

## CITY PLAN COMMISSION

November 20, 2024

A regular meeting of the City Plan Commission was called to order at 6:10 p.m. by Vice-Chairperson Dennis Statz in the Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Dennis Statz, Helen Bacon, Jeff Norland, Spencer Gustafson, Mark Holey and Amy Stephens were present. Member David Ward was excused. Staff present were City Administrator Josh VanLieshout, Community Development Director Martin Olejniczak, Planner/Zoning Administrator Stephanie Servia, and Community Development Administrative Assistant Colleen Michiels.

**Adoption of agenda:** Motion by Mr. Norland, seconded by Mr. Holey to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from October 16, 2024.
4. Public comment on non-agenda Plan Commission related items.
5. Consideration of: Combined Preliminary/Final Planned Unit Development for 54-unit multiple-family residential dwelling proposed by First and Main Properties, LLC for property located on the north side of E. Maple Street – Parcel #281-12-10080101A1.
  - 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: Final Planned Unit Development for a 58-unit multiple-family affordable housing development proposed by Spoerl Commercial, LLC for parcels located on the southwest corner of Georgia Street and N 14<sup>th</sup> Avenue.
7. Consideration of: Zoning Code Amendments for Accessory Dwelling Units.
8. Adjourn.

All ayes. Carried.

**Approval of minutes from October 16, 2024:** Ms. Stevens motioned to approve the minutes from October 16, 2024, and Mr. Gustafson seconded the motion. With all in favor, the motion passed.

**Public comment on non-agenda Plan Commission related items:** No members of the public presented for comment.

**Consideration of: Combined Preliminary/Final Planned Unit Development for 54-unit multiple-family residential dwelling proposed by First and Main Properties, LLC for property located on the north side of E. Maple Street – Parcel #281-12-10080101A1.**

**Presentation (a):** Ms. Servia explained that Richard Robinson of First & Main Properties, LLC is seeking combined preliminary/final approval for a Planned Unit Development zoning to accommodate a 4-story multiple-family residential building consisting of 54 units at 54 East Maple Street-parcel #281-12-10080101A1. The current zoning of the .925-acre parcel is Central Business District (C-2) in which multiple-family dwellings are permitted as a conditional use. Mr. Robinson is requesting PUD zoning to allow for increased density, building height, and reduced parking.

Ms. Servia proceeded with a concise overview of the vacant parcel's history, the zoning and usage details of the adjacent properties, and the 2040 Comprehensive Plan's Future Land Use Map designation for the site. She also discussed the July 2019 West Waterfront Development Plan, which suggested the construction of 2-3 story buildings with view corridors to the waterfront. While this development only partially aligns with those recommendations, she noted that all redevelopment proposals for the site thus far have included large 4- or 5-story buildings.

Ms. Servia then provided a description of the building design and the challenges brought by the unique shape and restrictions of the property. She explained the planned access, pedestrian walkways, floorplans, building design and unit mix, landscaping and recreational facilities. She discussed the proposed solutions to the limited on-site parking such as undesignated use of the planned public parking lots. She also touched on proposed signage for the development which, she explained, will need approval from the City's Aesthetic Design & Site Plan Review Board.

Mr. Robinson explained that their plan remains similar to the conceptual plan that was presented with the exception of the unit mix. Based on the completed market study, they have decided to increase the number of 2-bedroom units thereby reducing the number of 1-bedroom units and adding 6 studio units. He also provided a more detailed description of the materials that will be used in the building design and additional matters such as financing that need to be addressed prior to proceeding with this development – all of which are moving forward.

Members discussed parking and the appreciation of the consideration that went into choosing the materials for the building that closely mimic current and past historically important buildings within the city. Ms. Stephens expressed concerns about the lack of mixed use and the height of the building. Ms. Bacon noted that a previous development proposal consisting of a smaller building was not well received by the public which lead to the city pursuing Mr. Robinson's proposal. Mr. Robinson stated that the building is shorter than the previously approved 5-story building at the site.

**Public Hearing (b):** Mr. Statz opened the public hearing at 6:40 p.m.

Barbara Graul, of 354 S 15th Court, expressed parking concerns and how it will affect area businesses and festivities.

Hans Christian, of 330 N 3<sup>rd</sup> Avenue, spoke in opposition to the current plan because of the deviation from the mixed-use designation of the property in the Comprehensive Plan.

Michelle Hroma, of 1014 Superior Street, expressed opposition to the development citing its lack of conformity to the 2019 recommendations of the West Waterfront Redevelopment committee. She believes the property should be developed consistent with its mixed-use designation and development of green space should take precedent over parking lots. She is also fearful that the apartments would become seasonal rentals or homes which would be wasteful.

Austin Kadulski, of 233 N Elgin Avenue, explained his concerns with first floor parking, lack of mixed-use, and the impact the decreased development parking will have on area businesses. He also requested that rental restrictions be put in place assuring availability for full-time residents of the City.

Tim Graul, of 354 S. 15<sup>th</sup> Court, expressed both concerns with the reduced parking and indicated he would like to see a lower profile building constructed here which would protect the visual corridors. He preferred the building be reduced to three stories and 36 units.

Laurel Hauser, of 746 Kentucky Street, indicated that she is not opposed to the development of the site, but would prefer to see traditional C-2 zoning restrictions followed. She stated that she believed that the mixed-use zoning articulates the community's vision for the area. She also hoped to see more concentration on what the overall campus would look like rather than concentrating on the parking aspect.

James Andre, of 743 Kentucky Street, inquired about the cost of renting the units in this development and questioned whether residents of the area would be able to afford them.

Naomi Files, 1630 Sycamore Street, requested members consider the affordability of housing developments being proposed and the consequences of not having enough affordable housing. These apartments will not be affordable for the area workforce.

Eric Enchev, of 6469 Sawyer Drive, expressed parking and traffic concerns and felt the improvements to the community were more important than the financial feasibility for the developer.

Ms. Michiels read a letter from Jim Vander Heiden expressing concerns about deviating from the West Waterfront Plan, the Comprehensive Plan designation and density.

The public hearing was closed at 7:11 p.m.

**Consideration (c):** Mr. Statz stated that the proposed project is not meant to be affordable housing. Ms. Bacon concurred and stated that an affordable housing project is the next agenda item.

Members and staff also discussed marketing efforts for this parcel, the challenges of developing this parcel as mixed use, the community's desire for parks and green space at the west waterfront and the funding needed to bring that to fruition. They also discussed seasonal and short-term rental period restrictions, parking issues, and the 2019 West Waterfront Plan.

A motion was made by Mr. Norland and seconded by Mr. Statz to consider a recommendation to council at this meeting. Before voting on the motion, members had an in-depth conversation regarding proposed city parking on the sites adjacent to the subject parcel and challenges with the west waterfront parcels. This motion then passed unanimously.

Mr. Norland then made a motion to recommend approval of the PUD zoning classification for the Sawyer Park Flats 54-unit multiple-family project for First & Main Properties, LLC subject to the following conditions: (1) The underlying zoning classification shall be C-2; (2) The development shall be substantially in compliance with the approved planned unit development plans; (3) Approval of the Aesthetic Design and Site Plan Review Board; (4) Approval by the Common Council of a development agreement that includes limits or restrictions regarding short-term rentals (tourist rooming houses); (5) Approval by the Common Council of the use of adjoining City-owned parking areas for the non-exclusive use by tenants of the Sawyer Park Flats to meet the off-street parking requirement; (6) Wall signage on southeast elevation not to exceed 65 sq. ft. All other signage to comply with the sign code; (7) Any exterior lighting shall be designed with cutoff fixtures to reflect light away from adjacent parcels and public streets, and away from the night sky. Motion was seconded by Ms. Bacon.

Mr. Gustafson moved to amend the Motion to approve the planned unit development plans by adding the condition that the city will construct the planned parking area to include a minimum of 30 spaces on city-owned property adjacent this development. Mr. Norland seconded the motion to amend. All ayes. Motion to amend passed unanimously.

Members then voted on the original motion as amended. Motion passed with all members voting in favor except Ms. Stephens who voted 'no.'

**Consideration of: Final Planned Unit Development for a 58-unit multiple-family affordable housing development proposed by Spoerl Commercial, LLC for parcels located on the southwest corner of Georgia Street and N 14th Avenue:** Ms. Servia explained that Brian Spoerl of Spoerl Commercial, LLC has requested final Planned Unit Development zoning approval for three, three-story multiple-family residential buildings consisting of 58 units being constructed over two phases. The subject parcels are #281-46-16070101, #281-46-16080201, and #281-46-16080101 located on the southwest side of the intersection of N 14<sup>th</sup> Avenue and Georgia Street. The parcels are currently zoned General Commercial (C-1) and are about 2.9 acres in size. Ms. Servia explained that while multiple-family dwellings are allowed as a conditional use in the C-1 district, the developers have requested PUD zoning to allow for a higher density and decreased parking.

Ms. Servia proceeded to explain the changes made to the plan since the preliminary recommendation was presented to the council. These adjustments include a lower 1<sup>st</sup> floor building elevation, the addition of bike racks and designated dumpster locations, slightly increased parking, and landscape modifications. The developers have also included two storage buildings with units for tenant use and the parking spaces and two southernmost buildings were repositioned enabling exclusive 14<sup>th</sup> Avenue access and improved pedestrian walkways as previously recommended by the Commission.

Members and applicants discussed the project timeline and rent determination, which is governed by WHEDA guidelines. Rents for the units in this development are expected to range from \$519 to \$1,200. They continued by explaining the affordability benefits and challenges of working with WHEDA for affordable housing tax credits. The discussion concluded with a review of the revised vehicular and pedestrian access, and how these changes impacted other aspects of the development.

A motion was then made by Mr. Holey to recommend to council approval of the Final PUD for Spoerl Commercial, LLC's 58-unit multi-family project consisting of three apartment buildings and two accessory buildings, subject to the following: (1) The underlying zoning classification shall be R-4; (2) The development shall be substantially in compliance with the approved planned unit development plans; (3) Off-street parking of multiple-family dwellings shall be required at a rate of 1.25 spaces per one-bedroom unit, 1.5 spaces per two-bedroom unit, and 1.75 spaces per three-bedroom unit; (4) Approval of the Aesthetic Design and Site Plan Review Board; (5) Approval by the Common Council of a development agreement that includes limits or restrictions regarding short-term rentals (tourist rooming houses); (6) Temporary emergency vehicle turn-around or access meeting the fire department requirements for Phase 1 to be approved by the Fire Chief; (7) Dedication of 5 feet of right-of-way (or pedestrian easement) along Georgia Street; (8) Existing vegetation within Jaycee Court right-of-way to remain except as authorized by the City Forester; (9) Final Utility Plan to be approved by Sturgeon Bay Utilities. Mr. Gustafson seconded the motion. All ayes. Motion passed unanimously.

**Consideration of: Zoning Code Amendments for Accessory Dwelling Units:** Ms. Servia briefly discussed the history of the City's accessory dwelling unit (ADU) ordinance. She explained that, in response to the housing shortage, ADUs have been gaining popularity. However, aside from the first ADU approved by the Plan Commission last month, property owners in Sturgeon Bay have not been seeking to pursue this option. It is possible they have been hindered by restrictions in the City's current code. Ms. Servia then presented the members with reasoning and proposed changes to the ordinance, including adjustments to minimum lot size, floor area requirements, detached/attached configurations, setbacks, and permitted uses within the zoning districts.

Members and staff discussed the barriers to developing an ADU, which, in addition to zoning issues, also include the building code and a potential lack of public awareness. Members questioned whether changing the City's zoning code would significantly impact the development of ADUs. Ms. Servia shared examples from her experience where various aspects of the City's zoning code had prevented property owners from moving forward with ADU development. She also pointed out the short-term rental restriction currently built into the ordinance.

Nr. Norland expressed that he is in favor of leaving the ordinance as is.

Ms. Stevens felt that some of the changes were just tweaks to match other recent zoning changes. She wondered why the ADU's are not currently allowed in the R-1 district.

Mr. Statz preferred to match the side yard requirement to the requirement for accessory structures.

After discussion the majority of members agreed that they would like City staff to explore options for simplifying the ordinance to make it more accessible and practical for property owners.

**Adjourn:** Mr. Holey moved to adjourn and was joined with a second by Mr. Norland. All ayes. Motion carried. The meeting adjourned at 8:52 pm.

Respectfully submitted,

Colleen Michiels  
Community Development Secretary