



MINUTES OF THE GREEN BAY PLAN COMMISSION

**MONDAY, APRIL 22, 2019, 6:00 PM
CITY HALL, ROOM 604 - THE HARRY MAIER ROOM**

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

Others present: Ald. Kathy Levebvre

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the April 22, 2019, meeting of the Green Bay Plan Commission.

Moved by Lisa Hanson, seconded by Jerry Wiezbiskie to approve the agenda. Motion carried.
Yes- Jacob Miller, Jerry Wiezbiskie, Lisa Hanson, Randall Petrouske, Timothy Gilbert, Veronica Corpus-Dax, No- None, Abstain- None

C. APPROVAL OF MINUTES.

I. Approval of the minutes from the March 25, 2019, meeting of the Green Bay Plan Commission.

Moved by Jerry Wiezbiskie, seconded by Ald. Veronica Corpus-Dax to approve the minutes. Motion carried.

Yes- Jacob Miller, Jerry Wiezbiskie, Lisa Hanson, Randall Petrouske, Timothy Gilbert, Veronica

Corpus-Dax, No- None, Abstain- None

D. PUBLIC HEARINGS.

Chair Tim Gilbert explained the rules and procedure for the public hearing.

Chair Tim Gilbert opened the public hearing to amend the City's Comprehensive Plan for a property located at 1725 North Irwin Avenue from Commercial to Industrial.

I. (CPA 19-01) Consideration with possible action on a request to amend the City's Comprehensive Plan for a property located at 1725 North Irwin Avenue from Commercial to Industrial (Figure 22-4), submitted by Matthew Brummer and Dave Heil, Badger State Storage GB, LLC, property owners. (Ald. K. Lefebvre, District 6)

Chair Tim Gilbert closed the public hearing after the public was given the opportunity to speak.

E. REGULAR BUSINESS.

I. (CPA 19-01) Consideration with possible action on a request to amend the City's Comprehensive Plan for a property located at 1725 North Irwin Avenue from Commercial to Industrial (Figure 22-4), submitted by Matthew Brummer and Dave Heil, Badger State Storage GB, LLC, property owners. (Ald. K. Lefebvre, District 6)

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

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

Moved by Lisa Hanson, seconded by Ald. Veronica Corpus-Dax to close the floor for discussion. Motion carried.

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

Moved by Jacob Miller, seconded by Lisa Hanson to deny the request to amend the City's Comprehensive Plan for a property located at 1725 North Irwin Avenue from Commercial to Industrial. Motion carried.

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

2. (ZP 19-05) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a proposed hotel and for the hotel to exceed the maximum height limitations located at 1004 Brett Favre Pass, submitted by Victoria Fabry, The Legacy Green Bay, LLC. (Ald. B. Johnson, District 9)

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

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

Moved by Randall Petrouske, seconded by Lisa Hanson to close the floor for discussion. Motion carried.

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

Moved by Jerry Wiezbiskie, seconded by Randall Petrouske to approve a Conditional Use Permit for a proposed hotel and for the hotel to exceed the maximum height limitations located at 1004 Brett Favre Pass, subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan and building plan review and approval. Motion carried.

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

3. (SP 19-02) Consideration with possible action on the request to declare City property surplus, located at 1531 Main Street, submitted by Rory Barth (Ald. C. Stevens, District 5).

Moved by Randall Petrouske, seconded by Lisa Hanson to deny the request to declare City property surplus located at 1531 Main Street. Motion carried.

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

F. INFORMATIONAL.

I. Director's Report.

Kevin Vonck presented the Director's Report. No action taken.

2. Date of next meeting: Monday, May 13, 2019.

Please note that there will be only one Plan Commission per month for the months of June - August 2019, due to Common Council only meeting once a month. The meetings will typically be held the second Monday of each month.

G. ADJOURNMENT.

Moved by Lisa Hanson, seconded by Randall Petrouske to adjourn. Motion carried.

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

VERBATIM MINUTES

- [Woman] Bernie and Bob never showed up for review.
- Welcome to the Monday, April 22nd, 2019 meeting of the Green Bay Planning Commission. First order of business is roll call. Tim Gilbert, chair, you present? Sidney Brimmer, vice chair, is excused. Alder Veronica Corpus-Dax?
- [Veronica] Present.
- Commissioner Lisa Hanson?
- [Lisa] Present.
- Commissioner Jacob Miller?
- [Jacob] Present.
- Commissioner Randall Petrouske?
- [Randall] Present.
- And commissioner Jerry Wiezbiski?
- Present.
- Thank you. Next item, approval of the agenda for the April 22nd, 2019 meeting of the Green Bay Commission.
- [Woman] Move to approve?
- Second.
- We have a motion commissioner Hanson, the second my commissioner by Wiezbiski to approve the agenda. For all in favor, say I.
- [Committee] I.
- [Man] Opposed? The agenda's approved. Next item, approval of the minutes from the March 21st, 2019 meeting of the Green Bay Planning Commission.
- Motion to approve.
- Second.
- We have a motion by Commissioner Wiezbiski, a second by Alderman Corpus to approve the minutes, all those in favor.
- Aye.

- Opposed. The minutes are approved. Next item is a public hearing and this public hearing has been properly posted and public notification has been published in Green Bay Press Gazette. The Plan Commission is interested in hearing public comments on the subject agenda items. We invite your comments and ask that after your name has been called, you state your address, whether you represent a group or association, whether you favor, oppose or are only providing information in this matter and your comments and concerns. We also ask that you confine your testimony to facts related to the proposal at hand and avoid repetitive testimony, we want to recognize the commission time to speak and please address your comments to the chair. Comments will be limited to three minutes and just so you know, this item will appear on the record of business shortly thereafter. Okay we will now open public hearing on CPA 19-201 consideration with possible action on a request to amend the city's comprehensive plan for a property located at 1725 North Erwin Avenue from commercial to industrial submitted by Matthew Brummer and David Heil, Badger State Storage GB LLC property owners. Is there anybody that wishes to speak on this? Yes ma'am.

- [Woman] I wanna speak on it, correct.

- Come up to the podium please and state your name and address.

- My name is Karen Wheatley, I'm a property owner. And I want to object, I don't believe that the way to go is to go with more industry. We need more families there. Our area is making improvements as to more family oriented with the beach building it's water, beach back, the children's museum going back there, wildlife building up for Pre K school is all family oriented. I have been in this area for over 50 years.

- Okay your address please.

- I'm not that old.

- What's your address?

- 1245 Doplin.

- Okay thank you.

- I was there when the original buildings were constructed and moved them to the area. I don't see whereas more would bring that improvement. So I think we're moving in the right direction and commercializing that is not the way to go. Families do still walk down Erwin Avenue to go to the beach. That's a good thing, I also have my daughter owns property at 1326 Doplin, I can call her on the phone or I can just say that she is opposed to it also, so.

- Thank you.

- That's my thoughts. Thank you.

- Yes ma'am.

- My name is Debra Pierquet. We've lived, my husband and I reside at 1227 Doplin in the neighborhood went way downhill. Now it's building back up to families like she said. And I don't want more warehouses on that corner blocking the view, they look ugly for one thing. I just don't want it industrialized. Plenty of families cross the street, three houses in a row of families bought with little kids and stuff that are ridin' their bikes up and down the sidewalk. It's going back uphill to a family oriented neighborhood. We just do not want the industry. And what about, where's their water gonna go? 'Cause they have to go out for a flood plain, yeah. It's gonna go down the street to the old houses that have been there for 50, 60, 80 years, whatever. So I am definitely opposed to it.

- Okay thank you. Anybody else, yes sir.

- My name is John Young, I own the building on the corner, Jimmy's Tire Service and I would just like three questions. Why do you want to change it from first business to industrial and the second question what are you allowing to put in an industrial and what are you allowed to put in commercial?

- We will address that when it comes to the business part of it, we'd be happy.

- Okay, in other words, I can't make my decision until I find out what this is, either one. I have extra property there, I'd like to develop. And wait to see what happens, okay.

- Okay.

- Thank you.

- Thank you. Is there anybody else that wishes to speak on this? Yes ma'am.

- Alder Kathy Lefebvre, District Six, 1731 East Shore Circle. I also lived in the area for 40 some years, almost 50 years now, just east of the beach amusement park and I was disappointed when they did turn that into, allow them to put in the storage units because that was residential in there and I'm completely opposed to turning into industrial. I'm also concerned if you turn industrial, what are they gonna put in there? We have an industrial park a little bit east of that. And there is probably some spaces there people can move into, I want it kept commercial because that's what it is now, I don't want it changed. And as others have mentioned, the area is improving. Homeowners are, people wanna own homes. And I want it to stay that way. I don't wanna bring industrial over this way now, on the other side of the avenue. So I'm just very concerned.

- Thank you, yes sir.

- I'm Bernie Skaletsk, I live at 1121 Greennut, the opposite side of the city but I own this lot right here, 1239 Doplin Street. I'm opposed to this rezoning because this matches everything else in the neighborhood and once it's zoned industrial, they can almost do anything they want, thank you.

- Thank you. Is there anybody else that wishes to speak on this? Yes sir.

- Good evening, I am Dave Lambrecht, I work at Lambrecht Distributing Incorporated as well as Lambrecht Rentals. I am also opposed to this rezoning. I've dealt with real estate all my life here and again, we don't know what's going in there. We don't, I forgot, I'm at 514 North Lotus Street, Green Bay, we own the properties at 1327 Doplin and 1519 North Erwin Street. And as other people have mentioned, we got little kids in some of the buildings and I don't know if there's fencing. If there's gonna be abutments up here so I'm opposed to this, thank you for listening to me.

- Thank you. And is there anybody else that wishes to speak on this matter? Is there anybody else? Does anybody else wish to speak? Okay, I will declare this public hearing closed.

- [Man] Sorry, we thought we were gonna.

- Well we're gonna finish up with the regular business. But would you like to speak?

- Got it, got it.

- Gotcha okay.

- We jumped the gun.

- Sorry, thank you.

- Okay, yeah. This public hearing is now closed. Next item, regular business, item one is consideration with possible action on a request to amend the city's comprehensive plan for a property located at 1725 North Erwin Avenue from commercial to industrial submitted by Matthew Brummer and David Heil, Badger State Storage GB LLC Property Owners.

- Thank you Mr Chair, this is a request for a comprehensive plan amendment so it's not a rezoning. So it's a request to amend the plan, future plan use of this area, the property in question's at 1725 North Erwin Avenue and that's highlighted in red here, I-43 is just to the north heading toward Bay Beach and wildlife sanctuary, Lamster Avenue on the west, Derrick Street on the side here. So it's kinda on the northeast side. There are existing self service storage units on this property here, there are some singles and two families around the particular area and there are some commercial areas on the north along Erwin Avenue. City's comprehensive plan recommends commercial and that's the reason for the proposed change here today. I highlighted in red, these areas are commercial, industrial and low density is part of the comprehensive plan. And here is the current zoning of the property. General commercial and there's a band of low density residential on the left side. So the proposal, it's a little sketchy here but again this is North Erwin, Doplin. These are the existing self service storage units. The new owners were looking at doing an in fill of two additional buildings for self service storage units here and this is a perspective of the proposal with the two new post buildings here along North Erwin Avenue. This is an ariel view of the sight. Again, you can kinda see our third one, Parrot, the existing units here, there's an existing single family home in the corner here that they would remove and place those two units in. This property is located within a flood plain so flood protection measures would have to be taken to construct them in elevation from the street sign. These units that are existing were built in the early '90s, mid '90s, they predate the current code. They were built under a commercial zoning district. Prior to 2006, they were permitted use at one time. Since we updated the code in 2006 going forward, self service storage or many storage is only permitted in the light industrial with a conditional use permit or permit general industrial districts. So the reason for the change tonight is to go from that, change that land from commercial to industrial so that they can then facilitate a future rezoning of the property to offer those units. We did notify affected property owners. We did receive a few calls regarding this request. Staffs is not supporting this request. We feel this is an important commercial corridor that leads to Bay Beach, really not consistent with the existing structures, the uses in the neighborhood and simply not compliant with current zoning properties. So we are not supporting the request as proposed.

- Thank you. If not, should I have a request to open the floor?

- I move to open the floor.

- Second.

- We have a request by Commissioner Petrouske, second by Commissioner Wiezbiski to open the floor. All in favor.

- Aye.

- Opposed, floor is open. Please keep in mind if you've already spoken a the public hearing, if you have anything further to add, that's fine, that's great but try to avoid any repetitive testimony if you can. Is there anyone that wishes to speak on this matter? Kevin.

- Yeah. I guess he'll start.

- David Heil, CEO State Storage Group. And we own facilities in Wisconsin and Minnesota. We identified this property, if you wanna go back to the 3D model as a depressed example of what some absentee owners

choose to run them as and we that being a half constructed, non secure, not lit properly, you'll see the overhead lights that are projecting on the property, everything that we do when we upgrade a facility that's nestled into a community is work with the property owners so that when everyone around it is treated so that we're working as a community together even with picking the trees out and making sure the stone water management's done properly. We've done this several times in many communities where we're not gonna be ejecting water onto the streets. We properly engineer, we have the budget to do it because we're good at it and we have the demand here to do it so we picked up this facility, what, two months ago.

- Two months.

- So Matt's locally sponsoring it. We partner with families that have either have family nearby that live in these communities so that we have more of a roll up of helping families serve families. And that's how we do it so we'll have somebody local sponsoring it and you'll see us at these sites saying hey, what's missing, is there security issues? Is there a break in problem? We make sure that the fencing could be in an approach in a way that is more of a commercially appealing like a black fence so it looks ornate so it's really appealing for what the community wants to do. This isn't just an idea where we throw it at you and we're like hey, we're gonna collect some rent here. This is hey, how could we make this from an eye sore to something a little better. If you wanna go to that recent or as is picture, where we're at right now. So we've already cleaned up a lot of the outdoor parking. There's scattered cars and we've already made a presence to be secure and organized and picked up the grounds and done all these things that most people lack to do as a one or two operator where we have security that we cloud base and we can help our local sponsors if there's garbage on the grounds, if the blacktop needs to be repaired, we work with really high end vendors so we do everything properly and we maintain properly so right now you'll see like on this site here, for a budget purposes, they're just running on gravel mud. This is not how we'd run it so we'd do a complete engineered design so that all the dry paths would be secure and closed up so I heard a comment about that they're ugly. And that's why the approach of how we've built it has symmetry, has an ornate fence, it's secure. We would also redo the lighting so the lighting's not broadcasting into the properties adjacent to it so that it would be contained and it would be a very quiet feel to it. Self storage users, I know that there's some comments about families and younger people, it's actually two to 3% of our clients use this on a regular basis. It's more of a use case where I'm moving from one house to another, I'm remodeling my house and I'm parking my stuff here so that I can redo my basement. And we see this demand because we've already in two months, we have a few people on the wait list that are remodeling houses locally that are remodeling, like you said, the community, they're taking care of the community. So we noticed that that's what stimulates a lot of these demand is the real estate values ticking up and people are doing work to their property grounds. This is not a quick fix and dump. If you look at our website which we'll pull up later, everything is a long term home with a sense of pride so that we have a long term maintain, maintenance budget. We have a long term management so that Matt will keep this in his family for decades. This is just a different feel than someone comin' out of town and puttin' up a Hardee's and cleanin' it up, we really intertwine ourself into the community trying to make sure that if someone says hey, it's loud over there, well who's loud? Let's take care of that, let's move 'em out. This is self storage, it's made to be quiet. It's made to just serve the purpose of serving the local civilians. You wanna add anything?

- Yeah. I guess there was some comments made on the zoning and you do whatever you want. The purpose of the rezone wasn't at all to change the site, it was to standardize the site with one purpose. Right now it's got a house with some mixed commercial zoned property on there, we just wanna make it look like it should which is complete and done and finished and gated out 'cause, from where we're coming from, if it's zoned commercial, there's very little I can see somebody tryin' to move in and change that site from what it is today to something else. It would be very tough to spend the kind of money on what it's worth as it sits and just flatline it and make it commercial when there's other empty lots around and other commercial zone properties around that they could use for suit, for purpose.

- Like co mingling of a house and some storage.

- [Matt] Yeah, the site just doesn't make sense.

- It's on a banking perspective and we do go for financing and we do go for an ultimate plan, you are limited to how much you can rehab so when you're only collecting a few thousand dollars in rent a month, you can't just put 150,000 into blacktop. You have to have a master plan to make it all form and function, to maintain a real estate value for tax based and for us to use for a long term vision. On self storage, you don't make your money for many years because you're investing into the product which slowly starts paying you out on a stabilization. But this scenario is very unique and we're good at finding these that it's half built and it's half created and it was half of a thought and then the person ran out of money is that we're good at just finalizing it and packaging it and making it a complete set up. So I heard a comment about if this happens here, then it's gonna go happen everywhere. We looked all over the cities and we found no other cases that were half built on commercial and half of a house so this is a one and only scenario that we see in a 10 mile radius or in your community. But if it stays like this, we're limited to just minimal paving and the house sits as it is. But our ultimate goal is to make it look like it fits, it's functional, it's got the budget for the right landscaping plan, it's got big trees that grow over the next 20 years because we have the budget to do it and we have the demand so demand drives real estate value and without the proper demand, we wouldn't be able to do this project and that's where we put the money back into the landscaping with local vendors and landscaping and mowing and all these things that go hand and hand with maintaining a real estate.

- Thank you. Any questions, yeah.

- [Woman] How many feet from the sidewalk?

- Oh sorry ma'am, I mean among us.

- [Woman] I'm sorry.

- We can answer that though.

- So we will be maintaining all proper set backs that have been proposed originally. We won't go any further.

- Yeah. If you look at how we, the layout again, we try to make it symmetrical with what it is today. So the setbacks from the road where the two buildings are line up with that other building which is plenty, we were lookin' at doin' drive path between there and the sidewalk as well. So there's plenty of space for fence, drive path and building.

- And if this house wasn't here, we probably would've fenced in here and had a nice driveway but what we have right now is two entry points which is a security issue because we have cameras in specific spots but there's many places where you can come in and kinda loiter the site so that's why we wanna close that. So if this house, sorry, if this storage locker was not built right here, we would've closed this up and just called it a day.

- Right.

- The thing that's becoming so interesting is this. Because now we're built on right behind what should be residential lots.

- Take those down.

- But it's very interesting how the layout laid out and how it was approved so we're kinda like the finalizers, like how can we make this nice? But that's why we thought it was so unique just because of the development of this side. But we are gonna, we do have storm drains that all drain into as they should do with blacktop, we'll have the soil stabilization with the right class five under it black top so that you won't have mud going

into the drains and we also make sure that this fencing is something you'd wanna walk next to. It has the right trees, it has the right look and feel.

- Right now our main concern is the land use. We're not asking terms what the details.

- Sure, yeah and that's just, yeah, understood.

- Okay, thank you.

- Can we comment now?

- No.

- Yeah, no problem.

- Does anybody wish to speak to add anything new?

- Can we speak yet?

- If you have something to add.

- I got some questions.

- Right, okay. If you would, state your name and address again please.

- John Young, 2768 Alouise Avenue. My first question was what can use the property for as industrial and what type of business can you use as commercial and that was, I lived out there all my life. I'm 77 years old so I know all about that. Jerry Gable is the one that switched that from residential to commercial and I have no problem leavin' it with the commercial if they wanna take the house off and continue with commercial, I have nothin' with that. But I wanna know what they're gonna put, why they wanna switch this to industrial, what type of business do they wanna put in there?

- Okay. Paul, could you address that?

- Well, the switch to industrial is based on how we categorize self service storage, we treat those as industrial type uses. So we need to change that land use to be industrial and we can rezone off of that. We can't rezone from commercial to industrial land use.

- So in other words, could they rent that to sewer contractors or somethin' like that or is it just strictly for self storage?

- [Paul] Well they could have other industrial type uses, I guess it depends what's proposed and the type of use. It depends on the zoning district that we would rezone too if they got this approved too, I guess.

- So what is your reason, why don't you just wanna not and serve?

- Sir, sir. You need to address the commission.

- Oh, what?

- You need to address the commission.

- Okay. What do you wanna do?

- You had a question about the commission.
- Yeah, okay, if they want to do this, remove the house and make some more mini wireless and then do the blacktop and dress it up. That would be alright.
- Okay.
- Because across the road is commercial. I've got commercial across the road too. Plus one behind there, so.
- I think if I understand this correctly, it's because when those self storage units were built, that was acceptable commercial use. However since then.
- No, originally that was residential.
- Right.
- Changed it to commercial.
- They changed it to commercial but when the self storage was put on there, that was acceptable for commercial use at that time.
- That's correct.
- Since then though, self storage is now considered an industrial use. So even if they knocked down the house, they couldn't build self storage because that's no longer commercial, that's now considered residential, or I mean, industrial rather.
- Industrial.
- Right. If I'm understanding it correctly.
- So now I understand that correct, you got like zone spotting then, right?
- No, the whole corridor is commercial.
- Huh?
- That whole corridor is commercial right now.
- Yeah, yeah. See, I own a property across the road, it's commercial. And American Legion is commercial and I wanted to buy the two lots in between but we couldn't come to an agreement with the county 'cause I would've built another commercial building there too. So this is what I'm seein' and my buildings are all nice. They meet all the codes and everything. Because if you're gonna leave that as industrial next to my second building at Parrot, I got two residential lots and I'll change those, I'll give you either commercial or residential, whatever you want 'cause I would like to build two or more buildings on there because there's nobody gonna build brand new homes on those two lots. And across the road from me is industrial too. That's why I said it's all screwed up up there, okay.
- Okay thanks.
- Okay, yup.

- Anybody else, yes ma'am.

- Their plan looks good but if you change it to industrial, light industrial and down the road, they do, he decides to sell it, okay, so what are we lookin' at? Someone could come and tear it down, they could put something in there. That's why I don't want it to go to industrial. Now if there a way that you can change industrial but could be a caveat that it has to stay rental, rental storage, I don't, what's the?

- [Man] I'm not sure I quite understand. I mean, the existing uses are non conforming. The storage units in the home are non conforming. They could remain long term, I suppose. They can be maintained, they just can't be expanded, I guess, is the point so the home could be removed and commercial use could go in there, a restaurant, an office or some other retail type of use under the current zoning, you just could not do that light industrial or that self service storage unit there. So whether it's rental or not is not really an issue for us, we're looking at the long term land use and how that affects.

- And if it was rezoned industrial, that opens up a whole different category of things that could go in there.

- [Man] It could, sure, right. I mean properly not general industrial, they need a white industrial which would require conditional use permit to come back to form a complaint. But it kinda creates that void where it's all commercial and now you're putting a spot of what we consider industrial, light industrial uses in there.

- And that doesn't in a way, fit for the neighborhood.

- Which is mostly residential.

- Right. There's a lot of residential and commercial on that side. I like that they take care, it looks like they do have concerns and take care of the property. And it looks like it might be an improvement to what's there now, I don't like the changing to an industrial because like I said, down the road, 10 years or more, we don't know what's goin' on with the property and then we don't know what's gonna end up there but again, the gentleman had asked but didn't get an answer, what can go in light industrial? I wanna know, what type of businesses.

- [Man] Any number of white industrial uses so like limited production and processing, warehousing.

- Does warehousing have a lot of trucks running?

- [Man] Contractors, electrical, plumbers, contractors of that nature.

- [Whispering Man] Rather than have industrial, have it stay commercial.

- So I guess we're in a quandary, what do we do?

- [Man] Could there be a writer condition?

- That's what I wanted to know, yeah. Could there be a writer condition? That's what I wanted to know.

- [Man] It's either going to be commercial or it's going to be industrial.

- Okay, but yeah, I just am concerned about going in.

- Thank you, does anybody else wish to speak?

- No one else, sorry.

- Motion to close the floor.

- Second.

- We have a motion and a second to close the floor. All those in favor.

- Excuse me. They wish to speak.

- Sir, sir.

- Yeah so. Again the whole reason for this request was to standardize it to self storage. There is no other path to do that from my understanding. There's no conditional use permit on existing commercial property that we can go about so this is the only way that we can make that site that complete. So that's I guess all I have to say is if we had another path, we would've chose that path, obviously, this is a harder path to get there, but yeah.

- [Man] Okay, just the 25 year mortgage that we have protects the use so there will be a fully amortizing 25 year loan, it would be unfeasible to tear it down to turn it into something else.

- [Woman] The previous owners are the one.

- Ma'am, sorry.

- Yeah.

- Would you like to speak?

- Yeah.

- Okay can you come up to the podium? State your name and address again please.

- Karen Wheatley, 1245 Doplin.

- Thank you.

- I wanna say the owner that had that, that built those, Jerry Gable, that was able to do what he did, he was right there, he was on site every day. He lived across the street from it. That makes it, whatever it was, he was always there, I don't remember ever having a break in there, I don't remember, other than, what do I wanna say a sore spot, I can't see out my window, all I see is gray so if there's a big fence. Now I come around the corner, I see whatever, big black gray whatever it is. The little house there, I'm all, it's residential. To me, I'm goin' home, I'm not goin' to the industry. So I just wanna say that the owner was local which made a difference also. He was there to take care of it, whatever.

- Ma'am, where do you live on there?

- Where do I live? Oh, the bay's backed up. Parrot, this is the little house, the Blame, Eaton's, this has gotta be me.

- Okay.

- Thank you.

- Thank you.

- We have a motion and a second to close the floor. All those in favor, say aye.

- Aye.

- Opposed. Any further discussion, yes sir, Commissioner Wiezbiski.

- I agree this is a tough, quandary. We're caught up in something that seems to me not really right, these people wanna set it up as a commercial and because somewhere along the line somebody changed the wording from commercial to industrial, we're all scared that somebody could come in there and build industrial, I think this is really kinda pretty well follow up and is there any way at all that we can accommodate the situation which is to my estimation has been mishandled in the past? And I don't remember this ever comin' through my ears. I've been here for forever and I don't know when that changed or why, can you shed any light on that?

- [Man] Prior to 2006, in the old zoning code, we call it, self service storage was a permitted use anywhere in the Seahorn district, could go pretty much anywhere, after we updated the zoning code in 2006, we removed that from the commercial district. It was at a high use or high value use, so to speak, was put to the industrial district, we felt was more appropriate so after 2006, they only allowed light industrial under the conditional use or permitted use and general industrial.

- You got me on a cusp is what you got me out of. Because I don't remember anything like that comin' out. Okay is there anything that we can do to make some type of consideration to make this a special happening that everybody, that it still works out? I, for one, think it looks great the way they're settin' it up compared to what it looks like now. Flash that back, show that property, now.

- [Woman] That's the bays right behind there. There ain't no bay there.

- Ma'am, ma'am.

- Well that's just a schematic. Okay but the property, general principle. Go back to what the property looks like now that was projected, look at that. Does anybody see what I see? Neighbors come on, that's a dog gone mess there. Compared to what these people project. I think we gotta find a way to get through it. I really do, that's my personal opinion and I'm entitled to it but I think.

- [Woman] I'm a property owner there.

- But I think that compared to what these gentlemen propose. If I lived in that neighborhood, I'd jump at it. And we oughta take a look, we gotta remove this. We gotta change the classification that commercial is commercial and industrial is industrial. And these gentlemen do not, best I can tell, I gotta believe somewhat that they got a projected that this is what they're projecting. They're not gonna put a factory or anything in there, whatever we call industrial, somethin's just, I think we gotta change somethin' here. I don't know how to go about it but I guess I look toward you.

- Lookin' at me?

- Yeah, is there any possibility?

- No, there's.

- There's all that Warehouses in there.

- Ma'am, ma'am, please. We're gonna have to ask you to leave if you can't keep it down.

- Okay.

- Thank you. So can you go back to the future views? I think, look, as Commissioner Gilbert said to start, this is not about the site plan and judging the merits of what these individuals are doing in terms of improving the property, I have no doubt looking at some of the other things that they've done that they would improve the property. We have to step back, big picture, land use. And what are the desired land uses in this particular area and when we said and went through and did our comprehensive plan which we've talked about is due for an update and we'll be working on this summer, we said in this neighborhood, these are the desired future land uses and we said for Erwin, this is going to be a commercial corridor that commercial on the North, near I-43 and Raddison and generally getting more residential as you go further south. And so again, going back to that time when this was initially done, those uses, the zoning, underlying zoning said it's commercial and they were permitted at the time, we felt and that was back in 2006, in terms of the zoning code, warehousing was more of an industrial use than it was a commercial use. And so we've gone that path but in order to move forward here, in order to do what they want to do, they're right, there is only one path and that is we need some type of industrial zoning, either a light industrial and we come back and get a conditional use permit or a general industrial and we can just do it. So that's the only way to get new storage. We gotta get that zoning but before we do that, we need to change the comp plan. The comp plan says future land use here is commercial. So they're asking to change the comp plan to have this as an industrial use. What that does for us in terms of the city, it's basically changing our view on what we would allow here in the future and if we change the comp plan to say alright, we want this block to be industrial. Okay, then it's industrial and they would come back probably, Mr Neumeyer said, we'd probably look at a light industrial use that they need a conditional use permit so we could put some strings on to make them do what they wanted to do but with that, now our comp plan says that in the future, this is industrial. So I don't disagree that they probably would redo this and hold it for the long term but they're not obligated to. They could turn around and somebody could come in and be like this is a great place for my trucking business and they could turn it around and now the entitlement's in place that they could, without us having much to say about it, it's already zoned light industrial so you go through and you look at the permitted uses, agricultural, light, those are all things that they wouldn't even come back to this board, zoning's in place, they could just basically submit a site plan and we'd have to approve it. I'm not saying that's going to happen. I believe them when they say they're going to fix it up and hold it long term but we can't bind them to do that. We can't bind any property owner to do these particular things when we start to do that, we just have to be cognizant that I think that gentleman was asking when we change this to say it's gonna be an industrial use, we go through that list of these industrial uses and look at light industry and any of those could happen. And so it's a bigger, and it's tough 'cause I get they're gonna improve the property and this might be the only way to improve it but I don't wanna have a short term gain of right, that we have these improved verses a long term that somebody comes in and they're there for 50 years or longer that really, some of these people have said, changed the neighborhood in a way that makes it really hard to go. I would say in this area, for it to go in industrial, then we look at a bigger picture and then we work with the neighborhood and be like look, is Erwin an industrial corridor? Last time we looked at it, we didn't think it was. As we look at it again, maybe we'll look at it. But I think the way it is, where the industry is very much to the east, maybe we'll look up at north of Raddison and some of that serve as industrial. As we go through and talk about some of that area, west of Webster, between Webster and Quincy Street where houses have been torn down, flood plain, challenges, vacant parcels, maybe that's industrial. But I think at this time, our recommendation comes from, really kind of changing the dynamic of where we're going and just didn't feel it's appropriate again, given that it's not really tied to any other industrial. It's gonna be a little island of industrial and that really wasn't appropriate at this point. I think we'd like to work with these guys to find out if there's another opportunity to do this type of project somewhere but unfortunately for this piece right here, it just, we can't get comfortable with changing the dynamics of what that future land use is going to be.

- So you're basically facing an act of spot zoning and we, as a planning commission, listening to our chair, are not here to judge that spot zoning and we have to enforce what we have on the books whether it's right or wrong.

- I wouldn't go as far as like spot zoning yet. I mean there's some industrial nearby. But I think we've committed to saying look, Erwin's a commercial corridor and we're not, I guess, maybe spot is the word but

we're not gonna put this pocket of industrial there. I think we've committed this area being commercial. And we're not going to shift to that industrial type focus.

- At this point in time, I would suggest that we review this accusation that a commercial property is industrial and I think we should do some action on that in the future if it's possible.

- Well, I think that's what we're gonna be lookin' at with the comp plan, in terms of what those uses are and what fits. And the zoning code then, what those types of uses are. Same thing happened a few weeks ago as we talked about conditional use permits, conditional use permits are very different in the state right now in terms of termination so those are gonna be things that we're looking at.

- Okay, alright thank you.

- Sure.

- Thank you, any other discussion?

- I have a question.

- Yes.

- The portion of the building, the portion of the existing storage, the one that I guess in this picture is to the top and to the left, is that entirely on its own lot?

- No, they're all on one parcel.

- [Woman] The zoning is there, I think that's what you're seeing.

- I'm not sure why it's like that, that's not something we would support or condone, that's, so the boundary of the property is really highlight in red here. It has a general commercial zoning here but there's a strip of residential which by today's standard, we would not permit any sort of construction unless it was a residential home. But it is all one tax parcel.

- So essentially the non conforming use has been grandfathered to the extent that it already exists. That doesn't apply to the whole property, just the existing structures?

- [Man] It applies to the structures potentially and for it's use so those, all the uses on site are non conforming, the single family home is not permitted in a commercial district. The storage is not permitted in a commercial district. But they can remain because at the least the storage units were built at a time when they were allowed under code so there's simply many legal non conforming. I guess, the home is probably just simply non conforming.

- Sure.

- And they can remain long term, there's certain rights and privileges that go along with being a non conforming property.

- But they can't make any expansion even within the same parcel?

- Right. That's the whole trick so you can maintain the footprint and the use but you can't expand that use.

- So you're stuck with somethin' that's there and zone that and then zone that.

- You kinda get what you get.
- And you can't rezone.
- [Man] We can't rezone because of the comprehensive plan right now.
- Because of the comp plan, okay.
- [Man] I guess we're back to square one with why we're, the request came in.
- Here's the part I'm stuck on is I don't wanna rezone this industrial because it does open the window to potentially damaging uses in the future, however, I agree with Commissioner Wiezbiski that this is a mess the way that it exists and it seems like what they're proposing would be an improvement and there's just no other way to get to this other than rezoning it light industrial that you guys can think of?
- [Man] Right so we like to have the comprehensive plan line up with the future zoning so would you even consider a plan development here but again, we want that underlying land use to be consistent with the comp plan or surrounding land uses so we wouldn't wanna again, just spot zone it, even though it's tempting to do that and it's gonna be a better situation, long term, we're looking at the bigger picture and what the implications are for the community.
- Right and I agree with that, I guess my question is more is there anyway to work within the commercial zoning and have it remain the commercial zoning and acknowledge the preexisting use and allow an expansion under the current zoning for the limited purpose of I guess expanding the current legally conforming use that predated the 2006 change?
- [Man] You would probably result in a tax change to the zoning code so in 2006, we updated the code, we changed some of the text and it's meaning and it's ability to regulate so that would be one avenue to do it but that would come back before the body here but then we've gotta think about other commercial districts and how it would impact them as well. Again we felt self service storage was not the highest and best use in a commercial district. And I'm not sure we would support that. I mean, that would be an option but I'm not sure our staff would support it.
- That would be a pretty broad, 'cause it would apply plan wide.
- Right, district wide. For that commercial district.
- City wide, really.
- I think that's where Commissioner could get stuck of, I mean, we have to be equitable in how we apply things. And yeah, it seems foolish, right? Like why would we turn down, I mean, this company's coming in offering to fix up property. Why would we turn that down? In the same aspect, we also look at well, we can't just operate on individual contracts for individual parcels of land and so we have to acknowledge in this case, yeah, it stinks because we're not getting that improvement but I think in that same aspect, I think it's the longer term of we don't want those other types of uses that could potentially come but there's no really tool, there's not really a lander's tool, right, in our tool box, to have these individual contractual laws that really then, also then all across the city, we don't wanna be interpreting 100,000, 10,000.
- Well it becomes contract zoning, then, I guess and that's just not allowed, so.
- Yes Commissioner Neumeyer.

- For me, I think it's simpler, I agree with the move of putting self storage into industrial usage, with the 2006 change, I would not want it to be in a commercial use and the only way that we can make this happen is with light industrial with a CUP or general industrial. And that just can't happen for that. So for me it's a pretty simple motion to deny on this just based on what's in front of us. So I don't think we have to read much deeper into it for the moment.

- Thank you.

- Was that a motion?

- Yes, I would make a motion to deny.

- Thank you. We have a motion, do we have a second? Commissioner Hanson.

- Yes. I would agree with what everyone's been saying so far. I certainly think that these gentlemen are gonna come in and make it look a lot nicer than what it looks like here. If I lived in the neighborhood, I would want it to look like they wanna make it look but I think when we're talking about changing that comprehensive plan and opening that door and just, I want it to work for them. But I just, I can't change it to industrial. So I will second that motion.

- Thank you. Any further discussion? I also like what they have planned for the property. I think it's a huge improvement but at the same time, I also agree I can't support the rezoning or the changing of land use for the long term or whatnot.

- Okay is there any further discussion? Hearing none, I would ask that you cast your vote.

- I think I need a clarification.

- A yes vote would be yes for deny.

- Okay.

- [Woman] The motion was denied.

- Thank you. This will come before the Green Bay City Council.

- May 7th, Tuesday, May 7th.

- Tuesday May 7th. Thank you. Next item, item two, consideration with possible action on the request to authorize the conditional use permit for a proposed hotel and a hotel to exceed the maximum height limitations located at 10 Doroville Ford Reptar Pass submitted by Victoria Bay Breeze, the Legacy Green Bay LLC.

- Mr Chair, this was a request for a conditional use permit for a hotel, we see for the height of the hotel to exceed 35 feet, certain properties located at 1104 Brett Farve Pass, there's a former Brett Farve Steakhouse here, it's a three acre parcel just south of Lombardi, it kinda adjoined the Billy Grass Walkway here. This is the Legends district just south of Lombardi. Quite a bit of rebuilding's occurred in this area already. There's some existing hotels in the area to the north and to the south. City's comprehensive plan recommends commercial, again, this was kind of a switch over from industrial at one point now to looking forward to commercial uses. There is some remnant underlying industrial zoning and commercial zoning, however it was a deal that was developed in 2010 but the majority of these properties here want to deal with some signage at one point, also to deal with some land uses so it's a PUD that the CUP is required both use. This proposal here, to maintain Rodeo, Brett Farve. This is the placement of the building here, parking out front but access I think is pretty

much still the same on the particular site, I guess you could propose elevation. Propose five story structure, 79 rooms, it's called the Legacy and the five stories in the proposal too, this elevation, represented pretty clearly the design standards, design elements that are in this plan. And again here's a sight view of the property. So in this case here, the existing restaurant will be removed and demoed and this will be a new construction here, 2015 there was another proposal for a Staybridge Hotel that was approved by the plan commission, they asked for an extension in 2017. And it's still not built so the term owners have applied now for the proposed hotel. Again this is an image of the sight, this being removed and the hotel being updated. We did receive a few calls, any questions on this, no objections, staff recommends approval of this item. So the regulations of the Green Bay municipal code, not covering the CUP but also includes site plan and building plan.

- The architect?

- The architect was here tonight as well as the developer if you have questions.

- It was backwards but yeah, they showed.

- We'll have to open the floor for discussion.

- Second.

- We have a motion by Commissioner Wiezbiskie, second by Alder Corpus-Dax to open the floor, all in favor.

- Aye.

- Opposed. Does anybody wish to speak on this item?

- [Man] Todd, one of the former architects is here on behalf of the Legacy Partnership group. Any questions that the commission has, we can have them answered, no, we'll to you.

- Any questions, would you like to hear from 'em? Yes Commissioner Wiezbiski.

- Compliments to the design, you're a good architect. That's a nice building. If anyone else wants to, I would definitely approve it.

- Thank you, is there anybody else that wishes to speak?

- I move to close the floor and return to regular order.

- Second.

- We have a motion by Commissioner Wiezbiski, a second by Commission Hanson to close the floor, any other order of business. All in favor say aye.

- Aye.

- Opposed, motion approved.

- Second.

- We have a motion by Commissioner Wiezbiski, a second by Commission Petrouske to approve the recommendation, is there any further discussion?

- I just have a quick question for staff. The only thing that stood out to me was the parking. 136 seems high for 79 rooms. I probably could've looked it up myself how we got to that.

- [Man] Yup so each room gets a space, there's other uses within that building kind of accumulated that number, raised that number, I should say so they added about 136. 132 were on sight, the Tishner owns property adjacent to this so they can share parking, that's kind of a detail. We thought a minor detail that could be worked out with the developer and staff.

- Okay.

- Is there any further discussion? Hearing none, I would ask that you cast your vote.

- Motion approved.

- Thank you. Motion is approved.

- So this will go to vote also.

- Thank you very much.

- Thanks commission.

- Thank you.

- Is the meeting over?

- No.

- We have one more.

- Oh.

- Item three, consideration with possible action on a request to declare city project a surplus located at 1531 Main Street submitted by Laurie Park.

- Thank you. This property's at 1531 Main Street. It kinda looks like a piece of park property if you just drive by and don't know it. It's actually owned by the city and maintained by our DPW. The request is to surplus only a portion of it. So the area that we're looking at is right here. This is New Hall Street, Main Street runs here. What the petitioner is proposing is to expand, this is his lot, he would like to get this part surplused to add onto his lot. The second alternative would be the same area but just cut at an angle which this used to be at. This was originally picked up for some right of way act position when Main Street was reconstructed so it was picked up at this angle. He prefers options one because it's larger space but would be comfortable with option two as well. While this would not create a technical flag shaped lot, it obviously is created a semi flag shaped lot. We would not have any review process over that once we do surplus it, if he wants to attach to the parcel, he just can. The numbers are pretty close so if they do this option, this is 150 feet here with an 80 foot frontage so it's only about five feet off from being a flag shaped lot. We don't really support lots that are not a standard shape only because it creates more hassle for people in the future, also with this lot right now, it's zoned for public use, the long range plan shows for it to be medium intensity office residential or housing. So the lot itself right here is a little thin. I think it's only about 100 feet back right here but this part of the parcel could also be redeveloped and have this be part of that development. So we don't necessarily wanna give up too much space, only because there is some development opportunity that's available even if it's not immediate. So while we're less comfortable with these options because they jut out a little bit too close to our right of way line, the staff recommendation would be if you are comfortable releasing any property would be

to whatever is right behind this property. So this shows a little bit better. This parcel comes down here instead of the line that was created at some point. So just to add this little bit on for an extension of his back yard verses curving over into the neighbor's area and hooking here and there's a need for more back yard use, this would be my proposal for a surplus area. But as presented, the options that he has presented, we are recommending denial. It doesn't make great sense for the city to create lots that look like this or to give up space that is so close to our right of way when there is development potential in this area.

- Okay if I understand this correctly, you're recommending denial of both of those options?

- I'm recommending denial in its entirety but if you all thought that some space should be accommodated for, I would prefer to see condition in that effect.

- Okay would that have to be a separate item agenda?

- Nope, you can just approve and put conditions. Also some of our replying review agents had some conditions as well for it to be approved so we would have to create some conditions on the fly.

- Has the applicant been aware, been informed of that alternative that you're proposing?

- Yes.

- And he's okay with that.

- No. He still prefers option one, yes.

- What about that third option, that other part.

- I think he'll take whatever he can get but he still wants option one.

- I see, I see.

- We discussed internally and this is right, one of those weird parcels, again, like we have all over the city but when it came to us, it's a site that we've never actively marketed as a redevelopment opportunity but could be. Yeah, it's a little funky shaped but Main Street, we've seen other parcels go through and so I think our overall recommendation, I think that's where this all is coming from is for denial that this, until we have potentially maybe that project and see what could be developed here. We don't want to short sight ourselves and right cut off especially one of these areas where you can get, there's very few spots where actually like a square building pad, that's why the additional recommendation was denial but if you felt really inclined to give this individual some property, we felt like that recommendation was the least of.

- Option two.

- Right. If you really felt but again, I guess, overall, our stronger feeling is deny.

- Yes, the property's land use was recommending this for park space, I'd feel more inclined to give up our space but we have development ideas in mind for it. Especially because it's along Main Street. That really hasn't gotten any love as far as a long range plan, we don't have a master planning document for it so there's just a lot of unknowns for us. So to give up space isn't in our best interests as the city, also I don't know what he wants to do with it. It's just back yard.

- Commissioner Wiezbiski.

- This looks familiar.

- You may have seen this before several times.
- We've been on this strip of land some time ago. It's the same identical request.
- Yes this has been through the planning staff a few times.
- I thought I was maybe gettin' a little bit old or senile.
- Well that's a whole different issue.
- Yeah.
- Any further discussion?
- I would move to deny the request.
- Second.
- We have motion by Commissioner Petrouske, a second by Commissioner Hanson to deny the request, any further discussion. Commissioner Wiezbiski.
- Did somebody wanna speak to this issue?
- I don't believe so, no.
- Oh okay.
- Any further discussion. Hearing none, I would ask that you cast your vote.
- No is as in conjunction with what you're saying basically.
- Yes for.
- Yes is deny.
- Yes for denial.
- Yes for no.
- Yes for no.
- Okay thanks.
- [Woman] And motion denied.
- Thank you. Next item, informational, director's report.
- Alright so staff announcement, staff change. Stephanie Hummel has been promoted to planner two. So that fills in my one vacancy which we'd be looking to fill in the coming weeks here. Some day we'll be at full strength here. But we're managing to get through. So she'll continue to work on a number of things. She's been doing in terms of ped bike and some bigger planning projects, we'll bring somebody on who can do a lot more of the physical planning aspects. So hopefully in the next few weeks, we'll get additional staff over here but just

wanna say congrats to her for that promotion, as far as business goes, we do not have anything on the docket for planning commission on the last meeting. We did have to just follow through resolution for this CUP for the transformation house. That did go through Council, it was approved, brought back and we've got the resolution. So they're under another CUP under way in the permitting process so with that our next meeting scheduled for May 13th and we did wait as you may know, we have a new mayor. The mayor will be putting together a schedule for a common council and it looks like as in years past, we'll only be having council once per month, June, July, August, September so to respond to that, we will probably also go down to one plan commission meeting per month in the summer as well. So we'll probably be the second Monday since they're probably gonna cancel the first Tuesday. So we'll be plan commission second Monday, have Council on the third Tuesday.

- Okay thank you, next item is adjournment.

- Motion to adjourn.

- We have motion by Commissioner Hanson, second by Commissioner Petrouske to adjourn, all in favor say aye.

- Aye.

- Opposed. We are adjourned.