

AGENDA
CITY OF STURGEON BAY
CITY PLAN COMMISSION
Wednesday, April 3, 2019
6:00 p.m.
Council Chambers, City Hall
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from February 20, 2019.
4. Combined Preliminary/Final Planned Unit Development for Aaron Hilpipre, for property located at 709 Jefferson Street.

Presentation

Public Hearing

Consideration of *(Note: In accordance with Section 20.24(5)(c)1.b of the zoning code, a recommendation to Council regarding this item will not be made at this meeting, except by unanimous consent of the members present.)*

5. Conditional use request from Wisconsin Public Service for a gas regulator station, located at 1843 Michigan Street.

Presentation

Public hearing

Consideration of

6. Consideration of: Tourist Rooming House Code text amendment.
7. Public comment on non-agenda Plan Commission related items.
8. 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

3/29/19
2:30 p.m.
CN

CITY PLAN COMMISSION
Wednesday, February 20, 2019

A meeting of the City Plan Commission was called to order at 6:00 p.m. by Acting Chairperson Dennis Statz in the Council Chambers, City Hall, 421 Michigan Street.

Roll Call: Members Steven Hurley, Dennis Statz, Jeff Norland, and Laurel Hauser were present. Excused: Member Mike Gilson. Also present were Alderpersons Kelly Catarozoli and David Hayes, City Administrator Josh Van Lieshout, Community Development Director Marty Olejniczak, Planner/Zoning Administrator Chris Sullivan-Robinson, and Community Development Secretary Cheryl Nault.

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

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from January 16, 2019.
4. Consideration of: Zoning text amendments regarding accessory building setbacks.
5. Consideration of: Zoning text amendments regarding height of accessory buildings.
6. Consideration of: Memorial Drive zoning restrictions and pedestrian access.
7. Consideration of: Tourist rooming houses.
8. Public comment on non-agenda Plan Commission related items.
9. Adjourn

Carried.

Approval of minutes from January 16, 2019: Moved by Ms. Hauser, seconded by Mr. Hurley to approve the minutes from January 16, 2019. All ayes. Carried.

Consideration of: Zoning text amendments regarding accessory building setbacks: Mr. Sullivan-Robinson stated that at the last Plan Commission meeting this item was reviewed and debated whether or not a setback should be created for accessory dwelling units based on lot width. A motion was made to approve that anything equal to or above 135 feet wide would have an increased setback of a 10-foot side yard and 10-foot rear yard. The motion failed on a tie vote. He also mentioned that the Council adopted the ordinance for the accessory dwelling units with an amendment to require minimum 10-foot side and rear yard for new construction.

Mr. Sullivan-Robinson offered options of looking at this item again, create a new setback, or table this item.

Mr. Norland suggested to amend the ordinance to include all accessory buildings to a 10-foot setback. If an accessory building would later convert to an accessory dwelling unit, it would then comply.

Mr. Olejniczak added that a minimum size for an accessory dwelling unit is 250 square-feet and the maximum size is 800 square-feet. He mentioned that the Plan Commission could recommend that the Council amend the accessory dwelling unit ordinance to base the required 10-foot setback on buildings constructed after the date of ordinance rather than "new construction". It would be easier to enforce if it were all at 5 feet or 10 feet.

Discussion continued. Moved by Ms. Hauser, seconded by Mr. Norland to recommend to Council that any new construction over 250 square feet would need to have a 10-foot setback. If it gets converted to an accessory dwelling unit in the future, it will comply.

Mr. Statz stated that he has somewhat of a concern since there are so many small lots in the City. He prefers that lots under 135 feet wide would have a 5-foot setback. If someone built a structure at a 5-foot setback and decided later on to convert it to an accessory dwelling unit, the language should be cleaned up to include an existing structure as of a certain date.

Ms. Hauser withdrew her motion, along with Mr. Norland's second.

Moved by Ms. Hauser, seconded by Mr. Statz to recommend to Council to amend the accessory dwelling unit ordinance to require any accessory dwelling unit in a detached building have a setback of 10 feet if the building was constructed after April 1, 2019. All ayes. Carried.

Moved by Ms. Hauser, seconded by Mr. Statz to leave the current setbacks as is for accessory buildings. All ayes. Carried.

Consideration of: Zoning text amendment regarding height of accessory buildings: Mr. Sullivan-Robinson stated that staff wanted the Plan Commission to re-affirm the recommendation to Council that was made several months ago regarding the accessory building height code text amendment. It was never sent to Council because staff was told to wait until the Commission finished reviewing the accessory building setbacks.

Moved by Mr. Statz, seconded by Mr. Norland to recommend to Council the text amendments previously recommended regarding the height of an accessory building. All ayes. Carried.

Consideration of: Memorial Drive zoning restrictions and pedestrian access: Mr. Sullivan-Robinson stated that Alderperson Catarozoli requested that this item be added to a Plan Commission agenda. She wondered if the City would be interested in the construction of a pedestrian path for the section of property along Memorial Drive from 8th Avenue to Utopia Circle. This section of land is restricted by a zoning ordinance which states that nothing can be built on that side of the street or to plant trees. There is to be a clear vision path to the water. That section is also restricted by an easement from the 1930's. There has been uncertainty what rights the City has in this area under the easement. The City Attorney believes the City would have the right to put in the path, but additional investigation was needed to ensure it was done right. Staff is looking for direction at this time to see if the Plan Commission wants to take up this issue. He noted the public right-of-way for Memorial Drive is approximately 8-10 feet beyond the curb. The property owners across the street own the land waterward of that.

Ms. Catarozoli stated that this item came up when a resident had asked about constructing a firepit on the property and Ms. Catarozoli wondered why that had to be approved, as well as why the City cuts the grass along Memorial Drive. She started looking into this as well as the possibility of putting in an off-road multi-modal path. She reported on the information she found. She believed this area used to be public property and would like clarity on that. She would like the zoning ordinance changed so the public can again use that space as intended by the easement. She would also like to move forward with planning for a multi-modal path. This is part of the County's bike loop for Sturgeon Bay.

Mr. Olejniczak stated that in 1977 the City amended its zoning regulations for Memorial Drive to specifically state that physical use of the property is limited for the property owners and their invited guests. The area is currently treated as a scenic easement.

Ms. Catarozoli said that it would be an amazing benefit for the City to have a path along that area. Maybe the street could be narrowed. There should be clarification on the grass mowing.

Mr. Olejniczak pointed out that there are two issues that could be considered. The first is the rights and responsibilities of the City under the recorded easement, and the City's zoning restrictions. The second issue is the pedestrian/bicycle access along this stretch. A waterfront pedestrian loop is in the Comprehensive Plan. So, the Plan Commission could look into this issue and consider option such as whether the sidewalk should be extended on the water side or whether the curb could be brought in and a path put in where the current parking lane is. He said that it had been suggested to paint a line on the water side and restrict the parking on that side of the street. Another option was to add sidewalk from 15th Avenue to Utopia Circle.

Jon Gast, 936 Memorial Drive, stated that he lived there for 20 years. Part of the reason the City cuts the grass is so it is continuous and looks nice. All the grass is cut at once. He stated that he has had no problem with the public accessing that area in the past.

Alderman David Hayes, 111S 7th Avenue, stated that he talked with owners along Memorial Drive. There needs to be clarity on the easement. Property owners do not have a problem with a multi-modal path within the current street right-of-way, but do not want any green space taken away. Possibly benches could be installed for people to enjoy the view. There has been a lot of confusion on the easement. It has not been consistent.

Mr. Statz asked the Commission members how they wanted to proceed.

Mr. Norland suggested extending the sidewalk between 15th Avenue and Utopia Circle to eliminate the missing link. A line should be striped on the water side of the street for a bike path, with no parking.

Ms. Hauser mentioned a grand promenade could add value to the homes and is the long-term vision. The Bike & Ped Committee should take a look at this.

Moved by Ms. Hauser, seconded by Mr. Statz to recommend to the Bike & Pedestrian Advisory Board to research and come forward with options for a multi-modal path along Memorial Drive and connect to the rest of the bike path.

Attorney Jim Smith of the Pinkert Law Firm stated he was representing a property owner. He pointed out that the subject land is private property that owners pay taxes on. Trying to establish a multi-modal path could cause some legal issues. Doing something with the property that is contrary to the easements, the City would be treading on eminent domain, which cannot be used to obtain land for a bike path under Wisconsin law. He thought the issue could be resolved within the current road. He didn't see a problem with putting a bench here and there, but if the City tries to use the green space, it could create legal issues for the City. He suggested to get a better legal opinion from the City Attorney.

Mr. Norland reiterated that the City can extend the sidewalk and put a bike path along the curb without spending a lot of money.

A vote was taken on the motion. Carried, with Mr. Norland voting no.

Consideration of: Tourist rooming houses: Mr. Olejniczak stated that the ordinance was changed approximately three years ago to open up single-family homes to be rented on a short-

term basis. Prior to that, the City was the only community in Door County that restricted rental periods to 30 days or longer. Staff thought it was time to assess how things were going. A letter was received from an existing lodging establishment expressing concerns. Other calls have been taken also expressing their concerns. Mr. Sullivan-Robinson checked to see where the current licenses are located and what they were used for before or if they were purchased specifically for a tourist rooming house. It was also pointed out that after the City amended its code to allow the tourist rooming houses, the State adopted a law that restricts municipalities from limiting short-term rentals. It can be restricted to a weekly rental, but you can no longer prohibit short-term rentals completely. The period that units can be used for short-term rentals can also be restricted to half of the year.

Mr. Sullivan-Robinson stated that the tourist rooming houses are pretty evenly dispersed all over the City. There are currently 41 tourist rooming houses as of today. Of those 41, 18 were previously owner-occupied. Twenty of those were renter occupied. It is believed that 18 were recently purchased with the intent for a short-term rental. Thirty-four are used year round and seven only used a couple of months out of the year.

The Community Protection & Services Committee recently reviewed the TRH issue and has recommended an increase the fee of the permit because there are multiple City departments that review a permit.

Mr. Olejniczak explained that if the Plan Commission felt that tourist rooming houses were creating a problem, the minimum rental period could be restricted to 7 days. To deal with existing licensed tourist rooming houses, the weekly rental restriction could be enforced after a license expires.

Melaniejane, 30 N 1st Avenue, stated that we are in a unique community. Short-term rentals keep expanding and there are no long-term rentals anymore. Property values are going up.

Mr. Van Lieshout stated that county-wide short-term rentals are increasing. There are about 1200 total, along with cottages, homes, etc. From a trend perspective, it is a fluid, dynamic process. The Door County Tourism Commission cannot regulate the marketplace. Their job is to make sure the lodging tax is equitably collected and equitably distributed under the law.

Ms. Hauser suggested holding a public hearing to hear what the community thinks about tourist rooming houses.

Mr. Statz would like to form a study group to come up with ideas and options and bring it back to Plan Commission.

Mr. Olejniczak offered options that included doing nothing and continue to wait and see what happens with the TRH's and continue to revisit the issue annually; make ordinance changes; or have public hearings and study groups.

It was the consensus of the Commission to put together a task force including 3-4 people, and come up with ideas. Mr. Statz would like to begin meeting next week. Melaniejane agreed to be part of the task force.

Public comment on non-agenda Plan Commission related items: Paul Anschutz, 221 N 6th Avenue, spoke concerning a multimodal path on Memorial Drive. The street should be narrowed since property cannot be taken away from the easement.

Following public comment and prior to adjournment, Mr. Olejniczak requested that the Commission go back to Item #5 **Consideration of: Zoning text amendment regarding height of accessory buildings**. He explained that the proposed ordinance in their packet was not the correct version of what was approved previously by the Commission. He passed out the correct proposed ordinance and requested that the Commission verify that their earlier motion to recommend adoption was still their desire now that they see the actual proposed ordinance. After reviewing the correct ordinance, the Commission by consensus agreed that their motion to recommend approval of the ordinance amendment was still valid.

Adjourn: Moved by Mr. Norland, seconded by Ms. Hauser to adjourn. All ayes. Carried. Meeting adjourned at 7:45 p.m.

Respectfully Submitted,



Cheryl Nault
Community Development/Building Inspection Secretary

Staff Report
Hilpipe PUD - 709 Jefferson Street

Background: The subject property is located at the northeast corner of Jefferson St and 7th Ave. It was rezoned to C-5 (mixed commercial and residential) as part of the Jefferson Street rezoning that occurred in 2016. The property contains two primary structures. The front building has two residential units with commercial space on the ground floor and the rear building contains 2 residential units. The applicant purchased this property at the beginning of 2018 and started to convert the commercial space into two residential units. This would convert the front building back into its original use as a four-plex. However, the total of 6 residential units exceeds the density allowed on that parcel and Mr. Hilpipe was informed that he needed a Planned Unit Development (PUD) rezoning in order to proceed.

The C-5 district allows multiple-family dwellings as a conditional use. However, density (12.4 units/acre or 3500 sqft/unit) would not allow more than three units. Thus, the only options would be to apply for a variance from the density requirement or apply for the PUD rezoning. The property owner opted to go through the PUD process due to the flexibility it affords. His desired use would be 6 dwelling units total with both long-term and short-term rental with the ability to use a portion or all of the first floor of the front building for commercial use (i.e. either residential or commercial use on the first floor).

All of the surrounding parcels are zoned C-5. The Jefferson Street corridor is known for its mix of commercial and residential uses. Historically, property owners would change between commercial and residential uses, which cannot occur without meeting certain commercial/residential requirements. Thus, the City rezoned that corridor to C-5 to allow more flexibility for the existing uses.

Comprehensive Plan: The Future Land-Use Map of the Sturgeon Bay Comprehensive Plan designates this property for Transitional Commercial. This type of area is intended to provide lower density commercial uses proximate to residential areas. It also can provide transitions between commercial and residential uses or provide areas where a mixing of commercial and residential uses is deemed appropriate. Thus, this proposal matches the direction of the City of Sturgeon Bay Comprehensive Plan.

Site Plan and Building Design: The following is a summary of the major site and design subjects:

Driveway Access: The existing access is off of 7th Ave. The driveway is shared with the abutting property. There are no proposed changes to the existing access.

Density: There will be no more than six units on this property. Density rules require that each unit needs 3500 square feet of lot area. The rule is not met because this lot can only hold 3 units. The City can allow the development to exceed the density rule as part of the PUD ordinance.

Mix of Units: These are all one bedroom units located on one floor.

Parking: Nine off-street parking spaces are normally required for the proposed 6 units. Currently there are a total of eight off-street parking spots. These spots run perpendicular to the driveway and require the use of the shared driveway in order to properly gain access. If the shared access is eliminated, there would only be room for 3-4 vehicles using angled or parallel parking. There are several options for handling the number of parking spaces. The PUD, if approved, could specify that the number of required spaces is only eight spaces. Another option is for the owner to make a payment in lieu of providing the final space. This is allowed in the C-5 district. The amount of the one-time payment is usually determined by the parking and traffic committee. The third option is to formalize the collective parking arrangement with the adjoining owner. The C-5 district allows spaces within collective off-street parking facilities (i.e. shared parking) to count as 1.5 spaces. Thus, the existing parking is sufficient if the two owners agree the parking area is shared. The final option is to require an additional space to be added.

Traffic: The conversion between ground floor retail and two one-bedroom dwelling units will not have an impact on traffic. No traffic impact analysis is needed.

Building Design: The front building was originally designed as a four-family dwelling (two up, two down). The proposed conversion would revert back to that design. The rear building was a dwelling that was converted into two units (up/down). The owner is not proposing to make any significant changes to the exterior of the buildings. Approval from the Aesthetic Design and Site Plan Review Board will be required if changes are ever proposed.

Short-Term vs. Long-Term Rental of Units: At the conceptual PUD meeting, there was considerable discussion regarding whether the units would be for residents or for transients and whether a restriction regarding the number of tourist rooming houses should be considered. The applicant indicated he plans to have a mix of short-term and long-term units and wants flexibility.

Staff discussed the issue with the City Attorney. Because the PUD would be granting the additional residential density not allowed under regular C-5 zoning, it would be allowable to restrict the additional units to non-transient rentals. The C-5 district density allows three units and there currently four units that are grandfathered. So it appears that under the PUD the City could, if desired, limit the number of units used as tourist rooming houses to four (and possibly three).


Plan Commission Action: The Plan Commission must make a recommendation to the Council. After the public hearing, which is scheduled for April 3rd, the Plan Commission can either wait until the next meeting to make its recommendation or, if all members present agree to take action sooner, it can make its recommendation following the hearing. If the recommendation is for approval, both the recommendation and the PUD ordinance would be brought to the Council.

Recommendation: Given the historic use of the property, nearness to downtown, and other factors, staff is not opposed to the density allowance under the proposed project. Staff recommends approval of the PUD, subject to the following PUD parameters:

1. Underlying zoning to remain C-5.
2. The additional off-street parking space shall be met via either written agreement from the adjoining property for collective (shared) parking area or a payment in lieu of providing the final space shall be made. No additional off-street spaces shall be created without the approval of the Plan Commission.
3. The total number of residential units that are used as tourist rooming houses (short-term rentals) shall not exceed four units. [or 3 units at PC's option]

Prepared by: 
Christopher Sullivan-Robinson
Planner / Zoning Administrator

3-28-19
Date


Marty Olejniczak
Community Development

3-28-19
Date

CITY OF STURGEON BAY PLANNED UNIT DEVELOPMENT APPLICATION

Date Received: 1-3-19
 Fee Paid \$ 6477.00 (includes sign deg.)
 Received By: CN

Application For: Conceptual ☐ Preliminary ☐ Final ☐ Combined Preliminary/Final ☒
 Note: There are different requirements for each of the above processes. A separate application is required for each.

NAME OF PROPOSED PLANNED UNIT DEVELOPMENT: _____

	APPLICANT/AGENT	LEGAL PROPERTY OWNER
Name	Aaron Hilpiper	
Company		
Street Address	1211 FOX RIVER DR	
City/State/Zip	DGPERE WI 54115	
Daytime Telephone No.	920 360 1065	
Fax No.		

STREET ADDRESS(es) OF SUBJECT PROPERTY: 709 JEFFERSON ST / 226-228 N 7TH Ave
 Location if not assigned a common address: _____

TAX PARCEL NUMBER(s): 281-62-25002202

AREA OF SUBJECT PROPERTY AND NO. OF LOTS: .25 acres (10,890 sqft)

CURRENT ZONING CLASSIFICATION: C-5

CURRENT USE AND IMPROVEMENTS: Apartment, COMMERCIAL

COMPREHENSIVE PLAN DESIGNATION OF SUBJECT PROPERTY: TRANSITIONAL COMMERCIAL

WOULD APPROVAL OF THE PROPOSED PLANNED UNIT DEVELOPMENT CONFORM WITH THE
 COMPREHENSIVE PLAN? Yes ☒ No ☐ Explain: TRANSITIONAL ZONES CAN BE
 USED FOR COMMERCIAL, RESIDENTIAL, OR A MIXED USED.

PLEASE IDENTIFY SPECIFIC PROPOSED LAND USES. USES MUST IDENTIFY AND CORRESPOND TO A PARTICULAR LOT, LOCATION, BUILDING, ETC. ALLOWANCE OF MAX 6 RESIDENTIAL UNITS total
within two existing building on this property allowance of
short and long term rental capabilities; Utilize existing lot layout
ALLOWANCE OF COMMERCIAL USE ON FIRST FLOOR OF LARGER BUILDING

CURRENT USE AND ZONING OF ADJACENT SURROUNDING PROPERTIES:

North: RESIDENTIAL
South: RESIDENTIAL
East: COMMERCIAL
West: COMMERCIAL

COMPREHENSIVE PLAN DESIGNATION OF ADJACENT SURROUNDING LAND USES:

North: TRANSITIONAL COMMERCIAL
South: SINGLE FAMILY RESIDENTIAL
East: TRANSITIONAL COMMERCIAL
West: TRANSITIONAL COMMERCIAL

IS ANY VARIANCE FROM COMPREHENSIVE PLAN, SUBDIVISION ORDINANCE, OR ZONING ORDINANCE BEING REQUESTED? If yes, describe:

MULTI-FAMILY DENSITY 20.27(2) / MULTIPLE PRINCIPLE USES COVERED
UNAGA PUD REGULATIONS

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

Attach an 11" X 17" detailed site plan (If site plan is larger than 8-1/2" x 11", also include 20 copies folded to 8-1/2" X 11"), full legal description (preferably on disk), location map with site boundaries marked, proof of ownership, and Agreement for Reimbursement of expenses. Site or plot plan shall include dimensions of property, structures, building elevations, proposed site improvements, signature of person who drew plan, etc.

Aaron Hilgipre
Property Owner (Print Name)

[Signature]
Signature

12/10/18
Date

Applicant/Agent (Print Name)

Signature

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

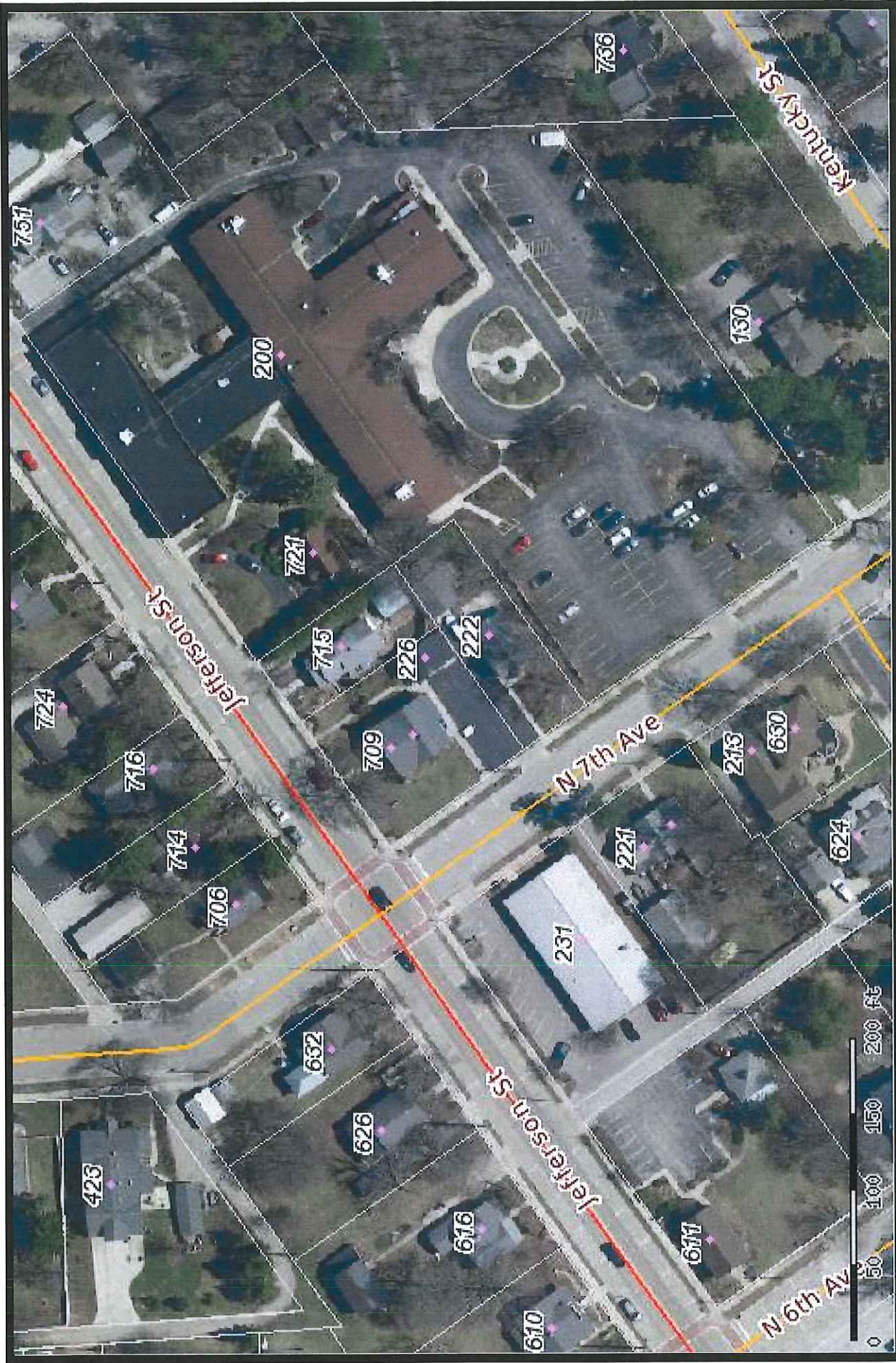
Map

Printed 12/03/2018 courtesy of Door County Land Information Office

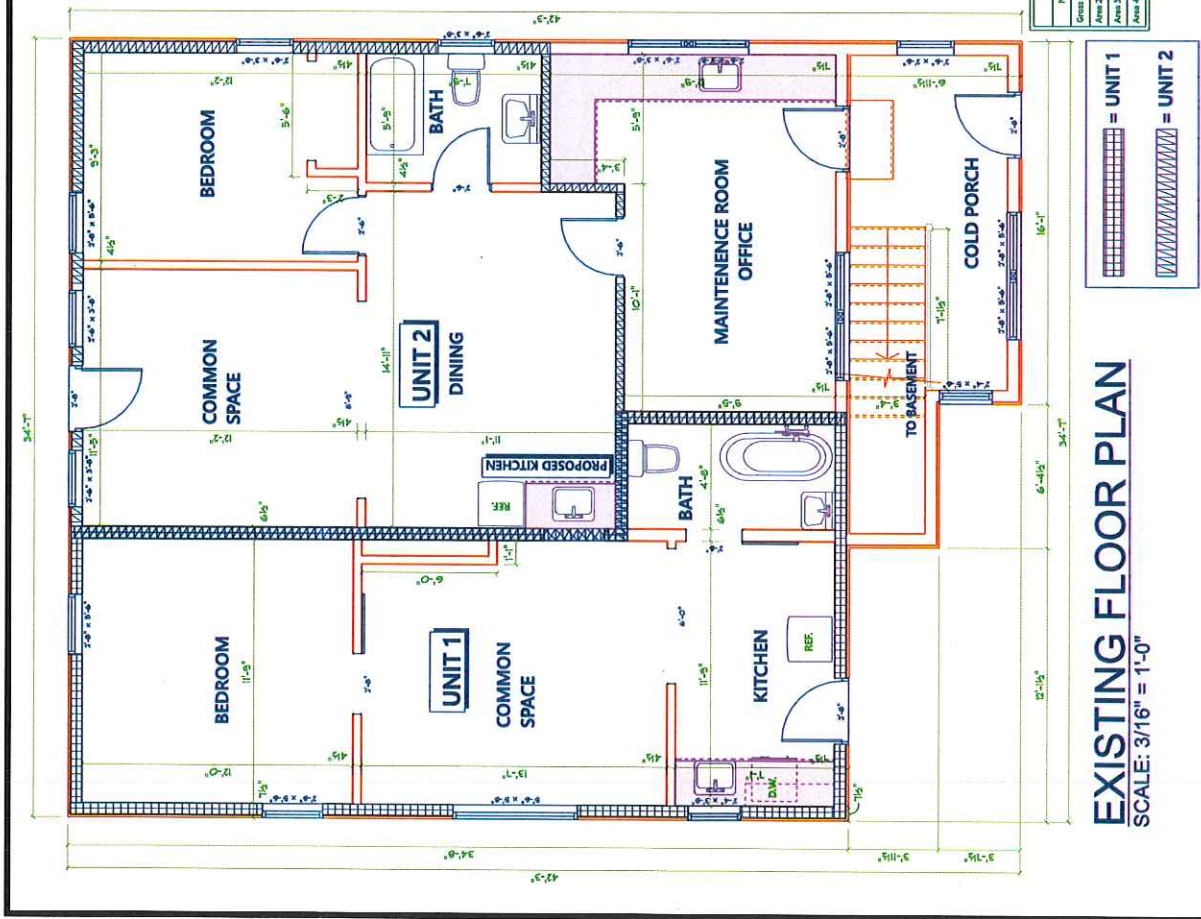


Door County, Wisconsin
... for all seasons!

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



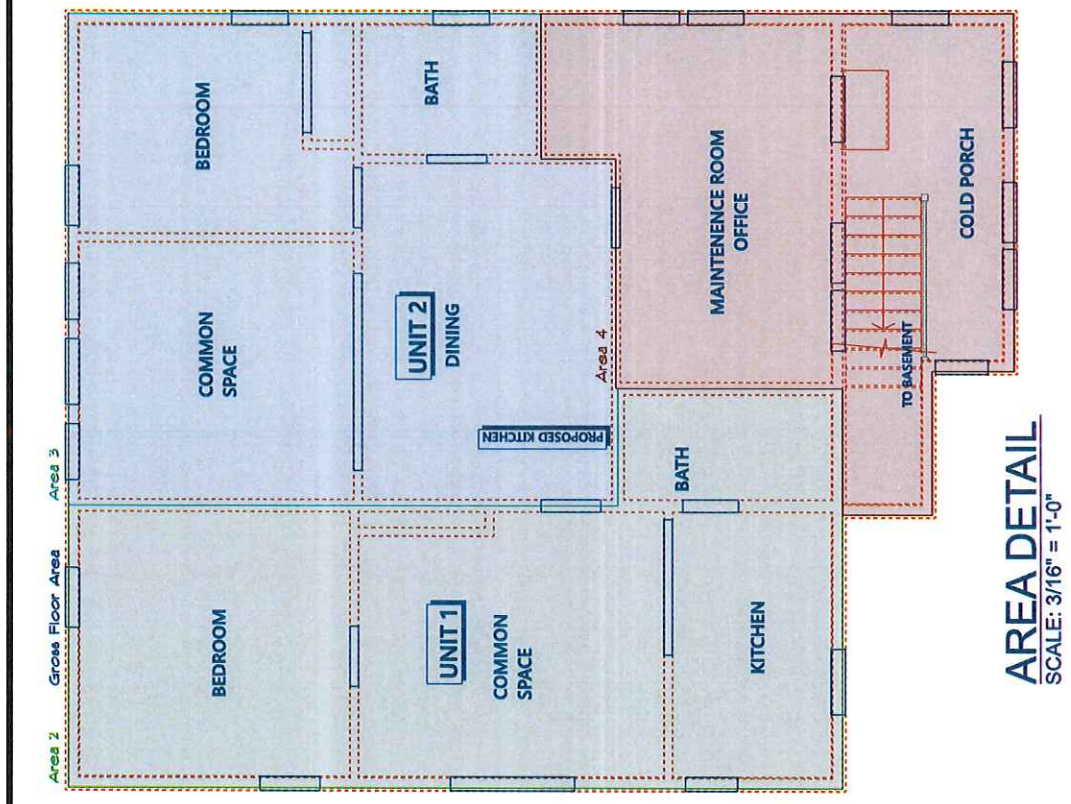
Door County can not and does not make any representation regarding the accuracy or completeness, nor the error-free nature, of information depicted on this map. This information is provided to users "as is". The user of this information assumes any and all risks associated with this information. Door 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.



AREA SCHEDULE	NAME	COLOR	AREA
Ground Floor Area	Area 1	Light Blue	1275.5 sq ft.
Area 2	Area 2	Light Green	483.1 sq ft.
Area 3	Area 3	Light Yellow	890.3 sq ft.
Area 4	Area 4	Light Purple	354.5 sq ft.

UNIT 1 = [Pattern]

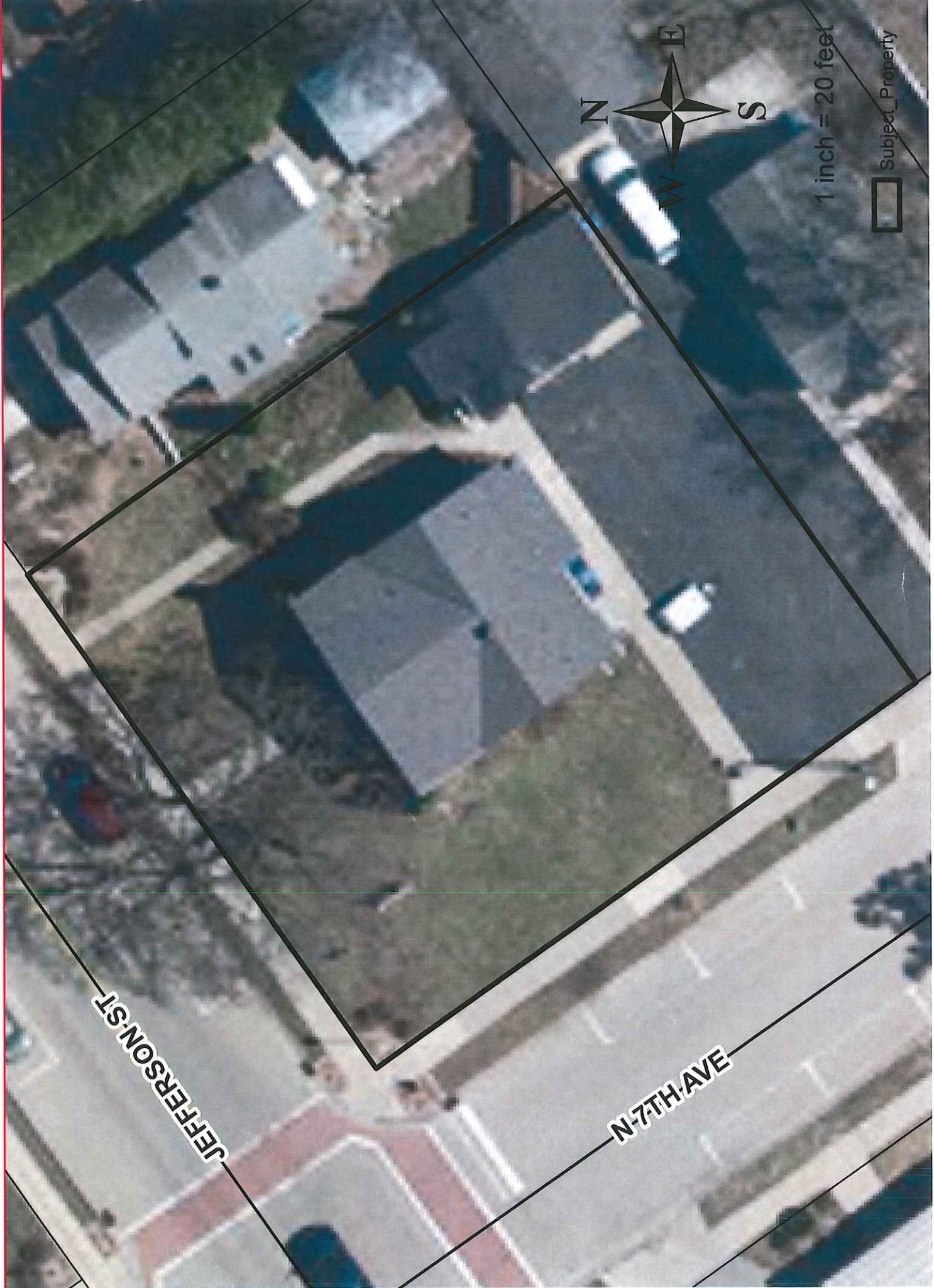
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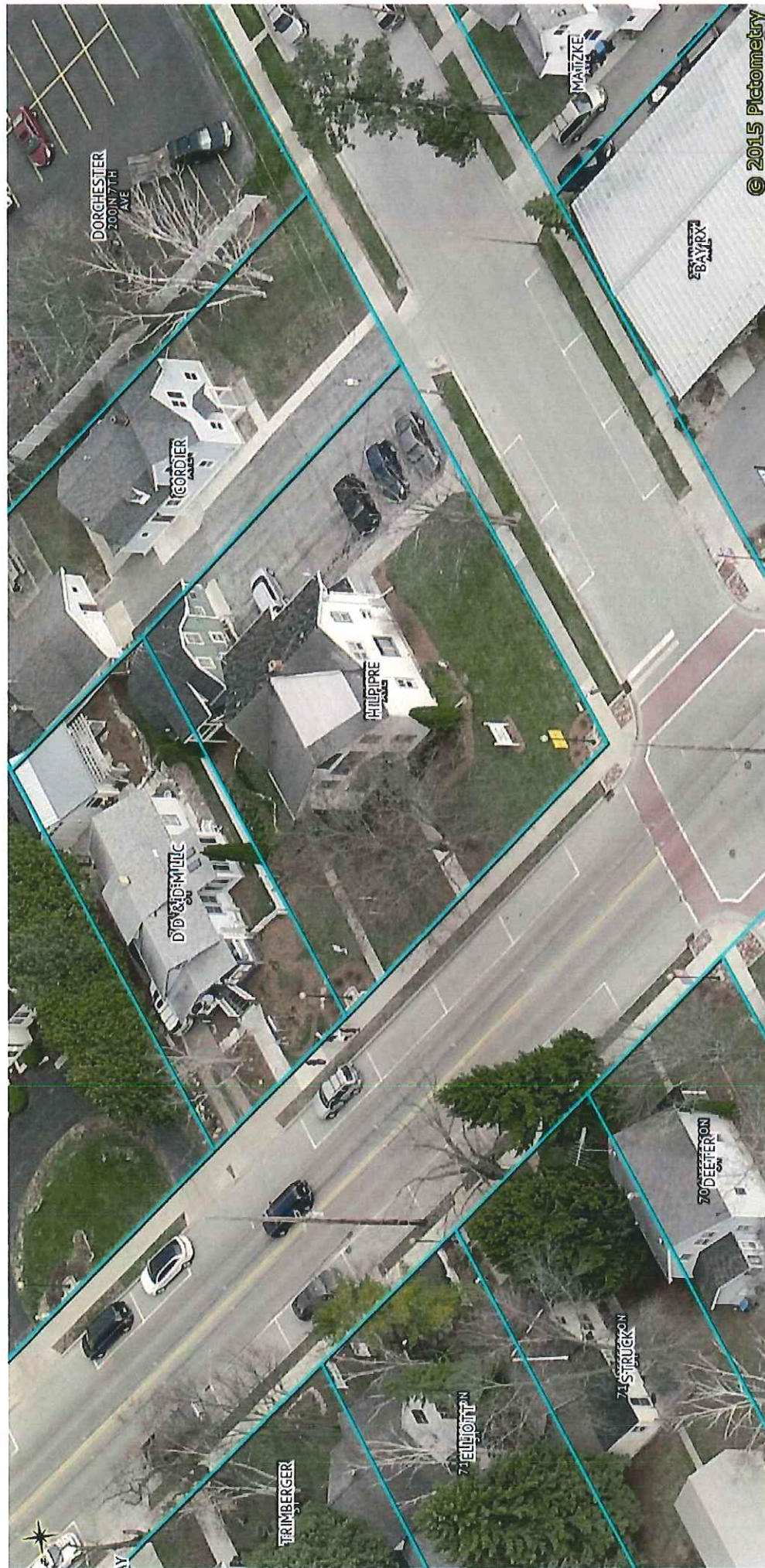






Hilpipre's PUD







04/25/2015

Google Maps 222 N 7th Ave

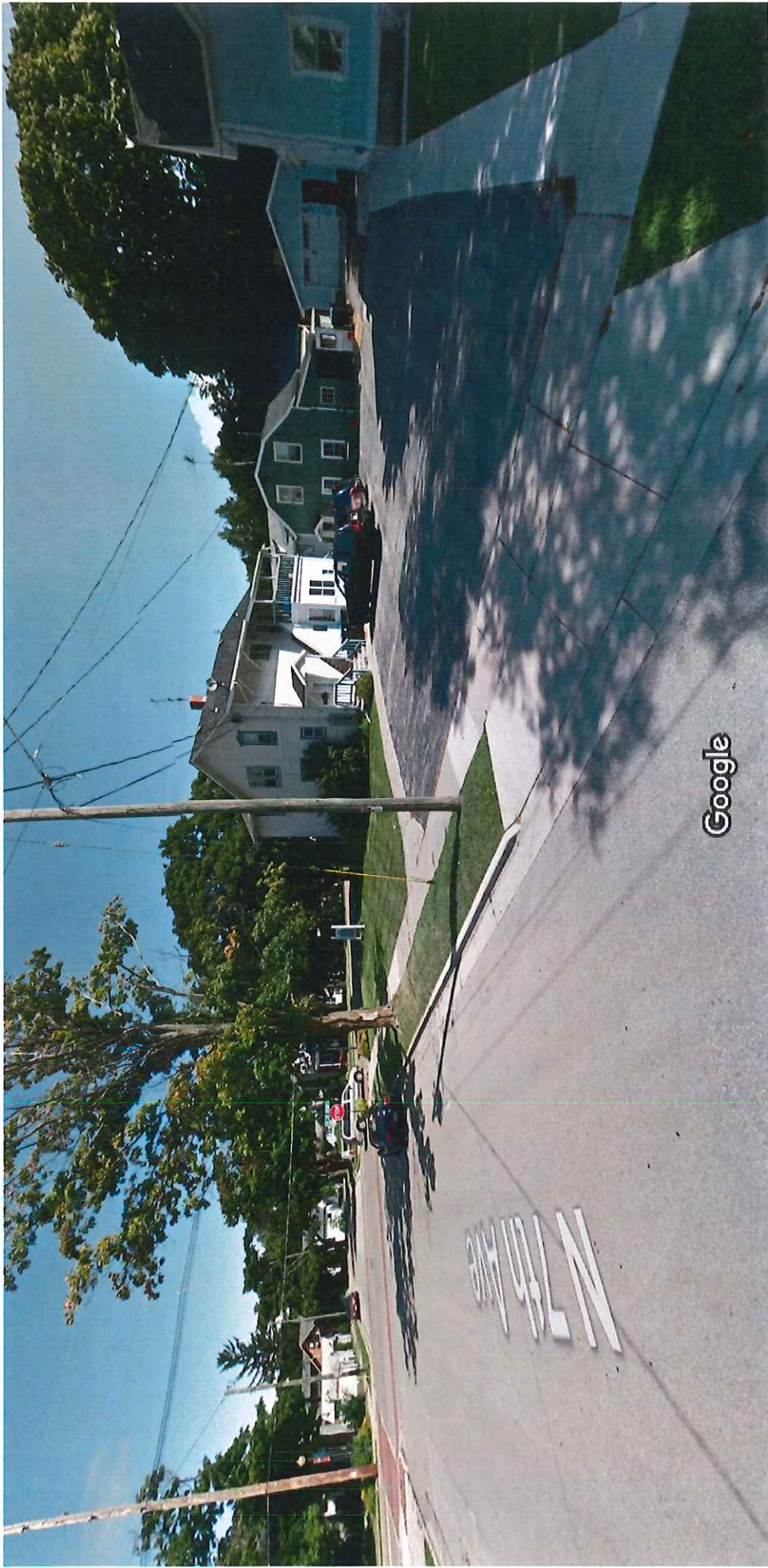
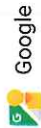


Image capture: Aug 2013 © 2019 Google

Sturgeon Bay, Wisconsin



Street View - Aug 2013



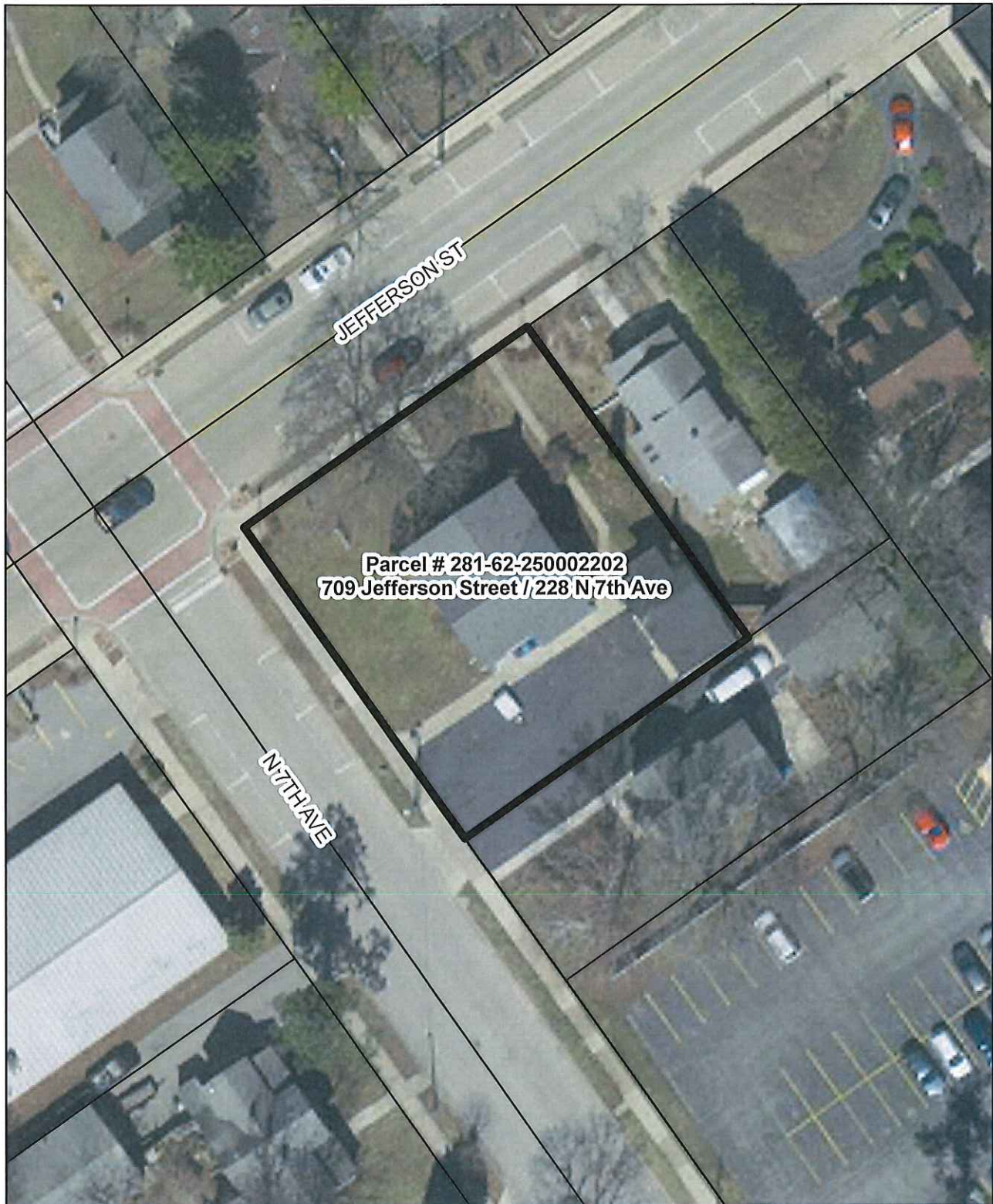
NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Plan Commission will conduct a public hearing in the Council Chambers, City Hall, 421 Michigan Street, Sturgeon Bay, Wisconsin on Wednesday, April 3, 2019 at 6:00 p.m. or shortly thereafter, regarding a petition from Aaron Hilpiper for a Planned Unit Development (PUD) under section 20.24 of the Municipal Code (Zoning Code), to be located 709 Jefferson Street, parcel # 281-62-25002202. The proposed PUD is to repurpose the existing structures for 6-units of multiple-family residential dwellings. If approved this would allow various rental opportunities as well as the option to use the lower floor for commercial uses. The application and PUD plans are on file with the Community Development Department, located at 421 Michigan Street, and can be viewed weekdays between 8:00 a.m. and 4:30 p.m. The public is invited to give testimony in favor or against the proposed PUD, either in person at the hearing or in writing.

By order of:

City of Sturgeon Bay Plan Commission

LOCATION MAP
PUBLIC HEARING - HILPIPRE
PLANNED UNIT DEVELOPMENT REQUEST



 Subject_Property



Note: Public hearing to be held on April 3, 2019

Staff Report
Conditional Use Request for WPS - Gas Regulator Station

Background: Wisconsin Public Service Corp (WPS), Lucas Oshefsky, agent, is requesting a conditional use permit for a natural gas regulator facility. The proposed site is located at 1843 Michigan Street, parcel # 281-68-17001102, which is owned by Lake Shore Health Services. The site is approximately 56' x 57', which would include a regulator system. There will be a metal fence surrounding the facility with green slats and vegetation to make the site more appealing.

The proposed station is part of a larger project to extend a new gas main under the bay. The route mostly follows the highway right-of-way and would improve service to the City's east side. WPS has been searching for over a year to find an appropriate location for this gas regulator station. Their initial site was opposed by both City staff and adjoining property owners. Due to opposition WPS came up with 3 additional sites. WPS feels this site is the best option based upon zoning, location, costs, property owner input and other factors. WPS has received the required approvals from the Public Service Commission of Wisconsin (PSC) for the overall gas main extension and this regulator site. Your packet includes a copy of the engineered plans.

Zoning Code: The property is zoned C-4, which categorizes this as Public Utilities. This type of use is a conditional use within this zone. Thus, a review and public hearing is required by the Plan Commission. The facility is located in the southwest corner of the subject property corner between the existing parking lots. They propose a 17' x 12' metal building, which will be approximately seven feet off the rear property line. This does not meeting zoning code. The applicant requested a variance to allow the encroachment into the rear setback. The Zoning Board of Appeals reviewed request on March 26, 2019 and denied the request. The applicant was given the following options in the denial letter:

1. Revise the project location to meet current zoning code or find a new location.
2. Send a written request to revisit this decision based on any new considerations.
3. Appeal the current decision made by the Zoning Board of Appeals in court.
4. Remove the building from the project plans. [Note: Since the minimum yard requirement only applies to buildings (not piping or other unenclosed structures) the variance would not be required. The only approvals that would be necessary are a conditional use permit from the Plan commission and a Certificate of Appropriateness from the Aesthetic Design and Site Plan Review Board.]

Surrounding Uses: A multifamily development abuts the property to the south and west. Lake Shore Health Services owns the property to the east. Various commercial uses are to the north.

Traffic: As shown in their project profile, WPS will be obtaining easements from the property owner leading to their regulator facility. No new access points are proposed for this site and traffic generation is negligible.

Stormwater Management: Review by the City Engineer is required for this location since they will be creating impervious surface with the project site. Due to the small footprint of the facility, runoff is not anticipated to be a major concern.

Design Approval: The Aesthetic Design and Site Plan Review Board will have to approve this project plan before they obtain building permits.

Off-Site Impacts: The issues that have been noted by adjoining property owners for the original location were aesthetics, noise, odors, and property values. For the current site, these concerns may or may not be present. The applicant should present evidence that such issues are non-existent or will be mitigated. Likewise, members of the public who are opposed to the project should present evidence for any asserted detrimental impacts of the project.


Options: The Commission has the following options:

1. Approve the project approve as presented. This assumes that WPS will ultimately be able to get the required variance.
2. Approve the project with changes/conditions such as revised location for the building. The variance may or may not still be required depending on the changes sought by the PC. Please note that any conditions must be reasonable, measurable (to the extent practical), and based upon substantial evidence.
3. Approve the project with the building removed from the project plan. Please note that removal of the building could generate other concerns such as aesthetics or noise.
4. Deny the project. WPS would have to find a new location.

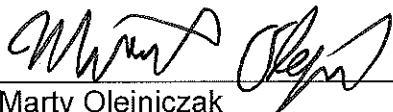
Recommendation: The overall project is good for the City due to improvement and redundancy of natural gas service. The City has reviewed several sites with WPS and of those sites this is the best option that is least impactful to the community. Staff recommends approval of the project, subjecth to:

1. Obtaining the rear yard variance or otherwise complying with the yard requirement, including relocating the building northerly if necessary.
2. There should be vegetative screening on all sides of the site.

Note: Regarding the building staff has no preference whether it remains part of the plans, provided the loss of the building does not result in any noise impacts.

Prepared by: 
Christopher Sullivan-Robinson
Planner / Zoning Administrator

3-28-19
Date

Prepared by: 
Marty Olejniczak
Community Development Director

3-28-19
Date

**CITY OF STURGEON BAY
CONDITIONAL USE PERMIT
APPLICATION**

Date Received:	<u>3/6/19</u>
Fee Paid	\$ <u>300</u>
Received By:	<u>CN</u>

	APPLICANT/AGENT	LEGAL PROPERTY OWNER (if different)
Name	<u>LUCAS F. OSHERFELY</u>	<u>ANDREW S. CALIFERNE</u>
Company	<u>WISCONSIN PUBLIC SERVICE CORP.</u>	<u>LAKE SHORE HEALTH SERVICES, INC.</u>
Street Address	<u>700 NORTH ADAMS STREET</u>	<u>323 SOUTH 18th AVE</u>
City/State/Zip	<u>GREEN BAY WI 54307</u>	<u>STURGEON BAY WI 54235</u>
Daytime Telephone No.	<u>920-433-6991</u>	<u>920-746-3729</u>
Fax No.	<u>920-431-4015</u>	<u>920-743-8165</u>
STREET ADDRESS OF SUBJECT PROPERTY: <u>1843 MICHIGAN STREET</u> Location if not assigned a common address: _____		
TAX PARCEL NUMBER: <u>281-62-42.000103</u>		
CURRENT ZONING CLASSIFICATION: <u>OFFICE/BUSINESS DISTRICT (C-4)</u>		
CURRENT USE AND IMPROVEMENTS: <u>COMMERCIAL - HOSPITAL</u>		
IDENTIFY MUNICIPAL CODE SECTION PERTINENT TO REQUEST AND STATEMENT OF SPECIFIC ITEM BEING REQUESTED FOR REVIEW: <u>20.17(2) - PUBLIC UTILITY FACILITIES</u>		
ZONING AND USES OF ADJACENT SURROUNDING PROPERTIES: North: <u>OFFICE/BUSINESS DISTRICT (C-4)</u> South: <u>MULTIPLE-FAMILY RESIDENTIAL (R-4)</u> East: <u>OFFICE/BUSINESS DISTRICT (C-4)</u> West: <u>MULTIPLE-FAMILY RESIDENTIAL (R-4)</u>		

PROPOSED USE OF SURROUNDING PROPERTY UNDER COMPREHENSIVE PLAN:	
North:	OFFICE/BUSINESS DISTRICT (C-4)
South:	MULTIPLE-FAMILY RESIDENTIAL (R-4)
East:	OFFICE/BUSINESS DISTRICT (C-4)
West:	MULTIPLE-FAMILY RESIDENTIAL (R-4)
HAVE THERE BEEN ANY VARIANCES, CONDITIONAL USE PERMITS, ETC. GRANTED PREVIOUSLY FOR THIS PROPERTY? IF YES, EXPLAIN:	

Attach an 8-1/2" X 11" detailed site plan (If site plan is larger than 8-1/2" x 11", also include 15 large sized copies), full legal description (preferably on disk), 8-1/2 x 11" location map, construction plans for the proposed project, and Agreement for Reimbursement of expenses. Site plan shall include dimensions of property, pertinent structures and buildings, proposed site improvements, signature of person who drew plan, etc.

ANDREW S. LAUTERNE
Property Owner (Print Name)

Andrew S. Lauterne
Signature

3/6/2019
Date

Lucas F. Oshefsky
Applicant/Agent (Print Name)

[Signature]
Signature

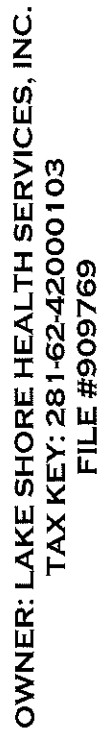
3/5/19
Date

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
		<u>[Signature]</u>

Attachments:
 Procedure & Check List
 Agreement For Reimbursement of Expenses





STAFF USE ONLY	
Application conditions of approval or denial:	
Date	Community Development Director

NORTH 1/4 CORNER
SECTION 9
T27N-R26E




LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	30.00'	S00°18'24"E
L2	52.73'	N45°18'24"W
L3	22.72'	S89°41'36"W
L4	18.71'	S00°18'24"E

LEGEND

	POB
	POINT OF BEGINNING
	UTILITY AND INGRESS/EGRESS EASEMENT
	PERMANENT REGULATOR STATION EASEMENT

SCALE: 1"=50'



ROBERT E. LEE & ASSOCIATES, INC.
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
1250 CENTENNIAL CENTRE BOULEVARD
HOBART, WI 54155
PHONE: (920) 662-9641
FAX: (920) 662-9141
INTERNET: WWW.RELEINC.COM
RN1100X11134298.DWG; STB_ELEMENTS.DWG

All that part of the Grantor's property being part of the Northeast 1/4 of the Northwest 1/4 of Section 9, T27N-R26E, City of Sturgeon Bay, Door County, Wisconsin, more fully described below:

Commencing at the Northwest corner of said Section 9; thence S89°18'24"E, 1638.82 feet on the north line of said Northwest 1/4; thence S00°18'24"E, 30.00 feet to the southerly right of way of Michigan Street, the **POINT OF BEGINNING**; thence continuing S00°18'24"E, 213.91 feet to Point A; thence N45°18'24"W, 52.73 feet; thence S89°41'36"W, 22.72 feet; thence N00°18'24"W, 177.67 feet to said southerly right of way; thence S89°18'24"E, 60.01 feet on said southerly right of way to the Point of Beginning.

As shown and dimensioned on the attached Exhibit A.

Said parcel (Utility and Ingress/Egress Easement) contains 11,324 sq.ft. or 0.260 acres.

and also

BEGINNING at aforementioned Point A; thence S00°18'24"E, 18.71 feet; thence N89°30'24"W, 60.01 feet; thence N00°18'24"W, 55.15 feet; thence N89°41'36"E, 22.72 feet; thence S45°18'24"E, 52.73 feet to the Point of Beginning.

As shown and dimensioned on the attached Exhibit A.

Said parcel (Permanent Regulator Station Easement) contains 2,639 sq.ft. or 0.061 acres

NOTICE OF PUBLIC HEARING

The City of Sturgeon Bay Plan Commission will hold a public hearing in the Council Chamber, 421 Michigan Street, Sturgeon Bay, Wisconsin on Wednesday, April 3, 2019 at 6:00 p.m. or shortly thereafter regarding a request from Wisconsin Public Service Corporation for a conditional use approval for a proposed 17' x 12' gas lift facility to be located at 1843 Michigan Street, parcel #281-62-42000103. The subject site is located in a commercial (C-4) district, which requires a conditional use permit for the proposed facility. The application is on file with the Community Development Department and can be viewed at 421 Michigan Street weekdays between 8:00 a.m. and 4:30 p.m. The public is invited to attend the meeting and give testimony in favor or against the proposed conditional use permit.

By order of:

City of Sturgeon Bay Plan Commission



Wisconsin Public Service Corporation
700 North Adams Street
Green Bay, WI 54301
www.wisconsinpublicservice.com

December 27, 2018

e3894

CITY OF STURGEON BAY
CITY ADMINISTRATOR JOSH VANLIESHOUT
421 MICHIGAN ST
STURGEON BAY WI 54235-2217

Subject: Natural gas lateral Certificate of Authority issued

Dear Local Public Official:

The Public Service Commission of Wisconsin (PSCW) issued a Certificate of Authority approving our plans to build a natural gas lateral that will provide reliability and an additional natural gas supply to the city of Sturgeon Bay.

The PSCW approved the route as shown on the enclosed map. Landowners impacted by the selected route will be contacted soon by a land agent to discuss next steps and the easement process.

Construction is anticipated to begin in spring 2019 and be completed by fall 2019.

If you have any questions, please call us at 877-380-0522.

Sincerely,

Dena Andre
Project Supervisor

Enclosure – Selected route map





04/25/2015



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



Phone: 920-746-2910
Fax: 920-746-2905
E-mail: molejniczak@sturgeonbaywi.org
Website: www.sturgeonbaywi.org

October 31, 2018

Adam Ingwell
Public Service Commission of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854

RE: Application of Wisconsin Public Service Corporation for Natural Gas Distribution Main and Associated Facilities in Sturgeon Bay, WI

Dear Mr. Ingwell,

Your letter dated October 16, 2018 regarding the above referenced utility project in Sturgeon Bay has been reviewed by the Sturgeon Bay City Administrator, City Engineer and me. The following are our comments.

The overall project to extend a new main, new bay crossing and new regulator facility is supported. The project will improve service in the City of Sturgeon Bay and provide needed redundancy in the event of failure of the existing aged bay crossing. The route submitted by WPSC is supported.

Regarding the proposed regulator station there are four options presented. Please note that all four locations will require Plan Commission approval of a conditional use under the Sturgeon Bay Zoning Code. The conditional use approval process involves a public hearing and approval by a majority of the Commission members. The input from nearby property owners and the recommendation made by city staff are major factors that influence this decision.

The Chaudoir West site has been reviewed by staff. We have previously expressed our concerns with this option to WPSC. The site is within a residential neighborhood, is very visible, and has received numerous negative comments from nearby property owners. We believe it would be very difficult for WPSC to gain approval of the conditional use at this site.

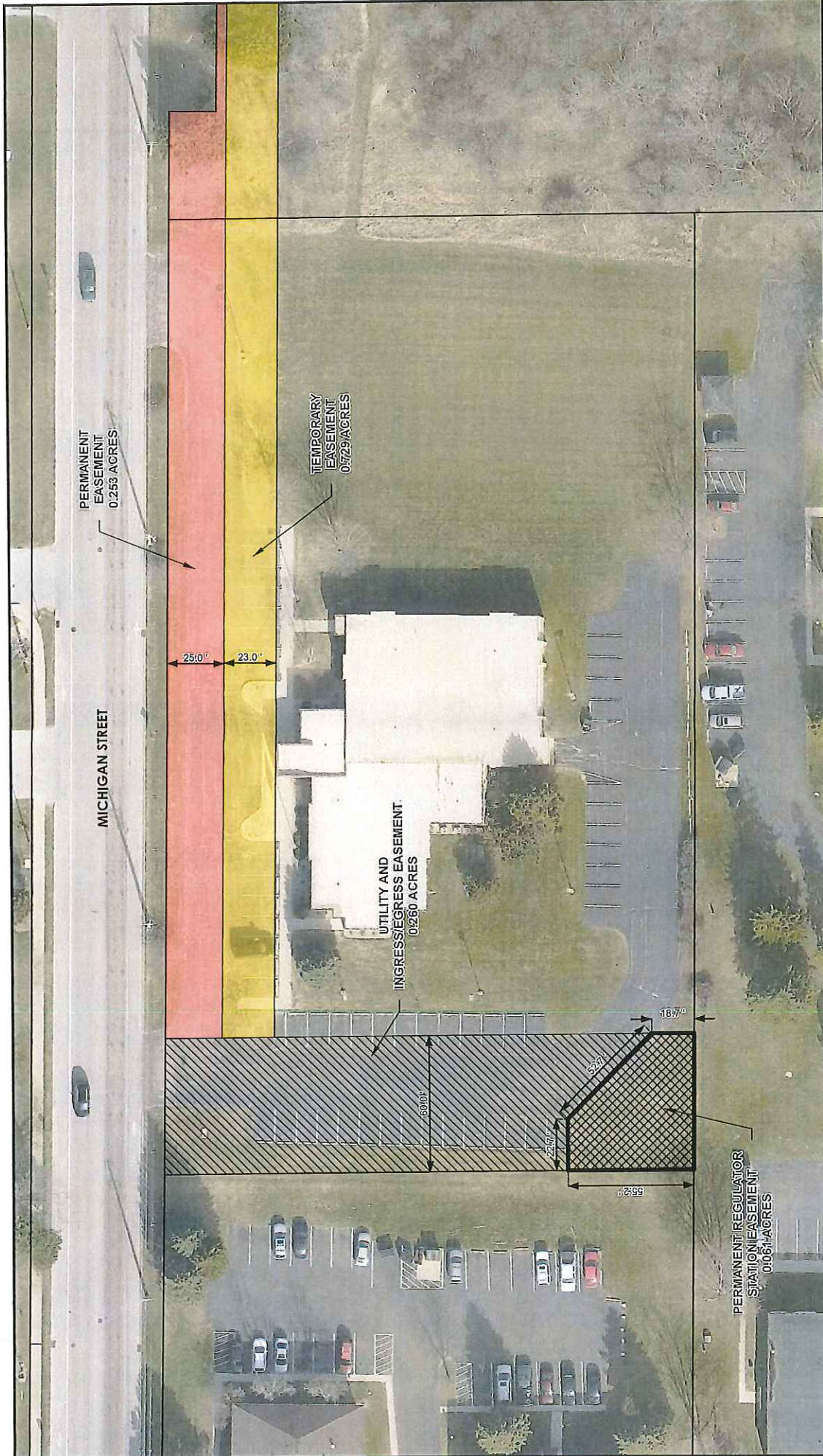
The other three options are more suitable sites for the regulator station in our opinion. The Hospital North and Hospital South options are located on property planned for nonresidential use. The Chaudoir East option is within a future mixed residential area, but is well located away from existing residences. All three alternative options are situated to the rear of the subject parcels and, hence, do not tie up valuable arterial/collector street frontage. Therefore, all three have a much greater chance of gaining conditional use approval compared to the Chaudoir West option.

Staff has a slight preference for the Hospital North option due its small footprint. However, due to its location close to apartment units, there will very likely be a city-imposed requirement for screening by way of solid fence, decorative wall, or vegetation. Hence, our support for this option is subject there being sufficient room within/along the boundaries of the site for such screening.

Sincerely,


Martin Olejniczak, AICP
Community Development Director

MO/cn

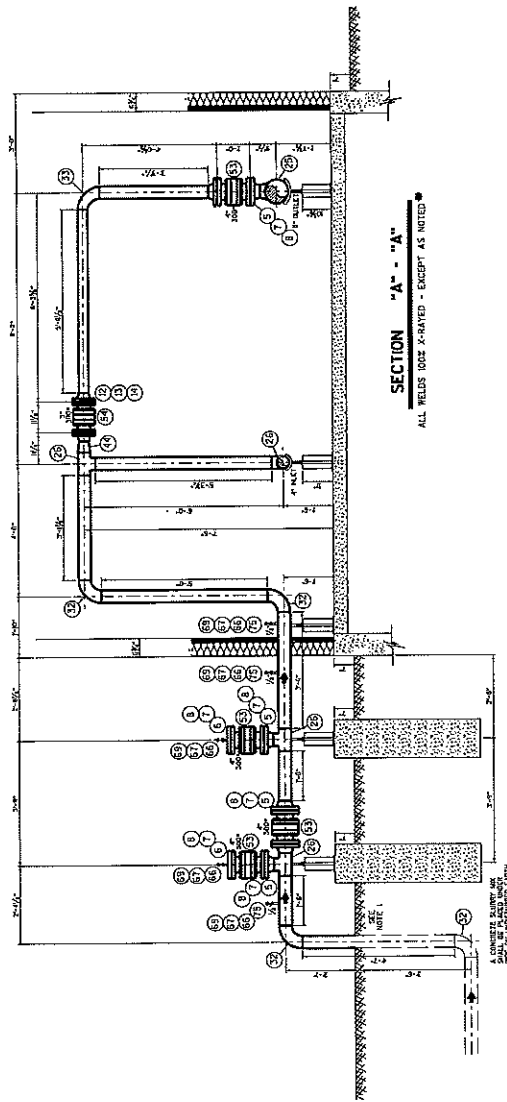


Site Layout City of Sturgeon Bay Door County, WI		DATE: 3/4/2019 JOB: 1134298 DRAWN: PFO	Legend <input checked="" type="checkbox"/> Utility and Ingress / Egress Easement <input checked="" type="checkbox"/> Permanent Regulator Station Easement <input type="checkbox"/> Parcel Lines <input type="checkbox"/> Permanent Easement <input type="checkbox"/> Temporary Easement	Source: Robert E. Lee & Associates, Inc. ESRI, Door County <small>Disclaimer: Robert E. Lee & Associates, Inc. makes every effort to ensure the map is free of errors but does not warrant the map or the information contained therein. The map is provided for informational purposes only and should not be used for legal or financial purposes without the written consent of Robert E. Lee & Associates, Inc.</small>	 Robert E. Lee & Associates, Inc. Engineering, Surveying and Environmental Services 1250 Centennial Centre Boulevard, Hobart, WI 54155 Phone: (920) 562-9641 FAX: (920) 562-9141 www.releeinc.com
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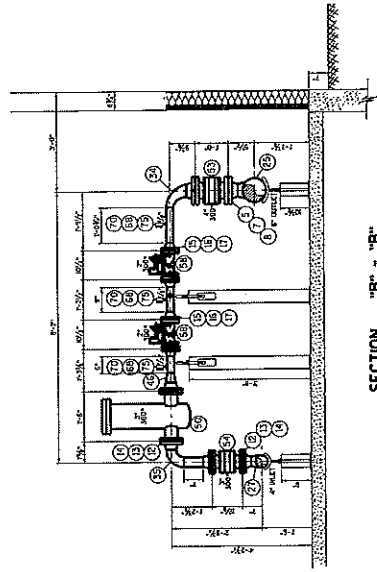
WISCONSIN PUBLIC SERVICE CORP.		PIPING PLAN EAST STURGEON BAY DRS STURGEON BAY, WISCONSIN	
201 202 203 204	1000 1000 1000 1000	300 300 300 300	1000 1000 1000 1000
35-40064		1000	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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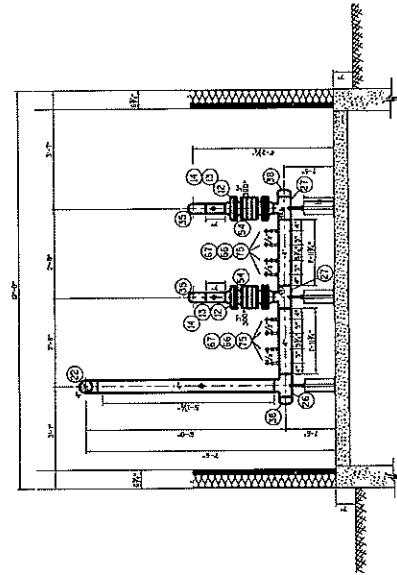
SECTION "A" - "A"

ALL WELDS 100% X-RAYED - EXCEPT AS NOTED



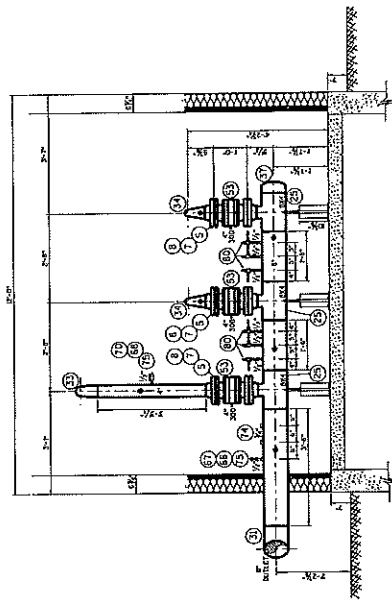
SECTION "B" - "B"

ALL WELDS 100% X-RAYED - EXCEPT AS NOTED



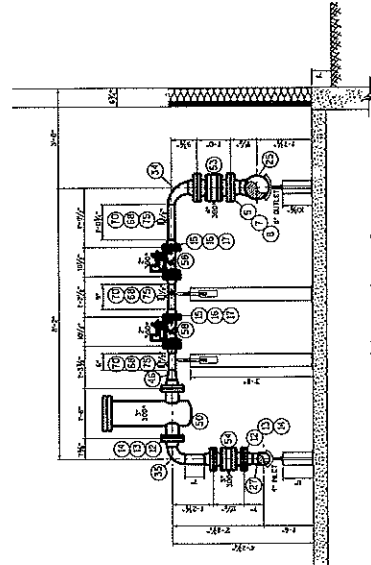
SECTION "D" - "D"

ALL WELDS 100% X-RAYED - EXCEPT AS NOTED



SECTION "E" - "E"

ALL WELDS 100% X-RAYED - EXCEPT AS NOTED



SECTION "C" - "C"

ALL WELDS 100% X-RAYED - EXCEPT AS NOTED

0-221-105150-C90
101 221001350C

WISCONSIN PUBLIC
SERVICE CORP.

PIPELINE SECTION
EAST STURGEON BAY DIS
STURGEON BAY, WISCONSIN
33-40064

NOTE: E
ALL PIPES SHALL BE WRAPPED IN SHIP
WITH SYNTHETIC RESIN AND AN ADHESIVE
TO PREVENT CORROSION FROM INSIDE OUT
TO PUMP SHOP.

BILL OF MATERIALS

ITEM NO.	QTY	SIZE	DESCRIPTION	CODE NO.
(1)	1	8"	8"-300" WELD FLANGE W/ 1/2" TAP	P.O.
(2)	1	8"	8"-300" BLIND FLANGE W/ 1/2" TAP	P.O.
(3)	24	1/2" x 6/8"	BOLT STUDS W/2 HYV HEX NUTS, COATED	1220460
(4)	2	8" x 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220458
(5)	22	4"	4"-300" WELD FLANGE W/ 1/2" TAP	1220408
(6)	4	4"	4"-300" BLIND FLANGE W/ 1/2" TAP	P.O.
(7)	20	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(8)	160	1/2" x 6"	BOLT STUDS W/2 HYV HEX NUTS, COATED	1220459
(9)	3	4" x 10"	INSULATING CASSETS - FULL FACE	1220460
(10)	2	4"	INSULATING SLEEVES W/ 1/2" TAP	1220462
(11)	24	3/4" x 5"	BOLT STUDS W/2 HYV HEX NUTS, COATED	1220463
(12)	10	3"	3"-300" WELD FLANGE W/ 1/2" TAP	1220408
(13)	10	3" x 5/8"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(14)	80	3/4" x 4 1/2"	BOLT STUDS W/2 HYV HEX NUTS, COATED	1220460
(15)	8	2"	2"-300" WELD FLANGE W/ 1/2" TAP	1220408
(16)	8	2" x 4 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(17)	64	3/4" x 3 1/2"	BOLT STUDS W/2 HYV HEX NUTS, COATED	1220460
(18)	10	8"	8"-300" WELD FLANGE W/ 1/2" TAP	P.O.
(19)	4	8" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(20)	16	3/4" x 4 1/2"	BOLT STUDS W/2 HYV HEX NUTS, COATED	1220460
(21)	3	8" x 1 1/2"	INSULATING CASSETS - FULL FACE	1220460
(22)	3	8"	INSULATING SLEEVES W/ 1/2" TAP	1220462
(23)	32	3/4" x 5"	BOLT STUDS W/2 HYV HEX NUTS, COATED	1220463
(24)	2	8" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(25)	4	8" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(26)	5	8" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(27)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(28)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(29)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(30)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(31)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(32)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(33)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(34)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(35)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(36)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(37)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(38)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(39)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(40)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(41)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(42)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(43)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(44)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(45)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(46)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(47)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(48)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(49)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408
(50)	2	4" x 1 1/2"	CARLOCK NYC 8" B80 BLACK GASKET	1220408

BILL OF MATERIALS

ITEM NO.	QTY	SIZE	DESCRIPTION	CODE NO.
(51)	1	8"	8"-300" WELD FLANGE W/ 1/2" TAP	P.O.
(52)	1	8"	8"-300" BLIND FLANGE W/ 1/2" TAP	P.O.
(53)	11	4"	4"-300" WELD FLANGE W/ 1/2" TAP	P.O.
(54)	3	3"	3"-300" WELD FLANGE W/ 1/2" TAP	P.O.
(55)	0	4"	4"-300" BLIND FLANGE W/ 1/2" TAP	P.O.
(56)	0	4"	4"-300" BLIND FLANGE W/ 1/2" TAP	P.O.
(57)	0	4"	4"-300" BLIND FLANGE W/ 1/2" TAP	P.O.
(58)	4	2"	REGULATOR - 2"-300"	P.O.
(59)	1	1"	FISHER 2894H RELIEF VALVE	1220380
(60)	1	1"	CAP VENT E-G WELTHER	1220386
(61)	1	2" x 4"	HEAVY STATION NIPPLE - SEAMLESS	P.O.
(62)	1	1"	HEAVY BALL VALVE	1220396
(63)	1	1"	BULL PLUG	1220396
(64)	1	1"	HEAVY STATION NIPPLE - SEAMLESS	1220396
(65)	17	1/2" x 3"	HEAVY STATION NIPPLE - SEAMLESS	1220396
(66)	17	1/2" x 1/4"	HEAVY BALL VALVE	1220396
(67)	17	1/2" x 1/4"	HEAVY BALL VALVE	1220396
(68)	6	1/2" x 1/4"	HEAVY BALL VALVE	1220396
(69)	22	1/2"	BULL PLUG	1220396
(70)	8	1/2"	BULL PLUG	1220396
(71)	2	1/2"	BULL PLUG	1220396
(72)	2	1/2"	BULL PLUG	1220396
(73)	2	1/2"	BULL PLUG	1220396
(74)	2	1/2"	BULL PLUG	1220396
(75)	2	1/2"	BULL PLUG	1220396
(76)	2	1/2"	BULL PLUG	1220396
(77)	2	1/2"	BULL PLUG	1220396
(78)	2	1/2"	BULL PLUG	1220396
(79)	2	1/2"	BULL PLUG	1220396
(80)	2	1/2"	BULL PLUG	1220396
(81)	2	1/2"	BULL PLUG	1220396
(82)	2	1/2"	BULL PLUG	1220396
(83)	2	1/2"	BULL PLUG	1220396
(84)	2	1/2"	BULL PLUG	1220396
(85)	2	1/2"	BULL PLUG	1220396
(86)	2	1/2"	BULL PLUG	1220396
(87)	2	1/2"	BULL PLUG	1220396
(88)	2	1/2"	BULL PLUG	1220396
(89)	2	1/2"	BULL PLUG	1220396
(90)	2	1/2"	BULL PLUG	1220396
(91)	2	1/2"	BULL PLUG	1220396
(92)	2	1/2"	BULL PLUG	1220396
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(94)	2	1/2"	BULL PLUG	1220396
(95)	2	1/2"	BULL PLUG	1220396
(96)	2	1/2"	BULL PLUG	1220396
(97)	2	1/2"	BULL PLUG	1220396
(98)	2	1/2"	BULL PLUG	1220396
(99)	2	1/2"	BULL PLUG	1220396
(100)	2	1/2"	BULL PLUG	1220396

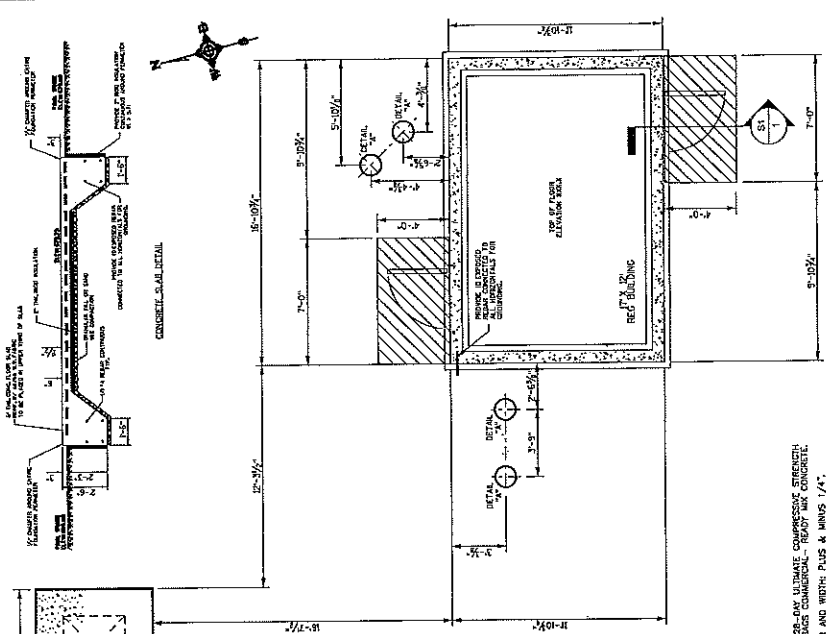
NOTE: (SEE DRAWING)
 1" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 2" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 4" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 6" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 8" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 10" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 12" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 14" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 16" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 18" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 20" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 22" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 24" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 26" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 28" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 30" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
 32" PIPES - 1015-1015 EX. ASTM A105 200 WALL - P.O.
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WISCONSIN PUBLIC SERVICE CORP.

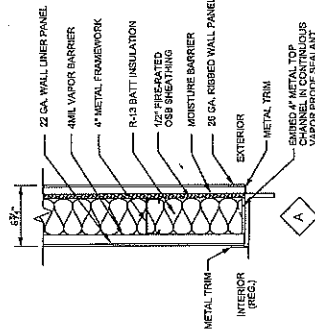
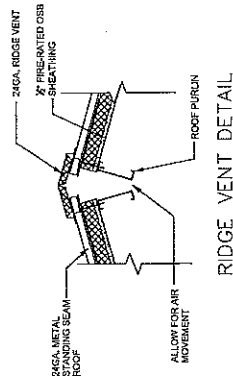
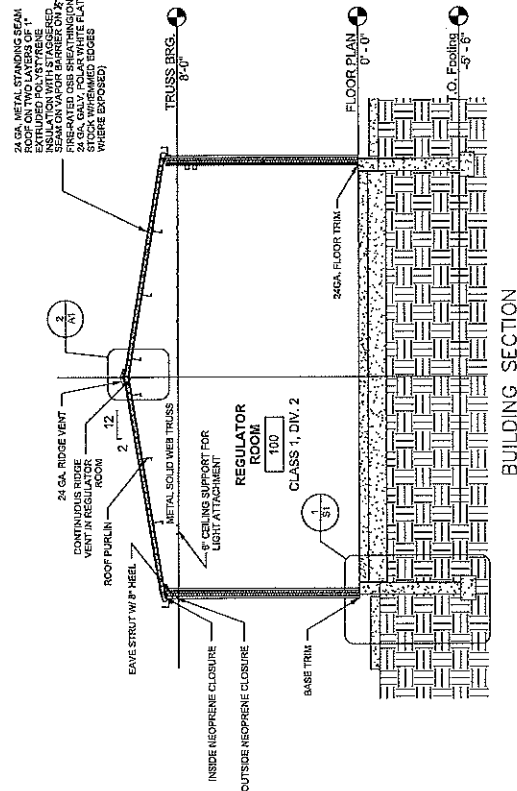
BILL OF MATERIALS
 EAST STURGEON BAY DR
 STURGEON BAY, WISCONSIN
 33-40064 83413

NOTE: D
 ALL ITEMS SHALL BE WRAPPED IN SHOP
 WITH STRONG TAPE PRIOR TO LEAVING
 TO PREVENT DAMAGE TO PAINT SURF.

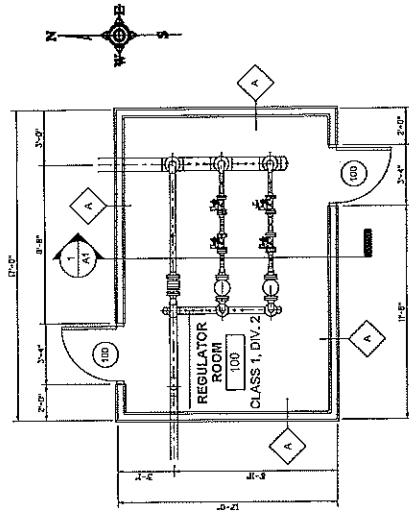
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DOOR SCHEDULE									
DOOR					FRAME				
DOOR NUMBER	WIDTH	HEIGHT	THICKNESS	DOOR TYPE	INSULATED	MATERIAL	GAUGE	FINISH	DOOR
100	3'-0"	7'-0"	1 3/4"	1	STEEL	18	PAINT	1	1
Borrowed Lite					Borrowed Lite				
MATCH TO EXISTING					MATCH TO EXISTING				
FINISH					FINISH				
THICKNESS					THICKNESS				
DOOR TYPE					DOOR TYPE				
INSULATED					INSULATED				
MATERIAL					MATERIAL				
GAUGE					GAUGE				
FINISH					FINISH				
MATCH TO EXISTING					MATCH TO EXISTING				
HEAD DETAIL					HEAD DETAIL				
JAMB DETAIL					JAMB DETAIL				
SILL DETAIL					SILL DETAIL				
FIRE RATING					FIRE RATING				
CYLINDER ONLY					CYLINDER ONLY				
LEVER LOCK SET					LEVER LOCK SET				
LEVER LATCH SET					LEVER LATCH SET				
PAIN PRIVACY					PAIN PRIVACY				
PAIN DEVICE					PAIN DEVICE				
PUSH/PULL					PUSH/PULL				
HINGES (PAIR)					HINGES (PAIR)				
NON-REMOV. PINS					NON-REMOV. PINS				
DOOR STOP					DOOR STOP				
CLOSER W/HOLD OPEN OPTION					CLOSER W/HOLD OPEN OPTION				
KICK PLATE					KICK PLATE				
FLUSH BOLTS					FLUSH BOLTS				
SURFACE BOLTS					SURFACE BOLTS				
ELECTRIC STRIKE					ELECTRIC STRIKE				
LATCH GUARD					LATCH GUARD				
RAIN GUARD					RAIN GUARD				
THRESHOLD/SWEEP					THRESHOLD/SWEEP				
WEATHER STRIP					WEATHER STRIP				
FINISH					FINISH				
MATCH TO EXISTING					MATCH TO EXISTING				
WIRE					WIRE				
1 1/4" CLR. SAFETY					1 1/4" CLR. SAFETY				
1" CLR. INSUL. SAFETY					1" CLR. INSUL. SAFETY				
FIRE GLAZING					FIRE GLAZING				

DOOR TYPE: 1 = FLUSH; 2 = NARROW LITE; 3 = HALF LITE; 4 = FULL LITE
 NOTES: 1. PROVIDE S.S. PULL HANDLE MOUNTED ON INSIDE FACE OF DOOR.



WALL TYPES



FLOOR PLAN

GENERAL NOTES:
 1. DIMENSIONS ARE TO THE FACE OF STRUCTURAL FRAMING, CENTER OF OPENING OR PIPE, UNLESS OTHERWISE NOTED.
 2. COORDINATE ALL PENETRATIONS PRIOR TO BUILDING ASSEMBLY.

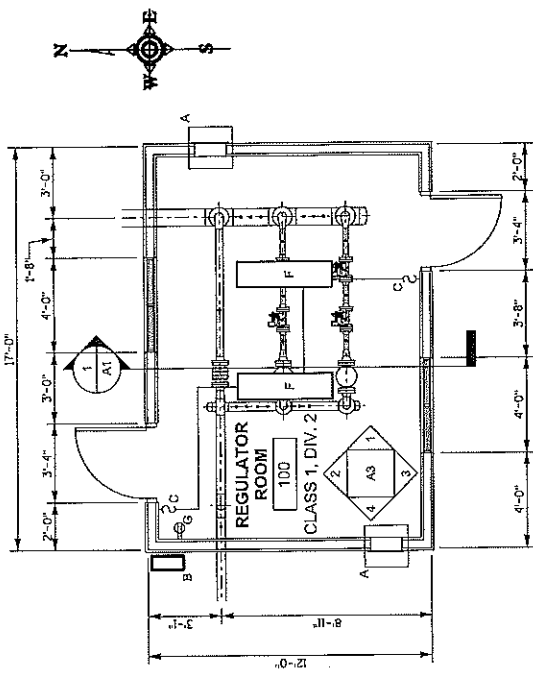
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WISCONSIN PUBLIC SERVICE CORP.

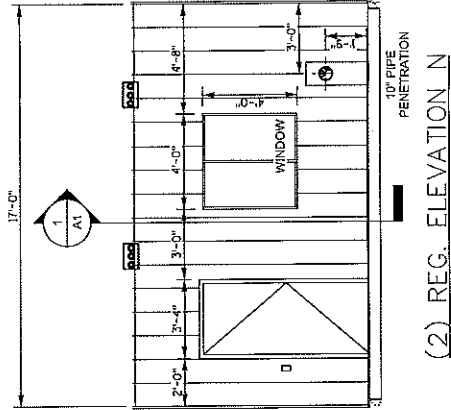
DETAILS - REGULATOR BUILDING
 EAST STURGEON BAY, WISCONSIN

STURGEON BAY, WISCONSIN
 53083-1000

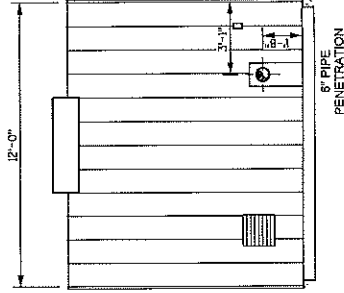
DATE: 10-1-83
 DRAWN BY: JH
 CHECKED BY: JH
 DESIGNED BY: JH
 PROJECT NO.: 33-40054
 PAGE 1 OF 4



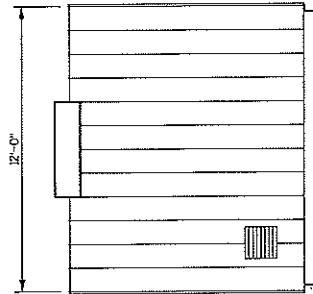
EQUIPMENT PLAN



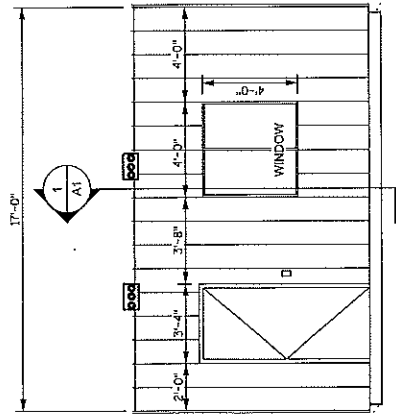
(2) REG. ELEVATION N



(4) REG. ELEVATION W



(1) REG. ELEVATION E



(3) REG. ELEVATION S

EQUIPMENT SCHEDULE	
MARK	QTY.
A	2
B	1
C	2
F	2
G	1
DESCRIPTION	
ADJUSTABLE COVER W/ FILTER & FILTER BACK AND OUTSIDE HOOD, 18" X 18"	
HAZARDOUS LOCATION JUNCTION BOX OR CONDUIT BOX	
SWITCH, HAZARDOUS, THREE WAY, 20A	
LIGHT FIXTURE, HAZARDOUS, FLORESCENT W/ WOOD AND GUARD, 3 LAMP, 4' LONG, LPM OR SIMILAR	
RECEPTACLE, HAZARDOUS LOCATION, 20A	

0-221-10560-C30
IC: 221001356C

WISCONSIN PUBLIC
SERVICE CORP.
DETAILS - REGULATOR BUILDING
EAST STURGEON BAY DIS
STURGEON BAY, WISCONSIN
DATE: 11/12/12
DRAWN BY: J. J. J. J.
CHECKED BY: J. J. J. J.
DATE: 11/12/12
PAGE 8 OF 8

Staff Report
Tourist Rooming House Code Text Amendment

At the last Plan Commission meeting, staff presented an update on the Tourist Rooming House use within the City. It was explained that there have been a few complaints and a steady growth on permits over the last 3 years. A spreadsheet was presented to show how TRH is working in Sturgeon Bay. The Commission suggested having a discussion group to help understand the issues and come up with some actionable items. A discussion was held a couple weeks ago and included approximately 15 people. A copy of the notes is located in your packet.

The discussion group was led by Chairman Dennis Statz, Ald. Kelly Avenson, Planner / Zoning Administrator Chris Sullivan-Robinson, City Administrator Josh VanLieshout, several short-term renters, and an owner from a lodging facility. There was a wide variety of opinions from both sides of the topic, but no clear consensus. There were some who believe that by allowing Tourist Rooming Housing we are taking away affordable homes to long-term residential uses, which is having a domino effect on sustainable jobs within the community. While Sturgeon Bay continues to see growth in tourism, on the back end we have seasonal job vacancies and a lack of affordable housing. Tourist Rooming Houses might not be the main problem, but there are signs across the nation that should be taken into consideration. Heavier enforcements should be imposed to maintain equal economic opportunity and maintain our sense of community.

People that support Tourist Rooming Houses believe that this is a large contributor to the tourism market and a contributor to the tax base. Because of this use, there has been an increase in the value and quality of older / less desirable homes that have been renovated. Tourist Rooming Houses aren't a new concept within the county. The VRBO and AirB&B websites have energized this type of use and added a better means of marketing. Tourist Rooming Houses helps support some businesses that are affected by the seasonality of the County. The government shouldn't add regulations without knowing if there is negative impacts occurring from this use in Sturgeon Bay and if it out-weighs the positive impacts. More information gathering is needed. Requiring short term rentals to meet this drafted ordinance is the same as banning Tourist Rooming Houses in Sturgeon Bay.

Following the discussion meeting, it was requested by Acting Chairman Statz that staff draft an ordinance that restricts new Tourist Rooming Houses based upon the maximum restrictions in the state statute, but grandfathers Tourist Rooming Houses with existing licenses. That draft ordinance is in your packet. The content is in line with what the state statute allows the City to regulate. New Tourist Rooming Houses would have to have a 7-day minimum rental period and rentals of 7 days to 28 days would be allowed for only 180 consecutive days out of any 365-day period. So, new Tourist Rooming Houses could only do weekly rentals for half the year.

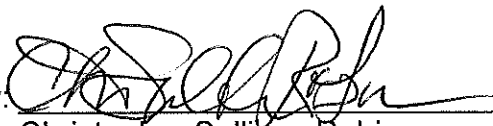
In addition, the draft ordinance grandfathers all Tourist Rooming Houses that have a valid license issued prior to July 1, 2019. This date was chosen because in Sturgeon Bay Tourist Rooming House licenses expire on June 30th and, secondly, that date should be close to the actual effective date if this draft ordinance is ultimately adopted by the Council. The grandfathered Tourist Rooming Houses would be subject to the standard nonconforming use rules of the zoning code.

Options: The Plan Commission has numerous options to consider, including:

1. Make no changes and drop the issue from consideration.
2. Recommend approval of the draft ordinance to Council as presented.
3. Consider other changes to the Tourist Rooming House regulations, such as applying the additional restrictions only to the residential zoning districts or adding additional provisions, such as local inspections or insurance.
4. Continue to gather input and data from the community, such as additional meetings of the discussion group or public info meetings, surveys, etc.
5. Table this discussion to a future date, such as next winter, to see if the trends relating to Tourist Rooming Houses in the City change in any way.

Recommendation: Staff recommends holding off (option 5) on amending the ordinance and re-evaluating this topic in the winter. Tourist Rooming Houses are having a positive impact on our seasonal and year-round economy with few negative known impacts to Sturgeon Bay. However, staff remains skeptical about Tourist Rooming Houses based on the mixed positive and negative affecting seen in other areas of the country.

Prepared by:



Christopher Sullivan-Robinson
Planner / Zoning Administrator

Date

3.29.19

Prepared by:

Marty Olejniczak
Community Development Dir.

Date

Date: 03-07-19

Topic: Tourist Rooming House Discussion

Pros:

- TRH supplements business in winter
- Increases property value.
- Decreases blight.
- Changing travel and lodging industries.
- Growing the community's tax base.
- Adding revenue directly and indirectly to the community.
- TRH is a positive factor in tourism growth.
- Provides income to homeowners (helps with ownership costs)
- TRH is different than other lodging facilities and shouldn't be compared.

Cons:

- Removal of long-term residential homes from the market.
- Struggle to maintain full-time and part-time staff.
- Changing travel and lodging Industries.
- Density of TRH by owner and location.
- Negative impact to existing lodging facilities.
- Negative impact to residential neighborhoods.
- Removal of affordable rentals.
- Lack of regulation.
- Intensifying existing population decline and housing issues.

Questions:

- Is there an issue? How do we know and is it significant? If no, at what point does TRH become a problem?
- Should state and local government regulate this market?

Potential Options:

- Require/Increase the number of inspections from various departments.
- Require proof of insurance.
- Be as restrictive as the state code allows (7 day min rental duration; rented for max of 180 consecutive days within a year period).
- Have certain requirements based on the zone.
- Create restrictions for future permits.
- Increase the permit fee.
- Review this topic at a later point.
- Make no changes.

Sullivan-Robinson, Christopher

From: Alisa Landman <alisalandman@icloud.com>
Sent: Saturday, March 23, 2019 4:03 PM
To: daveward4mayor@gmail.com; fairchildshawn@gmail.com; seanlinnan@yahoo.com; danwilliamsforalderman@gmail.com; evensondistrict5@gmail.com; gnault@charter.net; SBDistrict7; Laurel Hauser; ballfan28@yahoo.com
Cc: mgilson@sturgeonbaywi.org; shurley@sturgeonbaywi.org; jnorland@sturgeonbaywi.org; dstatz@sturgeonbaywi.org; Olejniczak, Marty; Sullivan-Robinson, Christopher; VanLieshout, Josh
Subject: Tourist Rooming House Ordinance / Short Term Rentals
Follow Up Flag: Follow up
Flag Status: Completed

Dear Candidates:

As the owner of two Short Term Rentals on Joliet Avenue where I also live and manage the STRs, I'm interested in knowing your opinions on how you would vote on changing the current Tourist Rooming House Ordinance to include these three requirements:

- 1) Allow current Tourist Rooming House permits to continue under the current ordinance as long as they are properly renewed, inspections, etc.
- 2) Require proof of proper insurance for STR and more fire inspections.
- 3) New TRH permits in R-1 (and possibly R2) zoned districts would be required to follow the 7 day minimum stay / 180 day maximum per season according to Wisconsin state law (The 7/180 rule was Lobbied-for by the Wisconsin Hotel & Lodging Association and passed along with the Wisconsin Budget Bill).

Thank you for your consideration and responses on this important issue. Your replies will help me to determine how I will vote in the April 2 election. Please reply to the email above.

As a side note, I think that having an Affordable Housing Community Land Trust might be one of other possible solutions to creating more housing for local residents. <https://www.shareable.net/blog/how-community-land-trusts-create-affordable-housing>

Regards,

Alisa Landman

Sullivan-Robinson, Christopher

From: Jennifer Bacon <phaeton458@gmail.com>
Sent: Sunday, March 24, 2019 5:19 PM
To: Sullivan-Robinson, Christopher; Olejniczak, Marty; mgilson@sturgeonbaywi.org; dstatz@sturgeonbaywi.org; jnorland@sturgeonbaywi.org; daveward4mayor@gmail.com; fairchildshawn@gmail.com; Mom Bacon; seanlinnan@yahoo.com; danwilliamsforalderman@gmail.com; evensondistrict5@gmail.com; gnault@charter.net; SBDistrict7; ballfan28@yahoo.com; Dawngcitycouncil@gmail.com
Subject: Short Term Rentals / Tourist Rooming House Ordinance
Attachments: PC-agenda-022019 (1).pdf
Follow Up Flag: Follow up
Flag Status: Completed

Dear Candidates,

First off, I wish you all luck in the upcoming election! You are all strong courageous people for putting yourselves out there and for doing your part of trying to serve this city and its fellow people!

My name is Jennifer Bacon and I am the owner of a Short-Term Rental management and cleaning company. I am writing this on behalf of my self and all STR affiliated persons. On April 3rd there will be a proposal delivered to the Planning Commission that may affect the terms that are now in place for residential areas. The proposal would limit new STRs on how many days a guest may book and how many days an owner can rent. Currently our State laws have let it be a free market.



[Audio_03_07_2019_13_00_40.mp3](#)



[Audio_03_07_2019_13_12_22.mp3](#)

In early March there was an informal discussion group that met to discuss the possible issue, concerns and possible solutions. What came from that discussion were three possible issues that may be in this new proposal.

- 1) Allow current Tourist Rooming House permits to continue under the current ordinance as long as they are properly renewed, inspections, etc.
- 2) Require proof of proper insurance for STR and more fire inspections.

3) New TRH permits in R-1 (and possibly R2) zoned districts would be required to follow the 7-day minimum / 180 day maximum according to Wisconsin state law.

It is important to note that the 3rd item came to law because the Hotel Lobbyists of Wisconsin slipped it into the budget bill in 2017.

I think that this is a very important issue to be aware of. This will not only effect STR's as a whole, but all small businesses in the City of Sturgeon Bay. We have seen a wonderful upswing in visitors to this City staying both at STR's and Hotels. I feel that with these restrictions it could discourage a major demographic of new visitors we have experienced in the past few years.

Staying at STR's not only gives visitors and option, but let's guests live like a resident within our community and neighborhoods whether it be 1 night, or many could possibly be a lure for new future residents.

These are just a few of my initial concerns, and I would appreciate to know what stance you might consider taking on this issue to help enlighten myself and my peers so that we may vote with confidence on April 2nd! I look forward to finding the solution that is best for our city!

Thank you for your time,

Jennifer Bacon

Attached is the 02/20/19 City Plan Commission Agenda

7 Consideration of: Tourist rooming houses

And the recorded audio of the informal discussion group