



# **AGENDA OF THE ZONING & PLANNING BOARD OF APPEALS**

**MONDAY, JANUARY 17, 2022, 5:30 PM**  
**Virtual Meeting. Public may join via Zoom.**

**A. Zoom Meeting Information.**

1. This item contains Zoom information, instructions, and a link to the Virtual Comment Form.

**B. Roll Call.**

1. Members: Tommy Everman - Chair, Noel Halvorsen - Vice Chair, Don Carlson, Jim Hutchison, and Tom Hoy  
Alternate: Vacant
2. Does anyone need to abstain from voting? Was anyone out to see any of the properties? Did you speak to anyone regarding this variance request?

**C. Approval of the Agenda.**

1. Approval of the Agenda for the January 17, 2022, meeting of the Zoning & Planning Board of Appeals.

**D. Approval of Minutes.**

1. Approval of the minutes from the December 20, 2021, meeting of the Zoning & Planning Board of Appeals.

**E. Regular Business.**

1. (Appeal 21-040) Jim Anderson, Anderson Basement Repair, Inc., on behalf of Michelle Kumbalek, property owner, proposes to install an egress window in a Low Density Residential (R1) at 508 Victoria Street. The applicant requests to deviate from the following requirement in Chapter 44, Green Bay Zoning Code, Section 44-358(3) setback encroachment (Ald. B. Galvin, District 4).
2. (Appeal 22-001) Jon LeRoy, Mau & Associates, on behalf of Moski Corp, property owner, propose to pave into a side yard in a Varied Density Residential (R3) District at 1420 South

Huron Road. The applicant requests to deviate from the following requirement in Chapter 44, Green Bay Zoning Code, Section 44-554, Table 44-2, side yard setback (Ald. V. Corpus-Dax, District 2).

3. (Appeal 22-002) Jon LeRoy, Mau & Associates, on behalf of Neufeld Enterprises II, LLC, property owner, proposes to construct a new Caribou Coffee restaurant building and parking lot in a General Commercial (C1) District at 1616 West Mason Street. The applicant requests to deviate from the following requirement in Chapter 44, Green Bay Zoning Code, Section 44-720, Table 44-9, Floor Area Ratio (FAR) (Ald. J. VanderLeest, District 11).

#### **F. Informational.**

1. Discussion on procedural items related to the Zoning & Planning Board of Appeals.
2. Next meeting date: February 21, 2022.

#### **G. Adjournment.**

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT [www.greenbaywi.gov](http://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 Zoning & Planning Board of Appeals 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

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## Zoning & Planning Board of Appeals

### Zoom Meeting Information

#### Join Zoom Meeting

<https://us02web.zoom.us/j/82345213442?pwd=T1FBbFNiK1FqZUh1UzIWEhiVmZlZz09>

**Meeting ID: 823 4521 3442**

**Passcode: 483400**

#### One tap mobile

+13126266799,,82345213442# US (Chicago)

+16468769923,,82345213442# 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 (Washington DC)

+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: 823 4521 3442

Passcode: 483400

Find your local number: <https://us02web.zoom.us/j/82345213442?pwd=T1FBbFNiK1FqZUh1UzIWEhiVmZlZz09>

## Public Comments

If you wish to speak at this public meeting or leave a comment, please fill out the online [Comment Form](#) prior to the meeting.

## Additional Information

1. Wisconsin Open Meetings Law still applies
  - a. Persons interested in speaking to an item must state their name and address for the minutes.
  - b. Committee/Commission/Board members will still follow *Roberts Rules of Order Newly Revised 12<sup>th</sup> edition*.
2. Please log into the Zoom meeting at least 10 minutes before the meeting begins to ensure a proper connection and that your technology is working.
  - a. If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.
3. Once you are in the meeting please mute yourself.
  - a. You may unmute yourself when you are called upon to speak.
4. Waiting room
  - a. When you call in or connect via web or Zoom app, you will be placed in a “waiting room.”
  - b. The meeting host will then admit you to the meeting, and mute you upon entrance (you will still be able to hear and or otherwise observe the meeting).
5. 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 be tied to an email.
6. Raising your hand
  - a. Committee/Commission/Board members—you can either use CivicClerk and request to speak or you can also utilize the “raise your hand” tool in the Zoom platform (you'd need to use a computer or tablet) to let the host know you would like to speak. You can also un-mute yourself and start speaking.
  - b. Persons with items on the agenda or other interested parties—you can also utilize the “raise your hand” tool on the Zoom platform via computer or mobile device. You will be allowed to speak once the committee, commission, or board has moved to “open the floor for interested parties to speak.” Once discussion on your agenda item has concluded, the host will mute you, unless the committee opens the floor again.
7. What devices should I use?
  - a. Smart phone (please see more detailed instructions on page 3)
  - b. Land line
  - c. Tablet—in advance of the meeting, please download the Zoom Meeting app by using either the Apple Store or the Play Store. You will be asked to input your name, to identify you for the meeting.
  - d. Computer—you can access the meeting through a web browser by clicking on the meeting link, or through the Zoom Meeting app. If using the app, please download it in advance of the meeting. You will be asked to input your name, to identify yourself for the meeting.
  - e. For tablet and computer users—if you download the app you may be asked to verify your email.

8. Zoom etiquette
  - a. Muting yourself when you're not speaking 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 state your name and address before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourself.
9. Closed session
  - a. Persons in the Zoom meeting will be put into a waiting room while the committee/commission/board meets in Closed Session. Participants will be admitted back into the Zoom meeting once the committee reconvenes in Open Session.
  - b. Persons watching a Common Council meeting live on YouTube will see a gray screen with the City logo during closed session.
10. Persons interested in attending anonymously or listening to the meeting may call in by dialing \*67 followed by the phone number in the Zoom Meeting Information box.

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





Report to the  
**Zoning & Planning Board of Appeals**  
of the City of Green Bay

**MEETING DATE**

January 17, 2022

**PREPARED BY**

Paul Neumeyer, Staff

**AGENDA ITEM # E.1**

(Appeal 21-040) Jim Anderson, Anderson Basement Repair, Inc., on behalf of Michelle Kumbalek, property owner, proposes to install an egress window in a Low Density Residential (R1) at 508 Victoria Street. The applicant requests to deviate from the following requirement in Chapter 44, Green Bay Zoning Code, Section 44-358(3) setback encroachment (Ald. B. Galvin, District 4).

**BACKGROUND****RECOMMENDATION****FISCAL IMPACT****ATTACHMENTS**

- I. 508 Victoria St

## ZONING & PLANNING BOARD OF APPEALS VARIANCE APPLICATION

**APPLICATION DEADLINE: FIRST TUESDAY OF THE MONTH AT 12 NOON.**

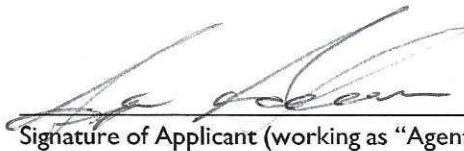
[illegible]

|                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------|
| List ordinance(s) (number and description) the variance will be impacting (staff will assist with this).                                           |
| Chapter 44, Green Bay Zoning Code, Section 44-358(3) setback encroachment.                                                                         |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |
| <b>ALTERNATIVES:</b>                                                                                                                               |
| Describe alternatives to your proposal, to include other locations, designs, construction techniques, etc.                                         |
| WEST WALL IS PLUMBING WALL                                                                                                                         |
| NORTH WALL IS DRIVEWAY                                                                                                                             |
| SOUTH WALL NOT ENOUGH ROOM FROM PROPERTY LINE                                                                                                      |
|                                                                                                                                                    |
| Alternatives that you considered that comply with existing regulations:                                                                            |
| I DID NOT KNOW ABOUT FRONT WALL INSTALLATION.                                                                                                      |
| I HAVE INSTALLED 100'S OF WINDOWS THREW OUT                                                                                                        |
| THE AREA BUT DID NOT KNOW ON FRONT WALL                                                                                                            |
|                                                                                                                                                    |
| Reasons for not pursuing the alternative(s) listed above: DIDN'T KNOW                                                                              |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |
| <b>THREE STEP TEST - To qualify for a variance, the applicant must demonstrate that their property meets the following three (3) requirements:</b> |
| Does unique physical characteristics of your property prevent the compliance with the ordinance? Explain                                           |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |
|                                                                                                                                                    |

|                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Would granting the variance be contrary to the public interest? Explain.                                                                                                                                                                                                |
| THE WINDOW                                                                                                                                                                                                                                                              |
| INSTALLATION IS HARD TO NOTICE FROM                                                                                                                                                                                                                                     |
| STREET                                                                                                                                                                                                                                                                  |
|                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                         |
| Why would not getting the variance unreasonably prevent you from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome? |
|                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                         |

I HEREBY CERTIFY THAT I HAVE READ AND FULLY UNDERSTAND THE VARIANCE PROCEDURE AND FAILURE TO COMPLY WITH CITY REQUIREMENTS WILL RESULT IN THIS APPLICATION BEING WITHHELD FROM CONSIDERATION BY THE ZONING BOARD OF APPEALS.

\_\_\_\_\_  
Signature of the Property Owner

  
Signature of Applicant (working as "Agent" for owner)

MICHELLE KUMBALK  
Print Name:

JIM ANDERSEN  
Print Name:

\_\_\_\_\_  
Date

12-4-21  
Date

|                             |                          |                                               |
|-----------------------------|--------------------------|-----------------------------------------------|
| OFFICE USE ONLY:            | Parcel# 21-2442          | Residential \$75 _____ Commercial \$150 _____ |
| District: 4      Zoning: R1 | Meeting Date: 12/20/2021 | Receipt #:                                    |
| Submittal Date: 12/06/2021  | Staff Signature:         |                                               |



(//)

## Stone Egress Well - Sandstone

- Part Number - 82123006S
- 52 in. D X 75 in. W X 64 in. H
- IRC Code compliant.
- Accommodates 3-5 ft casement or slider windows.
- Maintenance-free polyethylene construction.
- Looks and feels like real stone.
- Built-in stairs provide easy escape in case of emergency.
- Heavy duty dual-walled design for superior sturdiness and strength.
- UV protected to maintain color.
- Optional polycarbonate cover (sold separately) helps prevent children, small animals, rainwater, and debris from falling into the well.

Romotech's Sandstone Egress Well is an elegant, low maintenance way to add natural light, ventilation, and an emergency escape to any basement living space. Built from sturdy dual-walled polyethylene, the well provides the look and feel of real stone and will never rust, erode, or collapse. It's also UV protected to maintain its color for years to come. Built-in steps make it easy to climb out of the well in case of emergency.

The egress well is easy to install and never needs maintenance. It's designed to fit 3 - 5 ft slider or casement windows and meets IRC code requirements for below grade living areas. A polycarbonate cover (part number 82123108) is also available to prevent children, small animals, rain water, and debris from accidentally falling into the well.



PROJECT #106890



DRIVEWAY

N

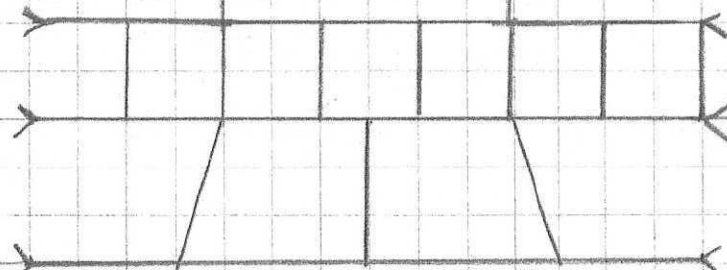
508 VICTORIA ST.

WINDOW

HEIGHT FROM FLOOR 24"

HEADER -  $1\frac{1}{2}$ " X 3" TUBULAR STEEL  $\frac{1}{4}$ " WALL  
ENCLOSED WITH 2 X 8 TREATED

WINDOW - 30" X 48" CASEMENT





Report to the  
**Zoning & Planning Board of Appeals**  
of the City of Green Bay

**MEETING DATE**

January 17, 2022

**PREPARED BY**

Paul Neumeyer, Staff

**AGENDA ITEM # E.2**

(Appeal 22-001) Jon LeRoy, Mau & Associates, on behalf of Moski Corp, property owner, propose to pave into a side yard in a Varied Density Residential (R3) District at 1420 South Huron Road. The applicant requests to deviate from the following requirement in Chapter 44, Green Bay Zoning Code, Section 44-554, Table 44-2, side yard setback (Ald. V. Corpus-Dax, District 2).

**BACKGROUND****RECOMMENDATION****FISCAL IMPACT****ATTACHMENTS**

1. Variance Request Moski Huron 010422
2. L-11094
3. M-4420Eng 121821 C2

# **Moski Corp Multi Family Development**

Variance Request



1420 South Huron Road

Parcel 21-183

January 4, 2022

**Describe Reason for Variance**

Please find the following written narrative and supporting documents as a request for a variance request at part of the existing parcel owned by Moski Corp at 21-183, 1420 S Huron Road for the purpose of constructing a driveway which crosses a sideyard setback to access remaining property owned by Moski Corp located in the Village of Bellevue

Moski Corp has submitted site plans to the City of Green Bay for the purpose of constructing a 72 unit apartment complex located primarily at parcel 21-183 and part of parcel 21-182-3 and parcel B-33.

For background purposes, Parcel 21-183 is a 30.25 acre parcel owned by Moski Corp. The majority of the new development will be on this parcel. This parcel is in the process of being split into three different properties. The CSM to facilitate such divisions is attached.

Amongst the three parcels being created, parcel 21-183 will become apart of the new CSM. Parcel 21-182-3 is currently owned by the city. Moski Corp and the city have negotiated to facilitate the land transfer. This land will create future Lot 2. Future Lot 2 has wide swaths of wetlands and ESAs, but land remains to create a 72 unit development. Adjacent to the southeast corner of Lot 2, Moski Corp owns Parcel B-33.

Parcel B-33 is a large lot located in the Village of Bellevue. B-33. This 31.175 acre parcel at 1500 South Bellevue is also owned by Moski Corp. Currently, the site is developed as the Huron Grove Apartments. The northern part of the property has a small stream which runs up though the property and into Parcel 21-183. A small piece of developable land exists at the northeast corner of the parcel. As apart of the site plans for this new apartment project in the City of Green Bay, Moski Corp has submitted a layout which includes using the small developable portion of land in parcel B-33. To access this site, the driveway needs to cross municipal and property boundaries. This variance request asks for relief of sideyard setbacks to allow for the driveway and parking to cross setbacks to access the small portion of developable land in B-33.

The following items have been attached

Future CSM

Site Layout

**List ordinances the variance will be impacting**

- (1) Request relief to allow construction of a driveway and parking area adjacent to a property line for the purpose of constructing additional residential parking on lands owned by the same property owner. This request would allow for the construction of a driveway and parking to exceed the sideyard setback and allow for construction of three surface stalls and a four stall garage.

**ORD. CH. 44 Sec44-554 Table 44-2**

## **ALTERNATIVES**

### **Describe alternatives to your proposal**

Alternatively, the land could stay undeveloped and the driveway entrance would end at the southernmost point of the southernmost 15 unit apartment building. The site plan submitted for the site has explored creative ways to find space for development on the site. Engineers have looked to find different nooks to blend parking into the overall site. The seven extra stalls would be quite beneficial to the users and visitors of the two southern 15 unit apartments.

Additionally, due to the constraints of driveway entrances and nearby waterways, a separate drive entrance which access only from Bellevue would consume most of the nearly 1/5 acre of developable land in the Bellevue site due to turning radii and ESA boundaries which come at a diagonal angle with Huron Road. Some parking *could* be developed, but likely limited to two surface stalls.

### **Alternatives that you considered that comply with existing regulations**

The boundary constraints and ESAs mean a potential driveway could come off B-33 in Bellevue, but the limited amount of buildable space on the parcel restricts practical use.

### **Reasons for not pursuing the alternatives listed above**

The listed alternative would be practically unfeasible.

- 1) Confusion: This alternative would create 2 driveway entrances within about 100 feet of one another. This would cause confusion to the northbound driver as to which lot to access the majority of the site.
- 2) Safety Hazard: The two driveway entrances would be so close that if both driveways were to be used at the same time by drivers, issues with cross traffic that close driveways create would be artificially created.
- 3) The juice isn't worth the squeeze: Space is already limited in with the variance requested land use. Due to building setbacks and practical limitations of garage entry, space for a detached garage within the B-33 property is not practical if entry is confined only to B-33. Perhaps 2 surface stalls are feasible within Bellevue with a drive entrance off the B-33 property. Each parking space will have value, but coupled with costs and the confusion and safety hazards listed above; practicality of the limited parking would be limited.

### **THREE STEP TEST**

#### **Does unique physical characteristics of your property prevent the compliance with the ordinance?**

Yes. The constraints of the navigable waterway and ESAs in the northeast part of B-33 leave a very small piece of developable land.

This small nook of an area can muster an additional 7 stalls by asking for a variance. About 1/5 of an acre of land in the northeast corner of B-33 is developable. The land is a triangular piece of land, adding further constraints to create useable development which fits in with the general form of the area.

To develop this piece independently and will greatly reduce the practicality of adding additional garage and surface stalls.

#### **Would granting the variance be contrary to the public interest?**

Allowing the driveway and parking stalls to expand over the property and municipal boundary will create one connected system of parking and apartments.

Moski Corp owns both properties.

B-33 is in the Village of Bellevue and the property is apart of a planned unit development with the village. An amended planned unit development is in the works with the village to allow for 3 surface stalls and 4 garage stalls pending approvals from this board. Additionally, the Village of Bellevue will require Moski Corp to split off the land northeast of the stream to create a separate outlot. This will ensure that if the properties were to be sold in the future to two separate owners, the outlot adjacent 21-183 would remain as one connected system into the future.

#### **Why would not getting the variance unreasonably prevent you from using the property for permitted use?**

If a variance is not allowed, the driveway will mark the end to any further parking or garage area in the geographic area north of the stream that Moski Corp owns. The area needed to create a second driveway in B-33 and then have space needed to facilitate a four stall garage and 3 surface stalls would be unfeasible as listed in 'reasons for not pursuing the alternative listed above.'

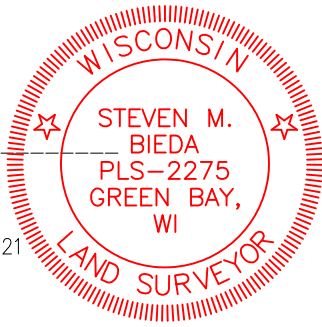
# Certified Survey Map

Part of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 11,  
T23N-R21E, in the City of Green Bay, Brown County, Wisconsin

North



Steven M. Bieda  
PLS-2275  
May 28, 2020  
Revised October 29, 2021



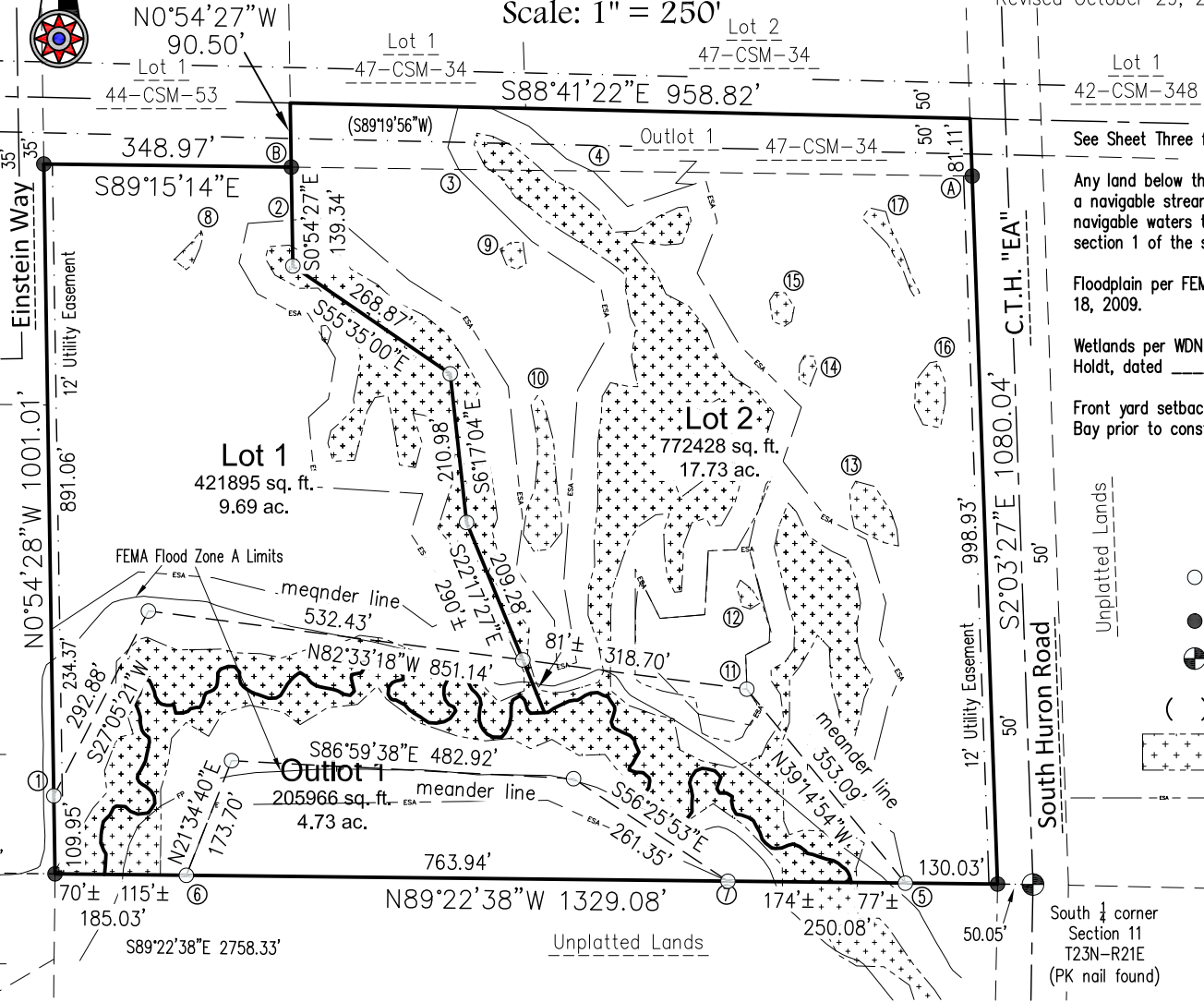
Bearings referenced to the  
South line of the Southwest  $\frac{1}{4}$   
of Section 11, T23N-R21E,  
assumed to be N89°22'38"W.

The County Monuments used in  
this survey are shown and  
their ties have been found and  
verified and/or Brown County  
Planning and Land Services has  
been notified of any  
discrepancies.

Unplatted Lands

Southwest corner  
Section 11  
T23N-R21E  
(iron rod found)

Lot 1  
56-CSM-341



See Sheet Three for ESA and Wetland boundary line tables

Any land below the ordinary high water mark of a lake or  
a navigable stream is subject to the public trust in  
navigable waters that is established under article IX,  
section 1 of the state constitution.

Floodplain per FEMA FIRM panel 55009C0281F dated August  
18, 2009.

Wetlands per WDNR approved delineation by George and  
Holdt, dated \_\_\_\_\_

Front yard setbacks to be verified with the City of Green  
Bay prior to construction.

## Legend

- 1.32" (o.d.) x 18" iron pipe with  
cap weighing 1.68 lbs/lin ft set
- 1" iron pipe found
- ⊙ Brown County monument  
- type noted
- ( ) recorded as bearing / distance
- Wetlands
- - - Environmentally Sensitive Area  
(ESA) Limits

South  $\frac{1}{4}$  corner  
Section 11  
T23N-R21E  
(PK nail found)

**Client:** Moski Corp.  
Tax Parcel: 21-183  
Drafted By: BAR  
File: M-4420CSM 052820.dwg  
Data File: M-4420A.txt

**Mau & Associates, LLP**  
LAND SURVEYING & PLANNING  
CIVIL & WATER RESOURCE ENGINEERING  
Phone: 920-434-9670 Website: www.mau-associates.com  
400 Security Blvd, Green Bay, WI 54313

Sheet One of Five  
Project No.: M-4420  
Drawing No.: L-11094  
Fieldwork Completed: 09/02/2020



SURVEYOR’S CERTIFICATE

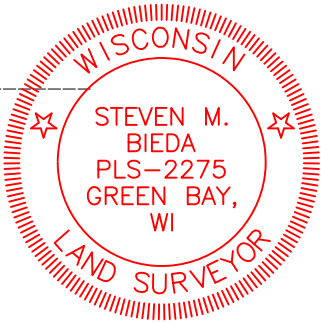
I, Steven M. Bieda, Professional Land Surveyor, PLS–2275, do hereby certify that I have surveyed, divided and mapped part of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 11, T23N–R21E, in the City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the South  $\frac{1}{4}$  corner of Section 11, T23N–R21E; thence N89°22’38”W, 50.05 feet along the South line of the Southwest  $\frac{1}{4}$  of said Section 11 to the Westerly right of way of County Trunk Highway “EA”, also known as South Huron Road and the point of beginning; thence continuing N89°22’38”W, 1329.08 feet along said South line to the Southwest corner of the Southeast  $\frac{1}{4}$  of said Southwest  $\frac{1}{4}$  of Section 11; thence N00°54’28”W, 1001.01 feet along the West line of said quarter–quarter, also being the extension of and the Easterly right of way of Einstein Way to the Southwest corner of Lot 1, Volume 44, Certified Survey Maps, Page 53, Map Number 6580, Document Number 1903183, Brown County Records; thence S89°15’14”E, 348.97 feet along the South line of said Certified Survey Map to the South line of Outlot 1, Volume 47, Certified Survey Maps, Page 34, Map Number 6957, Document Number 2082035, Brown County Records, being the Southwest corner thereof, thence N0°54’27”W, 90.50 feet along the West line of said Outlot 1; thence S88°41’22”E, 958.82 feet along the North line of said Outlot 1 to the said Westerly right of way of South Huron Road; thence S02°03’27”E, 1080.04 feet along said right of way to the point of beginning.

Parcel contains 1,400,290 square feet / 32.15 acres, more or less.  
Parcel subject to easements and restrictions of record.

That such plat is a correct representation of all the exterior boundaries of the land survey and the division thereof. That I have made such a survey, land division and plat by the direction of the owners listed hereon. That I have fully complied with the provisions of Chapter 236, section 236.34 of the Wisconsin Statutes and the City of Green Bay Planning Department in surveying, dividing and mapping the same.

\_\_\_\_\_  
Steven M. Bieda  
PLS–2275  
May 28, 2020  
Revised October 29, 2021



CERTIFICATE OF THE CITY OF GREEN BAY

Approved for the City of Green Bay, as required by Wisconsin Statutes Chapter 236, and the City of Green Bay Municipal Code Chapter 14, Subdivision and Platting, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Neil Stechschulte  
Development Director

CERTIFICATE OF THE GREEN BAY CITY CLERK

As the duly appointed City Clerk for the City of Green Bay, I hereby certify that the records in my office show no unpaid taxes or special assessments affecting any of the lands included in the Certified Survey Map.

\_\_\_\_\_  
Celestine Jeffreys  
Green Bay City Clerk

\_\_\_\_\_  
Date

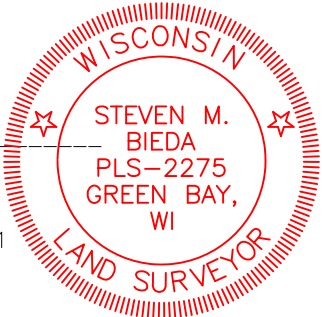




ESA and Wetland Boundary Line Tables

|                                  |                                     |                                     |
|----------------------------------|-------------------------------------|-------------------------------------|
| ESA Limits starting at Point 1   | ESA Limitis starting at Point 6     | Point 11 to Point 12                |
| N 56° 26' 21" E 147.52           | N 21° 35' 34" E 106.54              | N 3° 09' 01" W 116.80               |
| S 85° 26' 39" E 106.73           | N 89° 10' 41" E 470.63              | Wetland limits                      |
| S 76° 07' 03" E 160.29           | S 65° 48' 53" E 278.5 (Point 7)     | N 16° 06' 21" W 28.09               |
| N 74° 56' 42" E 83.62            | Point B to Point 8                  | N 25° 57' 49" E 11.21               |
| S 53° 44' 00" E 88.87            | S 54° 51' 28" W 155.6               | S 52° 04' 47" E 20.16               |
| N 66° 12' 50" E 46.80            | Wetland Limits starting at Point 8  | S 31° 21' 47" E 23.13               |
| N 33° 04' 24" W 135.23           | S 20° 25' 53" E 8.28                | S 58° 05' 41" W 16.46               |
| N 17° 27' 41" E 58.27            | S 14° 58' 15" W 17.09               | N 71° 11' 48" W 11.71               |
| N 86° 24' 31" W 151.80           | S 23° 30' 17" W 25.05               | Point A to Point 13                 |
| N 5° 33' 15" W 98.78             | S 51° 33' 13" W 12.25               | S 20° 53' 44" W 460.54              |
| N 47° 37' 46" E 37.98            | N 51° 29' 00" W 21.86               | Wetland Limits starting at Point 13 |
| N 9° 47' 00" E 58.69             | N 45° 20' 29" E 35.24               | S 74° 51' 35" E 27.63               |
| N 31° 41' 45" W 74.70            | N 38° 36' 03" E 21.07               | S 33° 01' 38" E 42.24               |
| S 89° 28' 06" W 20.56            | Point B to Point 9                  | S 18° 47' 20" E 26.87               |
| N 61° 21' 45" W 57.84            | S 68° 35' 05" E 316.36              | S 5° 13' 59" E 23.41                |
| N 30° 16' 57" W 50.10            | Wetland Limits starting at Point 9  | N 76° 58' 31" W 21.36               |
| N 12° 42' 51" E 57.02            | N 58° 35' 56" E 18.51               | N 63° 28' 40" W 46.17               |
| N 85° 38' 51" E 62.37 (Point 2)  | S 89° 31' 09" E 16.45               | N 11° 49' 12" W 22.47               |
| Point B to Point 2               | S 6° 47' 25" E 15.42                | N 3° 54' 18" W 28.90                |
| S 00° 54' 27" E 74.56            | S 9° 37' 29" E 14.96                | N 28° 31' 35" E 17.21               |
| Continuing from Point 2          | S 58° 18' 19" W 15.07               | Point A to Point 14                 |
| N 85° 38' 51" E 60.84            | N 67° 09' 13" W 16.1                | S 38° 53' 39" W 348.74              |
| S 49° 18' 23" E 138.03           | N 21° 51' 31" W 23.94               | Wetland Limits starting at Point 14 |
| S 57° 35' 53" E 90.95            | Point B to Point 10                 | S 21° 35' 26" W 27.15               |
| S 31° 58' 08" E 118.27           | S 47° 09' 35" E 473.41              | N 57° 37' 37" W 18.12               |
| S 6° 11' 24" E 190.72            | Wetland Limits starting at Point 10 | N 2° 24' 46" E 21.52                |
| S 7° 41' 43" W 68.54             | S 40° 26' 49" E 11.68               | N 29° 01' 06" E 14.16               |
| S 36° 36' 14" E 90.05            | S 15° 27' 30" E 57.18               | S 84° 34' 34" E 13.28               |
| S 3° 16' 02" E 66.73             | S 3° 58' 27" E 53.37                | S 14° 08' 45" E 17.62               |
| N 76° 15' 11" E 28.26            | S 5° 12' 36" E 31.43                | Point A to Point 15                 |
| N 9° 11' 28" W 113.49            | S 12° 22' 21" E 19.24               | S 58° 00' 10" W 310.76              |
| N 4° 08' 53" E 274.68            | S 1° 34' 29" E 26.06                | Wetland Limits starting at Point 15 |
| N 29° 32' 14" E 92.67            | S 37° 39' 32" W 29.69               | S 32° 24' 01" E 24.03               |
| N 11° 57' 34" W 65.39            | S 82° 38' 41" W 21.45               | S 10° 52' 19" W 20.30               |
| N 56° 47' 27" W 115.73           | N 32° 12' 53" W 28.16               | S 55° 25' 57" W 11.88               |
| N 45° 25' 52" W 144.88 (Point 3) | N 8° 08' 55" E 36.16                | N 68° 34' 42" W 17.79               |
| N 26° 25' 10" W 34.42'           | N 22° 00' 04" E 30.57               | N 8° 58' 46" W 30.14                |
| N 13° 59' 13" E 59.08'           | N 5° 40' 23" E 39.79                | N 33° 02' 14" E 14.00               |
| S 88° 41' 22" E 44.98'           | N 0° 59' 18" W 30.15                | S 85° 51' 02" E 14.41               |
| S 64° 24' 15" E 60.91'           | N 10° 28' 33" W 48.95               | Point A to Point 16                 |
| S 49° 04' 20" E 70.18'           | N 33° 29' 07" E 16.54               | S 10° 40' 25" W 266.05              |
| S 65° 19' 24" E 41.44' (Point 4) | ESA limits starting at Point 11     | Wetland Limits starting at Point 16 |
| S 44° 15' 46" E 69.85            | S 34° 04' 28" E 32.86               | S 21° 39' 59" E 29.69               |
| N 71° 19' 44" E 116.22           | S 29° 53' 06" W 27.11               | S 1° 00' 56" E 31.20                |
| S 15° 13' 51" E 61.13            | N 77° 57' 09" W 75.04               | S 11° 42' 42" W 35.43               |
| S 21° 17' 20" W 77.38            | N 44° 21' 57" W 127.57              | N 79° 26' 16" W 24.53               |
| S 30° 24' 37" E 117.11           | N 0° 09' 58" E 113.06               | N 26° 47' 15" W 26.73               |
| S 44° 55' 57" E 124.05           | S 26° 36' 37" E 77.54               | N 2° 15' 05" E 38.44                |
| S 18° 43' 08" W 80.78            | N 85° 22' 19" E 63.42               | N 38° 13' 27" E 31.37               |
| S 37° 34' 54" E 102.79           | N 3° 01' 52" E 90.17                | N 79° 11' 59" E 11.11               |
| S 62° 04' 35" E 62.17            | N 87° 42' 19" E 58.07               | Point A to Point 17                 |
| S 17° 03' 33" E 93.28            | S 14° 40' 45" E 132.87              | S 67° 37' 01" W 131.74              |
| S 10° 01' 03" W 52.99            | S 62° 06' 57" W 43.83               | Wetland Limits starting at Point 17 |
| S 30° 18' 53" E 59.05            | S 2° 00' 38" E 48.34                | S 17° 10' 47" E 26.89               |
| S 22° 57' 15" W 45.18            |                                     | S 26° 44' 30" E 36.72               |
| S 14° 00' 47" W 138.08           |                                     | S 19° 51' 17" E 33.44               |
| N 50° 32' 55" W 88.79            |                                     | S 26° 14' 10" E 27.41               |
| N 1° 42' 13" W 63.70             |                                     | S 61° 57' 18" W 9.28                |
| S 13° 20' 43" W 44.35            |                                     | N 30° 33' 53" W 10.10               |
| S 1° 14' 43" E 65.72             |                                     | N 20° 14' 29" W 27.83               |
| S 63° 57' 27" E 38.47            |                                     | N 31° 18' 34" W 27.44               |
| N 88° 13' 28" E 26.13            |                                     | N 28° 41' 50" W 17.41               |
| S 55° 55' 56" E 72.75            |                                     | N 44° 27' 34" W 50.83               |
| S 13° 00' 11" E 72.38 (Point 5)  |                                     | N 35° 22' 11" E 17.74               |
|                                  |                                     | S 76° 49' 35" E 23.58               |

Steven M. Bieda  
PLS-2275  
May 28, 2020  
Revised October 29, 2021



## OWNER'S CERTIFICATE

As Owners, Moski Corp., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that we caused the land described and easements granted on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented hereon. Said Moski Corp. understands that the City will discontinue any public improvements upon discovery or notice of any other condition requiring abnormal public improvement costs. Said Moski Corp. further acknowledges that the City's action or inaction in this regard shall not be construed as an admission of liability for hazardous waste clean-up or burial site preservation costs.

In Witness Whereof, the said Moski Corp. has caused these presents to be signed by Paul Kosmoski, it's President on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Paul Kosmoski

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above named officer of said corporation and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Notary Public  
Brown County, Wisconsin

My Commission Expires \_\_\_\_\_

STATE OF WISCONSIN ]  
                              ] SS  
COUNTY OF BROWN     ]

CERTIFICATE OF CORPORATE MORTGAGEE

\_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this Certified Survey Map and does hereby consent to the above certificate of Moski Corp., Owner(s) of said lands.

IN WITNESS WHEREOF, \_\_\_\_\_ has caused these presents to be signed by \_\_\_\_\_,  
it's \_\_\_\_\_ and countersigned by \_\_\_\_\_, its \_\_\_\_\_, at  
\_\_\_\_\_, Wisconsin, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

In the presence of:

\_\_\_\_\_ (Corporate Seal)

President

Date \_\_\_\_\_

Secretary or Cashier

Date \_\_\_\_\_

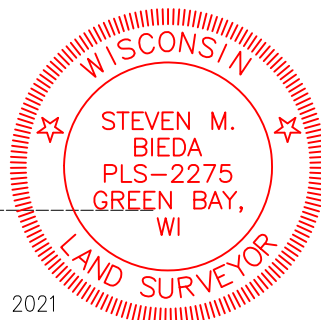
Personally came before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the above named officers of said corporation to me known to be the persons who executed the foregoing instrument and to me known to be such officers of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

Notary Public  
Brown County, Wisconsin

My Commission Expires \_\_\_\_\_

STATE OF WISCONSIN ]  
                              ] SS  
COUNTY OF BROWN     ]

Steven M. Bieda  
PLS-2275  
May 28, 2020  
Revised October 29, 2021



Sheet Four of Five  
Project No.: M-4420  
Drawing No.: L-11094





NOTES

A Brown County Highway Department access permit must be obtained for Lot 2 prior to any construction of a new street / road connection or driveway to a County Trunk Highway.

The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the City has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

Lots 1 and 2 and Outlot 1 include wetland areas that may require permits from the Wisconsin Department of Natural Resources, Army Corps of Engineers, Brown County Planning Commission, or the City Zoning Administrators Office prior to any development activity.

Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1 of the state constitution.

This Certified Survey Map is all of tax parcel number 21-183 and 21-182-3.

The property owner of record is Moski Corp.

This Certified Survey Map is contained wholly within the property described in Jacket 21565, Image 39, Brown County Records.

City of Green Bay Zoning and Building approvals are required prior to commencing construction of buildings, structures, drives, or parking areas and may also be required prior to commencing grading, excavation, filling, or other land disturbing activities.

Outlot 1 owned and maintained by the development to the South, which the detention ponds that are on this outlot serve.

RESTRICTIVE COVENANTS

The land on all side and rear lot lines of all lots shall be graded by the lot owner and maintained by the abutting property owners to provide for adequate drainage of surface water.

Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.

No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.

Lots 1 and 2 and Outlot 1 contain an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes: wetlands, all land within 35 feet of wetlands 2 acres or greater, floodway, all land within 35 feet of the floodway or 75 feet beyond the ordinary high water mark -whichever is greater, navigable waterways, and all land within 75 feet of the ordinary high water mark of navigable waterways. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by

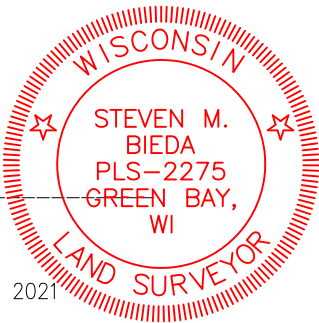
Moski Corp., Grantor, to

WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation, Grantee,

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

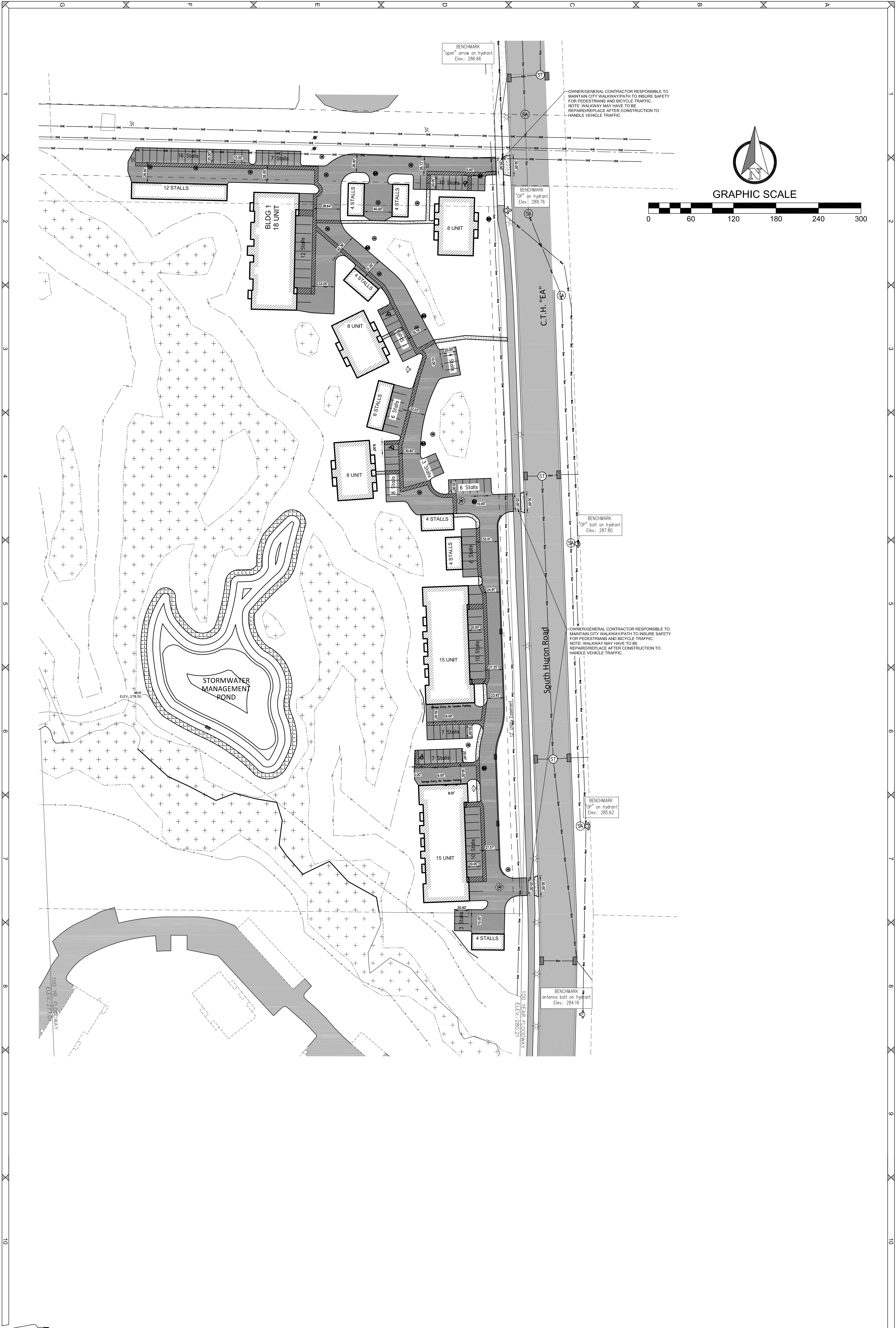
The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Steven M. Bieda  
PLS-2275  
July 15, 2020  
Revised October 29, 2021



Sheet Five of Five  
Project No.: M-4420  
Drawing No.: L-11094





DESIGNED BY  
DLM

DATA FILE  
M-4420.dwg

DATE  
12-18-21

| Number | Date | Comments |
|--------|------|----------|
| -      | -    | -        |
| -      | -    | -        |
| -      | -    | -        |
| -      | -    | -        |
| -      | -    | -        |

MOSKI CORPORATION

SITE LAYOUT

File: M-4420Eng 121821.dwg

PROJECT NO.  
M-4420

SHEET NO.  
C2.0

DRAWING NO.  
S-3405

*Mau & Associates*

LAND SURVEYING & PLANNING

CIVIL & WATER RESOURCE ENGINEERING

Phone: 920-434-9670 Fax: 920-434-9672



Report to the  
**Zoning & Planning Board of Appeals**  
of the City of Green Bay

**MEETING DATE**

January 17, 2022

**PREPARED BY**

Paul Neumeyer, Staff

**AGENDA ITEM # E.3**

(Appeal 22-002) Jon LeRoy, Mau & Associates, on behalf of Neufeld Enterprises II, LLC, property owner, proposes to construct a new Caribou Coffee restaurant building and parking lot in a General Commercial (C1) District at 1616 West Mason Street. The applicant requests to deviate from the following requirement in Chapter 44, Green Bay Zoning Code, Section 44-720, Table 44-9, Floor Area Ratio (FAR) (Ald. J. VanderLeest, District 11).

**BACKGROUND****RECOMMENDATION****FISCAL IMPACT****ATTACHMENTS**

1. Updated Variance Request Doc Caribou Coffee (1)
2. M-712 Eng 120221-3-2 Site (1)
3. L-11631 (1)

# Caribou Coffee

## Variance Request



Part of 1616 W Mason Street

*Development extends to frontage along 500 block of S Military Avenue*

Parcel 6-149

January 4, 2022

### **Describe Reason for Variance**

Please find the following written narrative and supporting documents as a request for a variance request at part of the existing parcel at 6-149, 1616 West Mason Street for the purpose of constructing and operating a drive-thru Caribou Coffee restaurant.

Caribou Coffee is seeking to develop the underutilized parking lot site at 1616 West Mason Street to create a fast food drive through restaurant at future Lot 2 of a new certified survey map. Property encompasses some 0.26 acres with a building that will take up 625 square feet.

The site is currently part of an underutilized parking lot owned by Neufeld Enterprises II LLC. An attached certified survey map has met approvals and awaiting recording to create two lots out of the existing lot housing Michael's, Burlington Coat Factory, surface parking, and greenspace along Military Avenue. This will create a new parcel along Military Avenue for Caribou Coffee. This will continue the redevelopment investment up along Military Avenue and West Mason Street for addition of smaller businesses situated along the street like the recent development with Cellcom, North Shore Bank, Scooter's Coffee, and Arby's.

Neufeld Enterprises II LLC will continue to be the property owner for all three lots in existing lot. Forward Real Estate Services LLC will be the developer for the Caribou Coffee building and site. Approximately Five employees are expected to operate the store at any given time. The store will be operated 7 days a week, typically from 5am-9pm. Customers will access the store through the drive through or a walk up window. The store will have an outdoor patio seating area along the south side of the building.

Caribou Coffee is looking to create an approximately 625 square foot building footprint to serve customers. With the lot size being 11,523 square feet, this leads to a 0.05 FAR. Existing zoning for the site is C1. A conditional use permit will also be applied for to meet zoning code to allow for drive-through use.

The following items have been attached

Future CSM

Site Plan for Plan Commission

Elevations

Existing Google Street View images over the past decade of the property in question

### **List ordinances the variance will be impacting**

- (1)** Request relief for building floor area ratio minimum for lot from 0.1 to 0.05 to accommodate the construction of a 625 square foot building.

**ORD. CH. 13 Sec. 13.810 (Table) Floor Area Ratio-Minimum**

## **ALTERNATIVES**

### **Describe alternatives to your proposal**

The FAR requirement to fit the proposed building would require a lot size of 6250 square feet or create a building which is about 587 square feet larger than the proposed 625 square foot building. If the building were to be enlarged, the building would not meet the expected market demands or operational efficiencies as the location serves primarily auto based customers. Additionally, the space available to continue continuity of the existing drive lanes and parking stalls to serve the properties in general would become very limited to make a store size larger to satisfy the FAR requirement.

### **Alternatives that you considered that comply with existing regulations**

The site is being created by using a fairly common practice of taking extraordinarily underutilized surface parking for a legacy big box development and placing out building up along the thoroughfare of Military Avenue.

#### *Setbacks:*

Property lines could be shifted around to create a 'gerrymandered' effect on the property to reduce the amount of property shared with existing development and drive lanes. This could reduce the overall size of the lot to where the FAR would approach the 0.1 threshold, but would not fully make up this number without losing parking stalls. The building fits in well with setbacks for the property with the building at the center of the property and drive through lane along side the building

#### *Safety:*

The placement of Caribou Coffee is placed in an area which utilizes a void space which has been frequently used as a pop up seasonal market.

Size of developed area fits in well with the established drive lanes for all businesses. A decrease or increase in lot size to the north or west begins a domino effect of creating easement and parking agreement issues with existing tenants of the big box store located on the property. Additionally, the lot size allows for three parking stalls for the use of Caribou Coffee employees and shared parking off the property lines for any additional employees or walk up customers. If the property size were to be reduced, the site would have zero stalls exclusive to the property. Additionally, the site will need some queuing area for drive through traffic. If the site size was any smaller, room for a menu board and order box would be off parcel.

#### *Building Size:*

Larger building sizes were looked at, but due to market demands and operational efficiencies mentioned above, who's primary focus is on a drive through and walk up service, a larger facility with indoor dining was deemed unwarranted.

### **Reasons for not pursuing the alternatives listed above**

To ensure setbacks, green space standards, and general form/fit of the commercial businesses in relation to the overall parking lot for the stores along Military Avenue and West Mason Street, development team believes this fit works best. This size and fit of the lot and coffee shop will better use surface space which has frequently been the home of a seasonal pop-up greenhouse. Parking space and drive lanes will continue to be functional beyond the west property line. Neufeld Enterprises II LLC submits this plan with the intent of keeping existing, functional parking and drive lane systems function well within its current alignment and to work with additional customers brought on from continued redevelopment along Military and West Mason.

### **THREE STEP TEST**

#### **Does unique physical characteristics of your property prevent the compliance with the ordinance?**

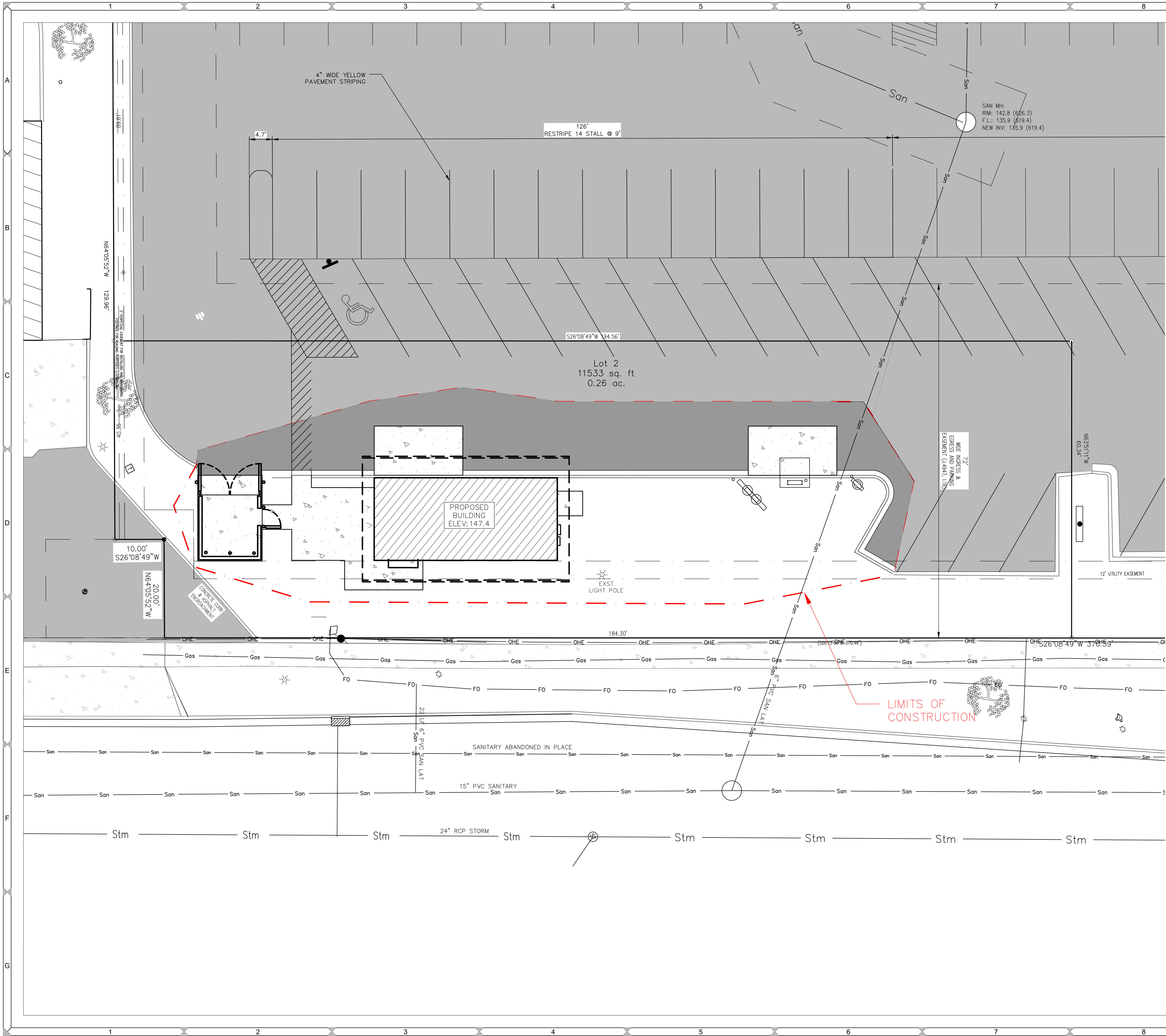
Yes. The site plan uses a portion of the overall property which is underutilized, but still has existing drive lanes and parking stalls surrounding it. The building works well with its placement to keep outside of existing easements and setbacks while also maintaining a drive lane for parking lot access throughout the larger parcel and its existing stores (Michael's and Burlington Coat Factory)

#### **Would granting the variance be contrary to the public interest?**

Granting will allow a comprehensive site design which can ensure safe queuing of automobiles free from Military Avenue/West Mason Street and traffic build up in the driveway off said streets. Additionally, this request will allow for the CUP request and CSM to become feasible. These steps will allow the site to continue redevelopment and growth along the underutilized parking lot corridor at West Mason/Military.

#### **Why would not getting the variance unreasonably prevent you from using the property for permitted use?**

To continue continuity within the commercial block, the drive lanes have become established and work well with the functions of the existing commercial store fronts to the north and west. A business like a Caribou Coffee has been a good fit continue commercial redevelopment along the Military Avenue corridor.



Graphic Scale

**Legend**

- SANITARY MANHOLE
- ROUND CATCH BASIN
- STORM SEWER MANHOLE
- CURB INLET
- HYDRANT
- WATERMAIN
- SANITARY SEWER
- STORM SEWER
- LIGHT POLE
- CONCRETE CURB & GUTTER LINE
- EXISTING ASPHALT
- CONCRETE
- GRAVEL
- EXISTING BUILDING
- WETLAND AREA
- DECIDUOUS TREE
- CONIFEROUS TREE
- ROCK WALL
- FLOODPLAIN LIMITS
- FLOODWAY
- PROPOSED ASPHALT
- PROPOSED BUILDING
- SILT FENCE
- INLET PROTECTION
- SLOPE EROSION MAT
- WISDOT CLASS 1 TYPE A
- CHANNEL EROSION MAT
- WISDOT CLASS 1 TYPE B
- RIP RAP SIZE AND QUANTITY PER PLAN
- TRACKING PAD
- EXISTING CONTOUR LINE
- PROPOSED CONTOUR LINE
- 176.41' EXISTING GROUND GRADE
- 174.88' PROPOSED GROUND GRADE
- 2.33' DRAINAGE ARROW
- LIMITS OF CONSTRUCTION

PARKING STATISTICS (SEE DWG S-3483M FOR DETAILED LAYOUT)  
REQUIRED - 1 SP/250 GFA  
330 STALLS REQUIRED

PROVIDED  
349 STANDARD STALLS  
14 ADA STALLS  
363 TOTAL STALLS

BUILDING INFORMATION

DFU = 53.0

WFU = 25.0

BUILDING CLASS OF CONSTRUCTION: V-B

OCCUPANCY TYPE: B (ASSEMBLY UNDER 50 OCCUPANTS)

THE CITY OF GREEN BAY DEPARTMENT OF PUBLIC WORKS MUST BE NOTIFIED (3) WORKING DAYS BEFORE THE START OF ANY CITY STREET CONSTRUCTION WITHIN A PUBLIC RIGHT OF WAY. CONTACT MATT WOICEK @ 920-448-3100.

THE CITY OF GREEN BAY DEPARTMENT OF PUBLIC WORKS MUST BE NOTIFIED (3) WORKING DAYS BEFORE THE START OF ANY SANITARY SEWER OR STORM SEWER CONSTRUCTION WITHIN A PUBLIC RIGHT OF WAY. CONTACT MATTHEW HECKENLAIBLE @ 920-448-3100.

THE CITY OF GREEN BAY WATER DEPARTMENT MUST BE NOTIFIED (3) WORKING DAYS BEFORE THE START OF ANY WATER MAIN CONSTRUCTION WITHIN A PUBLIC RIGHT OF WAY OR EASEMENT. CONTACT BRIAN POWELL @ 920-448-3480.

ALL EXTERIOR FDC (FIRE DEPARTMENT CONNECTIONS) CONNECTIONS ARE TO BE FIVE INCH STORZ BRAND CONNECTIONS. IF THE FDC OR STANDPIPE CONNECTIONS IS 30 INCHES ABOVE FINISHED GRADE, THEN YOU WILL BE REQUIRED TO INSTALL A THIRTY-THREE DOWN DEGREE ANGLE CONNECTION IN THE FIVE INCH STORZ CONNECTION TO PREVENT HOSE KINKING IN THE FIVE INCH SUPPLY LINE TO THE FIRE DEPARTMENT CONNECTION. THE FDC LOCATION SHALL BE APPROVED BY THE FIRE MARSHAL'S OFFICE. IFC 9033.7.

GFBP WILL REQUIRE A KNOX BOX BRAND LOCK BOX AT THE MAIN ENTRANCE TO EACH BUILDING. IF THE BUILDING CONTAINS A SPRINKLER CONTROL ROOM THAT IS ACCESSED FROM THE EXTERIOR A KNOX BOX MUST ALSO BE PLACED ADJACENT TO THAT DOOR. THE KNOX BOX BRAND LOCKING BOXES CAN BE PURCHASED BY VISITING THE KNOX BOX WEBSITE OR CALLING (920) 448-3280 AND REQUESTING A KNOX BOX BRAND LOCKING BOX PACKET. IFC #506.1 AND 506.1.1.

DESIGNED BY  
TAW

DATA FILE  
M-712.txt

DATE  
12-23-21

| Number | Date | Comments |
|--------|------|----------|
| -      | -    | -        |
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**Mau & Associates**  
LAND SURVEYING & PLANNING  
CIVIL & WATER RESOURCE ENGINEERING  
Phone: 920-434-9670 Fax: 920-434-9672

**Site Plan**  
**Drive Thru Restaurant**

PROJECT NO.  
M-712

SHEET NO.  
**C3.2**

DRAWING NO.  
**S-3519**

# Certified Survey Map

All of Lot 1, Volume 59, Certified Survey Maps, Page 23, Map Number 8381, Document Number 2650192, Brown County Records, being located in part of Lot 13 of "C.L.A. Tank's Subdivision of Private Claims 2-9, West Side of the Fox River", in the City of Green Bay, Brown County, Wisconsin.

## Legend

- 1.32" (o.d.) x 18" iron pipe with cap weighing 1.68 lbs/lin ft set
- 1" iron pipe found
- ⊙ PK nail found
- ⊗ cut + found
- ⊙ Brown County monument - type noted recorded as bearing / distance
- ( ) see detail on sheet 3

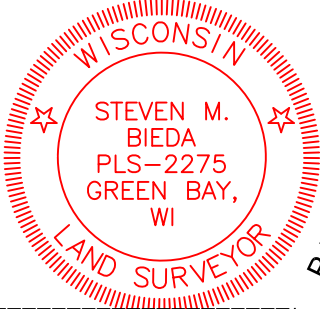
North



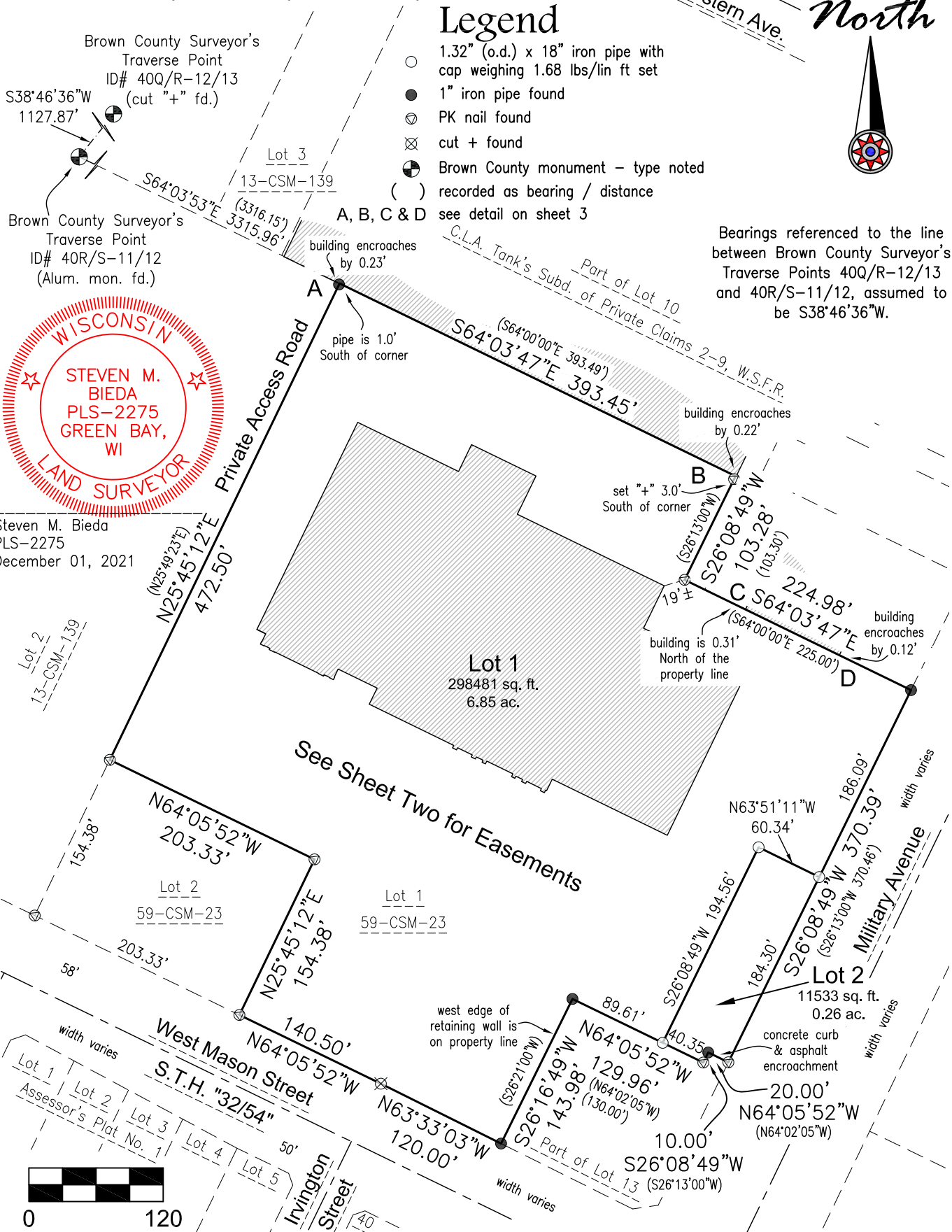
Bearings referenced to the line between Brown County Surveyor's Traverse Points 40Q/R-12/13 and 40R/S-11/12, assumed to be S38°46'36"W.

Brown County Surveyor's  
Traverse Point  
ID# 40Q/R-12/13  
(cut "+" fd.)  
S38°46'36"W  
1127.87'

Brown County Surveyor's  
Traverse Point  
ID# 40R/S-11/12  
(Alum. mon. fd.)



Steven M. Bieda  
PLS-2275  
December 01, 2021



0 120

Client: Neufeld Enterprises II LLC

Tax Parcel: 6-149

Drafted By: BAR

File: M-712CSM 120121.dwg

Data File: M-712.txt

**Mau & Associates, LLP**

LAND SURVEYING & PLANNING  
CIVIL & WATER RESOURCE ENGINEERING  
Phone: 920-434-9670 Website: www.mau-associates.com  
400 Security Blvd Ste 1, Green Bay, WI 54313-9712

Sheet One of Four

Project No.: M-712

Drawing No.: L-11631

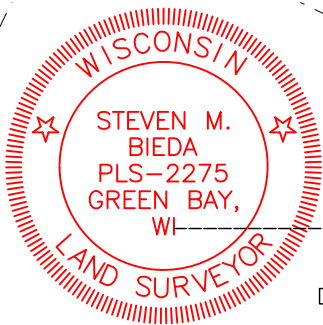
Fieldwork Completed: xx/xx/xx



# Certified Survey Map

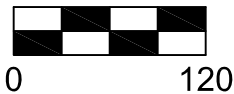
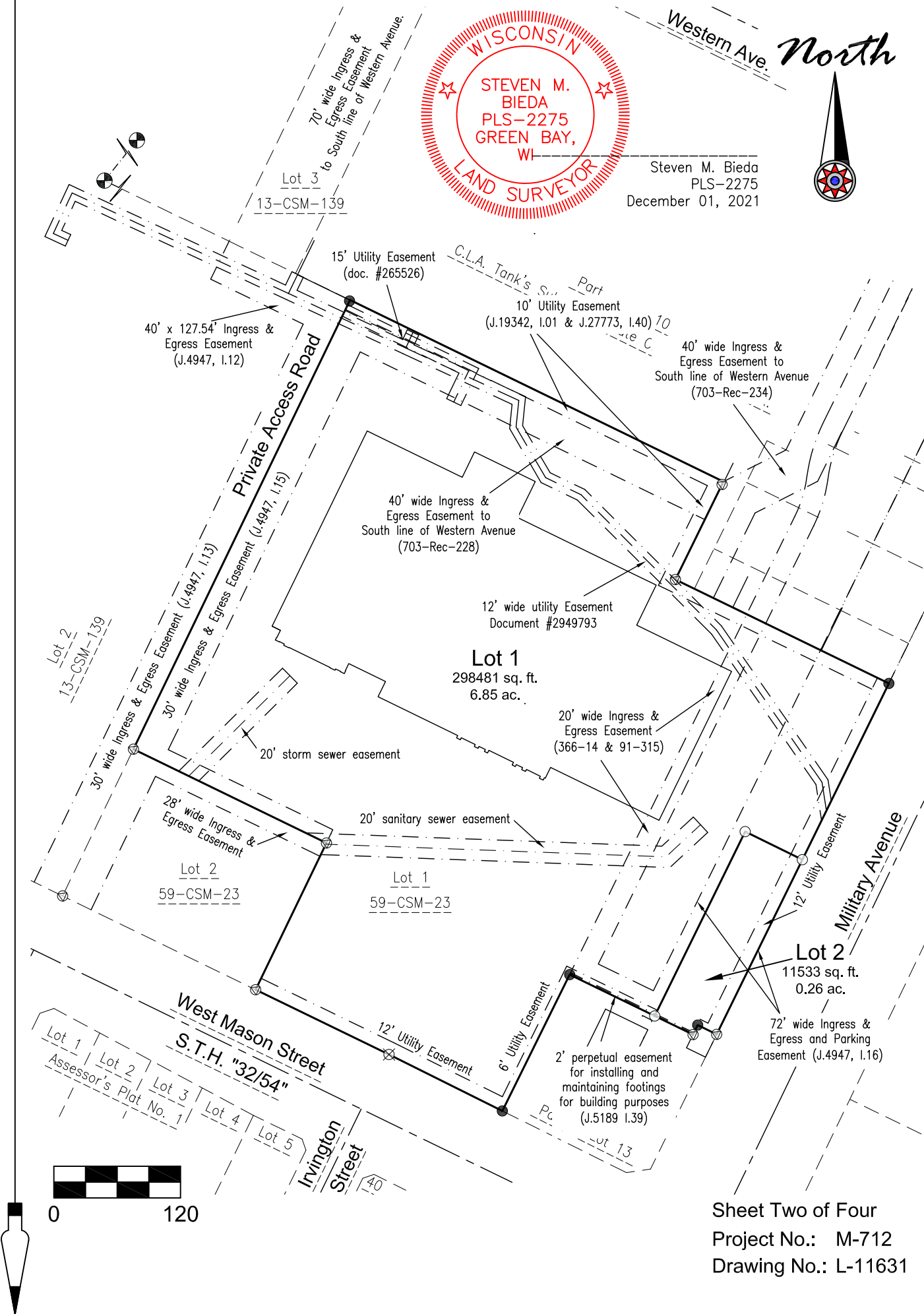
All of Lot 1, Volume 59, Certified Survey Maps, Page 23, Map Number 8381, Document Number 2650192, Brown County Records, being located in part of Lot 13 of "C.L.A. Tank's Subdivision of Private Claims 2-9, West Side of the Fox River", in the City of Green Bay, Brown County, Wisconsin.

## - Easements -



Steven M. Bieda  
PLS-2275  
December 01, 2021

North





# Certified Survey Map

All of Lot 1, Volume 59, Certified Survey Maps, Page 23, Map Number 8381, Document Number 2650192, Brown County Records, being located in part of Lot 13 of "C.L.A. Tank's Subdivision of Private Claims 2-9, West Side of the Fox River", in the City of Green Bay, Brown County, Wisconsin.

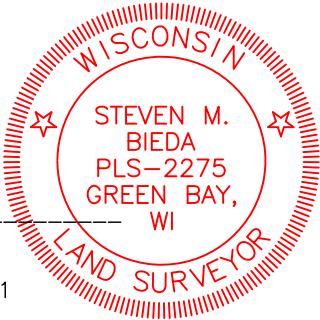
SURVEYOR'S CERTIFICATE

I, Steven M. Bieda, Professional Land Surveyor, PLS-2275, do hereby certify that I have surveyed, divided and mapped all of Lot 1, Volume 59, Certified Survey Maps, Page 23, Map Number 8381, Document Number 2650192, Brown County Records, being located in part of Lot 13 of "C.L.A. Tank's Subdivision of Private Claims 2-9, West Side of the Fox River", in the City of Green Bay, Brown County, Wisconsin.

Parcel contains 310,014 square feet / 7.12 acres, more or less.  
Parcel subject to easements and restrictions of record.

That such plat is a correct representation of all the exterior boundaries of the land survey and the division thereof. That I have made such a survey, land division and plat by the direction of the owners listed hereon. That I have fully complied with the provisions of Chapter 236, section 236.34 of the Wisconsin Statutes and the City of Green Bay Plan Commission in surveying, dividing and mapping the same.

Steven M. Bieda  
PLS-2275  
December 01, 2021



CERTIFICATE OF THE CITY OF GREEN BAY PLAN COMMISSION

Approved for the City of Green Bay as required by Wisconsin Statutes Chapter 236, and the City of Green Bay Municipal Code Chapter 36, Subdivision and Platting, this \_\_ day of \_\_\_\_\_, 20\_\_.

Neil Stechschalte  
Director of Development

CERTIFICATE OF THE GREEN BAY CITY CLERK

As the duly appointed City Clerk for the City of Green Bay, I hereby certify that the records in my office show no unpaid taxes or special assessments affecting any of the lands included in the Certified Survey Map.

Celestine Jeffreys                      Date  
Green Bay City Clerk

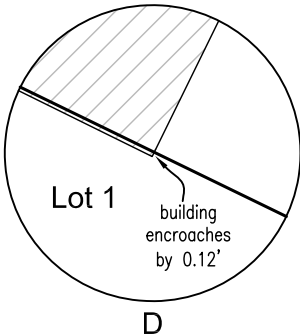
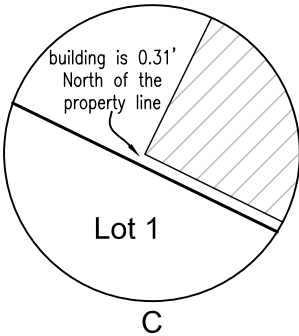
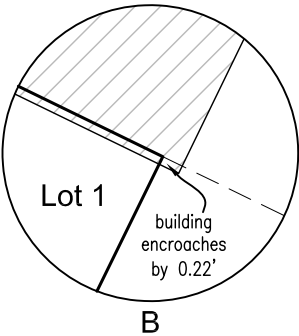
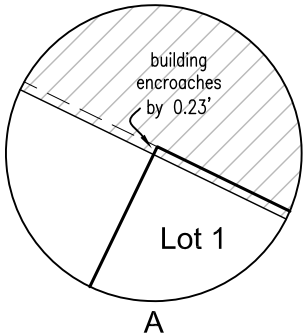
NOTES

- 1-This Certified Survey Map is contained wholly within the property described in Document Number 2561523, Brown County Records.
- 2-City of Green Bay zoning and building approvals are required prior to commencing construction of buildings, structures, drives, or parking areas, and may be required prior to commencing grading, excavating, filling, or other land disturbing activity.
- 3-The property owner, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Department of Natural Resources' applicable WDNR Technical Standards, to prevent soil erosion. However, if the City, at the time of construction, has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

RESTRICTIVE COVENANTS

- 1-The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the abutting property owners to provide for adequate drainage of surface water.
- 2-Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.
- 3-No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.

### Adjacent Building Details





CORPORATE OWNER'S CERTIFICATE

CERTIFICATE OF CORPORATE MORTGAGEE

Sheet Four of Four  
Project No.: M-712  
Drawing No.: L-11631

