

**AGENDA**  
**CITY OF STURGEON BAY**  
**CITY PLAN COMMISSION**  
Wednesday, June 15, 2016  
7:00 p.m.  
Council Chambers, City Hall  
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from May 18, 2016.
4. Zoning map amendment from Single-Family Residential (R-2) to Multi-Family Residential (R-4) for Doneff Land Company, LLC, for a vacant parcel located on N. 9<sup>th</sup> Avenue, west of the Big Hill Regency House, parcel # 281-62-17000105B.

Presentation

Public Hearing

Consideration of *(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.)*

5. Consideration of: Zoning code amendment relating to minimum roof pitch for dwellings.
6. Reconsideration of: Official name for new public street abutting the north side of Cadence (1425 S. Neenah Avenue).
7. Public comment on non-agenda items.

**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.

Plan Commission Members:

Rick Wiesner – Chair  
Ron Vandertie  
Mike Gilson  
Jeff Norland  
Robert Starr  
Dennis Statz  
Steven Hurley

6/10/16  
2:00 p.m.  
CN

## CITY PLAN COMMISSION

Wednesday, May 18, 2016

A meeting of the City Plan Commission was called to order at 7:00 p.m. by Chairperson Rick Wiesner in Council Chambers, City Hall, 421 Michigan Street.

**Roll call:** Members Rick Wiesner, Ron Vandertie, Jeff Norland, Mike Gilson, Steven Hurley, Bob Starr, and Dennis Statz and were present. Also present were City Administrator Josh Van Lieshout, Planner/Zoning Administrator Ryan Kernosky, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Starr, seconded by Mr. Hurley to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from March 16, 2016.
4. Consideration of: Memorial Drive shoreline improvements for Austad Family Trust, 942 Memorial Drive.
5. Presentation of: Zoning map amendment from Single-Family Residential (R-2) to Multi-Family Residential (R-4) for Doneff Land Company, LLC, for a vacant parcel located on N. 9<sup>th</sup> Avenue, east of the Big Hill Regency House, parcel #281-62-17000105B.
6. Consideration of: Modification of PUD for Maritime Museum addition, 120 N. Madison Avenue.
7. Consideration of: Approval of Certified Survey Map (CSM) for New Urban Focus (Bay Lofts), 49 N. Madison Avenue.
8. Consideration of: Official name for new public street abutting the north side of Cadence (1425 S. Neenah Avenue)
9. Consideration of: Zoning code amendment relating to minimum roof pitch for dwellings.
10. Consideration of: Zoning code amendment relating to requiring a garage for all newly constructed dwellings.
11. Election of Vice-Chair.
12. Public comment on non-agenda items.

Carried.

**Approval of minutes from March 16, 2016:** Moved by Mr. Gilson, seconded by Mr. Vandertie to approve the minutes from March 16, 2016. All ayes. Carried.

**Consideration of: Memorial Drive shoreline improvements for Austad Family Trust, 942 Memorial Drive:** Mr. Kernosky explained that the Austad Family Trust would like to modify the shoreline property on Memorial Drive. The Municipal Code has restrictions for a scenic easement. The landscape proposal is to create a 4 foot concrete sidewalk from the curb along Memorial Drive to the existing dock, as well as a concrete fire pit area. The seawall proposal would fill 4 feet towards the bay with a 2 foot wide seawall. They would also like to plant three trees.

Mr. Olejniczak added that no buildings are allowed along the shoreline. The City maintains the property and nothing can interfere with the City cutting grass. John Wiese had previously been approved to make improvements. Trees cannot grow more than 3 feet tall.

Mr. Gilson stated that this is a scenic easement to protect the view. What they are proposing fits in except for the trees.

Dan Austad said he would withdraw the request for three trees, but in turn would like the existing tree removed.

Mr. Olejniczak said that Council approval is needed as well as DNR approval beyond the shoreline.

After further discussion, it was moved by Mr. Gilson, seconded by Mr. Statz to recommend to Council approval of the landscaping proposal as presented, with the exception of three trees and subject to DNR approval for the shoreline changes. All ayes. Carried.

**Presentation of: Zoning map amendment from Single-Family Residential (R-2) to Multi-Family Residential (R-4) for Doneff Land Company, LLC, for a vacant parcel located on N. 9<sup>th</sup> Avenue, east of the Big Hill Regency House, parcel #281-62-17000105B:** Mr. Kernosky stated that Doneff Land Company is requesting to rezone a vacant parcel located west of N. 9<sup>th</sup> Ct. from Single-Family Residential (R-2) to Multi-Family Residential (R-4). They are proposing a 20 unit multi-family structure to be built on the vacant parcel. A public hearing will be held in June, followed by a recommendation to Council.

No action was needed.

**Consideration of: Modification of PUD for Maritime Museum addition, 120 N. Madison Avenue:** The Maritime Museum presented new plans to relocate the proposed tower. The tower's location was originally placed in the central area of the museum. They would like to shift it to the northeast side of the museum.

According to Architect Ben Schenkelberg, the reason for relocating the tower is for visual reasons. Where originally proposed, there is no water view. This also allows the first and second floor addition to have more windows. The back of the building would be placed up to the museum.

After a short discussion, it was moved by Mr. Starr, seconded by Mr. Norland to approve the modification of the PUD for the Maritime Museum. All ayes. Carried.

**Consideration of: Approval of Certified Survey Map (CSM) for New Urban Focus (Bay Lofts), 49 N. Madison Avenue:** Mr. Olejniczak stated that in regard to the parameters of the PUD for Bay Lofts, the City would vacate the triangular shape piece of property on Madison Avenue in exchange for right-of-way. The Council had approved the vacation of the right-of-way.

The Commission discussed the certified survey map. Moved by Mr. Vandertie, seconded by Mr. Statz to recommend to Council approval of the certified survey map (CSM) for Bay Lofts. All ayes. Carried.

**Consideration of: Official name for new public street abutting the north side of Cadence (1425 S. Neenah Avenue):** Mr. Kernosky stated that just north of Cadence the City is in the process of building a street. In order to get updated by the County, the street needs to be named with a nautical term beginning with an I or H.

Mr. Olejniczak added that Cadence was asked if they had any suggestions for a street name and they would prefer a shorter name.

A list of possible names were given to the Commission to choose from. Helm Street was one of the suggestions, but Mr. Hurley thought it sounded too much like Elm Street. Inlet was also a suggestion. After discussion, it was moved by Mr. Statz, seconded by Mr. Vandertie to recommend to Council Helm Street as the new street name. All ayes. Carried.

**Consideration of: Zoning code amendment relating to minimum roof pitch for dwellings:** Mr. Kernosky stated that this item was in regard to roof pitch requirements in the R-1, R-2, R-3, and R-4 Residential zoning districts and if the Plan Commission wanted to pursue this item. Architect Virge Temme has started a focus group of 24 people ranging from age 24 to 70 years old to get different ideas regarding architecture preference. She had submitted photos of different low pitched roofs that are below the minimum roof pitch allowed, which is a 4:12 pitch.

Mr. Wiesner stated that anything less than a 4:12 pitch becomes hard to support. Just because plans can be drawn doesn't mean that they can be built.

Mr. Olejniczak said any existing flat roofs would be exempt and should only pertain to new construction.

By consensus staff was directed to draft language for the next meeting.

**Consideration of: Zoning code amendment relating to requiring a garage for all newly constructed dwellings:** Mr. Olejniczak stated that currently garages are not required when new homes are built. It was suggested that Sturgeon Bay require a garage with new dwellings. Habitat for Humanity does not build garages. Options are to require an attached garage for new construction with a minimum floor area, such as 240 square feet, or require either an attached or detached garage with a minimum floor area, such as 240 square feet.

Mr. Starr stated most prefer attached garages. A detached garage may be an only option in some cases.

After further discussion, it was moved by Mr. Starr, seconded by Mr. Vandertie to incorporate language into the Municipal Code by adding section 20.9(08(7)(i) as follows: *For all dwellings constructed after the effective date in this paragraph, an either attached or detached accessory building with a minimum floor area of 240 square feet shall be constructed.* All ayes. Carried.

**Election of Vice-Chair:** Moved by Mr. Gilson, seconded by Mr. Starr to nominate Dennis Statz as Vice-Chair. All ayes. Carried.

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

**Adjourn:** Moved by Mr. Starr, seconded by Mr. Norland to adjourn. Carried. Meeting adjourned at 7:54 p.m.

Respectfully submitted,



Cheryl Nault  
Community Development Secretary

**EXECUTIVE SUMMARY**

**Zoning Map Amendment for Doneff Land Company, LLC  
R-2 (Single-Family Residential) to R-4 (Multi-Family Residential)**

**Background:** Doneff Land Company, LLC (Sarah Bonovich, Agent) is petitioning to rezone their property from R-2 (Single-Family Residential) to R-4 (Multi-Family Residential). The parcel is located off of N 9<sup>th</sup> Court, across from Big Hill Regency House. The parcel contains 1.60 acres of vacant land.

Doneff Land Company intends to build two townhome buildings (one with four units, the other with six units) on the subject parcel. Our zoning codes does not allow multi-family dwellings within the R-2 zoning district, therefore they are requesting a zoning change to R-4 zoning.

Under the zoning code, any multi-family dwelling that has more than 8 units is required to have a Conditional Use Permit (CUP) approved by the Plan Commission, this will happen at a later date and will include another round of public hearing notices to be sent the neighboring properties. As a reminder, this petition is to rezone the property and not for the specific use of the property.

**Surrounding Zoning and Uses:**

- North:* Single-family homes (R-2)
- South:* Big Hill City Park (CON)
- East:* Big Hill Regency House (PUD)
- West:* Commercial and Single-family homes (C-1)

**Comprehensive Plan:** The Future Land Use Map within the Sturgeon Bay Comprehensive Plan identifies the subject parcel as a multiple family residential future use. Multiple family residential is defined in our Comprehensive Plan as *"a residential area predominantly comprised of multiple-family dwellings. Typical density will not exceed 12.4 units per acre."* There appears to be no other specific recommendations of the Comprehensive Plan that pertains directly to this lot.

Also within the Comprehensive Plan we have adopted neighborhood goals. These goals state that the City should maintain high-quality residential neighborhoods that provide housing choices and open space amenities, as well as opportunities for new housing. Objective 1.2 states the City should encourage mixed density and dwelling types in the planned development as a means of both diversifying the housing stock and as a means of providing attainable housing. Objective 2.2 states that the City should utilize infill parcels for development where infrastructure and utilities are available.

City staff feels as though this rezoning petition is not in conflict with the Comprehensive Plan.

**Other Considerations:** The R-4 zoning district allows as a permitted use multi-family dwellings up to 8 units. If the applicant wishes to build more than 8 units, they must receive a conditional use permit from the Plan Commission. Under our R-4 zoning district, the density maximum for this parcel would be 20 units.

The adjoining Big Hill Regency House was developed by Doneff Land Company in 1999 through a Planned Unit Development (PUD). Big Hill Regency House is a 3 story 41-unit senior housing development with underground parking.

Traffic concerns have been brought up regarding the cul-du-sac on N 9<sup>th</sup> Court because of the Big Hill Regency House and the potential townhouses. As a comparison, the Alabama Place Apartments (48 units) and the Marina View Apartments on Thorn Street (56 units) both sit on a cul-du-sac. A change in zoning classification from R-2 to R-4 will allow for greater density of development, which could lead to an increase in traffic on N 9<sup>th</sup> Court and Georgia Street. Under the current R-2 district, perhaps a total of 7 dwelling units could be constructed if a mix of two-family and single-family homes are developed. Staff has no major concerns with traffic flow or intersection back-up.

It is noted that most of the additional uses allowed under the R-4 district are conditional uses that will require review and approval from the Plan Commission. The Aesthetic Design and Site Plan Review Board must also review the building aesthetics and site plan for new multiple-family development. Issues related to specific design aspects such as screening, landscaping, and setbacks will be handled at the time of actual development.

Sewer and water mains exist up N 9<sup>th</sup> Court. New laterals would have to be installed to service the subject parcel.

**Fiscal Impact:** There is not a direct fiscal impact to change the zoning classification. However, if Doneff Land Company makes the intended improvements to the parcel, there would be an increase in tax revenue.


**Options:** The Plan Commission can:

- 1) Recommend approval of the R-2 to R-4 zoning change to the Council
- 2) Recommend denial of the R-2 to R-4 zoning change to the Council
- 3) Recommend a different zoning classification to the Council

**Staff Recommendation:** Staff recommends approval of the proposed zoning map amendment.

Prepared by:   
Ryan Kernosky  
Planner & Zoning Administrator

6/10/16  
Date

Reviewed by:   
Marty Olejniczak  
Community Development Director

5-10-16  
Date

# CITY OF STURGEON BAY ZONING/REZONING APPLICATION

Date Received: <u>5/23/16</u>
Fee Paid \$ <u>400 + 50</u>
Received By: <u>CN</u>

	APPLICANT/AGENT	LEGAL PROPERTY OWNER
Name	SARAH BONOVICH	ANTON DONEFF SR.
Company	DONEFF LANDS COMPANY LLC	
Street Address	4563 CTY HWY E	
City/State/Zip	EGG HARBOR, WI 54209	
Daytime Telephone No.	920-559-6455	
Fax No.	920-682-4632	
<b>STREET ADDRESS OF SUBJECT PROPERTY:</b> <u>Vacant Parcel off of N 9th Court</u>		
Location if not assigned a common address: _____		
<b>TAX PARCEL NUMBER:</b> <u>281-62-17000105B</u>		
<b>CURRENT ZONING CLASSIFICATION:</b> <u>R-2 (Single Family Residential)</u>		
<b>CURRENT USE AND IMPROVEMENTS:</b> <u>Vacant parcel located adjacent to Big Hill Park and across from the Big Hill Regency House</u>		
<b>ZONING DISTRICT REQUESTED:</b> <u>R-4 (Multi-family Residential)</u>		
<b>COMPREHENSIVE PLAN DESIGNATION OF SUBJECT PROPERTY:</b> <u>Multi-family residential</u>		
<b>PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN:</b>		
North:	<u>Single Family Residential - Lower Density</u>	
South:	<u>Open Space and Recreation</u>	
East:	<u>Multiple Family Residential</u>	
West:	<u>Mixed Residential</u>	
<b>ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:</b>		
North:	<u>R-2 Single-family Homes</u>	
South:	<u>Big Hill Park</u>	
East:	<u>Big Hill Regency House</u>	
West:	<u>C-1 Single-family/ Commercial</u>	

HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? No IF YES, EXPLAIN: \_\_\_\_\_

Attach a full legal description (preferably on disk), 8-1/2" X 11" location map, and Agreement for Reimbursement of expenses.

X ANTON DONEFF SR.  
Property Owner (Print Name)

[Signature]  
Signature

27 April 2016  
Date

SARAH BONOVICH  
Applicant/Agent (Print Name)

[Signature]  
Signature

4/26/16  
Date

I, \_\_\_\_\_, have attended a review meeting with at least one member of staff and understand that I am responsible for sign placement and following all stages listed on the check list in regard to the applicant.

\_\_\_\_\_  
Date of review meeting

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Staff Signature

Attachments:

Procedure & Check List

Agreement For Reimbursement of Expenses

STAFF USE ONLY

Application conditions of approval or denial:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Community Development Director

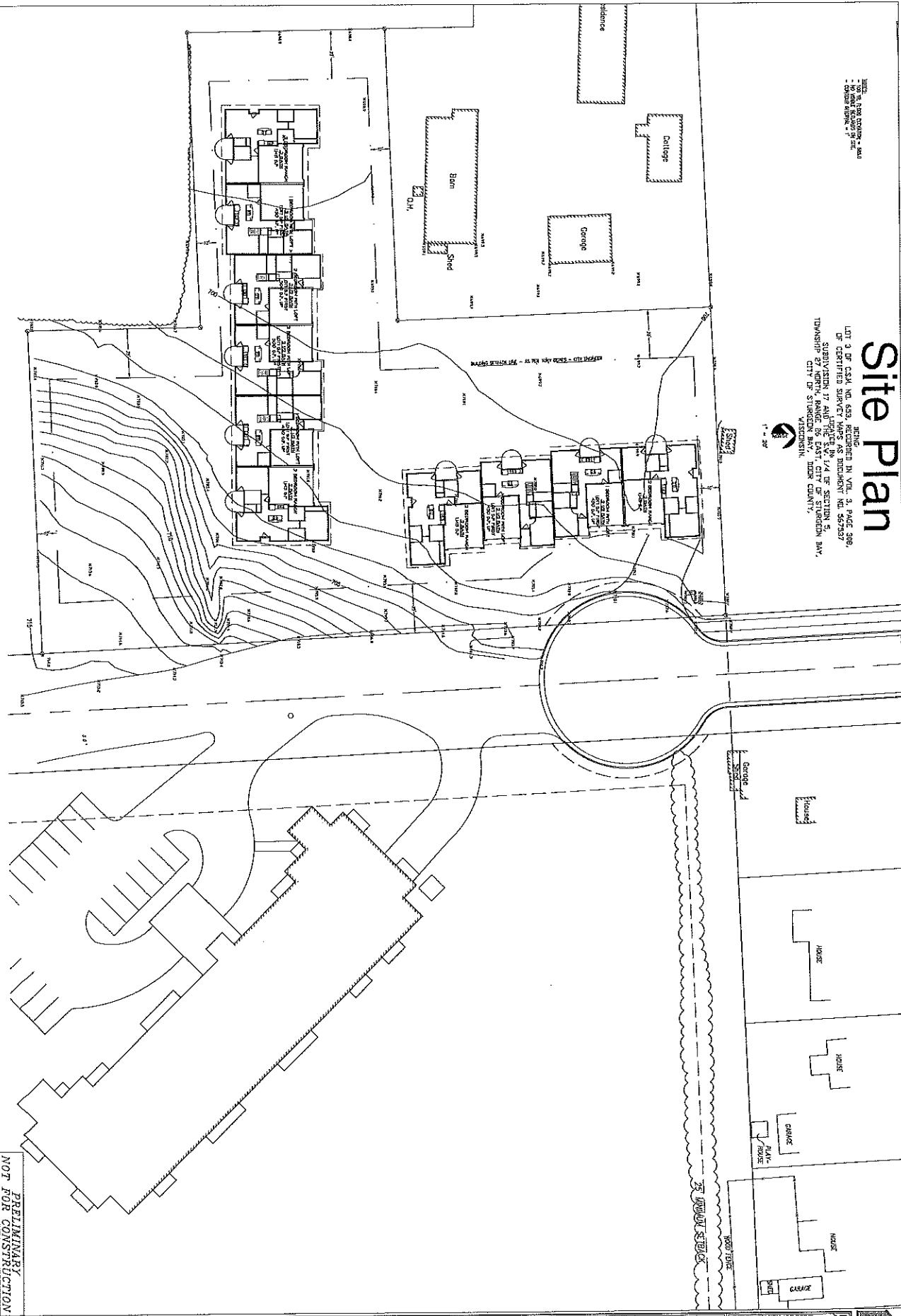


# Site Plan

BEING  
 LOT 3 OF CSJL, INC. 453, RECORDED IN VOL. 3, PAGE 308,  
 OF CERTIFIED SURVEY MAPS AS INSTRUMENT NO. 562937,  
 SUBDIVISION 17 AND THE S.W. 1/4 OF SECTION 5,  
 TOWNSHIP 27 NORTH, RANGE 28 EAST, CITY OF STURGEON BAY,  
 COUNTY OF STURGEON BAY COUNTY,  
 WISCONSIN.



1" = 30'



PRELIMINARY  
 NOT FOR CONSTRUCTION

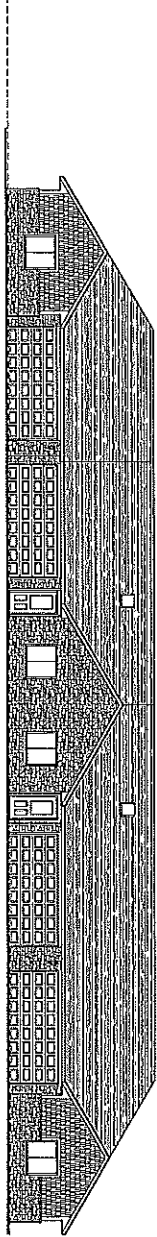
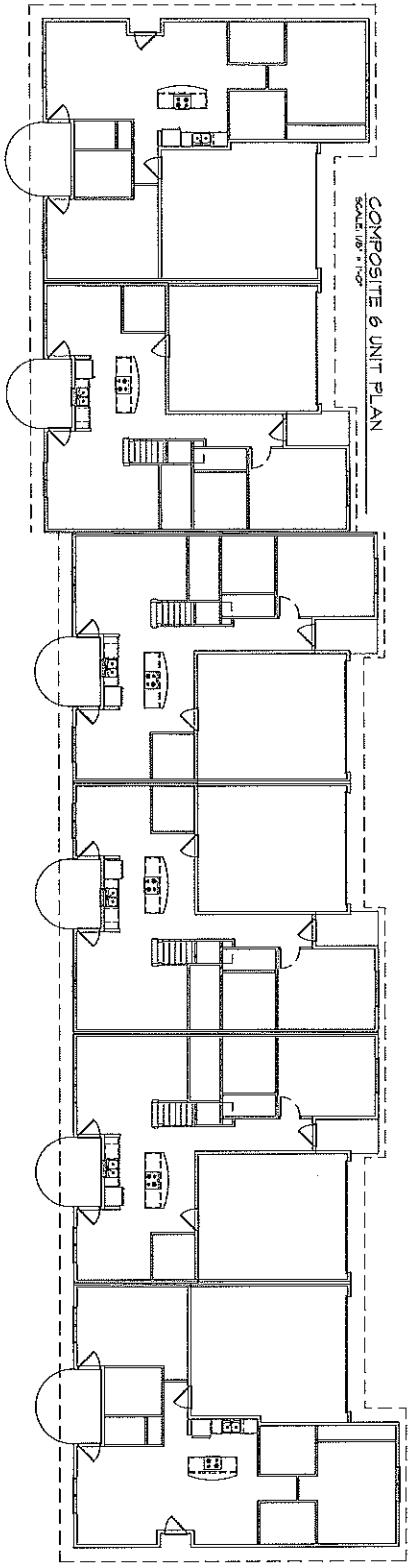
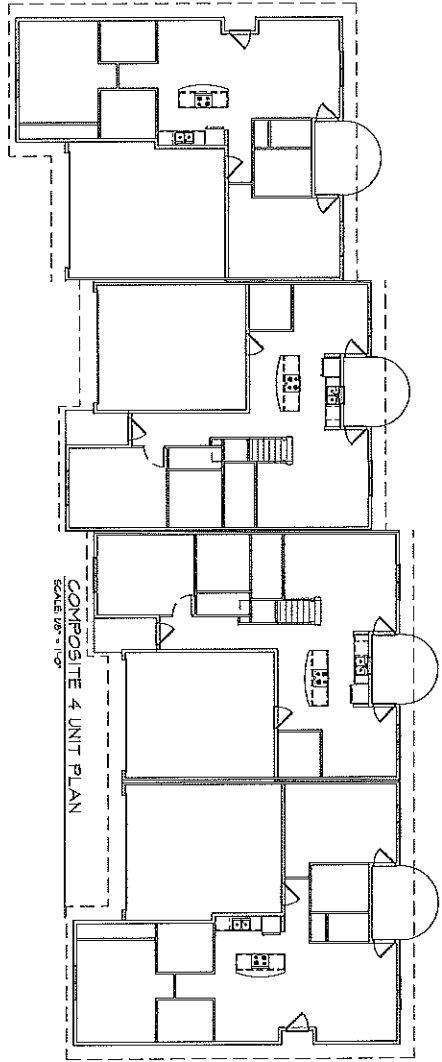
NEW TOWNHOME BUILDINGS;  
**Big Hill Townhomes**  
 STURGEON BAY, WISCONSIN

BIG HILL - # 101404  
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 Date: 2016

**DONEFF COMPANIES**  
 LLC  
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 Milwaukee, Wisconsin 53212 autone@doneff.com

OFFICE: 916 WILLARD DRIVE  
 GREEN BAY, WISCONSIN  
 MAILING: 150 FLETCHER WAY  
 GREEN BAY, WISCONSIN 54303  
 Telephone: 920.733.9169  
 EMAIL: lpl@doneff.com

**1.1**  
 SHEET NO. 1 OF 1  
 DATE: 06/20/16



PRELIMINARY  
NOT FOR CONSTRUCTION

A	DATE	08/11/2014
	SCALE	1/8" = 1'-0"
2.1	PROJECT NO.	1031424
	OWNER	GREEN RAY, WISCONSIN

NEW TOWNHOME BUILDINGS;  
**Big Hill Townhomes**  
STURGEON BAY, WISCONSIN

1031424  
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**DONEFF COMPANIES**  
LLC  
OFFICE: 3148 Expo Dr., Suite 100 Telephone: (920) 682-0066  
Milwaukee, Wisconsin 53210 email: info@doneff.com

OFFICE: 216 WILLARD DRIVE  
GREEN BAY, WISCONSIN  
MARKER: 1322 KENNEDY WAY  
GREEN BAY, WISCONSIN 54301  
Telephone: (920) 337-9189  
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## PUBLIC HEARING NOTICE

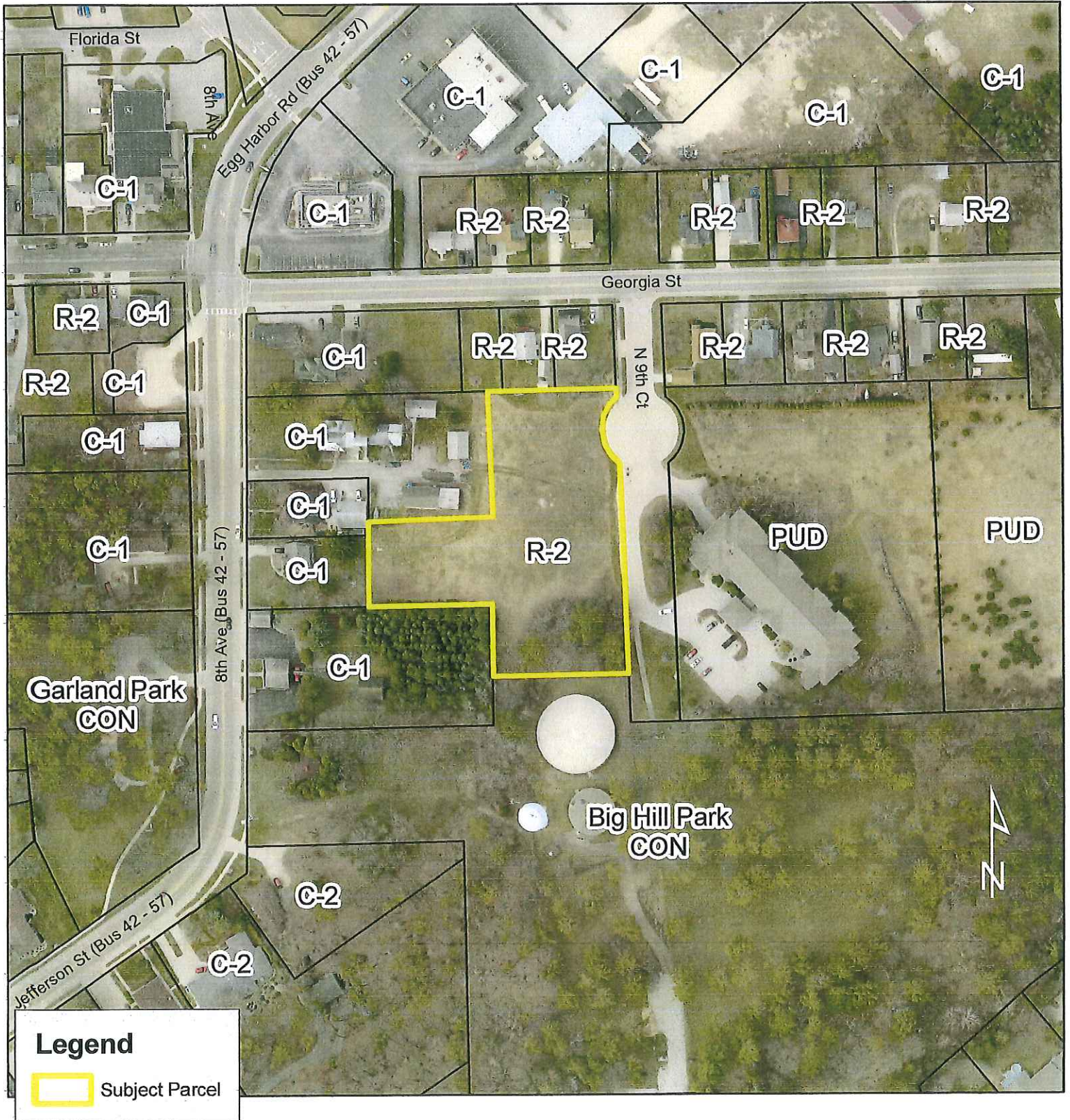
The City of Sturgeon Bay Plan Commission will conduct a public hearing in the Council Chambers, 421 Michigan Street, Sturgeon Bay, Wisconsin on Wednesday, June 15, 2016, at 7:00 p.m. or shortly thereafter, for the purpose of considering a proposed zoning map amendment under Chapter 20 of the Sturgeon Bay Municipal Code (Zoning Code). The proposed amendment is requested by Doneff Land Company LLC (Sarah Bonovich, Agent), to rezone a vacant parcel from Single-Family Residential (R-2) to Multiple-Family Residential (R-4). The subject parcel is located on 9<sup>th</sup> Court and adjacent to Big Hill Park, parcel #281-62-17000105B. The application is on file with the Community Development Department, located at 421 Michigan Street, and can be viewed weekdays between 8:00 a.m. and 4:30 p.m. or online at [www.sturgeonbaywi.org](http://www.sturgeonbaywi.org). The public is invited to give testimony in favor or against the proposed rezoning.

By order of:  
City of Sturgeon Bay Plan Commission

# Rezoning Request

## Doneff Land Company, LLC

### R-2 (Single-Family) to R-4 (Multi-Family)



**NOTE: PUBLIC HEARING TO BE HELD JUNE 15, 2016 AT 7:00 PM  
IN THE COUNCIL CHAMBERS (2ND FLOOR, 421 MICHIGAN ST)**

EXECUTIVE SUMMARY

Roof Pitch Minimums

**Background:** Under section 20.07(7)(c) of the Zoning Code, all dwellings in the residential districts are required to have a 4:12 roof pitch (four feet in height for each 12 feet in width). While several new dwellings that are submitted to the Community Development Department greatly exceed the 4:12 pitch requirement, many newer contemporary-style homes have a lower pitch for aesthetic reasons.

The City has received a few requests over the last several years to change this requirement within our zoning code. More recently, Virge Temme has requested that the Plan Commission take a serious look into whether or not this aesthetic requirement is outdated.

Recently, a focus group of 24 people was brought together by Virge Temme and Scott Strang for design guidance on a home Scott Strang is planning on building. The focus group was asked to rank from 10 different house designs according to the individuals design preference. Overwhelmingly the group chose a contemporary, flat-roofed plan over all other plans showing more traditional gabled rooflines. This reflects a national trend in home designs.

**Options:** At the previous meeting, staff presented several options. These included:

- Delete the requirement from the code.
- Leave the provision as is.
- Amend the requirement to a lesser minimum pitch such as 3/12.
- Amend the requirement to allow the roof pitch to be lesser if approved by the Aesthetic Design and Site Plan Review Board.

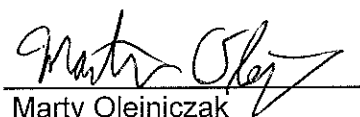
The Plan Commission preferred the idea of retaining the requirement, but allowing the Aesthetic Design and Site Plan Review Board to approve a lower pitched roof. A draft ordinance is included in the agenda packet. The Commission has the options of approving it, amending it, or dropping the matter altogether.

If the Plan Commission approves an amendment to that code provision, it would still have to go to the Common Council for a public hearing and formal adoption.

**Staff Recommendations:** City staff recognizes the need to update our zoning code to reflect more contemporary building styles and trends. With our roof pitch minimum, we may be limiting architectural freedom and unique housing styles. Staff believes that the Aesthetic Design and Site Plan Review Board's review is a step the right direction to allowing architectural freedom and unique housing styles.

Prepared by:   
Ryan Kernosky  
Planner/Zoning Admin

6/10/16  
Date

Reviewed by:   
Marty Olejniczak  
Community Development Director

6/10/16  
Date

ORDINANCE NO.

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO  
ORDAIN AS FOLLOWS:

SECTION 1: Section 20.07(7)(c) of the Municipal Code (Zoning Code) of the City of  
Sturgeon Bay, Wisconsin is hereby amended as follows:

(c) Have a roof with a minimum pitch of four feet in height for each 12 feet  
in width, unless a lesser pitch is approved by the Aesthetic Design and  
Site Plan Review Board.

SECTION 2: This ordinance shall take effect on the day after this publication.

DRAFT

EXECUTIVE SUMMARY

Naming of New Road in Industrial Park

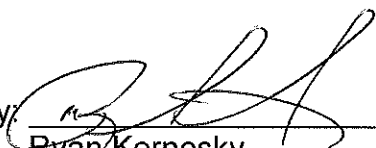
Background: The City has dedicated a new street off of South Neenah Ave in the Industrial Park. This road will be used for future access for more potential development on the western side of the Industrial Park, and will serve the loading docks for Cadence when completed.

Under Chapter 8 of the Municipal Code, the City has a uniform street naming system. The east-west running streets on the west side of the bay in the Industrial Park are required to have nautical terms as names. Furthermore, these streets are required to be in alphabetical order. This street will begin with an "H" or "I".

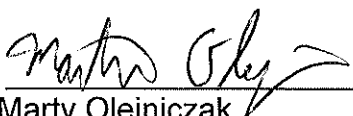
During the May Plan Commission meeting Commissioners recommended naming the street Helm Street. There were concerns regarding the name sounding similar to Elm Street. After that meeting the Fire Chief objected to the proposed name due to its similarity with Elm and the potential for emergency responders going to the wrong location. At the request of staff the recommendation was removed from the Council agenda.

City Staff Recommendation: City Staff recommends that the Plan Commission reconsider its prior action and choose a different street name from the list below:

- |          |          |         |
|----------|----------|---------|
| Halyard  | Helmsmen | Inboard |
| Hatch    | Hoist    | Inlet   |
| Headsail | Hull     | Inshore |

Prepared by:   
Ryan Kernosky  
Planner/Zoning Admin

6/8/16  
Date

Reviewed by:   
Marty Olejniczak  
Community Development Director

6/8/16  
Date

# Street Name Location Map

