

CITY PLAN COMMISSION MINUTES
August 30, 2023

A meeting of the City Plan Commission was called to order at 6:00 p.m. on Wednesday, August 30, 2023, by Mayor Ward in Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay.

Roll Call: Members David Ward, Dennis Statz, Helen Bacon, Spencer Gustafson, Amy Stephens and Jeff Norland were present. Member Mark Holely was excused. Staff present were Community Development Director Marty Olejniczak, Planner/Zoning Administrator Stephanie Servia, and Community Development Administrative Assistant Cindy Sommer.

Agenda: Motion by Ms. Bacon and seconded by Mr. Norland to accept the following agenda:

1. Roll call.
 2. Adoption of agenda.
 3. Approval of minutes from August 16, 2023.
 4. Public comment on non-agenda Plan Commission related items.
 5. Consideration of: Zoning map amendment by Lane Kendig from Central Business District (C-2) to Multiple-Family Residential (R-4) for property located at 26 W Pine Street, parcel #281-46-65021700.
 - a. Presentation
 - b. Public Hearing
 - c. Consideration (*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.*)
 6. Project plan and boundaries for Tax Incremental District #10 (Industrial Park).
 - a. Presentation
 - b. Public Hearing
 - c. Consideration
 7. Consideration of: Combined preliminary/final Planned Unit Development proposed by Estes Investments, LLP for multiple-family dwellings and commercial storage on property located at 1361 N 14th Avenue.
 8. Adjourn.
- All ayes. Motion carried.

Approval of minutes from August 16, 2023: Motion by Mr. Statz and seconded by Mr. Gustafson to approve the minutes from August 16, 2023. All ayes. Motion carried.

Public Comment on non-agenda Plan Commission related items: No members of the public presented for comment.

Consideration of: Zoning map amendment by Lane Kendig from Central Business District (C-2) to Multiple-Family Residential (R-4) for property located at 26 W Pine Street, parcel #281-46-65021700:

Presentation (a): Ms. Servia explained that the property is currently in the Central Business District (C-2), however the applicant is requesting a change to Multiple-Family Residential (R-4) to sell the property. The potential buyer is not able to obtain a loan unless the property is residential. Changing the zoning classification to R-4 would allow for residential use yet keep the option open for commercial use in the future with a conditional use permit. The properties surrounding the parcel are in the following zoning districts: to the west is R-2, to the south is R-4, to the east and north are C-2. The proposed zoning designation fits in the comprehensive plan and staff recommends approval of the amendment request.

Public Hearing (b): Mayor Ward opened the public hearing at 6:05 p.m. Lane Kendig, the applicant, explained that he would like to sell the property and is here to answer any questions. No other persons presented for comment. The mayor closed the public hearing at 6:06 p.m.

Consideration (c): Mr. Statz motioned to consider this matter at this meeting. Motion seconded by Ms. Stephens. All ayes, motion carried unanimously. Mr. Norland motioned to recommend the zoning map amendment as presented to council. Ms. Bacon seconded. All ayes, motion carried unanimously.

Project plan and boundaries for Tax Incremental District #10 (Industrial Park):

Presentation (a): Adam Ruechel explained the new proposed tax increment district (TID), which would be a mixed-use district consisting of 36 acres on the west side, with the main project being a workforce housing development on City-owned property along S Hudson, S Geneva and S Fulton Streets. The TID would have about \$1.785 million public improvement project costs during the 15-year expenditure period with an anticipated \$4.4 million increment throughout its life.

The plan has been updated since the last meeting and now shows 19.9% of newly platted residential areas, which is below the maximum 35% allowed under the Wisconsin Statutes.

Mr. Ruechel further added that the TID consists of 10 parcels with a valuation of \$1.4 million. The city currently has about 7.1% of its equalized value of taxable property within tax increment districts, which is well below the maximum 12%. Some of the projected improvement projects consist of street, sidewalk and infrastructure improvements for the 24-lot subdivision, improvements to S Duluth Avenue, other street improvements, and park and trail improvements for Cherry Blossom Park and the Ice Age Trail. No annexation is anticipated and two zoning changes from agricultural to commercial or residential are anticipated.

Mr. Norland indicated he would like to see the extension of S Ashland Avenue added to the plan if it makes sense to do so. Mr. Olejniczak explained that the extension of S Ashland Avenue is not clearly determined yet and will be dependent upon other developments near Target. Mr. Ruechel indicated that the plan could be amended to include the extension, however if it's not a fully formed plan at this time, then it might be better to wait and amend the plan later. Mayor Ward also noted that there are other streets that have a higher priority at this time.

Public Hearing (b): Mayor Ward opened the public hearing at 6:31 p.m. No members of the public presented. The public hearing was closed at 6:31 p.m.

Consideration (c): Mr. Statz motioned to recommend approval of the resolution for the creation of TID #10. Mr. Gustafson seconded motion. All ayes, motion carried unanimously.

Consideration of: Combined preliminary/final Planned Unit Development proposed by Estes Investments, LLP for multiple-family dwellings and commercial storage on property located at 1361 N 14th Avenue. Dave Phillips of Bayland Buildings explained that they made several changes to their plans since the last meeting to address the concerns of the neighbors and the Commission. The changes they made to the plans consist of:

1. The condominium bylaws will require a minimum rental period of 30 days.
2. The 8-unit condominium building's exterior will be much improved before going to the Aesthetic Board.
3. A gathering space surrounded by trees has been added between the storage buildings.
4. Some clean-up has taken place and an agreement has been reached with the Larsens to rectify the encroachment on the property.
5. The comments at the last meeting about the landscape not being completed is correct. However, they cannot finish the landscaping until the utility work is completed.
6. They will be planting more trees on the north side of the property.
7. Some of the trees have been moved to the west side and six trees have been added between the neighbors to the south to shield lights from cars coming out of the parking area.
8. The storage building servicing the 22-unit condos has been redesigned to have a lower roofline so the occupants will have views that look over the top of the structure.
9. The suggestion at the previous meeting about the shortage of parking spaces was clarified to note that they have five more spaces proposed than required.
10. A lighting plan has been added, which includes 4 post lights throughout the property, as well as a light above each entrance of the condominiums and each entrance of the storage buildings. All of the lighting will be downward directed and night sky friendly.

Ms. Bacon questioned the removal of some of the trees along the drainage pond and Mr. Phillips explained that the City Engineer doesn't want the trees located there in order to keep debris out the drainage ditch.

The members also discussed whether the single access driveway is sufficient for emergency vehicle access. Mr. Olejniczak indicated that the Fire Chief will review the plans prior to any building permits being issued. Mr. Norland questioned whether there would be difficulty selling the condominiums without garages.

Connie Larson of 1411 N 14th Avenue is an abutting property owner and stated that the original subject property really needed to be cleaned up, however this new project is not the answer. She indicated that the first request was for 15 storage units and only two have been built, and they aren't finished and have cracks, exposed Styrofoam and are missing pieces, nor do they have water or electric provisions. The second request was to rezone for the apartments with garages with a condition that a retaining wall be built, which hasn't been done. The rip rap that was recently placed there is not good. The third request is to have 30 condo units plus storage units, other buildings and a pond, which exceeds the 12.4% density per acre. Mrs. Larson stated this project is just too much and the density is too high.

Mr. Gustafson motioned to approve the PUD application with the eight conditions listed in the staff report from the August 16 meeting. Motion seconded by Mr. Statz. Mr. Olejniczak explained that several of the conditions have been met with the new plans and the motion need not include the conditions that have been met. Mr. Gustafson withdrew his motion and Mr. Statz withdrew his second.

Mr. Statz motioned to recommend approval of the resolution for the creation of the PUD as presented in the latest plans with the condition that condominium bylaws require a minimum 30-day rental period and that the temporary sodding of the Larson property be completed as agreed upon. Mr. Gustafson seconded the motion.

Ms. Stephens noted that the increased density makes sense when about 70% of the apartments are one bedroom. Ms. Bacon stated that the amount of green space seems to help soften the density when compared to other developments with less green space. Mr. Norland indicated he appreciates that the developer is adding apartments or condos rather than storage units, however he is not comfortable with the number of storage buildings on the property and suggested that the last two storage buildings be removed from the plan. Mr. Gustafson believes this is a positive project and people may want to downsize into these units and also pointed out other condominiums that do not have garages.

Mayor Ward asked Mr. Phillips about the exposed Styrofoam on the condo storage units and Mr. Phillips stated that the grading and grass have not been completed yet. The Styrofoam will be covered when that work is done. Mr. Phillips also indicated that he believes the rip rap looks nice and serves the purpose of keeping the soil in place and there is also rip rap planned for the west side of the development.

Ms. Stephens asked about sidewalks and Mr. Olejniczak explained that the curb and gutter ends at Bluebird Street but it may make sense to extend either sidewalks or at least a path further northward to the property.

Mayor Ward, Mr. Statz, Ms. Stephens, Mr. Gustafson and Ms. Bacon vote aye, Mr. Norland voted nay. Motion carried.

Adjourn: Motion by Mr. Gustafson to adjourn, seconded by Ms. Stephens. All ayes, motion carried. The meeting adjourned at 7:07 p.m.

Respectfully submitted,

Cindy Sommer
Community Development Administrative Assistant