



AGENDA OF THE GREEN BAY PLAN COMMISSION

MONDAY, MARCH 7, 2022, 6:00 PM
Virtual Meeting. Public may join via Zoom.

A. Zoom Meeting Information.

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

B. Roll Call.

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

C. Approval of the Agenda.

- I. Approval of the Agenda for the March 7, 2022, meeting of the Green Bay Plan Commission.

D. Approval of Minutes.

- I. Approval of the minutes from the February 21, 2022, Meeting of the Green Bay Plan Commission.

E. Regular Business.

- I. (ZP 22-04) Consideration with possible action on request to amend ZO 13-21, a Planned Unit Development (PUD) along the 2300-2400 Blocks of E. Mason Street (East Town Mall), submitted by the Department of Community Development (Ald. L. Gerlach, District 3).
2. (ZP 22-03) Public Hearing on request to authorize a Conditional Use Permit (CUP) for the reconstruction of an off-premise digital and static message billboard in a General Commercial (CI) district, 1902 N. Irwin Avenue, submitted by Renee St. Laurent, Lamar Advertising, on behalf of TLC Properties/LAMA., property owner (Ald. K. Lefebvre, District 6).
3. (ZP 22-03) Consideration with possible action on request to authorize a Conditional Use Permit (CUP) for the reconstruction of an off-premise digital and static message billboard in a General Commercial (CI) district, 1902 N. Irwin Avenue, submitted by Renee St. Laurent, Lamar Advertising, on behalf of TLC Properties/LAMA., property owner (Ald. K. Lefebvre,

District 6).

4. (ZP 22-05) Public Hearing on request to rezone 2260 Main Street from General Commercial (C1) to Highway Commercial (C2), submitted by John DeSilva, on behalf of Hilgenberg Properties, LLP, property owner (Ald. L. Gerlach, District 3).
5. (ZP 22-05) Consideration with possible action on request to rezone 2260 Main Street from General Commercial (C1) to Highway Commercial (C2), submitted by John DeSilva, on behalf of Hilgenberg Properties, LLP, property owner (Ald. L. Gerlach, District 3).
6. (ZP 22-06) Public Hearing on request to rezone 1840 Bond Street from Low-Density Residential (R1) to Public Institutional (PI), submitted by Jim Hinze, on behalf of Bay City Baptist Church (Ald. M. Steuer, District 10).
7. (ZP 22-06) Consideration with possible action on request to rezone 1840 Bond Street from Low-Density Residential (R1) to Public Institutional (PI), submitted by Jim Hinze, on behalf of Bay City Baptist Church (Ald. M. Steuer, District 10).
8. (AV 22-01) Consideration with possible action on request to vacate an alley between John Street and E. Mason Street, submitted by Grand Central LLP/Midwest Expansion, Dan Pamperin (Ald. B. Galvin, District 4).

F. Informational.

1. Director's Report.
2. Date of the next meeting: March 21, 2022

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

Passcode: 483400

One tap mobile

+13126266799,,84137675822# US (Chicago)

+16468769923,,84137675822# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (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: 841 3767 5822

Passcode: 483400

Find your local number: <https://us02web.zoom.us/j/kc8xd2MWP>

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.

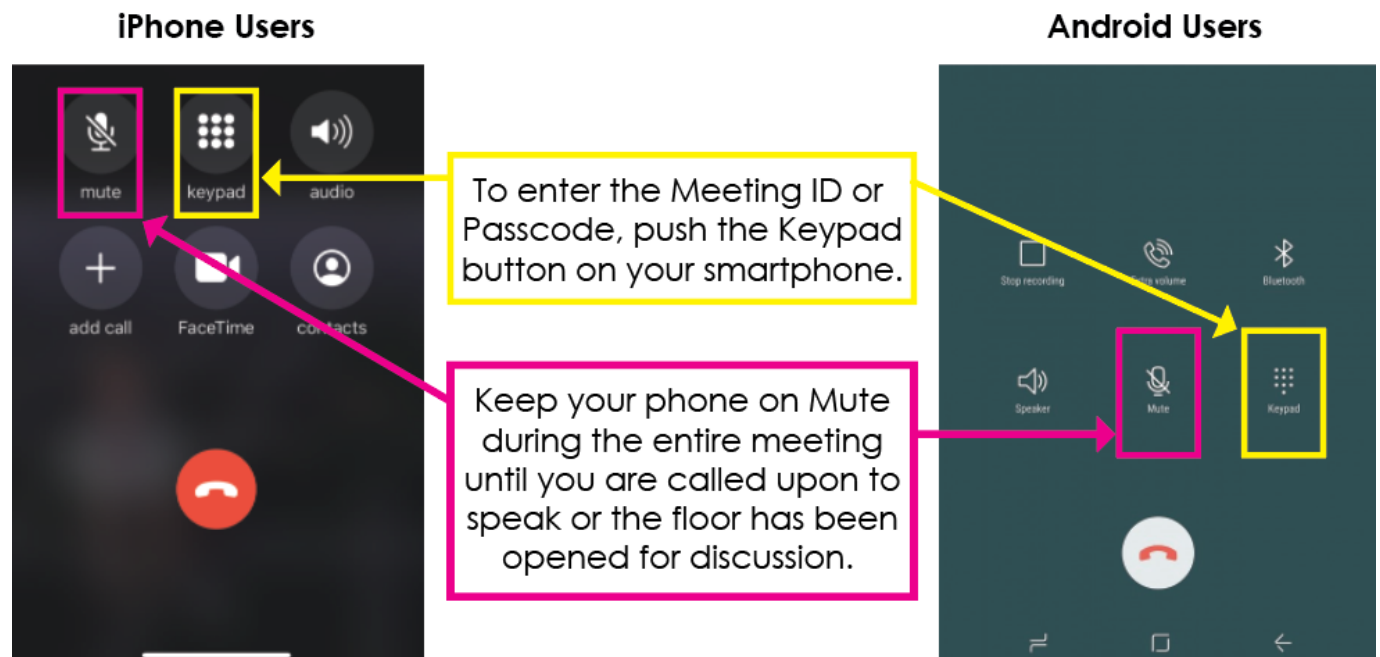
Additional Information

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 12th 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 Green Bay Plan Commission

MEETING DATE

March 7, 2022

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.1

(ZP 22-04) Consideration with possible action on request to amend ZO 13-21, a Planned Unit Development (PUD) along the 2300-2400 Blocks of E. Mason Street (East Town Mall), submitted by the Department of Community Development (Ald. L. Gerlach, District 3).

BACKGROUND

Primary Address: 2300-2400 Blocks of East Mason

Aldersperson/District: Ald. Lynn Gerlach / District 3

Reason for Request: To amend the PUD to allow for a partial cross-access easement for lot 21-126-7-2 only.

Surrounding Zoning and Land Uses:

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

NORTH: Office Residential (OR), Planned Unit Development (PUD), and Low-Density Residential (RI) - Commercial Uses

SOUTH: Highway Commercial (C2) and Low-Density Residential (RI) - Commercial and Residential Uses

EAST: Low-Density Residential (RI) - Residential Uses

WEST: General Commercial (CI) and Light Industry (LI) - Commercial and Storage Uses

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for Commercial Uses. This PUD amendment request is consistent with the recommendations of the Comprehensive Plan.

Report: In late 2021, the Plan Commission approved the Planned Unit Development for East Town Mall, which replaced a previous PUD from 1979 with 11 amendments. Along with cleaning up these amendments, the new PUD also allows for "in lot" developments, parcels created with no public road access. This was allowed solely because of a cross-access easement provision in the PUD, shown in Exhibit C as Semi-Public Roads. This permanent recorded easement maintains continuous access to all current and potential parcels at the East Town Campus.

At the February 21, 2022, Plan Commission meeting, an amendment to the PUD was passed, requiring a contiguous cross-access easement be created and recorded during the land division process for all in-lot parcels. After staff discussed with our Legal Department, we determined the best practice would be for the Plan Commission to review specific amendment language within the PUD, as this was not determined during the February 21, 2022, meeting and this requirement impacted more than one section of the PUD. This was discussed with the property owner and elected officials. This was then referred back to the Plan Commission by the City Council on March 1, 2022.

Attached is the draft PUD with amendments reflecting the original amendment from February 21st. Generally, the amendments reflect the following:

1. For the existing (Shoreline) in-lot, the PUD will provide for an exception to the full easement requirement for the access easement you have proposed connecting the in-lot to East Mason Street.
2. The City will still require an easement for the entire ring of semi-public road before any subsequent in-lots will be approved.
3. To acknowledge the realities of dealing with so many different corporate property owners, the 12-month timeline for the easement will be removed.

These amendments have been reviewed by staff, our Legal Department, and the property owner. All are agreeable to this language with the exception of item #2. The property owner would like to reduce the size of the semi-public road network. Staff still holds the entire semi-public road network as originally approved (Exhibit C) is appropriate to increase protected public access to the Campus and to avoid additional zoning actions and/or easements being created to facilitate additional in-lots. Once that is resolved by Plan Commission recommendation, we feel these amendments allow development to continue at the East Town Campus while also protecting the City's interests.

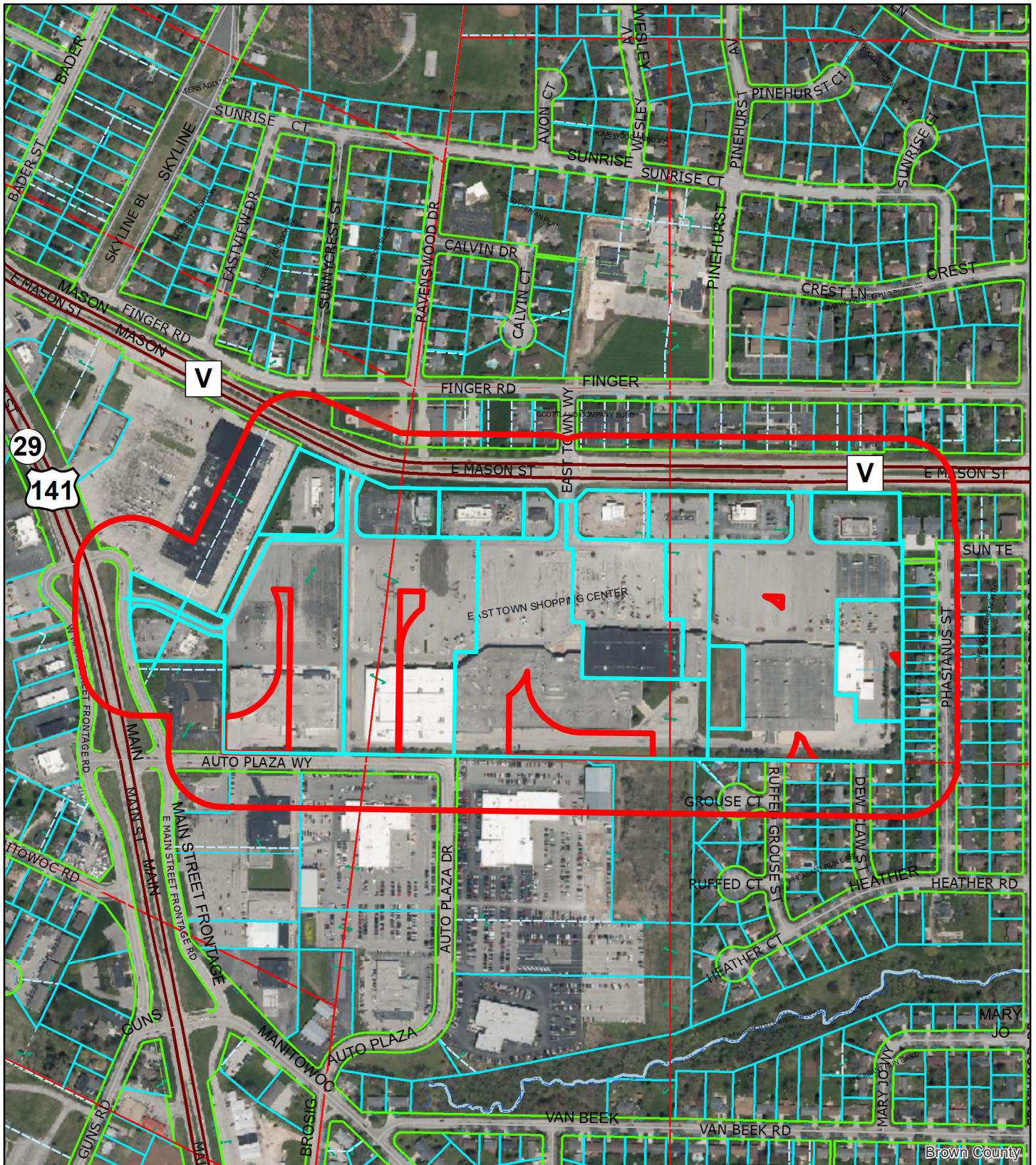
RECOMMENDATION

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

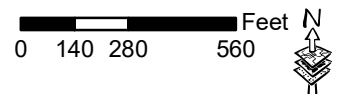
FISCAL IMPACT

ATTACHMENTS

1. ZP 22-04 Map
2. REVISED ZO 02-22 - Amend PUD at 2300-2400 Block East Mason - East Town Mall
3. Exhibit E- Partial Easement Exhibit, Parcel 21-126-7-2
4. ZO 13-21 Exhibit C
5. Final ZO 13-21 Repeal and Recreate East Town Mall PUD, 11.10.2021
6. ZO 13-21 Exhibit A
7. ZO 13-21 Exhibit B
8. ZO 13-21 Exhibit D



(ZP 22-04) Planned Unit Development East Town Mall



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 08 Oct 2021 X:\Planning\Basemaps\template_8.5x11.mxd

- Mall Properties
- 200-ft. Notification Area

ZONING ORDINANCE NO. 02-22

AN ORDINANCE AMENDING
ZONING ORDINANCE NO. 13-21 FOR THE
PLANNED UNIT DEVELOPMENT FOR THE
2300-2400 BLOCK EAST MASON STREET, EAST TOWN MALL
(ZP 22-04)

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

SECTION 1. Pursuant to Section 44-29, Green Bay Municipal Code, together with the zoning map referred to therein, Section 3.D.1.c. of Zoning Ordinance No. 13-21, relating to the Planned Unit Development (PUD) for the 2300-2400 Block of East Mason Street, is hereby amended as follows:

- c. This PUD is only in effect if/when the semi-public roads detailed in Exhibit C are recorded with the Brown County Register of Deeds on all adjacent parcels as described in Section 3.D.1.a above. ~~This PUD will be considered void if no recordation happens within twelve (12) months of the adoption of this PUD.~~
 1. **Parcel 21-126-7-2 is exempt from this requirement such that easements with adjacent parcels are not required provided that an easement granting public access to a semi-public road connecting Mason Street to said parcel, as shown in Exhibit E, is created and recorded with the Brown County Register of Deeds.**
 2. **The exception for Parcel 21-126-7-2 shall be the only exception to the easement requirement described in this section.**

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 hereon as provided by Section 44-82, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2022.

APPROVED:

Mayor

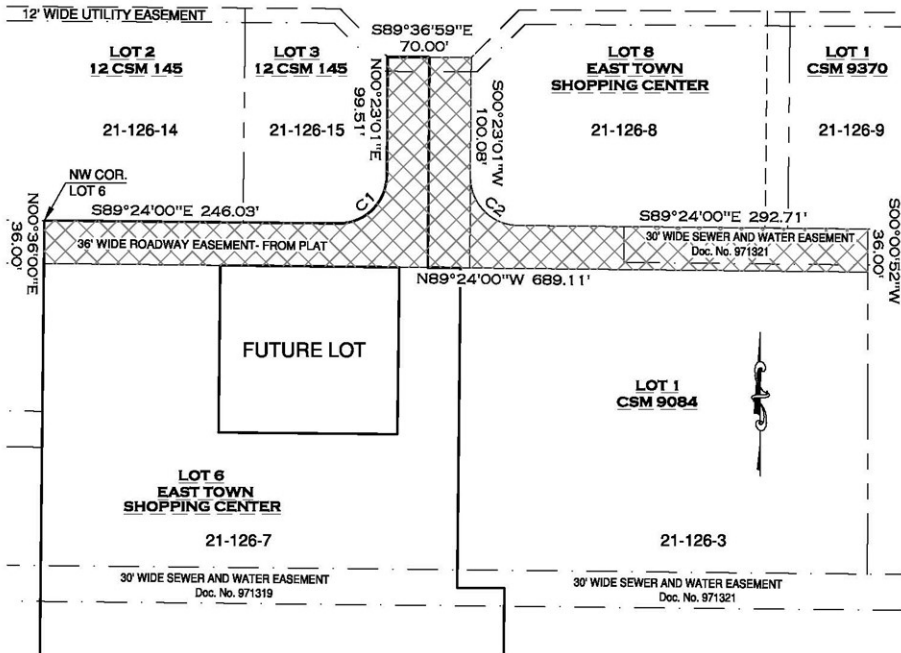
ATTEST:

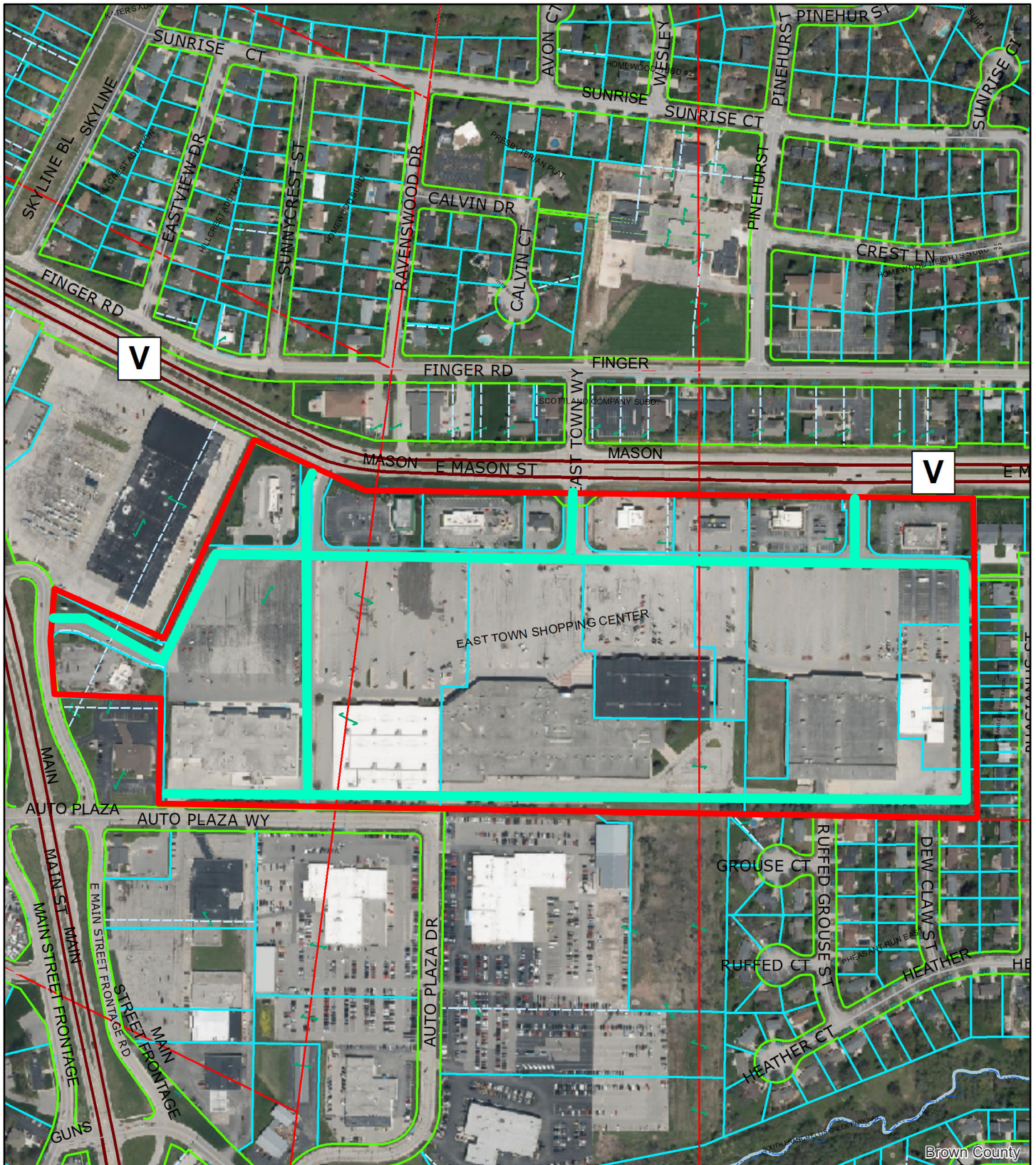
Clerk

ljm

Attachment: Exhibit E: Partial Easement Exhibit, Parcel 21-126-7-2
 Exhibit C

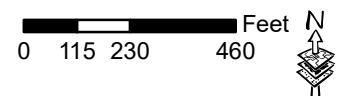
EAST MASON STREET CTH V





This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 26 Oct 2021 X:\Planning\Basemaps\template_8.5x11.mxd

(ZP 21-26) Exhibit C



— Semi-Public Roads

— Boundary

ZONING ORDINANCE NO. 13-21

AN ORDINANCE REPEALING ZONING ORDINANCES NOS. 38-79,
10-81, 01-87, 20-88, 12-89, 19-96, 13-97, 04-98, 19-98, 26-98, 08-00, AND 01-21
AND CREATING A PLANNED UNIT DEVELOPMENT (PUD)
FOR THE 2300-2400 BLOCK EAST MASON STREET, EAST TOWN MALL
(ZP 21-26)

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

SECTION 1. Zoning Ordinance No. 38-79, creating the Planned Unit Development (PUD) for the 2300-2400 block of East Mason Street, and all subsequent zoning ordinances amending it, including but not limited to ZO Nos. 10-81, 01-87, 20-88, 12-89, 19-96, 13-97, 04-98, 19-98, 26-98, 08-00, and 01-21, are hereby repealed. It is hereby declared to be the intention of the City of Green Bay that any Zoning Ordinances affecting said PUD not explicitly enumerated herein are likewise repealed in their entirety.

SECTION 2. Pursuant to section 44-29, Green Bay Municipal Code, together with the zoning map referred to therein, a Planned Unit Development for the 2300-2400 Blocks of East Mason Street is hereby created on the following described properties, collectively known as “East Town Mall”:

Legal Description: Those parts of Lots 28 and 29 of Astor’s Subdivision of Private Claims 3 through 7, East Side of Fox River, of Government Lot 1 and of the NE ¼ of the NW ¼ of Section 9, Township 23 North, Range 21 East, all lying in the City of Green Bay, Wisconsin described as:

Commencing at the southeast corner of Private Claim 7, East Side of Fox River; thence north 64°21’33” West 598.70 feet; thence North 43°33’47” West 33.37 feet to the easterly right-of-way line of U.S. Highway “141”; thence along said right-of-way North 11°13’00” West 660.52 feet; thence South 89°24’00” East 280.00 feet along the north line of Auto Plaza Way to the point of beginning; thence North 0°36’00” east 300.00 feet; thence North 89°24’00” West 313.49 feet to the east line of the frontage road; thence along said east line along the arc of a curve to the right with a radius of 597.79 feet and the chord of which bears North 12°59’58” West 37.19 feet; thence continuing along said east line North 11°13’00” West 68.00 feet; thence continuing along said east line along the arc of a curve to the right with a radius of 604.28 feet and the chord of which bears North 4°25’12” West 143.03 feet; thence continuing along said east line North 2°22’36” East 104.94 feet; thence continuing along said east line along the arc of a curve to the left with a radius of 87.57 feet and the chord of which bears North 1°25’43” East 2.90 feet; thence South 693.81 feet to the south line of Mason Street; thence along said south line South 63°49’30” East 20.00 feet; thence continuing along said south line South 66°51’59” East 376.91 feet; thence continuing along said south line South 89°05’47” East 97.12 feet; thence continuing along said south line South 89°36’59” East 434.67 feet; thence South 44°36’59” East 56.57 feet; thence South 89°36’59” East 70.00

feet; thence North 45°23'01" East 56.57 feet; thence South 89°36'59" East 1090.54 feet along the south line of Mason Street; thence South 89°48'27" East 52.91 feet; thence South 0°21'25" East 172.64 feet along the west line of the plat of "Scotland East"; thence North 89°38'35" East 9.11 feet; thence South 0°21'25" East 809.55 feet along the west line of said plat to the north line of the plat of "Pheasant Run East" thence along said north line and along the south line of the NE ¼ of the NW ¼ of Section 9 and the south line of Government Lot 1 and the north line of Auto Plaza Way, North 89°24'00" West 2484.45 feet to the point of beginning and containing 57.382 acres.

Tax Parcels: 21-126-4, 21-126-5, 21-126-6, 21-126-14, 21-126-15, 21-126-8, 21-126-9, 21-126-9-1, 21-126-7, 21-126-3, 21-126-17, 21-126-13, 21-126-1, 21-126-2, 21-126-11-1, 21-126-11, 21-126-16, 21-126-10, 21-126-12

SECTION 3. Pursuant to Chapter 44, Article XX, et seq., Green Bay Municipal Code, as they apply, the following regulations are imposed:

- A. Purpose and Intent. The purpose and intent of repealing and recreating the Planned Unit Development (PUD) for East Town Mall is to update language that has received multiple amendments. This ordinance will clarify the signage allowance for the campus. It will also allow for the creation of "in lot" parcels on this campus in their vast parking areas. The PUD will unify the campus with consistent zoning standards and provide appropriate buffering to surrounding properties. The PUD boundaries are shown in Exhibit B.
- B. Permitted and Conditional Uses. The land uses which may be established and/or maintained on the subject property shall comply with uses as detailed under Community Center Commercial (C3) zoning, found in Chapter 33, Article VIII, Green Bay Municipal Code, with the following exceptions:
 - 1. Limited production and processing uses, as defined in Section 44-250, Green Bay Municipal Code, shall be permitted to be established and occupy the rear portion of the multiple tenant shopping mall building as depicted on Exhibit A, with the following conditions:
 - a. Retail and/or service businesses shall occupy the northern section of the building with individual storefronts and entrances directly adjacent to the parking area.
 - b. All outdoor display and storage associated with the limited production and processing uses on the property are prohibited.
 - c. Truck traffic, delivery staging, loading/unloading, or other accessory uses associated with the limited production and processing uses on the property are prohibited to the north of the Mall's façade.
 - d. Additional limited production and processing uses shall require a Conditional Use Permit to be established.
 - 2. Restaurants with a drive-through facility require a Conditional Use Permit to be established.

C. Prohibited Uses.

1. Automobile sales- used or new
2. Motor vehicle repair, major

D. Dimensional and Area Requirements. Dimensional and area requirements for structures on the subject property shall comply C3 zoning requirements, with the following exceptions:

1. Lots. “In Lot” parcels, as described as a buildable lot with no public right-of-way access, are allowed within the PUD area if fronting an approved semi-public road, as detailed in Exhibit C with the following regulations:
 - a. All semi-public roads must be created through a recorded permanent cross-access easement that includes public access and access to all adjacent parcels. The City of Green Bay must be a party to this easement.
 - b. All semi-public roads shall be no less than 30-feet in width and shall not exceed 70-feet in width.
 - c. This PUD is only in effect if/when the semi-public roads detailed in Exhibit C are recorded with the Brown County Register of Deeds on all adjacent parcels as described in Section 3.D.1.a above. This PUD will be considered void if no recordation happens within twelve (12) months of the adoption of this PUD.
 - d. Additional semi-public roads shall be established only through amendment of this PUD and recording with the Brown County Register of Deeds on all adjacent parcels.
 - e. Information related to the maintenance of each semi-public road shall be approved by the City of Green Bay and recorded with the permanent cross-access easement.
 - f. All lot creation must be done according to Chapter 36, Green Bay Municipal Code, including the requirement that if five or more lots are to be created from a parent parcel within five (5) years, a subdivision plat is required. The requirement of public right-of-way frontage will be the only exception granted through this ordinance.
2. Setbacks and Lot Dimensions: All setbacks are as established under the C3 Zoning District, with the following exception:
 - a. “In Lot” parcels must have a minimum of a 60-foot frontage onto a semi-public road.
 - b. “In Lot” parcels shall have 6-foot side and rear setbacks.
 - c. “In Lot” parcels shall only have access on one semi-public or public road. No double-fronting parcels are permitted. However, corner lots are permitted.
3. Heights of Structures: Height requirements shall be regulated as specified within the C3 Zoning District.

E. Signage. All signage shall be regulated as follows:

1. New signs, including but not limited to freestanding and wall signs, shall conform to C3 Zoning District requirements, as specified in Chapter 30,

Signs, and in accordance with the following:

- a. Freestanding signage is permitted for each “in lot” or parcel separate from the main mall structure in accordance with the following:
 1. There shall be a message panel/sign no greater than fifteen (15) feet in length by four (4) feet in height for a total of 60 square feet on one side. The message panel/sign may be two-sided, but may not have more than two sides. The message shall be limited to one business name per parcel and may consist of the business name and corporate logo. The corporate color scheme is permitted.
 2. The message panel/sign shall be directly mounted to a brick base ten (10) feet in length and three (3) feet in height. There shall not be any air space or opening between the message panel and the base. The texture, size, and color of the brick for the sign base shall be the same as that of the business structure on that parcel.
 3. The depth of the message panel/ sign and base shall not exceed two (2) feet. No message or logo shall be permitted on the depth of the sign.
 4. The signs shall be placed perpendicular to the street right-of-way or semi-public road. There shall be a ten-foot (10’) minimum setback from the street right-of-way or semi-public road. Only one (1) sign is permitted for each parcel. The message panel and base constitute a “sign.”
 5. The permitted freestanding signs shall be illuminated. All lighting shall be limited to the interior of the sign panels.
 6. All required dimensions or standards shall be no more or less than specified herein unless specifically stated.
 7. All signs are subject to sign permitting requirements.
 - b. Wall mounted signage for all principal buildings shall be restricted to the following:
 1. No more than 80 square feet of signage on any single wall.
 2. No more than 185 square feet of signage for all wall total.
 3. Accessory buildings shall not be allowed any signage.
2. Three (3) pylon directory signs and one (1) monument directory sign are permitted for the whole of the East Town campus. Approved pylon directory sign locations are noted in Exhibit D as signs 1, 2, and 3. Approved monument directory sign is noted in Exhibit D as sign 4. All directory signs are further regulated as follows:
 - a. Any tenant of the main mall structure may have signage on the pylon directory signs. Any tenant within the East Town campus may have signage on the monument directory sign. The color of each tenant panel shall bear the corporate colors of the tenant identified by the sign.
 - b. Any sign face changes require review and approval of a Sign Permit.
 - c. Any changes to the design, location, or size of the existing directory

signs require review and approval of a Sign Permit and must conform to the following:

1. These signs must remain perpendicular to the nearest public right-of-way.
 2. Pylon signs shall be no higher than 40 feet, and the monument sign shall be no more than twelve (12) feet. The height of the sign shall be measured from the finish grade of the entrance at which it is located.
 3. The base of the column shall be no greater than six (6) feet in height and fourteen (14) feet in length.
 4. The depth of the signs, base and column, shall not exceed three (3) feet.
 5. The column shall be 24 feet in height and eight (8) feet in length.
 6. The finish material and color of the base and column shall be the same as the structural finish material of the mall building.
 7. Each directory sign must contain a campus identification portion that reads "East Town".
- d. Tenant panels on directory signs may be internally illuminated. No exterior lighting is permitted.
- e. Tenant panels may extend the full length of the directory sign or may extend only halfway.
- f. Up to 25% of the pylon directory signs 2 & 3 and monument sign (4) may be used as a one-line multiple message sign. The design of the sign is subject to review and approval of the City. Multiple message signs are prohibited on pylon directory sign 1.

F. Site Plan Review & Standards

1. A site plan shall be submitted, reviewed, and approved in accordance with Chapter 44, Article XIX, Green Bay Municipal Code.
2. All service, loading and refuse areas shall be screened in accordance with Section 44-1917, Green Bay Municipal Code.
3. Any ground-mounted and/or roof-mounted mechanicals shall be screened compliant with Section 44-1919, Green Bay Municipal Code.
4. All "In Lots" shall be curbed around the property line aside from approved driveway areas.

G. Parking, Pedestrian Access, and Traffic

1. All parking and loading requirements for uses in the C3 Zoning District shall be as set forth in Chapter 44, Article XVIII, Green Bay Municipal Code, relating to Off-Street Parking, Drives and Loading.
2. Access to the development shall be limited to East Mason Street, Main Street frontage road, and Auto Plaza Way.
3. Shared parking is encouraged as part of this development.
4. Pedestrian and bike access is required as detailed in Section 44-1819. "In lots" have the same requirements as a standard lot.

H. Landscaping/Transitional Yard

1. All landscaping requirements are established under the Community Center Commercial (C3) zoning, further described in Sections 44-1964 through 44-1969, Green Bay Municipal Code, with the following exception:

- a. Any additional development within 100 feet of the eastern and southern boundaries adjacent to residentially zoned property shall require the installation of a minimum twenty-five-foot (25') wide landscaped area that includes a berm not less than four (4) feet in elevation next to the adjoining residential areas.

- I. Compliance with all the regulations of the Green Bay Municipal Code not covered under the PUD.

SECTION 4. 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 5. 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 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. 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 8. 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 9. This ordinance shall not take effect until a public hearing is held thereon as provided by Chapter 44, Article II, Division 2, Section 44-82 Zoning Amendments, Green Bay Municipal Code, and the adoption and publication of this ordinance.

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

APPROVED:

Mayor Eric Genrich

ATTEST:

Clerk

Attachments:

Location Map

Exhibit A – Use Map

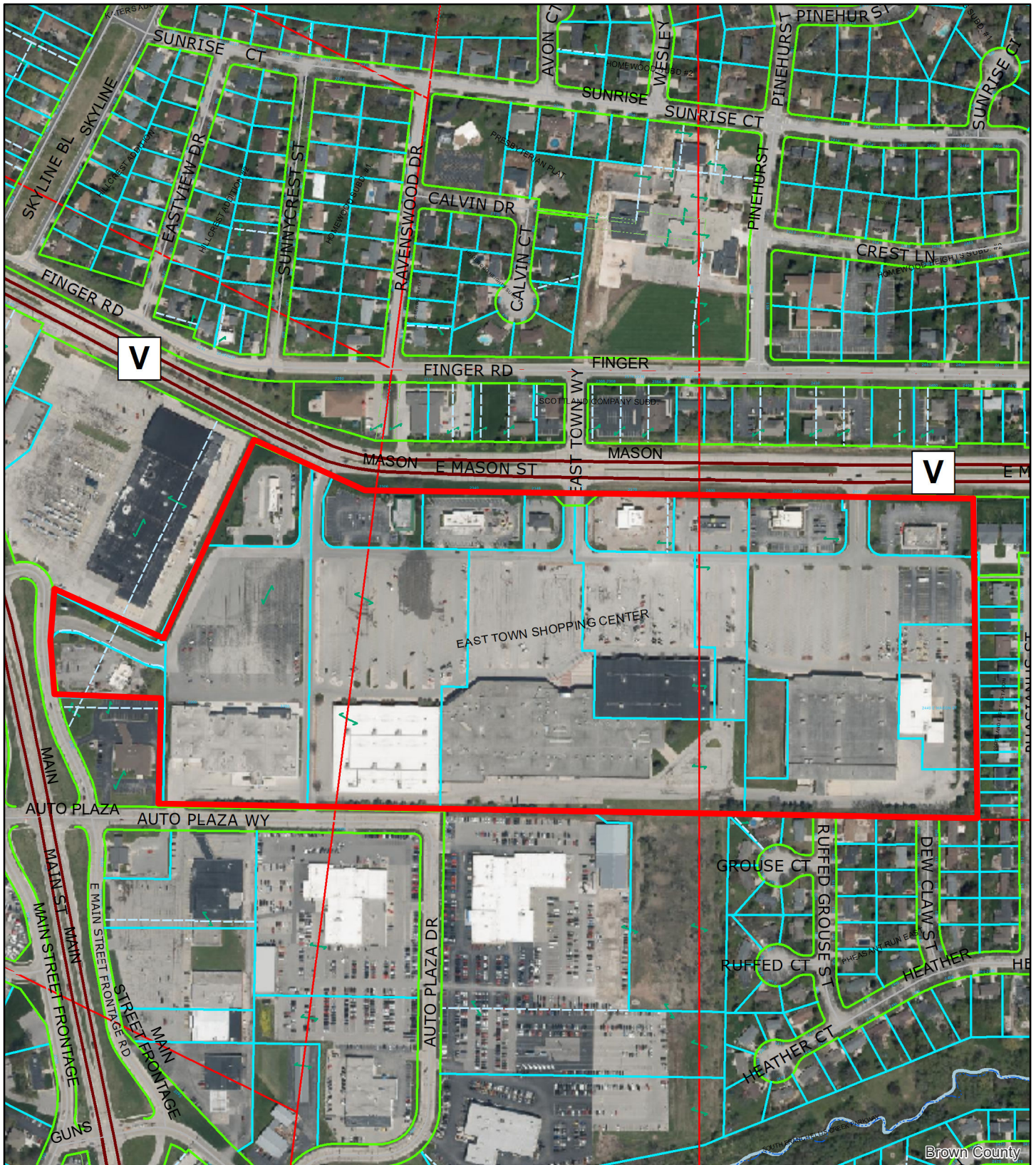
Exhibit B – Boundary Map

Exhibit C – Semi-Public Roads

Exhibit D – Pylon Sign Locations

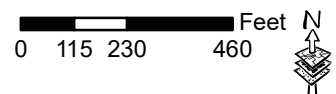
Exhibit A – Area Permitting Limited Production and Processing Uses



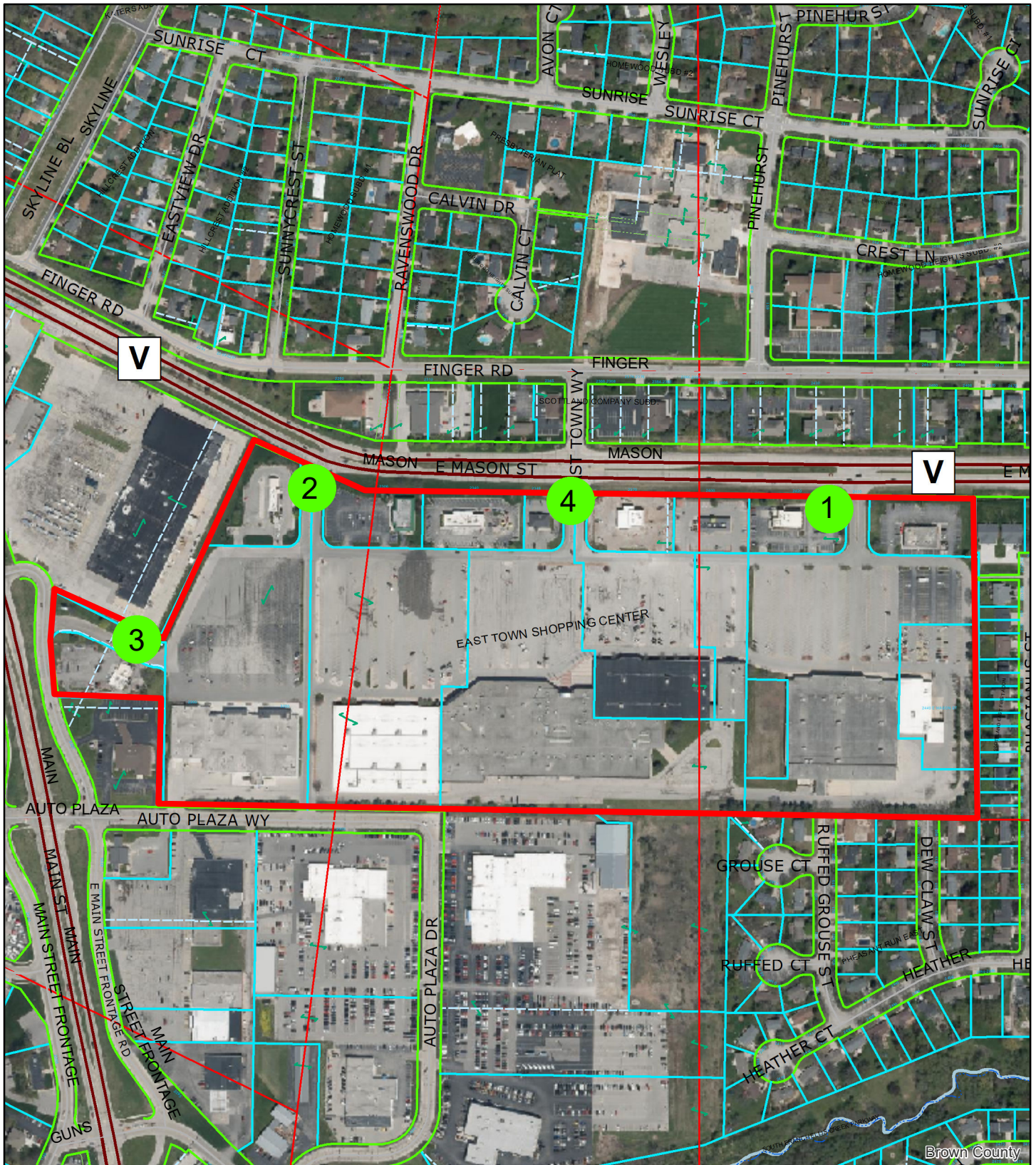


This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 26 Oct 2021 X:\Planning\Basemaps\template_8.5x11.mxd

(ZP 21-26) Exhibit B

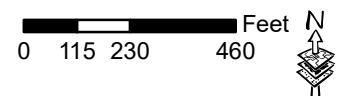


 Boundary



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 26 Oct 2021 X:\Planning\Basemaps\template_8.5x11.mxd

(ZP 21-26) Exhibit D



- Sign Locations
- Boundary



Report to the Green Bay Plan Commission

MEETING DATE

March 7, 2022

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.2

(ZP 22-03) Public Hearing on request to authorize a Conditional Use Permit (CUP) for the reconstruction of an off-premise digital and static message billboard in a General Commercial (CI) district, 1902 N. Irwin Avenue, submitted by Renee St. Laurent, Lamar Advertising, on behalf of TLC Properties/LAMA., property owner (Ald. K. Lefebvre, District 6).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 22-03 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Conditional Use Permit (CUP)
1902 North Irwin Avenue
(ZP 22-03)**

The Green Bay Plan Commission will hold a public hearing on **Monday, March 7, 2022**, 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=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+1 312 626 6799,,84137675822# US (Chicago)

+1 646 876 9923,,84137675822# US (New York)

[Dial by your location](#)

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

The hearing is regarding the following:

A request to authorize a Conditional Use Permit (CUP) for the reconstruction of an off-premise digital and static message billboard in a General Commercial (C1) district, 1902 North Irwin Avenue, submitted by Renee St. Laurent, Lamar Advertising, on behalf of TLC Properties/LAMA., 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 Dates: February 21, 2022 and February 28, 2022



Report to the Green Bay Plan Commission

MEETING DATE

March 7, 2022

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.3

(ZP 22-03) Consideration with possible action on request to authorize a Conditional Use Permit (CUP) for the reconstruction of an off-premise digital and static message billboard in a General Commercial (CI) district, 1902 N. Irwin Avenue, submitted by Renee St. Laurent, Lamar Advertising, on behalf of TLC Properties/LAMA., property owner (Ald. K. Lefebvre, District 6).

BACKGROUND

Primary Address: 1902 N. Irwin Avenue

Aldersperson/District: Ald. Kathy Lefebvre / District 6

Reason for Request: To permit the reconstruction of an off-premise billboard.

Surrounding Zoning and Land Uses:

SUBJECT: General Commercial (CI), existing billboard/vacant commercial property.

NORTH: I43

SOUTH: General Commercial (CI) - Light industrial

EAST: Light Industrial (LI) - Vacant

WEST: Light Industrial (LI) - Restaurant

Comprehensive Plan: The 2022 Smart Growth Plan designates the subject area as Commercial. The proposed use of the subject property is compatible with and is not contradictory to the applicable recommended policy and the future land use map.

Report: The subject property is located on the northeast corner of North Irwin Avenue and Radisson Street. The site is vacant but does contain a two-sided static message billboard approximately 30 ft. in overall height. The proposal would be to reconstruct the sign in its current location, maintain the static message on the east side of the sign panel, and add a digital message panel on the west-facing sign panel. Each side of the sign would be a 14 ft. x 48 ft. sign panel, approximately 672 sq. ft.

There is an existing sign approximately 790 ft. from another two-sided static message billboard located to the west on Tax Parcel: 20-559, located along Radisson Street and fronting I43. A copy of the billboard design, easement from the applicant regarding the permissible area on site for the billboard and a street view image of the existing signage is attached within this agenda.

In the review of the proposed reconstructed billboard, the requirements of Chapter 44, Article III, Off-Premise Advertising, in addition to the requirements of Section 30-63 related to multiple message signs are required. Multiple message billboard signage is only permitted as a Conditional Use Permit (CUP) under Section 30-63. The proposed static message panel on the north of the structure is compliant with the requirements of Section 30-63. The standards for the multiple message sign proposed on the south side of

the building board are subject to the following requirements found in Section 30-63:

Multiple message sign operation. Multiple message signs are permitted as a conditional use. To be considered for a conditional use permit, such signs must meet all regulations of this chapter and the following:

(1) Standards for multiple message signs.

a. The transition time, or the time it takes to change the message (electronically, via louver rotation, or other means), shall be one second or less.

b. The time the message remains in a fixed position shall be eight seconds or more, and movement or animation is prohibited.

c. Audio speakers and all forms of pyrotechnics are prohibited.

d. Electronic multiple message signs (digital billboards) shall be equipped with automatic dimming capability, and light produced by such signs shall not exceed 0.3 foot candles over ambient light levels. The ambient light reading is taken at least 30 minutes past sunset with the sign turned off or displaying all black copy. The fully lit reading is taken with the sign displaying all white copy. Measurement of light levels should be taken perpendicular to the face of the sign, and the following distances should be used as guidelines to determine where to take measurements:

1. 100 square foot or smaller sign to be measured 100 feet from source

2. Greater than 100 to 350 square foot sign to be measured 150 feet from source

3. Greater than 350 to 650 square foot sign to be measured 200 feet from source

4. Greater than 650 to 700 square foot sign to be measured 250 feet from source

e. Spill-over light exceeding 0.2 foot candles as measured at a residential property line is prohibited.

(2) Mitigation of multiple message signs. Since the maximum number of off-premise signs permitted in the City is fixed at the number in the current sign inventory, and because multiple message signs can display multiple messages, a new multiple message sign (whether new construction or sign replacement) shall be mitigated. In addition to meeting the requirements of Section 30-94, a new multiple message sign must earn at least 5 mitigation points per sign face. One or more existing billboards will be removed as part of the mitigation process.

a. Mitigation points can be earned in the following ways. Note that points are assessed and required per sign face.

1. Five (5) points per sign face for the removal of a billboard that is nonconforming due to location in the CBD, a natural area, or a historic district

2. Four (4) points per sign face for the removal of any other nonconforming billboard

3. Three (3) points per sign face for the removal of a conforming billboard that is capable in its existing structural condition of safely supporting a multiple message sign of the same area as the existing sign face.

4. Two (2) points per sign face for the removal of any other existing billboard that is not capable in its existing structural condition of safely supporting a multiple message sign of the same area as the existing sign face.

5. One (1) additional point per sign face for the removal of a billboard visible from a street or highway with a functional classification of Interstate, Freeway, or Principal Arterial

6. No points are awarded for the replacement of an existing billboard (While a digital billboard may be approved where an existing static sign has been removed from a conforming location, this sign removal does not count toward the required mitigation points. The points must be obtained from other sign sites.)

b. A mitigation plan shall be submitted for review by the Planning Department, and more than one new multiple message sign may be included in a single mitigation plan. The cumulative points earned for sign removal may be applied to multiple signs within a single mitigation plan and sign permit application. However, any excess points remaining are not carried over or “banked” for future applications. In other words, mitigation points will not be tracked beyond a single sign project which may involve multiple new signs. The reason for this is to avoid conflicts between mitigation points and the existing cap on the total number of allowable off-premise signs.

c. If the cumulative result of a sign project and mitigation plan is a net reduction in signs, then the maximum allowable number of off-premise signs for the City as a whole will be reduced immediately. This means that signs removed under a mitigation plan can only be replaced with the multiple message sign(s) being mitigated. They cannot be replaced with other signs in the future.

(3) Permitted locations of multiple message signs

a. Sign message must be directed to a state or federal highway, or a designated connecting highway, as mapped by

the Wisconsin Department of Transportation in accordance with Ch. 84.02(12), Wis. Stats.

b. Signs with a variable message face visible to drivers approaching an intersection, where drivers must also watch for cross traffic, bikes, and/or pedestrians, must comply with the following setbacks from that intersection as measured from the street right-of-way line.

1. 100 square foot or smaller sign to be set back at least 100 feet
2. Greater than 100 to 350 square foot sign to be set back at least 150 feet
3. Greater than 350 to 650 square foot sign to be set back at least 200 feet
4. Greater than 650 to 700 square foot sign to be set back at least 500 feet

c. Such signs shall not be located within one hundred (100) feet of residential district boundaries, school property, or public parks and parkways (including those so designated on the Official Map) if said signs are perpendicular to or facing away from such uses. This distance increases to four hundred (400) feet if signs are facing (oriented with message side parallel) said uses.

(4) Hazard abatement.

a. If the Director of Public Works or his/her designee finds that an electronic multiple message sign (digital billboard) is causing interference with the visibility or effectiveness of a traffic signal or control, the sign shall be turned off without delay.

b. If the Director of Public Works or his/her designee finds that an electronic multiple message sign (digital billboard) is malfunctioning in a fashion that creates a hazardous glare or other traffic hazard, the sign shall be turned off without delay.

c. In such a situation, the owner of the sign must then meet with City staff to determine how to rectify the situation, and the sign shall not be turned back on without City staff approval.

d. Each sign owner is to maintain up-to-date contact information with the Department of Public Works for such purposes. The contact information is to provide 24-7 (24 hour per day, 7 days per week) access to a person or persons that is/are available at all times to respond to a hazardous sign situation.

(5) Standard conditions of approval. The following are the minimum conditions of approval that shall be applied to the conditional use permit. Other appropriate conditions of approval may also be required by the Plan Commission and City Council.

a. A site plan and applicable permit applications (sign permit, electrical permit, building permit) shall be required for erecting a new multiple message sign or for converting an existing static display sign to a multiple message sign.

b. The sign permit application shall not be valid unless approved by the Director of Public Works or his/her designee (Traffic Engineer).

c. A mitigation plan shall be submitted for review and approval by the Planning Department.

d. If the US Department of Transportation, Federal Highway Administration concludes before June 1, 2010 that digital billboards or their particular operation are detrimental to traffic safety, then the hazard posed by this sign shall be resolved. If the hazard can be effectively resolved by adjusting the brightness, length of display, or other such performance issue, then this shall be allowed as the course of action. If the hazard cannot be effectively resolved by adjusting the performance of the sign, then the sign shall be removed and may be replaced with an approvable sign.

e. The Department of Public Works shall be provided with the means to turn off a digital billboard in the case of hazardous glare, interference with the visibility or effectiveness of a traffic signal or control, or other traffic hazard caused by the sign.

The Zoning Ordinance Section 44-83(e) establishes seven standards for the Plan Commission to consider when reviewing a conditional use permit:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
3. The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property

values within the surrounding neighborhood.

4. *Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*
5. *Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.*
6. *The conditional use shall have adequate parking facilities as specified in Article XVIII.*
7. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable city ordinances.*

In the review of the requirements above in Section 44-83(e) and the standards found in Section 30-63, staff believes the applicant has demonstrated compliance with current requirements. The proposed CUP does not conflict with the current and future land uses as reflected in the City's Comprehensive Plan. The sign is not located near a residentially zoned district.

The two sign faces that were approved under the raze permits for the vacant lot on the northwest corner of N. Irwin Avenue and Eastman Avenue have a total of 6 points, enough to add a digital message panel on the south-facing sign face and meet the mitigation requirements found in Section 30-63(2)(a). Ald. Kathy Lefebvre and adjacent property owners within 200 ft. of the site have been notified of the request. As of the drafting of this report, staff has received no objections and one call regarding this request.

RECOMMENDATION

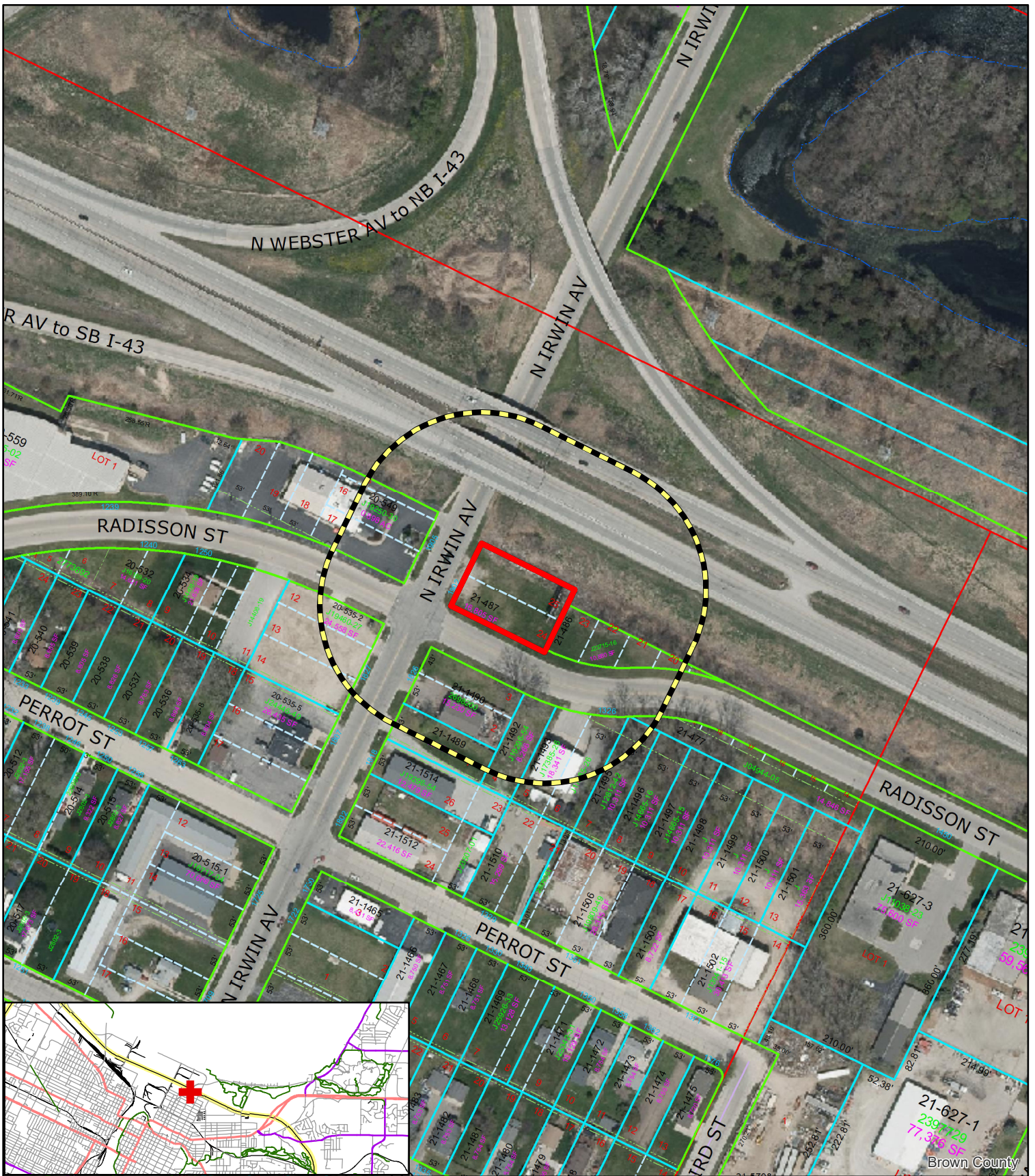
Approval of the request, subject to:

1. A site plan and applicable permit applications are submitted to the Community and Economic Development Department (CEDD) for review and approval.
2. The sign permit application shall not be valid unless approved by the Director of Public Works or his/her designee (Traffic Engineer).
3. The Department of Public Works shall be provided with the means to turn off a digital billboard in the case of hazardous glare, interference with the visibility or effectiveness of a traffic signal or control, or other traffic hazard caused by the sign.
4. The owner of the sign shall maintain up-to-date contact information with the Department of Public Works. The contact information is to provide a 24 hours per day, 7 days per week access person or persons that is/are available at all times to respond to a hazardous sign situation.
5. The proposed signage shall meet all of the requirements of Article III, Off-Premise Advertising, Green Bay Zoning Code.

FISCAL IMPACT

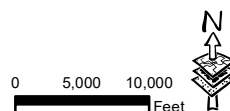
ATTACHMENTS

1. ZP 22-03 letter
2. Billboard Plan Set
3. Easement 1902 N Irwin Ave
4. Site View



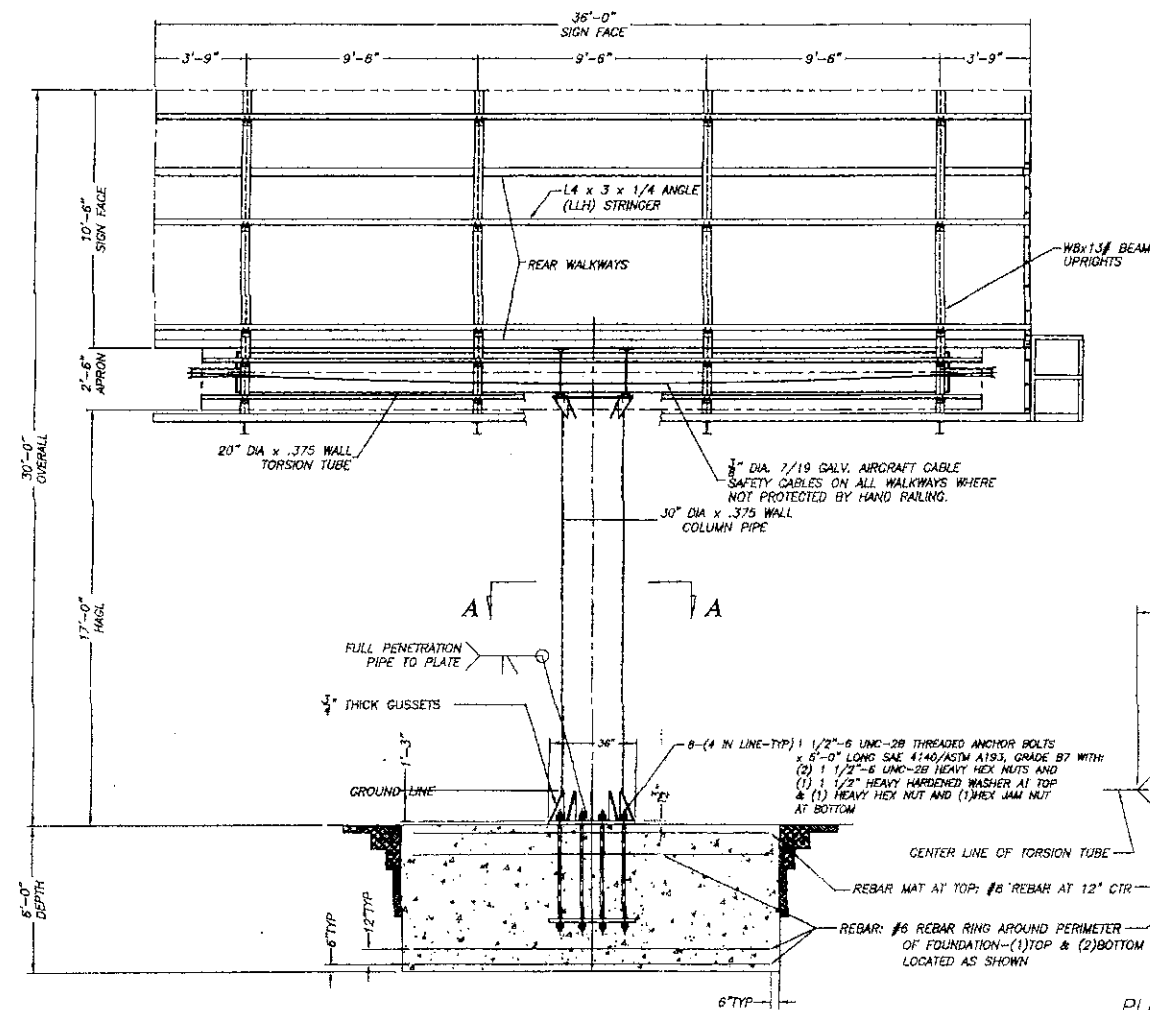
Zoning Petition (ZP 22-03)
Proposed Conditional Use Permit (CUP)
1902 North Irwin Avenue

- Subject Area
- 200' Property Owner Notice

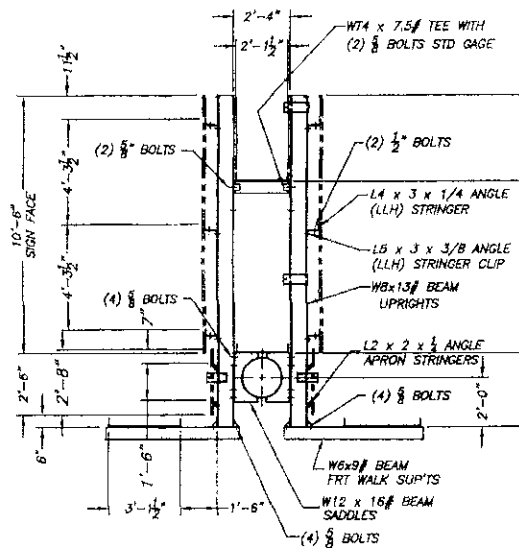


This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
 Map prepared by PN

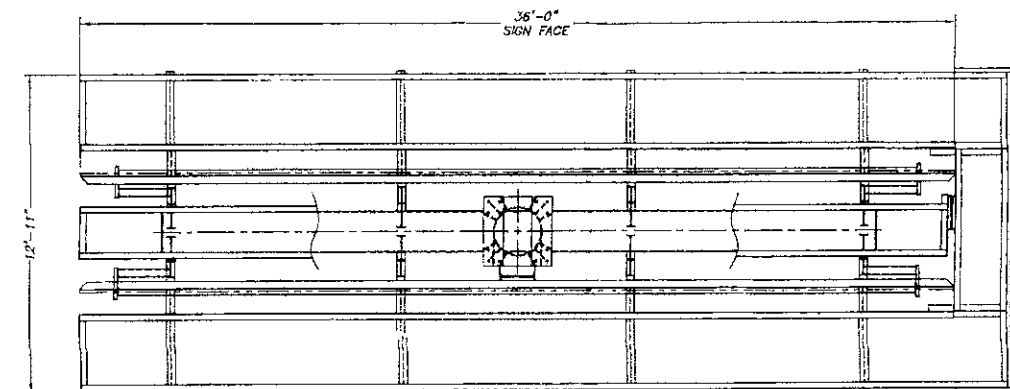
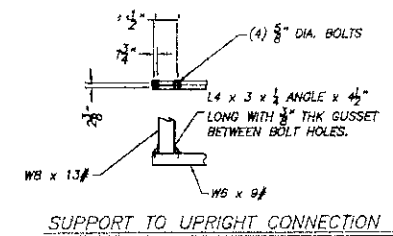
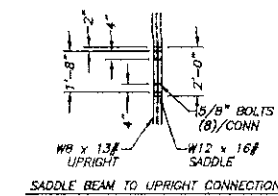
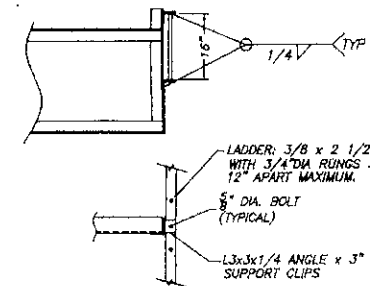
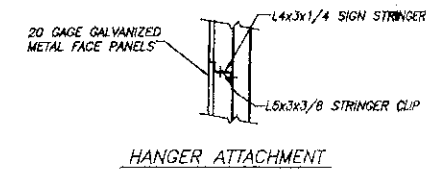
REV.	CHANGE	BY	DATE
A	REVISED FROM 67' OVERALL	PP	05/21/16



PLAN VIEW OF FOUNDATION
FOUNDATION BY OTHERS

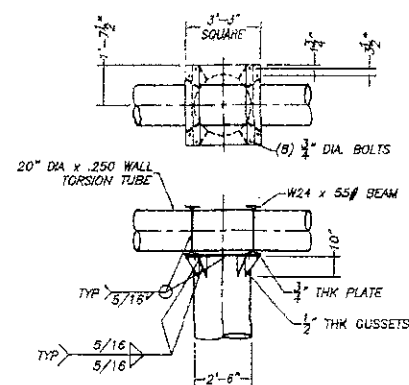
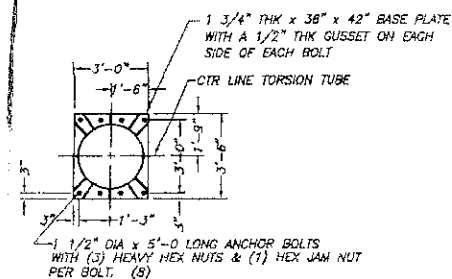


CROSS SECTION VIEW



PLAN VIEW

WALKWAYS: L4 x 3 x 1/4 ANGLE(LLH) FRAME WITH 3.00/50 FT EXPANDED METAL GRATING



SPECIFICATIONS:

- STEEL ROLLED "W" BEAM SECTIONS: ASTM A992 ALL OTHER STEEL ROLLED SECTIONS: ASTM A36
- PIPE SECTIONS: A.P.I. 5L X42
- BOLTS: MINIMUM 1/2" DIAMETER UNC 1/2" DIAMETER: GRADE A325 3/8" DIAMETER & LARGER: GRADE A325
- CONCRETE: 3000 P.S.I. @ 28 DAYS.
- HORIZONTAL SOIL PRESSURE: 300#/FT²
- THIS DESIGN MEETS THE REQUIREMENTS OF THE 2012 INTERNATIONAL BUILDING CODE FOR 115 M.P.H. (3 SEC GUST) WIND SPEED, RISK CATEGORY II, AND EXPOSURE "C".
- ALL WELDING SHALL BE IN ACCORDANCE WITH AWS STANDARDS USING E-70 ELECTRODES.
- ALL WALKWAYS TO HAVE SAFETY CABLES
- REINFORCING BAR: ASTM A-615 GRADE 60 (REBAR IS NOT REQUIRED IF FIBER REINFORCED CONCRETE IS USED.)
- WIND LOADING EXCEEDS SEISMIC LOADING.
- STRUCTURE DESIGNED TO ACCEPT (2) DIGITALS LATER AT 3,550/ EACH.

PRODUCTIVITY FABRICATORS

SCALE: NONE
DATE: 05/03/16
DRAWN BY: P. PLATT
10'-6" x 36' CM, BB, 30' OVERALL
LAMAR - DE PERE, WI
DRAWING NUMBER: 66-9093

EASEMENT AGREEMENT

Document Number

Title of Document

2257276**CATHY WILLIQUETTE
BROWN COUNTY RECORDER
GREEN BAY, WI****RECORDED ON
05/22/2006 01:43:30PM****REC FEE: 29.00
TRANS FEE:
EXEMPT #
PAGES: 10**

Record this document with the Register of Deeds

Name and Return Address:

**Liebmann Conway Law Firm
Thomas M. Olejniczak
P.O. Box 23200
Green Bay, WI 54305-3200****See Attached**

(Parcel Identification Number)

instrument drafted by:
my Thomas M. Olejniczak
mann, Conway, Olejniczak & Jerry, S.C.
South Adams Street
n Bay, WI 54301

n County – Owned Properties and One Easement

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (this "Easement Agreement") is made this 11th day of April, 2006, by and between Beverly French (hereinafter referred to as "Grantor"), and Orde Outdoor, LLC, a Wisconsin limited liability company (hereinafter referred to as "Grantee").

RECITALS

WHEREAS, Grantor is the owner of or the owner of an easement in the following described property ("Real Property"):

SEE ATTACHED ADDENDUM.

WHEREAS, Orde Advertising, Inc., a Wisconsin corporation ("Seller"), desires to sell to NextMedia Outdoor, Inc., a Delaware corporation ("Buyer"), and Buyer desires to purchase from Seller, one hundred percent (100%) of the units of membership interests (the "Units") of Grantee, pursuant to the terms and conditions of that certain Unit Purchase Agreement dated March 31, 2006 (the "Purchase Agreement"), by and among Grantor, Seller and Buyer;

WHEREAS, in connection with the transactions to be consummated by the Purchase Agreement, Grantor desires to grant an easement to Grantee pursuant to this Easement Agreement and to provide such services for the benefit of the parties as described herein.

NOW THEREFORE, in consideration of the recitals and the mutual covenants and agreements contained herein and in the Purchase Agreement, Grantor and Grantee hereby agree as follows:

1. Ingress and Egress; Access. Grantor does hereby grant, demise, convey, and otherwise transfer to Grantee, its successors, assigns, tenants, employees, customers, and/or invitees an exclusive and perpetual easement for ingress and egress through and across, and access to, the Real Property in connection with the purposes described herein.

2. Use and Occupancy. Grantor does hereby grant, demise, convey, and otherwise transfer to Grantee, its successors, assigns, tenants, employees, customers, and/or invitees an exclusive and perpetual easement for the use, occupancy, inspection, maintenance and repair of the outdoor advertising displays owned by Grantee and located or which may be located on the Real Property.

3. ~~Grantor Warranties. Grantor warrants to Grantee that it is the owner in fee~~
simple of the Real Property upon and within which the easement premises is contained,
that said Real Property is free of all liens and encumbrances which may interfere with the
easements granted herein, and that the Grantor has full right and authority to grant
easements concerning the same.

4. Grantee Covenants. In consideration of the easement conveyed hereunder,
Grantee covenants and agrees to provide and perform the following services, at Grantee's
sole cost and expense, for the mutual benefit of the parties: all snowplowing and snow
removal services, lawn care services and any and all other maintenance of the easements
deemed necessary by Grantee, in its sole discretion, for Grantee's operation of its
business on the real property covered by the easements.

[SIGNATURE PAGE FOLLOWS]

Dated this 11th day of April, 2006.

GRANTOR:

Beverly French
Beverly French

STATE OF WISCONSIN :

: ss.

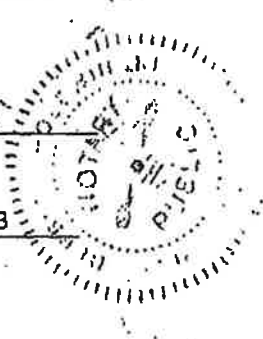
COUNTY OF BROWN :

Personally came before me this 11th day of April, 2006, the above-named Beverly French, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Debbie A. Holewinski

* Debbie A. Holewinski
Notary Public, State of Wisconsin

My Commission expires: 2-17-08



GRANTEE:

ORDE OUTDOOR, LLC

By:

Beverly French
Name: Beverly French

Title: Vice President of Orde Advertising, Inc., the sole member

STATE OF WISCONSIN :

: ss.

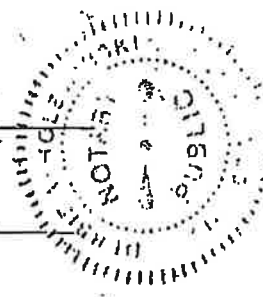
COUNTY OF BROWN :

Personally came before me this 11th day of April, 2006, the above-named Beverly French of Orde Outdoor, LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Debbie A. Holewinski

* Debbie A. Holewinski
Notary Public, State of Wisconsin

My Commission expires: 2-17-08



PROPERTY NUMBER TWENTY-ONE:

Address: South Broadway

Tax Parcel No.: 2-107

Legal Description:

All that part of Lot Twelve (12), Block "B", lying West of the West line of the right-of-way of the Green Bay and Western Railway Company, according to the recorded Plat of C.L.A. Tank's First Addition, in the City of Green Bay, West side of Fox River, Brown County, Wisconsin.

PROPERTY NUMBER TWENTY-FIVE:

Address: 1902 North Irwin Avenue

Tax Parcel No.: 21-487

Legal Description:

Lots Twenty-four (24) and Twenty-five (25), Block Ninety-seven (97), according to the recorded Plat of Addition to Green Bay by the Business Men's Association, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin.

PROPERTY NUMBER THIRTY-TWO:

Address: 1200 Block South Monroe Avenue

Tax Parcel No.: AL-25

Legal Description:

Unplatted parts of Private Claims 9E through 28E lying between Fox and East Rivers - that part of Private Claim 10E lying between railroad and Monroe Avenue; except northerly 162 feet and except as described in J13408 I34, Town of Allouez, Brown County, Wisconsin.



Radisson

Google



Report to the Green Bay Plan Commission

MEETING DATE

March 7, 2022

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.4

(ZP 22-05) Public Hearing on request to rezone 2260 Main Street from General Commercial (C1) to Highway Commercial (C2), submitted by John DeSilva, on behalf of Hilgenberg Properties, LLP, property owner (Ald. L. Gerlach, District 3).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 22-05 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Rezoning
2260 Main Street
(ZP 22-05)**

The Green Bay Plan Commission will hold a public hearing on **Monday, March 7, 2022**, 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=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 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)

Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

The hearing is regarding the following:

(ZP 22-05) Consideration with possible action on request to rezone 2260 Main Street from General Commercial (C1) to Highway Commercial (C2), submitted by John DeSilva, on behalf of Hilgenberg Properties, LLP, property owner (Ald. Gerlach, District 3).

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

City of Green Bay

Community and Economic Development

Attn: Stephanie Hummel

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

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

Publication Dates: February 21, 2022, and February 28, 2022



Report to the Green Bay Plan Commission

MEETING DATE

March 7, 2022

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.5

(ZP 22-05) Consideration with possible action on request to rezone 2260 Main Street from General Commercial (C1) to Highway Commercial (C2), submitted by John DeSilva, on behalf of Hilgenberg Properties, LLP, property owner (Ald. L. Gerlach, District 3).

BACKGROUND

Primary Address: 2260 Main Street

Aldersperson/District: Ald. Lynn Gerlach / District 3

Reason for Request: The proposed rezoning would allow for the development of a used car dealership.

Surrounding Zoning and Land Uses:

SUBJECT: General Commercial (C1) - Commercial- Car Rental

NORTH: Right-of-Way & General Commercial (C1) - Main Street, Main Street Frontage Road, Commercial- Offices

SOUTH: General Commercial (C1) - Commercial- Bar, Single-Family Residential, Farmland

EAST: Right-of-Way & General Commercial (C1) - Main Street, Commercial- Offices

WEST: Varied Density Residential (R3) & General Commercial (C1) - Single- & Multi-Family, Commercial- Office

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

Report: The subject parcel, 2260 Main Street, is a .524 acre site with street frontage on three sides along Main Street and Guns Road. It is currently zoned General Commercial (C1), which does not allow auto sales. The applicant is requesting a rezoning to Highway Commercial (C2) which allows auto sales as a permitted use. Standard site plan review would be required for this use, as well as the enforcement of the following land development standards:

Section 44-1584(e): Automobile sales/rentals.

- (1) The lot or area shall be provided with a permanent, durable, and dustless paved surface and shall be graded and drained so as to dispose of all surface water accumulated within the area.
- (2) Vehicular access to the outdoor sales/display area shall be at least 30 feet from the intersection of any two streets.
- (3) All repairs shall be conducted within a completely enclosed building.
- (4) The minimum lot area shall be 15,000 square feet. A site plan shall be submitted showing the layout of the vehicles for sale or rent, employee parking, and customer parking.

The rezoning to C2 is consistent with the Comprehensive Plan and keeping with other zoning and uses in the area. The area surrounding this property has a mix of zoning districts and a wide variety of uses, from farmland to multi-family to bar uses. While most of the zoning is C1, staff believe this parcel is a good candidate for C2 zoning as it is surrounded by street frontage which includes a major highway, Main Street. There are two parcels just south of this request that have current residential uses, but they are zoned C1.

Further south of those parcels is commercially zoned farmland and the east-side Walmart site. This area has great potential for further commercial and mixed-use development. Because of this, staff is supportive of this request.

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

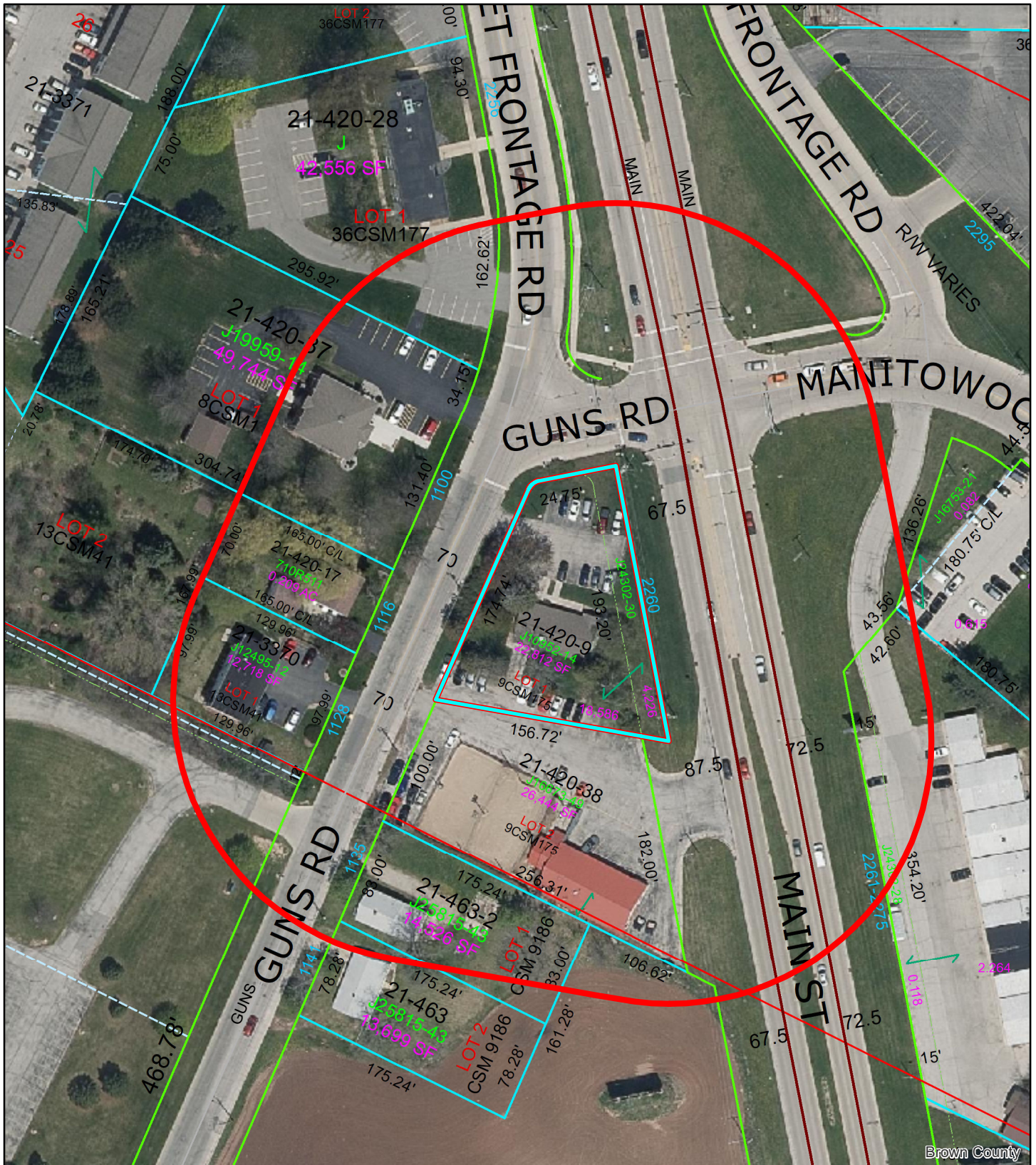
RECOMMENDATION

Approval of the request.

FISCAL IMPACT

ATTACHMENTS

1. ZP 22-05 Map
2. ZP 22-05 Street View



(ZP 22-05) Rezone C1 to C2 2260 Main Street

0 25 50 100 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 City of Green Bay Department of Community and Economic Development. E.R. 23 Feb 2022 X:\Planning\Basemaps\template_8.5x11.mxd

- 2260 Main Street
- 200-ft. Notification Area

WI-29 Truck

enterprise





Report to the Green Bay Plan Commission

MEETING DATE

March 7, 2022

PREPARED BY

Madison Smith

AGENDA ITEM # E.6

(ZP 22-06) Public Hearing on request to rezone 1840 Bond Street from Low-Density Residential (R1) to Public Institutional (PI), submitted by Jim Hinze, on behalf of Bay City Baptist Church (Ald. M. Steuer, District 10).

BACKGROUND

RECOMMENDATION

N/A

FISCAL IMPACT

ATTACHMENTS

- I. ZP 22-06 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Rezoning
1840 Bond Street
(ZP 22-06)**

The Green Bay Plan Commission will hold a public hearing on **Monday, March 7, 2022**, at 6:00 p.m. The meeting will be conducted at a virtual location. If you wish to participate in a Public Hearing, you may access the meeting by the internet or telephone, using the access code below.

Join Zoom Meeting

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

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+13126266799,,84137675822# US (Chicago)

+16468769923,,84137675822# US (New York)

Dial by your Location:

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

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

The hearing is regarding the following:

(ZP 22-06) Consideration with possible action on the request to rezone 1840 Bond Street from Low-Density Residential (R1) to Public Institutional (PI), submitted by the City of Green Bay Community and Economic Development Dept., on behalf of Jim Hinze and Bay City Baptist Church. (Ald. M. Steuer, District 10)

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

City of Green Bay

Community & Economic Development

Attn: Madison Smith

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact Madison Smith at Madison.Smith@greenbaywi.gov or 920.448.3407.

Publication Dates: February 21, 2022 and February 28, 2022



Report to the Green Bay Plan Commission

MEETING DATE

March 7, 2022

PREPARED BY

Madison Smith

AGENDA ITEM # E.7

(ZP 22-06) Consideration with possible action on request to rezone 1840 Bond Street from Low-Density Residential (R1) to Public Institutional (PI), submitted by Jim Hinze, on behalf of Bay City Baptist Church (Ald. M. Steuer, District 10).

BACKGROUND

Primary Address: 1840 Bond Street

Aldersperson / District: Ald. Mark Steuer / District 10

Reason for Request: The current land use does not comply with the zoning and the applicant wants to work with the City of Green Bay to rezone the parcel for consistency to comply with future land use goals. The current land use for the parcel is a church which is only permitted on land zoned Public Institutional (PI).

Surrounding Zoning and Land Uses:

SUBJECT: R1 (Low Density Residential-New Lots)

NORTH: Low Density Residential (R1) - Single-family homes
Varied Density Residential (R3) - Residential

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

EAST: Public Property/Institutional (PI) - Religious Institution/Educational Institution
Business Park (PB) - Industrial/Business

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

Comprehensive Plan: The 2022 Smart Growth Plan designates the subject area/parcel as residential and other public or semi-public. The entire parcel is owned by Bay City Baptist. The applicant currently does not wish to divide the parcel. The rezone application aligns with the future land use, and the applicant wants the current land use to continue.

Wisconsin State Statute Consistency Analysis:

Wisconsin Statute 66.0103 authorizes a local government to prepare a code for some or all of its general ordinances. It is also important to note, 62.23(7b) (§) The governing body may enact, without referring the matter to the plan commission, an interim zoning ordinance to preserve existing zoning or uses in all or part of the extraterritorial zoning jurisdiction while the comprehensive zoning plan is being prepared. The proposed rezone is consistent with the comprehensive plan. The proposed use of the subject property is compliant with the applicable recommended policy and the future land use map.

City of Green Bay Municipal Code:

The Code outlines permitted uses for **Residential Districts** (R1, R2, R3) within Section 44-551:

The residential districts are established to preserve and enhance the quality of living in residential neighborhoods, to regulate structures and uses which may affect the character or desirability of residential areas, to encourage a variety of dwelling types and locations and a range of population densities consistent with the City's comprehensive plan, and to ensure adequate light, air, privacy, and open space. The residential districts and their purposes are as follows:

1. **R-1 Low-Density Residential District** provides an environment of predominantly single-family dwellings on moderately sized lots. Infill development is encouraged on lots that are consistent in size and dimensions with the predominant lot size and type on adjacent parcels. Two-family dwellings are permitted in limited numbers, consistent with the goals of promoting affordable housing and encouraging a variety of housing sizes and types in each neighborhood.
2. **R-2 Medium-Density Residential District** is established to provide an environment of moderate-density single- and two-family dwellings, townhouses, and small multifamily buildings that are designed to be compatible with their neighbors.
3. **R-3 Varied Density Residential District** is established to provide for an environment of moderate- to high-density attached and multifamily housing designed to present an attractive appearance to neighboring streets and adjacent uses, to include sufficient private and semi-private outdoor space, and to be well integrated into their surroundings.

The **Public Institutional District** is outlined in Section 44-854 and 44-855:

The Public Institutional District (PI) is intended to provide for a district for public and civic buildings and large institutional uses that otherwise may not fit into other zoning districts because of their specialized land use needs and public purpose. This designation serves as a notice to those owning or buying land in proximity to publicly-owned land which is not ordinarily subject to the regulations of this chapter. Please see Table 44-14 within the municipal code for principal, permitted, conditional, and prohibited uses in the PI district. Specific development standards are also listed.

Report: The subject property is located in the northwest in the City of Green Bay. Bay City Baptist Church, 1840 Bond Street, is currently zoned Low Density Residential (R1) and is tax exempt as an educational/faith-based institution. In order to remain compliant with the City code and comprehensive plan, this rezone would change the parcel from R1 to PI and conform to the current zoning and future land use.

The proposal put forth by Jim Hinze, on behalf of Bay City Baptist Church, is to zone the entire parcel owned by the church as a Public Institution (PI). Proactive zoning is a way for the city to help maintain the health, safety and general welfare of city residents. The Planning and Zoning Division has laid the City out into neighborhoods, and on a prescribed schedule, inspections are performed within the City of Green Bay. Any owner of a property found in violation of the Zoning Ordinance is notified and given 10 or 30 days, depending upon the type of violation, to bring their property into compliance with the Zoning Ordinance. The parcel currently has no violations. However, the current land use does not comply with the current zoning.

The purpose of the PI District is to recognize that certain public, civic, and institutional support uses and activities of a generally low level of intensity are necessary and proper for the conduct of a civilized society and that in the proper context such uses may coexist with little harm to other neighboring uses. It is likewise the intent of this district to establish in a general sense the parameters in which these uses may operate, in order to provide their benefits with minimal burden upon surrounding properties and uses. The PI District permits uses such as schools, libraries, police and fire stations, churches, judicial centers and governmental or public utility administration buildings and uses, and the like.

All projects in the PI District require a staff-level site plan review to ensure that:

- a. The appearance and form of improvements with respect to site and architectural design shall be consistent with the general theme of the area in which the use is located. This requirement will be based upon a site-specific analysis (site plan review) and may necessitate such reasonable additional requirements as may be judged prudent to achieve the desired results of acceptable coexistence with neighboring uses.
- b. Special consideration may be given to such site-specific design elements as may be required to accommodate particular operational or other unique characteristics of the individual uses, which may enhance or relax the minimum standards prescribed herein, with specific written justification for the same noted in the plans.
- c. All lights or lighting arrangements used for purposes of advertising or night operations are directed away from adjoining or nearby residential properties, and further meet the requirements of § 156.310(G).

The proposed parcel to be rezoned will require complete rezoned requirements in Section 44-854 of the Municipal Code. The proposed rezone does not conflict with the current and future land uses as reflected in the City's Comprehensive Plan. Ald. Mark Steuer and adjacent property owners have been notified of the request. As of the drafting of this report, staff has received no comments or objections.

RECOMMENDATION

Staff recommends approval.

FISCAL IMPACT

ATTACHMENTS

1. ZP 22-06 Zoning Map
2. ZP 22-06 Future Landuse Map
3. ZP 22-06 Ortho Photo
4. ZP 22-06 Street View
5. Photo 4
6. Photo 5
7. Photo 6
8. Photo 1
9. Photo 2
10. Photo 3

Current Zoning – 1840 Bond Street

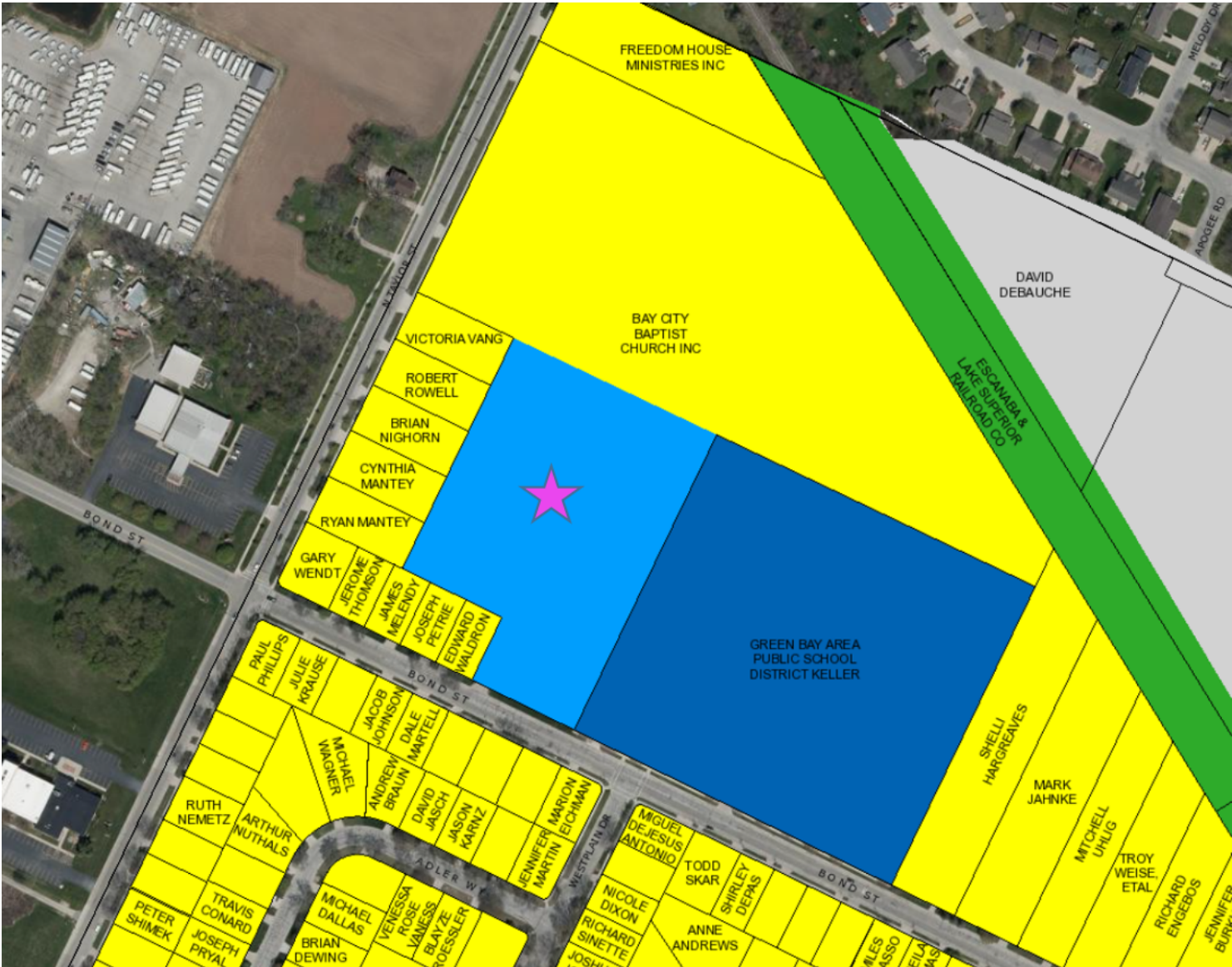


Zoning Legend

- RR - Rural Residential
- R1 - Low Density Residential-New Lots
- R2 - Medium Density Residential
- R3 - Varied Density Residential
- OR - Office Residential
- NC - Neighborhood Commercial
- C1 - Commercial One
- C2 - Commercial Two
- C3 - Commercial Three
- D1 - Downtown One
- D2 - Downtown Two
- GI - General Industry
- S-RLI - Special District Light Industry
- LI - Light Industry
- BP - Business Park
- PI - Public Property / Institutional
- CON - Conservancy



Future Landuse – 1840 Bond Street



Future Landuse Legend

- Business Park
- Commercial
- General Industry
- High Intensity Retail, Office or Housing
- Institution
- School
- Other Public or Semi Public
- Water
- Low Density Residential
- Low / Medium Density Housing
- Medium / High Density Housing
- Light Industry
- Medium Intensity Retail, Office or Housing
- Traditional Neighborhood Development
- Unknown
- Undevelop
- Parks
- Downtown
- Private Open Space
- Wetlands





Green Bay Fear
haunted House

N Taylor St

N Taylor St

N Taylor St

Bond St

Bond St

N Taylor St

Bond St

N Taylor St

Bond St

Bay City Christian School

Keller Elementary School











BAYCITY
BAPTIST CHURCH
Bay City Christian School

NOTICE OF
ZONING
ACTION
BAY CITY CHRISTIAN SCHOOL
BAY CITY, OHIO







Report to the Green Bay Plan Commission

MEETING DATE

March 7, 2022

PREPARED BY

Madison Smith

AGENDA ITEM # E.8

(AV 22-01) Consideration with possible action on request to vacate an alley between John Street and E. Mason Street, submitted by Grand Central LLP/Midwest Expansion, Dan Pamperin (Ald. B. Galvin, District 4).

BACKGROUND

Primary Address: 1567 E. Mason Street

Aldersperson/District: Ald. Bill Galvin / District 4

Reason for Request: To vacate unimproved alley.

Subject Property:

RI-Low Density Residential - Single Family Homes

Comprehensive Plan: The Smart Growth 2022 Plan calls for Low Density Residential for the subject area. The surrounding parcels to the north, south and west on the future land use plan illustrate Low Density Residential. To the east and southeast there are adjacent commercial parcels.

Report: The petitioner is proposing an alley vacation located on 1567 E. Mason Street in the City of Green Bay. The owner of the northern and southern parcels surrounding the alley is Grand Central, LLC. An alley vacation would be absorbed into the parcels of the sole property owner. In the City Zoning Code Chapter 44: Alley means a public or private way typically less than 20 ft. wide and permanently reserved as a means of access to abutting property. A street or alley “vacation” means that the public/owner is letting go of, or “vacating” the public interest in a property. After a street or an alley is vacated, the public no longer has a right to use the property for access. The applicant is the only affected property owner for the proposed alley vacation.

Ald. Bill Galvin, affected property owners and the following departments and agencies were informed of this request with the following comments:

- Green Bay Water Utility: No objections
- Green Bay Parks, Recreation, and Forestry: No objections
- Green Bay Fire Department: No comment
- Green Bay Police Department: No comment
- Green Bay Public Works: No objections, no facilities present
- Green Bay Area Public Schools: No comment
- Utility Providers (Mobilitie, ATC, WPS, ATT): No objections or impacts

Staff did not receive comments from the Ald. B. Galvin or property owners.

RECOMMENDATION

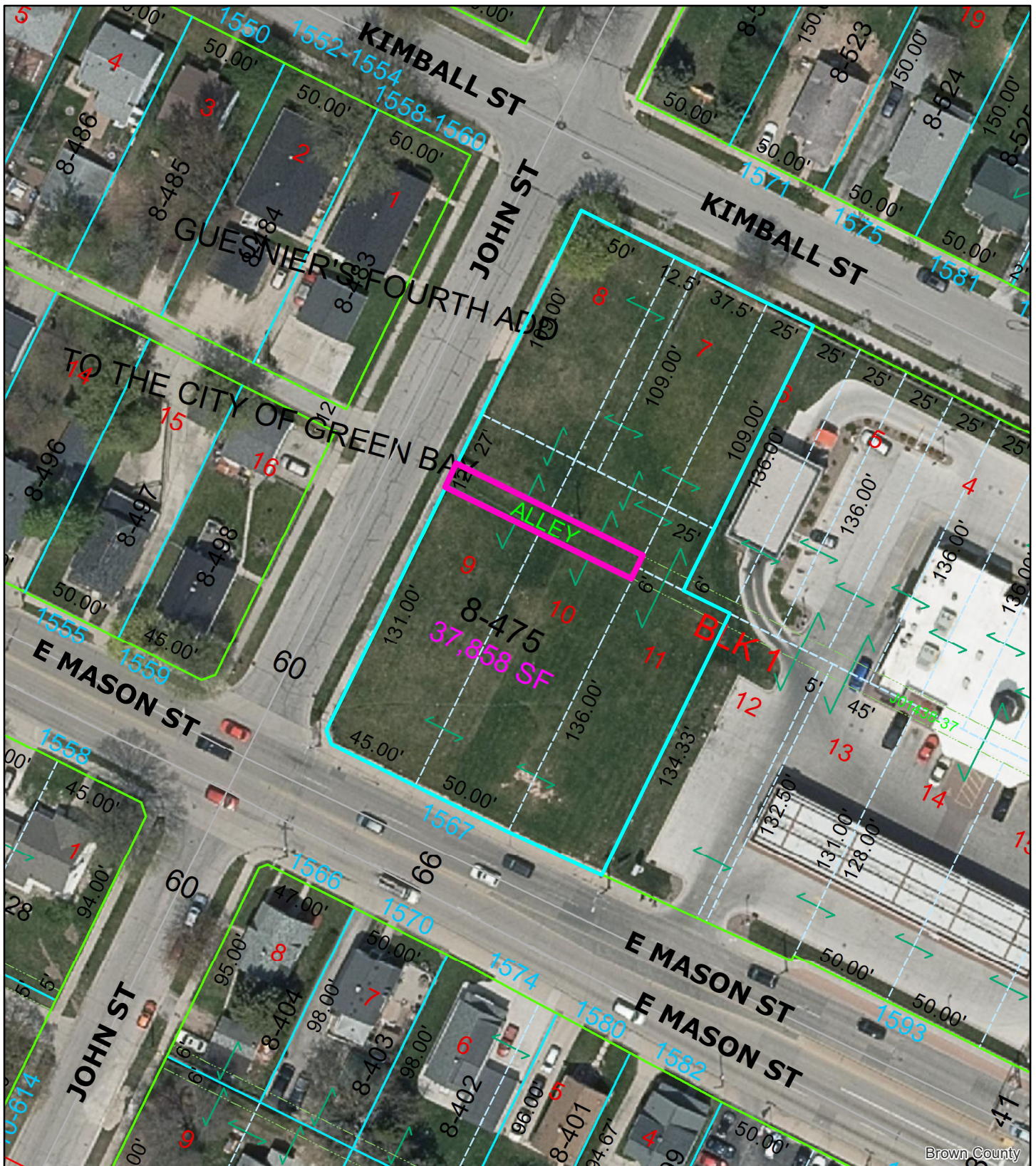
Approval of the request, subject to:

- a. Requestor shall be responsible for all costs to close alley connections to streets.

FISCAL IMPACT

ATTACHMENTS

- I. AV 22-01 Color Map



Brown County



(AV 22-01) Alley Vacation Between NE Corner of E Mason Street & John Street

0 15 30 60 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 City of Green Bay Department of Community and Economic Development. MS

 Alley Vacation Area

 Notified Adjacent Properties