

The Common Council of the City of Horicon met in Special Session with Mayor Neitzel presiding. The meeting was called to order at 7:00 p.m.

Alders Present: Hady, Marschke, Anfinson, Miller, Frami, and Fausett.
Alders Absent: None.

Mayor Neitzel opened the Public Hearing to consider an application from Horizon Development Group, Inc. for a zoning change from C-2, Highway Commercial District, to PUD, Planned Unit Development District for parcel numbers 236-1116-0631-030 and 236-1116-0631-066; addresses are 124 and 218 Barstow Street.

Mayor Neitzel announced Scott Kwiecinski of Horizon Development Group, Inc. would be providing a presentation of the proposed Project. Next Dan Johns and Scott Harrington, both of Vandewalle & Associates, would be explaining the PUD, Planned Unit Development, process. Afterwards the public will be allowed to speak with each individual receiving a maximum of 5 minutes; Mayor Neitzel added that if you agreed with a statement then you should state you agreed and keep it to 1-2 minutes.

Scott Kwiecinski provided a background of the Project history which included the Downtown Plan, TID (Tax Incremental District) #6 creation, and multiple streams of funding. Kwiecinski provided an update on funding and stated he anticipates construction to begin summer 2018 and to be complete within 1 year.

Kwiecinski reviewed the site plan for the Project, which is a 40-Unit Housing Project containing a gym and commons area. The Project will also contain a commercial business.

Kwiecinski reviewed the reasons the parcels require a zoning change which include density, setback to the Rock River, building height restriction, and parking requirements. He also provided lot size requirement/density and parking requirements comparing other Horizon Development Group projects to the proposed Project in Horicon.

Kwiecinski provided positive feedback Horizon Development Group has received from other communities with similar projects.

Mayor Neitzel read a letter from the City of Watertown Mayor complimenting The Globe, a Horizon Development Group project located in Watertown.

Kwiecinski stated this Project is affordable housing versus low income housing and explained that affordable housing receives tax credits, tenants are required to have an income to pay rent and meet certain eligibility requirements, tenants must income qualify making 30-60% of the County Median Income (CMI). Kwiecinski stated that with Dodge County's CMI eligible tenants will have an income of \$16,530 - \$41,280/year.

Dan Johns provided an explanation of a PUD District, the requirements of the applicant, and how it has worked in other communities.

Scott Harrington stated a PUD is how this Project should have been introduced from the beginning due to the multiple zoning variances it required.

Citizens in attendance at the meeting were provided an opportunity to express their views, comments, and concerns either in support of or in opposition to the change of zoning for the property.

Twelve (12) individuals spoke in opposition to the zoning change, raising the following concerns/comments: multiple violations of the zoning code, potential traffic problems, density issues, viewed as a way around the ZBA (Zoning Board of Appeals), lack of green space, desire to change the location of the Project, concern over fire safety, building safety, necessity for nicer homes, proximity to the Rock River, permanency of residents in affordable apartments, proximity to the main thoroughfare, desire for something to attract tourists, workforce/affordable – you can make too much to live there, tax dollars/Developer Agreement, waterfront property should be sold for a higher value to increase tax base, who will qualify to live here, wages of current factory workers, values of other property in the City, questioned if anything has been done to address ZBA's concerns, Council reports to the taxpayers, Horicon Bank currently owns the property, need to fix streets, change in Council, fairness to other businesses in the community, and lack of public interest.

Four (4) individuals spoke in favor of the zoning change, voicing the following comments: John Deere is currently busing employees to work from other communities, entry level professionals are looking for affordable living, commercial entity finds the Project attractive and believes it is the only way Horicon could support their business, Watertown's Project was originally met with negativity but is now embraced by the community, and this Project was started 18 months ago and will help revitalize the Downtown and bring a business.

One (1) individual asked questions and stated they did not want low income housing and it was a traffic concern.

Discussion was then opened to the Common Council.

Fausett spoke in favor of the zoning change stating the City needs to continue moving forward i.e. passing of the school referendum, Blue Zones initiative, Bowling Green Park Improvements, bicycle trail. Fausett stated Horizon Development Group has been open with their plans from the beginning, acknowledging the setback from the river and the density. He added that he did not feel traffic and fire to be large concerns. Fausett stated he will be voting yes for the zoning change.

Miller stated he has been against the Project from the start and he will be voting no.

Kwiecinski addressed concerns raised by the public including:

- Horizon Development Group will be receiving back taxes paid to the City, not receiving a \$500,000 cash incentive.
- A 24-unit building and a 2-story building are not feasible.
- This is not senior housing, there is no age restriction so both the working public and seniors can live there.
- No other location will work as the funding in place is site specific and has been worked on for the last 2 years.
- An onsite management company will handle and maintain the property, it currently manages 2600 properties.

Kwiecinski stated Horizon Development Group was sought for this Project so if another opportunity for this site existed they would not have been approached. He added that this would be a step backwards for the City to not advance this Project.

Scott Harrington thanked the public for attending and voicing their concerns. Harrington stated other City groups and committees have reviewed this property and the Project citing the Comprehensive Plan, Downtown Plan, and TID #6.

Mayor Neitzel addressed concerns raised by the public including:

- A 24-unit building will not work.
- The vacant land by Van Brunt may not work as it has its own problems.
- Fire trucks cannot access the rear of most buildings.
- The City has worked endlessly to build single-family homes, difficult to attract a developer.
- Cities are pushing for river walks with no concerns over children falling in the water.
- TID #6 was created based on this Project.
- Each project is reviewed on its own merit for potential development agreements.
- Issues with the school's referendum.

Aldersperson Anfinson left at 9:05 p.m.

Mayor Neitzel stated other property concerns probably negatively affect home values more than this Project will. Neitzel added that he has worked on this for this past 18 months and that is why we are here tonight. Neitzel stated a PUD is in the zoning ordinances and has as much weight as the ZBA.

All interested individuals and/or their representatives were provided an opportunity to be heard.

Motion by Fausett, second by Hady, to close the Public Hearing to consider an application from Horizon Development Group, Inc. for a zoning change from C-2, Highway Commercial District,

to PUD, Planned Unit Development District for parcel numbers 236-1116-0631-030 and 236-1116-0631-066; addresses are 124 and 218 Barstow Street.
All voting AYE. Motion carried.

Motion by Miller, second by Frami, to postpone Agenda Item #4, Act on Ordinance 2018-09, An Ordinance to Rezone Tax Parcels 236-1116-0631-030 and 236-1116-0631-066 from C-2, Highway Commercial to PUD, Planned Unit Development District.

Fausett disagreed with postponing the vote as the County, School, and Plan Commission has already voted for this Project. Fausett added that this Council has voted on this Project 4 times already.

Mayor Neitzel stated this is the governing body that has the knowledge of the Project and should vote on it. Neitzel added he though postponing the vote was looking for different outcome.

Frami questioned if a quorum was present due to Anfinson leaving.

City Attorney Douglas Plier stated Alderperson Anfinson had advised him he would be leaving and inquired if he could vote via telephone. Plier stated that since Anfinson had missed approximately the last 10 minutes of the meeting he should not vote as he was not present during the duration of the discussion.

Vote on above motion.

Voting AYE: Miller and Frami.

Voting NAY: Fausett, Hady, and Marschke.

Motion failed.

The following ordinance was introduced by Alderperson Fausett: ORDINANCE 2018-09, AN ORDINANCE TO REZONE TAX PARCELS 236-1116-0631-030 AND 236-1116-0631-066 FROM C-2, HIGHWAY COMMERCIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT.

(Copy of Ordinance on pages 21A – 21C)

Motion by Fausett, second by Marschke, to adopt Ordinance 2018-09 and the GDP (General Development Plan) and the SIP (Specific Improvement Plan) for the Rock River Place Project, Horizon Development Group, Inc.

Voting AYE: Fausett and Marschke.

Voting NAY: Hady, Miller, and Frami.

Motion failed.

No action was taken on Agenda Item #5, Act on Developer Agreement between the City of Horicon and Horizon Development Group, LLC.

ORDINANCE 2018-09

AN ORDINANCE TO REZONE TAX PARCELS 236-1116-0631-030 AND 236-1116-0631-066 FROM C-2, HIGHWAY COMMERCIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT

THE COMMON COUNCIL OF THE CITY OF HORICON DOES ORDAIN AS FOLLOWS:

WHEREAS, Horizon Development Group, Inc. has submitted a petition for rezoning to the City of Horicon; and

WHEREAS, the City of Horicon Plan Commission has met upon proper notice, and made a recommendation in favor of the requested rezone to the Common Council of the City of Horicon; and

WHEREAS, on April 5, 2018, the Common Council conducted a Public Hearing on the requested zoning change as required by Section 62.23(7) Wisconsin Statutes and Section 13-1-182(c) of the City of Horicon Zoning Code; and

WHEREAS, the Common Council has determined that the requested zoning change is in harmony with the City of Horicon Comprehensive Plan, more specifically described under the Planned Mixed Use future land use category listed in the adopted Comprehensive Plan; and

WHEREAS, the Common Council has also determined that the requested zoning change substantially advances the goals and objectives of the City of Horicon Downtown Plan, adopted December 27, 2016, and Tax Increment District No. 6, City of Horicon, adopted September 12, 2017; and

WHEREAS, the proposed Planned Unit Development Zoning District is needed to allow the flexibility to construct the proposed project on the subject property, which has been zoned C-2 Highway Commercial by the City owing to its previous and obsolete use; and

NOW, THEREFORE, the Common Council of the City of Horicon, Dodge County, Wisconsin, does ordain as follows:

1. That the Zoning Map referred to and incorporated into the Zoning Code within the Municipal Code of the City of Horicon by Section 13-1-22 thereof be and the same is hereby amended to change the zoning classification of the following described premises from Highway Commercial (C-2) to Planned Unit Development (PUD) as generally shown on the Certified Survey Map attached hereto as Exhibit A:

Part of Lots 7 and 8, all of Lots 9, 10, 11, 12, 13 and 14 in Block 2, part of vacated Valley Street and part of vacated River Street in South Addition to the City of Horicon and Lot 1 of Certified Survey Map No. 4233 as recorded in the Office of the Register of Deeds for Dodge County, Wisconsin in Volume 26 of Certified Surveys, Pages 204-205 as Document No. 856875, all being located in a part of the Northeast ¼ of the Southwest 1/4 of Section 6, Township 11 North, Range 16 East, City of Horicon, Dodge County, Wisconsin.

2. That the applicable physical requirements made and provided in Section 13-1-52 are met.

3. That the requirements as to public services and facilities made and provided in Section 13-1-56 are met.
4. The Project meets the specific considerations for approval of a residential PUD under Section 13-1-58(c).
5. This ordinance will be effective upon its adoption and subsequent publication.

Introduced by Alderperson Carl Faussett this 5th day of April, 2018.

Steven D. Neitzel, Mayor

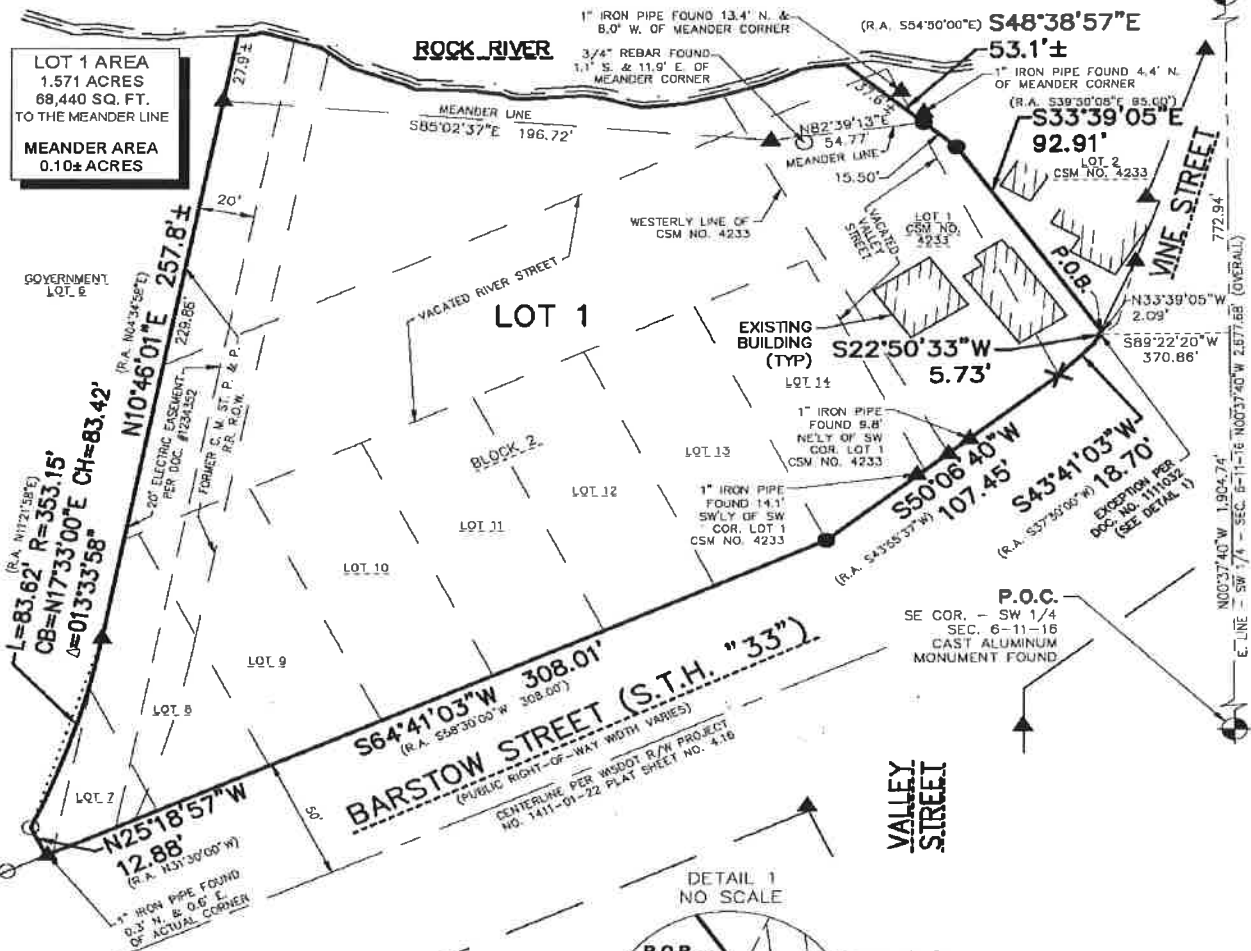
Attest:

Kristen M. Jacobson, City Clerk-Treasurer

Motion Failed
4-5-18

CERTIFIED SURVEY MAP NO.

FOR
HORIZON DEVELOPMENT GROUP, INC.
 PART OF LOTS 7 & 8, ALL OF LOTS 9, 10, 11, 12,
 13 & 14, BLOCK 2, PART OF VACATED VALLEY
 STREET & PART OF VACATED RIVER STREET, ALL IN
 SOUTH ADDITION & LOT 1, CSM NO. 4233, ALL
 BEING LOCATED IN THE NE 1/4 OF THE SW 1/4,
 SECTION 6, TOWNSHIP 11 NORTH, RANGE 16 EAST,
 CITY OF HORICON, DODGE COUNTY, WISCONSIN.



LOT 1 AREA
 1.571 ACRES
 68,440 SQ. FT.
 TO THE MEANDER LINE

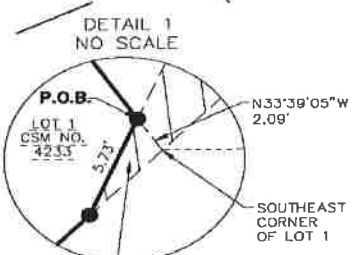
MEANDER AREA
 0.10± ACRES

ORDINARY HIGH WATER MARK NOTE:
 ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.



- LEGEND**
- - 3/4" x 18" REBAR SET WEIGHING 1.50 LBS/FT.
 - ✕ - CUT "X" SET IN CONCRETE
 - ▲ - 1" IRON PIPE FOUND
 - - 3/4" REBAR FOUND
 - ⊙ - SECTION CORNER MONUMENT FOUND

NORTH POINT REFERENCED TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 6 HAVING AN ASSUMED BEARING OF NORTH 00°-37'-40" WEST.



EXCEPTION PER DOC. NO. 1111032 (CROSS HATCHED AREA)

OWNER:
 HORIZON DEVELOPMENT GROUP, INC.
 5201 E. TERRACE DRIVE, SUITE 300
 MADISON, WI 53718

SHEET 1 OF 3 SHEETS



EXCEL ENGINEERING
 SURVEYING GROUP
 PROJECT NO. 1743320

Always a Better Plan
 100 CAMELOT DRIVE
 FOND DU LAC, WI 54935
 PHONE: (920) 926-9800
 FAX: (920) 926-9801

Don Neitzel of Kunkel Engineering Group distributed plans for the West Lake Street Reconstruction Project and plans for a bicycle route along West Lake Street.

Discussion was held relating to the design of the Project and the bicycle route. Also discussed was the timeline of the Project.

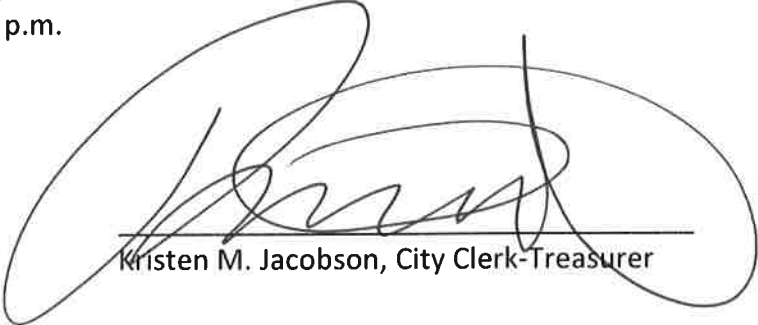
Motion by Frami, second by Marschke, to approve the design – road portion – of the West Lake Street Reconstruction Project as presented by Kunkel Engineering Group; Project #3888-00-75. All voting AYE. Motion carried.

Motion by Frami, second by Marschke, to approve the installation of a bicycle route along West Lake Street as defined by Alternate #1 dated December 21, 2017. All voting AYE. Motion carried.

Motion by Marschke, second by Frami, to authorize the bidding of the West Lake Street Reconstruction Project – road portion. All voting AYE. Motion carried.

Motion by Marschke, second by Hady, to authorize the bidding of the West Lake Street bicycle route. All voting AYE. Motion carried.

Motion by Fausett, second by Frami, to adjourn. All voting AYE. Meeting adjourned at 9:41 p.m.



Kristen M. Jacobson, City Clerk-Treasurer

KMJ