

**AGENDA**  
**CITY OF STURGEON BAY**  
**WATERFRONT REDEVELOPMENT AUTHORITY**  
Monday, September 19, 2016  
2:30 p.m.  
Council Chambers, City Hall  
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 12, 2016.
4. Consideration of: Elimination of Waterfront Design Review Code.
5. Convene in closed session in accordance with the following exemptions:
  - a. Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Wis. Stats. 19.85(g)  
  
Consideration of: Friends of Sturgeon Bay Public Waterfront et al v. City of Sturgeon Bay and Sturgeon Bay Waterfront Redevelopment Authority
  - b. Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. 19.85(1)(e).  
  
Consideration of: Amendments to Development Contract with Sawyer Hotel Development, LLC
6. 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.

3:45 p.m.  
9/14/16  
CN

WRA Members  
Thomas Herlache, Chair  
Rick Wiesner  
Will Gregory  
Chris Jeanquart  
John Asher  
Cindy Weber  
Ryan Hoernke

## WATERFRONT REDEVELOPMENT AUTHORITY

Tuesday, July 12, 2016

A meeting of the Waterfront Redevelopment Authority was called to order at 3:45 p.m. by Chairperson Tom Herlache in Community Room, City Hall, 421 Michigan Street.

**Roll call:** Members Rick Wiesner, Will Gregory, Chris Jeanquart, and Tom Herlache were present. Member Cindy Weber entered the meeting at 3:50 p.m. Excused: Member John Asher. Also present were Baird representative Brad Viegut, City Attorney Randy Nesbitt, City Administrator Josh Van Lieshout, Alderpersons Stewart Fett, Jerry Stults, and Kelly Catarazoli, City Treasurer/Finance Director Val Clarizio, Planner/Zoning Administrator Ryan Kernosky, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Gregory, seconded by Mr. Jeanquart to adopt the following agenda by changing the order of consideration to Item #6, Item #5 and then Item #4 and to remove Item #7 out of closed session. Carried. :

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from April 19, 2016.
4. Consideration of: TID #2 Debt Restructuring and Borrowing.
5. Consideration of: Appointments to Waterfront Design Review Board.
6. Consideration of: Elimination of Waterfront Design Review Board.
7. **Convene in closed session in accordance with the following exemption:**  
**Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Wis. Stats. 19.85(g)**  
**Consideration of: Friends of Sturgeon Bay Public Waterfront et al v. City of Sturgeon Bay Waterfront Redevelopment Authority**  
**Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Council may adjourn in closed session.**
8. Adjourn.

Carried.

**Approval of minutes from April 19, 2016:** Moved by Mr. Wiesner, seconded by Mr. Gregory to approve the minutes from April 19, 2016. All ayes. Carried.

**Consideration of: Elimination of Waterfront Design Review Board:** Mr. Olejniczak explained that there are currently four different design districts with different committees: The Waterfront District, Historic District, Industrial Park, and the Aesthetic Design & Site Plan Review Board, which approves projects that are not in the other districts. Another resignation has been received from a member on the WDRB. The WRA appoints members to the WDRB. The question was brought up what the WRA would think about combining the WDRB and Aesthetic Design & Site Plan Review Board and make it a seven member board. The Historic Preservation Commission should be kept as its own committee. The WDRB has an upcoming meeting Thursday of this week.

Mr. Herlache suggested tabling discussion until after the WDRB meets on Thursday.

Mr. Wiesner stated he would like to see the boards blended together.

Mr. Nesbitt added that Council has final approval.

**Consideration of: Appointments to Waterfront Design Review Board:** There was no formal action to appoint new members to the Board, but it was moved by Mr. Jeanquart, seconded by Mr. Gregory to authorize the chairman to appointment a new member to the WDRB. All ayes. Carried.

**Consideration of: TID #2 Debt Restructuring and Borrowing:** Mr. Viegut presented two different scenarios in regard to restructuring TID #2 debt. He gave an update on the performa. By choosing scenario #2 there would be a \$400,000 savings. The TID can close in 2027. TID #1 continues to support TID #2.

Mr. Olejniczak went over the TID boundaries.

Ms. Clarizio stated that scenario #2 makes more sense.

After further discussion, it was moved by Mr. Wiesner, seconded by Ms. Weber to recommend to Council approval of scenario #2. All ayes. Carried.

**Consideration of: Friends of Sturgeon Bay Public Waterfront et al v. City of Sturgeon Bay Waterfront Redevelopment Authority:** Mr. Nesbitt stated the City is in the midst of a discovery period for the lawsuit. The plaintiffs have named their witnesses, and the City has until August 1<sup>st</sup> to name ours. Motions to dismiss or narrow issues is due October 10<sup>th</sup>. The trial is set for February 9 and 10, 2017.

**Adjourn:** Moved by Mr. Jeanquart, seconded by Mr. Gregory to adjourn. All ayes. Carried. Meeting adjourned at 4:30 p.m.

Respectfully Submitted,

  
Cheryl Nault  
Community Development Secretary

## EXECUTIVE SUMMARY

### Combining Waterfront Design Review Code and Aesthetic Design & Site Plan Review Code

**Background:** The Waterfront Design Review Code was adopted in the 1990's when the initial phase of waterfront redevelopment was getting underway. It applies to the Waterfront Redevelopment District, which generally covers the downtown areas on both sides of the bay. At that time the area was not governed by any special design criteria for development (except for the Historic Preservation District along Third Ave). The WRA and Council felt that the new development and redevelopment should have to be reviewed and meet minimum standards for quality and design.

The City now has an overall design review section of its municipal code that applies to all nonresidential and multiple-family residential development in the City. A separate design review board handles the review of projects. But, the Waterfront Redevelopment District is exempt from that code since the Waterfront Design Review Code already applies. In addition, the Historic Preservation District and Industrial Park also have their own review boards and design criteria.

There has been previous consideration to combining some of the design districts/codes to streamline the review process. Since the standards and procedures for the Waterfront Redevelopment District are very similar to the overall design review code, perhaps the Waterfront Design Review Code could be repealed, with the overall Aesthetic Design and Site Plan Review Board taking over the review and approval of projects. The design standards for the Waterfront Redevelopment District could still be rolled into the overall citywide standards and used by the Design Review Board when considering projects in the waterfront area.

At recent meetings of their respective boards, the members of the Aesthetic Design and Site Plan Review Board and the Waterfront Design Review Board had no objection to combining the two ordinances into one design review code. The discussed proposal was to repeal the Chapter 29 (Waterfront Design Review Code) and to amend the design review section of the zoning code (s. 20.43) to include the waterfront redevelopment area into the purview of that overall design review code and to add two members to the Aesthetic Design & Site Plan Review Board. While the Mayor and Council have final authority over the appointments, the additional two members would presumably be taken from the Waterfront Design Review Board.

**Staff Recommendation:** City staff believes having one overall code will create consistency and streamline the process. The Waterfront Design Review Code served its purpose, but now that the overall City code is in place, it no longer is necessary.

Therefore, staff recommends repealing Chapter 29 Waterfront Design Review Code and making amendments to section 20.43 of the zoning code to include the Waterfront Redevelopment Area for applicability and to add two additional members to the Aesthetic Design & Site Plan Review Board.

Prepared by: Marty Olejniczak  
Marty Olejniczak  
Community Development Director

9-14-16  
Date

Reviewed by: Ryan Kernosky  
Ryan Kernosky  
Planner/Zoning Admin

9/14/16  
Date

Reviewed by: Josh Van Lieshout  
Josh Van Lieshout  
City Administrator

9/14/16  
Date

# Waterfront Redevelopment District & 3rd Avenue Historic District



Map printed October 9, 2007

-  Waterfront Redevelopment District
-  3rd Avenue Historic District