

CITY PLAN COMISSION MINUTES

August 18, 2021

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

Roll Call (#1): Members David Ward, Kirsten Reeths, Helen Bacon, Jeff Norland, Dennis Statz, Mark Holey, and Debbie Kiedrowski were present. Also present were Community Development Director Marty Olejniczak, Zoning/Planning Administrator Christopher Sullivan-Robinson, City Administrator Josh VanLieshout, City Finance Director Valerie Clarizio, and Administrative Assistant Suzanne Miller.

Adoption of agenda (#2): Moved by Mr. Holey, seconded by Mr. Norland to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 21, 2021.
4. Public comment on non-agenda Plan Commission related items.
5. Conditional Use petition from Karla Thomas for a commercial establishment with drive-through facilities located at 217 N. 4th Avenue.
 - a. Presentation
 - b. Public Hearing
 - c. Consideration
6. Project plan and boundaries for Tax Incremental District No. 5.
 - a. Presentation
 - b. Public Hearing
 - c. Consideration
7. Consideration of: Final Planned Unit Development proposed by Northpointe Development Co. for a 53-unit multiple-family dwelling on property along the north side of E. Maple street between Madison Avenue and Neenah Avenue.
8. Consideration of: Vacation (discontinuance) of Ackerman Street.
9. Adjourn.

Mr. Ward called a vote. All ayes. Motion carried.

Approval of minutes from July 21, 2021 (#3): Moved by Ms. Bacon, seconded by Mr. Statz to approve the minutes from July 21, 2021. Mr. Ward called a vote. All ayes. Motion carried.

Public Comment on non-agenda Plan Commission related items (#4): Beverly Lyle of the Stone Harbor Residential Condominiums Association, speaking on behalf of Association President Don Murdock, requests landscaping to include tree planting, between the sidewalk and curb alongside the Fincantieri Building on 1st Avenue directly across from the condominiums and the driveway that accesses the complex. She also reported the Association is thrilled with Fincantieri's beautification project along N. 3rd Avenue and they whole-heartedly support the concept of City and Industry working together to improve the borders between industrial development and residential areas. Ms. Lyle distributed a handout with a letter from Mr. Murdock and photos of the Fincantieri building.

Conditional Use petition from Karla Thomas for a commercial establishment with drive-through facilities located at 217 N. 4th Avenue (#5):

Presentation: Jace Schmelzer and Karla Thomas, business address 217 N. 4th Avenue, reported they are opening a coffee shop called Brewed Awakening Café with indoor and drive-through service in the former Nicolet Bank building and using the existing 4th Avenue drive-through that exits onto Kentucky Street. The median at the existing drive-through is being removed, leaving a large (30ft. wide) drive-through lane. The lane will accommodate 15 cars or 10 trucks. Mr. Schmelzer voiced his concern that there be no accidents involving the drive-through. There is a parking space next to the drive through where a vehicle would pull out onto Kentucky Street and Mr. Schmelzer asked were there a future issue with accidents, could that first spot be eliminated.

Christopher Sullivan Robinson explained the requirement for a Conditional Use Permit is for the drive-through facility only. He stated staff has no issues regarding logistics or safety concerns.

Mayor David Ward stated the potential parking issue would be directed to the Parking and Traffic Committee chaired by Plan Commission member Kirsten Reeths. Mr. Ward directed petitioner to direct questions regarding parking to Ms. Reeths.

Mr. Holey asked about ownership of the "road" between the former Nicolet Bank property and Door County Hardware. Mr. Olejniczak explained Chad Ladick owns everything outlined in black on the map provided. The alley (12-ft. wide) is owned by the City.

Public Hearing: No one presented testimony on the issue. Public Hearing was closed by Mr. Ward at 6:14pm.

Consideration: Moved by Ms. Norland and seconded by Ms. Reeths for approval of the petition for Conditional Use. Mr. Ward called the vote. All ayes. Motion passed.

Project plan and Boundaries for Tax Incremental District (TID) No. 5 (#6):

Presentation: Mr. Olejniczak explained Tax Incremental Financing as a tool for municipalities to support development/redevelopment projects by using the

development's future property tax revenue to pay for the improvements and development incentives required to get the development going initially. Taxes paid on the increased property value in the Tax Increment District (TID) go entirely to the city to pay off the costs of the TID. This will be the City's 5th TID and involves the former Sunset School where the City feels TID financing is the best way to meet the financial incentives and other public expenditures in the area such as building demolition, repaving streets, and assisting neighbors with property improvements. There are two redevelopment projects planned in the TID, which are Maritime Heights LLC to build 10 units of housing on the school parking lot parcel and S.C. Swiderski to build 26 units of townhouse style apartments with attached garages on the school site. Creation of TID #5 requires 3 approvals and a public hearing: 1) this meeting includes the public hearing and adoption of resolution by Plan Commission, 2) adoption of resolution by Common Council, and 3) adoption of resolution by Joint Review Board.

The City hired R.W. Baird to create the project plan and develop a financial proforma. Brian Ruechel of R.W. Baird joined the meeting at 6:19 pm and described the proposed TID as small, containing only two properties which currently have a tax valuation of \$0. Mr. Ruechel states that with the addition of TID #5, the value increment of all existing TIDs will be approximately 8.4%, which does not exceed the statutory maximum of 12% of the total equalized value of taxable property within the City. For TID #5 the total estimated cost of the projects being considered is \$975,316.

Mr. Ruechel described the financial Cash Flow Proforma Analysis for TID #5 (Exhibit A) as showing a mixed-use district with a 20-year life and ample tax increment that should be generated and would allow the cost to be recovered well before the 20 years (in the year 2034 range). He stated an attorney's opinion will be added after approval of the resolutions.

Ms. Reeths questioned the Proposed Projects map and boundaries that would include neighbors who could request monies for neighborhood property improvements. Mr. Olejniczak stated the boundary was subject to change, and explained allowing neighborhood single-family homeowners to use grant money to improve their homes and property values will protect the property value of the TID as well.

Mr. Norland requested clarification that the properties currently generate \$0 in tax revenue and within 13 years could generate tax revenue from the property. Mayor Ward reported at the time the TID is closed, the property value of the district would be approximately \$4 million which generates at about \$8,000/million in the City's portion of the property taxes.

Ms. Bacon clarified that the existing playground on the Sunset School property would be removed, but there is money in the project plan to construct a playground at some other location within walking distance of the existing playground.

Mr. Ward stated the inflation rate used in the projections is conservative, at 1%, which may allow increased value and a quicker payback. He believes the TID is the best

mechanism to promote a development that all four tax jurisdictions involved will benefit from.

Mr. Olejniczak reported the initial response from the Joint Review Board was positive and the group thinks the TID should expand to include additional paving of Delaware Street to 3rd Avenue.

Mr. Holey questioned whether, in addition to boundary changes, the total amount of money in the TID can be changed. Mr. Ruechel explained the TID is reviewed by the Joint Review Board annually and he will run projections and provide an updated proforma annually. New additions to the project can be made if the cash flow is there.

Public Hearing: No one testified and Mr. Ward closed the hearing at 6:39pm.

Consideration: Mr. Ward asked for a motion to approve the TID #5 Project Plan and Boundaries by adopting the Plan Commission Resolution. Motion to adopt the resolution was made by Mr. Holey and seconded by Ms. Ms. Kiedrowski. Mr. Olejniczak asked if there were any objections to including improving Delaware Street to 3rd Avenue in the project plan. There were no objections. Mr. Ward called the vote. All ayes. Motion passed.

Consideration of Final Planned Unit Development proposed by Northpointe Development Co. for a 53-unit multiple-family dwelling on property along the north side of E. Maple Street between Madison Avenue and Neenah Avenue (#7):

Mr. Olejniczak introduced Andy Dumke of Northpointe Development Co. and architect Bob Feller of Knothe Bruce to present the final plans and answer the Commission's questions. Mr. Olejniczak described the final plans as complete and consistent with the approved preliminary plans. He also reported the developer had obtained a Certificate of Appropriateness from the Aesthetic Design and Site Plan Review Board. A detailed staff report was completed by Mr. Sullivan-Robinson and provided to the Commission.

Ms. Reeths questioned whether there would be an area for residents to grill and if the building is pet friendly would there be an area for residents to take their pets. Mr. Dumke responded they envisioned residents grilling on the rooftop deck. And though the area is not fenced, there will be a designated spaced with doggy bags and trashcans so residents will know where they can go with their dogs. Ms. Reeths asked about the previously discussed bicycle storage. Mr. Feller stated the possibility of wall mounted bike storage existed in the under-building parking spaces and showed the floor plans with individual storage lockers on each floor. In response to her question about charging stations for electric vehicles, Mr. Dumke explained the contractor reports it would be easy to provide in the under-building parking area.

Mr. Ward questioned when ground would be broken for the project. Mr. Dumke states they expect to have a ground breaking in November or December of 2021 and lease out time would run to Spring, 2023.

Mr. Statz questioned short-term rentals. Mr. Olejniczak responded the City Attorney recommended the restriction regarding short-term rentals be included in the development agreement rather than as part of the PUD zoning ordinance.

Mr. Statz made the motion to recommend approval of the final PUD to the Common Council and it was seconded by Mr. Holey. Mr. Olejniczak recommended the motion include two conditions: 1) the developer and the City entering into a signed development agreement and 2) the recommendations by the City Engineer regarding roof drainage be incorporated. The Commission agreed to include the conditions in the motion. Mr. Ward called the vote. All ayes. Motion passed.

Consideration of vacation (discontinuance) of Ackerman Street (#8): Mr. Olejniczak explained Ackerman Street is a street that has never been improved and is a 60ft. wide right of way off Cove Road that dead ends at the City limits. The owner of the property on both sides of Ackerman Street could redevelop the lot to the south, improving the tax base, if the street were abandoned. As there is no vehicular turnaround at the end of Cove Road, the resolution adds an easement to continue to use a portion of Ackerman Street for a turnaround. The street itself will become private property and returned to the tax rolls, but the public and the City can use the easement portion. Mr. Olejniczak recommends the Plan Commission approve the vacation of Ackerman Street subject to the vehicular turnaround easement. The easement must be recorded first, then the Resolution Discontinuing Ackerman Street can go before the Common Council for approval after a public hearing on 09/21/2021.

Mr. Ward made the motion to recommend the vacation of the street right-of-way of Ackerman Street subject to the vehicular turnaround easement. Kirsten Reeth seconded the motion. Mr. Ward called a vote. All ayes. Motion passed.

Adjourn (#9): Mr. Ward called for a motion to adjourn. Ms. Bacon made the motion. Ms. Kiedrowski seconded the motion. Mr. Ward called a vote. All ayes. Motion to adjourn passed at 7:03pm.

Respectfully submitted,



Suzanne Miller
Administrative Assistant