

**AGENDA**  
**CITY OF STURGEON BAY**  
**CITY PLAN COMMISSION**  
Wednesday, April 16, 2014  
7:00 p.m.  
Council Chambers, City Hall  
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from February 19, 2014.
4. Public comment on non-agenda items.
5. Consideration of: Modification of PUD - Two additions for Pinecrest Village, 1241 N. 18<sup>th</sup> Ave.
6. Consideration of: Vacation of a portion of a 25-foot wide alley, known as Lama Lane, between Alabama Street and Bluebird Lane.
7. Consideration of: Consideration of: Zoning code and sign code amendments to create Institutional district.
8. Consideration of: Sign code amendment to allow electronic message signs in residential districts.
9. Consideration of: Setback from bridge right-of-way for U.S.C.G. building at Sawyer Park.
10. 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.

2:00 p.m.  
4/11/14  
CN

Plan Commission Members:  
Dan Wiegand – Chair  
Richard Wiesner  
Mike Gilson  
Laurel Brooks  
Jeff Norland  
Steve Parent  
Dennis Statz

**CITY PLAN COMMISSION**  
Wednesday, February 19, 2014

A meeting of the City Plan Commission was called to order at 7:02 p.m. by Chairperson Dan Wiegand in Council Chambers, City Hall, 421 Michigan Street.

**Roll call:** Members Mike Gilson, Dennis Statz, Laurel Brooks, Steve Parent, Rick Wiesner, Jeff Norland, and Dan Wiegand were present. Also present were 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 January 15, 2014.
4. Public comment on non-agenda items.
5. Consideration of: Zoning code and sign code amendments to create Institutional district.
6. Consideration of: Sign code amendment to allow electronic message signs in residential districts.
7. Consideration of: Zoning code amendment regarding setback from navigable water.
8. Adjourn.

Carried.

**Approval of minutes from January 15, 2014:** Moved by Mr. Wiesner, seconded by Mr. Parent to approve the minutes from January 15, 2014. Carried.

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

**Consideration of: Zoning code and sign code amendments to create Institutional district:** Mr. Olejniczak stated that at the last couple of meetings the Commission had considered whether or not to allow electronic message centers in residential zoning districts. There was a specific request from churches, but there was concern that this could open up to other uses in the district. It was decided to approach a new zoning district. The proposed Public Institutional (P-I) district would include churches, schools, governmental buildings, safety buildings, etc. He asked members if this was worth proceeding with and if some of the proposed permitted uses or conditional uses he presented should be changed around or eliminated. The height and area of signage would also have to be considered.

Mr. Wiegand was not comfortable with a cookie cutter effect for rezoning.

Mr. Olejniczak gave a couple of options, including the City doing a major rezoning of the properties that are appropriate for the P-I district or have the new district adopted, but not mapped and let individual properties or groups of properties request to be rezoned.

Mr. Norland said he is in favor of the P-I zoning district, since the Comprehensive Plan indicates this is the direction to go.

Mr. Olejniczak offered an intermediate option to notify property owners to see if there is interest in a certain area to be rezoned.

Mr. Parent stated he liked all the uses that are proposed. But, if implemented, is there any way of not affecting uses that are already in place? Mr. Olejniczak responded he will confer with the City Attorney.

Ms. Brooks stated this will put residential properties at risk.

It was the consensus of the Commission that the P-I district has merit and should proceed with it. Members should provide any ideas pertaining to permitted and conditional uses to the Community Development Department.

**Consideration of: Sign code amendment to allow electronic message signs in residential districts:** Mr. Olejniczak stated there still is the option to add EVMS as a type of sign allowed in the residential districts. Additional restrictions could be added or the request to amend the sign code could be rejected.

The Commission members agreed that if the Public-Institutional district is being considered, it would make sense to not make a decision on the signs at this time.

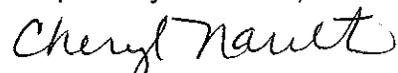
Moved by Mr. Wiegand, seconded by Mr. Statz to postpone discussion until after the P-I district decision has been made. All ayes. Carried.

**Consideration of: Zoning code amendment regarding setback from navigable water:** Mr. Olejniczak stated that the City does not have any specific regulations pertaining to how close a building can be to the shoreline. Door County follows the state DNR imposed 75 ft. setback from the ordinary high water mark. This requirement would not pertain to existing buildings. In case of fire, an existing building could be rebuilt where it had been located. It would not affect non-conforming buildings.

The Commission discussed different options regarding setback from navigable waters, including principal buildings and accessory structures. Moved by Mr. Gilson, seconded by Mr. Parent to adopt a 25' setback from navigable water for all buildings. All ayes. Carried.

**Adjourn:** Moved by Mr. Wiesner, seconded by Mr. Norland to adjourn. Carried. Meeting adjourned at 7:59 p.m.

Respectfully submitted,



Cheryl Nault  
Community Development Secretary

Executive Summary

**Title:** Modification to PUD – Pinecrest Village – Activity Room & Dining Room Additions

**Background:** Pinecrest Village is a Residential Care Apartment Complex (RCAC) located at 1241 N. 18<sup>th</sup> Avenue. It offers assisted living to elderly residents and was approved by the City in 1999 as a Planned Unit Development (PUD). One of the conditions of the PUD is that the development and maintenance of the property be in conformance with the approved final PUD plans. Pinecrest Village wants to modify the plans by adding a 22' x 22' activity room and a 4' x 22' addition to the dining room. Both additions are single-story.

Under section 20.24(6) of the planned unit development section of the zoning code, the Plan Commission has the authority to approve minor changes to the PUD, if such changes do not affect the character and standard of the PUD. Staff believes the proposal falls under that section of the code. The change does not impact the number of apartments or residents. The two additions are both located to the rear of the building and are not visible from the street or from adjoining property due to the existing landscaping. The architecture of the proposed additions is compatible with the existing building. The additions comply with the required setback and do not violate any provision of the PUD ordinance for Pinecrest Village or provision of the zoning code.

The Plan Commission has the options of approving the minor change or denying it. It also has the option of declaring that it is not a minor change as deemed by staff and requiring that a full PUD amendment is necessary, including new public hearing and approval by the Common Council.

**Fiscal Impact:** The additions to the building will increase the overall value of the building without increasing the level of City services provided to it. Thus, there will be a modest positive fiscal impact from the project.

**Recommendation:** Staff recommends approval of modification of the final PUD, as submitted.

Prepared by: Martin Olejniczak 4-9-14  
Martin Olejniczak Date  
Community Development Director

Reviewed by: Stephen McNeil 4-9-14  
Stephen McNeil Date  
City Administrator

CITY OF STURGEON BAY PLANNING COMMISSION

Reference : Pinecrest Village  
1241 N. 18th Ave.  
Sturgeon Bay, WI 54235

April 2, 2014

Planning Commission Members -

Enclosed are the floor plans, elevations for 2 (two) separate additions, the existing partial site plan copy, and the proposed revised site plan copy. This project we would like the City of Sturgeon Bay to consider for approval to Pinecrest Villages previous PUD.

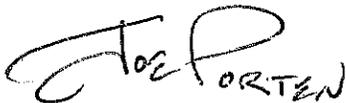
The first addition is a 22' x 22' "Activity Center" that would be attached to the existing main entry / lobby and have generous lighting, it's own egress exit, and the ability to close it off from the main lobby with 2 sets of French doors, allowing for meetings and activity's such as entertainment, lectures, family gatherings, etc.

The second addition would be a ~22' x 4' addition to the dining room allowing the opportunity for additional seating and easier maneuverability by residents and staff.

Both additions would be done at the same time, and the construction both interior and exterior would be in keeping with the existing structure esthetically.

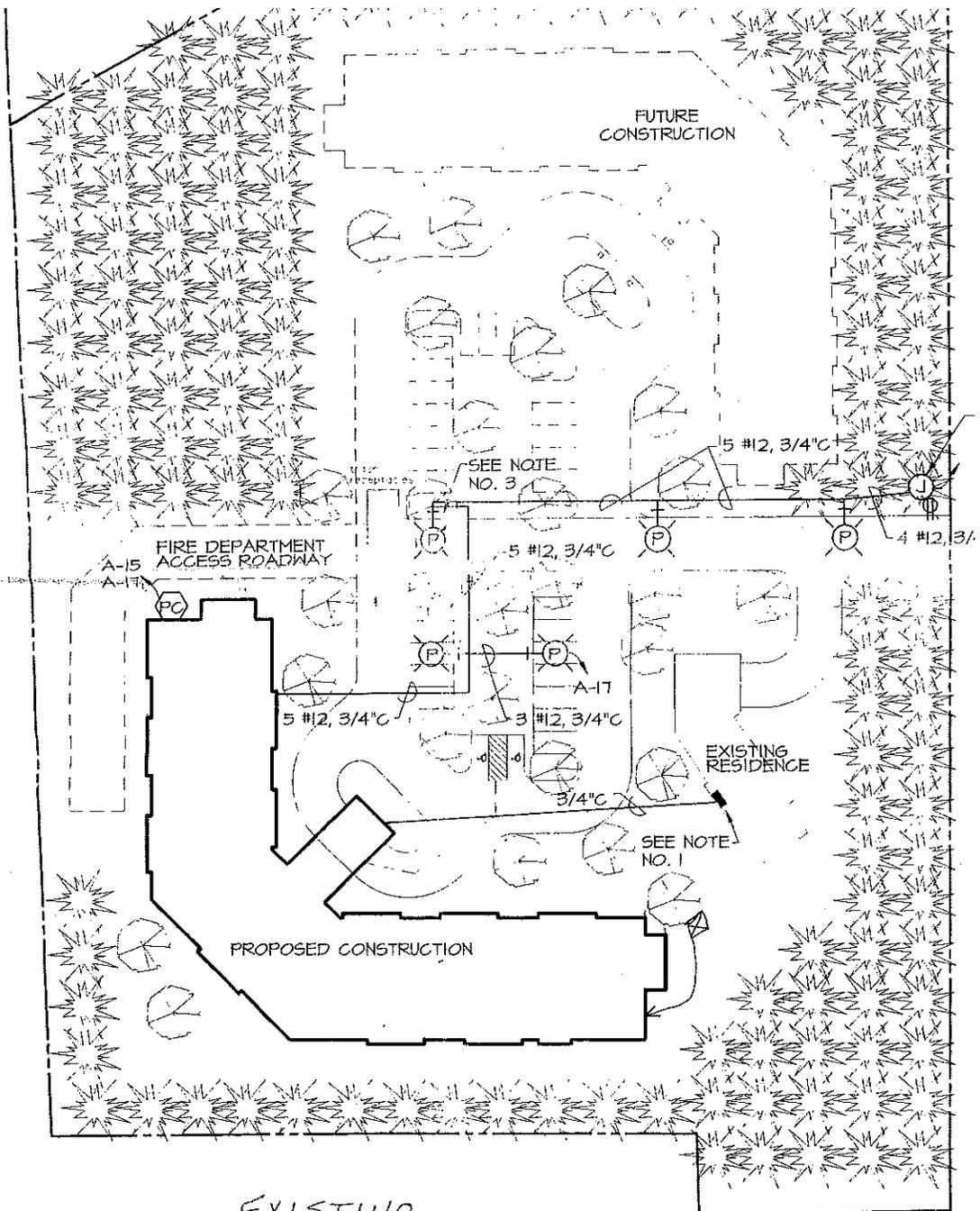
NOTE : Plans will require State Approval to Code Compliancy prior to construction

Respectfully,

A handwritten signature in black ink that reads "Joe Porten". The signature is stylized with a large, sweeping initial "J" and "P".

Joe Porten

Design Consultant  
Portside Builders  
Sturgeon Bay, WI



# EXISTING SITE PLAN

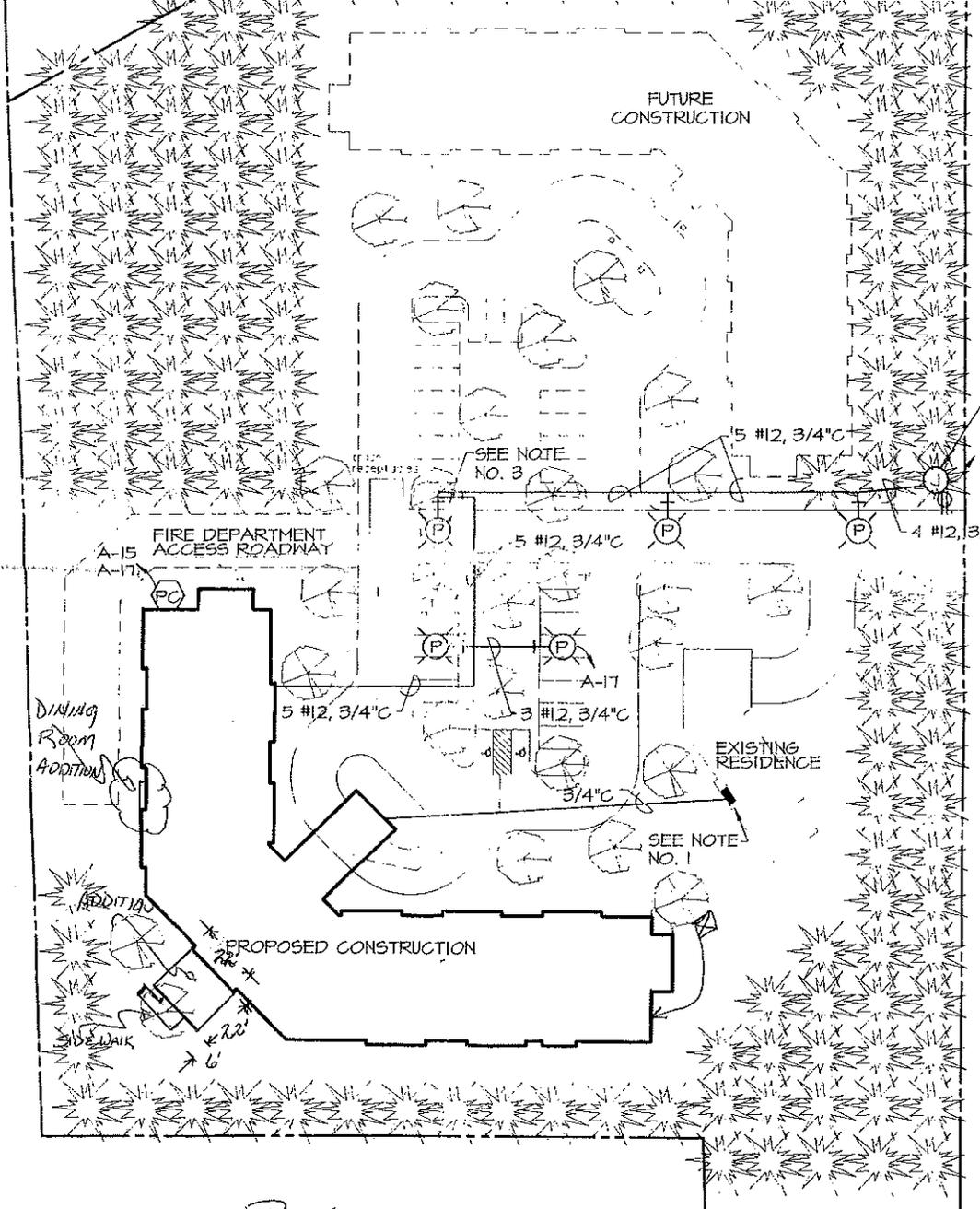
scale: 1" = 50'

**NOTES:**

1. E.C. TO PROVIDE EST CAT. #LSRA ANNUNCIATOR PANEL.  
E.C. TO ROUTE COMMUNICATION WIRE FROM MAIN ANNUNCIATOR PANEL LOCATED IN ENTRY TO REMOVE ANNUNCIATOR PANEL IN CONDUIT.
2. E.C. TO PROVIDE (1) WEATHER PROOF GFI OUTLET IN BASE OF SIGN. WIRE TO CIRCUIT NO. A-II. E.C. TO PROVIDE CIRCUIT NO. A-13 FOR SIGN ILLUMINATION.
3. E.C. TO PROVIDE (1) WEATHER PROOF GFI OUTLET IN BASE OF LIGHT POLE. WIRE TO CIRCUIT NO. A-II.

ALABAMA STREET

M  
E  
T



# REVISED SITE PLAN

scale: 1" = 50'

**NOTES:**

1. E.C. TO PROVIDE EST CAT. #LSRA ANNUNCIATOR PANEL. E.C. TO ROUTE COMMUNICATION WIRE FROM MAIN ANNUNCIATOR PANEL LOCATED IN ENTRY TO REMOVE ANNUNCIATOR PANEL IN CONDUIT.
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3. E.C. TO PROVIDE (1) WEATHER PROOF GFI OUTLET IN BASE OF LIGHT POLE. WIRE TO CIRCUIT NO. A-II.

ALABAMA STREET

EXISTING

FOUNDATION WALLS

CUT HOLE FOR  
CRAWL ACCESS

# CRAWL SPACE

w/ 3" CONCRETE SLAB  
4'0" HIGH WALLS w/ 2 RODS

FLOOR TRUSSES  
14" DEEP  
@ 19.2" O.C.

3" TOP CHORD BEARING

# FOUNDATION PLAN

MUD SLAB ON TOP OF  
30" HIGH 6" FROST WALL  
WITH 8"X16" FOOTING

UNEXCAVATED  
6" X 4' FROST  
WALLS

CONCRETE WHEEL-  
CHAIR ACCESSIBLE  
RAMP  
9'-0"

9'-0"

6'-6 1/2"

9'-0"

22'-0 1/4"

6'-6 1/2"

6'-0"

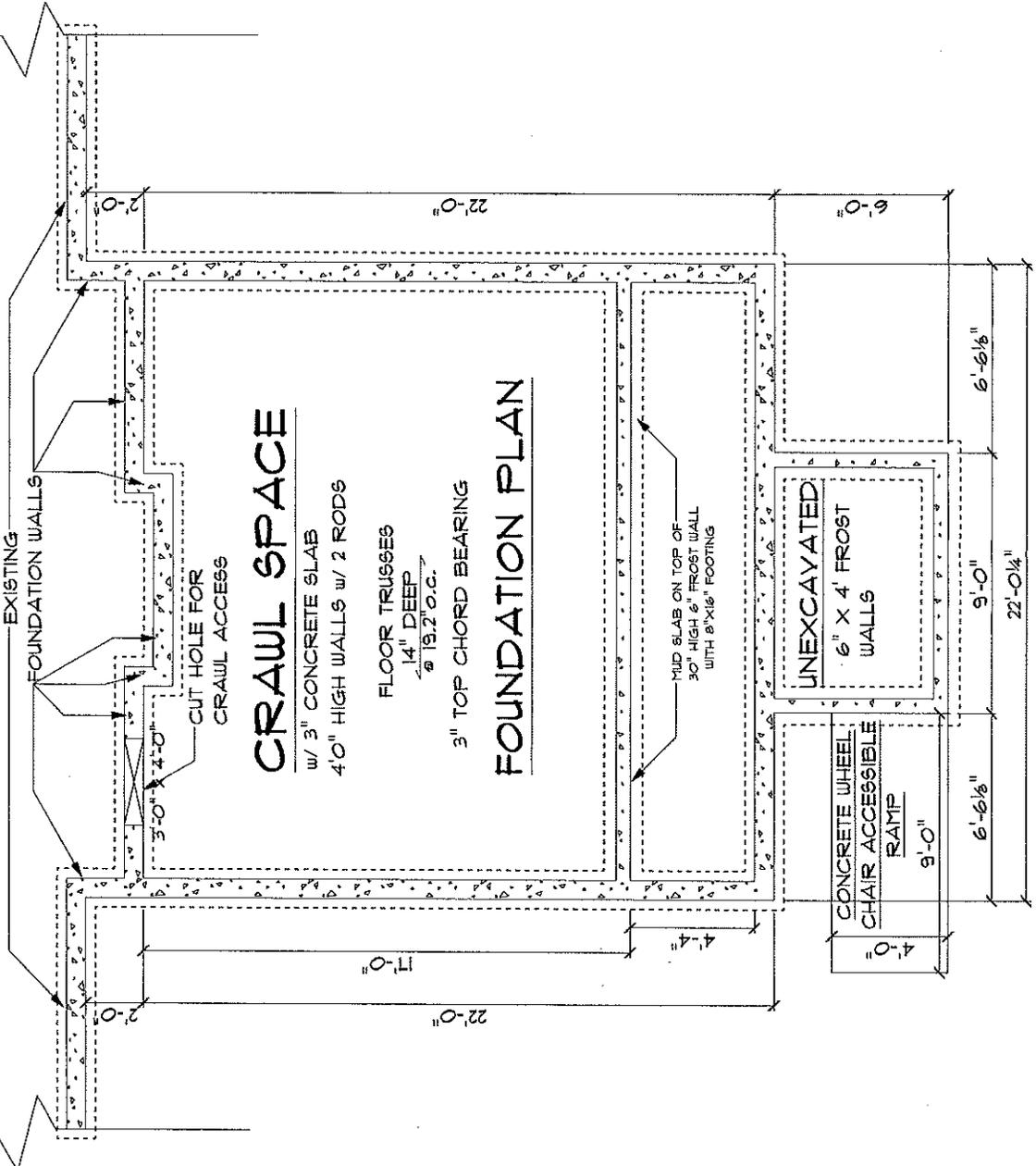
22'-0"

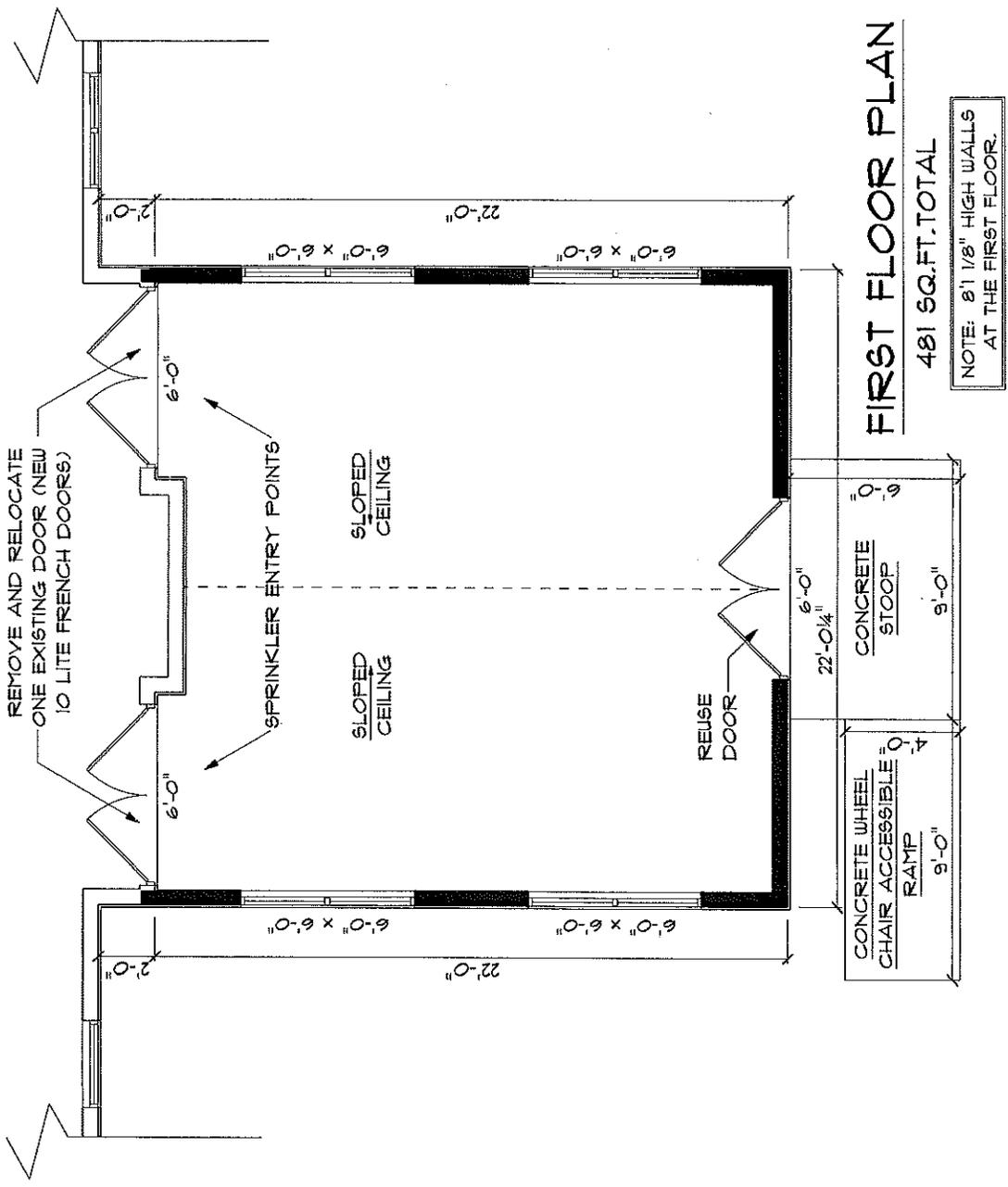
11'-0"

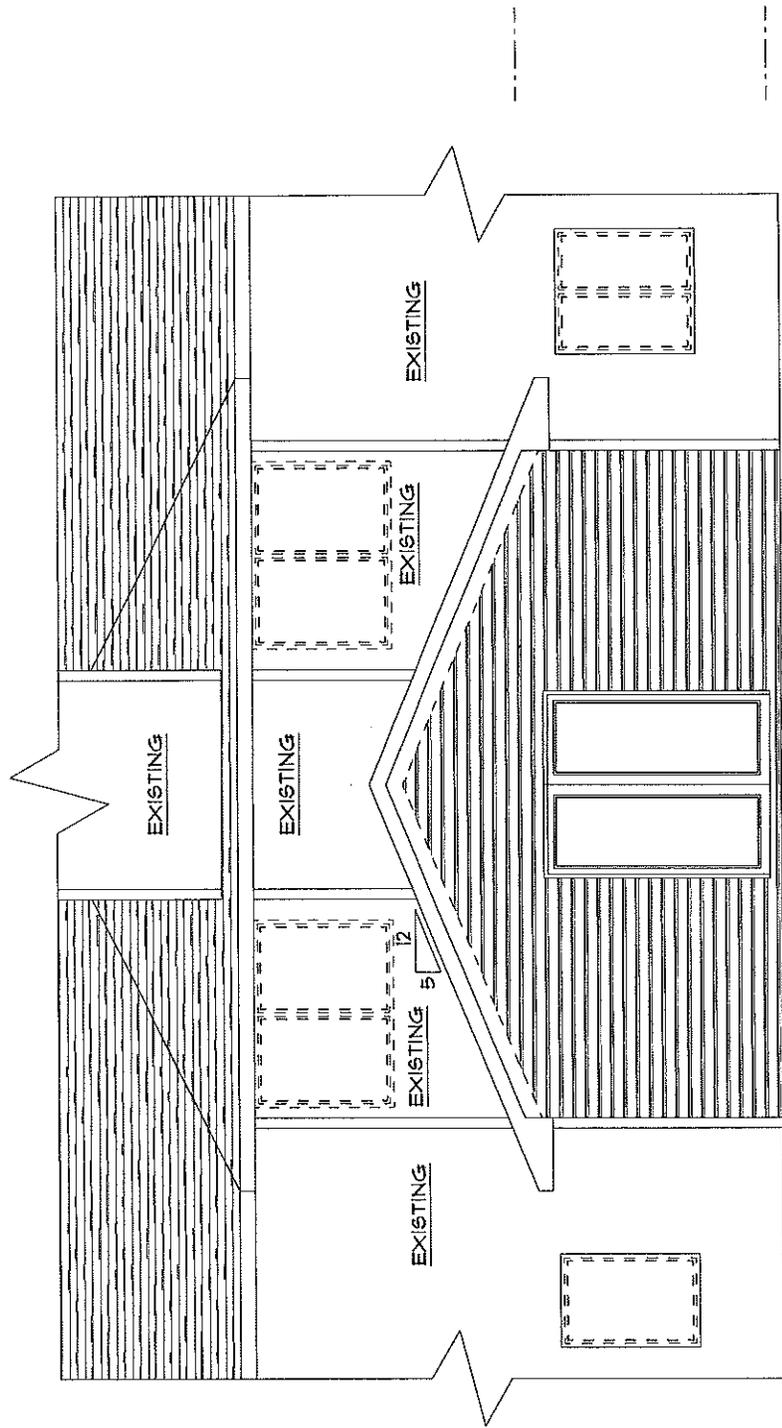
22'-0"

4'-4"

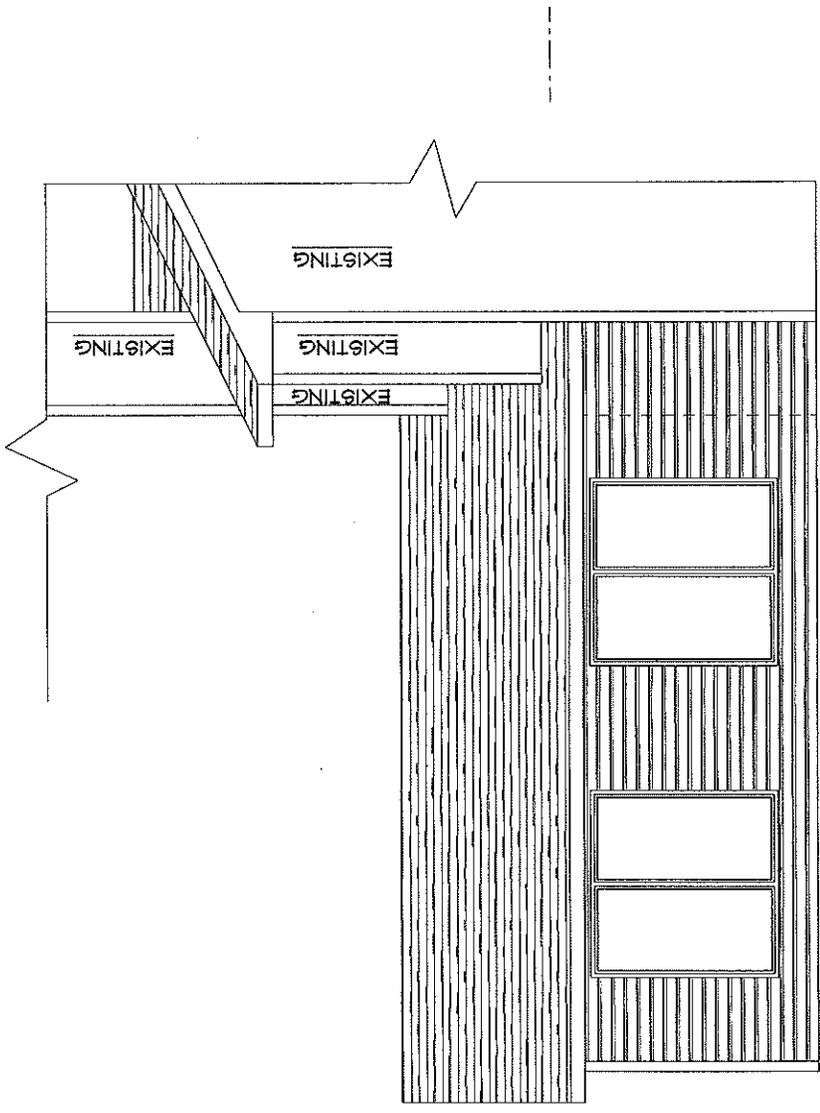
4'-0"



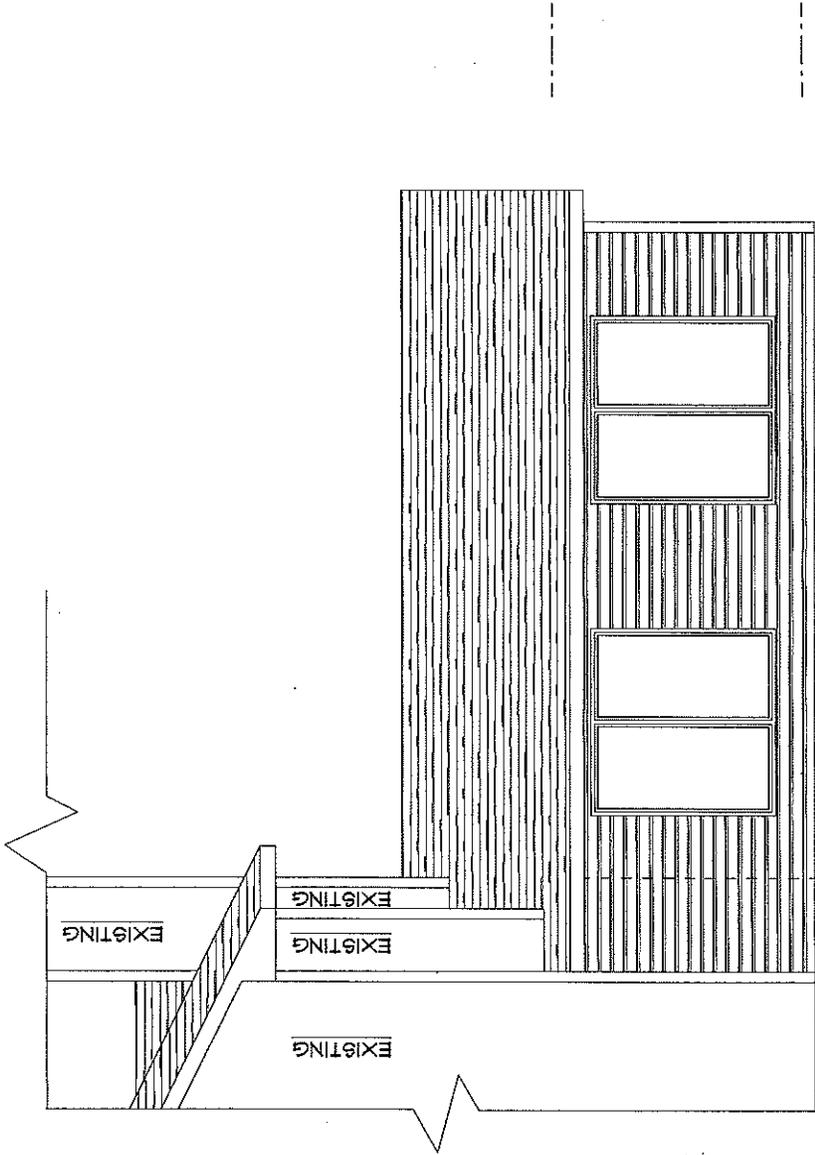




FRONT ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

**NOTICE OF COPYRIGHT**

These plans are copyrighted and are subject to copyright protection as an "architectural work" under Sec. 102 of the Copyright Act, 17 U.S.C., as amended December 1990 and known as Architectural Works Copyright Protection Act of 1990. The protection includes but is not limited to the overall form as well as the arrangement and composition of spaces and elements of the design. Under such protection, unauthorized use of these plans work or building represented, can legally result in the cessation of construction of buildings being set up and/or monetary compensation to Fortside Builders Inc.

NAME: PINECREST VILLAGE  
LOCATION: DINING ROOM  
DATE: 1-30-14 REV:  
DRAWN BY: Joe Patten  
JOB NO:  
SCALE: 1/4" = 1'-0"  
PAGE 0 OF 0  
NO. 8 LORING AVE., STAMFORD, CT. 06907 (860) 346-0000  
**Fort  
SIDE**  
BUILDERS, INC.

**REVISED FOUNDATION AT DINING ROOM**

BURIED ELECTRICAL CABLE  
REQUIRING EXTREME CAUTION  
AND HAND DIGGING AT THIS  
POINT DURING EXCAVATION

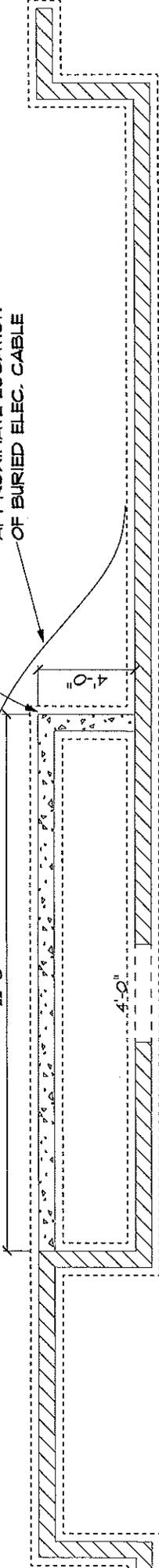
APPROXIMATE LOCATION  
OF BURIED ELEC. CABLE

22'-0"

4'-0"

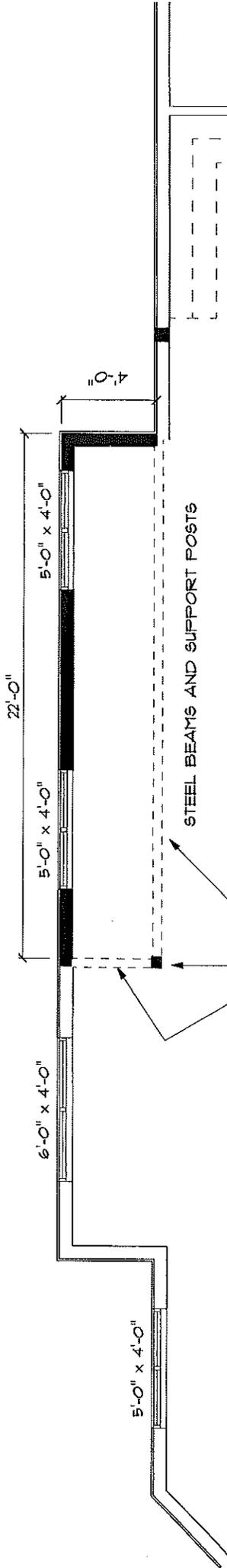
4'-0"

ACCESS HOLE SAW CUT FLUSH WITH  
EXISTING CONCRETE FLOOR  
LOCATION TBD



REVISED FIRST FLOOR WALL AT DINING ROOM

SHED ROOF ATTACHED TO UPPER EXISTING WALL



SUPPORT COLUMN AND BEAM REQUIRED  
TO CARRY SECOND FLOOR LOAD

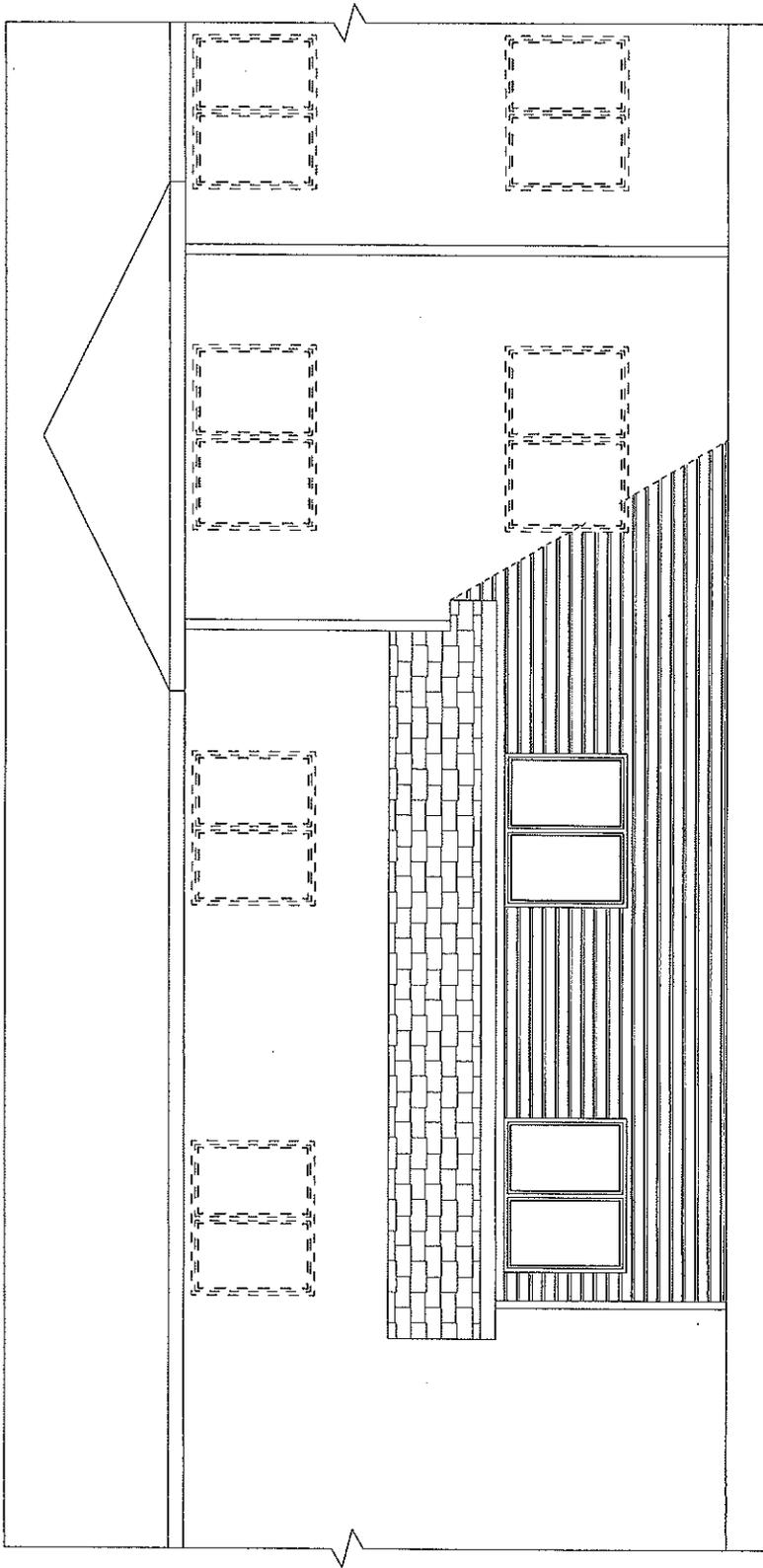
PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

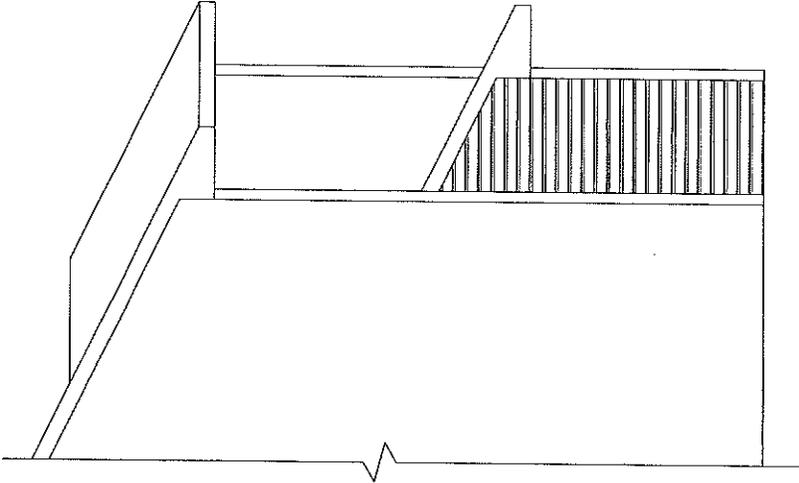
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NAME: PINECREST VILLAGE  
LOCATION: DINING ROOM  
DATE: 1-30-14 REV:  
DRAWN BY: Joe Forten  
JOB NO:  
SCALE: 1/4" = 1'-0"  
PAGE 0 OF 0



20 N. LINCOLN AVE. BIRMINGHAM, AL 35207 MEMBER BUILDERS, INC.





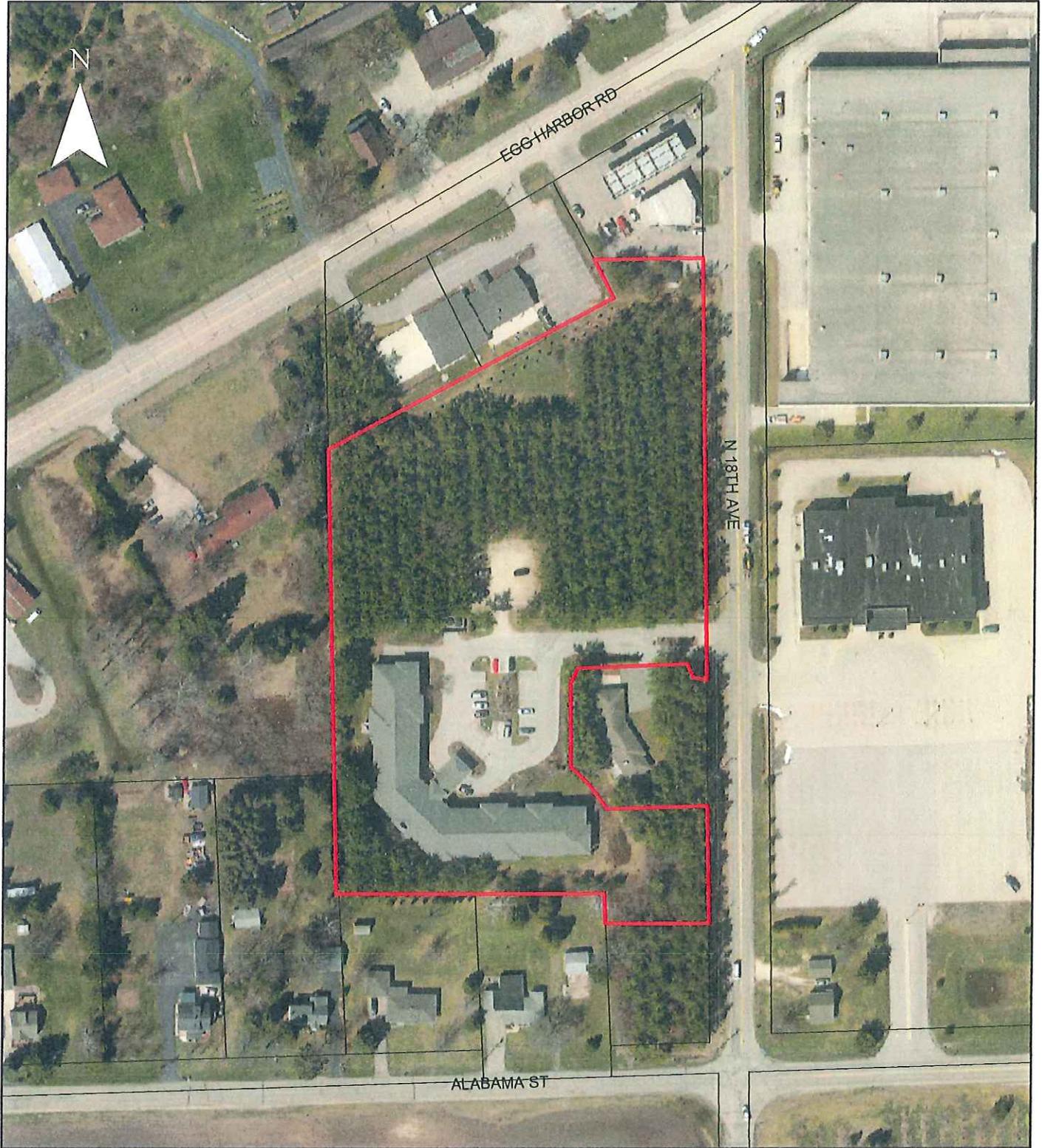
PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

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NAME: PINECREST VILLAGE  
LOCATION: DINING ROOM  
DATE: 1-30-14 REV:  
DRAWN BY: Joe Patten  
JOB NO:  
SCALE: 1/4" = 1'-0"  
PAGE 0 OF 0  
P.O. BOX 1000 AVE. HENDERSON NV. 89015 PORTSIDE BUILDERS, INC.



# Location Map Planned Unit Development Pinecrest Village



 Subject Property - 1241 N. 18th Avenue

EXECUTIVE SUMMARY

**Title:** Abandonment of Alley in Lama Wamah Park Subdivision

**Background:** Three property owners abutting a recorded alley have submitted a request to abandon (vacate) the public alley. The 25-ft wide alley runs between Alabama Street and Bluebird Drive behind N. Third Avenue. It was created by the plat of Lama Wamah Park in 1957 but has never been improved, although the north end is used for driveway access for two homes.

The alley provides access to a private park in the subdivision. The private park is for the use of, and jointly owned and maintained by, the owners of 7 lots surrounding the park. The alley provides the only access other than from Lama Lagoon.

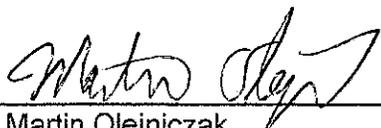
It is unclear exactly how much of the alley is being proposed for abandonment. It is believed that the three petitioners want it abandoned from Alabama Street to the north line of the private park. The petition states that an easement for utilities would be created, but it is unclear if that easement includes access to the park.

The State Statutes allow the Common Council to vacate or abandon an unpaved alley. The Plan Commission makes a recommendation to the Council.

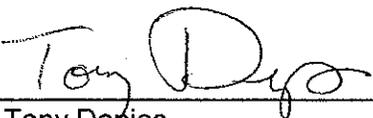
There does not appear to be any benefit to the general public for this alley since it only serves the private park and the adjoining residential lots. However, the abandonment would impact the rights of the 7 surrounding lot owners. Consensus of these owners should be achieved regarding how much of the alley to vacate and whether an access easement should be created if vacated.

**Fiscal Impact:** Abandonment of the alley would eliminate any present or future maintenance responsibilities of the city. The alley would be attached to the abutting lots thereby increasing the size/value of those lots. Therefore, there should be a slight positive fiscal impact.

**Recommendation:** The Plan Commission should determine the desires and concerns of the affected seven property owners and recommend to vacate all or some of the alley if there is consensus.

Prepared by:   
Martin Olejniczak  
Community Development Director

4-11-14  
Date

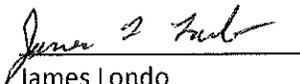
Reviewed by:   
Tony Depies  
City Engineer

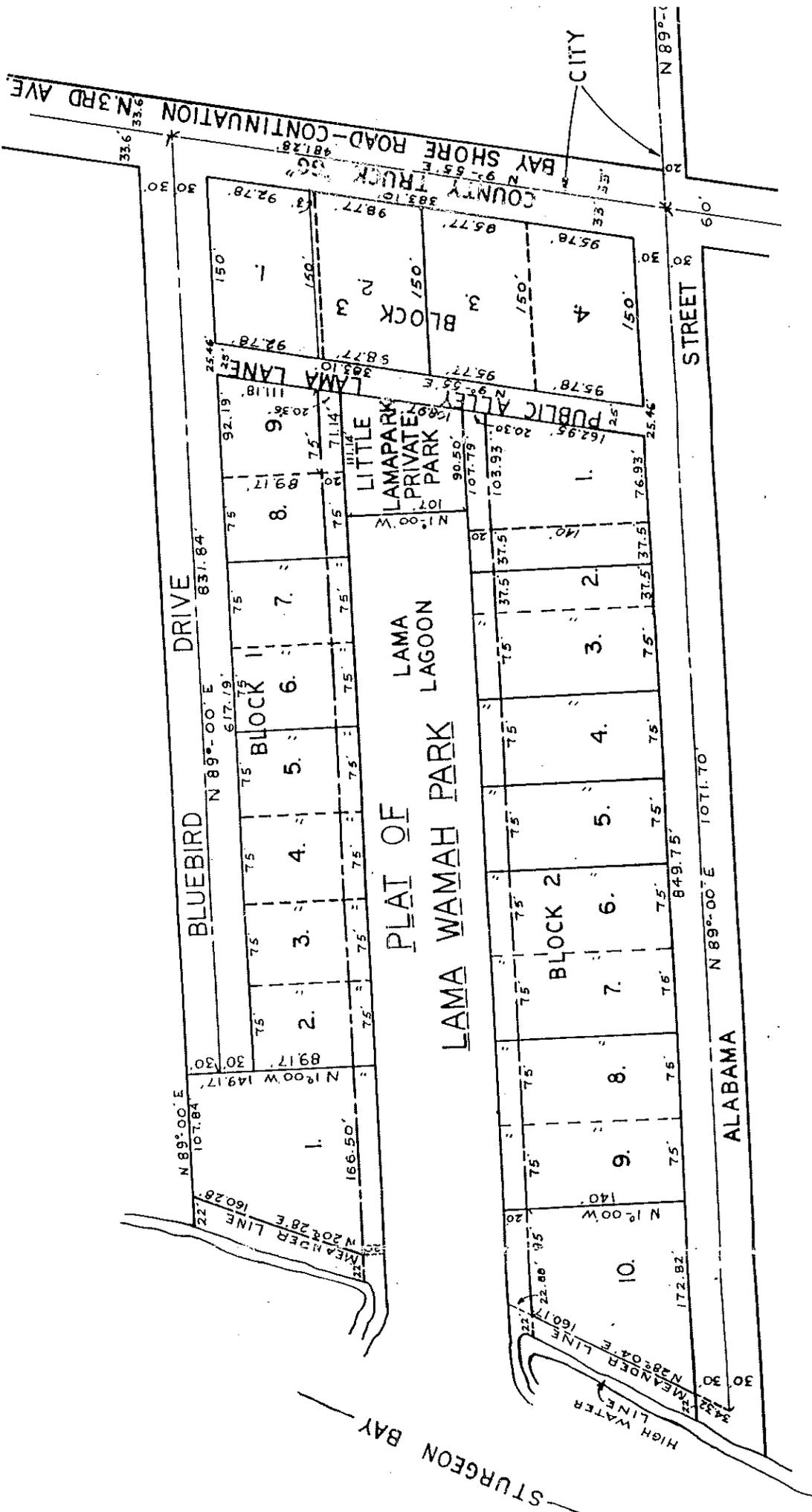
04-11-2014  
Date

March 5, 2014

We, the undersigned, owners of property located and adjacent to the 25 feet Public Alley as shown on the plat of Lama Wamah Park, wish to have this property abandoned.

We further agree to give a utility easement on this property for the operation and maintenance of the utilities located on this property.

<u>Name</u>	<u>Address</u>	<u>City</u>
 James Londo	212 Alabama Street	Sturgeon Bay, WI 54235
 Gerald Richter	1205 N 3 <sup>rd</sup> Ave	Sturgeon Bay, WI 54235
 Joan Briggs	1225 N 3 <sup>rd</sup> Ave	Sturgeon Bay, WI 54235



STURGEON BAY

HIGH WATER

ALABAMA

N 89° 00' E 1011.70'

BLUEBIRD DRIVE

N 89° 00' E 831.84'

PLAT OF  
LAMA WAMAH PARK  
LAMA LAGOON

LITTLE LAMA PARK  
LAMA PRIVATE PARK

LAMA LANE

PUBLIC ALLEY

BLOCK 1  
BLOCK 2  
BLOCK 3  
BLOCK 4

BLOCK 2

BLOCK 10

CITY

N 89° 00' E

STREET

BAY SHORE ROAD - CONTINUATION N 3RD AVE

COUNTY TRUCK

N 92° 55' E 481.28'

# Location Map - Proposed Abandonment of Public Alley



April 11, 2014

# MEMO

**To:** City Plan Commission  
**From:** Martin Olejniczak, Community Development Director  
**Date:** February 14, 2014  
**Subject:** Institutional Zoning District

For a couple of meetings the request to allow electronic variable message signs (EVMS) in residential zoning districts has been considered. Although the request was specifically for churches there was concern that an amendment would lead to other consequences in the residential areas. At the last meeting an idea was broached to create a separate zoning classification with its own permitted uses, sign requirements, and other rules geared toward churches and other institutional use.

The creation of an institutional zoning district is a valid way to handle the EVMS issue. Many zoning codes contain a zoning classification for public and institutional uses. As long as the standards are consistent within this district, they can be tailored to match the community's desires related to churches, schools, and so forth.

A draft of the provisions of this type of district has been completed. The district is called Public and Institutional (P-I) to match the category and definition already within the Sturgeon Bay Comprehensive Plan Future Land Use map. The proposed permitted and conditional uses are based upon uses within the City's other zoning districts that seemed appropriate for P-I and a review of other City's zoning codes. Some of these uses could be shifted between permitted and conditional, if desired.

The dimensional and sign standards are based upon other districts in the Sturgeon Bay code. Right now many of the institutional uses are zoned R-4, so the setbacks and sign rules are roughly in line with what is currently allowed in R-4. However, the Plan Commission will want to verify these provisions.

This approach of creating a separate zoning classification will take longer to implement than just an amendment to the sign code. First, the specific standards with the zoning code and sign code need to be approved by the Plan Commission. A public hearing is needed to amend the zoning code, followed by adoption through first and second readings by the Council. Once the district is created, it can then be mapped. There are two options. The City could proactively pick areas that it wants to be zoned P-I and schedule a public hearing to rezone those areas. The second option is to wait for individual property owners or groups of property owners to petition for a rezoning to that district.

Please review the proposed district and be prepared to determine if you want to pursue the creation of the P-I district and, if yes, the specific uses and rules for that district.

## **20.09 Use regulations for P-I district.**

The Public & Institutional P-I district is intended to provide appropriate areas for community facilities or public uses such as educational, medical, governmental, and cultural facilities.

### (1) Permitted uses are:

- (a) Churches and religious institutions.
- (b) Elementary, junior, and senior high schools.
- (c) Colleges and vocational schools.
- (d) Government administrative offices, public utility offices, police stations, and fire stations.
- (e) Libraries & museums.
- (f) Parks and playgrounds.
- (g) Recreational and community center buildings and grounds.
- (h) Charitable institutions, clubs and lodges.
- (i) Funeral homes.
- (j) Medical, dental, and veterinarian facilities.
- (k) Child day care facilities, provided the facility is licensed by the Wisconsin Department of Children and Families.
- (l) Botanical and community gardens.
- (m) Accessory dwelling units for caretakers or clergy associated with a listed permitted or conditional use. Such dwellings shall comply with the dimensional requirements of the R-2 district under s. 20.27(2).
- (n) Accessory uses customarily incidental and subordinate to any of the above uses provided that no such use generates traffic or noise that would create a public or private nuisance.

### (2) Conditional uses are:

- (a) Hospitals.
- (b) Communication towers.
- (c) Public garages, shops or storage yards.
- (d) Penal or correctional institutions and asylums.
- (e) Sewage treatment plants, water pumping or storage facilities, water treatment plants, electrical transformer stations, gas regulator stations, and similar facilities for public utilities.
- (f) Art galleries.

- (g) Community living arrangements, except as regulated in § 62.23(7)(i), Wis. Stats., and provided, however that the 2,500-foot distance described in § 62.23(7)(i)2r.a., Wis. Stats., shall not apply.
- (h) Nursing homes.
- (i) Animal shelters and pounds.
- (j) Airports, including terminal facilities and necessary concessions.
- (k) Cemeteries, crematoria, columbaria, and mausoleums.
- (l) Parking lots.

**20.72 Height and area regulations generally.**

- (1) The maximum impervious surfaces shall be 70% of the lot area.
- (2) Dimensional requirements.
  - (a) Minimum lot area – 21,780 square feet (1/2 acre)
  - (b) Minimum lot width – 100 feet
  - (c) Required yards.
    - 1. Street – 25 feet
    - 2. Side – 10 feet, except where the side yard abuts premises located in a residential district, the required side yard shall be increased to 20 feet.
    - 3. Rear – 25 feet
  - (d) Maximum building height – 45 feet

**Signs in P-I district**

- Area of Wall Signs. Walls signs shall not exceed one square foot per linear foot of building façade [to a limit of 50/100/?? square feet per building façade]. *See note 1*
- Area of Ground Signs. Ground signs shall not exceed 64 [32, 100] square feet facing each frontage. *See note 2*
- Height. Ground signs shall not exceed 12 [20] feet in height. *See note 3*
- EVMS. Permitted with the following rules: *See note 4*
  - a. Size: 32 [16, 24, ??] square feet maximum
  - b. 6 [30, ??] seconds per message change
  - c. No limits on hours of operation [limited to between 6 AM and 9 PM, ??]

Notes:

1. Currently, most institutional uses in residential districts are restricted to a wall sign limit of 50 sq. ft. per façade. However, such uses in the commercial districts as well as schools, hospitals, offices, and clinics in R-4 district have no wall sign limit.
2. Currently, most institutional uses are restricted to 32 sq. ft. of sign area per frontage. However, such uses in the commercial districts (as well as schools, hospitals, offices, and clinics in R-4) are allowed to have up to 100 sq. ft. of sign area per frontage.
3. Currently, most institutional uses are restricted to a ground sign height of 12 feet. However, such uses in the commercial districts (as well as schools, hospitals, offices, and clinics in R-4) can have ground signs up to 20 feet in height.
4. Currently, EVMS are not permitted at all in residential districts. In commercial districts, institutional uses can have of to 32 square feet of EVMS with 6 second message interval and no limit on hours of operation.

**ADDENDUM TO EXECUTIVE SUMMARY**

**Title:** Sign Code Amendment – Electronic Variable Message Signs in Residential Districts

**Additional Information:** Based upon discussion at the previous Plan Commission meeting, the City Attorney was asked to weigh in on options for regulating EVMS in the residential district. The City Attorney's opinion letter is included in the agenda packet. The conclusions are:

1. Making decisions regarding such signs on a case by case basis is not recommended. It likely runs afoul of previous court rulings that sign regulations must be content-neutral.
2. Allowing such signs in the residential districts solely for churches is strongly recommended against. This is due to both content-neutral concern and establishment clause of the 1<sup>st</sup> Amendment concern.
3. Having different requirements for such signs in the residential districts is OK provided the regulations are content-neutral. So, rules regarding the size, brightness, message interval, etc. would be permissible.

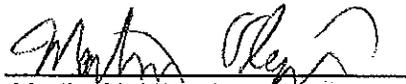
The Attorney also indicates that there is no legal problem with maintaining the current outright ban on such signs in the residential districts.

Based upon the Attorney's opinion, staff opted not to create a sample ordinance for the case by case review option.

**Petition:** An online petition was initiated through the Change.org website by Melissa Hadley. The petition states: "Do not change the zoning to allow LED/Neon flashing signs in the residential neighborhoods of Door County WI." A number of people signed it from around the world (8) and other parts of the United States (24), but there were only two submissions from Sturgeon Bay residents (Josh Hadley and Rose Wodack), and two more from other Door County residents. It is unclear from the language of the petition if the issue at hand is understood because the City already allows LED and neon signs in residential neighborhoods and prohibits flashing signs. It is the strictly the variable message issue that is being considering for amendment.

**Options:** Assuming the options to do case by case reviews and limit the amendment to just churches are no longer to be considered, the Plan Commission still has the following options to consider:

1. Recommend approval of the sign code amendment to add residential districts to the eligible areas for electronic variable message signs following the current dimensional and operational standards.
2. Add additional restrictions and recommend approval of the amendment. Some examples of the restrictions that have been put forth include smaller size limit than the 32 sq. ft. used for commercial districts, longer time interval between message changes than the 6 seconds currently used in commercial areas, and time limits on the use of such signs (such as 6 AM to 9 PM).
3. Reject the request to amend the code (EVMS would still be prohibited in the residential districts).

Prepared by:  1-10-14  
 Martin Olejniczak Date  
 Community Development Director

## Proposed amendment to allow electronic variable message signs in the residential zoning districts

### Option 1 – Allowed using same rules as commercial districts

Subsection 27.12(4) of the Sturgeon Bay Sign Code is amended as follows:

(4) Electronic variable message signs (EVMS). The sign inspector may issue a special sign permit for a EVMS in the residential, commercial and industrial zoning districts. The sign inspector shall apply the following standards in reviewing the proposed sign:

*[rest of Subsection not changed]*

### Option 2 – Allowed but with extra rules

*The following is a sample. The specific rules within the residential districts can be modified, eliminated or created as desired by the plan commission.*

Subsection 27.12(4) of the Sturgeon Bay Sign Code is amended as follows:

(4) Electronic variable message signs (EVMS). The sign inspector may issue a special sign permit for a EVMS in the residential, commercial and industrial zoning districts. The sign inspector shall apply the following standards in reviewing the proposed sign:

(a) Dimensional standards.

*[par. 1 & 2 not changed]*

3. The illuminated or message display area of the EVMS shall be included within the area to be regulated as the maximum area of a sign for the site. The message display area shall not exceed 32 square feet in the commercial and industrial districts and shall not exceed 24 square feet in the residential districts.

(b) Operational standards.

*[par. 1 & 2 not changed]*

3. Each message displayed by the EVMS shall remain for a minimum of 6 seconds in the commercial and industrial districts and 30 seconds in the residential districts.

*[par. 4 through 9 not changed]*

10. EVMS located within the residential districts shall only be operated between the hours of 6 A.M. and 9 P.M. Such signs shall not be illuminated or used during other hours.

**EXECUTIVE SUMMARY**

**Title:** Reduced Street Yard in C-2 District for U.S. Coast Guard Building

**Background:** The United States Coast Guard is proposing to construct a 40' x 60' storage and work building on land that it leases from the City at Sawyer Park. The building replaces two smaller buildings on the other side of the Oregon Street Bridge corridor. It consolidates its facilities for the USCG Cutter Mobile Bay, thus freeing up the north side of the bridge corridor for redevelopment.

The building site is zoned Central Business District (C-2), which requires a minimum street yard (setback) of 15 feet from the right-of-way line. However, the zoning code also provides that the Plan Commission can authorize a lesser street yard in the Waterfront Redevelopment District.

The proposed building is located 8.5 feet from the right-of-way for the bridge. Thus, approval of the Plan Commission is required. The building site is 6.8 feet from the public sidewalk that was installed last summer. It is approximately 23 feet from the bridge.

The project was reviewed by Waterfront Design Review Board. The Board approved the building design and site plan. The Common Council also reviewed the site plan when it approved the lease for the USCG. Although it did not specifically consider or act upon the setback distance, the proposed location of the building was known at that time and has not changed. The location closer to the bridge was promoted by staff and City officials as a means of lessening obstruction of the view toward the water and Mobile Bay.

Many of the buildings in the downtown area have shallow or zero street setbacks. The Plan Commission previously approved reduced setbacks for the Hol 'n' One addition, the Cellcom/Glas building, and addition for May's Sports Center.

**Fiscal Impact:** None.

**Recommendation:** Approve a reduced setback of a minimum of 8 feet from the right-of-way for the USCG building, so that it can be constructed per the approved site plan.

Prepared by: Martin Olejniczak 4-11-14  
Martin Olejniczak Date  
Community Development Director

Reviewed by: Tony Depies 4-11-2014  
Tony Depies Date  
City Engineer

Reviewed by: Stephen McNeil 4-11-2014  
Stephen McNeil Date  
City Administrator

# MEMO

**To:** City Plan Commission  
**From:** William Galligan, Waterfront Design Review Board Chairman  
**Date:** April 10, 2014  
**Subject:** Setback for U.S.C.G. Storage Building

The Waterfront Design Review Board reviewed the plans for the proposed storage building serving the U.S. Coast Guard at Sawyer Park. The plans included the design of the building and the site plan showing the location of the building in relation to the Oregon Street Bridge and the adjoining Sawyer Park walkway. The Board members unanimously approved the project during its meeting on May 13, 2013.

  
William Galligan, Chair

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commanding Officer  
United States Coast Guard  
Civil Engineering Unit Cleveland

1240 East Ninth Street, Room 2179  
Cleveland, OH 44199-2060  
Staff Symbol: CO  
Phone: (216) 902-6204  
Fax: (216) 902-6277  
E-mail: Peter.R.Carroll@uscg.mil

11160

APR 11 2014

Community Development Director  
City of Sturgeon Bay  
421 Michigan Street  
Sturgeon Bay, WI 54235

Reference: Variance Request for CGC MOBILE BAY Moorings

Dear Mr. Olejniczak:

Based upon the construction survey and the city survey, we have a conflict with the new storage building and the required 15-foot building setback from the leased property lines. Therefore, the U. S. Coast Guard is formally requesting a variance to the 15-foot setback requirement to accommodate the new storage building location. Without this variance the building will not be able to be constructed in the location as planned because of site encumbrances that cannot be moved.

Sincerely,

A handwritten signature in black ink, appearing to read "M. D. BARNER", written over a horizontal line.

M. D. BARNER  
Commander  
Executive Officer  
Civil Engineering Unit Cleveland

USCG CEU  
CLEVELAND, OHIO  
(216) 942-4220

CONSULTANTS

U. S. COAST GUARD  
CIVIL ENGINEERING UNIT  
CLEVELAND



USCG CEU CLEVELAND  
1240 EAST 9TH STREET  
CLEVELAND, OH 44199-2660

ISSUE

MARK DATE DESCRIPTION

SIZE PROJECT NO.

CAO FILE NAME: 7704002

DESIGNED BY: LHM

CHECKED BY: LHM

DATE: 05/10/13

SCALE: AS SHOWN PLOT SCALE: 1:1

SHEET TITLE

CONSTRUCT FENCE & STORAGE BLD

USCGC MOBILE BAY

STURGEON BAY

CGC MOBILE BAY MOORINGS

CIVIL

PLOT PLAN

REVIEWED BY: B. WANNAM

DATE: 05/10/13

PROJECT ENG: J. H. LANG, CAPT.

BRANCH CHIEF: TERRY DRECHER

APPROVING OFFICER: J. H. LANG, CAPT.

DATE: 05/10/13

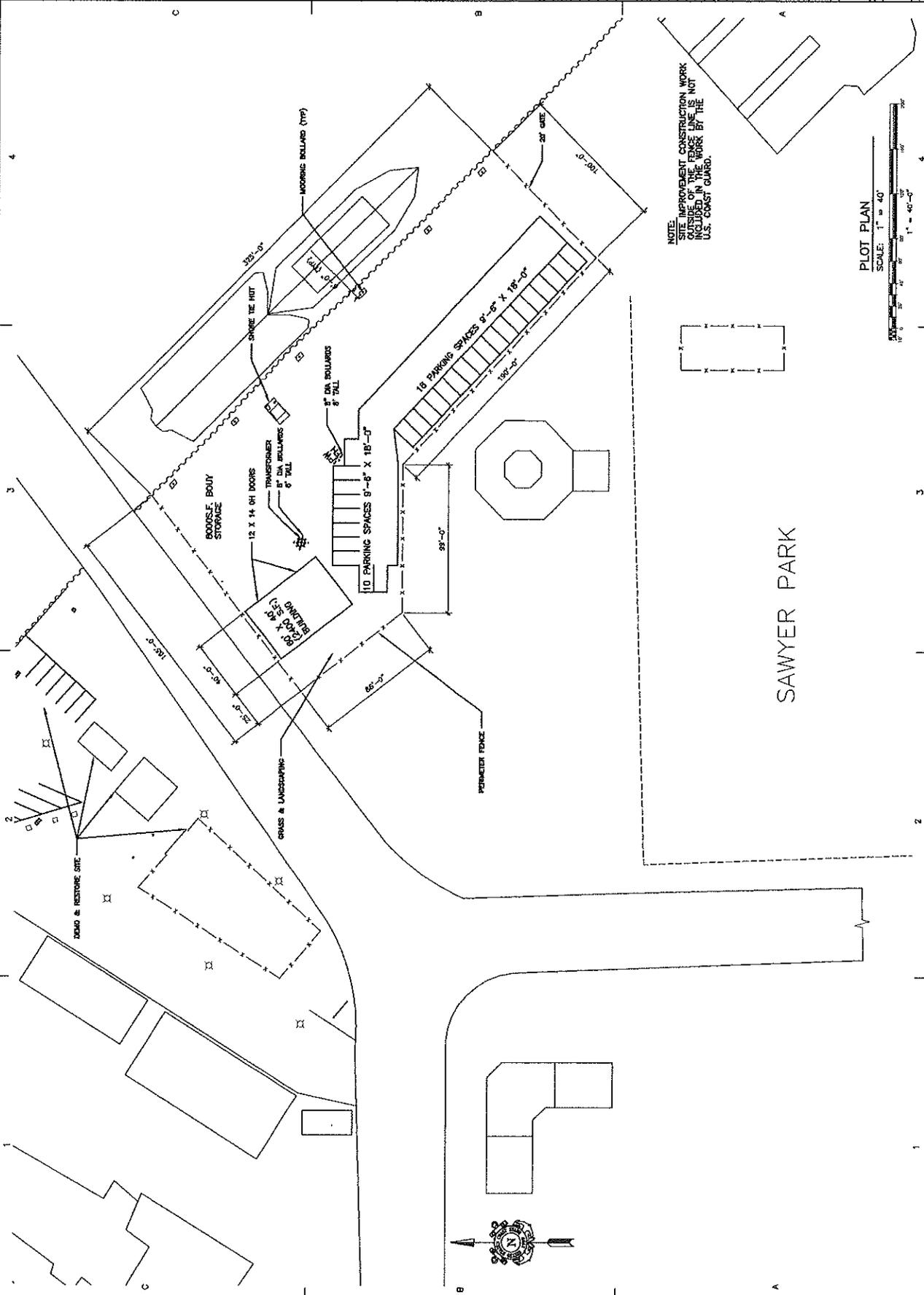
PROJECT NUMBER: 2709701

ISSUE NUMBER: 79964-D

ISSUE DATE: 05-10-13

ISSUE DESCRIPTION: C-02

SHEET: 3 OF 9



PLOT PLAN

SCALE: 1" = 40'

1" = 40'-0"

SAWYER PARK

**EROSION CONTROL PLAN**  
**CITY OF STURGEON BAY**  
**WEST SIDE WATERFRONT - WALKWAY EXTENSION**

CITY OF STURGEON BAY  
 EROSION CONTROL PLAN  
 WEST SIDE WATERFRONT - WALKWAY EXTENSION

MAR. 2013  
 SHEET  
 1 OF 6



Oregon Street Bridge

U.S.C.G.C.  
 Mobile  
 Bay

Sawyer  
 Launch  
 Ramp

Coast Guard parcel  
 (proposed lease from City)

FUTURE U.S.C.G. PARKING SPACES

FUTURE U.S.C.G.  
 BUILDING AREA

PAVILION

SILT FENCE  
 TYPICAL

Sawyer Park

PROP. 142'-12" STORM @ 1.0%

PROP. CBMH  
 RIM=+893.00  
 INV S=+580.00  
 D=+3.00'

TYPE A  
 INLET  
 PROTECTION

TYPE D  
 INLET  
 PROTECTION

Neenah Ave.

CONNECT TO  
 EXIST. INLET  
 INV N=+578.58

TYPE D  
 INLET PROTECTION

REPLACE BANK

PROP. 12" HDPE STORM

Existing Coast Guard  
 storage yard  
 (future redevelopment site)

PROPOSED LOCATION FENCE  
 & REMOVE FENCE

PROPOSED CONC. UNDERLAY

E. Maple St.

