

CITY PLAN COMMISSION
Wednesday, January 15, 2014

A meeting of the City Plan Commission was called to order at 7:15 p.m. by Chairperson Dan Wiegand in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Steve Parent, Rick Wiesner, Dan Wiegand, Dennis Statz, Mike Gilson, and Jeff Norland were present. Excused: Member Laurel Brooks. Also present were City Administrator Steve McNeil, City Engineer Tony Depies, Community Development Director Marty Olejniczak, 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 December 18, 2013.
4. Public comment on non-agenda items.
5. Conditional use request from T.M. Crowley & Associates for approval of a drive-through facility for a proposed pharmacy:
 - Presentation:
 - Public hearing:
 - Consideration of:
6. Consideration of: Sign code amendment to allow electronic message signs in residential districts for churches.
7. Adjourn.

Carried.

Approval of minutes from December 18, 2013: Moved by Mr. Wiesner, seconded by Mr. Parent to approve the minutes from December 18, 2013. Carried.

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

Conditional use request from T.M. Crowley & Associates for approval of a drive-through facility for a proposed pharmacy:

Presentation: Richard Donner, attorney for T.M. Crowley, the developer for CVS Pharmacy, introduced Project Engineer Brad Prischman, who explained where the drive-through for the proposed CVS Pharmacy would be located. The existing access on 14th Avenue for the Neighborhood Pub would be closed and relocated as far south as possible. Also, the existing access on Egg Harbor Road would be closed. The Maurices/US Cellular driveway located on Egg Harbor Road will remain as a shared driveway with CVS. The store entrance will face 14th Avenue, with the drive-through window located at the SE corner, keeping away from pedestrian flow and store entrance. There will be enough room to stack seven cars and there will be a one-way drive aisle.

Public hearing: Chairperson Wiegand opened the public hearing at 7:25 p.m.

Bob Schlicht, 244 N. 17th Dr. and District 7 Alderman, complimented the development team on their site plan. He was just concerned about proper traffic flow with the shared driveway.

There was no written correspondence. The public hearing was declared closed at 7:27 p.m.

Consideration of: Mr. Olejniczak commented that one thing that was not evident on the site plan was signage. Directional signage is permitted with a maximum of 4 sq. ft. Any exterior lighting associated with the drive-through facility would need to be shielded.

Mr. Norland questioned the City easement in relation to the detention pond and what the distance is from the canopy to the curbing. Mr. Olejniczak responded no curb cut would be necessary since there would be very few times the City would need to attend to the pond.

Mr. Donner added that the drive-through would be for prescription pick-up only. Doctors would call ahead for the pharmacy to have the prescription ready for the customer.

Mr. Prischman stated there is enough room for a car to pass another car and exit in the drive-through lane if they decided not to pick up their prescriptions. There will be directional signage to direct traffic from 14th Avenue and Egg Harbor Rd. There will also be signage painted on the pavement. Mr. Depies added that the canopy is not the full width of a car.

Charlie Haapala, representing T.M. Crowley, stated that there will be LED lighting under the canopy, with frisbee-shapes containing pin lights. The building will have wall packs, with the lighting shining down. If there are any lights installed that the City does not agree with, they will be removed.

After further discussion, it was moved by Mr. Gilson, seconded by Mr. Norland to approve the conditional use request for a drive-through facility, subject to any exterior lighting associated with the drive-through facility must use shielded fixtures such that light is not directly cast skyward or onto adjoining properties. All ayes. Carried.

Consideration of: Sign code amendment to allow electronic message signs in residential districts for churches: Mr. Olejniczak referred to a letter from City Attorney Randy Nesbitt in regard to regulating EVMS in the residential district. Mr. Nesbitt concluded that making decisions on such signs on a case by case basis is not recommended, as well as not allowing such signs in the residential districts solely for churches. Having different requirements for such signs in the residential districts is OK provided the regulations are content-neutral. Rules regarding the size, brightness, message interval, etc. would be permissible.

Mr. Olejniczak added that an online petition was received through the Change.org website by Melissa Hadley. The petition was against allowing LED/Neon flashing signs in the residential neighborhoods of Door County, WI. The petition was signed by two Sturgeon Bay residents, two or more Door County residents, 24 signatures from other parts of the United States, and 8 residents from around the world.

Mr. Olejniczak offered several options for the Commission to consider.

Mr. Wiegand mentioned that he came across a national list regarding electronic signage. There are limitations on what can be put on the signs. No one can be excluded. Mr. Olejniczak added that the City requires static messages only. They cannot change earlier than six seconds. Currently, a manual reader board or permanent signage is allowed in residential districts.

Commission members were fearful of setting precedence. Setting hours of operation and brightness only for churches is one thing, but the concern was with the rest of the residential district.

Mr. Olejniczak brought up the idea of creating a special zoning district for churches/schools that would allow the electronic message signs, such as an institutional district.

Steve Heinz, 211 N 17th Dr., representing Bay View Lutheran Church, stated they were just looking at installing a sign similar to the Sturgeon Bay High School. Brick would be used to match the exterior of their building. They would not only advertise church events, but community events. Neighbors had been contacted. There was only one neighbor that had a concern. They would like to proceed and feel it would be worthwhile.

Bob Schlicht, 244 N 17th Dr., President of St. Peters Church, stated they are looking to replace their existing sign. A campaign had been started four years ago to raise funds for an electronic message sign. The cost of that sign is in excess of \$29,000. The plan is to use Door County limestone and make it attractive. Their board would be used for advertising different activities that are held within the church facilities, such as open fitness, blood drive, and basketball. He said each activity brings their own sign that is placed on the church property. He would agree to creating an Institutional district.

Mr. Wiegand suggested that Mr. Olejniczak contact Mr. Nesbitt in regard to creating an Institutional zoning district.

Mr. Olejniczak stated there are still setbacks to follow and size requirements. Signs would have to be approved by the Aesthetic Design & Site Plan Review Board. He will investigate an Institutional zoning district.

Adjourn: Moved by Mr. Statz, seconded by Mr. Parent to adjourn. Carried. Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Cheryl Nault
Community Development Secretary