

Minutes of Plan Commission Meeting July 21, 2015

Call to Order – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Phil Wedekind, Dennis Thurow, Roy Franzen, Pat Liston, and Jim O’Neill. Tom Kolb, and Kate Fitzwilliams were absent.

Also in attendance were Engineer Pinion, Administrator Geick, Ken Pierce, Bernie Lange, Richard Fritz, and Mark Lee.

Call to Order

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Liston to move Item A to the bottom of the agenda. Franzen seconded the motion and by voice the motion carried. It was moved by Liston, seconded by Franzen to approve the agenda with the proposed change. Motion carried unanimously.
- c. Minutes Approval: It was moved by O’Neill, seconded by Liston to approve the minutes of the June 16, 2015 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) There were no speakers.

New Business

- b. Review and approve a two-lot Certified Survey Map for Ken Pierce, Managing Member of Pierce’s Hereford Haven, LLC, for land in the City’s Extraterritorial Plat Approval Jurisdiction, located on the north side of Hatchery Road approximately ¼ mile west of Lover’s Lane, in the SW¼ of the SW¼ and the SE¼ of the SW¼, Section 33, T12N, R6E in the Town of Baraboo, Sauk County, Wisconsin – Engineer Pinion stated that Mr. Pierce is in attendance and has been to the Town Board for the approval of what he trying to accomplish. He said that Pierce has 34.77 acres south of the railroad tracks and the CSM shows two lots, one lot wraps around the other one, Lot 2 is a 2-acre parcel, which meets all the criteria in the City’s Land Division and Platting Code. He said that the Town has favorably reviewed the CSM. I was moved by Liston, seconded by Thurow to approve the CSM as presented. On roll call vote for the motion, Ayes – Thurow, Franzen, Liston, O’Neill, Wedekind Nay – 0, the motion carried unanimously.
- c. Request by Richard Fritz, managing member of 232 Water Street, LLC, to review a Conceptual Development Plan in accordance with Step 2 of the PUD Process to convert the existing commercial space on the first floor of the existing building at 232 Water Street into three residential dwelling units, (in addition to the existing four residential dwelling units on each of the 2nd and 3rd floors), located in a B-1 Central Business zoning district - Pinion said that most recently the first floor of this building was home to the Panache Academy of Beauty and the second and third floors are currently housing four independent residential units on each floor. He said when they first met the talk was to add three residential units on the first floor; however, they are now showing revised concept, showing only two units on the first floor with some common egress and then perhaps an office space. He said the reason it is before the Commission in this format is because it is zoned B-1, which doesn’t allow residential dwellings on the first floor of any dwellings unless it is located south of the river. He said that this is not permitted use or a conditional use; therefore, in order to accomplish what Fritz would like to do, if it is favorably reviewed by the Committee, he would pursue a PUD zoning designation. This would allow the City to be a little more flexible with the uses, but it also allows us to restrict it to the use, and only the use that is being proposed. Richard Fritz said that their original plan was for three units; however, they realized that two exits were required for each apartment and the only way to do this would be by adding something outside of the building, which they felt this would not be aesthetically pleasing. Fritz and Lange then gave a detailed presentation of their proposal to the Commission. What was the consensus of the Commission the Fritz move forward with his plans to expand the building from eight residential rental units to ten.
- d. Request by Richard Fritz, a prospective buyer, to review a Conceptual Development Plan in accordance with Step 2 of the PUD process to convert the existing vacant building in an R-1A zoning district to a 55-year and older multi-family independent living complex at 125 9th Street, City of Baraboo, WI – Pinion said that this is the former Elizabeth Reese Memorial Home on the corner of 9th and Ash. He said that the City has had several people approach the City at the conceptual review phase of the PUD process. Mr. Fritz has indicated that his demand exceeds his current supply for apartment units and he has looked at this facility and is prepared to restore it to a multi-family residential used. Pinion said that when the Commission reviewed the last proposal from Mike Muscanero one concern was the lack of legitimate cooking facilities in each living unit and Fritz has recognized this and expressed a willingness to install a small electric stove in each unit. He said that the facility would be eight units, the manager’s apartment would stay and other modifications would be made. Fritz said that with this neighborhood he feels that 55-years and older should be there and he is hoping that there are enough single, widows, or widowers looking for a nice one-bedroom. He said that each unit would have one bedroom, kitchen, with cooking facilities, and nice big bathroom. He said that a family of two

people in the back for watching over the property, or divide it into two apartments. He said that he plans on installing new windows, cutting some trees, and putting parking in the back to the northwest for another for cars, so there will be parking for eight to ten cars. He did say that they have to do something regarding the water problem coming off the hill and down the street. He said that he really doesn't see any problems with it, 55-year and older have a nice place to live, a garden, parking, nice neighborhood to walk, and close to downtown. He said that they will be repainting everything; re-carpet everything, the entryway to all the unit will be pushed out to make room for the stoves. Liston said that the last time this was reviewed parking was and issued and asked if this was being addressed. Pinion said that Fritz recognizes the need and has expressed the willingness to provide sufficient parking for this. Fritz then presented his parking concept to the Commission; he envisions a minimum of ten cars to be able to park in the back. Liston recommended that Fritz reach out to the neighbors for input. O'Neill agreed with Liston regarding reaching out to the neighbors. Pinion said that if they proceeds there will be a formal public hearing and homeowners within 200-feet receive a formal notification of the hearing request. Pinion said that he would share the list with Fritz and suggest that he invite them to the site and let them know the plans. Franzen expressed concern on how Fritz would keep the property up so that it would maintain the integrity of the neighborhood. Fritz said that at this time he owns half a dozen properties in the City and he has a lawn service that takes care of them. Liston said that he is satisfied that Fritz does a quality product and has no concerns. Lange felt that it would be a good idea to bring photos and talk about the approach and philosophy. It was the consensus of the Commission that Fritz moves forward with his proposed project. Pinion said that at next month's meeting it will be a combined GDP and SIP (general development plan and specific implementation plan), and if that is favorably reviewed then it moves to the Council for the formal zoning. Fritz asked if he should hold the neighborhood open house before the next meeting and it was felt that it would be better to meet with the neighbors before the next meeting.

- e. Request by Diana Lee, managing member of MarchHare Bakery, LLC to review a GDP&SIP in accordance with Steps 3 and 4 of the PUD Process to convert the existing vacant commercial building at 219 1st Street (former home to the Baraboo News Republic) into a mixed-use commercial facility that will include a bakery, collectible shop, and climate controlled storage lockers, located in a B-1 Central Business zoning district – Diana and Mark Lee then introduced themselves to the Commission. Pinion said that this is an existing building; the footprint isn't changing so this is being advanced to the GDP&SIP. Lee said that the building has been vacant for five years; they purchased it in March and wish to develop it. Lee then gave a presentation of the existing floor plan of the building. He said that they would like to develop the property into a multi-use building. He said that his wife has a bakery and their plan is to convert the existing kitchen into a commercial kitchen, and then eventually put in a small bakery shop. He then said that they would remove a wall and create a collectible shop and then have indoor secure storage locker units. He said that the basement is approximately 2900 square feet and then proposed plan is to convert it into single-tenant commercial storage areas. Liston questioned the moratorium on mini storage units in the City from 4 or 5 years ago, and asked if because this is an existing building that it would not apply. Pinion thought that is correct because the City regulates self-storage rental sheds, like the large mini-warehouses; however, this is close to a warehouse type of use, but it is really an unlisted use as an indoor storage locker. Liston said that doesn't have a problem with the use; however, he would like an opinion from Attorney Reitz that this doesn't violate the condition that there are no new mini storage units in the City. Pinion said that he would confirm that with Reitz. Liston asked with the action of the Commission was required. Pinion stated that if the Commission felt that this is a good idea then they would make a recommendation that the Council approves the PUD zoning; a public hearing would be scheduled for rezoning before the Council. It was moved by Liston that the Council approve the PUD zoning, conditioned upon confirmation by Attorney Reitz that this would not violate City Code regarding new mini storage units. Franzen seconded the motion. On roll call vote for the motion, Ayes – Franzen, Liston, O'Neill, Wedekind, and Thurow. Nay – 0, and the motion carried.
- a. Review and recommendation concerning the need to include a time restriction in the definitions for a single-family dwelling and two-family dwelling in the City of Baraboo Zoning Code – Pinion said that this is regarding an article that caught his eye regarding single-family residential dwelling being used as "vacation homes". This is food for thought for the Commission. He said that if this is something that the Commission feels warrants further consideration, they may direct Reitz and Pinion to draft an appropriate ordinance amendment for formal consideration at a future meeting. It was the consensus of the Commission that staff drafts an appropriate amendment.

Adjournment - It was moved by Liston and seconded Franzen to adjourn at 6:00 p.m. The motion carried unanimously.

Phil Wedekind,
Mayor Designee