



AGENDA OF THE GREEN BAY PLAN COMMISSION

MONDAY, JANUARY 11, 2021, 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, Derius Daniels and Autumn Linsmeier.

C. Approval of the Agenda.

- I. Approval of the agenda for the January 11, 2021, meeting of the Green Bay Plan Commission.

D. Approval of Minutes.

- I. Approval of the minutes from the November 23, 2020, meeting of the Green Bay Plan Commission.

E. Regular Business.

- I. (ZP 20-33) Consideration with possible action on the request of the Interim Director for the Department of Community and Economic Development to consider review and possible revocation of the Short Term Rental Permit (STRP-88) at 1135 Shadow Lane. (Ald. C. Wery, District 8)
2. (ZP 20-34) Consideration with possible action on the request of the Interim Director for the Department of Community and Economic Development to consider review and possible revocation of the Short Term Rental Permit (STRP-41) at 1136 Shadow Lane. (Ald. C. Wery, District 8)

3. (ZP 20-36) Public Hearing on the request to rezone parcels in the 1320-1330 Block of Perrot Street (Tax Parcels: 21-1466, 21-1467, 21-1468, 21-1469) from Varied Density Residential (R3) to General Commercial (C1), submitted by John J. Young, property owner. (Ald. K. Lefebvre, District 6)
4. (ZP 20-36) Consideration with possible action on the request to rezone parcels in the 1320-1330 Block of Perrot Street (Tax Parcels: 21-1466, 21-1467, 21-1468, 21-1469) from Varied Density Residential (R3) to General Commercial (C1), submitted by John J. Young, property owner. (Ald. K. Lefebvre, District 6)
5. (ZP 20-38) Public Hearing on the request to amend Zoning Ordinance 38-79 (East Town Mall) to allow Limited Production & Processing uses within the Planned Unit Development (PUD) at 2350 East Mason Street, submitted by GB Real Estate Investments LLC, property owner. (Ald. L. Gerlach, District 3)
6. (ZP 20-38) Consideration with possible action on the request to amend Zoning Ordinance 38-79 (East Town Mall) to allow Limited Production & Processing uses within the Planned Unit Development (PUD) at 2350 East Mason Street, submitted by GB Real Estate Investments LLC, property owner. (Ald. L. Gerlach, District 3)
7. (TA 20-04) Consideration with possible action on a request of Ald. V. Corpus-Dax to examine regulations regarding the current zoning code and "Drive Thru" or "Pickup" lanes, and the necessity of bypass lanes and/or menu boards.

F. Informational.

1. Special Meeting to be held Thursday, January 21, 2021, at 6:00 p.m. for single item - (ZP 20-23) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for Material Recovery Facility (Salvage Operation) at 1156 Velp Avenue. (Ald. R. Scannell, District 7)
2. Director's Report.
3. Date of next meeting: Thursday, January 21, 2021 for special meeting and Monday, January 25, 2021 for next regular meeting.

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

Zoom Meeting Information

Join Zoom Meeting

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

Meeting ID: 841 3767 5822

Password: 483400

One tap mobile

+1 312 626 6799,,841 3767 5822# US (Chicago)

+1 646 876 9923,,841 3767 5822# 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)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 841 3767 5822

Password: 483400

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

Additional Information

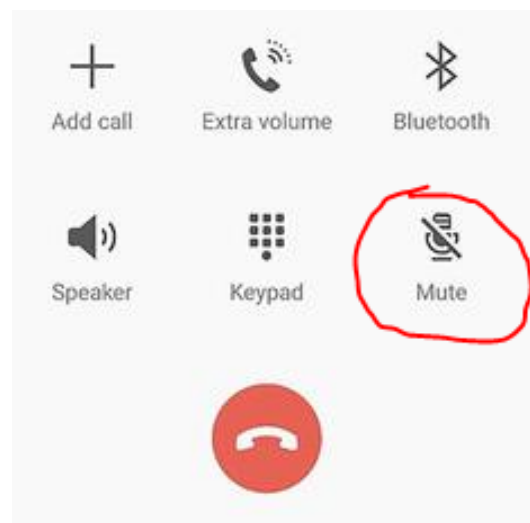
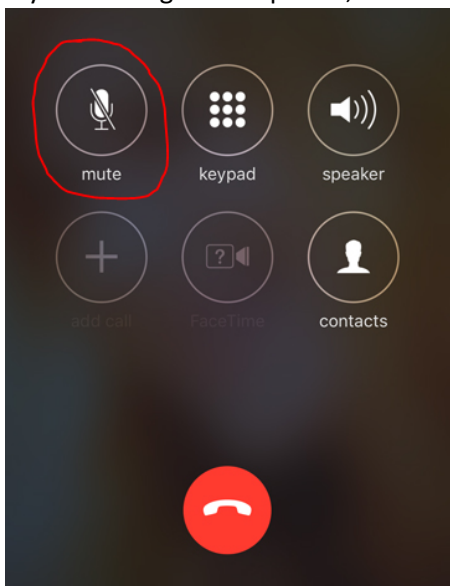
1. Wisconsin Open Meetings Law still applies
 - a. Persons interested in speaking to an item must give their name and address
 - b. Committee/Commission/Board members will still follow *Roberts Rules of Order*
2. All zoom meetings will have a password in the instructions. Please enter when prompted.
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, NOVEMBER 23, 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, Derius Daniels and Autumn Linsmeier.

Present: Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax, Derius Daniels, Autumn Linsmeier, Excused:

Others Present: Ald. Lynn Gerlach

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the November 23, 2020, meeting of the Green Bay Plan Commission.

Moved by Sidney Bremer, seconded by Autumn Linsmeier to approve the agenda. Motion carried.

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

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the November 2, 2020, meeting of the Green Bay Plan Commission.

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

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

E. REGULAR BUSINESS.

I. (ZP 20-33) Consideration with possible action on the request of the Interim Director for the Department of Community and Economic Development to consider review and possible revocation of the Short Term Rental Permit (STRP-88) at 1135 Shadow Lane (Ald. C. Wery, District 8).

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

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

Moved by Sidney Bremer, seconded by Ald. Veronica Corpus-Dax to close the floor and return to regular order of business. Motion carried.

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

Moved by Sidney Bremer, seconded by Jacob Miller to allow the property owner to continue to rent the subject property, 1135 Shadow Lane, under the conditions of the Short Term Rental Permit (STRP) with the and that any further substantiated claims or violations reported, within the next 6 months, shall be brought back before the Plan Commission for further consideration and potential action. Motion carried.

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

2. (ZP 20-34) Consideration with possible action on the request of the Interim Director for the Department of Community and Economic Development to consider review and possible revocation of the Short Term Rental Permit (STRP-41) at 1136 Shadow Lane (Ald. C. Wery, District 8).

Moved by Randall Petrouske, seconded by Jacob Miller to open the floor for discussion. Motion carried.

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

Moved by Sidney Bremer, seconded by Derius Daniels to close the floor and return to regular order of business. Motion carried.

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

Moved by Sidney Bremer, seconded by Randall Petrouske to allow the property owner to continue to rent the subject property, 1136 Shadow Lane, under the conditions of the Short Term Rental Permit (STRP) with and that any further substantiated claims or violations reported, within the next 6 months, shall be brought back before the Plan Commission for further consideration and potential action. Motion carried.

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

3. Consideration with possible action on the Housing Market Study.

Moved by Sidney Bremer, seconded by Randall Petrouske to receive and place on file the Housing Market Study. Motion carried.

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

F. INFORMATIONAL.

1. Director's Report.

Interim Director Cheryl Renier-Wigg presented the Director's Report.

2. Date of next meeting: Monday, December 7, 2020 and discussion regarding a special meeting in January 2021.

G. ADJOURNMENT.

Moved by Ald. Veronica Corpus-Dax, seconded by Randall Petrouske to adjourn. Motion carried.
Yes- Jacob Miller, Lisa Hanson, Randall Petrouske, Sidney Bremer, Ald. Veronica Corpus-Dax,
Derius Daniels, Autumn Linsmeier, No- None, Abstain- None



Report to the Green Bay Plan Commission

MEETING DATE

January 11, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.1

(ZP 20-33) Consideration with possible action on the request of the Interim Director for the Department of Community and Economic Development to consider review and possible revocation of the Short Term Rental Permit (STRP-88) at 1135 Shadow Lane. (Ald. C. Wery, District 8)

BACKGROUND

Primary Address: 1135 Shadow Lane

Reason for Request: To review past violations on the subject property relative to the Short Term Rental Permit.

Aldersperson/District: Ald. Chris Wery / District 8

Surrounding Zoning and Land Uses:

SUBJECT: Low Density Residential (R1) - Single-family dwellings

NORTH: Low Density Residential (R1) - Single-family dwellings

SOUTH: Low Density Residential (R1) - Single-family dwellings

EAST: Low Density Residential (R1) - Single-family dwellings

WEST: Low Density Residential (R1) - Single-family dwellings

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

Report: This item was presented to the Common Council at their meeting on December 1, 2020, after the Plan Commission meeting of November 23, 2020, at which time the Plan Commission recommended: The property owner may be allowed to continue to rent the subject property under the conditions of the Short Term Rental Permit (STRP). If further substantiated claims of violation are reported within the next 6 months, those violations shall be brought back before the Plan Commission for further consideration and potential action.

This item, along with ZP 20-34, were referred back to the Plan Commission at the request of Ald. Wery to allow for further input from neighbors due to the holidays. There is no new information to pass along to the Plan Commission at this point and staff is reaffirming its recommendation from the November meeting below.

Over the past few months, staff has received a handful of complaints on the subject property. The complaints have been summarized in detail by the Green Bay Police Department and are attached within this agenda; no other zoning violations were noted in the research by staff. The property owner, Kurt Stricker, Shadow Lane GB, LLC has renewed his Short Term Rental Permit (STRP) for 2020 and the permit has been active since late 2018. Another item within this agenda, ZP 20-34, is being considered under similar terms, but is not related to violations on the subject property and will be reviewed under its own merits as a separate action item. Short term rentals are a permitted use in the R1 District with the following development standards:

13-1609. Accessory uses. (Amd. GO 36-09)

(j) Short-term Rentals (STRs). (Cr. GO 9-09; Rep. & Rec. GO 20-16)

(1) Prior to occupancy as a short-term rental, the following shall be obtained by the local representative:

State of Wisconsin Tourist Rooming House Permit

State of Wisconsin Sale and Use Tax Permit

Proof of registration with the City of Green Bay Treasurer regarding Brown County Room Tax requirements.

Proof of registration with the Brown County Health Department.

A lease agreement example provided that indicates language regarding compliance with parking, noise and other applicable City of Green Bay ordinances being met during occupancy of the structure.

City of Green Bay Short-term Rental Permit (STRP)

(2) A submittal for Short-term Rentals (STRs) shall include the following:

a. Initial application

1. Completed STRP application on a form established by the City.

2. \$100.00 application/review fee.

3. Proof of insurance.

4. Necessary permits and proof of registration as required in 13-1602(j)(1), Green Bay Municipal Code.

b. Renewal of a STRP

1. A STRP is valid for one year and shall expire on June 1 of the calendar year. A STRP may be renewed on an annual basis and shall meet the following standards:

a) Proof of insurance.

b) Necessary permits and proof of registration as required in 13-1602(j)(1), Green Bay Municipal Code.

c) Renewal Fee: \$100.00

(3) The number of occupants in STRs shall not exceed the limits set forth in the State of Wisconsin Uniform Dwelling Code and other applicable County and City of Green Bay housing regulations for residential structures based on the number of bedrooms within the unit.

(4) STRs are issued to a specific owner of a Short-term Rental. STRs shall be terminated when the permit holder sells or transfers the real property which was rented, except for a change in ownership where the title is held in survivorship or transfers on the owner's death.

(5) Availability of STRs to the public shall not be advertised on site.

(6) A STRP shall be visible from the exterior of the principal structure and shall contain the name and telephone number of the local representative.

(7) STRs shall not violate any applicable conditions, covenants, or other restrictions on real property.

(8) Alcohol may not be sold on site.

(9) STRs granted by the City may be subject to review on a yearly basis or when the Planning Director or Plan Commission has reason to believe that the regulations are not being adhered to or that there are problems associated with the STRs that warrant review by the Plan Commission and the Green Bay Common Council. STRs may be revoked based on the findings of the Plan Commission. STRs denied by the Planning staff may be appealed to the Plan Commission and Common Council.

(10) No Recreational Vehicle (RV), camper, tent or any other temporary lodging arrangement shall be permitted on site for the means of providing accommodations for occupants and/or guests of a Short-term rental.

(11) STRs shall comply with all requirements of this ordinance and all applicable standards of the Green Bay Municipal Code.

(12) Violations: Failure to comply with the requirements above shall constitute a violation of the provisions of this section. Disturbances or nuisances caused by the tenants of an approved STR which violate the City Municipal Code, including but, not limited to, outdoor events and existing noise ordinances or State law, shall also constitute a violation. Penalties for each violation shall be imposed in an amount not to exceed \$500, including court costs, and may result in permit suspension or revocation.

It was determined by the staff, having receiving substantiated complaints by the Police Department, that the complaints should be presented to the Plan Commission and eventually the Common Council for their information and possible consideration under provision (9) above. It appears that complaints have been resolved and continue to be monitored by the Police Department.

Staff believes because these complaints were dealt with in a timely manner from their occurrence and that there are no pending complaints, that some latitude be given to the property owner to continue to rent the subject property with the limitation that any future substantiated claims of violations, within the next 6 months, be brought back before the Plan Commission for further consideration and potential action. Ald. Wery and adjacent property owners have been notified of the request. As of the drafting of this report, staff has two inquires to the request.

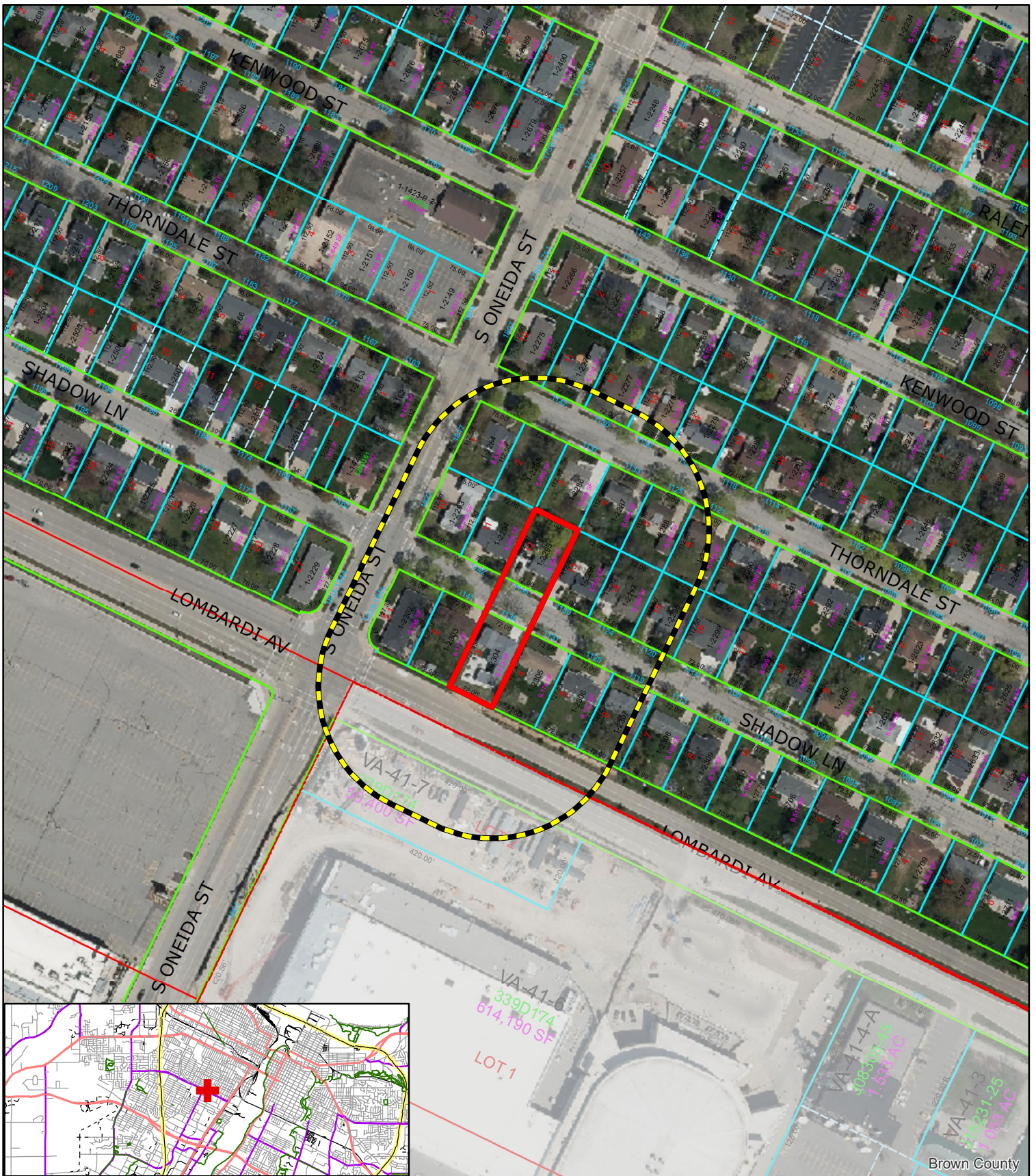
RECOMMENDATION

The property owner may be allowed to continue to rent the subject property under the conditions of the Short Term Rental Permit (STRP). If further substantiated claims of violation are reported within the next 6 months, those violations shall be brought back before the Plan Commission for further consideration and potential action.

FISCAL IMPACT

ATTACHMENTS

1. ZP 20-33_34 letter
2. Ald Wery Comments for Short Term Rentals



**Zoning Petition (ZP 20-33) 1135 Shadow Lane and Zoning Petition (ZP 20-34) 1136 Shadow Lane
Review of Short Term Rental Permits**

- Subject Area
- 200' Property Owner Notice

0 5,000 10,000
Feet



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

From: [Chris Wery](#)
To: [Paul Neumeyer](#)
Cc: [Stacy J. Mosher](#); [Debbie Mosher](#); [Debbie Jacques](#); [Jennifer Fischer](#); [Teri and Jim Sot](#); [Jim McGrath](#)
Subject: Comments for Short Term Rentals
Date: Monday, November 23, 2020 4:19:01 PM

Hi Paul,

My apologies, I am not able to make the meeting tonight so I will submit some comments.
Please read this:

Plan Commission, thanks for hearing about the issues at these addresses. It is important to remember that applicants for any short term rental agree to certain provisions in order to rent out a home.

Here is one of those stipulations:

- Agree to assure that use of the premises by short-term rental occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.

Please review the police complaints for loud parties and also recognize there are DPW complaints for garbage storage, bin storage and lawn parking.

Many short term rentals quietly rent to out of town families and are generally great neighbors. Some keep pushing the envelope and make it seem like they are a bar located in a residential area. Obtaining a license for a short term rental is a privilege not a right. I would not be opposed to any corrective measures seemed necessary by the Plan Commission in order to send a strong, clear message about what we expect from these types of licensed properties.

**I will also be addressing this at city council next week and invite any interested parties to join me.

Alderman Chris Wery
920-490-9282
chriswery@att.net

Facebook: [Alderman Chris Wery, District 8 City of Green Bay](#)



Report to the Green Bay Plan Commission

MEETING DATE

January 11, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.2

(ZP 20-34) Consideration with possible action on the request of the Interim Director for the Department of Community and Economic Development to consider review and possible revocation of the Short Term Rental Permit (STRP-41) at 1136 Shadow Lane. (Ald. C. Wery, District 8)

BACKGROUND

Primary Address: 1136 Shadow Lane

Reason for Request: To review past violations on the subject property relative to the Short Term Rental Permit.

Aldersperson/District: Ald. Chris Wery / District 8

Surrounding Zoning and Land Uses:

SUBJECT: Low Density Residential (R1) - Single-family dwellings

NORTH: Low Density Residential (R1) - Single-family dwellings

SOUTH: Low Density Residential (R1) - Single-family dwellings

EAST: Low Density Residential (R1) - Single-family dwellings

WEST: Low Density Residential (R1) - Single-family dwellings

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

Report: This item was presented to the Common Council at their meeting on December 1, 2020, after the Plan Commission meeting of November 23, 2020, at which time the Plan Commission recommended: The property owner may be allowed to continue to rent the subject property under the conditions of the Short Term Rental Permit (STRP). If further substantiated claims of violation are reported within the next 6 months, those violations shall be brought back before the Plan Commission for further consideration and potential action.

This item, along with ZP 20-33, were referred back to the Plan Commission at the request of Ald. Wery to allow for further input from neighbors due to the holidays. There is no new information to pass along to the Plan Commission at this point and staff is reaffirming its recommendation from the November meeting below.

Over the past few months, staff has received a handful of complaints on the subject property. The complaints have been summarized in detail by the Green Bay Police Department and are attached within this agenda. On two separate occasions complaints were filed in October and November of this year regarding excessive amounts of garbage on the site; however, in each case, when the Inspector arrived they did not observe any garbage issues and the cases were closed.

The property owner, Matt Keesey, has renewed his Short Term Rental Permit (STRP) for 2020 and the permit has been active since August 2018. Another item within this agenda, ZP 20-33, is being considered

under similar terms, but is not related to violations on the subject property and will be reviewed under its own merits as a separate action item. Short term rentals are a permitted use in the R1 District with the following development standards:

13-1609. Accessory uses. (Amd. GO 36-09)

(j) Short-term Rentals (STRs). (Cr. GO 9-09; Rep. & Rec. GO 20-16)

(1) Prior to occupancy as a short-term rental, the following shall be obtained by the local representative:

State of Wisconsin Tourist Rooming House Permit

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Proof of registration with the City of Green Bay Treasurer regarding Brown County Room Tax requirements.

Proof of registration with the Brown County Health Department.

A lease agreement example provided that indicates language regarding compliance with parking, noise and other applicable City of Green Bay ordinances being met during occupancy of the structure.

City of Green Bay Short-term Rental Permit (STRP)

(2) A submittal for Short-term Rentals (STRs) shall include the following:

a. Initial application

1. Completed STRP application on a form established by the City.

2. \$100.00 application/review fee.

3. Proof of insurance.

4. Necessary permits and proof of registration as required in 13-1602(j)(1), Green Bay Municipal Code.

b. Renewal of a STRP

1. A STRP is valid for one year and shall expire on June 1 of the calendar year. A STRP may be renewed on an annual basis and shall meet the following standards:

a) Proof of insurance.

b) Necessary permits and proof of registration as required in 13-1602(j)(1), Green Bay Municipal Code.

c) Renewal Fee: \$100.00

(3) The number of occupants in STRs shall not exceed the limits set forth in the State of Wisconsin Uniform Dwelling Code and other applicable County and City of Green Bay housing regulations for residential structures based on the number of bedrooms within the unit.

(4) STRs are issued to a specific owner of a Short-term rental. STRs shall be terminated when the permit holder sells or transfers the real property which was rented, except for a change in ownership where the title is held in survivorship or transfers on the owner's death.

(5) Availability of STRs to the public shall not be advertised on site.

(6) A STRP shall be visible from the exterior of the principal structure and shall contain the name and telephone number of the local representative.

(7) STRs shall not violate any applicable conditions, covenants, or other restrictions on real property.

(8) Alcohol may not be sold on site.

(9) STRs granted by the City may be subject to review on a yearly basis or when the Planning Director or Plan Commission has reason to believe that the regulations are not being adhered to or that there are problems associated with the STRs that warrant review by the Plan Commission and the Green Bay Common Council. STRs may be revoked based on the findings of the Plan Commission. STRs denied by the Planning staff may be appealed to the Plan Commission and Common Council.

(10) No Recreational Vehicle (RV), camper, tent or any other temporary lodging arrangement shall be permitted on site for the means of providing accommodations for occupants and/or guests of a Short-term rental.

(11) STRs shall comply with all requirements of this ordinance and all applicable standards of the Green Bay Municipal Code.

(12) Violations: Failure to comply with the requirements above shall constitute a violation of the provisions of this section. Disturbances or nuisances caused by the tenants of an approved STR which violate the City

Municipal Code, including but, not limited to, outdoor events and existing noise ordinances or State law, shall also constitute a violation. Penalties for each violation shall be imposed in an amount not to exceed \$500, including court costs, and may result in permit suspension or revocation.

It was determined by the staff, having receiving substantiated complaints by the Police Department that the complaints should be presented to the Plan Commission and eventually the Common Council for their information and possible consideration under provision (9) above. It appears that complaints have been resolved and continue to be monitored by the Police Department.

Staff believes because these complaints were dealt with in a timely manner from their occurrence and that there are no pending complaints. Staff believes that some latitude be given to the property owner to continue to rent the subject property with the limitation that any future substantiated claims of violations, within the next 6 months, be brought back before the Plan Commission for further consideration and potential action. Ald. Wery and adjacent property owners have been notified of the request. As of the drafting of this report, staff has two inquires to the request.

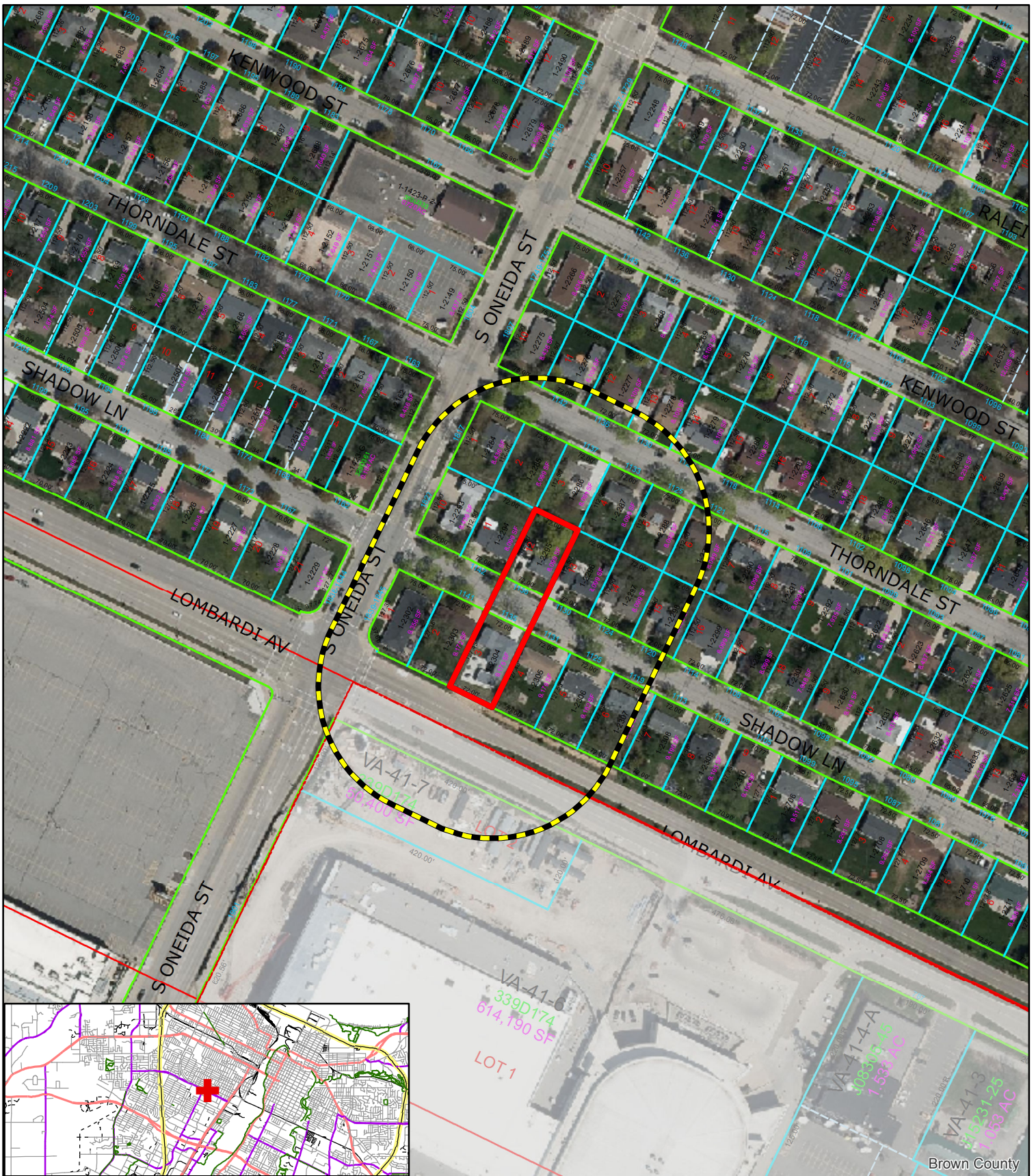
RECOMMENDATION

The property owner may be allowed to continue to rent the subject property under the conditions of the Short Term Rental Permit (STRP). If further substantiated claims of violation are reported within the next 6 months, those violations shall be brought back before the Plan Commission for further consideration and potential action.

FISCAL IMPACT

ATTACHMENTS

1. ZP 20-33_34 letter
2. Ald Wery Comments for Short Term Rentals



Brown County

Zoning Petition (ZP 20-33) 1135 Shadow Lane and Zoning Petition (ZP 20-34) 1136 Shadow Lane Review of Short Term Rental Permits

- Subject Area
- 200' Property Owner Notice

0 5,000 10,000
Feet



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

From: [Chris Wery](#)
To: [Paul Neumeyer](#)
Cc: [Stacy J. Mosher](#); [Debbie Mosher](#); [Debbie Jacques](#); [Jennifer Fischer](#); [Teri and Jim Sot](#); [Jim McGrath](#)
Subject: Comments for Short Term Rentals
Date: Monday, November 23, 2020 4:19:01 PM

Hi Paul,

My apologies, I am not able to make the meeting tonight so I will submit some comments.
Please read this:

Plan Commission, thanks for hearing about the issues at these addresses. It is important to remember that applicants for any short term rental agree to certain provisions in order to rent out a home.

Here is one of those stipulations:

- Agree to assure that use of the premises by short-term rental occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.

Please review the police complaints for loud parties and also recognize there are DPW complaints for garbage storage, bin storage and lawn parking.

Many short term rentals quietly rent to out of town families and are generally great neighbors. Some keep pushing the envelope and make it seem like they are a bar located in a residential area. Obtaining a license for a short term rental is a privilege not a right. I would not be opposed to any corrective measures seemed necessary by the Plan Commission in order to send a strong, clear message about what we expect from these types of licensed properties.

**I will also be addressing this at city council next week and invite any interested parties to join me.

Alderman Chris Wery
920-490-9282
chriswery@att.net

Facebook: [Alderman Chris Wery, District 8 City of Green Bay](#)



Report to the Green Bay Plan Commission

MEETING DATE

January 11, 2021

PREPARED BY

AGENDA ITEM # E.3

(ZP 20-36) Public Hearing on the request to rezone parcels in the 1320-1330 Block of Perrot Street (Tax Parcels: 21-1466, 21-1467, 21-1468, 21-1469) from Varied Density Residential (R3) to General Commercial (C1), submitted by John J. Young, property owner. (Ald. K. Lefebvre, District 6)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 20-36 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Rezoning
1320-1330 Block Perrot Street
(ZP 20-36)**

The Green Bay Plan Commission will hold a public hearing on **Monday, January 11, 2021**, at 6:00 p.m. 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=L2EyVlpDSIZGZ1FjcmlpWnZIOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+13126266799,,84137675822# US (Chicago)

+16468769923,,84137675822# US (New York)

Dial by your location

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+1 646 876 9923 US (New York)

+1 301 715 8592 US (Washington D.C)

+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/kc8xd2MWP>

The hearing is regarding the following:

(ZP 20-36) A request to rezone parcels in the 1320-1330 Block of Perrot Street (Tax Parcels: 21-1466, 21-1467, 21-1468, 21-1469) from Varied Density Residential (R3) to General Commercial (C1), submitted by John J. Young, property owner. (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 Date: December 28, 2020 and January 4, 2021



Report to the Green Bay Plan Commission

MEETING DATE

January 11, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.4

(ZP 20-36) Consideration with possible action on the request to rezone parcels in the 1320-1330 Block of Perrot Street (Tax Parcels: 21-1466, 21-1467, 21-1468, 21-1469) from Varied Density Residential (R3) to General Commercial (C1), submitted by John J. Young, property owner. (Ald. K. Lefebvre, District 6)

BACKGROUND

Primary Address: 1320 & 1330 Blocks of Perrot Street

Reason for Request: To permit the redevelopment of the site for future commercial uses.

Aldersperson/District: Ald. Kathy Lefebvre / District 6

Surrounding Zoning and Land Uses:

SUBJECT: Varied Density Residential (R3) - A commercial building is located at 1320 Perrot Street, the other three parcels are vacant with exception of 1330 Perrot Street that contains a nonconforming detached garage.

NORTH: General Commercial (C1)/General Industrial (GI) - Commercial/light industrial uses

SOUTH: Varied Density Residential (R3) - Low density residential uses

EAST: Varied Density Residential (R3) - Commercial

WEST: General Commercial (C1) - Low density residential uses

Comprehensive Plan: The 2022 Smart Growth Plan designates this area as Commercial/Low Density Residential.

Report: There are four parcels being considered as part of this request, 1320 Perrot Street, which contains a commercial building; 1330 Perrot Street contains a nonconforming detached garage; and the remaining three lots are vacant. The current building at 1320 Perrot Street is zoned R3 and a rezoning to General Commercial (C1) would make the structure a permitted use. The three westerly parcels are owned by the applicant. The fourth, Tax Parcel 21-1469, 1340 Perrot Street, is owned by another property owner, however, the applicant has an offer to purchase on the lot. All four parcels are approximately 39,380 sq. ft. or 0.90 acres.

Approval of the request will allow for the redevelopment of an infill area that is currently underutilized for its current zoning. The comprehensive plan recommends commercial land uses almost to the eastern property line of Tax Parcel 21-1467; 1326 Perrot Street, the remaining two parcels are recommended for low density residential development. The Comprehensive Plan limits of future land uses do not necessarily follow lot lines and instead, provide an approximate limit for a particular land use.

The adjoining properties to the south and east of the subject site contain mainly single-family homes; there are two, two-family dwellings directly south of the subject area on Doblon Street. The residential homes are sandwiched by industrial land uses on the east and north and commercial uses along North Irwin Street. The current zoning would suggest a higher density use such as a multi-family development, however, the existing

uses remain low density residential, nonconforming to the existing zoning.

The comprehensive plan does not necessarily accurately address the existing mix of land uses and existing zoning. Ultimately, low density residential land uses as proposed in the comprehensive plan and the existing Varied Density residential zoning do not represent the highest and best use for the block between North Irwin Avenue to North Baird Street, between Perrot Street and Doblou Street.

This area should be considered for further review and part of the new comprehensive plan that may allow for additional commercial development that is in keeping with adjacent and light industrial uses to the north and east. If this rezoning is successful, the commercial properties when constructed upon will be required to provide transitional yards to buffer the commercial uses from the adjoining residential uses to mitigate any adverse impacts.

Ald. Lefebvre and adjacent property owners within 200 ft. have been notified of the request. As of the drafting of this report, staff has received no inquiries regarding the request.

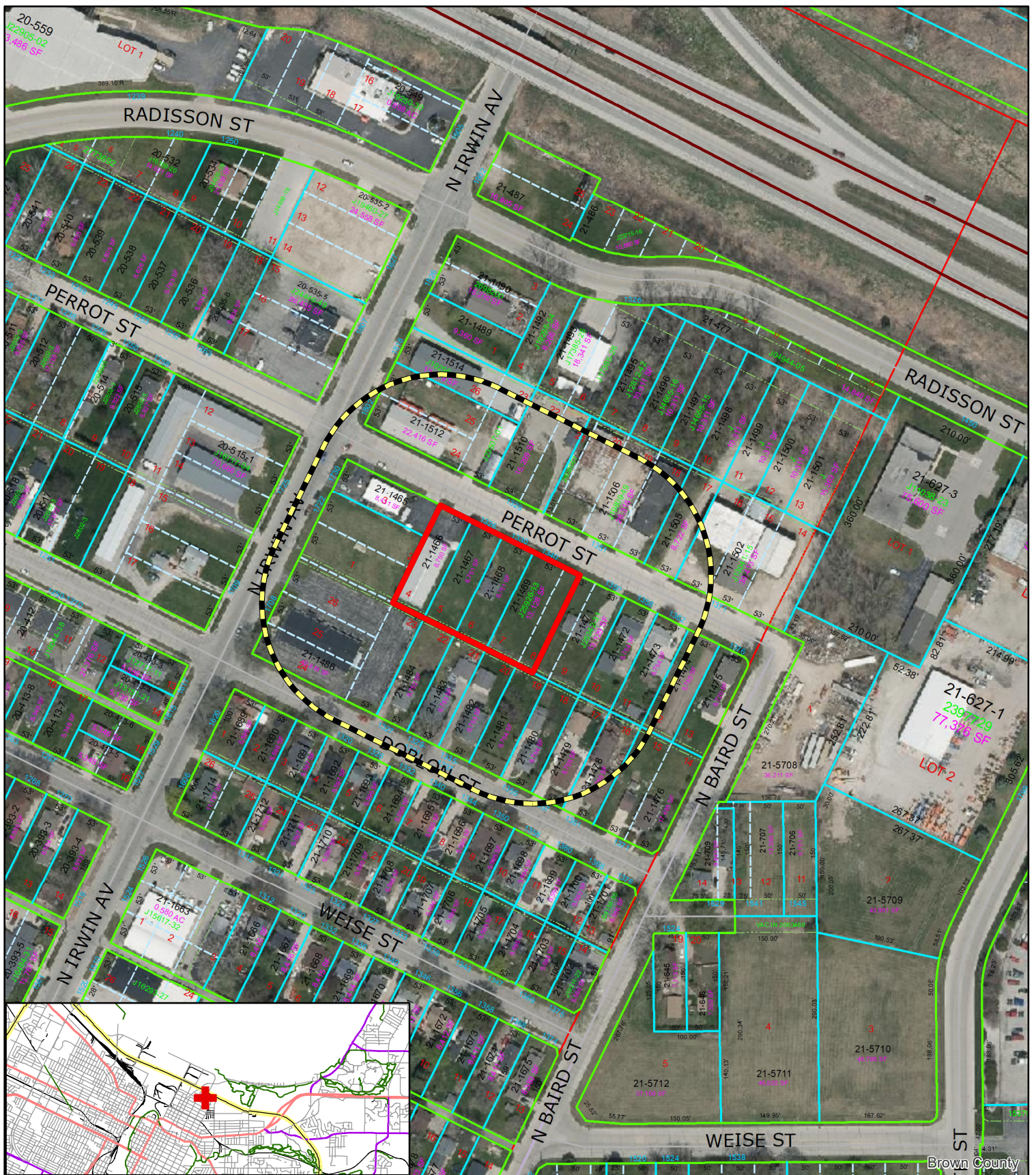
RECOMMENDATION

Approval of the request.

FISCAL IMPACT

ATTACHMENTS

- I. ZP 20-36 letter



Zoning Petition (ZP 20-36)
Proposed Rezoning
1320-1330 Block Perrot Street

- Subject Area
- 200' Property Owner Notice

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 Feet



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 Map prepared by PN



Report to the Green Bay Plan Commission

MEETING DATE

January 11, 2021

PREPARED BY

AGENDA ITEM # E.5

(ZP 20-38) Public Hearing on the request to amend Zoning Ordinance 38-79 (East Town Mall) to allow Limited Production & Processing uses within the Planned Unit Development (PUD) at 2350 East Mason Street, submitted by GB Real Estate Investments LLC, property owner. (Ald. L. Gerlach, District 3)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 20-38 Class 2 Pub PC Mtg_Virtual

For Official Notice:

**Public Notification
Proposed Amendment to ZO 38-79 Planned Unit
Development (PUD)-aka East Town Mall
2350 East Mason Street
(ZP 20-38)**

The Green Bay Plan Commission will hold a public hearing on **Monday, January 11, 2021**, at 6:00 p.m. 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>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

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+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

Meeting ID: 841 3767 5822

Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSIZGZlFjcmlpWnZlOEVnUT09>

The hearing is regarding the following:

A request to Amend Zoning Ordinance 38-79 (East Town Mall) to allow Limited Production & Processing uses within the Planned Unit Development (PUD) at 2350 East Mason Street, submitted by GB Real Estate Investments LLC, property owner (Ald. L. Gerlach, District 3)

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, Planner
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 Date: December 28, 2020 and January 4, 2021



Report to the Green Bay Plan Commission

MEETING DATE

January 11, 2021

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.6

(ZP 20-38) Consideration with possible action on the request to amend Zoning Ordinance 38-79 (East Town Mall) to allow Limited Production & Processing uses within the Planned Unit Development (PUD) at 2350 East Mason Street, submitted by GB Real Estate Investments LLC, property owner. (Ald. L. Gerlach, District 3)

BACKGROUND

Primary Address: 2350 East Mason Street

Reason for Request: To allow a wider range of users within the Planned Unit Development (PUD), more specifically limited production and processing uses on the subject property.

Aldersperson/District: Ald. Lynn Gerlach / District 3

Surrounding Zoning and Land Uses:

SUBJECT: Planned Unit Development (PUD) - Retail shopping center (East Town Mall)

NORTH: Planned Unit Development (PUD) - Auto related restaurant and service (outlots)

SOUTH: C2 Highway Commercial - Automobile sales, display & storage (Gandrud)

EAST: Planned Unit Development (PUD) - Big-box retail (Hobby Lobby/Petco)

WEST: Planned Unit Development (PUD) - Big-box retail (Kohl's)

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for commercial uses. The proposed amendment is not inconsistent with the City's Comprehensive Plan as all of the City's commercial districts currently allow limited production and processing via conditional use. In this case, the request for the use is facilitated through the PUD amendment.

Report: The subject area is made up of a single 14.8 acre parcel of land located at the center of what is commonly known as Green Bay's East Town Mall at 2350 East Mason Street. It is improved with an approximately 160,000 sq. ft. multiple tenant retail facility, approximately 135,000 sq. ft. of surface parking lot, and rear service drive and delivery area.

Zoning Ordinance 38-79, the original Planned Unit Development (PUD) for East Town Mall, was approved in 1979 establishing the mall boundaries and allowing development of three department stores and other leasable space, parking, regulated buffering, and right-of-way/traffic improvements. Between 1981 and 2017 there were eleven (11) amendments related to boundaries and signage. East Town Mall has been in existence for the past four (4) decades with the primary "anchors" including Cub Foods Grocery Store (now Ross, Marshall's, Pet Smart and Glamour Nails), Kohl's Department Store and Shopko Department Store. Smaller freestanding businesses such as Office Max, Hobby Lobby, Petco and Aldi Grocery were added and the interior mall included a variety of retail and service businesses as well as a theater. Nine (9) outlots are developed along East Mason Street and East Main Street as primarily automobile oriented restaurants and financial institutions.

Over the years the mall has experienced a decline of tenants and is currently mostly vacant with only a few occupied spaces. The anchor store formerly known as Shopko is vacant as well. The total area of the mall is approximately 56 acres and is comprised of 18 different property owners who generally share access, signage and parking.

The retail environment of the shopping mall that took dominance beginning in the 1950's focused heavily on automobile oriented retail campuses containing vast parking lots and large "big-box" store anchors. These large retail centers are generally connected by extensive areas of internal retail and service business space. The commercial model of the mall has been heavily hit by the change of consumer preference that arguably began around the turn of the century and has rapidly accelerated with the unprecedented growth of online shopping. More and more malls like East Town have or are on the verge of shuttering their doors leaving vacant buildings and vast unused "seas of asphalt". One approach shown to be effective in the evolution of malls has been to remove much of the interior shopping space and recreate smaller storefronts with direct access from the exterior in combination with changing uses. Some mall owners and investors are attempting to alter the malls appeal by using entertainment venues and what are known as "experience destinations" to pull in new consumers. Others have seen success in reducing retail area and adding higher density housing that creates a customer base in immediate proximity. These options tend to be very dependent on location in relation to market conditions and are often very costly. Another approach that has been very popular has been the repurposing of a portion of "big-box" retail and mall space to low impact warehousing and industrial uses while recreating storefront facades. This alternative is often preferred as the construction type of mall buildings tend to include high ceilings, existing loading bays, and lack of internal loadbearing walls affording an easier and less costly transition. The last option is being proposed with this petition.

GB Real Estate Investments, LLC is requesting an amendment to the East Town Mall PUD to allow limited production and processing uses to occupy approximately two-thirds of the central mall building. To accomplish this, they are proposing to relocate the existing service businesses and retailers to the northern section of the building with individual storefronts and entrances directly from the parking area. A concept plan is attached to this staff report. Limited production and processing is currently a conditional use within all of the city's commercial districts and is defined in the Zoning Ordinance as: "Small-scale activities that are compatible with retail sales and services. These uses produce minimal off-site impacts due to their limited nature and scale. Limited production and processing includes, but is not limited to, apparel and other finished products made from fabrics; boat building and repair; computers and accessories, including circuit boards and software; electronic components and accessories; film, video, and audio production; food and beverage products, not including live slaughter, grain milling, cereal, vegetable oil, or vinegar production; precision medical and optical goods; signs, including electric and neon signs; watches and clocks; wood crafting and carving; wood furniture and upholstery."

Staff supports the PUD amendment request and believes the relocation of existing retail/service businesses to the northern façade with direct access to the parking lot and allowing limited production and processing uses to utilize a predominately nonvisible portion of the mall structure will halt the continuation of vacancy in the center and help facilitate further redevelopment of the greater mall area. To alleviate potential issues between the existing retail and proposed limited production and processing uses, the draft PUD limits the area allowed for said uses as well as prohibits any and all outdoor display and storage on the property as well as prohibiting any truck traffic, delivery staging, loading/unloading or associated industrial related accessory uses to the north of the malls façade.

Later this winter/early spring, City staff intends to contact the multiple property owners of the greater mall property and begin a conversation related to the City's and the owners collective vision for the future of the property, which will likely evolve to the development of a new Planned Development that is more holistic in nature. It is anticipated that a new PUD will supersede and replace the existing twelve (12) PUDs associated with East Town.

Ald. Gerlach, the Wilder Park Neighborhood Association, and surrounding property owners within 400 ft. have been notified of the request. As of the drafting of this report, staff has received several inquiries about the request without objections. We also received a letter of support from the ownership of the former Cub Foods property located on the western end of the PUD area.

RECOMMENDATION

Approval of the request, subject to the draft Planned Unit Development (PUD).

FISCAL IMPACT

ATTACHMENTS

1. ZP 30-38 App
2. Rezoning Request - 12.21.20
3. ZP 20-38 Location Map_color
4. Area Permitting Limited Production Uses
5. Draft ZO XX-21 - Amend PUD at 2350 East Mason (East Town Mall)
6. Support Letter from D Israel 1.6.21



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 Bader, Principal, GB Real Estate Inv., LLC Date: Dec. 21, 2020

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: GBES Owner I, LLC Phone Number: _____

Parcel Numbers (required): 21-126-7

Location of Property: 2350 E. Mason Street, Green Bay, WI 54302

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): _____

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 accompanying letter and Power Point presentation.

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

GB Real Estate Investments, LLC
Licensed Wisconsin Brokerage
Garritt R. Bader
300 N. Van Buren Street, Green Bay, WI 54301
Phone: (813) 500-0296 • E-Mail: gb@gb-re.com
www.gb-re.com

December 21, 2020

City of Green Bay
Department of Community & Economic Development
Ms. Cheryl Renier-Wigg & Mr. David Buck
100 N. Jefferson Street
Green Bay, WI 54301

**Re: Rezoning Request
Parcel 21-126-7**

Ms. Renier-Wigg and Mr. Buck:

Pursuant to our previous discussions, please allow this letter to serve as my formal request of the city to modify the current zoning on Parcel 21-126-7, 2350 E. Mason Street, the “East Town Mall Property.”

My specific request is that the city allow a wider range of users on this property—specifically light manufacturing, office and residential—in addition to the commercial users already allowable.

Staff has informed me that multiple PUDs exist in this area—some dating back to the original mall development in the early 1980s—that restrict the aforementioned users. Your approval today would allow a new PUD to supersede the older ones and spark a long-needed renovation to the mall.

This renovation will reimagine the mall as a mixed-use facility, bringing life back to the 180,000-square foot property. Outward-facing retail between Kohl’s and Hobby Lobby will provide much needed “energy” to and for all retail users. The unusable rear part of the mall will allow a local manufacturer to expand, tripling its current space amidst unprecedented growth. The large parking lot could be partially redeveloped with new retail and restaurant buildings that would visually, operationally and financially improve the property. Residential development could also be included in the future.

Future “cleaning up” of the older PUDs and the underlying zoning may be desired. I’ve already informed staff that I’m willing and happy to assist in this pursuit.

Thank you! Please refer to the accompanying exhibits that are presented with this request.

Sincerely,



Garritt R. Bader
Principal, GB Real Estate Investments, LLC

GB Real Estate Investments, LLC
Licensed Wisconsin Brokerage
Garritt R. Bader
300 N. Van Buren Street, Green Bay, WI 54301
Phone: (813) 500-0296 • E-Mail: gb@gb-re.com
www.gb-re.com

December 21, 2020

City of Green Bay
Department of Community & Economic Development
Ms. Cheryl Renier-Wigg & Mr. David Buck
100 N. Jefferson Street
Green Bay, WI 54301

**Re: Rezoning Request
Parcel 21-126-7**

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Future “cleaning up” of the older PUDs and the underlying zoning may be desired. I’ve already informed staff that I’m willing and happy to assist in this pursuit.

Thank you! Please refer to the accompanying exhibits that are presented with this request.

Sincerely,



Garritt R. Bader
Principal, GB Real Estate Investments, LLC

GB Real Estate Investments, LLC
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Garritt R. Bader
300 N. Van Buren Street, Green Bay, WI 54301
Phone: (813) 500-0296 • E-Mail: gb@gb-re.com
www.gb-re.com

December 21, 2020

City of Green Bay
Department of Community & Economic Development
Ms. Cheryl Renier-Wigg & Mr. David Buck
100 N. Jefferson Street
Green Bay, WI 54301

**Re: Rezoning Request
Parcel 21-126-7**

Ms. Renier-Wigg and Mr. Buck:

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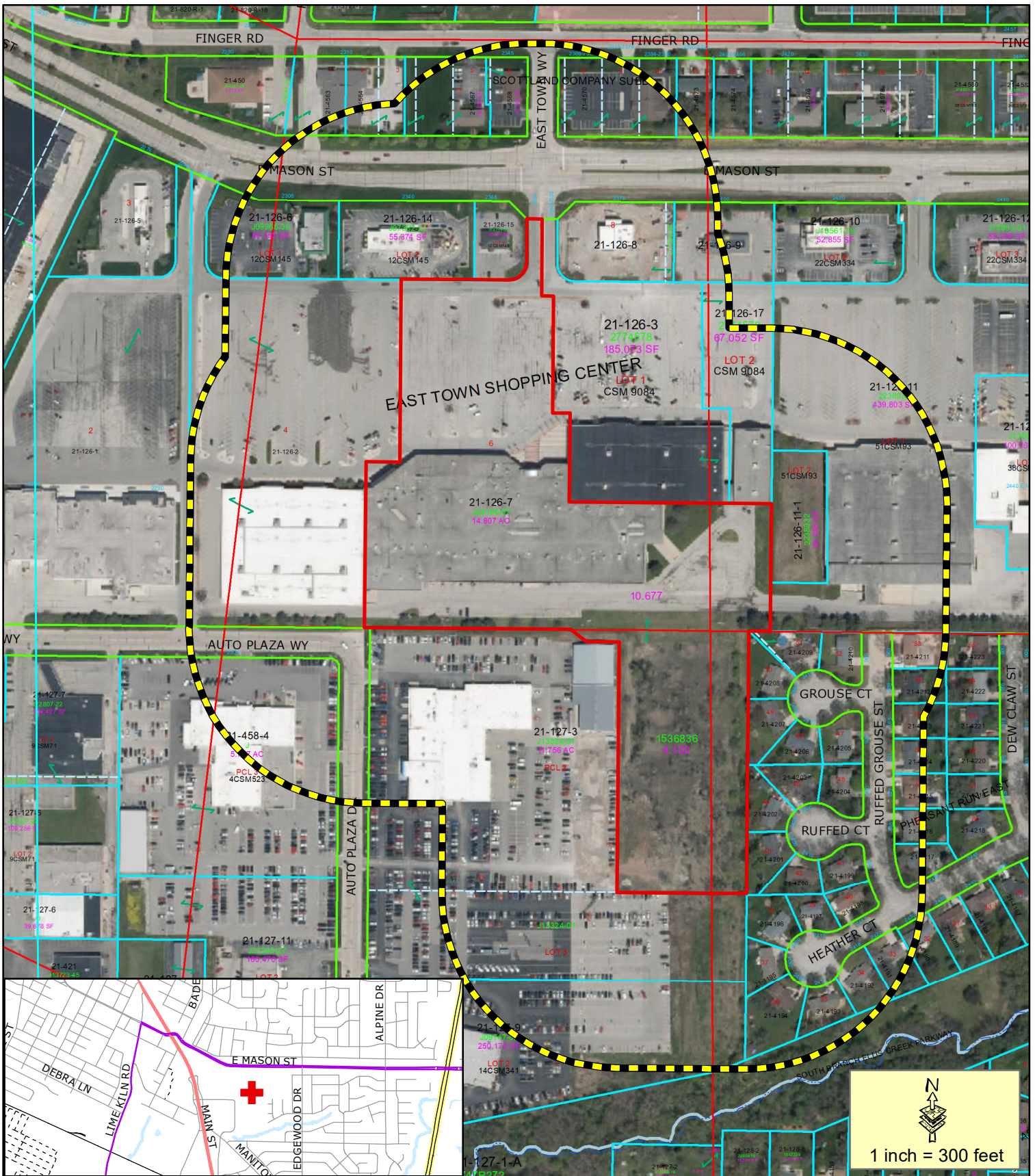
Future “cleaning up” of the older PUDs and the underlying zoning may be desired. I’ve already informed staff that I’m willing and happy to assist in this pursuit.

Thank you! Please refer to the accompanying exhibits that are presented with this request.

Sincerely,



Garritt R. Bader
Principal, GB Real Estate Investments, LLC



Zoning Petition (ZP 19-38)

Subject Property

400' + Notice Area

Proposed Amendment to Planned Unit Development (PUD) at 2350 East Mason Street



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Area Permitting Limited Production and Processing Uses



ZONING ORDINANCE NO. XX-21

AN ORDINANCE AMENDING
ZONING ORDINANCE NO. 38-79 FOR THE
PLANNED UNIT COMMERCIAL DEVELOPMENT
AT 2350 EAST MASON STREET (EAST TOWN MALL)
(ZP 20-38)

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

SECTION 1. Pursuant to Section 13-108, Green Bay Municipal Code, together with the zoning map referred to therein, the Planned Unit Commercial Development District for the 2350 East Mason Street is hereby amended by adding the following language:

SECTION 3.h. Limited production and processing uses, as defined in Section 13.303 of the Green Bay Zoning Ordinance, shall be permitted to be established and occupy the rear portion of the multiple tenant shopping mall building as depicted on Exhibit A.

SECTION 3.h.1. Retail and/or service businesses shall occupy the northern section of the building with individual storefronts and entrances directly from the parking area.

SECTION 3.h.2. Any and all outdoor display and storage associated with the limited production and processing use(s) on the property is prohibited.

SECTION 3.h.3. Commercial truck traffic, delivery staging, loading/unloading or other accessory uses associated with the limited production and processing use(s) on the property is prohibited to the north of the malls façade.

SECTION 2. The provisions of this ordinance, including, without limitation, the granting of a conditional-use permit and all obligations, conditions, restrictions, and limitations related thereto shall run with and be jointly and severally binding upon the fee-simple owner and the beneficial owner of all or any portion of the subject property. All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

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

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

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

while any violation of this ordinance remains uncured.

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

SECTION 7. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2021.

APPROVED:

Mayor

ATTEST:

Clerk

db

Attachment: Exhibit A – Area Permitting Limited Production and Processing Uses

Exhibit A – Area Permitting Limited Production and Processing Uses





3100 DUNDEE ROAD, SUITE 308
NORTHBROOK, ILLINOIS 60062 PHONE
847.714.0002

January 6, 2021

City of Green Bay
Department of Community & Economic Development
Ms. Cheryl Renier-Wigg
Mr. David Buck
100 N. Jefferson Street
Green Bay, WI 54301

Re: East Town Mall Rezoning Request

Ms. Renier-Wigg and Mr. Buck:

I am writing this letter to voice my support to the request being made by Garritt Bader of GB Real Estate Investments, LLC, to rezone the East Town Mall property and allow its redevelopment into a mixed-use retail, office and light manufacturing facility.

I had the opportunity to speak with Mr. Bader recently, and his proposal to renovate the mall is a great use for the building. Three years ago I purchased the former Cub Foods property to the west of the mall and redeveloped it. As such, I directly appreciate how this redevelopment will improve the commercial and retail atmosphere for all nearby users.

Today's retail environment is undergoing rapid change due to online shopping and its acceleration amidst the pandemic. We need to be cognizant of how this mall property is obsolete in this era, and how Mr. Bader's proposal adequately responds to that by backfilling the rear "dead" space with a local manufacturer while ensuring the commercial vibrancy of the East Town area will be maintained through an active front of outward-facing retailers.

Please support this proposal so that a long-needed renovation can begin and the vibrancy of the area can be ensured for years to come!

Sincerely,

A handwritten signature in black ink, appearing to read "David Israel". The signature is fluid and cursive, with a large, sweeping "D" and a long, horizontal stroke at the end.

David Israel
Green Bay, LLC
Managing Partner



Report to the Green Bay Plan Commission

MEETING DATE

January 11, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.7

(TA 20-04) Consideration with possible action on a request of Ald. V. Corpus-Dax to examine regulations regarding the current zoning code and "Drive Thru" or "Pickup" lanes, and the necessity of bypass lanes and/or menu boards.

BACKGROUND

Reason for Request: To review current drive-through requirements.

Aldersperson/District: All

Report: Staff is providing the following information regarding the use of drive-throughs and pickup lanes in general concepts with the idea of looking for guidance from the Plan Commission regarding the need to amend the ordinance.

History

The original Highway Business District (B2), now the Highway Commercial (C2) district was developed in the mid-1960s to address the generational move towards auto oriented land uses. Development standards such as queuing do not appear in the Code until the 1980s and with the update of the Zoning Code in 2006, the current standards for drive-throughs.

Definition

The Zoning Code defines a drive-through as:

A facility consisting of a driveway and window, opening, canopy, or other facilities used for serving patrons seated in an automobile. Drive-through facilities may be associated with principal uses, such as restaurants, banks, or drugstores, or may be free-standing, such as coffee kiosks, ATMs, etc.

There has been interpretation by staff between a drive-through facility and a pick-up window that they were distinctly different uses, menu boards tended to indicate to staff that the lane was intended for a full-service drive-through. Pick up windows have been permitted for non-restaurant uses such as banks and pharmacies. Full service drive through facilities are primarily associated with restaurants.

Staff would propose some adjustment to the definition to clarify what a drive-through facility is and to consider folding the term "pickup window" into the definition for a drive through.

Where Drive Throughs Are Allowed?

Currently drive-through facilities are permitted in the commercial zoning districts and as a Conditional Use Permit (CUP) in the Neighborhood Commercial (NC) and Downtown (D) Districts; restaurant uses in the General Commercial (C1) and Business Park (BP) districts also require a CUP. Banks or financial institutions require a CUP for a drive-through in the mixed use districts.

Staff may suggest the elimination of drive-through facilities from the downtown district, which would be consistent with the Downtown Authenticity Plan as it promotes walkability and generally speaking,

downtown areas are limited by land area and structures to allow for such a use.

Development Standards - Drive Throughs

The following are the current development standards for drive-through facilities, per Chapter 13-1606(I), Commercial Uses:

- (1) Drive-through elements shall not be located between the front façade of the principal building and the street.
- (2) Plans for onsite circulation and driveway locations shall be reviewed as part of the conditional use review process. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided without interfering with onsite parking/circulation.
- (3) Alley access to drive-through lanes is prohibited on any block containing a residential or office-residence district, except for commercial deliveries when approved by the city engineer.
- (4) Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.
- (5) Sound from any speakers used on the premises shall not be audible at the boundary of any surrounding residential district or on any residential property.
- (6) An emergency exit lane shall be provided for users queuing through the drive-through lane(s) without interfering with onsite parking/circulation

Statewide/Local Communities Standards

Staff conducted a brief review and sampling of drive-through standards for varying community sizes in the State. Staff did not find any community that required a dedicated bypass lane. Instead, many communities had similar standards that addressed required screening from residential areas, queuing/stacking requirements and required pedestrian access. Some smaller communities did not have standards, others did not specify the detail of our current code. One community did limit the hours of the drive-through, a standard that Green Bay had prior to 2006.

Interdepartmental Input

Based on the recent correspondence from the Green Bay Metro Fire Department and the recent lack of need to respond to emergencies located within drive-throughs, the Fire Department has offered no specific recommendation and has chosen to remain neutral on any proposed changes to the ordinance. The City's Traffic Engineer has not offered an opinion as to circulation on private property unless it impacts the public right-of-way.

Other Potential Ordinance Modifications

Staff believes there could be some upgrades and modifications to the current language for drive-throughs. It may be possible to consider that both the drive-through lane and the emergency exit lane could be combined into one lane as this is consistent with other communities throughout the state, however, staff would improve specific development standards to accommodate a drive-through such as minimum drive widths to accommodate larger vehicles, door swings and additional room for emergency personnel on foot to gain access to a vehicle or passenger in distress. Menu boards would not be a deciding factor in defining a drive-through, instead any facility that would permit vehicles to drive-through and pick up a product would be considered a drive-through facility. Pavement markings and signage may be suggested to better delineate and identify drive-through areas for motorists and pedestrians.

Staff would seek input from the Plan Commission on what, if any, modification should be made to accommodate drive-through facilities. Staff believes there is an opportunity to improve requirements that would allow a more universal design with certain development standards.

RECOMMENDATION

Direct staff to draft an amended ordinance to improve the functionality of drive throughs and include

suggestions made by the Plan Commission.

FISCAL IMPACT

ATTACHMENTS

None