

CITY PLAN COMMISSION
Wednesday May 17, 2017

A meeting of the City Plan Commission was called to order at 6:09 p.m. by Chairman Rick Wiesner in the Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members Ron Vandertie, Mike Gilson, Robert Starr, Rick Wiesner, Steven Hurley, and Dennis Statz were present. Jeff Norland was excused. Also present were Alderpersons Catarozoli and Hauser, City Administrator Van Lieshout, Community Development Director Olejniczak, and Planner/ Zoning Administrator Kernosky.

Adoption of the Agenda: Moved by Starr, seconded by Statz to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from April 19, 2017.
4. Amendment to floodplain zoning district boundary for property owned by Stephan and Barbara Pfeifer, located at 608 E. Walnut Drive, parcel #281-40-95006900.
5. Conditional use request from Whitetails Unlimited for 13,863 square foot warehouse and office addition, located at 2100 Michigan Street, parcel #281-68-04001501A.
6. Conditional use request from Doneff Land Company for 2 two-family dwellings, located on a vacant parcel on the west side of N. 9th Court, parcel #281-62-17000105B.
7. Consideration of: Conceptual Planned Unit Development requested by the Door County Maritime Museum for various building additions, including observation tower, located at 120 N. Madison Avenue.
8. Consideration of: Zoning code amendment to allow accessory dwelling units.
9. Public comment on Plan Commission related items.
10. Adjourn.

Approval of minutes from April 19, 2017: Moved by Hurley, seconded by Starr to approve the Plan Commission minutes from April 19, 2017. All ayes. Carried.

Amendment to floodplain zoning district boundary for property owned by Stephan and Barbara Pfeifer, located at 608 E Walnut Drive, parcel #281-40-95006900:

Presentation: Olejniczak explained that this request was similar to a prior request made by Nancy Schopf and Fred Bowen. Stephan and Barbara Pfeifer built their home to the standards of the floodplain zoning code, then hired a surveyor to verify that their home is no longer in the floodplain. FEMA has reviewed and approved the Letter of Map Revision, but under the City's ordinance the Plan Commission and council need to

amend our floodplain zoning district boundary to officially remove the subject land from the floodplain.

Stephan Pfeifer, 608 E Walnut Drive, explained that he has submitted all of the documentation and briefly discussed the request.

Public Hearing: Weisner opened the public hearing at 6:12 p.m.

Chris Kellems, 120 Alabama Street, stated she was in favor of the request, though the City should approve it for consistency.

Kernosky stated that no correspondence was received on this matter.

Weisner declared the public hearing closed at 6:14 p.m.

Consideration: With no further discussion, moved by Starr seconded by Gilson to recommend to Council to amend the floodplain zoning district boundary as presented. All ayes, carried.

Conditional Use request from Whitetails Unlimited for a 13,863 square foot warehouse and office addition, located at 2100 Michigan Street, parcel #281-68-04001501A:

Presentation: Kernosky stated that a conditional use permit was submitted to the City from Whitetails Unlimited. Whitetails Unlimited intends to construct a 13,863 square foot addition to their existing headquarters. Because this property is zoned Conservation, and because Whitetails Unlimited is expanding their conditional use, it's appropriate for this body to review another conditional use permit. Staff is recommending approval with conditions provided on the staff report.

Steve Corrigan, general contractor for Whitetails Unlimited, stated that Whitetails Unlimited is experiencing tremendous growth in their youth programs and needs the larger space. He also addressed the concerns over the property being in Flood Zone A (Big Creek Flood Zone) and that they are in the process of verifying that the property is no longer in Flood Zone A.

Public Hearing: Weisner opened the public hearing at 6:19 p.m. No one spoke during the public hearing.

Kernosky stated that no correspondence was received on this matter.

Weisner declared the public hearing closed at 6:20 p.m.

Consideration: With no discussion, it was moved by Starr, seconded by Statz to approve the conditional use permit with the following conditions:

- 1) The land located within 35 feet of Big Creek shall be maintained with natural vegetation.
- 2) Exterior lighting shall utilize fixtures whose hood, lens, or combinations thereof allow no direct beams of light from the fixture to be seen from off the property or to be cast skyward.
- 3) Approval of stormwater management plan by City Engineer.
- 4) Removal from the floodplain by FEMA or compliance with the floodplain zoning code.

All ayes, carried.

Conditional Use request from Doneff Land Company for 2 two-family dwellings, located on a vacant parcel on the west side of N 9th Court, parcel # 281-62-17000105B:

Presentation: Kernosky stated that a conditional use permit was submitted to the City from Doneff Land Company to construct 2 two-family dwellings on a vacant parcel. He stated that last July Doneff rezoned the property from R-2 to R-4 with the intention to construct 10 townhouse units. That project has since been abandoned and Doneff has resubmitted a lower density project.

Sarah Bonovich with Doneff Land Company stated that the originally proposed 10 unit project had come in over budget. The new proposed 2-family dwellings would be roughly 3,800 square feet in size with each side including two bedrooms, two bathrooms, and a two car garage. She also stated that they would like to put screening along the west and north property lines.

Starr questioned whether or not the property would be part of Big Hill Regency House, Bonovich responded that this project would have no age restrictions.

Public Hearing: Weisner opened the public hearing at 6:25 p.m.

Christy Weber, 311 Pennsylvania Street, stated that this type of housing is needed and that this is a nice site for this project.

Chris Kellems, 120 Alabama Street, stated that this was a better use of the property because it was a lower density. She encouraged Doneff Land Company to consider sustainable practices when they build the project.

Diane Konrad, 846 Georgia Street, stated that she was not opposed to the four unit project, but expressed concerns about the potential of expanding the two-family homes in the future. She also stated that she appreciated the idea of screening. She asked how garbage collection would be handled.

Kernosky stated that no correspondence was received on this matter.

Weisner declared the public hearing closed at 6:29 p.m.

Consideration: The members briefly discussed municipal garbage collection. Moved by Gilson, seconded by Hurley to approve the conditional use with the following conditions:

- 1) Proposed lots must be created via Certified Survey Map and approved under the City of Sturgeon Bay Subdivision Code.
- 2) Any improvements within N 9th Court right-of-way are the responsibility of the developer to construct and maintain.
- 3) Exterior lighting shall be downward directed and night sky friendly.

All ayes, carried.

Conceptual Planned Unit Development request by the Door County Maritime Museum for Various building additions, including the observation tower, located at 120 N Madison Avenue:

Olejniczak stated that this project has been around for a while, and that five years ago the DCMM received a PUD approval for the addition and tower. That PUD has since expired, and the DCMM decided to start the PUD process over. He added that the DCMM has requested that the PUD be allowed to follow the combined preliminary and final PUD process, and that the Plan Commission will need to vote on that at this meeting.

Ben Schenkelberg, the architect for this project, stated that the request was for the tower and east addition, and that the canopy, boat building, and float storage was for future additions. Olejniczak asked for clarification from Schenkelberg regarding the request, questioning whether or not the boat building and float storage, along with the canopy was part of this PUD. Schenkelberg stated that only the tower and east addition was a part of this PUD.

Weisner permitted public comment up to three minutes per speaker.

Hans Christian, 330 N 3rd Avenue, stated that he is not in favor of the tower and that the \$4 million to construct it should be used for the granary, not for a new tower. He questioned the financial security of the DCMM.

Bill Harder, 4871 Harder Hill Road, President of the DCMM, stated they wanted this structure to be an iconic addition to Door County that will provide education and exhibits on Door County's strong shipbuilding heritage.

Amy Paul, 5350 Cty Hwy T, Executive Director of the DCMM, stated that the DCMM is a not for profit organization that is looking to expand their educational programs for visitors. They are looking to keep visitors in Sturgeon Bay with this project by showing them a view of our working waterfront.

Chris Kellems, 120 Alabama Street, stated that she likes the idea of the tower, but thought it was too tall.

Terry Connelly, 8862 Cana Cove Road, Vice-President of the DCMM, stated that the project is intended to create a destination and become an iconic structure. It will also offer new exhibit space. It will make a bright future for the Museum because of the increased program space and destination feature.

Alderson Kelly Catarozoli, 344 N 3rd Avenue, stated that this project is on filled lakebed and needs to receive a lease from the State in order to build, and that she will be pushing for that. He also felt the tower portion could be shorter.

Christy Weber, 311 Pennsylvania Street, stated that the tower will block access to the waterfront where it is proposed and should be put back where the previous plan had it. She stated that the DCMM should spend the money for the new tower on the existing granary. She also felt the City should consider signage restrictions so that there aren't bright neon signs at the top of the tower and urged any Plan Commissioner who is a member of the Museum's board of directors to abstain from voting.

Dave Shannock, 510 E Vine Court, stated that this project will give the DCMM a boost in visitors, and reminded the Commission that this is being paid for from private donations.

After the public made their comments, the Commission considered the proposed concept PUD.

Gilson stated that while he is a member of the Museum board, he doesn't have a conflict of interest.

Weisner questioned Olejniczak on what the next step was. Olejniczak stated that the body can ask questions or provide unofficial direction at this time. They need to vote whether to follow the combined preliminary/final PUD review process. Olejniczak stated that the proposed PUD would have to address setback and the height limitations since the proposal encroaches on the normal 5-foot setback and exceeds the 45-foot building height limit.

Starr stated that it is not the Plan Commission's job to decide how the DCMM spends their money. If the people who want the DCMM to utilize the granary, they need to reach out to the DCMM's board of directors. The Plan Commission is not responsible to facilitate this.

Statz stated that this board approved the relocation of the tower at a previous meeting. He likes the location at the corner of the museum because it is further from the grain elevator.

Olejniczak stated that signage and lighting conditions can be part of the PUD ordinance.

Moved by Starr, seconded by Gilson to follow the combined preliminary and final PUD process.

Hurley asked if this would need to be reviewed by the Aesthetic Design and Site Plan Review Board. Kernosky stated yes.

All ayes, carried.

Zoning code amendment to allow accessory dwelling units: Kernosky stated that this amendment has been coming from staff to the Plan Commission over the last several months. He reported that at the direction of the Plan Commission, staff reached out to Traverse City, MI to discuss their code. Traverse City has been very successful in their implementation of ADU's, but has found that many of them are not being used for short or long-term rentals, but a place for family when they come to visit.

Kernosky also explained the changes to the proposed code based upon input from the members at their last meeting. These included an increase in the minimum lot size requirement to 7,000 square feet, amended language regarding the minimum rental period to be 30 days or one month, and allowing the ADU's within a detached structure to follow the accessory structure setback requirements.

Starr questioned whether or not Traverse City uses permits. Kernosky stated that an ADU is a permitted use, but the City only allows 10 per year and that it is a first come first serve basis. The members briefly discussed the conditional use process that is currently within the draft ordinance for Sturgeon Bay.

Statz mentioned that most of the ADU's in Traverse City were units above detached garages and he wondered if a frost protected foundation was required. Staff was unsure and offered to check with Traverse City staff.

Weisner permitted public comment up to three minutes per speaker. The following spoke:

Hans Christian, 330 N 3rd Avenue, stated he likes the idea and that it will help address affordable housing needs. He didn't think a cap on the number of ADU's should be used.

Christy Weber, 311 Pennsylvania Street, stated that it is cheaper to convert a garage or carriage house than it is to build new. She stated that there is a need for seasonal housing, and that these could be built for just seasonal workers.

Chris Kellems, 120 Alabama Street, stated that large building supply companies have pre-fabricated kits for garages with living quarters above. In California, many of these are small studio apartments that are rented to college students. She supports the idea.

Motioned by Starr, seconded by Gilson to begin the formal amendment process for ADU's.

Weisner asked if the City Building Inspector would be able to discuss building code requirements. Olejniczak stated that the Inspector also inspects properties elsewhere in Door County, so he would have a good idea of what is needed based upon Door County's allowance of ADU's.

Statz questioned the existing accessory structure code and wondered if we are restricting potential ADU's by not allowing them to build on the second story of a garage? Could it be written so that the ADU square footage isn't used against the 1,000 square foot restriction in our current code? Olejniczak stated that we could rewrite the proposed ordinance to reflect these changes. It was noted that Traverse City provides additional floor area in its code.

Weisner stated that he liked the way it was written now.

Starr/Gilson withdrew their motion. The consensus of the Commission was for staff to look into the issues raised and bring the item back to the next meeting.

Public Comment on Plan Commission Items: The following people spoke:

Christy Weber, 311 Pennsylvania Street, stated she liked how Traverse City handles the accessory building size requirements. It prevents people from building out of scale.

Hans Christian, 330 N 3rd Avenue, stated that the code should consider Traverse City's up to 65% of the floor area of the principal dwelling, but with a cap to prevent very large accessory buildings where the principal building is very large.

Chris Kellems, 120 Alabama Street, questioned whether or not balconies would be a part of the floor area totals.

Olejniczak stated that this was Kernosky's last Plan Commission meeting with the City of Sturgeon Bay and that he wanted to publically thank him for this time here.

Motioned by Starr, seconded by Statz to adjourn. All ayes, carried.

The meeting adjourned at 7:36 p.m.

Submitted by,
Ryan Kernosky, Planner/ Zoning Administrator