

AGENDA
CITY OF STURGEON BAY
PLAN COMMISSION
Monday, November 29, 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 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.

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.

11/24/21
2:30 p.m.
SM

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

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 ¾ 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 Trembl 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

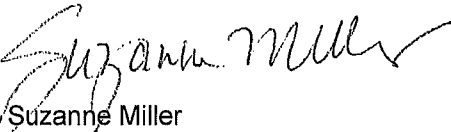
Consideration/Recommendation

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



MEMO

To: Plan Commission
From: Christopher Sullivan-Robinson & Marty Olejniczak
Date: November 24, 2021
Subject: Conceptual PUD Review – 1116 Egg Harbor Rd

Cherry Point Investments (Doreen Phillips, representative is initiating a Planned Unit Development (PUD) to allow the construction of multiple family dwellings with detached garages. The development site includes 1116 Egg Harbor Rd owned by Fire Lane Rentals, LLC and 1048 Egg Harbor Rd owned by the City of Sturgeon Bay. The developer has requested to purchase 1048 Egg Harbor Rd from the City and the Finance Committee has recommended approval of a purchase price. The Council will act upon that recommendation at their December 7th meeting. If the sale is not approved, then the proposed development will need to be altered. The advantage of using the parcel at 1048 Egg Harbor Rd for access is that it leaves the frontage of 1116 Egg Harbor Rd available for commercial development.

The overall site contains 8.475 acres with 3 existing structures including a single-family residence and two garage buildings. The remaining property is undeveloped. The site has multiple zoning classification including General Commercial (C-1) off of Egg Harbor Rd, Multiple Family Residential (R-4) for the middle portion of the property, and Single Family Residential (R-1) in the back. Multiple family residential is allowed within the R-4 and C-1 zoning districts; however, R-1 does not allow multiple family dwellings. Any development that contains more than 24 dwelling units on a single lot is required to obtain a PUD approval.

The abutting property to the west contains Tall Pine Estates multiple family development which is zoned PUD. The abutting property to east contains Cherry Point Mall, Packerland Chiropractor, and McDonalds. These are zoned C-1. The abutting property to the north is zoned single family residential and is zoned R-1. The abutting properties to the south contain various commercial uses and are zoned C-1 or C-3 (Commercial / Light Manufacturing).

The Comprehensive Plan Future Land Use Map identifies a portion of the property adjacent to Egg Harbor Rd to be Regional Commercial while the remainder of the property is Planned Neighborhood. The proposal does not negatively impact the Comp Plan. However; previous plans and the current zoning called for the property to transition from multiple family to medium / low density residential toward the north end.

Below are the initial comments from City Staff:

1. The City has plans to extend Alabama Place to North 12th Place. A roadway connection and proper right-of-way should be planned versus the driveway shown in the concept plan. In addition, the City will need to consider the impact of the potential street extension when discussing architecture and road access.

2. The current Official Map shows future Alabama Place running due east through the northern portion of the subject property before curving north to 12th Place. That layout conflicts with the proposed development, but staff supports adjusting the future street location and worked with the developer on the curvilinear plan that has less impact on the mall parcel. The goal is to provide a reasonable street connection and a transition or buffer between the proposed multiple-family dwellings and the single-family dwellings to the north.
3. The concept drawing shows the parking areas being very wide, thus accommodating parking in front of the garages. This is different from the narrower parking areas with no parking in front of the garages that was constructed for the Maritime Heights development by the same developer. In addition, the concept plan does not show a walkway and landscaping between the parking area and the apartments unlike Maritime Heights. Staff's preference is to follow the design of the Maritime Heights project. This would improve the aesthetics and save about 50 feet of total pavement width and would possibly allow single-family or two-family dwellings to be constructed at the north end as a transition.
4. Sewer services should be designed to be gravity fed from Alabama to 12th, so that the existing lift station at the dead end of Alabama Pl can be eliminated. Water laterals should be extended off of the water main along the east property line.
5. Stormwater management should be designed to not interfere with existing underground utilities along the east lot line.
6. The new storm ponds will likely need to discharge into the storm sewer along Egg Harbor Road. The mall already has a very large amount of water running through their parking lots. Therefore, unless the developer can definitively show the water from this site will be less than current, water should not be directed there. Water from Alabama Place will need to be considered and cannot end up uncontrolled onto the Mall Property or N 12th Place.
7. Electric service should get extended from Egg Harbor Rd along the west lot line. Sturgeon Bay Utilities will require a 12-foot easement along this route from the developer prior to install. Electric service locations on the building need to be near the west side of the building and must be located outside; not in a closet.
8. The two properties will need to be combined with a certified survey map. The same is also true for property to be subdivided.
9. The neighboring development was required to connect sidewalks to Egg Harbor Rd. This should also be considered for this development as well. The City provided some cost-sharing for the sidewalk on the Tall Pines Estates parcel.

The first formal step in the PUD process is conceptual review via informal discussion with the Plan Commission. This step allows for the applicant to provide an overview of the project and for the Plan Commission to provide constructive feedback in order to proceed to the public hearing. There is no action required from the Plan Commission during conceptual review, but

the Plan Commission should be prepared to discuss the initial staff comments and any other issues that it finds.

At the conceptual review, the applicant can request the project to be reviewed under the combined preliminary/final PUD process. The use of the combined PUD process requires approval from the commission. Typically, the combined process is used for projects with a single use and similarly designed buildings that are intended to be constructed in a single phase. The developer has requested to follow the combined preliminary/final PUD procedures so action to approve or deny that process is needed.

Staff believes that this project offers a chance for the City and developer to work together and look beyond the specific parcel. This includes considering development on the Krueger parcel north of Tall Pines Estate and other developments and projects within the general Egg Harbor Road region. One option that is being considered is the creation of a tax increment district for the region, including the subject property. If a TID is adopted, it would allow the property taxes from the development and other future nearby developments to pay for improvements such as the street extension, pedestrian connections, regional stormwater improvements and other beneficial public projects.

CITY OF STURGEON BAY PLANNED UNIT DEVELOPMENT APPLICATION

Date Received: _____
Fee Paid \$ _____
Received By: _____

Application For: Conceptual ☒ Preliminary _____ Final _____ Combined Preliminary/Final _____
Note: There are different requirements for each of the above processes. A separate application is required for each.

NAME OF PROPOSED PLANNED UNIT DEVELOPMENT: Cherry Point Investments

	APPLICANT/AGENT	LEGAL PROPERTY OWNER
Name	<u>Doreen A. Phillips</u>	<u>Fire Lane Rentals</u>
Company	<u>Cherry Point Investments LLC</u>	
Street Address	<u>1634 Rustic Oaks Ct.</u>	
City/State/Zip	<u>Green Bay WI 54301</u>	
Daytime Telephone No.	<u>920-621-2800</u>	
Fax No.		

STREET ADDRESS(es) OF SUBJECT PROPERTY: 1116 Egg Harbor Rd
Location if not assigned a common address: Sturgeon Bay WI 54235

TAX PARCEL NUMBER(s): 2816210000108

AREA OF SUBJECT PROPERTY AND NO. OF LOTS: 7.3 Acres

CURRENT ZONING CLASSIFICATION: R-4 - Multiple Family

CURRENT USE AND IMPROVEMENTS: 1 home, 2 outside storage
buildings in front - vacant land
in the rear.

COMPREHENSIVE PLAN DESIGNATION OF SUBJECT PROPERTY: REGIONAL COMMERCIAL
PLANNED NEIGHBORHOOD

WOULD APPROVAL OF THE PROPOSED PLANNED UNIT DEVELOPMENT CONFORM WITH THE
COMPREHENSIVE PLAN? Yes ☒ No ☐ Explain: There are 64
units next door

PLEASE IDENTIFY SPECIFIC PROPOSED LAND USES. USES MUST IDENTIFY AND CORRESPOND TO A PARTICULAR LOT, LOCATION, BUILDING, ETC.

to construct
60 town house rental units see site plan
from Baudquin Engineering

CURRENT USE AND ZONING OF ADJACENT SURROUNDING PROPERTIES:

North: Vacant land zoned R-1

South: Commercial

East: Cherry Point Mall

West: Tall Pines 64 units apartment

COMPREHENSIVE PLAN DESIGNATION OF ADJACENT SURROUNDING LAND USES:

North: Vacant land zoned R-1

South: Commercial

East: Cherry Point Mall

West: Tall Pines 64 units apartments - M-4

IS ANY VARIANCE FROM COMPREHENSIVE PLAN, SUBDIVISION ORDINANCE, OR ZONING ORDINANCE BEING REQUESTED? If yes, describe:

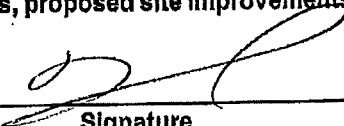
NO

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? IF YES, EXPLAIN:

N/A

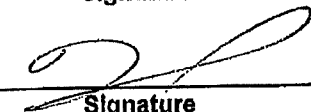
Attach an 11" X 17" detailed site plan (if site plan is larger than 8-1/2" x 11", also include 20 copies folded to 8-1/2" X 11"), full legal description (preferably on disk), location map with site boundaries marked, proof of ownership, and Agreement for Reimbursement of expenses. Site or plot plan shall include dimensions of property, structures, building elevations, proposed site improvements, signature of person who drew plan, etc.

Doreen A. Phillips
Property Owner (Print Name)


Signature

11-15-2021
Date

Doreen A. Phillips
Applicant/Agent (Print Name)


Signature

11-15-2021
Date

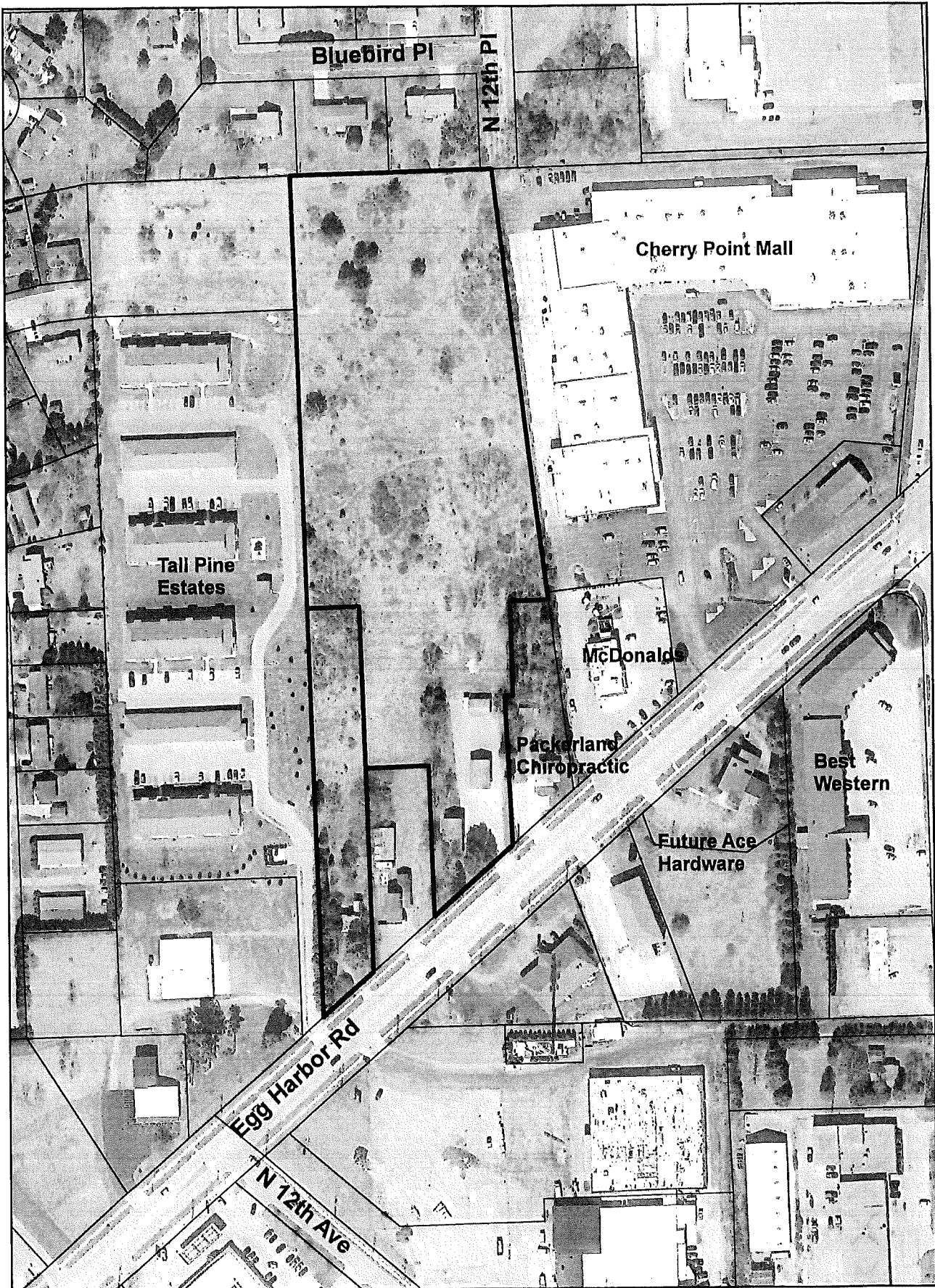
I, _____, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

Date of review meeting

Applicant Signature

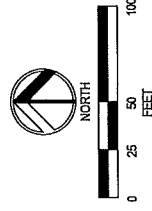
Staff Signature

Site Map



 Subject Property





NOTE:
CURRENT ZONING OF SUBJECT PARCELS
IS R-1 AND C-1.

R-1 Zoning

R-1 Zoning

C-1 Zoning

C-1 Zoning

C-1 Zoning

C-1 Zoning

PRIME HAZ. BROOKS

P.U.D.

COMMERCIAL LOT

C100

CONCEPT PLAN - 11/12/21

Fire Lane Rentals, LLC
1116 Egg Harbor Road
STURGEON BAY, WI 54235



BAUDHUIN
SURVEYING &
ENGINEERING

312 N. 5TH AVE.
P.O. BOX 90
STURGEON BAY, WI 54235
PHONE 920-743-8211

DATE	11/15/21
BY	BAUDHUIN
FOR	BAUDHUIN
PROJECT	25034


Executive Summary
Request to Extend Planned Unit Development – Cherryland Properties, LLC

Background: The Common Council adopted a planned unit development (PUD) zoning district for a proposed mixed-use construction project to be developed by Cherryland Properties, LLC (Jeffrey Jahnke, agent) located at 145 S Neenah Avenue. Within our zoning code, a PUD project must commence within two years (§ 20.24(9)). The City Council upon a written petition from the holder of the PUD may extend the PUD for a period of up to one additional year. And, up to three 1-year extension may be granted. Jeffrey Jahnke has submitted a letter requesting the PUD be extend for another year. The PUD is set to expire on April 23, 2022.

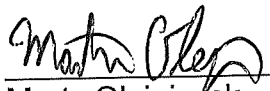
Options: The Council has the option of granting the 1-year extension (April 23, 2023) allowing the developer additional time to begin construction. The other option is to reject the extension. If the Council rejects the extension request then the PUD ordinance will lapse if the project does start by the expiration date.

The Plan Commission has the option to weigh in on the decision by making a recommendation to Council. Or, don't make a recommendation and the matter will be referred to the next Council meeting.


Recommendation: Staff recommends approval of the 1-year extension.

Prepared by: 
Christopher Sullivan-Robinson
Planner / Zoning Administrator

11.24.2021
Date

Reviewed by: 
Marty Olejniczak
Community Development Director

11-24-2021
Date

Reviewed by: 
Josh Van Lieshout
City Administrator

11/29/21
Date

October 20, 2021

To: City of Sturgeon Bay Planning Department

RE: 145 S. Neenah Ave PUD

From: Cherryland Properties, LLC

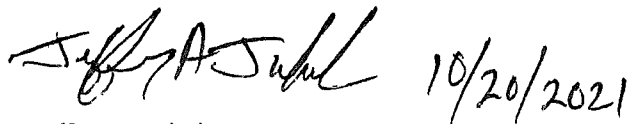
Jeff Jahnke

I am writing to ask for an extension on my project PUD. This project and final approvals were awarded in March of 2020 prior to the Covid shut downs. Because of Covid my projects in Sturgeon Bay shifted to focus on 154 S. 3rd Ave by remodeling an old upper apartment, repairing a garage in preparation of a future mixed-use development. The project on 3rd will be completing in Spring of 2022. After 154 S. 3rd Ave is completed I will focus my time on the Neenah location.

What I would like is to have an extension to the Spring of 2023. In 2023 I will have my contractors in place and the material pricing in order. Given the price increases across the board in material some selections might have to change to be able to make the budget work so the apartments are not too costly. Also, this extension will provide the current tenants a better time line on when they will need to start looking for alternative housing options in Sturgeon Bay.

If you have any questions, please contact me at jeffjahnke91@gmail.com or 920-379-2353.

Thank you,



Jeffrey A. Jahnke

Cherryland Properties, LLC

ORDINANCE NO. 1373-0420

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1: The following described property is hereby rezoned from Single-Family Residential (R-2) to Planned Unit Development (PUD) and shall be subject to the site plan and requirements incorporated herein:

A tract of land consisting of the northerly 50.00 feet of lots 19 and 20 of Block 1 in the Sorenson's Addition, Section 7, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County Wisconsin.

The above described tract contains 4,750 square-feet.

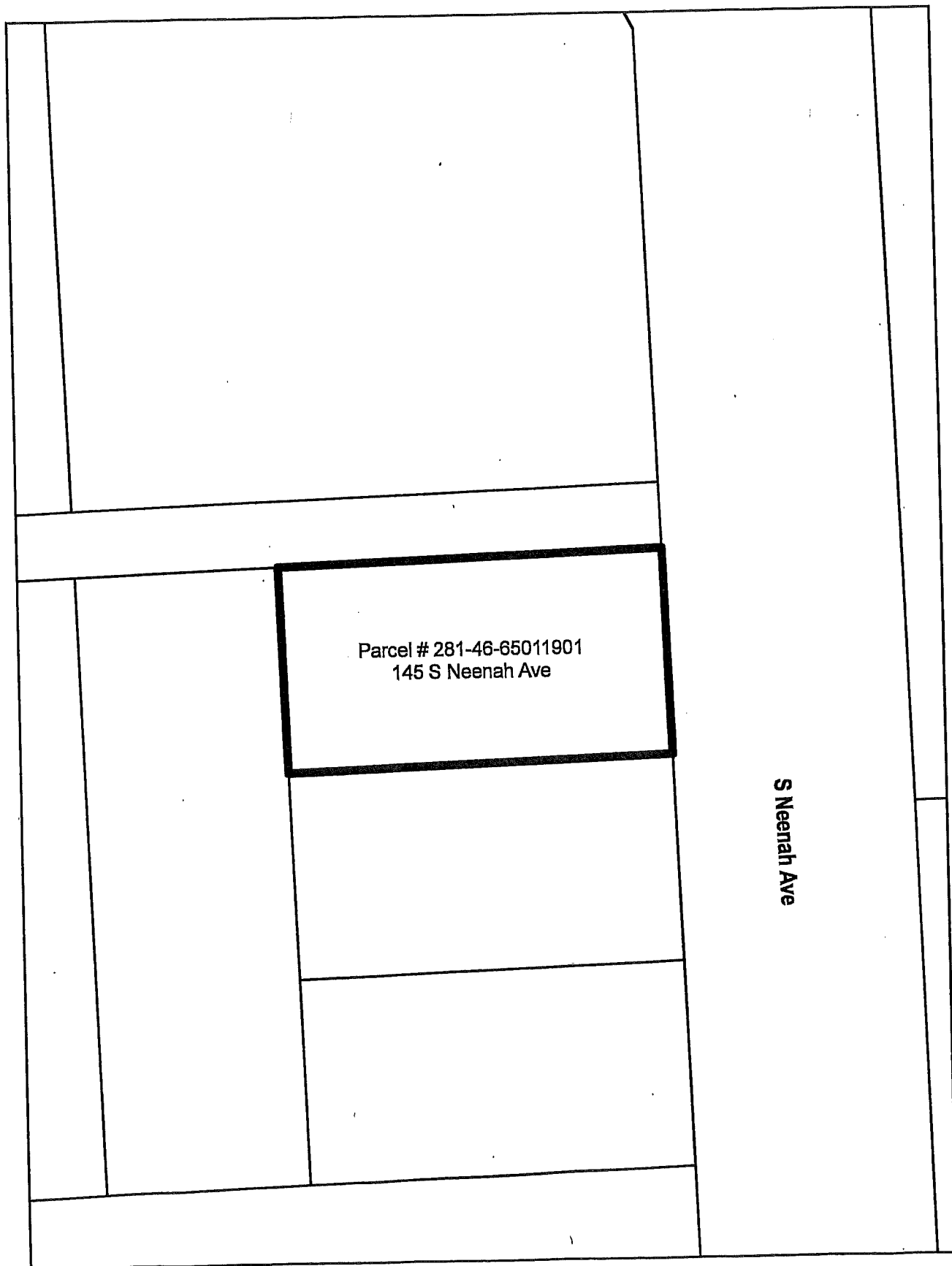
SECTION 2: The following requirements and conditions are placed upon the property described within the legal description:

- A. **Underlying Zoning:** The underlying zoning district shall be Mixed Residential / Commercial (C-5). The permitted uses and other zoning requirements of the underlying district shall apply, except as otherwise approved within the final PUD plan and ordinance. If the PUD lapses under Section 20.24(9) of the zoning code, the zoning classification of the property will remain C-5.
- B. **Permitted Uses:** All uses listed within the permitted and conditional use sections of the C-5 district. All uses described within the final approved PUD plans including two 3-bedroom residential dwellings and one professional office space.
- C. **PUD Requirements:** The requirements of the underlying C-5 district shall apply except as follows:
 1. **Building Setbacks:** The minimum required setback from the street right-of-way line shall be 15 feet. The minimum required setback from the north property line shall be five feet. The minimum required setback from the south property line shall be seven feet (four feet for the emergency exit window for the basement). The minimum required setback from the west property line shall be 12 feet.
 2. **Mixed Residential / Commercial:** The overall square-footage of the residential units shall be allowed to exceed the square-footage of the commercial space per the approved final PUD plans.
- D. **Conformance:** The development of the site herein shall conform to the approved PUD plans.

SECTION 3: The ordinance shall take effect on the day after its publication.

Approved: David J. Ward, Mayor
Attest: Stephanie Reinhardt, City Clerk
Date of 1st Reading: 03/17/20
Date of 2nd Reading: 04/09/20
Publication: 04/22/20
Effective Date: 04/23/20

Location Map 145 S Neenah Ave PUD



Legend





MEMO

To: City Plan Commission
From: Marty Olejniczak, Community Development Director
Date: November 24, 2021
Subject: Restructuring of Permitted and Conditional Uses in the Zoning Code

The Plan Commission and staff have been working on restructuring the permitted and conditional uses for the various zoning districts into an easier to use chart. In addition, the use categories are being modified in some instances to be more inclusive or use modern language/description. Finally, a few uses are being added or deleted from certain districts or are having certain specific regulations applied.

The updated chart and specific requirements are included in the packet. This is very similar to what was reviewed at the September Plan Commission meeting, with one significant change. The Commercial/Light Manufacturing (C-3) district is proposed to be eliminated entirely. This district is identical to the General Commercial (C-1) except that light manufacturing and warehousing are allowed as conditional uses in the C-3 district subject to various restrictions. The new proposal is to add those uses with the same restrictions as a conditional use to the C-1 and C-2 districts. If that is agreed to, then there is no need for a separate C-3 district. This issue will be further explained at the Plan Commission meeting.

I will also go through other issues related to the restructuring of the uses. The Plan Commission should review the chart and particular use requirements and be prepared to ask questions or discuss the uses at the Plan Commission meeting. Staff is hoping to get direction to make additional changes to the permitted uses or, if the Commission is satisfied, to get a recommendation to Council to adopt the proposal.

If a recommendation is approved by the Council, the proposal would then be put into ordinance format and a public hearing would be held prior to formal adoption. If the C-3 district is eliminated, a rezoning of the current C-3 districts to C-1 would be necessary as well.

USE	R-1	R-2	R-3	R-4	R-M	A	Con	C-1	C-2	C-3	C-4	C-5	I-1 / I-1A	I-2 / I-2A
RESIDENTIAL USES														
Accessory Dwelling Units		C ₁	C ₁	C ₁		C ₁						C ₁		
Boarding houses and Lodging Houses			C	P				P C	P C	P C		P C		
Commercial Housing Facility				C		C		C	C	€			C	C
Stats., and provided, however that the 2,500-foot distance described in § 62.23(7)(i)2r.a., Wis. Stats., shall not apply.	C	C	C	C	C			C	C	€		C		
Mobile / Manufactured Home Parks					P ₂									
Multiple Family Dwellings			C ₃	P ₃ / C ₃				C	C	€		C		
Residential Use in a Mixed-Use Building/Parcel								€ ₄ P ₄	P ₄	€ ₄ P ₄		P		
Rest homes				P										
Single-Family Dwellings	P	P	P	P ₅ / C ₅		P						P ₅ / C ₅		
Two-Family Dwellings		P ₆ / C ₆	P	P ₆ / C ₆		C						P ₆ / C ₆		
COMMERCIAL USES														
Art Galleries	€	€	€	€		€		P	P	P		P		
Automobile and Recreation Vehicle Sales and/or Repair Establishments								P	C	P				
Banks and Other Financial Institutions								P	P	P	P	P ₉ /C ₉	C	C
Barber / Beauty Shops				€				P	P	P		P		
Bed & Breakfast Establishments	€ P	€ P	€ P	€ P	€ P	€ P		P	P	P		P ₉ /C ₉		
Bus Depots								P	P	P				
Commercial Establishments w/Drive-through Facilities								€	€	€	€			
Commercial Storage Facilities								P		P			C	C
Conference Facilities								P	P	P		P ₉ /C ₉		
Customer Service Establishments				C				P	P	P		P ₉ /C ₉	C ₁₅	C ₁₅
Farm Implement Sales Lots								P		P				
Funeral Homes								P	P	P		P ₉ /C ₉		
Gasoline Stations								P	C	P				
Home Occupations	P ₈ /C ₈	P ₈ /C ₈	P ₈ /C ₈	P ₈ /C ₈	P ₈ /C ₈	P ₈ /C ₈		P ₈ /C ₈	P ₈ /C ₈	P ₈ /C ₈		P ₈ /C ₈		
Hotels and Motels								P	P	P		C		
Kennels						C								
Liquor Stores												€		
Lumber and Building Supply Yards								P		P			C ₁₄	C ₁₄
Massage Parlor												€		
Medical, Dental, and Veterinarian Clinic				C				P	P	P	P	P ₉ /C ₉		
Parking Lots (principal use)				C				P	P	P	P	C	P	P
Payday lending institutions												€		
Professional Offices				C				P	P	P	P	P ₉ /C ₉	P ₇	P ₇

Radio and Television Stations								P	P	P	P		P	P
Resale/Consignment Pawn Shops								P	P	P		C		
Restaurants and Taverns								P	P	P		C		
Retail Establishments (unless sepcifically listed elsewhere)								P	P	P		P ₉ /C ₉	C ₁₄	C ₁₄
Tourist Information Centers								P	P	P	P	P ₉ /C ₉		
Tourist Rooming Houses	P	P	P	P	P	P		P	P	P		P ₉ /C ₉		
INSTITUTIONAL & UTILITY USES														
Airports						C								
Ambulance, Fire, Police, and Other Public Safety Facilities						C		P	P	P	P		P	P
Animal Shelters and Pounds								C		G				
Charitable Institutions and Clubs or Lodges				P				P	P	P	P	P ₉ /C ₉		
Child Day Care Facilities	C	C	C	C	C	C		P	P	P	C	P ₉ /C ₉	P	P
Churches and Other Places of Worship	P	P	P	P	P	P	P	P	P	P	P	P ₉ /C ₉		
Colleges / Vocational Schools			C	C				C	C	G	C		P	
Communication Towers						G		G	G	G	G		G	G
Courtrooms and other Judicial processing facilities						C		P	P	P	P			
Elementary, Junior, and Senior High Schools	P	P	P	P		P		P	P	P		P ₉ /C ₉		
Hospitals				C				C	C	G	C			
Jails and Correctional Institutions						C								
Libraries/Museums	G	G	G	C				P	P	P	P	P ₉ /C ₉		
Municipal Storage Buildings and Storage Yards						P		P		G			P	P
Municipal Buildings except sewage treatment plants, garbage incinerators, warehouses, public garages, public shops or storage yards, penal or correctional	P	P	P	P		P								
Nursing Homes				P				P	P	P		C		
Offices/Education Facilities for Nonprofit Consevation-Related Orgs.				C			C	P	P	P	P	P ₉ /C ₉		
Post Offices								P	P	P	C	P ₉ /C ₉	P	P
Public Utilities - minor facilities (see definition)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Utilities - major facilities (see definition)	C	C	C	C	C	C	C	C	C	G	C	C	P	P
Solid Waste Facilities						C								
Telephone Booths, Exchanges and Lines, and Transformer Stations	P	P	P	P	P	P		P	P	P	P	P	P	P
Water Pumping or Water Storage Facilities							G							
RECREATIONAL USES														
Bicycle and Hiking Trails							P							
Campgrounds														
County Fairgrounds and Related Facilities						P								
Golf Courses						G	G	G		G				
Indoor Places of Entertainment and Recreation (e.g. Bowling Alleys, Theaters)								P	P	P		P ₉ /C ₉		

[illegible]

Additional requirements for particular uses (correspond to footnotes in the chart of permitted and conditional uses):

1. Accessory Dwelling units are subject to the rules shown in section 20.10(2)(c).
2. Manufactured home parks are subject to the standards of chapter 9.07.
3. Multiple-Family Dwellings:
 - a. In the R-3 district, MF dwellings shall be limited to not more than 4 units per building.
 - b. In the R-4 district, projects with **24** or fewer units on a lot are permitted. Projects containing 25 or more units on a lot shall require **conditional use approval**.
4. Residential Use in a Mixed-Use Building/Parcel:
 - a. In the C-1 ~~and C-3~~ districts, the residential portion of the mixed-use building shall not exceed 50% of the available floor area of the building.
 - b. In the C-2 district the residential portion shall not exceed 50% of the combined floor area of all principal buildings within the lot.
5. Single-Family Dwellings:
 - a. **In the R-4 district, single-family dwellings proposed on lots that exceed 20,000 square feet of area shall require a conditional use approval.**
 - b. In the C-5 district, single-family dwellings established within an existing building, including repairs/reconstruction of such dwellings and additions up to 50% of the original floor area are permitted. Newly constructed single-family dwellings and additions to existing dwellings that exceed 50% of the original floor area shall require conditional use approval.
6. Two-Family Dwellings:
 - a. In the R-2 district, two-family dwellings that specifically designated for such dwellings at the time of platting are permitted, subject to section 20.10(1)(b). Non-designated lots shall require conditional use approval.
 - b. **In the R-4 district, two-family dwellings proposed on lots that exceed 20,000 square feet of area shall require a conditional use approval.**
 - c. In the C-5 district, two-family dwellings established within an existing building, including repairs/reconstruction of such dwellings and additions up to 50% of the original floor area are permitted. Newly constructed two-family dwellings and additions to existing dwellings that exceed 50% of the original floor area shall require conditional use approval.
7. Professional offices: In the I-1/I-1A and I-2/I-2A districts, except for offices incidental to a principal use of the premises, professional offices shall have at least 10,000 square feet of floor area.
8. Home occupations shall follow the standards within section 20.09(2)(a).

9. C-5 Commercial use size restriction: In the C-5 district, nonresidential uses indicated shall only occupy an existing building or occupy a new building with a building footprint not exceeding 3,000 square feet. Uses proposed to be located within a new building exceeding 3,000 square feet shall require conditional use approval.

10. Manufacturing, processing, etc.:

- a. In the ~~C-3~~ **C-1 and C-2** districts, the requirements of section 20.16(2)(b) shall apply.
- b. In the I-1/I-1A districts, all manufacturing, processing, assembly, and testing activities shall occur inside a building, except for the occasional assembly, testing or shipping of components too large to fit in buildings.

11. General warehousing or wholesale distribution: In the ~~C-3~~ **C-1 and C-2** districts, the requirements of section 20.16(2)(b) shall apply.

12. Outdoor Storage: In the I-1/I-1A districts, outdoor storage shall not exceed 200% of the building footprints of the principal buildings on the site.

13. Business incubators shall be operated by the Door County Economic Development Corporation or other nonprofit organization approved by the City of Sturgeon Bay.

14. Retail establishments: In the I-1/I-1A and I-2/I-2A districts, retail establishments shall comply with the following requirements:

- a. The retail establishment shall be located within a building that contains at least 4,000 square feet of floor area.
- b. The retail establishment shall be located within 600 feet of the right-of-way of State Highway 42/57.
- c. The retail use shall be limited to appliance dealers, carpet and floor covering dealers, electrical showrooms and shops, furniture stores, lawn and garden equipment and supply stores, lighting showrooms and shops, lumber and building materials sales centers, paint stores, plumbing showrooms and shops, stationary and office equipment/supply stores, retail sales associated with not for profit vocational rehabilitation programs, boat sales/showrooms, and similar types of retail that support the building and manufacturing industries.

15. Customer Service Establishments: In the I-1/I-1A and I-2/I-2A districts, customer service establishments are limited to travel agencies, health clubs, and quick-printing/copy shops.

16. Farming: Buildings housing farm animals, barnyards, and feed lots shall be located at least 100 feet from a residential district and at least 100 feet from any waterway and located such that manure will not drain into any waterway.

17. Travel Trailer Parks are subject to the requirements of section 9.075.