



MINUTES OF THE GREEN BAY PLAN COMMISSION

**THURSDAY, JULY 12, 2018, 6:00 PM
CITY HALL, ROOM 310**

A. ROLL CALL.

I. Members: Timothy Gilbert - Chair, Sidney Bremer - Vice-Chair, Ald. Veronica Corpus-Dax, Lisa Hanson, Jacob Miller, Randall Petrouske and Jerry Wiezbiskie

Members Present: Jacob Miller, Jerry Wiezbiskie, Lisa Hanson, Randall Petrouske, Timothy Gilbert, Veronica Corpus-Dax, and Sidney Bremer

Others Present: Mayor Jim Schmitt

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for July 12, 2018, special meeting of the Green Bay Plan Commission.

Moved by Ald. Veronica Corpus-Dax, seconded by Jerry Wiezbiskie to approve the agenda for July 12, 2018, special meeting of the Green Bay Plan Commission. Motion carried.

Yes- Jacob Miller, Jerry Wiezbiskie, Lisa Hanson, Randall Petrouske, Sidney Bremer, Timothy Gilbert, Veronica Corpus-Dax, No- None, Abstain- None

C. REGULAR BUSINESS.

I. (ZP 18-21) Consideration and possible action on the request to create a Planned Unit Development (PUD) in the 200 Block of North Van Buren Street, submitted by Garritt R. Bader, GB Real Estate Investments, LLC (Ald. R. Scannell, District 7).

Moved by Jerry Wiezbiskie, seconded by Randall Petrouske to open the floor for discussion. Motion carried.

Yes- Jacob Miller, Jerry Wiezbiskie, Lisa Hanson, Randall Petrouske, Sidney Bremer, Timothy Gilbert, Veronica Corpus-Dax, No- None, Abstain- None

R. Petrouske stated for the record that he does own one of the Whitney townhomes.

Moved by Lisa Hanson, seconded by Sid Bremer to go close floor for discussion. Motion carried.

Yes- Jacob Miller, Jerry Wiezbiskie, Lisa Hanson, Randall Petrouske, Sidney Bremer, Timothy Gilbert, Veronica Corpus-Dax, No- None, Abstain- None

Moved by Jerry Wiezbiskie, seconded by Lisa Hanson to approve the request to create a Planned Unit Development (PUD) in the 200 Block of North Van Buren Street, subject to the draft Planned Unit Development (PUD). Motion carried.

Yes- Jacob Miller, Jerry Wiezbiskie, Lisa Hanson, Randall Petrouske, Sidney Bremer, Timothy Gilbert, Veronica Corpus-Dax, No- None, Abstain- None

D. ADJOURNMENT.

Moved by Sidney Bremer, seconded by Lisa Hanson to adjourn. Motion carried.

Yes- Jacob Miller, Jerry Wiezbiskie, Lisa Hanson, Randall Petrouske, Sidney Bremer, Timothy Gilbert, Veronica Corpus-Dax, No- None, Abstain- None

VERBATIM MINUTES

- Welcome to the July 12th, 2018 meeting of the Green Bay Planning Commission. First item on the agenda, role call. Timothy Gilbert, chair?

- Present.

- Sydney Bremer, vice chair?

- Present.

- Alder Veronica Corpus-Dax?

- Present.

- Lisa Hanson?

- Present.

- Jacob Miller?

- Present.

- Randall Petrouske?

- Present.

- Jerry Wiezbiski?

- Present.

- Thank you. Approval of the agenda for the July 12th meeting? It sure would entertain a motion.

- Second

- Second.

- We will motion a second to approve the agenda and further discussion. Carrying on. All in favor saying aye?

- Aye.

- Oppose? Motion carries. Regular business, item one. Consideration of possible action on a request to create a planned unit development in 200 blocks of West Van Buren Street, submitted by Garritt R. Bader, GB Real Estate Investments.

- Thank you, Mr. Chairman, this is a request to create a planned unit development for a 4-unit development along the 200 block of North Van Buren. So, certain properties highlighted in red here in Van Buren St, right north and south on Cherry St, east and west. This is just behind the Whitney School development we talked about a few months ago. In this particular area is a variety of land uses going on. There's a bridal church on the corner, there is an office building to the south, and there's a mixture of single and two-family uses as well, in the apartment buildings up along Pine Street. CVS is to the north of Whitney School. City's comprehensive planner recommends a medium intensity office and housing. This of that. The current zoning has office, residential, as well as the immediate area, there is some commercial areas off of main street of course. But this here is office/residential. The proposal is to create two two unit semi-detached dwelling place, I won't call them townhomes, but they're four units total. This is a site plan showing Cherry St, Van Buren. There are currently four lots already that are in this area that are rather small and strange, I guess, basically, they're going to be re-configured into four lots and create these boundaries here for the two units here and two units there. As far as set backs, these units are set back off of Van Buren St about three and a half feet or so. There's a set back off of Cherry St of about eleven feet. Kind of keeping it at homes along the north side of Cherry, and there's a 20 foot setback separating this development from the single family homes adjacent. There are also town homes going on as part of the school development. These are kind of compatible as far as setbacks in general placement. This is not included in your pack, but just want to pass this along. These are elevations for the single units. On the right hand side is the front of the building. You can kind of see this common wall that they share with one unit and the second unit. On the left hand side is the west side of the structure. They have two stone garages, and decks above. These have full basements. These are very similar to each other, townhomes, that were built in the neighborhood by the same applicant. This is a perspective view from Cherry street. Showing that side view. This is a plan unit building to prepare a draft. You can view that, it's attached within your agenda. If you have questions, I can address those one by one. We need to number five property here within 200 feet. We received one or two inquiries, but no objections to the request. We're recommending approval on the request, subject to the PUD that's attached within the agenda.

- Thank you, Paul. Any discussion?

- Paul, you just managed to answer my two questions.

- Good!

- So are you redrawing the lot lines? Or is it gonna be all owned by one person?

- Right. So this is a current configuration as one lot here. There's three smaller ones to be reconfigured into four individual lots. So those are individual units.

- Gotcha.
- Mr. Chairman? Are we allowed to speak yet?
- Not yet.
- Okay.
- We move to open the floor.
- I had a question. Each one of those units, is that whole complex going to be owned by one person?
- Individual ownerships.
- There'll be individual ownerships, but multiple residents in these buildings?
- No. Single-family uses for these.
- They're all single-family.
- Right, they have to share a common wall in each building.
- They share a common wall, and they have up and down and their garage.
- Yes.
- Okay.
- Two and a half stories in height, full basements.
- So it's pretty similar to what's gonna be in that new complex by Whitney School down the street further.
- Slightly different but the other ones across the street have a shed roof on them. The other ones north had the CVS and the flat roof.
- Right.
- Generally speaking, they're very similar.
- Okay. Thank you.
- And one question. I found my notes so I could remember to ask. Is storm water management plan applicable in this case? The PUD drafts says "if applicable".
- Yes.
- There will be one requirement.
- I'm not sure, these are probably treated as single-family units. But, yet, they might be treated a cluster. So they may apply. We haven't gotten that far with our engineers yet. Unless Jerry can speak to that, if he's looked at that yet or not. We just put that in, in case there's a requirement.
- So more research to be done.
- More homework to do, yep.
- Okay, thank you.

- What was the goal of this floor?

- We have a motion to second to open up the floor? Any further discussion? Carrying on? All those in favor say aye?

- Aye.

- Opposed?

- As you come up to the podium, will you please give me your name and address, for the record please?

- Sure.

- My name is Gary Wickert, I'm the attorney for Lawrence Mancheski. The reason we're here this evening, if you click back to one of the earlier, Lawrence is the owner since 1980 of this apartment building, and also properties over here. And he's here tonight to object in a sense, and I'll explain, Lawrence needs parking for his structure, and a number of years ago, he approached the city regarding buying either this piece, or a portion of this piece, so that he could create additional parking for his apartment building. He was told at that time that it's not for sale. He also at one time saw a 'For Sale' sign out there, didn't you Lawrence?

- Yes I did.

- You called and were told it wasn't for sale?

- The next day, the sale sign went down.

- And the ownership, this is owned by the Green Bay development authorities, so is this corner piece, and then these two are privately owned. What Lawrence would like to do is purchase this portion of the property. The development that is here can still continue. This piece is 52 and a half feet by 37 and a half feet, this little square up in this corner. And that way, he could create four or five additional parcels. Yes, this is a garage, yes a portion of the garage would have to be removed to create the access. But, he he's been a long time owner. I don't know if any of you are familiar with the property. I haven't gone past it for a while, so I went out this afternoon to ride past it. It's a very nice building that he has there. It really has that kind of a neat look around that park area. And he needs some help. So he's been a 37, 38 year owner and tax payer, and yes, this is a nice new development. But if in the course of doing something new, if you can help out and improve something old, that's what we're asking for. Don't oppose what's going on here, but do not believe this is needed for what is being proposed. It could easily be carved off, attached to this parcel, and help Lawrence out with some additional parking. That's where we're at, and, I'll field any questions. Lawrence has been a client for, 20 years?

- Yeah, about that, at least.

- He called me yesterday afternoon. You know, lawyers love those calls. He can say, 'Hey, Gary, can you help me out on this thing' So I say, well, let me see what I can do. And I have to say Paul was very helpful as far as getting me some information and some maps, and the staff report, and that kind of thing. I thought, oh geez, I looked at the standards for a PUD, and again, we're not really coming in to object to it. But I think it can still happen- give me one of those other colored drawings, yeah. And you can still do all of this, but sell to Lawrence that. That's what we're asking for. So if that goes down as opposition, so be it, but it's kind of a in-between on that. No we don't oppose, but help us out here also. = Thank you.

- You're welcome.

- Paul? The subject property who gains ownership of that? Is it the city?

- So those parcels, two parcels that I think that you're referring to, 827 and 829 Cherry Street, I don't know if you have a back to that.

- Sure.

- 827 and 829 Cherry St, those are parcels that are owned by development authority. In March of this past year, the re-development authority granted Mr. Bader a planning option to explore the feasibility of doing some town homes on that. So, that planning option was granted, and ultimately resulted in this development that's moved forward here. The re-development authority last month looked at a term sheet with Mr. Bader for potential TIF assistants for building these properties that's selling through a development agreement based on what happens here today. In terms of the planning option with Mr. Bader, I believe that was done through the re-development authority they will look at options for, okay as you sell property what's the highest and best use for development? I'm not sure what Mr. Mancheski here's attorney or individual called the office. Who they spoke with. I'm guessing though at the time, given that piece that Mr. Bader was looking at this, in terms of the timing, had moved on the road in terms of exploring this option. I think in terms of, again the redevelopment authority we went through this, I think with that parcel on that the city owns, and we're looking for the highest and best use in what's going to create tax increments down there and in this case, a housing option would be preferential in terms of parking. With that, I know Mr. Mancheski, I think, has talked to Mr. Bader about potentially having room for some parking. I think as Mr. Bader looks at potentially expanding the scope of this project, there may be some opportunity to have some joint use or shared use, and we talked about coming back to increasing coverage. We didn't do it at this point, because I think we don't know what's going to happen, and two, we don't quite know where the stormwater management is going to fall. But if there is an option available, for the future, just going back to the re-development authority felt that this was the best option for that parcel. So they're the ones who move forward with that piece.

- So the business before us is to consider and possibly act on your request to create the PUD for the parcel?

- The question before us by the gentleman isn't part of the agenda.

- Sure.

- Jurisdiction to dictate lopping property off at this point. That would have to go back to the re-development authority.

- Say that last again, Kevin?

- It would be up to the re-development authority if they were to look at lopping off a piece of that property before development. It wouldn't be the guy at the planning commission to be doing that.

- So we would need back to that-

- Correct. With that, Mr. Bader has a planning option on that property. It was granted in March, and it was a six month planning option. So it would have to go back, and we wouldn't be able to do anything with that until September. I think in terms of re-development authority perspective, I think the opportunity to move forward with this project was why we wanted to grant that option, and leave it up to then the private properties to work under the agreement, come down the road, versus the city taking the piece off now, and restricting our ability, or at least our ability to develop it.

- As a point of clarification, if I may, Lawrence has not spoken with Mr. Bader about trying to do something, I mean. As I explained it, this dropped on my desk a little more than 24 hours ago. You gotta do what you gotta do quickly, and get in, and say well let's not go too far before we've had a chance to at least have that kind of discussion with you. We're not here to delay or disrupt, that's not our point, let's be clear. I'm coming in and all of a sudden boom, whoa! Wait a minute here.

- Understood.

- Does Mr. Bader have a rep here? Would you be able to answer a few questions?

- Yeah, I was just letting you get through that

- Sure.

-raise my hand to see if there's anything I can help with.

- Is it appropriate for me to ask you some

- If you would come up to the podium please, and state your name and address for the record.

- Mister, I gotta run out at 6:30

- Right, yeah.

- Land sales, different department, don't want to overreach here.

- Yeah, the two are connected though.

- Okay. I got two horses and they're pulling away.

- Thank you.

- Good evening. I'm Jerry Schmidt, at Robert E. Lee & Associates, at 1250 Centennial Centre Boulevard. As Garritt had left a note for you folks, who couldn't unfortunately be here tonight, but has asked me to come and speak on his behalf, and answer any questions that may exist. If you would like any more explanation about the plan, or things going forward, I would be happy to answer those as best as I can.

- Just a couple of questions. Again, I need to disclose that I do live in the first, the second phase of this development in the Whitney Town homes just north of there. Garritt's one of my neighbors, just to put that on the record. Do you know how far along in the process Garritt is with this development?

- So, as we said today, this was kind of a big step to move forward. The PUD help set some of the guidelines for the development plan to be allowed to be submitted to the city for site plan review. I'm working the stormwater details. The desire is to break around the within, let's say, the next 60 days or so. In order to do so, we have a certified survey method that has to get prepared and filed. It has a 40 day review period at the city level. Site-side review could be in that, let's say, 20 to 30 to 40 day review timeline. Given that, tomorrow we're gonna finish the CSM. The next day we would submit it, and get that timeline started, so today's a really important day for the process. I know waiting until September would be very challenging, it would probably cost us this construction season. From a PUD standpoint, this is a major step-in sending forth those guidelines, specifically stepbacks allowing us to

- Are you aware of, or able to disclose, whether he has any purchasers already lined up for these properties?

- I can't speak to that. I know that there's been significant interest. I know he fields calls regularly, because of what has happened adjacent. But as far as firm sales, I think until it gets a little bit farther in the process, I don't even know if anybody can entertain accepting offers? Maybe he's got verbal confirmation, but I don't know that for certain.

- I've spoken with him, and I believe he has two, again kind of contingent upon things, and again, it's agreement only so much as what you can offer as you go through the process to the event but, just trying to review some emails that he has to my knowledge

- that is consistent with what he had told me. Nothing can be in stone yet.

- Correct.

- So is that green space necessary for this development? As far as the percentage, does that even apply in this situation?

- As far as percentage of green space, we see the minimum suggested within the PUD, it's at 65% hard surface, 35% green. We're about 50-50 in this ratio. I think in a perfect world, and in Garritt's mind, he always looks at the bigger picture. Is that this would be a continuous development, and maybe view what happened on the other

one? Obviously there's a lot of private parties that own property in the area, so can he dictate that? He can't. But in the event that things work out, I think he would love to expand it. It's been a successful redevelopment of the area, and like I said, the way he thinks, the hope would be to expand, extend it, and if that would happen, that land becomes very valuable for his objective. But I also know that he has talked, that there was discussion of the parking, and depending on what that next step looks like, he would be open to that because it may be more than what he needs. As you can see, there's, this space here is 20 ft of green space. Within the PUD, that's a requirement. 20 ft setback for billable area, which would be pavement or structure. If that was reduced, or as this development moves, the building's dimensions or sizes change, then that would allow for more space for parking for adjacent owners. I think until we get to that point, there would be risk of just lopping off that end, cause that would all but stop the development in the short term.

- My next question is he look at buying the other, because I know he owns one on Pine too. Okay.

- Related to this, a similar kind of question. Let me ask you about planning ahead. When the RDA gave him the planning option, did they indicate, or did he feel, that he was acting on that planning option, in thinking about going beyond these four?

- I don't know that I can- I would imagine, but I'm not certain to telling you he may have a better opinion about

- Yep! And I, I'm just pulling up some of the meeting minutes. I think one of the things that he had discussed was like the block to the north, in looking at the bigger picture. The planning option at that time, the RDA owned two parcels, so in terms of him assembling properties, we were involved because of those two. I think he feels he is at a point right now that he has a sufficient mass assembled in order to move forward with a project, that's cost-effective. But I think he's made clear that he'd like to assemble additional properties to continue his development. But he's reaching threshold right now, where he can move forward financially, and logistically, with a piece of it.

- And RDA ownership involves one additional property?

- RDA owns, as I go back to that other slide, RDA owns, you can show up there, it's the long grass lot, and then the tiny little lot in the corner.

- Oh right!

- Those are the two

- That's the only two in this block, if I recall.

- Oh okay, right, so we're not talking about additional RDA ownership in that block.

- It's that corner?

- Yes!

- Going back to the discussion with RDA, I think when asking for the planning option, yeah, it was discussed in terms of what could be done long-term. In terms of that type of development, I think, where RDA was at, we had also been discussing the Whitney School project, and the town homes were a part of that. Again, as we turn over property, or sell property, seeking to get higher, better uses out of it, and tax-based, We wouldn't want our property to get tax-based in the city. The RDA felt that this was a good option for moving forward. That's why it was printed.

- Thank you.

- May I ask him a- I wanted to- Is the rectangular piece up in the corner that I pointed out Is that needed for this development, or is that a just in case piece if he plans to go north? Do you need that 57, 53 by 37 foot square rectangle? To do what he wants to do here.

- I guess as we said today, I can't say definitively yes or no. I mean obviously the hard surface, the building, doesn't project into that area. To create these four units, no. The question was brought up about stormwater. Our belief is based on the size of this phase in this development. By the code, it's not required, however, our first process is always to talk to DPW in terms of whether that's something we want to include. If that's the case, that area may be used for that. There's also some other environmental considerations that we have to take into on the site, to make sure that we're responsible of building removals and things like that.

- As we sit here right now, I did a little arithmetic and code, and saw what you need for green space and percentages and whatnot, and I figured out how many square feet are there, and how many square feet are in that rectangle that I'm referring to. Moving away from the what if, based on what you know right now, do you need that rectangle to do the project?

- I would stay with my answer, I mean, there's components of this that are still unknown. We're still in the initial planning stages, and unless you can answer the question of do we need stormwater or not, do we need these things. I can't give you a yes or no, and I don't think I'm in a position where I need to do that because we just don't know yet. The question at hand is the PUD in the terms of that, and I think that's where we sit. Unfortunately, I don't feel that I'm in a position to answer that question.

- I have a question.

- Sorry, Mr. Wiezbiski, do you have a question?

- Well, I would like to repeat a little bit of history out of this particular reading we have tonight. We are not here to make that judgment call. We're here to either approve, or disapprove, this development as it stands. I'm a little bit disturbed that people haven't spoken up sooner than this about this, and this should have been in here, but it's not. And it's not up to us to judge it right now. I can very well see how he's developed his other properties that he already has taken over all the other buildings on that property, and moved on up around the corner and everything else, and did expand. I can very well see the RDA surrounding this, in my opinion, it looks to me like it's a given fact. I'm sure he would probably continue that. I can't make that call, but we're not here to make that call, okay? We're here to judge what is before us, and it's not up to us to even discuss it as far as I'm concerned. I do have one question though for the gentleman here. Why don't you have that parking requirement now where it stands? What's changing over there? Where do you park now?

- There is parking.

- That has nothing to do with this either, but I'm just curious.

- They rent spots, and rather than renting, they'd rather own it. And also, when the tenants have beers, street parking becomes an issue. My office building is a block from his, and I watch my fellow neighbors that are rental properties, parking is always an issue. I got a gentleman's agreement with the landlord of the pavement property next to me, that your tenants can park in my parking lot, just use those two stalls, and don't get in the way. Because it's an issue! Lawrence has got the same problem, and it's not unique to him down in this area.

- Well, like I said, I'd like to get back to the point that this has nothing to do with what we're doing tonight. I do have a suggestion though, why don't you approach the Whitney people to see if their development, see if they could provide that capability for you. This is not the place to come and ask for that. We have to stick to our agenda, and we are here for a special meeting today, and we weren't supposed to have a scheduled meeting because of the criticalness of moving in with this right now.

- I appreciate that, and again, I told you, we're not here to obstruct. When you learn something, you gotta react once you learn, and we learned

- If I may add one thing. To my understanding, Garritt did talk to, I believe it's your daughter, Cindy Keelings? Is that your daughter, sir?

- Yes.

- Okay. Garritt did talk with her prior to this meeting. Just so you know, he has had that discussion.

- Like today?
- I know when I talked to him, it must have been over a week ago.
- Can I ask you a question?
- Sure.
- That big white spot there. Is that going to be a highway, or what?
- This area?
- Yeah. There's garages out there.
- But if you look at the streets there, they're pretty narrow. And that's a lot of area isn't it?
- It's 20 ft.
- Well it's bigger than that to me.
- Sure
- What's the size of that lot?
- The width of the lot?
- Oh no, the cap there. It's 52 something? The white spot, it looks like it's over half of that.
- For what it's worth, it's 20 ft, and then this section is 20 ft. I think there's maybe four and a quarter or so left there after.
- If you're compare, you compare that alley there? To the east, the west there? That's 15 feet.
- Sure.
- Now you compare that size the highway, the white spot there? Why is it so big?
- So we put- people can get in and out of their garages.
- That big of an area?
- Yes.
- Can I just ask one question? I've been in the title business. My question is, is that what the CSM is gonna look like? One, two, three, four lots?
- Correct.
- The question is, why would number four have to be- Can't they be all alike? So Mr. Mancheski could purchase that square? Just my question. They all seem to be like that?
- Again, at this point, the question at hand is the PUD.
- Right, yeah.
- Ma'am, could you give your name and address for the record please?

- Pardon?
- Sure, Zubilinski, and I live at 372 Kenny Street.
- Okay, thank you.
- Are there any further questions for the speaker? Thank you. Thank you.
- Yep. And if there's any other questions about building appearance or anything we haven't answered
- Yep, okay.
- Is there anybody else that wishes to speak but hasn't spoken yet?
- Motion to close floor?
- Second.
- Motion to second to close the floor. All in favor?
- Aye.
- Oppose? Thank you. Any further discussions?
- I just want to register my appreciation for you all coming forward, and for coming up with an alternative that would allow what looks like the current plan to proceed, but unfortunately this is not a matter simply of a piece of land having been put up for sale. It's a matter of the redevelopment authority having requested a plan that was both short-term and long-term from Mr. Bader. And, I think apart from whatever you might be able to work out with the RDA, or with Mr. Bader himself, we do have to take a look at this, and it looks to me as if it is a very fitting to what has been happening in this part of the city. So I will support the recommendation of the staff.
- Thank you.
- At this point in time, I think we should do what we have been charged. I see nothing wrong with this project. I would make a motion to continue up this in approval.
- We have any motion?
- Second.
- We have a second. We have a motion? Do we approve this recommendation? Any further discussion?
- I just intend to support it as well. As I said, I live in one of the Whitney townhomes. Those townhomes have completely changed the character of the neighborhood, for the better. In addition, I'm familiar with the apartment. It is, it's a really good apartment building. The tenants there are happy, they like the apartment, it's good for the neighborhood as well. So it's certainly no knock on the existing properties, but some of the properties that he had removed were really a blight to the neighborhood. In addition to that, the fact that he lives on the property, and the builder is brought in to not only build these, but the prior, their offices three blocks away from the area. He's really focusing on using downtown people to improve downtown, and create an image that frankly doesn't exist much in this part of the city. That's higher end new builds. You can find higher end properties downtown. You can find new builds outside of downtown, but you can't find them both together. It's really good for attracting young professionals downtown, so I'm 100% in favor of this.
- Thank you. Any further discussion? Carrying on? The motion to second to approve this recommendation? All those in favor say aye?
- Aye.

- Oppose? Recommendation passes. Next item?
- I'd move to adjourn.
- Second.
- We have motion to second to adjourn? Any further discussion? All those in favorysay aye?
- Aye. Oppose? We're adjourned.
- Thanks for hearing us out.