

**CITY PLAN COMMISSION MINUTES**  
**June 21, 2023**

A meeting of the City Plan Commission was called to order at 6:00 p.m. on Wednesday, June 21, 2023, by Mayor Ward in Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay.

**Roll Call (#1):** Members David Ward, Dennis Statz, Helen Bacon, Spencer Gustafson, Mark Holey, Jeff Norland, and Amy Stephens were present. Staff present were City Administrator Josh Van Lieshout, Community Development Director Marty Olejniczak, Planner/Zoning Administrator Stephanie Servia, and Community Development Administrative Assistant Cindy Sommer.

**Agenda (#2):** Motion by Mr. Statz and seconded by Mr. Norland to accept the following agenda:

1. Roll call.
  2. Adoption of agenda.
  3. Approval of minutes from May 17, 2023.
  4. Public comment on non-agenda Plan Commission related items.
  5. Consideration of: Zoning map amendment petition by Doug Mueller from Agriculture (A) to Light Industrial (I-1A) for parcel #281-64-80000104 located at 1605 Shiloh Road.
    - a. Presentation
    - b. Public Hearing
    - c. Consideration/Recommendation
  6. Consideration of: Zoning Text Amendment – definitions of rear yard and rear lot line.
  7. Consideration of: Zoning Text Amendments relating to exceptions to yard requirements in the C-2 district and administration.
- All ayes. Motion carried.

**Approval of minutes from May 17, 2023:** Motion by Mr. Statz and seconded by Ms. Stephens to approve the minutes from May 17, 2023. All ayes. Motion carried.

**Public Comment on non-agenda Plan Commission related items:** No one presented for comment.

**Consideration of: Zoning map amendment petition by Doug Mueller from Agriculture (A) to Light Industrial (I-1A) for parcel #281-64-80000104 located at 1605 Shiloh Road:**

**Presentation (a):** Ms. Servia presented an application from Doug Mueller to change the zoning classification of the parcel at 1605 Shiloh Road from Agricultural (A) to Light Industrial (I-1A) to allow for the construction of commercial storage buildings, which would require a conditional use under the Light Industrial zoning classification but is not allowed under the Agricultural classification. The applicant proposes to clean up the items currently being stored, use the existing building for either storage or an office, and build two commercial storage buildings. The properties to the north are mostly industrial. The properties to the south, east and west are a mix of agricultural and residential. If the rezoning application is recommended, it will go to council for two readings before approval, at which point a conditional use application would follow. The members may consider this petition at the next meeting or they may vote to move on the issue tonight if  $\frac{3}{4}$  of the members agree. Staff recommends approval of the zoning map amendment.

Brian Peters of Bayland Buildings, Inc. explained that they plan to remove all items being stored on the property now and build one 11-unit post-frame storage building on a cement slab with a later plan to add an additional 16-unit post-frame building with footings and a foundation once they see how well the first set of storage units goes and whether or not the sizes of the units should be changed to accommodate storage of larger items, such as boats and recreational vehicles.

Doug Mueller of 4381 Nicolet Drive, Green Bay, stated he is planning to purchase the property from his sister-in-law if the zoning amendment and conditional use is approved. He further explained that the existing building will be updated to match the new storage building. He stated they will have the lot surveyed and make sure that their plans comply with required setbacks prior to construction, which may alter the placement of their buildings a bit.

**Public Hearing (b):** Mayor Ward opened the public hearing at 6:11 p.m. Samantha Casey of 265 Leeward Street, which borders the subject property, is opposed to the building of the storage units and is concerned about the lights. She indicated she wants the property cleaned up but feels more storage units in the area are unnecessary and will decrease the value of her property.

Brian Peters of N9625 Bay Shore Lane in Luxemburg explained there will be no pole lights, only downward directed lighting around the buildings for security.

One letter from the Department of Natural Resources was read into the record. The public hearing was closed at 6:16 p.m.

**Consideration (c):** The members discussed the conditional use process and approval of the buildings through the Industrial Park Development Review Team. Mr. Statz motioned to move forward with this petition at tonight's meeting. Motion seconded by Mr. Norland. Roll call vote, all ayes, motion carried.

The members further discussed the distance of the Casey home to the proposed buildings and ways to improve the screening in that area. They also discussed conditions that could be placed on the proposal at the time of the conditional use petition.

Mr. Statz motioned to recommend the zoning map amendment to council as presented. Motion seconded by Mr. Gustafson. All ayes, motion carried.

**Consideration of: Zoning Text Amendment – definitions of rear yard and rear lot line.** Mr. Olejniczak explained that there are many lots with multiple street frontages and odd shapes where the question often arises about which is the front lot line because the setbacks are different for front, rear and side yards. This often restricts use, which can require property owners to acquire variances. Staff recommends amending the zoning code to allow more flexibility. Other cities have made changes to their code allowing the zoning administrator to determine which lot line should be the front. The decision of the zoning administrator is always appealable to the zoning board of appeals. Allowing the zoning administrator to designate the front yard would permit the property owners to make better use of their lot without going through the variance process. The designation of the front yard would remain the same for the property and not change with new requests. If the Commission agrees to the amendments, this will move to council, where a public hearing will be scheduled if council chooses.

Mr. Holey motioned to recommend the zoning text amendments to council as presented. Ms. Bacon seconded the motion. All ayes, motion carried.

**Consideration of: Zoning Text Amendments relating to exceptions to yard requirements in the C-2 district and administration.** Mr. Olejniczak indicated there are a number of areas within the zoning code that designate the building inspector or community development director as the code enforcer, however the position of building inspector is now contracted out and staff recommends changing those references to zoning administrator. There is also a reference to the Waterfront Design Review Board, which is no longer in existence, and staff recommends this language be removed. Staff also recommends changing the reference in section 20.27(3)(C) from zero side yard to lessor side yard. If the Commission agrees to the amendments, this will move to council, where a public hearing will be scheduled if council chooses.

Mr. Norland motioned to recommend the zoning text amendments to council as presented. Mr. Statz seconded the motion. All ayes, motion carried.

**Adjourn:** Motion by Mr. Gustafson to adjourn, seconded by Mr. Holey. All ayes, motion carried. The meeting adjourned at 6:37 p.m.

Respectfully submitted,

Cindy Sommer  
Community Development Administrative Assistant