## AGENDA CITY OF STURGEON BAY PLAN COMMISSION

Wednesday, April 19, 2023 at 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 March 15, 2023.
- 4. Public comment on non-agenda Plan Commission related items.
- Consideration of: Combined Preliminary/Final Planned Unit Development rezoning application by E&I Property Investments LLC for a residential development located on Colorado Street & N 6<sup>th</sup> Avenue – parcel #281-62-08000117.
  - a. Presentation
  - b. Public Hearing
  - c. Consideration/Recommendation (Note: The Plan Commission will not make a recommendation at this meeting, unless a motion is made and unanimously passed by the members present to act on the request at this meeting.)
- 6. Consideration of: Preliminary Revised FEMA Flood Insurance Rate Maps
- 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.

04/14/23 3:00 p.m. CS Plan Commission Members

Mayor David Ward Ald. Kirsten Reeths Ald. Helen Bacon Ald. Dennis Statz Mark Holey Jeff Norland Amy Stephens

#### CITY PLAN COMMISSION MINUTES March 15, 2023

A meeting of the City Plan Commission was called to order at 6:00 p.m. on Wednesday, February 15, 2023, by Mayor Ward in Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay.

Roll Call (#1): Members David Ward, Dennis Statz, Kirsten Reeths, Mark Holey, Jeff Norland and Amy Stephens were present. Member Helen Bacon was excused. Staff present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Stephanie Servia and Community Development Administrative Assistant Cindy Sommer.

Agenda (#2): Motion by Mr. Norland and seconded by Ms. Stephens to accept the following agenda:

- 1. Roll call.
- 2. Adoption of agenda.
- 3. Approval of minutes from February 15, 2023.
- 4. Public comment on non-agenda Plan Commission related items.
- 5. Consideration of: Conditional Use application from Jurgita and David Kana to convert single-family dwelling to two-family dwelling on property located at 114 N. 7th Avenue, parcel #281-62-25002701A.
  - a. Presentation
  - b. Public Hearing
  - c. Consideration/Recommendation
- 6. Project plan and boundaries for Tax Incremental District #8.
  - a. Presentation
  - b. Public Hearing
  - c. Consideration
- 7. Consideration of: Exception to street yard (setback) in the Central Business (C2) district for proposed Muse development located at corner of 3<sup>rd</sup> Avenue and Jefferson Street, parcel #281-10-85380604B.
- Consideration of: Initial presentation of zoning map amendment petition by Rachel Garaventa from C-1 to R-4 for parcel located at the northwest corner of Alabama Street and 18<sup>th</sup> Avenue - parcel # 281-70-33001113D.
- 9. Adjourn.

All ayes. Motion carried.

Approval of minutes from February 15, 2023 (#3): Motion by Mr. Holey and seconded by Ms. Reeths to approve the minutes from February 15, 2023. All ayes. Motion carried.

**Public Comment on non-agenda Plan Commission related items (#4):** Carl Wennerstrand of 4408 Cherry Rd, Sturgeon Bay, commented that the city's process of the acquiring a private road should be slowed down and given time for consideration, and the community should be considered as well.

Consideration of: Conditional Use application from Jurgita and David Kana to convert single-family dwelling to two-family dwelling on property located at 114 N. 7<sup>th</sup> Avenue, parcel #281-62-25002701A (#5):

**Presentation (a):** Mr. Olejniczak explained that this application involves a large dwelling on a large wooded lot with mature trees in the R-2 Single-Family Residential neighborhood. The surrounding area is all zoned R-2 with mostly single-family homes and a few duplexes. It is part of the Louisiana Street and 7<sup>th</sup> Avenue Historic District. The comprehensive plan identifies this area for continued single-family, two-family and a handful of multi-family dwellings where historic preservation is supported. The building was listed as pivotal in the 1980's when the historic district was created, however the building itself has changed significantly since then, including the addition of exterior staircases and a second story to the rear. The Kana's are planning to use the upper level as one unit and the lower level as a second unit. They initially applied for a planned unit development rezoning to facilitate a four-unit dwelling but withdrew that application in January.

Some exterior changes that have been made are windows that were moved, eliminated or resized and some doorway changes. Mr. Olejniczak noted that the property is large enough that it could be split into two parcels, which had been done in the past, but then the lots were re-combined again. The historic district designation does not preclude the changes that were made because the dwelling is not covered by the city's Historic Preservation ordinance.

Staff believes that the findings for a conditional use have been met and staff recommends approval of the conditional use application with the following conditions: 1) the lot would not be divided and only two dwelling units would be permitted; 2) there would be no short-term rentals of less than 7 consecutive days; 3) exterior lighting shall be downward directed and not shining onto other properties; 4) garbage/recycling containers shall be screened or stored inside. Additional possible conditions that the members may want to consider would be: 5) no trees shall be removed, except dead and diseased at the discretion of the city forester; 6) with the exception of bathrooms, no windows on the Kentucky Street side of the dwelling shall be changed; 7) one of the units must be owner occupied.

Jurgita and David Kana, the property owners, explained that their initial application was for rezoning to convert the dwelling into 4 units, however the work was too extensive to bring it up to code. Jurgita indicated they would like to remove a tree in the parking lot because it is buckling the asphalt and creating a hazard. They plan to continue to live in the home but would like to house another family. They do not intend to make many changes to the exterior of the building. The windows that are being removed are due to being oddly placed and close to the ceiling in the interior, and they are not functional. They have no intention of running a bed and breakfast. She further explained that a large window was replaced with a sliding door because the old window leaked and caused water damage.

**Public Hearing (b):** Mayor Ward opened the public hearing at 6:25 p.m. Julie Hein of 806 Quincy Street pointed out that this is the oldest home in the neighborhood and was a pivotal home in the creation of the historical district on the state and national registries. She stated that some of the windows have been removed without a permit. She stated that she believes this is still going to be a 4-unit multi-plex in reality because it would just be a matter of closing two doors to separate the two units into 4. She pointed out that the plans show three laundry areas, two kitchens and two wet bars. She stated that the owners have been non-compliant with the zoning code for the past two years because they have been housing many of their employees. Julie further stated that when the applicants applied for the zoning change, many of the neighbors submitted letters in opposition and she urged the members to read them if they hadn't already done so. She urged the members to deny their application and said that if this application gets approved, she is concerned about the future of the neighborhood because this will set a precedent.

D.J. Jeanquart of 130 N. 7<sup>th</sup> Avenue has lived in the neighborhood for 23 years. He indicated he lives directly across Kentucky Street in an historic district that has been recognized throughout the Midwest. He is proud to live in this district and is requesting that the applicants be denied. He stated that the duplex could easily be turned into a 4-plex by simply closing a door. He stated that at least 8 unrelated people were living in the house last year and more than 7 cars were parked in the driveway. He does not believe the tree in the parking lot should be removed to expand the driveway. He stated that people move into this neighborhood for the peace and quiet and he feels the property values will decrease if this type of housing is approved. He also requested that the members review the letters submitted by the neighbors at the time of the rezoning application.

Linda Switzer of 612 Louisiana Street moved onto the corner lot of Louisiana and 7<sup>th</sup> Avenue five years ago because she and her husband love the homes in this district. They purchased a Dutch Colonial type home that didn't fit the district and spent a great deal of money restoring the home to fit. Linda enjoyed seeing the beautiful window that has now been replaced with the patio door. She is concerned that previous violations have not been addressed in other 4-unit dwellings in the area. She stated she wants to see enforcement of the code in this area where the neighbors take such pride in their neighborhood.

Hannah Palous (sp?) of 7 S. Madison Avenue, Apartment 1, stated she is in support of this application. She stated she respects the other speakers' points of view but would like to see newer, more inclusive attitudes in this tourist-driven area. Hannah is happy the applicants want to help with housing for their employees

and questions where the workers can find housing if this is denied and if the previous speakers are willing to step up and help with housing. She stated the house was vacant for a period of time and if the neighbors felt it had such significant historical value, why wasn't it purchased by the historical society at that time. She indicated that closing the doors to make the dwelling into 4 units is just hypothetical and doesn't mean it would actually happen.

Carl Wennerstrand of 4408 Cherry Road stated that the neighbors hold no responsibility for assisting with housing and that consideration should be given for the community of people that are concerned. He indicated that the aesthetic value of this property has already been damaged but the city shouldn't support this trend. He appreciates the architecture of the city's historic buildings.

Linda Switzer stated she is offended by Hannah's implication that the neighbors are not inclusive of where tenants are from. She is concerned with too many tenants and questions how violations would be enforced.

Hannah Palous stated she did not intend to insult or upset anyone but feels that the neighbors should be more inclusive.

Julie Hein stated that the home was not vacant, the previous owner passed away and should be honored for the contributions she made to the home.

Jurgita Kana stated that there are several duplexes in the neighborhood already and proceeded to list the addresses. She stated she does have a building permit for the work that's being done. They had planned to replace the windows last year but shipment of the replacements was delayed due to the pandemic. She admitted that they had employees living with them last year but they have since purchased employee housing in Carlsville and will not be using this residence for that purpose. The tree in the driveway should be removed because it is causing damage to the asphalt.

A letter in opposition from Beth Stratka of 123 N. 7th Avenue was read into the record. The public hearing was closed at 7:09 p.m.

Consideration (c): The members discussed several issues relating to the conditional use request, including the definition and interpretation of a family and number of possible tenants: the historic value of the home and changes to the dwelling made through the years, and currently: and the existence of other 2-family dwellings in the area. A motion was made by Mayor Ward to postpone this matter until the next meeting to allow staff time to consider options for conditions. Motion seconded by Mr. Norland. All ayes, motion carried.

#### Project plan and boundaries for Tax Incremental District #8 (#6):

**Presentation (a):** Adam Ruechel of R.W. Baird discussed the proposed new TID district. This will be a mixed-use district consisting of three parcels along Jefferson Street and North 3<sup>rd</sup> and 4<sup>th</sup> Avenue. He discussed the draft plan that was presented in the agenda packet, went over the requirements of the district and explained the process. The proforma in the packet projects that the TID will recover its costs in about 14 years, at which point it could be closed early if desired. He explained that TID proceeds could be used for city improvements in the ½ mile radius area of the TID parcels.

The members discussed the statutory timelines, the purpose of the Joint Review Board and when improvements could be done in the ½ mile radius areas. Mayor Ward pointed out that TID #1 will be closing in April, which will free up substantial capacity for using tax increment financing in the city.

**Public Hearing (b):** The public hearing was opened at 7:45 p.m. Joint Review Board Chairperson Josh Van Lieshout stated that he believes this is a great opportunity to redevelop a significant corner in the city, which should energize and bring more activity to the 3<sup>rd</sup> Avenue business district. Public hearing was closed at 7:47 p.m.

**Consideration (c):** Mr. Olejniczak stated that, if the members agree with creating the TID, the next step is a resolution to the Common Council recommending that TID #8 be created. Mr. Holey motioned to approve the resolution to recommend the creation of TID #8 to council as presented. Mr. Norland seconded motion. All ayes, motion carried.

Consideration of: Exception to street yard (setback) in the Central Business (C2) district for proposed Muse development located at corner of 3<sup>rd</sup> Avenue and Jefferson Street, parcel #281-10-85380604B (#7): Ms. Servia explained that Shirley Weese Young is requesting that the proposed Muse development be permitted to have an exception to the street yard setbacks. The city's municipal code allows the Plan Commission to approve this type of exception in the Central Business (C-2) district. The request is for the building to be set back 1 foot from Jefferson Street and 5 feet from N. 3<sup>rd</sup> Avenue where the public restrooms will be located. The rest of the building will be set back 30 feet from 3<sup>rd</sup> Avenue. Reduced street yard setbacks have been common practice in other downtown commercial areas of the city. Staff recommends approval of the exception as presented. Mr. Statz motioned to approve the exception to the street yard setbacks as presented. Ms. Stephens seconded motion. All ayes, motion carried.

Ms. Weese Young states that she very much appreciates the vote of confidence for this project.

Consideration of: Initial presentation of zoning map amendment petition by Rachel Garaventa from C-1 to R-4 for parcel located at the northwest corner of Alabama Street and 18<sup>th</sup> Avenue - parcel # 281-70-33001113D (#8): Ms. Servia introduced this initial presentation of a zoning map amendment by Rachel Garaventa to amend this parcel from General Commercial (C-1) to Multiple-Family Residential (R-4) to allow Ms. Garaventa and her son, Nicholas Prechel, to construct a single-family dwelling on the parcel as well as retain the ability to add an accessory building for commercial purposes in the future. There are several other R-4 parcels along Alabama Street so it fits with the neighborhood.

Nicolas Prechel explained that he will be building this house with his mother. He plans to keep the lot as wooded as possible. The driveway would go on the north end of the parcel off of 18<sup>th</sup> Avenue near the existing electrical box. He is planning to purchase a modular home and possibly add a mother-in-law suite over the garage at a later date.

No formal action was taken. This will be scheduled for public hearing at the next meeting.

Adjourn (#9): Mr. Statz motioned to adjourn, seconded by Mr. Norland. All ayes, motion carried. The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Community Development Administrative Assistant

#### Staff Report for The Villas at Orchard Reserve

**Proposal:** E & I Property Investments LLC is looking to develop parcel #281-62-08000117 on the north side of Colorado Street and east side of N. 6<sup>th</sup> Avenue to create a senior living community which will consist of 19 two-family dwellings and one single-family dwelling. The approximately 11-acre property will also feature a club house, garage building, pickleball courts, and other amenities. E & I are petitioning to rezone their property from single-family residential (part R-1 & part R-2) to planned unit development (PUD). It is anticipated that the underlying zoning for this PUD will be R-2.

**PUD Process:** A Planned Unit Development (PUD) is a special type of overlay zoning which uses one of the general zoning districts as a baseline. The PUD ordinance can have special requirements that deviate from the underlying district in order to fit the needs of the City and the proposed development. This developer was approved by the Plan Commission to use the combined preliminary / final review process which is a faster timeline and requires a more developed project plan. Following a presentation by the developer, the public hearing is held. The Commission makes a recommendation at the next meeting. However, a recommendation can also be made at the same meeting as the public hearing if all members agree to act.

Existing Conditions: The current zoning classification is mostly Single-Family Residential (R-1) with the southernmost portion in the Single-Family Residential (R-2) zone. The rezoning is required because the R-1 district does not permit two-family dwellings (duplexes) while the R-2 district only allows them through a conditional use. In addition, the developer intends to develop the duplexes on a single overall parcel with each unit individually owned under a condominium declaration. The Zoning Code requires a PUD for development with multiple two-family dwellings on the same lot.

The property is vacant and is part open meadow and partly wooded. It is fairly flat and slopes from east to west from about elevation 638' to elevation 632'. There are no water courses or wetlands on the property.

Comprehensive Zoning: The 2040 Comprehensive Plan has this location listed as Medium Density Residential. "This future land use category designates residential areas that are predominately comprised of single-family homes at a density of up to eight units per acre. Lot sizes in these areas are typically more compact than in lower density residential. Two-family dwellings and small-scale multi-family dwellings are often intermixed into these areas". When considering that the Medium-Density Residential category is shown for nearly the entire area bordered by 3<sup>rd</sup> Ave, Alabama St, 8<sup>th</sup> Ave and lowa St, the proposed duplexes are generally consistent with that designation. The approximately 4 units per acre that are proposed are about half of the maximum density envisioned for this area. The proposal is predominately two-family homes and is well below the maximum of 8 units per acre.

**Site Plan and Design Considerations:** The following is a summary of the major site and design categories:

<u>Access:</u> The main access point proposed for the property is from Colorado Street on the south. The access drive is proposed to be private and security gates are shown on the site plan. This proposed access drive is offset from N. 6<sup>th</sup> Place across Colorado Street, which is a change from the concept plan. This offset potentially creates a traffic conflict. Shifting the driveway access to align with N. 6<sup>th</sup> Place is recommended. There already is a curb cut in Colorado St at that location.

A secondary access driveway is proposed for the garages located in the southeast corner of the site. The driveway connects to Colorado Street a short distance east of the main access drive. Consideration should be given to having the driveway to the garages connect to the internal access drive rather than to Colorado Street. This option avoids another curb cut for Colorado Street.

The subject property is bordered by the right-of-way for N 6<sup>th</sup> Ave on the west and the future right-of-way for Alabama Street on the north. These streets have not been built yet, but it is recommended that the opportunity for an additional access point be kept open in the event that future roads are built in the surrounding areas.

<u>Density:</u> Parcel #281-62-08000117 has an area of 11.232 acres or 489,266 square feet. There are 19 two-family homes and one single-family home on the lot which equates to about 12,545 square feet per unit, which is well below the maximum density for two-family and single-family homes in the R-2 district.

<u>Building Layout:</u> The dwellings are arranged along the perimeter of the site. They front on an interior private loop road. The additional amenities of the property include a clubhouse, additional garages, a pond, a dock with a gazebo, and two pickleball courts. These are shown in the interior of the loop road and are easily accessible to all units. The clubhouse would be treated as a community building under the zoning code and would require a conditional use approval if not approved as part of the PUD.

The garages are contained in a single 6,000 square foot building. The size would exceed the normal maximum of 2,000 for a building that is accessory to single-family and two-family dwellings. Because there are no other detached garages proposed for the development, it is reasonable to allow the 6,000 square foot accessory building serving 39 dwelling units.

<u>Building Design:</u> The majority of the buildings proposed are one-story two-family dwellings with two bedrooms, an office, two full bathrooms, and the potential for a sunroom or porch per unit. The intent is for the dwellings to follow two different floor plan options. The main portions of the roof have a pitch of 12:12 which provides a little more height to these single level dwellings at about 23 feet tall. The exterior will have horizontal vinyl siding with stone accent wall, and a shingle roof. Each unit will have two separate entries as well as an attached two-stall garage. The utility room will be located off of the garage in each unit.

The single-family dwelling is basically one-half of a duplex, following generally the same floor plan and building design as one of the duplex designs.

Building details and elevations for the clubhouse and garage building are included in the application. Unlike the dwellings, these buildings will require the approval of the Aesthetic Design and Site Plan Review Board.

<u>Parking:</u> Per 20.31(2)(a), there must be 2 parking spaces per dwelling unit. Each side of the duplex will have a two-stall garage and a driveway which satisfies this requirement. There also is a 14-stall parking area serving the clubhouse.

Pedestrian Access: Currently there are no sidewalks planned for this development.

<u>Traffic:</u> Vehicular traffic will enter/exit to Colorado Street. With 39 total units geared to seniors, the City Engineer is not requiring a traffic impact analysis for this project.

<u>Utilities:</u> Sewer and water mains exist in both Colorado Street and N. 6<sup>th</sup> Avenue and will need to be extended to serve all the buildings. The submitted plans show all units getting water service via an internal loop connecting to Colorado St. For sanitary sewer the western units that back up to N 6<sup>th</sup> Ave would be served by the existing main in 6<sup>th</sup> Ave and an extension thereof, the other units would be served by a main running north from Colorado Street. Sturgeon Bay Utilities (SBU) recommends that a portion of the proposed 8" water line be relocated to the right-of-way for N 6<sup>th</sup> Ave. That option is more beneficial for future development of the area and might lessen on-site construction costs. SBU also had a number of technical changes to the design.

The developer will also need to work with Sturgeon Bay Utilities for the best means of providing electric service throughout the site. All SBU lines will require a 12-foot easement and SBU is recommending the electric loop be on the inside of the development rather than around the outside.

Grading and Stormwater Management: The project involves considerable filling and grading in order for the stormwater management to work. A large storm pond and a smaller dry pond are proposed in the center of the development to detain water with ultimate discharge to the intersection of Belmar St and N 6<sup>th</sup> Ave. The western edge of the property will be raised (bermed) by about 4 feet. The City Engineer found some inconsistencies in the numbers used in the plans. However, he believes the plan appears to be moving in a good direction and there is nothing he noticed that would prevent final approval of the PUD.

<u>Recreation Facilities:</u> The development is served by a private clubhouse with various social/recreational/exercise facilities. There are two pickleball courts, a gazebo and other outdoor recreational facilities. The site is a short distance from Sunset Park.

<u>Landscaping:</u> There are currently 45 trees planned to be planted. The only landscaping that is required under the City's municipal code are street trees and parking lot landscaping. Five to six trees are required along Colorado Street and 4 are required

along the built portion of N 6<sup>th</sup> Avenue. The landscaping plan shows qualifying trees but they must be moved into the right-of-way to qualify as street trees.

Two canopy trees are required for the clubhouse parking lot. The plan shows spruce trees so two of those will need to be switched to meet the requirement. A final landscape plan will be reviewed by the Aesthetic Design and Site Plan Review board.

<u>Signage</u>: No signage plans have been provided, but it should not have any bearing on the approval of this project. The sign code allows an identification sign for the development to be erected should the developer elect to do so.

<u>Floor Area:</u> The proposed floor area for the two-family homes ranges from about 1,700 square feet to about 1,900 square feet and the proposed floor area of the single-family home is about 1,900 square feet.

**Fiscal Impact:** The project is expected to add over \$20 Million in property value. This will result in City tax revenue of over \$150,000 annually. In addition, the City will receive \$300 per unit in park and playground fees at the time building permits are issued for the dwellings. On the cost side, the City will need to provide services to the development (police, fire, garbage, etc.) and maintain the public infrastructure. The road is private so the development is responsible for plowing and maintenance of that asset. The development is also responsible for future maintenance of the stormwater pond and system. Services to this development are not expected to require additional municipal personnel or equipment. To date the developer has not requested financial assistance for this project.

**PUD Review Criteria:** The Plan Commission and Council must consider whether the development is consistent with the spirit and intent of the City's ordinance, has been prepared with competent professional guidance, and produces benefits to the city compared to conventional development. In addition, there are specific criteria listed in the zoning code.

**Recommendation:** Staff recommends to approve the PUD for E&I Investments, LLC subject to the following conditions:

- 1. Underlying zoning classification shall be R-2.
- 2. The clubhouse building and the garages are permitted under the PUD subject to approval by the Aesthetic Design and Site Plan Review Board.
- 3. The opportunity for a street connection to the future extension of N. 6<sup>th</sup> Ave shall be maintained as a secondary exit. There shall be no trees, buildings, significant slopes or other obstructions between the 6<sup>th</sup> Avenue right-of-way and the end of the private driveway in the northwest portion of the site.
- 4. The entrance road shall be shifted westerly to line up with N 7<sup>th</sup> Avenue.
- 5. The trees shown along Colorado Street and the built portion of N. 6<sup>th</sup> Ave shall be shifted into the right-of-way in order to satisfy the street tree requirement of the

- municipal code, unless alternative locations for the trees are approved by the City Forester.
- 6. Two of the trees shown by the clubhouse parking area shall be switched to canopy type trees.
- 7. Final approval of the stormwater management plan by the City Engineer and final approval of the utilities by Sturgeon Bay Utilities.

Prepared By:

Stephanie Servia

Date

Planning and Zoning Administrator

Reviewed By:

Martin Olejniczak

**Community Development Director** 

### CITY OF STURGEON BAY PLANNED UNIT DEVELOPMENT APPLICATION

STAFF USE:
Date Received:
Fee Paid:
Received By:

S35 PuP - 100 Public hearing 5/3/2

Application for: Conceptual \_\_\_ Preliminary \_\_\_ Final \_\_ Combined Preliminary/Final \_\_\_\_ Note there are different requirements for each for the above processes. A separate application is required for each.

NAME OF PROPOSED PLANNED UNIT DEVELOPMENT: \_\_\_\_\_

|                                      | APPLICANT/AGENT              | LEGAL PROPERTY OWNER (if different)      |
|--------------------------------------|------------------------------|--|
| Name                                 | Brad Trem                    | Marc Isakson                             |
| Company                              | Robert E. Les & Assoc.       | E + I INVESTMENTS                        |
| Street Address                       | 1250 Centennial Contre Blud  | 4606 Bechtel Rd                          |
| City/State/Zip                       | Hobart WI SY115              | Sturgeon Bay W1 54235                    |
| Daytime Telephone #                  |                              | 920-559-7069                             |
| Email                                |                              | midarchitect @ 6-MALICEN                 |
| TAX PARCEL NUMBER:                   | SSIFICATION: NORTH SIDE -    |  |
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## PROPOSED CONDO DEVELOPMENT FOR **E&I PROPERTY INVESTMENTS** CITY OF STURGEON BAY, DOOR COUNTY, WISCONSIN



SHT. NO.

PROJECT

LOCATION

NOTE: EXISTING UTILITIES SHOWN ON PLANS ARE APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING EXACT LOCATIONS AND ELEVATIONS OF ALL UTILITIES, WHETHER SHOWN OR NOT, FROM THE OWNERS OF THE RESPECTIVE UTILITIES. ALL UTILITY OWNERS SHALL BE NOTIFIED FOR LOCATES BY THE CONTRACTOR 72 HOURS PRIOR TO

ALL EROSION CONTROL MEASURES SHAP ALL EROSION CONTROL MEASURES SHAL BE IN PLACE PRIOR TO CONSTRUCTION AND SHALL CONFORM TO THE WISCONSII DEPARTMENT OF NATURAL RESOURCES CONSTRUCTION SITE EROSION CONTROL AND TECHNICAL STANDARDS.

#### **INDEX TO DRAWINGS**

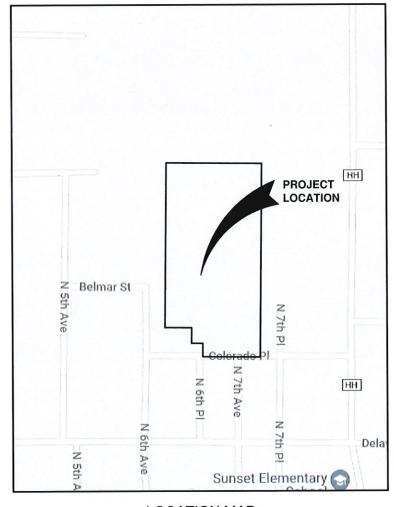
| С  | LOCATION MAPS AND INDEX TO DRAWINGS                       |
|----|---|
| 1  | EXISTING SITE CONDITIONS                                  |
| 2  | SITE PLAN   |
| 3  | UTILITY PLAN - STORM SEWER                                |
| 4  | UTILITY PLAN - SANITARY SEWER AND WATER                   |
| 5  | GRADING PLAN  |
| 6  | EROSION CONTROL PLAN                                      |
| 7  | POND PLAN   |
| 8  | MISCELLANEOUS DETAILS                                     |
| 9  | MISCELLANEOUS DETAILS                                     |
| 10 | MISCELLANEOUS DETAILS                                     |
| 11 | EROSION CONTROL - INLET PROTECTION TYPES A, B, C AND D    |
| 12 | EROSION CONTROL - INLET PROTECTION TYPE D-HR AND TYPE D-M |
| 13 | EROSION CONTROL - DITCH CHECK DETAILS                     |
| 14 | EROSION CONTROL - SHEET FLOW DETAILS                      |
| 15 | EROSION CONTROL - TRACKOUT CONTROL PRACTICES              |
| 16 | EROSION CONTROL - EROSION MAT SLOPE APPLICATION DETAILS   |
|    |   |

DESCRIPTION LOCATION MADE AND INDEX TO DRAWING

**VICINITY MAP** 

ATTENTION!

DOWNLOADED PLANS ARE NOT SCALEABLE, NEITHER THE OWNER OR THE ENGINEER SHALL BE HELD RESPONSIBLE FOR THE SCALE OR PRINT QUALITY OF DOWNLOADED PLANS. ONLY PRINTED PLANS FROM BLUE PRINT SERVICE CO., INC. SHALL BE CONSIDERED TO BE SCALEABLE PLANS.



**LOCATION MAP** 

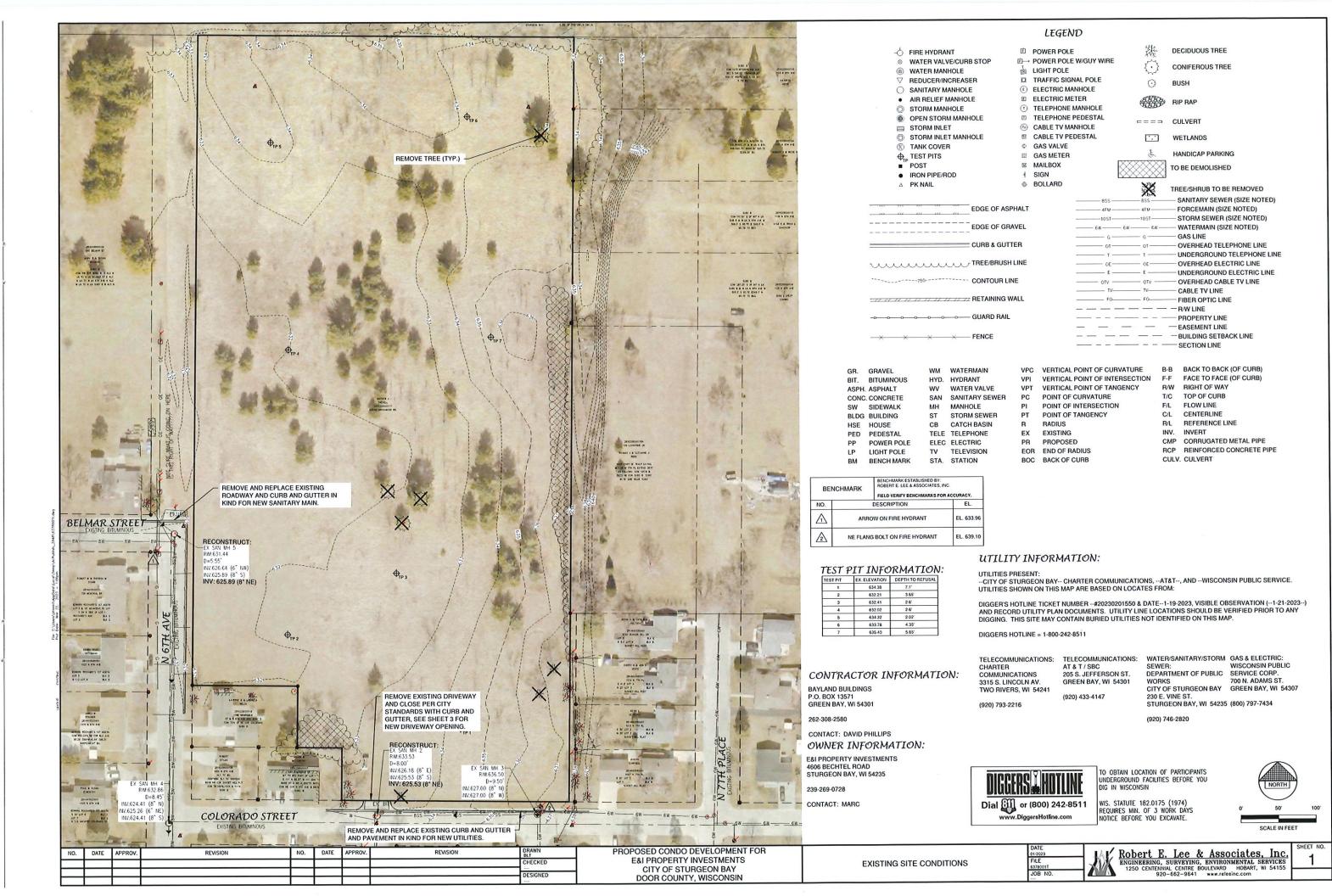
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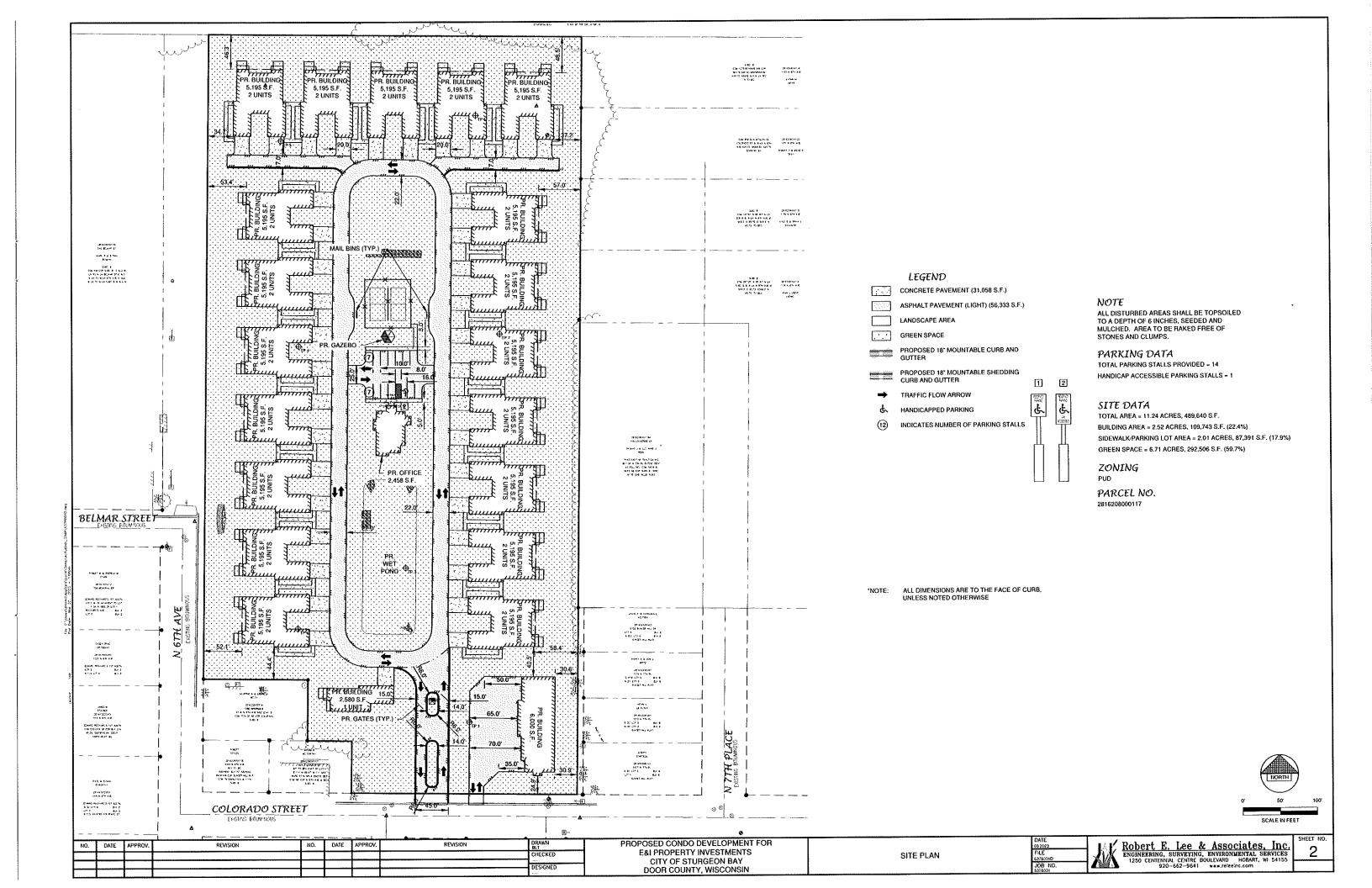
PROPOSED CONDO DEVELOPMENT FOR **E&I PROPERTY INVESTMENTS** CITY OF STURGEON BAY DOOR COUNTY, WISCONSIN

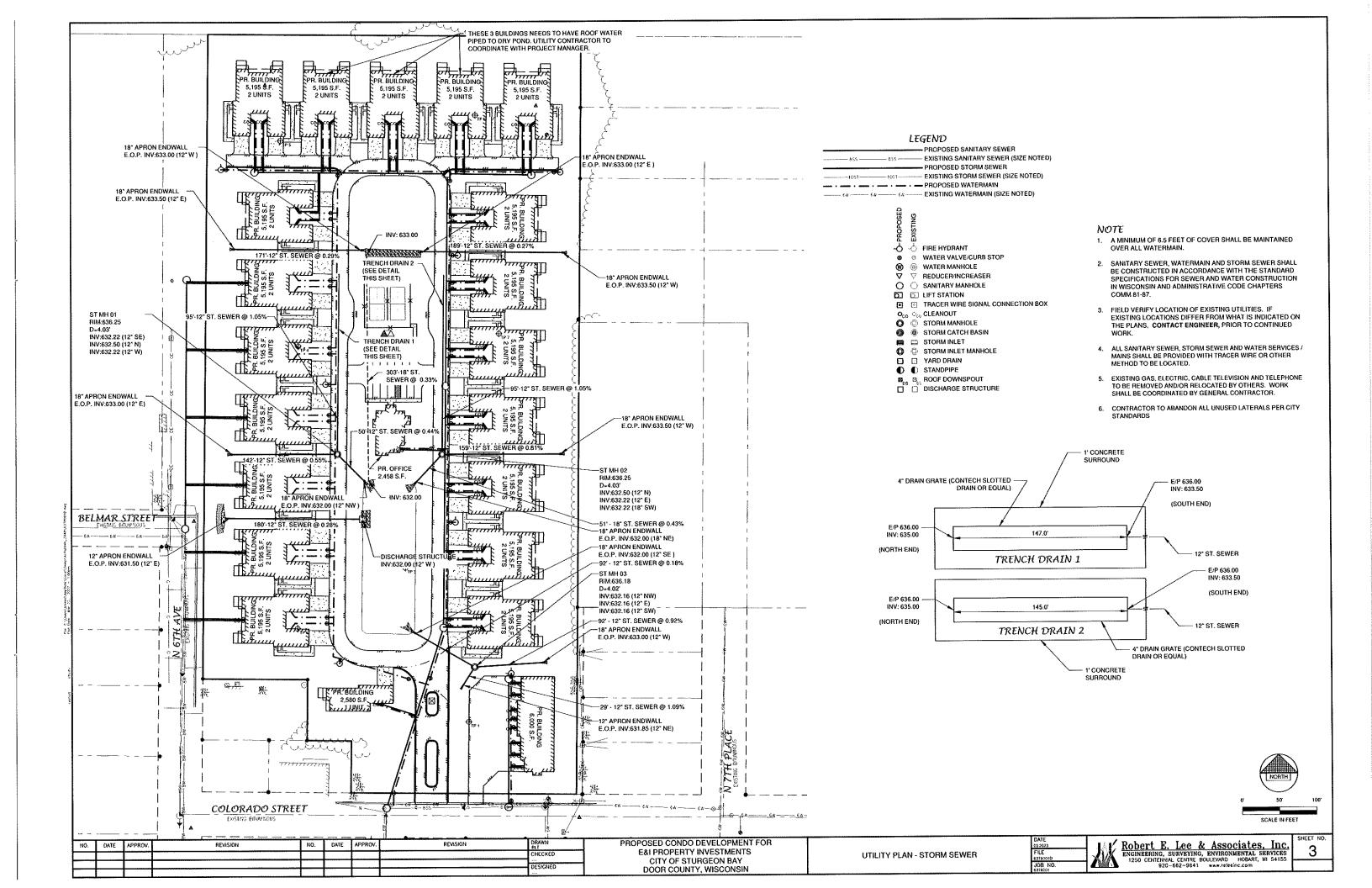
**EROSION CONTROL - EROSION MAT CHANNEL APPLICATION DETAILS** 

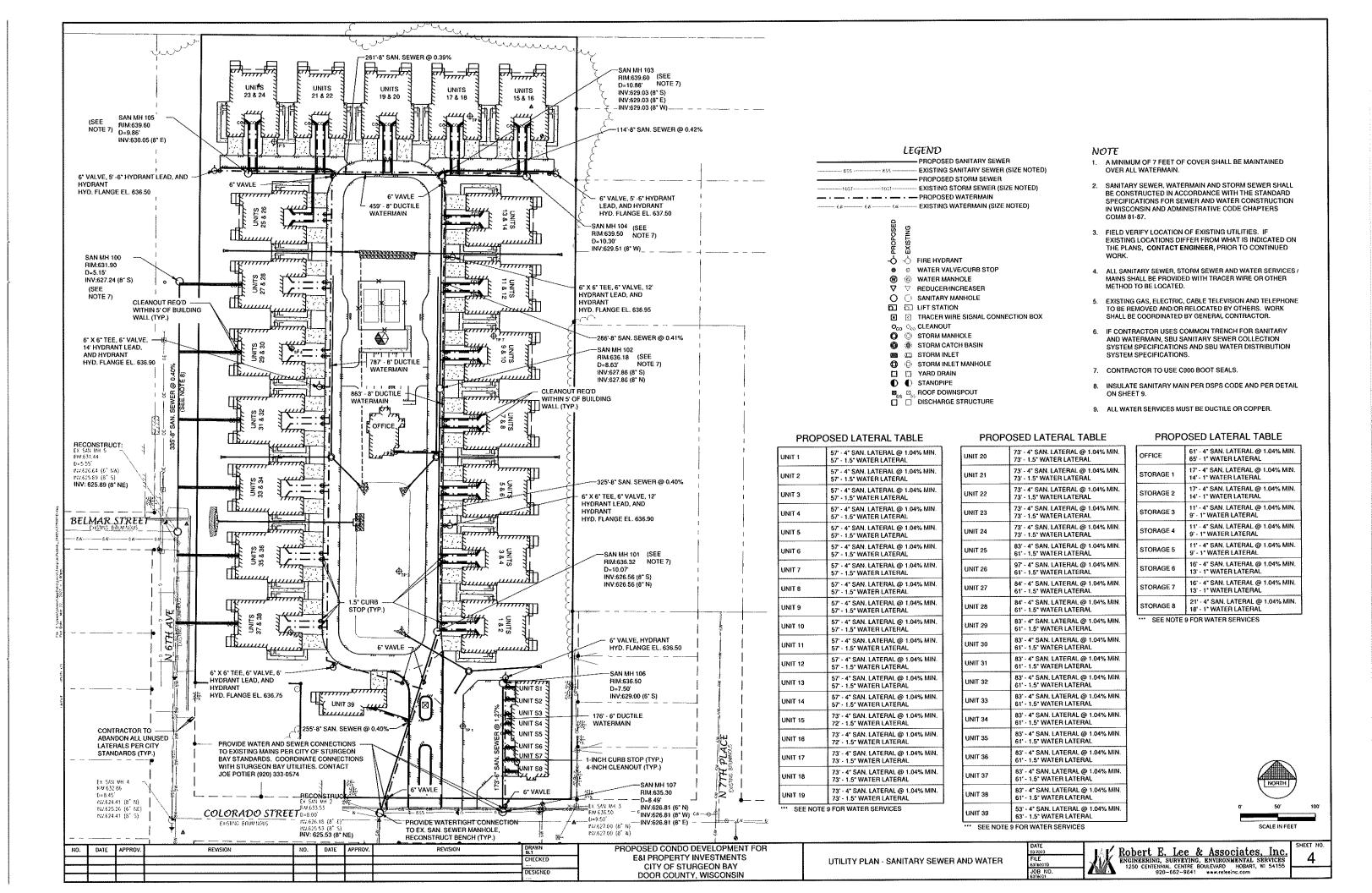
LOCATION MAPS AND INDEX TO DRAWINGS

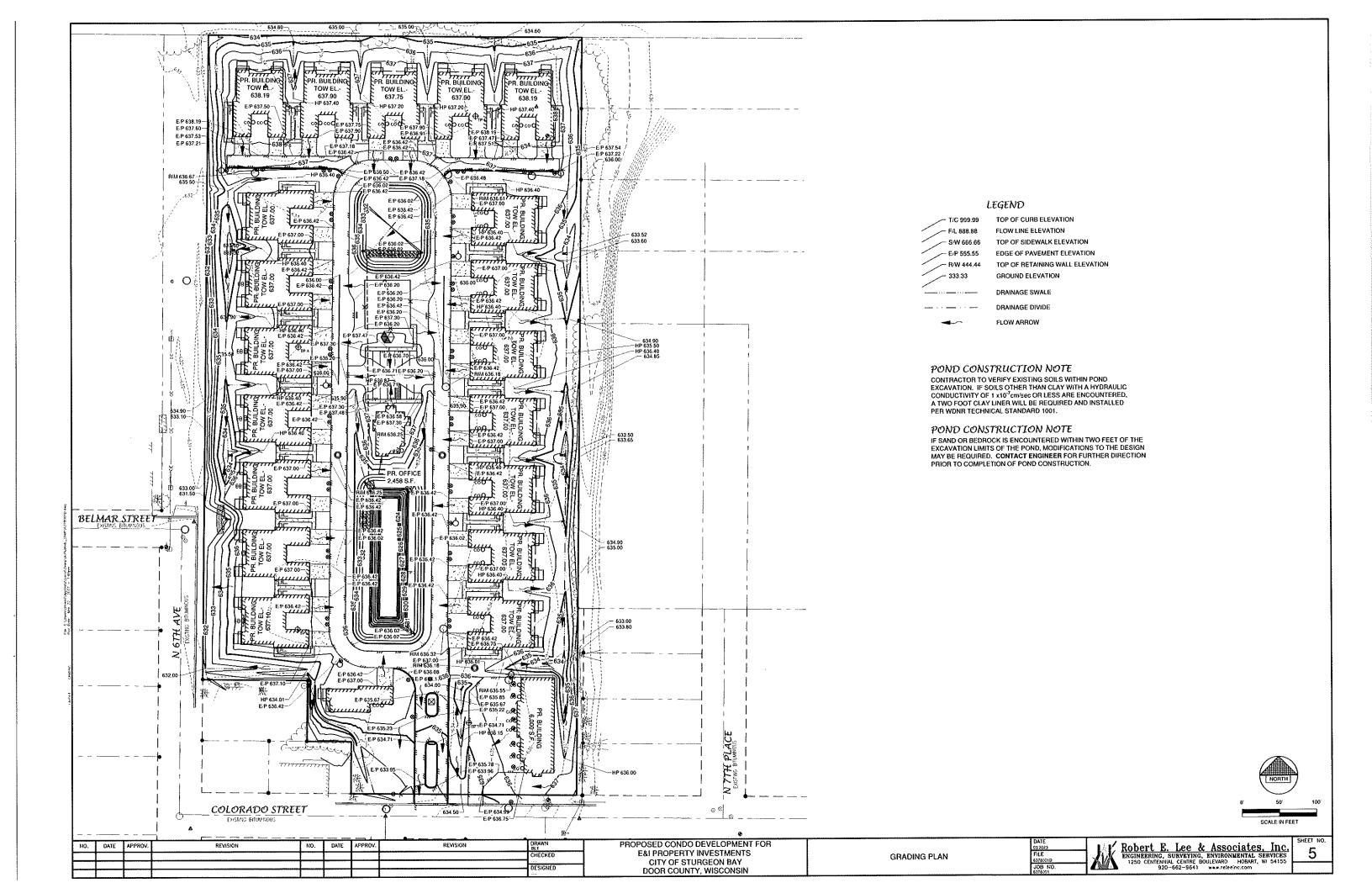
Robert E. Lee & Associates, Inc.
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
1250 CENTIENINAL CENTRE BOULEVARD HOBART, WI 54155
920-662-9641 www.releeinc.com

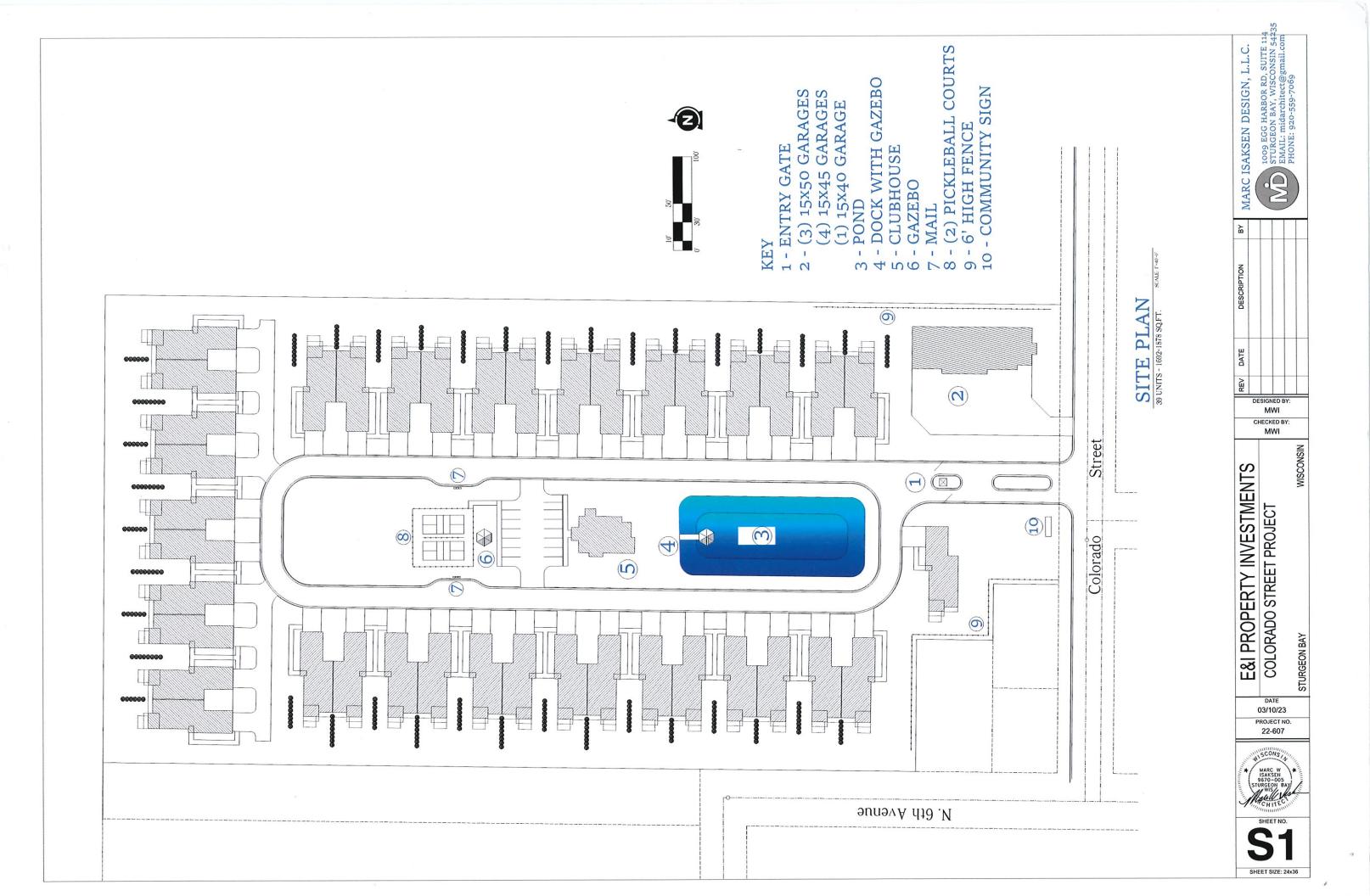


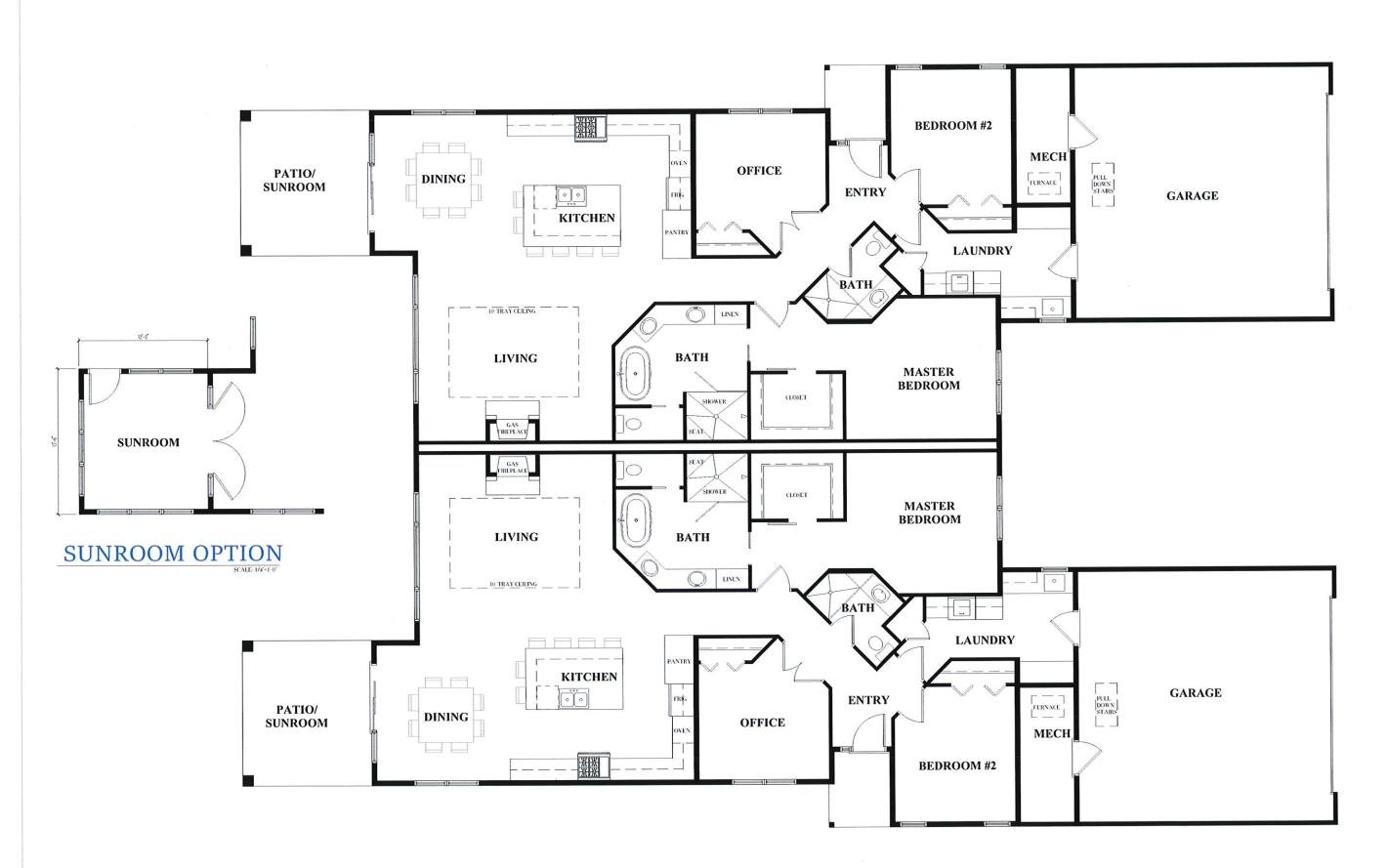












1009 EGG HARBOR RD, SUITE 114
STURGEON BAY, WISCONSIN 54235
EMALL: midarchicet@gmail.com
PHONE: 920-559-7069
FAX: 920-743-3813 MARC ISAKSEN DESIGN, L.L.C. 8 DESIGNED BY: MWI CHECKED BY: MWI STURGEON BAY, WI E&I PROPERTY INVESTMENTS DUPLEX PLAN - ALEXANDRA 03/10/23 PROJECT NO. 22-607

FLOOR PLAN - 'ALEXANDRA'

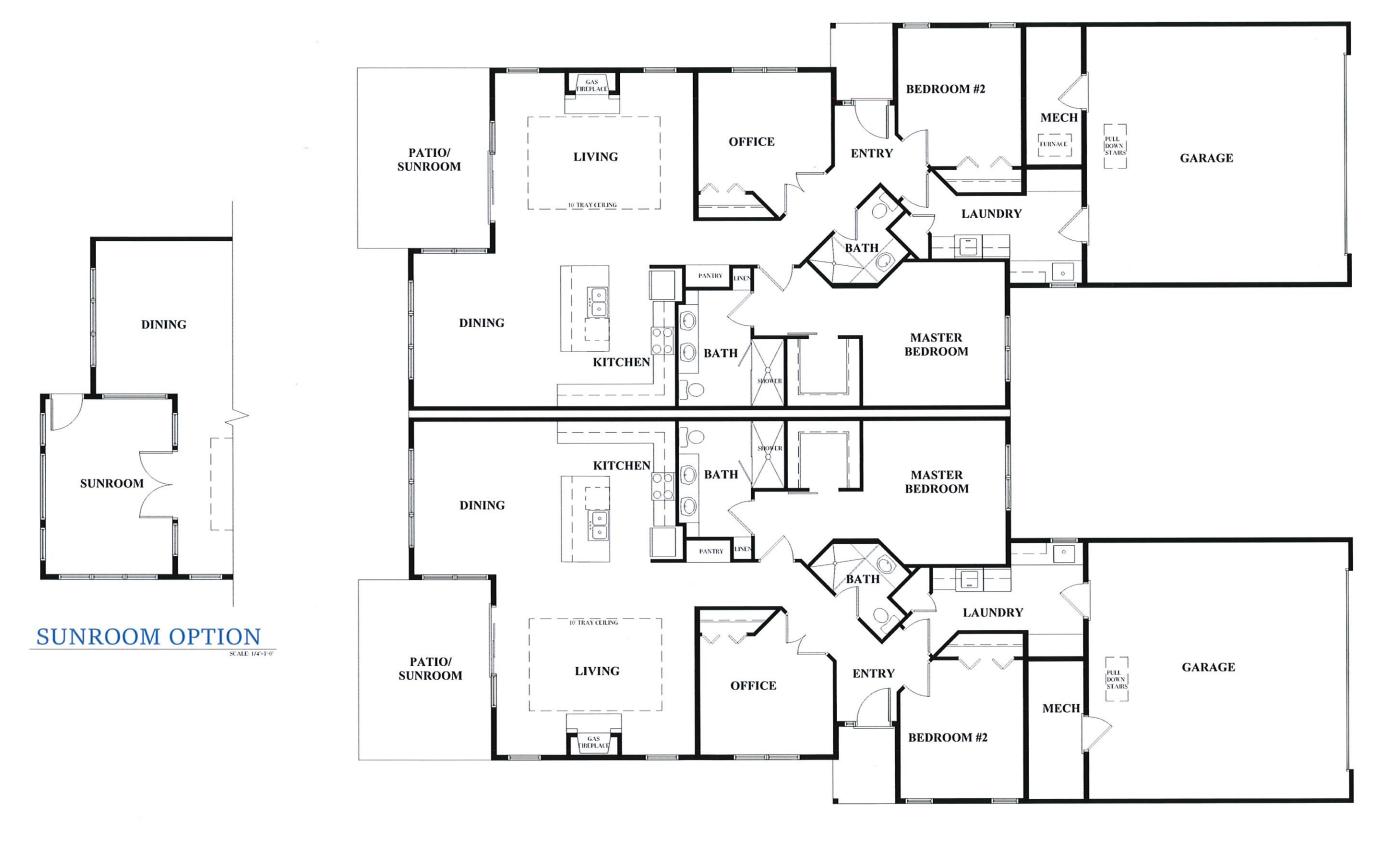


MARC ISAKSEN DESIGN, L.L.C.

E&I PROPERTY INVESTMENTS DUPLEX PLAN - ALEXANDRA

DATE 03/10/23 PROJECT NO. 22-607





FLOOR PLAN - 'MADELINE'

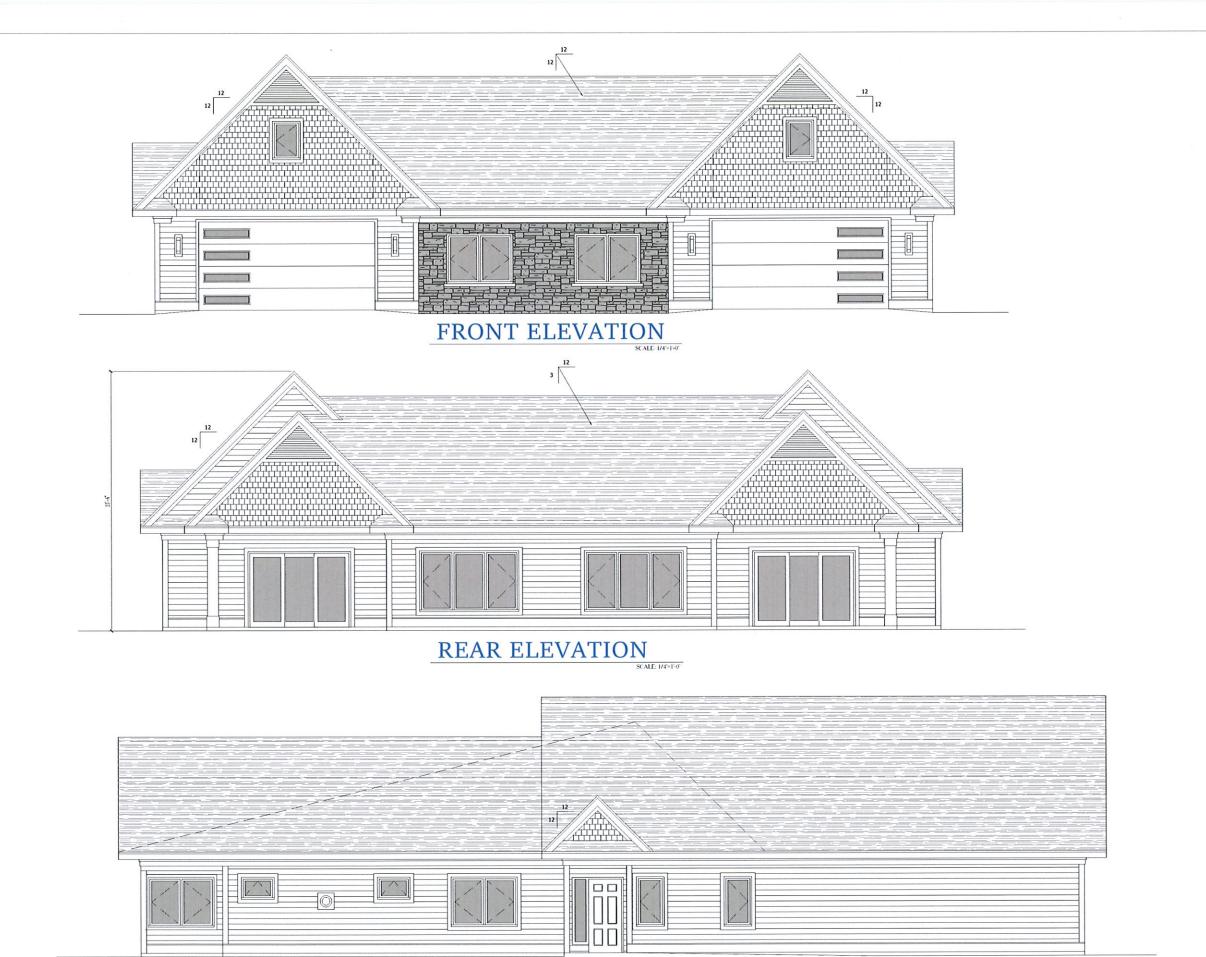
MARC ISAKSEN DESIGN, L.L.C.

N.

MWI CHECKED BY: MWI E&I PROPERTY INVESTMENTS CONSTRUCTION DRAWINGS

> DATE 03/10/23 PROJECT NO. 22-607

SHEET SIZE: 24x36



SIDE ELEVATION

MADELINE PLAN

MARC ISAKSEN DESIGN, L.L.C.

DESIGNED BY: MWI CHECKED BY:

E&I PROPERTY INVESTMENTS CONSTRUCTION DRAWINGS

DATE 03/10/23 PROJECT NO. 22-607







SUNROOM OPTION
SCALE INC-1-07

E&I PROPERTY INVESTMENTS

IMPROPERTY INVESTMENTS

IMPR

STURGEON BAY, WI

MARC ISAKSEN DESIGN, L.L.C.

1009 EGG HARBOR RD, SUITE 114
STURGEON RAY, WISCONSIN 54235
EMAIL, midarchicet@mail.com
PHONE: 920-559-7069

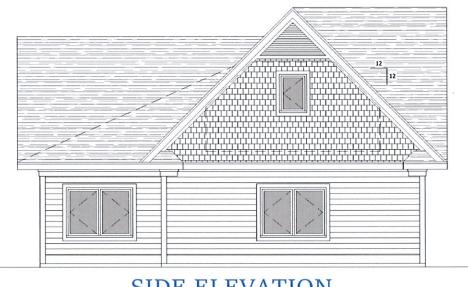
DATE 03/10/23 PROJECT NO. 22-607



A5
SHEET SIZE: 24x36



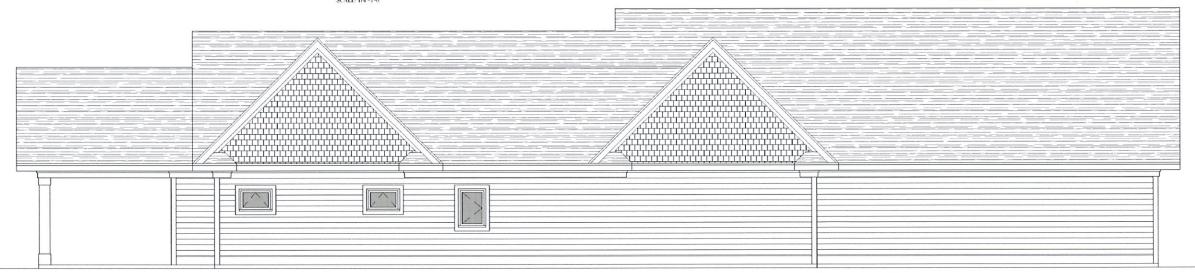
## FRONT ELEVATION SCALE LIFE-F-OF







SIDE ELEVATION



REAR ELEVATION

MARC ISAKSEN DESIGN, L.L.C.

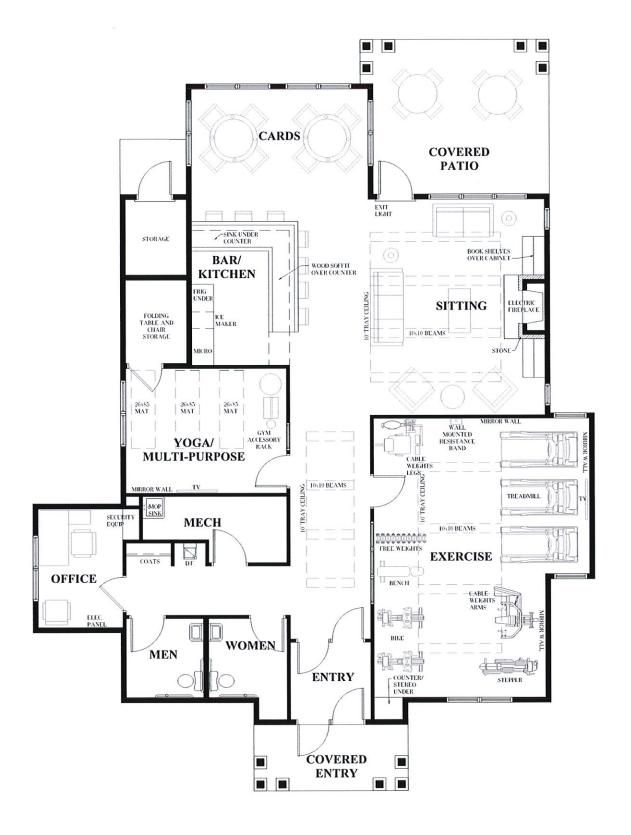
MWI CHECKED BY:

E&I PROPERTY INVESTMENTS SINGLE FAMILY PLAN - ALEXANDRA

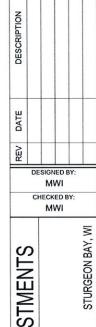
03/10/23

PROJECT NO. 22-607









MARC ISAKSEN DESIGN, L.L.C.

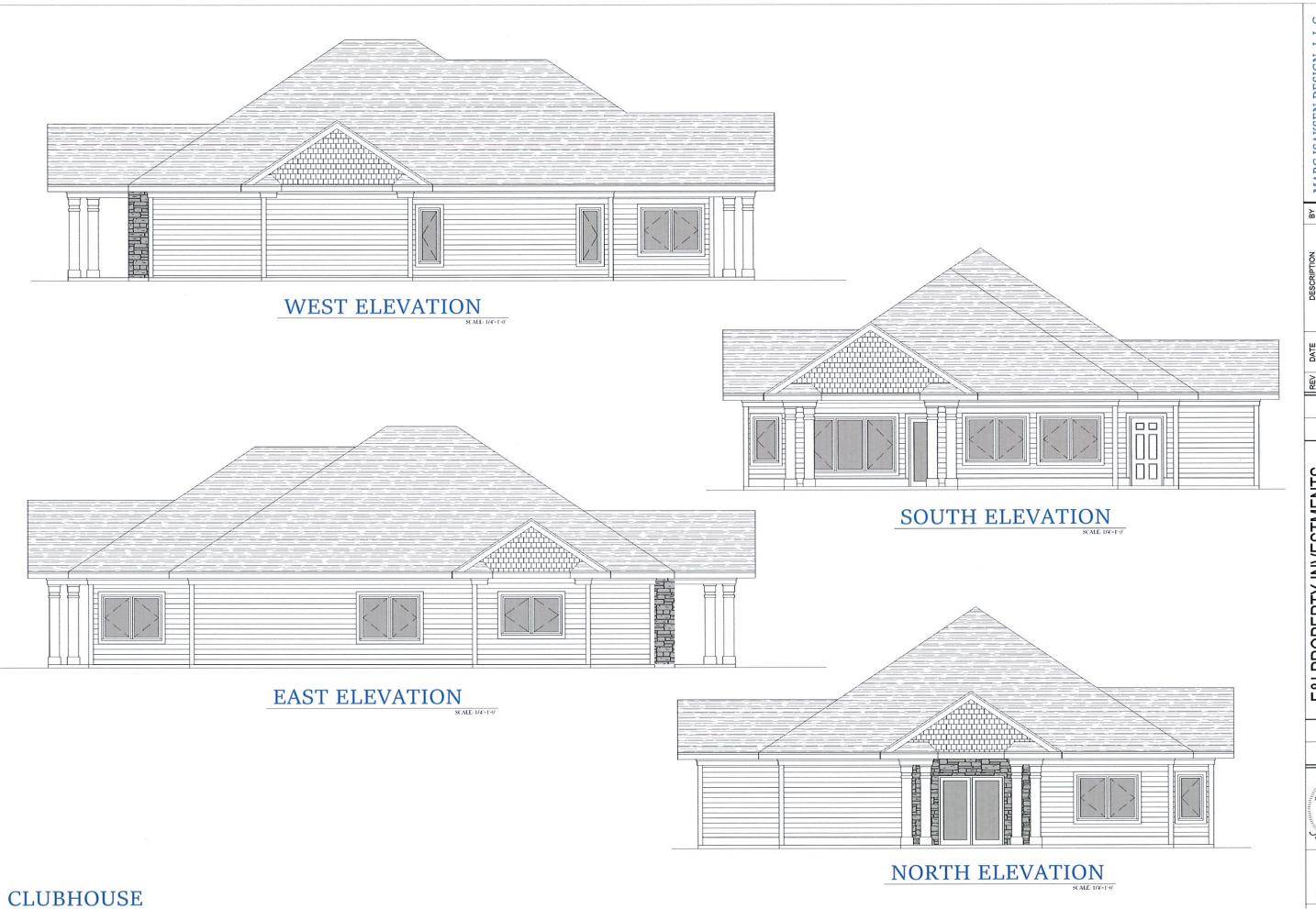
8

E&I PROPERTY INVESTMENTS
CLUBHOUSE BUILDING



PROJECT NO.





MARC ISAKSEN DESIGN, L.L.C.

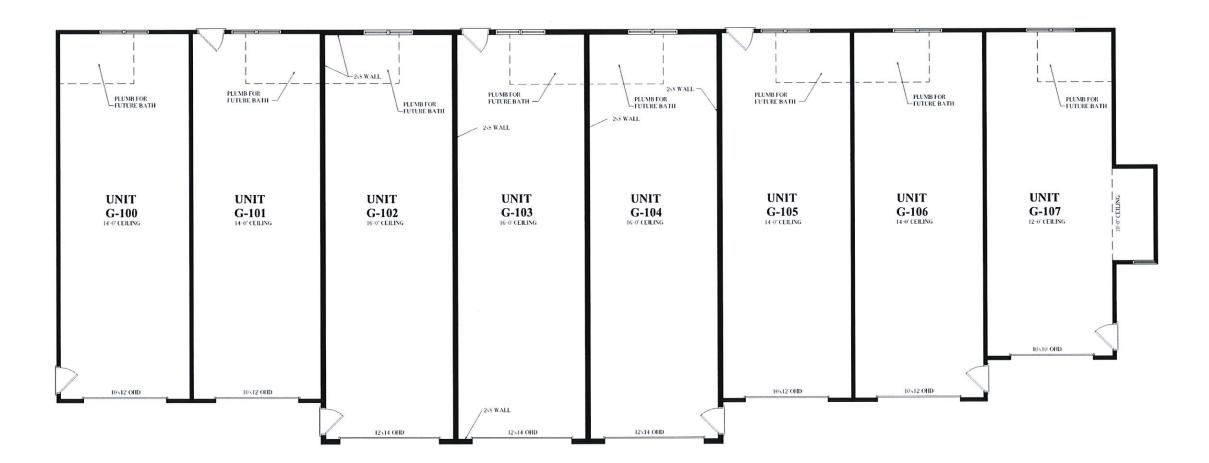
DESIGNED BY: MWI CHECKED BY:

MWI

E&I PROPERTY INVESTMENTS CLUBHOUSE BUILDING

DATE 03/10/23 PROJECT NO. 22-607





FLOOR PLAN
657 SQIT SCALE 3/16-1-9

MARC ISAKSEN DESIGN, L.L.C.

8

DESIGNED BY: MWI

CHECKED BY: MWI

STURGEON BAY, WI

E&I PROPERTY INVESTMENTS 8 UNIT GARAGE BUILDING - #100

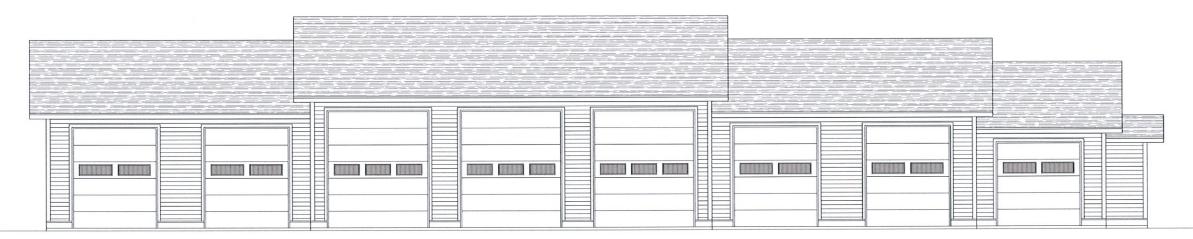
COLORADO STREET

DATE 03/10/23 PROJECT NO. 22-607

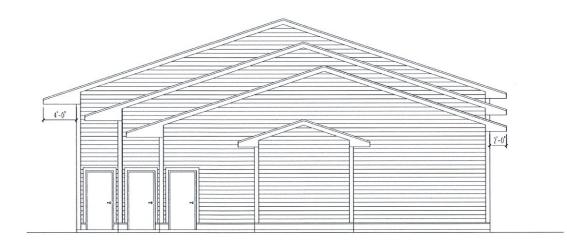




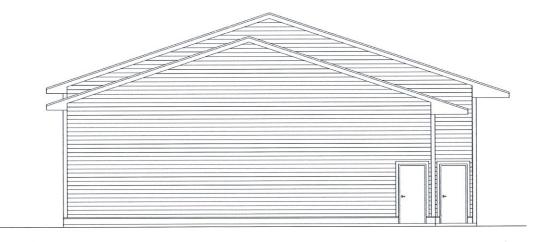
### SOUTH ELEVATION SCALE 3/16-1-0



## NORTH ELEVATION SCALE 3/16=1-0



WEST ELEVATION



EAST ELEVATION

1009 EGG HARBOR RD, SUITE 114 STURGEON BAY, WISCONSIN 54235 EMALL: midarchiect@mail.com PHONE: 920-559-7069 FAX: 920-743-3813 MARC ISAKSEN DESIGN, L.L.C.



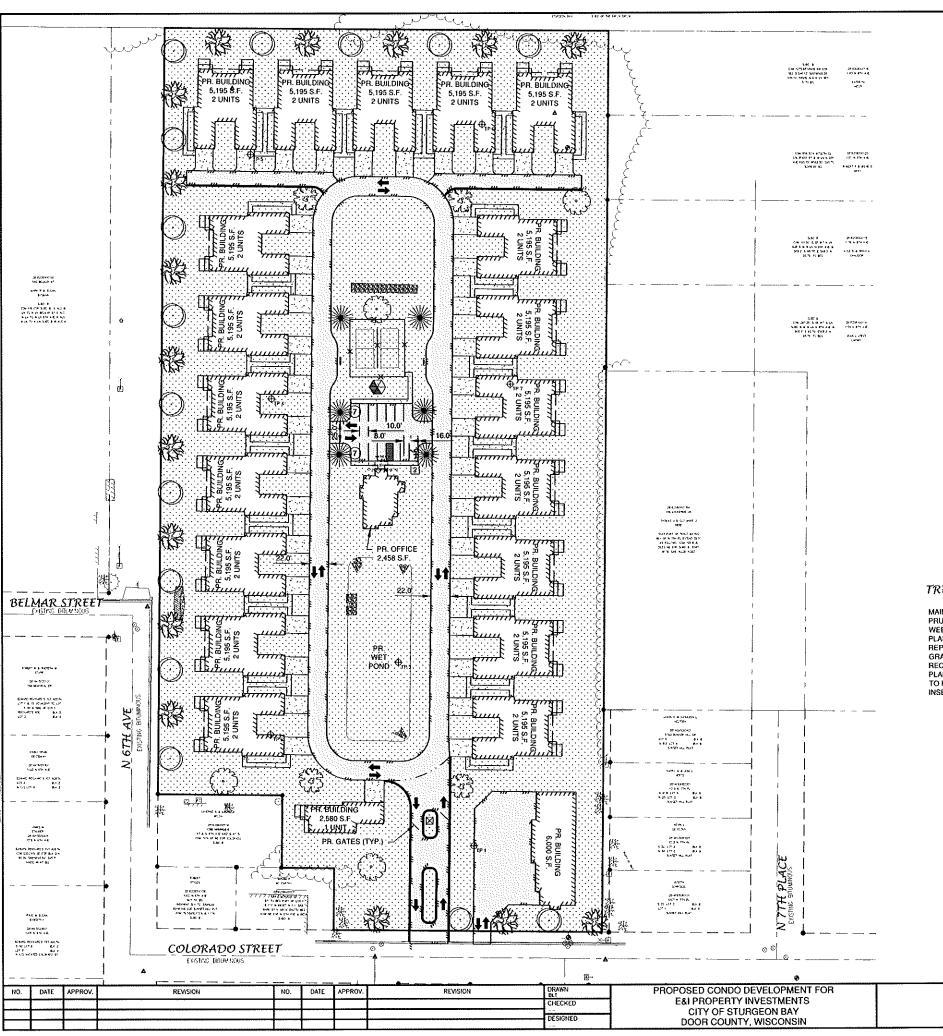
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| RE          |   |       |     |  |
|             |   | MWI   | BY: |  |
|             |   | KED E | BY: |  |
|             | 1 | IWN   |     |  |

E&I PROPERTY INVESTMENTS 8 UNIT GARAGE BUILDING - #100

DATE 03/10/23

22-607





#### LEGEND

| SYMBOL     | COMMON NAME        | LATIN NAME       | PLANT SIZE       | QUANTITY |
|------------|--------------------|------------------|------------------|----------|
| 從          | BASSWOOD           | TILIA AMERICANA  | 1 - 1/2" CALIPER | 16       |
| **         | BLACK HILLS SPRUCE | PICEA GLUACA     | 5' TALL          | 6        |
| ( )        | SILVER MAPLE       | ACER SACCHARINUM | 1 - 1/2" CALIPER | 4        |
| $\bigcirc$ | WHITE OAK          | QUERCUS ALBA     | 1 - 1/2" CALIPER | 15       |
| £3         | SERVICE BERRY      | AMELANCHIER      | 6' TALL          | 4        |
|            | <u> </u>           |                  | TOTAL            | 45       |

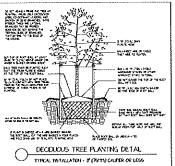
#### NOTE

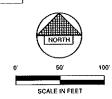
ALL DISTURBED AREAS SHALL BE TOPSOILED TO A DEPTH OF 6 INCHES, SEEDED AND MULCHED. AREA TO BE RAKED FREE OF STONES AND CLUMPS.

#### TREE / PLANTING MAINTENANCE

MAINTAIN TREES AND PLANTINGS BY PRUNING, CULTIVATING, WATERING, WEEDING, FERTILIZING, RESTORING PLANTING SAUCERS, ADJUSTING AND REPAIRING, AND RESETTING TO PROPER GRADES OR VERTICAL POSITION, AS REQUIRED TO ESTABLISH HEALTH, VIABLE PLANTINGS, SPRAY OR TREAT AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE.







Robert E. Lee & Associates, Inc.
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
1250 CENTENBAL CENTRE BOULEVARD HOBART, WI 54155
920-682-9841 www.retechnc.com

#### 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, April 19, 2023 at 6:00 p.m. or shortly thereafter, regarding a petition from E&I Investments, LLC to change the zoning classification of their property from Single-Family Residential (R-1 and R-2) to Planned Unit Development (PUD). The subject property is approximately 11 acres located on the north side of Colorado Street and east side of N. 6th Avenue (parcel #281-62-08000117). The proposed combined preliminary/final PUD would allow the construction of a residential development consisting of 19 two-family dwellings and one single-family dwelling along with a clubhouse, garage building and other amenities. The application materials are on file with the Community Development Department and can be viewed on the City's website (<a href="www.sturgeonbaywi.org">www.sturgeonbaywi.org</a>) or at City Hall weekdays between 8:00 a.m. and 4:30 p.m. The public is invited to give testimony in regard to the proposed PUD, either in person at the hearing or in writing.

By order of: City of Sturgeon Bay Plan Commission

### Мар

... from the Web Map of ...

( //www.co.door.wi.gov )

### Door County, Wisconsin

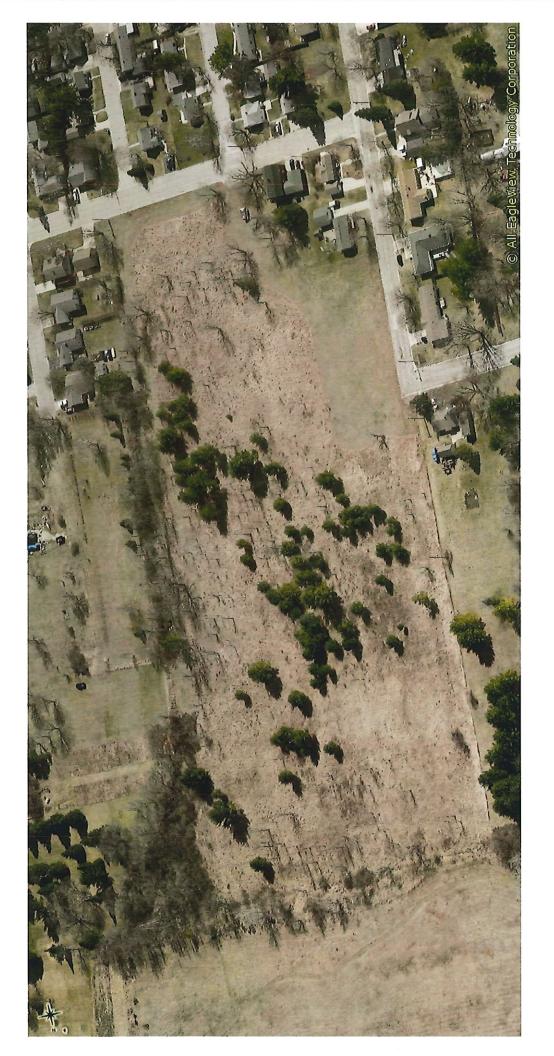
... for all seasons!

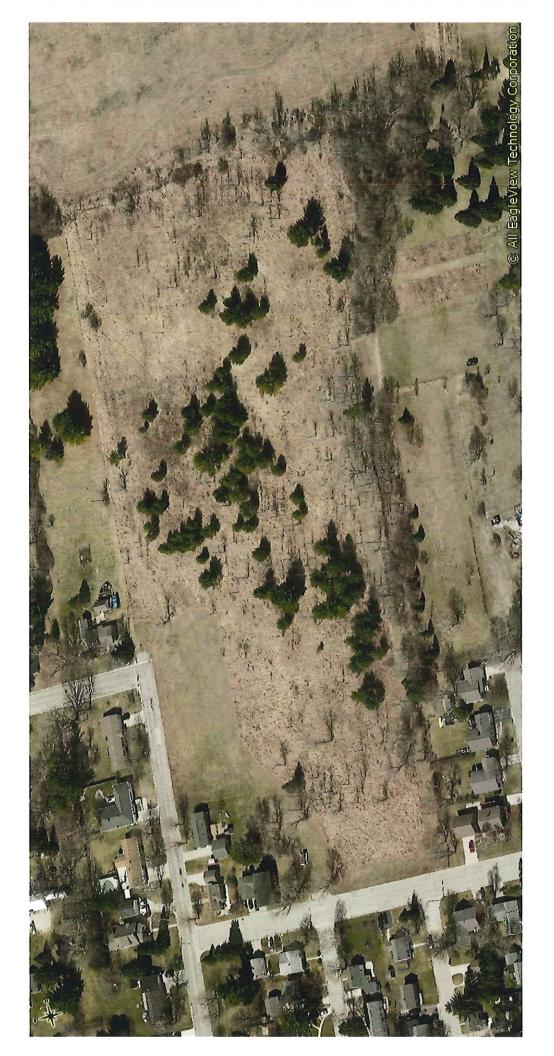
#### Printed 04/05/2023 courtesy of Door County Land Information Office





Door County can not and does not make any representation regarding the accuracy or completeness, nor the error-free nature, of information depicted on this map. This information is provided to users "as is". The user of this information assumes any and all risks associated with this information. Door County makes no warranty or representation, either express or implied, as to the accuracy, completeness, or fitness for a particular purpose of this information. The Web Map is only a compilation of information and is NOT to be considered a legally recorded map or a legal land survey to be relied upon.





#### Federal Emergency Management Agency (FEMA) Preliminary Floodplain Changes

**Background:** Periodically FEMA updates the Flood Insurance Study (FIS) and revises the Flood Insurance Rate Maps (FIRM) for Door County. These changes can have an impact on property owners in areas that flood because it may limit what can be built in certain areas of someone's property. The City received the preliminary maps from the FIS on July 29<sup>th</sup>, 2022. More recently the City received notice that the City has the opportunity to appeal any of the preliminary changes in a 90-day period starting March 24<sup>th</sup>, 2023. The reason why this is before the Plan Commission is to determine if there are any areas that the Commission wishes to appeal. According to FEMA, "the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard determinations are scientifically or technically incorrect."

In order to formally appeal any of the preliminary changes to the FIRM there must be scientific proof that there is an issue in the FEMA maps. The City does not have to appeal any of the preliminary changes. After the end of the appeal period a representative from FEMA will consolidate and review any data that is forwarded to them and make their own changes. The City must however file a decision to either appeal, or not to appeal no later than 90-days after March 24<sup>th</sup>, 2023 (Thursday June 22<sup>nd</sup>, 2023).

Attached are the preliminary map documents for the City of Sturgeon Bay for the Commission to review. Below is a link to FEMA's interactive web map to see what changes will be occurring for a particular location.

https://fema.maps.arcgis.com/apps/webappviewer/index.html?id=e7a7dc3ebd7f4ad39bb8e485bb64ce44

Eventually, if the preliminary maps are finalized, the City will need to amend its floodplain zoning code to adopt the new maps.

**Summary of Changes:** The existing FIRM for Sturgeon Bay has the same base flood elevation (BFE) for the entire shoreline, which is 585 feet above sea level. The updated FIS is more detailed and the shoreline is divided into different transects and the base flood elevation is calculated for each transect. Thus, the base flood elevation went up in the more exposed portions of the shore and down in the more sheltered areas. The following is a summary of the BFE's for the various sections of the bay. No update to the FIS or FIRM was made for floodplain along the two streams – Little Creek and Big Creek.

- The BFE increases to 587' for the northernmost portion of the east side, including much of the area north of Alabama Street and the western portion of Sunset Park.
- The BFE decreases to 584' for Bradley Lake and eastern portion of Sunset Park, along with the area around Lama Wama Lagoon.

- The BFE remains 585' for the east side from the Sunset Park boat launch to the Michigan Street Bridge.
- The BFE increases to 586' for the west side shore from the City limits (Bullhead Point) to the former railroad bridge abutment.
- The BFE decreases to 584' for both sides of the bay between the Michigan Street Bridge and the Bayview Bridge.
- The BFE decreases to 583' for both sides of the bay from the Bayview Bridge to the canal.

In addition to the base flood elevation increasing or decreasing, the changes to the BFE's will have the following impact on the geographic extent of the floodplain:

- Lands added to the floodplain:
  - Property around Otumba Park and along the bay shore heading north to City limits are added, but generally the amount of land added is slight due to the relatively steep grade of that stretch of shoreline
  - Certain parts of the western portion of Sunset Park and land north of Alabama Street
- Significant lands removed from the floodplain:
  - Portions of the east and west side downtown areas southerly of the Michigan Street Bridge
  - Properties along the north side of Alabama St (south of Lama Wama Lagoon)
  - Eastern edge of Sunset Park
  - Large portions of Bay Shipbuilding Company
  - The region around the Sturgeon Bay Yacht Club
  - Most of the properties along Vine Court (Purves Lagoon Area)
  - Utopia Circle parcels
  - The "lobe" of current floodplain between 12<sup>th</sup> Ave, Utah St, 15<sup>th</sup> Ave, and Memorial Drive
  - Area south of Clay Banks Road and Division Road intersection
  - Large portions of Leathern Smith Subdivision No.2 between Bayview Bridge and Big Creek
  - Large portions of shore property along Cove Road and Tacoma Beach Road
  - Significant portion of the large wetland area at the end of Strawberry Lane

Conclusion: Except for the exposed areas along the west side (north of Bay View Park) and the far north area along the east side, the BFE of the waterfront areas of Sturgeon Bay will either remain the same or decrease under the new flood study. The study seems reasonable given that it is more detailed with wave runup and other factors included. Staff is not aware of any contradictory scientific evidence and does not have the expertise to weigh in on this matter. If any impacted property owners have serious

objections to the new maps, the City could consider participating in its own analysis. Otherwise, the City should not appeal the preliminary maps

**Recommendation:** Decide not to appeal the revised preliminary Flood Insurance Rate Maps.

Prepared By:

Stephanie Servia

Planning and Zoning Administrator

Reviewed By:

Martiń Olejniczak⁴

Community Development Director

4/13/2023

Date

Doto



### Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO: APPEAL START

March 10, 2023

The Honorable David J. Ward Mayor, City of Sturgeon Bay City Hall 421 Michigan Street Sturgeon Bay, WI 54235 Case No: 13-05-2619S

Community: City of Sturgeon Bay,

Door County, Wisconsin

Community No.: 550111

Dear Mayor Ward:

On December 17, 2021, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Door County, Wisconsin and Incorporated Areas and revised Preliminary copies of the revised FIRM and FIS report on July 29, 2022. FEMA has posted digital copies of these revised FIRM and FIS report materials to the following Website: https://hazards.fema.gov/femaportal/prelimdownload/. The Preliminary and revised Preliminary FIRM and FIS report include proposed flood hazard information for certain locations in the City of Sturgeon Bay, Door County, Wisaconsin. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-percentannual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

We have published a notice of the proposed flood hazard determinations in the *Federal Register* and will publish a public notification concerning the appeal process (explained below) in the *Peninsula Pulse* on or about March 17, 2023, and March 24, 2023. We will also publish a separate notice of the flood hazard determinations on the "Flood Hazard Determinations on the Web" portion of the FEMA Website https://www.floodmaps.fema.gov/fhm/BFE\_Status/bfe\_main.asp. We have enclosed copies of the notice published in the *Federal Register* and the newspaper notice for your information.

These proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). However, before any new or modified flood hazard information is effective for floodplain management purposes, FEMA will provide community officials and citizens an opportunity to appeal the proposed flood hazard information presented on the Preliminary and revised Preliminary FIRM and FIS report posted to the above-referenced Website.

Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) is intended to ensure an equitable balancing of all interests involved in the setting of flood hazard determinations. The legislation provides for an explicit process of notification and appeals for your community and for private persons

prior to this office making the flood hazard determinations final. The appeal procedure is outlined below for your information.

During the 90-day appeal period following the second publication of the public notification in the above-named newspaper, any owner or lessee of real property in your community who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may appeal to you, or to an agency that you publicly designate. It is important to note, however, that the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard determinations are scientifically or technically incorrect. The appeal data must be submitted to FEMA during the 90-day appeal period. Only appeals of the proposed flood hazard determinations supported by scientific or technical data can be considered before FEMA makes its final flood hazard determination at the end of the 90-day appeal period. Note that the 90-day appeal period is statutory and cannot be extended. However, FEMA also will consider comments and inquiries regarding data other than the proposed flood hazard determinations (e.g., incorrect street names, typographical errors, omissions) that are submitted during the appeal period, and will incorporate any appropriate changes to the revised FIRM and FIS report before they become effective.

If your community cannot submit scientific or technical data before the end of the 90-day appeal period, you may nevertheless submit data at any time. If warranted, FEMA will revise the FIRM and FIS report after the effective date. This means that the revised FIRM would be issued with the flood hazard information presently indicated, and flood insurance purchase requirements would be enforced accordingly, until such time as a revision could be made.

Any interested party who wishes to appeal should present the data that tend to negate or contradict our findings to you, or to an agency that you publicly delegate, in such form as you may specify. We ask that you review and consolidate any appeal data you may receive and issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by your community in its own name or on behalf of the interested parties. Whether or not your community decides to appeal, you must send copies of individual appeals and supporting data, if any, to:

Munib Ahmad, P.E.
Regional Engineer, FEMA Region 5
536 South Clark Street, 6th Floor
Chicago, Illinois 60605
munib.ahmad@fema.dhs.gov

If we do not receive an appeal or other formal comment from your community in its own name within 90 days of the second date of public notification, we will consolidate and review on their own merits such appeal data and comments from individuals that you may forward to us, and we will make such modifications to the proposed flood hazard information presented on the revised FIRM and in the revised FIS report as may be appropriate. If your community decides to appeal in its own name, all individuals' appeal data must be consolidated into one appeal by you, because, in this event, we are required to deal only with the local government as representative of all local interests. We will send our final decision in writing to you, and we will send copies to the community floodplain administrator, each individual appellant, and the State NFIP Coordinator.

All appeal submittals will be resolved by consultation with officials of the local government involved, by an administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Use of a Scientific Resolution Panel (SRP) is also available to your community in support of the appeal resolution process when conflicting scientific or technical data are submitted during the appeal period. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. An SRP is an option after FEMA and community officials have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Please refer to the enclosed "Scientific Resolution Panels" overview for additional information on this resource available to your community.

FEMA will make the reports and other information used in making the final determination available for public inspection. Until the conflict of data is resolved and the revised FIRM becomes effective, flood insurance available within your community will continue to be available under the effective NFIP map, and no person shall be denied the right to purchase the applicable level of insurance at chargeable rates.

The decision by your community to appeal, or a copy of its decision not to appeal, should be filed with this office no later than 90 days following the second publication of the flood hazard determination notice in the above-named newspaper. Your community may find it appropriate to call further attention to the proposed flood hazard determinations and to the appeal procedure by using a press release or other public notice.

If warranted by substantive changes, during the appeal period we will send you Revised Preliminary copies of the revised FIRM and FIS report. At the end of the 90-day appeal period and following the resolution of any appeals and comments, we will send you a Letter of Final Determination, which will finalize the flood hazard information presented on the revised FIRM and FIS report and will establish an effective date.

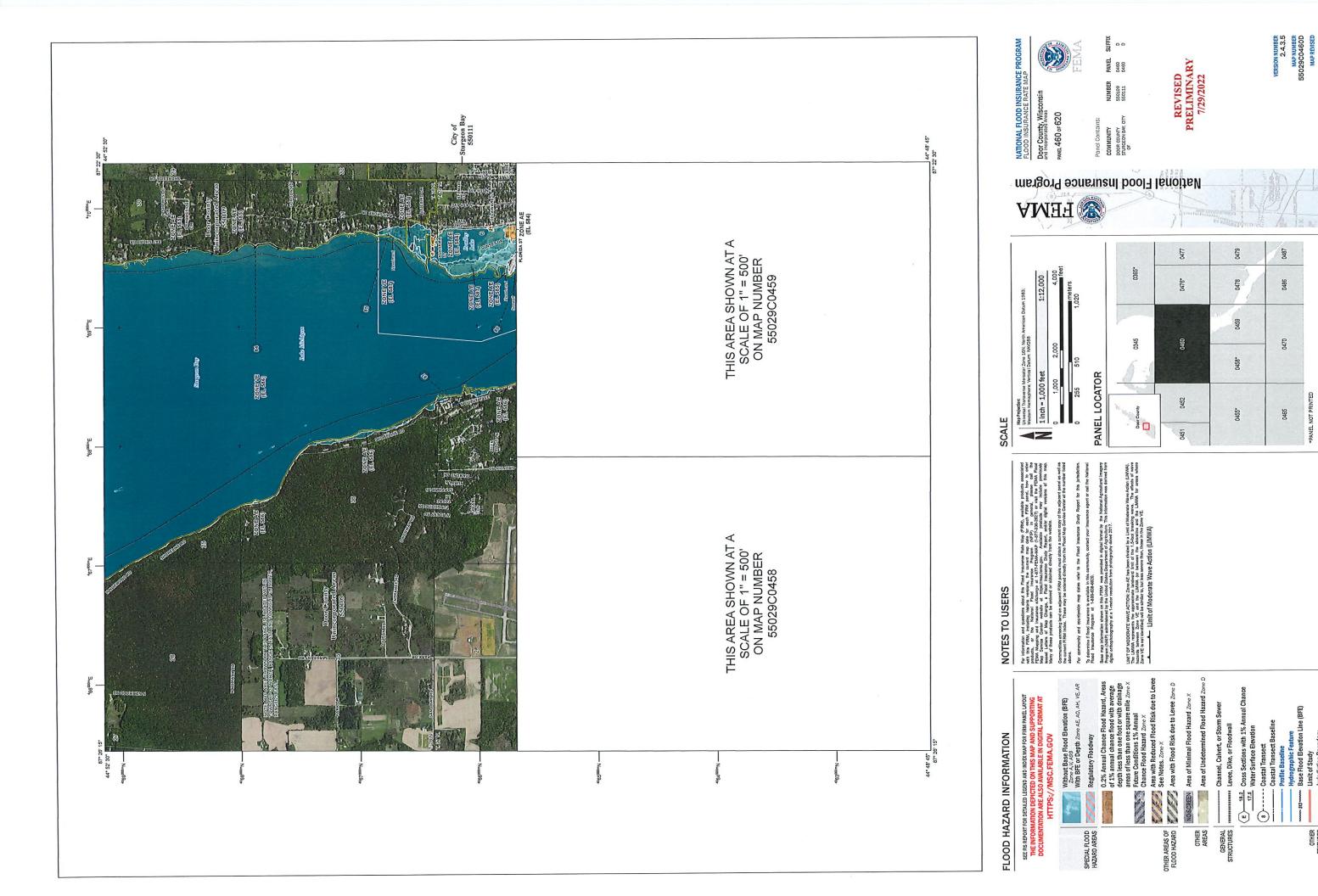
If you have any questions regarding the proposed flood hazard determinations, revised FIRM panels, or revised FIS report for your community, please call our FEMA Mapping and Insurance eXchange (FMIX), toll free, at 1-877-FEMA-MAP (1-877-336-2627) or e-mail the FMIX staff at FEMA-FMIX@fema.dhs.gov.

Sincerely,

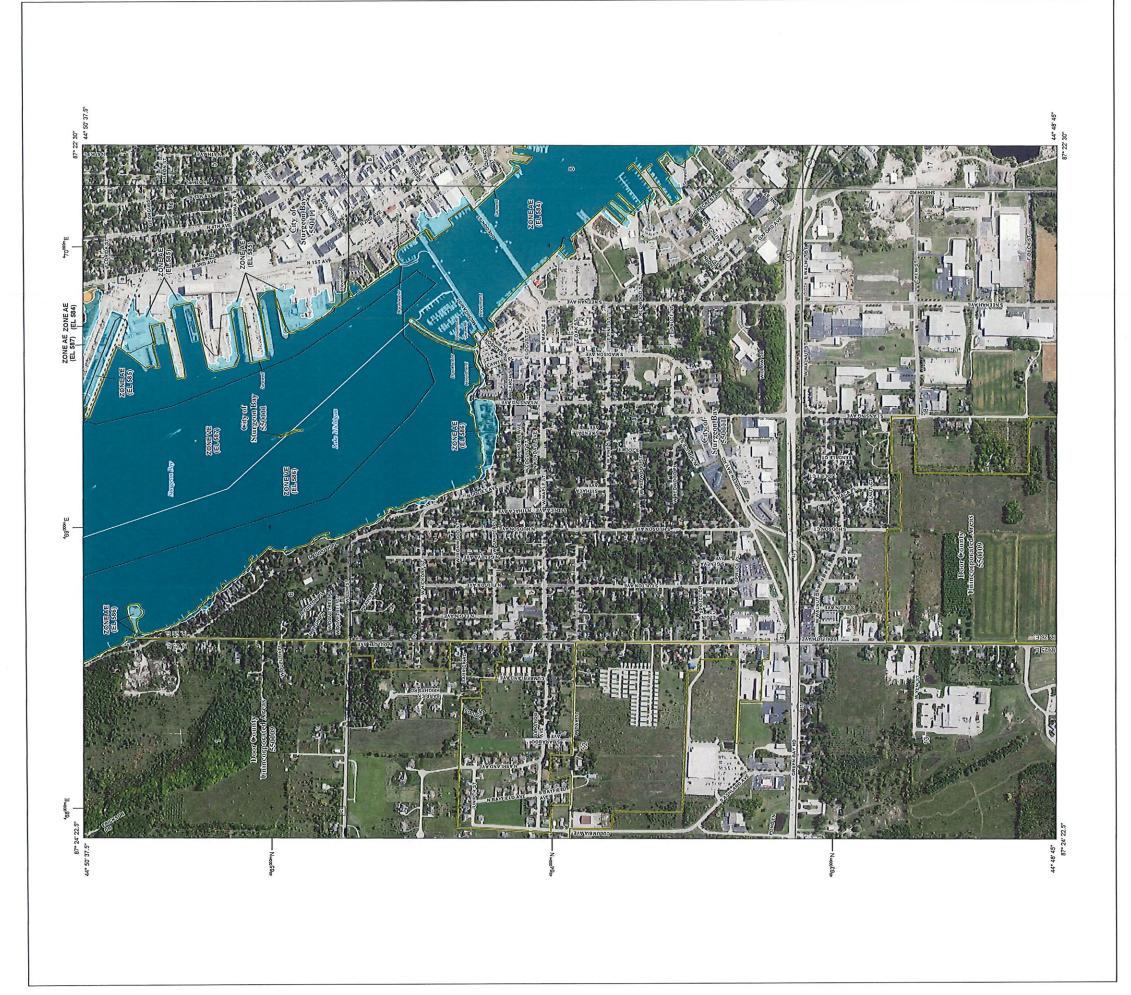
Luis V. Rodriguez, P.E., Director Engineering and Modeling Division Federal Insurance and Mitigation Administration

List of Enclosures:

Newspaper Notice Proposed Flood Hazard Determinations Federal Register Notice "Scientific Resolution Panels" Overview

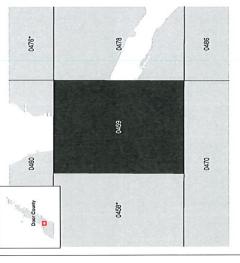


OTHER



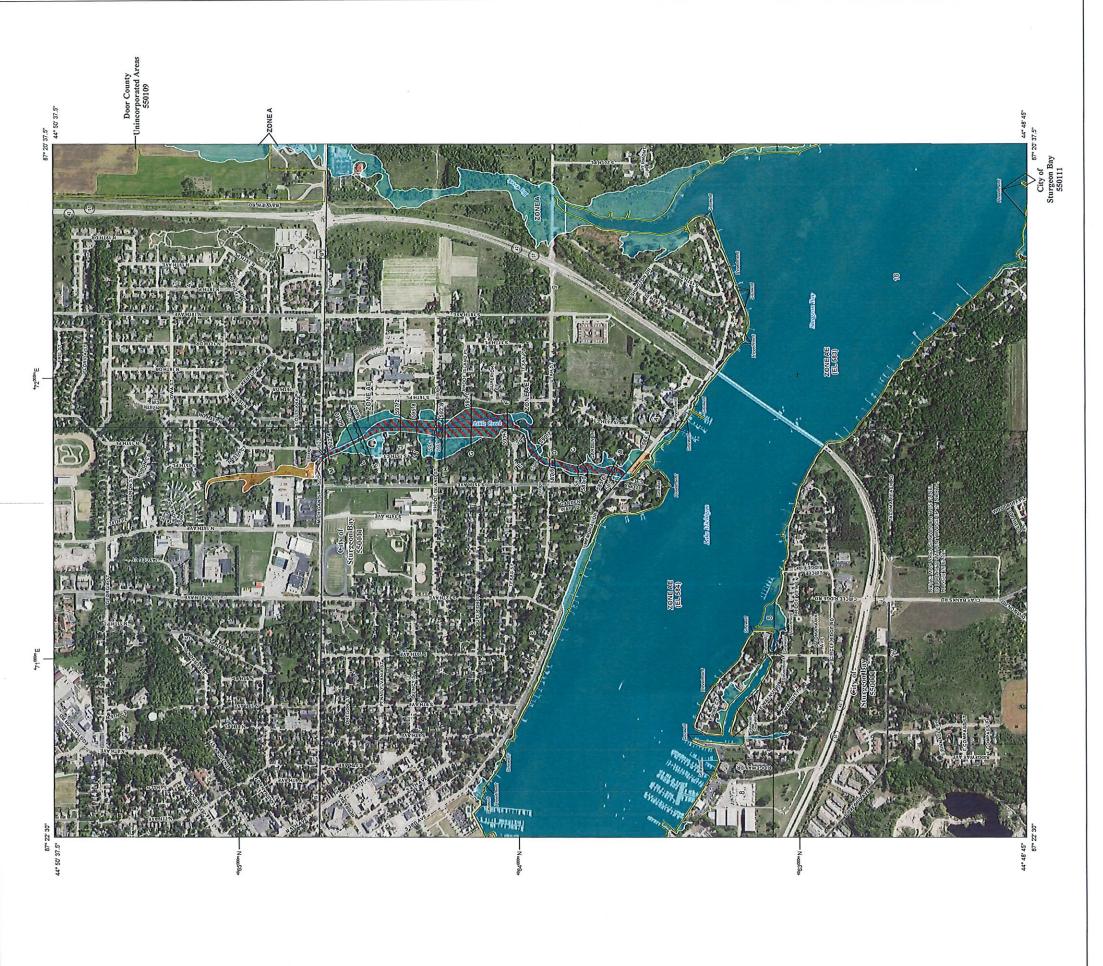
SCALE

PANEL LOCATOR



**EMA** 

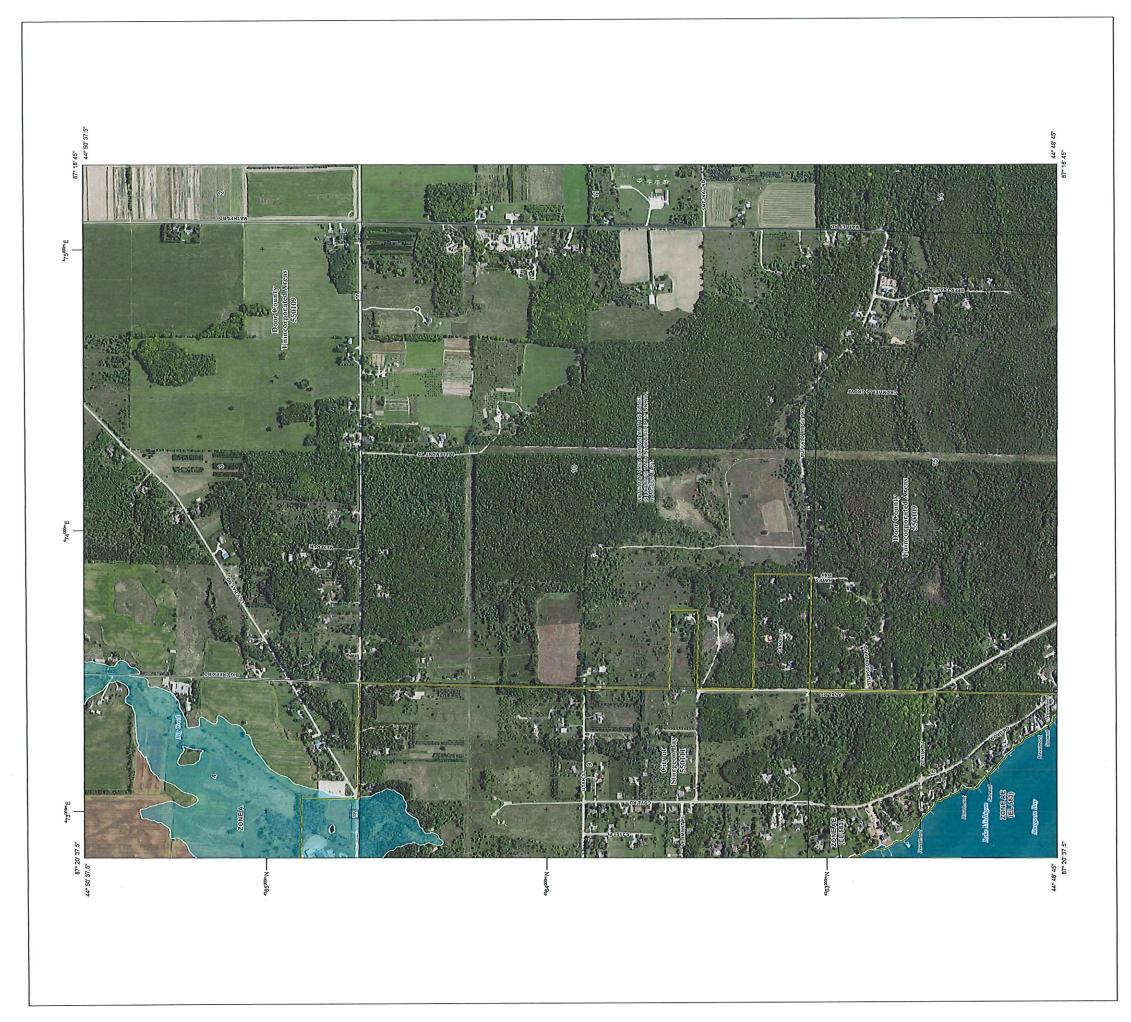
Mational Flood Insurance Program



## SCALE

**EMA** 

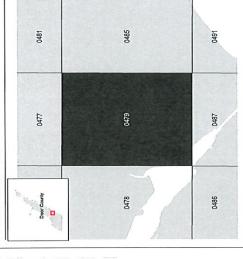
National Flood Insurance Program





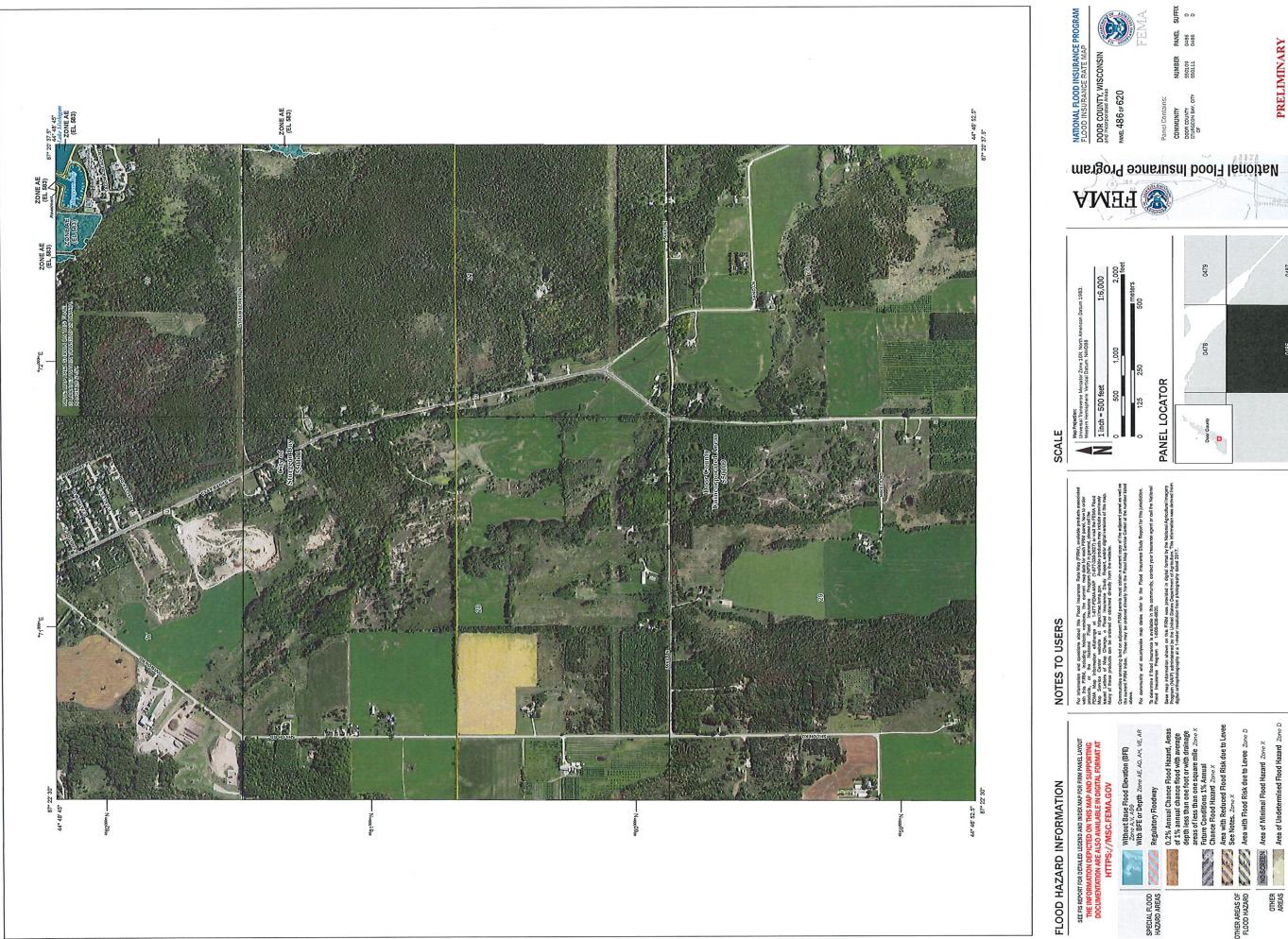
# SCALE

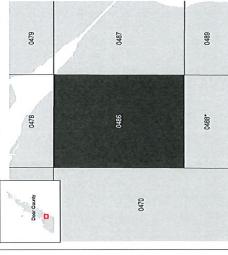
|   | 200 | 1,000 | 2,000<br>feet |
|---|-----|-------|---------------|
|   |     |       | meters        |
| _ | 125 | 250   | 200           |

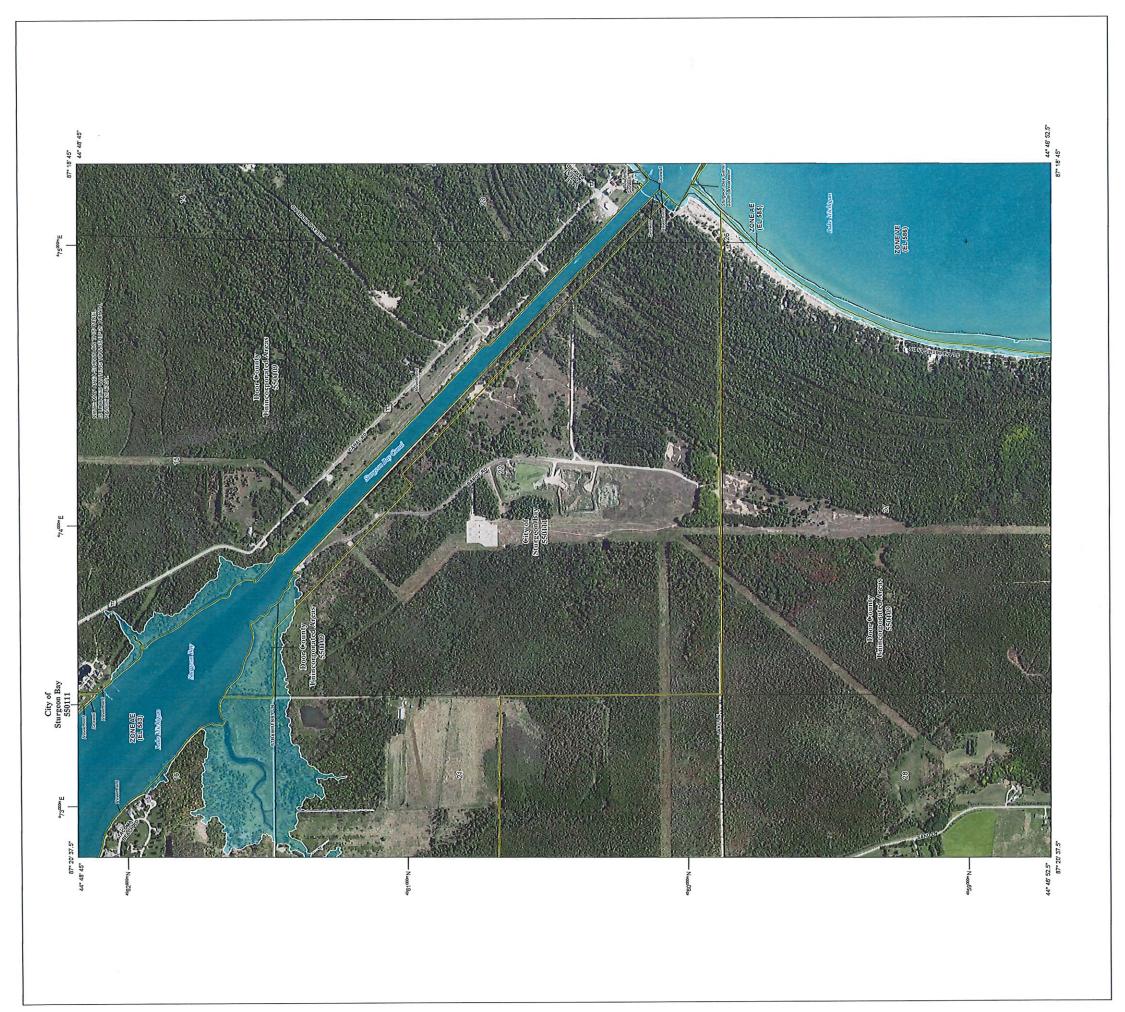


& FEMA

National Flood Insurance Program







SCALE

National Flood Insurance Program

& FEMA

PRELIMINARY 12/17/2021

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