

CITY PLAN COMMISSION
Wednesday, January 15, 2020

A meeting of the City Plan Commission was called to order at 6:02 p.m. by Chairperson David Ward in the Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members Debbie Kiedrowski, Jeff Norland, David Ward, Dennis Statz, Mark Holey, and Kirsten Reeths were present. Absent: Member David Hayes. Also present were Alderperson Gary Nault, City Administrator Josh Van Lieshout, Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, Community Development Secretary Cheryl Nault, and several members of the public.

Adoption of agenda: Moved by Mr. Statz, seconded by Mr. Holey to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from December 18, 2019.
4. Planned Unit Development for (PUD) for Jeff Jahnke (Cherryland Properties) to develop a mixed-use building, located at 145 S. Neenah Avenue.
Presentation:
Public Hearing:
Consideration of:
5. Consideration of: Tourist Rooming House regulations.
6. Comprehensive Plan Update.
7. Public comment on non-agenda Plan Commission related items.
8. Adjourn.

All ayes. Carried.

Approval of minutes from December 18, 2019: Moved by Mr. Holey, seconded by Mr. Norland to approve the minutes from December 18, 2019. All ayes. Carried.

Planned Unit Development for (PUD) for Jeff Jahnke (Cherryland Properties) to develop a mixed-use building, located at 145 S. Neenah Avenue:

Presentation: Jeff Jahnke, 1107 Twin Harbor Dr., Winneconne, WI, stated that he is the owner of the property at 145 S. Neenah Avenue. He also owns other parcels in the City.

Mr. Jahnke had presented plans to the Plan Commission last July and since then he was told by the American Transmission Company (ATC) that his plans had to be revised due to existing transmission lines. The revised plan includes a duplex with an office space. Both apartments would contain three bedrooms, with attached garages. The office space would be located on the lower level.

Dan Meissner, architect for the project, was then introduced by Mr. Jahnke.

Mr. Olejniczak stated that a Planned Unit Development (PUD) is a special zoning district, with an underlying zoning district, designed for a specific project. This project involves a single lot and a single building. The lot is very small and it would be very difficult to redevelopment it without obtaining several variances or other type of approvals. With a PUD the City can adjust the requirements, such as setbacks, density, and uses to a specific property. With the conceptual review done last July, he is now asking for a preliminary/final approval. Everything required has been submitted. There must be a unanimous vote in order to act on this proposal at this meeting.

Mr. Sullivan-Robinson stated that the property is currently zoned single-family residential (R-2). Under the Comprehensive Plan Future Land Use Map, this area is designated as transitional commercial. There are residential homes and other commercial property surrounding this parcel. This project is overall compliant with the Comprehensive Plan, as well as the housing study by providing more renter occupied housing. Some of the key issues for this development are parking. For the residential uses, it is required to have two parking spaces per unit.

Under the C-5 (mixed commercial-residential) zoning, three parking spaces would need to be provided for the commercial use. Based on the site layout, the property owner is unable to provide the parking spaces. The Commission can let the zoning regulations govern the parking requirements or grant a deviation.

Mr. Sullivan-Robinson also stated that in the C-5 district there is a 50/50 ratio between commercial and residential uses. As far as building setbacks, the building is encroaching on most of the setbacks. Stormwater management codes must also be met. A rain garden would be needed. An ADA compliant handicap ramp will run along the front of the house to the existing pedestrian facilities. The Commission can approve the PUD as presented, approve with conditions, or deny it. This would be a recommendation to Council.

Mr. Olejniczak mentioned the changes between the concept plan and the final plan because of the conflict with the transmission lines. But, he thought with Mr. Jahnke's current plan it looked more residential and fits better in the neighborhood.

Mr. Jahnke stated that he would like to have the project completed by spring of 2021. As far as materials, the siding would be maintenance free cementitious plank style siding.

Mr. Olejniczak stated that the alley is 16 feet wide plus a 5-foot setback. He suggested that widening the garage doors may help with turning in and out of the garage.

Mr. Statz would like to see double-hung windows instead of casement. This project will also be reviewed by the Aesthetic Design & Site Plan Review Board.

Public Hearing: Mayor Ward opened the public hearing at 6:26 p.m.

The following citizens spoke in favor of the project, but had concerns of parking and stormwater management: Jeff Tebon, 63 E Oak Street; David Haslam, 155 S Neenah Avenue; Nathan Haslam, 179 N 9th Avenue; and Chris Kellems, 120 Alabama Street.

Architect Dan Meissner stated that stormwater is always a concern and the direction can be controlled.

There was no written correspondence. The public hearing was declared closed at 6:45 p.m.

Consideration of: After a short discussion, it was moved by Ms. Reeths, seconded by Ms. Kiedrowski to vote on this item at this meeting. Motion failed, with Mayor Ward, Ms. Reeths, and Ms. Kiedrowski voting aye and Mr. Holey, Mr. Statz, and Mr. Norland voting no. (Must have unanimous vote to pass.)

This item will come back to a future meeting.

Consideration of: Tourist Rooming House regulations: Mr. Olejniczak stated that this has been brought back from the December meeting where the Commission asked for a clarification of a number of items regarding the way the City regulates short-term rentals.

Various information from the City Attorney was received, as well as from staff. The City Attorney advised against grandfathering existing licensed tourist rooming houses if the City elects to prohibit short-term rentals of 6 days or fewer. He also advised not setting a cap on the number of licenses for 7 days or longer. Under 7-day rental periods would run into equal protection concerns. Also, enforcing a 7-day rental period would be very difficult and intrusive if they only wanted to rent for 2 days.

Mr. Olejniczak offered different options regarding the regulations. Things could be left as they are being regulated currently. More regulations could be added, such as stronger parking requirements, occupancy limitations, insurance requirements, etc. There is also the Madison approach where just a room is rented out and not the whole house. Rentals without the owners present would be limited to 30 days in a year if you would rent for less than a 7 day period. Another option is weekly rental only. A further option is the maximum restriction where you have to rent for 7 days or longer and only for 180 days in a calendar year. You can also just regulate by zoning district.

Mr. Sullivan-Robinson added that out of the approximate 50 current tourist rooming house permits, only three of the owners live in part of the house that they are renting. The other 47 rent out the whole house. He discussed the charts provided by the Door County Tourism Zone relating to lodging types.

Ms. Reeths stated that for the safety of the people that rent the TRH and the people that own them, she wondered if it could be added that the fire department inspect them once a year. Mr. Sullivan-Robinson responded that the Fire Dept. does not inspect residential properties, so this would be a new territory.

Mr. Sullivan-Robinson stated that new permits are decreasing, renewal permits are rising, and discontinued permits are rising.

Ms. Kiedrowski and Mr. Holey agreed that with no issues that this should be passed on for now and reviewed again in a couple of years.

Ms. Reeths said in defense of families, they shouldn't be restricted from having a 2-day vacation.

Mr. Statz there are problems all over the world with this. It is causing a shortage of housing around the area. It will eventually work its way through. The only thing that could potentially make sense is regulate by zoning and allow it throughout the City and put the 180 day maximum rental in residential areas.

Mr. Norland agreed with Mr. Statz, but thought that it could be combined with the Madison approach.

Mr. Sullivan-Robinson will obtain information on how many days a year units are rented.

Mayor Ward said this item is not ready to be acted upon.

Comprehensive Plan Update: Mr. Olejniczak referred to a memo and map from Vandewalle & Associates regarding focus areas that should be included in the Comprehensive Plan. Members were asked to indicate three of the proposed areas that they felt should include more detailed concept plans.

It was the consensus of the members that the Downtown area and Downtown/West Waterfront were two of the top areas for more detail, followed by Egg Harbor Road from the former Hardees building to the former K-Mart building, and West Boatworks focusing on the Sturgeon Bay Yacht Club and the E Dock.

In addition, Ms. Reeths talked about expanding the Industrial Park to fit in the Clay Banks Road area.

Mr. Norland added that a traffic problem is the issue at the intersection of Clay Banks Road and the highway. The intersection needs to be improved and then decide what to do.

Mr. Olejniczak will provide the feedback from the members to Vandewalle & Associates.

Mr. Olejniczak stated that the Community Survey was closed on January 10th. There were 197 responses. There were many comments given from what people like about Sturgeon Bay to what they feel is needed. Complete results were emailed to the members. Vandewalle & Associates plan on holding another community workshop in February.

Public comment on non-agenda Plan Commission related items: Jennifer Bacon, 728 Georgia Street, commended the Commission and stated that the members were very civil.

Adjourn: Moved by Ms. Reeths, seconded by Mr. Norland to adjourn. All ayes. Carried. Meeting adjourned at 7:41 p.m.

Respectfully Submitted,
Cheryl Nault
Community Development Secretary