



AGENDA OF THE GREEN BAY PLAN COMMISSION

MONDAY, OCTOBER 12, 2020, 6:00 PM
Virtual Meeting. Public may join via Zoom.

A. Zoom Meeting Information.

- I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

B. Roll Call.

- I. Members: Lisa Hanson - Chair, Jacob Miller – Vice-Chair, Ald. Veronica Corpus-Dax, Sidney Bremer, Randall Petrouske, and Derius Daniels

C. Approval of the Agenda.

- I. Approval of the agenda for the October 12, 2020, meeting of the Green Bay Plan Commission.

D. Approval of Minutes.

- I. Approval of the minutes from the September 28, 2020, meeting of the Green Bay Plan Commission.

E. Regular Business.

- I. Consideration with possible action on communication from Ald. Steuer (District 10) to review Zoning Code 13.54I pertaining to “fence location and heights” in order to seek updates on revisions to increase the efficiency of the ordinance.
2. (ZP 20-23) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a Material Recovery Facility (Auto & Metal Salvage Operation) at 1156 Velp Avenue, submitted by Burrows Midwest, LLC/dba Midwest Scrap Metal, property owner. (Ald. R. Scannell, District 7)

* This item is a continuation from the August 31 and the September 28, 2020 Plan Commission meetings.

3. (ZP 20-27) Public Hearing on the request to authorize a Conditional Use Permit (CUP) for a two-family dwelling in an Office/Residential (OR) district at 114 South Ashland Avenue, submitted by Robert Clark, property owner. (Ald. B. Johnson, District 9)
4. (ZP 20-27) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a two-family dwelling in an Office/Residential (OR) district at 114 South Ashland Avenue, submitted by Robert Clark, property owner. (Ald. B. Johnson, District 9)
5. (ZP 20-28) Public Hearing on the request to authorize a Conditional Use Permit (CUP) for a secondhand store located at 1524-1526 North Irwin Avenue, submitted by Julio Fuentes, applicant. (Ald. K. Lefebvre, District 6)
6. (ZP 20-28) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a secondhand store located at 1524-1526 North Irwin Avenue, submitted by Julio Fuentes, applicant. (Ald. K. Lefebvre, District 6)
7. (ZP 20-29) Public Hearing on the request to rezone a portion of 3200 Finger Road from Rural Residential (RR) to General Commercial (C2), submitted by Joel Ehrfurth, Mach IV Engineering & Surveying, LLC, applicant. (Ald. V. Corpus-Dax, District 2)
8. (ZP 20-29) Consideration with possible action on the request to rezone a portion of 3200 Finger Road from Rural Residential (RR) to General Commercial (C2), submitted by Joel Ehrfurth, Mach IV Engineering & Surveying, LLC, applicant. (Ald. V. Corpus-Dax, District 2)
9. (ZP 20-30) Public Hearing on a request for a Conditional Use Permit (CUP) for a restaurant drive-through at 901 Main Street, submitted by Garritt Bader on behalf of GB 901 Main LLC, property owner. (Ald. R. Scannell, District 7)
10. (ZP 20-30) Consideration with possible action on a request for a Conditional Use Permit (CUP) for a restaurant drive-through at 901 Main Street, submitted by Garritt Bader on behalf of GB 901 Main LLC, property owner. (Ald. R. Scannell, District 7)
11. (DDMA 20-01) Consideration with possible action on the request to amend the City's Development District Map along Finger Road, submitted by the Department of Community and Economic Development. (Ald. B. Dorff, District 1)
12. (DDMA 20-02) Consideration with possible action on the request to amend the City's Development District Map along Nicolet Drive, submitted by the Department of Community and Economic Development. (Ald. B. Dorff, District 1)
13. (DDMA 20-03) Consideration with possible action on the request to amend the City's Development District Map along N. Northview Road and Luxemburg Road, submitted by the Department of Community and Economic Development. (Ald. B. Dorff, District 1)

F. Informational.

1. Director's Report.
2. Date of next meeting: Monday, November 2, 2020.

G. Adjournment.

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

Virtual Meeting Instructions



Plan Commission 10/12/20

Zoom Meeting Information

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Password: 483400

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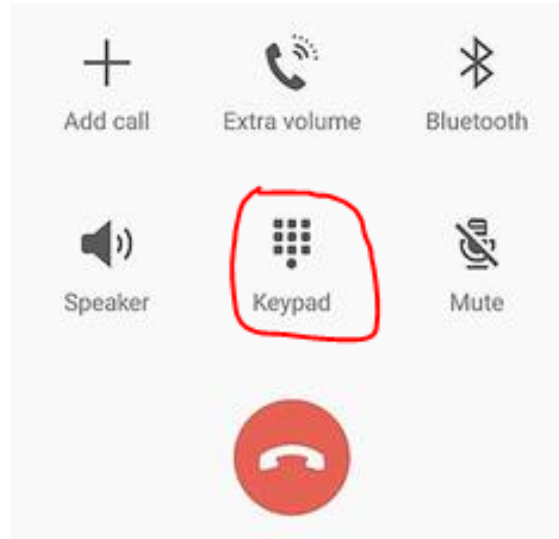
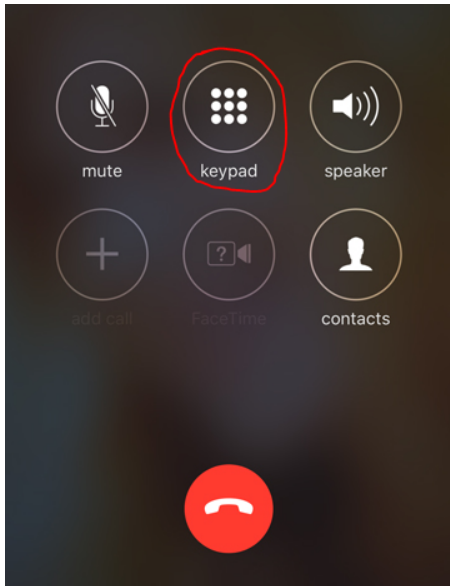
Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZlOEVnUT09>

Additional Information

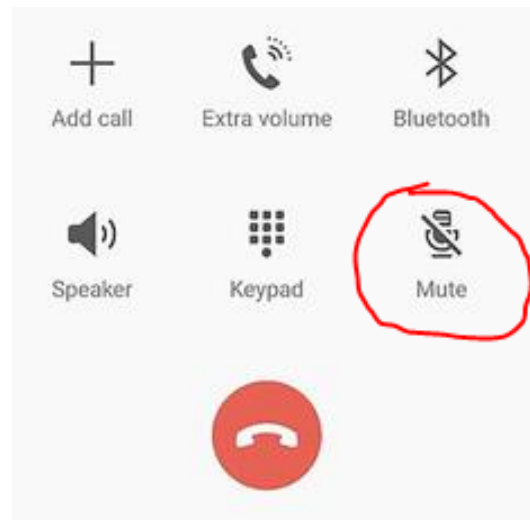
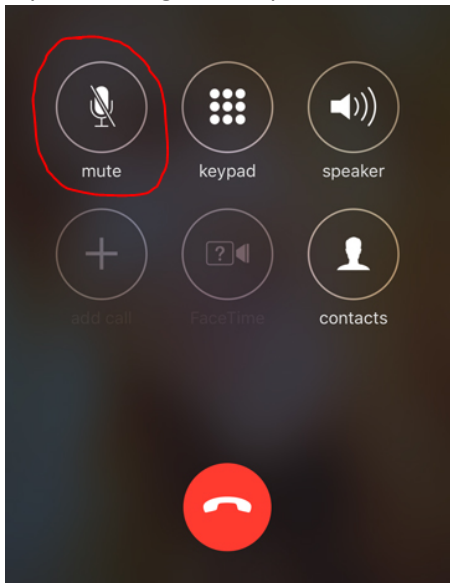
1. Wisconsin Open Meetings Law still applies
 - a. Persons interested in speaking to an item must give their name and address
 - b. Committee/Commission/Board members will still follow *Roberts Rules of Order*
2. All zoom meetings will have a password in the instructions. Please enter when prompted.
3. Please log into the Zoom meeting 10 minutes before the meeting starts to ensure proper technology is working.
 - a. If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.
4. Once you are in the meeting please mute yourselves.
 - a. You may unmute yourself when you are called upon to speak.
5. Waiting room
 - a. When you call in, all callers/participants will be placed in a “waiting room.”
 - b. Persons on the agenda will be admitted to the meeting, and then once the item is concluded, the host will permanently mute you from the meeting (you can still hear the meeting).
6. Using Zoom with a tablet or computer
 - a. Tablet—you will be asked to sign in. Download the app either with the Apple Store or the Play Store
 - b. Computer—you will be asked to sign in. You may download the app or click on the link to open Zoom in your browser.
7. Registering
 - a. The host may ask you to register for the meeting. A registration link will be sent to you along with the invite. You’ll receive another email confirming that you’re registered for the meeting.
 - b. If you’re using a phone, your registration will still be tied to an email.
8. Raising your hand
 - a. Committee members—you can either use CivicClerk and request to speak or you can “raise your hand” in the zoom meeting (you’d need to use a computer or tablet) to let the host know you’d like to speak. You can also un-mute yourselves and start speaking.
 - b. Persons on the agenda—you can “raise your hand” but you’d need to use a computer. You will be allowed to speak, per Wisconsin Open Meetings Rules, once the committee has “opened the floor for interested parties to speak.” Once the committee is finished with your agenda item, the host will mute you permanently, unless the committee opens the floor again.
9. What devices should I use?
 - a. Smart phone (please see more detailed instructions on page 3)
 - b. Land line
 - c. Tablet—well in advance of the meeting, please download the Zoom Meeting app before you join a meeting by using either the Apple Store or the Play Store. You will be asked to input your name, thus identifying you for the meeting. You’ll also be asked to verify your email.
 - d. Computer—well in advance of the meeting, please download the Zoom Meeting app, but you can also click on a link to open the Zoom Meeting in your browser. You will be asked to input your name, thus identifying you for the meeting.
 - e. For tablet and computer users—if you download the app you will be asked to verify your email.
10. Zoom etiquette
 - a. Muting yourselves when you’re not talking will prevent your background noise from interfering with others’ ability to listen to and participate in the meeting.
 - b. If you’re using a telephone, please identify yourself with your phone number and name before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourselves.
11. Closed session
 - a. Persons in the Zoom meeting will be put into a waiting room while the committee meets in Closed Session. Participants will be admitted back into the Zoom meeting once the committee reconvenes in Open Session.
 - b. Persons watching live on YouTube will see a gray screen with the City logo during closed session.
12. Persons interested in listening to the meeting can go to www.youtube.com/CityofGreenBay

Calling into the Zoom meeting using a smartphone

1. Dial the phone number listed at the beginning of this document.
2. When prompted, enter the Meeting ID number followed by #
 - a. If you're using a smartphone, you can access the keypad by clicking "Keypad" on your screen



3. Once you are in the meeting, notify the meeting host that you are in and state your name.
4. If you do not need to talk, please make sure your phone is on **Mute**
 - a. If you're using a smartphone, look at your screen and click the Mute button



- b. If you're using a computer, you should see a Mute button in the Zoom application





MINUTES OF THE GREEN BAY PLAN COMMISSION

MONDAY, SEPTEMBER 28, 2020, 6:00 PM
Virtual Meeting. Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

B. ROLL CALL.

I. Members: Lisa Hanson - Chair, Jacob Miller – Vice-Chair, Ald. Veronica Corpus-Dax, Sidney Bremer, Randall Petrouske, and Derius Daniels

Present: Ald. Veronica Corpus-Dax, Jacob Miller, Randall Petrouske, Derius Daniels, Sidney Bremer,

Excused: Lisa Hanson

Others Present: Ald. Randy Scannell, Ald. Mark Steuer

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the September 28, 2020, meeting of the Green Bay Plan Commission.

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

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels,
No- None, Abstain- None

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the August 31, 2020, meeting of the Green Bay Plan Commission.

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

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels,
No- None, Abstain- None

E. REGULAR BUSINESS.

1. (ZP 20-23) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a Material Recovery Facility (Auto & Metal Salvage Operation) at 1156 Velp Avenue, submitted by Burrows Midwest, LLC/dba Midwest Scrap Metal, property owner (Ald. R. Scannell, District 7).

* Item is a continuation from the August 31, 2020 Plan Commission Meeting.

David Buck indicated that the applicants would like to postpone this item to the next Plan Commission Meeting on October 12, 2020, as they were not able to attend tonight.

Moved by Ald. Veronica Corpus-Dax, seconded by Randall Petrouske to postpone the request to authorize a Conditional Use Permit (CUP) for a Material Recovery Facility (Auto & Metal Salvage Operation) at 1156 Velp Avenue until the next scheduled Plan Commission Meeting.

Before voting, Vice-Chair Jake Miller entertained a motion to open the floor for comments for those who will not be able to make the next meeting.

Moved by Ald. Veronica Corpus-Dax, seconded by Sidney Bremer to pen the Floor for discussion.
Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels,
No- None, Abstain- Non

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

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels,
No- None, Abstain- None

With a motion made and seconded to postpone the item, Vice-Chair Jake Miller asked for a vote. Motion carried.

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels,
No- None, Abstain- None

2. (ZP 20-24) Public Hearing on the request to rezone 0 N. Huron Road from Rural Residential (RR) to Conservancy (CON), submitted by Holly Baseman, on behalf of Baird Creek Preservation Foundation, property owner (Ald. B. Dorff, District 1 and Ald. V. Corpus-Dax, District 2).

Vice-Chair Jake Miller read into record the rules and procedures for the public hearings and stated that all public hearings have been properly posted and published.

Vice-Chair Jake Miller then opened the public hearing regarding the request to rezone 0 N. Huron Road from Rural Residential (RR) to Conservancy (CON).

Vice-Chair Jake Miller asked three times if there was anyone wishing to speak regarding this request. Hearing/seeing no one, the public hearing was closed.

3. (ZP 20-24) Consideration with possible action on the request to rezone 0 N. Huron Road from Rural Residential (RR) to Conservancy (CON), submitted by Holly Baseman, on behalf of Baird Creek Preservation Foundation, property owner (Ald. B. Dorff, District 1 and Ald. V. Corpus-Dax, District 2).

Moved by Ald. Veronica Corpus-Dax, seconded by Sidney Bremer to approve the rezoning of 0 N. Huron Road from Rural Residential (RR) to Conservancy (CON). Motion carried.

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels,
No- None, Abstain- None

4. (ZP 20-25) Public Hearing on the request to amend the boundaries Zoning Ordinance 9-03, Planned Unit Development (PUD) for the property located in the 200 Block of Highland Park Avenue, Tax Parcel 21-1229, submitted by Judy Husar, United Financial Group, Inc. Parkway Highlands III, LLC, property owner. (Ald. C. Stevens, District 5).

Vice-Chair Jake Miller opened the public hearing regarding the request to amend the boundaries Zoning Ordinance 9-03, Planned Unit Development (PUD) for the property located in the 200 Block of Highland Park Avenue.

Vice-Chair Jake Miller asked three times if there was anyone else wishing to speak regarding this request. Hearing/seeing no one, the public hearing was closed.

5. (ZP 20-25) Consideration with possible action on the request to amend the boundaries Zoning Ordinance 9-03, Planned Unit Development (PUD) for the property located in the 200 Block of Highland Park Avenue, Tax Parcel 21-1229, submitted by Judy Husar, United Financial Group, Inc. Parkway Highlands III, LLC, property owner (Ald. C. Stevens, District 5).

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

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels,
No- None, Abstain- None

Moved by Randall Petrouske, seconded by Sidney Bremer to close the floor for discussion. Motion carried.

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels,
No- None, Abstain- None

Moved by Randall Petrouske, seconded by Derius Daniels to amend the boundaries Zoning Ordinance 9-03, Planned Unit Development (PUD) for the property located in the 200 Block of Highland Park Avenue.

Motion carried.

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Derius Daniels, No- Ald. Veronica Corpus-Dax,
Abstain- None

6. (ZP 20-26) Public Hearing on the request to authorize a Conditional Use Permit (CUP) for the height of a detached accessory structure located at 1006 N. Buchanan Street, submitted by Julian Hernandez, property owner (Ald. M. Steuer, District 10).

Vice-Chair Jake Miller opened the public hearing regarding a Conditional Use Permit (CUP) for the height of a detached accessory structure located at 1006 N. Buchanan Street.

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

7. (ZP 20-26) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for the height of a detached accessory structure located at 1006 N. Buchanan Street, submitted by Julian Hernandez, property owner (Ald. M. Steuer, District 10).

Moved by Sidney Bremer, seconded by Randall Petrouske to authorize a Conditional Use Permit (CUP) for the height of a detached accessory structure located at 1006 N. Buchanan Street, subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval. Motion carried.
Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Derius Daniels, No- None, Abstain- Ald. Veronica Corpus-Dax

8. (SP 20-01) Consideration with possible action on the request to declare city property located at 946 Velp Avenue as City Surplus, submitted by Vyacheslav (Sam) Teslyuk, adjoining property owner (Ald. R. Scannell, District 7).

Moved by Sidney Bremer, seconded by Ald. Veronica Corpus-Dax to declare city property located at 946 Velp Avenue as City Surplus, subject to the following conditions:

1. The existing power pole shall remain in its current location as noted in the attached WPS Exhibit.
2. The owner of parcel 18-583 shall be offered the subject parcels for purchase prior to opening the sale to other interested parties.

Motion carried.

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels,
No- None, Abstain- None

F. INFORMATIONAL.

I. Director's Report.

David Buck and Paul Neumeyer presented the Director's Report.

2. Date of next meeting: Monday, October 12, 2020.

G. ADJOURNMENT.

Moved by Ald. Veronica Corpus-Dax, seconded by Commissioner Sidney Bremer to adjourn. Motion carried.

Yes- Jacob Miller, Randall Petrouske, Sidney Bremer, Veronica Corpus-Dax, Derius Daniels, No- None, Abstain- None



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

AGENDA ITEM # E.1

Consideration with possible action on communication from Ald. Steuer (District 10) to review Zoning Code 13.54I pertaining to “fence location and heights” in order to seek updates on revisions to increase the efficiency of the ordinance.

BACKGROUND

RECOMMENDATION

Refer to staff.

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.2

(ZP 20-23) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a Material Recovery Facility (Auto & Metal Salvage Operation) at 1156 Velp Avenue, submitted by Burrows Midwest, LLC/dba Midwest Scrap Metal, property owner. (Ald. R. Scannell, District 7)

* This item is a continuation from the August 31 and the September 28, 2020 Plan Commission meetings.

BACKGROUND

Primary Address: 1156 Velp Avenue

Reason for Request: To permit the use of the property for automobile and metal salvage operations.

Aldersperson/District: Ald Randy Scannell / District 7

Subject Property: C2 Highway Commercial & GI General Industrial - Material Recover

North: GI General Industrial - Warehousing

South: C1 General Commercial & R-I Low Density Residential - Hair Salon & single-family homes

East: GI General Industrial - Auto service and outdoor storage

West: GI General Industrial - Manufacturing

Comprehensive Plan: The 2022 Smart Growth Plan designates the southern half of the subject site suitable for commercial uses and the northern half of the subject site as general Industrial. Additionally, the Velp Avenue Areawide Plan (adopted in June 2017) designates the property as Transformative Opportunity Site #3 with the most desirable and compatible land-uses to include commercial, office, mixed-use and modern industrial uses. The proposed use of the entire property for salvage operations is not consistent with the recommendations of the Comprehensive Plan and the Velp Avenue Plans.

Additional Information following Postponement: This item was postponed at the August 31, 2020, Plan Commission meeting. The Plan Commission wanted to allow additional time for public comment as well as requested additional information including review of current activities, alderperson comments, neighborhood contact, potential traffic impacts, potential environmental impacts and the submission of comments from Dennis Nelson (received too late to be shared at the previous meeting).

An inspector from the City investigated the site on September 10, 2020 and observed that at that time the operation of the material recovery business is in compliance with their approved site and operation plan currently on file with the city. Staff has been in contact with both Ald. R. Scannell (District 7) of the district the property is located and Ald. Steuer (District 10) whose district is located directly across Velp Avenue to the south. They indicated that they will either be present at the Plan Commission meeting or provide a statement.

The Mather Heights Neighborhood Association was contacted and held a neighborhood meeting on the topic on September 21, 2020, with approximately 20 residents in attendance. In general, the neighbors were

not in favor of an industrial use of any kind on the property. However, more specific concerns expressed were related to noise levels, poor views of the operation from the south, potential environmental impacts, debris from transport vehicles accumulating in the area, stormwater management and drainage, protection of the southern part of the site along Velp Avenue from becoming industrial in use and afterhours drop-off of materials at the site when it is unmanned.

The city received comments from an area business called Global Recognition, who felt the inclusion of salvage operations in the area would depress property values and marketability of their property, create a negative image of the Velp Avenue Corridor limiting desire of other businesses to locate or expand and concern that the truck traffic and speeds would negatively affect the corridor. A letter from the adjacent business, Alwin Manufacturing, was received as well opposing the proposed CUP based on potential for water run-off, contamination, unsightliness of scrap piles, potential to attract rodents and pests and that the use is contradictory to the recently adopted Velp Avenue Plan.

The City's Traffic Engineer, Dave Hansen, reviewed the proposal relating to the impact this use may have on the intersection of Velp Avenue and Winford Avenue. He stated he would need additional detail on the business operation to conduct a thorough analysis but that the proposed use would likely not affect the level of service or safety situation at the intersection or along Velp Avenue. He stated the intersection is newer and the design can accommodate truck traffic.

Land use is regulated through the Zoning Ordinance as well as general regulation of noise, dust, odors and other nuisances. Salvage dealers are licensed through the WI Department of Transportation, who also regulate and monitor their operations. This license requires conformation of permits through the WI Department of Natural Resources, who are responsible for regulations related to air pollution, stormwater, waste handling, spills and wastewater. Environmental impacts related to the salvage operation are generally regulated by the State of Wisconsin.

A large submittal from Mr. Dennis Nelson was received the afternoon of August 31, 2020 and was not able to be included within the Plan Commission packet. The submission was vetted by the Law Department to determine relevance of the contents as they relate to the land use matter at hand. The submission is included as an attachment.

Based on information collected/received, staff added two recommended conditions of approval that include:

5. No drop-off/pick-up or other business operations be permitted after 7:00 p.m. Monday through Friday or after 1:00 p.m. on Saturdays.

6. Area prohibited for salvage uses (referenced in condition 1) be brought forward for a zone change request from the General Industrial District designation to a Commercial District designation.

Original Report: The subject property is an existing 138,000 sq. ft. / 3.17 acre parcel located at the northwest corner of the Velp Avenue-Winford Avenue intersection. The lot is currently vacant of all buildings but is fully covered with impervious concrete and compacted gravel, loose gravel from a recently demolished 15,000 sq. ft. building and the remnants of a stone and block wall/display structure. The site also contains two curb-cuts along Velp Avenue and six curb-cuts along Winford Avenue.

The request for the Conditional Use Permit (CUP) is to permit the newly established material recovery use to include automobile salvage/scrap yard operations, both defined in the Zoning Code as:

- Material recovery facility (major): A facility for the deposit, sorting, or batching, but not processing, of post-consumer recyclable materials, including limited compacting or crushing of recyclable materials.
- Auto salvage yard, scrap yard: A facility where scrap or salvage materials, including used motor vehicles, are sorted, stored, dismantled, assembled, and distributed, including wholesale and retail sales of such materials. Scrap or salvage materials include, but are not limited to, scrap iron and other metals, paper, rags, rubber tires, bottles, plastics and aluminum cans.

The petitioner intends to redevelop the site as a secondary scrap yard for the collection of metals and junk/salvaged vehicles as described in the submitted application. Current commercial material recovery operations began in August 2020, with operating hours Monday – Friday from 6:00 a.m. to 6:00 p.m. Proposed public operating hours for salvage are Monday-Friday from 7:00 a.m. to 4:00 p.m. and Saturdays from 7:00 a.m. to 12 noon. Anticipated site modifications would be made over an undefined timeframe and include an industrial truck scale, 5,400 sq. ft. warehouse, 600 sq. ft. mobile storage container to function as an office space, outdoor storage of “rolloffs/luggers/trailers”, outdoor storage and stockpiles of scrap materials and outdoor equipment parking/storage.

The Comprehensive plan depicts the north half of the site suitable for general industrial uses consistent with the request while the southern half is designated for commercial uses not consistent with the request. The Velp Avenue Areawide Plan’s recommendation is primarily for mixed-use and modern industrial uses such as small scale production facilities and showrooms with the general intent of reserving the Velp Avenue frontage for commercial and less intense industrial uses that will redefine Velp Avenue as a gateway corridor to the downtown with greater “curb appeal”. However, the zoning designation of a majority of the site is currently GI General Industrial. To facilitate the proposed use, while also retaining consistency with adopted plans, staff is recommending that the proposed material recovery/scrap operations be limited along the Velp Avenue frontage to the extent needed to provide suitable area for the development of commercial or less-intense industrial uses. After consultation with a commercial real estate professional and the City’s Economic Development staff, it was determined that a minimum of approximately 1 acre of land would be needed to be reserved for commercial redevelopment along the frontage. This equates to an area extending from the Velp Avenue right-of-way to the northeast 130 ft. along the western property line and 200 ft. along the Winford Avenue right-of-way / eastern property line (.88 acres) and staff is recommending that Salvage operations be prohibited within this area.

Evaluation of the property during standard CUP request evaluation revealed that the site is currently in a semi-blighted state with no longer used improvements remaining in place at various locations including remnants of former building, piles of gravel, two unused curb cuts on Velp Avenue and six curb cuts on Winford Avenue, four of which appear to be unused on the submitted site plan. While many of these improvements may need to be removed in relation to recently issued demolition permits, staff believes it is important to include a condition of CUP approval that the area prohibited for salvage uses (referenced above) shall have pavement, curb-cuts and other improvements removed and be returned to vegetative ground cover as well as the unused curb-cuts along Velp and Winford Avenues be removed.

Operations of this type and intensity with primarily outdoor industrial business require fencing as a screen within the existing Zoning Code. The site currently has a fence with fabric covering that is somewhat impervious to sight. However, this regulation assumes that other industrial or heavier commercial uses are adjacent/nearby. The close proximity to low density residential uses (across Velp Avenue to the south) can often be incompatible. Additionally, visual, noise and other impacts associated may hinder potential redevelopment of the Velp Avenue frontage. In an attempt to minimize and/or alleviate these potential issues, staff is recommending that screen/buffer be enhanced along the south side of the fencing with established buffer design for nonresidential uses in residential districts (Zoning Code Section 13-1820) which is the inclusion of a landscaped buffer/vegetative screen a minimum of six ft. in height and not less than 90 percent opaque on a year-round basis.

Although the proposed use of the site is not the most desirable and not fully consistent with the long range plans adopted by the City, Staff is supporting the CUP request with the inclusion of the proposed conditions, suggested in order to achieve the highest level of compliance with adopted plans while still allowing the salvage operation to be established.

Ald. Randy Scannell, Mather Heights Neighborhood Association and property owners within 400 ft. have

been notified of the request as well as the placement of a zoning action notification sign along the Velp Avenue frontage. Staff has received six inquiries as of the drafting of this report, three of which were simply inquiries and three of which were objections. The objections are based on concerns over noise levels of the operations, views of the materials stored outside from Velp Avenue, negative impacts on redevelopment efforts of the Velp Avenue corridor and potential negative impacts to property values of homes on the south side of Velp Avenue.

RECOMMENDATION

Approval to authorize a Conditional Use Permit (CUP) for a Material Recovery Facility (Auto & Metal Salvage Operation) at 1156 Velp Avenue with the following conditions:

1. Salvage operations are prohibited along the Velp Avenue frontage within an area encompassed by the Velp Avenue right-of-way/western property line on the south extending northeast 130 ft. along the western property line and 200 ft. along the Winford Avenue right-of-way / eastern property line;
2. Area prohibited for salvage uses (referenced in condition 1) shall have pavement, curb-cuts and other improvements removed and the area returned to vegetative ground cover;
3. Unused curb-cuts along Winford Avenue be removed and replaced with appropriate curbing as regulated by the Department of Public Works;
4. Inclusion of a landscaped buffer/vegetative screen along the south side of the fence that is a minimum of six ft. in height and not less than 90 percent opaque on a year-round basis;
5. No drop-off/pick-up or other business operations are permitted after 7:00 p.m. Monday through Friday or after 1:00 p.m. on Saturdays;
6. Area prohibited for salvage uses (referenced in condition 1) be brought forward for a zone change request from the General Industrial District designation to a Commercial District designation.

FISCAL IMPACT

ATTACHMENTS

1. Petitioner Request to Postpone to October Meeting
2. ZP 20-23 Location Map_color
3. Request for City Action - Plan Commission - Conditional Use Permit
4. Alwin Manu Comments
5. Bigelow Comments
6. Star Elect Comments
7. K Staub Comments
8. Perrott Comments
9. M. Semrau Comments
10. Global Recognition, Inc. Comments
11. DNelson submittal 8.31.20_Edited by Law
12. Big 3 Performance Comments
13. Beyond Redline Comments
14. Petition Opposing Junk Yard 9.21.20
15. ZP 20-23 Resolution

David Buck

From: Travis L. Yang <tyang@mgwlawwi.com>
Sent: Friday, September 25, 2020 9:56 AM
To: David Buck
Cc: Ryan R. Graff
Subject: Request to postpone 1156 Velp Ave CUP application agenda item

Dave,

Thanks for speaking with me today. Please consider this our request to postpone this item to October's meeting. Unfortunately the owners of Burrows Midwest LLC have a conflict with that date that cannot be avoided. We are requesting that the plan commission table the request for the CUP to next month's meeting so that my clients can be present to address any additional concerns or inquiries. Thank you in advance.

Travis

Attorney Travis L. Yang
Mayer, Graff & Wallace, LLP
1425 Memorial Drive
Manitowoc, WI 54220
(920) 683-5800

PRIVILEGED AND CONFIDENTIAL COMMUNICATION:

This electronic transmission, and any documents attached hereto, may contain confidential and/or legally privileged information. The information is intended only for use by the recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of information received in error is strictly prohibited.

-  Proposed CUP Site
-  400' Property Owner Notice

REQUEST FOR CITY ACTION - PLAN COMMISSION

(Submit two copies to the Planning Department, Room 608 or City Clerk's Office, Room 106, City Hall)

Date: 8/6/2020

Petitioner(s): Burrows Midwest, LLC (dba Midwest Scrap Metal)

Phone Number: 920-693-8261

Address: 1156 Velp Ave City: Green Bay State: WI Zip Code: 54303

Property Owner: Sal Bs on Velp, LLC

Phone Number: 920-693-8261

Parcel Numbers (required): 18-782-E

Location of Property: 138,559 SQ FT WHITNEY OR LAVENTURE CLAIM THAT PRT OF LAVENTURE CLAIM AS DESC IN 598 R 361 EX 624 R 348 & EX PCL 112 OF TPP 1450-04-21-4.15 - *Please See Attached*

Attach maps and legal descriptions (required).

To: Honorable Mayor and Common Council, c/o City Clerk

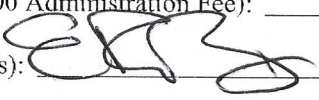
I, Eric Burrows of Burrows Midwest, LLC, respectfully request that the City of Green Bay take the following action:

Attach Zoning Petition Form with first three items.

- ☐ Rezone Property (\$300.00 Review Fee)
☒ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
☐ PUD and PUD Amendments (\$350.00 Review Fee)

☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 plus \$35.00 per Lot/Outlot Review Fee)
☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]

☐ Development District Map Amendment (\$200.00 Administration Fee)
☐ Official Map/Area Development Plan Amendment (\$200.00 Administration Fee)
☐ Plat of Right-of-Way (\$200.00 Administration Fee)
☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
☐ Street Name Change (\$200.00 Administration Fee)
☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee)
☐ Other (\$200.00 Administration Fee): _____

Petitioner Signature(s): 

Review Fee: _____ Receipt No.: _____ Zoning Petition No.: _____

Briefly describe action desired, noting the property affected and all other pertinent information.

Attach maps and legal descriptions (required).

Please See attached document.

Please contact the Planning Department in Room 608, City Hall, (920) 448-3400, if you have any questions.

Action Desired:

Burrows Midwest, LLC (dba Midwest Scrap Metal) is requesting a Conditional Use Permit (CUP) to purchase junk/ salvage vehicles. Junk/salvaged vehicles would be removed and transported to B&B Metals biweekly or sooner time frame.

Operational Activity

The Facility is located at the former County Materials Corporation operation in Green Bay, WI which ceased manufacturing in approximately 2012. Sal Bs Scrap Metal on Velp, LLC purchased the property in November 2013. Burrows Midwest, LLC (dba Midwest Scrap Metal) rents the property from Sal Bs Scrap Metal on Velp, LLC. Midwest Scrap Metal is in the process of removing and demolishing structures to allow for further redevelopment and future operations at the property. The property consists of one legal parcel, with a total acreage of approximately 3.18 acres.

Midwest Scrap Metal's will operate out of portable office of 16' x 40'. There is also intentions of having a 60' x 90' warehouse building built on the site. Bill Lorrigan Construction is in the process of submitting the application for the building permit.

Midwest Scrap Metal opened for operations in August 2020. Current operating hours are Monday through Friday from 6:00 am to 6:00 pm. All outdoor scrap processing operations are currently occurring on the central and north side of the property. These operations consist of acceptance and unloading of scrap from a variety of local commercial accounts. The scrap materials are received directly at the facility when incoming loads are weighed at the scale house. Vehicles are then directed to the appropriate unloading/storage area on the property. Commercial vehicles with ferrous metals typically unload outdoors in segregated scrap areas. The scrap is either placed on the ground on paved surfaces, or placed directly in dumpsters (if the threat of stormwater contamination is apparent).

Ferrous metals accepted include the following:

- Farm Machinery
- Clean Steel Rebar
- Machine Cast
- Transformers/Welders
- Prepared Foundry Steel
- Stove, Motor, Auto Cast & Brake Drums
- Unclean Auto Blocks
- Baling Wire/Fencing
- Electric Motors

Non-Ferrous metals accepted include the following:

- Aluminum
- Die Cast
- Lead
- Magnesium
- Radiators
- Brass
- Copper
- Stainless
- Zinc
- Sealed Units
- Auto Batteries

The following items are NOT accepted:

- Light bulbs
- Tires
- Small household batteries
- Dishwashers
- Electronics
- Precious Metals
- Treadmills
- New all plastic microwaves
- Aerosol Cans

Anticipated public operating hours are Monday through Friday from 7:00 am to 4:00 pm and Saturday from 7am until Noon. Residential items to be accepted includes the following:

- Appliances (any refrigerant remaining in appliances is removed indoors in a Refrigerant Removal Area by qualified technicians)
 - Air Conditioners
 - Dehumidifiers
 - Freezers
 - Refrigerators
- Grills
- Propane tanks (only if obvious holes are present)
- Snow blowers and lawn mowers (if all fluids are drained and tires removed)
- Bikes (with tires removed)
- Junk vehicles / Salvage vehicles

For commercial accounts, Midwest Scrap Metal also offers lugger and roll off boxes and/or trailers. Covers for lugger boxes are provided upon request. They also provide fork lift boxes and self-dumping hoppers to use inside facilities. In addition, they also provide semi-trailers and large containers for large amounts of scrap from major scrap clean ups, and can pick up large obsolete machines and equipment.

Once received, all scrap is segregated into common piles or containers and held for shipment to B&B Metals Processing Company, Inc. (B&B Metals) in Newton, WI. Junk/salvaged vehicles would be removed and transported to B&B Metals biweekly time frame. B&B Metals operates a large metal shredder capable of shredding large metal objects (including vehicles) to facilitate the reintroduction of the waste metals into various recycling streams and uses, primarily the smelting and metal industries.

Owner: Sal Bs Scrap Metal on Velp, LLC

Petitioners: Burrows Midwest, LLC (dba Midwest Scrap Metal)

Parcel#: 18-782-E

Legal Description:

Part of the Laventure Claim, West Side of the Fox River, in the City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the Brown County Surveyor's Traverse Point ID Number 40Q20: thence N60° 29'12"E, 1589.97 feet to Brown County Surveyor's Traverse Point ID Number 40021.1; thence N59° 41'47"W, 1867.36 feet to a point on the Westerly right of way of Winford Ave being 94.4 feet South of the North line of the Laventure Claim, and being the point of beginning; thence S26°29'53"W, 606.44 feet along said Westerly right of way; thence S45°35'30"W, 6.22 feet along said right of way to point #1294 of the recorded Transportation Project Plat Number 1450-04-4.15(Volume1. Transportation Project Plats, page 90, Document Number 2447897, Brown County Records); thence S26°28'52"W. 43.71 feet along said right of way to point 1315, said Transportation Project Plat; thence 47.48 feet along the arc of a 24.00 foot radius curve to the right whose long chord bears S83°09'34"W, 40.11 feet to point 1316, said Transportation Project Plat; thence N40°09'45"W, 195.45 feet along the Northerly right of way of United States Highway 141, also known as Velp Avenue to point 1317, said Transpiration Project Plat; thence N26°29'53"E, 598.53 feet: thence S64°03'47"E, 215.00 feet to the point of beginning.

Parcel contains 138,399 sq. ft / 3.18 acres more or less.

Parcel subject to easements and restrictions of record.

Amended Site Plan

Part of the Laventure Claim, West Side of the Fox River, in the
City of Green Bay, Brown County, Wisconsin.

LEGAL DESCRIPTION

Part of the Laventure Claim, West Side of the Fox River, in the City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the Brown County Surveyor's Traverse Point ID Number 40020; thence N60°29'12"E, 1589.37 feet to Brown County Surveyor's Traverse Point ID Number 40021; thence N67°41'47"W, 1867.36 feet to a point on the Western right of way of Winford Avenue being 94.4 feet South of the North line of the Laventure Claim; and being the point of beginning; thence S28°29'53"W, 606.44 feet along said Western right of way; thence S45°35'30"W, 6.22 feet along said right of way to point #1294 of the recorded Transportation Project Plat Number 140-04-21-4.15 (Volume 1, Transportation Project Plats, page 90, Document Number 2447897, Brown County Records); thence S28°28'52"W, 43.71 feet along said right of way to point 1315; said Transportation Project Plat; thence 47.48 feet along the arc of a 24.00 foot radius curve to the right whose long chord bears S83°09'34"W, 40.11 feet to point 1316; said Transportation Project Plat; thence N40°09'45"W, 195.45 feet along the Northern right of way of United States Highway 141, also known as Velp Avenue to point 1317; said Transportation Project Plat; thence N28°29'53"E, 595.53 feet; thence S64°03'47"E, 215.00 feet to the point of beginning.

Parcel contains 138,399 sq. ft. / 3.18 acres, more or less.
Parcel subject to easements and restrictions of record.

Site Coverage Calculations

Total Site = 138,399 s.f. = 100.0%
Asphalt = 111,376 s.f. = 78.3%
Concrete = 27,961 s.f. = 20.2%
Buildings = 60.2%
Grass = 1.3%

Steven M. Buda
P.L.S. 2017

May 14, 2017

Revised June 7th, 2019 (Maintenance/scale blog)

Revised August 22nd, 2019 (Per City review letter)

Revised March 10th, 2020 (Labeled Uses)

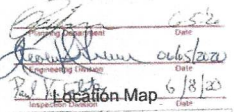
Revised May 18th, 2020 (moved scale and scale building)

Revised May 18th, 2020 (Per City Review)

NOTES

- 1) Subject parcel is zoned G - General Industrial
- 2) Property located in Flood Zone "AE" (Base Flood Elevation Determined) and "X" (Areas determined to be outside the 0.2% annual chance floodplain) according to the FEMA FIRM 50090C0166, dated August 19, 2009
- 3) Table A #16, There is no evidence of current earth moving work, building construction or building additions
- 4) There are no wetlands per the WDNR inventory maps
- 5) It is the Buyer's intent to provide green cloth screening as required by City Code Section 13-904.
- 6) Gravel areas for the sized buildings shall be restored to green space per City Code.
- 7) Key entrance drives to be abandoned, shall be abandoned in compliance with City Code Sec. 13-1706(n)
- 8) The Buyer does not intend on making any improvements, including utility related improvements, to the Property of this line other than as indicated herein.
- 9) The type of material to be located on site will be primarily ferrous metals/scrap (for example, sheet metal, steel, etc.) and some non-ferrous metals/scrap (for example, aluminum siding, etc.)
- 10) No hazardous materials will be stored within the 100 year floodplain (Flood Zone AE)
- 11) REVISIONS TO THIS SITE PLAN FROM PREVIOUS SUBMITTAL:
Outdoor Roll-off Box & Lugger Box parking, new fencing, material storage areas and moved scale and maintenance 1/2 scale building.

CITY OF GREEN BAY, WISCONSIN
CONDITIONALLY APPROVED
SITE PLAN



City of Green Bay

Roll-off & Lugger Box Parking

Winford Avenue

Velp Avenue

Thomas Street

2nd REVISED

OWNER

1156 Velp Av

RECEIVED

SH 1545

JUN 05 2020

PH 70424

Owner:

SALES SCRAP METALS ON VELD LLC

Mau & Associates
LAND SURVEYING & PLANNING

TAX PARCEL NO. 18-782-E

Site Plan

SCALE
1"=3'

September 18, 2020

Mr. David Buck, AICP
Principal Planner
City of Green Bay
Department of Community and Economic Development
100 North Jefferson Street, Room 608
Green Bay, WI 54301-5026

Re: (ZP 20-23) Proposed Conditional Use Permit – 1156 Velp Avenue

Dear Mr. Buck:

Alwin Manufacturing owns the property located at 1206 Velp Avenue and 1255 Winford Road. We oppose the proposed conditional use permit for a Material Recovery Facility at 1156 Velp Avenue. This property is located next to both of these properties. There are a few points that concern me.

Any water run off onto Alwin's property could be a contamination risk. If there were contamination run off, it would be an unwarranted, costly expense to clean up.

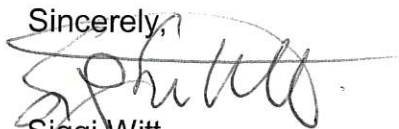
The fence running along that property belongs to Alwin. The site could possibly be an unsightly area of junk that might pile higher than the fence. A higher, blocking fence would need to be put up. We will not incur the expense of a higher, blocking fence.

The scrap may be contaminated with food or other debris that will attract unwanted rodents and pests.

Another point I would like to bring up is that this type of business is completely opposite of what we were told by the City a few years ago for the Velp Avenue Corridor Plan.

It is very disappointing to see this type of business being considered by the Plan Commission for our area and especially next to our property. I hope you will consider my points when acting on the request.

Sincerely,



Siggi Witt
Vice President/Owner
Alwin Manufacturing Co.

Bigelow Rentals

1216 N. Buchanan Street
Green Bay, WI 54303

Phone: (920) 494-8864
www.bigelowrentals.com
info@bigelowrentals.com

September 21, 2020

RE: Proposed Conditional Use Permit (ZP 20-23) – 1156 Velp Avenue

Mr. David Buck, AICP
Principal Planner - City of Green Bay
Department of Community and Economic Development
100 North Jefferson Street, Room 608
Green Bay, WI 54301-5026

Dear Mr. Buck,

We are Gerald and Gloria Bigelow who are local business owners and have been in this neighborhood for decades. Our properties are located at 1214 Winford Street, 1207, 1216 and 1223 Buchanan Street and a soon to be multi-family residential complex at 1060 Gray Ct.

We oppose the proposed conditional use permit for a junk yard, referred to as Material Recovery Facility, at 1156 Velp Avenue. This property and proposed activities are cause for several concerns for the surrounding community such as water quality, run-off, chemical spills, food and garbage, birds/rodents, noise level, unsightly property and use of city streets to do business. The use of a trailer as an office and place of business is also concerning.

Allowing this type of facility will make the surrounding properties, both commercial and residential, unsuitable for further development.

The proposed conditional use permit is in stark contrast to the previously proposed and supported plan where "The City of Green Bay wants to enhance the vitality of Velp Avenue" (VELP AVENUE AREA WIDE PLAN 12.09.2016). A junk yard that accepts, stores and piles scrap including farm machinery, appliances, batteries, etc. does not align with the Velp Avenue Corridor Plan.

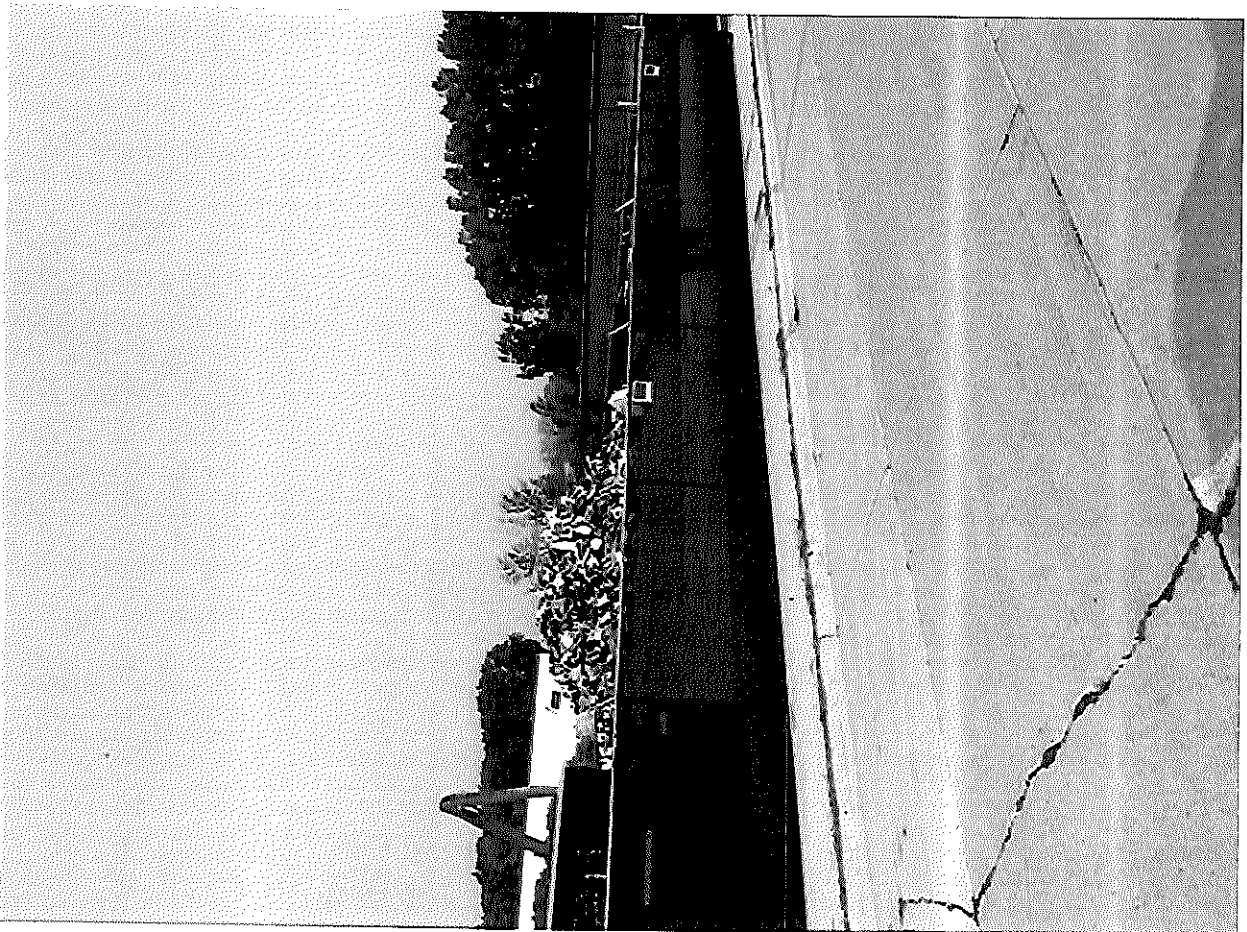
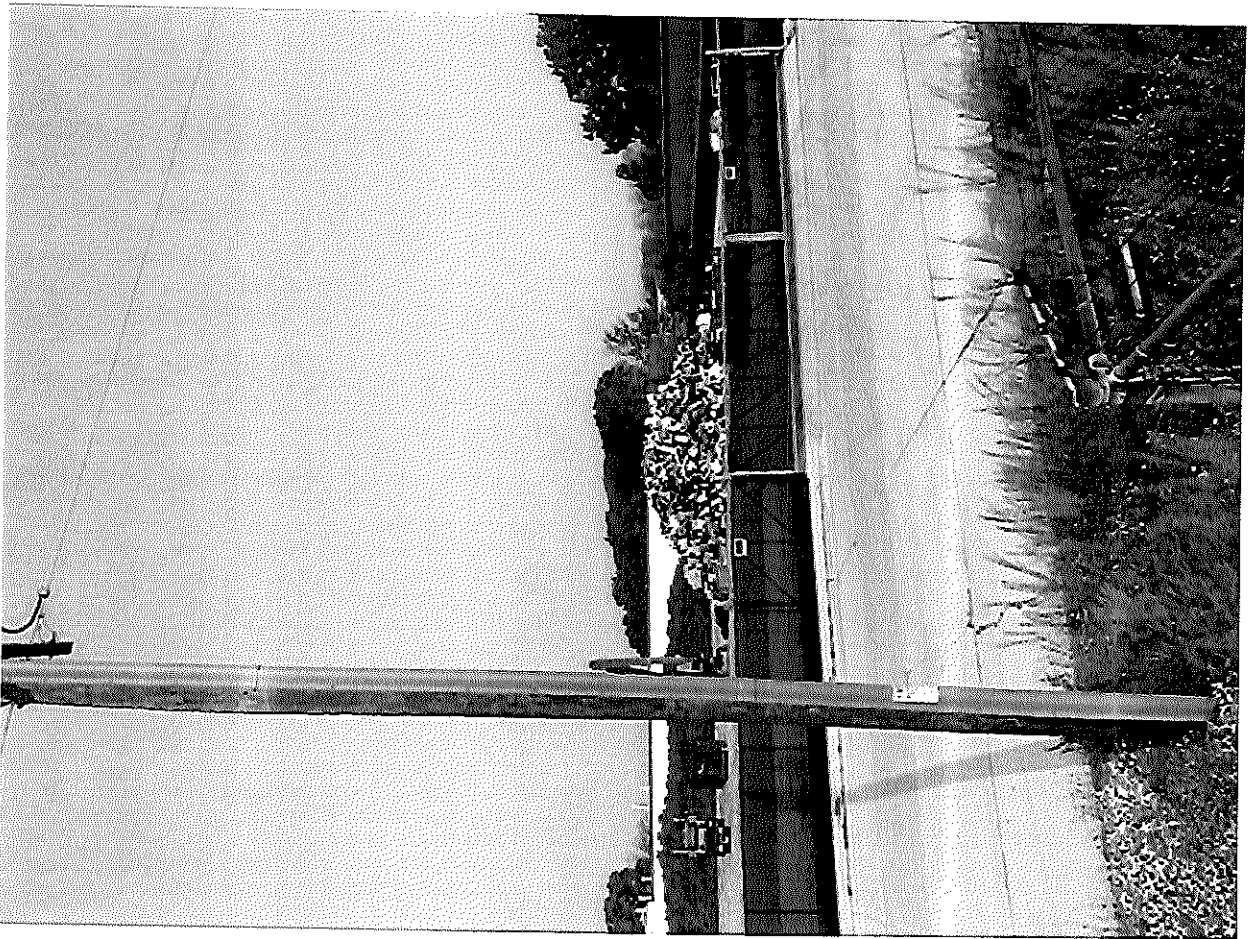
We also believe that "Velp Avenue has great potential to serve as a gateway into Green Bay and a destination for neighbors. However, Velp Avenue is not widely perceived this way today." (VELP AVENUE AREA WIDE PLAN 12.09.2016).

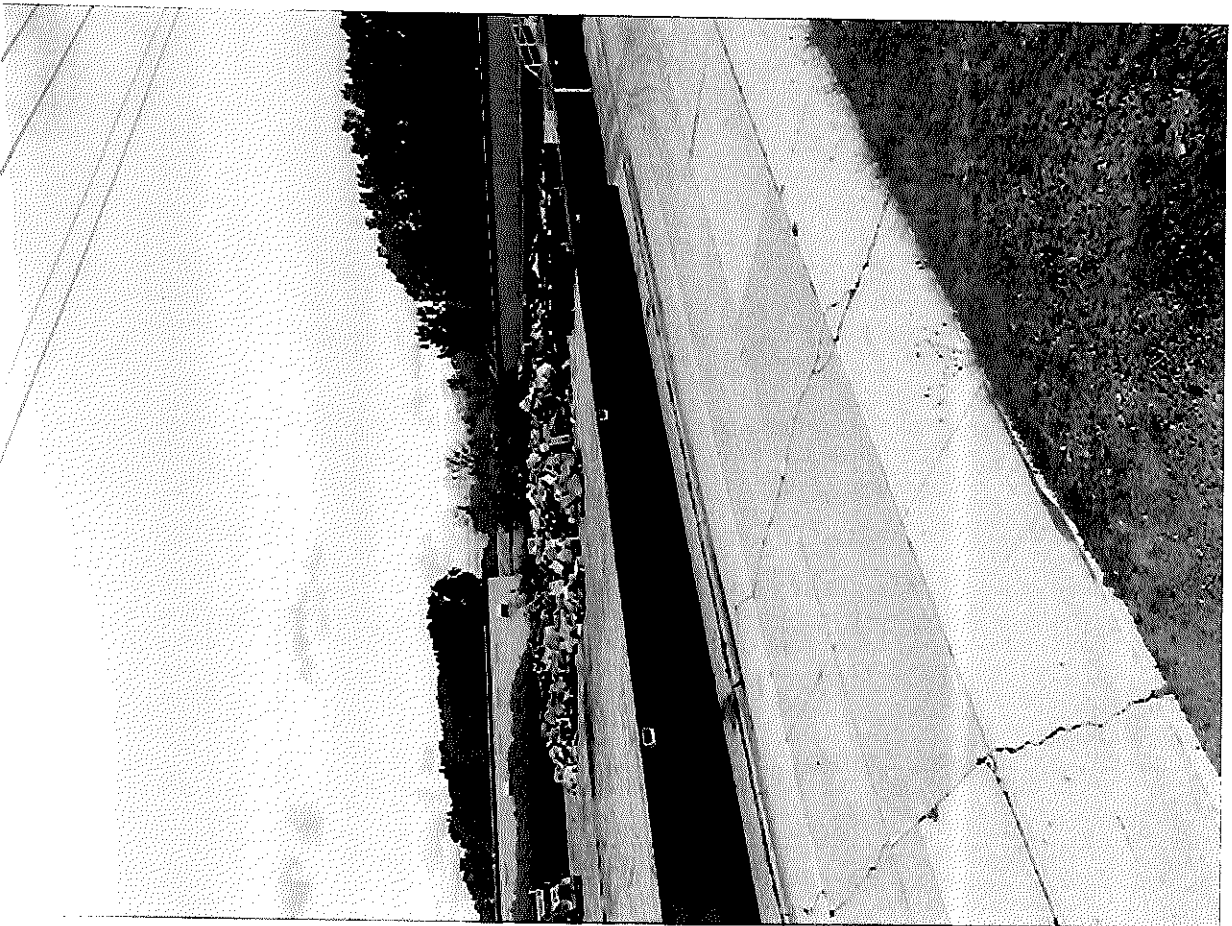
We hope that you will consider these community concerns when reviewing the request.

Sincerely,

Gerald & Gloria Bigelow
Bigelow Rentals

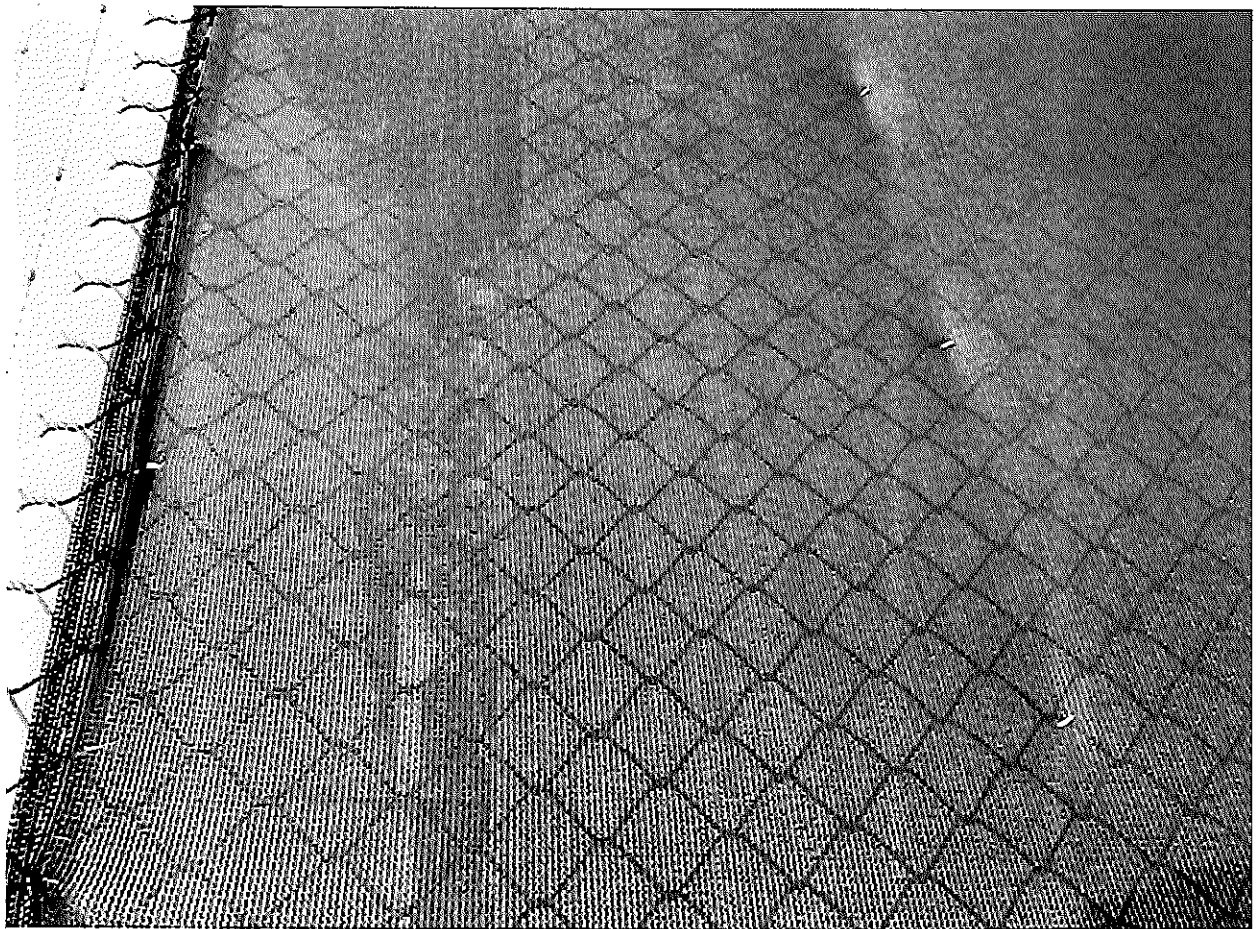












Star Electric Service Inc.

Dear City of Green Bay Planning Commission:

My name is Kerry Rathburn and my wife, Karen and I own Star Electric Service, Inc. at 1142 Velp Avenue, in Green Bay. Our business has been in our family and here in Green Bay for over 73 years - 72 of those years have been at 1142 Velp Avenue.

We have dealt with economic ups and downs just like so many businesses, large or small, have been, especially recently with the corona virus and the challenges placed upon everyone. When the housing market crashed and the economy followed in the mid-late 2000's, we saw lots of companies close their doors as well, especially in the construction trades.

In the late 2000's, we were faced with some of the worst business in all of our years of operation. We were forced to decide whether or not we wanted to continue to invest in what was a very uncertain future.

There were discussions with the City and DOT about the widening of Velp Avenue and changes to the Velp Avenue/41/43 interchanges. There was a push to "revitalize Velp Avenue." This was especially true, as it was to become an even more "essential" thoroughway to the City, particularly from growing areas of Howard and Suamico.

This sort of conversation also became a focal point at some of the neighborhood meetings, as the discussions started regarding the construction of Jerry Bigelow's new apartments. There was a very big demand for the new housing and Jerry's investment would help fuel the growth in the area, especially for new small businesses. Jerry met with the City and neighborhood members at multiple community meetings to explain his apartments and intentions. Jerry made numerous changes to meet the needs and requests of all parties involved.

The City shared pictures and plans of the potential buildings and storefronts to come along Velp, including the light commercial and retail along the 1200 block of Velp Avenue. All of this was encouraging and a motivation for my wife and I to work with the City and the DNR to update our property. There was no need to move as this would be a prime location with additional residential, retail and service growth. My wife and I took a deep breath, tightened our belt and pressed ahead.

Now as the apartment buildings begin to take shape, we look forward to the next steps in revitalizing the Velp Avenue corridor and stepping away from the old, deteriorated and vacant areas.

The problem then becomes why the junkyard is being introduced to this redevelopment process that was to be taking place. Is this a temporary arrangement? What of this move would do anything to improve the likelihood of enticing new investments for small businesses and retailers? What about other people, like the young man across the street who just invested in the business and apartment. For the view of a dump site?

Please explain how allowing this sort of usage does anything to encourage updating and improving and investing in the surrounding properties. Why did my wife and I continue to invest in this location, particularly if there is not going to be any push to attract more new businesses and regular clients?

Karen and I have had lots of discussion over the changes that have already occurred and the potential for the area. This recent move with the salvage yard however, is making both of us start to question our own decisions, as well as the affect of this junkyard on those around us. This may be especially unappealing to the potentially new residents in Jerry Bigelow's new complex. A very frustrating issue to someone who just staked so much time and money to make a better, wiser use of the area for all involved.

Please consider all of the rippling and potentially negative effects of this on the businesses and residents around this property - particularly all of us who have been here and invested in this area for our entire life. I appreciate your time and thoughtful attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kerry F. Rathburn".

Kerry F. Rathburn

President

Star Electric Service, Inc.

David Buck

From: [REDACTED]
Sent: Tuesday, September 22, 2020 5:44 PM
To: David Buck; District Seven; District Ten
Subject: Oppose Junk yard at 1156 Velp Ave

Hi,

I am writing to express my concern of an proposed Junk yard at 1156 Velp Avenue. I live near by at 1125 Neville Ave and am concerned about the noise and storm water runoff and the consequences of that run off. I am opposed to putting a Junk Yard so close to my home. I have lived on Neville Avenue for the past 21 years and have seen many companies come and go on Velp Avenue. I feel that a scrap metal processing place has no need of being so close to a residential area and just off of a busy and well travelled street. Velp Avenue does have junk yards(Arrow and Bay Area salvage) down farther on Velp Ave that are well established and doesn't need another one....

Please do not approve another Junk yard on Velp Avenue.

Sincerely,
Kim Staub



1100 Velp Avenue
Green Bay, WI 54303
(920)499-1757

September 22, 2020

Mr. David Buck
Principal Planner – City of Green Bay
Department of Community and Economic Development
100 North Jefferson Street, Room 608
Green Bay, WI 54301-5026

RE: Proposed Conditional Use Permit (ZP 20-23) – 1156 Velp Avenue

Dear Mr. David Buck:

Perret Homes, Inc. strongly opposes the above cited proposed conditional use permit.

The increased volume of such business activity on Velp Avenue will only further deteriorate the corridor, making it difficult to attract new outside investment to the area and slow investment of existing property owners. This fact will depress the neighboring residential home values.

With its proximity to the developing Broadway and Downtown Districts, we agree with the idea stated in the "Velp Avenue Area Wide Plan" that "Velp Avenue has great potential to serve as a gateway into Green Bay and a destination for neighbors."

We simply find this proposed use at odds with the City of Green Bay's "Smart Growth 2022" objectives of enhancing property uses, redeveloping underutilized property, improving the environment, and improving nearby neighborhoods.

Sincerely,

PERRET HOMES, INC.

A handwritten signature in black ink, appearing to read "Greg Meisinger", is written over a circular stamp. The signature is fluid and somewhat abstract.

Greg Meisinger
Chief Financial Officer

A handwritten signature in black ink, appearing to read "Dave Perret", is written in a cursive style.

Dave Perret
President

David Buck

From: [REDACTED]
Sent: Wednesday, September 23, 2020 12:29 PM
To: David Buck; District Seven; District Ten
Subject: Proposed Conditional use permit (ZP 20-30) - 1156 Velp Avenue

We are **VEHEMENTLY AGAINST** the proposed conditional use permit for a junk yard, referred to as Material Recovery Facility at 1156 Velp Avenue. The proposed activities are cause for several concerns for the surrounding community such as run-off, chemical spills, food and garbage and rodents. Also Unsightly property with piles of garbage in view. They have another junk yard down the street already functioning why can't they do this there.

The proposed conditional use permit of a junk yard is in contrast to the proposed and supported plan that the City of Green Bay wanting to enhance vitality of Velp Ave (Velp Avenue areawide plan 12.06.2016). Allowing this to go through will make the surrounding properties both commercial and residential unsuitable for further development.

PLEASE do not allow this type of business into our neighborhood.

Thank you,

Mark Semrau
LaJava
1250 Velp Avenue



**Mr. David Buck, AICP
Principal Planner-City of Green Bay
Department of Community and Economic Development
100 North Jefferson Street, Room 608
Green Bay, Wi 54301-5026**

Dear Mr. Buck,

As the owner of the property at 980 Velp Ave, and part owner of the company using the property at 980 Velp Ave, I appose the proposed conditional use permit for a Material Recovery Facility at 1156 Velp Ave.

After being on the Steering Committee for Velp Ave, in Green bay in 2016-2017, this proposed facility goes against everything that local business and home owners in this area want. Besides all the pollution, and run off, and potential contamination, this facility will bring down the efforts that have been made by local businesses and home owners to keep, and improve the Velp Ave. The biggest part of the discussions that we had as a committee was the past businesses, contaminated property, as well as the esthetics that will drive the Velp Ave corridor to less than desirable looks. Many discussions and plans were talk about to help make Velp a desirable place to have a business, and help the area with desirable businesses.

I was impressed that the City was looking to clean up Velp Ave when I was approached to be on the committee, and I was also impressed with the people who were involved to give perspective on what it will take to make Velp Ave the gateway it could be to the downtown.

Since the rebuilding and improvements to both Velp Ave, and hwy 41, the Akinson/Velp interchange with hwy 43 has become the route to Downtown. We here at 980 Velp ave have have improved the esthetics of our building and property to look the part of a successful business thriving on a busy Green bay Street.

I ask that idea of this permit not happen and this property be used for something that will help out the local residence, and businesses in the Velp Ave Community!

Sincerely,

**Arthur E. Gage
Global Recognition Inc.
980 Velp Ave.
Green Bay, WI 54303**

RECEIVED

AUG 31 2020

COMMUNITY AND
ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor Eric Genrich & Green Bay Plan Commission

DATE: August 28, 2020

RE: **Conditional Use Permit Request/Eric Burrows and Burrows Midwest, LLC**

Mr. Mayor and Honorable Members of the Plan Commission:

The purpose of this memorandum is to provide you with important details as there is an important issue facing the Green Bay Plan Commission and the City of Green Bay at large. As you know, the Green Bay Plan Commission will hold a public hearing on Monday, August 31, 2020 at 6:00 p.m. The purpose of the public hearing will be to consider a Conditional Use Permit filed by Eric Burrows on behalf of Burrows Midwest, LLC. Although this is an application typical to ones you have probably received numerous times during your tenure, the pending application which will take up on Monday night could have a tantamount impact on the City. With this in mind, we urge Plan Commission Members to review this document and strongly consider denying or delaying the applicants' CUP request.

As mentioned above, the request appears to be a typical request for a Plan Commission to allow Eric Burrows of Burrows Midwest, LLC, to engage in scrapyards activities at the 1156 Velp Avenue property. Eric Burrows and his father, Robert "Bob" Burrows, are the owners of Burrows Midwest, LLC and B & B Metals Processing Co., Inc. (see attached Exhibit A). B & B and the Burrows family own scrapyards throughout eastern Wisconsin. A careful review of the Burrows' activities in eastern Wisconsin is required as part of the Plan Commission's meeting on Monday. Please find below an itemized summary of matters for which the City of Green Bay should investigate prior to making any decisions.

Existing Violations of City Code

Please know the Velp Avenue property is already in violation of conditional approvals granted to this property going back to 2013. We have attached and marked as Exhibit B, a copy of a Site Plan and correspondence from B & B's lawyer. This document states that there is enclosed a copy of a blueprint for a proposed scale at the site. Having a scale on site is a legal requirement under the City's approval and planning documents clear back in 2013. For whatever reason, the commitment to provide a scale was never implemented and thus, the requirement was not satisfied.

In fact, years later an additional document was filed on June 19, 2017 (see attached Exhibit C) in which there is again correspondence from the same law firm now representing a different scrap metal entity at the same location. Again, the documentation calls for a scale to be brought on site. However, that never happened, and the property has continued to be in violation of its own permits.

Fast forward to today, the Conditional Use Permit Request before you again indicates a scale would be brought in for the purpose of weighing scrap materials being bought and sold at this site. Since B & B has not lived up to its permit obligations going back to 2013, we think the City needs to seriously question whether B & B would live up to this condition which is a requirement of operation, but has not been complied with for almost 7 years.

Additionally, know that a scale is a critical component of a scrapyard. Throughout the U.S., scrap materials are purchased at various scrapyards. Scrapyards are regulated activities, and in Wisconsin they are controlled by the Wisconsin Department of Agriculture, Trade, and Consumer Protection. Therefore, the yard which already has started purchasing and stockpiling material is in violation of Wisconsin's Administrative Code, in addition to the conditional permission which was granted going clear back to 2013.

With this in mind, as part of Green Bay's investigation of this request, the City should reach out to the Wisconsin Department of Agriculture, Trade, and Consumer Protection and work closely on and learn more details as to how and why material is already being purchased and stockpiled in direct violation of Wisconsin's Administrative Code. We highly encourage Green Bay Officials to contact the Department of Agriculture, Trade, and Consumer Protection Compliance Officer on this issue and other potential violations of scrapyard requirements. The Bureau Director for the State of Wisconsin is a person by the name of Alicia Clark whose phone number is 608-224-4938 and her email address is Alicia.Clark@wisconsin.gov.

Environmental Concerns

Please kindly find attached as Exhibit D, a picture of the site. Material has already started being purchased and stockpiled on the site. This picture was taken on August 25, 2020. As you will see, the material is currently being stored on property which is not impervious and has many cracks. Consequently, stormwater which enters this pile can leach off the material and directly access groundwater. We think this poses risks of the heavy metals and industrial chemicals leaching off the debris found on Exhibit D and entering groundwater and the Green Bay water shed.

Additionally, the area demonstrated in the picture appears to lie in the floodplain. A review of GIS Online Mapping indicates the area where the scrap metal debris is located is in the floodplain. In fact, the property shown in Exhibit D of the premises is on the northwest portion of the property which is not only in the floodplain, it also adjoins the southern marsh area and wetland area. In the event of heavy rains or flooding, the handling of this material creates additional environmental risks. To demonstrate location of the floodplain and connection with the existing debris, please see the attached Exhibit E as part of verification of the concern.

Equally important is that many of the items pictured in Exhibit D are contaminated by the very nature of their application. For example, a careful review of the picture will show there are refrigerators within the stockpiled debris pile. Refrigerators contain freon which can be hazardous to both the water shed and to people if it is not contained in a controlled environment. There are many important state and federal statutes, procedures, and protocols in place which regulate the

handling, disposal, and removal of freon and other fluids prior to refrigerators and other appliances being scrapped for metal recycling. This is just one example of where the City needs to be careful and not complicit in allowing this type of activity to occur in an unregulated fashion at the Velp Avenue property, in potential violation of WDNR and EPA statutes.

Please find attached as Exhibit F, an affidavit signed by a Green Bay area resident who has concerns about the environmental impacts of this project. As noted in Mr. Nelson's affidavit, he is a life-long resident of Brown County and is concerned for the City and the City's water shed.

Conclusion

In summation, we are hopeful the Green Bay Plan Commission gives deep consideration and fully reviews all the attached documents. We think the Plan Commission should vote “No” on the rezoning request or, at a minimum, delay voting until further information on all of the concerns raised above can be addressed and vetted by City Staff. Thank you in advance for your consideration and most importantly for your commitment to the City of Green Bay.

Exhibit A

Wisconsin Department of Financial Institutions

Strengthening Wisconsin's Financial Future

Search for:
burrows midwest

Search Records [Search](#)
[Advanced Search](#)
[Name Availability](#)

Corporate Records

Result of lookup for B098262 (at 8/28/2020 8:30 AM)

BURROWS MIDWEST, LLC

You can: [File an Annual Report](#) - [Request a Certificate of Status](#) - [File a Registered Agent/Office Update Form](#)

Vital Statistics

Entity ID	B098262
Registered Effective Date	06/30/2020
Period of Existence	PER
Status	Organized Request a Certificate of Status
Status Date	06/30/2020
Entity Type	Domestic Limited Liability Company
Annual Report Requirements	Limited Liability Companies are required to file an Annual Report under s. 183.0120, WI Statutes.

Addresses

Registered Agent Office	ROBERT BURROWS 14520 PIONEER ROAD NEWTON , WI 53063
	File a Registered Agent/Office Update Form

Principal Office

Historical Information

Annual Reports	None
Certificates of Newly-elected Officers/Directors	None
Old Names	None

Chronology

Effective Date	Transaction	Filed Date	Description
06/30/2020	Organized	06/30/2020	E-Form

[Order a Document Copy](#)

Wisconsin Department of Financial Institutions

Strengthening Wisconsin's Financial Future

Search for:

B&B Metals

Search Records

[Search](#)
[Advanced Search](#)
[Name Availability](#)

Corporate Records

Result of lookup for 1B17351 (at 8/28/2020 8:30 AM)

B & B METALS PROCESSING CO., INC.

You can: [File an Annual Report](#) - [Request a Certificate of Status](#) - [File a Registered Agent/Office Update Form](#)

Vital Statistics

Entity ID	1B17351
Registered Effective Date	11/23/1982
Period of Existence	PER
Status	Restored to Good Standing Request a Certificate of Status
Status Date	11/05/2018
Entity Type	Domestic Business
Annual Report Requirements	Business Corporations are required to file an Annual Report under s.180.1622 WI Statutes.

Addresses

Registered Agent Office	ROBERT BURROWS JR 14520 PIONEER RD NEWTON , WI 53063-9729 File a Registered Agent/Office Update Form
-------------------------	---

Principal Office	14520 PIONEER RD NEWTON , WI 53063-9729
------------------	--

Historical Information

Annual Reports

Year	Reel	Image	Filed By	Stored On
2019	000	0000	online	database
2018	000	0000	online	database
2016	000	0000	online	database
2015	000	0000	online	database
2014	000	0000	online	database
2013	000	0000	online	database
2012	000	0000	online	database
2011	000	0000	online	database

2009	000	0000	online	database
2007	000	0000	online	database
2005	000	0000	online	database
2004	000	0000	online	database
2003	000	0000	online	database
2001	022	1037	paper	microfilm
2000	030	1339	paper	microfilm
1999	025	2250	paper	microfilm
1998	031	0016	paper	microfilm
1997	024	1601	paper	microfilm
1996	028	1498	paper	microfilm
1995	027	2104	paper	microfilm
1994	027	0996	paper	microfilm
1993	026	2237	paper	microfilm

[File an Annual Report - Order a Document Copy](#)

**Certificates of
Newly-elected
Officers/Directors**

None

Old Names

None

Chronology

Effective Date	Transaction	Filed Date	Description
11/23/1982	Incorporated/Qualified/Registered	11/23/1982	*****RECORD IMAGED*****
10/01/1984	In Bad Standing	10/01/1984	
01/29/1985	Restored to Good Standing	01/29/1985	
10/01/1991	Delinquent	10/01/1991	
01/27/1992	Notice of Administrative Dissolution	01/27/1992	922010130
02/28/1992	Restored to Good Standing	02/28/1992	
01/18/1994	Change of Registered Agent	01/18/1994	FM 16 -1993
03/04/1999	Change of Registered Agent	03/04/1999	FM16 1998
10/01/2003	Delinquent	10/01/2003	
11/07/2003	Restored to Good Standing	11/07/2003	E-Form
06/12/2006	Change of Registered Agent	06/12/2006	FM16-E-Form
10/01/2007	Delinquent	10/01/2007	
06/12/2008	Restored to Good Standing	06/12/2008	E-Form
10/01/2009	Delinquent	10/01/2009	
03/02/2010	Restored to Good Standing	03/02/2010	E-Form
10/01/2011	Delinquent	10/01/2011	
03/30/2012	Restored to Good Standing	03/30/2012	E-Form
10/01/2018	Delinquent	10/01/2018	
11/05/2018	Restored to Good Standing	11/05/2018	Form16 OnlineForm
10/15/2019	Change of Registered Agent	10/15/2019	Form16 OnlineForm

[Order a Document Copy](#)

Exhibit B



Building Inspection Division
City Hall, Room 610

Robert Strong
Planning Director

December 11, 2013

Submitter:

DAVID P. DEWICK
200 South Washington
Green Bay, WI 54301

Property Owner:

NATIONWIDE LP
PO BOX 100
MARATHON WI 54448-0100

Re: 1156 VELD AV...18-782-E / Site Plan #93, Project #60210
SCALE & SCALE HOUSE

This site plan is being returned **CONDITIONALLY APPROVED** having been found to be in reasonable conformance with applicable municipal ordinances and standards.

This document is a development agreement between the submitter and the City of Green Bay, which permits the development as conditionally approved. Deviation from this agreement without prior approval is a violation of 40.05, Green Bay Municipal Ordinance, which is subject to cancellation and/or other enforcement efforts.

If you have any questions, please feel free to contact the Planning Department/Inspection Division at (920) 448-3300.

Sincerely,

James Brunette, P.E.
Inspection Service Specialist

City of Green Bay

100 North Jefferson
Street
Green Bay, WI 54301

Site Plan Checklist

~~Prelim~~ Review

Final

Review #: 93, Project #: 60210

1st Rtn:

2nd Rtn:

Contact:

Address: 1156 VELD AV..18-782-E

DAVID P. DEWICK

Title: SCALE & SCALE HOUSE

200 South Washington
Green Bay, WI 54301
430-1900

Descrip:

Planning Division

1st Review:

2nd Review:

- 1- ☐ ☐ Zoning District
- 2- ☐ ☐ Prop. dim., legal description
- 3- ☐ ☐ Driveways - exist & proposed
- 4- ☐ ☐ R.O.W. shown
- 5- ☐ ☐ Landscaping in setbacks
- 6- ☐ ☐ Building uses identified
- 7- ☐ ☐ Parking & loading, ADA
- 8- ☐ ☐ Curbs, wheelblocks, barricades
- 9- ☐ ☐ Parking lot surfacing
- 10- ☐ ☐ Fencing
- 11- ☐ ☐ "IN" & "OUT" signs
- 12- ☐ ☐ Signage, location & size
- 13- ☐ ☐ Utilities, easements, etc.

Code 1st Review Comment

Code 2nd Review Comment

John F. Hager
David P. Dewick
Matthew C. Zuengler
Brian T. Flood*
Ryan D. Krumrie**
Michael R. Demerath*

*Also licensed in Illinois
**Also licensed in Minnesota



200 South Washington Street
Suite 401
Green Bay, WI 54301
(920) 430-1900
fax (920) 430-1909
www.hdz-law.com

ddewick@hdz-law.com

December 4, 2013

HAND DELIVERED

City of Green Bay
Department of Planning
Inspection Division, Room 608
100 North Jefferson Street
Green Bay, WI 54301

RE: 1156 Velp Avenue, Green Bay, WI - Site Plan Review Application

Dear Sir or Madam:

As previously mentioned in our letter, dated November 7, 2013, our firm represents B&B Metals Processing Co., Inc. in connection with the purchase of the real estate and improvements located at 1156 Velp Avenue, Green Bay, Wisconsin ("Subject Property"). We are in receipt of the approved Site Plan from your office; however, based on various discussions with Mr. Paul Neumeyer subsequent thereto regarding the need for the construction of a portable scale, we understand an Amended Site Plan needs to be submitted.

Therefore, on behalf of B&B Metals Processing Co., Inc., enclosed for your review is the Site Plan Review Application, together with eight (8) copies of the Amended Site Plan for the Subject Property. Also, enclosed is a copy of the blueprint for the proposed scale, which was previously provided to Mr. Neumeyer. We are also enclosing our office check in the amount of \$50.00 in payment of the processing fee. The only change to the original approved Site Plan is the addition of reference to the scale, scale hut and proposed 110 volt electrical line. There are no other changes.

In light of the fact that the original Site Plan (except for the above referenced changes) was previously approved, we are hoping that your Department, as well as the other necessary

December 4, 2013

Page 2

commenting Departments, can provide an expedited review and approval of the enclosed Amended Site Plan.

If you have any questions or require any additional information, please do not hesitate to contact us.

Thank you for your prompt attention to this matter.

Sincerely,

HAGER, DEWICK & ZUENGLER, S.C.

By

David P. Dewick

DPD:mai

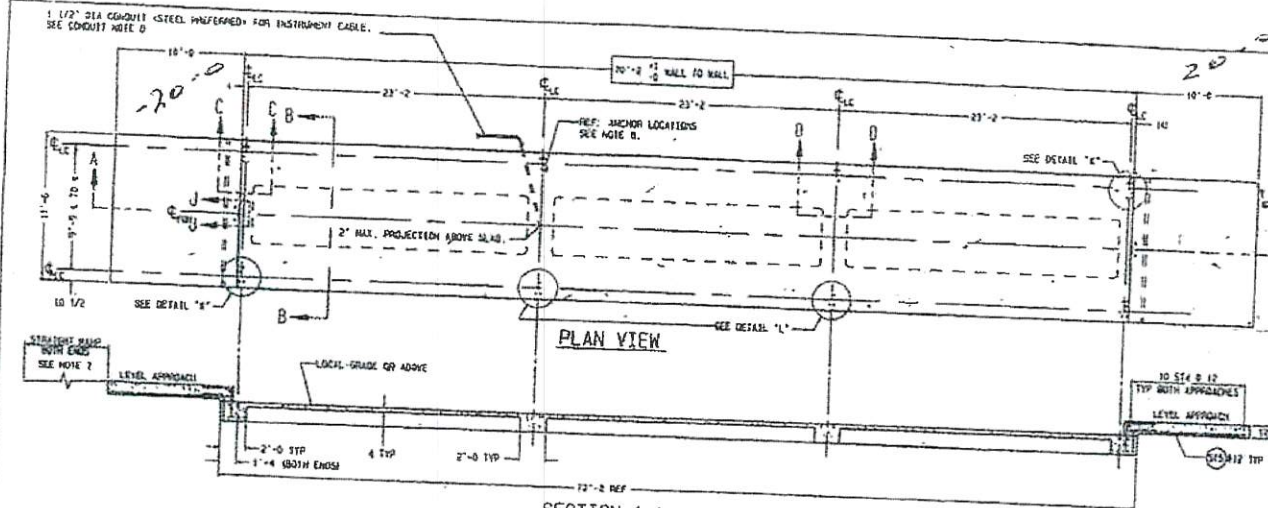
Enc.

cc: B&B Metals Processing Co., Inc.

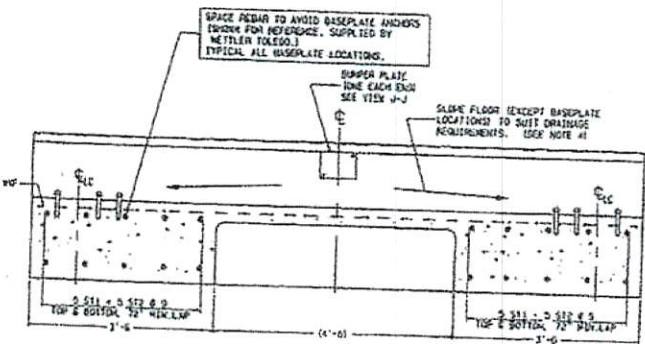
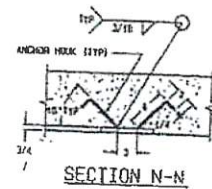
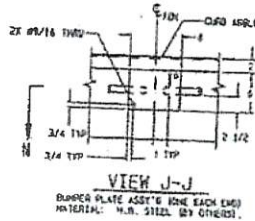
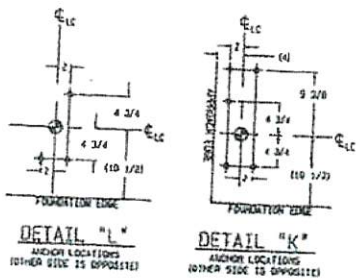
Attn: Mr. Robert T. Burrows (w/enc.)



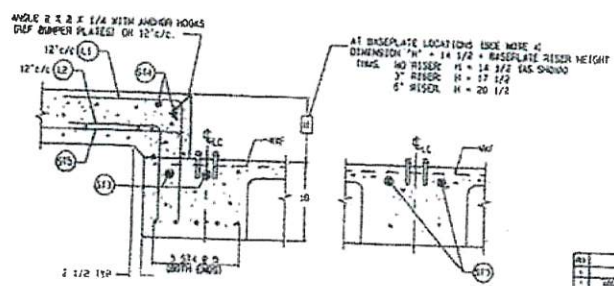
Relationships Mattersm



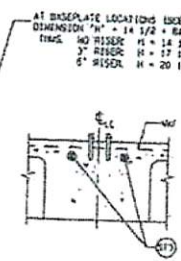
SECTION A-A



SECTION B-B
SCALE 1/12



SECTION C-C
SCALE 1/12
(TYPICAL END WALL)



SECTION D-D
SCALE 1/12
(TYPICAL FOOTING
SINGLE BASEPLATE)

NO 70 FT
But 20 FT

110 X 12 =
1320
58 FT

REINFORCING STEEL SCHEDULE (A.S.T.M. A-615 GRADE 60)									
BAR	QTY	SIZE	LOCATION, DIRECTION	A	B	WGT			
312	20	#8	FLOOR BEAMS, LONG.	40'-0"		2100			
312	20	#8	FLOOR BEAMS, LONG.	37'-0"		2011			
312	4	#8	FOOTERS, LATERAL	11'-0"		228			
314	10	#8	ENDS, LATERAL	11'-0"		110			
314	24	#8	APPROACHES, LATERAL	11'-0"		275			
L1	24	#8	APPROACH TO END TIES	5'-0"		238			
L1	24	#8	APPROACH TO END TIES	2'-0"	2'-0"	113			
L2	24	#8	APPROACH TO END TIES	1'-0"	1'-0"	28			

L1 & L2 GIVEN WITHOUT RISER BASEPLATES.
DIMENSION "B" WILL VARY WITH THE ACTUAL
HEIGHT OF RISERS USED, AS FOLLOWS:

NO RISERS	L1	L2
3" RISERS	2'-0"	1'-0"
5" RISERS	2'-0"	2'-0"

MATERIAL SUMMARY	
CONCRETE (C30, WGT.)	43
REINFORCING STEEL (BBS)	5211
WGT: 415, 411, 411, 411, 411, 411, 411, 411, 411, 411	920

- NOTES:**
- 1) USE MINIMUM 3000 PSI STRENGTH CONCRETE AT 28 DAYS WITH 5-7% AIR ENTRAINMENT.
 - 2) USE MINIMUM 60,000 YIELD STRENGTH REINFORCING STEEL. REBAR MINIMUM DEPTH OF COVER SHOULD BE IN ACCORDANCE WITH THE LATEST ACI BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318-SECTION 7.7.1), UNLESS OTHERWISE SPECIFIED.
 - 3) FOUNDATION REQUIRES 1000 PSF RATED SOIL.
 - 4) TOP OF CONCRETE AT BASEPLATE LOCATIONS TO BE LEVEL AND IN ONE PLANE 1/4".
 - 5) DIAGONAL MEASUREMENTS ENDWALL TO ENDWALL MUST BE EQUAL WITHIN 1/4".
 - 6) BASEPLATE ANCHORS TO BE SUPPLIED BY METTLER TOLEDO. USE BASEPLATE AS TEMPLATES TO LOCATE ANCHORS DURING SCALE INSTALLATION.
 - 7) RAMP LENGTH, MIN LOCAL REGULATIONS.
 - 8) CONDUIT LOCATIONS MAY VARY BASED ON APPLICATION, AS LONG AS IT DOES NOT INTERFERE WITH BASE PLATE OR ANCHOR LOCATIONS, OR ABOVE CADD INSTALLATIONS. THE CONDUIT MAY BE RUN ALONG THE SIDE OF THE FOUNDATION. PLEASE CHECK FOR LOCAL CODE REQUIREMENTS REGARDING CONDUIT PLACEMENT.
 - 9) CONTRACTOR SUPPLIES:
 - EXCAVATION
 - REINFORCING STEEL
 - CHAIN ANGLE ASSEMBLIES (SCALE C-C)
 - CONCRETE AND FORMS
 - 1/2" DIA CONDUIT
 - BUMPER PLATE ASSEMBLIES (VIEW J-J & D-D)

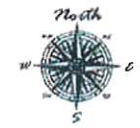
DRAWING IS TO SCALE ONLY WHEN BONDOR MEASURES 22-7/8" X 35" (FULL SIZE)									
NO.	CHANGE	DATE	BY	SCALE	DATE	BY	SCALE	DATE	BY
1	WORKED BY: [blank]								
2	DESIGNED BY: [blank]								
3	CHECKED BY: [blank]								
4	APPROVED BY: [blank]								
5	SCALE: 1/12								
6	SCALE: 1/12								
7	SCALE: 1/12								
8	SCALE: 1/12								
9	SCALE: 1/12								
10	SCALE: 1/12								

METTLER TOLEDO
SCALE 1/12
TYPICAL FOOTING
SINGLE BASEPLATE
TC205B44

RECEIVED
DIVISION
INSPECTION
DEC 17 2013

Amended Site Plan

Part of the Laventure Claim, West Side of the Fox River, in the
City of Green Bay, Brown County, Wisconsin



PLANNING

1152 VSLP
60210 P-93

NOTES:

1. The site plan is based on the following information:

- a. Aerial photograph of the site dated 10/15/13.
- b. Survey of the site dated 10/15/13.
- c. Survey of the site dated 10/15/13.
- d. Survey of the site dated 10/15/13.
- e. Survey of the site dated 10/15/13.
- f. Survey of the site dated 10/15/13.
- g. Survey of the site dated 10/15/13.
- h. Survey of the site dated 10/15/13.
- i. Survey of the site dated 10/15/13.
- j. Survey of the site dated 10/15/13.
- k. Survey of the site dated 10/15/13.
- l. Survey of the site dated 10/15/13.
- m. Survey of the site dated 10/15/13.
- n. Survey of the site dated 10/15/13.
- o. Survey of the site dated 10/15/13.
- p. Survey of the site dated 10/15/13.
- q. Survey of the site dated 10/15/13.
- r. Survey of the site dated 10/15/13.
- s. Survey of the site dated 10/15/13.
- t. Survey of the site dated 10/15/13.
- u. Survey of the site dated 10/15/13.
- v. Survey of the site dated 10/15/13.
- w. Survey of the site dated 10/15/13.
- x. Survey of the site dated 10/15/13.
- y. Survey of the site dated 10/15/13.
- z. Survey of the site dated 10/15/13.

2. The site plan is based on the following information:

- a. Aerial photograph of the site dated 10/15/13.
- b. Survey of the site dated 10/15/13.
- c. Survey of the site dated 10/15/13.
- d. Survey of the site dated 10/15/13.
- e. Survey of the site dated 10/15/13.
- f. Survey of the site dated 10/15/13.
- g. Survey of the site dated 10/15/13.
- h. Survey of the site dated 10/15/13.
- i. Survey of the site dated 10/15/13.
- j. Survey of the site dated 10/15/13.
- k. Survey of the site dated 10/15/13.
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- p. Survey of the site dated 10/15/13.
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- u. Survey of the site dated 10/15/13.
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- w. Survey of the site dated 10/15/13.
- x. Survey of the site dated 10/15/13.
- y. Survey of the site dated 10/15/13.
- z. Survey of the site dated 10/15/13.

CITY OF GREEN BAY, WISCONSIN
CONDITIONALLY APPROVED
SITE PLAN

Site Plan
12/10/13
12/10/13
12/10/13

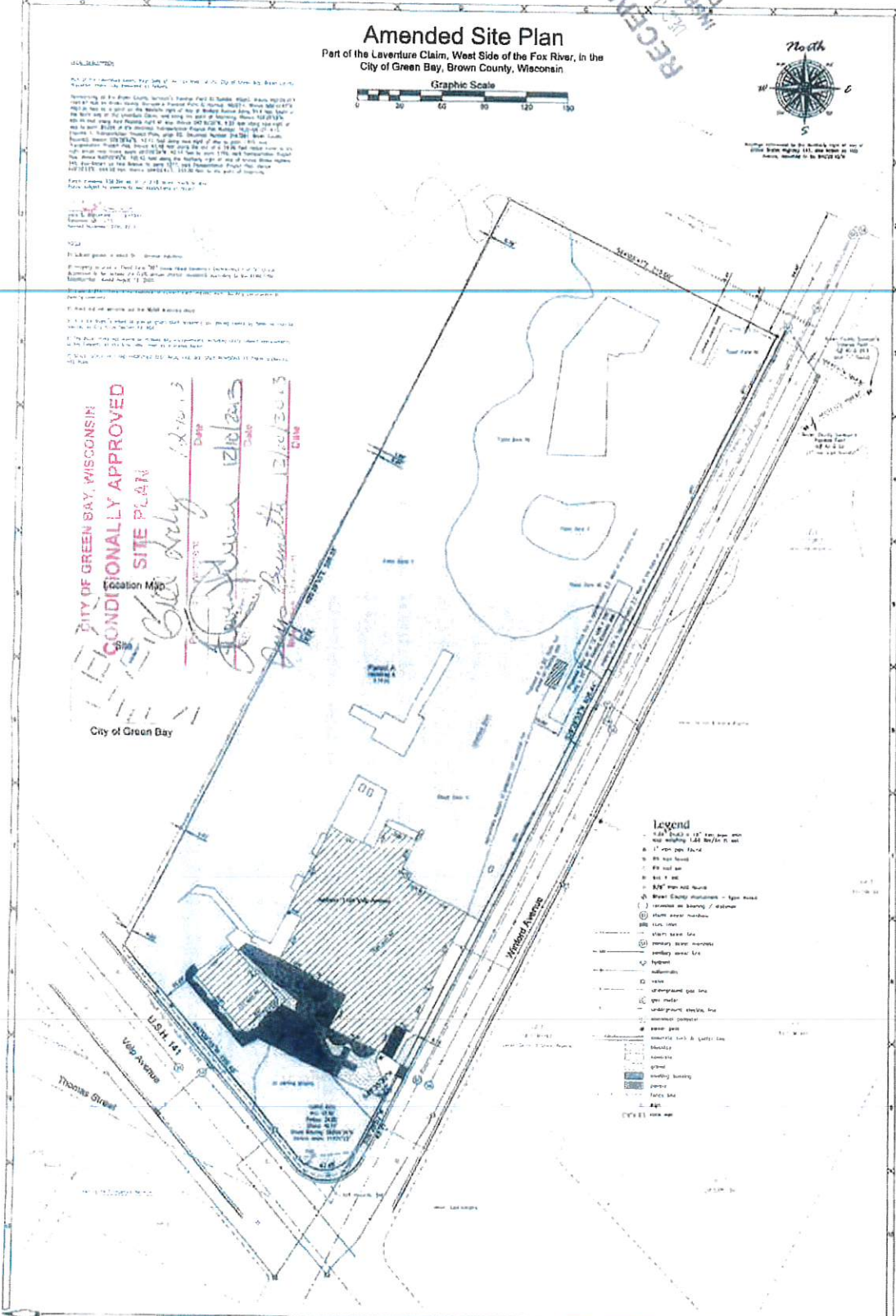


Exhibit C



Community Services Agency

June 19, 2017

Submitter:

David Dewick
200 S Washington Street, Suite 401
Green Bay, WI 54301

Property Owner:

SAL BS SCRAP METALS ON VELP LLC
14520 PIONEER RD
NEWTON WI 53063

RE: 1156 VELP AV...18-782-E
Site Plan, Sal Bs Scrap Metal

Site Plan #1545, Project # 70424

This site plan is being returned **CONDITIONALLY APPROVED** having been found to be in reasonable conformance with applicable municipal ordinances and standards. However, the conditions of approval, listed below, are to be adhered to during the course of the project.

Inspection Division, Room 610, (920) 448-3300 – Reviewed by Chad Rothmeier

1. Permits will need to be pulled for the Demolition when project is ready to go forward.

This document is a development agreement between the submitter and the City of Green Bay, which permits the development as conditionally approved. Deviation from this agreement without prior approval is a violation of 40.05, Green Bay Municipal Ordinance, which is subject to cancellation and/or other enforcement efforts.

If you have any questions regarding any of the above items, please feel free to contact the reviewer indicated above the item, or contact the Planning Department/Inspection Division at (920) 448-3300.

Sincerely,

Chad Rothmeier
Building Inspector

City of Green Bay

100 North Jefferson
Street
Green Bay, WI 54301

Site Plan Checklist

Prelim Review

Review #: 1545, Project #: 70424	1st Rtn:	2nd Rtn:	Contact:
Address: 1156 VELP AV., 18-782-E			David Dewick
Title: Site Plan, Sal Bs Scrap Metal			200 S Washington Street, Suite 401 Green Bay, WI 54301 920-430-1900
Descrip: Change of Use			

Planning Division	1st Review:	2nd Review:
--------------------------	-------------	-------------

- 1- ☐ ☐ Zoning District
- 2- ☐ ☐ Prop. dlm., legal description
- 3- ☐ ☐ Driveways - exist & proposed
- 4- ☐ ☐ R.O.W. shown
- 5- ☐ ☐ Landscaping in setbacks
- 6- ☐ ☐ Building uses identified
- 7- ☐ ☐ Parking & loading, ADA
- 8- ☐ ☐ Curbs, wheelblocks, barricades
- 9- ☐ ☐ Parking lot surfacing
- 10- ☐ ☐ Fencing
- 11- ☐ ☐ "IN" & "OUT" signs
- 12- ☐ ☐ Signage, location & size
- 13- ☐ ☐ Utilities, easements, etc.

Code 1st Review Comment

Code 2nd Review Comment

RECEIVED

JUN 01 2017

INSPECTION
DIVISION

John F. Hager
David P. Dewick
Matthew C. Zuengler
Ryan D. Krumle*
Michael R. Demerath**
Nicholas J. Linz
Matthew M. Van Nuland
*Also licensed in Minnesota
**Also licensed in Illinois



200 South Washington Street
Suite 401
Green Bay, WI 54301
(920) 430-1900
fax (920) 430-1909
www.hdz-law.com

ddewick@hdz-law.com

May 31, 2017

HAND DELIVERED

City of Green Bay
Department of Planning
Inspection Division, Room 608
100 North Jefferson Street
Green Bay, WI 54301

RE: 1156 Velp Avenue, Green Bay, WI - Site Plan Review Application

Dear Sir or Madam:

As a follow up to our discussion with Mr. Paul Neumeyer, our firm represents Sal Bs Scrap Metals On Velp, LLC in connection with the real estate and improvements located at 1156 Velp Avenue, Green Bay, Wisconsin ("Subject Property"). We had previously applied for and received an approved Site Plan from your office on or about December 11, 2013; however, based on our discussions with Mr. Paul Neumeyer, we understand the Site Plan has expired and a new Application and Site Plan need to be submitted.

Therefore, on behalf of Sal Bs Scrap Metals On Velp, LLC, enclosed for your review is the Site Plan Review Application, together with eight (8) copies of the updated Site Plan for the Subject Property. Also, enclosed is a copy of the blueprint for the proposed scale, which was previously provided to your office. The attached Site Plan is identical to the prior approved Site Plan, except, however, we have identified that portion of the building that will be razed pursuant to demolition and related permits to be obtained from the City by our client and/or its contractors. We are also enclosing our office check in the amount of \$50.00 in payment of the processing fee.

In light of the fact that the prior Site Plan was previously approved, we are hoping that your Department, as well as the other necessary commenting Departments, can provide an expedited review and approval of the enclosed Application and Site Plan.

City of Green Bay
Department of Planning
May 31, 2017
Page 2

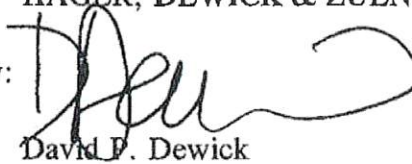
If you have any questions or require any additional information, please do not hesitate to contact us.

Thank you for your prompt attention to this matter.

Sincerely,

HAGER, DEWICK & ZUENGLER, S.C.

By:



David F. Dewick

DPD:mmh

Enc.

cc: Sal Bs Scrap Metals On Velp, LLC
Attn: Mr. Robert T. Burrows (w/enc.)



Relationships Mattersm

Part of the Laventure Claim, West Side of the Fox River, in the
City of Green Bay, Brown County, Wisconsin

Part of the Lovers' Cove, West Side of the Fox River, in the City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Communications to the Breconshire Surveyor's Treasury Point 0 Number 00001, the 1892/93/94, 1558/81 list in Brecon County Surveyor's Treasury Point 0 Number 00001, the 1890/91/92, 1897/78 lists to be a point on the Western night of way of Welford Avenue being 844 feet South of the north line of the Llanwrthwl, and being the point of beginning, 1890/92/93, 1897/78, 1898/79, 1899/80, 1900/01, 1901/02, 1902/03, 1903/04, 1904/05, 1905/06, 1906/07, 1907/08, 1908/09, 1909/10, 1910/11, 1911/12, 1912/13, 1913/14, 1914/15, 1915/16, 1916/17, 1917/18, 1918/19, 1919/20, 1920/21, 1921/22, 1922/23, 1923/24, 1924/25, 1925/26, 1926/27, 1927/28, 1928/29, 1929/30, 1930/31, 1931/32, 1932/33, 1933/34, 1934/35, 1935/36, 1936/37, 1937/38, 1938/39, 1939/40, 1940/41, 1941/42, 1942/43, 1943/44, 1944/45, 1945/46, 1946/47, 1947/48, 1948/49, 1949/50, 1950/51, 1951/52, 1952/53, 1953/54, 1954/55, 1955/56, 1956/57, 1957/58, 1958/59, 1959/60, 1960/61, 1961/62, 1962/63, 1963/64, 1964/65, 1965/66, 1966/67, 1967/68, 1968/69, 1969/70, 1970/71, 1971/72, 1972/73, 1973/74, 1974/75, 1975/76, 1976/77, 1977/78, 1978/79, 1979/80, 1980/81, 1981/82, 1982/83, 1983/84, 1984/85, 1985/86, 1986/87, 1987/88, 1988/89, 1989/90, 1990/91, 1991/92, 1992/93, 1993/94, 1994/95, 1995/96, 1996/97, 1997/98, 1998/99, 1999/00, 2000/01, 2001/02, 2002/03, 2003/04, 2004/05, 2005/06, 2006/07, 2007/08, 2008/09, 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20, 2020/21, 2021/22, 2022/23, 2023/24, 2024/25, 2025/26, 2026/27, 2027/28, 2028/29, 2029/30, 2030/31, 2031/32, 2032/33, 2033/34, 2034/35, 2035/36, 2036/37, 2037/38, 2038/39, 2039/40, 2040/41, 2041/42, 2042/43, 2043/44, 2044/45, 2045/46, 2046/47, 2047/48, 2048/49, 2049/50, 2050/51, 2051/52, 2052/53, 2053/54, 2054/55, 2055/56, 2056/57, 2057/58, 2058/59, 2059/60, 2060/61, 2061/62, 2062/63, 2063/64, 2064/65, 2065/66, 2066/67, 2067/68, 2068/69, 2069/70, 2070/71, 2071/72, 2072/73, 2073/74, 2074/75, 2075/76, 2076/77, 2077/78, 2078/79, 2079/80, 2080/81, 2081/82, 2082/83, 2083/84, 2084/85, 2085/86, 2086/87, 2087/88, 2088/89, 2089/90, 2090/91, 2091/92, 2092/93, 2093/94, 2094/95, 2095/96, 2096/97, 2097/98, 2098/99, 2099/00, 2100/01, 2101/02, 2102/03, 2103/04, 2104/05, 2105/06, 2106/07, 2107/08, 2108/09, 2109/10, 2110/11, 2111/12, 2112/13, 2113/14, 2114/15, 2115/16, 2116/17, 2117/18, 2118/19, 2119/20, 2120/21, 2121/22, 2122/23, 2123/24, 2124/25, 2125/26, 2126/27, 2127/28, 2128/29, 2129/30, 2130/31, 2131/32, 2132/33, 2133/34, 2134/35, 2135/36, 2136/37, 2137/38, 2138/39, 2139/40, 2140/41, 2141/42, 2142/43, 2143/44, 2144/45, 2145/46, 2146/47, 2147/48, 2148/49, 2149/50, 2150/51, 2151/52, 2152/53, 2153/54, 2154/55, 2155/56, 2156/57, 2157/58, 2158/59, 2159/60, 2160/61, 2161/62, 2162/63, 2163/64, 2164/65, 2165/66, 2166/67, 2167/68, 2168/69, 2169/70, 2170/71, 2171/72, 2172/73, 2173/74, 2174/75, 2175/76, 2176/77, 2177/78, 2178/79, 2179/80, 2180/81, 2181/82, 2182/83, 2183/84, 2184/85, 2185/86, 2186/87, 2187/88, 2188/89, 2189/90, 2190/91, 2191/92, 2192/93, 2193/94, 2194/95, 2195/96, 2196/97, 2197/98, 2198/99, 2199/00, 2200/01, 2201/02, 2202/03, 2203/04, 2204/05, 2205/06, 2206/07, 2207/08, 2208/09, 2209/10, 2210/11, 2211/12, 2212/13, 2213/14, 2214/15, 2215/16, 2216/17, 2217/18, 2218/19, 2219/20, 2220/21, 2221/22, 2222/23, 2223/24, 2224/25, 2225/26, 2226/27, 2227/28, 2228/29, 2229/30, 2230/31, 2231/32, 2232/33, 2233/34, 2234/35, 2235/36, 2236/37, 2237/38, 2238/39, 2239/40, 2240/41, 2241/42, 2242/43, 2243/44, 2244/45, 2245/46, 2246/47, 2247/48, 2248/49, 2249/50, 2250/51, 2251/52, 2252/53, 2253/54, 2254/55, 2255/56, 2256/57, 2257/58, 2258/59, 2259/60, 2260/61, 2261/62, 2262/63, 2263/64, 2264/65, 2265/66, 2266/67, 2267/68, 2268/69, 2269/70, 2270/71, 2271/72, 2272/73, 2273/74, 2274/75, 2275/76, 2276/77, 2277/78, 2278/79, 2279/80, 2280/81, 2281/82, 2282/83, 2283/84, 2284/85, 2285/86, 2286/87, 2287/88, 2288/89, 2289/90, 2290/91, 2291/92, 2292/93, 2293/94, 2294/95, 2295/96, 2296/97, 2297/98, 2298/99, 2299/00, 2300/01, 2301/02, 2302/03, 2303/04, 2304/05, 2305/06, 2306/07, 2307/08, 2308/09, 2309/10, 2310/11, 2311/12, 2312/13, 2313/14, 2314/15, 2315/16, 2316/17, 2317/18, 2318/19, 2319/20, 2320/21, 2321/22, 2322/23, 2323/24, 2324/25, 2325/26, 2326/27, 2327/28, 2328/29, 2329/30, 2330/31, 2331/32, 2332/33, 2333/34, 2334/35, 2335/36, 2336

Parcel contains 128,300 sq. ft. / 3.18 acres, more or less.
Parcel subject to easements and restrictions of record.

ABSTRACT

I, David J. Olywsen, Professional Land Surveyor, No. 1179, do hereby certify that the above described property was surveyed and mapped in accordance with Act 10 of the Wisconsin Statutes, Chapter 193, and is correct to the best of my knowledge and belief.

David J. Chouven
PLS-1576
May 31, 2017

NOTES

1) Subject parcel is zoned Q - General Industrial

2) Property located in Flood Zone "M" (Special Flood Hazard Determined) and "X" (Areas determined to be outside the 0.2% annual chance floodplain) according to the FEMA Flood Insurance Study (FIS) dated August 12, 2009.

LEGALLY APPROVED

1) I have met or consulted with the City Engineer, Reg.

2) I am the Owner's agent to execute plans and drawings as required by City Ordinance Chapter 13-09.

SITE PLAN

3) The Engineer shall verify all existing improvements, including utility related improvements, in the Property at this time other than as indicated herein.

July 6 16 17

06/16/17

Date: 6/2/17

Section Division 9/20/11
Date

Location Map



City of Green Bay

Legend

- [illegible]

PLANNING

~~S# 1545~~
~~P# 70424~~

RECEIVED
JUN 01 2011
INSPECTION
DIVISION

1156 VEIP

PROJECT NO.
N-10013

SHEET NO.
1 of 1

DRAWINGS NO
S-22261

Sal Bs Scrap Metal on Velp LLC *Mau & Associates*
Velp Ave. & Winford Ave. LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-0870 Fax: 920-434-9672

Site Plan

SCALE
1"=30'
DRAWN BY
JEL

Exhibit D



Exhibit E

Green Bay, WI, 54303, USA X

Show search results for 1156 V...



Layer List

Layers

- ☒ Parcels Query
- ☒ ParcelLinesColor
- ☐ Alder Districts and Wards
- ☒ Annotation
- ☒ OwnerNames
- ☐ Building Footprints Year 2000
- ☐ Liquor Licenses
- ☐ Historic Districts
- ☐ TIF
- ☒ FEMA Flood Layers
- ☒ Flood Hazard Areas
 - Zone AO (100 year floodplain, 1 to 3 feet average depths determined)
 - Zone A (100 year floodplain, No Base Flood elevation determined)
 - Zone AE (100 year floodplain with Base Flood Elevation determined)
 - Floodway Areas in Zone AE
 - 500 year floodplain (0.2 PCT ANNUAL CHANCE)
- ☒ University Heights
- ☐ S27.621 Allowable Area
- ☐ Zoning
- ☐ Future Landuse
- ☒ Aerials_May2020
- ☐ Aerial 2017

Exhibit F

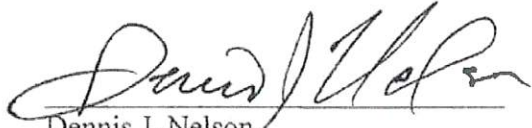
AFFIDAVIT OF DENNIS J. NELSON

STATE OF WISCONSIN)
) ss
BROWN COUNTY)

I, Dennis J. Nelson, being duly sworn, state the following:

1. I am a Green Bay native and life-long area resident who is concerned with the activities at 1156 Velp Avenue, Green Bay, WI 54303 (the "Property").
2. I am a graduate of the University of Wisconsin-Green Bay, a university founded on environmental stewardship. I have been an observer of the environmental health of the Fox River and lower Bay of Green Bay (the "Bay") for over 50 years.
3. I have observed, on several dates beginning August 3rd, 2020 and through August 26th, 2020, that scrap metal including old refrigerators and freezers has been accumulating on the surface of the premises on the northwest portion of the Property, which is an identified floodplain, adjoining the southern marsh area and wetland area of the Bay.
4. Upon information and belief, the southern Green Bay Marshland is an important wetland for the health of water quality in the Bay.
5. Upon information and belief, the massive Polychlorinated Biphenyls (PCB) clean-up, which cost hundreds of millions of dollars is near completion on the Fox River and lower Bay. It is one of the largest projects of its' kind in the World.
6. In the year 2020 , the Bay should not be exposed to unnecessary, and preventable, pollutants. The owners of the Property are accumulating materials that pose a significant risk of contamination from heavy metals, industrial chemicals, and other pollutants.

7. Upon information and belief, the water level of the Bay is at record highs, meaning the likelihood of an inundation of waters from the Bay is extremely high.
8. Upon information and belief, due to scrap metal not being contained, heavy rains will leach chemicals into the water of the Bay.
9. The owners of the Property are not permitted to conduct activities in this manner and are proceeding in a way that creates a significant and dangerous risk to the waters of the Bay. There is a wanton disregard for the laws and regulations of the City of Green Bay and State of Wisconsin.
10. The owners have previously filed, and ignored, plans which state scrap metal will be held in containers and that refrigerants will be handled carefully.
11. The owners are in violation of their own site plans and show no intent to follow them. The mere dumping of these appliances can result in damage to a line and the release of dangerous chemicals into the water supply and the Bay.
12. The owners are not residents of Green Bay or surrounding communities and show a blatant disregard for the public interest, public well-being, and corporate social responsibility.
13. The owners should not be entrusted with a permit as they are in violation of their own site plans and have proceeded with an unlawful operation and disregard for the community's well-being before being granted permission to operate.


Dennis J. Nelson

Subscribed and sworn before me

this 27th day of August, 2020.



_____, Notary Public

BROWN County, Wisconsin

My commissioner expires: 1/1/2021



To whom it may concern,

I am reaching out in regards of the property on the corner of Winford Ave. and Velp Ave. with some business concerns. I have been a renter of Alwin Manufacturing for 10 years at our current address (1255 Winford Ave.). I have noticed a new business entering the once vacant land prior owned by County Concrete. This property is changing quickly with multiple concerns being raised on our end. I will address concerns in bullet point form.

- View point standard is poor. This visual standard of a 6 ft fence and coving on the fence doesn't hide the large mess of iron, sheet metal, garbage, Etc. being "hidden" / displayed. This is a very poor visible site and belong more in an industrial park area.
- Style of business. This style of business is messy in every way. For example, fluids from item being salvaged, Screws, nails, sharp objects being carried out on to city street where traffic and our personal property is damaged.
- Contaminants run off. This is a major issue! We are the building seeing all the runoff of Velp Ave. to our building (down the hill). This will no longer be dust and debris from past county concrete but now fluids and garbage running to our building. We must address this issue because the buildup over time floods our building when it rains. This rain will now be highly contaminated! The grass / weeded area between property which I was trying to care for is now hard to excess because of entrance way being fenced off. This grass area is being built up again and will need constant attention made extremely difficult because of this style fenced off business.
- Concern of clientele. I have been in the automotive industry for 35 years and I am concerned on the clientele this style business draws. I have had my organized, separated, palletized, "Waste" which includes cast iron, aluminum, scrap steel barrels, etc. stolen by customers of this style business. This clearly is a not good "housekeeping look" the city wants to protrude from my experience.
- Concerned on fires. Scrap style yards are fire risks with offering heat buildup in large metal piles have no escape and ignite easy.
- Scrap, scrap cars or car parts such as electronics are also susceptible to fires. I do not need my building burned down if all precautions are not met. Again, this is a "style business" I've dealt with through the years.

Thank you very much for reading my concerns. Please call or email anytime for more info,

Aaron Stauber (owner)



1220 Winford Ave., Green Bay, WI 54303 (920)498-1223 email: info@beyondredline.com

To whom it may concern,

I am writing to share my concerns regarding the scrap metal yard at the corner of Velp Ave and Winford Ave. Presumably the address being 1156 Velp Ave and 1225 Winford Ave in Green Bay, WI 54303. (According to Google Maps)

As a business owner within feet of the scrap metal yard, I have many concerns and oppose the operations and business location, of Midwest Scrap Metal or any scrap metal business at that location.

Since the business has begun it has brought countless semi trucks (over 40 daily) driving up and down Winford Ave. There is lots of trash in the roads causing an eye sore for what is supposed to be a Velp Ave. revitalization.

This yard is definitely a detractor from our business. We service high-end, expensive cars owned by some prominent people in our community. It gives them an uneasy feeling to have to dodge all the unsightly trash and semi truck traffic, not to mention the 50-foot high pile of junk with no fencing to block it from view.

Also, there has been a few times where countless seagulls have circled the property presumably getting food out of the scrap refrigerators. I can't imagine rodents are too far behind. I'm sure I don't have to get into the damage they can do.

Lastly, I have spent a lot of time and money on making building improvements. In the last year we restructured and replaced our roof, gutters, downspouts and garage doors. We replaced our air conditioners and their location to improve our cosmetic appearance. We updated our security cameras and parking lot lighting. We have future plans of painting our building and asphalt improvements.

All these things were done not just to improve our building appearances for our customers, but done with the Velp Ave. business redevelopment plan in mind. To allow a business that represents garbage/recycling does not adhere to the cities goals of Velp Avenue redevelopment plans.

No amount of planted bushes can diminish the appearance of dumpsters and piles of junk. Frankly this is a disappointment to our business and the area businesses in the Velp Ave area that have all spent capital on improving their building appearances.

Sincerely,
Luke Stubbs, Owner
Beyond Redline Performance LLC
1-888-498-1223
www.beyondredline.com

Petition to Oppose the Junk Yard at Velp & Winford

Petition summary and background	Opposing the Proposed Conditional Use Permit (ZP 20-23) for a Material Recovery Facility at 1156 Velp Avenue.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to and OPOSE the Proposed Conditional Use Permit (ZP 20-23) which, if approved, would allow a Scrap Yard and Material Recovery Facility at 1156 Velp Avenue.

Printed Name	Signature	Address	Comment	Date
Kick Trison	Rick Trison	1129 Neville St		9/22/20
Kenny & Ma	Kathleen	1109 Neville		9/22/20
Jennifer Kaselman	Jennifer	1134 Neville		9/22/20
Susan Niemi	Susan Niemi	1129 Winford Ave		9/22/20
Allen Niemi		1129 Winford Ave		9/22/20
Mike Gottfredson	Mike Gottfredson	1222 Park St	Velp needs to improve!	9/25/20
Boy Seifert	Boy Seifert	1206 Michael	Speed	9-25-20
Deena Fischer	Deena Fischer	1044 N Buchanan St		9-25-20
Rachel Fischer	Rachel Fischer	1044 N Buchanan St		9-25-20
Dick Davis	Dick Davis	1037 N. Buchanan St		9/25/20
GEORGE L. FANOS	George L. Fanos	1037 N. Buchanan St		9-25-20
MARY E. KENNA	Mary E. Kenna	1031 N. Buchanan St		9-25-20

418, W1 54303

**RESOLUTION AUTHORIZING CONDITIONAL USE
APPROVAL AT 1156 VELP AVENUE
(ZP 20-23)**

October 06, 2020

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Zoning Petition 20-23 and the recommendation of the Plan Commission on August 31, 2020, the City of Green Bay does authorize a conditional-use permit for a Material Recovery Facility (Auto & Metal Salvage Operation) on the following described property located at 1156 Velp Avenue, submitted by Burrows Midwest, LLC/dba Midwest Scrap Metal, property owner:

Part of the Laventure Claim, West Side of the Fox River, in the City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the Brown County Surveyor's Traverse Point ID Number 40Q20: thence N60° 29' 12"E, 1589.97 feet to Brown County Surveyor's Traverse Point ID Number 40021.1; thence N59° 41'47"W, 1867 .36 feet to a point on the Westerly right of way of Winford Ave being 94.4 feet South of the North line of the Laventure Claim, and being the point of beginning; thence S26°29'53"W, 606.44 feet along said Westerly right of way; thence S45°35'30"W, 6.22 feet along said right of way to point #1294 of the recorded Transportation Project Plat Number 1450-04-4.15(Volume I. Transportation Project Plats, page 90, Document Number 2447897, Brown County Records); thence S26°28'52"W. 43.71 feet along said right of way to point 1315, said Transportation Project Plat; thence 4 7.48 feet along the arc of a 24.00 foot radius curve to the right whose long chord bears S83°09'34"W, 40.11 feet to point 1316, said Transportation Project Plat; thence N40°09'45"W, 195.45 feet along the Northerly right of way of United States Highway 141, also known as Velp Avenue to point 1317, said Transpiration Project Plat; thence N26°29' 53"E, 598.53 feet: thence S64°03 '4 7"E, 215 .00 feet to the point of beginning.

Parcel contains 138,399 sq. ft/ 3.18 acres more or less.

Parcel subject to easements and restrictions of record.

Tax Parcel No. 18-782-E

Said conditional-use permit shall be granted subject to the following conditions:

- a) Salvage operations are prohibited along the Velp Avenue frontage within an area encompassed by the Velp Avenue right-of-way/western property line on the south extending northeast 130' along the western property line and 200' along the Winford Avenue right-of-way/eastern property line;

- b) Area prohibited for salvage uses (referenced in condition 1) shall have pavement, curb-cuts, and other improvements removed and the area returned to vegetative ground cover;
- c) Unused curb-cuts along Winford Avenue shall be removed and replaced with appropriate curbing as regulated by the Department of Public Works; and
- d) Inclusion of a landscaped buffer/vegetative screen along the south side of the fence that is a minimum of six feet in height and not less than 90 percent opaque on a year-round basis.
- e) No drop-off/pick-up or other business operations are permitted after 7:00 p.m. on Monday through Friday or after 1:00 p.m. on Saturdays.
- f) Area prohibited for salvage uses (referenced in condition 1) be brought forward for a zone change request from the General Industrial District designation to a Commercial District designation

Adopted _____

Approved _____

Mayor

Clerk

db

Attachment – Map



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.3

(ZP 20-27) Public Hearing on the request to authorize a Conditional Use Permit (CUP) for a two-family dwelling in an Office/Residential (OR) district at 114 South Ashland Avenue, submitted by Robert Clark, property owner. (Ald. B. Johnson, District 9)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 20-27 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Conditional Use Permit (CUP)
114 South Ashland Avenue
(ZP 20-27)**

The Green Bay Plan Commission will hold a public hearing on **Monday, October 12, 2020**, at 6:00 p.m. The meeting will be conducted at a virtual location. If you wish to participate in a Public Hearing, you may access the meeting by the internet or telephone, using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+13126266799,,84137675822# US (Chicago)

+16468769923,,84137675822# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 841 3767 5822

Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZlOEVnUT09>

The hearing is regarding the following:

A request to authorize a Conditional Use Permit (CUP) for two-family dwelling in an Office/Residential (OR) district at 114 South Ashland Avenue, submitted by Robert Clark, property owner. (Ald. B. Johnson, District 9)

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Department of Community and Economic Development

Attn: Paul Neumeyer

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact Paul Neumeyer at (920) 448-3405 or

paul.neumeyer@greenbaywi.gov.

Publication Dates: September 28, 2020 and October 5, 2020



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.4

(ZP 20-27) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a two-family dwelling in an Office/Residential (OR) district at 114 South Ashland Avenue, submitted by Robert Clark, property owner. (Ald. B. Johnson, District 9)

BACKGROUND

Reason for Request: To allow for the conversion of the structure to a two-family dwelling.

Surrounding Zoning and Land Uses:

Subject Property: Office/Residential (OR) - Vacant dwelling

North: Office/Residential (OR) - Single & Two-family dwellings

South: Office/Residential (OR) - Single & Two-family dwellings

East: Low Density Residential (RI) - Single & Two-family dwellings

West: Low Density Residential (RI) - Single & Two-family dwellings

Comprehensive Plan: The 2022 Smart Growth Plan designates this area as low to medium density residential uses.

Consistency Analysis: While Ch. 66.1001 Wis. Stats. does not specifically require conditional uses to meet the consistency requirement, the proposed conditional use permit is consistent with the comprehensive plan. The proposed use of the subject property is compliant with the future land use map.

Report: The home dates back to 1928 and has the appearance of single-family home but was used as a two-family dwelling most recently. The former two-family dwelling lost its nonconforming status as one or more of the units went vacant for more than one year so, the Conditional Use Permit (CUP) is needed to reestablish the two-family use. Approval of the request will allow the applicant to acquire the necessary permits to convert the structure legally back to a two-family dwelling. The site is approximately 6439 square feet or 0.15 acres.

Planning staff feels approval of this request is keeping with surrounding land uses and is an appropriate conversion to a two-family dwelling compliant with the Comprehensive Plan. Ald. Johnson and adjacent property owners have been notified of the request. As of the drafting of this report, staff has not received an inquiry or objection to the request.

RECOMMENDATION

Approval to authorize a Conditional Use Permit (CUP) for a two-family dwelling in an Office/Residential (OR) district at 114 South Ashland Avenue, subject to compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit.

FISCAL IMPACT

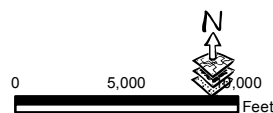
ATTACHMENTS

- I. ZP 20-27 letter



Zoning Petition (ZP 20-27)
Proposed Conditional Use Permit (CUP)
114 South Ashland Avenue

- Subject Area
- 200' Property Owner Notice



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



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.5

(ZP 20-28) Public Hearing on the request to authorize a Conditional Use Permit (CUP) for a secondhand store located at 1524-1526 North Irwin Avenue, submitted by Julio Fuentes, applicant. (Ald. K. Lefebvre, District 6)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 20-28 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Conditional Use Permit (CUP)
1524-1526 North Irwin Avenue
(ZP 20-28)**

The Green Bay Plan Commission will hold a public hearing on **Monday, October 12, 2020**, at 6:00 p.m. The meeting will be conducted at a virtual location. If you wish to participate in a Public Hearing, you may access the meeting by the internet or telephone, using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+13126266799,,84137675822# US (Chicago)

+16468769923,,84137675822# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 841 3767 5822

Find your local number: <https://us02web.zoom.us/j/kcTM6PWdqR>

The hearing is regarding the following:

A request to authorize a Conditional Use Permit (CUP) for a secondhand store located at 1524-1526 North Irwin Avenue, submitted by Julio Fuentes, applicant. (Ald. K. Lefebvre, District 6)

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Department of Community and Economic Development

Attn: Paul Neumeyer

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact Paul Neumeyer at (920) 448-3405 or

paul.neumeyer@greenbaywi.gov.

Publication Dates: September 28, 2020 and October 5, 2020



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.6

(ZP 20-28) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for a secondhand store located at 1524-1526 North Irwin Avenue, submitted by Julio Fuentes, applicant. (Ald. K. Lefebvre, District 6)

BACKGROUND

Reason for Request: To allow for sale of products as a secondhand store.

Surrounding Zoning and Land Uses:

Subject Property: General Commercial (C1) - Commercial use

North: General Commercial (C1)/Low Density Residential (R1) - Commercial/Single-family homes

South: General Commercial (C1) - Commercial use

East: Low Density Residential (R1) - Single & Two-family dwellings

West: Low Density Residential (R1) - Single & Two-family dwellings

Comprehensive Plan: The 2022 Smart Growth Plan designates this area as commercial land uses.

Consistency Analysis: While Ch. 66.1001 Wis. Stats. does not specifically require conditional uses to meet the consistency requirement, the proposed conditional use permit is consistent with the comprehensive plan. The proposed use of the subject property is compliant with the future land use map.

Report: The site known as 1524-1526 North Irwin Avenue is a commercially zoned parcel with two tenant spaces and is currently occupied by EVA Mission. EVA Mission is a charitable organization that collaborates with local church parishes to give away, or sell at low prices, donated clothing, furniture, and other household items to needy families. The money from the sales is used to help pay bills for needy families with a focus on the Hispanic community.

The proposed use of the site is for a secondhand store which is defined as follows in the Zoning Code:

A retail establishment that sells used merchandise, such as clothing, furniture, books, shoes, or household appliances, on consignment or a retail store that sells used merchandise donated to a charitable, tax exempt organization that also sorts, cleans, and marks goods for resale.

It was discovered as part of a zoning complaint for exterior sales that EVA Mission was operating illegally. It was recommended by staff that EVA Mission pursue the Conditional Use Permit (CUP) route as a means to be compliant for zoning. Recent changes to the temporary use permit section of the Zoning Code will also allow EVA Mission to secure site plan approval for exterior sales on a limited basis.

The site is approximately 25,265 square feet or 0.58 acres with sufficient on-site parking and access from both North Irwin Avenue and Weise Street. Approval of the request will allow the applicant to acquire the necessary permits to convert commercial space to retail space for a secondhand store with certain limitation as part of the conditions of approval.

Planning staff feels approval of this request is keeping with surrounding commercial land uses. Ald. Lefebvre and adjacent property owners have been notified of the request. As of the drafting of this report, staff has not received an inquiry or objection to the request.

RECOMMENDATION

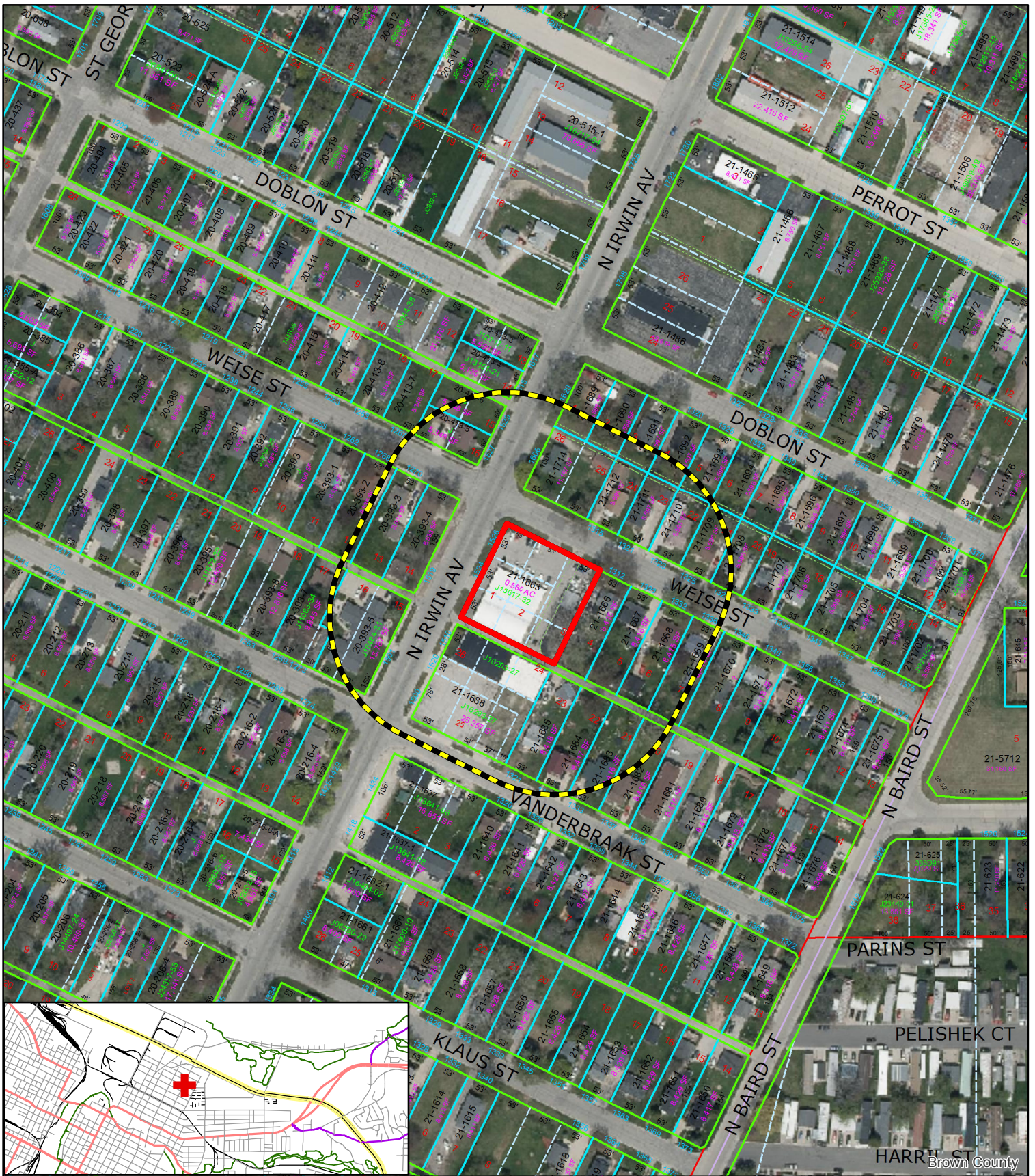
Approval to authorize a Conditional Use Permit (CUP) for a secondhand store located at 1524-1526 North Irwin Avenue, subject to:

1. Compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit.
2. A site plan is submitted per Chapter 13-1800, Green Bay Zoning Code.
3. External display or sale of products are limited to the requirements found in Chapter 13-522(a)(7), Green Bay Zoning Code.

FISCAL IMPACT

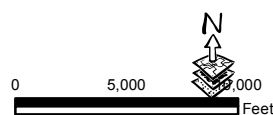
ATTACHMENTS

- I. ZP 20-28 letter



Zoning Petition (ZP 20-28)
Proposed Conditional Use Permit (CUP)
1524-1526 North Irwin Avenue

- Subject Area
- 200' Property Owner Notice



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

Brown County



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.7

(ZP 20-29) Public Hearing on the request to rezone a portion of 3200 Finger Road from Rural Residential (RR) to General Commercial (C2), submitted by Joel Ehrfurth, Mach IV Engineering & Surveying, LLC, applicant. (Ald. V. Corpus-Dax, District 2)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 20-29 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Rezoning
3200 Finger Road
(ZP 20-29)**

The Green Bay Plan Commission will hold a public hearing on **Monday, October 12, 2020**, at 6:00 p.m. The meeting will be conducted at a virtual location. If you wish to participate in a Public Hearing, you may access the meeting by the internet or telephone, using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSiZGZlFjcmlpWnZlOEVnUT09>

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Dial by your Location:

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Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSiZGZlFjcmlpWnZlOEVnUT09>

The hearing is regarding the following:

A request to rezone a portion of 3200 Finger Road from Rural Residential (RR) to Commercial (C2), submitted by Joel Ehrfurth, Mach IV Engineering & Surveying.
(Ald. V. Corpus-Dax, District 2)

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay
Department of Community and Economic Development
Attn: Stephanie Hummel
100 N. Jefferson St., Rm. 608
Green Bay, WI 54301

For additional information, contact Stephanie Hummel at (920) 448-3424 or Stephanie.Hummel@greenbaywi.gov.

Publication Dates: September 28, 2020 and October 5, 2020



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.8

(ZP 20-29) Consideration with possible action on the request to rezone a portion of 3200 Finger Road from Rural Residential (RR) to General Commercial (C2), submitted by Joel Ehrfurth, Mach IV Engineering & Surveying, LLC, applicant. (Ald. V. Corpus-Dax, District 2)

BACKGROUND

Primary Address: 3200 Finger Road/800 Block of S Huron Road

Aldersperson/District: Ald. Corpus-Dax, District 2

Reason for Request: To create a lot via Certified Survey Map for a restaurant

Surrounding Zoning and Land Uses:

Subject Property: Rural Residential (RR) - vacant/farmland

North: Rural Residential (RR) - vacant/farmland

South: Planned Unit Development (PUD) - Kwik Trip

East: Right-of-Way - S. Huron Road

West: Rural Residential (RR) - vacant/farmland

Comprehensive Plan: The 2022 Smart Growth Plan designates this area as Commercial.

Report: The subject property is located at 3200 Finger Road, along the 800 Block of S. Huron Road. A portion of this parcel will be divided off via a Certified Survey map to facilitate a new restaurant. This is a sit-down restaurant with no drive-thru or pick-up windows proposed. A rezoning from the existing Rural Residential district is required. This is in keeping with the City's Comprehensive Plan and compatible with neighboring commercial development.

Ald. Corpus-Dax and adjacent property owners within 200 ft. have been notified of the request. As of the drafting of this report, staff has no comments on this request.

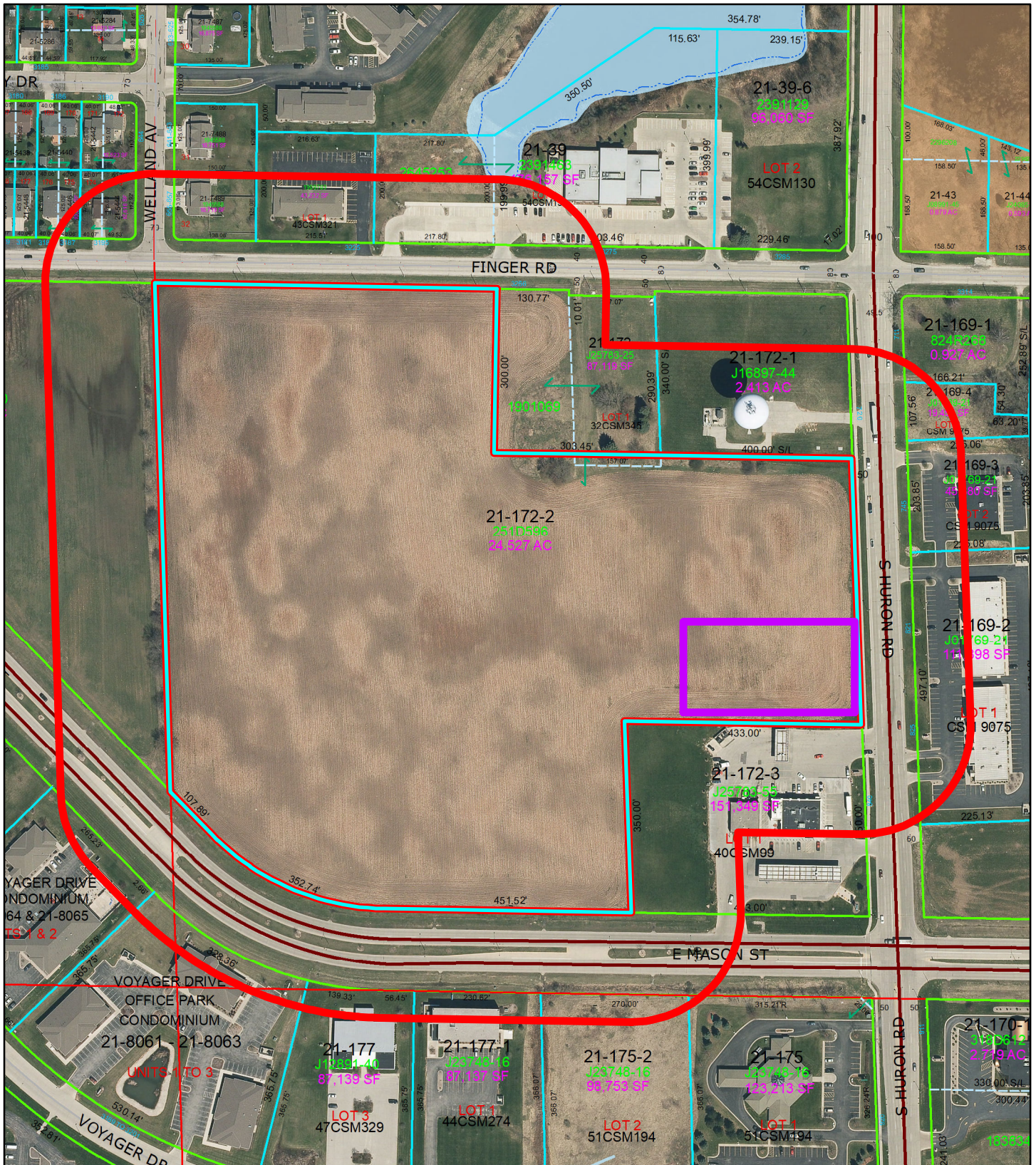
RECOMMENDATION

Approval to rezone a portion of 3200 Finger Road from Rural Residential (RR) to General Commercial (C2).

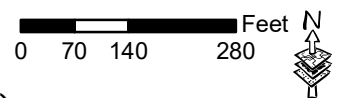
FISCAL IMPACT

ATTACHMENTS

1. ZP 20-29 Map
2. ZP 20-29 Application



(ZP 20-29) Rezone portion of 3200 Finger Road from Rural Residential(RR) to General Commercial (C2)



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. sjh 01 Oct 2020 X:\Planning\Basemaps\template_8.5x11.mxd

- 3200 Finger Road
- 200' Notification Area
- Portion of Parcel to be Rezoned



REQUEST FOR CITY ACTION PLAN COMMISSION

Department of Community
and Economic Development
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax

Petitioner(s): MACH IV ENG & SURV/JOEL EHRFURTH Date: 09.21.2020

Email: JEHRFURTH@MACH-IV.COM Phone Number: 920.569.5765

Address: 2260 SALSCHER COURT City: GREEN BAY State: WI Zip Code: 54313

Property Owner: MASON-HURON PROPERTIES INC. Phone Number: 920.406.4030

Parcel Numbers (required): PART OF 21-172-2 (SEE ATTACHED FIGURE)

Location of Property: 3200 FINGER ROAD (AREA IS OFF HURON ROAD)

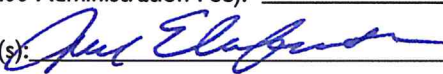
Attach maps and legal descriptions (required) and submit to the Dept. of Community and Economic Development, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, JOEL EHRFURTH, respectfully request that the City of Green Bay take the following action:

Attach Zoning Petition Form with first three items.

- ☒ Rezone Property (\$300.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
- ☐ PUD and PUD Amendments (\$350.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 plus \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Petitioner Signature(s): 

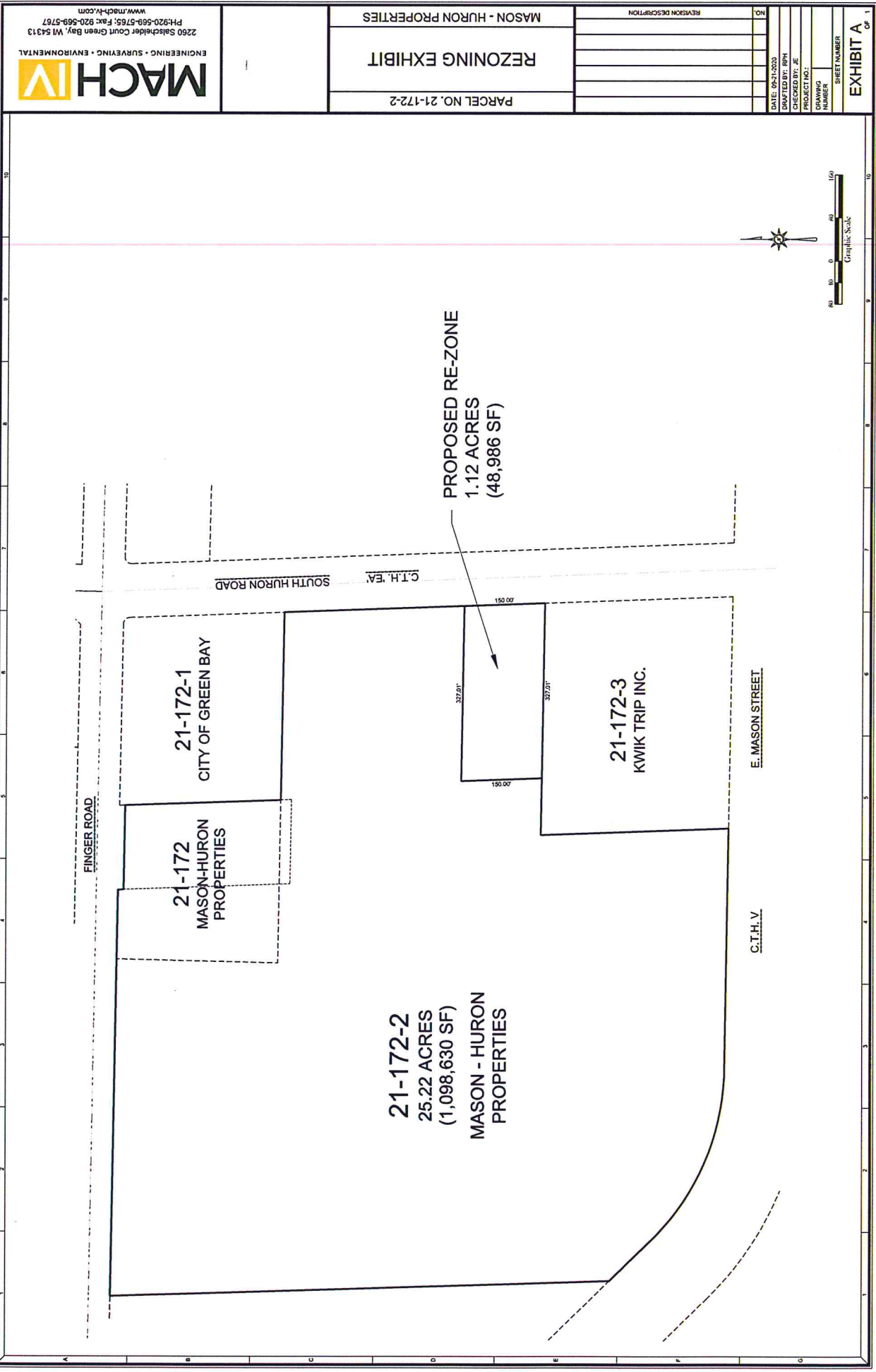
Review Fee: _____ Receipt No.: _____ Zoning Petition No.: _____

Briefly describe action desired, noting the property affected and all other pertinent information.

Attach maps and legal descriptions (required).

SEE ATTACHED MAP AND PROJECT DESCRIPTION

Please contact the Dept. of Community and Economic Development, Room 608, City Hall,
(920) 448-3400, if you have any questions.



REZONING EXHIBIT PARCEL NO. 21-172-2		MASON - HURON PROPERTIES	
REVISION DESCRIPTION NO. _____ DATE: 09-21-2020 DRAFTED BY: BPH CHECKED BY: JE PROJECT NO.: DRAWN BY: NUMBER:			
SHEET NUMBER EXHIBIT A of 1		2260 Salchieder Court Green Bay, WI 54313 PH: 920-569-5765, Fax: 920-569-5767 www.mach-iv.com MACH IV ENGINEERING • SURVEYING • ENVIRONMENTAL	



PROJECT DESCRIPTION

Location

The Petitioner requests a portion of Parcel Number 21-172-2 be rezoned from Rural Residential to C-2 Commercial. The area to be rezoned is approximately 150' x 327' (1.12 acres) with the parcel being created via a Certified Survey Map (CSM). Legal Description is as follows:

Legal Description

PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 11, T23N-R21E, CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 11, T23N-R21E; THENCE N89°04'40"W, 50.05 FEET ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION; THENCE S02°03'27"E, 677.33 FEET ALONG THE EXTENSION AND WEST RIGHT OF WAY OF SOUTH HURON ROAD (A.K.A. C.T.H. EA) TO THE POINT OF BEGINNING; THENCE CONTINUING S02°03'27"E, 150.00 FEET ALONG SAID LINE; THENCE N89°06'24"W, 327.01 FEET ALONG THE NORTH LINE OF LOT 1 OF VOLUME 40, CERTIFIED SURVEY MAPS, PAGE 99 (MAP #6062-DOCUMENT #1735903), BROWN COUNTY RECORDS; THENCE N02°03'27"W, 150.00 FEET; THENCE S89°06'24"E, 327.01 FEET TO THE POINT OF BEGINNING.

BOUNDARY CONTAINS 48,986 SQUARE FEET / 1.12 ACRES, MORE OR LESS.

Existing Zoning

The adjacent zoning and uses are as follows:

<u>Direction</u>	<u>Zoning</u>	<u>Use</u>
North	R3	Agricultural with City water tower north of parent parcel
South	RR	Commercial (Kwik Trip)
East	RR	Commercial (Office/Retail)
West	RR	Agricultural

Reason for Rezone Request

The rezoning is being requested to allow for the construction of a family friendly restaurant.



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.9

(ZP 20-30) Public Hearing on a request for a Conditional Use Permit (CUP) for a restaurant drive-through at 901 Main Street, submitted by Garritt Bader on behalf of GB 901 Main LLC, property owner. (Ald. R. Scannell, District 7)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. ZP 20-30 Application - CUP Drive-Through 901 Main
2. ZP 20-30 Class 2 Pub PC Mtg



REQUEST FOR CITY ACTION PLAN COMMISSION

Department of Community
and Economic Development
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax

Petitioner(s): Garritt R. Bader Date: 9-21-20
Email: gb@gb-re.com Phone Number: (813) 500-0296
Address: 300 N. Van Buren Street City: Green Bay State: WI Zip Code: 54301
Property Owner: GB 901 Main, LLC Phone Number: (813) 500-0296
Parcel Numbers (required): 9-48
Location of Property: 901 Main Street

Attach maps and legal descriptions (required) and submit to the Dept. of Community and Economic Development, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Garritt Bader, respectfully request that the City of Green Bay take the following action:

Attach Zoning Petition Form with first three items.

- ☐ Rezone Property (\$300.00 Review Fee)
- ☒ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
- ☐ PUD and PUD Amendments (\$350.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 plus \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Ⓢ
Please let me know
if you'd like the image
sent electronically
for better viewing.

Petitioner Signature(s): [Signature]

Review Fee: \$300 -

Receipt No.: _____

Zoning Petition No.: ZP 20-30

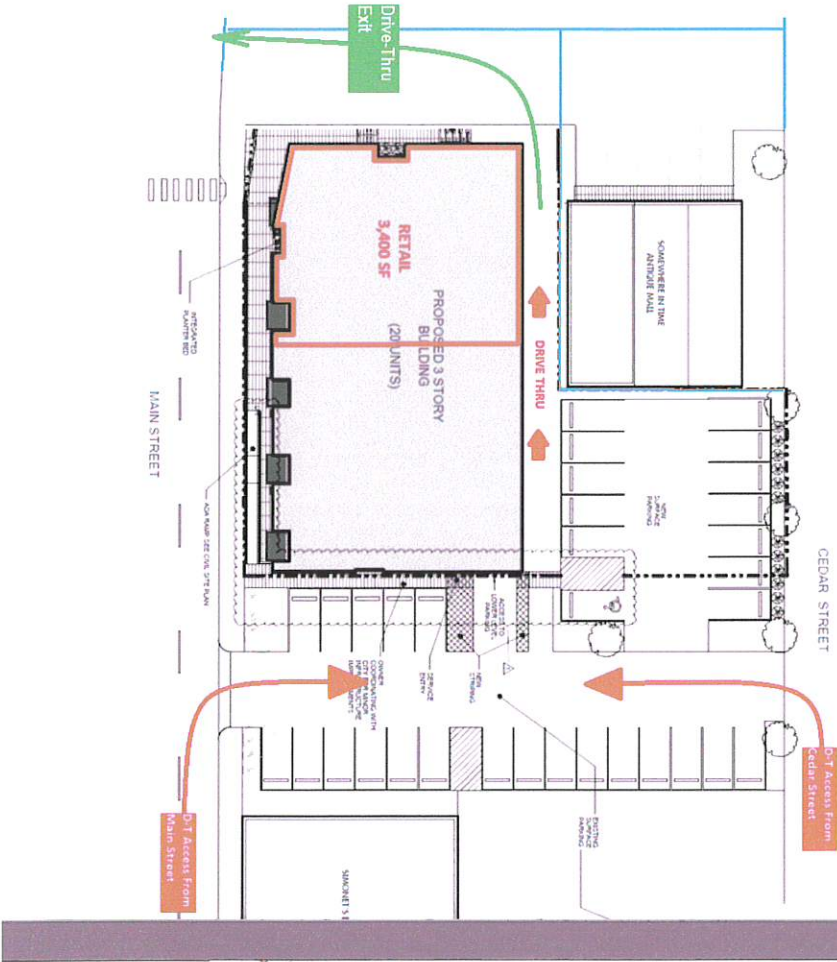
Briefly describe action desired, noting the property affected and all other pertinent information.

Attach maps and legal descriptions (required).

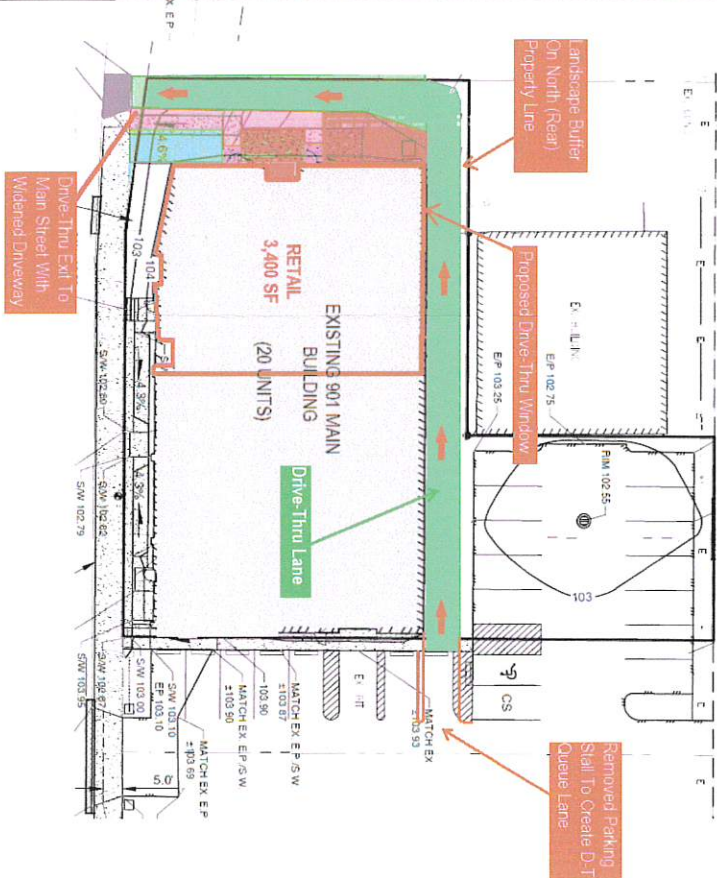
Per recent discussions with city planning and engineering staff, my request is for approval for a drive-thru on the property, zoned D-I. The drive-thru would be designed as conceptually shown, attached. (Upon approval, the currently-approved site plan would be modified to formally denote the revised parking and drive-thru lane.

Please contact the Dept. of Community and Economic Development, Room 608, City Hall,
(920) 448-3400, if you have any questions.

Conceptual Plan:
 Traffic entering from either Cedar Street or Main Street would queue into the drive-thru lane as shown, then exit to Main Street.



Current Site Plan (And Proposed Modifications):
 One parking stall would be removed from the east parking lot to create the drive-thru lane, with exiting to Main Street in the green-shaded area on the west side of the building. The drive-thru lane will allow 1-2 feet of landscape buffer on the north (rear) property line, with 0 feet on the west (side) property line.



For Official Notice:

**Public Notification
Proposed Conditional Use Permit (CUP)
901 Main Street
(ZP 20-30)**

The Green Bay Plan Commission will hold a public hearing on **Monday, October 12, 2020**, at 6:00 p.m. The meeting will be conducted at a virtual location; if you wish to participate in the Public Hearing you may access the meeting by the internet or telephone, using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmJpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+13126266799,,84137675822# US (Chicago)

+16468769923,,84137675822# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 841 3767 5822

Find your local number: <https://us02web.zoom.us/j/kcTM6PWdqR>

The hearing is regarding the following:

A request to authorize a Conditional Use Permit (CUP) for a Drive-Through facility at 901 Main Street, submitted by GB Real Estate Investments LLC, property owner.

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Department of Community and Economic Development

Attn: David Buck

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact David Buck at (920) 448-3411 or david.buck@greenbaywi.gov.

Publication Dates: September 28, 2020 and October 5, 2020



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.10

(ZP 20-30) Consideration with possible action on a request for a Conditional Use Permit (CUP) for a restaurant drive-through at 901 Main Street, submitted by Garritt Bader on behalf of GB 901 Main LLC, property owner. (Ald. R. Scannell, District 7)

BACKGROUND

Reason for Request: To allow for creation of a restaurant drive-through consisting of a drive-up menu board and pick-up window on the north façade of the existing building.

Surrounding Zoning and Land Uses:

Subject Property: Downtown (RI) - Mixed-use commercial/residential

North: Light Industrial (LI) - Light manufacturing and warehousing

South: General Commercial (CI) & PUD - Attached single-family residential & retail

East: General Commercial (CI) - Commercial retail & service

West: General Commercial (CI) - Vacant former commercial bus station

Comprehensive Plan: The 2022 Smart Growth Plan designates this area as medium intensity retail, office and housing (MIROH) uses.

Consistency Analysis: While Ch. 66.1001 Wis. Stats. does not specifically require conditional uses to meet the consistency requirement, the proposed conditional use permit is consistent with the comprehensive plan. The proposed use of the subject property is compatible with and is not contradictory to the applicable recommended policy and the future land use map.

Report: The proposed drive-through use is to be located on the north side of the mixed-use building located at 901 Main Street. The subject property has a Downtown One (DI) zoning which allows drive-throughs by Conditional Use Permit.

The subject site consists of a single "L" shaped 16,500 sq. ft. parcel primarily fronting Main Street (approx. 145 ft.) with secondary frontage on Cedar Street (approx. 55 ft.). Vehicular access is from both Main and Cedar Streets. The existing three-story 9,000 sq. ft. building (footprint) was constructed in 2019 with approx. 3,000 sq. ft. of commercial space and 10 parking stalls on the ground floor and 20 residential living units on the upper floors. The lot is also improved with a 10 stall parking lot with additional stalls provided through an access/parking easement from the adjacent property to the east. The structure is situated in such a way that a 13 ft. wide drive aisle runs along the northern building façade.

The petitioner wishes to create a restaurant drive-through consisting of a drive-up menu board and pick-up window on the north façade of the existing building. Traffic could enter the proposed drive-through from the east through from either Main or Cedar Streets via the parking facility on the adjacent parcel and exit to the west via Main Street. An order board would be established approx. 45 ft. from the access drive lane in the adjacent parking lot, which equates to approx. 3 car lengths and a pick-up window approx. 80 beyond the order board, which equates to approx. 5 car lengths. The proposed drive-through lane will be 10-11 ft. wide

allowing 1-2 ft. of landscaped buffer to the north.

The Zoning Ordinance (Section 12-205(e)) establishes seven standards for the Plan Commission to consider when reviewing a conditional use permit:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
3. The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.
4. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.
6. The conditional use shall have adequate parking facilities as specified in subchapter 13.1700.
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable city ordinances.

When considering the request in relation to the standards, Planning staff believes there is possible disparity with the fifth (5) and seventh (7) considerations:

Standard five (5): Planning staff has concerns regarding sufficient traffic circulation on-site. Although the proposal meets the minimum stacking requirements (3 in advance of menu-board & 3 between menu-board and pick-up window), we feel there is a potential conflict point where vehicles coming from the north and the south both will enter the drive-through lane. Staff is concerned that if this situation increases queuing, parking stalls could be blocked and vehicle stacking could potentially back up to the point vehicles will be impeding traffic on Main Street and/or Cedar Street. Additionally, since the property has no parking west of the building/pick-up window, there is no opportunity to have a customer pull from the single drive-through lane and wait for order to be completed and brought out (similar to Culver's Restaurant standard operating procedure). When this situation occurs, customers will either have to remain in the drive-through potentially increasing stacking or need to exit the drive-through and reenter the right-of-way to travel east back to the parking lot.

Traffic Engineer Hansen reviewed the project and has stated that the use does not warrant a traffic impact analysis as the number of added trips will not substantially increase with the addition of a drive-through and the operation is unlikely to impact traffic on the roadway system. Additionally, he feels this operation is much more of a destination location that customers will be accustomed to, queuing will not likely to be an issue for Main Street or Cedar and that the sizing of the single drive-through lane is sufficient to appropriate ingress-egress.

Standard seven (7): As proposed, the drive-through does not meet code requirements as the site does not allow adequate space to provide a by-pass/emergency exit lane, which is a required land use development standard (Zoning Ord. Section 13-606(l)(6)) with the entire drive-through lane being bound by either parking stalls or building walls. This requirement is included in the code not only as a convenience allowing egress from a queue if a customer decides not to continue their order but to grant access to vehicles within the drive-through for emergency services to aid vehicle occupants in the event an emergency situation. The petitioner has submitted an application to the Board of Appeals for variance to this provision of the code, tentatively scheduled for October 19.

Fire Department does not believe the lack of the by-pass lane will pose significant issues because it would not be overly difficult to clear the alley of drive-through traffic as the vehicles will be occupied by drivers. Additionally, because of the narrow alley, Fire Department would not utilize the alley for fire apparatus in

the event of a fire. In short, Fire Department Operations Chiefs do not have an issue with a drive through going through the alley.

Planning Staff is recommending denial of the request based on our opinion that the establishment of drive-through use, as proposed, will not meet several elements of the CUP standards of the code though other departments as noted do not have the same degree of concern. If deemed by the Plan Commission to be compliant with or able to be compliant with the standards, staff would suggest a condition that the variance to the code associated with a by-pass/emergency exit lane requirement be granted as a condition of the CUP approval.

Ald. Scannell, the Whitney Park Neighborhood Association, and adjacent property owners within 200+ feet of the property have been notified of the request. As of the drafting of this report, staff has not received any calls regarding the request.

RECOMMENDATION

Denial of the request for a Conditional Use Permit with the following findings:

1. Property size and location does not permit adequate measures to be taken to mitigate issues associated with ingress/egress and limits design that will not minimize traffic congestion.
2. The proposed facility can not conform to the applicable regulations of the district in which it is located without a variance.

FISCAL IMPACT

ATTACHMENTS

1. ZP 20-30 Application - CUP Drive-Through 901 Main
2. ZP 20-30 Location Map_color
3. ZP 20-30 Traffic Engineer Comment
4. ZP 20-30 Fire Dept Comment



REQUEST FOR CITY ACTION PLAN COMMISSION

Department of Community
and Economic Development
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax

Petitioner(s): Garritt R. Bader Date: 9-21-20
Email: gb@gb-re.com Phone Number: (813) 500-0296
Address: 300 N. Van Buren Street City: Green Bay State: WI Zip Code: 54301
Property Owner: GB 901 Main, LLC Phone Number: (813) 500-0296
Parcel Numbers (required): 9-48
Location of Property: 901 Main Street

Attach maps and legal descriptions (required) and submit to the Dept. of Community and Economic Development, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Garritt Bader, respectfully request that the City of Green Bay take the following action:

Attach Zoning Petition Form with first three items.

- ☐ Rezone Property (\$300.00 Review Fee)
- ☒ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
- ☐ PUD and PUD Amendments (\$350.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 plus \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Ⓢ
Please let me know
if you'd like the image
sent electronically
for better viewing.

Petitioner Signature(s): 
Review Fee: \$300 - Receipt No.: _____ Zoning Petition No.: ZP 20-30

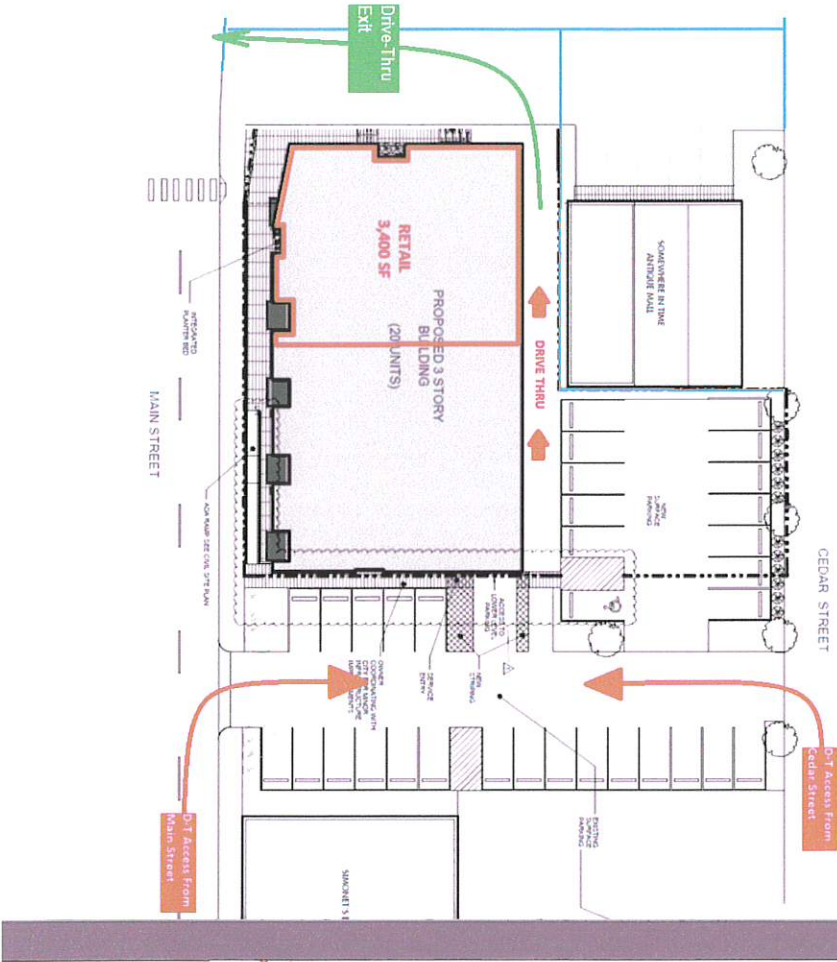
Briefly describe action desired, noting the property affected and all other pertinent information.

Attach maps and legal descriptions (required).

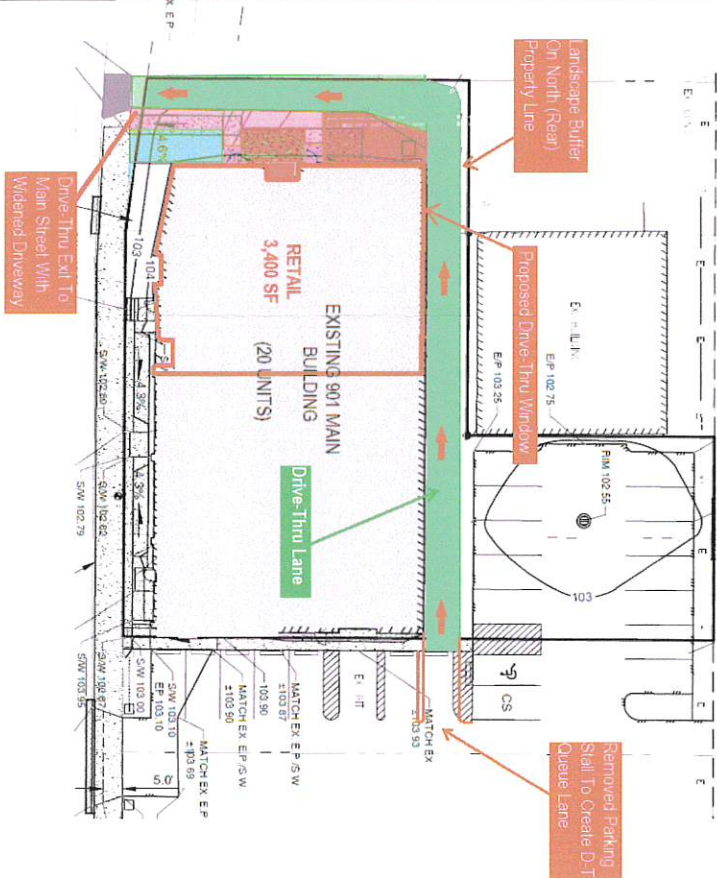
Per recent discussions with city planning and engineering staff, my request is for approval for a drive-thru on the property, zoned D-I. The drive-thru would be designed as conceptually shown, attached. (Upon approval, the currently-approved site plan would be modified to formally denote the revised parking and drive-thru lane.

Please contact the Dept. of Community and Economic Development, Room 608, City Hall,
(920) 448-3400, if you have any questions.

Conceptual Plan:
 Traffic entering from either Cedar Street or Main Street would queue into the drive-thru lane as shown, then exit to Main Street.



Current Site Plan (And Proposed Modifications):
 One parking stall would be removed from the east parking lot to create the drive-thru lane, with exiting to Main Street in the green-shaded area on the west side of the building. The drive-thru lane will allow 1-2 feet of landscape buffer on the north (rear) property line, with 0 feet on the west (side) property line.



From: [Dave Hansen](#)
To: [David Buck](#); [Joe Gabe](#)
Cc: [Paul Neumeier](#); [Stephanie Hummel](#); [Madison Smith](#)
Subject: RE: 901 Main Street : Request for a drive-through
Date: Thursday, October 8, 2020 9:02:27 AM
Attachments: [image004.png](#)

David,

As discussed on the phone yesterday, I have no traffic concerns with this development as my cursory analysis indicates that the forecasted generated trip volume does not exceed the thresholds that would require a traffic impact analysis (TIA). The Main St driveway is proposed outside of the downstream functional area of the Main-Webster traffic signal, which is desirable. I think if future customers westbound on Main St see any backups at that driveway that they will opt for the Cedar St access. Eastbound Main St customers could only use the Cedar St access as there is a raised median at the driveway.

The "alley" is really not an alley but rather a drive-thru lane. Any substandard elements of that lane design are really outside of my jurisdiction to comment on unless they impact public right-of-way. I do not foresee that happening although some parking stalls may get blocked from drive-thru traffic. Again, I do not foresee that situation creating traffic issues spilling onto either Main St or Cedar St.

Regards,

David J.A. Hansen, P.E., PTOE
City Traffic Engineer

City of Green Bay | Public Works
Traffic Division | Engineering
100 N Jefferson St, Room 300
Green Bay, WI 54301-5026

g: 920.448.3100
d: 920.448.3098
m: 920.660.6315
f: 920.448.3102
e: dave.hansen@greenbaywi.gov
w: <http://greenbaywi.gov/708/Traffic-Division/>
s: <https://www.facebook.com/GBDPW/>

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From: [Joe Gabe](#)
To: [David Buck](#); [Dave Hansen](#)
Cc: [Paul Neumeier](#); [Stephanie Hummel](#); [Madison Smith](#)
Subject: Re: 901 Main Street : Request for a drive-through
Date: Tuesday, October 6, 2020 10:45:06 AM
Attachments: [image001.png](#)

David,

I sat down with our Battalion Chiefs this morning to take a look at the situation. Because the traffic would be moving with drivers in cars it would be easy to get the alley clear and set up ground ladders to the windows of either building. Because of the narrow alley we would never drive our fire trucks down the alley. In short, our operations Chiefs do not have an issue with a drive through going through the alley.

However, if there was stationary parking in the alley then we would definitely have an issue with that.

Thanks,

Captain Joe Gabe IAAI-CFI
Green Bay Metro Fire Marshal's Office
501 South Washington Street
Green Bay, WI 54301
Phone-920-822-7584
joe.gabe@greenbaywi.gov





Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.11

(DDMA 20-01) Consideration with possible action on the request to amend the City's Development District Map along Finger Road, submitted by the Department of Community and Economic Development. (Ald. B. Dorff, District 1)

BACKGROUND

The subject area, generally located around Finger Road on the City's far east side, is currently in our Urban Reserve district. This area is being requested in our Urban Expansion area by our Department of Public Works. This will allow for the expansion of utilities in this area. This request is being further considered as part of the I43 Business Park expansion.

The change in development districts does not change the use of any parcels within this area, nor will it change the zoning. The development district map is used by DPW and our staff to promote proper development expansion based on utility availability, future land use map, current zoning, and the protection of natural features.

Ald. Dorff and property owners in this subject area have been notified of this request. As of the drafting of this report, we have received no comments on this request.

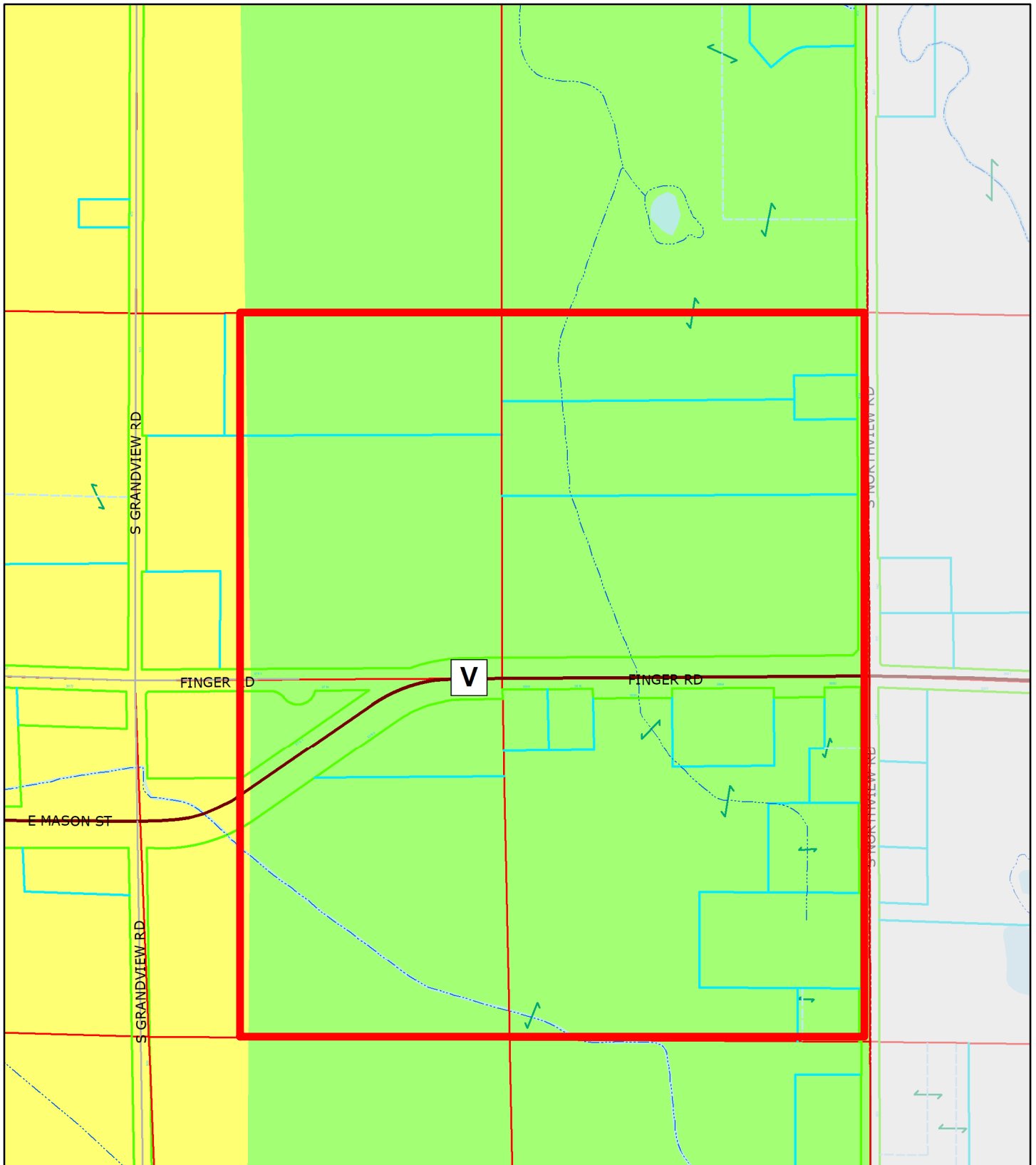
RECOMMENDATION

Approval to amend the City's Development District Map along Finger Road.

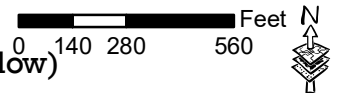
FISCAL IMPACT

ATTACHMENTS

- I. DDMA 20-01 Map



**(DDMA 20-01) Amend Development District
from Urban Reserve (green) to Urban Expansion (yellow)
generally long Finger Road**



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 **Subject Area**



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.12

(DDMA 20-02) Consideration with possible action on the request to amend the City's Development District Map along Nicolet Drive, submitted by the Department of Community and Economic Development. (Ald. B. Dorff, District 1)

BACKGROUND

The subject area, generally located around Nicolet Drive, is currently in our Urban Reserve district. This area is being requested in our Urban Expansion area by our Department of Public Works. This is being considered a "clean-up" action as utility expansion has already occurred in this area some years ago. The development district map should be amended to reflect these changes.

The change in development districts does not change the use of any parcels within this area, nor will it change the zoning. The development district map is used by DPW and our staff to promote proper development expansion based on utility availability, future land use map, current zoning, and the protection of natural features.

Ald. Dorff and property owners in this subject area have been notified of this request. As of the drafting of this report, we have received one inquiry for further information, and no other comments on this request.

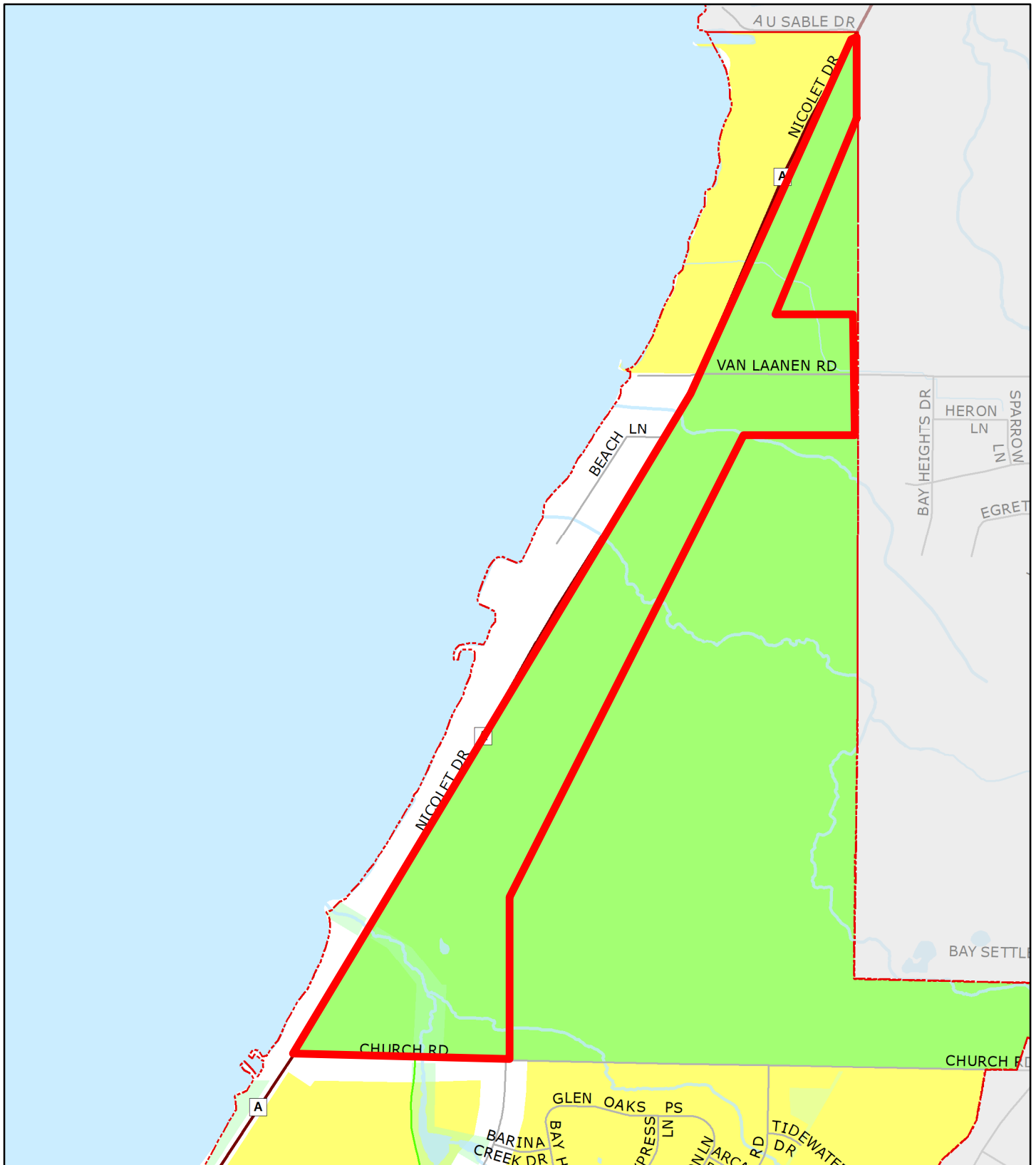
RECOMMENDATION

Approval to amend the City's Development District Map along Nicolet Drive.

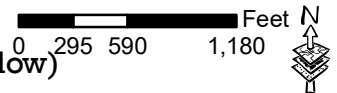
FISCAL IMPACT

ATTACHMENTS

- I. DDMA 20-02 Map



**(DDMA 20-02) Amend Development District
from Urban Reserve (green) to Urban Expansion (yellow)
generally long Nicolet Drive**



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01 Oct 2020 X:\Planning\Basemaps\template_8.5x11.mxd

 Subject Area



Report to the Green Bay Plan Commission

MEETING DATE

October 12, 2020

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.13

(DDMA 20-03) Consideration with possible action on the request to amend the City's Development District Map along N. Northview Road and Luxemburg Road, submitted by the Department of Community and Economic Development. (Ald. B. Dorff, District 1)

BACKGROUND

The subject area, generally located around Northview Road and Luxemburg Road on the City's far east side, is currently in our Urban Reserve district. This area is being requested in our Urban Expansion area by our Department of Public Works. This will allow for the expansion of utilities in this area, as needed. There has been developer request for expanded utilities at this time, but this area is within the City's project growth area.

The change in development districts does not change the use of any parcels within this area, nor will it change the zoning. The development district map is used by DPW and our staff to promote proper development expansion based on utility availability, future land use map, current zoning, and the protection of natural features.

Ald. Dorff and property owners in this subject area have been notified of this request. As of the drafting of this report, we have received one request for additional information and no other comments on this request.

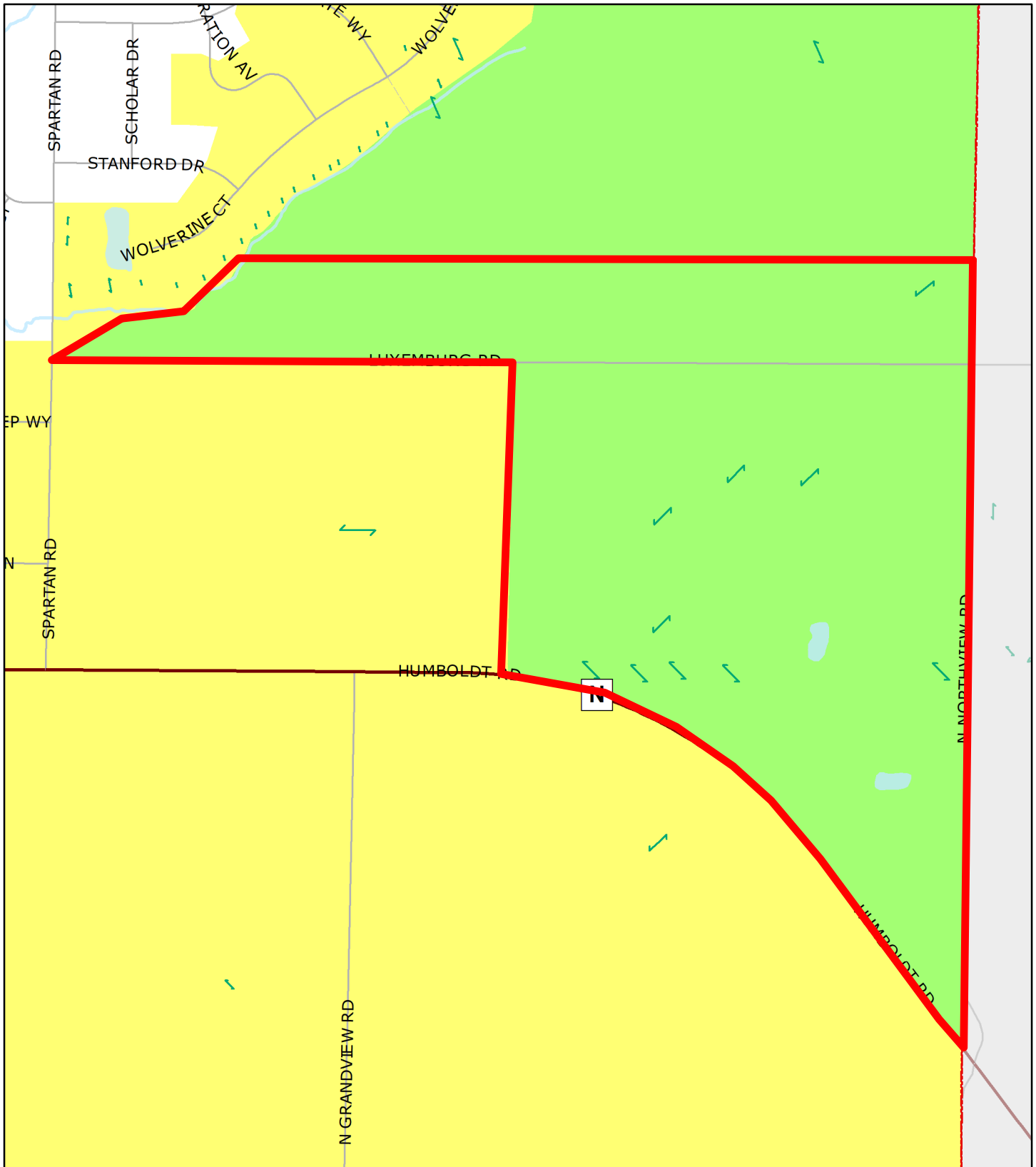
RECOMMENDATION

Approval to amend the City's Development District Map along N. Northview Road and Luxemburg Road.

FISCAL IMPACT

ATTACHMENTS

- I. DDMA 20-03 Map



**(DDMA 20-03) Amend Development District
from Urban Reserve (green) to Urban Expansion (yellow)
generally long Northview & Luxemburg Roads**

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 Subject Area