

CITY PLAN COMMISSION MINUTES October 20, 2021

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

Roll Call (#1): Members present: David Ward, Kirsten Reeths, Helen Bacon, Jeff Norland, Dennis Statz, Mark Holey, and Debbie Kiedrowski were present. Also present were Community Development Director Marty Olejniczak, Zoning/Planning Administrator Christopher Sullivan-Robinson and Administrative Assistant Suzanne Miller.

Agenda (#2):

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from September 15, 2021.
4. Public comment on non-agenda Plan Commission related items.
5. Consideration of: Comprehensive Plan amendment to change the Future Land Use designation for property located at 1361 N. 14th Avenue.
6. Consideration of: Zoning map amendment petition by Estes Investments, LLP from Agricultural (A) to General Commercial (C-1) for property located at 1361 N. 14th Avenue.
7. Conditional use application for commercial establishment with drive-through facility (car wash) proposed by Kwik Trip, Inc. for property located at 1567 to 1629 Egg Harbor Road and 1614 to 1636 Alabama Street.
 - a. Presentation
 - b. Public Hearing
 - c. Consideration
8. Conditional use application for 14-unit multiple-family dwelling (townhomes) proposed by Harbor Ridge, LLC (R.E. Lee, representative) for property located on the east side of S. Grant Ave immediately south of 416 S. Grant Avenue.
 - a. Presentation
 - b. Public Hearing
 - c. Consideration
9. Zoning map amendment petition by Sturgeon Bay Plan Commission from Planned Unit Development (PUD) to Single-Family Residential (R-2) for parcels 281-62-09000107, 281-62-09000108, 281-12-60020501, and 281-12-60020502 located along the east side of N. 8th Avenue between Belmar Place and Bonnie View Drive.
 - a. Presentation
 - b. Public Hearing
 - c. Consideration/Recommendation (*Note: The Plan Commission will not make a recommendation at this meeting, unless a motion is made and passed by $\frac{3}{4}$ of the members present to act on the request at this meeting.*)
10. Adjourn.

Approval of minutes from September 25, 2021 (#3): Motion was made by Mr. Statz to approve the minutes from September 25, 2021 and seconded by Mr. Norland All ayes. Motion carried.

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

Consideration of: Comprehensive Plan amendment to change the Future Land Use designation for property located at 1361 N. 14th Avenue (#5):

Sullivan-Robinson stated the Plan Commission did not act on this item on 9.15.21. He explained the applicant is revising the request to rezone just the back of the property to commercial and develop the front of the property into apartments at a later time. A comprehensive plan amendment is still required for the rear portion of the parcel. Sullivan-Robinson described the three options for Commission consideration at this meeting: 1. Keep the current future land use category as Higher-Density Residential, 2. Designate as Regional Commercial, which is appropriate for commercial storage facilities and in keeping with other properties in the area, or 3. Designate as Unsewered Commercial, which is appropriate for the low

intensity proposed development and because there is no public sanitary sewer or water in place. Staff is recommending Unsewered Commercial designation for the back half of the property.

Dave Phillips, representing the applicant, presented the revised development plan for 15 24x42x16ft. storage units for the rear of the property and a 12-14 unit, 3-story apartment building with underground parking on the front half. He stated Estes wishes to work with the City to run sewer and water to the front of the property. Estes now requests the rear 190ft. be rezoned General Commercial (C-1 [unsewered]) and leaving the front of the property as is to be later rezoned Higher Density Residential when they return to the Commission with a plan for the apartments as utilities become available.

To address the concerns of the citizens voiced at the 9.15.21 public hearing, Phillips requested the Commissioners review the Bauduin Surveying & Engineering storm water plan provided and encouraged them to make landscaping requirements to shield the neighbor's view and abate noise a part of their recommendation.

The Commission discussed concerns regarding the condition of the mobile home on property and uncertainty as to when the storm water plan would be implemented and when the apartment complex would be built. Phillips stated Estes would be agreeable to time restrictions placed by the Commission on construction of storm water control.

Statz moved to approve a resolution to change the Future Land Use Map classification of the westerly 190ft of the parcel (no. 281-17-032001410C) located at 1361 N. 14th Avenue from Higher Density Commercial to Unsewered Commercial. Reeths seconded the motion. All ayes. Motion carried.

Consideration of: Zoning map amendment petition by Estes Investments, LLP from Agricultural (A) to General Commercial (C-1) for property located at 1361 N. 14th Avenue (#6):

Sullivan-Robinson stated staff recommendation is to rezone the back half (190ft.) of the parcel to General Commercial (C-1) and leave the rest as Agricultural until Estes comes back with a plan for multifamily residential housing.

Statz made a motion to approve a recommendation to Common Council to change the zoning for the westerly 190ft. of the property 1361 N. 14th Avenue to General Commercial. Kiedrowski seconded the motion.

Commission discussed concerns as to when construction of units would start and loss of control of what is built if zoning is change to commercial. Olejniczak explained if the project isn't built, the Commission has the right to zone it again. Regarding questions as to when the stormwater control would be put in place, Olejniczak explained the City has an ordinance addressing storm water that must be followed, the City Engineer will be involved during construction, and the Commission can direct staff to alert the Aesthetic Design and Site Review Board of concerns for storm water control. Also discussed was requiring landscaping and plantings to shield the view of the storage garages and block light from cars driving on the property.

Norland moved for an amendment to the motion to include a recommendation to staff to alert the Aesthetic Design and Site Review Board that the storm water plan must be implemented as construction begins and plantings to shield the view of the storage garages and block light from cars on the property must be included in the landscaping. Holey seconded the amendment. Ward called a vote on the amendment. All ayes. Amendment carried.

Ward called a vote on the main motion as amended to approve a recommendation to Common Council to change the zoning for the westerly 190ft. of the property at 1361 N. 14th Avenue to General Commercial (C-1) with the conditions that staff will work with the Aesthetic Design and Site Review Board to ensure the storm water plan is implemented as construction begins and plantings to shield the view of the storage garages and block light from cars on the property is included in the landscaping. All ayes. Motion as amended carried.

Conditional use application for commercial establishment with drive-through facility (car wash) proposed by Kwik Trip, Inc. for property located at 1567 to 1629 Egg Harbor Road and 1614 to 1636 Alabama Street (#7):

Presentation:

Troy Mleziva, Real Estate Development Manager for Kwik Trip Inc., described the plan as a complete redevelopment of the site to include a 9,000ft. convenience store with self-contained drive-through car wash facility and two fueling islands.

The Commission questioned the traffic flow pattern, especially as vehicles exit the property onto Alabama St., particularly RV and semi-truck traffic. Safety concerns were raised due to lack of sidewalks, congestion due to soccer field and fairgrounds entrances on Alabama St, difficulty turning at the intersection of Alabama St. and Egg Harbor Rd., and back-ups at the traffic lights on Egg Harbor Rd. Rerouting the site's traffic plan to have vehicles exit on to Egg Harbor Rd. was suggested. Mleziva voiced his belief that though the diesel island would accommodate semi-trucks, he anticipated use there to be mainly RVs and vehicles pulling trailers. Ward explained the traffic issue could be evaluated by the Parking and Traffic Committee.

Public Hearing:

Jordan Pedlar of 1650 Alabama St. stated he is not in favor of the Kwik Trip project and raised the following concerns: 1. Carwash noise 2. Traffic concerns and 3. Existing "No Trucks" sign on Alabama St., which he discussed previously with Sullivan-Robinson. He stated his home is 50ft from the proposed Kwik Trip property line and is asking for installation of fencing and plantings for a visual and sound barrier.

Ken Pedlar of 1635 Sycamore St. (Jordan Pedlar's father) questioned the construction of the car wash and the diesel island and stated not all Kwik Trips have them. He questioned whether Kwik Trip is the right project for the property, stating his concern was traffic and EMS use of Alabama St. He is concerned about a negative effect on residential property sale and value.

Andy Roman of 1651 Egg Harbor Rd. stated he lives directly to the east (in Town of Sevastopol) of the proposed Kwik Trip site and voiced concern related to increased traffic, semis and trucks in particular, making it more dangerous when the school bus picks his children up on Egg Harbor Rd. Additionally, he is concerned about the effect of 24hr./day lights, increased traffic, and loss of privacy on his property, and risk of pollution in his well. He feels the east side of town does not need another gas station.

A letter from Lisa Peterson, an Alabama St. resident was read. She is not opposed to Kwik Trip, but has concerns about increase in traffic on Alabama street. She stated Alabama St has safety issues due to fast-moving traffic and lack of sidewalks.

Consideration:

Mayor Ward requested a staff response. Sullivan-Robinson stated sidewalks could be a condition for approval, but traffic concerns were not raised as a part of previous staff evaluation of the plan. Olejniczak stated the issue at hand is related to the drive-thru portion of the project, making conditions related to traffic appropriate. Staff discussed limiting highway signage to the Egg Harbor Rd. exit, additional/denser vegetative screening along the east property line to block light and noise and having Aesthetic Design and Site Plan Committee evaluate for fencing.

Mleziva stated Kwik Trip did include a landscaping plan but staff could ask for more dense plantings and/or fencing.

Olejniczak addressed the "No Trucks" signs on Alabama St. saying the City cannot enforce that as there is no supporting Ordinance. If those signs remain in place, they need to be considered by the Parking and Traffic Committee.

Norland made a motion to approve the Conditional Use application for a commercial establishment with drive-through facility (car wash) proposed by Kwik Trip, Inc. for property located at 1567 to 1629 Egg Harbor Road and 1614 to 1636 Alabama Street. Statz seconded the motion.

Ward questioned whether the Commission wished to place conditions on the approval. Olejniczak explained conditions would require a rational nexus to the drive-thru facility. Norland suggested a traffic lane behind the building could route

traffic back onto Egg Harbor Rd. to allow access to the highway northbound may alleviate traffic on Alabama St. Norland restated his motion to include evaluation of the site's traffic plan and addition of additional, denser screening and addition of a fence.

Ward called a vote on the motion as restated by Norland and seconded by Statz, to approve the Conditional Use application for a commercial establishment with drive-through facility (car wash) proposed by Kwik Trip, Inc. for property located at 1567 to 1629 Egg Harbor Road and 1614 to 1636 Alabama Street with the condition that the site's traffic plan, feasibility of a lane around the back of the store to direct traffic onto Egg Harbor Rd., and addition of tall fence and density/screening be evaluated by the Aesthetic Design and Site Review Plan Committee. All ayes. The motion carried.

Conditional use application for 14-unit multiple-family dwelling (townhomes) proposed by Harbor Ridge, LLC (R.E. Lee, representative) for property located on the east side of S. Grant Ave immediately south of 416 S. Grant Avenue (#8):

Presentation:

Brad Treml with R. E. Lee & Associates described a proposed 14-unit townhouse apartment building that will match the existing building to the north. Laterals for water and sanitary will come off Grant Avenue. The storm water holding pond to the south is in its own outlot and will be transferred to the City of Sturgeon Bay.

Michelle Stimpson with Lexington Management (Managers of Harbor Ridge and Harbor Winds) explained the new building / extension of Harbor Ridge will look identical to the existing building. There will be one egress into the combined site, which keeps the property enclosed and reduces traffic. There will be one dumpster site for both buildings.

Commissioners raised the issue that street trees required for the first building were never planted and street trees for the proposed building must be planted as well.

Public Hearing:

Ken Butler of 1634 Sycamore Street questioned the lack of alternative access to the buildings (extension of Grant Avenue) and voiced the City should have the rear street access built before the building goes in. Olejniczak explained the Common Council authorized the acquisition of the property needed to extend Grand Ave. to Sawyer Dr. through the use of eminent domain. There is money proposed in the 2022 budget to acquire the property. Olejniczak reported if the proposed funds are approved the Grant Ave. extension may be built around the time of building construction.

Consideration:

Sullivan-Robinson explained the General Commercial (C-1) zoning of the parcel allows Multi-Family Residential with a Conditional Use Permit. Olejniczak reported City Engineer has reviewed the storm water plan and requested one minor addition. He reiterated the street trees were required. Common Council has agreed to take ownership of the stormwater holding pond as it serves the city streets.

Commissioners discussion included asking developer to consider recreation facility - a gazebo/patio area or playground, and additional sidewalks. Stimson explained the rear of the lot drops off and the front holds low lying stormwater, leaving no place for communal areas.

Reeths moved to approve the Conditional use application for 14-unit multiple-family dwelling with the following conditions: 1. Street trees shall be provided and approved by City Forester, 2. Final approval of the stormwater management plan by the City Engineer, and 3. Approval of the project by the Aesthetic Design and Site Plan Review Board. Bacon seconded the motion. All ayes. Motion carried.

Zoning map amendment petition by Sturgeon Bay Plan Commission from Planned Unit Development (PUD) to Single-Family Residential (R-2) for parcels 281-62-09000107, 281-62-09000108, 281-12-60020501, and 281-12-60020502 located along the east side of N. 8th Avenue between Belmar Place and Bonnie View Drive (#9):

Presentation:

Olejniczak explained the City Plan Commission is requesting a change in zoning for two of the parcels, currently single-family homes, that were not included in the PUD, but are shown on the zoning map as PUD in error. In addition, the City Plan Commission requests change in zoning for two parcels restricted in the PUD to office use. The request is for zoning of all four parcels to be changed from PUD to Single-Family Residential (R-2).

Public Hearing:

Megan Parsons of 1118 N. 8th Avenue, speaking for the James Parsons Trust, stated the ½ acre lot was purchased by her father from H. Overbeck in order to keep the parcel residential. That ½ acre is being sold as a part of a 3-acre parcel in order to keep it residential in accordance with her father's wishes. She supports the rezoning

Consideration/Recommendation

Statz moved to make a recommendation to the Common Council on the City Plan Commission's Zoning map amendment petition at this meeting. Motion seconded by Holey. All ayes. Motion carried.

Holey made a motion to recommend to the Common Council to amend the zoning map for the four parcels along the east side of N. 8th Avenue between Belmar Place and Bonnie View Drive (parcels 281-62-09000107, 281-62-09000108, 281-12-60020501, and 281-12-60020502) from Planned Unit Development (PUD) to Single-Family Residential (R-2). Norland seconded the motion. All ayes. The motion carried.

Adjourn (#10): Reeths made the motion to adjourn, which was seconded by Norland. All ayes. The motion carried. Meeting adjourned at 7:57pm.

Respectfully submitted,

Suzanne Miller
Administrative Assistant