

**CITY PLAN COMMISSION**  
Wednesday, October 19, 2016

A meeting of the City Plan Commission was called to order at 7:00 p.m. by Vice-Chairperson Dennis Statz in the Council Chambers, City Hall, 421 Michigan Street.

**Roll call:** Members Steven Hurley, Dennis Statz, Mike Gilson, and Ron Vandertie were present. Excused: Members Rick Wiesner, Jeff Norland, and Bob Starr. Also present were Planner/Zoning Administrator Ryan Kernosky, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Hurley, seconded by Mr. Gilson to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from September 21, 2016.
4. Zoning map amendment from Two-Family Residential (R-3) to Mixed Commercial Residential (C-5), for Maser DC 1, LLC, for a vacant parcel located on Iowa Street, between N. 5<sup>th</sup> Avenue and N. 6<sup>th</sup> Avenue, parcel #281-10-85400101.
  - a. Presentation
  - b. Public Hearing
  - c. Consideration of
5. Discussion of: Jefferson Street corridor rezoning to Mixed Commercial-Residential (C-5).
6. Discussion of: Zoning code amendment to allow accessory dwelling units.
7. Consideration of: Future meeting time.
8. Public comment on Plan Commission related items.
9. Adjourn.

Carried.

**Approval of minutes from September 21, 2016:** Moved by Mr. Gilson, seconded by Mr. Hurley to approve the minutes from September 21, 2016. All ayes. Carried.

**Zoning map amendment from Two-Family Residential (R-3) to Mixed Commercial Residential (C-5), for Maser DC 1, LLC, for a vacant parcel located on Iowa Street, between N. 5<sup>th</sup> Avenue and N. 6<sup>th</sup> Avenue, parcel #281-10-85400101:**

**Presentation:** Pete Hurth, representing Maser DC 1, LLC, stated that Baudhuin, Inc. is renting the upstairs of the former Wellness Center, located at 312 N. 5<sup>th</sup> Avenue. The upstairs includes 2500 square feet. The first floor contains 3200 square feet. Maser DC 1, LLC would like to acquire the vacant parcel across the alley, owned by Elliot Goettelman, and construct a 16' x 20' storage building and a 24' x 28' storage building, along with a parking area. The lot is small and constructing a single-family home on the lot would be very tight. The front of the proposed storage buildings would resemble the Wellness Center. The lot is currently grass. They would also do some landscaping on the property.

Mr. Kernosky stated the property is currently zoned R-3 and are proposing to rezone to C-5. Within the Comprehensive Plan, this is an example of a Transitional Residential Commercial neighborhood. If this lot were to be sold in the future, the proposed lot should go along with the Wellness Center property.

Mr. Olejniczak added that if Plan Commission recommends the rezoning to Council, the design would also have to go before the Aesthetic Design & Site Plan Review Board, which includes approval of the storage buildings, landscaping, and signage.

Mr. Hurth stated that the smaller storage building would be built first, as well as adding the parking area that would be used for employee parking. The existing parking for the former Wellness Center would be for customers, and not only for Baudhuin, Inc., but whoever the first floor would be rented to.

**Public Hearing:** Vice-Chair Statz opened the public hearing at 7:10 p.m.

Kurt Kluge, 522 Jefferson Street, stated that he owns the adjacent parcel. He was concerned about an increase in traffic, concerned about aesthetics, and concerned that there was no storm sewer.

Vicki Kluge, 522 Jefferson Street, questioned what the difference was between the R-3 district and the C-5 district.

Elliot Geottelman, 26 N. 3<sup>rd</sup> Avenue, stated that he purchased the property three years ago. There had been a house located on the lot that he had torn down. He thought it made sense to rezone to C-5.

Ms. Nault read one letter of correspondence in opposition from Rob & Anne Kifer, Sister Bay, and property owner on Iowa Street.

The public hearing was declared closed at 7:21 p.m.

**Consideration of:** Mr. Kernosky said that considering the size and shape of the lot, it is not desirable for a single-family home.

Mr. Olejniczak stated that two issues would be resolved, including parking for the former Wellness Center building and what to do with the vacant parcel. It is a mixed area of homes, rentals, and seasonal homes. The stormwater management needs to be approved by the City Engineer.

Mr. Hurth added that Baudhuin, Inc. currently rents a storage building on the west side of town. They would not have to rent if they owned their own building. They may go in the building maybe once a week. A survey truck would be parked in the lot during the night. There would not be much additional traffic.

After further discussion, it would be moved by Mr. Vandertie, seconded by Mr. Statz to act on this request at this meeting. All ayes. Carried.

Moved by Mr. Hurley, seconded by Mr. Statz to recommend to Council approval of rezoning the vacant parcel, currently owned by Elliot Goettelman, from Two-Family Residential (R-3) to Mixed Commercial-Residential (C-5) for Maser DC 1, LLC, located on Iowa Street, between N. 5<sup>th</sup> Avenue and N. 6<sup>th</sup> Avenue, with the condition that there is a restrictive covenant tying the ownership to Maser DC 1, LLC at 312 N. 5<sup>th</sup> Avenue, within the deed prior to building permits being issued and that the Aesthetic Design & Site Plan Review Board reviews the project before approval. All ayes. Carried.

**Discussion of: Jefferson Street corridor rezoning to Mixed Commercial-Residential (C-5):** Mr. Kernosky stated that this item was brought up since there was an existing business on Jefferson Street that is intending to sell their property and convert the house into residential. The issue is that the existing property is zoned C-2. Within the C-2 district, you can have residential as part of it, however it can only be up to 50% of the floor area. If one of the buildings on Jefferson Street were to be sold and converted back to single-family residential, it can be done in a C-5 district, but not a C-2 district. In 2008 a neighborhood meeting was held in regard to rezoning the area to C-5. A few people showed up with concerns. The C-2 district does not require any off-street parking, but the C-5 requires half of the parking in existing buildings. A new building would require all the parking. There are more options available in the C-5 district, although signage is more restrictive. Staff is interested in holding another public meeting to see if there would be interest in rezoning the Jefferson Street corridor as a mass to C-5, rather than individual.

Members agreed that this would be worth taking another look at. Staff will put together a public informational meeting regarding a mass rezoning for the Jefferson Street corridor and report back to the Plan Commission. No other action was needed.

**Discussion of: Zoning code amendment to allow accessory dwelling units:** Mr. Olejniczak explained that an accessory dwelling unit is a smaller unit that would be secondary to the principal dwelling on a lot. Door County has recently added this to their code. Mainly in the older areas of town there are a lot of two-family homes that were created out of a single-family home that pre-dated the zoning code. Currently, the City only allows one dwelling unit per lot, unless the property is zoned for two-family. If the Plan Commission wished to pursue this further, additional language from other codes could be brought back to a future meeting.

Mr. Statz didn't think there was a lot of demand for this, but did like the idea.

Mr. Hurley thought this should be explored and to confer with other communities to see there were any challenges they have had.

Mr. Gilson stated this would address affordable housing issues and the aging population.

The consensus was for staff to go forward with the concept and come back with ideas and language.

**Consideration of: Future meeting time:** It was the consensus of the Commission to discuss this item when all Commission members are present.

**Public comment on Plan Commission related items:** There was no public comment.

**Adjourn:** Moved by Mr. Vandertie, seconded by Mr. Hurley to adjourn. Carried. Meeting adjourned at 8:14 p.m.

Respectfully submitted,

Cheryl Nault  
Community Development Secretary