



MINUTES OF THE ZONING & PLANNING BOARD OF APPEALS

**MONDAY, FEBRUARY 18, 2019, 5:30 PM
CITY HALL, ROOM 604 - THE HARRY MAIER ROOM**

A. ROLL CALL.

1. Members: Don Carlson - Chair, Gregory Babcock - Vice Chair, Tommy Everman, Noel Halvorsen and Jim Hutchison

Members present: Don Carlson, Jim Hutchison, Gregory Babcock, Tommy Everman, Excused: Noel Halvorsen

2. Does anyone need to abstain from voting? Who was out to the property? Did you speak to anyone regarding this variance request?

Jim Hutchison stated he needed to abstain from an item, which will be addressed when the item is presented. Gregory Babcock was out to the properties for Agenda Items #3 and #4. All stated no to speaking to anyone regarding the variance requests.

B. APPROVAL OF THE AGENDA.

1. Approval of the agenda for the February 18, 2019, meeting of the Zoning & Planning Board of Appeals.

Moved by Tommy Everman, seconded by Jim Hutchison to approve the agenda. Motion carried.
Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

C. APPROVAL OF MINUTES.

1. Approval of the minutes from the December 17, 2018, meeting of the Zoning & Planning Board of Appeals.

Moved by Gregory Babcock, seconded by Tommy Everman to approve the minutes. Motion carried.
Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

D. REGULAR BUSINESS.

1. Phil Bredael, The Remodel Shop, on behalf of Debbie Trepanier, property owner, proposes to reconstruct a garage on its same footprint in a Low Density Residential (RI) District at 600 16th Street. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-609 maximum impervious surface (Ald. B. Johnson, District 9).

Moved by Gregory Babcock, seconded by Tommy Everman to grant the variance as resubmitted by the applicant reducing the impervious surface area to 51.7 percent. Motion carried.
Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

2. Taylor VandenBush, on behalf of Paula J. Reynolds, property owner, proposes to expand an existing driveway in a Low Density Residential (RI) District at 516 Northern Avenue. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-1709(b)(1), side yard setback (Ald. R. Scannell, District 7).

Moved by Gregory Babcock, seconded by Jim Hutchison to grant the variance as requested, with the condition that the driveway come to within one (1) ft. of the neighboring garage to be kept as green space. Motion carried.

Yes- Don Carlson, Gregory Babcock, Jim Hutchison, No- Tommy Everman, Abstain- None

3. Jerry Hanson, on behalf of the Green Bay Packers, City of Green Bay, property owners, proposes to install two new monument signs in a Public/Institutional (PI) District at 1265 Lombardi Avenue. The applicants request to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-2012, Table 20-4, height, square footage and Section 13-2019 changeable copy (Ald. C. Wery, District 8).

Don Carlson asked Jerry Hanson, for the record, the hardship for the variance. Jerry Hanson stated it would be public interest and guest experience.

Moved by Gregory Babcock, seconded by Jim Hutchison to grant the variance as requested to exceed height, square footage and changeable copy for two marquee signs. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

4. John J. Jeanquart, Brander Engineering, on behalf of Georgia-Pacific, property owner, proposes to repave a parking area in a General Industrial (GI) District at 1919 South Broadway (500 Block

Lombardi Avenue). The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-1821, interior lot landscaping, Section 13-1821(c)(1) & (2) landscape medians and Section 13-1706(a), driveway width (Ald. B. Johnson, District 9).

Jim Hutchison recused himself from this agenda item.

Moved by Gregory Babcock, seconded by Don Carlson to grant the variances regarding no interior lot landscaping and no landscape medians. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, No- None, Abstain- Jim Hutchison

Moved by Gregory Babcock, seconded by Don Carlson to grant the variance regarding the driveway width. Motion carried.

Yes- Don Carlson, Gregory Babcock, No- Tommy Everman, Abstain- Jim Hutchison

5. Troy Weise, property owner, proposes to retain a widened driveway in a Low Density Residential (RI) District at 1750 Bond Street. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-1705, driveway taper (Ald. M. Steuer, District 10).

Moved by Gregory Babcock, seconded by Jim Hutchison to grant the variance with taper modifications as presented. Motion carried.

Yes- Don Carlson, Gregory Babcock, Jim Hutchison, No- Tommy Everman, Abstain- None

6. Jeff Osgood, Kwik Trip, on behalf of US Oil Co., Inc, property owner, proposes to construct a convenience store with fuel canopies in a Planned Unit Development (PUD) at 3525 Humboldt Road. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-1706(a), driveway width (Ald. B. Johnson, District 9).

Moved by Tommy Everman, seconded by Jim Hutchison to grant the variance as requested. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

E. INFORMATIONAL.

I. Date of next meeting: March 18, 2019.

The March 18, 2019, meeting of the Board of Appeals will be cancelled. There will either be a special meeting set up or all items will be held until the April 15, 2019, meeting.

F. ADJOURNMENT.

Moved by Tommy Everman, seconded by Gregory Babcock to adjourn. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

VERBATIM MINUTES

- [Don] All right, I'll call this meeting of the Board of Appeals to order. There's a few items we want to handle before we get into the real business of the meeting. First of all, gentlemen, were any of you out to see any of the property before us tonight?
- [Tommy] No.
- [Jim] No.
- [Greg] I saw three and four.
- [Don] Greg saw three and four. Did you speak with anyone regarding the variance requests before us tonight?
- [Members] No.
- [Don] And, do any of you expect to not vote on any of the items tonight?
- [Tommy] No.
- [Greg] No.
- [Jim] Yes.
- [Don] Okay. We can deal with that when we get to that item. Regarding the agenda, does anybody have any comments on it? If not, we'll assume that it's appropriate for our activities tonight.
- [Tommy] The only question I have is, do we want to move the order around at all? There are some that seem a little bit more in-depth. Do we wanna just leave it as is?
- [Don] Yeah, I think we'll leave it as is. It's been published this way, so--
- [Tommy] Okay, all right.
- [Don] I don't see any real reason for it right now.
- [Tommy] All right, motion to approve it.
- [Don] Okay.
- [Jim] Second.
- [Don] All in favor?
- [Members] Aye.
- [Don] We're good on the agenda. Let's talk about the minutes from the last meeting, December 17th. Anybody have any comments, actions to be taken?

- [Greg] I make a motion to approve the minutes from December.
- [Tommy] Second.
- [Don] Okay, we have a motion to accept the minutes from the last meeting. All in favor?
- [Members] Aye.
- [Don] Four, zero. Great, now we can get down to the regular business. Do we have Mr. Bredael from The Remodeling Shop here?
- [Phil] Hi.
- [Don] Yes, sir. I see there's been a new calculation for us to consider.
- [Phil] Yes.
- [Don] We won't jump ahead, we'll let you make your case for what you're proposing to do, and the variance that you believe you still need to get.
- [Phil] Okay, well, as we had talked last time, I think the group felt that there was a little bit more that we could do to get rid of more concrete, to get to that 50% level. So what I did is, I went back with the customer, like I had mentioned, she had that large gazebo on the concrete, and patio set, so what we did was, just kind of laid it out as if they're all sitting there, and the chairs are pulled out a little bit. So we reduced that large patio area, almost by half, and then also eliminated the concrete coming around the side of her house, on, I guess it would be, the south side of her house. So we eliminated the concrete here, and then we eliminated another 200 square feet of concrete that was part of her patio, that she was trying not to get rid of. What we plan to do is just go back and fill that with landscape rock, and some shrubs and that type of thing. It gets us down to, I think it was 51.7% from 61%. The only other thing we could think of is coming along the entire driveway, and cutting a foot off the driveway, but I'm, there's already a lot of saw cutting that she's covering, so I'm kinda hoping to avoid that. The second part of it is that, being so close, I'd hate to have different interpretations about how the impervious space is measured. You know, if I'm working with the building inspector to try to hit that 50%, I guess I'd like to feel that we'll have a little bit of leeway with having a variance, that if I'm trying to hit that 50% and maybe an inspector thinks that I measured it wrong, or something like that, I just don't want any borderline issues that come up, halfway into excavation of the project.
- [Don] The point is that you're presenting us with a plan, that in good faith you expect adheres to the numbers that you've provided us.
- [Phil] That is correct, yes.
- [Don] And, I understand your concerns.
- [Phil] And if you notice, I changed the number on the driveway, 'cause I had improperly calculated that the first time around.
- [Don] Okay. And the variance you were originally requesting was dependent, the only variance you needed was the green space, right?
- [Phil] That is correct.

- [Don] The impervious surface? So the question before us now is whether ... I guess we'll let the questions from the rest of the gentlemen up here go before me. I'm okay with what you've got here, I understand what you've done. Tommy, Greg, Jim, do you have any further questions for the applicant?
- [Greg] As I understand it, you went from 60 to 51.7, is that, so you essentially backed off about, a little over eight percent?
- [Phil] Yeah, I think it was 61%, so a total of 351 square feet of additional concrete that we're removing. And I had a math error of approximately 150 square feet.
- [Greg] Okay.
- [Tommy] So I'm tracking everything you're doing down here. Where is this one tracking, right here? The 1,972 is 1,666.
- [Phil] That is correct, yes.
- [Tommy] Was that just the math error?
- [Phil] No, the driveway portion of it was, item four.
- [Tommy] Yep.
- [Phil] I think I originally had a thousand-some square feet, when I proposed it last time.
- [Tommy] No, I'm just trying, this all tracks, that makes sense. You're gonna cut out a bunch of concrete here, to reduce that bucket, right?
- [Phil] Right.
- [Tommy] This one, though, the house, the existing structures, is at 1,970, are you using that at 1,666?
- [Phil] Yeah, we're reducing the patio, so that's why we're going from 1,970 to 1,666.
- [Tommy] That's the concrete piece that you're telling me you're removing?
- [Phil] Yes.
- [Tommy] Got it, and the one you submitted, the driveway math was incorrect, that's not the reduction you're talking about?
- [Phil] Right.
- [Tommy] Okay.
- [Phil] So the driveway's still the same measurements. I think I had added the apron on twice.
- [Tommy] Okay, perfect, I just wanted to see, show me the map, that's all, cool. I have no questions.
- [Don] Jim, Greg?
- [Jim] There's a sidewalk, shown in this corner.

- [Phil] Yes.
- [Jim] And that, I'm looking at the photo, that gives access to a doorway or this walkway?
- [Phil] Yeah, her front door is actually a side, on that corner there.
- [Jim] Over here?
- [Phil] Well that's actually some kind of screen porch, but her, she's right on this corner, right here.
- [Jim] So it's a door?
- [Phil] Yeah.
- [Greg] Okay. Oh, I see. So it leads to the front door, basically?
- [Phil] Yes.
- [Jim] I get it.
- [Don] Okay, I hear no more questions. If you'll have a seat, we'll talk this over, thank you. I'd like to know your thoughts, gentlemen?
- [Tommy] I feel like this is what we recommended, last time we were at, is remove the concrete patio area. Get it as close a you can to that 50%.
- [Don] Yep.
- [Tommy] We're there.
- [Don] It's very close. I appreciate the effort that the applicant has gone through. He's still above, but he's certainly a lot better than he was. I'm okay with this, too.
- [Greg] Yeah, I'm fine with it. He made a good effort, it's really close.
- [Jim] They're going through the effort to make the cut and remove the concrete, so it's, that's what we asked.
- [Don] Okay, a motion would be in order.
- [Greg] I make a motion to approve the variance requested, as requested per the proposal of 51.7% impervious surface.
- [Tommy] Second.
- [Don] I wanna make sure we get this the way, the applicant was concerned that if a more detailed calculation results in something other than 51.7, if there's a way we can present this--
- [Greg] I would say, as he's proposed, with the approximate calculation of 51.7%, that he's, in good faith, he's gonna execute his plan. That's my concern.
- [Don] Right, you're motion then, is for us to approve the variance with the modification as presented to us.

- [Greg] Correct.
- [Don] And your second would be the same.
- [Tommy] Correct.
- [Don] All in favor?
- [Members] Aye.
- [Don] Four, zero, we got it.
- [Phil] Thank you.
- [Don] Next up would be Mr. VandenBush and Paula Reynolds. We're looking at a driveway issue, here. Explain why
- [Taylor] The restrictions of the driveway is making it intolerable to work around. Actually, I do work from home, so I am coming and going all the time and the car is my work vehicle, my truck is my personal vehicle. Last time we were here, you guys gave us just mentions of everything you wanted us to do, which I got. And I've looked at what other options we could do, in that little triangle piece there, if we can work something out, for out by the garage, we can get that piece in there.
- [Don] I thought you wanted to widen your driveway.
- [Taylor] That's a bigger thing, which is that area there.
- [Don] Oh, that's right, you were gonna do this further back. Yeah, I see, okay.
- [Taylor] Yeah.
- [Don] So you're offering to get rid of that as being not particularly necessary for your project.
- [Taylor] Yes.
- [Greg] Which part, the one by the garage?
- [Taylor] No, this whole triangle piece here, on the right side of the picture.
- [Greg] Oh, okay.
- [Taylor] If the truck isn't there, it's not needed to be there. As our driveway is wide enough to get one car up into it.
- [Greg] So you just wanna do the part back by the garage?
- [Taylor] Yes.
- [Greg] That's it?
- [Taylor] Yeah.
- [Greg] Okay.

- [Don] Could you explain the issue that Alderman Scannell brought up, that is an issue with a lot line? And I don't know if you want to speak to it, or the alderman would care to speak to it, but--

- [Taylor] We need a look on the city mapping screen, if you can pull that up.

- [Don] Yeah, I saw that, too.

- [Taylor] That there's two blue lines there. Now, last time we were here, when I first submitted my proposal, I was told it was an easement on a line. But when we were here, you guys were unsure if that was the case. So as it's shown, the neighbor's garage does come over that first blue line, on the side.

- [Don] It looked to me like it was an issue with that neighbor's line. I don't know if there's any, Paul, do you have any guidance on this? I noticed there was another parcel nearby that had another double line on it. I guess, I assume it's just, we just don't really know, and there's reason to believe that it could be either one?

- [Paul] Well the graphics that we provide through GIS are pretty accurate, but sometimes there's some mapping errors, possibly. It all points up to the applicant to provide that information if the Board wants to see that. If there's a survey, or something to that extent. We can't guarantee it to be the lot line, that's something the--

- [Don] Right, I understand.

- [Paul] applicant has to produce. So, we really couldn't comment on if that's valid or not, without some sort of survey documentation.

- [Don] Um-hmm, Mr. Scannell, do you want to speak to this?

- [Randy] Yeah, yeah, thanks. I just, Taylor invited me to his house and showed me what the whole scoop was. And I think what he's asking for is pretty reasonable. He's just trying to do the bare minimum that would help his business, 'cause he runs a business from home, the-- yeah, thanks, sorry. So, by making this change, we're not only improving his home, but also his business, making it easier for his business. We don't want people driving on the ground, on the lawns, and it seems to me that, even if we don't take out the triangle at the front, which I know you like, as well, we're not really adding that much more. And considering that, if the lot lines are off, this wouldn't even be an issue. So, as I detailed in the email I sent, or forwarded to you, there's a lot of good reasons here that, I think he needs the exception.

- [Don] Okay, thank you.

- [Randy] Yep, thank you for having, I gotta run to Council.

- [Taylor] Thank you.

- [Randy] Yeah, good luck.

- [Taylor] I learned a lot from the last time I was here, 'cause it's the first time I've ever tried to do something like this. You guys gave me some good feedback on what you guys wanted to see, and, on looking at it, I found that this won't do to that triangle piece.

- [Don] You don't use it, I guess what you're saying.

- [Taylor] Yeah, it's just kinda there, it was there when even Paula moved there.

- [Don] We may have asked you this before, too, but what is the opinion of the neighbor whose garage you're gonna be right up against?

- [Taylor] He's okay with it.

- [Don] He's okay, then. I did not visit the property, but is it true that, if there's a water issue, it drains toward you?

- [Taylor] Currently, with the way it goes, because the driveway does need work, it's kind of sporadic on where it goes.

- [Don] Okay.

- [Taylor] A lot of it does go towards the house at the moment. Otherwise, the rest of it, down looking at the bottom part of the picture, the driveway does go down. So anything from where the truck is pretty much, down towards the road, starts going that way.

- [Don] Do you have any other comments on this one, Paul?

- [Paul] Just from staff, who are concerned about the proximity to the garage, with vehicles turning in that area. I think it's a lot line issue, I think that's maybe something that should maybe be clarified. That's our concern.

- [Jim] So what's the variance for, going--

- [Paul] Beyond the two-and-a-half feet. So, from the property line there'd be a two-and-a-half foot set-back, green space to the edge of that pavement.

- [Jim] Gotcha. And there's a possibility that the actual lot line is two-and-a-half feet away?

- [Taylor] Yeah.

- [Paul] Yeah.

- [Jim] Okay, so, it's kind of limbo if he actually needs a variance or not. But there is a structure, there, obviously.

- [Paul] Mm-hmm.

- [Jim] Okay.

- [Taylor] According to the mapping that was shown, the lot line, that first original blue lot line would be right where the edge of his actual garage door is.

- [Jim] Okay, okay, gotcha.

- [Don] And just to speak to his case, if you put that lot line diagram back up, I guess it doesn't show on there, but, the gentleman's lot, or the applicant's lot, goes all the way, it's like twice the size of what we've got there, and as you get past the garage, his garage, which is just cut off in the lower right, it reverts to the lot line that I think you're generally assuming could be the real one. Is that something that you can bring up, Paul? It would have to come from the Brown County mapping, that would, there we go. So, you can see that if his lot line was contiguous, that he would then get the credit for the extra room on the left side of his driveway as he drives in, which would reduce the amount of variance he's requesting. So we don't really know which is which,

but I'll point out to you that there are some funny jogs in the way these back lot lines are, as we crawl down to the lower right-hand corner. I think we've just got some uncertainty in the mapping process, that, we seem to have run across these a few times. What we're doing is totally extrapolating into something we don't know. The only correct way is, as Paul was alluding to earlier, is to get a surveyor out there. But I guess I'm just pointing out to the rest of the people up here, that the jog, if he's going to interpret it in his favor, there's an argument to be made for it, that the lot line should be from the past. So you're proposing to make it wider, around the gentleman's garage to your left, as you drive in, who, you will argue, is okay with it, and you're proposing to take out that little bit up at the front. How much wider are you bringing it, and how much do you really need? I'll tell you what, I'm hesitant to have you go all the way to the guy's garage.

- [Taylor] Okay. Well, given the fact that there are mirrors on vehicles, and mirrors on the truck, for instance, I think they're all maybe six inches from the actual side of the vehicle, so I mean, if need be, it wouldn't need to go all the way to his garage, and we'd be able to leave a little bit of green space there.

- [Don] Okay, Tommy, Greg, Jim?

- [Tommy] Just the use of it, so I'm trying to uncover, so the hardship is created, so it's a use hardship. The hardship is created because of moving vehicles, is that the idea?

- [Taylor] Yes, I come and go from home multiple times a day. It's not just every--

- [Paula] He's delivering.

- [Taylor] Yeah, I run for delivery trips, so, I think, oh maybe 10 to 15 times a day.

- [Tommy] Adding the concrete on the back half doesn't solve the issue of getting past, like you have a photo in there where there's two cars side by side, and then, you're driving over their grass? And I remember that was part of the point, earlier, on the first one, was being able to not drive on the grass, which then turns into mud.

- [Taylor] Um-hmm.

- [Tommy] So adding on the back part of the garage, how does that get us to what your intended use is?

- [Paula] If you could go back to that picture, he could park--

- [Taylor] Yeah, the truck would then be parked there, along the neighbor's garage, which would allow me enough room, between the truck and the house, to get by, without ever having to go onto the grass.

- [Don] All right, Jim? Okay, you can have a seat, we'll talk it over.

- [Taylor] Thank you.

- [Don] Is there anyone else here that wishes to speak for or against this item? All right. Your comments gentlemen, your thoughts?

- [Greg] I have the same concerns that you expressed, going way up to the garage, or all the way up. I would be okay with somewhere in between, maybe with some green space between the garage and the driveway, any additional. So, if this is what he's proposing, I would vote no. But I'm open to a suggestion on putting something in there, maybe a foot, or something to that effect, a couple feet or whatever, to leave some space in between that garage and the driveway.

- [Don] Tommy?

- [Tommy] I think, for me, especially going through the training we went through, I feel like, while the hardship is, we have a unique property situation that creates a hardship. Right, I think we all asked questions around that. The use issue, to me, it lends itself to more of a convenience, and as we've gone through, it's reaffirmed my feeling. I think I voted no on this last time, and I'm gonna vote no again. It's a difficult thing, cars and buildings that have been built certain ways, makes it difficult, we've seen a lot of them. But, at the end of the day, as we learned, the variance goes with the property, the land, not the individual, and this seems to me, yes, it's frustrating, I get it, but it's more of a convenience than it is a hardship. So I'm gonna vote no.

- [Don] Jim?

- [Jim] Because of the property line issue I think I agree more in terms of what Greg said. I think if there's, the edge of the concrete is a foot off the existing building, I'd be willing to go along with it.

- [Greg] A foot is what I had in mind.

- [Jim] I understand what Tommy's saying, and I'm just shy of that.

- [Don] So what we seem to be revolving toward is requiring you to be a foot away from the garage.

- [Taylor] I think I could make that work.

- [Don] All right.

- [Taylor] It should still allow me enough room to get through. And I guess that, with the mirrors on the truck, in essence there really is no need to go straight to the garage.

- [Don] Yes, and the mirrors are in the air, and the real concern is the wheels on your truck.

- [Taylor] That would be correct.

- [Don] And, Tommy's alluding to a training that most of us had earlier, last week, and I guess we've been educated a little bit on where some of the issues go, regarding giving variances. They also told us that we're not supposed to negotiate, or that we shouldn't, but-- We do have, in fact Mr. Hanson, who's sitting in the front row, advised us at one time that we do have leeway with regard to putting constraints and putting qualifications on. So, I assume what I'm hearing tonight is, and Mr. Hanson had a previous life. What we're hearing from you is that, if we had your proposal as you've designed it for us, but left a foot between the final concrete and the neighbor's garage, I think we would be okay. Have I stated that correctly?

- [Tommy] Yeah.

- [Don] And if that's the case, then I think either of the gentlemen on my right or left should make a motion.

- [Greg] I'll make a motion to approve the variance, with the exception that the applicant will leave a foot in between the garage and the pavement that he proposes to put down.

- [Jim] I second.

- [Don] Okay, we have a motion made and seconded to approve the variance requested, with the qualifications that Mr. Babcock has explained. Further discussion? All in favor?

- [Members] Aye.

- [Don] Opposed?

- [Tommy] Nay.

- [Don] Okay, three to one, you're good.

- [Taylor] Thank you.

- [Don] Next up, simply enough, is Mr. Hanson, to talk about the Green Bay Packers.

- [Jerry] Thank you, gentlemen. We've got a private here, basically there was two mid-sized marquees, one on South Oneida, before the Johnson Tailgate Village went up, if you've got, do we have the dots, there we go, the dots, those are the locations of 'em. One, on Lombardi, is currently there. The one on South Oneida was the one that was taken down with the expansion of the promenade, and the Johnson Tailgate Village. So those two items went up, we moved things over, we moved some parking spots, put some signage, I'm not sure if the signage issue on the, I think the signage issue on the Johnson Tailgate Village went to the Planning Commission, not here. This one's coming here, it's signage on Lambeau Field. There's certain rules on it, but it's such a unique property, that trying to fit this into that whole is difficult. And so, what goes on here, just to give you some background on it, so this has been discussed inside the walls of Lambeau for probably a year-and-a-half. And they've got a signage committee, and there's a whole bunch of members on that signage committee, and they try to do everything they can to number one, keep up with the technology, the screen there will be new technology, we replace our screens in the stadium frequently, try to give it a good look with the G there, it'll be a photo opportunity for public, everything around there is, you know, the Lambeau Leap thing is a photo opportunity that's there. People are constantly taking photos of the one on Lombardi, standing there. It'll be a much better photo op for them to stand there with the big G. We put the G in there. It is a little bigger structure than it was before, but we think it's proportional, based on the size of Lambeau Field, and the expansions, everything else goin' on. It's gonna be basically a directional sign, gonna give people information on what's going on at Lambeau Field, so it's informational. We get a lotta people coming from the public that have never been there before, and we really do think it's beneficial to have it on both sides. And honestly, this has been studied and re-studied, and looked at and re-looked at, tons of meetings internally on this thing, and we're looking for approval.

- [Don] Okay, so what specific variances, Paul, are we being asked to grant?

- [Paul] Right, there's three of them. The height of the structure, the overall square footage, and the size of the changeable copy.

- [Don] Okay, everything.

- [Paul] Pretty much everything, right. Is this for both, or are we only in the game on one of those two red dots? I got a little bit confused on that.

- [Jerry] I think you're in the game on both.

- [Don] Okay, okay, now you mentioned a Planning Commission discussion of some of this, or is that another-

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- [Paul] That was another--

- [Don] That was another--

- [Jerry] Yeah, that was signage on the JTV, but we took care of that. There was a rough top to the signage that we had to address.

- [Don] Yeah, again, I think we've been here on other type things with Lambeau Field, and, it's such a unique property and that's why I keep calling you in front of the Board on this thing.

- [Jerry] Yeah, yeah.

- [Tommy] Now isn't the time to ask this question, but I'll ask anyway. Has there been discussion about, I'm assuming the reason why he's here for a lot of these things 'cause he's zoned commercial, there's no, like, stadium zone that can be created? 'Since it's clearly gonna be here for a long time.

- [Paul] So Lambeau has a public institutional zoning, which is like what we use for our parks. And part of this is the City of Green Bay, but it's morphed much more than that over the years. It's never really truly been addressed from a zoning perspective. Probably would have been beneficial to have a PUD, or something over it, Planned Unit Development, to help control the growth and proportion of that site. Instead, it's been kind of chosen to come back through the Board, through the years. Right or wrong, that's how it's been addressed.

- [Tommy] But is that something, back to what we were talking about, with the smaller things, with driveway widening, is that something we can loop back up, and say, hey, I mean every time he has to pay a fee and then come through for a sign they want to hang up, 'cause it doesn't fit within those zoning ordinances.

- [Paul] I think it could. I'm not sure how much more Lambeau Field's gonna change, or the campus is gonna change over the years. If we knew there were gonna be dramatic changes, we might consider that. But I guess Jerry and I could have a side discussion about that.

- [Jerry] Yeah, I think we've talked about that in the past. It's almost easier to just come up here, these one-offs, they might be, talk to you guys, say, look, we think this is a pretty good idea, and hopefully we'll get your stamp of approval. Rather than ... I don't think we'd ever come to an agreement on what a PUD would look like at this point. Because right now, for instance, we're doing a, so every time, if we had that, we'd have to, we're right now in the process of, there's a site plan, bumping out a security building, because of the security breach that we had, in part, coming into the side, there, where a car got in. A new security building is going up at that place, to prevent any of these issues. So there's gonna a big, not a big bump-out, but another bump-out from the loading dock on the security building. It's one of those places that, I've been with the Packers, for now, 10 years, and it amazes me that every year there's another project. Kinda like this. This seems to be the simplest solution for this park.

- [Don] If it weren't us, it would be the Planning Commission or the Council.

- [Paul] Council. They've even provided us that feedback, like, you should create a PUD to help dir-- I guess the parties have an understanding of what's going on, and that's been the route that's been chosen here. Again, right or wrong, that's been the path.

- [Jerry] Right, and no one has had, okay, so you guys, any decisions here can be appealed by the City, we could appeal your decision, we understand the process, both sides understand the process that's going on. We just keep plugging forward on this process.

- [Don] For the record, what is the hardship that you believe the Packers organization would endure if we did not grant this variance?

- [Jerry] I think it would be a public interest, guest experience hardship. Directional signage that's proportional to the size of the place. So I think it's a public interest, guest experience hardship. I think it's a hardship default.

- [Don] Okay. Further questions, Tommy, Greg, Jim?

- [Jim] Is there, with regards to the different zoning, is there a different requirement on a commercial? I mean, would this be an issue if it was commercial?

- [Paul] It would be the same issue. And I think the only way to really address the zoning would be through some sort of Planned Unit Development, 'cause it's so unique to the community, and to other properties, that we can't build an ordinance that would address all of the growth or change on that campus. It's not uncommon to have PUDs. Bellin Hospital, other major developments that are just so unique, that are constantly changing. That would be the only mechanism I could think of.

- [Tommy] It's interesting to me, 'cause, I would think that the Packers were here before those hospitals, right? I've only been here for two years.

- [Paul] Not that one, I mean, this goes back to '57.

- [Tommy] I would think that that would be, I don't know, I'm just curious, that, to me, seems like the most obvious thing, is that there should be a plan, there should be--

- [Paul] I would not disagree with you on that. I think, if we had to do it all over again, that's what I would recommend. But some of the stuff we inherited through the years, and it's kinda been a ball that's been rolling down a hill. So, again, right or wrong, it's kind of a circumstance, and the way we've been handling these situations.

- [Greg] It's right on the border between Green Bay and Ashwaubenon, you don't wanna open that can of worms.

- [Tommy] Oh, yeah?

- [Jim] There's a picture of a Resch Center sign?

- [Jerry] I didn't include that one here, but--

- [Jim] Oh, okay, it's within a couple inches of the height of this sign, or these signs. What did that sign go through, is that in Green Bay, or is that in Ashwaubenon?

- [Paul] That's in Ashwaubenon.

- [Jim] Okay.

- [Jerry] I put that in there just to show you a comparable property next door has it, we're within a couple inches of this thing. It's not gonna look out of proportion. That's why I threw that in.

- [Don] Yeah, as I've explained before, sign ordinances are tough. Dealing with the Packers just makes it tougher. And I can appreciate that, in the normal scheme of things, we probably aren't the right people, but, if it ain't us, it's just gonna make it more complicated. So, it's one of those little artifacts of the way the world has developed, that we have these questions before us. You can have a seat Mr. Hanson. I think we have enough information to make our decision. Your thoughts, gentlemen?

- [Greg] I don't have any problem with this.

- [Jim] Nor do I.

- [Don] Go ahead, Tommy.

- [Tommy] I can completely appreciate the dynamics of the Packers, and Green Bay, and the unique relationship of the two entities. I do think it is interesting that a city and a very, very very large organization hasn't come together. Whether it's politics or willingness to work with Green Bay, or what other related circumstances, I would recommend, at some point, that those large organizations shouldn't be landing here. I feel like that's kind of the least amount of resistance, is landing here, and I think it's, for the sake of your time and everything, I think the City should have a plan, I think the Packers should have a plan, and I think they should all come together and say, look, this is what the next ten years look like. So that it's not the Board of Appeals that's making landmark decisions for the entire community. So, that's my comment. I think the sign's beautiful, I think it's a great addition. I agree all the targetings, we've approved things for the Packers before, with, you know, temporary signs. The reason why I'm asking a little bit more questions, and being a little bit more of a stickler, is 'cause this one's a permanent, whereas a lot of the things since I've been on the Board, and you've come before us, have been temporary things. Hey, they're coming down. This is a permanent thing. I 100% agree, it's gonna make the property look awesome, and more attractive and stuff. It's just, I think that, at some point, on the record, should be addressed. It's not gonna be solved tonight.

- [Don] Okay.

- [Greg] I make my justification for it, if you look at it purely from the variance perspective, notwithstanding the fact that we're dealing with the Packers is that, it's such a unique property, probably the most unique property in Green Bay. And, so, from that perspective, I think, that would justify the variance alone.

- [Don] Yeah, I asked Mr. Hanson for the hardship just because we had to make sure that we understood it, but I do agree that his point is a good one, and it reflects a reasonable hardship. You know, remember, part of our charter is to adjudicate decisions by the Planning Department, for example, it's outside of our variance scope, it's just another task we have been assigned. And I think we should take things like this, and the sign variances and things like that, as being just, maybe not a variance as much as having four people picked up, four or five people picked up, to make these kind of decisions, make sense to my theory.

- [Tommy] Okay.

- [Don] I certainly think you're right, in the greater scheme of things, there should probably be a different process. But I'm not totally uncomfortable with the process we have now. So I think a motion would be in order.

- [Greg] I make a motion to approve the requested variance.

- [Jim] I'll second.

- [Don] Okay, we have a motion made and seconded, to approve the variance requested, for the signs at Lambeau Field. All in favor?

- [Members] Aye.

- [Don] Four, zero.

- [Jerry] Thank you gentlemen, have a good evening.

- [Don] Thank you. Next up, Mr. Jeanquart.

- [John] Yes, thank you.

- [Jim] This is the one I'm gonna recuse on.

- [Don] Okay, we will have a recusal on this one. You should probably sit in the back, there.

- [John] All right, I'm John Jeanquart, from Brander Engineering. We were asked by Georgia-Pacific to prepare drawings and specifications for resurfacing of a parking lot on the corner of Broadway and Lombardi, in the southwest corner. As part of the project, we've got a future expansion that Georgia-Pacific is looking at, and the real purpose of the replacement right now is that the parking lot's really deteriorated, and they wanna maintain a safe place of employment, with all the potholes, so as they're doing this project, they wanna make it safer, they wanna make it more secure, and they wanna look down the road. They've got a future driveway that's south of the building, where they're gonna have a one-way sometime in the future, for all the semi trucks, and then that'll turn, right along the south side of the buildings, and then out, and then to the east of that detention pond that's in the upper left-hand corner. That'll be extended as part of the project, for storm water management, and you'll have future trailer parking in there as well. As you can see, we've got berms going along the perimeter of it, and those are, essentially, compressing our parking area a little bit. And the purpose of the berms is Georgia-Pacific competes with all of the other 152 paper mill facilities for GP, and they are trying to separate pedestrian traffic from semi-truck traffic as best they can, and they want a physical barrier there. So, the berms are going around the perimeter of the property, and they'll be three feet high by 20 feet long, and they'll also serve as a landscape island. The hardship here is really, the property, not only are we compressed, we're trying to maximize parking, that parking lot is filled 24 hours a day, seven days a week, the mill never shuts down, and then snow removal in the parking lot becomes a big issue with the cars in it. So we're looking to get away from the landscaped islands, as well as the driveways on the north end of the parking lot, we'd like to have those increased as well, to give us more room in and out. Eventually they'd like to put a gate there, to stop traffic from coming in. We're not far from Lambeau Field, and what happens on Packers Sundays, is people go in there and tailgate, and then they leave their cars there, and take one truck, on car trip down to Lambeau Field. So, GP's looking to make it a little bit more secure down the road. They want to increase the driveway so they'll have gates, and then they'll have little readers on the car, it'll be fully automated, so as you show up the gates go up. So, that's the plan.

- [Don] We're talking about, just for my understanding, we're talking about this parking lot right here?

- [John] Correct.

- [Don] Is that, that's really the only parking area that we're talking about?

- [John] It's all part of another plan, right, so I think we're looking at this as well, otherwise I'm gonna be in here for another variance for the semi-truck parking lot.

- [Don] You mean this thing up here?

- [John] To the left, too, that's all part of it. So down the road, we want to--

- [Don] So you can show me more up here, I understand what you may be doing here, I understand you're looking for some wider driveways.

- [John] Yeah, right here's the wider driveways, so we'd have them here and here.

- [Don] Right, they're in there.

- [John] And then, what the plan is, is this would be phase one, to go in this year, it'd be all the berms, all the storm sewers, everything back to the detention pond, to get our storm water management. And then year two, we'd have our, say 2020, we're gonna put the driveway in here and then semi-trailer parking in here as well.

- [Don] Now, these are landscape places, right? What does that represent?

- [John] That's just a no-parking zone, and then the pedestrians are gonna be put into the side here, and then they'll be instructed they can't cut through the parking lot, they're gonna have to be in here, and then come out across the mill in this direction.
- [Don] So your point here for pedestrians isn't public, it's your employees.
- [John] That's correct, the employees, with twenty, I think, three thousand of which are Green Bay citizens that work at--
- [Don] And they're always coming and going.
- [John] Georgia-Pacific.
- [Don] Now this is an existing parking lot now.
- [John] Correct, yeah.
- [Don] So, and these berms aren't there now.
- [John] Correct, they are not. So, this is the parking lot now, and I think they moved the gates, you've got semi-trailers here, we're gonna push that back. These railroad tracks are comin' out, and that's where they want the new drive to come in.
- [Don] And you're gonna replace the surface.
- [John] Exactly.
- [Greg] So it's not like you're taking, you're not taking any green space out.
- [John] No, there's no negative, there's no green space. Matter of fact, we'll be adding green space.
- [Don] Yeah, well that's the point that I think that I didn't realize until--
- [John] We'll be adding quite a bit of green space.
- [Don] To the extent that the landscape islands in the ordinance are for a concern about storm water runoff, and just having enough soak-in space--
- [John] Oh yeah, this is all being modeled and going through a storm water management plan--
- [Don] Yeah, but you've also, the reason you're really here is because the berm has taken out a whole row of parking spots for you, is that correct?
- [John] Well we want to maximize the parking spots, so we'd be after a variance if the berms were there or not.
- [Don] But the berms have taken away room on your parking lot.
- [John] Yes, and I guess the good news about the berms is they're gonna be three feet high, so it expands the view of the parking area, which is the whole idea of landscaped islands as well. You're not gonna be able to see it as you're driving down the road. You're gonna see the berms. We're not gonna have fencing there. I know, I've been to these variance boards before, and I know fencing, you guys don't like to see around property. So,

this is gonna be another way to secure up without fencing, and also give us a physical barrier as well, between vehicles and pedestrians.

- [Don] So the purpose you've explained is to concentrate the flow of people walking in and out of that parking lot, essentially to the back. Is that the purpose of the berm, or am I really missing something?

- [John] Okay, maybe, let me try, Don. There's a big concern over, they've got 152 mills, so two or three people, I think, last year were killed by semi-trailers, not in Green Bay, all over. So there's a very big push to get physical barriers between semi-trailers and pedestrian traffic. So they want a berm right here, something physical, so just say a guy's texting, and not watching where he's going, he doesn't cross over through a fence and kill somebody else. They'll at least hit this berm, he'll come back on track, okay? They've got the same thing with the amount of truck traffic coming down here, and then this is also gonna be trailer traffic as well, here. So that's a big purpose of the berm, and the other one is for security. Just to make the parking lot more secure for their employees, rather than going with fences, go with a berm. And then, like I said, they'd be having gates here, and to bring it up and down. I think it's kind of a, to be honest with you, it's, in my opinion, I've been doing this for 29 years, I think it's a great idea from the fact that you're getting away from the fence with the barbed wire on the top, which was the other way to do perimeter security that you've seen in the past, for parking areas. And we've taken a lot of that out over the years, and at Broadway, you don't see that, and even at the Georgia-Pacific street here, you don't see a lot of fencing with barbed wire any more like you did back in the '90s. And, I'll be honest, it's more expensive for them to do that--

- [Don] No question about it.

- [John] To build the berms.

- And it gives you a buffer between the public and the facility. And you're zoned industrial, all the way across the board here.

- [Don] You're gonna put landscaping on the top of these berms.

- [John] It's gonna be mowable grass, right now, is what it is, so it'll be more green space than what we--

- [Don] When you put that berm in, right now there's asphalt there.

- [John] Correct, yeah?

- [Don] Does that go down to the dirt, then?

- [John] The asphalt comes out, everything's getting stripped, yeah.

- [Don] So you've got water drainage from the top of your berm all the way down.

- [John] Yeah, yeah.

- [Don] I'm tryin' to make your case for you, that I think you may not have made

- [John] Okay, yeah, help me out. The berm's gonna be 20, what is it, 26 feet wide?

- [Don] But you have a parking lot you'd like to fix.

- [John] Correct.

- [Don] There's no landscape islands in there or anything now.

- [John] Correct, yeah.

- [Don] The code requires that you put in these landscape islands, partly, maybe mostly, because we wanna have control of some way to have water. You've dealt with the water completely separately, which is fine, but this berm, it can be and probably represents far more water drainage green space stuff than you ever would have put in if you had not put the berm in, and had put in all the landscaping.

- [John] You're right on the money, yeah.

- [Don] So tell me where I'm wrong, Paul.

- [Paul] You want me to tell you that?

- [Don] Yeah. I came in here tonight not being too sure about this one. Isn't the point, there's two points of the landscape islands in the middle of parking lots. There's the permeable surface, absorbent thing. And then there's just the aesthetics. Is there any other that I'm missing?

- [Paul] No, I think those are it, those are the obvious ones. The idea is to break up the pavement there, and provide some, maybe minimal, stormwater management.

- [Don] Which, with a parking lot in a facility this large already has its own retention basin and all this other stuff. Okay, so you also have this concern about the driveways, that the code, as you would otherwise have to-

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- [John] Be narrower.

- [Don] Is this the 25, 35, or?

- [John] Yes.

- [Don] Okay, you want it wider.

- [John] Yeah. And I think that helps, too, with the traffic on Lombardi, just getting the cars in and out quicker. I think the quicker the driveway, if you've got people exiting and exiting at shift time, I think the longer the driveway the quicker they can turn in and the less backups you're gonna have. So I think that's safety to the public.

- [Don] Gentlemen, I've been blabbin' up here now. Comments, questions?

- [Tommy] I think I understand, you did a good job of explaining all of that stuff, but I think your driveway one, there's three variances, right, that we're talking about, in one application, with this application, right?

- [Paul] We've got the landscaping, the interior lot landscaping, and technically the medians are part of that landscaping, and the pavement, and then the width of the drives. So technically there's three.

- [Tommy] And we have a bunch of, I don't know if for him, but there was a lot of comments provided about the driveway part, and I think that's the part that I wanted to understand a little bit more.

- [Don] Okay, sure, fire away.

- [Tommy] So, what is the hardship, specifically, for the driveway width part?

- [John] Well the hardship is we're close to Lambeau Field, right, we want to install security gates there, because we're in close proximity to Lambeau Field, and we want to stop Packer fans from parking in that parking lot, Georgia-Pacific does, and then car-pooling down. So to do that, we want to put gates on the outside and stop that, and then they're gonna have readers in the cars, so then you've got the reader on the dashboard, the gate opens, if you don't have the reader, the gate won't open.

- [Tommy] So widening the driveway is specific just to the installing of the readers. In order to install those you have to have a certain width. They won't fit at the coded length.

- [John] Yeah, I mean that's future down the road, right. So they want islands, and they're gonna put conduit out there, they're not sure on exactly what they want yet, you know what I'm saying, they haven't done the research yet on this and how they're gonna do it, but they want the future ability to put those in, and have the appropriate width.

- [Tommy] And the two driveways that you were talking about are just the driveways that enter this new parking lot with the berms and all that stuff.

- [John] That's correct.

- [Tommy] Okay.

- [Don] We've got two driveway widths we have to deal with. But you said there was really two other variances. You're not making three by using two for the individual driveways. What was the median, maybe I misunderstood, was that on the entry?

- [Paul] When you go over a hundred parking spaces in a parking lot, you're required to provide a certain size median, more of a substantial median throughout that, it might exceed that 5% requirement.

- [Don] That's different from the landscape?

- [Paul] Right, that's above and beyond the requirement. So for example you would have maybe a median that ran down the middle. Because you have so many parking spaces, like a given, that if you have this larger median, that would break up that larger parking area. I think the threshold's a hundred, I'm pretty sure they're over a hundred parking spaces. That's in addition to the 5%.

- [Don] And the purpose of that, again, is--

- [Paul] Yes, aesthetic.

- [John] That's an expansive appearance of the parking lot, that's the way the ordinance used to read, for many years. Again, I think the berms are gonna be taking that public sentiments inside.

- [Paul] I guess you could entertain the idea is that, flip-flopping, instead of having it in the parking lot, now it's on the outside, or perimeter, of the parking lot. Again, I think the intent of the ordinance is to provide that in the paved, hard surfaced area, but, you can interpret that as you wish.

- [Don] Can you provide a refreshment of my poor memory on these driveway widths, and the argument that indeed, there can be too wide a driveway? That's what Mr. Hanson is making the argument on? He says there is such a thing as too wide of a driveway. Is Traffic making a specific objection, then, to widening of those driveways?

- [Paul] I believe they are, yes.

- [Tommy] There's another, Don you saw, there was another letter that Dave sent.
- [Don] I've got this memo that he sent from himself to Paul--
- [Tommy] Is it this one here?
- [Don] Yes, and then there's another one, a second one?
- [Tommy] And then you look at the Georgia-Pacific area.
- [Paul] They're the same memo, just two different items.
- [Tommy] In reading it, just for me, maybe I'm reading it wrong, one was more like, hey, I know you guys are seeing a lot of issues with driveway widening, here's a comment about driveway widening altogether. This is more specific to this one.
- [Paul] You're right, he did have a second memo that he actually drafted in like 2010, that talks about the general parameters of driveways and associated uses.
- [Tommy] This is the one that I think is relevant to the discussion, this being--
- [Paul] This one here. Right, he made a comment on each of those requests. This one and the one on Humboldt.
- [Tommy] Yep, correct.
- [John] Again, I think you're gonna have a lot of people coming in and out at the same time on this.
- [Tommy] Yeah, for me, just so you know, we were reading recommendations from Traffic on the driveways. It's hard for me to tell, based, the other ones I think I understand, the berm and all that sort of stuff. The driveways, he's talking about like a median island, for the driveway, so, is there a closer picture of what the driveway is going to potentially look like? When he's saying a median, what is he talking about, specifically, can you show us Paul?
- [Paul] That's that line that's right here, right in the middle, of each of these drives. So it separates the two lanes of traffic here, so that's why they're wider. This little line here, and here.
- [Tommy] And he mentioned, for you, this is a concrete divider right here, which is what's causing it to be wider, is you need that median, to have that concrete, and that's where those theoretical stations are gonna go in, and they're gonna go like that
- [John] You got it.
- [Tommy] They'll open up like that? Okay, open up to the middle. And that's the current design?
- [John] Right.
- [Tommy] Is there a way to do it without, in the middle, and put the things on this side, and therefore it would shrink, so you could put the little guys on this side and this side?
- [John] I'm sure there probably is, you could skinny it up, but then, keep in mind right now, you got snow removal, you got cars coming in and out both ways. So, what's the ordinance at the bottom, at the end of the apron, Paul, do you know? Is it 35?

- [Paul] It's technically 30. It's 25 at the property line, that's consistent with commercial and industrial drives, 25 feet at the property line. Then it flares out to 30 for domestic vehicles at the curb line. It can be widened to 35 feet for trucks, or larger vehicles, who need that additional turning radius.
- [Don] And how far do you need to go?
- [John] We've got, at the end of the apron, is it 35, is that what you said? We've got 44.
- [Paul] Well, 30, I mean, again, these are vehicles, domestic vehicles that are coming and going, they're not large--
- [John] So we're showing 44, is what we're showing, so you go from 30 to 44, but everybody at the mill essentially drives pickup trucks.
- [Don] But of the 44, part of that's being taken up by the equipment in the middle of the driveway? How much is that?
- [John] You got 32 feet going across, then 44 at the end, at the bottom of the apron.
- [Don] At the curb.
- [John] Yeah.
- [Don] And then there's, how much is this little guy in the middle here, what, 32 inches?
- [John] No, that'd be 32 feet.
- [Don] Oh, I'm sorry. You really don't have that measurement.
- [John] No.
- [Don] Hold on, eight feet. Okay, so that brings you back to 36. Am I grasping at straws here, Paul?
- [Paul] Yeah, we're showing eight feet, because that--
- [Don] I mean, isn't that right? The 35 width that you just mentioned, that we'd kind of allowed for the trucks would be without anything in the middle.
- [Paul] Right.
- [Tommy] This is just, this is for, those trucks are for like semi's, correct? This is for just employee parking, correct?
- [John] Yes.
- [Don] So your argument is that there may be some pretty big trucks for your employees.
- [John] Well you know, you design these lots, and I park in 'em, right, and I've got a pickup truck, and I think everybody at the mill drives a pickup truck, just a bone, and a lot of 'em are three-quarter ton. But, and we actually went over-size on our parking spaces, to give 'em a little bit more room here, and angled, and we got a lot crammed into this spot.

- [Tommy] But shortening the driveway, with that variance, that's not a, I guess I'm grasping at the need. What's the need?

- [John] The need is for future allowability of the gates to go up and down.

- [Tommy] And if I'm understanding correctly, there's, I might get the math slightly off, but it was like, 44 feet, and at eight feet of the middle, is the middle island?

- [John] Yeah.

- [Tommy] So they need eight feet for those machines? It seems like a lot. That was one of the questions, are they planning on installing, like a guard booth, 'cause that makes more sense. 'Cause if you're installing a guard booth--

- [John] They're not gonna put in, it's gonna be all automated--

- [Tommy] So is there a comprom-- is there room in the plans to--

- [Don] Eight feet would be, you know, you've gotta hear their want, right?

- [John] So then you gotta get access panels on the back side, to work, if you got--

- [Don] If there was a guard post there, it'd be a lot more.

- [John] We're not gonna go with a guard in a shack, they're gonna try and automate this as much as possible. That's their goal here.

- [Tommy] Is that a make or break for the design of the parking lot, the driveway width?

- [John] Is it a make or break? No, I mean, they're gonna do this. The landscape islands would be more make or break. They wanna put this in, and they just want to allow for, I mean they're always lookin' to the future, to expand, right, future expansion, it's hard to know exactly what the future is. They wanna give themselves enough room there to have that.

- [Don] Greg, questions?

- [Greg] No questions.

- [Don] Are we done?

- [Tommy] Well, more comments for us. I don't have any more questions.

- [Don] Okay, sir, I guess if you could have a seat, we'll talk it over. Thank you.

- [John] Sure.

- [Tommy] I think, Don, you did a good job of making the case for the first two variances. I think it's public safety, I think it makes sense, the water's being handled with the storm drains separately, so that's taken care of. I think I'm thumbs up for one and two. Three, I don't feel a case yet.

- [Don] For the driveway, wider driveways?

- [Tommy] No, no. So that's the only one I'm struggling with right now. I get the long-term vision. If I had a more detailed plan, of what they were gonna do now, then I think I would say okay, cool, there. The hard part is, if you say no to that, then you have to redraw the whole plan. So it's kind of, I would hate to approve something without knowing exactly what is the plan there. But, if you say, like I said, if you say yes to one and two with the plan, then you kind of have to come back for three anyway.

- [Don] Yeah. Greg, your thoughts?

- [Greg] I'm fine with the plan. I think it's well thought out. Increasing the green space, I think that lot, I've been driving by it a lot, I think that lot needs some work.

- [Don] Oh yeah, just about every lot in the city does.

- [Greg] Yeah, and it's an industrial area. I'm looking at the recommendation from Dave Hanson. He recommends approval, driveways without medians. I'm fine with it.

- [Don] I am too, I'm okay with what's being proposed. And then, Tommy, we can have voting on variances separately, or--

- [Tommy] If you're, you taught me this, if it's yes on three, then I'm out.

- [Don] Okay, go ahead and make the variance motion to Greg, and I'll second it.

- [Greg] I'll make the motion to approve the requested variances, all of them.

- [Don] As presented to us?

- [Greg] Correct.

- [Don] And I'll second that. And we'll vote, all in favor?

- [Greg] Aye.

- [Don] Aye. Tommy?

- [Tommy] Yes on one and two, no on the third one.

- [Don] Okay.

- [Tommy] I don't know if I can split 'em out like that, but that's, at least, on the record.

- [Don] At least on the record.

- [John] Thank you gentlemen.

- [Don] Okay, you got it.

- [John] I appreciate that, thank you.

- [Don] Took us a while, but you got it.

- [Paul] So it's clear, it's just for that parking lot, correct?

- [Don] Yeah, yeah.
- [Tommy] That is a good point, is that okay to craft that?
- [Don] Yeah, what I wasn't--
- [Paul] Just for posterity, just that it's clear that it's just for the parking lot.
- [Don] It's just for the variance requested for us here.
- [Tommy] You had mentioned coming back for other variances, for something else? So this is a point to make.
- [John] Well I said, two years down the road, I think it's gonna be hard to put semi-trailers with the landscaped islands in there. That's technically a parking lot that goes in. And then we'd need another driveway variance 'cause of the overkill, so I'll be back here again in two years.
- [Tommy] Okay, cool.
- [John] Okay, thanks guys, appreciate it.
- [Don] Thank you. Mr. Hutchison can re-join us. The notion of having mitigation for environmental concerns is pretty common, so I think that part is okay.
- [Tommy] Yeah.
- [Don] I know we're gonna come up with this again, so this driveway thing is puzzling to me.
- [Paul] Just like signs.
- [Don] Yeah. Well signs I just throw my hands up. All right, we don't need to keep these people waiting. Mr. Weise? You have a widened driveway that you want to talk about.
- [Troy] Yes.
- [Don] Have a chair and present your case.
- [Troy] All I'm lookin' is, where it's tapered off at the end, they don't show the new addition on there. This is where they're showin' that taper.
- [Don] Um-hmm.
- [Troy] I'm just lookin' at leavin' it like that across there in front of those lilacs instead of cuttin' the lilacs down. The lilacs do a couple things, first, they stop, right across the street from me is Steven Street, so all along as cars are comin' down Steven Street, they're shining right between the houses, and they would normally shine back there. And then I put a basketball hoop right there, on the flat spot there, for the kids to play. And if I put that taper on there, you've got that transition between concrete and grass, and I don't want 'em to end up spraining their ankle there.
- [Don] Okay, so you had, or at least the City was under the understanding there was gonna be a taper, and that's why they approved the building permit that you got. My question for you, because I didn't understand it, maybe it's perfectly obvious to everybody else, is this what you did, in other words, what would have been tapered, you filled it in?

- [Troy] Yes, I kind of filled that in, right up to the lilac bushes.
- [Don] So it wasn't that you went to there, it was that you went all the way to there.
- [Troy] Yeah, there's another 12 feet to where the sidewalk would be on the driveway. From where I'm endin' right there, where it's at now, there's another 12 feet that it could come forward yet, before you would hit where there would be a sidewalk, if there was one.
- [Don] Okay, I believe, Paul, you've explained to us that the rationale of a taper, as the ordinance requires, is more aesthetic?
- [Paul] More aesthetic, sure, more green space, channels the vehicles back into the neck of the driveway.
- [Don] So if we deny the variance, the gentleman has some concrete to remove. How about--
- [Jim] Could he actually add on--
- [Don] Yeah, that was my next question. Tear 'em out, tear out the lilacs, and put a taper at the rest, taper back in from the corner. I mean, I don't know how close you are.
- [Troy] I could do that, but, alongside the house there, if I keep my trash containers out there, then I'm breakin' the rule where I ain't got a row of bushes blockin' off the trash container and recyclable containers, alongside the garage there.
- [Greg] Where's the basketball hoop?
- [Troy] Right now I got it taken down, but normally we set it up right here, and the kids play this way. 'Cause otherwise that driveway's got a little, it's kind of steep, and the ball likes to roll out into the road. This way the lilac bushes catch it and the ball isn't on the road three quarters as much.
- [Don] So the, other than the hardship of having to remove the concrete here, your point was more to give a little more room for the basketball court.
- [Troy] Yeah. It was just to keep that concrete edge, so that the kids ain't playin' on that concrete edge between concrete and grass.
- [Don] And you raise a point about the light from Stevens.
- [Troy] Yeah.
- [Don] And there's a hardship to you to take out the lilacs.
- [Troy] Yes.
- [Don] And the hardship reflects in a way that you have light, but you also have lost a barrier to keep basketballs from rolling out into the street.
- [Troy] Yeah.
- [Dan] And we have to balance that against the issue that you put in more concrete than we gave you a permit for.
- [Troy] Yes.

- [Don] Okay. Questions, Tommy?
- [Tommy] Nope.
- [Don] Really?
- [Tommy] No questions.
- [Don] Okay, tell him, surprise.
- [Tommy] I know.
- [Greg] How far is the road from where the concrete comes through?
- [Troy] To right where it starts to taper, where it's kinda showin', about 24 feet.
- [Greg] Okay, and there's a downslope there, it looks like?
- [Troy] Yeah, it slopes pretty steep from, it's not really steep, but it gets a basketball movin' pretty quick.
- [Greg] So you'd have to take out that whole row there, is that what we're lookin' at, the bushes?
- [Troy] Yes, if I were to run it closer up and down, up closer to the sidewalk.
- [Greg] All right, okay.
- [Don] Jim?
- [Jim] Is it taper, I guess the issue I have is there was a plan and it wasn't followed. I mean, the City granted a permit, and it wasn't followed. And I mean, did you just--
- [Troy] Well, it's just the amount of the taper. I mean it's tapered now like a foot.
- [Jim] Oh, it's tapered a little bit.
- [Troy] Yes, it's tapered about a foot.
- [Jim] Okay, so, technically, you tapered it.
- [Troy] Yeah, just not to their specifications. They wanted four feet--
- [Paul] Five.
- [Troy] Five feet.
- [Jim] So, we're talking not tapered now, we're talking not enough taper, right? Okay, okay.
- [Don] Do we have what we think we need to know? You could have a seat, sir, we'll deliberate. So we're weighing the issue of aesthetics, that's really it, right?
- [Paul] And if it complies with the code.

- [Greg] And didn't you mention something about the flow, by the end?
- [Don] Yeah, I can see that.
- [Paul] It's channels, vehicle channeling.
- [Don] It also kind of prevents it from being used as a parking spot, just as a way to make it clear that it's a driveway. I mean, I can see that point. I can see the need for the, it looks better. But against that, we have the gentleman's arguments regarding the basketball, and the sight lines, and it's true, he's got Stevens like butting up, I don't know if you can see it from, not really. Stevens is like, he could almost drive straight out his driveway into Stevens. There is, it's not like he's in the middle of a lawn, probably. I guess I'm okay with this, just because to me the bushes and the Stevens issue are sufficient to outweigh my concerns about the aesthetics of it. So, unless you guys have some really good reasons, I think I'm voting okay
- [Greg] I'm kind of the same vote. If you take out those lilacs, and the slope of it, those kids are out there playin', to me that's a bigger concern than the focus on how it looks, you know what I mean?
- [Don] Yeah, and it is going into a three-way intersection.
- [Greg] Right, so I'm okay with that.
- [Jim] Well, I woulda absolutely voted against this if there was no taper, just, but there is.
- [Don] On principle.
- [Jim] On principle of the fact there was a taper shown on the plans for the permit, but there's no dimension on it, but I'm sure it was thought to, to be a permissible taper. So, boy, I'm like right on the fence.
- [Tommy] I'll just say I'm a no, it's self-imposed. I appreciate the use of the property. But as we learned, the variance travels with the land, not the people, and five years from now, basketball might not be a thing. And so, that's why the codes or ordinances are there, and the permit was approved with the correct taper. It wasn't installed that way, so, again, that's that heartfelt thing, you kind of have to remove in these decisions, and say we're not here to judge the person and that, we're to judge the law, if you will.
- [Greg] To me that's the hardship, is that, it's not a heartfelt thing, it's a safety issue.
- [Tommy] It's self-imposed. That's the big thing, is that the hardship can be self-imposed. And the lot is usable as currently built. If someone decides to build a patio without getting the right permits, that's a self-imposed hardship, just because they have to remove the patio if it doesn't fit.
- [Don] You know, I think Tommy presents a reasonable argument, it's not one I agree with. It does depend though on, if Greg and I are in favor, and Tommy and Jim are not, that's a--
- [Tommy] Yeah, what happens there? Puts you in the hot seat, Jim.
- [Jim] Yeah, swing vote. I could make you the swing vote. I'm gonna vote for it.
- [Greg] I make a motion to approve the requested variance.
- [Jim] I'll second it.
- [Don] Okay, we have a motion made and seconded, to approve the variance requested by Mr. Weise for his driveway on Bond Street. All in favor?

- [Greg, Don And Jim] Aye.
- [Don] Opposed?
- [Tommy] Nay.
- [Don] Three to one, you're good.
- [Troy] Thanks.
- [Don] Kwik Trip. The long suffering window man, Mr. Osgood.
- [Troy] Well, you got the pinch-hitter today. My name's Troy, Jeff couldn't be here, but--
- [Don] All right. I'm sure it was a good replacement. Tell me what you'd like to do and why.
- [Troy] Sure, thanks for the time this evening, gentlemen. Our proposal, we're looking to construct a new Kwik Trip kind of in the northeast quadrant of town. And one issue we've encountered is, seems like since some recent stores we've built, maybe Paul might know the date when this driveway issue came to be, but it seems like now there's a tighter restriction on the throat of the driveways. And in our experience operating these facilities, and with the deliveries we have for both fuel and for grocery convenience items, every delivery in the store, the hardship we'd experience with the 25 foot driveway width at the property line, is that you'd have a very unsafe condition for folks entering and exiting the property, particularly when you have a car queuing to exit the site. The secondary items that I think there were some pictures submitted just to show, kind of, the secondary item would be the damage to the property that you'd have, with the trailing tires and wheels of trailer vehicles, those tend to hop the apron areas and curb areas of narrow driveway openings. We've submitted some pictures that, unfortunately, we've had some experience with. One in particular, the first one I do know, is one where we acquired a station down in the Milwaukee suburbs, and that facility did have a 24 foot driveway opening at the property line, it's this picture here, I don't know if you've got it on your digital submittals or not, but I'll just pass out a hard copy for old school eyes, and that picture shows this particular condition, where you'd have a 25 foot opening at the property line, and a 35 foot flare at the street line. And as you can see with that, what's happening is folks are hopping the curb, causing damage to the terrace area, obviously you can see them going over the sidewalk area as well. So with that, obviously that isn't something we'd like to present to the City, and have as ain that area of town, with a condition that provides that kind of a condition and property damage. We also did just check to see, kind of, what's the comparable here. And we looked at a store that we acquired, that was a Shell station down on East Mason and Huron, just to kinda see what the driveway widths are on that facility. And I can pass this around, too. It looks like one of the driveway widths at the property line is about 48 feet, another is 52 feet, and then a third one, that is primarily for cars, is about 30 feet. The second sheet, I'll pass this around, too, is a store we built a year ago, a little bit north of a year ago, over on University Avenue near the new Festival facility, and that one, I think Paul may know, but I think that was a PUD situation.
- [Paul] Yeah.
- [Troy] And the driveway was there, basically 35 feet at the right-of-way line. The measurements on here show 36-and-a-half, but that's the dimensions of the back of the curb, so that's a little bit different shows up. And then the third sheet is just the turning movements on that site near Festival on University Avenue. It kinda shows the conditions there, and I'm gonna pass that around, too, there's a couple copies here. Again, the first sheet is the store at East Mason and Huron, you can kind of see the widths of those driveways, and our proposal here would be to see if we could get relief to have driveways that are 35 feet at the right-of-way.
- [Don] How far at the curb?

- [Troy] I don't know if they're dimensioned officially on this submittal that we have here. I guess the one that I'm seeing on Huron's got five-foot flares or tapers, I forget which one these are.

- [Don] Anyway, you want 35 and perhaps something on the order of 45 at the curb, versus 10 feet less than that.

- [Paul] Yeah, typically there's a two-and-a-half-foot taper on each side. You can go as wide as you want, I suppose, but typically it's two-and-a-half-feet.

- [Don] Okay. So the concern of the ordinance, really, would be the 25 versus the variance request of 35.

- [Paul] Correct, at the right-of-way line will dictate pretty much what the opening will be at the curb line.

- [Don] Okay, and we have a note here from Traffic, and he's okay with what's being proposed. He agrees with most of what your argument is regarding the trucks. So I certainly have no problem with this. Questions, gentlemen?

- [Tommy] Just a clarification to things, but I can do that later.

- [Jim] So one thing, there are physical constraints in the center of the roadway, is that right? 'Cause I was lookin' for 'em in the photographs, I couldn't see 'em, but, a truck can't, there's a physical--

- [Paul] Yeah, there's like multiple medians that are on this side, here, and apparently right about here. But then this is just straight, this is mountable, here.

- [Jim] Okay.

- [Tommy] Well, I'll just ask my question right now. Is it, so, going back earlier, is the 25-foot driveway, with, what type of zoning?

- [Paul] It's for commercial and industrial properties.

- [Tommy] So when does it go to 35? What type of property?

- [Paul] If you have dual-axle vehicles, when you have larger trucks, then you're allowed to go to that 35 feet. The dimension at the property line is always 25 feet.

- [Tommy] Got it.

- [Paul] And it goes to 30 for your typical parking lot, your commercial parking lot. If you have an industrial user who needs something broader, based on the vehicles that they use, then it can go to 35. So this is a case where it could be 25 and 35, so you're varying those two dimension.

- [Tommy] And I guess that's what I'm getting at, is because Kwik Trip, the way they build their buildings, their delivery trucks, I see it at the one over on Walnut, they have semi's coming in, and dropping off product, gas, fuel, whatever it is, and so it's technically a 35-foot use, for those circumstances. The problem is that 85% of the other time it's used for cars. Forgive my bad math, but you know what I mean, that's kind of what we're dealing with? So it's a dual-use parking lot, driveway?

- [Paul] Sure, I mean gas stations kinda present that issue, I suppose, your typical parking lot might not, for office use or something like that.

- [Tommy] Correct, that was gonna be my next question. Do we see that, if a different gas station was here, would we see that frequently? Since you have that single use for semi's?
- [Paul] You might, but I guess it's based on the operator and their delivery system, and it's unique to them I guess.
- [Tommy] Okay, cool. I don't have any other questions.
- [Don] Motion will be in order.
- [Tommy] Oh, isn't there, can we disc--
- [Don] Oh, yeah.
- [Jim] Do we wanna discuss?
- [Don] Go ahead, why not.
- [Troy] I'll get outta your way.
- [Tommy] Technically, we--
- [Don] I thought we were, I jumped the gun.
- [Tommy] Just close the question and answer. I motion to approve, unless there's no other discussion.
- [Jim] No, I thought there wanted to be a discussion.
- [Tommy] No, I just, normally, don't we ask them to be excused?
- [Don] Yeah, we, sometimes we, sometimes we, sometimes the last guy gets the--
- [Tommy] Don't jump the shark.
- [Don] I got ya.
- [Tommy] No, I have no discussion, I'm sorry, I gave that impression. I motion to approve.
- [Greg] I'll second it.
- [Don] Okay, we have a motion made and seconded to approve the variance requested, for the Kwik Trip on Humboldt Road. All in favor?
- [Members] Aye.
- [Paul] Were there any specified dimensions that go on? So we know it's 35 at the property line, is there a dimension at the curb line that you want?
- [Don] It would be as presented to us in the variance request. With as many as or as little as we normally get for dimensions.
- [Paul] Okay.

- [Don] I guess we got, you're good, sir.
- [Troy] Thank you, guys, appreciate your time.
- [Tommy] Five feet, on either side, is that right? It looks like five feet on either side?
- [Paul] It typically tapers two-and-a-half, I mean if you want to specify something, then--
- [Tommy] Well no, I'm just saying, we just approved it as proposed, is that what it is, five feet taper?
- [Troy] There's five feet on either side that I've seen on the drawing on Huron, and the one on Humboldt has that little bit of a trail to it, so I don't have a perfect dimension on that, but it is shown on the plan, how that would work.
- [Tommy] Okay.
- [Troy] If you'd be good with as shown on the plans, that's what we'll submit and dimension it.
- [Tommy] Yep.
- [Don] Further business that we want to discuss, did we have anything else? We have, um--
- [Tommy] You're good. Do you want some of this stuff back?
- [Troy] I can take it if you guys don't need it.
- [Don] Let's keep one. Let's keep one for the official record, and I've got, this package for Paul. Thank you, sir.
- [Troy] Thank you, thanks Paul.
- [Paul] Thank you.
- [Troy] Thank you.
- [Don] Okay, we still have the informational regarding next meeting, and issues you want to talk about? It looks like we don't have a quorum.
- [Paul] We don't, and I won't be here either. But we would have other staff, so--
- [Don] Oh, it's that time of year, when a lot of people head south.
- [Paul] So we could do a special meeting later in the month, or just move to the April meeting. Play it by ear and see what comes in, and keep you apprised of that. At this point, we're gonna cancel the meeting.
- [Greg] Who can make April's, 'cause I might have to miss?
- [Tommy] I can make it.
- [Jim] I can make April's.
- [Paul] I think Noel's back, too.
- [Greg] If there's not a quorum for April, too.

- [Tommy] Noel said he couldn't be here for April, either.
- [Jim] No, he didn't say--
- [Tommy] Oh, it was in February, March?
- [Paul] I thought it was February, March.
- [Tommy] Oh, okay.
- [Don] So we would be meeting during Easter week, that Monday after Palm Sunday.
- [Tommy] The 15th, tax day?
- [Don] Yeah. Okay, we're gonna have an issue there. And at that meeting we can maybe talk more about the training session, and we still have an election of officers that we have to do every year. So that would be included in there, too.
- [Paul] Yep.
- [Don] Otherwise, I think we're done, gentlemen. Unless you guys wanna talk.
- [Tommy] I just wanna say, if you do move the date in March, if it goes later than the current date, I'm basically gone the last two weeks of March.
- [Paul] Oh, you are, okay.
- [Tommy] So, if you go the week before, I'm here. If it's the week after, I'm gone those two weeks.
- [Jim] Yeah, I'm just the flip of that. I'll be here on the 20th, and thereafter.
- [Paul] I think we're shooting for April, as it stands.
- [Don] So, what, you headed to Mexico?
- [Jim] Florida, southern Florida.
- [Tommy] As far south in Florida as you can go?
- [Jim] On the Gulf side, yes.
- [Paul] We should cancel our--
- [Don] Yes, that's probably a good idea.
- [Tommy] Motion to adjourn.
- [Jim] Second.
- [Don] All in favor?
- [Members] Aye.

- [Don] We are adjourned.