

REGULAR MEETING OF THE BOARD OF APPEALS
CITY OF HUDSON
Monday, February 12, 2018

The Board of Appeals meeting was called to order by Chairman Neset at 5:15 p.m.

PRESENT. Breanne Berning, Nick Hallbeck, Carah Koch (arrived late), Karen Neset, and Mary Claire Potter

ABSENT. Jon Huhn

OTHERS PRESENT. Art Doyle, Alex Rome, Mallory Hildebrant, Nate Hildebrant, Dan Rorabeck, Anthony Debruzzi, Missy Germain, Brooke Fleetwood, Rebecca Erickson, Michael Ahrndt, Rob Howard, Brad Hentschel, Emily Sorenson, Mike Johnson, and others present.

Discussion and possible action on December 6, 2016 meeting minutes. Johnson requested to table the minutes of the December 6, 2016 Board of Appeals meeting until the next Board of Appeals meeting.

Public Hearing with Discussion and Possible Action on variance application from Clear View Developers, LLC, 517 Second Street, requesting variances for:

- A. Structure height pursuant to City of Hudson Municipal Code §255-18(A) and Wisconsin Administrative Code NR118.06(1)(d)1., *Maximum structure height*, to allow for the construction of an elevator shaft approximately 2 feet 3 inches higher than the 45-foot height restriction established by the NR118 requirements for the National Scenic Riverway, Appeal No. 235.
- B. Parking stall size pursuant to City of Hudson Municipal Code §255-48(D)(3), *Off-street parking requirements*, to allow for the use of a mechanical parking system with stall dimensions that are less than the nine feet wide and 20 feet in length requirement established in the City of Hudson Municipal Code, Appeal No. 236.
- C. Number of parking spaces pursuant to City of Hudson Municipal Code §255-48(H)(1)(b), *Off-street parking requirements*, to allow for the reduction of the number of parking spaces in each multifamily residential unit to less than three stalls per dwelling unit established in the City of Hudson Municipal Code, Appeal No. 237.

Chairman Neset opened the public hearing and read the public hearing notice.

Brad Hentschel, SEH, summarized the staff report.

Nate Hildebrant from Clear View Developers, LLC introduced himself, the proposed project, and requested variances.

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Rob Howard, Pope Architects, reviewed the automated parking system. He noted that the system stacks cars three levels high and that buyers would be fully aware of vehicle size requirements.

Art Doyle, 607 Second Street, raised concern about precedence, specifically regarding the number of parking stalls, that would be set by the Board for future appeals.

Dan Rorabeck, Rorabeck Real Estate Group, stated that he was involved with the 720 Lofts condominium project and that there is a lot of interest in condominium living. He also noted that downtown Hudson offers views and other amenities for potential buyers and that he has not heard any negative feedback about the project.

Roy Leek, 210 Locust Street and owner of J.R. Haubrich Fine Jewelry, commented that he is concerned about parking challenges downtown and is hopeful that the city would consider a parking structure.

Anthony Debruzzi, current owner of 517 Second Street, commented on the challenges of trying to develop the site into an event center and condominium units. A challenge he noted was finding elevator equipment that remained under the structure height requirements. Debruzzi said that the proposed redevelopment does not require the number of parking stalls that his previously approved banquet facility would have required for its large assemblies.

Tom Tomaro, Smilin' Moose Lodge Bar & Grill owner, emailed the following comment: "We fully support the building of condos above the Stone Tap Restaurant. It has always been our belief that any improvements made in this great city benefit neighbor businesses and consumers alike."

Adam Smith, LRC Management, emailed the following comment: "I manage two buildings in downtown Hudson for LRC Management. Buildings are located at 413 Second Street and 502 Second Street. The owner has asked me to object to the variance request for elevator shaft height increase of over 2 feet. He feels strongly that the code was put in place for a reason to keep things like this from happening. Hudson has an amazing downtown and we need to do everything we can to keep it this way."

Discussion was held regarding the need for the third floor of the proposed project and the calculation of structure height.

Motion by Potter, seconded by Hallbeck to close the hearing. All Ayes (5-0). Motion Carried.

Chairman Neset called a 5-minute break to allow applicant to decide if they would like to proceed with the committee voting with only four members present or to postpone.

Koch arrived (6:00 p.m.) and noted that she had missed most of the public hearing. The applicant party agreed to continue with a five-member committee vote, including Koch, following a brief review of the public hearing comments.

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Hentschel summarized the staff report and Johnson summarized the public hearing comments.

Discussion was held. Johnson suggested starting with Appeal No. 236 for action due to ease of discussion. Chairman Neset agreed.

APPEAL NO. 236 Motion by Potter, seconded by Koch to grant a parking requirement variance for stall size from nine feet wide by 20 feet in length requirement to 8'2" wide by 18'3". All Ayes (5-0). Motion Carried.

APPEAL NO. 237 Motion by Potter, seconded by Berning to grant a parking requirement variance for the number of parking stalls from three (3) parking stalls per multi-family residential unit with a total requirement of 36 parking stalls to 24 parking stalls:

- 20 contained within the lift system
- 2 exterior stalls on-site (one handicapped and one conventional)
- 2 visitor parking stalls outside of the building

All Ayes (5-0). Motion Carried.

APPEAL NO. 235 Motion by Hallbeck, seconded by Koch to grant a structure height variance from a 45-foot height restriction to 2 feet 3 inches higher than the 45-foot height requirement. All Ayes (5-0). Motion Carried.

The Board of Appeals recommends the following conditions with the approval of the three variances:

- Property owner must obtain final development plan approval from Plan Commission and Common Council.
- Property owner to obtain Building Permit and State Plan Approvals as needed prior to construction activities.
- Any omissions of any conditions not listed shall not release the property owner/developer from abiding by City Ordinances.
- All conditions run with the land and are binding upon the property owner and all heirs, successors, and assigns. The sale or transfer of all or any portion of the property does not relieve the original property owner from meeting any conditions.

COMMUNICATIONS AND ITEMS FOR FUTURE AGENDAS.

Board of Appeals Rules of Procedure Document. Johnson stated that staff will update the procedure document.

The next meeting date is February 22, 2018 at 5:00 p.m.

ADJOURNMENT. Motion by Potter, seconded by Berning to adjourn at 7:00 p.m. All ayes (5-0). Motion Carried.

Respectfully submitted,
Emily Sorenson, Community Development Clerk