



AGENDA OF THE GREEN BAY PLAN COMMISSION

**MONDAY, SEPTEMBER 23, 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

B. Approval of the Agenda.

- I. Approval of the agenda for the September 23, 2019, meeting of the Green Bay Plan Commission.

C. Approval of Minutes.

- I. Approval of the minutes from the August 12, 2019, meeting of the Green Bay Plan Commission.

D. Regular Business.

- I. Consideration with possible action regarding the late communication from Ald. Andy Nicholson, District 3, to review the Green Bay Economic Dept. Policy at 1449 Morrow Street Business. Referred from the August 20, 2019, Common Council Meeting.

Staff Recommendation: Receive and place on file.

2. (ZP 19-18) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a two-family dwelling within a Low Density Residential (R1) district at 621 South Clay Street, submitted by Christopher and Christine Jandrain, Mobeta, LLC., property owner (Ald. B. Galvin, District 4).
3. (ZP 19-20) Consideration with possible action on the request to amend Zoning Ordinance 17-16 to incorporate development plans for a retail business at 2460 University Avenue, submitted by Tom Radenz, REI Engineering, on behalf of University Avenue Center, LLC, Property Owner (Ald. C. Stevens, District 5).

E. Informational.

1. Director's Report.
2. Date of next meeting: Monday, October 7, 2019.

F. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Plan Commission meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.



MINUTES OF THE GREEN BAY PLAN COMMISSION

**MONDAY, AUGUST 12, 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: Veronica Corpus-Dax, Jerry Wiezbiskie, Timothy Gilbert, Sidney Bremer, Lisa Hanson, Jacob Miller, Randall Petrouske (arrived at 6:07 p.m.), Excused:

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the August 12, 2019, meeting of the Green Bay Plan Commission.

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

C. APPROVAL OF MINUTES.

I. Approval of the minutes from the July 8, 2019, meeting of the Green Bay Plan Commission.

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

D. PUBLIC HEARINGS.

Chair Timothy Gilbert read into record the rules and regulations regarding the Public Hearings.

1. (CPA 19-03) A request to amend the City's Comprehensive Plan for the property located at 2607 Nicolet Drive from Commercial to Low Density Residential (Figure 22-6), submitted by Robert Mach, on behalf of Shekinah Glory, LLC, property owner (Ald. B. Dorff , District 1).

Chair Timothy Gilbert opened the public hearing regarding 2607 Nicolet Drive.

Chair Timothy Gilbert asked if there was anyone who wished to speak at the public hearing. No one else came forward, and the public hearing was closed.

2. (CPA 19-04) A request to amend the City's Comprehensive Plan for various parcels located in the Shipyard Neighborhood, submitted by the Department of Community and Economic Development (Ald. B. Johnson, District 9).

Chair Timothy Gilbert opened the public hearing regarding various parcels located in the Shipyard Neighborhood.

Chair Timothy Gilbert asked if there was anyone who wished to speak at the public hearing. No one else came forward, and the public hearing was closed.

E. REGULAR BUSINESS.

1. (CPA 19-03) Consideration with possible action on the request to amend the City's Comprehensive Plan for the property located at 2607 Nicolet Drive from Commercial to Low Density Residential (Figure 22-6), submitted by Robert Mach, on behalf of Shekinah Glory, LLC, property owner (Ald. B. Dorff, District 1).

Moved by Lisa Hanson, seconded by Randall Petrouske to amend the City's Comprehensive Plan for the property located at 2607 Nicolet Drive from Commercial to Low Density Residential. Motion carried.

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

2. (CPA 19-04) Consideration with possible action on the request to amend the City's Comprehensive Plan for various parcels located in the Shipyard Neighborhood, submitted by the Department of Community and Economic Development (Ald. B. Johnson, District 9)

Moved by Lisa Hanson, seconded by Jerry Wiezbiskie to open the floor for discussion. Motion carried.

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

Moved by Lisa Hanson, seconded by Jerry Wiezbiskie to close the floor for discussion. Motion carried.

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

Moved by Randall Petrouske, seconded by Sidney Bremer to amend the City's Comprehensive Plan for various parcels located in the Shipyard Neighborhood. Motion carried.

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

3. (ZP 19-17) Consideration with possible action on the request to rezone 2607 Nicolet Drive from General Commercial (C1) to Low Density Residential (R1), submitted by Robert Mach, on behalf of Shekinah Glory, LLC, property owner (Ald. B. Dorff, District 1).

Moved by Lisa Hanson, seconded by Jerry Wiezbiskie to rezone 2607 Nicolet Drive from General Commercial (C1) to Low Density Residential (R1). Motion carried.

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

4. (ZP 19-15) Consideration with possible action on the request to rezone various parcels located in the Shipyard Neighborhood, submitted by the Department of Community and Economic Development (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, Sidney Bremer, Timothy Gilbert, Veronica Corpus-Dax, No- None, Abstain- None

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

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

Moved by Randall Petrouske, seconded by Jerry Wiezbiskie to rezone various parcels located in the Shipyard Neighborhood. Motion carried.

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

5. (ZP 19-16) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) to allow for a plant expansion to exceed the maximum height limitation within the General Industrial (GI) district at 1919 South Broadway, submitted by Tim Ellsworth, Georgia Pacific Corp., property owner (Ald. B. Johnson, District 9).

Moved by Jerry Wiezbiskie, seconded by Lisa Hanson to table the the request for a Conditional Use Permit (CUP) to allow for a plant expansion to exceed the maximum height limitation within the General Industrial (GI) district at 1919 South Broadway. Motion carried.

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

6. (TA 19-04) Consideration with possible action on the request to Repeal and Recreate Green Bay Municipal Code Chapter 13-1700 Off-Street Parking, Drives and Loading, submitted by the Department of Community and Economic Development.

A motion was made by Sidney Bremer to approve the Repeal and Recreate the Green Bay Municipal Code Chapter 13-1700 Off-Street Parking with the addition that an additional drop space be added for day cares. There was no second. Motion fails.

Moved by Sidney Bremer, seconded by Jerry Wiezbiskie the Repeal and Recreate the Green Bay Municipal Code Chapter 13-1700 Off-Street Parking, Drives and Loading as proposed. Motion carried.

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

F. INFORMATIONAL.

1. Director's Report.

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

2. Date of next meeting: Monday, September 9, 2019.

G. ADJOURNMENT.

Moved by Lisa Hanson, seconded by Jerry Wiezbiskie to adjourn. Motion carried.

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

From: [Rich Maes](#)
To: [Paul Neumeyer](#)
Subject: RE: Ald. Nicholson Request - 1449 Morrow St
Date: Tuesday, September 10, 2019 3:12:01 PM
Attachments: [image001.png](#)

I filed a motion to dismiss Lynn Austin's appeal of the municipal court judgment, which was granted. Her appeal has been dismissed. The municipal court keeps her money, and that citation is closed. There are no pending actions against Ms. Austin or the property and no further opportunity for recourse.

Ald. Nicholson did appear with Lynn Austin one of the times she spoke to the mayor during his open office hours. The enforcement actions did not involve her business per se. She had a big pile of woodchips in her yard. It doesn't matter if the woodchips were there for private, residential use or for business use. The citation wasn't a reflection of policy by Economic Development regarding her business(es). It was a nuisance abatement citation.

The communication is also unclear which business Ald. Nicholson is inquiring about. In her Muni Court Testimony, Lynn testified that she runs both "Fashions by Lynn" and "The Good Herb" out of the same building she lives in at 1449 Morrow St. She thinks that zoning requirements are different for different parts of her parcel depending on whether they are for "business use" or "residential use." She fails to realize that if a nonconforming use was not present at the time of rezoning, she cannot start using the land in that non-conforming manner. She thinks that her land will forever be B1 zoning, and she can use her land in any manner consistent with a B1 zoning, even though the parcel has been rezoned twice.

They can dispute the prior enforcement actions taken, but at this point, there is nothing Lynn can do to change the outcome of those actions.

Let me know if you have any follow up questions.

Thanks,
- Rich -

From: Paul Neumeyer
Sent: Tuesday, September 10, 2019 1:52 PM
To: Rich Maes <RichMa@greenbaywi.gov>
Cc: Kevin Vonck <KevinVo@greenbaywi.gov>; Cheryl Renier-Wigg <CherylRe@greenbaywi.gov>
Subject: Ald. Nicholson Request - 1449 Morrow St

Rich:

Our staff received this communication from the last Common Council meeting:

Late Communication from Ald. Nicholson, District 3, to review the Green Bay Economic Dept. Policy at 1449 Morrow St Business. With possible action, referred from the August 20 Common Council Meeting.

I know we have talked in the past about this property and Ms. Austin; are you still pursuing enforcement with this property? In talking with Ald. Nicholson, it appeared to me, he was using his communication to clarify any pre-existing "business" use on the site and potentially dispute any enforcement action.

Let me know your thoughts.

Thanks!

Paul Neumeyer

Zoning Administrator
City of Green Bay Department of
Community and Economic Development
100 North Jefferson St., Room 608
Green Bay, WI 54301-5026
paulne@greenbaywi.gov
920.448.3405
www.greenbaywi.gov





City of Green Bay
Department of Community and Economic Development

October 16, 2018

Lynn Austin
1449 Morrow St
Green Bay, WI 54302

RE: **Zoning Confirmation – 1449 Morrow Street, Green Bay, WI**

Dear Ms. Austin:

After your request for further zoning information related to your property at 1449 Morrow Street, I was able to locate a second rezoning. A request was made by Ald. VandenBusch in 1994, as part of a zoning study, to rezone an area described in the attached letter and map from First Business (B1) to Third Residential (R3). The rezoning was part of ZP 1039 and was approved by the Common Council on Tuesday, September 20, 1994.

To correct my previous letter, your property would have been rezoned from Third Residential (R3) to First Residential (R1) on Tuesday, October 21, 1997 by the Green Bay Common Council.

If you have questions or need further information, please contact me at (920) 448-3405 or at paulne@greenbaywi.gov.

Sincerely,

Paul Neumeyer
Zoning Administrator

PN:jd

Attachments



City of Green Bay

GREEN BAY PLAN COMMISSION
ROOM 608 - CITY HALL 448-3400

WISCONSIN
5 4 3 0 1

B. F. PARULESKI, AICP
PLANNING DIRECTOR

July 27, 1994

Dear Property Owner:

This letter is to inform you that on July 25, 1994, the Green Bay Plan Commission discussed and recommended that the area illustrated on the enclosed map, generally the area from Forest Street to Baird Street between Main Street and University Avenue, be changed from First Business District to Third Residential District to be in keeping with the majority of the type of development in this neighborhood and the adopted long range city Comprehensive Plan.

This recommendation is forwarded to the City Council for its meeting on August 2, 1994. If accepted by the Council, a rezoning ordinance will be drafted and reviewed by them over a three Council meeting process, the last of which includes a public hearing.

If you have any questions about this process, please call me or Bill Lockery at 448-3400.

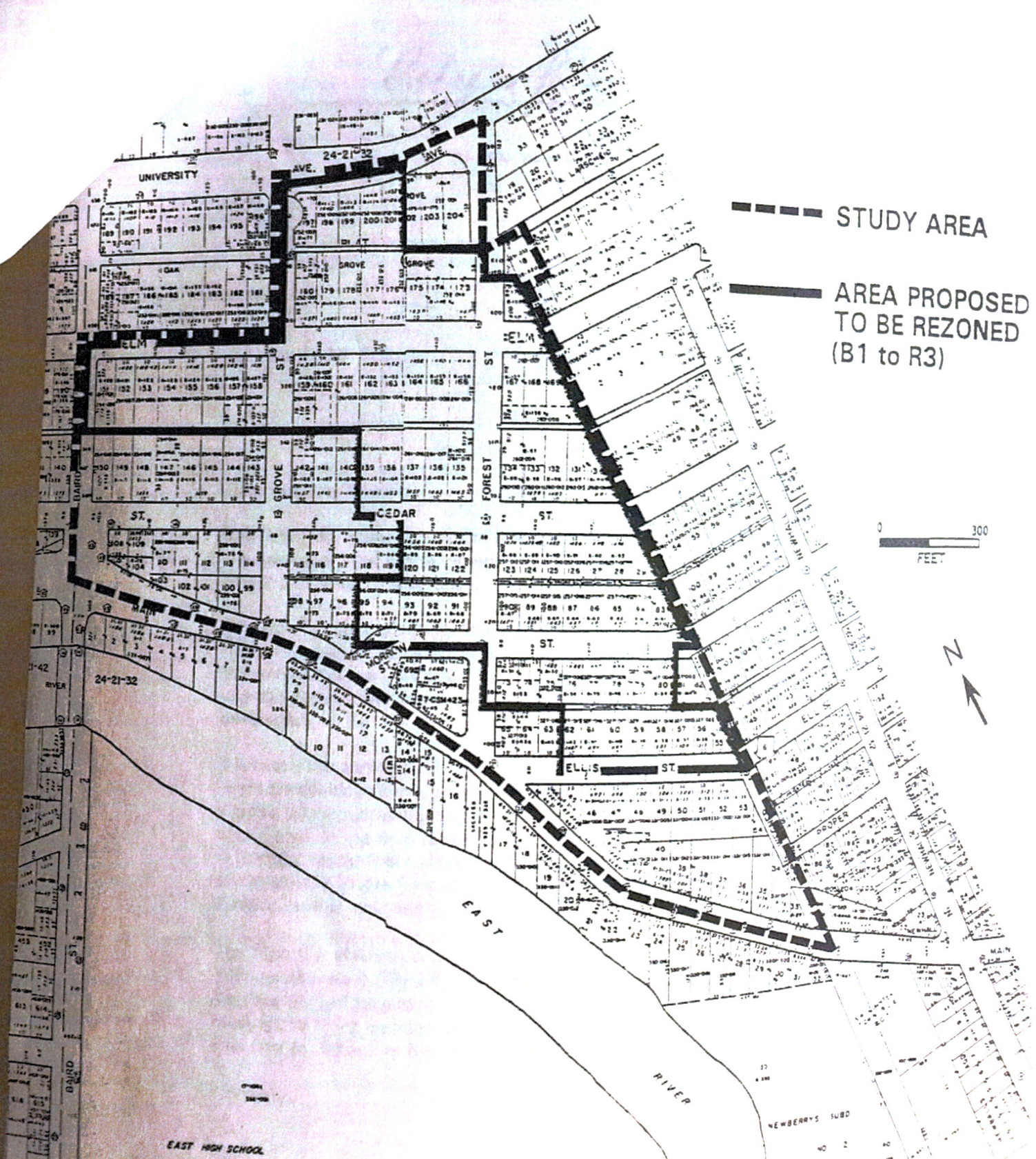
Sincerely,

Dale D. Preston, AICP
Interim City Planning Director

DDP:amm

Enclosure

cc: Ald. Gary Vanden Busch
Mayor Samuel Halloin



--- STUDY AREA

— AREA PROPOSED TO BE REZONED (B1 to R3)

0 300
FEET



EAST HIGH SCHOOL

NEWBERRYS SUBD



Report to the Green Bay Plan Commission

MEETING DATE

September 23, 2019

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # D.2.

(ZP 19-18) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a two-family dwelling within a Low Density Residential (RI) district at 621 South Clay Street, submitted by Christopher and Christine Jandrain, Mobeta, LLC., property owner (Ald. B. Galvin, District 4).

BACKGROUND

Primary Address: 621 South Clay Street

Aldersperson/District: Ald. Bill Galvin / District 4

Reason for Request: To re-establish a discontinued nonconforming two-family use on the subject property.

Subject Parcel Zoning and Land Use: Low Density Residential (RI), one unit vacant.

Surrounding Zoning and Land Uses:

North: Low Density Residential (RI) - Two single-family homes, one two-family dwelling adjacent to the subject property.

South: Low Density Residential (RI) - Adjacent three unit home, two-family dwelling and two single-family dwellings.

East: Planned Unit Development (PUD) / General Commercial (CI) - Altrusa Home of Green Bay and Bellin Hospital Parking Lot.

West: Public/Institutional (PI) - Baird Park

Comprehensive Plan: The 2022 Smart Growth Plan designates this area as appropriate for Medium Intensity Retail, Office and Housing (MIROH).

While Ch. 66.1001 Wis. Stats. does not specifically require Conditional Uses to meet consistency requirements, the proposed Conditional Use Permit is consistent with the land-use recommendation of the Comprehensive Plan. The proposed use is compatible to and consistent with surrounding uses.

Analysis: The subject property is an existing 9,583 sq. ft. or .22 acre parcel located on the east side of South Clay Street, just south of East Mason Street. The lot contains a 1 ½ story home that was constructed in 1880 according to the City Assessor's records. The home had been converted to a two-family sometime in the past; however, has lost its legal nonconforming status as a two-family dwelling. The home is listed on the City Assessor's records as a two-family dwelling. However, the applicant has admitted one unit has been vacant for more than one year.

The petitioners have provided the history of their ownership of the property and have provided a list of

proposed improvements to the structure, as attached within this agenda packet. A Conditional Use Permit (CUP) is required to re-establish the two-family use in this R1 zoning district. Two on-site parking spaces are required for each unit (for four total spaces) to achieve parking code compliance for the two-family use. The petitioner has also obtained a variance for the construction of a second garage on the property to allow for additional parking and storage.

Staff supports the CUP request as the two-family use is compatible with surrounding low-medium density residential make-up of the neighborhood and is consistent with the land-use recommendation of the Comprehensive Plan. Ald. Bill Galvin, the Astor East River Neighborhood Association and surrounding property owners within 200 ft. have been notified of the request. As of the drafting of this report, staff has not received any inquiries.

RECOMMENDATION

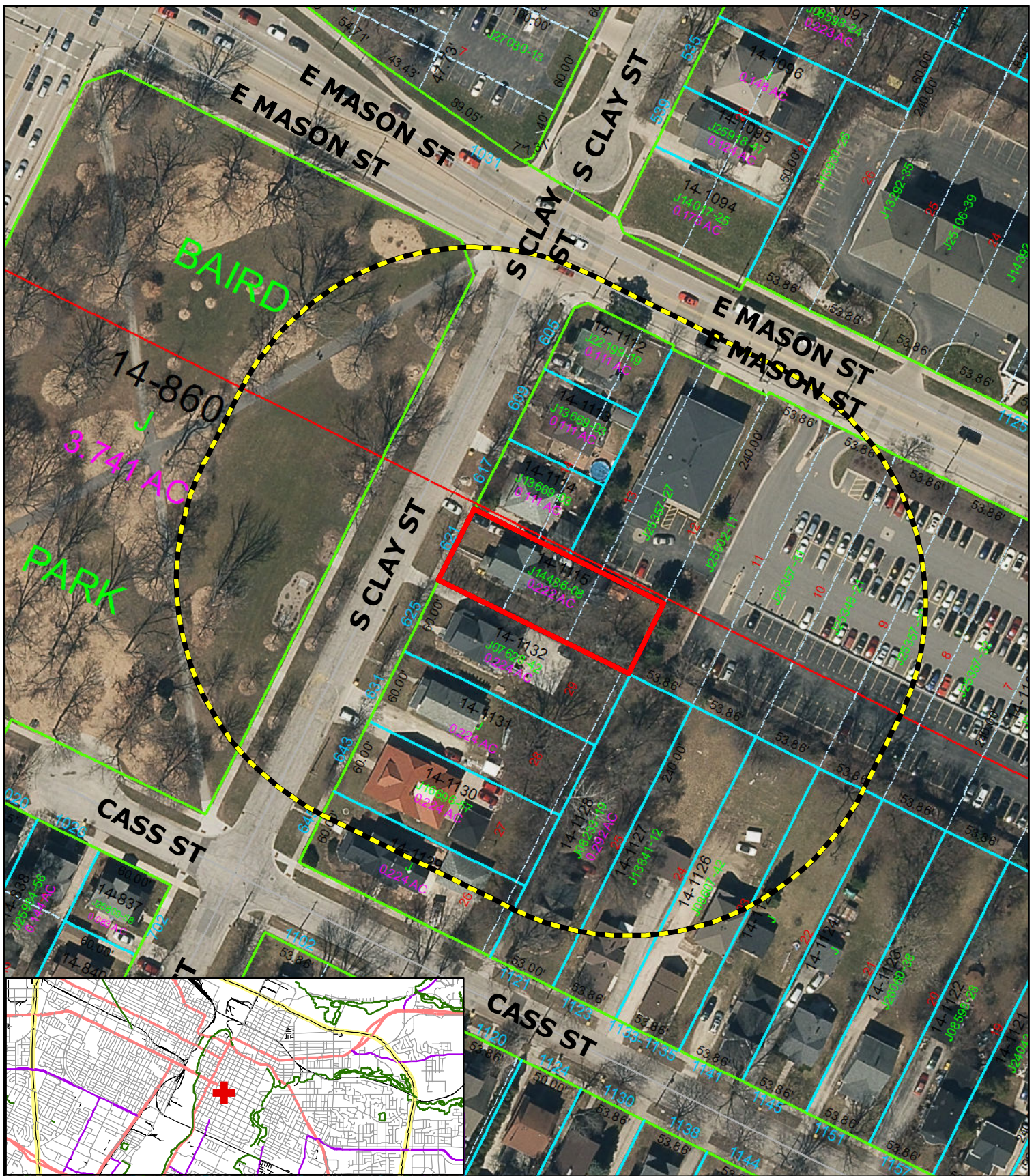
Staff is recommending approval of the request, subject to:

- a. Compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit.
- b. Compliance with the applicable Uniform Dwelling Code (UDC) building requirements related to a two-family dwelling.

FISCAL IMPACT

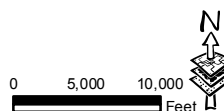
ATTACHMENTS

1. ZP 19-18 Letter
2. 621 S Clay St - Conditional Use Permit
3. 621 S Clay St - Green Bay - Proposed Improvements as Duplex -20190829



Zoning Petition (ZP 19-18)
Proposed Conditional Use Permit (CUP)
621 South Clay Street

- Proposed CUP
- 200' Property Owner Notice



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
 Map prepared by PN

From: [Christopher Jandrain](#)
To: [Paul Neumeyer](#)
Subject: 621 S Clay St - Conditional Use Permit
Date: Thursday, August 29, 2019 7:55:24 AM
Attachments: [621 S Clay St - Green Bay - Proposed Improvements as Duplex -20190829.pdf](#)

Dear Paul,

Attached is my planned improvements scope of work for conversion to a duplex for the property at 621 S Clay Street in Green Bay.

I purchased this property in January of 2017 and retained it as a single family rental until February 1 of 2019. During this time I made significant improvements to the property including new roof, new concrete driveway, expanded garage space, new furnace, new water heater, new siding, new gutters, new metal fascia and soffits, many new windows, window wraps, and exterior painting. Total cost of improvements to date is over \$40,000.

At this time the property is vacant. I am focusing on rehabilitating the interior of the property, and as part of this I am requesting a conditional use permit to allow for conversion of this single family home to a duplex. For me, this is the highest and best use of the property because I believe there is more demand, and a bigger market for 2 bedroom units in this neighborhood. My vision for the property is to provide higher end finishes and improvements which will attract higher quality tenants to the proposed units with a park view, and close to hospitals and downtown. I believe there is a good market for units like what I am proposing in this district.

Thank you for your consideration in this matter.

Sincerely,

Christopher Jandrain

Mobeta, LLC
P O Box 8733
Green Bay, WI 54308-8733

630-212-5690

Planned Improvements - Scope of Work - for Conversion to Duplex
621 S Clay Street, Green Bay, WI

- Install Separate Gas Meter for 2nd Floor Unit
- Install separate electric meter and new 100 amp service for 2nd Floor unit
- Add electrical outlets and lighting – 2nd Floor Unit
- Install separate water meter for 2nd Floor Unit
- Install separate Furnace and A/C Unit for 2nd Floor Unit
- Install separate water heater for 2nd Floor Unit.
- Construct new Kitchen for 2nd Floor Unit within existing space
- Create 1 bedroom space within existing space in 2nd Floor Unit
- Create Living Room space within existing space in 2nd Floor Unit
- Provide Security Door for 2nd Floor Unit
- Install additional egress door and porch for 2nd Floor Unit
- Remodel Bathroom 2nd Floor Unit
- Install 6 or more new windows
- Add electrical outlets and lighting – 1st Floor Unit
- New Flooring throughout including Ceramic Tile, Vinyl Plank Flooring and Carpet
- Re-finish walls and ceilings throughout
- Remodel Kitchen – 1st Floor Unit
- Create new bedroom Space within existing space 1st Floor Unit
- Remodel Bathroom 1st Floor Unit
- Complete exterior roofing and siding – rear portion of building
- Rebuild and resurface back porch area for 1st Floor Unit.
- Replace Exterior Doors



Report to the Green Bay Plan Commission

MEETING DATE

September 23, 2019

PREPARED BY

David Buck, Staff

AGENDA ITEM # D.3.

(ZP 19-20) Consideration with possible action on the request to amend Zoning Ordinance 17-16 to incorporate development plans for a retail business at 2460 University Avenue, submitted by Tom Radenz, REI Engineering, on behalf of University Avenue Center, LLC, Property Owner (Ald. C. Stevens, District 5).

BACKGROUND

Primary Address: 2460 University Avenue

Aldersperson/District: Ald. Craig Stevens / District 5

Reason for Request: To approve the development concept of a retail establishment on Lot 4, the last open parcel within the redevelopment area known as the University Avenue “Commercial Gateway”.

Subject Property: Planned Unit Development (PUD) Vacant-formerly used for temporary parking

Surrounding Zoning and Land Uses:

North: Planned Unit Development (PUD) - Grocery and Retail Strip Center

South: Varied Density Residential (R-3) - Multiple Family Residential

East: Highway Commercial (C2) - Automotive Sales

West: General Commercial (C1) - Indoor Entertainment/Bowling Alley

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for commercial uses. The subject property is also located within the study area of the Green Bay University Avenue Corridor Brownfields Redevelopment Plan and is a component part of the western edge of Catalyst Site #2, more commonly referred to as the “triangle” and the “commercial gateway”. The redevelopment plan recommends a concentration of commercial business within this area. The adoption of this proposed PUD amendment is consistent with the recommendations of the Comprehensive Plan and the University Avenue Corridor Brownfields Redevelopment Plan.

Report: This request is an amendment to Zoning Ordinance 17-16, adopted in April 2016. ZO 17-16 helped facilitate the redevelopment of the area currently containing the Festival Foods Grocery Store (2430 University Avenue), Multiple-tenant commercial strip center (2440 University Avenue) and the Kwik Trip fuel and convenience store (2400 University Avenue). At the time of the PUD approval, no formal development plans had been proposed for Lot 4 and a requirement of the PUD was “any future proposals shall be brought back to the Plan Commission for review and approval as an amendment to the ordinance”. In 2017, Zoning Ordinance 03-17 was approved allowing temporary parking use of Lot 4, which expired in April 2019.

At this time, the property owner has significant interest in a commercial tenant and is prepared to begin redevelopment of Lot 4, which is an approximately 1.05 acre lot located directly south of Festival Foods parking lot, east of Riveria Lanes driveway, west of an auto sales lot and north of a multiple-family apartment complex. The proposed redevelopment of the subject site includes the construction of a single-story 9,200

sq. ft. retail commercial building and a 33 stall parking facility. The site is also proposed to be improved with bicycle parking internal pedestrian connections to the public walk and extensive landscaping. The proposed structure is designed to reflect the general architecture of other developments within the “triangle” / “commercial gateway” including decorative split and smooth faced block, EIFS and aluminum store-front window/entry systems. Included within this agenda packet is the proposed site/landscape plan and proposed building elevations.

The proposed development plan meets the criteria of either the existing PUD or the existing city Zoning Ordinance with three exceptions discussed below.

Vehicular access: The development single driveway is proposed to be sized at 40 ft. wide at the property line and 50 ft. wide at the curb which is in excess of code allowance of 30 ft. at the property line and 40 ft. at the curb. The petitioner has indicated that the larger driveway entrance is necessary to facilitate movements of semi-trailer delivery trucks. Staff is in support of this exception as the site is relatively small making large truck delivery difficult as well as the location of the driveway being on a closed public street and having little impact on other property owners.

Buffering of adjacent residential uses: The current PUD requires a buffer yard along the entire southern property line of the subject site that includes 4-6 ft. high solid fencing. While the proposal includes extensive landscaping within the buffer, it does not include the required fencing element. The adjacent multiple-family apartment complex currently includes a 6 ft. high privacy fence and requiring a second fence adjacent the existing would be redundant and create a poor property maintenance situation. The fencing situation could potentially be problematic in the future if the existing fence, not owned by the subject property owner, falls into disrepair or is removed. Therefore the draft PUD includes a requirement that in the event the existing fence along the southern lot line becomes dilapidated, in disrepair, is removed or otherwise falls into a state that it no longer serves as a visual barrier between properties, a new 6 ft. high impervious fence be installed along the entire length of the southern lot line of proposed Lot 4 at the petitioners expense.

Landscaping: The Zoning Code requires internal parking lot landscaping to equate to no less than 10 percent the of the interior area of the parking lot. The subject proposal includes approximately 5 percent. This reduction in internal parking lot landscaping must be called out in the PUD. The petitioner has indicated that due to the semi-trailer deliver truck turning movements on-site, as well as the need to meet the potential corporate tenant minimum parking stall criteria, the 10 percent internal parking lot landscaping cannot be achieved. Staff understands the situation but feels that greenspace and landscaping on all individual developments is very important to the overall redevelopment of the “commercial gateway”. To offset a reduction in internal parking lot landscaping the petitioner and staff have agreed that an increase in the overall site greenspace/landscaped area on-site would mitigate concerns. The current PUD limits impervious surface coverage to no greater than 80 percent of the individual lot area and Lot 4 allowance for impervious surface will be reduced to no greater than 70 percent. This way the overall site landscaping will be increased in a greater proportion than what would be achieved under the current regulations if the required 10 percent internal parking lot landscaping were to be installed.

Ald. C. Stevens, affected and adjacent property owners located a minimum of 200 ft. from the subject Lot 4 have been noticed of the request. Staff has received no inquiries regarding the proposed PUD amendment as of the drafting of this report.

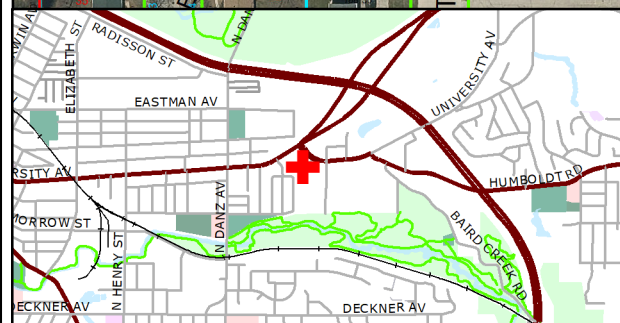
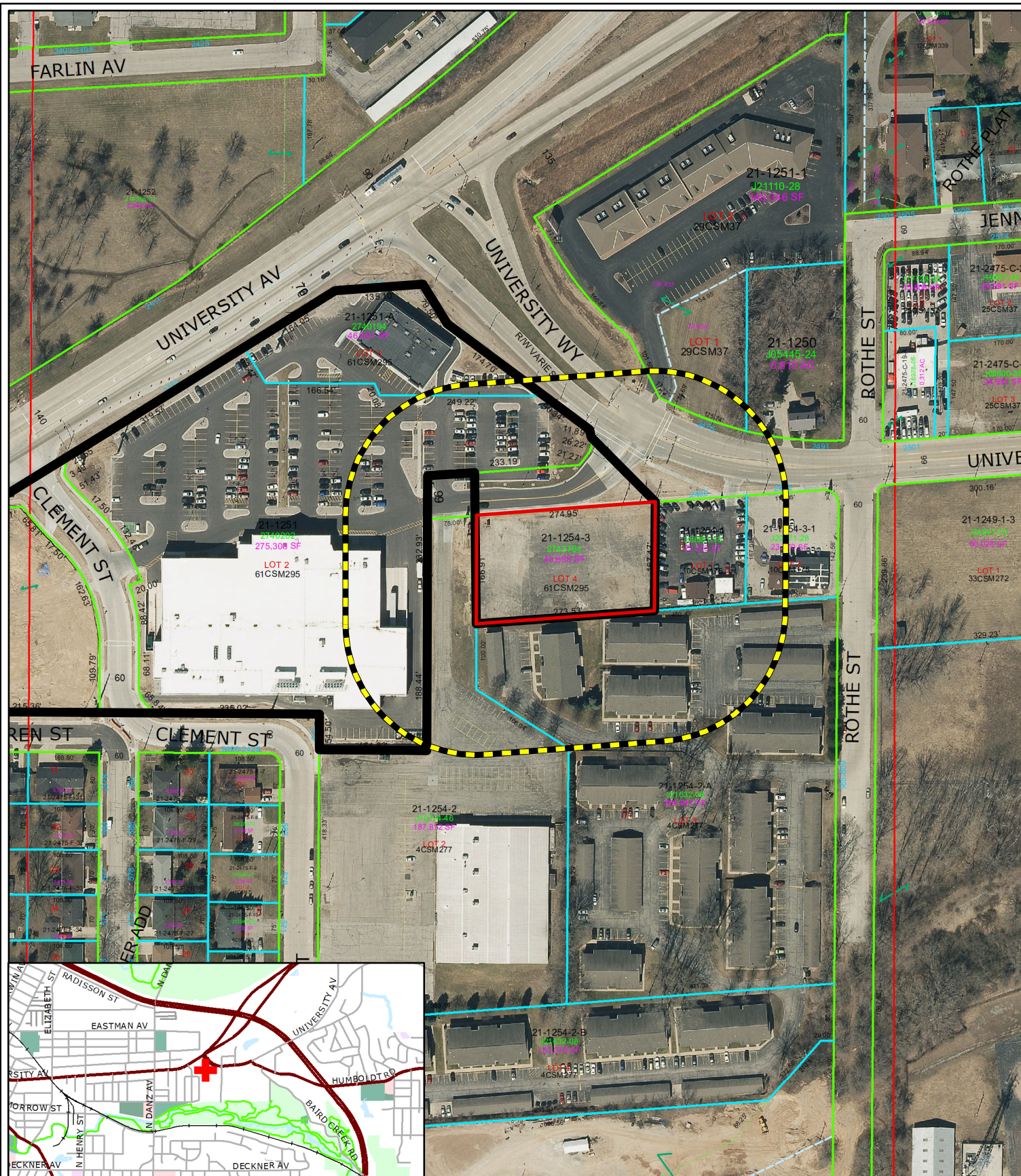
RECOMMENDATION

Staff is recommending approval of the request, subject to the amended Planned Unit Development District Ordinance (PUD).

FISCAL IMPACT

ATTACHMENTS

1. ZP 19-20 Map
2. ZP 19-20 Revised Design Interior Pavement Greenspace-091819
3. ZP 19-20 Elevations
4. ZP 19-20 Draft PUD Amended



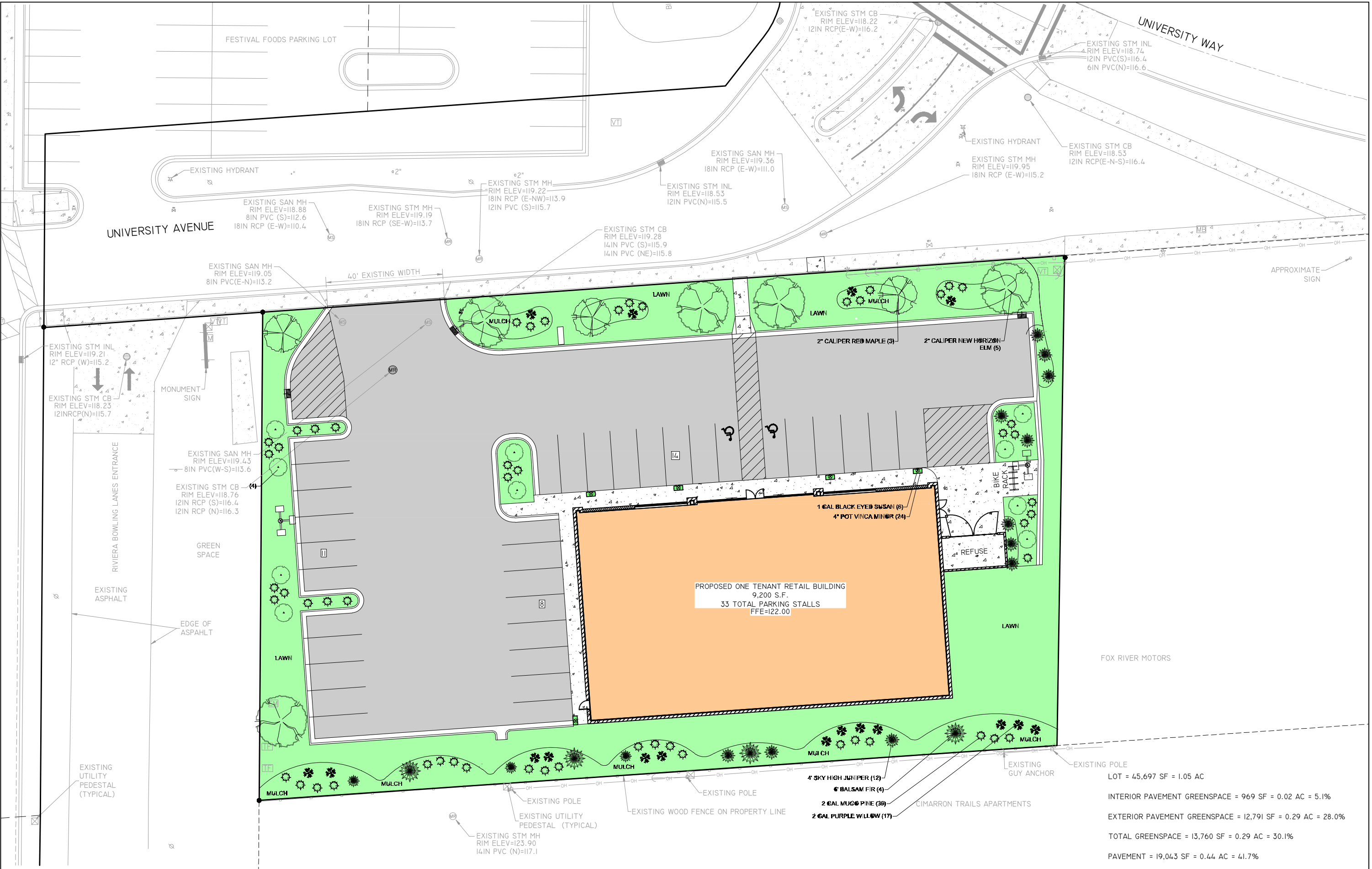
- Subject Property
- 200' Notice Area

Zoning Petition (ZP 19-20)
Request for a Planned Unit Development
(PUD) Amendment to to incorporate
development plans for a retail business
at 2460 University Ave.



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by DB

DRAWING FILE: P:\6800-6899\6845C - DOLLAR TREE\DWG\Design\6845C-Design.DWG LAYOUT: DC
PLOTTED: SEP 18, 2019 - 10:31AM PLOTTED BY: NATHANP

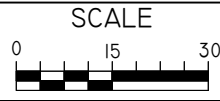


REI Engineering, INC.
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WAUSAU, WISCONSIN 54401
PHONE: 715.675.9784 FAX: 715.675.4060
EMAIL: MAIL@REIENGINEERING.COM



REI

**CIVIL & ENVIRONMENTAL
ENGINEERING, SURVEYING**



DATE	REVISION	BY	CHK'D
09/17/19	INTERNAL GREENSPACE	NAP	TAR

DESIGNED BY:	CHECKED BY:
SURVEYED BY:	APPROVED BY:
DRAWN BY: NAP	DATE: 09/05/19

GREENSPACE
PROPOSED DOLLAR TREE
2460 UNIVERSITY AVENUE
GREEN BAY, WI

REI
REI No. 6845C
SHEET DC

LOT = 45,697 SF = 1.05 AC
INTERIOR PAVEMENT GREENSPACE = 969 SF = 0.02 AC = 5.1%
EXTERIOR PAVEMENT GREENSPACE = 12,791 SF = 0.29 AC = 28.0%
TOTAL GREENSPACE = 13,760 SF = 0.29 AC = 30.1%
PAVEMENT = 19,043 SF = 0.44 AC = 41.7%

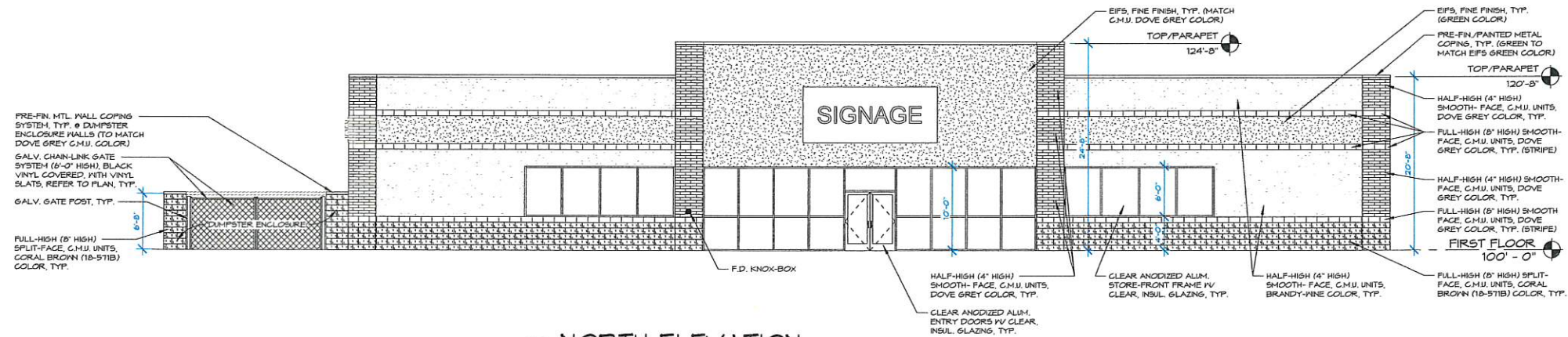
Z:\2019\19-055 AIG- Dollar Tree- Univ Ave- GreenBay\19-055_Rev\19-055_AIG- Dollar Tree- Univ Ave- GB.rvt

9/6/2019 7:36:56 AM

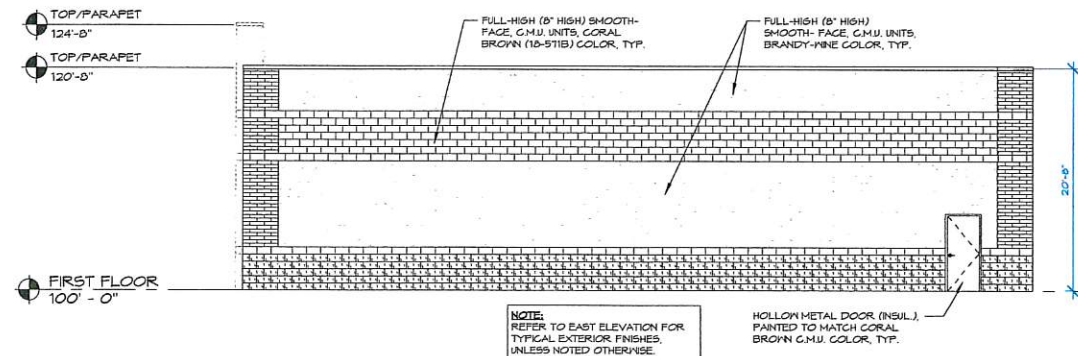


3D VIEW- NORTHEAST CORNER

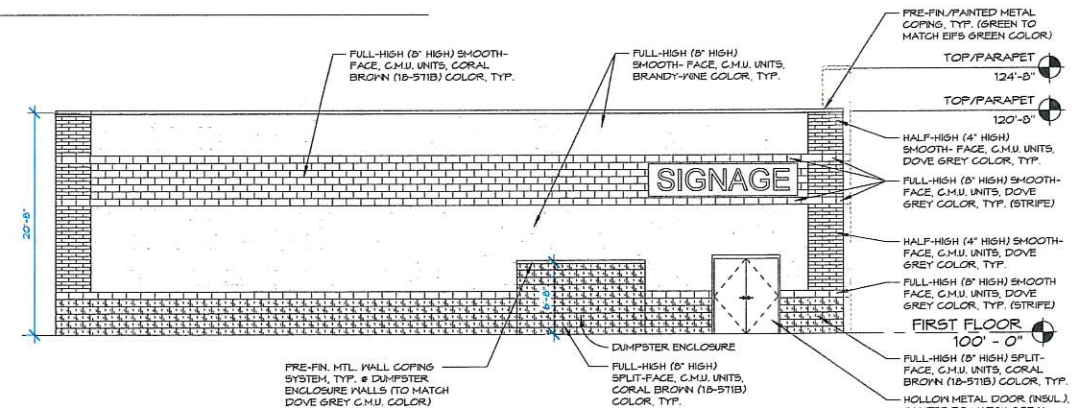
NOTE:
ALL EXTERIOR SIGNAGE TO BE A
SEPERATE SUBMITTAL FOR APPROVAL
BY TENANT AND THEIR SIGN VENDOR.



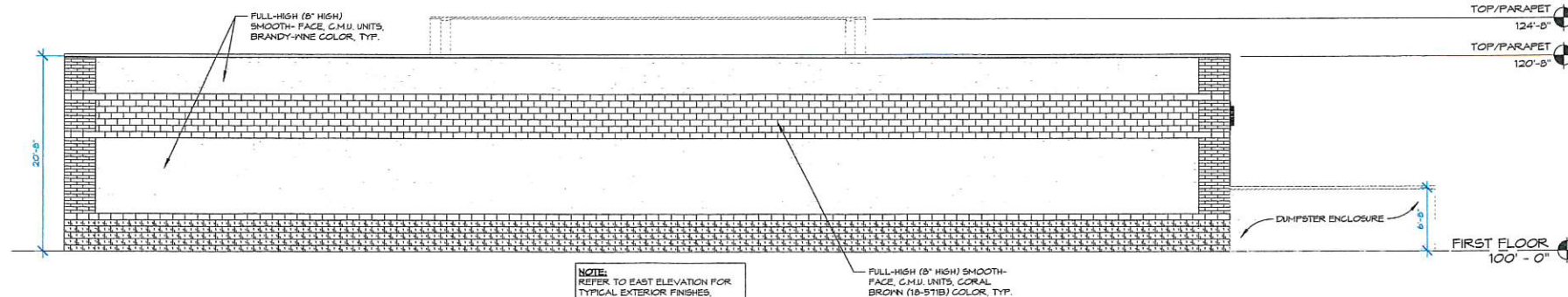
1 NORTH ELEVATION
A-4.1 1/8" = 1'-0"



3 WEST ELEVATION
A-4.1 1/8" = 1'-0"



2 EAST ELEVATION
A-4.1 1/8" = 1'-0"



4 SOUTH ELEVATION
A-4.1 1/8" = 1'-0"

ZONING ORDINANCE NO. 8-19

AN ORDINANCE
AMENDING ZONING ORDINANCE 7-16, RELATING TO
A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT
FOR PROPERTIES LOCATED IN THE 2400 BLOCK OF
STURGEON BAY ROAD (2400 BLOCK UNIVERSITY AVENUE)
(ZP 19-20)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2 of Green Bay Zoning Ordinance number 7-16 is hereby amended as follows:

Sec. 2 Pursuant to Section 13-1900, et seq., Green Bay Municipal Code, as they apply, the following conditions are imposed:

- A. Purpose and Intent. The purpose and intent of the Planned Unit Development (PUD) is to permit the construction of a Festival Foods and Kwik Trip as the primary anchors and act as a commercial gateway to University Avenue. Due to the proximity to residential properties, appropriate buffering is desired to minimize new construction yet, enhance the commercial corridor and its redevelopment. The general appearance and design of the site shall generally comply with the attached Exhibits A to G I.
- B. Permitted Uses. The land uses which may be established and/or maintained on the subject property are as follows:
 - 1. Grocery Store
 - 2. Convenience store, fueling area
 - 3. Car wash with hours of operation limited to 7:00 am to 9:00 pm
 - 4. Other uses as permitted within the General Commercial (C3) District.
- C. Dimensional and Area Requirements. Dimensional and area requirements for principle structures on the subject property shall be as required as follows:
 - 1. Festival Foods/Kwik Trip:
 - a. Front yard: 15 feet
 - b. Corner side yard setbacks: 10 feet
 - c. Interior side yard: 0 feet.
 - d. Rear yard setback: 15 feet and shall comply with the requirements found in Chapter 13-1820(c), Green Bay Zoning.
 - e. Buildings shall not exceed 35 feet in height, the front façade of the Festival Foods building shall not exceed 45 feet in height. The fuel island canopy shall not exceed 20 feet in overall height.

- f. Impervious coverage: Festival Foods shall not exceed 86% of the site and may include interior lot landscaping as part of the calculation.
- g. Impervious coverage: Kwik Trip shall not exceed 70% of the site may include interior lot landscaping as part of the calculation.
- h. Setback areas shall exclude paving and buildings except, where accessed is deemed necessary for deliveries and Fire Department access.
- i. If any part of the development is adjacent to residential uses, the setback shall be compliant with Chapter 13-1820, Green Bay Zoning.

2. Multi-Tenant Commercial Development – Proposed Lot 3:

- a. University Way: 5 feet
- b. Sturgeon Bay Road: 15 feet
- c. Interior yard: 0 feet.
- d. The building shall not exceed 25' height.
- e. Impervious coverage shall not exceed 80% of the site.
- f. Setback areas shall exclude paving and buildings.

3. Commercial Retail Development – Proposed Lot 4:

~~No formal development has been proposed future Lot 4, any future proposals shall be brought to the Plan Commission for review and approval as an amendment to this ordinance.~~

- a. Front Yard (University Ave.): 15 feet.
- b. Side Yard (west & East): 6 feet.
- c. Rear Yard (south): 15 feet landscaped buffer yard complying with the requirements found in § 13-1820(c), Green Bay Zoning.
- d. The building shall not exceed 25 feet height.
- e. Impervious surface coverage shall not exceed 70% of the site area.
- f. Setback areas shall exclude paving and buildings.

D. Architecture. All building elevations shall generally comply with Exhibits C & D and subject to the following requirements:

- 1. Ground floor facades that face public streets or pedestrian walkways shall have features, such as arcades, display windows, entry areas, awnings, or other such features for no less than forty percent (40%) of the horizontal length of the façade.
- 2. Wall articulation. No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding thirty (30) feet without including at least one (1) of the following: change in plane, change in texture or masonry pattern, windows, or an equivalent element that subdivides the wall into human scale proportions.

3. Four-sided design. All sides of the building shall include materials and design characteristics similar to and compatible with those on the front. Front building facades shall contain windows at the ground floor or first floor in order to create visual interest.
 4. Proposed Lot 3: The exterior of the building shall contain a full masonry exterior and shall be similar in color to the proposed Festival Foods. All four-sides of the proposed building shall include but, not limited to similar architectural design, building material, glazing, roof-lines, doors and building façade materials.
 5. Building materials. All building facades shall be designed with architecturally-finished materials. Durable materials, such as masonry or stucco, shall be used on all street-facing facades. All subsequent additions and outbuildings constructed after the erection of an original building or buildings shall be constructed of comparable materials and designed in a manner consistent with the original design, unless the entire building is being renovated.
- E. Lighting. All lighting on the subject property shall be regulated as set forth in Section 13-500, Green Bay Municipal Code. All canopy lighting shall be recessed. No pole light shall exceed 25 feet in overall height and shall be shielded when adjacent to a property line or right-of-way line.
- F. Signage. All signage for the current project shall be regulated as follows:
1. All signs shall be constructed and in compliance with Chapter 13-2004 Green Bay Zoning.
 2. Proposed Lots 1 & 2 each are permitted one pylon sign not to exceed 20 feet in overall height. Each pylon sign may be illuminated and shall not exceed 125 square feet per sign face and shall resemble the style and materials of the principal structures. Reader-boards or electronic message centers are permitted and shall not exceed 30% of the sign face.
 3. Proposed Lot 3 is permitted wall signage on only the front elevation and the rear elevation (University Way frontage) compliant with Chapter 13-2010, Table 20-2, Community Center Commercial (C3); no monument or pylon signs are permitted.
 4. Proposed Lot 4 shall be permitted one illuminated monument sign not to exceed 8 feet in overall height; each sign face shall not exceed 100 square feet. Reader-boards or electronic message centers are permitted and shall not exceed 30% of the sign face.
 5. Wall signs are permitted as allowed in Chapter 13-2010, Table 20-2, Community Center Commercial (C3).
 6. Directional signs are not to exceed 12 square feet per sign face.
 7. No signage, except for directional signage, shall face a residentially zoned parcel.

8. The existing billboard currently located at 2419 University Avenue may be relocated to proposed Lot 1. Prior to the issuance of a sign permit the following conditions shall be met:
 - a) Written approval or permit is provided from WisDOT.
 - b) The proposed sign may be two-sided and contain a static message panel not to exceed 672 square feet per panel.
 - c) The proposed sign shall be no higher than 30 feet and shall have a 10 foot under-clearance.
 - d) The proposed sign shall not project over the public right-of-way and remain 10 feet from any interior property line and 50 feet from any residentially zoned parcel.
 - e) A detailed site plan and sign permit application is submitted to the Planning Department.
 - f) The billboard be relocated within the development property with the location to be agreed upon by Developer, City Staff and Billboard owner.

G. Site Plan Review & Standards

1. A site plan shall be submitted and review per Chapter 13-1800.
2. All service, loading and refuse areas shall be screened per Chapter 13-1813, Green Bay Zoning but, may not encroach closer than 10 feet to a public right-of-way.
3. Any ground-mounted and/or roof-mounted mechanicals shall be screened compliant with Chapter 13-1815, Green Bay Zoning.

H. Parking/Pedestrian Access.

1. All parking shall be regulated as required in Chapter 13-1700.
2. Proposed drives along future Clement Street may be no less than 90' measured from centerline to centerline.
3. No direct access from the site is permitted to Van Dueren Street from proposed Lot 1 and Lot 2.
4. Pedestrian access shall be provided from all public streets adjoin the development and connected via an internal pedestrian network to the primary entrance of the principal buildings.
5. A bus shelter shall be provided and the developer shall coordinate with Green Bay Transit for its placement.
6. Bike parking facilities provided adjacent to each principal building in close proximity to a primary entrance.
7. To facilitate the movement of delivery truck traffic, the curb-cut/drive entrance for proposed Lot 4 shall be permitted to be 40 feet wide at the property line and 50 feet wide at the curb line, in substantial conformity with Exhibit H.

I. Landscaping/Transitional Yard

1. A detailed landscape plan shall be submitted identifying the type and placement of all plant materials.

2. A minimum 4' high but, not to exceed 8' high impervious fence is required along the southern limits of the Kwik Trip, proposed Lot 1, and Festival Foods proposed Lot 2. *In the event the existing 6-foot high fence along the southern lot line of proposed Lot 4 becomes dilapidated, in disrepair, is removed or otherwise falls into a state that it no longer serves as a visual barrier between properties, a new 6-foot high impervious fence shall be installed along the entire length of the southern lot line of proposed Lot 4, at the property owners expense.*
 3. All street terrace areas shall be vegetated and/or covered with a natural material.
 4. *Internal parking lot landscaping within the development of proposed Lot 4 shall be no less than 5% of the interior area of the parking lot.*
- J. A stormwater management plan, meeting the standards established by the City's Department of Public Works, shall be submitted to and approved by the City prior to the issuance of a building permit. See Chapter 30, Green Bay Municipal Code.
- K. The proposed Certified Survey Map (CSM) be approved and recorded in accordance with Chapter 14 Green Bay Subdivision & Platting.
- L. The pending Traffic Impact Analysis (TIA) be completed and agreed to by the City of Green Bay and the developer.
- M. As of the drafting of this PUD not all properties had been acquired by the developer, any area not acquired shall be excluded from this PUD.
- N. The approval of the PUD is subject to the approval of previous action items taken by the Plan Commission and Common Council including but not limited to: SV15-02, ED 16-01, VR 16-02 and ZP 15-17a.
- O. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the PUD.

SECTION 2. The provisions of this ordinance, including, without limitation, the granting of a conditional use permit and all obligations, conditions, restrictions, and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property.

All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 3. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit and the plans identified therein had been set forth in its entirety in the body of this ordinance.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 6. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

SECTION 8. This ordinance shall not take effect until a public hearing is held thereon as provided by § 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2019.

APPROVED:

Mayor

ATTEST:

Clerk

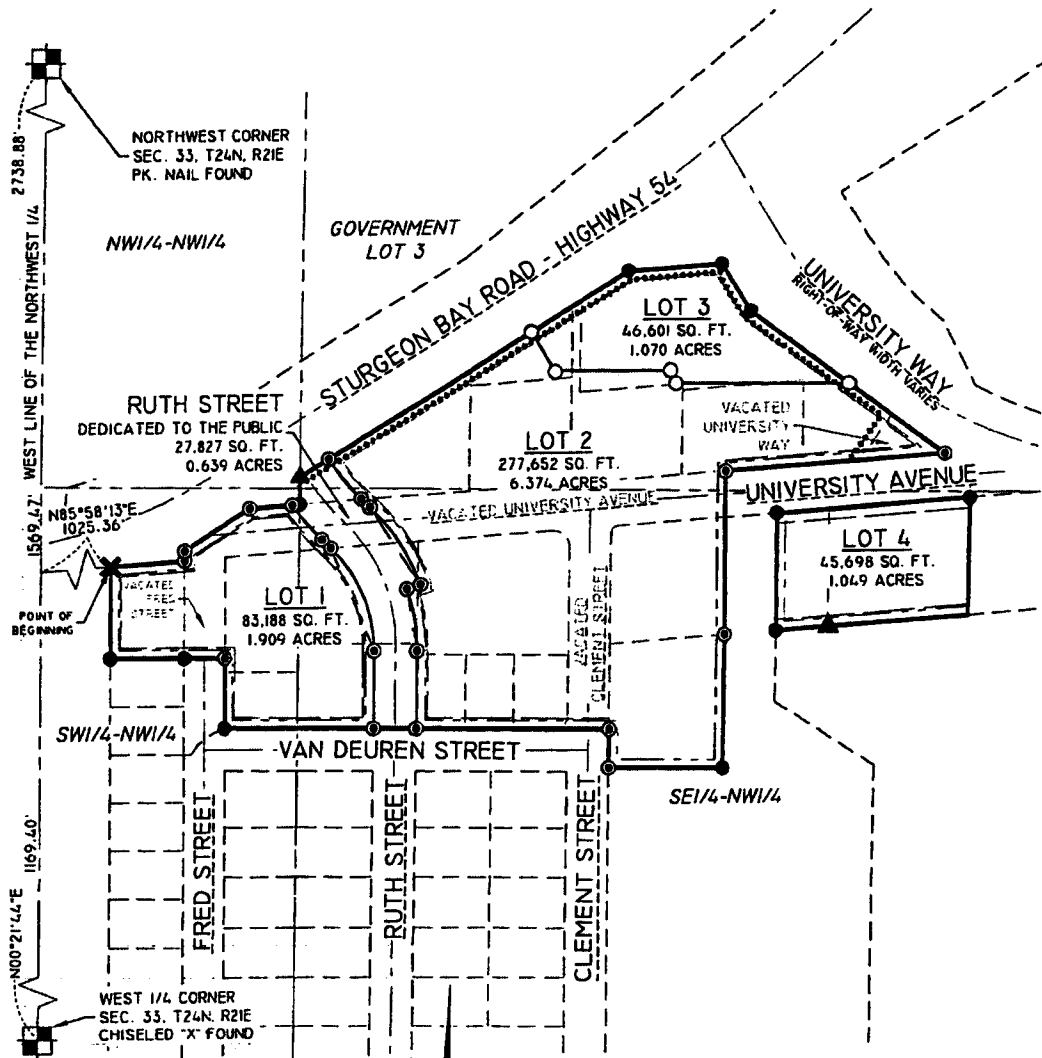
Attachments:

- Exhibit A – Proposed Certified Survey Map (CSM)
- Exhibit B – Conceptual Site Plan
- Exhibit C – Conceptual Building Elevations-Festival Foods
- Exhibit D – Conceptual Building Elevations-Multi-Tenant Building, Lot 3
- Exhibit E – Conceptual Building Elevations-Kwik Trip Building
- Exhibit F – Conceptual Building Elevations-Kwik Trip Fuel Island Canopy
- Exhibit G – Conceptual Building Elevations-Kwik Trip-Car Wash
- Exhibit H – Conceptual Site Plan-Retail Development, Lot 4
- Exhibit I – Conceptual Building Elevations-Retail Building, Lot 4

R.E.I. 4080 N. 20th AVE WAUSAU, WI 54401 (715)675-9784
BROWN COUNTY CERTIFIED SURVEY MAP

MAP NO. _____ VOLUME _____ PAGE _____

PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, LOT 32 OF GEIMER ADDITION, RECORDED IN VOLUME 9 OF PLATS, ON PAGE 9, BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, ALL OF PARCEL 1 OF VOLUME 4 CERTIFIED SURVEY MAPS, PAGE 277, MAP NUMBER 1135, ALL OF PARCEL 1 OF VOLUME 4 CERTIFIED SURVEY MAPS, PAGE 333, MAP NUMBER 1163, ALL OF LOT 1, VOLUME 29 CERTIFIED SURVEY MAPS, PAGE 378, MAP NO. 4642, SAID MAPS BEING PART OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 33, PART OF GOVERNMENT LOT 3, ALL OF LOT 2 OF VOLUME 36 OF CERTIFIED SURVEY MAPS, PAGE 227, MAP NUMBER 5538, ALL OF LOT 1 OF VOLUME 36 OF CERTIFIED SURVEY MAPS, PAGE 227, MAP NO. 5538, ALL OF PARCELS A AND B, VOLUME 2, CERTIFIED SURVEY MAPS, PAGE 261 MAP NUMBER 480, SAID MAPS BEING A PART OF SAID GOVERNMENT LOT 3, PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION THIRTY-THREE 33, ALL OF LOTS 1, 2, 3, 4, 5, AND PART OF LOT 6, ACCORDING TO THE RECORDED PLAT OF SCHELLER ADDITION, AND ALL OF LOTS 1 AND 2, ACCORDING TO THE RECORDED PLAT OF GEIMER ADDITION AND PART OF SAID WEST 1/3 OF THE EAST 1/2 OF THE NORTHWEST 1/4, INCLUDING PART OF VACATED FRED STREET, ALL OF VACATED UNIVERSITY AVENUE, ALL OF VACATED CLEMENT STREET, AND ALL OF VACATED UNIVERSITY WAY, ALL IN SECTION 33, TOWNSHIP 24 NORTH, RANGE 21 EAST, IN THE CITY OF GREEN BAY, EAST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN.



LEGEND	
✕	- CHISELED "X" FOUND
●	- 1 1/4 IN. O.D. IRON PIPE FOUND
○	- 1 1/4 IN. O.D. X 10 IN. IRON PIPE WEIGHING 1.68 LBS./LIN. FT. SET
▲	- MAG NAIL FOUND
⊙	- #10 X 18" BAR WEIGHING 4.303 LBS./LIN. FT. SET
*****	- RESTRICTED ACCESS
126.00'	- MEASURED BEARING/LENGTH
(126.00')	- RECORDED BEARING/LENGTH

NOTES:
 1. BEARINGS ARE BASED ON THE BROWN COUNTY COORDINATE SYSTEM NAD83 (2011) DATUM AND REFERENCED TO THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 24 NORTH, RANGE 21 EAST MEASURED TO BEAR NORTH 00°21'44" EAST.
 2. EXISTING BUILDINGS ON THE SUBJECT PROPERTIES ARE TO BE RAZED AND ARE NOT SHOWN.
 3. CURRENT ZONING IS C1 AND C2.

1" = 200'
 0 200

209

EXHIBIT A

LOT 1:
0.91 AC S.F. ±
(25.8% GC)

LOT 2:
30,000 S.F. ±
(6.89 AC S.F. ±)

PROPOSED
10,000 S.F. ±
(2.27 AC S.F. ±)

PROPOSED TOTAL PAVING SHALL
BE 40,000 S.F. ±
(9.16 AC S.F. ±)

PROPOSED CEMENT STREET

SCALE
0 30 60

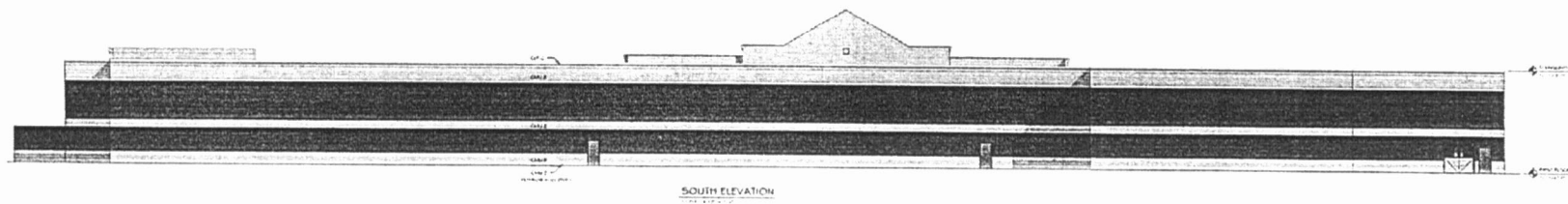
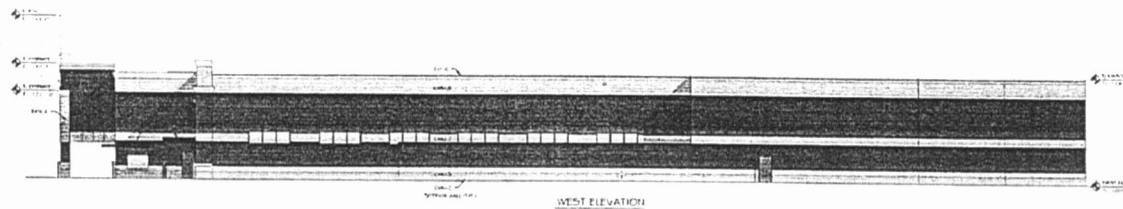
DATE
REVISION

DESIGNED BY: TAP
SURVEYED BY: JLR/JOS
DRAWN BY: NAF
CHECKED BY: JJB
APPROVED BY: JJB
DATE: 01/29/16

DESIGN
REI ENGINEERING, INC.
CIVIL & ENVIRONMENTAL
ENGINEERING, SURVEYING

REI
681
SHEET 055

100

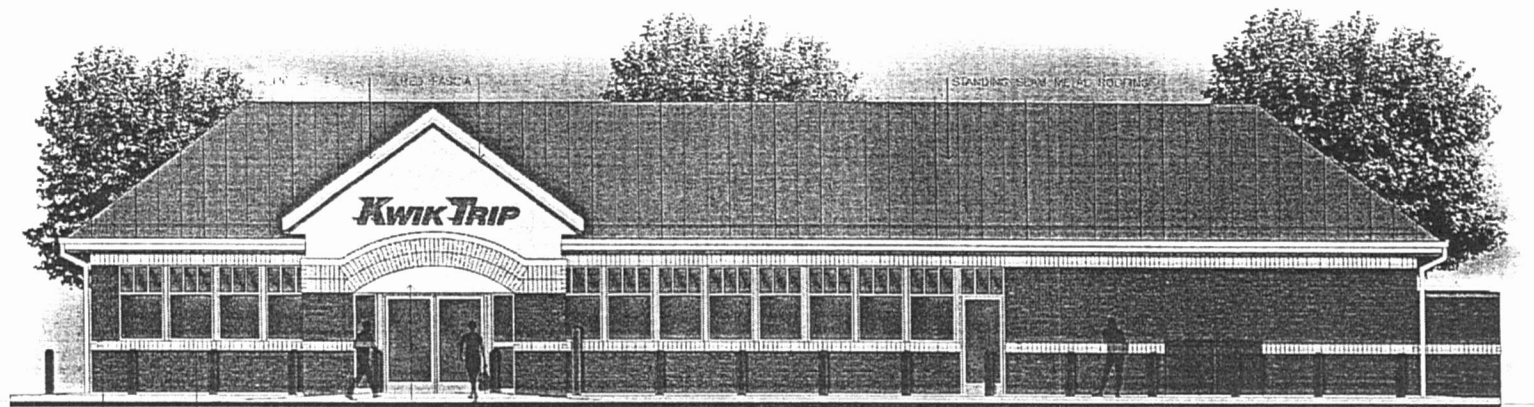


EXTERIOR MATERIAL LEGEND	
NO. 1	ALUMINUM EXTERIOR
NO. 2	BRICK
NO. 3	CONCRETE
NO. 4	GLASS
NO. 5	PAINT
NO. 6	ROOFING
NO. 7	WOOD
NO. 8	WOOD SHAKES
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design matters.

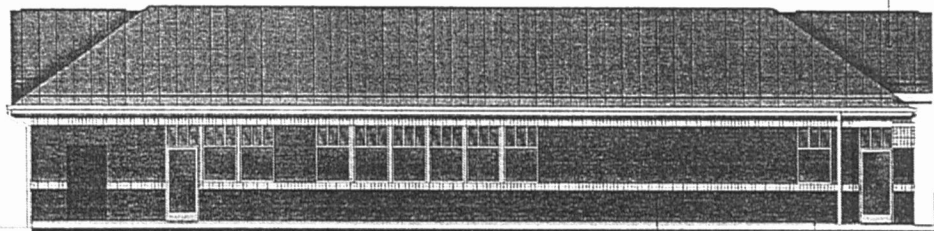
somerville

300

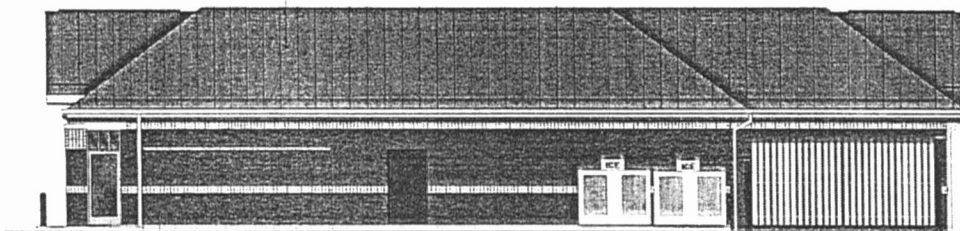


FRONT ELEVATION
5/16" = 1'-0"

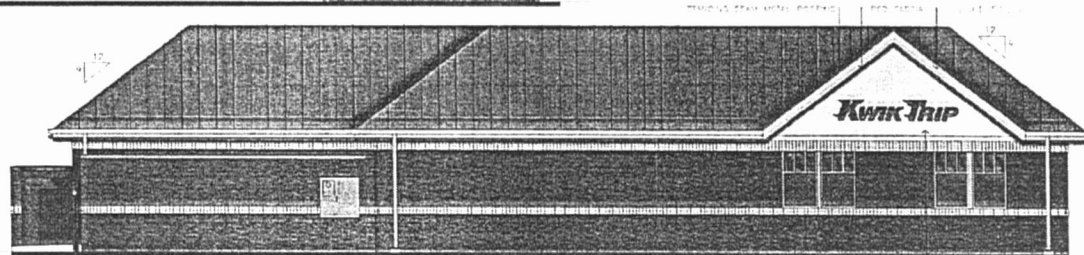
LEFT SIDE ELEVATION
5/16" = 1'-0"



RIGHT SIDE ELEVATION
5/16" = 1'-0"



BACK ELEVATION
5/16" = 1'-0"



LARSON
ARCHITECTS
2101 Mason Street, #3
Greenfield, WI 54620
(414) 784-1800
info@larsonarch.com

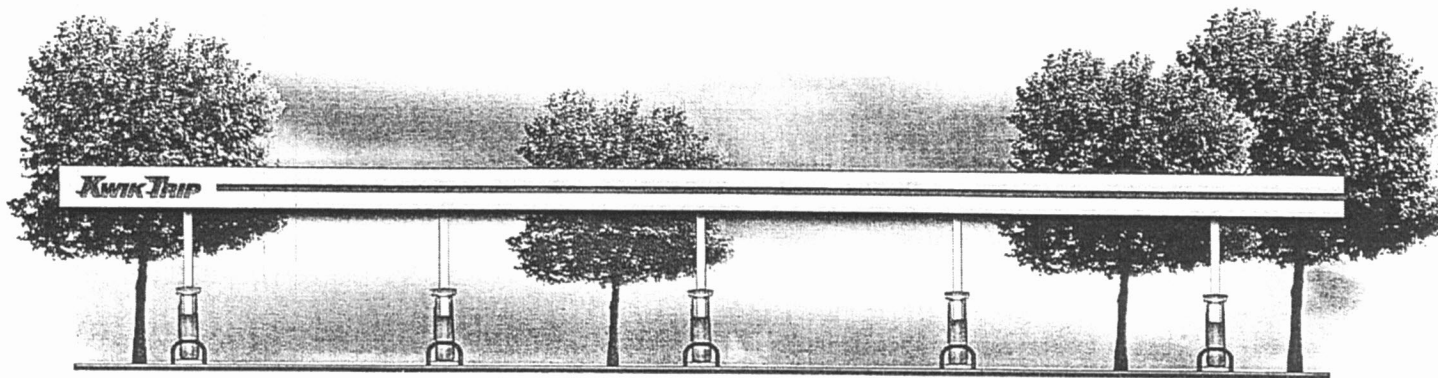
Kwik Trip
STORES
Kwik Star
STORES

LH W CONIRO
PROTOTYPE

A200

EXHIBIT E

702



FRONT ELEVATION
3/18" = 1'-0"



SIDE ELEVATION
3/16" = 1'-0"



Flat Canopy

10 MPD

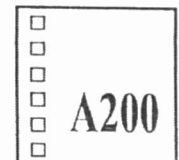
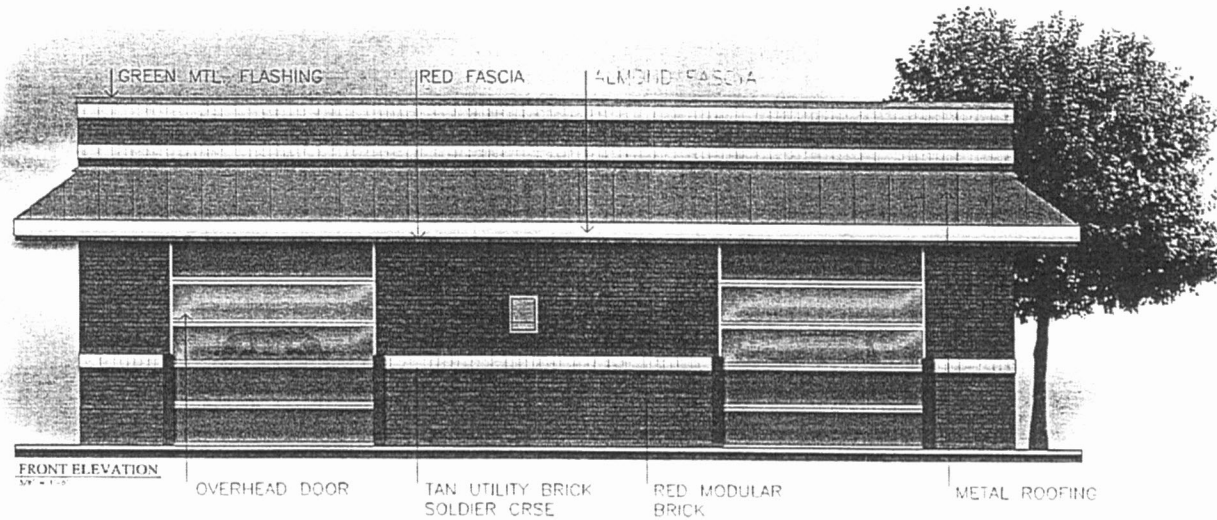


EXHIBIT F

200



DB CW

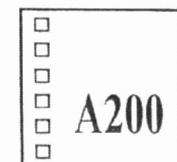
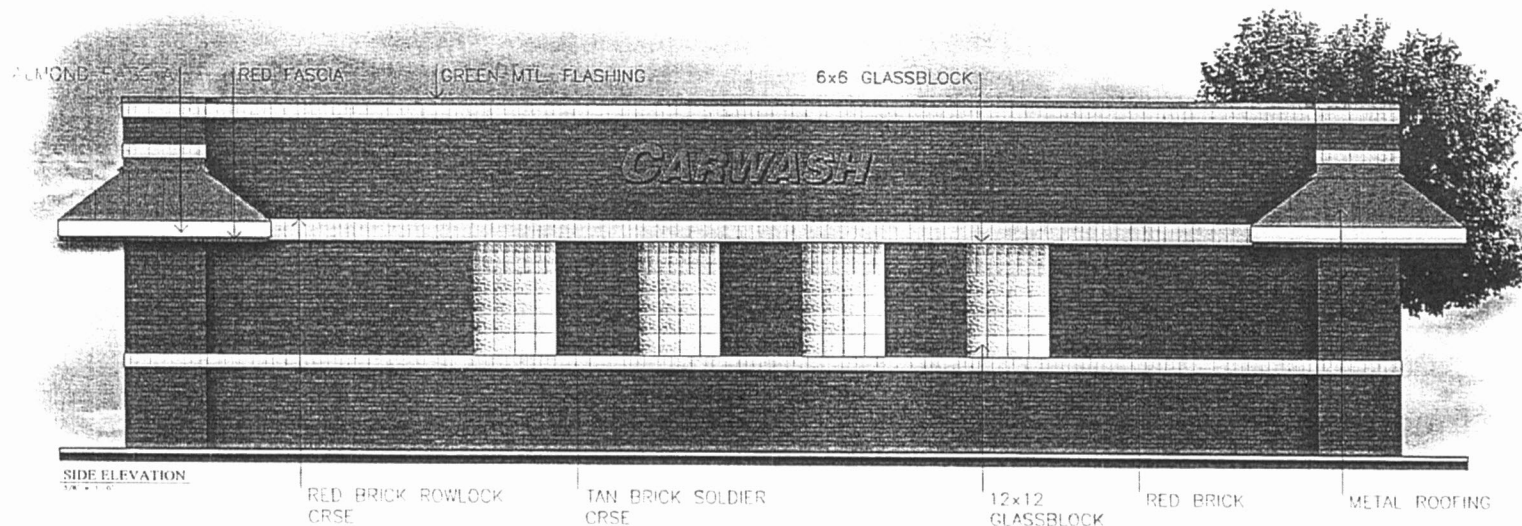


EXHIBIT H

