

CITY PLAN COMMISSION

July 21, 2021

A meeting of the City Plan Commission was called to order at 5:00p.m. by Chairperson David J. Ward in the Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay.

Roll Call: Members David Ward, Kirsten Reeths, Helen Bacon, Jeff Norland, Dennis Statz, and Debbie Kiedrowski were present. Also present were Community Development Director Marty Olejniczak, Zoning/Planning Administrator Christopher Sullivan-Robinson, City Administrator Josh VanLieshout, and Administrative Assistant Suzanne Miller. Absent at the time of roll call was member Mark Holey.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from June 30, 2021.
4. Public comment on non-agenda Plan Commission related items.
5. Initial presentation for zoning map amendment petition by Estes Investments, LLC from Agricultural (A) to General Commercial (C-1) for property at 1361 N. 14<sup>th</sup> Avenue.
6. Consideration of: Request from WWP Development, LLC for reduced setback on the C-2 district for proposed project located on E. Maple Street (West Waterfront).
7. Consideration of: Restructuring of permitted and conditional uses within the Sturgeon Bay Zoning Code.
8. Adjourn.

All ayes. Motion carried.

**Approval of minutes from June 30, 2021:** Moved by Ms. Bacon, seconded by Ms. Reeths to approve the minutes from June 30, 2021. All ayes. Motion carried.

**Public Comment on non-agenda Plan Commission related items:** There was no public comment.

**Initial presentation for zoning map amendment petition by Estes Investments, LLC from Agricultural (A) to General Commercial (C-1) for property at 1361 N. 14<sup>th</sup> Avenue:**

**Presentation:** Mr. Sullivan-Robinson stated the N. 14<sup>th</sup> Avenue property's current use as commercial storage is nonconforming and the property is significantly run down. The rezoning will allow the use to be conforming so that the property can be redeveloped with new commercial storage buildings. This petition for rezoning does not fit the City's Comprehensive Plan, which indicates future use of the property would be multi-family residential. If the

Commission approves the zoning map amendment petition, it must also amend the City's Future Land Use Map at the same time.

Mr. Dave Phillips of Bayland Building, Green Bay, WI, representative of property owner Mr. Steven Estes, explained neighbor complaints about the property relate to the appearance, rather than the use as a commercial storage facility. He stated a wetlands evaluation indicated there were no wetlands found on the property. The plan is for mini-storage with adequate parking: two 10ft.x20ft. buildings and one 10ft.x30ft. building in the back of the property. Property size is 1.5-1.75 acres. Property owner does not have a plan for the front/street side of the property. Elderly/55+ housing was considered, but the slope of the property is too great. The plan is to redevelop the rear of the property in order to generate revenue and move forward with a future plan for the front of the property. The existing front building would remain in use, but be cleaned up with landscaping added. The building could be torn down as a part of a subsequent phase when a plan for the front of the property is implemented. Mr. Phillips said they would come back before the Commission with a plan for the front of the property "when the time comes".

Ms. Bacon, Mr. Statz, Ms. Kiedrowksi, and Mr. Norland reported they would prefer housing on the property. Mr. Phillips reported the owners are not interested in building housing at present, but want to retain ownership of the property.

Mr. Ward raised three concerns: 1. Lack of a plan for the front of the property. 2. He would like to see a landscaping plan included 3. He would like a pledge to have the property cleaned up.

Mr. Statz questioned possibility of the property being a candidate for PUD with housing on the front of the property. Mr. Olejniczak said a mixed used PUD would be possible and could offer owner flexibility.

Mr. Olejniczak reported his recommendation and that of Mr. Sullivan-Robinson is if this petition goes forward, a Comprehensive Plan amendment to the Land Use Plan must be made at the same time. He said a Comprehensive Plan amendment and a Zoning Map amendment can go forward at the same time.

Owners would like to move forward and Mr. Olejniczak and Mr. Sullivan-Robinson will continue to work with them.

**Consideration of request from WWP Development, LLC for reduced setback in the C-2 district for proposed project located on E. Maple Street (West Waterfront):**

Mr. Sullivan-Robinson reported the request is for a reduced setback at the side of the property to the east. Other reduced setbacks in this area have been granted per a zoning code provision intended to allow "downtown character". He recommended approval of a zero setback off the east lot line to get as much of a building as possible on the site.

Mr. Olejniczak reported the proposed reduced building setback is at one corner of the building only. He and Mr. Sullivan-Robinson recommend the zero setback.

Mr. Peter Gentry of WWP Development, LLC thanked the Commission for letting them appropriate some of the parkland space for their Plaza project. He reported the reduced setback will allow them to widen the building to meet ADA requirements and accommodate an elevator.

Mr. Statz questioned the ownership of the land. Mr. Olejniczak responded the lot was approved to be sold to Mr. Gentry but the City will retain the one-foot strip between the lot and the highwater mark in order for the City to remain the riparian owner.

Mr. Ward called for a motion. Mr. Norland made a motion to grant a zero setback. Ms. Reeth seconded the motion.

All ayes. Motion carried.

### **Consideration of restructuring of permitted and conditional uses within the Sturgeon Bay Zoning Code:**

Mr. Olejniczak introduced a draft of a chart format for zoning districts recommended by Vandewalle & Associates and discussed the section on residential uses. He also discussed the "footnotes" document entitled *Regulations/Requirements for Particular Uses (number corresponds to chart of permitted uses)* as it relates to the zoning districts chart. He suggested the Commission reconsider increasing the number of units in a multi-family development that would require a PUD designation when all other zoning criteria are met. In addition, he asked the Commission to consider increasing the number of units that would be considered permitted before conditional use was triggered.

Mr. Statz questioned whether the number of units per designation (Permitted vs. Conditional vs. PUD) would be affected by whether there was one building or multiple buildings on a lot. Mr. Olejniczak responded that currently the designation is based upon number of units per lot, but that question must be discussed/considered.

Mr. Norland raised the concern that traffic flow issues be considered when a sizable development is proposed. Mr. Olejniczak responded specific requirements for uses exist and the City can state that when a certain number of units are proposed a traffic impact analysis must be submitted and the developer may be required to pay for a traffic light or a request may be rejected if a traffic issue can't be resolved.

Mr. Ward questioned the number of units per designation. If the number of units in the Permitted category was increased, what would be a suggested range to be designated as Conditional? Mr. Olejniczak responded that it might be possible to have only two designations, Permitted and Conditional, with additional standards such as the traffic analysis required for the Conditional category. He explained he was leaning toward eliminating the PUD category or significantly increasing the number of units that would trigger a PUD if the Commission opted to keep it.

**Mr. Mark Holey joined the meeting in person at 5:53 pm.**

Mr. Olejniczak discussed an institutional use category or district and asked the Commission to share their thoughts on that. Items in red are more “controversial” and require further discussion.

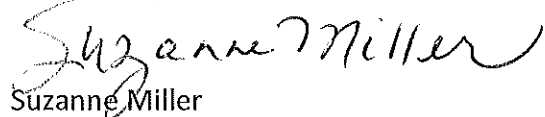
Staff was directed to continue to work on the restructuring of the zoning code to bring back to a future Plan Commission meeting. No formal action was taken.

**Motion to Adjourn:**

Mr. Holey moved to adjourn the meeting. The motion was seconded by Ms. Kiedrowski.

All ayes. Motion carried. Meeting adjourned at 6:01p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Suzanne Miller". The signature is written in black ink and is positioned above the printed name.

Suzanne Miller

Administrative Assistant