



AMENDED
CITY OF STURGEON BAY COMMON COUNCIL AGENDA
TUESDAY, NOVEMBER 21, 2023
6:00 p.m.
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN ST
DAVID J. WARD, MAYOR

1. Call to order.
2. Pledge of Allegiance.
3. Roll call.
4. Adoption of agenda.
5. Public Comment on agenda items only.
6. Consideration of the following bills: General Fund – \$215,130.02, Capital Fund - \$193,567.33, Cable TV - \$38.27, Solid Waste Enterprise Fund - \$25,621.23, and Compost Site Enterprise Fund - \$106.31 for a grand total of \$434,463.16. [roll call]
7. **CONSENT AGENDA**
 - * All items listed with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests before the Adoption of the Agenda, in which event the item will be removed from the Consent Agenda and considered immediately following the consent agenda.
 - * a. Approval of 11/7/23 regular Common Council minutes.
 - * b. Place the following minutes on file:
 - (1) Finance/Purchasing & Building Committee – 10/31/23
 - (2) Zoning Board of Appeals – 11/1/23
 - * c. Place the following reports on file:
 - (1) Police Department Report – October 2023
 - (2) Fire Department Report – October 2023
 - (3) Bank Reconciliation -October 2023
 - (4) Revenue & Expense Report – October 2023
 - * d. Consideration of: Approval of Beverage Operator licenses.
 - * e. Consideration of: Approval of Class A Beer and Class A Liquor license for Kwik Trip #1282.
 - * f. Community Protection & Services Committee recommendation re: Approve the Personal Services Contract with Mann Communications, LLC for Cable TC services for term of January 1, 2024 – December 31, 2026.
 - * g. ~~City Plan Commission recommendation re: Vacate the unimproved portion of S. Madison Avenue as shown on map.~~

8. **Mayoral Appointments.**
9. **Resolution re: Building Inspection Fee Schedule.**
10. **Consideration of: Temporary Use Permit – Ted LaVine.**
11. **Finance/Purchasing & Building Committee recommendation re: Approve the Fire Protection Services Agreement with Town of Sebastopol.**
12. **City Plan Commission recommendation re: Approve the Final Plat for Geneva Ridge, tax parcel # 281-68-18000607B, located at the south end of S. Fulton and S. Geneva Avenues and west of the end of S. Hudson Ave.**
13. **Finance/Purchasing & Building Committee recommendation re: Approve Edgewater Resources for waterfront planning for City property along Nautical Drive.**
- 13a. *City Plan Commission recommendation re: Approve a zoning map amendment from Central Business District (C-2) to Mixed Residential-Commercial (C-5) for parcel #281-10-85120503 located at 346 Oregon St, owned by Will Estes, LLC.*
- 13b. *First reading of ordinance re: Rezone parcel #281-10-85120503 located at 346 Oregon Street.*
14. **Finance/Purchasing & Building Committee recommendation re: Approve the Fourth Amendment to the Granary Development Agreement.**
15. **City Administrator report.**
16. **Mayor's report.**
17. **Convene in closed session in accordance with the following exemption:**

Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Wis. Stats. 19.85(1)(e)

Consideration of: Fourth Amendment to Granary Development Agreement.

Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Council may adjourn in closed session.
18. **Adjourn.**

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date: 11.17.23

Time: 1:45pm

By: CM

NOTE: COUNCIL CHAMBERS WILL BE OPEN TO THE PUBLIC TO OBSERVE AND RENDER PUBLIC COMMENT ON AGENDA ITEMS ONLY. THE MEETING WILL BE LIVESTREAMED AT <https://sbtv.viebit.com/> AND CABLE ACCESS CHANNEL 988.

13a.

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend to approve a zoning map amendment from Central Business District (C-2) to Mixed Residential-Commercial (C-5) for parcel #281-10-85120503 located at 346 Oregon St owned by Will Estes, LLC.

Respectfully submitted:

City Plan Commission

By: David Ward, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Date: November 14, 2023.

Introduced by _____.

Moved by Alderperson _____, seconded by Alderperson _____ that said recommendation be adopted.

Passed by the Council on the _____ day of _____, 2023.

Staff Report
Zoning Map Amendment: C-2 to C-5
346 Oregon St: Parcel #281-10-85120503

Background: Jason Estes requests the rezoning of parcel #281-10-85120503 located at 346 Oregon Street from Central Business District (C-2) to mixed commercial-residential (C-5). The property is 0.116 acres (5,052 sq ft) in size and is currently being used residentially. The petition was originally for R-4 Multiple-Family Residential, but based upon the initial comments the Plan Commission and discussion with the applicant, the proposed zoning district was changed to the C-5 district.

Existing Conditions: The building used to be an office building but has since been converted to a dwelling with a detached garage that is being used as employee housing for Mr. Estes' business. Currently the building use is nonconforming. The property needs to be rezoned to make the site conform to zoning or the use must be returned to nonresidential. The principal was originally constructed as a dwelling but was converted from residential to an office building with occupancy granted in 2002.

Regarding surrounding zoning, the majority of properties to the south are zoned R-4 and the properties to the north are zoned C-2. The surrounding uses are a mixture of residential, office, retail, and governmental uses. It is mostly residential to the south of Oregon Street and mostly non-residential north of Oregon Street. C-5 is meant to be a transitional zoning district so would fit well in this area.

Comprehensive Plan: The 2040 Comprehensive Plan's Future Land Use Designation for the lot is Office. That land use category is established to be for nonresidential areas in which offices, medical related facilities and related business services predominate. The C-5 zoning district allows offices, so the proposed zoning still reasonably fits with the Comprehensive Plan.

Review Process: The Plan Commission will review the petition and conduct a public hearing. The Commission can make a recommendation to Council at the next scheduled meeting. However, a recommendation can also be made following the public hearing if at least 3/4 of the members present are ready to act. Once a recommendation is made, Council will act on that recommendation at their next scheduled meeting. An ordinance must be drafted and approved by Council with 2 separate readings.

Recommendation: Approve the zoning map amendment for parcel #281-10-85120503 from Commercial Business District (C-2) to mixed commercial-residential (C-5).

Prepared By: _____



Stephanie Servia
Planner / Zoning Administrator

11-6-2023

Date

C231011-1

**CITY OF STURGEON BAY
ZONING/REZONING
APPLICATION**

STAFF USE:

Date Received:

Fee Paid:

Received By:

10/11/2023
\$ 300.⁰⁰ + 50.⁰⁰
CS

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	Jason Estes	Will Estes, LLC
Company		
Street Address	4405 Walker Rd	4405 Walker Rd
City/State/Zip	Sturgeon Bay WI 54235	Sturgeon Bay WI 54235
Daytime Telephone #		
Email	estes73@charter.net	
STREET ADDRESS OF SUBJECT PROPERTY: <u>346 Oregon Street</u> Location if not assigned a common address: _____		
TAX PARCEL NUMBER: <u>2811085/20503</u>		
CURRENT ZONING CLASSIFICATION: <u>C-2 Central Business District</u>		
CURRENT USE AND IMPROVEMENTS: <u>Office bldg being converted to dwelling and detached garage</u>		
ZONING DISTRICT REQUESTED: <u>R-4 Multiple Family Residential</u>		
COMPREHENSIVE PLAN DESIGNATION OF SUBJECT PROPERTY: <u>Office</u>		
PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN: North: <u>Public and Institutional</u> South: <u>Office</u> East: <u>Office</u> West: <u>Downtown Mixed Use</u>		

ZONING AND USES OF SURROUNDING PROPERTIES:

North: C-2 ; Library
South: R-4 ; Single family dwelling
East: C-2 ; Two-family dwelling
West: C-2 ; Mixed Commercial/Residential

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? (Yes) or No (circle) IF YES, EXPLAIN: Variance granted for garage setback in 1987

Attach an 8-1/2"x 11" detailed site plan (if site plan is larger than 8-1/2"x 11", also include 15 large sized copies), full legal description (preferably digital), 8-1/2"x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of person who drew plan, etc.

Property Owner

Date

Applicant/Agent

Date

I, _____, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

Date of review meeting.

Applicant signature

Staff signature

Attachments:

Procedure & Check List

Agreement for Reimbursement of Expenses

STAFF USE ONLY

Application conditions of approval or denial:

Date

Community Development Director

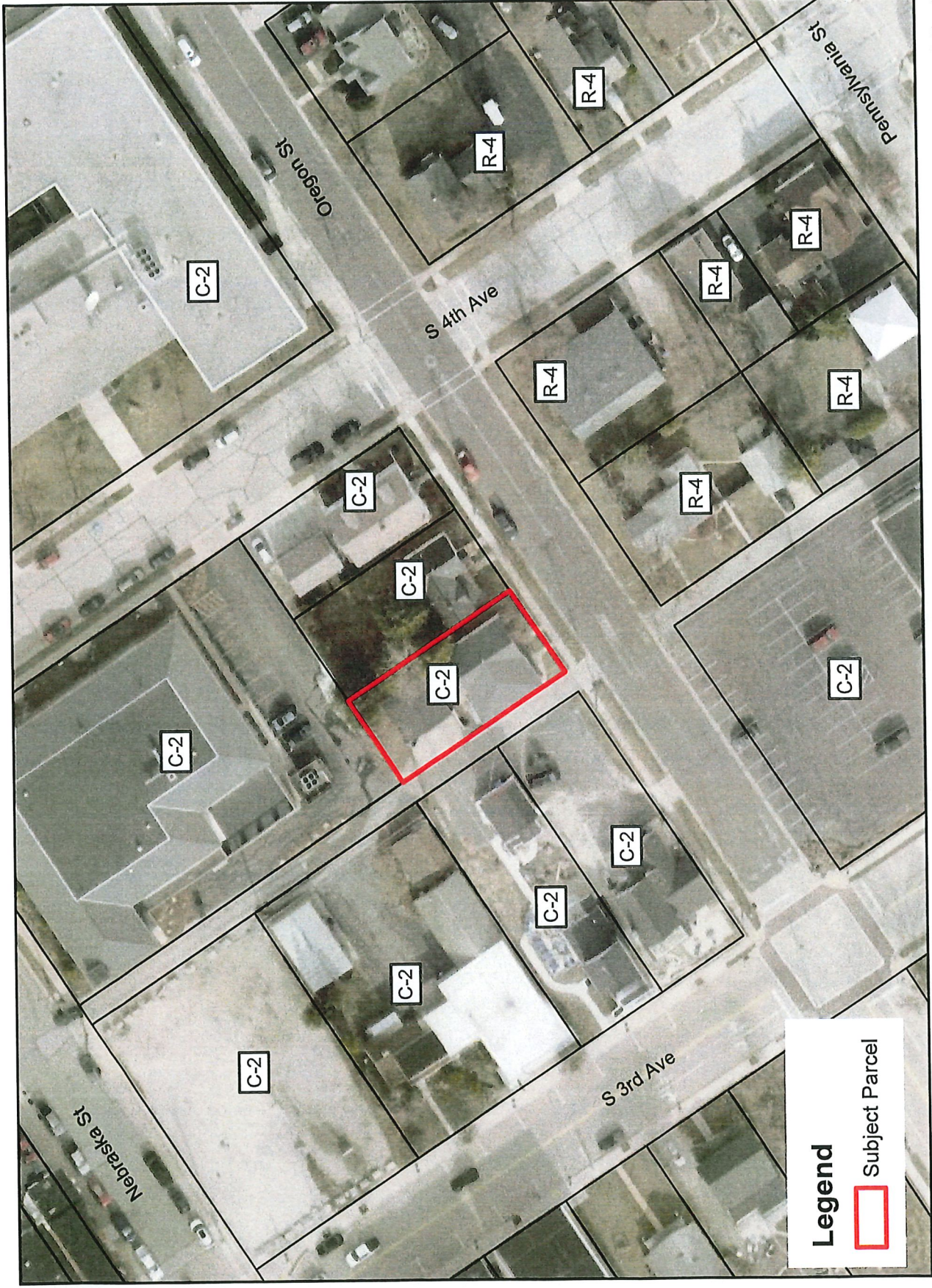
NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Plan Commission will hold a public hearing in the Council Chambers at City Hall, 421 Michigan Street, Sturgeon Bay, Wisconsin on Tuesday, November 14, 2023, at 6:00 p.m. or shortly thereafter, in regard to a proposed zoning map amendment to change the zoning classification of an approximately 0.116-acre parcel from Central Business District (C-2) to Mixed Residential-Commercial (C-5). The subject property is parcel no. #281-10-85120503 owned by Will Estes, LLC, and located at 346 Oregon Street. The proposed zoning map amendment materials are on file with the Community Development Department and can be viewed 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 rezoning request either in person at the hearing or in writing.

By order of:

City of Sturgeon Bay Plan Commission

346 Oregon St Rezoning Map



Legend

 Subject Parcel

Parcel # 281-10-85120503

13b.

13b.

ORDINANCE NO. _____

An Ordinance to Rezone Parcel #2811085120503 located at 346 Oregon Street

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO
ORDAIN AS FOLLOWS:

SECTION 1: The following described property is hereby rezoned from Central Business
District (C-2) to Mixed Residential-Commercial (C-5):

A tract of land in Government Lot 1 of Section 8, Town 27 North, Range 26
East, City of Sturgeon Bay, Door County described as follows:

The westerly 50 feet of Lot 5, Block 12 and the westerly 50 feet of Lot 6,
Block 12 of the Assessor's Map of the City Sturgeon Bay.

SECTION 2: This ordinance shall take effect on the day after its publication.

Approved:

David Ward
Mayor

Attest:

Stephanie Reinhardt
City Clerk