



MINUTES OF THE GREEN BAY PLAN COMMISSION

MONDAY, MAY 11, 2020, 6:00 PM

Telephonic Meeting

public may also view at

www.youtube.com/CityOfGreenBay

A. VIRTUAL MEETING INFORMATION

I. This item contains a document which provides information to join this meeting via Zoom along with instructions.

B. ROLL CALL.

I. Members: Tim Gilbert – Chair, Sid Bremer – Vice-Chair, Ald. Veronica Corpus-Dax, Lisa Hanson, Jacob Miller, and Randall Petrouske

Present: Veronica Corpus-Dax, Lisa Hanson, Randall Petrouske, Jacob Miller, Sidney Bremer,

Excused: Timothy Gilbert

Others Present: Ald. Brian Johnson, Ald. Bill Galvin

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the May 11, 2020, meeting of the Green Bay Plan Commission.

Moved by Ald. Veronica Corpus-Dax, seconded by Lisa Hanson to approve the agenda. Motion carried.

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

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the April 13, 2020, meeting of the Green Bay Plan Commission.

Moved by Randall Petrouske, seconded by Ald. Veronica Corpus-Dax to the minutes. Motion carried.

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

E. REGULAR BUSINESS.

I. (ZP 20-09) Public Hearing on the request to authorize a Conditional Use Permit (CUP) for a single-family home in a Varied Density Residential (R3) district at 827 9Th Street, submitted by Shelly LeMense, LeMense Construction, applicant (Ald. B. Johnson, District 9).

Vice-Chair Sidney Bremer read into record the instructions and procedure for the Public Hearing and that the public hearing was properly posted.

Vice-Chair Sidney Bremer opened the public hearing regarding the request to authorize a Conditional Use Permit for 827 9th Street, submitted by LeMense Construction.

Vice-Chair Sidney Bremer asked three times if there was anyone present who wished to speak. Hearing/seeing no one, the public hearing was closed.

2. (ZP 20-09) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a single-family home in a Varied Density Residential (R3) district at 827 9Th Street, submitted by Shelly LeMense, LeMense Construction, applicant (Ald. B. Johnson, District 9).

Moved by Lisa Hanson, seconded by Ald. Veronica Corpus-Dax to approve the request to authorize a Conditional Use Permit (CUP) for a single-family home in a Varied Density Residential (R3) district at 827 9Th Street, subject to compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit. Motion carried.

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

3. (ZP 20-10) Public Hearing on the request to rezone a 10 ft. wide strip of Low Density Residential (R1) zoning to Highway Commercial (C2) located at 1828 South Ashland Avenue, submitted by Anthony Wied, Dino Stop, LLC, property owner (Ald. B. Johnson, District 9).

Vice-Chair Sidney Bremer read into record the instructions and procedure for the Public Hearing and that the public hearing was properly posted.

Vice-Chair Sidney Bremer opened the public hearing regarding the request to rezone a 10 ft. wide strip of Low Density Residential (R1) zoning to Highway Commercial (C2) located at 1828 South Ashland Avenue, submitted by Anthony Wied, Dino Stop, LLC.

Vice-Chair Sidney Bremer asked three times if there was anyone else who wished to speak. Hearing/seeing no one, the public hearing was closed.

4. (ZP 20-10) Consideration with possible action on the request to rezone a 10 ft. wide strip of Low Density Residential (R1) zoning to Highway Commercial (C2) located at 1828 South Ashland Avenue, submitted by Anthony Wied, Dino Stop, LLC, property owner (Ald. B. Johnson, District 9).

Moved by Lisa Hanson, seconded by Jacob Miller to open the floor for discussion. Motion carried. Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Veronica Corpus-Dax, No- None, Abstain- None

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

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

Moved by Randall Petrouske, seconded by Lisa Hanson to approve the request to rezone a 10 ft. wide strip of Low Density Residential (R1) zoning to Highway Commercial (C2) located at 1828 South Ashland Avenue, Motion carried.

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

5. (ZP 20-14) Public Hearing on the request to amend a Conditional Use Permit (CUP) to increase the occupancy for an existing shelter facility from 46 to 100 individuals located in an Office/Residential (OR) district at 430 South Clay Street, submitted by Pastor Manuelus Reacco, Transformation House, property owner, applicant (Ald. B. Galvin, District 4).

Vice-Chair Sidney Bremer read into record the instructions and procedure for the Public Hearing and that the public hearing was properly posted.

Vice-Chair Sidney Bremer opened the public hearing regarding the request to amend a Conditional Use Permit (CUP) to increase the occupancy for an existing shelter facility from 46 to 100 individuals located in an Office/Residential (OR) district at 430 South Clay Street, submitted by Pastor Manuelus Reacco, Transformation House.

Vice-Chair Sidney Bremer asked three times if there was any present who wished to speak. Hearing/seeing no one, the public hearing was closed.

Vice-Chair Sidney Bremer asked three times if there was anyone else who wished to speak.

Hearing/seeing no one, the public hearing was closed.

6. (ZP 20-14) Consideration with possible action on the request to amend a Conditional Use Permit (CUP) to increase the occupancy for an existing shelter facility from 46 to 100 individuals located in an Office/Residential (OR) district at 430 South Clay Street, submitted by Pastor Manuelus Reacco, Transformation House, property owner, applicant (Ald. B. Galvin, District 4).

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

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

Moved by Randall Petrouske, seconded by Ald. Veronica Corpus-Dax to approve the amendment for a Conditional Use Permit (CUP) to increase the occupancy for an existing shelter facility from 46 to 100 individuals located in an Office/Residential (OR) district at 430 South Clay Street, subject to the following additional condition:

During the time at which an official state of emergency impacting the City of Green Bay has been declared by the federal, state, or local government, and only for the duration of such emergency, the number of occupants and hours of operation may be increased to the maximum levels permitted within this CUP with the consent of the Director of Community and Economic Development, Zoning Administrator, or Chief Building Official.

Motion carried.

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

7. (ZP 20-11) Public Hearing on the request to amend Zoning Ordinance I-19 (Whitney Park Townhomes) to expand a Planned Unit Development (PUD) at the 200 Block North Van Buren Street, submitted by GB Real Estate Investments, LLC, property owner (Ald. R Scannell, District 7).

Vice-Chair Sidney Bremer read into record the instructions and procedure for the Public Hearing and that the public hearing was properly posted.

Vice-Chair Sidney Bremer opened the public hearing regarding the request to amend Zoning Ordinance I-19 (Whitney Park Townhomes) to expand a Planned Unit Development (PUD) at the 200 Block North Van Buren Street, submitted by GB Real Estate Investments, LLC.

Vice-Chair Sidney Bremer asked three times if there was any present who wished to speak. Hearing/seeing no one, the public hearing was closed.

Vice-Chair Sidney Bremer asked three times if there was anyone else who wished to speak. Hearing/seeing no one, the public hearing was closed.

8. (ZP 20-11) Consideration with possible action on the request to amend Zoning Ordinance I-19 (Whitney Park Townhomes) to expand a Planned Unit Development (PUD) at the 200 Block North

Van Buren Street, submitted by GB Real Estate Investments, LLC, property owner (Ald. R. Scannell, District 7)

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

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

Moved by Ald. Veronica Corpus-Dax, seconded by Randall Petrouske to approve the amendment of Zoning Ordinance 1-19 (Whitney Park Townhomes) to expand a Planned Unit Development (PUD) at the 200 Block North Van Buren Street, subject to the draft Planned Unit Development (PUD). Motion carried.

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

F. INFORMATIONAL.

1. Director's Report.

Kevin Vonck presented the Director's Report.

2. Date of next meeting: Monday, May 26, 2020.

G. ADJOURNMENT.

Moved by Commissioner Lisa Hanson, seconded by Ald. Veronica Corpus-Dax to adjourn. Motion carried.

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

VERBATIM MINUTES

- I'd like to call the Monday September 23th, 29th. Wrong place, wrong thing. The Monday, May 11, 2020 meeting of the Green Bay Plan Commission to order, did I get the date right that time?

Yes, I did. By Zoom and we'll start with the roll call please. Tim Gilbert is excused, I believe unless he sneaked on. Nope, I am Sid Bremer, so I am present substituting for him in my capacity as Vice Chair. Alder Veronica Corpus-Dax. Thank you, Veronica and Commissioner Lisa Hanson.

- Present.

- Thanks, Lisa Commissioner Jacob Miller, Jake.

- Present.

- And Commissioner Randall Petrouske.

- Present

- Okay. We need a motion to approve our minutes, please.

- A move to approve the minutes.

- Second.

- Minutes from the August 12, 2019 meeting and the second was by Commissioner Hanson. Corpus-Dax.

- Corpus-Dax.

- Okay, thank you very much. All those in favor of approving those minutes. Please raise your hands because I can see you all. Hey, we've got a unanimous vote there. Okay, are there any opposed? Okay. And also from the August 12 2019. And we need an approval of the agenda and actually should have done that first.

- So moved.

- So moved from Veronica Corpus-Dax and second. Thank you Lisa Hanson, Commissioner Hanson. Then we need to go to our first order of business, which is an open hearing, a public hearing. And I need to pull up that piece of my agenda here. Sorry, this is why I tried to get catnap. This is a public hearing on the request to authorize the Conditional Use Permit. A CUP for a single family home in a very density residential district at 827, Ninth Street, submitted by Shelley Lemons Elements Construction as the applicant, this public hearing has been properly posted and public notification has been published in the Green Bay Press Gazette. The Plan Commission is interested in hearing public comments on the subject agenda items. We invite your comments and ask but 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 then offer us your comments and concerns. We do ask that you can find your testimony to facts related to the proposal at hand and avoid repetitive testimony. You must be recognized by the Plan Commission in order to speak and I believe that is, thanks to our help from Shelby, Harley and director Kevin Vonck, who will let you in for purpose of speaking. You must and please do address your comments to myself. Comments can be limited to five minutes if we get in trouble on time but we'll just start off seeing how it goes. So this public hearing is now open and interested parties, I speak who wish to speak, first of all in favor, would you indicate so by raising your hands?

- I think Madam Chair, I think we're gonna get just a quick staff overview, and then the public forum for discussion. So I'm gonna bring up, I think, the PowerPoint slide, just to have that discussion. And then we'll open the public hearing just so we get a better context for what we're discussing here tonight.

- Thank you very much for the reminder Kevin.

- We're just one second here. And I should be able to share this screen. All right, I think 'cause so we're looking for here.

- This is the one yeah, I can get a real brief overview here. Now then we go to hearing, so. Again, this is my name is Paul Neumeyer the zoning administrator for the city of Green Bay. And this is a request for Conditional Use Permit for single family use in a very density residential property. So this property is located on the southeast corner of Ninth Street and South Norwood, it's currently a vacant lot. There was a single family home there one time but it was removed in 2015. This area mainly is single family homes when you look to the East, North and kind of Northwest. West across South Norwood is the Norwood School which has been converted to an assisted living facility. Kevin if you just wanna advance to slides, please. So this is the comprehensive plan. Actually, the comp plan recommends low density residential here, yet, as you'll see in the next slide currently has a varied density residential, which is like a multifamily type zoning. So this request is certainly in keeping with the comprehensive plan. This property is currently owned by the Redevelopment Authority of the city and the city and it's part of a program for infill wants to create a single family home on this site. In the next couple of slides. I'll just show an example of the proposed single family home that will be constructed on that site. This is the site plan and basic layout of the single family unit in a detached garage. And the next slide will show an elevation of property of the buildings, very good, thanks, Mrs. Chair.

- Thank you, the floor is now open for interested parties who would wish to speak in favor of this proposal. Kevin, do you see any?

- [Kevin I do Not, I will maybe just take one second to unmute everyone for a moment. Does anyone wish to speak in favor of this proposal?

- Is there anybody who wishes to speak opposed to the proposal? And is there anybody who wishes to speak to provide information about the proposal?

- Okay, I do not see any hands Madam Chair.

- Okay, and I will simply repeat this question as required by law does anybody wish to speak? Is there anybody who wishes to speak? Is there anybody who wishes to speak on this matter? Seeing and hearing none, this public hearing is now closed and we will proceed to the regular order of business and the consideration as item two on our agenda with possible action on the request to authorize this Conditional Use Permit for a single family home in a very density residential district at 827 Ninth Street, submitted by Shelley Lemons Elements Construction applicant. And, Paul, is there anything you wish to add by way of staff report for us?

- None as far as a report now, the staff is recommending approval of the request subject to the condition within your agenda.

- Okay, are there any questions for Paul from the commission?

- Chair, this is Alder Brian Johnson.

- Yes.

- Just a question, Paul. I have no opposition to the project. However, I do know that the properties adjacent to this particular piece of land oftentimes experienced frequent ponding or flooding in their backyards. So I'm just wondering if, with this particular CFP, well, let me back up, one question, I guess is when a new project proposal like this is submitted, is it pretty standard or customary for sump pumps to be hooked up to mini sewer or the regular sewer system? And if not, is that a requirement that we could make so that way we're not continuing to contribute to the expensive ponding that occurs currently in the homes adjacent to this one.

- I don't know at this point. They either made a formal submittal for a building permit. So I don't know all the ins and outs of the project so to speak. So this is, I guess, strictly for the land use. I think those issues would be addressed if possible permitting time.

- Okay, so at permitting time, though, what do we have the ability to mandate the hookup or would that have to occur with the CUP?

- I don't know whether that's a condition of approval necessarily, 'cause I can't speak to that without having more details or what they're proposing. I don't know the details so to speak.

- Okay. Okay.

- Thank you, Alder Johnson, anything else you want to ask?

- I mean, I guess I would just emphasize that I think when that permitting process comes in, you know, I would like us to I mean, it's only \$500 to hook up to eliminate, you know, that continuing contribution, I guess to the flooding in that area. So wherever it seems most appropriate to try to include that requirement, whether it's here during the permitting process, I just want to make sure that if we approve the CUP as is that we don't lose that opportunity to make that requirement during the the permitting process.

- I can certainly note that comment, and I can talk the inspectors about that when that plan comes in, and we can see if it's, what the process is at that point.

- Okay, thank you.

- And let me ask Director Vonck, is that something that we should consider as an amendment to this proposal?

- No, not this particular proposal. Given that because the Conditional Use is dealing more with the use issue and not the particular you know, dimensional requirements. We don't have necessarily, this was conceptual, but we don't have a permit or when it would not be appropriate but with that, I think just, you know, noting that in terms of our review for our notes, we can go through with that to respect all your Johnson's requests. You know, just us, we'd have to look at something, you know, we will for this particular piece, it's something maybe we could look particular over other projects. But in terms of conditioning, this for particular permit, never not been appropriate motion on that. We'd have to look at it through the site plan review process.

- Okay. And Alder Johnson I can assure you that the Plan Commission has been wonderful at are the plan department has been excellent, at review. So that will be attended to, thank you very much for the concern.

- Yeah, I'm content with that, I suspect that the builder would voluntarily comply with that request given the cost to really make a positive improvement, so thank you.

- Thank you. Anybody on the commission with a further question for Paul Neumeyer? Okay, I'd ask Director Vonck to open the mic so we can find out if anybody wishes to speak on this proposal.

- All right, everyone should be unmuted.

- Okay. And I don't hear anybody asking to speak so I guess we don't need a motion to open the floor and I would invite any comments by the commissioners then. Might be time for a motion.

- I would move to approve.

- Thank you Commissioner Hanson Sarah, is there a second? Second from Alder Corpus-Dax. Then we can vote on the request to authorize the conditional use permit for a single family home in a very density residential district at 827, Ninth Street submitted by Shelley Lemons Elements Construction. And Kevin, how best to take votes here.

- If you would like to just go through and you know, do a roll call vote by Commissioner, I think they'll probably be the easiest.

- Thank you. So Alder Corpus-Dax. In favor, Commissioner Hanson. In favor, she's nodding, I can see it. Commissioner Jake Miller.

- In favor.

- Thank you, Commissioner Randy Petrouske.

- In favor

- And commissioner Sid Bremer and I'm in favor as well. So it passes unanimously. That will go before the city council on what date?

- That will be at our city council next Tuesday, the 19th. Can there'll be a virtual meeting but it'll be next Tuesday the 19th at 6 p.m.

- And in case the initiator or the applicant is not here, Paul, will you make sure that they are aware of that?

- I will, yes.

- Thank you very much. Okay, the next item on the agenda then is a public hearing on the request to rezone a 10 foot wide strip of low density residential zoning to highway commercial C2 zoning located at 1828, South Ashland Avenue submitted by Anthony I believe it's Wied. It might be wide Dino Stop LLC property owner. And again, Paul, if you would be so good as to orient us to this particular issue.

- Sure, thank you, madam Chair. This is a sister request to one that the Plan Commission saw November of last year. And this request is very similar in the sense that it's dealing with a small strip of zoning that fronts along on South Norwood. This property is in the northwest corner of Ashland, and Lombard avenues, the Dino Stop. As you might have ran pretty much the length of South north and south of Victory Boulevard. Now, the request is to reduce that to in essence to

zero from 10 V which is previously approved. So I think you're somewhat familiar with the site. Kevin, we can just run through the other slides real quick. With the comprehensive plan and zoning. Right so it calls for neighborhood commercial, this is the comprehensive plan. And this is the actual zoning, this is the majority of the gas station has an existing highway commercial zoning you can see that strip of R1 so that was a change from 25 feet down to 10 feet last year and now the request is to go down to zero so in essence the entire property for Dino Stop. We're going to highway commercial in C2. The issue with that is the full commercial expansion of the site as well as the driveway that is along South Norwood providing access to the site. So that is the I guess the brief overview at this point. I can answer questions at the next item.

- Okay. With that in mind, I'd like to call the public hearing in to order it has been properly posted, and public notification has been published in the Green Bay Press Gazette. The Plan Commission is once again interested in hearing public comments on this subject agenda item. We invite your comments and ask that after your name has been called, you'd remember to state your address, whether you represent a group or Association, whether you favor or oppose or are only providing information in this matter. And then please share with us your comments or concerns. We ask that you provide only facts related to the proposal and avoid repetitive testimony. And once again, I would ask Director Vonck to turn on the microphones so we can find out if there is anybody here who wishes to speak in favor of this proposal.

- Yes, I believe the applicant, Mr. Wied is online and would like to address the Plan Commission.

- Right, go ahead Mr. Wied. If you would please tell us your address, and then your concerns and opinions.

- Okay, thank you, my name is Tony Wied. I live at 514 Randall Avenue in deep here, and I am the owner of the Dino Stop application. Thanks for having me tonight, we were here last fall in order to look at our redevelopment of that corner. We have the opportunity to redevelop and enhance the location by putting in a Little Caesars Restaurant. And in doing so, the Little Caesars in coming with the times we were requesting to have a drive thru in order to facilitate the restaurant. So when we were in all, we discussed just the options in order for us to have a drive thru and the Plan Commission determined to reduce it the zoning that strip from 25 feet to 10 feet. And so we move forward with planning for the Little Caesars restaurant. I have had conversations and met with the neighbors across the street that would be affected and got very favorable feedback from them. And when we submitted the site plan here this spring, Mr. Neumeyer told us about that driveway on the north side. That was problematic in our site plan. And we have been all along expecting to be able to keep the driveway with this proposal. Or the drive thru and the redevelopment, as that's the only way for our customers to enter the drive thru. There really isn't any other feasible option in order for the drive thru to work. And we do like we had explained in the Plan Commission in the fall we do need the drive thru in order for the development for the Little Caesars. So we are just hoping in here to just ask for a solution to be able to continue to stat driveway. Kevin Vonck and I had some discussions and we even talked about the idea of making that driveway perhaps entrance only off of Norwood right now it is being used as an exit and an entrance. I would certainly be agreeable to that because that would be sufficient for our customers to be able to come into the drive thru window. So thank you very much for your time. I'm happy to answer questions. And obviously this is very important to us in order for this to work for our development there, so.

- Thank you. Since this is the public hearing, we will reserve any questions we might have for you and come back to you during the period of discussion and possible action, okay?

- Well, okay, thank you.

- Thank you. Is there anybody else who wishes to speak in favor of this proposal?
- Madam Chair, I do not see any hands raised.
- Thank you. Is there anybody who wishes to speak in opposition to the proposal?
- Again, I do not see any hands raised.
- Okay, and anybody wishing to offer information about this proposal.
- No hands raised. So I think we may just unmute all the mics just in case there's anybody else wanting to speak.
- Good, and I will ask, is there anybody else who wishes to speak on this matter, as the mics are about to get unmuted? Not quite yet.
- Okay, we are unmuted.
- Okay, is there anyone else who wishes to speak on this matter? And for a third time anyone else who wishes to speak on this matter? Okay, we can re-mute the mics then. And, like hearing, this is a slightly awkward combination of motions, but we have the public hearing so that we can know in advance what the concerns are, the range of concerns that are out there in our audience in the public. We will now move to the Agenda Item number four, which is consideration with possible action on the request to rezone that 10 foot wide strip of low density residential to highway commercial, located at 1828, South Ashland Avenue submitted by Anthony Wied Dino Stop LLC property owner and I would ask Paul, but you would have to add to your earlier report at this time.
- Thank you, Madam Chair. I just had a few more slides I wanna share with the commission and maybe you've seen a few of these before this is here. You can kind of see where it says that's the principal use there and then the Little Caesars would go on. Just left of that, so to speak. So that is the general location again, South Norwood, and then the next slide will give you kind of a street view perspective where the pickup window would be put on the west side of that building with the access from the driveway. You know, staff has concerns as we did originally back last fall with rezoning, however that was resolved, all of our concerns still remains with the existing driveway that's there. We believe that is a non compliant driveway or an illegal driveway basically. And we're concerned about zoning trespassed, basically that by retaining the drive or increasing that zoning, there will be increased traffic and infringement on the neighborhood. So as a result of that staff is recommending denial of that request.
- Thank you, Mr. Neumeyer. Do any members of the commission or any Alders have questions for Mr. Neumeyer? Commissioner Hanson?
- This time, I feel like we talked about this pretty extensively when it came through back in November. And that that driveway that's to the north that was part of a single family property the owner purchased, and then they demolish the house. It was old, and then they just continued using that driveway. So nothing has changed since November in regards to that, and that being possibly not a correct use of that property and that driveway.
- I'm not aware of anything else physically. No, I think it's still the same issue that we had back and forth, yes.

- Is there any way to fix that or is that just always going to be an unapproved use of that driveway in that property?

- Well, I think under the current rezoning if it goes to C2 to become a compliant driveway by kind of de facto, so to speak. If it's denied, then it's an enforcement issue that we'd have to contend with with the property owner.

- Thank you.

- Any other members of the Commission with questions?

- I just to elaborate on Commissioner Hanson's question. Yeah, I think that's why we're here today is that the applicant has, you know, a potential project improvement to his structure and in order to be able to use that driveway. The property owner needs that zoning to make that driveway for commercial use to make it compliant. If it's not provided for then this is something you know, generally we're complaint driven when it comes to enforcement actions and this has been something that has not been brought up in terms of a complaint. But now that we are aware of it if the zoning is not amended to accommodate this use, Mr. Neumeyer is right, then we would have to follow through with enforcement orders and then asking for that driveway to be removed. And really, it goes back to a closer zoning code that requires when a single family uses discontinued, primarily that the apron be removed and that curb be reestablished. And so they could potentially use the pay event on the private side, you know, for part of their operations. But that apron, we need to be removed, the curb would be need to be reinstalled so that you could not functionally use it as a driveway anymore. And so that's, you know, based on the applicants dilemma, I guess in terms of getting that site plan approved, either one of the two things needs to happen is that the zoning needs to get changed, so you can use the driveway to accommodate that drive thru for the Little Caesars, or if not that driveway needs to come out as part of their site plan so we can improve the site plan. And Professor, Director Vonck approving the site plan then though would be without the drive thru.

- So if the motion requests were denied, then in order for us to approve the site plan, the applicant would need to submit a site plan that shows removal of that driveway apron in order to make it compliant.

- What I was trying to understand was whether or not removing the driveway apron would also in effect next, the drive through.

- You know and aspect I mean the the applicant could still have a drive thru you know, with that the traffic flow would be required to come, you know, from different directions. I think it could probably put back up the aerial shot. Probably here right as best If the driveway, the driveway were removed, then the traffic would have to enter from the Cul De Sac here and basically could not use this piece anymore and all traffic would have to come in and out of here, use the driveway and then exit out this way.

- Okay, are there any other questions from the commissioners? Willing to bet that we will want to hear from Tony Wied in response to that suggestion?

- I think Mr. Petrouske had a question.

- Thank you, Commissioner Petrouske, please.

- Suggestion for the planners, the the proponent of the proposal indicated he had some discussions this morning regarding a potential one way, use for that driveway, what are the planners thoughts on that?

- So I can offer you one idea is I think we'd definitely be a in favor of having that given I think the, you know, main concern would be having traffic cut down on Norwood. I think the reason you know for the zoning strip is to protect, you know, commercial encroachment on Norwood Avenue and there's residential properties to the west of Norwood. You know, having a one way driveway I think by then, you know, if customers were at, I'll go back to the PowerPoint. You know, if customers were at the Shell station and wanted to go through the drive thru, they would be going north on Norwood. And coming in, you know, through that driveway and using the drive thru and then exiting back out South so that could potentially, you know, cut down on traffic going around the block into the Cul De Sac, and more coming back out onto Norway. So we would be in favor of it. But I think it's one of the things just like the previous request, we can't condition the zoning on those particular things, those dimensional requirements, we'd have to depend on the applicant saying that they were going to do that in the site plan, they would be entitled, you know, for that code to potentially have an in and out access. And so at this point, you know, you beat depending on the applicant to actually submit a site plan that that did that we could not condition that as part of the zoning. I think Commissioner Hanson.

- Commissioner.

- Thank you. I just wanna remember when they came in November, weren't they asking for all of that to be zoned, that whole buffer the 25 feet. And our compromise at that time was instead of giving them the full 25 feet was to give them 10 feet. I just wanna make sure remembering it correctly, because I really feel like we agonized over this and we wanted to keep the buffer but we also wanted to give them room to work with. And I feel like that 10 foot was a compromise.

- That fits my memory as well that we reserve the 10 for the RI and we're willing to give them the 15, does that fit the memory of staff?

- It does.

- Okay, thank you. Thank you for that time.

- Any other questions or comments at this point from the commission?

- Chair, it's Alder Johnson.

- Yes.

- I am not a commissioner, but if it's appropriate, I just have a few questions.

- Please, it is definitely appropriate as a council member, you are a member of every committee, I believe.

- Thank you.

- Mainly policies.

- Paul, if I understand correctly, that driveway right now is currently in use. It's an actively used driveway.

- I believe it is, yes.

- Okay, and have you received any feedback or negative or otherwise from the residents in that area regarding the use of that driveway?

- Not really, into the driveway, no.

- Okay, and the reason I asked that question is because it seems to me then that what's being asked for by the applicant is really just to maintain status quo with the caveat, of course that the establishment of the drive thru would basically require request cars to actually use that driveway now. As opposed to entrance from another direction. And if we were to grant this zoning change, but it only apply to the as if I recall, the last time this came there was some concern about that changing to be applied to the other properties along that corridor. Could you elaborate on that?

- That's correct, the original request last fall had the entire strip going up to the next street, yes. But the staff removed that request was just for the details about that the address.

- So the request that we have before us right now will only apply to that strip that's outlined for the Dino Stop.

- That's correct, yeah.

- Okay. You know, and I think that there's, it's almost become this scenario where sometimes it becomes almost a little bit taboo to talk about things like cars on roads. In this particular scenario, I don't see the Little Caesars generating the type of volume that would inherently be disruptive. And I'd certainly welcome if the applicant could speak to that a little bit when he does, when the commission just open the floor. You know, I could certainly see like the placement of McDonald's in there and in that street being of concern, but given the amount of square feet that are available for this particular business, I just I'm hesitant to think that it's gonna generate the type of traffic volume that would be inherently disruptive to the neighborhood against perspective on that and certainly, Paul staff if you have feedback in that regard, I would welcome to hear that as well.

- Okay, is there any staff response to Alder Johnson's comment? We will certainly follow up with it with the applicant. Yes, Mr. Neumeyer.

- We certainly did not request a traffic analysis. So I don't know, the trip generation here necessarily. I think it's more of a principal issue about separating the commercial from the residential. And I think the lateral damage is the traffic that will be going down or whatever.

- Thank you. Any other questions for the staff from the commission or from an Alder? Yes, Commissioner Hanson.

- Sorry, I'm full of questions. So the previous request we were looking at that way from where the Dino Stop is to whatever that next street is behind it. Is that correct? That entire yellow strip all the way up that entire block? Thank you, Kevin.

- Right, semester we'd actually made a request just for 1828. Very similar to the request you made this time staff just took the initiative and we expanded my request to go up to Victory just because we thought if we're going to eliminate it, we'd want to consider for the entire stretch. But after looking at it, we felt it was important to maintain that separation in some shape or fashion. So I think that's where the compromise kind of came in. Again, we remove this section

to the north, but Mr. Wied's zoning strip, there was compromise, where it was changed from 25 to 10.

- Thank you.

- Thank you, any other questions from the commission? Then I'd like a motion to open the floor.

- Move to open the floor.

- Thank you, Commissioner Hanson and a second?

- Second.

- Second from Commissioner Miller, thank you. All those in favor, please signify by raising your hands I can see you gotta wait. We've got a unanimous vote on that. So we need to entertain any questions from the floor. And I think that may need to start with Tony Wied. Sounds like we have some questions for you, Mr. Wied.

- Okay.

- Thank you, so if you could respond, first of all to the various suggestions that have been made, or your thoughts about how we might be able to resolve this.

- Well, okay, thank you. So in our meeting in the fall, I just assumed and I think it was my understanding that we assumed that the driveway was gonna stay. Or at least that was the the understanding because that's the only real way to facilitate customers coming into the drive thru. The alternative is if we had a drive thru in the driveway had to be taken out. That's going to result in cars going down the street, and passing additional houses to the north, and then taking a right and then taking another right and coming down that access road. So in our discussions with my discussions with Little Caesars that just doesn't work, having cars going all the way around that whole city block. In addition, that's there's gonna be criss crossing traffic and that back behind our location, with employee parking, people driving through that back parking lot and so forth. So I think it's from the neighborhood standpoint, it will certainly be less traffic and no traffic really going past all of those houses to the north. As far as additional traffic for the location. Do I think Little Caesars will do more than Subway? Perhaps I do think that we are going to gain more traffic from the customers that are already coming into our store. I don't think it's gonna be anything sort of drastic increase in traffic, Subways are very busy. In addition, I think having the pickup window and a driveway to facilitate the pickup window will prevent anyone from parking on the street, which does happen. Our own and currently and has happened over ever since we've had the store since the early 90s. So then, in other words, people will just be driving in the driveway through the pickup window. And on their way, that's the new trend. Many fast foods, over 60% of their sales are through drive throughs, which then again, prevents cars from parking on the street and so forth. So the driveway something we've kind of used dual purpose since the early 90s. We certainly didn't do anything intentionally in early 2000s. In other words, we didn't take the house down and keep the driveway against, you know, anybody's wishes that we didn't realize. But the apron needed to come out at that time wasn't part of the demolition permit and our excavation company did the work. So it's at this point, but again, we're just we're looking, you know, obviously for some consideration just to continue to use the driveway, we'd be totally fine with just having it the entrance only, which certainly then would prevent any headlights for people exiting out there for the neighbors as well. So I think those are a lot of good solutions and some areas that I think could be a benefit to the neighborhood. Certainly it benefits us but I think the city too, will see a redeveloped and

revamped exterior of the building, and we'll continue to keep it you know, well lit and safe and, you know, something that the city can be proud of too.

- Thank you. Are there other commissioners with questions for Tony Wied and I'm wondering Alder Johnson does that respond fully to the various concerns that you expressed, or is there anything you would like to add? Maybe just one question for Mr. Wied. If I saw that landscape photo correctly, there's already and I'm trying to remember, 'cause this is my district here. There are some trees currently planted in that area. Are you amenable to if there is the possibility to add some additional landscaping to continue to reinforce that buffer? Are you open to that?

- Absolutely.

- I'm not sure what will be done but you know, if there's an opportunity for it, I think it would be a good compromise. You know, just to continue to create that buffer from those couple of neighborhood properties.

- So Alder person Johnson so the current trees that are there on the north side are very mature. They're like an arbor vitae type of thing. So they're getting really old and a couple of them are getting a little bit sickly. So I think we could do is replace those with the same species. And that would I think would probably provide a better coverage actually. And we could put together a plan there just kind of start over with those trees. Yeah, if you see them they're kind of getting sickly. Yeah, we certainly will provide that buffer if we need to do some things there to continue with that same theme.

- Okay, good.

- Thank you again. Any other questions for Mr. Wied? Thank you very much, Mr. Wied. May be hear from anybody else who wishes to shoot or ask us any questions. And again, if you would raise your hand, Kevin, do you have ability to see people that we can't see. Or just to hear from them.

- No, I'm seeing everybody the same. I don't see any physical hands or anybody using the raise your hand feature. So maybe I might just take a moment and unmute everybody for one minute.

- Good idea.

- Second, everyone's gonna be unmuted.

- So is there anybody who wishes to speak?

- Okay, I'm not getting anything.

- May I have a motion then to return to close the floor and return to regular order of business.

- Move to return on regular.

- Second.

- Commissioner Hanson and a second for that. Thank you, Commissioner Petrouske. I will take that hand signal as quite adequate. And all those in favor. Hands up. Thank you, anybody objecting? Okay, then we are back in regular order of business and I'd be interested in hearing what the various commissioners are thinking at this point. Commissioner Hanson.

- So kind of going back to Alder Johnson's point about that driveway having been there for quite some time for having it been in use for quite some time and not having any issues with it. I think our concern going back to November was that we were looking at that entire stretch all the way to Victory. And that being all CI properties that any of those buildings that are currently I think there's a chiropractor office, there was a barbecue place down there, that any of those could be torn down and we could put in commercial and then have driveways onto Norwood if we just took that buffer completely out along that entire block you know, I think if we can, you know, I know that we can't necessarily tell them that they have to do landscaping or you know add some landscape for a bog between that and having it be an entrance only and just being for that, I guess I could see it a little bit more than why we said no, we're not take giving you the full 25 feet back in November because we were worried about those three other businesses to the north, you know, possibly changing to something else and then we've really hurt that neighbor to the west so there. So I guess I bought to it at this point, I guess those are just the thoughts that I wanted to share going back to what Alder Johnson said.

- Thank you, any other commissioners? I can recognize hands, thank you Alder Corpus-Dax.

- I'm in agreement here with Commissioner Hanson looking at it again seeing that it's not going down to the next street. I'm more okay with this, I'm looking at the site plan. If we don't allow them to use that driveway I'm more concerned of the traffic coming in from behind the building trying to get through to the drive thru. It just seems like there's more of potential for accident to happen back there with people going, trying to get to the drive thru, trying to get around to the other side of the building, those kinds of things. It just seems like it'd be cleaner for the business to have that to be able to use that driveway.

- And are you assuming that that would be as a one way driveway again?

- Yes, okay, yeah, so one way driveway.

- Commissioner Hanson nodding her head as well. Do commissioners Petrouske or Miller wish to add anything here? Commissioner Petrouske.

- Yeah, my understanding, though is that we can't put that restriction in place for the rezoning that would have to come as part of the site plan. So that wouldn't be part of our conversation today beyond the extent we can't do it today. And basically, we would be hoping that what is included in a site plan down the road. That being said, I'm leaning towards approving this request given the I don't wanna be redundant here but the fact that the driveways already been in use. It's been in use for the business. And it does all, which we've already basically given a preliminary approval to at the last meeting can go forward without this modification, so that's my two cents.

- Thank you, Commissioner Miller.

- I'm still pretty split on this, I was on the ones that voted against back in November mainly just because it's, you know, it's been being used out of compliance now, and I kind of don't like the fact that we're just letting that slide as well, obviously, I don't think there was an intent, but it's an awkward situation, and there's not gonna be a good solution based on what's there. And it still feels awkward and not the best. I mean, the whole reason we went down to 10 feet was to still maintain that buffer. Well, now it just cycled back and now the buffer is gonna be gone too, so, it's just taking a little inch by inch is what it feels like. And while there's been no one in the neighborhood that really seems to be against it, I really don't like opening it up when the intent of the buffer was to kind of provide that it's gonna be gone now and it still feels uncomfortable,

there still is a path to get to there via the down towards Victory. So I still think there is a way and that may not make it feasible for the business but it's really trying to smash a lot into a very awkward angle, a lot here and you've also got a sidewalk that's gonna be butted up right to there, there's gonna need to be some sort of ability to keep traffic away from that sidewalk and I don't think a couple bushes or trees are gonna be what's needed. Therefore, an area that is higher in terms of foot traffic too it's just a lot of uncomfortable things that we're trying to smash into here and I appreciate the ingenuity of trying to make it all work but just says I wasn't November I'm uncomfortable with it. And I'll be voting against in this situation as well. Thank you, Commissioner Hanson, did you want to pursue this?

- Well, I just have another question for staff if we change the zoning for that property and not for the rest of the block north of there, are we opening ourselves up to anything if those property owners come to us and say well you did this for the Dino Stop you need to do this for us as well.

- If, can be free to make an application I think, yes. It on its merits I guess. I don't know if it sets precedent or not, but it's we can make a request for considered.

- I think you know, if anything, I think a number of Commissioners had touched on this, you know, what we're looking at is a zoning and land use issue and then so I think in terms of, you know, landscaping, driveway cuts, direction, all those types of things, you know, we can take the applicant at his word that he is going to do that. And just based on my conversations, I think he wouldn't deliver on things that he said he's going to do. But you know, the balance right of this commission is also looking at long term, like once that property is zoned, you know, it opens up should the property be sold for other things to happen in terms of so long as they meet the zoning requirements, you know, additional driveways, other things, you know, that that site could be changed in the future. And so, right, that's the test that you're dealing with here. And in terms of what you have today versus what is long term in the future. You know, I agree with Mr. Neumeyer. I don't think getting precise, it's any type of precedent in terms of what is happening, which is, again, a very unique case of dealing with something that you know, has been found out of compliance and it's an old zoning tool, if you will, I think that we used before, we had a lot of you know, dimensional and setback requirements and our current zoning codes, we don't use it anymore. But it is what it is, and that's kind of the balanced test that you're looking at right here is, you know, both short term and long term.

- Thank you. Speaking for myself, like Commissioner Hanson, I'm finding the suggestions that Mr. Wied has made, do take care of many of my concerns about traffic going all the way down the street. And I think the issue of precedent is settled by that. At this point, we do not have a script that continues all the way down the street as part of the proposal. And if somebody that was further down the street came requesting that it would be a different request under different circumstances. So I am at this point thinking of voting in favor of the proposal. Yes, Commissioner Miller.

- Kind of going off what you were saying there said, I think it'd be a lot more comfortable if this was a PUD situation where we could stipulate that it would expire once that particular if the gas station did go away, in this case, I think the long term concerns are valid because gas stations by nature are somewhat temporary. I mean, this one's been around for a long time, they're only that will last but just there's no guarantee that's gonna always be what it's gonna be. So taking that buffer away now opens it up to whatever could potentially be in in the location that it's at, which is a fairly valuable piece of property near Lambeau. We have to look at the future uses that could be there not just what's there. So again, if this is a PUD situation, I think I feel more comfortable making some sacrifices, but it does open it up for future which I think is something that does need to be considered.

- Following that up, is there any reason that Mr. Wied might not make an application for a PUD? Instead of an alternative approach for him to take.

- It could be an option, I don't know if this really is a candidate for a pod, I think typically there's larger developments with unique situations that might qualify as a PUD. I don't know that this necessarily qualifies, but if it was denied for some reason, sorry, could come back and apply and be considered again, sure.

- It does have two commercial investors involved in it with the Little Caesars as well as the Dino Stop That would be the one basis on which I might be inclined to accept the current recommendation not to okay it. But then to strongly urge Mr. Wied to pursue a PUD that would specify the one way traffic and the expansion of the commercial zoning only for that space. Any other thoughts from other people on the commission?

- Just to answer the question about the planning and development, I think Mr. Neumeyer is right and then that we try and be I guess, judicious and selective about our use of the PUDs I think, you know, we could PUD everything in the city and then look at certain conditions and then, you know, we start to erode away at our core route of just okay, generally, what are we expecting out of some of these zones? Should this not pass? I think that could be in an alternative in the future. You know, but with that, I think, you know, we're more comfortable in terms of looking at this personal in and of itself. You know, I think just based also where it's at in terms of land use, I mean, it does. Again, the frontage is or we are great. You've got almost like a quad frontage of Ashland Avenue, the frontage road Norwood Avenue and Lombardi Avenue. And so by stopping where we did stop, I think that's why we felt comfortable with just a straight rezone versus a PUD here as well.

- Any commissioners who wish to speak at this point or offer a motion?

- Chair?

- Yes, Alder Johnson.

- Thank you Chair, I support the change. But I do have one question perhaps to Mr. Neumeyer it said in the packet that you did receive one call from a neighbor from an affected property owner. Are you able to disclose the nature of that conversation?

- Sure, there was a property owner to the north shoot inquired about a transitional yard between the residence which is just to the north, and I indicated that it's commercial zoned commercial zoning so we could not require a fence at that time.

- Okay, thank you, okay, so--

- That's in the area being circled now, correct.

- Correct, yes.

- Please continue Alder Johnson.

- Thank you, so I think given Mr. Wied's comments that he could install some type of landscape barrier here in the fact that by rezoning this we can prevent cars from going all the way around. I actually do think it makes it more desirable situation not only for the residents in that neighborhood, but for the property owner itself. I appreciate Mr. Neumeyer's responsibility to

bring the facts forward to the commission. But I think it's also the Commission's responsibility to take a look at this and say, what is our gut instinct tell us in terms of what creates a better situation for this particular neighborhood? And I think when I look at that, I think it does, like I said, create a better situation to approve this. And let this go through the site plan process in terms of getting that the landscaping, we can talk about the one way directional usage at that time. Of course, we have to trust that Mr. Wied will honor those requests. He's indicated here on the on the call today that he doesn't see why that wouldn't be. He doesn't see why that would be a problem. So for those reasons, I do support this change I would encourage you commissioners to do the same

- I'm sorry, any other comments from the commissioners? So, do we have a motion?
- So we would have to have a site plan going through the planning department, is that correct?
- That's correct, that would be the next step is a site plan that we submitted and would have to meet code. Yes, but it would not necessarily come back to the commission for your review.
- Right, okay.
- Commissioner Petrouske.
- I would move to approve the request as it's put forward by the applicant.
- Is there a second?
- I'll second.
- Commissioner Hanson second it, Commissioner Petrouske moves to approve the request by the applicant which is to set aside the recommendation of staff. Any other comments?
- So just to be better than so the recommendation or the motion would be to the existing 10 foot strip the length of the applicants property to rezone it from that single family residential to R2. I just want to check with Mr. Neumeyer, to be in compliance. It's the same zoning for the rest of the parcel up to the property line.
- Yeah, to C2, the balance of the property would go to C2.
- Okay.
- And is that the intention of Commissioner Petrouske and Commissioner Hanson? I'm getting odd from Commissioner Hanson and Commissioner Petrouske. I will vote in favor of this I doing so I must say very clearly Mr. Wied on the basis of your expressed intention to go forward with the one that would circle around the smallest area and to provide significant planting for buffering. And I see Mr. Wied is nodding, indicating that he understands that. Any other comments before we vote? So we'll all in favor of the motion to change the zoning hear from oops, not seen. To rezone the 10 foot wide strip from low density residential to highway commercial at 1828, South Ashland Avenue as submitted by Anthony Wied at Dino Stop LLC property owner. May I see hands of those who voted or I'll go down the list here.
- Yes, thank you.
- Thank you, of course. So Commissioner, I'm losing track of all my things here. Commissioner Alder Veronica Corpus-Dax.

- Aye.

- You vote aye, Commissioner Hanson?

- Aye.

- Commissioner Miller.

- Nay.

- Commissioner Petrouske.

- Aye.

- And I will vote aye as well. So it passes by a vote of four to one. And again, this will come to the city council next Tuesday. Is that my correct understanding? Yes, I'm getting a nod from staff. Thank you very much, and thank you for the concerns that you've raised about this. I hope we'll be able to get a good resolution. We now move to order of business number five, which is a public hearing on the request to amend a Conditional Use Permit to increase the occupancy for an existing shelter facility from 46 to 100 individuals located in an office residential district at 430 South Clay Street, submitted by Pastor Manuel Reacco, Transformation House property owner. And again, Mr. Neumeyer, I would ask you to introduce this item.

- Thank you, Madam Chair, I'll just give a brief overview. Again, this might seem somewhat familiar. This is the Transformation House. They have an existing shelter facility at 430 South Clay Street. It is the site of a former nursing home. They obtained the Conditional Use Permit in 2018. Due to the COVID-19 and some of the stresses on shelter facilities through our community. The applicants have offered their facility to house home modules on a temporary basis. So staff felt it was important for them to come back and amend their Conditional Use Permit to allow increased occupancy from 46 which was approved by the original Conditional Use Permit two, 100, but the stipulation that would have to be under some sort of mandated natural emergency basically, where they could do a temporary increase in their occupancy. So this would we would add some language that would allow it to occur only on a temporary basis based on some emergency declaration.

- And as I recall, also not to exceed what is permissible by code.

- Correct, so there would be other issues with the billing they would have to, you know, seek assistance from an architect received the necessary permits to make sure that billing itself was code compliant. This RC would just deal with the the zoning end of it to allow for temporary use.

- Thank you. This is a pump like Carol said with with public notification published in the Green Bay Press Gazette. The Plan Commission is interested in hearing public comments on the subject before we move to a regular order of business today and potentially act on the issue. 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 or oppose or only providing information in this matter, and we combine your testimony to facts related to the proposal at hand and avoid repetitive testimony. I would now ask that the mics be unmuted so we might see who or we might hear if there is anybody who wishes to speak on this issue in favor of the proposal. And I see one.

- Yes, that is the applicant, Manuel Reacco, yep.
- Okay, then I would recognize the applicant, please.
- Hi, my name is Lisa Anderson Bureau. But I don't know if I use my home address or the address for here, which doesn't matter is, this is of your meeting.
- Your home address, please.
- Okay, 2567 Kathy Drive in Green Bay, here in Green Bay.
- And when you say your address here, are you in Transformation House?
- I'm sorry, yes, I'm on site at Transformation House set forth anyway. Thank you again for having us. I'm the assistant director here, Pastor Reacco, the Executive Director and who made the request is also present here. And what was stated is correct we are proposing this as a response to the urgent community need to serve those who are on the street during this public health pandemic. This came out of some groups that we belong to local shelter groups and things like that. And some community providers that asked us to step in because quite frankly, we have this space and are able to meet the safer at home guidelines being set up like a nursing home than some of our existing shelters. And so we've worked really hard with those providers, they have funded things here to assist with that. And we are fully operational at this point in terms of what we understand there to be code-wise, we did have an additional showerhead supplied and installed by an approved or I mean by a licensed contractor. It's my understanding that inspection was also complete and appropriate. And so we continue to work daily with our city officials. I am on the phone daily with CDC, the health department and our local outreach healthcare to ensure that we are following all of the up to the minute Safe at Home guidelines and health guidelines to serve the need of the public here and so we would ask to continue to be able to do that. I know that's a big jump in numbers. We're certainly feeling that potential here financially. And so we're just day by day hoping to come to meet that need and certainly hope we're not going to need to serve 100 but recognize that that's actually a possible real number. I'm encouraged to hear some of the other shelters are looking at being able to do safer intakes and things like that which will lessen our burden and hopefully spread the work between amongst several of us but we just don't know at this point as you all know, and so, we would ask for this temporary order or temporary amendment to the top to be able to do that.
- Thank you, Miss Anderson, and as Pastor Reacco wish to speak at this point, or after we raise this as a matter for discussion and action.
- After you raised the matter.
- Very good, thank you. Is there anybody else who wishes to speak in favor of this proposal in the public? Yes, Alder Galvin.
- Thank you, I've been in contact with Pastor Reacco, to ask him about this. I do have some questions I'd like to ask I guess. I mean, I would have to say initially, I'm in favor. I don't know if this is the point where I asked well, Lisa Anderson Bureau some questions or Pastor Reacco some questions here. But there's more information I'd like to have, you know, before I move forward, so let me know where you want me to jump in on this thing.
- Thank you, Alder Galvin, we'll wait I think until we consider this with opening the floor for comments at that time and be very welcoming to your concerns. All right, thanks.

- Is there anything you want to say though in general, at this point.

- I will say that there was a lot of trepidation on my part. When Pastor Reacco first opened this facility, I was very concerned, I met with him. And I liked what he had to say. But again, the proof is in the pudding. But I did a lot of research on his past locations found out that a lot of people's fears were unfounded. And I would have to say, since he's been in place there I have received, initially, I received a few complaints. But after that, I received no more complaints. The city is supposed to get a quarterly I believe it's a quarterly review, as listed in the cop, and we've never received the report at all yet. But anything that indicated any issues with that facility, so I commend what he's been doing, he's been true to his word on how he was gonna operate it. And so that's just my comments right now.

- Thank you, is there anybody else who wishes to speak in favor of this? Is there anybody who wishes to speak in opposition to the proposal? If you would signify by raising your hand, there's a raise your hand element on the Zoom. Or perhaps Director Vonck could unmute the mic so that we could hear anybody who said, anyone say they would like to speak.

- In a moment, I have not see any hands. But I'll take a moment and everyone will be unmuted. If anyone wishes to speak.

- Please say so so we can hear you.

- Miss Bremer there's Miss Eileen, who wishes to speak. So I'm gonna just mute everyone and then turn her on. All right, ready so Miss Eileen.

- And if you could tell us your name and your address first of all.

- My name is Eileen Frye at 425 South Clay Street.

- And is that F-R-Y-E?

- Correct. Thank you, and do you represent any group or Association?

- No.

- Okay, please continue and tell us what your concerns are.

- Alderman Galvin has a letter from my husband that was written. And I assume that he will be reading that this evening.

- I think we don't have, I think you're requesting that he do so.

- That would be my request.

- Thank you, and what else would you care to ask?

- There are many.

- Or say.

- Well, there in the letter. It looks like he's not aware of this letter.

- I think we need to ask Alder Galvin, do you have in your possession letter to which she refers to.

- I didn't know, they wanted me to read it tonight. I'm trying to find it in my email queue here, so.

- That was the assumption that the letter would be read.

- Well, if I can read it, but do you wanna read it since it's your husband's letter or I mean?

- I have not the letter.

- I think you don't have a copy of the letter Miss Frye, right?

- All right, just give me a minute to find it now. I'll get right back to you.

- Great, thank you. Is there anybody else who wishes to speak in opposition? And we could come back to that and I see SIWI4, please. Thank you, identify yourself and tell us where you, what your address is. My name is Larry Frye, and my addresses 425 South Clay Street. In addition to the letter I had one question, and that was concerning the any an increase of residence will result in a deviation from the mission, the current mission of Transformation House from alcohol and drug counseling to more of that of a homeless shelter. And when we were discussing the original CUT permit, it was stated over and over again that it was not a homeless shelter that it was a counseling center. And I was just wondering how this deviation or this CUP amendment would affect that mission.

- And I assume that you and I would be a loss if there was an effect.

- I would say that it would be a change from what is going on at the moment.

- Okay, thank you. I will make sure that that question is addressed when we move to discussion and possible action. Is there any thing else to be raised at this point in the public hearing in opposition to the proposal? Again, why don't you open the mics there? Director Vonck.

- [Mary] Hi, this is Mary Schroeder.

- Yes, thank you Mary Schroeder, please your address.

- [Mary] Address is 409 South Webster right next door to the Transformation House.

- Okay.

- But I'm also representing I guess a group, well, I am the apartment manager of the Regency East apartments, which is right next door.

- Yes.

- [Mary] So, we, you know, we went to many of these meetings and I agree with Larry Frye there, that it is now I guess, becoming a homeless shelter. The one thing that we didn't want it to be. And there's a lot of other issues when you add when you double the capacity of that place. I know they're gonna be, you know, quarantined, I guess. But what happens after that? As far as parking, walking, more people more traffic. They're doubling the capacity. I guess that's my concerned.

- Thank you, I appreciate that. And if we could open the mics one more time to see if there's anybody else who wishes to speak in opposition.

- They're open.

- [William] Hi, this is William Art.

- Okay, we have a William.

- William and what's your last name?

- [William] A-R-T.

- And your address?

- I reside at 92 Cambridge Road Madison, Wisconsin. I'm the owner of Regency East apartments.

- Mary Schroeder is my manager. And I just wanted to weigh in that we continue to have concerns about inadequate parking. We support the noble mission, God bless, you know, I wish everyone has a warm bed and a roof over their heads. You know, however, it's misrepresented by the amount of parking they have. It's gonna undue pressure on our facility to provide parking for our tenants. I mean, we've met the zoning requirements to provide the adequate parking, and our property has been encroached on without our permission. And, you know, it's fine a noble idea, but God bless. However it does affect our right of use of our property. Thank you very much for your time and consideration.

- Thank you for sharing your concern. Okay, again, if we could open the mics, I see Alder Galvin has something, say at this point.

- Yes, I found the letter for sure, Larry sent me. I guess my concern is I'd like Mr. Frye to explain to me why he wants me to read this letter on his behalf.

- Mr. Frye, your mic is open.

- As I understood it, the comments that we had were going to be expressed to the committee. I wasn't sure that we were gonna be allowed to participate via Zoom. So that's why it's simpler to write to Alder Galvin.

- All right, then, if I have the indulgence of the committee I'll read this letter.

- By all means, thank you.

- All right, fine then I want to ask if Lisa Anderson Bureau would maybe take note of some of the points here questions, and then we can get some answers to those when it's your turn up, have at it. Okay, so this is dated May 4th, 2020, Alderman Galvin. I would like to express some concerns about the request of Manuel Reacco to occupancy or transfer the current level of 46 to 100 individuals, over the last year Transformation House have been rather quiet neighbors. However, I do not believe that the proposed increases feasible. When the facility was a nursing home, the capacity of the facility almost never exceeded 55 individuals. Residents would certainly be doubling up in rooms that were not designed for that purpose. I am also not willing to accept more than double the capacity, though a significant increase in staff is important to me that all residents of the facility continue to be screened, vetted and closely supervised for the

safety of the neighborhood. Increasing occupancy will also increase residential neighborhood traffic and demands for more parking. I'm also concerned about the increase of the amount of trash that an increase the residents would bring. The trash is currently collected in an open trailer and hauled periodically to the dump. We have noticed an increase in windblown trash in the street and yards and suspect that more than doubling the number of residents would make the situation worse. With the current COVID-19 virus cases continuing to increase in our community, I fear that the facility could easily become a hotspot. I hope that the county health department will be consulted about the safe density of the building. I have witnessed inconsistent social distancing and use of masks. The letter we received was also unclear as to the duration of this temporary use permit. If the current state of emergency is the reason for this request, will this permit be rebuilt when the state of emergency ends, and who determines when the temporary Conditional Use Permit expires? Well, this temporary increase be used as a precedent to increase the occupancy permanently. One of the initial concerns that we had about Transformation House was that because of the nature of Conditional Use Permits, that gives neighbors no binding voice in the process. The facility would be allowed to continue to grow beyond the limits of the original Conditional Use Permit. My wife and I have tried to be tolerant neighbors accepting the changes that Transformation House has brought to the neighborhood. We realized that our voices carry no weight in the decision making of the Plan Commission, but we hope that the Commission will consider our concerns. Larry and Eileen Frye 425 South Clay Street.

- Thank you, Alder Galvin, and thank you, Eileen Frye and Larry Frye for asking for that reading. If we can have the mics again to open one more time. Is there anybody else who wishes to speak in opposition? Is there anyone who wishes to speak simply to provide information? And I would ask two more times to meet the legal requirements. Is there anyone else who wishes to speak? Is there anyone else who wishes to speak? Having heard no such response, then I would ask the commissioner for a motion to return to regular order of business. I know, thank you, Lisa has this wonderful, Oh, look on her face, okay. Having heard no other people wishing to speak at this public hearing, I declare it closed and we will move on to the next item on our agenda, which is to consider with possible action the request to amend the CUP to increase the occupancy for the existing shelter at 430 South Clay Street from 46 to 100 individuals submitted by Pastor Manuel Reacco, Transformation House property owner. Ana at this point, I would ask, Paul, if you have anything further that you need to add to the staff report.

- I have nothing further to add except that staff is recommending approval of the request will be to the condition being added to the CUP.

- And as I understand it, there are two important points that have been hit on in the public hearing. This is only for the duration of the official emergency period, emergency declaration either by local state or federal, correct.

- Yes, correct, yes.

- And it would end at such point as all those declarations ended, and then secondly that the facility would need to be, would need to pass all code requirements for, is it a dormitory situation, I can't remember. The classification.

- From zoning and building codes, so they would have to obtain necessary permit approval to reach that occupancy, yes.

- Okay, thank you. Having said that, what questions do any of the commissioners have to ask Dr. Neumeyer before we consider opening the floor again.

- I think I will just add one thing. You know, this has been an ongoing conversation. The city has been involved obviously since the outbreak, you know, talking with providers in our community who offer services to homeless individuals, you know, in our discussions with the county, who is the designated public health officer for the city of Green Bay, we funder fall under their jurisdiction, you know, they do have a concern about our homeless population and you know, how they operate and in terms of directives to shelter in place, and so they have the county reached out to, you know, initially to a lot of these providers saying, look, do you have extra capacity? One of the things that you know, from zoning and building code perspective is that, yes, we want to be able to shelter individuals, but they need to be sheltered in a place that's safe for human habitation and a place that's safe to sleep overnight. So we've discussed a few structures that did not pass that test and and we've worked on others and there may be some others forthcoming, you know, in working with Transformation House, you know, going back through the original building report that was conducted by an architect, what was limiting them initially, were plumbing fixtures and just the ability to hold a certain number of people. And so the CUP was capped at 46, right? That's the building code says you can have saved for a dormitory with certain changes to the building. And then primarily these were, I believe, plumbing driven in terms of the availability of fixtures, to townspeople, that capacity could go up to 100. But just it is, you know, Mr. Neumeyer, said and then really just clarification, the reason that we're doing this is to handle an emergency situation. So there has to be an emergency declaration, and there has to be the consent of either myself, Mr. Neumeyer, or Paul Lancaster chief building official to make sure that the building is still safe in order to hold people. And so just in terms of the temporary nature, right, I think all of us wish this was over yesterday. But this is designed to be used as an truly emergency purpose. And I think it's very clear that there's no intent to have this carry on, you know, beyond that state of emergency.

- And as understanding it, then you're saying the purpose is as an emergency shelter?

- That is correct, and we've reached out and again, us and the county to everyone who is providing services to the homeless to find additional places for shelter. Look, I mean, it's no secret the number of homeless individuals in the city has been growing. And over the winter, we saw increased counts. And again, as some shelters change out of winter operations into summer operations, there are other individuals who need shelter. And so again, we're looking for these emergency shelter places.

- Thank you, any other questions to staff or any other comments from the staff? Commissioner Hanson.

- I guess I'm just curious as far as the emergency declaration, what emergency declaration of the following that you're talking about something that the city guards and that were closed until the 24th of this month? Or is it something that we're thinking is further into the future?

- So, I tend to defer, right all things local. And right now our city our mayor, and confirmed by the City Council has declared a state of emergency based in I guess, consultation or consideration, but federal guidelines and state orders that are out there. But ultimately, it is I would look at deferring to the local. I think the reason this language was in there was also to, you know, God forbid in a few years we would have a severe natural disaster, flooding, tornado or something where for a period of time perhaps, you know, we may need to open emergency shelters that this would be designed to handle those situations. So while it says, you know, federal, state or local, I would look at the local one being the most finding because that is the one really done by our local elected officials in terms of really understanding the true need of emergency in our community.

- Thank you.

- Any other questions from the commission? And again, Alder Galvin, you asked me to let you know when it was a good time to speak up. This is not for questions to the proponents. But do you have any questions you wish to ask the staff?

- Sure. Let me see. Who is Director Vonck, who approached you, first of all?

- Who approached us?

- Yes.

- So this was some conversations between myself, assistant director Randell Wag, the county health officials and Miss Hellen Industry, Mr. Eric Pretzel. Initially, our conversations actually started around St. John's, and, you know, looking at their notion that they were gonna be shifting from what they did now shift from winter operations to summer operations, but they still have just an emergency shelter there to hose people just in the gymnasium overnight. We talked about them about the same exact thing about maybe continuing their winter operations. They were not interested in doing that. And they're actually exploring some other alternatives within the city of Green Bay. And so it was during those conversations and I believe it was a county who came to us and said, there may be a possibility at Transformation House, they have capacity to house individuals. I do not know, from that conversation, whether it was Transformation that contacted the county or the county contacting Transformation House, but it was the county actually coming to us asking about this request. And then when we discussed it, we said, all right, we can pursue that in terms of, you know, looking at that as an option. But I mean, there is a Conditional Use Permit governing it and we want to make sure that we have that in place so that we're clear in terms of you know, what the expectations are for providing shelter.

- Okay, was any thought given to the dorms that you'd have BGV, St. Norbert College, the primary at the Abbey?

- Sure, so, so, yes. So there's been a lot of consideration. There's a few layers of trying to provide services. You know, one is just to provide you know what we'll call emergency shelter a place to sleep at night. I think one of the things is this Transformation House is not designed to be a place to shelter individuals with COVID-19. The county has facilities and then they believe they've looked at some hotels and again, they're not disclosing those just out of patient safety. Whether you're homeless or sheltered or just regardless of, I guess housing status, those isolation areas are meant for individuals COVID-19 that is not what Transformation House or St. John's is meant for. Those are new operators, quote, unquote, you know, traditional or emergency shelters. So I know the county has also made contact with some hotels and also the university. I do not believe I've no previous conversation but they were not in a place to be able to provide that shelter. I know, we have also been working with new cap to provide some funding to also provide some hotel vouchers, we've been able to work successfully with a few hotels in the area to provide a discounted rate some shelter at their facilities as well. So that has been another option. But really, you know, we're struggling in terms of where those can be. But then also, we're also looking at places where, you know, individuals who may still be working can have access to transit, or access to the other social services or mental health services that they may need. And a number of those are, you know, in and around downtown Green Bay.

- Okay. The cost for this is this gonna be totally, is the city or the county gonna put any money into this? Or is this totally gonna be Transformation Houses picking up the tab for everything that has to be done? I mean, we're talking staff, food, trash, I mean, all this is gonna cost extra money.

- Sure, so I don't wanna get too far out of the scope of you know, tonight's discussion in terms of the zoning piece. I think some of this may actually be talked about tomorrow at Redevelopment Authority and then council the following week, the city is looking at potentially allocating some of its block grant funding to some homelessness initiatives. What our intent would be to do, we have some specific projects that we're looking at in general. Some of the funds that are going into new cap, which then provides the services or I guess funnels the funds to the providers. The city is not intending at this time of providing any money directly to Transformation House, rather than we're going to look at potentially doing it to providers who then provide services to help with the homeless population in our community. But they're no funding is being considered for Transformation House and specifically no funding is being considered as part of this request at all.

- Okay, all right, and getting down to the nuts and bolts of the Transformation facility itself. Currently, they've got 40 up to 46 individuals can be living there, if we go up to 100 does that mean that there will be more than one individual per room and when I toured the place those rooms you know, by today's standards, were very small, big enough for a bed and maybe a dresser and that was it. Are we gonna be bunk bedding people in there? I mean, is that acceptable by the current CUP? Or are we gonna have to change things like that? Parking, there's a lot of concern about parking at the time, and I think everyone one realizes a lot of homeless people don't own cars. I don't know that's really been an issue. Someone alluded to it. But I've heard of no complaints by the people that were claiming that their parking was being impinged on. Trash to me if they're hauling the trash out themselves or contracting with someone again, that's doesn't seem like a huge issue to me but the staffing, I don't think the current CUP has a ratio on staffing or anything else like that. And then the city's date or the emergency and I'm trying to remember when it was, was it May 26th for the City.

- As a Council action, I think, I don't think it's getting pushed out right, probably I think till a day pass the next council meeting. So I think the next one is till May 20th. What's the thought is that Council take action on it on May 19th, deciding if they're gonna keep with the safer at home or change it on that but I believe right now the city's goes through the 20th.

- Okay, so.

- I see Alder Corpus-Dax agreeing with that.

- Okay, and I think you're right, Kevin, I guess I'm wondering, and I don't know if it just took too long for this whole thing to get going. But if council ends it on the 20th. I mean, I kind of wonder what we're doing here except for maybe sharing a wheel?

- Sure, so a few things. One, we you know, as soon as we heard about this, you know, we asked them to submit the request to get this in the queue. You know, regardless of the time it takes for our political process, I think it's just important that we, you know, are straightforward and upfront with what we're doing. We did have a technical glitch in terms of our Zoom meeting, scheduling and public notices that we got our Plan Commission meeting canceled on April 26th. So that did push it back by two weeks in terms of what we were doing. You know, there's another larger piece to this, that in terms of when we do have a public health emergency, I mean, that public health officer does have some ability to flex his or her muscles in terms of ordering things in the name of public health and safety. And then so I think, you know, there could be an instance where, you know, I don't want to say confrontational, but what it shows you're serious, and the public health officer felt it was in his or her best interest to shelter individuals, you know, they could look at other alternatives or other options. I think from a city perspective, we've been glad that we're at least having a cooperative conversation and saying, look, we want to shelter individuals as well. But let's make sure just, you know, a primary

concern is from a building code perspective, that we're not putting them into basements. We're putting them into buildings that were designed for human habitation and I think what we have here, you know, is some form residential facility. So you know what some modifications that, again, will have to be reviewed by our chief building official. You know, really in terms of just safety, egress, you know, there's enough space in there per individual that that for us is the primary driving concern is, you know, let's not just provide a place of shelter, but we need to do your due diligence and provide a place of shelter that fits, you know, health and human safety criteria. So I think just because of the unknown of how long this may go on, I think we also wanted to have it on even if like, let's say Council staff says on the 20th something fires back up in the summer or something fire. There's backup for the fall, I don't want to start the process then I wanna be prepared. I mean, I hate saying it, you know, in foreshadowing that way, but I think this is good for any type of shelter. That's something we'll probably look at in the future. If we do any other Conditional Use Permits of just what's the potential further use during an emergency or state of emergency. And so regardless of this particular one, I think this is just a good thing to do. So we're all clear, and this could be potentially used either now and or the future.

- Anytime for a state of emergency, which might be local or federal or state.

- Correct.

- Well, I think.

- Even though the motive has been the local right here.

- Right, and I think the CUP should address that. I mean, there's been a lot of concern about the state of emergency declared about by the state of Wisconsin, there's been some concern about the one declared by the federal government and then also the one declared by the CBA, I think the CUP should address that because I have a concern that in the future, and again, we always have to think long borescha we can't think what's happening right now, but five years, 10 years from now, say something happened and someone says declaring a state of emergency and someone grabs onto then goes well, there's a state of emergency, so we're gonna do a, b and c as it relates to my CUP, and so on. I think the CUP need specifically if it's the see agreement, or the state or federal government or what and what emergency should be, you know, but at any emergency. I mean, we have how many states have emergencies with flooding along the East River? You know, is that a good reason to open it up for a shelter, even though that flooding may not be affecting our homeless population at all or not? So I mean, those are some of the concerns I have. Well, last question, though, Kevin, as a city identify everything that needs to be updated, changed, fixed or implemented at this facility for them to take on 100 individuals and has that been given to the facility to start working on?

- So they are in the process of it now with the original CUP for this building, I believe, Plan Commission and council was provided with a report that was done by Performa. We had a licensed architect go through and basically said, taking the building as is, here's the safe maximum capacity with a, b and c changes, here's the potential increased capacity. So they have been in contact and working with our building inspectors on achieving those pieces in terms of, I think, again, a driving or limiting factor had to do with plumbing fixtures and the number of bathroom and shower facilities available to be, you know, classified. You know, that per capita dormitory regulations. I still have to look at the constructors to see where they're at, but they're in the process of updating to be able to get that expanded capacity. With that just the report said and in no cases that I see any indication that it could go over 100 I think that was the Max, Max based on the building itself without doing any, you know, substantial, like additional renovation by adding actual additional space in there. So based on that space, and improving

some plumbing fixtures and breaking some of those, you could get up to 100. But that would be the limiting factor now.

- All right, thank you. I think that's pretty much answers all my questions for now. I realized some other comments, I mean, you're right, Kevin do need to be addressed for the RDA. But I think I do have some other questions, but I'm gonna save that for Pastor Reacco and Miss Anderson Bureau.

- Sure.

- Thank you very much, Alder Galvin. I want to follow up in two regards and again, to director of Vonck. Just to make sure, my understanding is that the current proposal includes local state and federal states of emergency that would include our city, is that correct?

- Yes, and if that's something that, you know, as Alder Galvin had stated, if you would like to tighten up or makes more specific, right? I mean, you can't predict everything. And so we're trying to have this balance of being broad enough to look at future pandemics or other disasters. But not being narrow enough to, you know, miss something or, you know, have something that something could take people individuals could take advantage of. So, yeah, if there's some things that you'd like us to discuss in terms of how to tweak that language, I think that's something that we could do here tonight or the Commission's pleasure to modify to get that intent more clarified.

- Okay, I and then the other thing is my understanding, again, is that although the consultations you've had so far indicate it might be modified to accommodate safely 100 residents, the permission would only kick in to the extent the modifications were made for whatever number of residents those modifications allowed, is that correct?

- Correct, and I think.

- So we're not assuming it's gonna be 100.

- Correct, and I think just I mean, that's why we also have kind of the three parties in there because I really feel and if you wanna change that to an end, you know, really governing this, I mean, the duties that we have or have taken an oath to do in upholding health, safety and welfare, especially for our chief building official, they are not gonna allow an occupancy to, you know, exceed what that building can safely hold. And so the chief building official, the building inspector will ultimately make that determination of what that max capacity is. Bring that, you know, another registered architect has looked at this, but ultimately, that chief building official is gonna say, and look at that consult also with the fire marshal. And then again, we've gone through some properties that they need to be assured that yes, this is a safe place to put individuals and this is the safe capacity that we can have.

- And the proposal that we have before us is simply to make it possible for that to happen.

- Correct this changes, no other aspects of the PUD that are in place, and I think one of the things that was in there, in terms of I think there's some pretty liberal provisions for myself, zoning administrator, Plan Commission or council to pull this CUP for review, if there are issues, you know, to his credit, you know, Mr. Reacco has really, you know, run a pretty tight ship in terms of our department has not received complaints on it. But in terms of all the other conditions on there. The emergency declaration really just adds the capacity aspect, it does not change any other aspects of the PUD in terms of compliance that they need to adhere by.

- Thank you, and excuse me if I'm being tedious, but a number of issues that were raised in the public hearing, lead me to make sure that I'm understanding what's being proposed. Any other members of the Commission with questions for the staff at this stage? Then I know we want to hear from Pastor Reacco and any other people who wish to speak someday we have a motion to open the floor, Commissioner Hanson.

- So motioned.

- Thank you and a second.

- Second.

- Commissioner Petrouske. All those in favor please. Call the roll here. Commissioner Hanson, is in favor, yes. Commissioner Alder Corpus-Dax.

- Madam, you could just do a raise of hands for opening up.

- Okay, go for it, hands up for opening the floor. Yes, we've got it unanimous and the floor is now open. And I wonder who would wish to speak at this time?

- I guess I'll if the applicant maybe could answer some of the questions under brought up so far, I will go to him first.

- I would like as chair, however, to reserve the possibility of asking him to speak again if later questions come up.

- Okay, sure.

- We could ask Pastor Reacco to address the commission. And you've heard a fair number of questions, we'll be eager to hear what you have to say.

- If I can just ask, given I'm the one that has been involved in all these meetings that address many of the questions. Are you wanting to hear from Pastor Reacco or am I able to answer those questions on his behalf? Why don't we do that first, okay. Miss Anderson, why don't you speak first, then.

- Again, we really appreciate the opportunity to be here. And certainly, our community around us is important. And so I have listened, we have listened to really what the primary concerns are, and many of them are not different from what we've heard at any point in our process in being here. And so I just literally numbered them down and in wanting to make sure that I addressed everybody and so I'm just gonna go that route. The comments by Mr. and Mrs. Frye regarding a homeless shelter versus a counseling center. I very much appreciate that, and yes, if you look at our mission, there is some slight deviation from there. However, I would argue that because notwithstanding this, this request and the need that we are attempting to meet, our standard here remains. So our screening process remains. The rules and expectations of our residents remain whether they are in our emergency shelter portion, or in our transitional living program, they are all expected to abide by those transitional living program guidelines within the Safer at Home Guideline. And so that would really be my comment regarding that, we're not opened up to residents having alcohol on any of those things. Every single individual here continues to breathalyze every single day, even though many of them are quarantined and on site, don't leave, we still are requiring that of every individual here and so, that has remained important to us to maintain the integrity of the program in that regard. Regarding Miss Schroeder's comments, that this is now a homeless shelter and not what you wanted it to be. I

can appreciate that as we're given the work that we do here I'm always disheartened to hear that because our homeless individuals are just that they're individuals just like you and I and I believe strongly part of our mission here is that everyone no matter what has should have access to safe housing, safe and housing and a place to sleep and food in their belly. And so it's difficult for me to hear that. But I can appreciate what sort of the stigma of that looks like. I don't have much to say regarding that comment other than that, regarding the plan and you guys have had to accommodate our residents that we aren't hearing about, and certainly my office is right next to your parking lot looking over your parking lot. And I know in error a few of our new people have come in and parked there. And I've gone so far as the putting notes on the car, you can't park here you need to come see me so that we can make other arrangements. Another comment I think it was already brought up by one of the members is accurately, only about 10% of our residents have vehicles. And so parking really hasn't been an issue for us. Other than it being a public concern, which we're cognizant of, we also don't want for the public and for the visibility of our program to have 15 cars lined up down the street, then they're moving on moving on because of the parking utility guidelines and so we work with our residents if that means we've got to get them a parking spot off site while they're quarantine to meet those needs. And again, I have a resident parking lot right now that maybe has four cars in it. And so that we are aware of that concern but really haven't seen the issue there. Regarding the nursing home, only at the time only being able to accommodate 55. And does that mean doubled up rooms, and we're gonna be louder and those concerns. Again, I would just go back to Pastor Reacco and myself and really our staff as a whole have worked very, very hard to maintain the integrity of this program. We recognize how difficult it was to be in this place, given the opposition. And sort of, as somebody mentioned, the proof is in the pudding. I think that we have operated well above what the expectation was here. And that remains important to us. And quite frankly, our residents take that very seriously as well. You're always gonna have a few and we deal with those swiftly. But they have pride in ownership and I spend day in and day out telling them this is your home. And so I want them to feel like that. And in that comes the pride where they're taking care of garbage they pick up they're taking care of the property and this is home to them. And so it's, again, that stigma that comes along with it. But they're also human and individuals and they act accordingly in our facility without having to be directed to quite frankly, our staff. There's some issues or concerns I hear regarding staffing up, we are very well aware of those issues as well. We have already already added additional security staff, whereas we weren't having real heavily staffed at that. Lower not recognizing just the increased need in the 46 that we do have with what comes along with having to isolate and everybody worried and being you know, kept families and all of the things that have gone along for us here in this pandemic has required more time and attention, more staff and so we've already staffed up and we will continue to do so to ensure them primarily from our concern and I don't mean this in any disregard for the community, but it's important to me that the guys have that and so while we look at a community perspective, my job when I come in here every day Pastor Reacco's job is to make sure that the men that we serve in this program are of most priority and if that means we need additional staff to keep everybody safe and checked in on and all of that. We have done that and done that, notwithstanding increasing our number at this point. Regarding the trash, you know, I certainly as a homeowner don't want to see that happening either. We're happy to place extra eyes on that. I have more than enough guys here that are continually asking what can we do, they're bored, they're quarantine, if they wanna go pick up trash, they're more than welcome to, they've been working on a little bit of a garden on our patio. And so their pride in this is just as important to them, regarding the COVID hotspot issue, we couldn't be more up to speed with what these daily guidelines are and frustratingly so for all of us. Those change daily and so part of my day to day routine is I'm involved on several Zoom calls with other shelter providers, our outreach health care, the health department, Eric Crystal's been involved in some of them, the Homeless and Housing Coalition and we all meet daily to address what are the concerns, what are the needs, how do we keep all of our residents safe? And we take all of those guidelines back to everybody if it means we have to change things,

every day, which was about how it was happening for the first couple weeks, we have done that. In fact, we were operating to keep everyone safe well ahead of what the CDC guideline was before it was happening in terms of masking and things like that. My other comments on the hotspot, we, again, no I can't comment where we've worked very closely with the county quarantine, insights coordinator. And if and when there's an individual that had a potential contact, whether here or work or out in the community, we have had them removed off site into those facilities because that's what we're designing for, or they're designed for, and again, we weren't looking to be the quarantine site, rather, as a preventative measure, removing them from site, but still providing service to them off site in terms of case management and things like that. So we that's how we've addressed that need, and those that you're talking about in isolation here and things like that, do we have some of that going on? Yes, the reason being is sometimes we don't know where an individual is coming from. So it's purely from a preventative nature, not because we are accepting people into the facility with a positive test. And quite frankly, at this point in the game, we have now started requiring that they're tested since it's so readily available, which wasn't the case not too long ago, that they get tested. And in that duration, we're not gonna put you on the street, we're going to quarantine you to this room, everything happens in this room for you until we have that result. And then if positive you'll be gonna quarantine taking it into consideration and that's what we've been operating. I just wanted to just briefly comment because I, you know, relationship building is a big part of what we do and having done this work for quite some time and meeting a lot of that resistance, there was a comment made, I believe, by Mr. Frye that that you recognize that your input doesn't matter and you have no weight when it comes to this, and I understand that in terms of this political process. But please, again, as we have always said, I wanna hear what those concerns are because more eyes are better than one. And sometimes I just don't see it. And sometimes pastor just doesn't see it. And so sometimes we're boots on the ground, just meeting those immediate needs. And don't always see those things going on. And so, door's always open and welcome. And whether you feel you have a voice or not, we are committed to and will remain committed to providing a space for you to have that voice so that we can continue to keep this area of the community operating as best we can. And then just my final comment on Commissioner Hanson kind of talking about different sight locations and things like that. And yes, having worked with this population for several years now, most of what their day to day needs are located here, downtown Green Bay. And so to remove that opportunity and have end without transportation have people shifted off to all of these faraway areas really is a detriment to the individual in terms of getting services that are vital in their day to day, whether it's maintaining their mental health, maintaining sobriety with supports that they have in the community connects that we make through case management and things like that. So, you know, I struggle to hear that people don't want that down here. But this is where those services are provided. And so we are just trying to be the most helpful and conscientious piece of that puzzle that we can be during this period of time and we certainly do recognize that this is only for that public emergency. So I assure you our intent isn't to shift to operating as a last resort emergency shelter for the next five years. We're just trying to meet that need right now recognizing the opportunity that we have here with the space that we have and abilities that that our staff have, and then resuming back to our transitional living program as previously scheduled, previously scheduled programming, so that I think hopefully I've addressed everything at least that I caught in notes. And if I didn't, I apologize, that's all I got.

- Thank you very much, Miss Anderson. Pastor Reacco, do you wish to say anything at this point?
- Well, Miss Anderson said a whole lot.
- Yes, she did.
- So at this time, no, we just trying to do our part, that's all I'm saying.

- Thank you very much.

- Okay.

- Okay, how to proceed here, we need to hear from other people who wish to speak. And I think the best way to do that, Director Vonck is to open the mic so we can find out who those people might be.

- All right? I think maybe Alder Galvin wants to speak and then we can go to audience so I'd put Alder Galvin on.

- Very good, thank you.

- Thank you, chairperson and I would have to say that Mrs. Anderson Bureau, you've pretty much answered all my questions. I just wanna make a few comments and then I'll be quiet. I think you run a great facility. I think you survey a segment of our society that a lot of people don't wanna have to deal with and I think you do a very good job doing it. I've been in contact with Pat Murphy of Murphy Development. He is the person that created the Broward County Crime Prevention Association. I was part of that board for a long time. I told him about your facility. He's been out to see you, he's been involved with you. He speaks very highly and he is impressed with the program that you folks run. I know there was a lot of concern by the residents at first and I certainly was one of them. But you folks have done everything that we've asked them above that. You install the security cameras, you have security people, the people that stay with you are paying rent or attempting to pay rent, they're required to work or be seeking active work, they're required to go to counseling sessions or mental health and other issues that they may be facing. That may have led to them being homeless. You do a lot for our community and you take a lot of these individuals and have helped them to help themselves become productive members of our community again. And I don't believe that, let's face it, there's different to me there's different types of homeless, there's people that are all of them are homeless, that's the one thing that puts them in one group. But there's also many of them that want to get back on their feet and they want to have a life again, my own daughter was one of those individuals. And she was helped a lot by organizations within our county. A lot of the people at St. John's are people that have a lot of mental health issues and drug or alcohol issues. And those people for the most part they're willing to follow the rules can see a transformation on us. But if they don't follow the rules, they won't be allowed there. And I think the neighbors need to understand that the Transformation House will do everything they can and have been doing everything they can to keep our neighborhoods safe. If anyone has any problems at all, I would recommend you reach out to the Transformation House and they will work with you if there's trash, parking, whatever the issue may be. I believe that if you reach out to them, they'll help you. And if they don't, then reach out to me or reach out to the Green Bay police department. I've been in contact with the community police officers for this area. And they've had absolutely no complaints. I mean, they have been out there. But they don't have any complaints about how the facility is being run. And if they did, they're not telling anybody and when I asked them, they tell me there's no issues. Granted, there's police calls, there's police calls everywhere. There's police calls in my neighborhood that happens. It's what happens after the police are called or after the authorities get involved, that determines if we have a problem or not. And my feelings are is that the Transformation House does everything they can to mitigate those issues. So I'm in favor of this ahead just saw that there's language in the CUP in that that addresses an emergency situation and how it applies to the Transformation House. And I'll save any other comments I have about funding in that for the RDA, thank you.

- Thank you AlderGalvin. Anybody else who wishes to speak, if we can open the mics, I see, Miss Frye. Your hand is raised and your mic has been open, please.

- Thank you, the only reason you might not have heard any complaints is that Mr. Reacco called the police on me for trying to communicate with him.

- Would you care to give us any more specifics about that situation.

- He literally called the police on me because he said I was calling him to often.

- Oh, okay, thank you. We appreciate you mentioning that and perhaps Pastor Reacco will want to speak to that in a moment. I didn't reserve the possibility of calling on him again. Is there anything else you wish to say?

- No.

- Thank you so much for coming. Anybody else? And we've got the mics.

- Unmute. So, everyone is unmute.

- Mary Schroeder.

- Okay, and hold on one second. All right, Mary Schroeder is unmuted.

- Okay, Miss Schroeder.

- [Mary] Hi, the only thing I wanted to say now, I guess at this point, 'cause it sounds like this is going to be probably going through is, couldn't we set some sort of time limit on this? You know, saying when the emergency is over. I don't know, I think that's too broad. You know when when will it stop keeping 100 people and go back to the 46.

- Thank you, that again goes to the scope of the state of emergency issue that I think we probably need to address in some way. Anybody else who wishes to speak.

- Everyone is unmuted if anyone else wishes to speak, yeah.

- Okay, may we have a motion to close the floor and return to regular order of business?

- Motion to close the floor.

- Thank you very much Commissioner Hanson.

- Second.

- Miller I was that, Alder Corpus-Dax I'm having the same problem other people do. Thank you, Veronica, and a second please.

- Second.

- Thank you, Commissioner Miller. All those in favor, please raise your hands. None opposed, we returned to regular order of business and I'm eager to hear from the commissioners now. Yes, Commissioner Petrouske.

- A brief comment because like we spent a lot of time on this already, and then a motion. I think that the work that's being done there is tremendous. I'm not gonna repeat everything that's been said. I think at a time like this, where we have people really feeling the pinch, both financially, as well as the fear of this virus. We don't need to compound that with having people be afraid that they don't have a safe place to sleep at night. So I will move to approve the proposal as it's been presented to us with one grammatical change consistent with what you talked about, Madam Vice Chairwoman that we add the sentence to follow the language about state, local or federal state of emergency with a caveat that encompasses the city of Green Bay. Just so it's perfectly clear and there's no, you know, question about whether or not it has to be a state of emergency that applies to our local cities. So, I would say after or local government, as the language impacting yes, that's perfect, and I would move for approval with that change.

- And may I ask if you would accept as a friendly amendment to specify that has been declared as by the federal state or local government and only for the duration of that state of emergency. So the intention is clear that this expansion would last only as long as the state of emergency lasted. Okay, is anybody else who wishes to speak at this point from the commission?

- We need a second for Commissioner Petrouske. Motion?

- Looks like.

- Alder Corpus-Dax second it set with the additions and that friendly clarification that it lasts only for the duration. Okay. I think Director Vonck, you're kind enough to get in that wording right away, the city of Green Bay has been declared. I think that may be the point at which we might also add, and only as law and for the length of its effect.

- I believe that language was added at the very end.

- Great, that's fine. We don't have to be eloquent, we just have to be clear.

- We may clean it up before it goes to Council. I think that's the intent is that it specifies impacting the city and it specifies only for the durations. So it's just better word Smith Center department, but I believe that's the intent of this commission here.

- Okay, any other comments from commissioners? I do want to acknowledge my strong support for the original mission of transition house and my appreciation as Miss Anderson was speaking, that it's quite clear that although the rules of transition house would apply to any people living there, that there is programming still for the primary people, as well as a rule, safe shelter for others. And I see her nodding that I have understood her correctly. So that the concern to serve the EODA population, for instance, is not lost in this. It's simply being shared, being kind of coterminous with other people who might need shelter, anything else? Then I think it's time for a vote and I will call the roll here, Vice Chair, Alder Corpus-Dax Oh, I'm sorry, let me repeat the language here so that I get this straight. And I'm having a little trouble managing all the stuff in front of me, perhaps recommendation. So we're voting to approve the request subject to the following additional conditions during the time at which an official state of emergency impacts the city of Green Bay and has been declared by the federal state or local government and only for the duration of such emergency. The number of occupants and hours of operation may be increased to the maximum level permitted within the CUP with the consent I believe that is of the Director of Community and Economic Development, the administrator or chief building official, all those in favor as I read the roll, Alder Corpus-Dax Aye. Commissioner Hanson.

- Aye.

- Commissioner Miller.

- Aye.

- Commissioner Petrouske.

- Aye.

- And I will vote in favor as well. I do want to express our appreciation for all those members of the public that share their concerns and help to strengthen this proposal, and very much our appreciation to the leaders of transition house for this contribution to our community's response to emergencies. And then, we can go on to this seventh item on our agenda which is, the public hearing on the request to amend zoning ordinance one, two 19 Whitney Park Townhomes to expand the plan unit development that is the PUD at the 200 block North Van Buren Street, submitted by GB Real Estate Investments LLC property owner. And again, I believe that we get to turn to David buck here to introduce this item.

- Thank you, Madam chairperson. Okay, this one's gonna be very familiar to you guys as well. So this is on the corner of Cherry and North Van Buren about two blocks south of Main Street on the east side, near downtown east side of Green Bay. The PUD petitioners requesting a planned unit development be expanded to be able to expand the number of units on the site. So in 2018, these parcels were placed into a plan unit development to allow for or I should say for semi detached single family homes, townhouses basically on the southern part of the site. Oh, and actually there they are. So that's what they look like if you wanna go up. One, Kevin, here you go so well, okay. This is the comprehensive plan it recommends high intensity retail officer housing for generally the whole area, you wanna go to the next one is the zoning. The zoning is consistent with that it's office residential. Over this site itself, except for the small little piece, the 1072C, that is all currently included in a planned development. Petitioner's asking to add that 1.044 acre parcel to the planned development, which if you go to the next slide would allow him to be able to split on the left is a certified survey map, it would be able to split two more, lots, lot five and six. And then you can see on the right side would allow the development of two additional townhomes or single family attached and extend the parking lot. So the original zoning ordinance, which was approved in 2018, was amended in 2019 for some setback issues. But that ordinance would still be in place for this entire site expanded site. The one exception is the northern setback. So if you look on the right hand side picture, the whole art district would typically require an eight foot side yard setback, interior side yard setback. In this case, because of the tightness of the sites, petitioner can't get an eight foot set back on this lot itself and lot six. So what they're proposing is a three foot setback and providing a no build easement on the property to the north, which they do control or they do have their facility control, they have the ability to get the easement. So we looked at that the 10 foot is typically a building code issue. It is because of fire separation. However, our chief building official said there's other options out there, depending if you wanna build the building differently or something that happens on the northern site. So we redrafted the plan unit development to add this extra parcel. And then to provide a northern side yard setback of eight feet, but that it may be reduced to no less than three feet of all requirements of the building code are satisfied and then we added including but not limited to the no built easement that was proposed these two additional townhouses would match the existing ones that are there and that was kind of the next picture. You already got a look at so there would be two more going up on this newly expanded PUD area, they would look the same, use the same materials be consistent. Densities meet code and meet comprehensive plan. And with that, there is no recommendation, so Kevin, there you go.

- Mr. Vonck. Then with that said, I do want to open this public hearing and properly posted and notified through the Green Bay Press Gazette. The Plan Commission is interested again in

hearing public comments on this particular item. Any of you who wish to provide comments, if you would, please, after your name has been called state your address, whether you represent a group or Association, and your comments or concerns, and I will ask first for anybody who wishes to speak in favor of this proposal, and then go to people who oppose and anybody who wishes to offer information. Okay, please confine your testimony to facts related to the proposal and avoid repeating what has already been said. Anybody then who would like to speak in favor of the proposal, if you would, Kevin, open the mics so we can find out where they are. I see.

- Everyone is unmuted. Anyone wishes to speak.

- Okay city of Green Bay, whoever that might be.

- That's us, that's Shelby.

- Okay, so Brian Johnson or William Art. Do either of you wish to speak on this issue? I think not, I think you were here for the previous item. Anybody who wishes to speak in opposition to the issue? Please, I identify yourself to the proposal. Anybody who wants to give information? Please do so now. And then I will follow the legal protocol here. Is there anyone who wishes to speak on this issue? Is there anyone who wishes to speak on this issue? Is there anyone who wishes to speak on this issue? Hearing none, I declare the public hearing closed, and we will turn to item number eight on the agenda. The surprise, discussion and possible action of the request to amend zoning ordinance one through 19 Whitney Park townhomes to expand a planned unit development at the 200 Block North Van Buren Street, submitted by GB Real Estate Investments LLC property owner. Anything to be added Dave.

- The only thing I would add is that this area has kind of been thought of as to be a townhome type development area, so you have the Whitney Park townhomes. You have this set of townhomes going in, the Whitney school townhomes. They all seem to be very very successful so far, especially with interest, and we're happy to see the continued development on this Near East Side. So we are recommending approval of the request subject to the PUD.

- Thank you. And Director Vonck, could you could you put up the map again of the area? I would be curious to have identified were the Bridal Church is.

- Sure, the Bridal Church is right here on the corner.

- This corner, okay, thank you very much. Any questions for staff? From the commissioners? I don't believe we have other people still remaining here who might wish to speak? Can you help me with that director Vonck?

- Yeah, I'll take a look here.

- The petitioner might be on.

- Yes, the petitioners here.

- GB?

- GB, yes.

- And I'll bet that is, Garritt Bader. If you wish to speak with us Mr. Bader? If we will let you, let me first of all ask to have the floor, a motion to open the floor. Sorry, I forgot the protocol here.

- So moved to open.

- Commissioner Hanson and a second, Commissioner, from Alder Corpus-Dax, all those in favor of opening the floor. Any opposed? Thank you very much, and Garritt Bader, would you care to share with us your reason for making this proposal?

- [Garritt] Good evening I'll be very brief that reading the room and seeing that has shaking and the shoulder shrug and so here we go. One new building next the existing to David showed perfectly let's see what you get, one more building same look, same scope, same colors, same everything. I'm happy to answer any other questions.

- I do have one also hoping to, let's short pair to the south of this set.

- [Garritt] The language of the development agreement does allow for another development in the future to the north of this building.

- And actually one other question, I noticed that you finally are not putting flat roofs on the top of this.

- [Garritt] Well, yeah, and I actually like the flat roof but the gable is a little more budget friendly. And given that it was offset I was okay with that. I don't like a traditional gable but the offset warmed up to it.

- Great, okay, thank you. Any other questions for Mr. Bader? He'll convince me that flat roofs are just fine. Thank you very much. Some while back, okay. A motion to close the floor then and return to regular business. I've got it from Mr. Hanson and I've got a second from Alder Corpus-Dax in here and all those in favor of closing the floor. Any opposed? No, and so here we are any comments, or do we proceed directly to a motion?

- Motion to approve?

- Motion to approve from Alder Corpus-Dax, a second, I think from Commissioner Petrouske. Did I read your body language right. Okay, any further comments before we vote? I think we're all impressed by how successful these townhomes have been, Mr. Bader. All those in favor. I need to read the roll again. Alder Corpus-Dax.

- Aye.

- And actually I should also be reading what it is we're voting on. Nope, I can't find it, can somebody help me please?

- Consideration of possible action and request to amend zoning ordinance 119 to expand the planned unit development at 200 North Van Buren Street.

- Thank you very much, Dave Buck. I appreciate your help. So again, given that, Alder Corpus-Dax. Commissioner Hanson.

- Aye.

- Commissioner Petrouske.

- Aye.

- Commissioner Miller.

- Aye.

- And myself, Vice Chair Sid Bremmer, aye. So we have a unanimous agreement on this and it is approved.

- [Garritt] Thank you all, have a good night.

- Thank you so much, and thanks for hanging in with us so long and thanks everybody else for that purpose, too. We next here on our agenda, the directors report.

- All right, thank you very much. Just a few updates. So we missed Plan Commission meeting, so I'm going back to the council meeting first on April 21st. In terms of actions that were taken at that meeting. At that meeting, Paul Neumeyer was appointed as the zoning administrator once again. So he'll be serving in that capacity until April 30th 2022. And then Paulding Caster was reappointed as our chief building official. And then in terms of the Plan Commission, we had talked about the PUD for American Foods on Acme straight, the rezoning on Mary Hill drive, from residential to BI, that was the back behind Harem Academy, the garage area, and then rezoning there is the 2900 block of Sitka Street. That where we wanna to talk about the attached homes out in that area. So all of those, that report was approved. And then that went on to the council meeting on May 5th, where all of those items were read for a second meeting and all were adopted. And then also at the May 5th meeting, Mr. Miller was reappointed to this body. So he'll be serving until May 1st, 2023 and I was reappointed as Director of Community and Economic Development. So serving another two terms, that's my report.

- Congratulations to all, it's good to have you on board and continuing. The next meeting is scheduled at least for May 26th, right?

- Yes, so I figured we'd spare one from Memorial Day meeting and we moved it to Tuesday, so it's the Tuesday after Memorial Day.

- Okay, thank you very much. And thanks, everybody for your patience with this. And my thanks to the staff for their help as well. May I have a motion to adjourn?

- So moved.

- So moved.

- We've got three motions, Petrouske, Corpus-Dax and Hanson, which gives us three votes. Jake, we don't count anymore. We've already guessed it, we're out voted. Okay, that's it we are adjourned.