AGENDA CITY OF STURGEON BAY CITY PLAN COMMISSION

Wednesday, September 20, 2017 6:00 p.m. Council Chambers, City Hall 421 Michigan Street

- Roll call.
- 2. Adoption of agenda.
- 3. Approval of minutes from August 16, 2017.
- 4. Conditional use request from Advanced Disposal (Bayland Buildings Dave Phillips, Agent) for construction of a 1,776 square-foot office for Advanced Disposal, located at 1509 Division Road, parcel #281-68-17001102A.

Presentation
Public Hearing
Consideration of

- 5. Consideration of: Zoning code amendment relating to accessory dwelling units.
- 6. Public comment on non-agenda Plan Commission related items.
- 7. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

Plan Commission Members:
Rick Wiesner – Chair
Ron Vandertie
Mike Gilson
Steven Hurley
Jeff Norland
Robert Starr
Dennis Statz

CITY PLAN COMMISSION

Wednesday, August 16, 2017

A meeting of the City Plan Commission was called to order at 6:00 p.m. by Chairperson Rick Wiesner in the Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members Robert Starr, Jeff Norland, Rick Wiesner, Mike Gilson, and Dennis Statz were present. Excused: Members Steven Hurley and Ron Vandertie. Also present were Alderpersons Kelly Catarozoli and Stewart Fett, City Administrator Josh Van Lieshout, Community Development Director Marty Olejniczak, City Engineer Chad Shefchik, and Community Development Secretary Cheryl Nault.

Adoption of the Agenda: Moved by Mr. Starr, seconded by Mr. Norland to adopt the following agenda:

- 1. Roll call.
- 2. Adoption of agenda.
- 3. Approval of minutes from July 19, 2017.
- 4. Conditional use request from Premier Sturgeon Bay Amity, LLC, for construction of a 24-unit multiple-family residential development, located in the 700 blocks of Erie and Florida Streets, parcel #281-23-0527260006, aka Amity Field.

Presentation

Public Hearing

Consideration of

- 5. Consideration of: Zoning code amendment relating to accessory dwelling units.
- 6. Public comment on Plan Commission related items.
- 7. Adjourn.

Carried.

Approval of minutes from July 19, 2017: Moved by Mr. Gilson, seconded by Mr. Norland to approve the minutes from July 19, 2017. All ayes. Carried.

Conditional use request from Premier Sturgeon Bay Amity, LLC, for construction of a 24-unit multiple-family residential development, located in the 700 blocks of Erie and Florida Streets, parcel #281-23-0527260006, aka Amity Field.

Presentation: Mr. Olejniczak stated that the property is zoned multi-family residential. Three 8-unit buildings are proposed. The property is currently owned by the City. There is an approved purchase agreement subject to all approvals.

Representatives Bob Tollefson, Harris & Associates and Sarah Hillenbrand, PRE/3 (formerly Premier Real Estate Development), presented the proposed two-story townhouse buildings, with attached garages. Mr. Tollefson stated that there are 30 interior parking stalls, with 17 additional stalls. There are patios with privacy fencing. There will be two street accesses, with the main access off of Florida Street and the

other on Erie Street. The mailboxes will be within a small shelter building. Landscaping will surround the dumpster area. There will also be a stormwater detention basin.

Approval was received from the Aesthetic Design & Site Plan Review Board, subject to conditions. One of the conditions was to add trees behind the buildings along the east and west lot lines approximately every 50 feet that would reach approximately 50 feet tall at maturity. A fire hydrant is also needed closer to the development per the Fire Department.

Ms. Hillenbrand added that the units will have two bedrooms, with 2 ½ baths. Because of a condition from the Aesthetic Design & Site Plan Review Board, a window will be added to the second story on the ends facing the street, as well as additional brick columns to enhance curb appeal. The patio fencing will be white. The siding will be of earthtone colors. Countertops will be made of granite. Rents will range from \$1200 per month to \$1300 per month. Each unit is approximately 1200 square feet. They currently manage 220 units in Sturgeon Bay.

Public Hearing: Chairperson Wiesner opened the public hearing at 6:18 p.m.

Bill Beam, HR Relations Manager for Bay Shipbuilding, spoke about the housing shortage and how it has affected their business. They are looking for ways to stop the barriers to find employees. Many employees commute from Green Bay and Shawano. The concern is for individuals that want to stay. This project may bring in additional housing for their employees. Projects like this should be approved.

Julie Davis, 717 Oregon Street, spoke on behalf of affordable housing. She is the Director of the Boys & Girls Club, with 382 active members during the school year. Forty-seven percent of those families have an income of \$35,000 or less.

James Simpson, 752 Georgia Street, stated that he bought his home with not much traffic in the area. With this development there will be higher traffic and would destroy the neighborhood. It won't be families moving in, but single employees at Bay Ship.

Dave Plumber, 732 Georgia Street, referred to the field that gets widely used with kids flying kites, dog walkers, etc. Townhouses will take that away. Florida Street is over ridden with traffic now. Habitat homes could be built on that property.

Jennifer Kivell, 724 N. 7th Avenue, stated that she lives in a Door County Habitat for Humanity home. There is unbelievable traffic on 8th Avenue and Egg Harbor Road. These apartments will make it worse, especially at 3:30 p.m. when Bay Ship gets out of work. She was concerned about property value.

Kevin Cookle, 742 Georgia Street, expressed his concern about what the City was going to do about Florida Street during a snowfall. It currently does not get plowed very quickly and wondered where all the snow removal would go. There is school traffic and the area is very dark.

Tom Wery, 746 Georgia Street, said that he had nothing to gain from this. Florida street cannot handle the flow of traffic and would have to be widened. It is a water catch. He is against the proposed project.

Scott Stube, 736 Georgia Street, stated his back yard is in front of the proposed area. He is against the project for the same reasons as his neighbors.

Clint Raynier, 723 N 8th Avenue, stated that the open field is used by kids and dog walking. It's not a family oriented community. A kid pool or something is needed there.

Bill Kivell, 1660 Utah Street, stated that he has a daughter and granddaughter living on 7th Avenue. He wondered if widening Florida Street would cost the taxpayers money. He asked how close the detention pond would be located to 7th Avenue. He also asked if soil samples have been taken. He is all for affordable housing.

Todd Crewe, 842 N. 7th Avenue, would like to see other options. He asked what would happen if the units don't fill.

Paul Anschutz, 221 N 6th Avenue, mentioned that Sturgeon Bay has adopted "Complete Streets". It should be repealed if it doesn't get used.

Kelly Catarozoli, 344 N 3rd Avenue, stated that she has received several phone calls regarding this development. It detracts from the neighborhood. Three bedroom apartments are in need in our community. This meeting should have been held before the Aesthetic Design & Site Plan Review Board meeting. Arsenic testing should be done.

Ms. Hillenbrand spoke again in regard to the amount of the rent. A household earning \$48,000 per year can afford this. This could also be a roommate situation. The most popular units are two bedroom units. It will add a lot to the tax base. There will be no runoff to the neighboring properties. Minimal lighting is proposed by the patio door and front door. There is a one year construction timeline.

Mr. Tollefson mentioned that the stormwater detention is designed to take extra water and slowly release it.

Tom Wery, 746 Georgia, added to his last comment that this is a residential area. He doesn't see any families, but transients that would move into these units. The City would not do just one block improvements.

Bill Kivell, 1660 Utah Street, asked if there would be blasting.

Dave Plumber, 732 Georgia Street, said he is against this project. The City moved Wiretech out of the family area into the Industrial Park. Homes should be built in this area.

James Simpson, 752 Georgia Street, stated that he is afraid of who would be moving in, especially if there are two young guy professionals having parties, etc. It will not enrich the community.

Clint Raynier, 723 N. 8th Avenue, wondered who would rent next to the existing housing.

The public hearing was declared closed at 7:20 p.m.

Consideration of: Mr. Shefchik stated that currently there is nothing planned for Florida Street. Parking may have to be prohibited on Florida Street from 7th to 8th Avenue. Water drains down the middle of the street. When the street is repaved, curb and gutter will probably be added. There are currently sidewalks on the north side of Erie Street.

Mr. Olejniczak stated that the Comprehensive Plan recommends following the Complete Streets model. Street conditions need to accommodate all modes of traffic.

Mr. Starr talked about the type of tenants referred to by the neighbors, such as Bay Ship workers and being discriminatory. There will be Bay Ship workers, as well as families renting these units. He felt that these units are high-end for this community. He calls affordable housing \$600-\$800 per month. Calls are received every day from people looking for affordable housing. This property has been zoned R-4 Multi-Family Residential for a long time. The Commission has the ability to put conditions on an approval.

Regarding blasting, Mr. Olejniczak stated they will not have to dig very far for the pond since it is being bermed. The only blasting that may take place is for utilities.

Mr. Olejniczak was not aware of any soil contamination. The site has been vacant since the late 40's. The site was looked at for a number of years by others. It is not served by sewer and water.

Ms. Hillenbrand agreed to installing a sidewalk from the driveway to the crosswalk. Other sidewalks can be installed at the same time others in the area would be installed.

Commission members discussed the importance of sidewalks for connectivity.

Moved by Mr. Starr, seconded by Mr. Norland to approve the conditional use request with the conditions from the Aesthetic Design & Site Plan Review Board, which include:

- 1. There shall be shutters on the windows consistent with the submitted drawing.
- 2. Use earthtone colors for the siding.
- 3. On the end facades facing the street, either the columns shall be brick per the plans or alternatively the brick facade from the front side shall be wrapped around the garage portion of the end facade.
- 4. Provide an upper window on the end facades facing the street.

- 5. Use white composite material fences for the patio privacy dividers along the rear of all the buildings.
- 6. Trees are to be added behind the buildings along the east and west lot lines, at approximately 50 foot intervals.

It was also added that a sidewalk be constructed from the driveway on Erie Street to the existing crosswalk. The driveway entrance should be constructed to be set up for a future sidewalk. Other sidewalks are to be installed at the same time others in the area would be installed.

All ayes. Carried.

Consideration of: Zoning code amendment relating to accessory dwelling units: Mr. Statz stated that he liked the 7,000 square—foot minimum lot size, as well as the 800 square—foot area.

Mr. Starr felt that this should be voted on with a full Commission present.

Moved by Mr. Gilson, seconded by Mr. Starr to table. All ayes. Carried.

Public Comment on Plan Commission Items: Chris Kellems, 120 Alabama Street, stated that form-based zoning should be looked at. There should be more community input.

Adjourn: Moved by Mr. Statz, seconded by Mr. Starr to adjourn. All ayes. Carried. Meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Cheryl Nault

Community Development/Building Inspection Secretary

STAFF REPORT

TITLE: Conditional Use Permit Application – Advanced Disposal Services

Background: A conditional use petition from Advanced Disposal Services has been submitted to the Community Development Department to construct a 1,776 square-foot office building to replace the existing office trailer. Within the Agricultural zoning district, section 20.22(2) (f) of zoning code; solid waste facilities are a conditional use. Therefore, because this proposed office building is an expansion of the existing conditional use, the City Plan Commission should review and approve for this project.

In November of 2001, the facilities were granted a conditional use approval for the placement of a temporary office building. Originally, the building was to be removed within 5 years but the City later approved it to remain indefinitely.

Existing Conditions: The subject parcel is accessed off of Division Road and is approximately 8.19 acres. Its current operations consist of a waste transfer station and recycle center. Customer service and management operate through the existing office trailer, which sits parallel to Division Road.

Surrounding Uses and Zoning:

North: Vacant

South: City Compost Site

East: Vacant

West City Compost Site

Comprehensive Plan: The Future Land Use Map within the Sturgeon Bay Comprehensive Plan identifies the subject parcel within the industrial use classification. Industrial is defined in our Comprehensive Plan as, "Areas intended for manufacturing, assembly, production, storage, distribution, and construction contracting. It also provides limited area for uses that provide services to industrial uses and employees of such businesses, such as day care facilities."

Proposed Use: Advanced Disposal is proposing the replacement of the office trailer with a constructed 24'x74' metal office building. The proposed space would be used for the office, administrative, and customer service facility. The use is consistent with the Comprehensive Plan.

Conditional Use Findings: Under Sec. 20.25(4) of the zoning code, a conditional use permit may only be issued by the Plan Commission upon making a finding that:

The operation of the conditional use will not endanger the public health, safety, morals, comfort or general welfare. The conditional use will not be injurious to the use and have a negative impact on the surrounding area. The establishment of the conditional use will not disrupt development and improvement of surrounding property. Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets. The conditional use shall conform to the applicable regulations of the district in which it is

located and the plan commission shall find that there is a public necessity for the conditional use.

Staff believes that all conditions of a conditional use are met.

Other Considerations:

- The Aesthetic Design and Site Plan Review Board (ADSPR) reviewed and approved the plan with the condition of: Downward facing LED lights will be used if lighting is added to the exterior, and impervious surface created from the removal of lawn adjacent to Division Road will be matched with pervious surface creation on other portions of the subject property.
- However, recent reviews and inspections of the subject property show that over the last two years there has been a substantial increase in impervious surfaces due to a dumpster / equipment storage area to the Northeast as well as the installation of the fuel tanks to the North. There was no communication with the City on these activities with regards to stormwater management and these improvements should not have been installed without a stormwater management plan.
- Staff recommends that a storm water management plan is needed inclusive to the ADSPR conditions unless the land is restored back to the 2015 impervious surface conditions.

Options:

- 1. Approve the conditional use petition as presented.
- 2. Approve the conditional use petition with conditions.
- 3. Deny the conditional use petition.

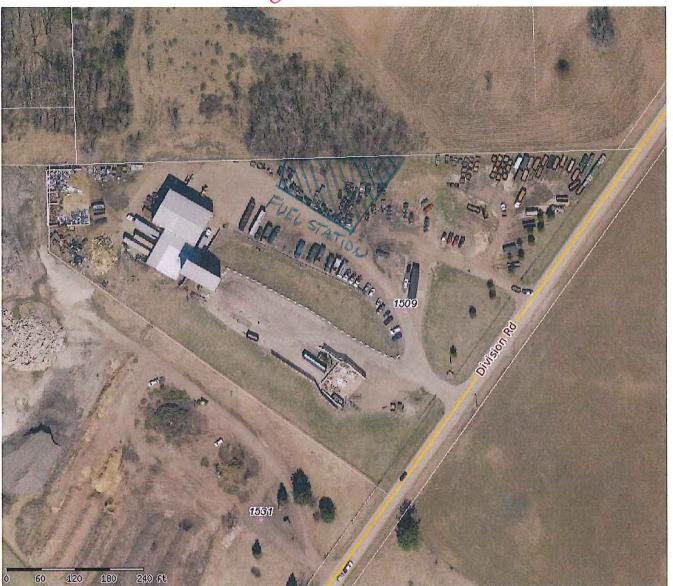
City Staff Recommendation: Staff is in support of the conditional use petition and recommends approval with the following condition:

1. Approval by City Engineer for a storm water management plan that accounts for all impervious surface areas added since January 1, 2015 (including the new proposed structure).

Prepared by: Mally Reper	Date: 9 · /5 · /7
Christopher Sullivan-Robinson	
Planner/Zoning Administrator	
Reviewed by: Math Oley	Date: <u>9~/5</u> ~/7
Marty Olejniczak	
Community Development Director	
Reviewed by: Msul	Date: % -/5-/7
Chad Shefchik	
City Engineer	



2017



CITY OF STURGEON BAY CONDITIONAL USE PERMIT APPLICATION

Date Received:	8-23-17	,
Fee Paid \$_	8-25-17 + 50S	isn
Received By: _	CN	dep

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)	
Name	BAYLAND BUILDING		
Company	DAVE PHILLIPS	ADVANCED DISPOSAL	
Street Address	P.O. BOX 13571		
City/State/Zip	GREENBAY WIL 54307		
Daytime Telephone No.	262-308-2580		
Fax.No. E-MAIL	DPHILLIPSE BATEANSBU	INDINOS. CON	
STREET ADDRESS OF SUBJECT PROPERTY: 1509 DIVISION RTAD Location if not assigned a common address:			
TAX PARCEL NUMBER: 2816 817001102 A			
CURRENT ZONING CLASSIFICATION: AGRICULTURAL			
CURRENT USE AND IMPROVEMENTS: WASTE TRANFER STATION RECYCLE CENTER			
IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW: 20,22 (2) (F)			
REPLACE EXISTING OFFICE (MAILOR) WITH NEW			
ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES: North: AGI - VACKNT FICUS South: East: HGI - VACANT West: West: YOUR POST SURROUNDING PROPERTIES: North: AGI - VACANT COMPOST SURROUNDING PROPERTIES:			

PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN:
North: INDUSTALAU
South: IN ON VILIAL
East: AG
East: 4GI West: IN QUITNIN
HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? IF YES, EXPLAIN:
ttach 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 Ill legal description (preferably on disk), 8-1/2 x 11" location map, construction plans for the proposed projec Ind Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertine Caractures and buildings, proposed site improvements, signature of person who drew plan, etc.
roperty Owner (Print Name) Signature Date
pplicant/Agent (Print Name) Signature Date
, Dave Philip , 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. Cate of review meeting Applicant Signature Staff Signature
ttachments: Procedure & Check List Agreement For Reimbursement of Expenses
STAFF USE ONLY
Application conditions of approval or denial:
Date Community Development Director



BAYLAND BUILDINGS

DESIGN & BUILD GENERAL CONTRACTOR P.O. BOX 13571 GREEN BAY, WI 54307 (920) 488-8300 FAX (920) 498-8033 www.baylandbulldings.com

PROPOSED PROJECT FOR:

DISPOSAL OFFICE

STURGEON BAY, WISCONSIN 54235



PROJECT INFORMATION

LOCATION MAP

SHEET INDEX

ret response coeff., EDS: frat response coeff., SD1: plo use group catagory:

SHETCHAMA TILLE SHEET

STRUCTURAL DETAILS

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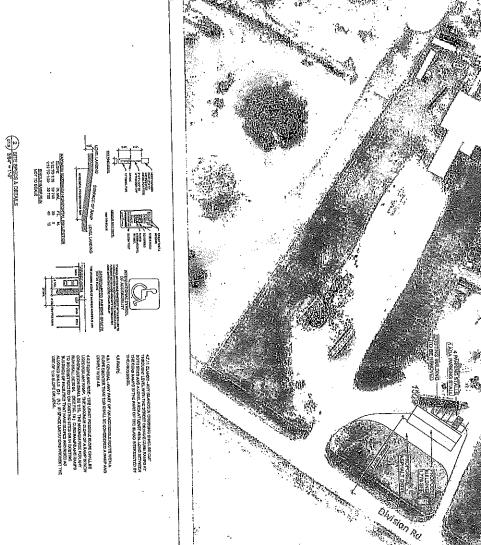
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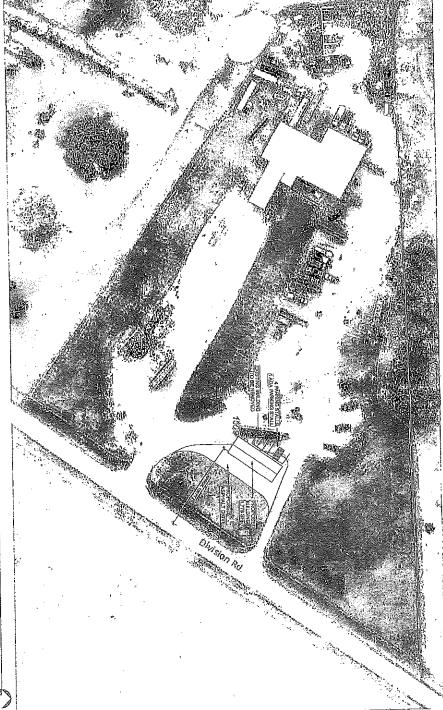
SHEET TO SEE STATE STATE

PROPOSED PROJECT FOR: ADVANCED

STRUGEON BAY, WISCONSIN; COUNTY OF: DOOR

TITLE SHEET

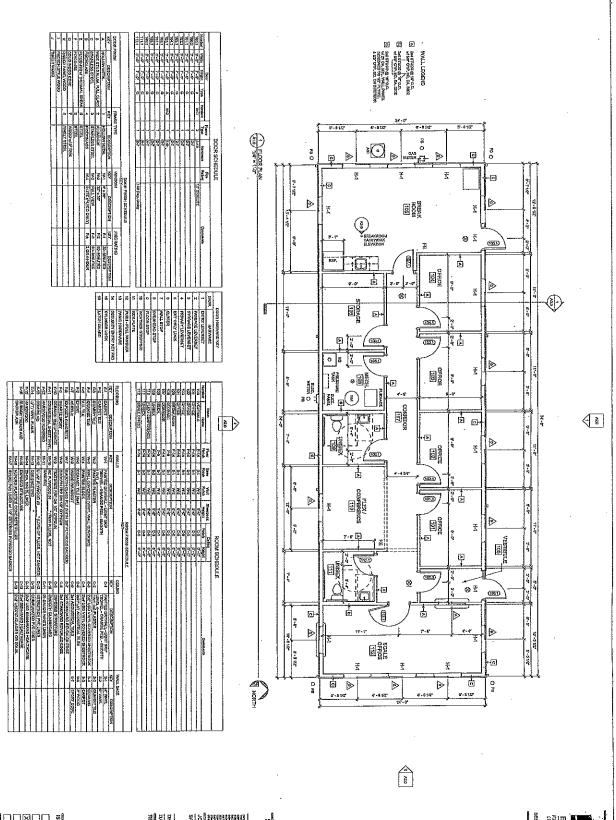






PROPOSED BUILDING FOR:
ADVANCED DISPOSAL
OFFICE
STRUGEON BAY, WISCONSIN; COUNTY OF: DOOR



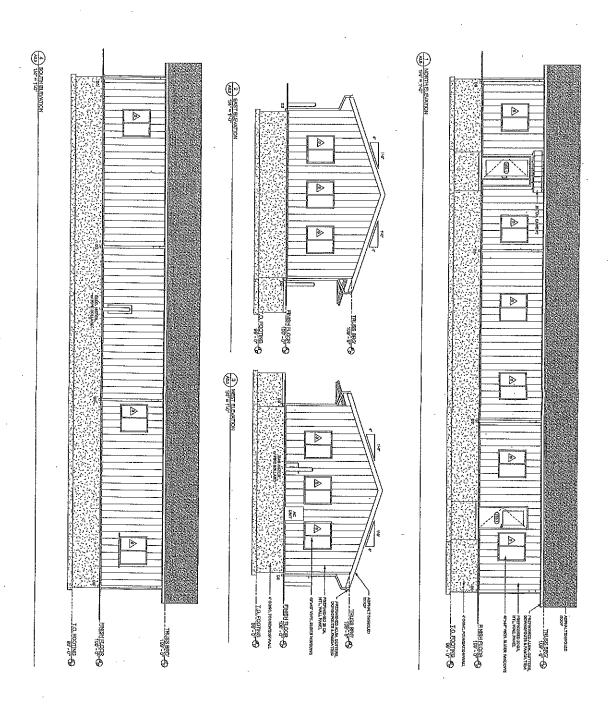




PROPOSED BUILDING FOR: ADVANCED DISPOSAL

STRUGEON BAY, WISCONSIN; COUNTY OF: DOOR





SSUED FOR CHECKED DATE

FREMINARY

DESCRIPTION

CHECKET



PROPOSED BUILDING FOR: ADVANCED DISPOSAL OFFICE

STRUGEON BAY, WISCONSIN; COUNTY OF: DOOR



PUBLIC HEARING NOTICE

The City of Sturgeon Bay Plan Commission will conduct a public hearing in the Council Chambers, 421 Michigan Street, Sturgeon Bay, Wisconsin on Wednesday, September 20, 2017, at 6:00 p.m. or shortly thereafter, regarding a petition for approval of a conditional use under Section 20.22(2)(f) of the Municipal Code (Zoning Code). The proposal is construct a new 1,776 square-foot office for the existing solid waste facility. The subject property is located at 1509 Division Road and owned by Advanced Disposal Services. The application is on file with the Community Development Department, located at 421 Michigan Street, and can be viewed weekdays between 8:00 a.m. and 4:30 p.m. The public is invited to give testimony in favor or against the proposed conditional use, either in person at the hearing or in writing.

By order of: City of Sturgeon Bay Plan Commission

Location Map Advanced Disposal Conditional Use Request







DRAFT 6/21/2017

Accessory Dwelling Units Proposed Zoning Text Amendments to Allow as a Conditional Use in Residential Districts

Proposed Amendment of s. 20.03 Creation of s. 20.09(2)(h) Creation of s. 20.175(2)(p) Creation of s. 20.22(2)(m)

S. 20.03 - Definitions

Accessory dwelling unit: A smaller, secondary home on the same lot as a principal dwelling. Accessory dwelling units are independently habitable and provide the basic requirements of shelter, heating, cooking and sanitation.

S. 20.09(2)(h) - Conditional Use of R-1 Zoning District

- (h) Accessory Dwelling Units, subject to the following:
 - 1. Not more than one accessory dwelling unit shall be permitted on a lot.
 - 2. Accessory dwelling units shall be allowed only on a lot having at least 7,000 square feet.
 - 3. Accessory dwelling units shall not exceed 800 square feet in floor area and shall have a minimum floor area of 250 square feet.
 - 4. The property owner of record must reside in either the primary dwelling unit or the accessory dwelling unit as their permanent and legal address. A restrictive agreement shall be recorded to this effect.
 - 5. In addition to off-street parking spaces required for the primary dwelling unit, a minimum of one off-street parking space for an efficiency or one-bedroom accessory dwelling unit, or a minimum of two off-street parking spaces for a two- or more bedroom accessory dwelling unit, shall be provided.
 - 6. The accessory dwelling unit shall not be leased for periods of less than one calendar month or 30 days. A restrictive agreement shall be recorded to this effect. If the property owner of record resides in the accessory dwelling unit, then this minimum rental period shall apply to the primary dwelling unit.
 - 7. The accessory dwelling unit shall not be conveyed or separated in ownership from the primary dwelling unit.
 - 8. The accessory dwelling unit shall comply with the Sturgeon Bay Housing Code (chapter 22 of the municipal code) and with all pertinent building codes.
 - 9. Accessory dwelling units may be attached to or detached from the single family residence.
 - 10. Attached accessory dwelling units shall comply with the following:

- a. The accessory dwelling unit shall be clearly incidental to the principal dwelling unit and the building's exterior shall appear to be single-family.
- b. If the accessory dwelling unit is created from a portion of the principal dwelling unit, the floor area of the principal dwelling unit shall not be reduced below the minimum floor area required for the zoning district in which it is located.
- c. Location of entrances. Only 1 entrance may be located on the facade of the dwelling facing the street, unless the dwelling contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks.
- d. Exterior stairs. Fire escapes or exterior stairs for access to an upper level accessory dwelling shall not be located on the front of the primary dwelling unit.
- 11. Detached accessory dwelling units shall comply with the following:
 - a. The accessory dwelling unit shall be subject to the requirements of section 20.29 Accessory building height and area regulations.
 - b. The accessory dwelling unit shall comply with all building code regulation relating to dwellings, including a frost protected foundation.
 - c. Floor Area. (option 1) The first 200 square feet of floor area within the accessory dwelling unit shall be exempted from the maximum floor area for accessory buildings on the lot. (option 2) Fifty percent (50%) of the floor area of accessory dwelling unit shall be exempted from the maximum floor area for accessory buildings on the lot. (option 3) The floor area of accessory dwelling unit shall be exempted from the maximum floor area for accessory buildings on the lot.

S. 20.175(2)(p) - Conditional Use of C-5 Zoning District

(p) Accessory Dwelling Units. Subject to the requirements set forth in section 20.09(2)(h)

S. 20.22(2)(m) - Conditional Use of A Zoning District

(m) Accessory Dwelling Units. Subject to the requirements set forth in section 20.09(2)(h)