity and maximize quality of the water exiting the site.

Landscape Design: Off-street parking ordinance requires that one canopy tree be provided for every six parking spaces in the parking lot. The design shows three Skyline Honeylocust and three Redmond Lindon trees planted around the parking lot and two Flowering Crabapple trees planted within the parking lot islands. The zoning administrator is not requiring additional screening from adjacent residential properties around the proposed parking lot due to the grade differential from those adjacent properties. The plan proposes variety of shrubs (Goldmound Spirea, Anthony Waterer Spirea, Taunton Yew, Daylilies, and Hostas) in the landscape islands surrounding the building addition and patio. Two Flowering Crabapples are shown around the patio feature.

Chapter 8 of the Municipal Code requires that a street tree be planted within the tree terrace lawn area for every 50 feet of street frontage. A total of ten trees would typically be required along Madison Avenue and four along Pine Street. There are two existing trees in the right-of-way along Madison Avenue. The landscape plan shows seven Honey Locust and Linden trees planted along the steep slope just outside of the right-of-way. It also shows three trees along Pine Street, also outside of the right-of-way. For Pine Street the location of the trees is appropriate due to the narrowness of the terrace lawn and the overhead wires on that street. For Madison Avenue, it would be preferred to put the new trees within the right-of-way, if possible. Ultimately, these tree locations and varieties need to be approved by the City Forester.

Signage: There is one ground monument style sign proposed. It is located on the southeast side of the property running perpendicular to Madison Avenue. The proposed sign is about 25 square feet sitting on top of an 8' x 2'4" brick pedestal. The only issue with the sign is its nearness to the intersection of the new driveway with Madison Avenue. The sign code requires ground signs to be no taller than 2.5 feet tall or have a minimum visual clearance of 8 feet, if the sign is located within 15 feet of a driveway and the street right-of-way. Since the monument sign will not meet the vison clearance standard, it should be shifted further away from the driveway.

<u>Lighting</u>: A lighting plan shows the installation of two light poles with a total of four light fixtures located within the parking lot island. There is also a wall mount fixture located above the parking garage door. These fixtures are designed as full cut offs so there shouldn't be any direct light emitted onto neighboring properties. The lighting plan identifies the light intensity emitted by the fixtures, but only for the actual parking area. It appears that the lighting would not impact adjoining properties.

<u>Miscellaneous</u>: The dumpster facility is located between the parking lot and building. There is a brick enclosure proposed which matches the materials used on the school.

Along Madison Avenue a traditional chain-link fence is proposed. This fence replaces an existing chain-link fence and is a safety feature due to the steep slope. Ideally, this fence would be a decorative design or at least vinyl-coated to improve the appearance.

A decorative brick 25' x 20' patio is planned facing Madison Avenue. This will be a common area for all tenants. In addition, there will be an exercise room and a community room for the tenants that are located within gymnasium portion of the old school.

An area to the west of the parking lot has a planned recreation facility. The recreational area has no specific items proposed which indicated they will seek approval for those specific items from the Aesthetic Design and Site Plan Review Board at a later date. The City has the ability to require specific items to be provided for recreational uses.

**PUD Review Criteria:** In general, the zoning ordinance directs the Plan Commission and Council to consider whether the proposed development is consistent with the spirit and intent of the zoning code, has been prepared with competent professional guidance, and produces benefits to the City compared with conventional developments. In addition, there are nine specific review criteria listed in the PUD section of the code. The development appears to comply with all specific regulations of the zoning code (except as noted above) and the PUD is needed mainly because of the number of units in the development. Staff is satisfied that the project meets the basic criteria for Planned Unit Developments.

**Public Hearing:** The public hearing is scheduled for September 30, 2019 where the City will receive public input on the development proposal. That input should be considered by the Plan Commission in addition to this report.

**Project Financing & Projected Rents:** According to the developer the completion of the project is contingent on the awarding of affordable housing tax credits and historic preservation tax credits. The affordable housing tax credits are awarded through the Wisconsin Housing and Economic Development Authority (WHEDA). This is a competitive program with a yearly awarding of the tax credits. The historic preservation tax credits are awarded only after the rehabilitation plans for the school are reviewed and approved by the Wisconsin Historical Society and National Park Service. Hence, even if the PUD is approved by the City, the final decision to construct the project won't be made until sometime in 2020.

If WHEDA tax credits are used, the rents would be based upon the individual tenant's income. To qualify the tenant's income would need to be at or below 60% of the median county income. Tentatively, the rents for the affordable units will be \$635 for a 1BR unit, \$715 for a 2BR unit, and \$815 for a 3BR unit.

**Fiscal Impact:** Due to the affordable housing tax credits being used for the project, the property would be assessed using the income approach to property assessment. This figure will vary but is expected to have a taxable value of approximately \$2.5 Million. This would generate about \$22,000 in City property tax revenue and about \$58,000 in total property tax revenue. The project would also provide a one-time payment of \$12,000 into the park and playground fund for the City's recreation facilities.

The other fiscal impact to consider is the replacement of the softball facility. While the City would not be obligated to improve a softball field elsewhere, the sentiment among the Common Council and Park & Recreation Board so far has been to make sure an adult softball facility will continue to exist for the current league to use along with any future leagues. The fiscal impact on the City will depend upon whether an existing field such as the high school girls' field is improved to accommodate adult softball, whether a new field is created within existing municipal property such as redoing the former Jaycee Field, or whether a brand new site is obtained and a new field created. Options for the City to fund the replacement site include some combination of using proceeds from the sale of property for the development; using funds from the park and playground fund; establishing a tax increment district for the project since relocation of the ballfield would be an eligible TIF expense; seeking recreation grants; and using general tax dollars.

**Recommendation:** The proposed project addresses an identified need as illustrated in the 2019 Door County Housing Study. It preserves and reuses an iconic building and is a step toward the City goals and strategies as defined in the 2010 Comprehensive Plan. Staff recommends approval of the PUD ordinance and submitted plans with the following conditions:

- 1. Installation of a water lateral stub running south from Redwood Street along the west edge of the property and creation of a 15-ft utility easement.
- 2. Installation of a sanitary lateral stub running south from the end of the main at the southeast corner of the site and creation of a 15-ft utility easement.
- 3. Relocation of the proposed fire hydrant out of the parking island and into the end of the W. Redwood Street right-of-way.
- 4. Providing easements for any portion of public water main or sanitary sewer main located outside of the public right-of-way.
- 5. Compliance with the street tree requirements of s. 8.07(10) of the municipal code, but the location of required street trees may be located outside of the street right-of-way, if approved by the City Forester.
- 6. Adjusting the location of the monument sign to comply with the vision clearance requirement of the sign code.
- 7. Approval by the Aesthetic Design and Site Plan Review Board.

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- 8. Final approval of the stormwater management plan by the City Engineer.
- 9. A development agreement being entered into between the City and developer that addresses the sale of the property, utilities/easement issues, maintenance of the driveway within Redwood Street, and other matters pertinent to the development project.

Prepared by: (	Christopher Sullivan-Robinson Planner / Zoning Administrator	09 · 25 · 19 Date
Prepared by: _	Marty Olejniczak  Community Development Director	9-25-/9 Date
Reviewed by:		
	Josh Van Lieshout	Date
	City Administrator	



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#### NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Plan Commission will conduct a public hearing in the Council Chambers, 421 Michigan Street, Sturgeon Bay, Wisconsin on Wednesday, September 30, 2019 at 6:00 p.m. or shortly thereafter, regarding a petition from Northpointe Development for a Planned Unit Development (PUD), to be located at 17 W Pine Street, parcel # 281-46-65040101 and 37 W Redwood Street, parcel # 281-46-65041401. The proposed PUD is for a 40-unit multiple-family residential development which consists of rehabilitation of the West Side Elementary School and a new 3-story addition with underground parking extending southerly from the former school into the West Side softball field. The project also includes renovating a portion of the former school in business incubator space. The application and PUD plans are on file with the Community Development Department, located at 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 proposal, either in person at the hearing or in writing.

By order of: City of Sturgeon Bay Plan Commission

## \* This G.A info sheet was drafted by City Staff and posted to the City's website after the project was Submitted.

#### Affordable Housing Project Proposed for West Side School & West Side Field

An Oshkosh based developer has proposed a major housing project for the West Side School and West Side Field parcels. The project is 40 housing units that would be a combination of the renovated school and new construction. The conceptual site plan can be viewed at the following link - <a href="https://www.sturgeonbaywi.org/wp-content/uploads/2019/07/Concept-Plan-for-West-Side-School.pdf">https://www.sturgeonbaywi.org/wp-content/uploads/2019/07/Concept-Plan-for-West-Side-School.pdf</a>. Please note that the site plan is very preliminary and is likely to change as the project is reviewed.

Here are some questions and answers regarding this project.

- 1. Who is the developer? Andy Dumke and Cal Schultz of Northpointe Development, from Oshkosh WI, are the developers. They are experienced housing developers and have completed numerous projects around Wisconsin, including both rehabs of historic buildings and new construction. They also have considerable experience working under the housing tax credit program and under the historic building tax credit program, both of which will be used as sources of financing for the development.
- 2. What is being proposed? The plan calls for 40 housing units. The school would be renovated into 10 residential units. A new building would be constructed that connects to the school at the southwest corner. This addition would have 30 additional housing units. Garages and parking areas would be located on the west side of the site with access to Lansing Avenue via the existing stub of Redwood Street and existing alley to the north of Redwood Street.
- 3. Are these rental apartments or condos? All of the units are rental apartments available for rent.
- 4. What is the breakdown of units? Of the 40 units, 5 are proposed to be one-bedroom units, 25 are two-bedroom units, and 10 are three-bedroom units.
- 5. Will these apartments be affordable? The 40 units will be a mixture of both market rate and affordable units under the federal housing tax credit program (HTC), governed by Section 42 of the Internal Revenue Code. HTCs are used by developers to achieve lower rents that are affordable for workforce housing. Tentatively, the rents for the affordable units will be \$635 for a 1BR unit, \$715 for a 2BR unit, and \$815 for a 3BR unit. The units would be available to households earning 60% or less of median county income. The HTCs are awarded and administered through the Wisconsin Housing and Economic Development Authority (WHEDA). The program is very competitive and not all projects are awarded tax credits. More information on the housing tax credits can be found at <a href="https://www.wheda.com/LIHTC/">https://www.wheda.com/LIHTC/</a>.
- 6. How does this project affect the historic character of the West Side School? The West Side School has been vacant since 2004. The property is privately owned, and Northpointe Development has an accepted offer to purchase the site pending approval of the plans and obtaining financing for the project. This portion of the project involves using federal and state historic tax credits. The building must retain its historical character. There are significant limits to changing the building, and the construction plans are reviewed by the state and federal governments prior to awarding the tax credits. Information about the historic tax credit program is available at <a href="https://www.wisconsinhistory.org/Records/Article/CS3215">https://www.wisconsinhistory.org/Records/Article/CS3215</a>.

- 7. What happens to the softball field? If the project is ultimately constructed, the softball field would be lost. The City could then do one of three options: a) The City could upgrade an existing facility to accommodate adult softball. For instance the former Jaycee Field located at the corner of Michigan and S. 15<sup>th</sup> Avenue had been used for adult softball when there were more softball leagues, but currently is not used. This field could potentially be upgraded to once again have leagues play there; or b) The City could create a new adult softball facility elsewhere in the City. This could be constructed within one of the existing City parks or a new park could be obtained for the new softball field(s); or c) The City could decide not to replace the softball field. There is one softball league using the West Side Field that would need to find an alternative.
- 8. Why not just renovate the school into housing and leave the softball field out of the project? The West Side School has been eyed for a residential rehab project for some time. Over the last several years, numerous developers have looked at the property for both market-rate and affordable housing projects. The developers have consistently concluded that the school by itself is not large enough to get enough housing units to justify the costs of construction. They have consistently said more units need to be constructed adjacent to the site in order to make a project feasible. The City of Sturgeon Bay is under no obligation to sell the softball field, but using the field to make the housing project viable is the current request.
- 9. What is the impact on the skate park? The skate park is not impacted by this project. Only the adult softball facility would be lost by this proposed project.
- 10. What happens to the remaining land owned by the City? The project doesn't involve all of the West Side Field property. There would be some land still available for other park purposes, including the concessions/bleachers area. Potentially, the City could use this remaining area for other recreational facilities. While there is no obligation for the City to install additional recreational facilities, it could be good for the neighborhood to have alternative features.
- 11. What municipal approvals are required for the project? The project will be reviewed by the Plan Commission regarding development and zoning issues, by the Park & Recreation Board regarding potential replacement of the softball field and redevelopment of any leftover parkland at the site, by the Aesthetic Design & Site Plan Review Board regarding the layout and architecture of the new development, and by the Finance/Purchasing & Building Committee regarding the sale of the city-owned portion of the development site. But ultimately the Sturgeon Bay Common Council will be making final decisions on these matters.
- 12. What is the timing for constructing the project? If the City approves the project, the developer must submit the application for housing tax credits in December. The awarding of the credits by WHEDA is announced in April. Construction would probably begin in late 2020. Keep in mind the project is contingent on receiving the housing tax credits and historic tax credits.
- 13. How can the public provide input? All meetings of the Common Council and its committees/commission are open to the public (although any negotiations over the sale of city land could be conducted in closed session). A public hearing before the Plan Commission is required for zoning approval. A notice of that hearing will be published when the date is set (September 18 is tentative date). Members of the public can also contact the mayor and Common Council members. See the city website for contact info.



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#### **MEMO**

To: Plan Commission

From: Christopher Sullivan-Robinson

Date: September 24, 2019

Subject: Repeal and Recreate 20.31(4)

Based on the discussion at the last Plan Commission, staff prepared a new ordinance that combined several of the options presented at the previous meeting. That ordinance is attached. To summarize:

- In addition to concrete and asphalt, the ordinance would allow bricks, pavers and other permeable pavements approved by the City Engineer.
- The specification was added stipulating a minimum 4,000 pound wheel load capacity.
- A "Surfacing Exemptions" subsection was created and will include an exemption for seasonal uses and private used commercial storage areas.

The Plan Commission has the ability to recommend to repeal and recreate section 20.31(4) of Municipal Code as presented or with other modification. The Commission can drop the consideration if the consensus is that a code text amendment is not needed. This item can also be sent back to staff for further consideration.

#### **Surfacing Requirements Ordinance Revision**

- (4) Design. All parking spaces and access driveways shall meet the following requirements:
  - (b) Surfacing.
    - 1. Unless exempted, all parking spaces and access driveways shall be paved or otherwise surfaced with an all-weather surface within 12 months after occupancy. Acceptable surfacing materials shall include asphalt, concrete, brick, pavers or other permeable pavement approved by the city engineer. The surface shall be capable of carrying a wheel load of 4,000 pounds.
    - 2. The following shall be exempt from the surfacing requirement:
      - Parking spaces and access driveways which serve single-family or two-family dwellings.
      - b. Any heavy equipment vehicular storage areas (such as those associated with truck terminals and contractor's garages) which are not open to the general public need not be paved, although said areas must be maintained in a durable and dustless condition. Any access driveway from a public street to such storage areas shall be paved with asphaltic, bituminous, or concrete surfacing.
      - c. Parking lots and access driveways serving seasonal uses which operate no more than 180 consecutive days out of a calendar year shall be allowed to surface the parking area with compact stone or gravel. The site must be maintained in a durable and dustless condition. Access driveways shall extend a concrete apron five feet past any sidewalk or curbing improvements.