

**AGENDA**  
**CITY OF STURGEON BAY**  
**CITY PLAN COMMISSION**  
Wednesday, September 19, 2018  
6:00 p.m.  
Council Chambers, City Hall  
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 18, 2018.
4. Presentation of: Request to rezone property located at 1816, 1824, 1832, and 1842 Shiloh Road from Agricultural (A) to Single-Family Residential (R-1).
5. Consideration of: Modification of Planned Unit Development for Walmart, 1536 Egg Harbor Road.
6. Consideration of: Requirements for Electronic Variable Message Signs.
7. Consideration of: Amendments to Section 20.25 of the Sturgeon Bay Zoning Code relating to conditional uses.
8. Public comment on non-agenda Plan Commission related items.
9. 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.

Plan Commission Members:

Dennis Statz  
Steven Hurley  
Jeff Norland  
Laurel Hauser  
Mike Gilson

9/14/18  
2:30 p.m.  
CN

**CITY PLAN COMMISSION**  
Wednesday, July 18, 2018

A meeting of the City Plan Commission was called to order at 6:01 p.m. by Vice-Chairperson Dennis Statz in the Council Chambers, City Hall, 421 Michigan Street.

**Roll Call:** Members Laurel Hauser, Mike Gilson, Steven Hurley, Dennis Statz, and Jeff Norland were present. Also present were Alderman David Hayes, Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, and Community Development Secretary Cheryl Nault.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from June 20, 2018.
4. Request from Mike Oleson to rezone property located at 1468 Egg Harbor Road, parcel #281-62-11000103A, from General Commercial (C-1) to Mixed Commercial-Residential (C-5):  
Presentation:  
Public Hearing:  
Consideration of:
5. Consideration of: Combined Preliminary/Final Planned Unit Development for Duquaine Development LLP, for a 134-unit multiple-family development, located on the southeast corner of Tacoma Beach Road and Clay Banks Road/CTU, parcel #281-68-17000301A.
6. Consideration of: Minimum yards for accessory buildings.
7. Consideration of: Requirements for Electronic Variable Message Signs.
8. Consideration of: Ad Hoc Committee for West Waterfront Redevelopment Planning.
9. Public comment on non-agenda Plan Commission related items.
10. Adjourn.

Carried.

**Approval of minutes from June 20, 2018:** Moved by Ms. Hauser, seconded by Mr. Gilson to approve the minutes from June 20, 2018. All ayes. Carried.

**Request from Mike Oleson to rezone property located at 1468 Egg Harbor Road, parcel #281-62-11000103A, from General Commercial (C-1) to Mixed Commercial-Residential (C-5):**

**Presentation:** Mr. Sullivan-Robinson stated that the property is currently zoned General Commercial (C-1). The property owner has requested to rezone his property from C-1 to Mixed Commercial-Residential (C-5), which allows both Commercial and Residential use. Mr. Oleson has inherited a house and is having difficulty selling it because the zoning regulations do not allow a nonconforming use to be rebuilt if damaged more than 50% of its assessed value. The Comprehensive Plan calls for Commercial zoning in that area. The C-5 zoning would not go against the Comp Plan, and there would be no fiscal impact. Mr. Sullivan pointed out a chart showing the differences between the two zoning districts. Staff was not opposed to the rezoning.

Mr. Olejniczak added that he did contact the other two residential owners in the area to see if they would be interested in rezoning their property as well. They both thought that they would be better off staying within the C-1 district.

Barry Sargent, ERA Starr Realty, was representing the property owner. He has been trying to market the property for four years, starting with a listing price of \$150,000 and has reduced it to just under \$80,000. He tells interested buyers, which are mostly residential, that within the C-1 district, if the house burns down, you will not be able to rebuild it. There is a shortage of residential homes in the City. There is no inventory for the price range that people are asking for.

**Public Hearing:** Vice-Chair Statz opened the public hearing at 6:14 p.m.

Chris Kellems, 120 Alabama Street, stated that she was in favor of the rezoning. She would like to see that property developed. It would be nice to be able to move the residential buildings to a place such as Sunset Hill Subdivision.

There was no written correspondence. The public hearing was declared closed at 6:16 p.m.

**Consideration of:** A short discussion was held. A  $\frac{3}{4}$  vote of members present was needed to act on this item at this meeting. Moved by Mr. Norland, seconded by Mr. Gilson to act on the request at this meeting. All ayes. Carried.

Moved by Ms. Hauser, seconded by Mr. Gilson to recommend to Council to rezone the property located at 1468 Egg Harbor Road from General Commercial (C-1) to Mixed Commercial-Residential (C-5). All ayes. Carried.

**Consideration of: Combined Preliminary/Final Planned Unit Development for Duquaine Development LLP, for a 134-unit multiple-family development, located on the southeast corner of Tacoma Beach Road and Clay Banks Road/CTU, parcel #281-68-17000301A:** Mr. Sullivan-Robinson stated that a letter was received from Duquaine Development formally withdrawing their request for the proposed Ahnapee Trail Apartments and are no longer pursuing development on Clay Banks Road. They are looking at other sites.

Mr. Statz talked about the previous "Deer Run" development that had been proposed years ago in that area, but never happened. The property will someday be developed.

Ms. Hauser suggested that a cheat sheet be developed on the definition of infill.

Chris Kellems, 120 Alabama Street, said that she envisions this property as cottage developments with smaller homes and one car garage.

The intersection of Clay Banks Road and the highway was discussed. Mr. Olejniczak stated that the City Engineer met with the DOT. There are no plans to work on the highway until possibly 2022. Neenah Avenue by the Industrial Park should also be looked at.

Mr. Olejniczak mentioned that a recommendation to Council was not needed since the applicant withdrew his application for a PUD.

**Consideration of: Minimum yards for accessory buildings:** Mr. Sullivan-Robinson stated that this item has been looked at for quite some time. Since the height of the accessory building had been amended, it was decided to look at minimum yards also. Several options were presented, such as

keeping the 5-foot side yard and 6-foot rear yard; increasing the setback for larger buildings; base the setback on lot width; or base the setback on the zoning classification of the property.

It was staff's recommendation to make no changes to the minimum setbacks for accessory buildings or to increase the minimum yards to 10 feet for buildings exceeding 576 square feet in the R-1 and Agricultural districts only.

Mr. Olejniczak added that many lots were created before the zoning code existed.

Members discussed the different options. Mr. Gilson didn't think that the 5 and 6 yard setbacks are enough. He preferred a setback based on lot width. There are also 2-foot overhangs to consider.

Ms. Hauser questioned the accessory buildings that are existing. Mr. Olejniczak responded that it is possible the buildings would become non-conforming. A non-conforming building can burn down and get rebuilt right where it is, can be maintained indefinitely, and can be expanded along the setback line where it currently is. Although, the expansion is limited to no more than 50% of the current floor area. If the property was left vacant, the grandfathered setback would be good for one year.

Mr. Norland preferred Option 5, setbacks based on zoning classification. It accounts for the size of the building.

Mr. Statz agreed with Option 5 or to leave as is.

Mr. Gilson said the problem with Option 5 is that there are a lot of R-2 lots that should be included. That is where Option 3, setbacks based on lot width, would pick them up.

Mr. Statz felt that there would be a lot of problems with a 10-foot setback in R-2.

Mr. Norland stated with Option 3, 85 feet is not wide enough to go to the 10-foot setback.

Mr. Statz thought that maybe the width should be changed to 100 feet instead of 85 feet.

Mr. Olejniczak added that the lot width is determined at the building setback line, which is 25 feet from the right-of-way.

It was the consensus of the Commission to direct staff to come back with detailed language for Option 3, setback based on lot width of 100 feet, and a study on how it fits with current development.

**Requirements for Electronic Variable Message Signs:** Mr. Sullivan-Robinson stated that this is a recurring subject. He has gone through the City trying to bring some of the signs into compliance. A huge majority have been grandfathered in, which has brought on resistance to the ones that are trying to be enforced. There are currently regulations in regard to operation and use standards, such as no scrolling, no animation, and messages have to be stationary for a minimum of 6 seconds. He researched other communities on what their regulations are. Some communities have nothing to do with electronic signs; some are allowed, with no restrictions; others have strict time guidelines with no other restrictions; and some are allowed through Commission approval.

Mr. Sullivan-Robinson gave several options in regard to EVMS's:

1. Remove the grandfathering.
2. Revise part of the code to make more strict or loosen.

3. Make them a conditional use.
4. Make no changes.

Mr. Gilson thought that the grandfathered in should be removed.

Mr. Norland said the issue he has with the eliminating of the grandfathering of the signs is that you often can't get the entire message on the amount of square footage without it scrolling. If you make the text smaller, it is a bigger hazard.

Mr. Statz said whatever the rules are, everyone should be living by the same rules at some point. It would make enforcement easier. He would also like to know when the code was changed regarding electronic message signs.

Discussion continued. It was the consensus of the Commission for staff to contact the business owners whose signage is currently restricted under this and find out what these operators would like to see or what they are willing to live without. A potential rule change will be brought to the next meeting.

**Consideration of: Ad Hoc Committee for West Waterfront Redevelopment Planning:** Ms. Hauser stated that this item came from a couple different directions. She said that Tom Herlache, Chair of the Waterfront Redevelopment Authority, suggested starting a new plan for the West Waterfront. The City needed to be prepared for when the lawsuit is resolved. Ms. Hauser and David Shanock, CFO and VP of Roen Salvage, put together a mission statement to take a fresh look at the future of the Westside Waterfront. It is mentioned that Ms. Hauser and Mr. Shanock would be co-chairs of the committee, with Mr. Olejniczak, Mr. Barker, Municipal Services Director, one member of the Plan Commission, one member of the Waterfront Redevelopment Authority, and 4 -6 members of the community at large.

Mr. Norland felt that all members should be residents of the City. Ms. Hauser would like to take advantage of expertise if they did not live in the City. Mr. Norland responded they could be invited in to a meeting to offer their expertise. These are City issues and it should be City residents on the committee. Ms. Hauser stated the approval of the plan would be all City residents. It would have to come before the Plan Commission and Council.

Mr. Gilson mentioned that we still have the Waterfront Redevelopment Authority and wondered how that fit in. Ms. Hauser responded that the Council has been looking at ways to dissolve the WRA.

Mr. Hurley stated this is a think tank that has no authority to take action.

Mr. Gilson said that this information was just received at this meeting. Time should be given to the members to think about it.

Mr. Hurley was a bit torn between both directions on the point of being City residents. It is a City issue and it should be City residents. But, he doesn't want to exclude any good ideas, because there might be someone in the surrounding community that would be able to offer constructive advice or direction. He agreed that they could join in certain meetings, but to have a cohesive group and have some momentum behind it, being part of the committee would be good.

Ms. Hauser suggested having up to two or three non-citizen, non-voting members.

After further discussion, it was moved by Ms. Hauser, seconded by Mr. Statz to recommend to Council formation of an Ad Hoc Westside Waterfront Planning Committee and that no more than 20% of the members be non-City residents and that those members be non-voting.

Mr. Norland would like to know what the rush is on forming this committee. Ms. Hauser responded the time on the clock is ticking on the TID and we have been sitting here without any plan for a while. She was hoping for the group to get together for a September/October timeframe.

A roll call vote was taken on the motion. Carried, with Ms. Hauser, Mr. Hurley, and Mr. Statz voting yes and Mr. Gilson and Mr. Norland voting no.

**Public comment on non-agenda Plan Commission related items:** David Hayes, 111 S. 7<sup>th</sup> Avenue, asked the Commission to recommend to the Mayor his appointment on the Plan Commission.

**Adjourn:** Moved by Ms. Hauser, seconded by Mr. Norland to adjourn. All ayes. Carried. Meeting adjourned at 7:47 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Cheryl Nault". The signature is fluid and cursive, with the first name "Cheryl" written in a larger, more prominent script than the last name "Nault".

Cheryl Nault  
Community Development/Building Inspection Secretary



## MEMO

To: Plan Commission  
From: Christopher Sullivan-Robinson/Marty Olejniczak  
Date: September 13, 2018  
Subject: Rezoning of the Estate of Lois Anderson's Property from A to R-1

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Michael Anderson (executor for Lois Anderson) is petitioning the City of Sturgeon Bay to rezone a portion of his deceased mother's property, parcel #281-64-83000100 located along Shiloh Road, from Agricultural (A) to Single-Family Residential (R-1). The overall property contains a farmstead to the north and four rental dwellings to the south end of the property. The portion proposed to be rezoned is a 200' x 350' section (1.61 acres) containing the four rental dwellings. The rest of the property (13.33 acres) would remain Agricultural.

The first step for a zoning map amendment is the initial presentation and review by the Plan Commission. This is meant to be an informal discussion and no decisions are made. But feedback can be provided to the applicant prior to the public hearing being scheduled for the October Plan Commission meeting.

Mr. Anderson has the opportunity to sell the farmstead and farmland portion to one buyer and the four dwellings to another buyer. However, due to the one-acre minimum lot size requirement of the Agricultural district, at least 4 acres of property would need to be included with the dwellings, which would mean some of the farmland would have to be included with property containing the four dwellings.

The four homes were moved onto the parcel in 1976. At that time a variance was granted by the Zoning Board of Appeals to allow the four dwellings to be placed on the lot with 75 feet of street frontage for each dwelling rather than the usual 150 feet.

The surrounding uses are agricultural, residential, and vacant. The surrounding area is zoned Agricultural, which is consistent with the Future Land Use Maps of the Comprehensive Plan. Due to the planned continued agricultural use of the region, a zoning map amendment to single-family residential use would typically be considered inconsistent with the Comprehensive Plan. But since these homes already exist and the rezoning would allow more active farmland to remain with the farmstead, it would meet the goal and objectives of the agricultural chapter of the Comp Plan. In addition, the rezoning would assist the continued provision of work-force rental housing, which is consistent with the housing component of the Comprehensive Plan. So it could be argued that the rezoning action would not be in conflict with the overall plan. Hence, the Plan Commission will need to determine how it feels about the proposed rezoning in relation to the consistency requirement.

Date Received:

Fee Paid: \$

Received By:

8/31/18

CN

## CITY OF STURGEON BAY ZONING/REZONING APPLICATION

	APPLICANT/AGENT	LEGAL PROPERTY OWNER
<b>Name</b>	Atty. James R. Smith	Estate of Lois P. Anderson
<b>Company</b>	Pinkert Law Firm LLP	c/o Michael G. Anderson, P.R.
<b>Street Address</b>	454 Kentucky Street	910 W. Pierce St., #36
	PO Box 89	
<b>City/State/Zip</b>	Sturgeon Bay, WI 54235	Carlsbad, NM 88220
<b>Daytime Telephone No.</b>	920-743-6505	(575) 302-1800
<b>Fax No. E-mail</b>	jsmith@pinkertlawfirm.com	manderson@cryptogroup.net
<b>STREET ADDRESS OF SUBJECT PROPERTY:</b> 1816, 1824, 1832 & 1842 Shiloh Road <b>Location if not assigned a common address:</b>		
<b>TAX PARCEL NUMBER:</b> A portion of 281-64-83000100 (see Exhibit A attached)		
<b>CURRENT ZONING CLASSIFICATION:</b> Agriculture		
<b>CURRENT USE AND IMPROVEMENTS:</b> Four single-family homes located on the parcel described on Exhibit A.		
<b>ZONING DISTRICT REQUESTED:</b> Single-Family Residential (R-1)		
<b>COMPREHENSIVE PLAN DESIGNATION OF SUBJECT PROPERTY:</b> Agriculture		
<b>PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN:</b> North: Industrial/Agriculture South: Agriculture East: Agriculture West: Agriculture		



**ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES:**

North: Residential, Agriculture, Undeveloped Tax Parcel 281-68-17001404  
South: Residential - single-family home Tax Parcel 281-64-82000101  
East: Residential & Agriculture Tax Parcel 281-64-83000101  
West: Residential Tax Parcel 281-64-8000062

**HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? X IF YES, EXPLAIN:**

A variance was granted in 1976 allowing the four homes to have only 75 fee of road frontage each.

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

Property Owner (Print Name)

Signature

Date

Applicant/Agent (Print Name)

Signature

August 30, 2018

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

## EXHIBIT A

### Description - Parcel to be Re-zoned:

A parcel of land located in Subdivision 83, also known as the NE 1/4 of the NW 1/4 of Section 20, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, Wisconsin. Bounded and described as follows:

Commencing at the North 1/4 Corner of said Section 20-27-26, said corner also known as the NE corner of Subdivision 83; thence S. 00°05'16" E., 1321.74 feet along the east line of said Subdivision 83 (NE 1/4 of the NW 1/4 of Section 20-27-26) to the SE corner of said Subdivision 83 (NE 1/4 of the NW 1/4 of Section 20-27-26); thence N. 89°47'36" W., 1113.23 feet along the south line of said Subdivision 83 (NE 1/4 of the NW 1/4 of Section 20-27-26) to the point of beginning of lands to be described; thence continue N. 89°47'36" W., 200.00 feet along said south line to the SW corner of said Subdivision 83 (NE 1/4 of the NW 1/4 of Section 20-27-26), said corner being on the centerline of Shiloh Road; thence N. 00°05'33" W., 350.00 feet along the west line of said Subdivision 83 (NE 1/4 of the NW 1/4 of Section 20-27-26) (centerline of Shiloh Road); thence N. 89°54'27" E., 200.00 feet; thence S. 00°05'33" E., 351.04 feet to the point of beginning.

Said parcel contains 70,104 square feet (1.61 acres) and is subject to the rights of the public over the westerly 33 feet of said parcel for the right of way of Shiloh Road. Said parcel is subject to and benefited by a perpetual, non-exclusive easement for ingress, egress and utilities over the southerly 20 feet of said parcel, per Document No. 808133, Door County Records.





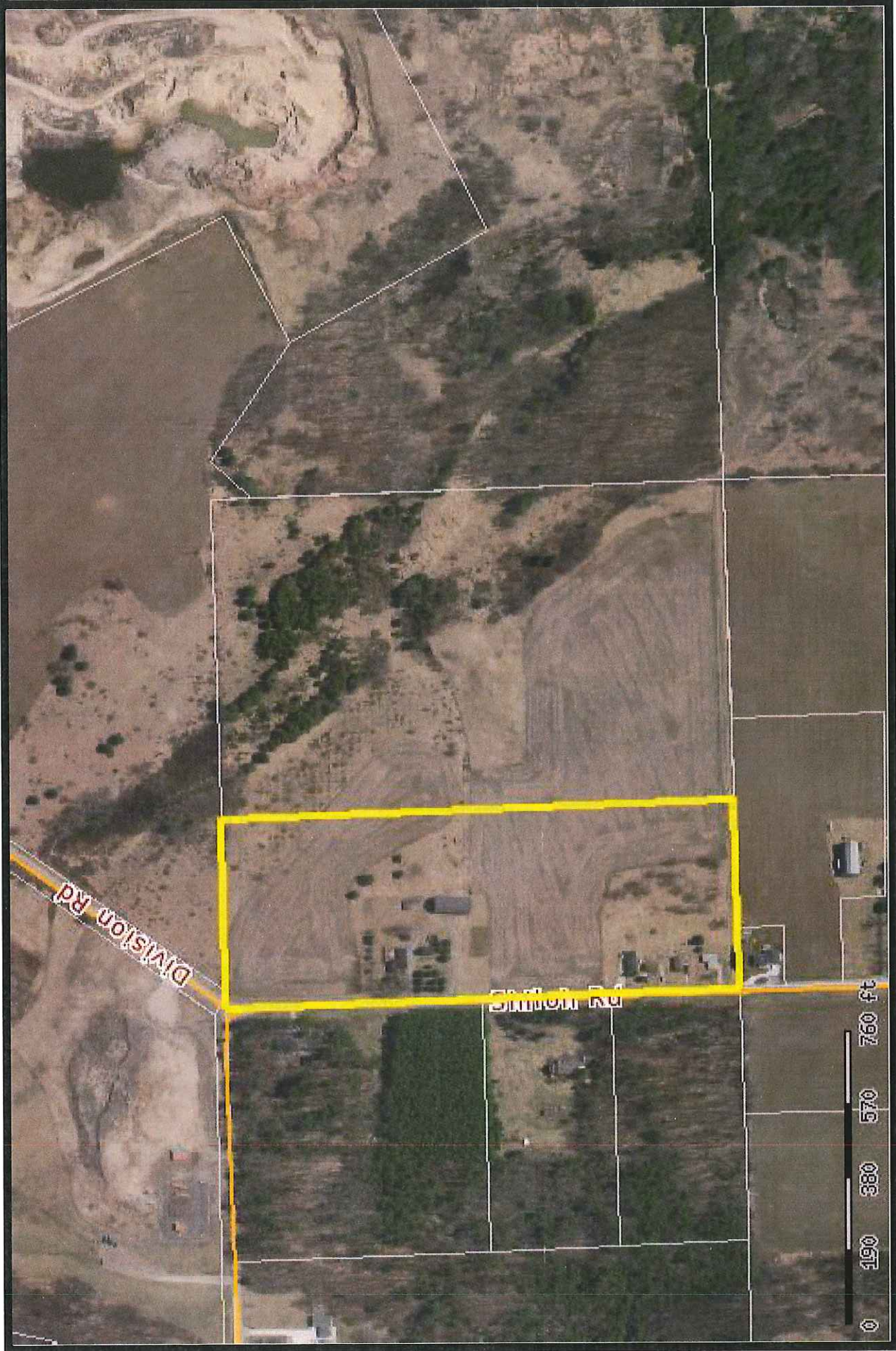
# Map

Printed 08/21/2018 courtesy of Door County Land Information Office



**Door County, Wisconsin**  
**... for all seasons!**

... from the Web Map of ...  
( [//www.co.door.wi.gov](http://www.co.door.wi.gov) )



Door County can not and does not make any representation regarding the accuracy or completeness, nor the error-free nature, of information depicted on this map. This information is provided to users "as is". The user of this information assumes any and all risks associated with this information. Door County makes no warranty or representation, either express or implied, as to the accuracy, completeness, or fitness for a particular purpose of this information. The Web Map is only a compilation of information and is NOT to be considered a legally recorded map or a legal land survey to be relied upon.



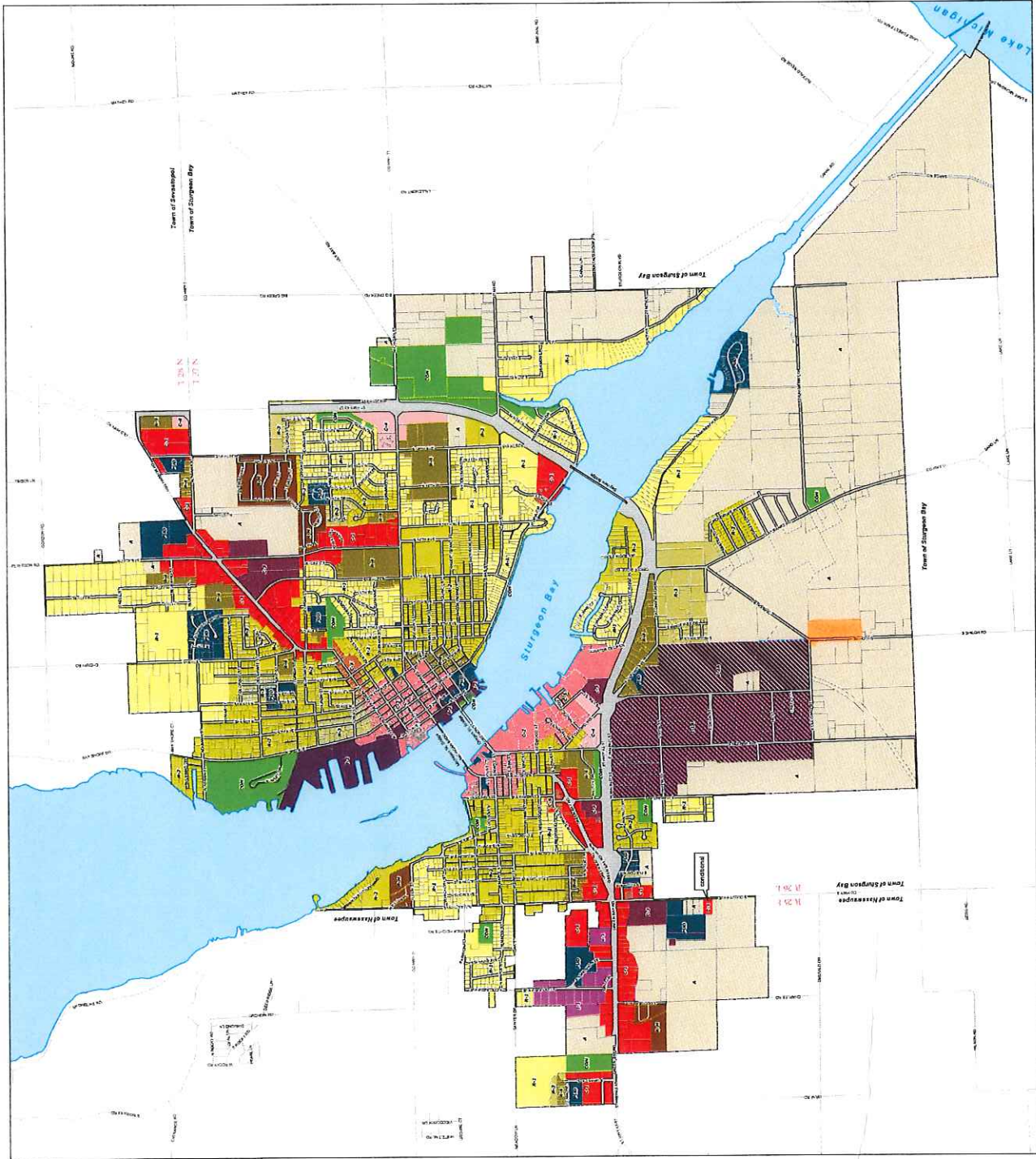
# City of Sturgeon Bay ZONING MAP



0 500 1,000 2,400 Feet

## Legend

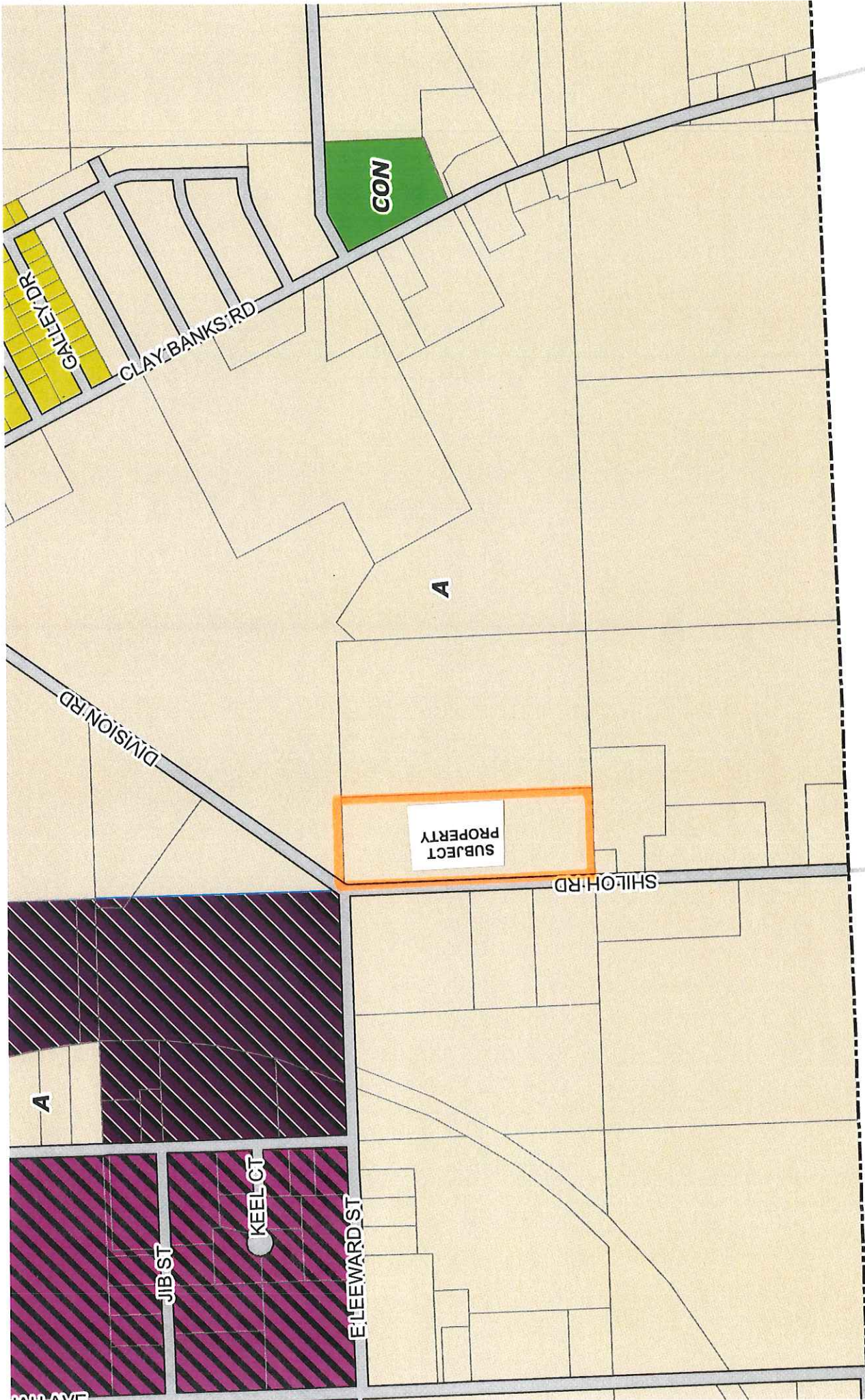
- Single Family Residential (R-1)
- Single Family Residential (R-2)
- Two-Family Residential (R-3)
- Multiple-Family Residential (R-4)
- Manufactured Home Court Residential (R-M)
- General Commercial (C-1)
- Central Business District (C-2)
- Commercial / Light Manufacturing (C-3)
- Office / Business District (C-4)
- Mixed Residential-Commercial (C-5)
- Light Industrial (I-1)
- Light Industrial (Industrial Park) (I-1A)
- Heavy Industrial (I-2)
- Heavy Industrial (Industrial Park) (I-2A)
- Agricultural (A)
- Conservancy (CON)
- Planned Unit Development (PUD)



January 5, 2018

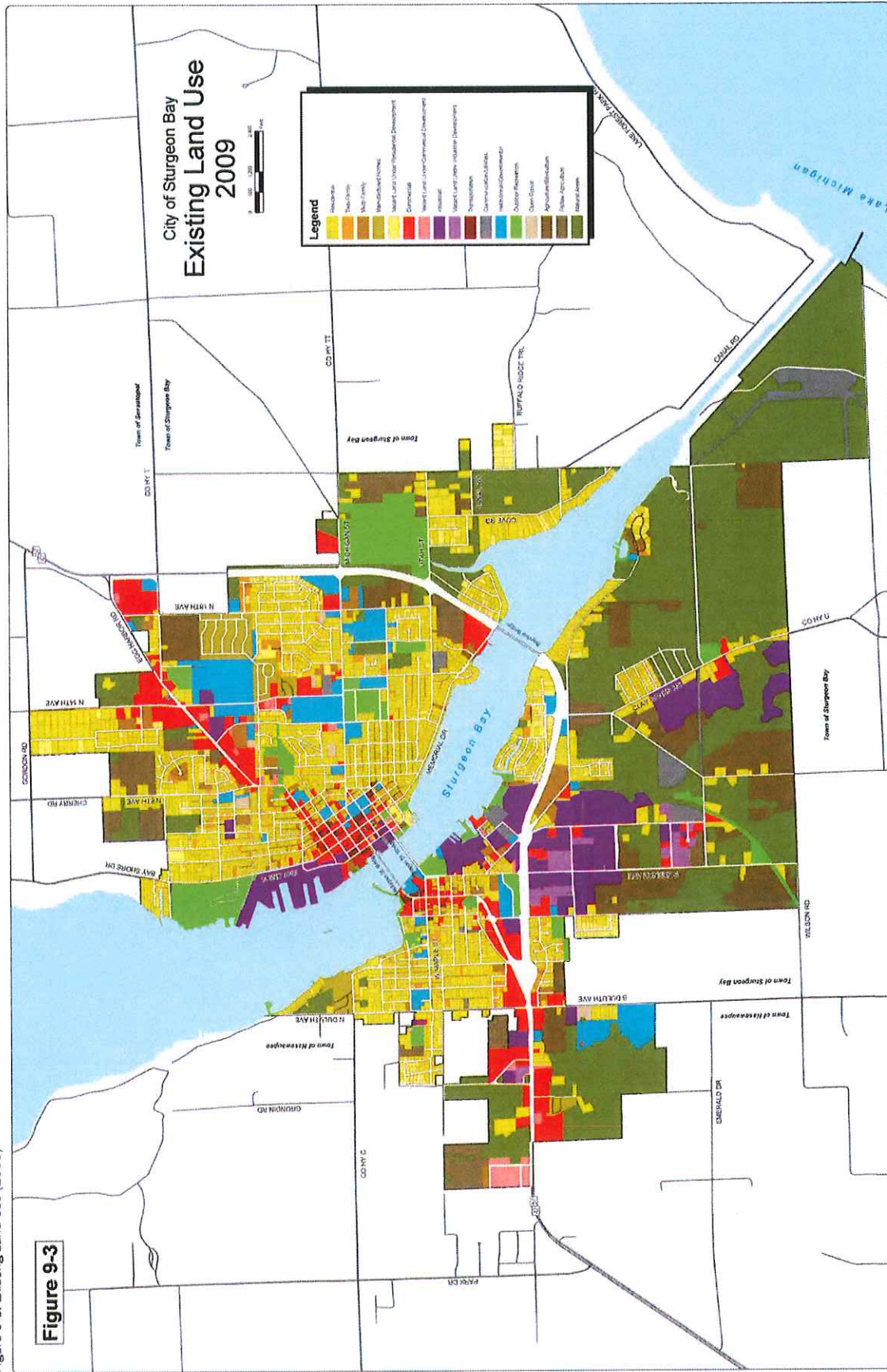


Town of Sturgeon Bay

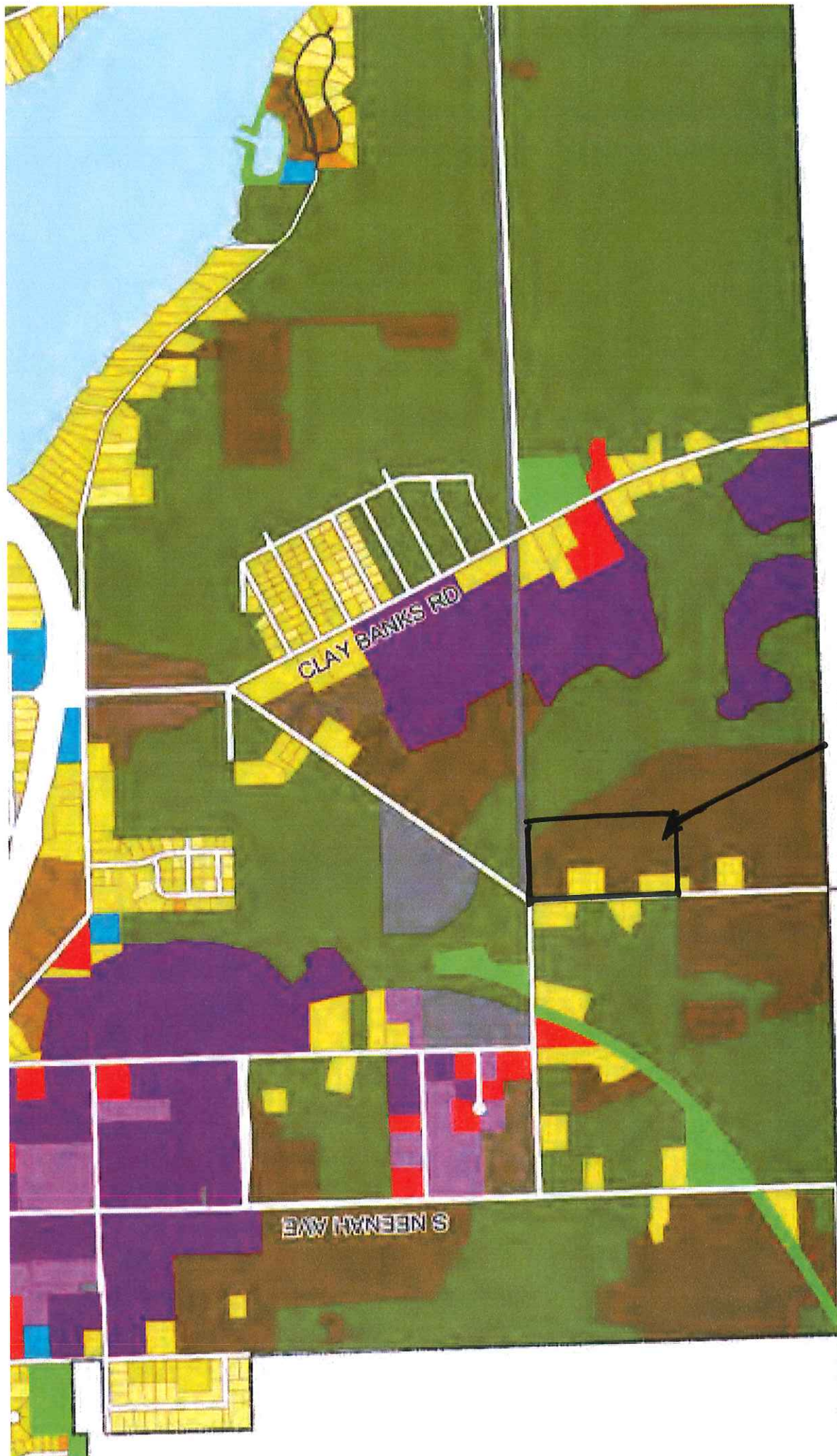




**Figure 9-3**







CO HY U

CLAY BANKS RD

S NEENAN AVE

WILSON RD

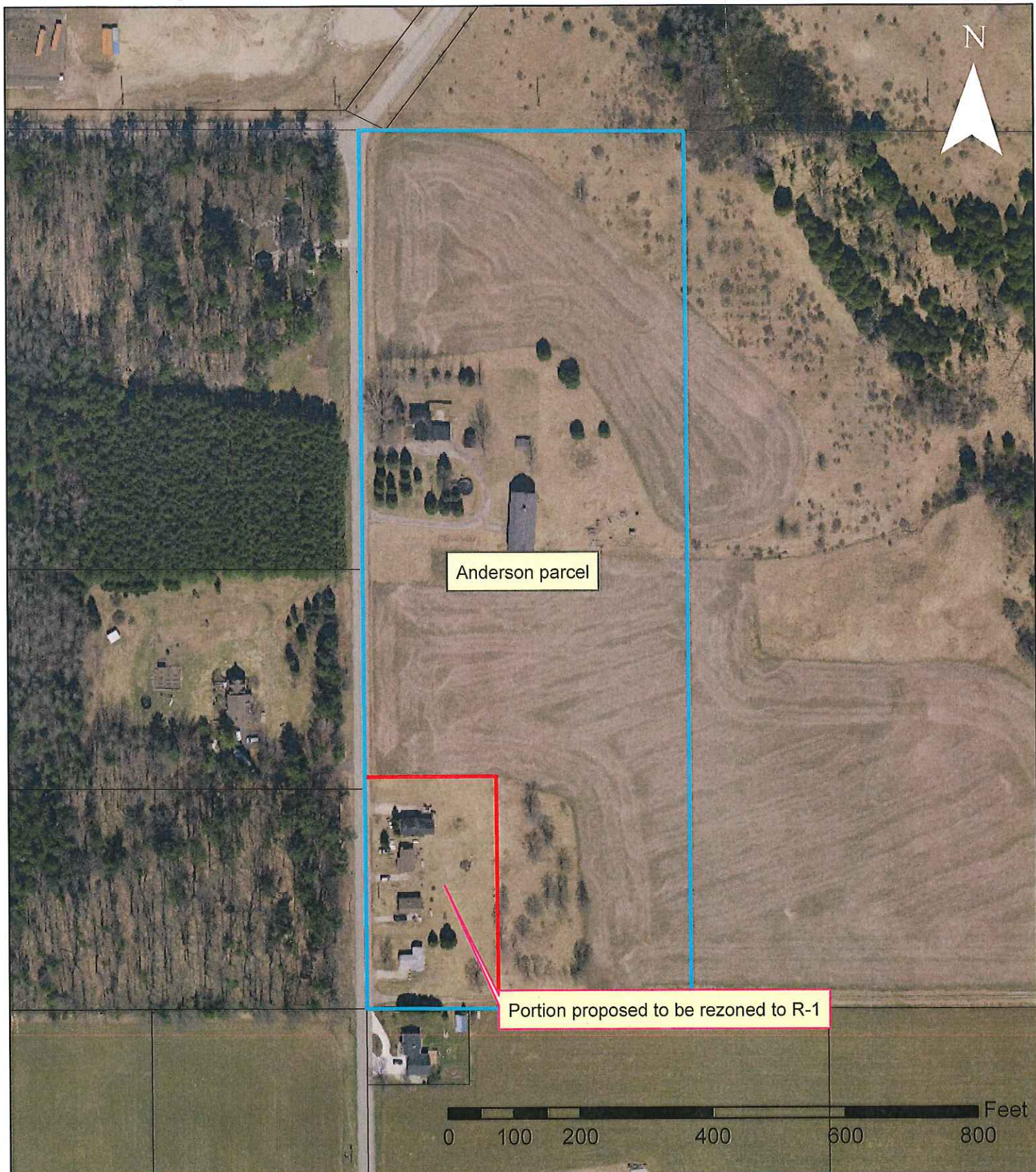
SUBJECT  
PROPERTY

Town of Sturgeon Bay



# Overview Map

## Zoning Map Amendment for Anderson - A to R-1



Staff Report  
To the  
City of Sturgeon Bay Plan Commission  
Minor Modification of Final Planned Unit Development  
Walmart Supercenter  
September 13, 2018


**Background:** The Walmart Supercenter located at 1536 Egg Harbor Rd was developed under Planned Unit Development (PUD) Ordinance no. 1247-0210, adopted in February, 2010. The PUD ordinance is included in your packet. Walmart has implemented a new online grocery pickup program, which allows their customers to order online and pickup goods without entering the store.

Section 20.24(6) of Municipal Code states that minor modification of a PUD shall be reviewed by the Plan Commission as long as the changes shall not be of a nature that would affect the character and standards of the PUD.

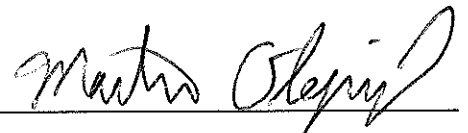
The developer is seeking approval to allow the revision of the final PUD plan to reflect the engineered plans for online grocery pickup. These plans include the addition of a canopy structure, widening of some parking spaces, and some added signage.

**Consideration:** The engineered plans show the installation of a six stall orange canopy over a portion of easternmost parking bay. Ten parking stalls will be widened to 12' x 20' which will result in the removal of five stalls. Electric service will be extended to the canopy to add additional lighting. These stalls will be repainted orange and given additional signage designating them as pickup locations. Approximately a 20 foot section of building to the east will be repainted orange and Pickup signage added. This project has also been reviewed and approved by the Chair for the Aesthetic Design and Site Plan Review Board.

**Recommendation:** The proposed modification does not affect the character or standards of the original PUD Ordinance. Zoning code requirements are still met for off-street parking and for signage. The proposed use is still maintained and will, in fact be complimentary to the community. Staff recommends approval of the revised PUD and plans.

Prepared By:   
Christopher Sullivan-Robinson  
Planner / Zoning Administrator

9.13.18  
Date

Reviewed By:   
Marty Olejniczak  
Community Development Director

9-13-2018  
Date





**SGA** Design Group

September 2, 2018

**LETTER OF INTENT**

**RE: Walmart #1316  
Online Grocery Pickup Addition  
1316 Egg Harbor Road  
Sturgeon Bay, WI 54235**

The existing Walmart Supercenter currently offers groceries, general merchandise, pharmacy, garden center and optical services. The proposed Online Grocery Service scope of work includes the installation of a 6-bay canopy for covered parking, re-striping of existing parking in an alternate color for the designated On Line Grocery Pick Up parking, wall signage and banding, directional signage and parking stall signage and a minor interior remodel.

The Online Grocery Pickup Customer order their groceries online and select an appointed hour to pick up their order. Online Grocery Pickup service will be available seven days a week, 8 a.m. to 8 p.m. Upon arrival to the Walmart Supercenter, the customers are directed by way-finding signage to the Online Grocery Pickup service area. Upon arrival, a Walmart OGP Employee delivers their purchases and places it in the customer's vehicle. During the transactions, the Online Grocery Pickup customer remains in the vehicle.

We are also proposing to widen existing 10 parking stalls to 12'x20' for the designated Online Grocery Pickup and as a result, five (5) parking spaces will be eliminated. The additional width is necessary for the OGP Employee to safely navigate around the vehicles. Currently there are 607 parking spaces. Post construction total will be 602 parking stalls. The current parking required for post construction of 120,000 sf is 564 parking stalls per the City of Sturgeon Bay's Municipal Code Sec. 20.31(2).

Please feel free to contact me if you have any questions or concerns.

Respectfully Submitted,

Sunday Bougher







# FINISH LEGEND

FINISH	DESCRIPTION
1	CONCRETE
2	BRICK
3	GLASS
4	WOOD
5	ROOFING
6	PAINT
7	LANDSCAPE
8	UTILITY
9	MECHANICAL
10	ELECTRICAL
11	PLUMBING
12	HEATING
13	Cooling
14	Lighting
15	Acoustic
16	Fire Protection
17	Security
18	Accessibility
19	Signage
20	Other

# EXISTING SIGNAGE SCHEDULE

ITEM	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	EXISTING SIGNAGE	1	EA	100.00	100.00
2	EXISTING SIGNAGE	1	EA	100.00	100.00
3	EXISTING SIGNAGE	1	EA	100.00	100.00
4	EXISTING SIGNAGE	1	EA	100.00	100.00
5	EXISTING SIGNAGE	1	EA	100.00	100.00
6	EXISTING SIGNAGE	1	EA	100.00	100.00
7	EXISTING SIGNAGE	1	EA	100.00	100.00
8	EXISTING SIGNAGE	1	EA	100.00	100.00
9	EXISTING SIGNAGE	1	EA	100.00	100.00
10	EXISTING SIGNAGE	1	EA	100.00	100.00
11	EXISTING SIGNAGE	1	EA	100.00	100.00
12	EXISTING SIGNAGE	1	EA	100.00	100.00
13	EXISTING SIGNAGE	1	EA	100.00	100.00
14	EXISTING SIGNAGE	1	EA	100.00	100.00
15	EXISTING SIGNAGE	1	EA	100.00	100.00
16	EXISTING SIGNAGE	1	EA	100.00	100.00
17	EXISTING SIGNAGE	1	EA	100.00	100.00
18	EXISTING SIGNAGE	1	EA	100.00	100.00
19	EXISTING SIGNAGE	1	EA	100.00	100.00
20	EXISTING SIGNAGE	1	EA	100.00	100.00

# SIGNAGE GENERAL NOTES

1. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

2. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

3. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

4. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

5. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

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7. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

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9. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

10. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

SSA Design Group, P.C.

100 South Center, Suite 200

St. Louis, MO 63103

Phone: (314) 433-1111

Fax: (314) 433-1112

Web: www.ssaesign.com

# 8 RIGHT ELEVATION



# 7 FRONT ELEVATION



# 6 PICKUP SIGN MOUNTING DIAGRAM 2-6'



# 3 BUILDING PICKUP SIGNAGE 2-6'



# 4 SIGNAGE ATTACHMENT



# 3 BUILDING RIGHT ELEVATION



# 2 BUILDING FRONT ELEVATION



# 1 SIGNAGE



Walmart

STURGEON BAY, WI

STORE NO. 1318.027

SSA Design Group, P.C.

100 South Center, Suite 200

St. Louis, MO 63103

Phone: (314) 433-1111

Fax: (314) 433-1112

Web: www.ssaesign.com

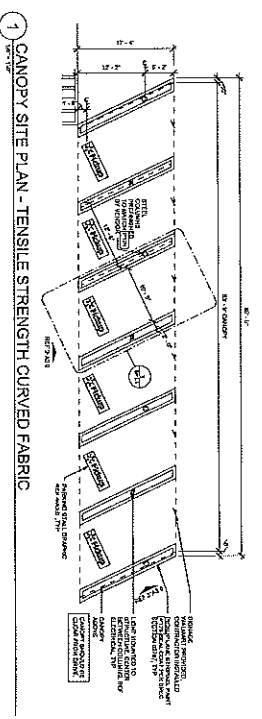
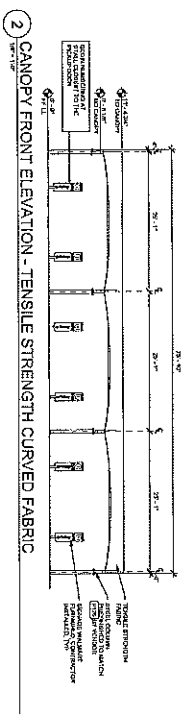
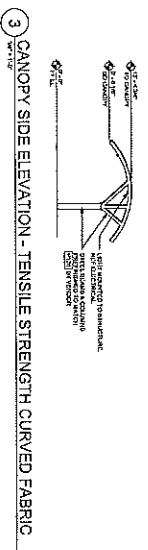
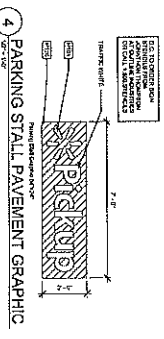


CANOPY GENERAL NOTES

1. CANOPY FABRIC SHALL BE TENSILE STRENGTH CURVED FABRIC.
2. CANOPY SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
3. CANOPY SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
4. CANOPY SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

SIGNAGE GENERAL NOTES

1. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
2. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
3. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
4. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:



SGA Design Group, P.C.  
1000 South 8th Street, Suite 100  
Milwaukee, WI 53233  
Phone: 414.224.1100  
Fax: 414.224.1101  
www.sga-design.com

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Walmart  
STURGEON BAY, WI  
STORE NO. 1316.227  
10000 N. 10TH AVE. SUITE 100  
STURGEON BAY, WI 54221

NO.	DATE	DESCRIPTION
1	08/23/16	ISSUED FOR PERMIT
2	08/23/16	ISSUED FOR PERMIT
3	08/23/16	ISSUED FOR PERMIT
4	08/23/16	ISSUED FOR PERMIT
5	08/23/16	ISSUED FOR PERMIT
6	08/23/16	ISSUED FOR PERMIT
7	08/23/16	ISSUED FOR PERMIT
8	08/23/16	ISSUED FOR PERMIT
9	08/23/16	ISSUED FOR PERMIT
10	08/23/16	ISSUED FOR PERMIT

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SGA Design Group, P.C.  
1000 South 8th Street, Suite 100  
Milwaukee, WI 53233  
Phone: 414.224.1100  
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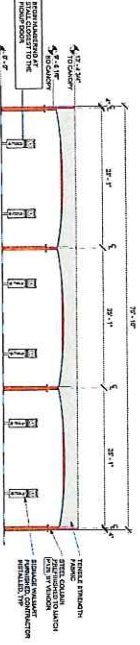
SGA Design Group, P.C.  
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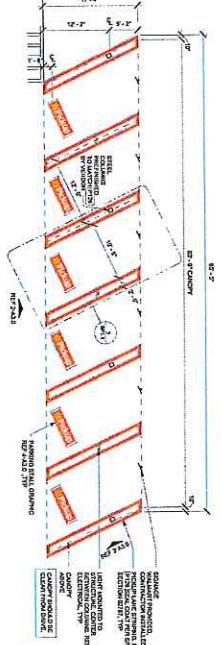
12 RIGHT ELEVATION  
15'-0"



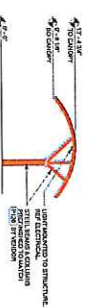
11 FRONT ELEVATION  
25'-0"



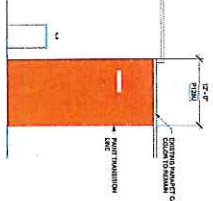
9 CANOPY FRONT ELEVATION - TENSILE STRENGTH CURVED FABRIC  
18'-0"



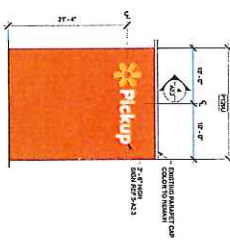
8 CANOPY SITE PLAN - TENSILE STRENGTH CURVED FABRIC  
30'-0"



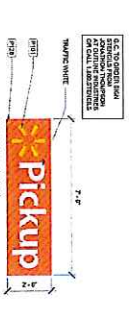
7 CANOPY SIDE ELEVATION - TENSILE STRENGTH CURVED FABRIC  
18'-0"



3 BUILDING RIGHT ELEVATION  
18'-0"



2 BUILDING FRONT ELEVATION  
18'-0"



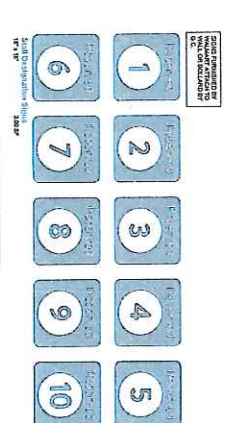
10 PARKING STALL PAYMENT GRAPHIC  
18'-0"



1 SIGNAGE  
18'-0"



5 BUILDING PICKUP SIGNAGE 2'-6"



SIGNAGE  
DETAILS AND  
SCHEDULE

A2.3

# FINISH LEGEND

FINISH	FINISH NAME	FINISH CODE	FINISH DESCRIPTION
1	CONCRETE	1	CONCRETE
2	PAINT	2	PAINT
3	GLASS	3	GLASS
4	STEEL	4	STEEL
5	BRICK	5	BRICK
6	STONE	6	STONE
7	WOOD	7	WOOD
8	ROOFING	8	ROOFING
9	LANDSCAPE	9	LANDSCAPE
10	UTILITY	10	UTILITY

# EXISTING SIGNAGE SCHEDULE

EXISTING SIGNAGE	EXISTING LOCATION	EXISTING CODE	EXISTING DESCRIPTION
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9
10	10	10	10

# SIGNAGE GENERAL NOTES

1. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
2. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
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Walmart  
STURGEON BAY, WI  
STORE NO. 1316.227

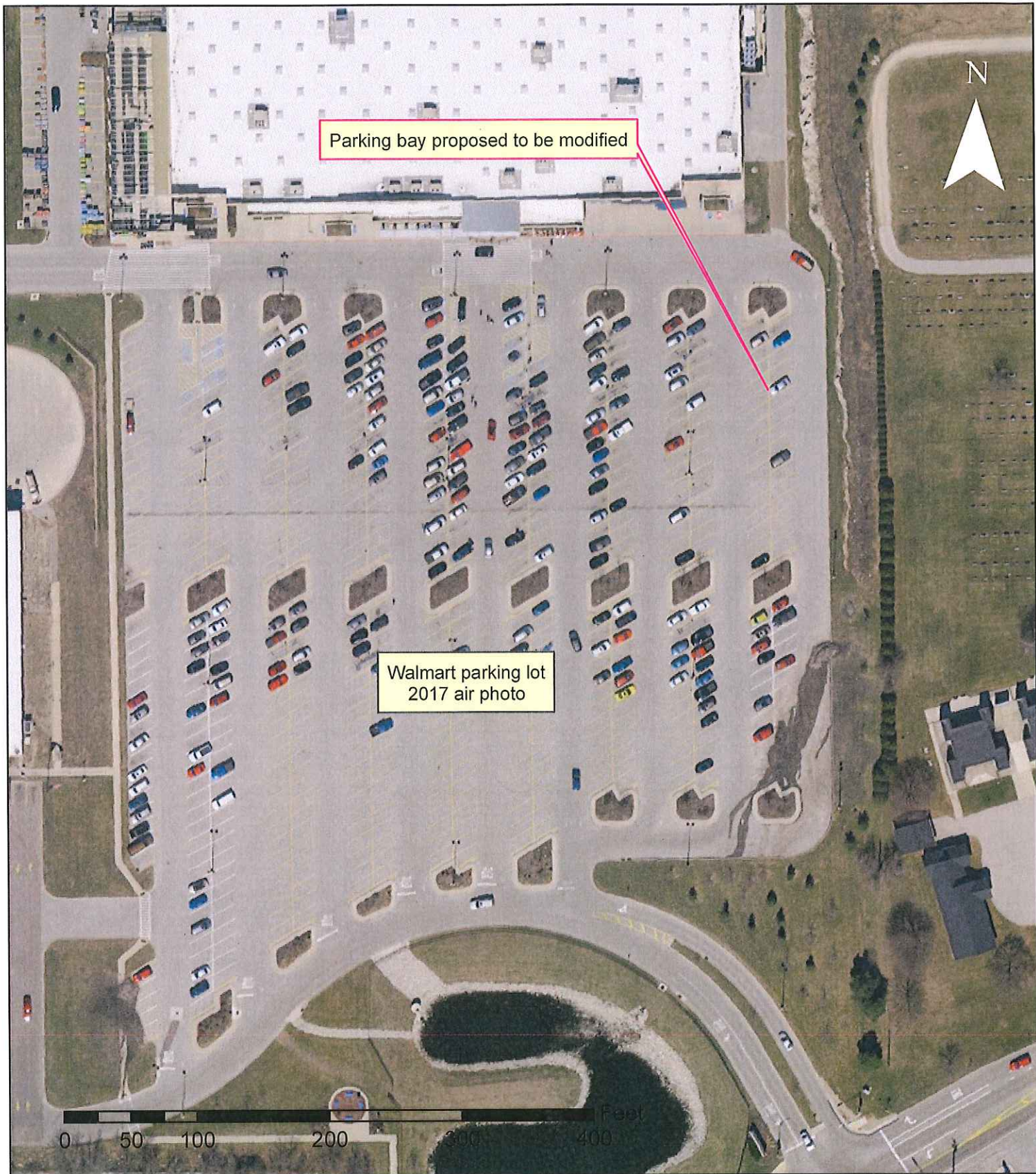
SGA Design Group, P.C.  
1437 South Lincoln Ave. Suite 200  
Sturgeon Bay, WI 54782  
Tel: 920.861.1234  
Fax: 920.861.1235  
www.sga-design.com







# Air Photo Showing Walmart Parking Area Proposed for Modification







## MEMO

To: Plan Commission  
From: Christopher Sullivan-Robinson  
Date: August 15, 2018  
Subject: Requirements for Electronic Variable Message Signs

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**September 19<sup>th</sup> Plan Commission:** As requested by the Commission, Staff gathered additional information regarding the EVMS regulations. Staff contacted Creative Signs Co., which is located out of Green Bay and is one of the closest companies that offer EVMS products. A typical double sided EVMS costs about \$25,000 which includes a 5-year warrantee. The lifespan are approximately 7-10 years, but these sign are built to last. Typically, the customers that have purchased these signs replace them around the 7 year mark. The operation and maintenance standards adopted by the City are very common. Municipalities typically require non-animated messages and the messages are restricted by time limits. These standards are a win/win because it helps keep drivers safe and promotes businesses effectively. The representative could not speak to whether removing grandfathering was necessary.

Staff sent out information to property owners notifying the potential change to the ordinance and received some correspondence. For some property owners such as Young Automotive, they believe a hardship is created, because there sign doesn't have the same capabilities as newer signs. They haven't had any sign related issue until now. A representative from McDonalds also sent a letter stating they aren't opposed to some timing restriction as long as it doesn't substantial restrict their ability to use the sign.

**July 18<sup>th</sup> Plan Commission Memo:** An electronic variable message sign (EVMS) is a sign which may be electronic or mechanically controlled and capable of showing a series of different messages in sequence. In the City, these types of signs are categorized as a special sign within the Chapter 27 of municipal code. EVMS are permitted only within the commercial and industrial districts.

The sign code originally had minimum distances that such signs had to be from other EVMS and from certain traffic spots, such as controlled intersections. But, the code originally did not restrict scrolling messages or how often a message could change. The Council later amended the code to eliminate the setbacks, but added the requirement for a 6-second static message. Existing EVMS were grandfathered from that rule.

This type of sign was adopted with operation standards to protect drivers and residential areas. An overstimulating sign can distract a driver, which is why there are restrictions on message display time, placement, lighting, and graphics. To prevent any issues from the residential community there were restrictions placed on illumination and types of lighting.

The topic was originally brought to the Plan Commission because a sign owner thought that EVMS maintenance and operation guidelines were too strict.

Staff reviewed other community's codes in comparison to Sturgeon Bay's and a few things became clear. There isn't a set of regulations that every community follows. Green Bay operates under similar standards as Sturgeon Bay (followed DOT guidelines for EVMS for highways). The big difference is that these types of signs are allowed as a conditional use only. Appleton does not allow animated signs but they do allow mechanical and electrical changeable copy signs. These are a permitted use. Looking at Door Counties code EVMS are not allowed. Oconto City allows variable message signs with no restrictions. Kewaunee allows EVMS with strict timing guidelines but no other regulations are in place. Two Rivers allows EVMS only through Commission approval. They don't have any static message requirements. Shawano allows these signs with a minimum of 30 second static message and these signs aren't allowed in residential areas. De Pere allows EVMS but not manual message centers. These also don't allow any animation, special effects, or scrolling. Marinette City allows electronic message board but are only allowed to change the message once per hour. They only allow sign to be used during business hours.

From business owner's perspective there are no issues or complaints are received. On average, an electronic message sign can cost \$20000 only to be restricted from half the settings. The other issue is that a majority of the signs in Sturgeon Bay are current nonconforming.

The Plan Commission has the following options:

- Make no changes to the code
- Change the code
- Refer back to staff

Staff Options:

- 1) Remove the grandfathered status of the existing EVMS.
- 2) Revise all or parts of the maintenance and operation standards for EVMS.
- 3) Make EVMS a conditional use.
- 4) Make no changes.



## DRAFT ORDINANCE #1

### 27.12 - Special signs.

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

(a) *Dimensional standards.*

1. EVMS shall meet the sign setback regulations for the appropriate zoning district.
2. EVMS shall not be permitted where they attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device. EVMS shall not be permitted where they prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
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.

(b) *Operational standards.*

1. The EVMS shall only display static messages and such displays shall not have movement, animation or scrolling, or the appearance or illusion of movement.
2. EVMS shall not be used as flashing signs or lights.
3. Each message displayed by the EVMS shall remain for a minimum of 6 seconds for signs located along Highway 42-57 and a minimum of 3 seconds for all other locations.
4. Each change of message must be accomplished within one second.
5. All EVMS must be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illuminations.
6. Commercial messages displayed by a EVMS may promote only goods or services provided by companies occupying the site on which the sign is erected.
7. EVMS must be maintained in safe and orderly condition, and so as to be able to display messages in a complete and legible manner.
8. All EVMS shall comply with the minimum operational standards for EVMS contained in this section.
9. Subsections 1, 3, and 4 of [section 27.12\(4\)\(b\)](#) shall not apply to any existing electronic variable message signs as of the adoption date of this subsection. (optional: For EVMS in existence on August 18, 2009, subsections 1,3, and 4 section 27.12(4)(b) shall not be effective until January 1, 2020.)

Notes: The original ordinance was adopted using highway standards created by the DOT. An option could be to keep the same standard for the properties adjacent to the highway, but scale back the hold time to 3 seconds for the rest of the uses. This draft ordinance would also remove the grandfathered status for uses existing before the adoption of section 1, 3, and 4. Removing the grandfathered status could have an adverse effect on some property owners. Another option is to provide another year or so until those provisions take effect in order to provide additional amortization time.



## DRAFT ORDINANCE #2

### 27.12 - Special signs.

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

(a) *Dimensional standards.*

1. EVMS shall meet the sign setback regulations for the appropriate zoning district.
2. EVMS shall not be permitted where they attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device. EVMS shall not be permitted where they prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
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.

(b) *Operational standards.*

- ~~1. The EVMS shall only display static messages and such displays shall not have movement, animation or scrolling, or the appearance or illusion of movement.~~
2. EVMS shall not be used as flashing signs or lights.
- ~~3. Each message displayed by the EVMS shall remain for a minimum of 6.~~
- ~~4. Each change of message must be accomplished within one second.~~
5. All EVMS must be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illuminations.
6. Commercial messages displayed by a EVMS may promote only goods or services provided by companies occupying the site on which the sign is erected.
7. EVMS must be maintained in safe and orderly condition, and so as to be able to display messages in a complete and legible manner.
8. All EVMS shall comply with the minimum operational standards for EVMS contained in this section.
- ~~9. Subsections 1, 3, and 4 of [section 27.12\(4\)\(b\)](#) shall not apply to any existing electronic variable message signs as of the adoption date of this subsection.~~

Notes: This option would eliminate the requirements for static messages only. The rules would more or less go back to 2009 – same as for the grandfathered EVMS signs within the City.



## DRAFT ORDINANCE #3

### 27.12 - Special signs.

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

(a) *Dimensional standards.*

1. EVMS shall meet the sign setback regulations for the appropriate zoning district.
2. EVMS shall not be permitted where they attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device. EVMS shall not be permitted where they prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
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.

(b) *Operational standards.*

1. The EVMS shall only display static messages and such displays shall not have movement, animation or scrolling, or the appearance or illusion of movement.
2. EVMS shall not be used as flashing signs or lights.
3. Each message displayed by the EVMS shall remain for a minimum of 6.
4. Each change of message must be accomplished within one second.
5. All EVMS must be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illuminations.
6. Commercial messages displayed by a EVMS may promote only goods or services provided by companies occupying the site on which the sign is erected.
7. EVMS must be maintained in safe and orderly condition, and so as to be able to display messages in a complete and legible manner.
8. All EVMS shall comply with the minimum operational standards for EVMS contained in this section.
9. ~~Subsections 1, 3, and 4 of [section 27.12](#)(4)(b) shall not apply to any existing electronic variable message signs as of the adoption date of this subsection.~~  
(Optional: For EVMS in existence on August 18, 2009, subsections 1,3, and 4 section 27.12(4)(b) shall not be effective until January 1, 2020.)

Notes: This option keep the regulations for static messages but removes the grandfathered status. As an option the Commission could keep the grandfathered status and add a sunset clause.

Martin Olejniczak, AICP  
Community Development Director  
421 Michigan Street  
Sturgeon Bay, WI 54235



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E-mail: [molejniczak@sturgeonbaywi.org](mailto:molejniczak@sturgeonbaywi.org)  
Website: [www.sturgeonbaywi.org](http://www.sturgeonbaywi.org)

7

## MEMO

**To:** City Plan Commission  
**From:** Marty Olejniczak, Community Development Director  
**Date:** September 14, 2018  
**Subject:** Amendments to Section 20.25 - Conditional Uses

Wisconsin Act 67 was enacted on November 27, 2017 and it changes the way conditional uses are regulated by municipalities. At a prior plan commission the impacts of the changes were discussed along with the need to amend the zoning code. Amendment were needed to the section pertaining to the procedures and standards for Conditional Uses (sec. 20.25) and the list of various conditional uses by district needed to be reviewed and amended as necessary. The Commission members felt that reviewing the various conditional uses would be a major undertaking and perhaps should be completed at a separate meeting and ideally with a full membership.

So for the September 19<sup>th</sup> meeting, only the suggested changes to the procedures and standards for conditional uses (section 20.25) are proposed to be considered. These changes are intended to get the code in line with Act 67 and other updates. If the Commission agrees with these changes, it can recommend the amendments to the Council for potential adoption.

The review of the specific conditional uses by district can occur at a later date.



## Proposed Amendments to section 20.25 Conditional Uses

The following changes to the zoning code are intended to implement the provisions of Wisconsin Act 67, which impacted how municipalities can regulate conditional uses

### 20.25 - Conditional uses.

- (1) The city plan commission may, after a review and public hearing, authorize the issuance of a conditional use permit for conditional uses specified for each district, provided such uses are in accordance with the purpose and intent of this chapter. Whenever a conditional use permit is requested and the required public hearing is scheduled and noticed by city as a class 2 notice, the city shall give notice, by regular mail, of the proposed conditional use to all property owners whose property lies within 300 feet measured in a straight line from the exterior boundary of the property subject to the proposed conditional use permit. Said notice shall be mailed at least ten days prior to the hearing, however failure of a neighboring property owner to receive such mailed notice shall not invalidate a public hearing. If action is delayed more than 120 days from the date of public hearing, a new public hearing shall take place. The ~~common-council plan commission~~ may grant up to a 60-day extension if warranted by extenuating circumstances. In addition to the notification requirements listed above, applicant shall post signage visible to every facing street at least ten days prior to the hearing. The signage shall identify the property as being the subject of a public hearing and identify the appropriate city office that may be contacted for information.

- (2) Applications for a conditional use permit shall be filled out at the zoning department on a form provided by the inspector and reviewed by staff. Application shall contain:

- (a) A full legal description ~~and~~, property map, ~~and shall be accompanied by~~
- (b) A plan showing the location, size and shape of the lot(s) involved and of any proposed structures, and the existing and proposed use of each structure and lot.
- (c) A written description of the proposed conditional use describing the type of activities, buildings, and structures involved in the use.
- (d) Written statements showing how the proposed conditional use meets the general standards for conditional uses (sub. 4) and any specific requirements for a particular use.

After review by staff, application shall be placed on the appropriate city plan commission agenda for review, ~~and request shall be posted by city on public access television.~~

- (3) The city plan commission shall review, as appropriate, the proposed site and operation, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems and whether the proposed project will adversely affect property values in the neighboring area.
- (4) A conditional use permit may only be issued by the plan commission upon making a finding that:
  - (a) The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, ~~morals, comfort~~ or general welfare.
  - (b) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the surrounding area.
  - (c) The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
  - (d) Adequate utilities, access roads, drainage, and/or other necessary facilities ~~exist or~~ will be provided ~~to serve the conditional use.~~
  - (e) Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets.

- (f) The conditional use shall in all other respects conform to the applicable regulations of the district in which it is located ~~and the plan commission shall find that there is a public necessity for the conditional use.~~
- (5) Conditions related to landscaping, architectural design, type of construction, construction commencement and completion dates, ~~permit duration~~, sureties, lighting, fencing, operational control, hours of operation, traffic circulation, deed restrictions, access restrictions, increased yards, and parking requirements may be required by the city plan commission upon its finding that such conditions are necessary to fulfill the purposes and intent of this chapter. ~~Any conditions imposed must be reasonable, and the extent practicable, measurable. Such conditions shall be based on substantial evidence.~~
- (6) Conditional uses shall comply with all other provisions of this chapter such as lot width and area, yards, height, parking and loading.
- (7) Any conditional use granted by the city plan commission shall terminate unless initiated within 365 days of date of decision by the city plan commission. ~~A conditional use shall be operational within 730 days of its approval by the plan commission. Failure to initiate the development and/or begin operations with the required time period shall automatically constitute a revocation of the conditional use. An applicant may request that the plan commission approve an extension for justifiable reasons.~~
- (8) ~~Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued and the requirements of this ordinance are followed. Unless a specific duration is included in a conditional use permit, a conditional use permit shall automatically expire if the conditional use changes to a permitted use not requiring a conditional use permit or if the conditional use is discontinued or ceases to exist for a continuous period of at least 365 days for any reason.~~
- (9) If an application for a conditional use permit is denied, a new application for the same conditional use will not be considered by the plan commission for a period of 12 months from the date of denial, except on grounds of new evidence as determined by the zoning administrator.