

AGENDA
CITY OF STURGEON BAY
PLAN COMMISSION
Wednesday, December 15, 2021
6:00 p.m.
City Council Chambers
421 Michigan Street, Sturgeon Bay, WI

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from November 29, 2021.
4. Public comment on non-agenda Plan Commission related items.
5. Consideration of: Resolution regarding Relocation Order and Declaration of Necessity for the extension of S. Grant Avenue.
6. 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.

12/10/21
2:30 p.m.
CSR

<u>Plan Commission Members</u>	
Mayor David Ward	Mark Holey
Ald. Kirsten Reeths	Jeff Norland
Ald. Helen Bacon	Debbie Kiedrowski
Ald. Dennis Statz	

CITY PLAN COMMISSION MINUTES November 29, 2021

A meeting of the City Plan Commission was called to order at 6:00p.m. on November 29, 2021 by Chairperson David J. Ward in the Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay.

Roll Call (#1): Members present: David Ward, Helen Bacon, Jeff Norland, Dennis Statz, Mark Holey, and Debbie Kiedrowski were present. Kirsten Reeths was excused. Also present were Community Development Director Marty Olejniczak, and Administrative Assistant Suzanne Miller.

Agenda (#2): Motion was made by Bacon and seconded by Statz to accept the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from October 20, 2021.
4. Public comment on non-agenda Plan Commission related items.
5. Consideration of: Conceptual Planned Unit Development (PUD) for Cherry Point Investments for a multiple-family residential development located at 1048 and 1116 Egg Harbor Road.
6. Update regarding Planned Unit Development (PUD) for Cherryland Properties, LLC located at 145 S. Neenah Avenue.
7. Consideration of: Zoning code amendment to restructure permitted and conditional uses within the various zoning districts.
8. Adjourn.

All ayes. Motion carried

Approval of minutes from October 20, 2021 (#3): Motion was made by Norland to approve the minutes from October 20, 2021 and seconded by Kiedrowski. All ayes. Motion carried.

Public Comment on non-agenda Plan Commission related items (#4): No citizens presented for public comment.

Consideration of conceptual Planned Unit Development (PUD) for Cherry Point Investments for a multiple-family residential development located at 1048 and 1116 Egg Harbor Road (#5).

Olejniczak described a planned unit development by Cherry Point Investments to construct multiple family dwellings with detached garages on 1116 and 1048 Egg Harbor Road. The developer plans to purchase 1048 Egg Harbor Rd. from the City to use for a long driveway to access the site. Finance Committee has recommended a purchase price. The Council will act on that recommendation on 12.7.21. The site will intersect the future extension of Alabama Place to the north. This project may be an opportunity for the City and Cherry Point Investments to work together to develop additional parcels in the Egg Harbor Road region. The City is considering creation of a tax-increment district (TID) for this region.

Presentation: Doreen Phillips, 1634 Rustic Oak Court, Green Bay, representing Cherry Point Investments, described a plan for construction of 60 townhouse type rental units with detached garages, formatted similarly to those at Maritime Heights (Erie and Florida Streets), consisting of two and three-bedroom units with rents ranging from \$825-\$1,025/mo. Construction is planned to begin in spring and units would be built in-succession, starting at the Egg Harbor Road end of the development and moving back toward (future) Alabama Place.

Consideration: The Commission discussed the following: 1) Traffic concerns related to the close proximity of the proposed entrance off Egg Harbor Road to the entrance to the Tall Pines Estates, directly to the west. 2) Extent to which the proposed driveway is narrow. 3) Configuration of driveway/street connection between the property and Alabama Place to the north. 4) Concern regarding the physical appearance of parking lots directly adjacent to the building. 5) A buffer between the buildings and the single-family homes to the north.

Olejniczak reported the owners of the Tall Pines Estates were contacted regarding the possibility of combining the two drive ways and they did not show interest in the idea. He also reminded the Commission the alternate street access to the north via Alabama Place will aid in reducing traffic at Egg Harbor Road. Redesigned access to the parcels via Egg Harbor Road could be addressed via the region's TID should it be created. Staff would prefer a sidewalk to separate the parking from the

building for a nicer look. Phillips responded the planned parking is located directly adjacent to the building for resident's convenience.

Jeff Halbrook, 2688 Humboldt Road, Green Bay, of Jeffrey Halbrook Construction, stated there is a center turn lane on Egg Harbor Road in front of the entrance to the property that will aid in controlling traffic turning into the driveway.

Olejniczak explained the developer is requesting the Commission approve a combined preliminary/final PUD process, where the presentation by the developer would be followed by a public hearing and a vote by the Plan Commission in a single meeting.

Recommendation: Ward made the motion to approve the request by Cherry Point Investments to have the Planned Unit Development (PUD) for a multiple-family residential development located at 1048 and 1116 Egg Harbor Road reviewed under a combined preliminary/final PUD review process. Statz seconded the motion. All ayes. Motion carried.

Update regarding Planned Unit Development (PUD) for Cherryland Properties, LLC located at 145 S. Neenah Avenue (#6):

Olejniczak explained per City zoning code, a developer has two years to begin construction of a project in a planned unit development (PUD) zoning district. The Common Council may extend the PUD for up to a year upon written request from the holder and may grant up to three one-year extension. Jeffrey Jahnke submitted a letter requesting the PUD for the mixed-use project at 145 S. Neenah Ave. be extended for an additional year. The PUD is set to expire on April 23, 2022. Staff recommendation is to approve the one-year extension.

The Commission discussed the progress this developer was making on a project on 3rd Avenue and understand the developer will move on to the Neenah Avenue project when the work on 3rd Avenue is completed.

Consideration/Recommendation: Statz made a motion that the Plan Commission make a recommendation to Common Council to grant a one-year extension to Cherryland Properties, LLC for the PUD located at 145 S. Neenah Avenue. Holey seconded the motion. All ayes. Motion carried.

Consideration of zoning code amendment to restructure permitted and conditional uses within the various zoning districts (#7):

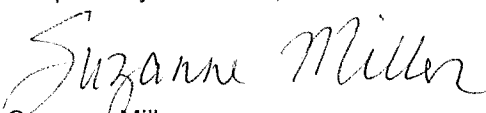
Olejniczak presented the updated chart of permitted and conditional uses for the City's various zoning districts. Use categories were modified to be more inclusive and/or replace outdated terms. A very similar chart was reviewed by the Commission at the September meeting. Notably, the restructuring eliminates the Commercial/Light Manufacturing (C-3) district entirely as it is identical to the General commercial (C-1) district with the exception that light manufacturing and warehousing are allowed as conditional uses. The restructured permitted and conditional uses would add those uses as a conditional use to the C-1 and C-2 districts, allowing the C-3 district to be eliminated.

The Commission discussed what appeared to be the elimination of certain uses, for example art galleries, liquor stores, and ship building, among others. Olejniczak explained, as recommended by the consultant Vandewalle & Associates, such single uses were rolled into broader categories, for example: 1) Art galleries and liquor stores now fall under retail. 2) Ship building now falls under manufacturing.

Consideration/Recommendation: Norland moved the Commission make a recommendation to the Common Council to amend the Zoning Code to include the restructured permitted and conditional uses. Statz seconded the motion. All ayes. Motion carried.

Adjourn (#8): Holey made the motion to adjourn, which was seconded by Statz. All ayes. The motion carried. The meeting adjourned.

Respectfully submitted,



Suzanne Miller
Administrative Assistant

EXECUTIVE SUMMARY

Title: Resolution of Relocation Order and Declaration of Necessity

Background: The City Attorney is working on the various legal and administrative steps for the City of Sturgeon Bay to acquire the right-of-way for the extension of S. Grant Ave by eminent domain (condemnation). One of the steps is adoption of a Resolution of Relocation Order and Declaration of Necessity by the Council.

The City Attorney drafted the resolution and because the Plan Commission has a role in laying out streets and adopting the Official Map, he thinks it is a good idea to have the Plan Commission recommend the resolution to the Council.

The project extends S. Grant Avenue northerly and easterly to connect with the end of Sawyer Drive in the Town of Nasewaupée. The street will provide an alternative access to the residences and businesses in that area and is a requirement of the Wisconsin Department of Transportation. The proposed route follows an existing gravel driveway that was installed within the planned right-of-way for Grant Ave in order to provide emergency access. The route matches the City's Official Map and matches the planned route on the original development plan.

Recommendation: The Plan Commission should recommend adoption of the Resolution of Relocation Order and Declaration of Necessity.

Prepared by: 
Martin Olejniczak, Community Development Director

12-3-2021
Date

Reviewed by: _____
Josh Van Lieshout, City Administrator

Date

CITY OF STURGEON BAY RESOLUTION NO.
Resolution of Relocation Order and Declaration of Necessity

The Common Council of the City of Sturgeon Bay, Brown County Wisconsin hereby resolves as follows:

1. This Resolution shall be a Relocation Order in accordance with subsection 32.05(1), Wis. Stats., for the purpose of laying out, extending, and constructing a portion of Grant Avenue as illustrated and described herein and is also a declaration of necessity for the acquisition of the real estate necessary to carry out the public project in accordance with subsection 32.07(2), Wisconsin Statutes.

2. The City of Sturgeon Bay hereby determines that it is necessary and a public purpose to: layout, extend and construct Grant Avenue from its intersection with Sycamore Street in the City of Sturgeon Bay to its intersection with Sawyer Drive extended to the border of the Town of Nasewaupsee, Wisconsin, in the manner and location illustrated and described in the attached map identified as Exhibit A and entitled "Layout of Grant Avenue Improvement" which is appended to this Relocation Order and incorporated herein; and, to acquire the lands illustrated and described by Exhibit A for that purpose;

3. The Common Council of the City of Sturgeon Bay hereby orders:

- a. The Grant Avenue as laid out in the scale map attached as Exhibit A will be extended and constructed within the lines and widths shown.
- b. The City of Sturgeon Bay will acquire a fee simple interest in the area described in the "Description Proposed Right-of-way" portion of Exhibit "A", from the present owners.

- c. A copy of this order shall be filed with the Door County Clerk within 20 days of its issuance.

Adopted and approved this ____ day of _____, 2021, by Common Council of the City of Sturgeon Bay.

I hereby certify that on this _____ day of _____, 2021, that this Resolution of Relocation Order and Declaration of Necessity was adopted by a vote of _____ ayes and _____ nays by the Common Council of the City of Sturgeon Bay, Wisconsin.

David J. Ward, Mayor

ATTEST:

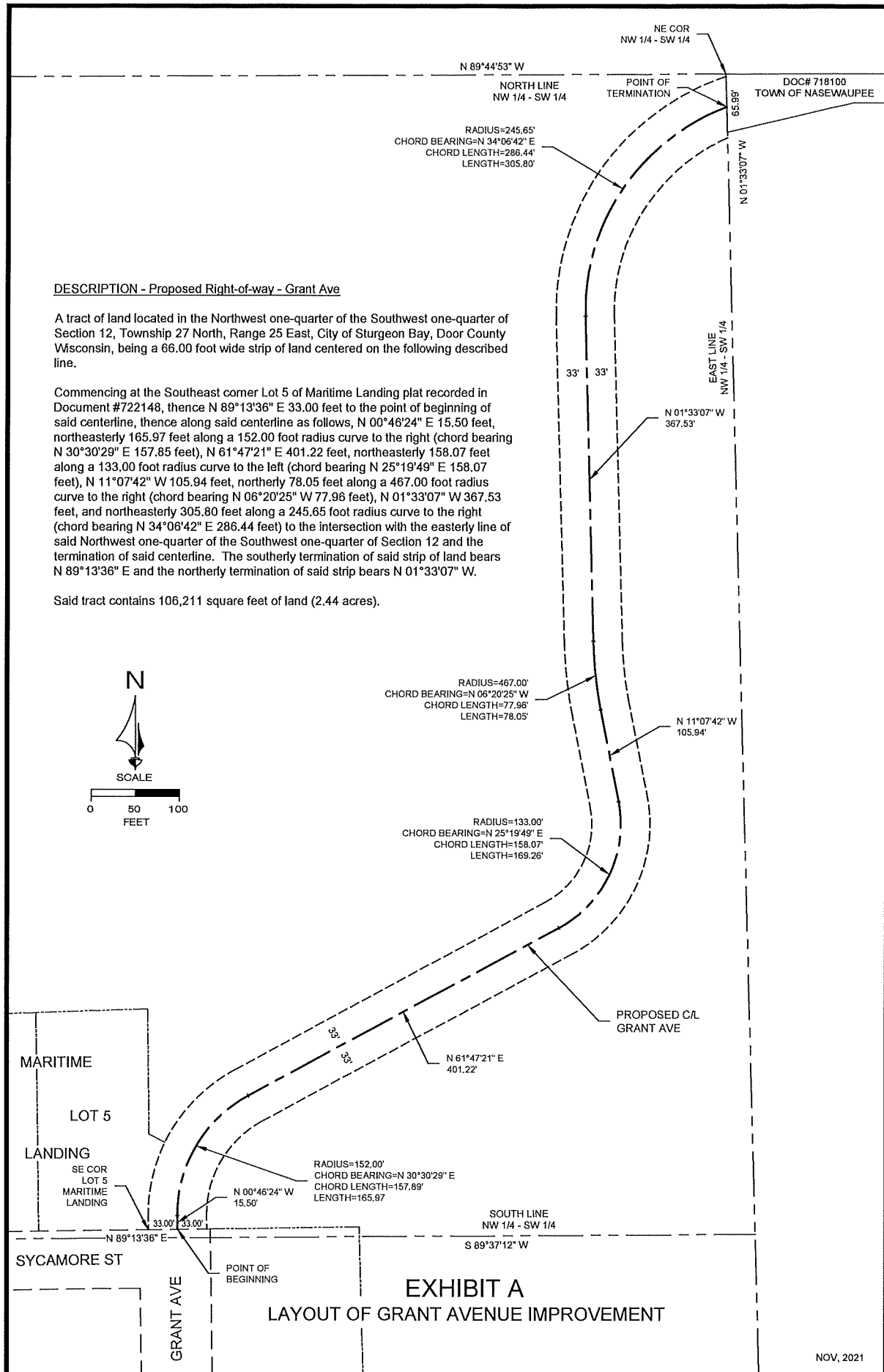
Stephanie L. Reinhardt, City Clerk

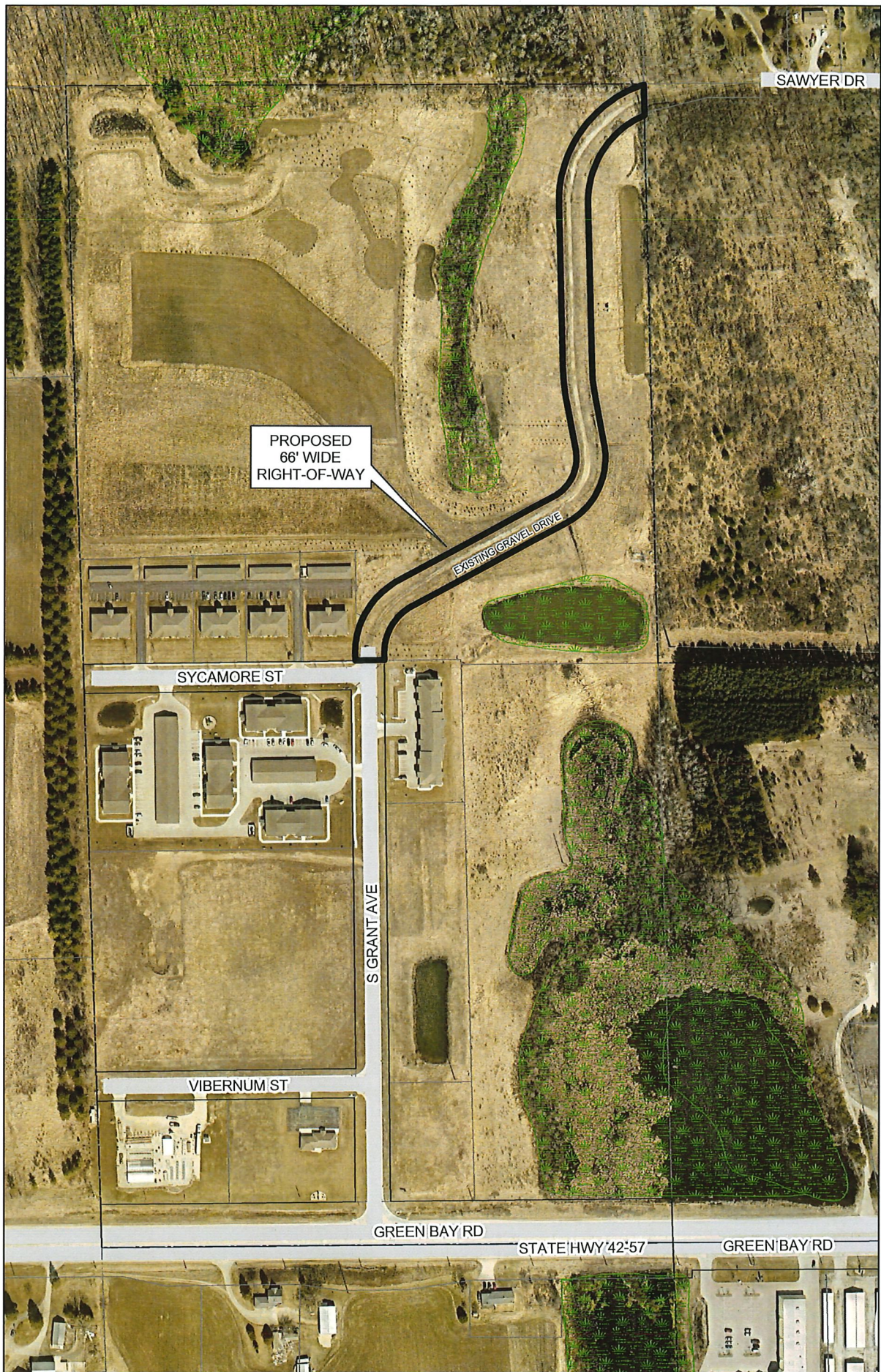
DESCRIPTION - Proposed Right-of-way - Grant Ave

A tract of land located in the Northwest one-quarter of the Southwest one-quarter of Section 12, Township 27 North, Range 25 East, City of Sturgeon Bay, Door County Wisconsin, being a 66.00 foot wide strip of land centered on the following described line.

Commencing at the Southeast corner Lot 5 of Maritime Landing plat recorded in Document #722148, thence N 89°13'36" E 33.00 feet to the point of beginning of said centerline, thence along said centerline as follows, N 00°46'24" E 15.50 feet, northeasterly 165.97 feet along a 152.00 foot radius curve to the right (chord bearing N 30°30'29" E 157.85 feet), N 61°47'21" E 401.22 feet, northeasterly 158.07 feet along a 133.00 foot radius curve to the left (chord bearing N 25°19'49" E 158.07 feet), N 11°07'42" W 105.94 feet, northerly 78.05 feet along a 467.00 foot radius curve to the right (chord bearing N 06°20'25" W 77.96 feet), N 01°33'07" W 367.53 feet, and northeasterly 305.80 feet along a 245.65 foot radius curve to the right (chord bearing N 34°06'42" E 286.44 feet) to the intersection with the easterly line of said Northwest one-quarter of the Southwest one-quarter of Section 12 and the termination of said centerline. The southerly termination of said strip of land bears N 89°13'36" E and the northerly termination of said strip bears N 01°33'07" W.

Said tract contains 106,211 square feet of land (2.44 acres).





SITE PLAN
EXTENSION OF GRANT AVE TO SAWYER DR

