

**CITY PLAN COMMISSION**  
Wednesday, March 17, 2021

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

**Roll Call:** Members Kirsten Reeths, Mark Holey, Dennis Statz, David Ward, Jeff Norland, Debbie Kiedrowski, and Helen Bacon were present. Also present were City Administrator Josh VanLieshout, Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, and Community Development Secretary Cheryl Nault.

**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 February 17, 2021.
4. Public comment on non-agenda Plan Commission related items.
5. Rezoning of various properties from Heavy Industrial (I-2) to Central Business District (C-2) within the downtown area:  
Presentation  
Public Hearing  
Consideration of
6. Rezoning of various properties from Heavy Industrial (I-2) to Multiple-Family (R-4) within the downtown area:  
Presentation  
Public Hearing  
Consideration of
7. Consideration of: Minor modification of the Maritime Heights Planned Unit Development (PUD).
8. Consideration of: Conceptual Planned Unit Development for Phillips Development LLC.
9. Consideration of: Restructuring of permitted and conditional uses within the Sturgeon Bay Zoning Code.
10. Adjourn.

All ayes. Carried.

**Approval of minutes from February 17, 2021:** Moved by Ms. Bacon, seconded by Ms. Reeths to approve the minutes from February 17, 2021. All ayes. Carried.

**Public comment on non-agenda Plan Commission related items:** No one spoke during public comment.

**Rezoning of various properties from Heavy Industrial (I-2) to Central Business District (C-2) within the downtown area:**

**Presentation:** Mr. Sullivan-Robinson presented the City's request to rezone various properties located on 1<sup>st</sup> and 2<sup>nd</sup> Avenues, Oregon Street, Nebraska Street, and Pennsylvania Street from I-2 to C-2. This will eliminate an issue within the zoning code that would allow a potential property owner to build a very high structure. The Comprehensive Plan recognizes this area as mixed use. There are eleven parcels that the City would like to rezone to C-2. Some of the parcels are owned by the City, while others are owned by CenterPointe, SHT Holdings, and E & I Property Investments. Rezoning would allow more buildable area and eliminate a lot of non-conformities. It would also create non-conformities as well, such as those with outdoor storage or a single-family use.

**Public Hearing:** Mayor Ward opened the public hearing at 6:06 p.m.

No one spoke during the hearing. Ms. Nault read two letters of correspondence in favor of the rezoning. One letter from Cathy Grier, 153 S 3<sup>rd</sup> Avenue, and the other from Joe Moede, Shipyard Development LLC.

The public hearing was declared closed at 6:11 p.m.

**Consideration of:** Mr. Sullivan-Robinson explained that C-2 zoning would be more conforming for CenterPointe. Outdoor storage must be screened in a C-2 district. CenterPointe would be grandfathered in with their outdoor storage. In the C-2 district a conditional use is required for marinas and other water-related uses. That would not be required in the I-2 district. There are many marinas throughout the City that were required to go through the conditional use process in the C-2 district. This would be no different.

A short discussion was held. Moved by Mr. Statz, seconded by Mr. Norland to act on this item at this meeting. All ayes. Carried.

Moved by Mr. Statz, seconded by Ms. Reeths to recommend to Council rezoning of various properties from Heavy Industrial (I-2) to Central Business District (C-2) as presented. All ayes. Carried.

**Rezoning of various properties from Heavy Industrial (I-2) to Multiple-Family (R-4) within the downtown area:**

**Presentation:** Mr. Olejniczak stated that these are two other parcels that were left over from the shipyard days and part of Peterson Builders Inc. The reason the Plan Commission elected to request the R-4 instead of C-2 zoning had to do with the fact that on three sides of this parcel are Residential zoning. Also, the approved preliminary plan for this property has two different alternative uses. One is for additional condo buildings and the other is for a series of single-family units that would be clustered on this property. The Plan Commission could recommend this zoning change to Council, with or without conditions, or reject it. Another hearing would be needed if it is decided to recommend C-2.

**Public Hearing:** Mayor Ward opened the public hearing at 6:17 p.m.

No one spoke during the public hearing. Ms. Nault read one letter of correspondence in opposition of the rezoning to R-4 from Joe Moede, Shipyard Development LLC. The letter of correspondence in favor of the rezoning that was read from Cathy Grier in the previous public hearing also pertained to this public hearing.

The public hearing was declared closed at 6:22 p.m.

**Consideration of:** Mr. Norland felt that the Commission should hold off on any action at this time. After hearing Mr. Moede's concerns in his letter, there should be more discussion regarding the C-2 zoning.

Ms. Kiedrowski questioned what could be developed in an R-4 zoning district. Mr. Sullivan-Robinson responded that multi-family or office uses are allowed. Single-family residential would be allowed through a conditional use. A hotel or restaurant would not be allowed or other commercial use. She would like to see a boutique hotel and restaurant on that large piece of property.

Ms. Bacon wondered how hard it would be to change from R-4 to C-2. Mr. Sullivan-Robinson responded it would depend on what the property owner wants to do. They both fit the Comprehensive Plan. She agrees with rezoning to C-2.

Mr. Holey asked since all the neighboring properties are owned by the same owner, why do anything and just leave it as I-2 and wait until the property owner is ready to do something. Mr. Sullivan-Robinson stated that constructing a tall building in the I-2 is a concern.

Ms. Reeths pointed out that no matter what, the property owner would come before the Plan Commission with their plans.

Mr. Olejniczak mentioned that the Commission would want to hear from the neighbors if the proposal was to change the zoning to C-2. The public notice stated changing the zoning to R-4. In the I-2 district, a conditional use is required for boat storage. Boat storage would devalue their property across the street. Other than using it for unsightly boat storage, there would be no risk.

Mayor Ward said his concern is getting developer movement. One strategy would be to leave it as I-2 and contact the owner and let them know that the Plan Commission is willing to consider a different zoning, but would like to hear about any future plans they might have.

Ms. Bacon stated that there are a lot of people that are expecting the Commission to do something about this property.

Members agreed to leave the property as I-2 and contact the property owners and see if there are any future plans for their property. This can be put back on April's agenda. No action was needed at this time.

**Consideration of: Minor modification of the Maritime Heights Planned Unit Development (PUD):** Mr. Olejniczak stated that the City has a parcel that is zoned Planned Unit Development, which was adopted to accommodate the Maritime Heights development, including 37 apartments on the former Amity Field between Florida Street and Erie Street. Next door to the property is a strip of property owned by the school district, which is the parking lot for the employees of Sunset School. The City and school district sent out request for proposals to see if they could attract any development on that site. Doreen Phillips, the developer of Maritime Heights, submitted an accepted proposal to do another phase of apartments. If the development was only built on the parking lot parcel, it is already zoned R-4. It would just be a conditional use. But, it would be very difficult to do that because the site is narrow. The design pushes some of the new development onto the original Amity Field. This could run through as a Planned Unit Development and expand it, or because it is only the garage and a small amount of driveway, the Plan Commission could approve it as a minor modification. Then it would be back to a conditional use approval for the 10-unit. If the Commission thought the modification would be too much, then a new PUD on the whole property would be done. First is to determine if this would be a minor modification. If yes, the next item on the agenda would be to consider a conceptual review. A public hearing would need to be conducted at a later date.

John LeRoy, Mau & Associates, was present via Zoom. He explained their proposal. He stated that Ms. Phillips would like this to be an extension of her development. They worked with existing buildings and neighborhood and thought that this was the best set up to go ahead and make the overall site one contiguous development that looks similar on both streets and would blend in well with the neighborhood. They are asking for a 10-unit building on the Northeast portion of the property parallel with the property line. They tried to go with one area of garage stalls, but because of the existing 8-unit building to the West, that was not feasible. A 6-stall garage would be built just to the west of the 10-unit building and one 4-stall garage to the south of the 10-unit building. They would appreciate suggestions for enhancements for kids in the development, such as a playground.

Mayor Ward stated that the sidewalk would get extended to the lot line in the southern area.

Discussion was held. Moved by Mr. Statz, seconded by Mr. Holey to approve a minor modification of the Maritime Heights PUD as presented. All ayes. Carried.

**Consideration of: Conceptual Planned Unit Development for Phillips Development LLC:** Mr. Olejniczak thought that the actual 10-unit apartment project should be discussed and to give Mr. LeRoy any feedback. He added that the backyards on 4<sup>th</sup> Avenue are fairly deep.

Mr. LeRoy stated that the sidewalk is adjacent to the front of the buildings. They also shrunk the size of the patio leaving the back more natural. The stormwater may have to be extended to balance the site. The Southeast corner will remain as an easement for water coming from City streets.

Ms. Kiedrowski suggested to use a sugar maple, oak, or locust tree instead of the Emerald Queen Maple as shown on the landscape plan.

Mr. LeRoy added that the building will be the same design, materials, and colors as what is existing.

Ms. Reeths questioned the patios that will be facing the neighbors on 8<sup>th</sup> Avenue and possibly installing a fence. Ms. Kiedrowski noted that the landscape plan shows forty-four 4 – 5 foot Arborvitae that is a substantial size that

grow very quickly. In 2 – 3 years the whole area will be blocked and the patios would be looking at the Arborvitae. That would take care of the visuals.

Mr. LeRoy commented on the driveway. The best location would be the northern portion of the property. The southern portion of the property contains a parking stall, handicap stall, and a cross hatch. There is no room for a turn-around. It would be eliminating people going too fast and also eliminating space for impervious surface.

Mr. Olejniczak stated that the next step would be holding a public hearing for a conditional use at the next meeting.

No action was needed at this meeting.

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

Mr. Sullivan-Robinson stated that this has been reviewed at previous meetings. This is in regard to restructuring the current, permitted, and conditional uses into a chart, which is a more modern method. It would be a little easier for the public to use. It was somewhat difficult to remove some of the uses since they were very specific to a zoning district. In addition, he added a column named "Development Standards", which includes some of the add-on requirements for the uses.

Mayor Ward referred to the term "rest home", wondered if it meant nursing home, and if the term could be revised.

Ms. Bacon said that also referred to assisted living.

Mr. Sullivan-Robinson went over several changes he made to the chart from the last meeting.

Mr. Olejniczak suggested converting to a single chart in landscape style. He also found one or two uses that could be combined.

Members also suggested to sort the uses alphabetically within the group for ease of locating an item and increasing the font to make easier to read.

Mr. Olejniczak stated that this chart will replace the uses, district by district, in a written format. There is a purpose statement that would have to be retained. Better definitions are needed.

This will be brought back to a future meeting.

**Adjourn:** Moved by Mr. Holey, seconded by Ms. Reeths to adjourn. All ayes. Carried. Meeting adjourned at 7:23 p.m.

Respectfully Submitted,

Cheryl Nault  
Community Development Secretary