



AGENDA OF THE GREEN BAY PLAN COMMISSION

MONDAY, FEBRUARY 27, 2023, 6:00 PM

**In person at City Hall, Room 604 - The Harry Maier Room.
Virtual attendance is also available 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: Lisa Hanson - Chair, Jacob Miller - Vice-Chair, Ald. Jim Hutchison, Sidney Bremer, Derius Daniels, Ken Rovinski, and Michael Poradek.

C. Approval of the Agenda.

1. Approval of the agenda for the February 27, 2023, meeting of the Green Bay Plan Commission.

D. Approval of Minutes.

1. Approval of the minutes from the January 23, 2023, meeting of the Green Bay Plan Commission.

E. Regular Business.

1. (ZP 22-31) Reconsideration with possible action on request to establish a Planned Unit Development at 216 S. Military Avenue to permit the development of multiple-family residential use, submitted by Gorman & Co., applicant, Henry Real Estate Development LLC, property owner (Ald. M. Eck, District 11).
2. (ZP 22-41) Reconsideration with possible action on request to amend a Planned Unit Development at 216 S. Military Avenue to amend the boundaries of the PUD, submitted by Mau & Associates, applicant, on behalf of Henry Real Estate Development LLC, property owner (Ald. M. Eck, District 11).
3. Consideration with possible action on the Downtown Green Bay, Inc. Business Improvement

District's (BID) year-end reporting for 2022.

4. Consideration with possible action on the Military Avenue Business Improvement District's (BID) year-end reporting for 2022.
5. Consideration with possible action on Olde Main Street Inc. Business Improvement District's (BID) year-end reporting for 2022.
6. (ED 23-01) Consideration with possible action on request to vacate utility easements on vacated Motor Street and vacated portion of State Street at 1919 S. Broadway (Parcel #s 1-1407 & 1-1415), submitted by the Green Bay Department of Public Works on behalf of Georgia Pacific Consumer Products, LP, property owner (Ald. Johnson, District 9).
7. (CPA 22-04) Public hearing on request to amend the City's Comprehensive Plan for the portion of properties located at 815 - 821 S. Chestnut Avenue (2-178-A & 2-178) and 414-418 4th Street (2-177, 2-176 & 2-175) from Commercial land use to Medium Intensity Retail, Office & Housing (Ald. B. Johnson, District 9).
8. (CPA 22-04) Consideration with possible action on request to amend the City's Comprehensive Plan for the portion of properties located at 815 - 821 S. Chestnut Avenue (2-178-A & 2-178) and 414-418 4th Street (2-177, 2-176 & 2-175) from Commercial land use to Medium Intensity Retail, Office & Housing (Ald. B. Johnson, District 9).
9. (ZP 22-44) Public hearing on request to rezone properties at 815 - 821 S. Chestnut Avenue (Parcels 2-178-A & 2-178) and 414-418 4th Street (Parcels 2-177, 2-176 & 2-175) from General Commercial (C1) to Office Residential (OR) (Ald. B. Johnson, District 9).
10. (ZP 22-44) Consideration with possible action on request to rezone properties at 815 - 821 S. Chestnut Avenue (Parcels 2-178-A & 2-178) and 414-418 4th Street (Parcels 2-177, 2-176 & 2-175) from General Commercial (C1) to Office Residential (OR) (Ald. B. Johnson, District 9).
11. (ZP 23-03) Public hearing on request to establish a Planned Unit Development at the 1100 Block of E. Walnut Street (parcels 14-195, 14-196, 14-197, 14-198, 14-199, 14-200, 14-201 & 14-202) to permit a mixed-use office & multiple-family residential development, submitted by MF Housing Partners, LLC, applicant, City of Green Bay Redevelopment Authority, property owner (Ald. R. Scannell, District 7).
12. (ZP 23-03) Consideration with possible action on request to establish a Planned Unit Development at the 1100 Block of E. Walnut Street (Parcels 14-195, 14-196, 14-197, 14-198, 14-199, 14-200, 14-201 & 14-202) to permit a mixed-use office and multiple-family residential development, submitted by MF Housing Partners, LLC, applicant, City of Green Bay Redevelopment Authority, property owner (Ald. R. Scannell, District 7).
13. (TA 23-01) Public Hearing on request to create a text amendment to Chapter 44-1075, Floodplain Overlay District, submitted by Department of Community and Economic Development
14. (TA 23-01) Consideration with possible action to update Chapter 44-1075 Article XIII of the Green Bay Municipal Code, Floodplain Overlay District Ordinance, submitted by Community and Economic Development.

F. Informational.

1. Director's Report.
2. Date of next meeting: March 13, 2023

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)

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+1 301 715 8592 US (Washington DC)

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+1 669 900 6833 US (San Jose)

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Meeting ID: 841 3767 5822

Passcode: 483400

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

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.

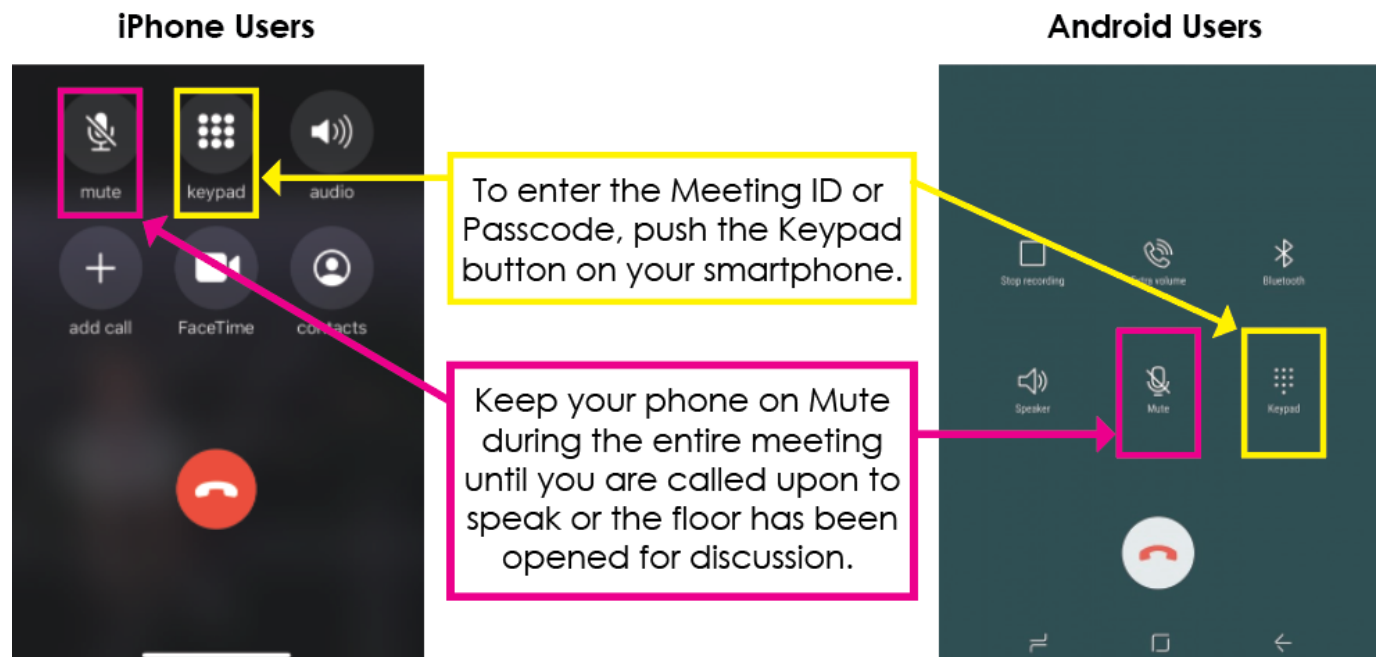
Additional Information

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

February 27, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.1

(ZP 22-31) Reconsideration with possible action on request to establish a Planned Unit Development at 216 S. Military Avenue to permit the development of multiple-family residential use, submitted by Gorman & Co., applicant, Henry Real Estate Development LLC, property owner (Ald. M. Eck, District 11).

BACKGROUND

*****THIS ITEM WAS SENT BACK FROM COMMON COUNCIL MEETING OF 2/7/23*****

Primary Address: Southwest corner of S. Military Avenue and Leo Street

Aldersperson / District: Ald. Melinda Eck / District 11

Reason for Request: To permit the development of a 48-unit multi-family development on the site at 1.1069 acres at the southwest corner of S. Military Avenue and Leo Street.

Surrounding Zoning and Land Uses:

SUBJECT PROPERTY: Community Center Commercial (C3) with existing ZO No. 14-21 overlay.

NORTH: Community Center Commercial – Q Tea Premium Tea House

SOUTH: Community Center Commercial (C3) with existing ZO No. 14-21 overlay – HJ Martin warehousing, limited production, and educational /training facility

EAST: General Commercial (C1) – Pancake Place and BMO Harris Bank

WEST: Community Center Commercial (C3) with existing ZO No. 14-21 overlay – HJ Martin and Bellin Health warehousing, limited production, and educational /training facility

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for commercial use. It recommends medium/high density residential areas and low-density residential areas to the west of Parcel 6-266E (across Randall Court), and commercial areas to the north, east, and south.

The proposed zoning change to a Planned Unit Development, as drafted, is not fully consistent with the recommendation of the Comprehensive Plan for the particular property which calls for commercial use. However, it is consistent with the intent of the area as the corridor redevelops. The comprehensive plan encourages the restoration of underutilized urban properties to viable commercial, residential or recreational opportunities. Military Avenue has been identified as a target area for such activity. Military Avenue is also targeted as a Supportive Zoning district to support increased transit-oriented development. Supportive Zoning encourages the use of mixed and multiple-use development with buildings required to be located near the front sidewalk with parking to be located in the rear, side or underground. Staff believes this should not hold up the Planned Unit Development (PUD) request as this new PUD meets the criteria for corridor usage and still allows for C3 Community Center Commercial as its base zoning.

Analysis: This request is for a proposed development of a 48-unit affordable apartment building, to be known as “Bay City Lofts” on approximately 1.1 acres of land bound by Leo Street on the north and S. Military

Avenue on the east. It is currently an underused surface parking lot, apart from the larger 8.356 acre property, Parcel 6-266E. The property is currently being reviewed for a land division as part of this PUD request. The new parcel, Lot 2, is intended for the Bay City Lofts apartments and surface parking behind the primary structure. The rest of Parcel 6-266E, Lot 1, remains under the existing PUD for the site for HJ Martin and Bellin Health and concurrently has a separate PUD for both C3 and limited LI land uses submitted.

Report: This project includes the development of a single 4-story, 48-unit apartment building with 13 one-bedroom units, 24 two-bedroom units, one (1) three-bedroom unit and 10 three-bedroom townhome units. Ground floor uses include common spaces for residents, private residences, and office space. The building is shaped in such a way as to provide a building wall relief and articulation, especially along S. Military where the building is placed near the right-of-way with multiple individual entry access points designed with paved entries and landscaping. A singular paved and landscaped pedestrian public entry door is identified at the northeast corner of the building. Building materials are intentionally varied to provide increased aesthetics, including brick, metal panels, and cement board siding with varied colors. Vertical masonry elements to provide additional building identity and signage.

Other accessory uses within the building (customarily associated with multiple-family residences) may include a lobby, mail room, janitorial services, community room, office space associated with the principal use, office space for community services, childcare for residents, and educational spaces for residents. These accessories can be converted for any C-3 use in the future to have a mixed-use component. Vehicular access will be limited to a single ingress/egress easement from S. Military Avenue. A recorded shared access agreement between Bay City Lofts and HJ Martin is required. Pedestrian/bicycle access from S. Military Avenue to all public entry doors on the building is also required. The project, with 48 stalls, will require 60 parking stalls to meet the code. The current plans must be updated to reach 60 stalls or an agreement for shared parking must be made with other parcels within 1000 ft. of the property to share parking to reach a minimum of 60 total stalls. Staff has included a conceptual site plan and building elevations for the project within the draft PUD ordinance, and development will require general conformity with it.

This PUD varies from the original PUD on the site (ZO 14-21). The existing PUD focuses on uses for the existing single story building within future Lot 1. This PUD designation, rather than a straight rezoning to the C-3 Varied Density Residential District, is necessary because several exceptions to zoning regulations of the C-3 zoning will be needed, including:

- 1a. Reduction of the minimum S. Military Avenue setback from 51 ft. to 10 ft.
- 1b. A maximum setback along S. Military of 15 ft.
2. Reduction of the minimum Leo Street setback from 15 ft. to 7 ft.
3. Reduction of rear yard surface parking setback (west lot line) from 25 ft. to 0 ft.
4. Reduction of the side yard setback from 10 ft. to 7 ft.
5. The maximum impervious surface requirement is 86 percent. Any paved sidewalk which leads from the public right of way to a public building entrance, may be excluded from the overall requirement. Additional landscaping must occur within the interior parking lot islands beyond trees and grass to create additional landscape interest.
6. Maximum building height of 50 ft. from 35 ft.

Staff believes the increase in density is appropriate at this location as it is in close proximity to the Military Avenue business corridor and is adjacent to multiple smaller lots with multiple-family development. Additionally, affordable, supportive and larger bedroom sized housing units have been identified in our housing market study as a land-use the greater Green Bay area is specifically lacking. Staff agrees with the applicant's request for placing a four-sided structure with strong articulation along the front and rear elevation close to the street. Ground floor space is a mixture of private residences, common space for residents, and office space which will be used by Lutheran Family Services. The office space could be converted to other C3 uses in the future.

A neighborhood meeting was held for this and concurrent PUD on the property on Thursday, December 22, 2022, at 630 p.m. during the snowstorm. Six members of the public along with Leah Weycker, Military Avenue BID, Alder Melinda Eck, David Martin, HJ Martin, and Brad Rymer, Mau & Associates attended. Most attending expressed concerns about the role of both industrial and residential uses within the parcel and alongside the Military Avenue corridor. Most inputs are about using the frontage along S. Military for uses other than ground level commercial. Some inputters questioned 'low-income housing' in the Military BID. Many neighbors did not see an issue with residential on the site but questioned if the area slated for multi-family redevelopment would better be used as commercial.

Staff believe the reduced setbacks are warranted in light of creating a defined streetscape presence along S. Military within areas which have typically been underused surface parking. The Military Avenue corridor has a variety of spaces in which the primary use has become vast, underused surface parking areas. Staff believes the addition of higher density, well-designed multi-family apartment units fit well with redevelopment and evolution of the Military Avenue corridor.

If the draft PUD is approved with conditions, the final step for the development of the proposed apartment will be a lot split, adjustment to the site plan to account for sidewalk connections and impervious surface requirements, parking requirements, ingress/egress agreements recorded between Lots 1 and 2 and administrative review of a site plan and building permit.

ADDITIONAL INFORMATION: Staff have received additional information from the applicant regarding the conceptual site layout, form, and uses at the site if they gained control of redeveloping the overall block. The attachment is added to the packet.

RECOMMENDATION

Staff recommends approval of the PUD.

FISCAL IMPACT

ATTACHMENTS

1. ZP 22-31 Bay City Lofts Request for City Action Application - Signed
2. ZP 22-31 Draft PUD
3. ZP 22-31 Map
4. ZP 22-31 PUD Narrative (2022-11-21)
5. ZP 22-31 Phase 2 Concept Design



REQUEST FOR CITY ACTION PLAN COMMISSION

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

Location of Property: 216 South Military Avenue

Parcel Number(s): 6-266-E

Petitioner(s): Gorman & Company Date: 10/11/2022

Email: tmatkom@gormanusa.com Phone Number: 608-835-3455

Address: 200 N Main Street City: Oregon State: WI Zip: 53575

Property Owner: Henry Real Estate Development, LLC Phone Number: _____

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

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

I, Ted Matkom, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$300.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
- ☒ PUD and PUD Amendments (\$350.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$150.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☒ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$100.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee) – PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$200 Administration Fee) – PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Comprehensive Plan Amendments (\$200.00 Review Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature:  Date: 10/21/2022

Petitioner Signature(s): _____

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

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

REQUEST FOR CITY ACTION PLAN COMMISSION

PLEASE FILL OUT FOR: VACATE OR CLOSE STREET/ALLEY/PEDESTRIAN WAY

Per WI State Statue 66.1003:

All owners who abut the area proposed for vacation or closure, including all members of LLCs or ownership groups, must sign below before submitting this application.

If you are **NOT** vacating or closing a full street/alley/pedestrian way, you must also get signatures from one-third of owners of parcels within 2,650 ft. of the end of the vacation/closure area.

SIGNATURE	PRINTED NAME	ADDRESS

Please contact the Community and Economic Development Department at (920) 448-3400 with any questions.

ZONING ORDINANCE NO. XX-22 (APARTMENT)

AN ORDINANCE
CREATING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT FOR
PROPERTY LOCATED AT 216 SOUTH MILITARY AVENUE
(ZP 22-31)

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

SECTION 1. Section 44-29, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development District on the following described property:

Legal Description: Commencing at the Southeast Corner of Lot 1 of Certified Survey Map No. 1366, being part of Private Claim Number 1 and the vacant strip of land, West Side of Fox River, City of Green Bay, Brown County, Wisconsin; thence N26°10'17"E, 276.60 feet along the West right of way of South Military Avenue to the point of beginning; thence N26°10'17"E, 246.18 feet along said west right of way; thence 18.91 feet along the arc of a 12.00 foot radius curve to the left whose chord bears N18°57'46"E from said West right of way of South Military Avenue to the South right of way of Leo Street; thence N64°05'49"E, 174.77 feet along said South right of way of Leo Street; thence S26°10'17"W, 258.24 feet; thence S64°05'49"W, 186.83 feet to the point of beginning.

Tax Parcel: Part of Parcel 6-266-E

SECTION 2. Pursuant to Chapter 44, Article XX, Green Bay Municipal Code, as they apply, the following conditions are imposed:

- A. Purpose and Intent. The Planned Unit Development (PUD) is being utilized to permit the development and construction of a 48-unit, four-story multi-family residential development. The overall appearance and design of the site and improvements shall comply with the attached Exhibits and as regulated within this PUD.
- B. Development Site. Area included within this PUD is proposed as Lot 2 on the accompanying Certified Survey Map (Exhibit A). The existing parcel located at the southwest South Military Avenue and Leo Street will be divided into a separate 1.11 acre/48,215 square feet parcel. The multi-family residential development will be located fronting South Military Avenue have nine total entryways fronting South Military Avenue (8 for individual townhome units and one as a lobby entrance to the building at large.)
- C. Land Use Regulation.

The principal and accessory land uses which may be established and/or maintained on the subject property are as follows:

1. Principal use of 48 residential dwelling units within a single structure. 8 units will have individual unit ingress/egress directly to South Military Avenue. 40 units to have shared access from commonway.
 2. Accessory uses customarily associated with multi-family dwelling and supportive housing including lobby, mail room, janitorial services, office space associated with the principal use, bicycle storage, secure parcel holding room, community room, fitness room, office space for community services, and other uses deemed appropriate by the Zoning Administrator.
 3. Land use will generally conform with the design of the conceptual site plan (Exhibit B), as determined by the Department of Economic and Community Development.
 4. Prohibited Uses. The PUD prohibits certain uses from being established on the site or as accessory to the multi-family dwelling principal use including rooming/boarding houses, shelter facilities, transitional housing, dormitories, assisted living/nursing homes, commercial uses typically associated with dwelling (family daycares and live-work units). All other proposed uses are subject to a PUD amendment.
- D. Dimensional and Area Requirements: Dimensional and area requirements for principal structure and surface parking on the subject property shall be regulated as follows:
1. General Site.
 - a. Lot Size. Minimum lot area is 48,215 Square Feet / 1.11 acres
 - b. Maximum Floor Area Ratio (FAR): 1.0
 - c. Maximum Impervious Surface: 86%
 2. Building.
 - a. Front Yard Setbacks
 1. South Military Avenue: Minimum: 10 feet
Maximum: 15 feet
 2. Leo Street: Minimum: 7 feet
Maximum: 15 feet
 - b. Side Yard Setback (south lot line): 6 feet
 - c. Rear Yard Setback (west lot line): 0 feet
 - d. Maximum Height: Principal building shall not exceed 50 feet in height.
 3. Surface Parking.
 - a. Front Yard Setbacks
 1. Leo Street: 7 feet
 2. South Military Avenue: Not Applicable. No parking shall be located along street.

- b. Side Yard Setback
 - 1. (South lot line): 7 feet
- c. Rear Yard Setbacks
 - 1. (West lot line) 0 feet

E. Access Circulation and Parking. Access, circulation, and parking within the PUD area shall meet the standards as set forth within Chapter 44, Article XVIII of the Green Bay Municipal Code, and as modified as follows:

- 1. Pedestrian access shall be provided from South Military Avenue with public sidewalks adjoining the development and connected via an internal pedestrian network to at least one of the public entrances of the principal structure.
- 2. Access to the site maintained through a shared access easement between Lot 1 (property to west) and Lot 2 (multi-family parcel) (Refer to Exhibit A). Shared access easement must be recorded with the Brown County Register of Deeds prior to the issuance of building permits.

F. Architectural Design. All building elevations shall generally comply with Exhibit C and subject to the following requirements:

- a. Four-sided design. All sides of the building shall include materials and design characteristics similar to and compatible with those on the front.
- b. Exterior Materials. Building materials shall be durable and appropriate for the residential district as well as being regulated as follows:
- c. Exterior building façades shall be predominately (minimum of 90%):
 - II. Brick or brick veneer
 - III. Cementitious panels/siding
 - IV. Architectural/decorative metal panels
 - V. Wood or wood composite
 - VI. Windows and doors
- d. Windows and doors. Windows shall be include trim and all building entrances shall include a canopy or other roofing element over the doorway.
- e. A minimum of one public entryway to the principal building must be accessible from South Military Avenue.
- f. Accessory structures. Accessory structures are limited to no greater than 16 feet in height and shall match the character of the principal structure, reflected in colors, materials, windows, and architectural features.

G. Lighting. All lighting on the subject property shall be regulated as set forth in Chapter 44, Article V, Division 8, Green Bay Municipal Code.

H. Signage. All signage shall be regulated as set forth in Chapter 30 Green Bay

Municipal Code.

I. Site Plan Review & Standards

- a. Prior to the issuance of any building permits, site plans shall be submitted and reviewed per Chapter 44 Article XIX, Green Bay Zoning Code.
- b. Risers, paved stoops, paved entries leading to private and public doorways along South Military Avenue which are located in the front setback are allowed.
- c. Maximum impervious surface requirement is 86% Any paved sidewalk which leads from the public right of way to a public building entrance may be excluded from this calculation.
- d. Landscape islands in center of parking lot shall have additional landscaping beyond grass and trees, determined per review by Community and Economic Development.

J. Landscaping/Transitional Yard

- a. Prior to the issuance of any building permits, detailed landscape plans shall be submitted and reviewed per Chapter 44, Article XIX, Division 5, Green Bay Municipal Code.
- b. Landscape plans shall be in general compliance of the conceptual landscape plans (Exhibit B)

K. Prior to the issuance of any building permits, stormwater management plans, meeting the standards established by the City's Department of Public Works, shall be submitted to and approved by the City.

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

SECTION 3. 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 4. 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 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. 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 7. 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 8. This ordinance shall not take effect until a public hearing is held thereon 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 _____, 2023.

APPROVED:

Mayor Eric Genrich

ATTEST:

Clerk

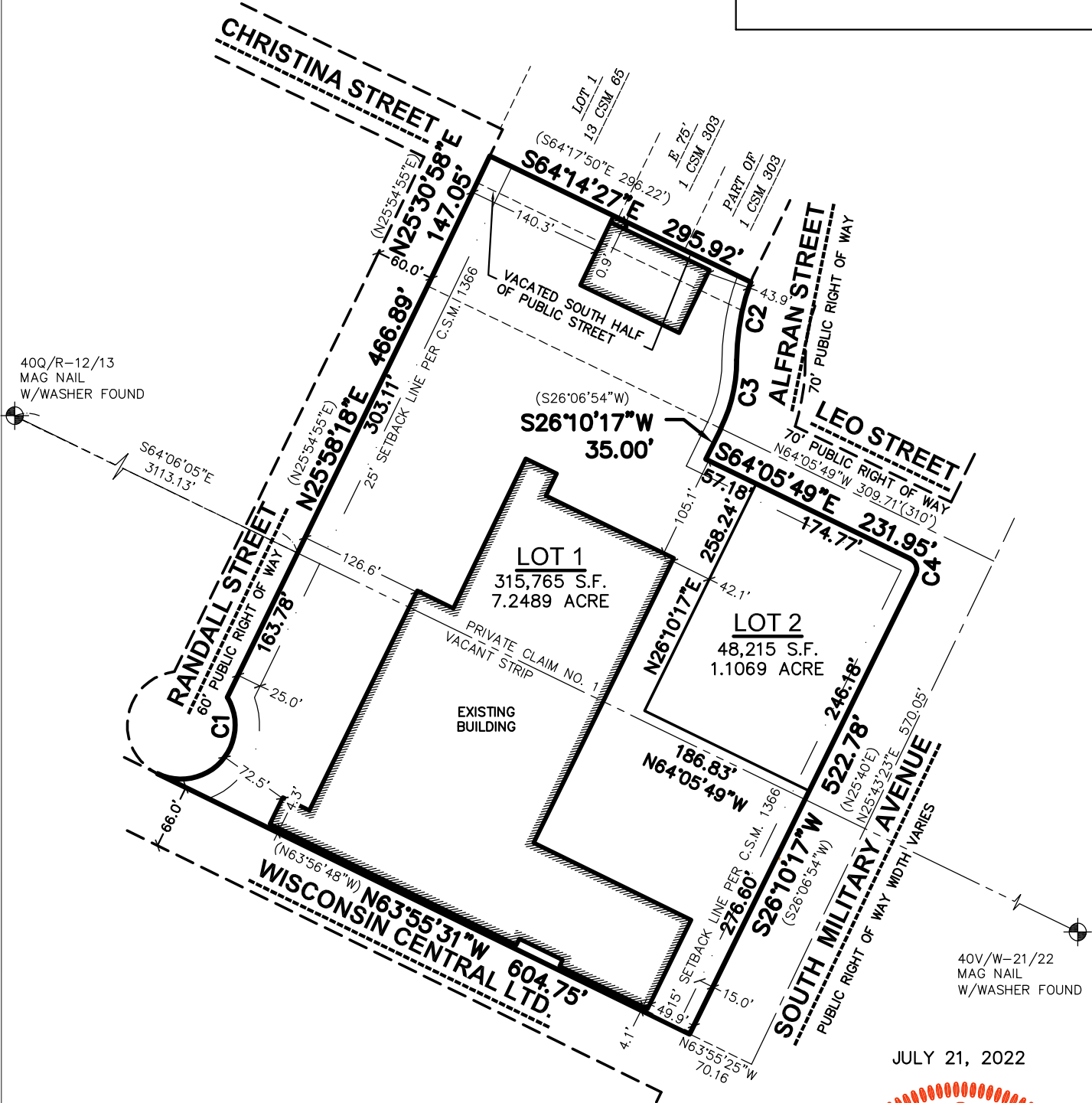
Attachments:

Exhibit A – Proposed Certified Survey Map
Exhibit B – Conceptual Site Plan-Civil Set-Landscape Plans
Exhibit C – Conceptual Building Elevations

Exhibit C

CERTIFIED SURVEY MAP
NO. _____

LOT 1 OF CERTIFIED SURVEY MAP NO. 1366 RECORDED IN VOLUME 5 ON
PAGE 177 AS DOCUMENT NO. 802454, BEING PART OF PRIVATE CLAIM NO. 1
AND THE VACANT STRIP OF LAND, WEST SIDE OF FOX RIVER, IN THE CITY
OF GREEN BAY, BROWN COUNTY, WISCONSIN



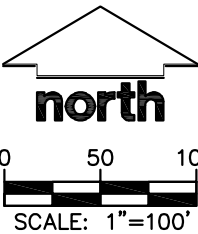
LEGEND

- GOVERNMENT CORNER
- 3/4" REBAR FOUND
- 3/4" x 24" REBAR SET (1.50 LBS/LF)
- PLAT BOUNDARY
- CHORD LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- PLATTED LOT LINE
- SECTION LINE
- EASEMENT LINE
- SETBACK LINE
- (XXX) RECORDED AS

NOTES

1. FIELD WORK PERFORMED ON JULY 12, 2022.
2. BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, BROWN COUNTY. THE WESTERLY LINE OF S. MILITARY AVE. HAVING A BEARING OF S26°10'17"W.
3. SEE SHEET 2 FOR CURVE TABLE.

JULY 21, 2022



THIS INSTRUMENT DRAFTED BY ANDREW W. WILKOWSKI, S-3121

SURVEYED BY: JSD WAUSAU REGIONAL OFFICE 7402 STONE RIDGE DRIVE, SUITE 4 WESTON, WISCONSIN 54476 P. 715.298.6330	SURVEYED FOR: HENRY REAL ESTATE DEVEL. 200 N. MAIN ST. OREGON, WI 53575	PROJECT NO:	22-11365	SURVEYED BY:	JSD
		FIELD BOOK/PG:	-	DRAWN BY:	DHS
		SHEET NO:	1 OF 3	CHECKED BY:	AWW
				APPROVED BY:	AWW

CERTIFIED SURVEY MAP NO. _____

LOT 1 OF CERTIFIED SURVEY MAP NO. 1366 RECORDED IN VOLUME 5 ON PAGE 177 AS DOCUMENT NO. 802454, BEING PART OF PRIVATE CLAIM NO. 1 AND THE VACANT STRIP OF LAND, WEST SIDE OF FOX RIVER, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN

LEGAL DESCRIPTION

LOT 1 OF CERTIFIED SURVEY MAP NO. 1366 RECORDED IN VOLUME 5 ON PAGE 177 AS DOCUMENT NO. 802454, BEING PART OF PRIVATE CLAIM NO. 1 AND THE VACANT STRIP OF LAND, WEST SIDE OF FOX RIVER, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN.

LANDS CONTAINING 363,980 SQUARE FEET OR 8.3558 ACRES.

SURVEYOR’S CERTIFICATE

I, ANDREW W. WILKOWSKI, PROFESSIONAL LAND SURVEYOR S-3121, DO HEREBY CERTIFY THAT BY DIRECTION OF HENRY REAL ESTATE DEVELOPMENT, LLC, I HAVE SURVEYED, DIVIDED, AND MAPPED THE LANDS DESCRIBED HEREON AND THAT THE MAP IS A CORRECT REPRESENTATION IN ACCORDANCE WITH THE INFORMATION PROVIDED. I FURTHER CERTIFY THAT THIS CERTIFIED SURVEY MAP IS IN FULL COMPLIANCE WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN.

ANDREW W. WILKOWSKI, S-3121
PROFESSIONAL LAND SURVEYOR

JULY 21, 2022

DATE



CORPORATE OWNER’S CERTIFICATE

HENRY REAL ESTATE DEVELOPMENT, LLC, A LIMITED LIABILITY CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID CORPORATION HAS CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. SAID CORPORATION FURTHER CERTIFIES THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.34, WISCONSIN STATUTES TO BE SUBMITTED TO THE CITY OF GREEN BAY FOR APPROVAL.

IN WITNESS WHEREOF, THE SAID HENRY REAL ESTATE DEVELOPMENT, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS REPRESENTATIVE THIS _____DAY OF _____, 2022.

BY: _____
EDWARD MARTIN, PRESIDENT/CEO

STATE OF WISCONSIN) SS
_____ COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 2022,
THE ABOVE NAMED REPRESENTATIVE OF THE ABOVE NAMED HENRY REAL ESTATE DEVELOPMENT, LLC TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, _____ COUNTY, WISCONSIN MY COMMISSION EXPIRES _____

CURVE TABLE							
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	ARC LENGTH	TANGENT IN	TANGENT OUT
C1	55.01'	146°54'07"	N42°28'06"E	105.47'	141.05'	S64°04'51"E	N30°58'58"W
C2	231.13'	20°07'46"	S10°13'17"W	80.78'	81.20'	S20°17'10"W	S00°09'24"W
C3	161.13'	25°44'24"	S13°00'26"W	71.78'	72.39'	S25°52'38"W	S00°08'14"W
C4	12.00'	90°16'06"	S18°57'46"E	17.01'	18.91'	S26°10'17"W	S64°05'49"E

THIS INSTRUMENT DRAFTED BY ANDREW W. WILKOWSKI, S-3121

SURVEYED BY:  WAUSAU REGIONAL OFFICE 7402 STONE RIDGE DRIVE, SUITE 4 WESTON, WISCONSIN 54476 P. 715.298.6330	SURVEYED FOR: HENRY REAL ESTATE DEVEL. 200 N MAIN ST OREGON, WI 53575	PROJECT NO:	22-11365	SURVEYED BY:	JSD
		FIELDBOOK/PG:	-	DRAWN BY:	DHS
		SHEET NO:	2 OF 3	CHECKED BY:	AWW
				APPROVED BY:	AWW

CERTIFIED SURVEY MAP NO. _____

LOT 1 OF CERTIFIED SURVEY MAP NO. 1366 RECORDED IN VOLUME 5 ON PAGE 177 AS DOCUMENT NO. 802454, BEING PART OF PRIVATE CLAIM NO. 1 AND THE VACANT STRIP OF LAND, WEST SIDE OF FOX RIVER, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN

CONSENT OF CORPORATE MORTGAGEE

WISCONSIN BANK & TRUST, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS MORTGAGEE OF THE LANDS DESCRIBED HEREON, HEREBY CONSENTS TO THE SURVEYING, DIVIDING, MAPPING AND RESTRICTING OF THE LANDS DESCRIBED IN THE AFFIDAVIT OF ANDREW W. WILKOWSKI, WISCONSIN PROFESSIONAL LAND SURVEYOR, S-3121, AND DO HEREBY CONSENT TO THE ABOVE CERTIFICATE OF HENRY REAL ESTATE DEVELOPMENT, LLC, OWNER.

WITNESS THE HAND AND SEAL OF WISCONSIN BANK & TRUST, MORTGAGEE, THIS__DAY OF_____, 2022.

CRAIG D. ADERHOLD,
MARKET PRESIDENT-NORTHEAST WISCONSIN

STATE OF WISCONSIN) SS
_____ COUNTY) SS

PERSONALLY CAME BEFORE ME THIS__DAY OF_____, 2022, THE ABOVE NAMED REPRESENTATIVE OF THE ABOVE NAMED WISCONSIN BANK & TRUST, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, _____ COUNTY, WISCONSIN MY COMMISSION EXPIRES _____

CITY OF GREEN BAY PLAN COMMISSION APPROVAL

APPROVED FOR RECORDING PER CITY OF GREEN BAY PLAN COMMISSION ACTION OF_____,2022.

DATE

CITY OF GREEN BAY

CITY OF GREEN BAY COMMON COUNCIL APPROVAL CERTIFICATE

RESOLVED THAT THIS CERTIFIED SURVEY MAP, WHICH HAS BEEN DULY FILED FOR THE APPROVAL OF THE CITY OF GREEN BAY COMMON COUNCIL, BE AND THE SAME IS HEREBY APPROVED AND THE DEDICATIONS, IF ANY DESIGNATED HEREON, ARE HEREBY ACKNOWLEDGED AND ACCEPTED BY THE CITY OF GREEN BAY.

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE CITY OF GREEN BAY ON THIS__DAY OF_____, 2022.

CELESTINE JEFFREYS, CLERK
CITY OF GREEN BAY

JULY 21, 2022



THIS INSTRUMENT DRAFTED BY ANDREW W. WILKOWSKI, S-3121

SURVEYED BY: JSD WAUSAU REGIONAL OFFICE 7402 STONE RIDGE DRIVE, SUITE 4 WESTON, WISCONSIN 54476 P. 715.298.6330	SURVEYED FOR: HENRY REAL ESTATE DEVELOPMENT, LLC 200 N MAIN ST OREGON, WI 53575	PROJECT NO:	22-11365	SURVEYED BY:	JSD
		FB/PG:	-	DRAWN BY:	DHS
		SHEET NO:	3 OF 3	CHECKED BY:	AWW
				APPROVED BY:	AWW

Exhibit B

ALTA/NSPS LAND TITLE SURVEY

BEING PART OF PRIVATE CLAIM 1 WEST AND LANDS WEST OF THE FOX RIVER, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN.

NOTES

1. FIELD WORK PERFORMED BY JSD PROFESSIONAL SERVICES, INC. ON JULY 1, 2022.
2. BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, BROWN COUNTY. THE WESTERLY LINE OF S. MILITARY AVE. HAVING A BEARING OF S26°10'17"W.
3. ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). BENCHMARK IS A NGS MONUMENT P.I.D. NO. PNO092, ELEVATION=583.69
4. CONTOUR INTERVAL IS ONE FOOT.
5. SPOT ELEVATIONS IN CURBED AREAS REFERENCE THE PAVEMENT EDGE ELEVATIONS.
6. SUBSURFACE UTILITIES AND FEATURES SHOWN ON THIS MAP HAVE BEEN APPROXIMATED BY LOCATING SURFICIAL FEATURES AND APPURTENANCES, LOCATING DIGGERS HOTLINE FIELD MARKINGS AND BY REFERENCE TO UTILITY RECORDS AND MAPS. DIGGER'S HOTLINE TICKET NO. 20222608196 & 20222608226, WITH A CLEAR DATE OF JUNE 24, 2022.
7. UTILITY COMPANIES CONTACTED THRU DIGGER'S HOTLINE:
 - BROWN COUNTY TECHNOLOGY SERVICES A1&T DISTRIBUTION
 - CITY OF GREEN BAY (DPW) TDS METROCOM
 - CITY OF GREEN BAY TIME WARNER CABLE
 - NET LEO WISCONSIN PUBLIC SERVICE CORP
8. BEFORE EXCAVATION, APPROPRIATE UTILITY COMPANIES SHOULD BE CONTACTED. FOR EXACT LOCATION OF UNDERGROUND UTILITIES, CONTACT DIGGER'S HOTLINE, AT 1.800.242.8511.
9. THE ACCURACY OF THE BENCHMARKS SHOWN ON THIS MAP SHALL BE VERIFIED BEFORE BEING UTILIZED. JSD PROFESSIONAL SERVICES, INC. DOES NOT WARRANT THE ACCURACY OF THESE BENCHMARKS.
10. THIS PARCEL IS SUBJECT TO ALL EASEMENTS AND AGREEMENTS, BOTH RECORDED AND UNRECORDED.

NOTES CORRESPONDING TO TABLE A REQUIREMENTS:

- ITEM 3 THE SUBJECT PROPERTY LIES IN ZONE X PER FEMA MAP NUMBERS 550090164F & 55009C0168F, WHICH HAS EFFECTIVE DATES OF AUGUST 18, 2009.
- ITEM 6(a)(b) CURRENT ZONING CLASSIFICATION WAS REQUESTED BUT NOT PROVIDED BY THE INSURER AT THE TIME OF THE SURVEY.
- ITEM 9 THERE ARE 420 REGULAR PARKING SPACES AND 13 HANDICAP SPACES FOR A TOTAL OF 433 PARKING SPACES.
- ITEM 11 NOTE TO THE CLIENT, INSURER, AND LENDER - WITH REGARD TO TABLE A, ITEM 11, INFORMATION FROM THE SOURCES CHECKED ABOVE WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PURSUANT TO SECTION 5.E.IV. TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, B11 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE, IN WHICH CASE THE SURVEYOR SHALL NOTE ON THE PLAT OR MAP HOW THIS AFFECTED THE SURVEYOR'S ASSESSMENT OF THE LOCATION OF THE UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
- ITEM 16 THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF THIS SURVEY.
- ITEM 17 THERE ARE NO PROPOSED CHANGES IN THE STREET RIGHT-OF-WAY LINES. THERE IS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF THE SURVEY.
- ITEM 18 THERE ARE NO OFFSITE EASEMENTS FOR THE SUBJECT PROPERTY.

NOTES CORRESPONDING TO SCHEDULE B-SECTION TWO EXCEPTIONS

- KNIGHT BARRY TITLE GROUP, FILE NO.: 2128568, COMMITMENT DATE: FEBRUARY 16, 2022 AT 8:00 A.M., REVISED FEBRUARY 24, 2022.
- 14 EASEMENTS, RESTRICTIONS AND OTHER MATTERS SHOWN ON CERTIFIED SURVEY MAP NO. NO. 1366 RECORDED DECEMBER 18, 1974 AS DOCUMENT NO. 80245A.
AFFECTS PROPERTY AS PLOTTED HEREON
- 15 ORDER AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED FEBRUARY 2, 1983 AS DOCUMENT NO. 992278.
AFFECTS PROPERTY BY DESCRIPTION - RELEASE OF RIGHTS VAGUE IN NATURE, NOTHING PLOTTED

LEGAL DESCRIPTION (AS FURNISHED)

KNIGHT BARRY TITLE GROUP, FILE NO.: 2128568, COMMITMENT DATE: FEBRUARY 16, 2022 AT 8:00 A.M., REVISED FEBRUARY 24, 2022.

LOT 1 OF VOLUME 5 CERTIFIED SURVEY MAPS, PAGE 177, MAP NUMBER 1366, DOCUMENT NO. 80245A, BEING PART OF PRIVATE CLAIM 1 WEST AND NSPS AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(c)(b)(1)(c), 8, 9, 11, 16, 17, 18 & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 1, 2022.

FOR INFORMATIONAL PURPOSES ONLY:
PROPERTY ADDRESS: 216 SOUTH MILITARY AVENUE, GREEN BAY, WI
TAX KEY NUMBER: 6-266-E

SURVEYOR'S CERTIFICATE

TO:

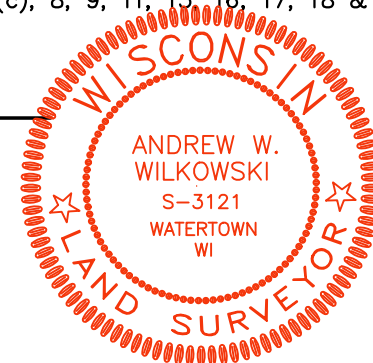
- GORMAN & COMPANY,
- KNIGHT BARRY TITLE, INC.
- MARTIN NEUFELD, LLC, A WISCONSIN LIMITED LIABILITY COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(c)(b)(1)(c), 8, 9, 11, 16, 17, 18 & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 1, 2022.

ANDREW W. WILKOWSKI, S-3121
PROFESSIONAL LAND SURVEYOR
Email: andy.wilkowski@jdsinc.com
Website: www.jdsinc.com

JULY 12, 2022

DATE



LEGEND

- CHISELED "X" SET
- MAG NAIL SET
- 3/4" x 24" REBAR SET (1.50 LBS/LF)
- CHISELED "X" FOUND
- 1" IRON PIPE FOUND
- PK/AVG NAIL FOUND
- REBAR FOUND
- CONTROL POINT
- FINISHED FLOOR SHOT LOCATION
- BOLLARD
- MAIL BOX
- POST
- SIGN
- SANITARY MANHOLE
- HYDRANT
- WATER VALVE
- CURB STOP/SERVICE VALVE
- SIAMSE CONNECTOR
- STORM MANHOLE
- ROUND CASTED INLET
- SQUARE CASTED INLET
- CURB INLET
- DOWNSPOUT
- GAS REGULATOR/METER
- GAS VALVE
- MANHOLE - UNVERIFIED TYPE
- ELECTRIC MANHOLE
- ELECTRIC PEDESTAL
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- LIGHT POLE
- POWER POLE
- POWER POLE W/GUY
- TRAFFIC SIGNAL
- VAULT
- CABLE PEDESTAL
- DECIDUOUS TREE
- HANDICAP PARKING
- CENTERLINE
- RIGHT-OF-WAY LINE
- SETBACK LINE
- SECTION LINE
- PARCEL BOUNDARY
- EASEMENT LINE
- LANDSCAPE LIMITS
- FENCE LINE
- EDGE OF PAVEMENT
- CONCRETE CURB & GUTTER
- SANITARY SEWER
- WATER LINE
- STORM SEWER
- NATURAL GAS
- OVERHEAD LINE
- UNDERGROUND ELECTRIC
- FIBER OPTIC
- UNDERGROUND TELEPHONE
- BUILDING
- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- SPOT ELEVATION
- BITUMINOUS PAVEMENT
- CONCRETE PAVEMENT
- EDGE OF BITUMINOUS
- PAVEMENT STRIPING
- DENOTES RECORD DATA DEPICTING THE SAME LINE ON THE GROUND AS RETRADED BY THIS SURVEY

STORM SEWER INLETS					
INLET ID	RIM ELEVATION	INVERT	ELEVATION/PIPE SIZE	PIPE TYPE	
INL-1	608.38	NE	605.63 12"	C.M.P.	
INL-2	607.71	SW	605.83 6"	P.V.C.	
INL-3	609.29	NE	601.69 54"	R.C.P.	
INL-4	610.04	SW	601.79 54"	R.C.P.	
		NE	606.52 8"	P.V.C.	
		SW	606.39 8"	P.V.C.	
		NW	606.29 3"	P.V.C.	
INL-5	609.31	SE	602.94 6"	P.V.C.	
		NW	606.37 6"	P.V.C.	
		NW	606.14 10"	P.V.C.	
		SE	605.18 18"	R.C.P.	
INL-6	608.94	SW	605.19 24"	R.C.P.	
		NE	605.17 12"	R.C.P.	
		NE	604.29 9"	R.C.P.	
		SE	607.63 12"	R.C.P.	
INL-7	607.72	SW	605.19 24"	R.C.P.	
		NE	605.17 12"	R.C.P.	
		NE	604.29 9"	R.C.P.	
		SE	607.63 12"	R.C.P.	
INL-8	609.74	SW	605.19 24"	R.C.P.	
		NE	605.17 12"	R.C.P.	
		NE	604.29 9"	R.C.P.	
		SE	607.63 12"	R.C.P.	

SANITARY SEWER MANHOLES					
STRUCT. ID	RIM ELEVATION	INVERT	ELEVATION/PIPE SIZE	PIPE TYPE	
SAN-1	612.83	NE	599.33 15"	P.V.C.	
		SW	599.33 15"	P.V.C.	
		NE	598.01 18"	P.V.C.	
		SW	598.35 18"	P.V.C.	
SAN-2	608.93	NW	598.93 8"	P.V.C.	
		SE	598.73 8"	P.V.C.	
		NE	599.84 8"	P.V.C.	
		SE	599.86 8"	P.V.C.	
SAN-3	608.52	NE	599.84 8"	P.V.C.	
		SE	599.86 8"	P.V.C.	
		SW	604.28 24"	R.C.P.	
		NE	604.66 12"	R.C.P.	
SAN-4	608.18	NW	600.21 8"	P.V.C.	
		SE	599.86 8"	P.V.C.	
		SW	604.28 24"	R.C.P.	
		NE	604.66 12"	R.C.P.	

STORM SEWER MANHOLES					
STRUCT. ID	RIM ELEVATION	INVERT	ELEVATION/PIPE SIZE	PIPE TYPE	
STM-1	608.66	NE	601.82 56"	R.C.P.	
		SW	602.02 56"	R.C.P.	
		NE	602.01 24"	R.C.P.	
		SE	604.23 20"x36"	R.C.P.A.	
STM-2	608.48	NE	601.82 56"	R.C.P.	
		SW	602.02 56"	R.C.P.	
		NE	602.01 24"	R.C.P.	
		SE	604.23 20"x36"	R.C.P.A.	

CURVE TABLE							
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	ARC LENGTH	TANGENT IN	TANGENT OUT
C1	55.00'	146°55'34"	N42°28'15"E	105.45'	141.04'	S64°03'58"E	N30°59'32"W
C2	231.13'	20°07'46"	S10°13'17"W	80.78'	81.20'	S20°17'10"W	S00°09'24"W
C3	161.13'	25°44'24"	S13°00'26"W	71.78'	72.39'	S25°52'38"W	S00°08'14"W
C4	12.00'	90°16'06"	S18°37'46"E	17.01'	18.91'	S26°10'17"W	S64°05'49"E

BENCHMARKS		
BENCH MARK	ELEVATION	DESCRIPTION
BM-1	617.57	CROSS ON NORTHERLY FLANGE NUT, HYDRANT
BM-2	611.77	CROSS ON SOUTHERLY FLANGE NUT, HYDRANT

*JSD DOES NOT GUARANTEE THE BENCHMARK ELEVATIONS LISTED ON THIS MAP. ARE ACCURATE AND SHOULD BE VERIFIED PRIOR TO CONSTRUCTION ACTIVITIES.



CREATE THE VISION TELL THE STORY

jdsinc.com

WAUSAU REGIONAL OFFICE
7402 STONE RIDGE DRIVE, SUITE 4
WESTON, WI 54475
P. 715.298.6330

CLIENT:

GORMAN &
COMPANY

CLIENT ADDRESS:

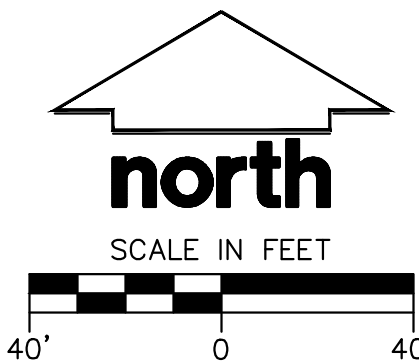
200 NORTH MAIN STREET
OREGON, WI 53575

PROJECT:

SO. MILITARY AVENUE

PROJECT LOCATION:

216 SOUTH MILITARY AVENUE
GREEN BAY, WI
BROWN COUNTY



MODIFICATIONS

#	Date	Description
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

Designed By: DWS 7/12/22
Reviewed By: AWW 7/12/22
Approved By: AWW 7/12/22

SHEET TITLE:
ALTA/NSPS
LAND TITLE
SURVEY

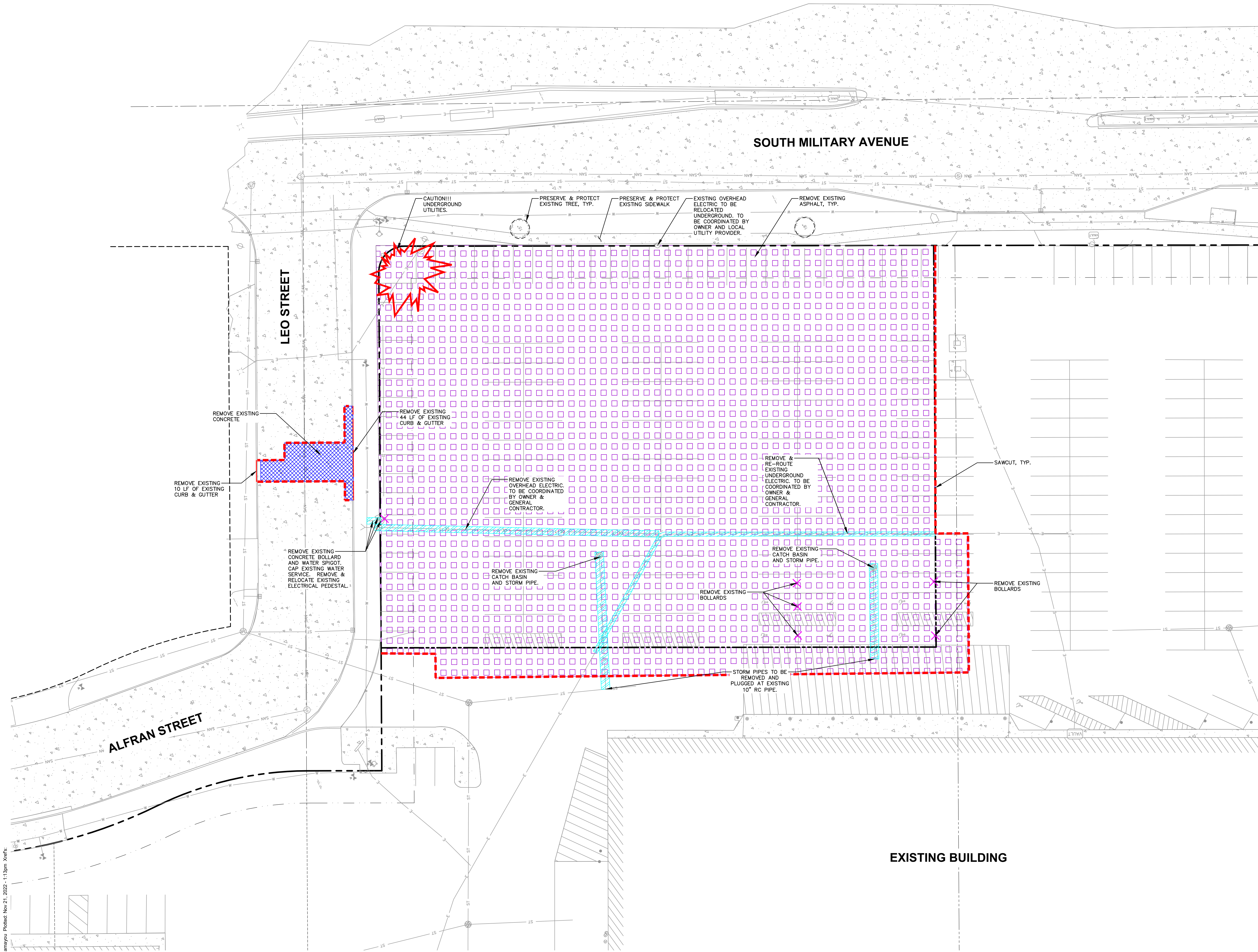
SHEET NUMBER:

C0.0

PROJECT NO:

22-11365

File: N:\PROJ\ECTS\2022\2211\965\DWG\Civil Sheets\2211\965_Civil Docs.dwg Layout: C1.0 - Demolition Plan User: amayapu Plotted: Nov 21, 2022 - 11:30am Xref's:



DEMOLITION NOTES

1. THIS PLAN INDICATES ITEMS ON THE PROPERTY INTENDED FOR DEMOLITION BASED ON THE CURRENT SITE DESIGN THAT HAVE BEEN IDENTIFIED BY A REASONABLE OBSERVATION OF THE EXISTING CONDITIONS. THROUGH FIELD SURVEY, RECONNAISSANCE, "DIGGERS' HOTLINE" LOCATION, AND GENERAL "STANDARD OF CARE", THERE MAY BE ADDITIONAL ITEMS THAT CAN NOT BE IDENTIFIED BY A REASONABLE ABOVE GROUND OBSERVATION, OF WHICH THE ENGINEER WOULD HAVE NO KNOWLEDGE. OR MAY BE A PART OF ANOTHER DESIGN DISCIPLINE. IT IS THE CONTRACTOR'S/BIDDER'S RESPONSIBILITY TO REVIEW THE PLANS, INSPECT THE SITE AND PROVIDE THEIR OWN DUE DILIGENCE TO INCLUDE IN THEIR BID WHAT ADDITIONAL ITEMS, IN THEIR OPINION, MAY BE NECESSARY FOR DEMOLITION. ANY ADDITIONAL ITEMS IDENTIFIED BY THE CONTRACTOR/BIDDER SHALL BE IDENTIFIED IN THE BID AND REPORTED TO THE ENGINEER OF RECORD. JSD TAKES NO RESPONSIBILITY FOR ITEMS ON THE PROPERTY THAT COULD NOT BE LOCATED BY A REASONABLE OBSERVATION OF THE PROPERTY OR OF WHICH THEY WOULD HAVE NO KNOWLEDGE.
2. CONTRACTOR SHALL KEEP ALL STREETS AND PRIVATE DRIVES FREE AND CLEAR OF ALL CONSTRUCTION RELATED DIRT, DUST AND DEBRIS.
3. ALL TREES WITHIN THE CONSTRUCTION LIMITS SHALL BE REMOVED UNLESS SPECIFICALLY CALLED OUT FOR PROTECTION. ALL TREES TO BE REMOVED SHALL BE REMOVED IN THEIR ENTIRETY AND STUMPS SHALL BE GRUND TO PROPOSED SUBGRADE.
4. ALL LIGHT POLES TO BE REMOVED SHALL BE REMOVED IN THEIR ENTIRETY, INCLUDING BASE AND ALL APPURTENANCES. SALVAGE FOR RELOCATION, COORDINATE RELOCATION AND/OR ABANDONMENT OF ALL ELECTRIC LINES WITH ELECTRICAL ENGINEER AND OWNER PRIOR TO DEMOLITION.
5. ABANDONED/REMOVED ITEMS SHALL BE DISPOSED OF OFF SITE UNLESS OTHERWISE NOTED.
6. CONTRACTOR TO REPLACE ALL SIDEWALK AND CURB AND GUTTER ABUTTING THE PROPERTIES WHICH IS DAMAGED BY THE CONSTRUCTION OR ANY SIDEWALK AND CURB AND GUTTER THAT THE CITY ENGINEER DETERMINES NEEDS TO BE REPLACED BECAUSE IT IS NOT AT A DESIRABLE GRADE REGARDLESS OF WHETHER THE CONDITION EXISTED PRIOR TO BEGINNING CONSTRUCTION.
7. PRIOR TO CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE FOR:
 - 7.1. EXAMINE ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY TO THE ENGINEER AND RESOLVED PRIOR TO THE START OF CONSTRUCTION.
 - 7.2. VERIFYING UTILITY ELEVATIONS AND NOTIFYING ENGINEER OF ANY DISCREPANCIES. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCIES ARE RESOLVED.
 - 7.3. NOTIFYING ALL UTILITIES PRIOR TO THE REMOVAL OF ANY UNDERGROUND UTILITIES.
 - 7.4. NOTIFYING THE DESIGN ENGINEER AND LOCAL CONTROLLING MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION INSPECTION.
8. ANY SANITARY SEWER, SANITARY SEWER SERVICES, WATER MAIN, WATER SERVICES, STORM SEWER, OR OTHER UTILITIES, WHICH ARE DAMAGED BY THE CONTRACTORS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE CONTRACTOR'S EXPENSE.
9. CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF THESE IMPROVEMENTS.
10. CONTRACTOR TO COORDINATE PRIVATE UTILITY REMOVAL / ABANDONMENT AND NECESSARY RELOCATION WITH RESPECTIVE UTILITY COMPANY. COORDINATION REQUIRED PRIOR TO CONSTRUCTION.
11. ALL DEMOLITION SHALL BE IN ACCORDANCE WITH THE APPROVED MUNICIPALITY RECYCLING PLAN.
12. ANY CONTAMINATED SOILS SHALL BE REMOVED IN ACCORDANCE WITH FEDERAL AND STATE REGULATIONS TO AN APPROVED LANDFILL.
13. ALL EXISTING UTILITIES TO BE FIELD LOCATED AND FLAGGED BY CONTRACTOR.
14. SEWER ABANDONMENT SHALL BE IN ACCORDANCE WITH SECTION 3.2.24, OF THE STANDARD SPECIFICATIONS FOR WATER AND SEWER CONSTRUCTION IN WISCONSIN, LATEST ADDITION, AND CITY OF GREEN BAY SPECIFICATIONS.
15. WATER ABANDONMENT SHALL BE IN ACCORDANCE WITH SECTION 4.14.0 OF THE STANDARD SPECIFICATIONS FOR WATER AND SEWER CONSTRUCTION IN WISCONSIN, LATEST ADDITION, AND CITY OF GREEN BAY SPECIFICATIONS.
16. ALL PERIMETER EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO THE START OF DEMOLITION ACTIVITIES. CONTRACTOR SHALL KEEP ALL STREETS AND PAVEMENT FREE AND CLEAR OF ALL CONSTRUCTION RELATED DIRT, DUST AND DEBRIS.
17. CONTRACTOR TO REMOVE EXISTING UTILITY PIPE OR PROVIDE PIPE BACK-FILLING AFTER REMOVAL OF EXISTING UTILITIES WITHIN BUILDING FOOTPRINT USING "LOW DENSITY CONCRETE/FLOWABLE FILL".
18. RESTORATION OF THE EXISTING ROADWAY RIGHT-OF-WAYS ARE CONSIDERED INCIDENTAL AND SHOULD BE PART OF THE COST OF THE UNDERGROUND IMPROVEMENTS, DEMOLITION AND REMOVAL. THIS INCLUDES CURB & GUTTER, SIDEWALK, TOPSOIL, SEEDING AND MULCHING.

LEGEND

---	PROPERTY LINE
- - - - -	RIGHT-OF-WAY
- . - . -	EASEMENT LINE
---	DEMOLITION - REMOVAL OF ONSITE CURB SURFACES AND BASE COURSE
---	DEMOLITION - REMOVAL OF ASPHALT SURFACES
---	DEMOLITION - REMOVAL OF CONCRETE SURFACES
---	DEMOLITION - REMOVAL OF UTILITIES
---	REMOVAL
---	SAWCUT EXISTING PAVEMENT
---	PROTECT EXISTING TREE

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BAY CITY LOFTS
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GREEN BAY, WI

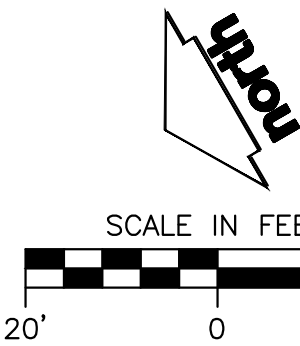
OWNER:
GORMAN & COMPANY
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SPIRE ENGINEERING, INC.
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Milwaukee, WI 53203

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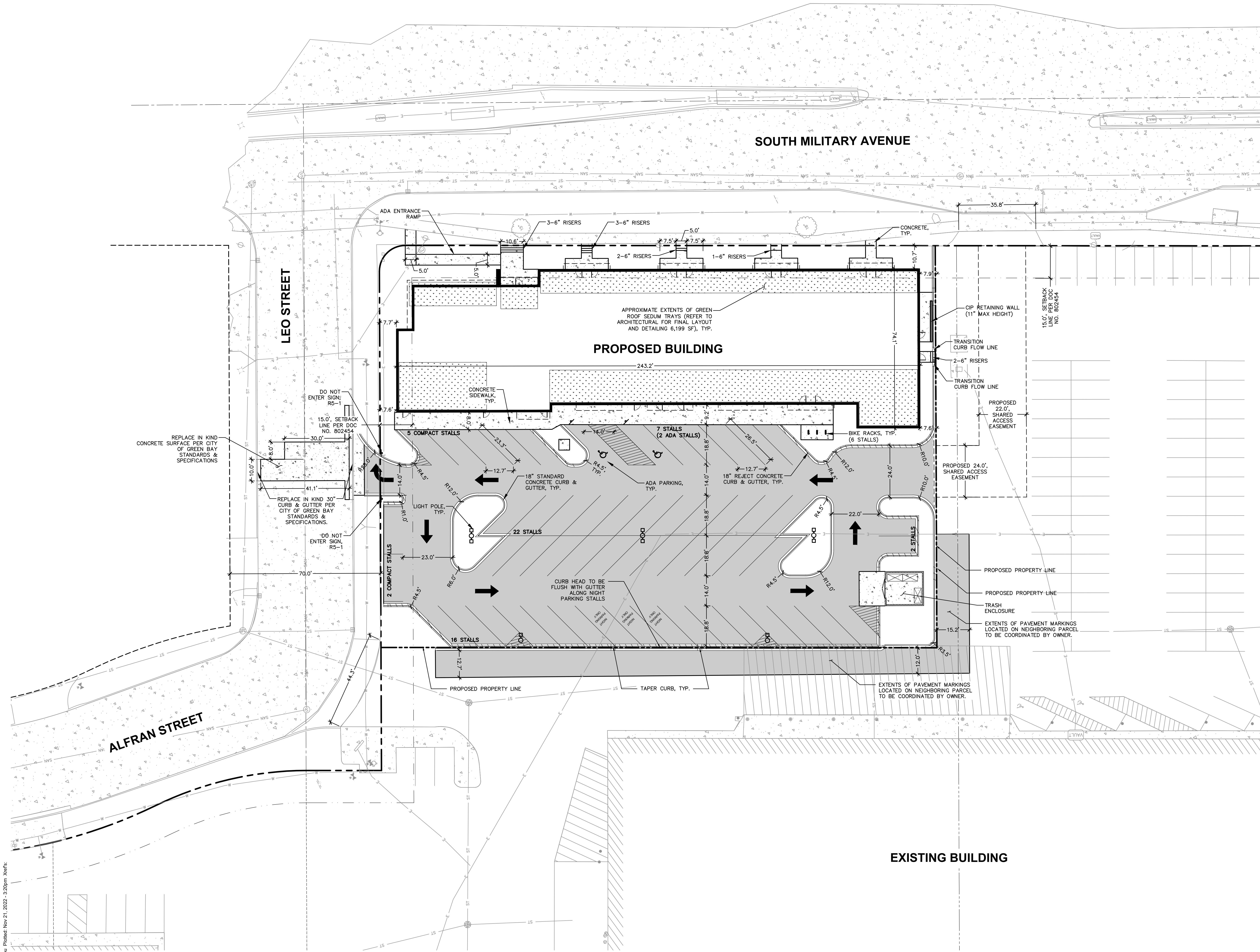
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PHASE	95% CONSTR. DOC.
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DEMOLITION PLAN

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GENERAL NOTES

- REFER TO THE EXISTING CONDITIONS SURVEY FOR EXISTING CONDITIONS NOTES AND LEGENDS.
- ALL WORK IN THE ROW AND/OR PUBLIC EASEMENTS SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER & WATER CONSTRUCTION IN WISCONSIN AND MUNICIPAL REQUIREMENTS.
- EXISTING GRADE SPOT ELEVATIONS SHOWN FOR INFORMATIONAL PURPOSES. DURING CONSTRUCTION MATCH EXISTING GRADES AT CONSTRUCTION LIMITS.
- NO SITE GRADING OUTSIDE OR DOWNSLOPE OF PROPOSED SILT FENCE LOCATION. NO LAND DISTURBANCE BEYOND PROPERTY LINES.
- JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES.

PAVING NOTES

- GENERAL
 - ALL PAVING SHALL CONFORM TO "STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY & STRUCTURE CONSTRUCTION, LATEST EDITION, APPLICABLE VILLAGE OF ATHENS ORDINANCES AND THE GEOTECHNICAL REPORT TO BE PREPARED BY INTERTEK PSI DATED JULY 29, 2022.
 - ALL PAVING DIMENSIONS ARE TO FACE OF CURB UNLESS SPECIFIED OTHERWISE.
 - SURFACE PREPARATION - NOTIFY ENGINEER/OWNER OF UNSATISFACTORY CONDITIONS. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUBBASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING.
 - ANY REQUIRED REPLACEMENT OF PUBLIC CURB AND GUTTER SHALL MATCH EXISTING AND MEET MUNICIPALITY REQUIREMENTS.
- ASPHALTIC CONCRETE PAVING SPECIFICATIONS
 - CODES AND STANDARDS - THE PLACING, CONSTRUCTION AND COMPOSITION OF THE ASPHALTIC BASE COURSE AND ASPHALTIC CONCRETE SURFACE COURSE SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 450, 455, 460 AND 465 OF THE STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, CURRENT EDITION. HEREAFTER, THIS PUBLICATION WILL BE REFERRED TO AS STATE HIGHWAY SPECIFICATIONS.
 - WEATHER LIMITATIONS - APPLY TACK COATS WHEN AMBIENT TEMPERATURE IS ABOVE 50° F (10° C) AND WHEN TEMPERATURE HAS NOT BEEN BELOW 35° F (1° C) FOR 12 HOURS IMMEDIATELY PRIOR TO APPLICATION. DO NOT APPLY WHEN BASE IS WET OR CONTAINS EXCESS OF MOISTURE. CONSTRUCT ASPHALTIC CONCRETE SURFACE COURSE WHEN ATMOSPHERIC TEMPERATURE IS ABOVE 40° F (4° C) AND WHEN BASE IS DRY AND WHEN WEATHER IS NOT RAINY. BASE COURSE MAY BE PLACED WHEN AIR TEMPERATURE IS ABOVE 30° F (-1° C).
 - GRADE CONTROL - ESTABLISH AND MAINTAIN REQUIRED LINES AND ELEVATIONS FOR EACH COURSE DURING CONSTRUCTION.
 - CRUSHED AGGREGATE BASE COURSE - SHALL CONFORM TO SECTIONS 301 AND 305, STATE HIGHWAY SPECIFICATIONS.
 - BINDER COURSE AGGREGATE - SHALL CONFORM TO SECTIONS 460 AND 315, STATE HIGHWAY SPECIFICATIONS.
 - SURFACE COURSE AGGREGATE - SHALL CONFORM TO SECTIONS 460 AND 465, STATE HIGHWAY SPECIFICATIONS.
 - ASPHALTIC MATERIALS - SHALL CONFORM TO SECTION 455 AND 460, STATE HIGHWAY SPECIFICATIONS.
- CONCRETE PAVING SPECIFICATIONS
 - CONCRETE PAVING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 415 AND 416 OF THE STATE HIGHWAY SPECIFICATIONS.
 - CONCRETE PAVEMENT SHALL BE REINFORCED WITH NOVOMESH 950 (OR EQUAL) FIBER REINFORCEMENT AT A RATE OF 5 LBS/CUBIC YARD.
 - CURING COMPOUNDS SHALL CONFORM TO SECTION 415 OF THE STATE HIGHWAY SPECIFICATIONS.
 - CONTRACTOR SHALL PROVIDE CONTROL JOINTS AND CONSTRUCTION JOINTS OF ONE-QUARTER CONCRETE THICKNESS AT AN EQUAL RATIO OF LENGTH TO WIDTH WHEREVER POSSIBLE WITH A MAXIMUM LENGTH BETWEEN JOINTS OF 8' ON CENTER.
 - CONTRACTOR SHALL PROVIDE EXPANSION JOINTS IN SIDEWALKS AT A MAXIMUM 25' ON CENTER.
 - EXTERIOR CONCRETE SURFACES SHALL BE BROOK FINISHED.
 - ALL CONCRETE SURFACES TO BE SEALED WITH TYPE TK-280V CONCRETE SEALANT.
- PAVEMENT MARKING SPECIFICATIONS
 - ALL PAVEMENT MARKINGS INCLUDING: STOP BARS, CROSSWALKS, DIRECTIONAL ARROWS, PARKING STALL LINES, ADA STALL MARKINGS, NO PARKING ZONES, DROP-OFF/PICK-UP ZONES SHALL BE PAINTED WITH EPOXY PAINT PER SPECIFICATIONS.
 - MARK AND STRIPE ADA PARKING SPACES APPROPRIATELY.
 - USE 4" WIDE, HIGH VISIBILITY YELLOW EPOXY PAINT FOR STALL LINES.
 - 2' x 4' TRUNCATED DOME WARNING DETECTION FIELD SHALL BE PLACED AT ALL ADA RAMPS.

LEGEND

---	PROPERTY LINE
- - - - -	RIGHT-OF-WAY
- . - . -	EASEMENT LINE
=====	BUILDING OUTLINE
=====	BUILDING OVERHANG
=====	BUILDING SETBACK LINE
=====	EDGE OF PAVEMENT
=====	STANDARD CURB AND GUTTER
=====	REJECT CURB AND GUTTER
=====	ASPHALT PAVEMENT
=====	CONCRETE PAVEMENT
=====	LIGHT POLE (REFER TO PHOTOMETRIC PLAN*)
=====	ADA PARKING SIGN
=====	BIKE RACK

*LIGHTING PROVIDED BY CRESENT ELECTRIC SUPPLY COMPANY.
FOR MORE INFORMATION ON PRODUCT QUOTE, PLEASE CONTACT
LENNY MEYER AT (920) 734-4517 OR Len.Meyer@cesco.com

SITE INFORMATION BLOCK	
SITE ADDRESS	SOUTH MILITARY AVENUE
PROPERTY ACREAGE	1.10 ACRES
ZONING DISTRICT	PLANNED UNIT DEVELOPMENT
NUMBER OF BUILDING STORIES	4
BUILDING SQUARE FOOTAGE	15,282
NUMBER OF PARKING STALLS REQ'D: 95 STANDARD/2 ACCESSIBLE	
SURFACE	
LARGE	52
ACCESSIBLE	2
TOTAL SURFACE	54
EXISTING VS. PROPOSED SITE COVERAGE	
EXISTING IMPERVIOUS SURFACE AREA	48,215 SF
EXISTING PERVIOUS SURFACE AREA	48,215 SF
EXISTING IMPERVIOUS SURFACE AREA RATIO	1.00
PROPOSED IMPERVIOUS SURFACE AREA	35,198 SF
PROPOSED PERVIOUS SURFACE AREA	13,017 SF
PROPOSED IMPERVIOUS SURFACE AREA RATIO	0.73

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JSD

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BAY CITY LOFTS
216 S. MILITARY AVE.
GREEN BAY, WI

OWNER:
GORMAN & COMPANY
200 N Main Street
Oregon, WI 53575

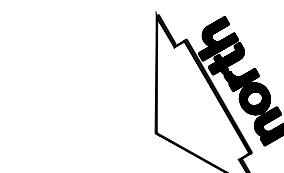
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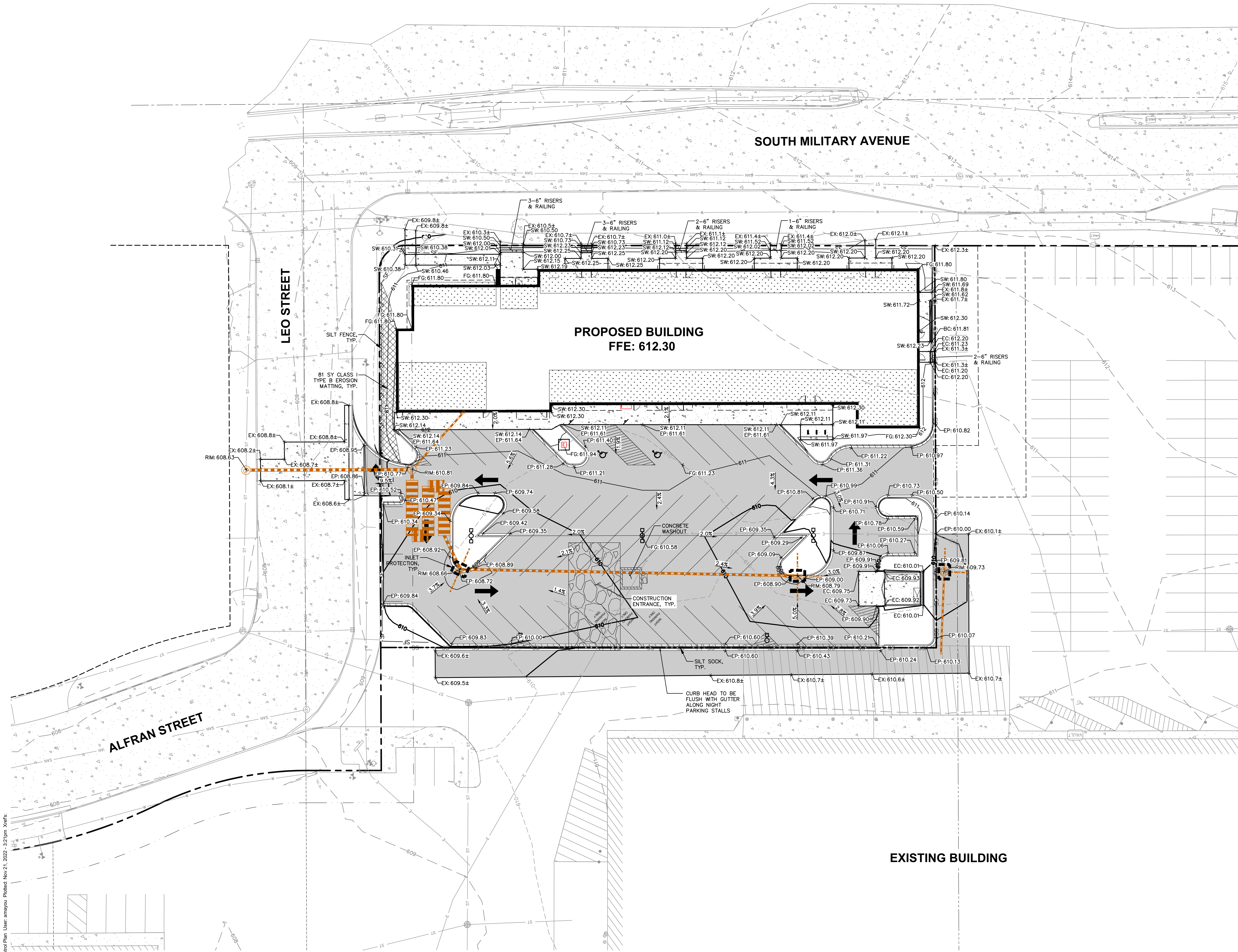
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SITE PLAN
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EROSION CONTROL NOTES

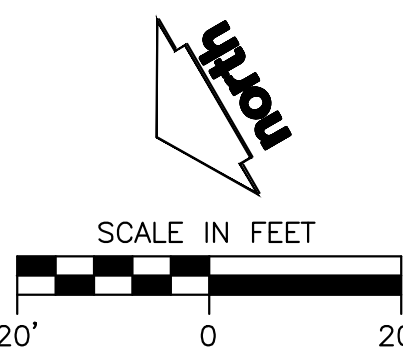
- CONTRACTOR IS RESPONSIBLE TO NOTIFY ENGINEER OF RECORD AND OFFICIALS OF ANY CHANGES TO THE EROSION CONTROL AND STORMWATER MANAGEMENT PLANS. ENGINEER OF RECORD AND APPROPRIATE CITY OF GREEN BAY OFFICIALS MUST APPROVE ANY CHANGES PRIOR TO DEVIATION FROM THE APPROVED PLANS.
- ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED BY THE CONTRACTOR IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) TECHNICAL STANDARDS (REFERRED TO AS BMP'S) AND CITY OF GREEN BAY ORDINANCE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN A COPY OF THESE STANDARDS. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL EROSION CONTROL MEASURES WHICH MAY BE NECESSARY TO MEET UNFORESEEN FIELD CONDITIONS.
- INSTALL PERIMETER EROSION CONTROL MEASURES (SUCH AS CONSTRUCTION ENTRANCES, SILT FENCE AND EXISTING INLET PROTECTION) PRIOR TO ANY SITE WORK, INCLUDING GRADING OR DISTURBANCE OF EXISTING SURFACE COVER, AS SHOWN ON PLAN. MODIFICATIONS TO THE APPROVED EROSION CONTROL DESIGN IN ORDER TO MEET UNFORESEEN FIELD CONDITIONS IS ALLOWED IF MODIFICATIONS CONFORM TO BMP'S. ALL DESIGN MODIFICATIONS MUST BE APPROVED BY THE CITY OF GREEN BAY PRIOR TO DEVIATION OF THE APPROVED PLAN.
- ADDITIONAL EROSION CONTROL MEASURES, AS REQUESTED BY STATE INSPECTORS, LOCAL INSPECTORS, COUNTY INSPECTORS AND/OR ENGINEER OF RECORD SHALL BE INSTALLED WITHIN 24 HOURS OF REQUEST.
- INSPECTIONS AND MAINTENANCE OF ALL EROSION CONTROL MEASURES SHALL BE ROUTINE (ONCE PER WEEK MINIMUM) TO ENSURE PROPER FUNCTION OF EROSION CONTROLS AT ALL TIMES. EROSION CONTROL MEASURES ARE TO BE IN WORKING ORDER AT THE END OF EACH WORK DAY.
- ALL EROSION AND SEDIMENT CONTROL ITEMS SHALL BE INSPECTED WITHIN 24 HOURS OF ALL RAIN EVENTS EXCEEDING 0.5 INCHES. ANY DAMAGED EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED IMMEDIATELY UPON INSPECTION.
- CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT ALL LOCATIONS OF VEHICLE INGRESS/EGRESS POINTS. ADDITIONAL LOCATIONS OTHER THAN AS SHOWN ON THE PLANS MUST BE PRIOR APPROVED BY THE MUNICIPALITY. CONSTRUCTION ENTRANCES SHALL BE 50' LONG AND NO LESS THAN 12" THICK BY USE OF 3" CLEAR STONE. CONSTRUCTION ENTRANCES SHALL BE MAINTAINED BY THE CONTRACTOR IN A CONDITION WHICH WILL PREVENT THE TRACKING OF MUD OR DRY SEDIMENT ONTO ADJACENT PUBLIC STREETS AFTER EACH WORKING DAY OR MORE FREQUENTLY AS REQUIRED.
- PAVED SURFACES ADJACENT TO CONSTRUCTION SITE VEHICLE ACCESS SHALL BE SWEEP AND/OR SCRAPPED TO REMOVE ACCUMULATED SOIL, DIRT AND/OR DUST AFTER THE END OF EACH WORK DAY AND AS REQUESTED BY THE CITY OF GREEN BAY.
- INLET PROTECTION SHALL BE IMMEDIATELY FITTED AT THE INLET OF ALL INSTALLED STORM SEWER AND SILT FENCE SHALL BE IMMEDIATELY FITTED AT ALL INSTALLED CULVERT INLETS TO PREVENT SEDIMENT DEPOSITION WITHIN STORM SEWER SYSTEMS.
- INSTALL EROSION CONTROLS ON THE DOWNSTREAM SIDE OF STOCKPILES. IF STOCKPILE REMAINS UNDISTURBED FOR MORE THAN SEVEN (7) DAYS, TEMPORARY SEEDING AND STABILIZATION IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES IS REQUIRED. IF DISTURBANCE OCCURS BETWEEN NOVEMBER 15TH AND MAY 15TH, THE MULCHING SHALL BE PERFORMED BY HYDRO-MULCHING WITH A "TACKIFIER."
- DITCH CHECKS AND APPLICABLE EROSION NETTING/MATTING SHALL BE INSTALLED IMMEDIATELY AFTER COMPLETION OF GRADING EFFORTS WITHIN DITCHES/SWALES TO PREVENT SOIL TRANSPORTATION.
- EROSION CONTROL FOR UTILITY CONSTRUCTION (STORM SEWER, SANITARY SEWER, WATER MAIN, ETC.):
 - PLACE EXCAVATED TRENCH MATERIAL ON THE HIGH SIDE OF THE TRENCH.
 - BACKFILL, COMPACT, AND STABILIZE THE TRENCH IMMEDIATELY AFTER PIPE CONSTRUCTION.
 - DISCHARGE TRENCH WATER INTO A SEDIMENTATION BASIN OR FILTERING TANK IN ACCORDANCE WITH THE Dewatering TECHNICAL STANDARD NO. 1061 PRIOR TO RELEASE INTO THE STORM SEWER, RECEIVING STREAM, OR DRAINAGE DITCH.
- ALL SLOPES 4:1 OR GREATER SHALL BE STABILIZED WITH CLASS I, TYPE B EROSION MATTING OR APPLICATION OF A WISCONSIN DEPARTMENT OF TRANSPORTATION (WISDOT) APPROVED POLYMER SOIL STABILIZATION TREATMENT OR A COMBINATION THEREOF, AS REQUIRED WITHIN 7 DAYS OF REACHING FINAL GRADE AND/OR AS SOON AS CONDITIONS ALLOW. DRAINAGE SWALES SHALL BE STABILIZED WITH CLASS II, TYPE B EROSION MATTING. EROSION MATTING AND/OR NETTING USED ON-SITE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES AND WDNR TECHNICAL STANDARDS 1052 AND 1053.
- CONTRACTOR SHALL TAKE ALL NECESSARY STEPS TO CONTROL DUST ARISING FROM CONSTRUCTION OPERATIONS. REFER TO WDNR TECHNICAL STANDARD 1068.
- EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL ALL LAND DISTURBING CONSTRUCTION ACTIVITY AT THE SITE HAS BEEN COMPLETED AND THAT A UNIFORM PERENNIAL VEGETATIVE COVER HAS BEEN ESTABLISHED WITH A DENSITY OF AT LEAST 70% FOR UNPAVED AREAS AND AREAS NOT COVERED BY PERMANENT STRUCTURES OR THAT EMPLOY EQUIVALENT PERMANENT STABILIZATION MEASURES.
- CONTRACTOR/OWNER SHALL FILE A NOTICE OF TERMINATION UPON COMPLETION OF THE PROJECT IN ACCORDANCE WITH WDNR REQUIREMENTS AND/OR PROPERTY SALE IN ACCORDANCE WITH WDNR REQUIREMENTS.
- STABILIZATION PRACTICES:**
 - STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED. NO MORE THAN SEVEN (7) DAYS SHALL PASS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS CEASED UNLESS:
 - THE INITIATION STABILIZATION MEASURES BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS CEASED IS PRECLUDED BY SNOW COVER. IN THAT EVENT, STABILIZATION SHALL BE INITIATED AS SOON AS PRACTICABLE.
 - CONSTRUCTION ACTIVITY WILL RESUME ON A PORTION OF THE SITE WITHIN FOURTEEN (14) DAYS FROM WHEN ACTIVITY CEASED, (I.E. THE TOTAL TIME PERIOD THAT THE CONSTRUCTION ACTIVITY IS TEMPORARILY CEASED IS LESS THAN FOURTEEN (14) DAYS. IN THAT EVENT, STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS TEMPORARILY CEASED.
 - STABILIZATION MEASURES SHALL BE DETERMINED BASED ON SITE CONDITIONS AT THE TIME OF CONSTRUCTION ACTIVITY HAS CEASED, INCLUDING BUT NOT LIMITED TO WEATHER CONDITIONS AND LENGTH OF TIME MEASURE MUST BE EFFECTIVE. THE FOLLOWING ARE ACCEPTABLE STABILIZATION MEASURES:
 - PERMANENT SEEDING: IN ACCORDANCE WITH APPROVED CONSTRUCTION SPECIFICATION
 - TEMPORARY SEEDING: MAY CONSIST OF SPRING OATS(100LBS/ACRE) AND/OR WHEAT OR CEREAL RYE (150LB/ACRE)
 - HYDRO-MULCHING WITH A TACKIFIER
 - GEOTEXTILE EROSION MATTING
 - SODDING

GRADING AND SEEDING NOTES

- ALL PROPOSED GRADES SHOWN ARE FINISHED GRADES. CONTRACTOR SHALL VERIFY ALL GRADES. MAKE SURE ALL AREAS DRAIN PROPERLY AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR COMPUTATIONS OF ALL GRADING QUANTITIES. WHILE JSD PROFESSIONAL SERVICES, INC. ATTEMPTS TO PROVIDE A MOST EFFECTIVE APPROACH TO BALANCE EARTHWORK, GRADING DESIGN IS BASED ON MANY FACTORS, INCLUDING SAFETY, AESTHETICS, AND COMMON ENGINEERING STANDARDS OF CARE. THEREFORE, NO GUARANTEE CAN BE MADE FOR A BALANCED SITE.
- PARKING LOT AND DRIVEWAY ELEVATIONS ARE PAVEMENT GRADES, NOT TOP OF CURB GRADES, UNLESS OTHERWISE NOTED.
- ANY WORK WITHIN RIGHT-OF-WAY SHALL BE PROPERLY PERMITTED AND COORDINATED WITH THE APPROPRIATE OFFICIALS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. ALL GRADING WITHIN RIGHT-OF-WAY IS SUBJECT TO APPROVAL BY SAID OFFICIALS.
- CONTRACTOR SHALL PROVIDE NOTICE TO THE MUNICIPALITY IN ADVANCE OF ANY SOIL DISTURBING ACTIVITIES, IN ACCORDANCE WITH MUNICIPAL REQUIREMENTS.
- ALL DISTURBED AREAS SHALL BE SODDED AND/OR SEEDDED AND MULCHED IMMEDIATELY FOLLOWING GRADING ACTIVITIES. SOD/SEED MIX TO BE IN ACCORDANCE WITH LANDSCAPE PLAN.
- CONTRACTOR SHALL WATER ALL NEWLY SODDED/SEEDDED AREAS DURING THE SUMMER MONTHS WHENEVER THERE IS A 7 DAY LAPSE WITH NO SIGNIFICANT RAINFALL.
- CONTRACTOR TO DEEP TILL ALL COMPACTED PERVIOUS SURFACES PRIOR TO SODDING AND/OR SEEDING AND MULCHING.
- ALL SLOPES 20% OR GREATER SHALL BE TEMPORARY SEEDDED, MULCHED, OR OTHER MEANS OF COVER PLACED ON THEM WITHIN 2 WEEKS OF DISTURBANCE.
- ALL EXPOSED SOIL AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE OR ON WHICH LAND DISTURBING ACTIVITIES WILL NOT BE PERFORMED FOR A PERIOD GREATER THAN 14 DAYS AND REQUIRE VEGETATIVE COVER FOR LESS THAN 1 YEAR, REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1059 AND CITY OF GREEN BAY ORDINANCE.

LEGEND

PROPERTY LINE	→ DRAINAGE DIRECTION
RIGHT-OF-WAY	RETAINING WALL
EASEMENT LINE	SILT FENCE
BUILDING OUTLINE	SILT SOCK
BUILDING OVERHANG	CONSTRUCTION ENTRANCE
EDGE OF PAVEMENT	EROSION MATTING
STANDARD CURB AND GUTTER	SPOT ELEVATION
REJECT CURB AND GUTTER	EP - EDGE OF PAVEMENT
ASPHALT PAVEMENT	FG - FINISH GRADE
CONCRETE PAVEMENT	EC - EDGE OF CONCRETE
PROPOSED 1 FOOT CONTOUR	BC - BACK OF CURB
PROPOSED 5 FOOT CONTOUR	EX - MATCH EXISTING GRADE
EXISTING 1 FOOT CONTOUR	HP - HIGH POINT
EXISTING 5 FOOT CONTOUR	SW - SIDEWALK
	INLET PROTECTION



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STRUCTURAL ENGINEER:
SPIRE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

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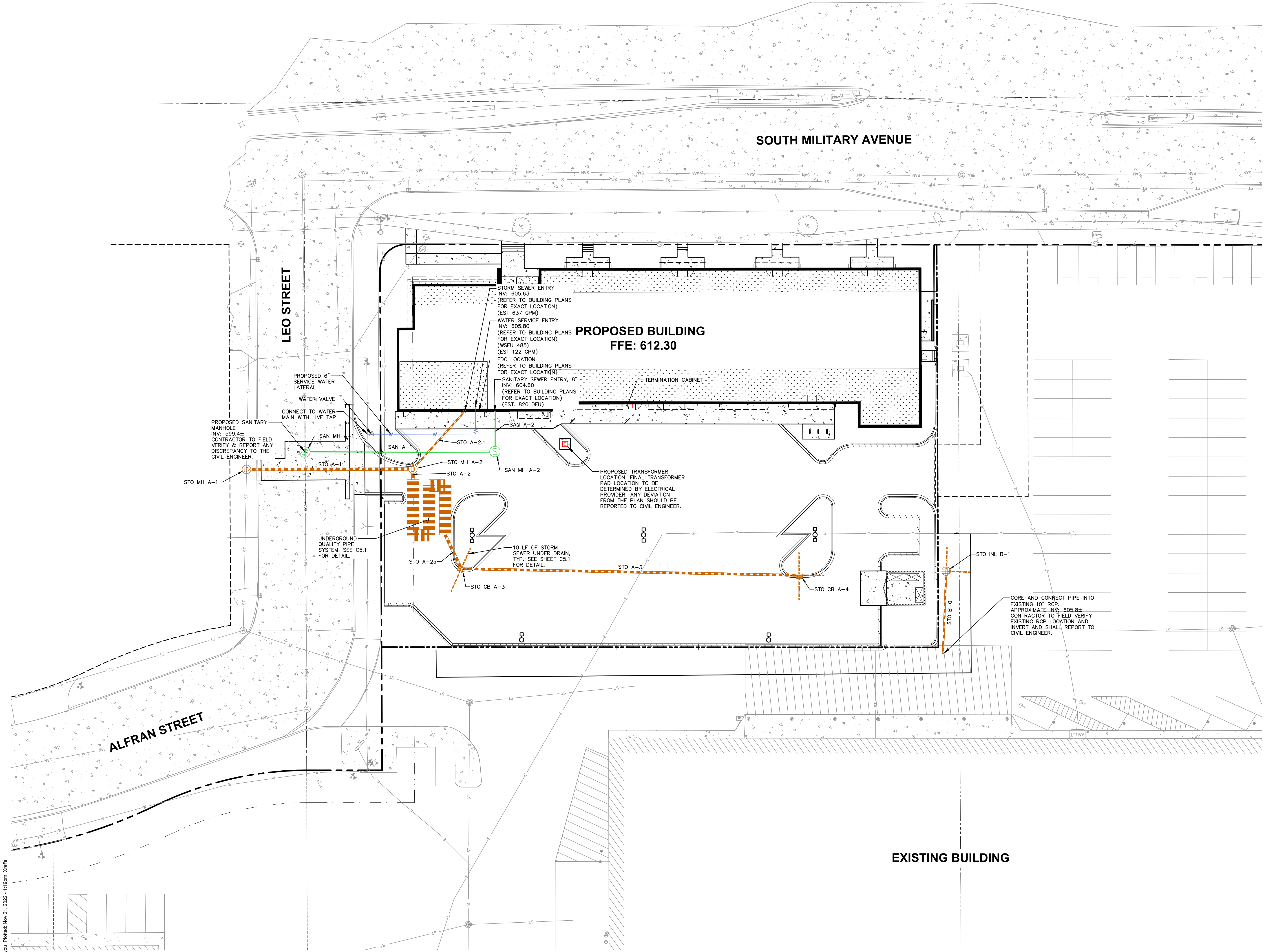
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GRADING & EROSION
CONTROL PLAN

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UTILITY NOTES

1. ALL EXISTING UTILITIES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATIONS OF ANY UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. CONTRACTOR/OWNER SHALL CALL "DIGGER'S HOTLINE" PRIOR TO ANY CONSTRUCTION.
2. PRIOR TO CONSTRUCTION, THE PRIME CONTRACTOR IS RESPONSIBLE FOR:
 - 2.1. EXAMINING ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER AND RESOLVED PRIOR TO THE START OF CONSTRUCTION.
 - 2.2. OBTAINING ALL PERMITS INCLUDING PERMIT COSTS, TAP FEES, METER DEPOSITS, BONDS, AND ALL OTHER FEES REQUIRED FOR PROPOSED WORK TO OBTAIN OCCUPANCY.
 - 2.3. VERIFYING ALL ELEVATIONS, LOCATIONS AND SIZES OF SANITARY, WATER AND STORM LATERALS AND CHECK ALL UTILITY CROSSINGS FOR CONFLICTS. NOTIFY ENGINEER OF ANY DISCREPANCY. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS RESOLVED.
 - 2.4. NOTIFYING ALL UTILITIES PRIOR TO INSTALLATION OF ANY UNDERGROUND IMPROVEMENTS.
 - 2.5. NOTIFYING THE DESIGN ENGINEER AND MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION OBSERVATION.
 - 2.6. COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
3. ALL UTILITY WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN - AND ALL STATE AND LOCAL CODES AND SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE WHICH SPECIFICATIONS AND CODES APPLY, AND TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE LOCAL AND STATE AUTHORITIES.
4. LENGTHS OF ALL UTILITIES ARE TO CENTER OF STRUCTURES OR FITTINGS AND MAY VARY SLIGHTLY FROM PLAN. LENGTHS SHALL BE VERIFIED IN THE FIELD DURING CONSTRUCTION.
5. CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF IMPROVEMENTS.
6. CONTRACTOR SHALL INSTALL A PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED IN CONSTRUCTION SITES WHERE THE POTENTIAL FOR PEDESTRIAN INJURY EXISTS.
7. CONTRACTOR SHALL ADJUST AND/OR RECONSTRUCT ALL UTILITY COVERS (SUCH AS MANHOLE COVERS, VALVE BOX COVERS, ETC.) TO MATCH THE FINISHED GRADES OF THE AREAS EFFECTED BY THE CONSTRUCTION.
8. THE PRIME CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
9. ANY UTILITIES, WHICH ARE DAMAGED BY THE CONTRACTORS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE CONTRACTOR'S EXPENSE.
10. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE ENGINEER WITH AS-BUILT CONDITIONS OF THE DESIGNATED IMPROVEMENTS IN ORDER THAT THE APPROPRIATE DRAWINGS CAN BE PREPARED, IF REQUIRED. ANY CHANGES TO THE DRAWINGS OR ADDITIONAL ITEMS MUST BE REPORTED TO THE ENGINEER AS WORK PROGRESSES.
11. STORM SEWER SPECIFICATIONS -

PIPE - REINFORCED CONCRETE PIPE (RCP) SHALL MEET THE REQUIREMENTS OF ASTM CLASS III (MINIMUM) C-76 WITH RUBBER GASKET JOINTS CONFORMING TO ASTM C-443. HIGH DENSITY DUAL-WALL POLYETHYLENE CORRUGATED PIPE SHALL BE AS MANUFACTURED BY ADS OR EQUAL WITH WATER TIGHT JOINTS, AND SHALL MEET THE REQUIREMENTS OF AASHTO DESIGNATION W-294 TYPE "S". POLYVINYLCHLORIDE (PVC) MEETING REQUIREMENTS OF ASTM D 3034, SDR 35 FOR PIPE SIZES 8"-15" WITH INTEGRAL BELL TYPE FLEXIBLE ELASTOMERIC JOINTS, MEETING THE REQUIREMENTS OF ASTM D-3212 AND ASTM 1785 SCHEDULE 40 FOR PIPE SIZES 6" OR SMALLER.

BACKFILL AND BEDDING - STORM SEWER SHALL BE CONSTRUCTED WITH GRAVEL BACKFILL AND CLASS "B" BEDDING IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.4.3.5 OF THE "STANDARD SPECIFICATIONS".

MANHOLE FRAMES AND COVERS - MANHOLE FRAMES AND COVERS SHALL BE PROVIDED IN ACCORDANCE WITH THE STORM STRUCTURE TABLE ON SHEET 54.0.

FIELD TILE CONNECTION - ALL FIELD TILE ENCOUNTERED DURING CONSTRUCTION SHALL BE INCLUDED IN THE UNIT PRICE(S) FOR STORM SEWER. TILE LINES CROSSED BY THE TRENCH SHALL BE REPLACED WITH THE SAME MATERIAL AS THE STORM SEWER.

12. WATER MAIN SPECIFICATIONS -

PIPE - DUCTILE IRON PIPE SHALL BE CLASS 52 CONFORMING TO AWWA C151 AND CHAPTER 8.18.0 OF THE "STANDARD SPECIFICATIONS". POLYVINYL CHLORIDE (PVC) PIPE SHALL MEET THE REQUIREMENTS OF AWWA STANDARD C-900, CLASS 150, DR-18, WITH CAST IRON O.D. AND INTEGRAL ELASTOMERIC BELL AND SPIGOT JOINTS. NON-METALLIC WATER MAINS SHALL BE INSTALLED WITH BLUE INSULATION TRACER WIRE AND CONFORM WITH SPS 362.30(11)(n).

VALVES AND VALVE BOXES - GATE VALVES SHALL BE AWWA GATE VALVES MEETING THE REQUIREMENTS OF AWWA C-500 AND CHAPTER 8.27.0 OF THE "STANDARD SPECIFICATIONS". GATE VALVES AND VALVE BOXES SHALL CONFORM TO LOCAL PLUMBING ORDINANCES.

BEDDING AND COVER MATERIAL - PIPE BEDDING AND COVER MATERIAL SHALL BE SAND, CRUSHED STONE CHIPS OR CRUSHED STONE SCREENINGS CONFORMING TO CHAPTER 8.43.2 OF THE "STANDARD SPECIFICATIONS".

BACKFILL - BACKFILL MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE WITH CHAPTER 2.6.0 OF THE "STANDARD SPECIFICATIONS". GRAVEL BACKFILL IS REQUIRED IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.4.3.5 OF THE "STANDARD SPECIFICATIONS".

13. SANITARY SEWER SPECIFICATIONS -

PIPE - SANITARY SEWER PIPE MATERIAL SHALL BE POLYVINYL CHLORIDE (PVC) MEETING REQUIREMENTS OF ASTM D 3034, SDR-35, WITH INTEGRAL BELL TYPE FLEXIBLE ELASTOMERIC JOINTS, MEETING THE REQUIREMENTS OF ASTM D-3212 FOR PIPE SIZES 8" TO 15", ASTM 1785, SCHEDULE 40 FOR PIPE SIZES 6" OR SMALLER.

BEDDING AND COVER MATERIAL - BEDDING AND COVER MATERIAL SHALL CONFIRM TO THE APPROPRIATE SECTIONS OF THE "STANDARD SPECIFICATION" WITH THE FOLLOWING MODIFICATION: "COVER MATERIAL SHALL BE THE SAME AS USED FOR BEDDING AND SHALL CONFORM TO SECTION 8.43.2 (A).

BACKFILL - BACKFILL MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE CHAPTER 2.6.0 OF THE "STANDARD SPECIFICATIONS". BACKFILL WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.4.3.5 OF THE "STANDARD SPECIFICATIONS".

14. WATERMAIN AND SANITARY SEWER SHALL BE INSULATED WHEREVER THE DEPTH OF COVER IS LESS THAN 6 FEET. INSULATION SHALL BE INSTALLED IN CONFORMANCE WITH CHAPTER 4.17.0 "INSULATION" OF THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN 6TH EDITION UPDATED WITH ITS LATEST ADDENDUM (TYP.).

LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY
- EASEMENT LINE
- BUILDING OUTLINE
- BUILDING OVERHANG
- EDGE OF PAVEMENT
- STANDARD CURB AND GUTTER
- REJECT CURB AND GUTTER
- ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- RETAINING WALL
- SANITARY SEWER
- WATERMAIN
- STORM SEWER
- 8"x4"x2" INSULATION (PLAN VIEW)

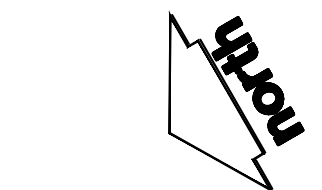
PROPOSED STORM SEWER STRUCTURE TABLE					
LABEL	RIM EL. (FT)	INVERT EL. (FT)	DEPTH (FT)	STRUCTURE DESC.	FRAME & GRATE
STO CB A-3	608.66	E INV: 604.21 (15") SW INV: 604.46 (12")	4.4	2 x 3 INLET	R-3067 TYPE L
STO CB A-4	608.79	NE INV: 605.21 (12")	3.6	2 x 3 INLET	R-3067 TYPE L
STO INL B-1	609.73	NW INV: 607.08 (8")	2.6	36 IN MH (FLAT)	R-2050 TYPE D
STO MH A-1	608.64	SE INV: 603.47 (30") SW INV: 603.57 (15") NW INV: 603.47 (30")	5.2	72 IN MH (FLAT)	R-1556 SOLID LID
STO MH A-2	610.81	NE INV: 603.96 (15") NW INV: 604.08 (15") S INV: 605.26 (8")	6.9	60 IN MH (FLAT)	R-1556 SOLID LID

PROPOSED STORM SEWER PIPE TABLE							
LABEL	FROM	TO	LENGTH	INVERT EL. (FT)	DISCHARGE EL. (FT)	SLOPE	SIZE
STO A-1	STO MH A-2	STO MH A-1	77'	603.96	603.57	0.50%	15 IN
STO A-2	END CAP	STO MH A-2	5'	604.08	604.06	0.50%	15 IN
STO A-2.1	BUILDING	STO MH A-2	36'	605.63	605.26	1.04%	8 IN
STO A-2a	STO CB A-3	END CAP	17'	604.21	604.08	0.76%	15 IN
STO A-3	STO CB A-4	STO CB A-3	157'	605.21	604.46	0.48%	12 IN
STO B-0	STO INL B-1	10" RCP	38'	607.08	605.87	3.17%	8 IN

PROPOSED SANITARY SEWER STRUCTURE TABLE					
LABEL	RIM EL. (FT)	INVERT EL. (FT)	DEPTH (FT)	STRUCTURE DESC.	FRAME & GRATE
SAN MH A-1	609.03	SE INV: 599.41 (8") NW INV: 599.41 (8") SW INV: 602.36 (8")	9.6	48 IN MH	R-1556 SOLID LID
SAN MH A-2	611.00	NE INV: 604.13 (8") SE INV: 604.23 (8")	6.9	48 IN MH	R-1556 SOLID LID

*OUTSIDE DROP SANITARY MANHOLE. SEE SHEET C5.0 FOR DETAIL.

PROPOSED SANITARY SEWER PIPE TABLE							
LABEL	FROM	TO	LENGTH	INVERT EL. (FT)	DISCHARGE EL. (FT)	SLOPE	SIZE
SAN A-1	SAN MH A-2	SAN MH A-1	88'	604.13	602.36	2.00%	8 IN
SAN A-2	BUILDING	SAN MH A-2	19'	604.60	604.23	2.00%	8 IN



SCALE IN FEET
20' 0 20'

DIGGERS HOTLINE
Toll Free (800) 242-8511

KA
KORB + ASSOCIATES ARCHITECTS

JSD

PROJECT:
BAY CITY LOFTS
216 S. MILITARY AVE.
GREEN BAY, WI

OWNER:
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ARCHITECT:
KORB + ASSOCIATES
ARCHITECTS
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CIVIL ENGINEER:
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7402 STONE RIDGE DRIVE
WESTON, WI 54476

STRUCTURAL ENGINEER:
SPIRE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

DATE REVISION

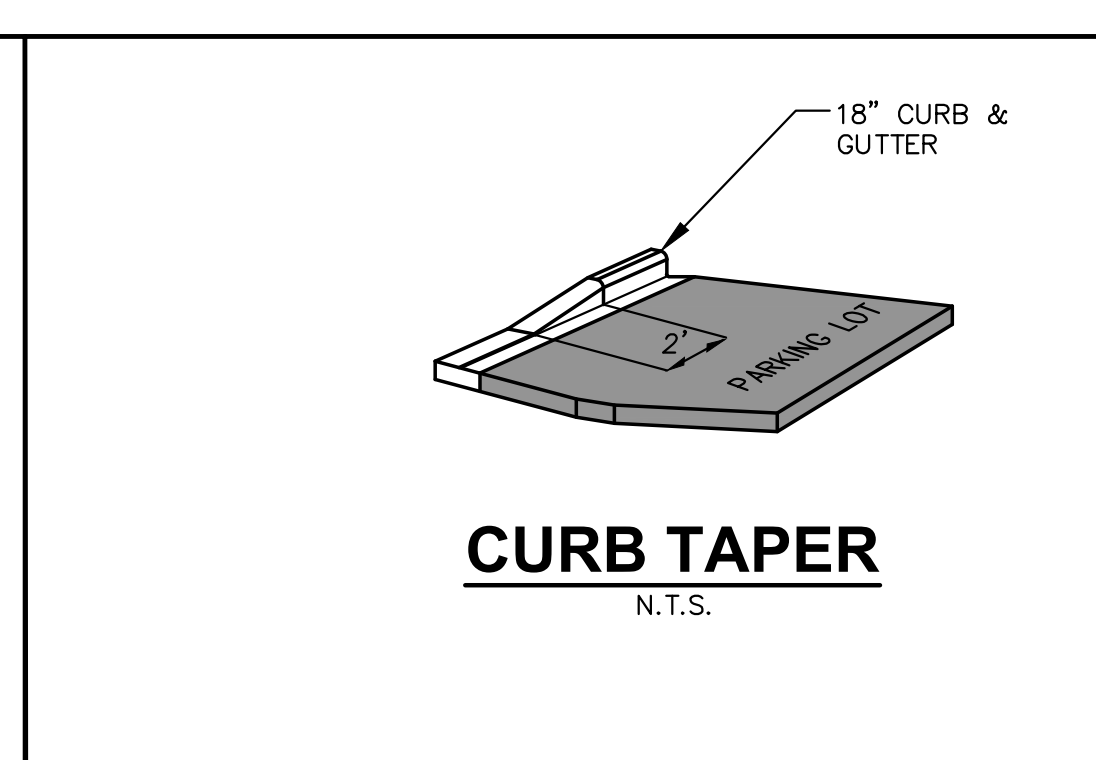
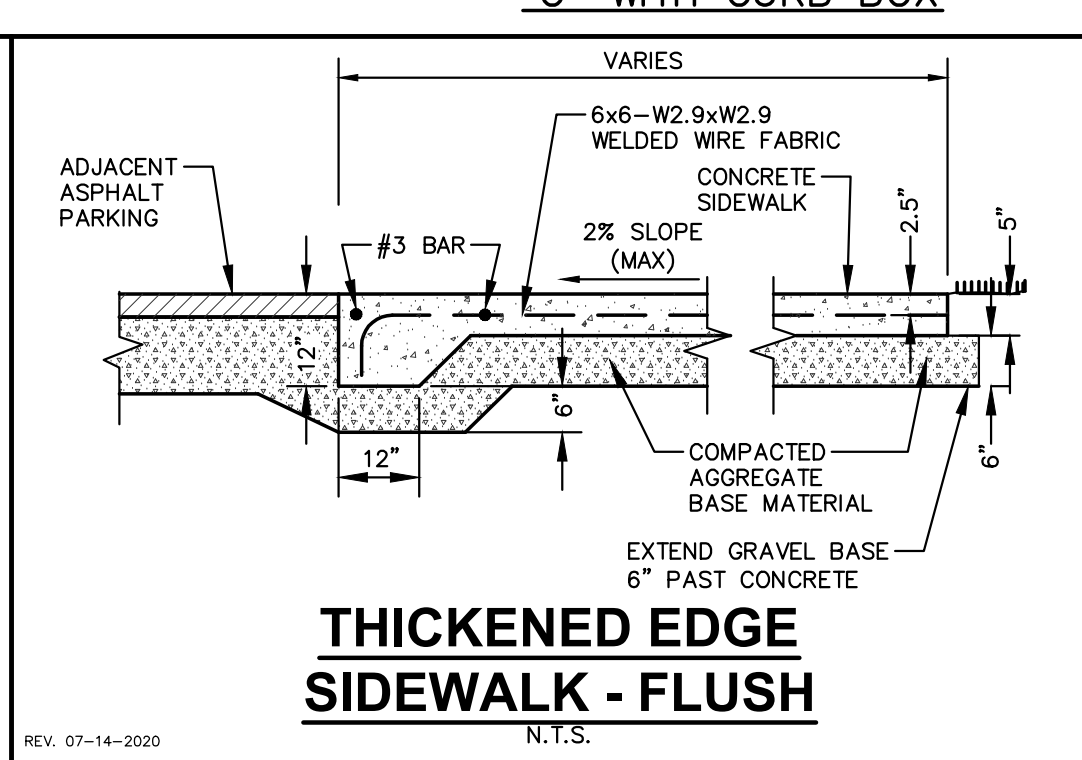
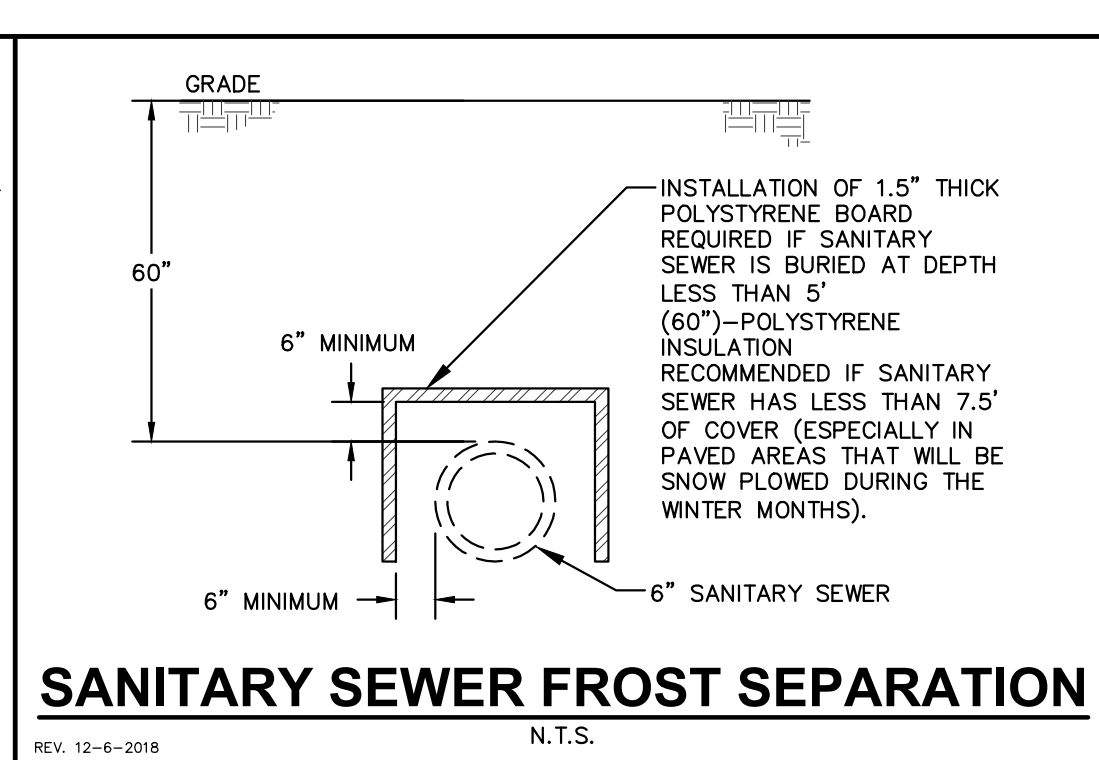
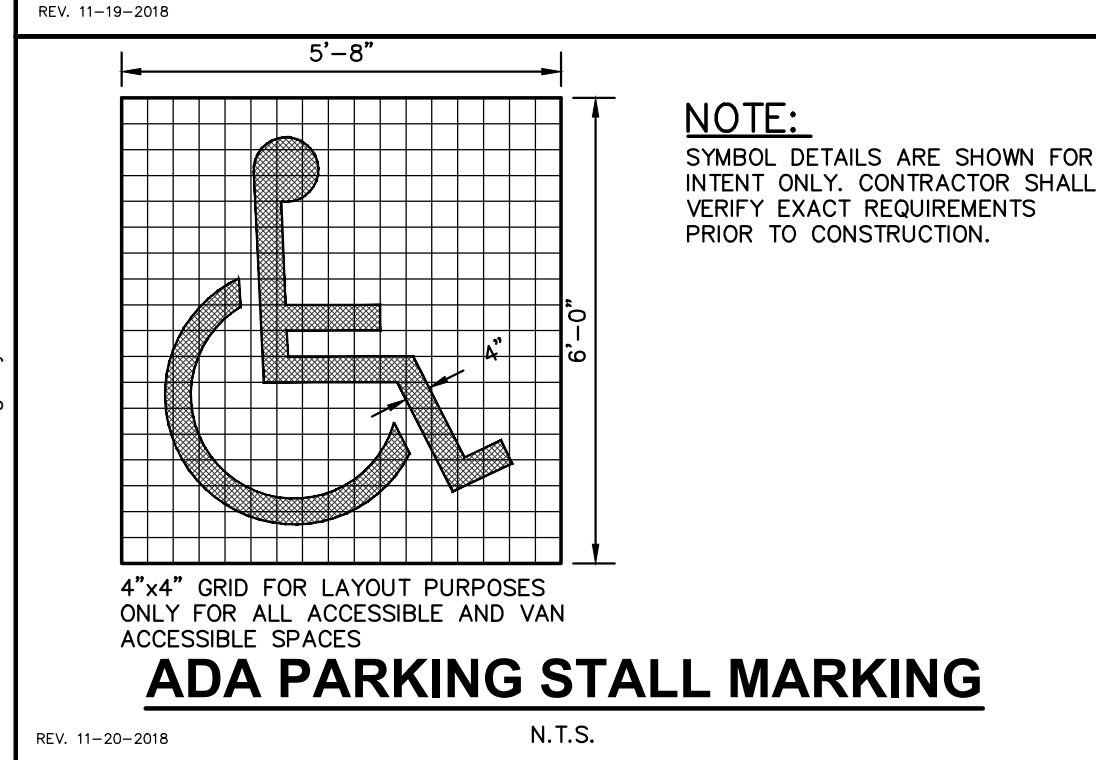
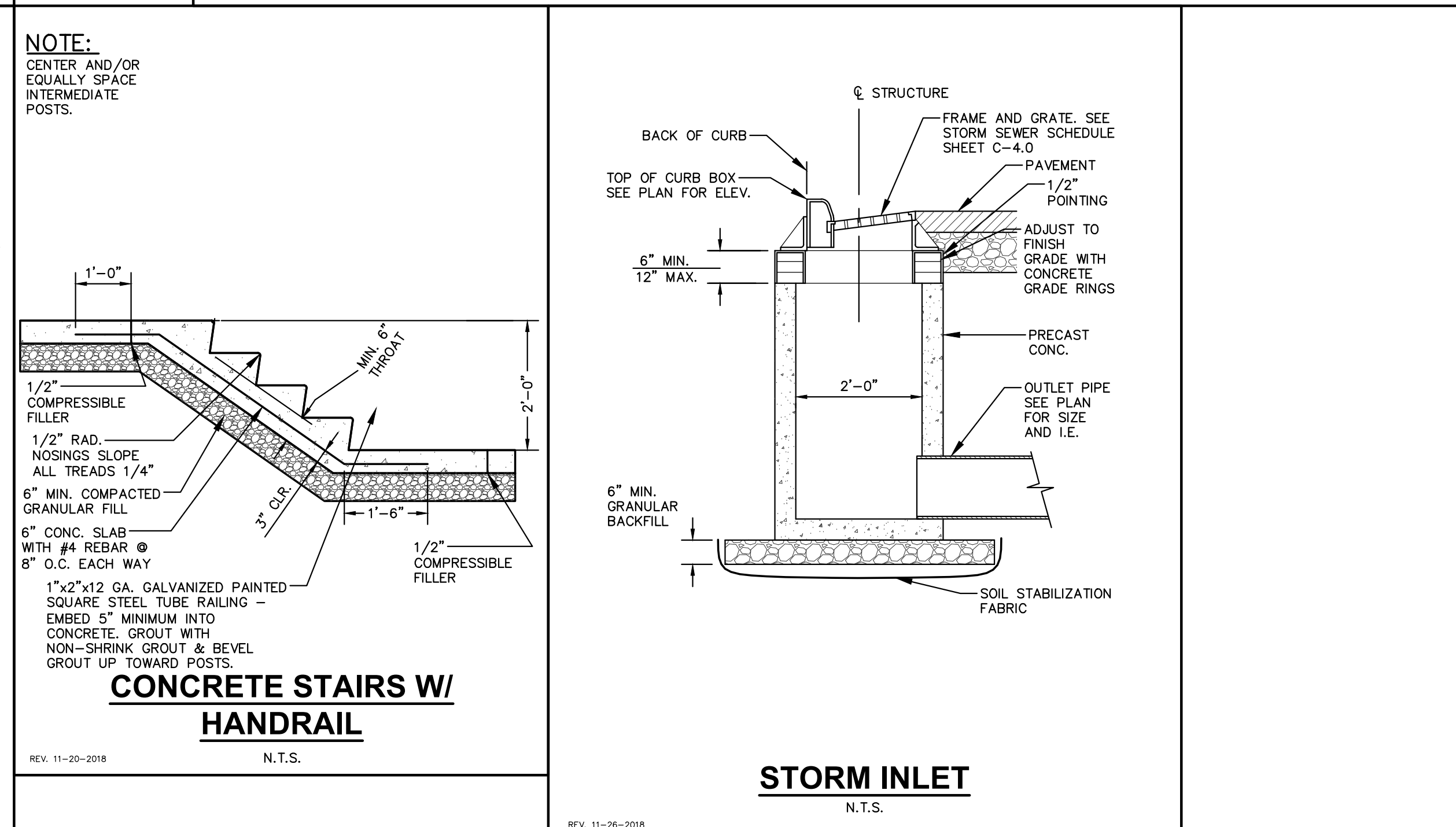
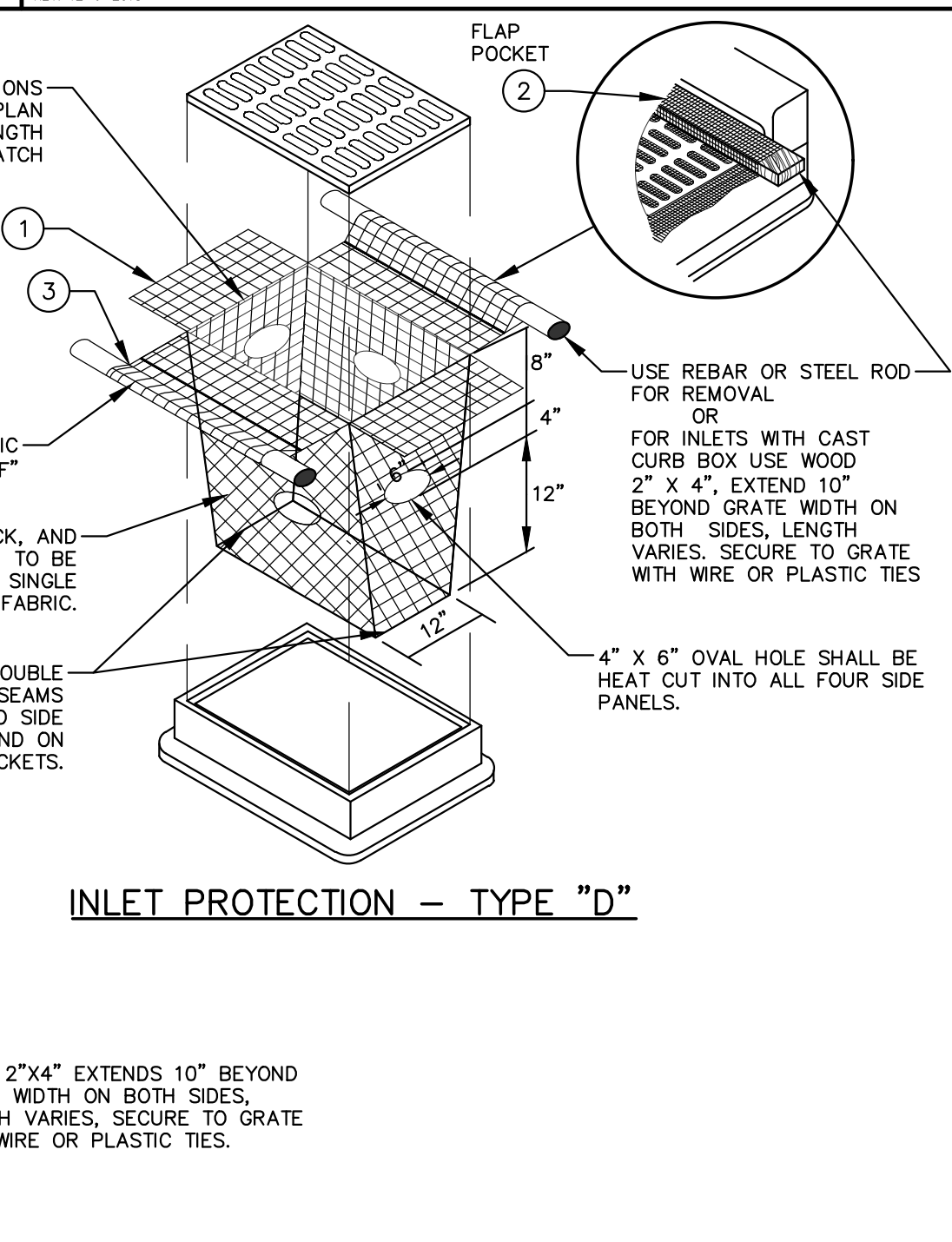
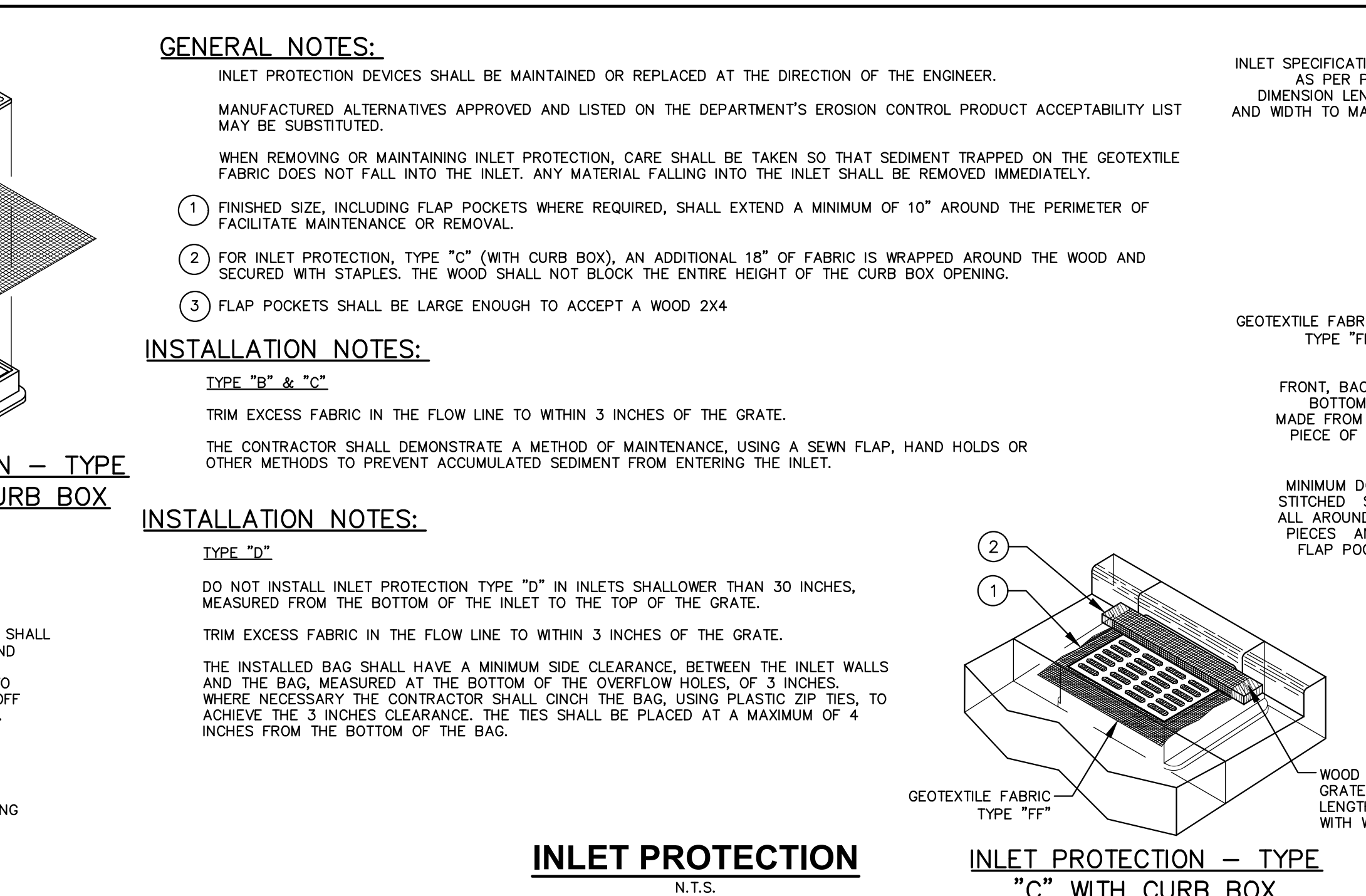
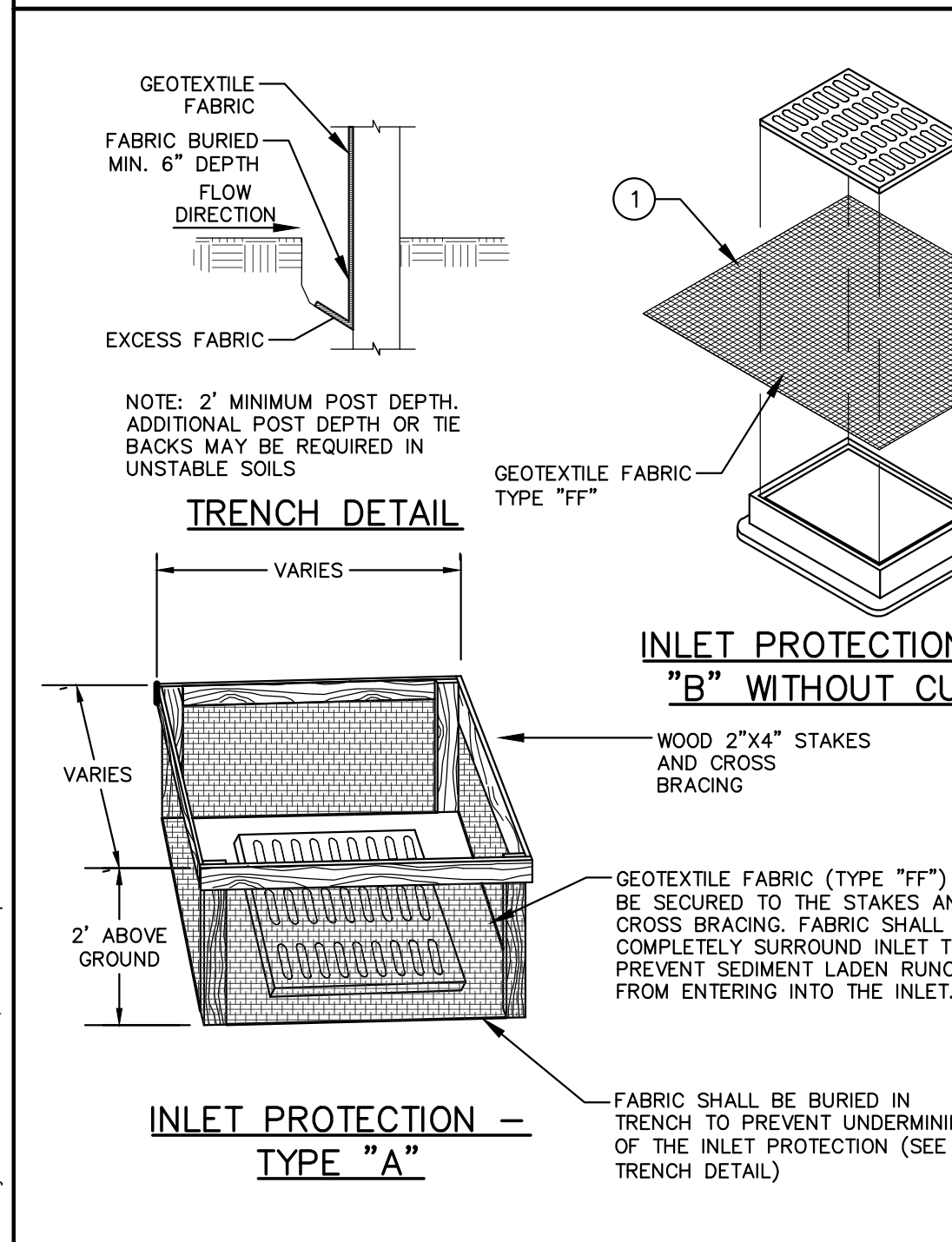
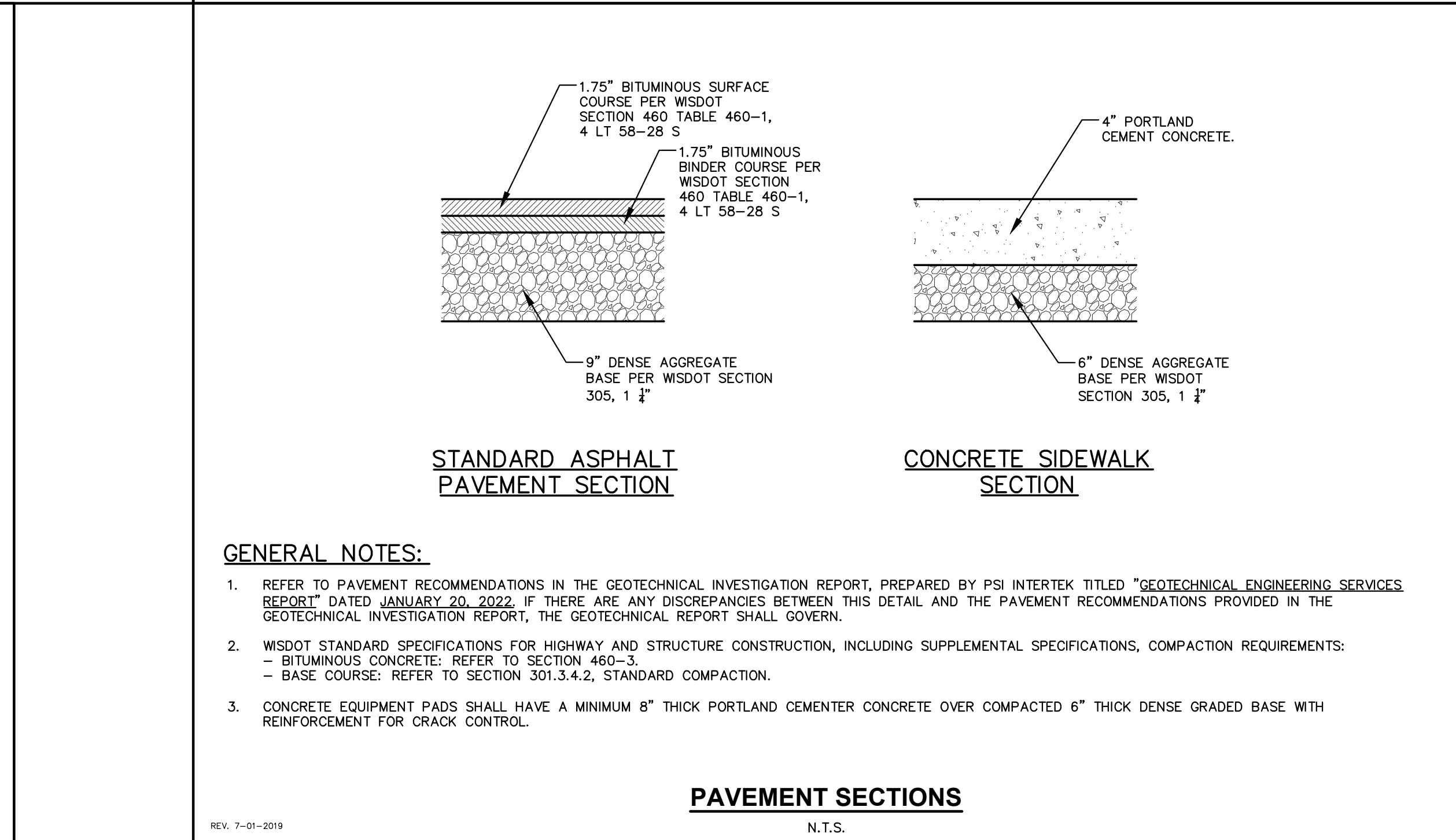
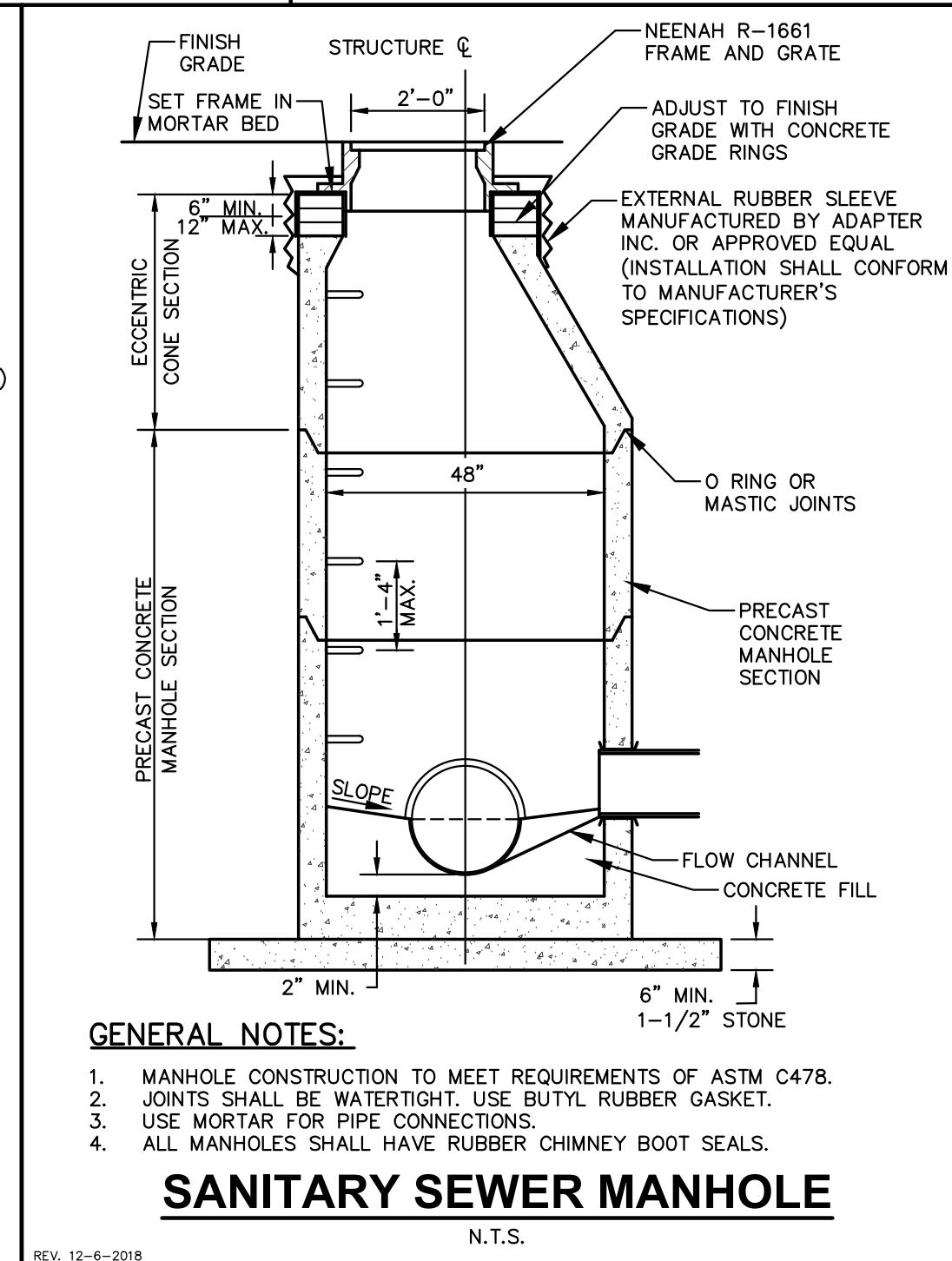
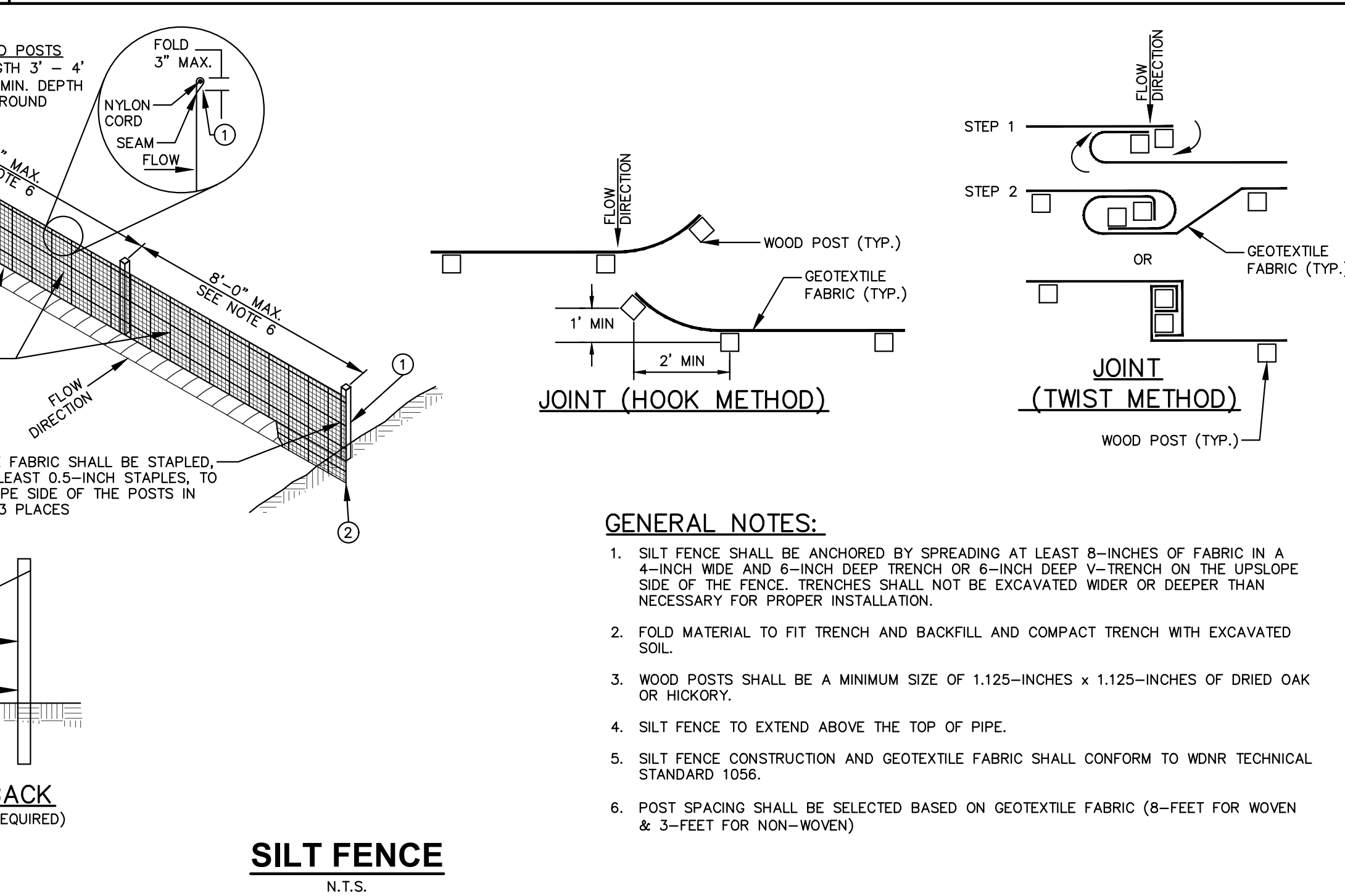
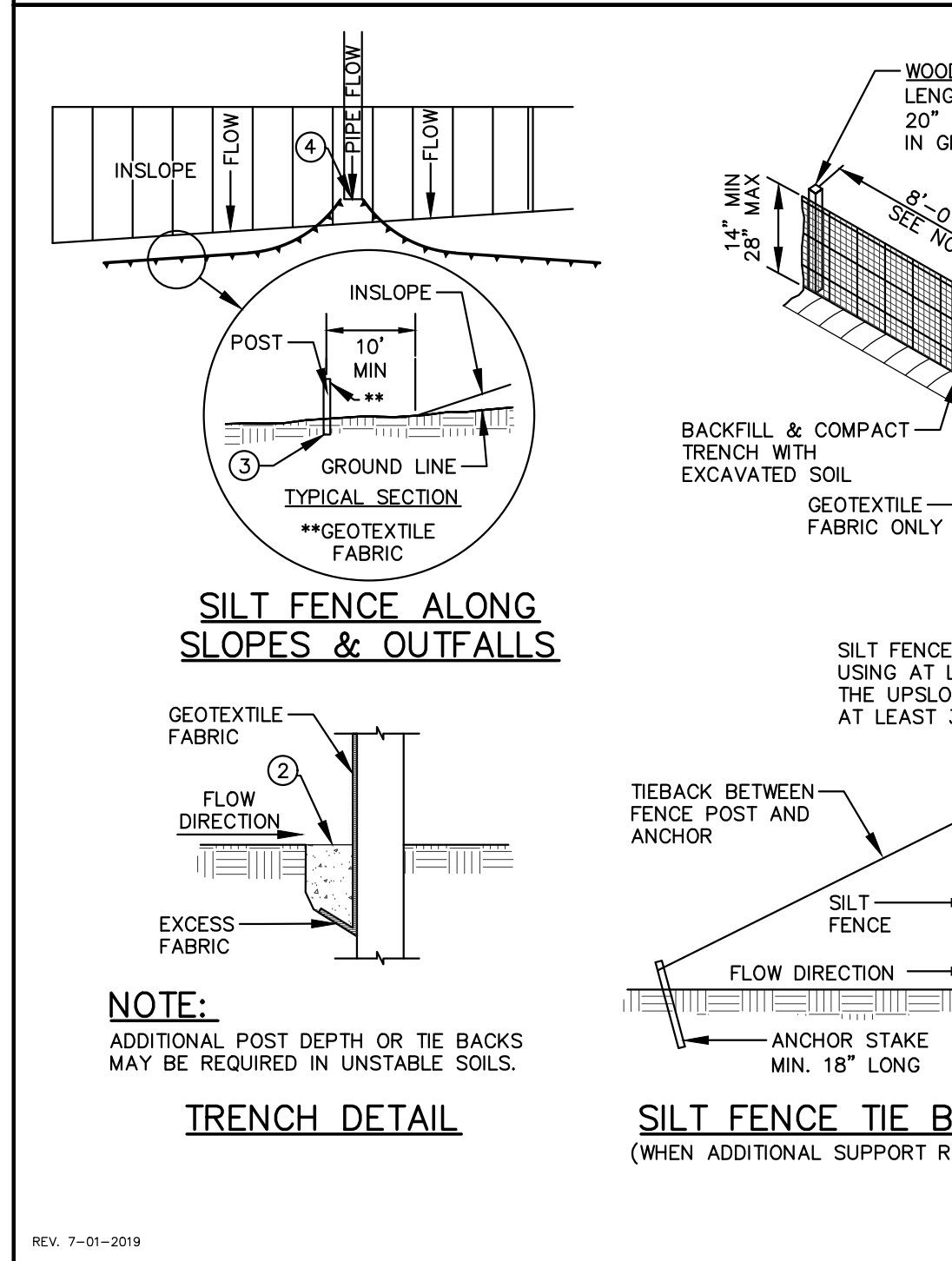
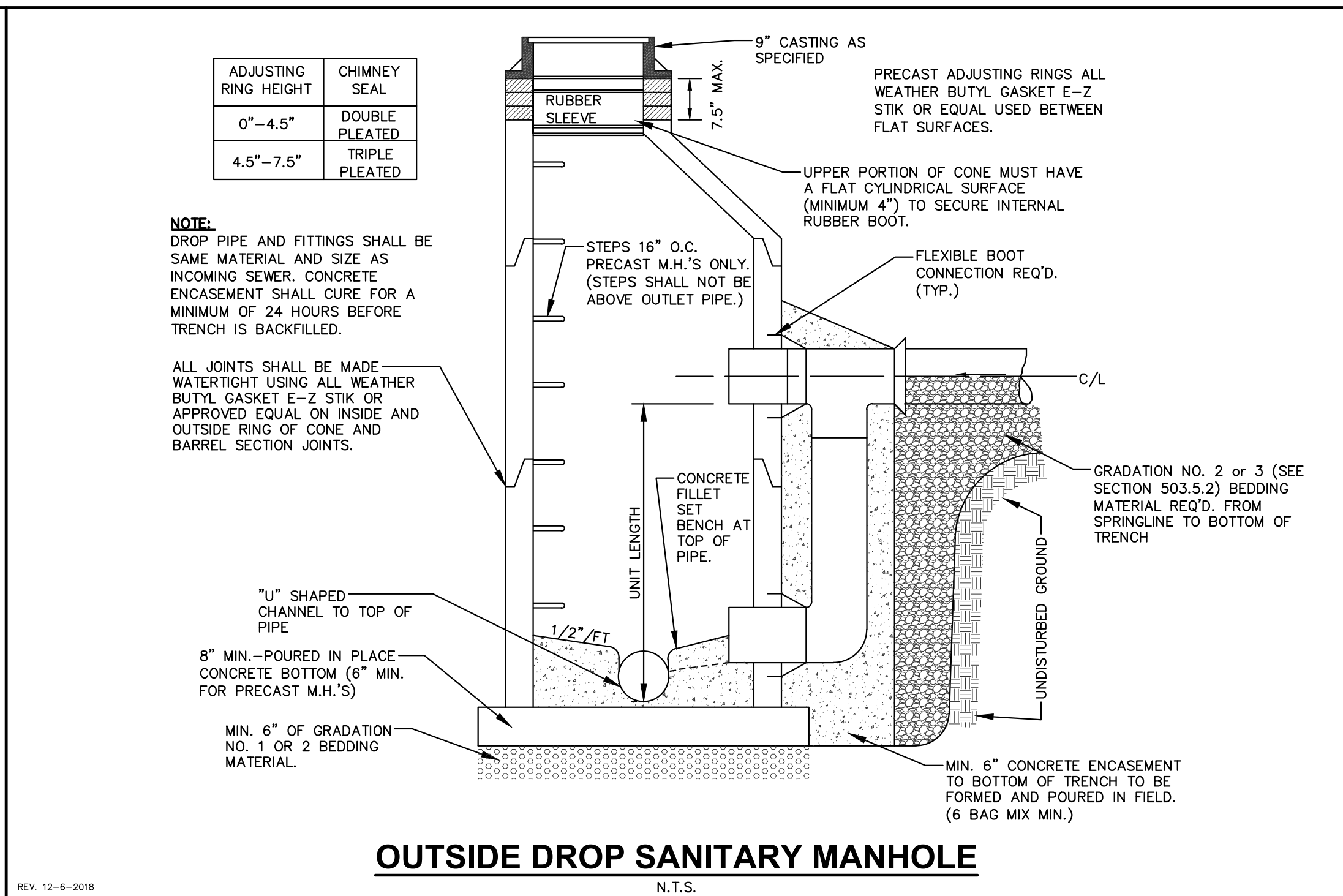
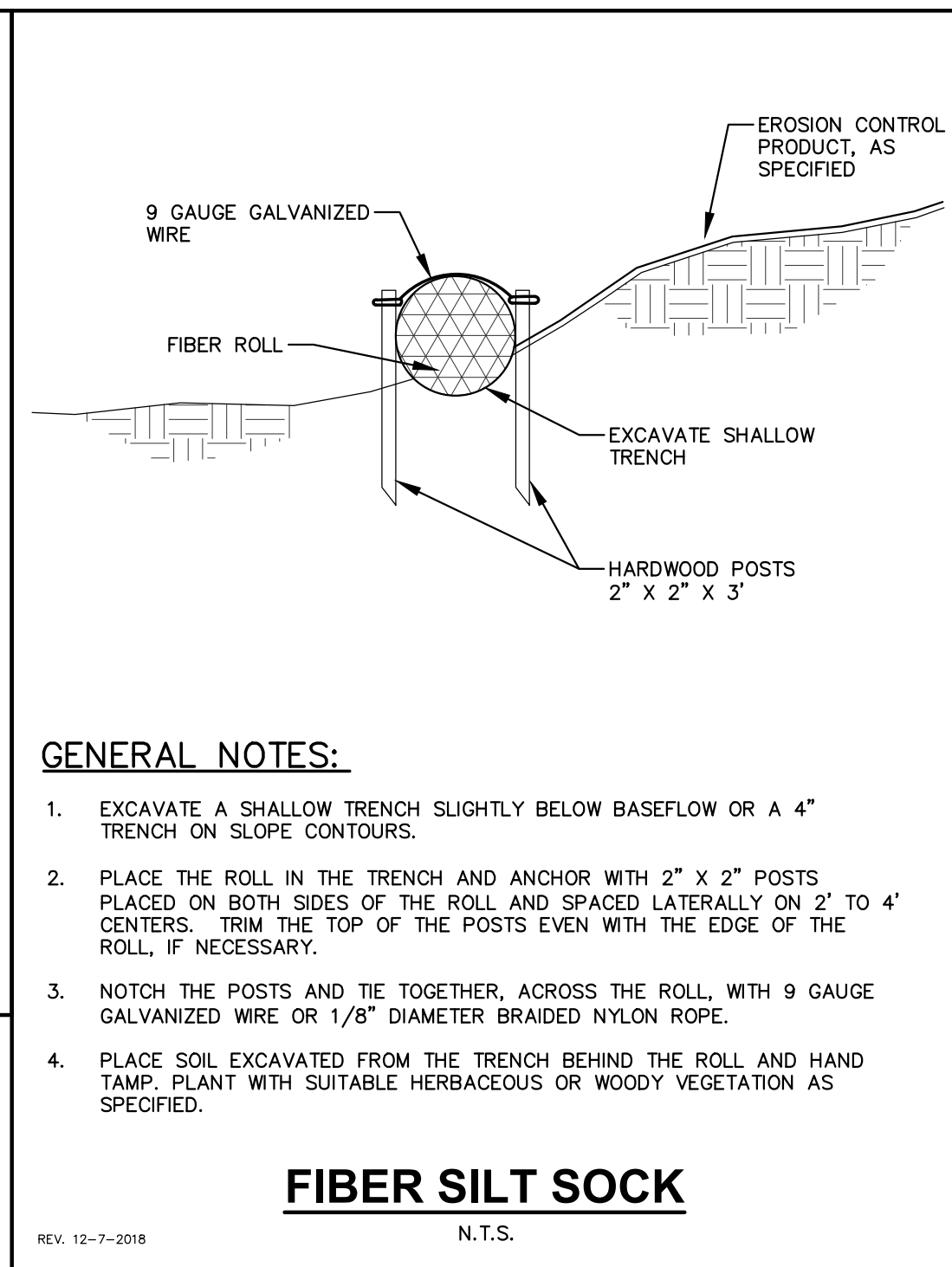
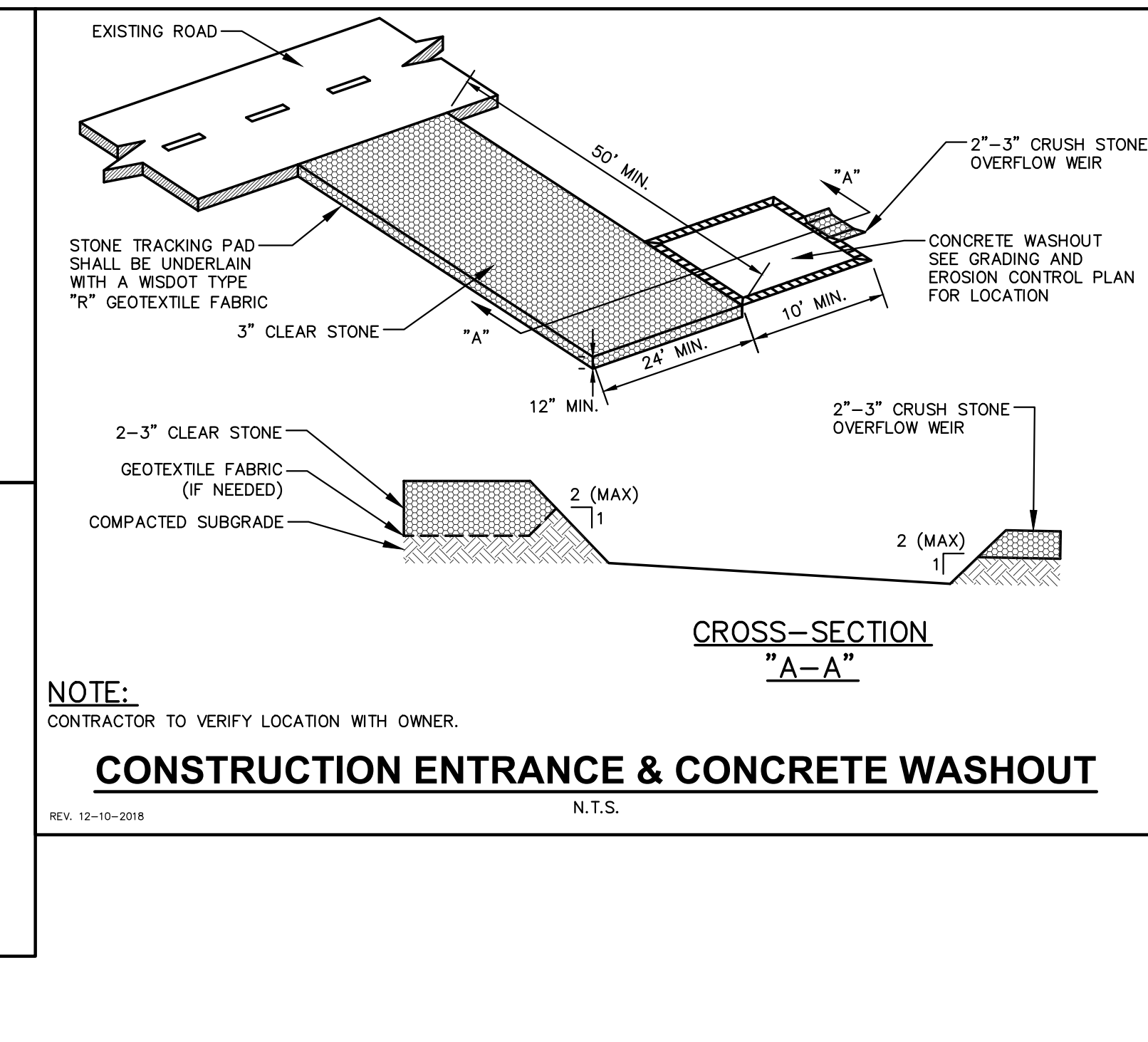
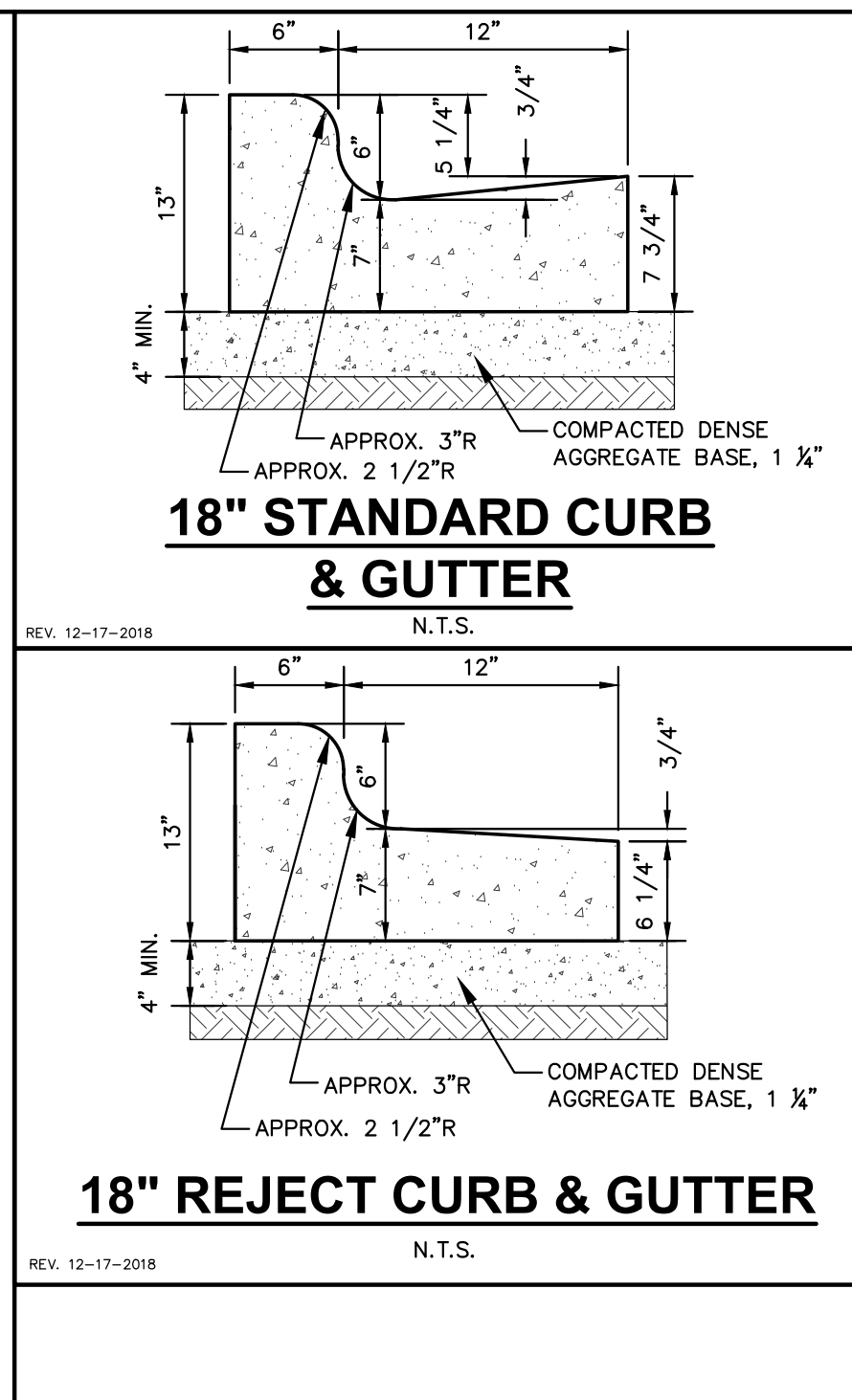
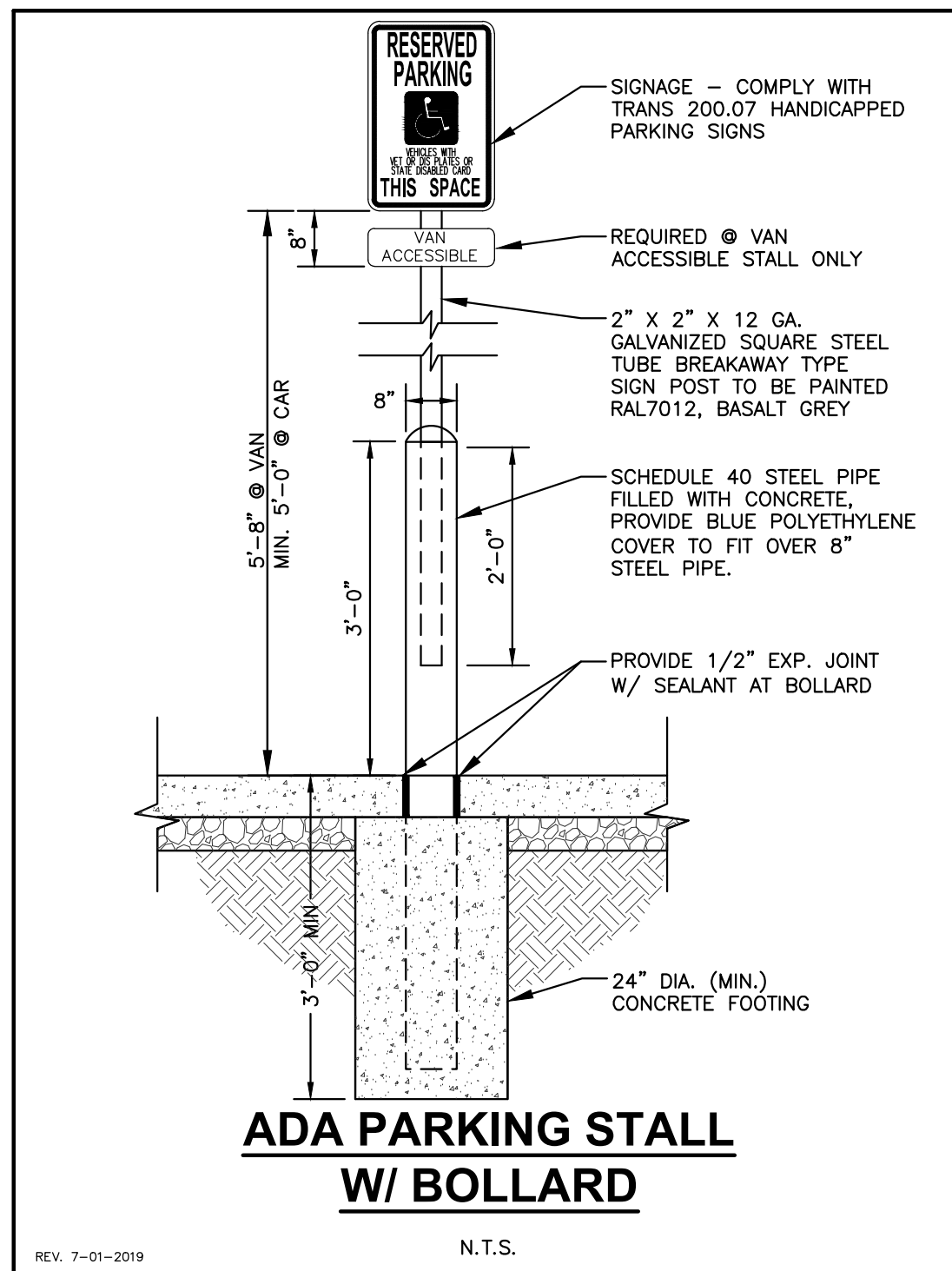
DESIGN REVIEW - NOT FOR CONSTRUCTION -

PROJ. NO.	220204
SCALE	AS INDICATED
PHASE	95% CONSTR. DOC.
DATE	10.14.2022

UTILITY PLAN

C4.0

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PROJECT:
BAY CITY LOFTS
216 S. MILITARY AVE.
GREEN BAY, WI

OWNER:
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200 N Main Street
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ARCHITECT:
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ARCHITECTS
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CIVIL ENGINEER:
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WESTON, WI 54476

STRUCTURAL ENGINEER:
SPRIE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

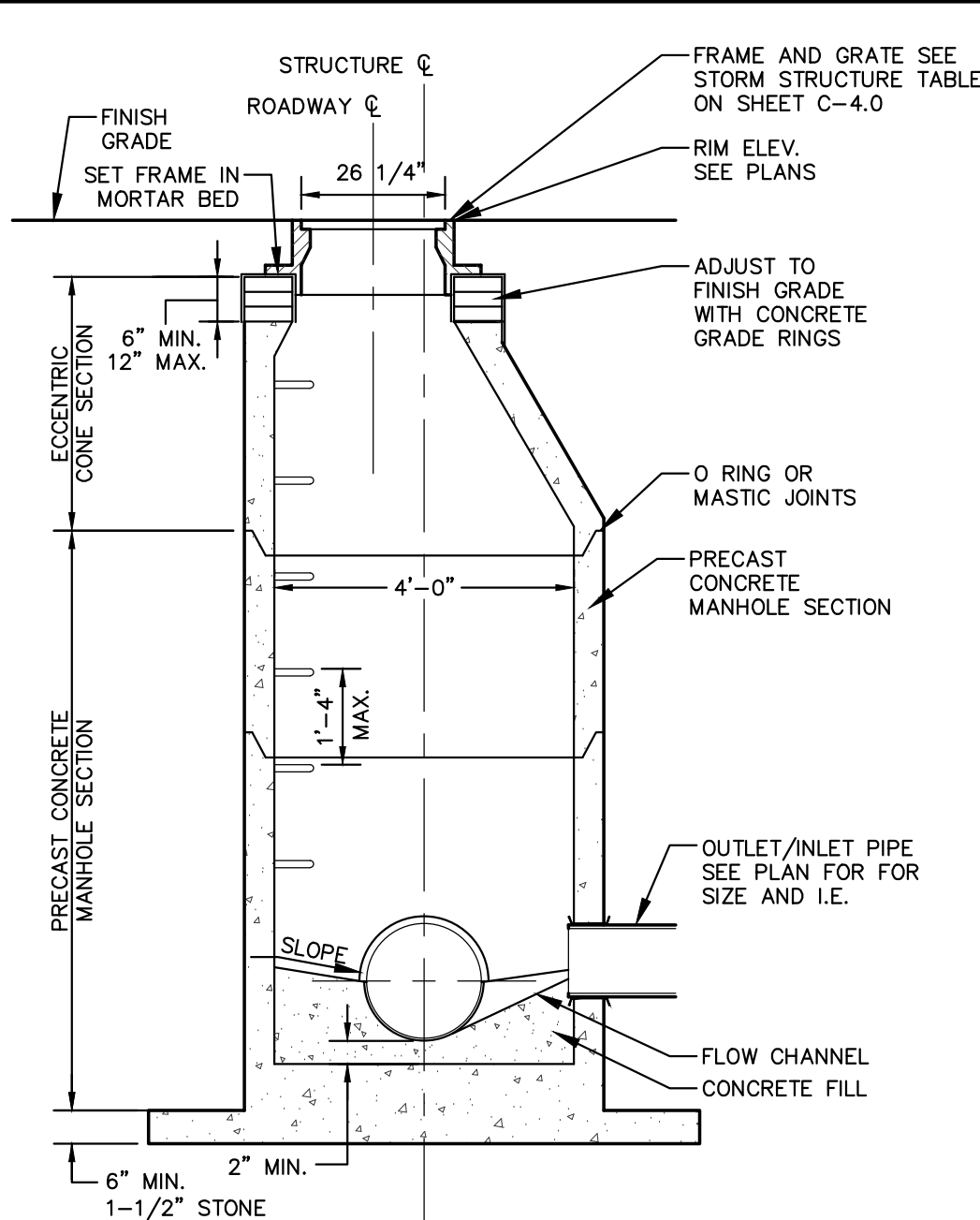
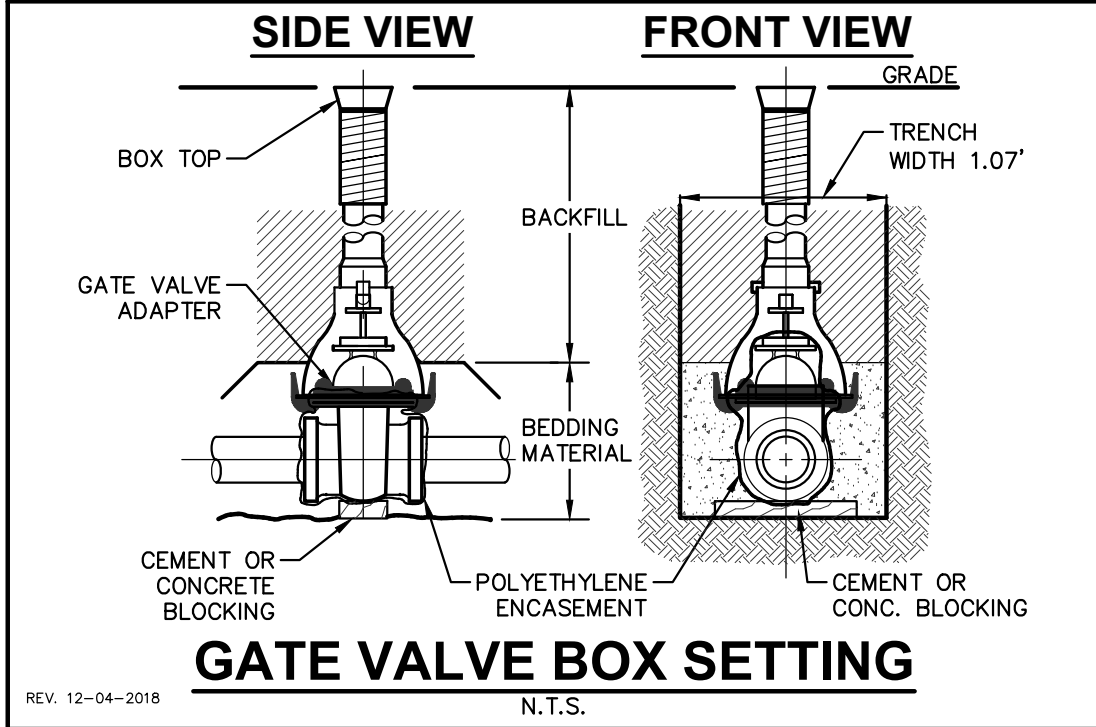
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CONSTRUCTION
DETAILS

C5.0
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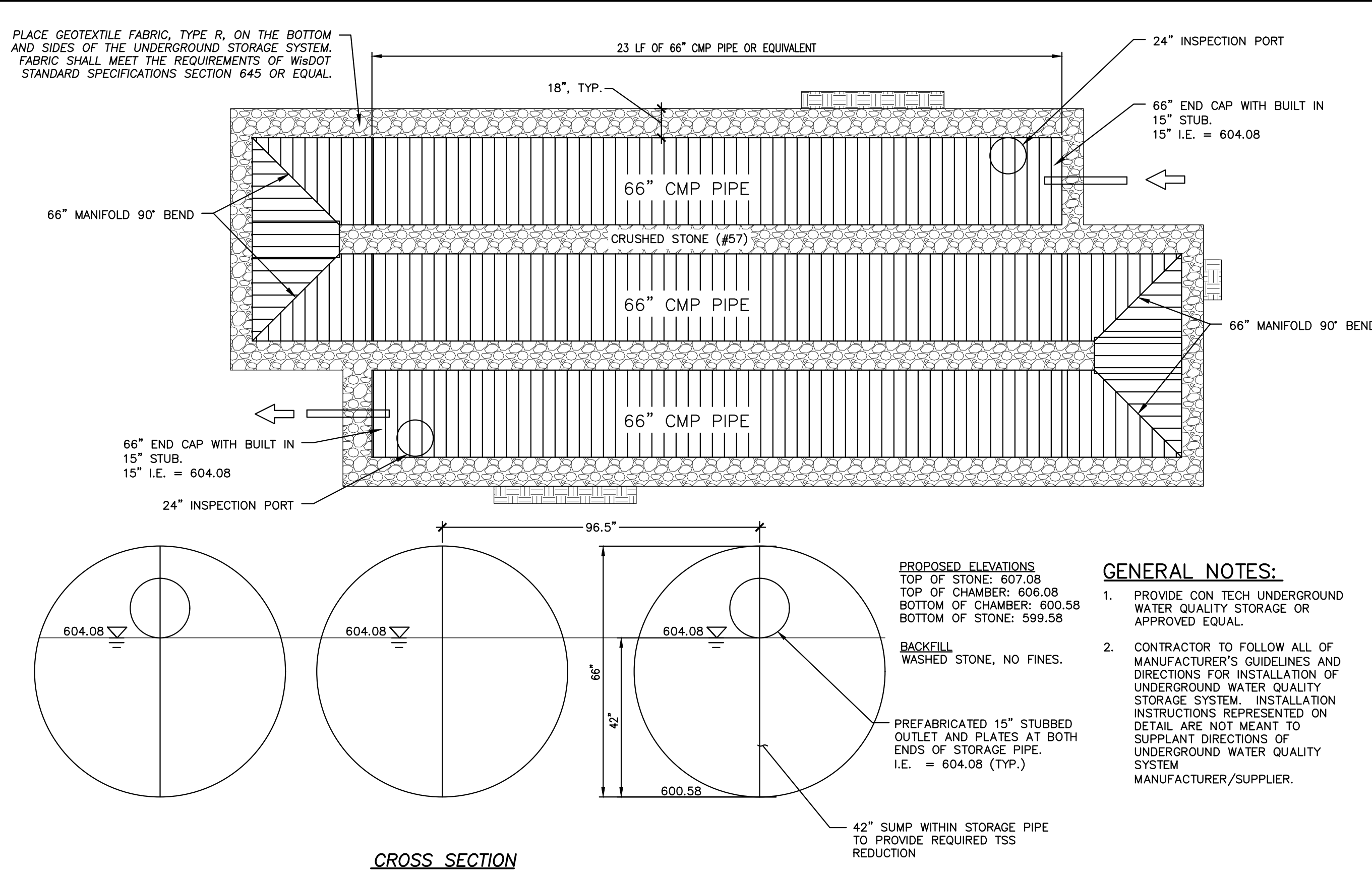


GENERAL NOTES:

1. MANHOLE CONSTRUCTION TO MEET REQUIREMENTS OF ASTM C478.
2. PROVIDE FLAT TOP SLAB FOR MANHOLES 5' OR LESS IN DEPTH. FLAT TOP SLABS TO BE IN-BELL TYPE.
3. JOINTS SHALL BE WATERTIGHT. USE BUTYL RUBBER GASKET.
4. USE MORTAR FOR PIPE CONNECTIONS.
5. ECCENTRIC CONE SECTION OF MANHOLE TO BE SET OUTSIDE OF VEHICULAR WHEEL PATH NEAR ROADWAY.

STORM SEWER MANHOLE

N.T.S.

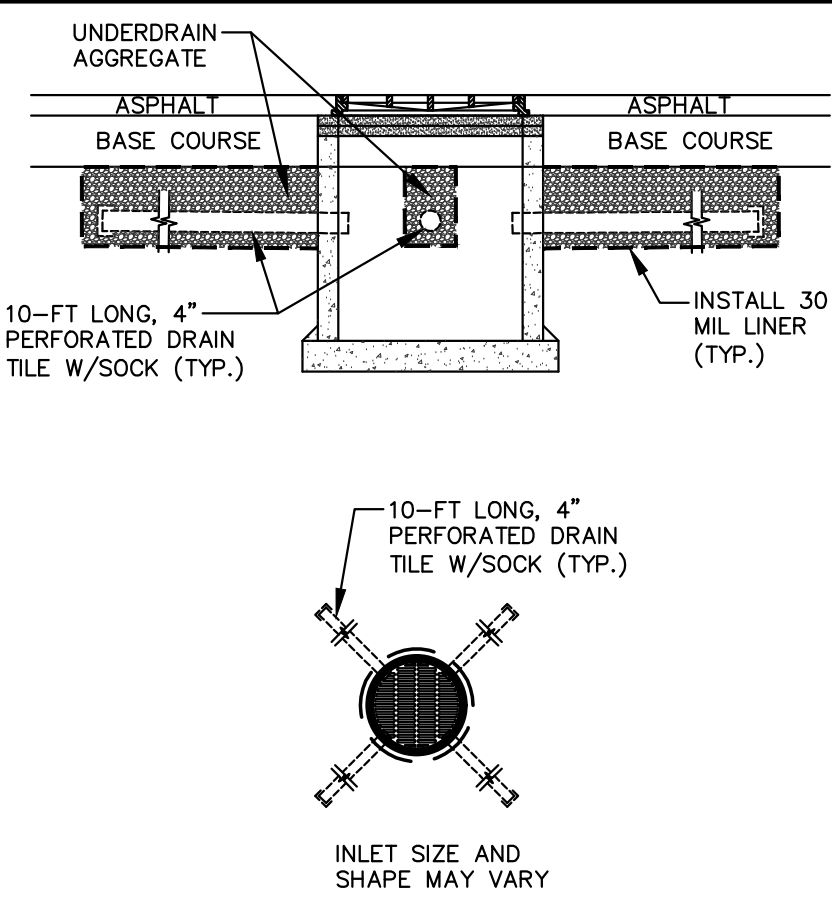


GENERAL NOTES:

1. PROVIDE CON TECH UNDERGROUND WATER QUALITY STORAGE OR APPROVED EQUAL.
2. CONTRACTOR TO FOLLOW ALL OF MANUFACTURER'S GUIDELINES AND DIRECTIONS FOR INSTALLATION OF UNDERGROUND WATER QUALITY STORAGE SYSTEM. INSTALLATION INSTRUCTIONS REPRESENTED ON DETAIL ARE NOT MEANT TO SUPPLANT DIRECTIONS OF UNDERGROUND WATER QUALITY SYSTEM MANUFACTURER/SUPPLIER.

UNDERGROUND WATER QUALITY STORAGE

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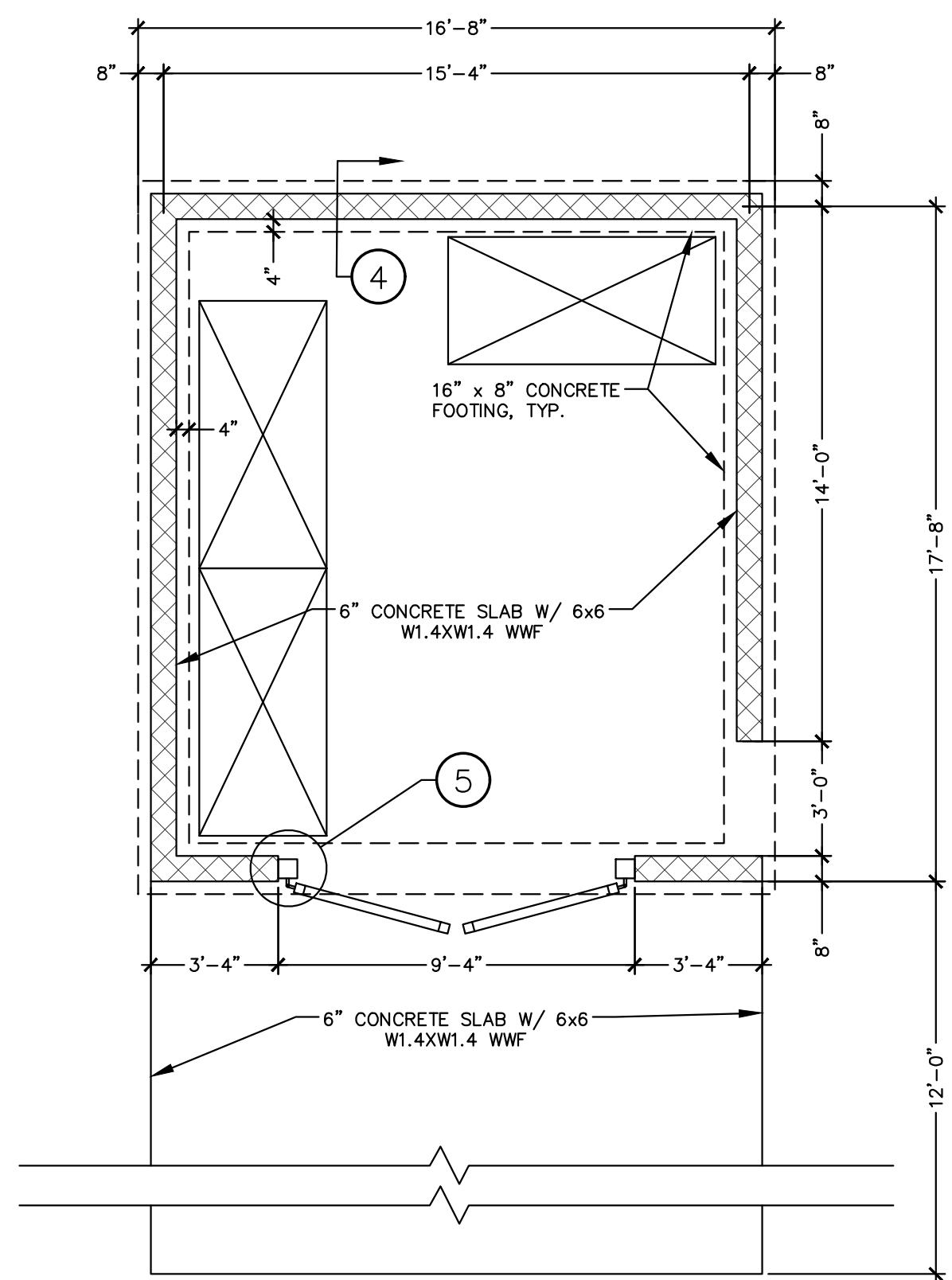


GENERAL NOTES:

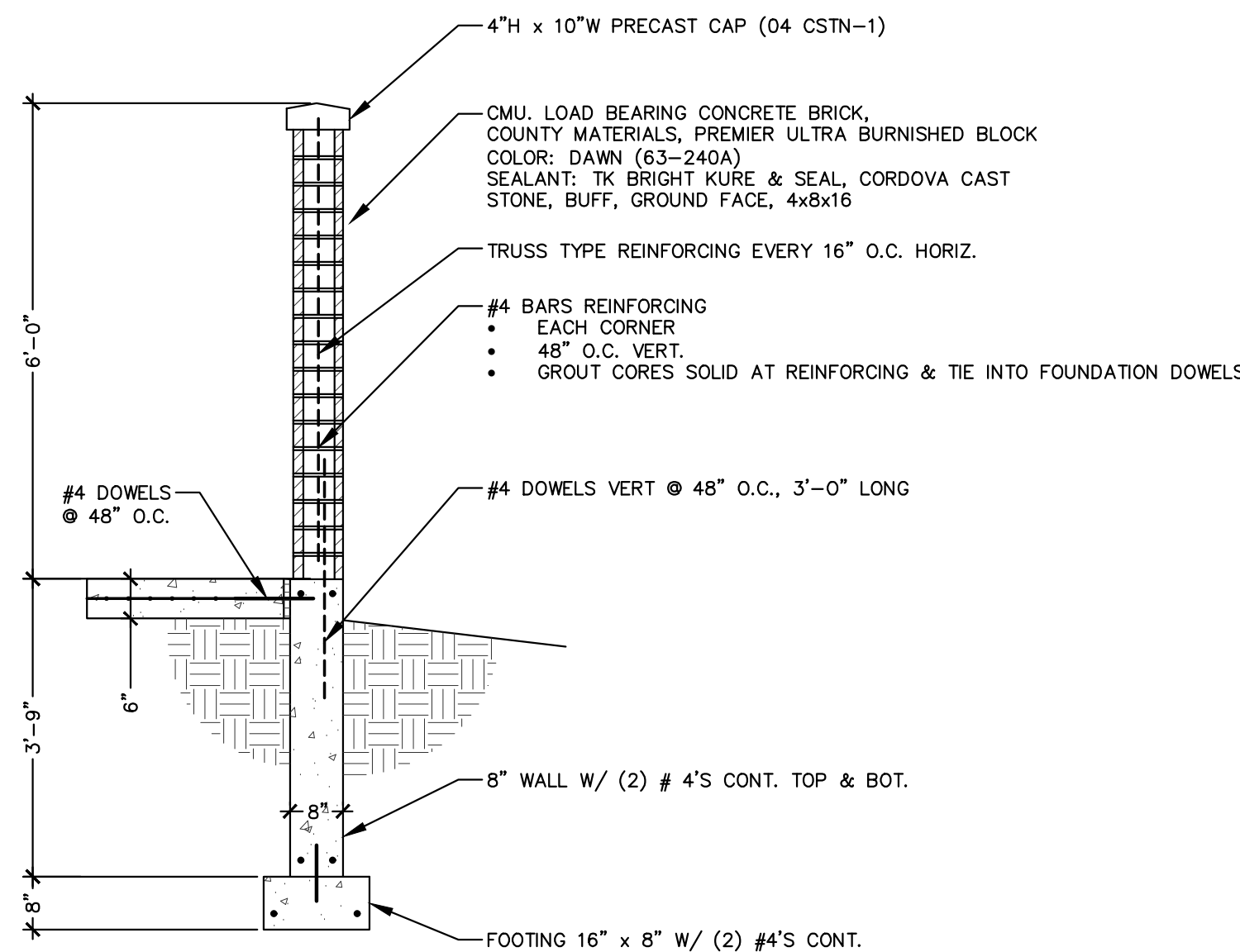
1. UNDERDRAINS SHALL BE INSTALLED ON ALL INLET/CATCH BASINS LOCATED WITHIN IMPERVIOUS PAVEMENTS.
2. UNDERDRAIN CONNECTIONS SHALL BE CORED ONSITE.
3. UNDERDRAIN VERTICAL LOCATION MAY VARY DEPENDING ON STORM SEWER PIPE LOCATION.
4. ALTERNATIVE DESIGN MAY BE SUBSTITUTED IF SHOP DRAWINGS ARE SUBMITTED AND APPROVED BY CITY OF GREEN BAY.

CATCH BASIN/INLET UNDERDRAIN

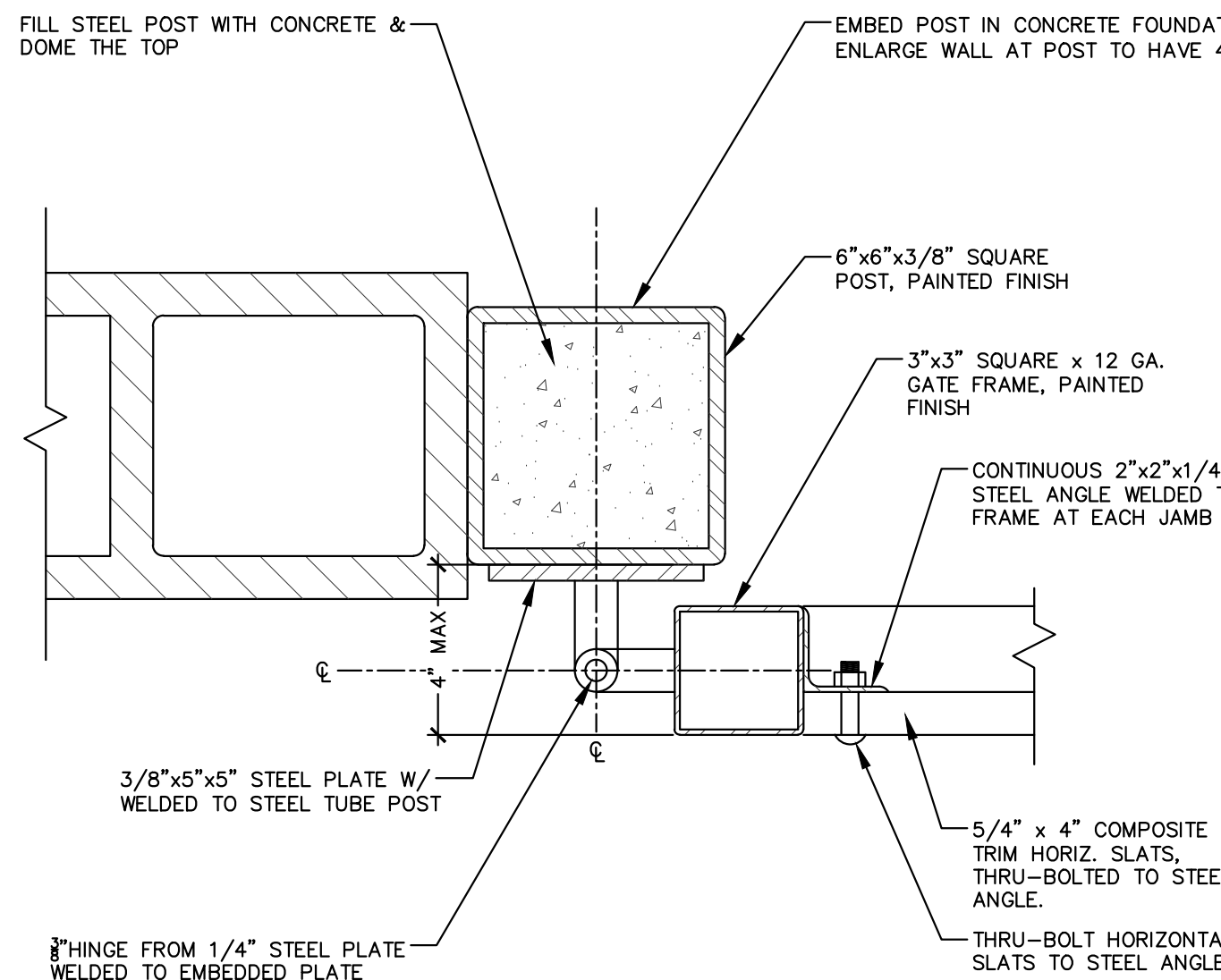
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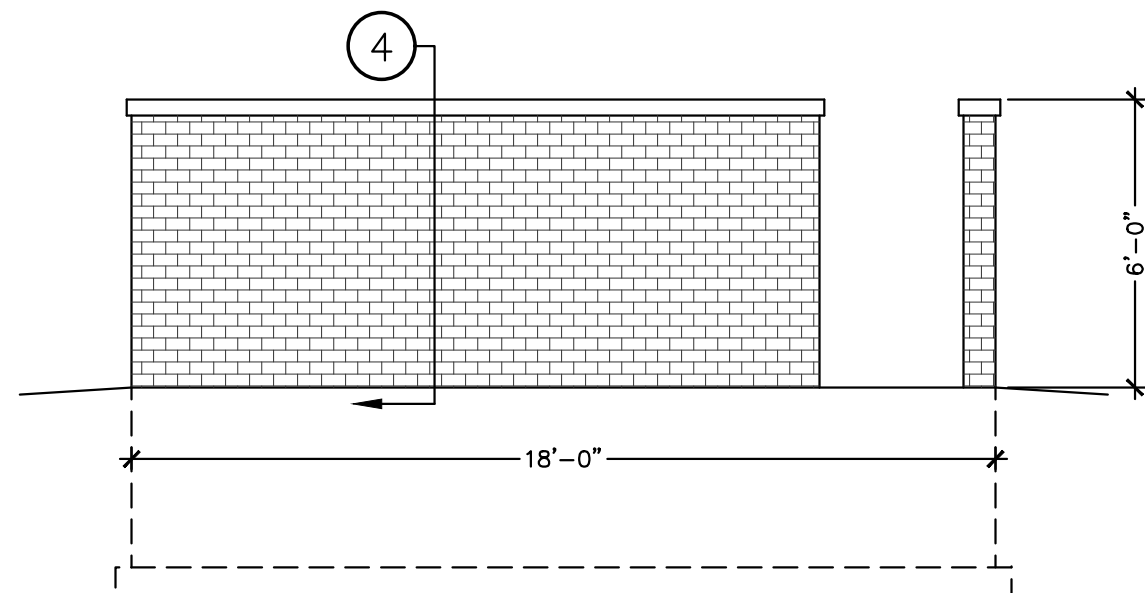
1 TRASH ENCLOSURE PLAN



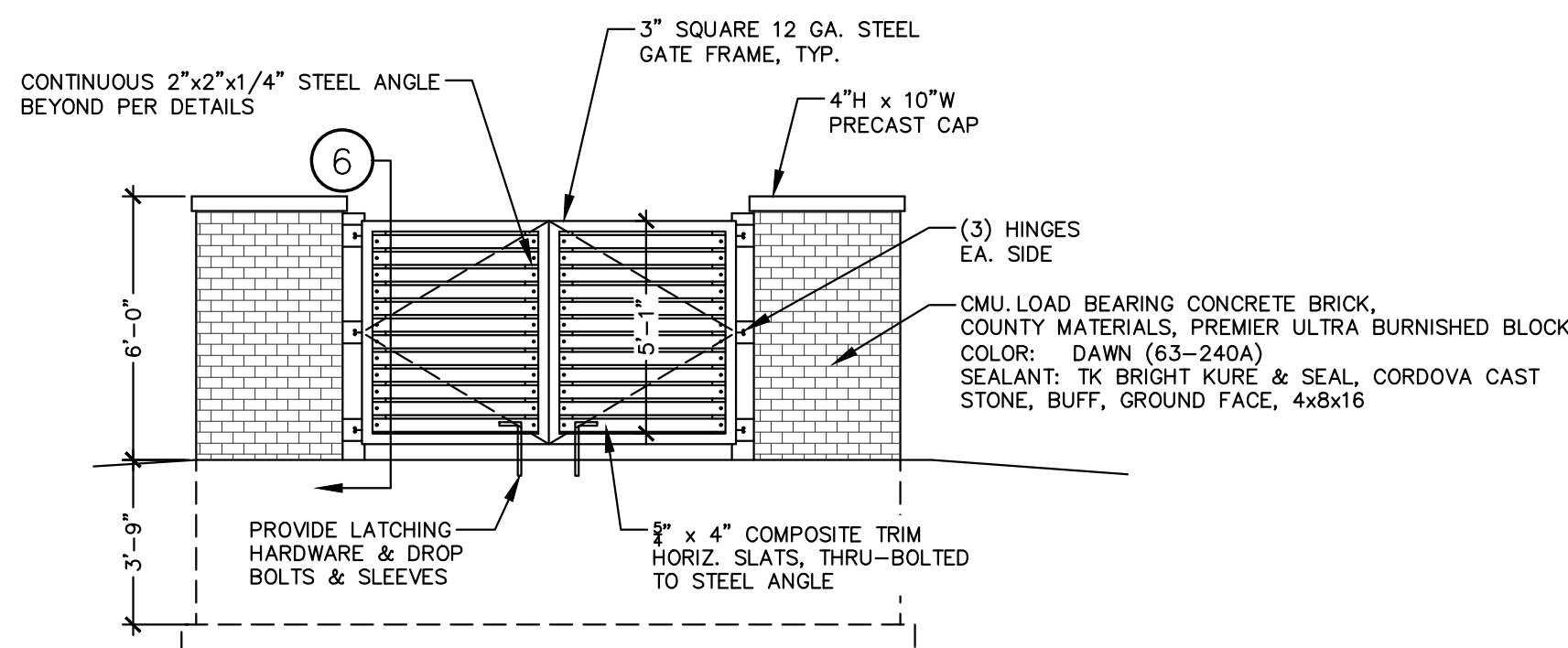
4 TRASH ENCLOSURE WALL SECTION



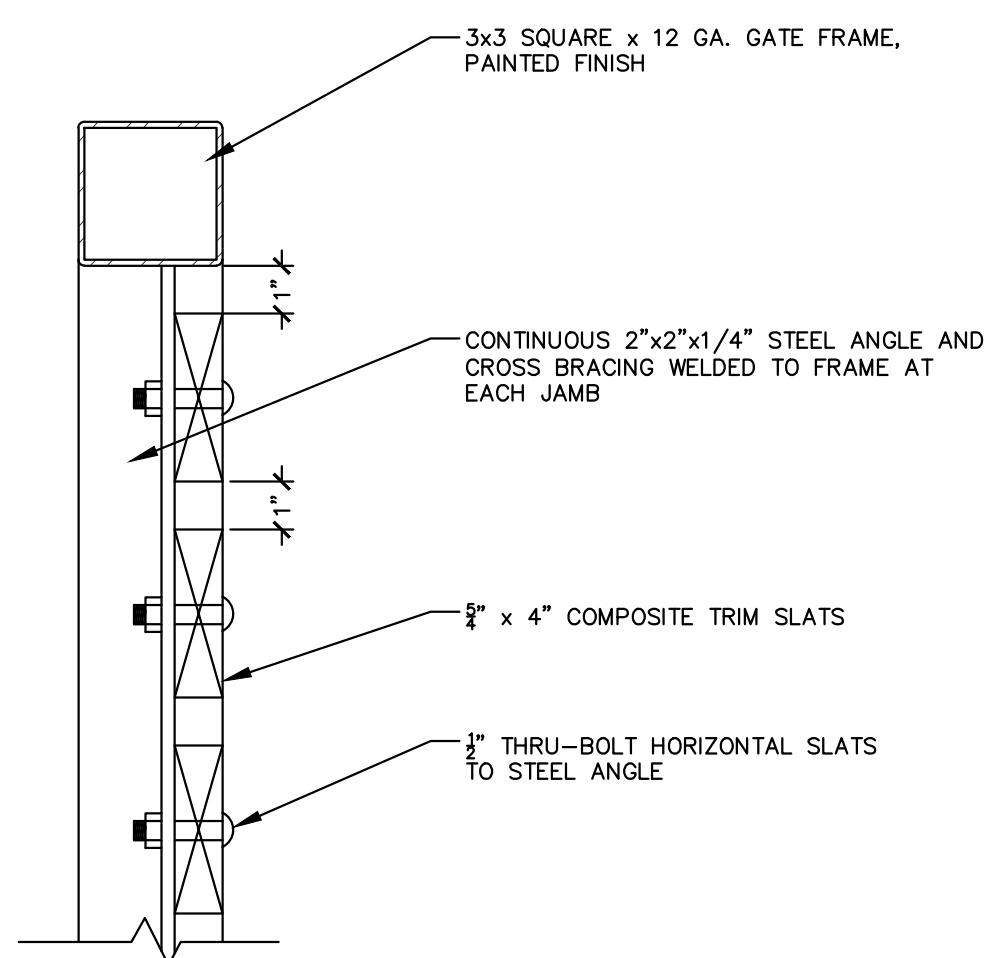
5 TRASH ENCLOSURE GATE JAMB



2 TRASH ENCLOSURE SIDE ELEVATION



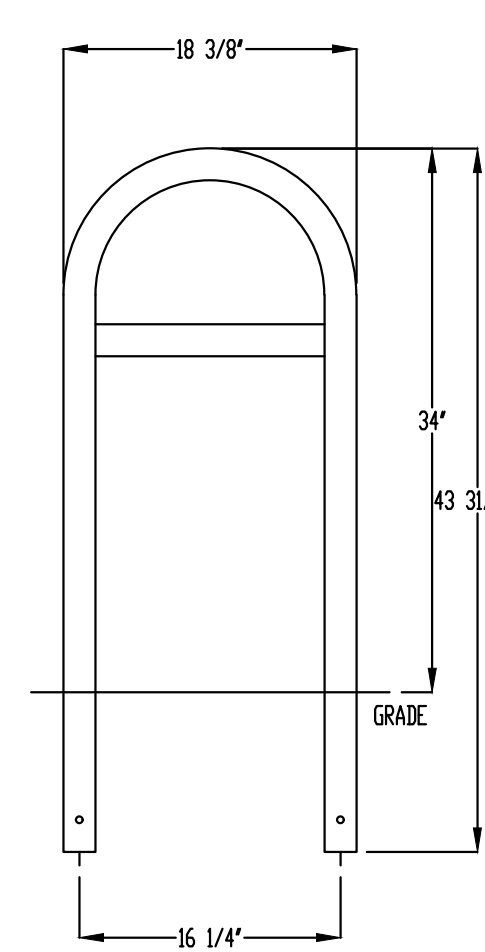
3 TRASH ENCLOSURE FRONT ELEVATION



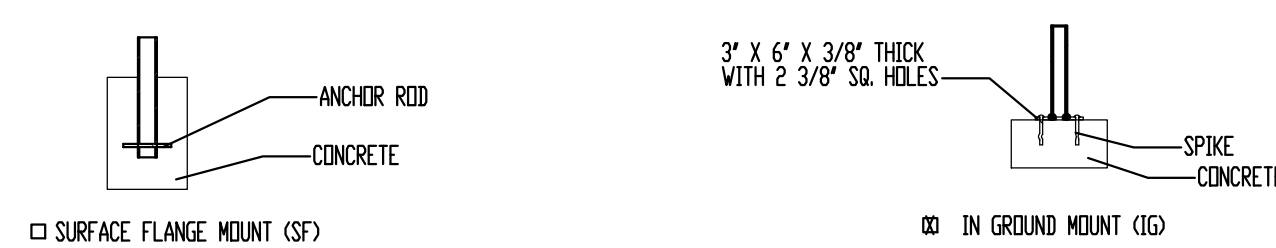
6 TRASH ENCLOSURE GATE HEAD

TRASH ENCLOSURE DETAIL

N.T.S.



CHECK DESIRED MOUNT



PRODUCT: 1200-SF
DESCRIPTION: PHENOLX SINGLE SIDED BIKE RACK
2 BOX, SURFACE MOUNT
DATE: 10-22-18
ENG: DMC

NOTES:
1. INSTALL BIKE RACKS ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
2. COLOR SHALL BE BLACK POWDER COATED. SEE MANUFACTURER'S SPECIFICATIONS.
3. SEE SITE PLAN FOR LOCATION OF CONDUIT RUNS.
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SQUARE 'U' BIKE RACK

N.T.S.

KA
KORB + ASSOCIATES ARCHITECTS

JSD

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WESTON, WI 54476

STRUCTURAL ENGINEER:
SPIRE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

DATE REVISION

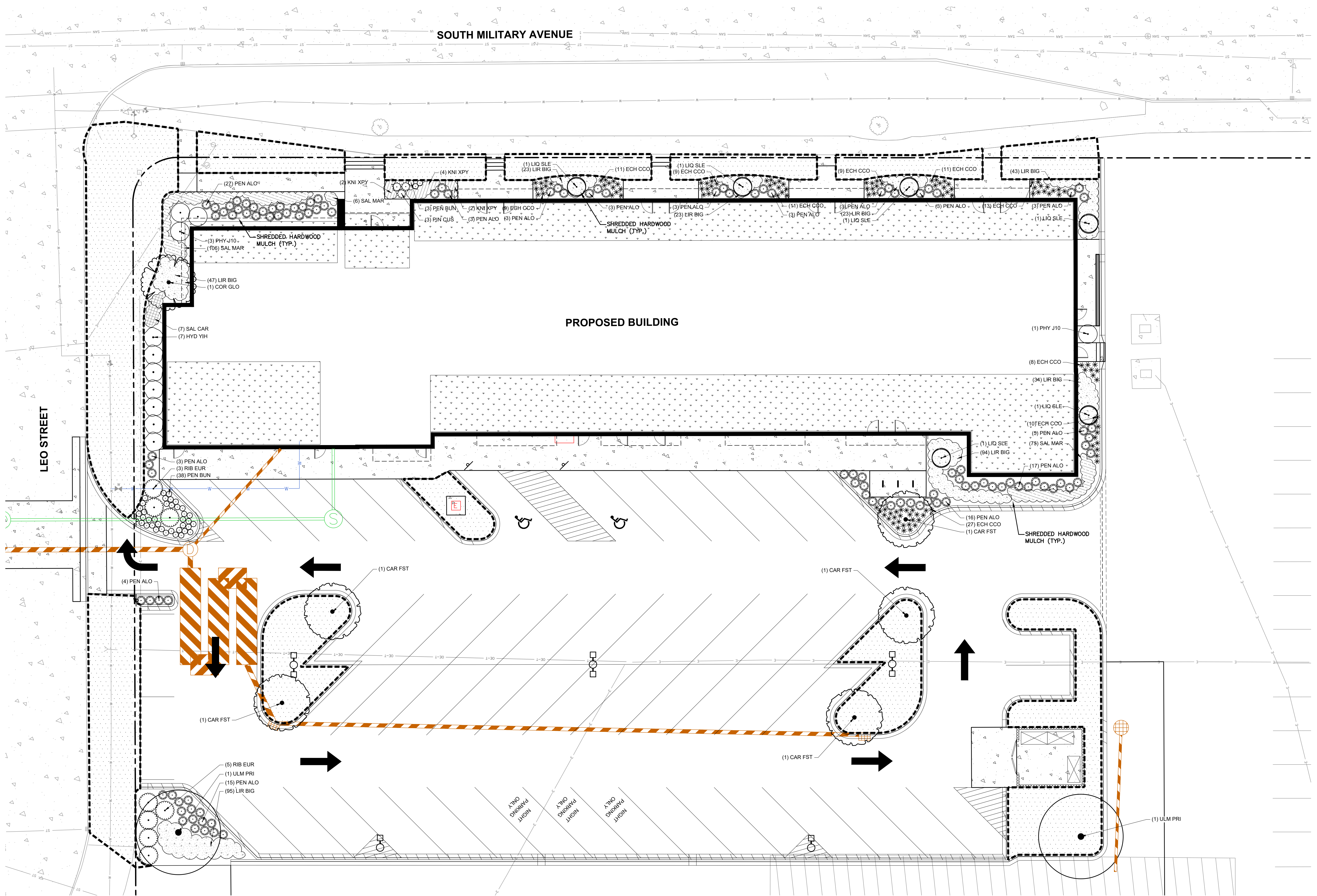
DESIGN REVIEW - NOT FOR CONSTRUCTION -

PROJ. NO.	220204
SCALE	AS INDICATED
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DATE	10.14.2022

CONSTRUCTION
DETAILS

C5.1

DIGGERS HOTLINE
Toll Free (800) 242-8511



- GENERAL NOTES**
- REFER TO THE EXISTING CONDITIONS SURVEY FOR EXISTING CONDITIONS NOTES AND LEGEND.
 - ALL WORK IN THE ROW SHALL BE IN ACCORDANCE WITH THE MUNICIPAL STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
 - JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES.
 - DRAWING FOR REVIEW - NOT FOR CONSTRUCTION UNLESS OTHERWISE NOTED IN THE TITLE BLOCK.
 - THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL FINE GRADING AND TOPSOILING WITH GENERAL CONTRACTOR
 - REFER TO "LANDSCAPE DETAILS AND NOTES" SHEET FOR ADDITIONAL DETAILS, NOTES AND SPECIFICATION INFORMATION INCLUDING MATERIALS, GUARANTEE AND EXECUTION RELATED TO LANDSCAPE PLAN
 - CONTRACTOR SHALL REVIEW SITE CONDITIONS FOR UTILITY CONFLICTS, DRAINAGE ISSUES, SUBSURFACE ROCK, AND PLANT PLACEMENT CONFLICTS PRIOR TO PLANT INSTALLATION. REPORT ANY CONDITIONS THAT MAY HAVE ADVERSE IMPACT ON PLANTING OPERATIONS TO LANDSCAPE ARCHITECT
 - DO NOT COMMENCE PLANTING OPERATIONS UNTIL ALL ADJACENT SITE IMPROVEMENTS, IRRIGATION INSTALLATION (IF APPLICABLE), AND FINISH GRADING ARE COMPLETE.

LEGEND

	KENTUCKY BLUEGRASS BLEND (SOD)
--	--------------------------------

SCALE IN FEET
10' 0 10'

DIGGERS HOTLINE
Toll Free (800) 242-8511

PROJECT:
BAY CITY LOFTS
216 S. MILITARY AVE.
GREEN BAY, WI

OWNER:
GORMAN & COMPANY
200 N Main Street
Oregon, WI 53575

ARCHITECT:
KORB + ASSOCIATES
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7402 STONE RIDGE DRIVE
WESTON, WI 54476

STRUCTURAL ENGINEER:
SPIRE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

DATE	REVISION
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DESIGN REVIEW - NOT FOR CONSTRUCTION -

LANDSCAPE PLAN

L1.0

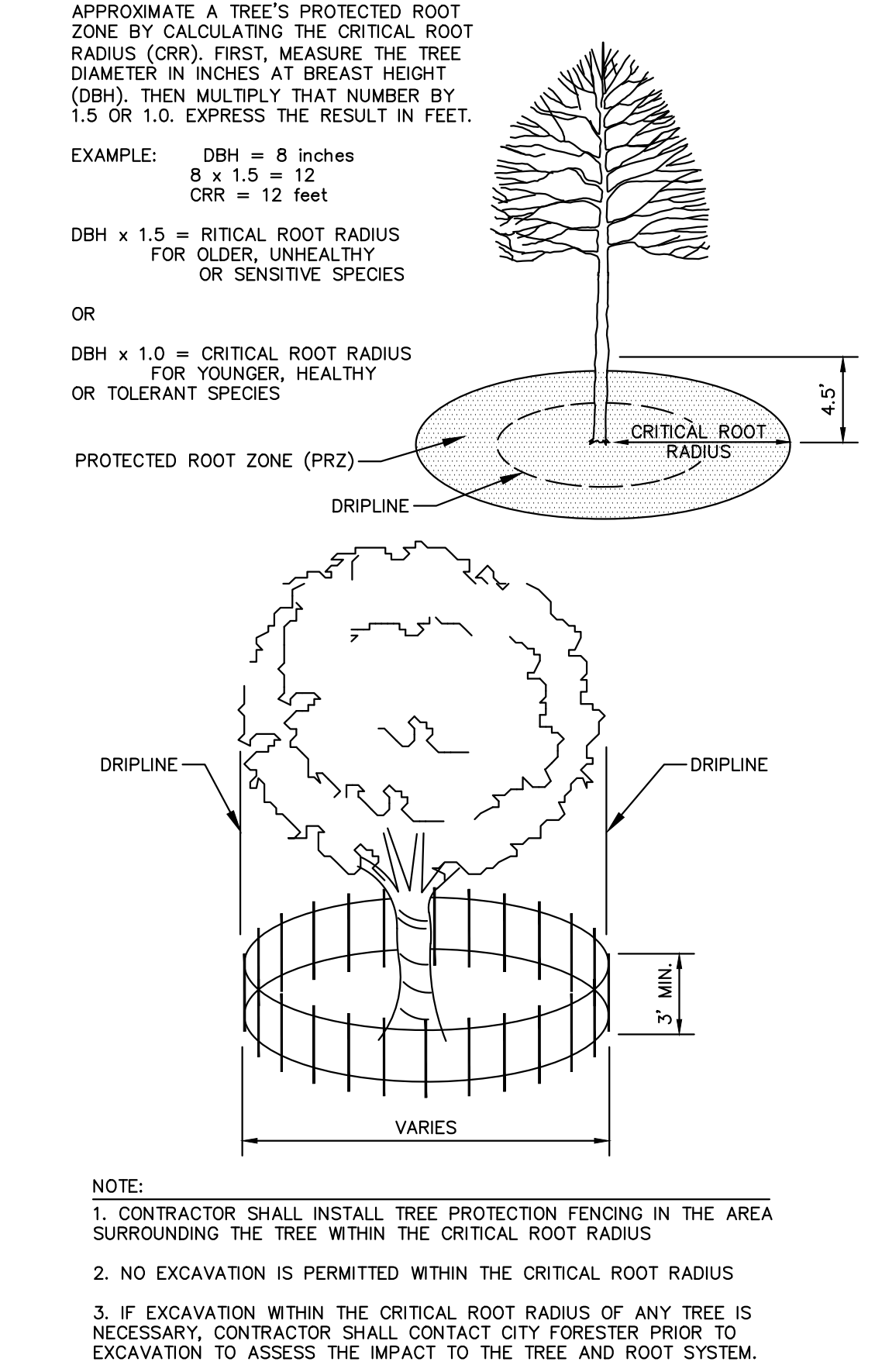
PROJ. NO.	2202244
SCALE	AS INDICATED
PHASE	95% CONSTR. DOC.
DATE	10.14.2022

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File: N:\PROJ\ECTS\2022\2211865\DWG\Landscapes Sheets\2211865 Landscape Plans.dwg Layout: L2.0 User: amayouy Plotted: Nov 21, 2022 - 2:16pm Xref's

LANDSCAPE CALCULATIONS

	REQUIRED	PROVIDED
INTERIOR PARKING LOT LANDSCAPING 10% OF INTERIOR PARKING LOT DEVOTED TO LANDSCAPE PLANTINGS	2,349 SF (23,486)(.10)=2,348.6	3,187 SF
25-100 PARKING SPACES (1 TREE PER 10 SPACES)	6 TREES (54 SPACES/10=5.4)	6 TREES
LANDSCAPE ISLANDS AT THE END OF EACH PARKING ROW	YES	YES
MINIMUM INTERIOR ISLAND DIMENSION 10' WIDTH AND 15' LENGTH	YES	NO
ISLANDS PLANTED W/ GROUND COVER OR SOD AND MINIMUM 1 TREE PER ISLAND	YES	YES
PERIMETER PARKING LOT LANDSCAPING SCREEN PARKING LOT FROM PUBLIC STREETS AND SIDEWALKS, PUBLIC OPEN SPACE AND ADJACENT PROPERTIES	YES	YES
BUILDING FOUNDATION LANDSCAPING PLANTED WITH ORNAMENTAL PLANT MATERIAL (TREES, FLOWERING SHRUBS, PERENNIALS AND GROUNDCOVERS)	YES	YES
GENERAL REQUIREMENTS TREE SPECIES MIX - ANY ONE SPECIES SHALL NOT MAKE UP MORE THAN 50% OF THE TOTAL TREE PLANTINGS MINIMUM PLANTING SIZES: DECIDUOUS TREES ORNAMENTAL DECIDUOUS TREES EVERGREEN TREES SHRUBS	NO MORE THAN 50% PER SPECIES OF TREE 2" CALIPER 1.5" CALIPER 6' IN HEIGHT #5 GALLON	YES YES



1

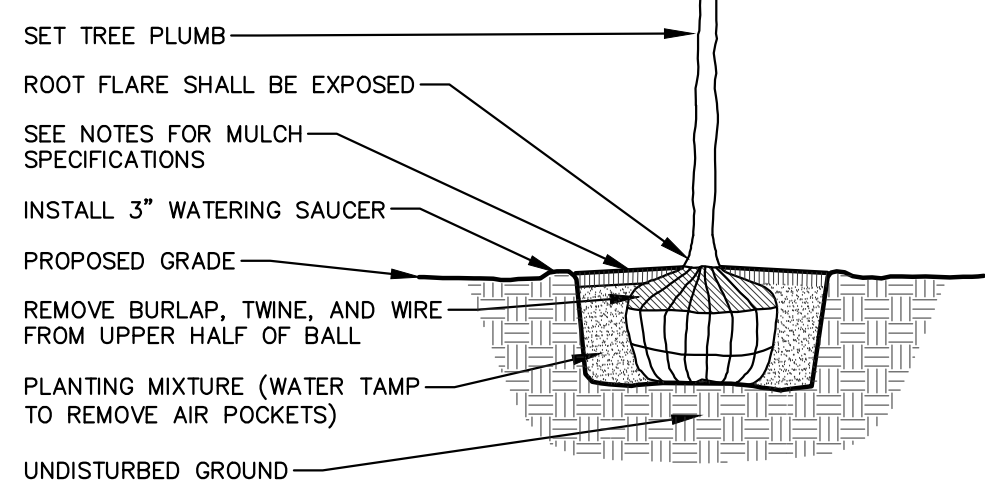
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TREE PROTECTION FENCING

NTS

NOTE:

- DIG HOLE NO DEEPER THAN BASE OF ROOT BALL TO FLARE. ROOT BALL TO BE SET ON UNDISTURBED SOIL UNLESS COMPACTED AGGREGATE STONE REMAINS FROM SITE EXCAVATOR. REMOVE REMAINING AGGREGATE STONE UNTIL SOIL LAYER IS REACHED.
- TREE PIT DIAMETER SHALL BE AT LEAST TWO-TIMES ROOT BALL DIAMETER IN ALL DIRECTIONS. SLOPE SIDES OF TREE PIT FROM PROPOSED GRADE TO BOTTOM OF ROOT BALL IN ALL DIRECTIONS.



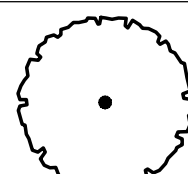
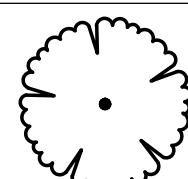
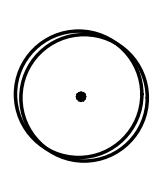
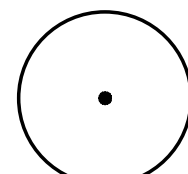
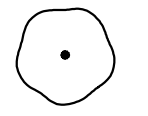
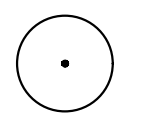
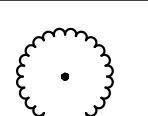
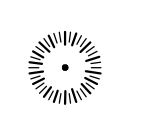
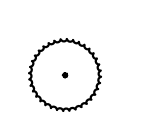
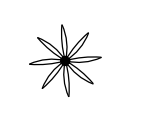
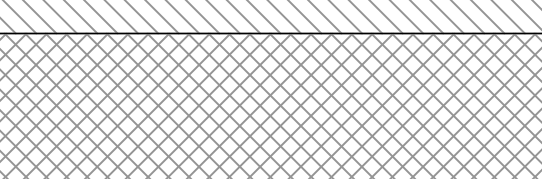
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DECIDUOUS TREE

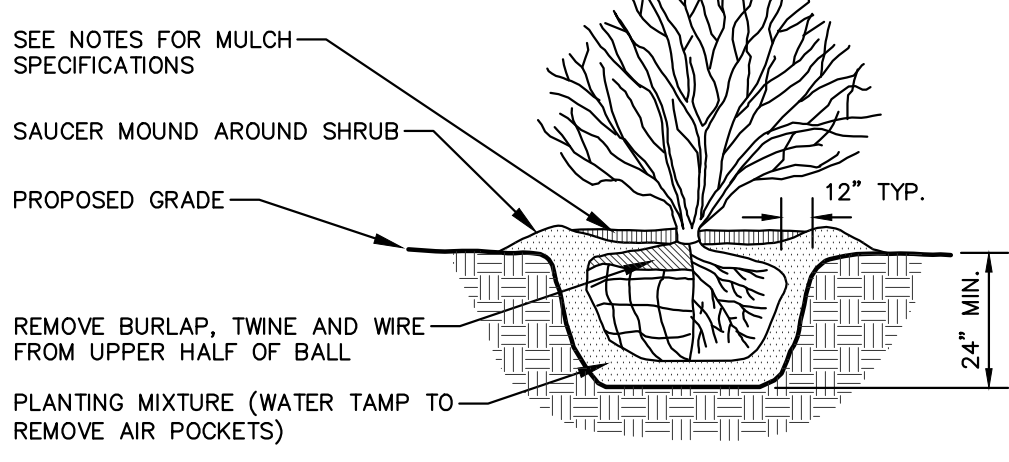
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PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	ROOT CONDITION	SIZE AT PLANTING		QTY
	CAR FST	Carpinus betulus 'Fastigiata' / Pyramidal European Hornbeam	B & B	3"Cal		5
	COR GLO	Cornus mas 'Golden Glory' / Golden Glory Cornelian Cherry	B & B	2"Cal		1
	LIQ SLE	Liquidambar styraciflua 'Slender Silhouette' / Slender Silhouette Sweet Gum	B & B	3"Cal		6
	ULM PRI	Ulmus americana 'Princeton' / Princeton American Elm	B & B	3"Cal		2
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING		QTY
	HYD YIH	Hydrangea paniculata 'SMNHPPH' TM / Limelight Prime Panicle Hydrangea	#05/5 gal.			7
	PHY J10	Physocarpus opulifolius 'Jefam' TM / Amber Jubilee Ninebark	#05/5 gal.			4
	PIN CUS	Pinus mugo 'Valley Cushion' / Valley Cushion Mugo Pine	#05/5 gal.			3
	RIB EUR	Ribes alpinum 'Europa' / Europa Alpine Currant	#05/5 gal.			8
ORNAMENTAL GRASSES	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING		QTY
	PEN ALO	Pennisetum alopecuroides / Fountain Grass	#01/1 gal.			111
	PEN BUN	Pennisetum alopecuroides 'Little Bunny' / Little Bunny Fountain Grass	#01/1 gal.			41
PERENNIALS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING		QTY
	ECH CCO	Echinacea x 'Cleopatra' / Cleopatra Butterfly Coneflower	#01/1 gal.			118
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING	SPACING	QTY
	LIR BIG	Liriope muscari 'Big Blue' / Big Blue Lilyturf	#01 (gal)		15" o.c.	382
PERENNIALS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING	SPACING	QTY
	KNI XPY	Kniphofia x 'Backdraft' TM / Backdraft Pyromania Red Hot Poker	#01/1 Gal.		30" o.c.	8
	SAL CAR	Salvia nemorosa 'Caradonna' / Cardonna Meadow Sage	#01/1 Gal.		24" o.c.	7
	SAL MAR	Salvia nemorosa 'Haeumanarc' TM / Marcus Meadow Sage	#01/1 Gal.		12" o.c.	203

CONTRACTOR AND OWNER RESPONSIBILITY NOTES

- GUARANTEE:** THE CONTRACTOR SHALL GUARANTEE ALL PLANTS THROUGH ONE (1) YEAR AFTER ACCEPTANCE BY THE OWNER'S REPRESENTATIVE. PLANTS SHALL BE ALIVE AND IN HEALTHY AND FLOURISHING CONDITION AT THE END OF THE GUARANTEE PERIOD. THE CONTRACTOR SHALL REPLACE (AT NO COST TO OWNER) ANY PLANTS THAT ARE DEAD OR NOT IN A VIGOROUS THRIVING CONDITION. REPLACEMENT PLANTS SHALL BE OF THE SAME KIND AND SIZE AS ORIGINALLY SPECIFIED UNLESS OTHERWISE DIRECTED BY OWNER'S REPRESENTATIVE. RESTORE BEDS AS NECESSARY FOLLOWING PLANT REPLACEMENT, INCLUDING BUT NOT LIMITED TO BEDDING, EDGING, MULCH, ETC. REPLACE PLANTS DAMAGED AT TIME OF PLANTING. REPAIR AREAS DISTURBED IN ANY WAY DURING PLANT REPLACEMENT AT NO COST TO OWNER. CONTRACTOR SHALL PROVIDE A ONE (1)-YEAR STRAIGHTENING GUARANTEE FOR ALL TREES.
- CONTRACTOR IS RESPONSIBLE FOR STAKING THE PLANT MATERIALS FOR REVIEW BY OWNER'S REPRESENTATIVE PRIOR TO DIGGING AND PLACEMENT AND SHALL COORDINATE ALL FINE GRADING AND RESTORATION WITH THE GRADING CONTRACTOR.
- MAINTENANCE:** (CONTRACTOR) FOR ALL PLANTINGS, SEEDED AND/OR SODDED LAWN AREAS: THE CONTRACTOR SHALL MAINTAIN ALL PLANTINGS AND LAWN AREAS FOR A MINIMUM TIME PERIOD OF 60 DAYS, UNTIL FINAL ACCEPTANCE BY OWNER'S REPRESENTATIVE. THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY WATERING PLANTS AND LAWN/TURFGRASS DURING THIS 60 DAY ESTABLISHMENT PERIOD. CONTRACTOR IS RESPONSIBLE FOR THE ESTABLISHMENT OF HEALTHY VIGOROUS PLANT MATERIALS AND LAWN/TURFGRASS GROWTH. CONTRACTOR IS ALSO RESPONSIBLE FOR ANY PRUNING OF PLANT MATERIALS, AND SHAPING AND/OR REPLACEMENT OR SUPPLEMENT OF DEFICIENT SHREDDED HARDWOOD BARK MULCH DURING THIS PERIOD. LONG TERM PLANT MATERIALS AND LAWN/TURFGRASS MAINTENANCE AND ANY PROGRAM FOR SUCH IS THE RESPONSIBILITY OF THE OWNER. ALL PLANTINGS AND LAWN/TURFGRASS AREAS SHALL BE MAINTAINED IN A MANICURED CONDITION UNTIL THE TIME WHEN THE OWNER'S ACCEPTANCE IS GIVEN.
- MAINTENANCE:** (OWNER) THE OWNER IS RESPONSIBLE FOR THE CONTINUED MAINTENANCE, REPAIR AND REPLACEMENT OF ALL LANDSCAPING MATERIALS AND WEED BARRIER FABRIC AS NECESSARY FOLLOWING THE ONE (1) YEAR CONTRACTOR GUARANTEE PERIOD.

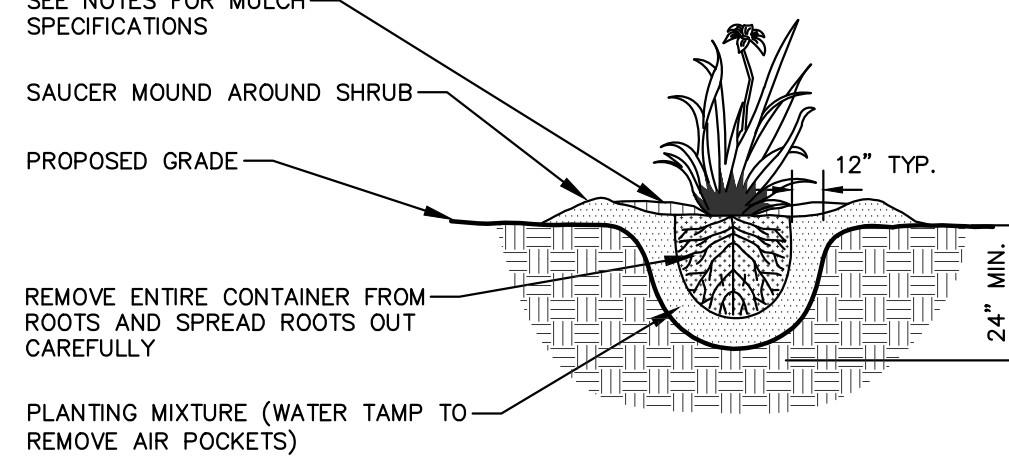


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DECIDUOUS/EVERGREEN SHRUB

NTS



4

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PERENNIAL/ORNAMENTAL GRASS

NTS

GENERAL NOTES

- GENERAL: ALL WORK IN THE R-O-W AND PUBLIC EASEMENTS SHALL BE IN ACCORDANCE WITH LOCAL MUNICIPAL REQUIREMENTS. JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY REGULATORY AGENCIES. COARF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR UTILITY LOCATIONS AT LEAST THREE DAYS PRIOR TO DIGGING. HAND DIG AND INSTALL ALL PLANTS THAT ARE NEAR EXISTING UTILITIES. PROTECT PREVIOUSLY INSTALLED WORK OF OTHER TRADES. CONTRACTOR IS RESPONSIBLE FOR STAKING THE PLANT MATERIALS FOR REVIEW BY OWNER PRIOR TO DIGGING AND PLACEMENT AND SHALL COORDINATE ALL FINE GRADING AND RESTORATION WITH THE GRADING CONTRACTOR.
- DELIVERY AND HANDLING: DO NOT DELIVER MORE PLANT MATERIALS THAN CAN BE PLANTED IN ONE DAY, UNLESS ADEQUATE, APPROPRIATE AND SECURE STORAGE IS PROVIDED AND APPROVED BY OWNER'S REPRESENTATIVE. AT ALL TIMES, PROTECT ALL PLANT MATERIALS FROM WIND AND DIRECT SUN. DELIVER PLANTS WITH LEGIBLE IDENTIFICATION LABELS. PROTECT PLANTS DURING DELIVERY AND DO NOT PRUNE PRIOR TO DELIVERY. ALL TREES AND SHRUBS SHALL BE PLANTED ON THE DAY OF DELIVERY; IF THIS IS NOT POSSIBLE, PROTECT THE PLANT MATERIALS NOT PLANTED BY STORING THEM IN A SHADED, SECURE AREA, PROTECTING THE ROOT MASS WITH WET SOIL, MULCH, HAY OR OTHER SUITABLE MEDIUM. CONTRACTOR TO KEEP ALL PLANT MATERIALS ADEQUATELY WATERED TO PREVENT ROOT DESICCATION. DO NOT REMOVE CONTAINER GROWN STOCK FROM CONTAINERS BEFORE TIME OF PLANTING. DO NOT PICK UP CONTAINER OR BALLED PLANTS BY STEM OR ROOTS. ALL PLANTS SHALL BE LIFTED AND HANDLED FROM THE BOTTOM OF THE CONTAINER OR BALL. PERFORM ACTUAL PLANTING ONLY WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE IN ACCORDANCE WITH LOCALLY ACCEPTED BEST HORTICULTURAL PRACTICES.
- MATERIALS - PLANTS: ALL PLANTS SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1. PLANTS SHALL BE TRUE TO SPECIES AND VARIETY SPECIFIED AND NURSERY GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICES UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT FOR AT LEAST 2 YEARS. PLANTS SHALL BE FRESHLY DUG (DURING THE MOST RECENT FAVORABLE HARVEST SEASON). PLANTS SHALL BE SO TRAINED IN DEVELOPMENT AND APPEARANCE AS TO BE UNQUESTIONABLY SUPERIOR IN FORM, COMPACTNESS, AND SYMMETRY. PLANTS SHALL BE SOUND, HEALTHY, VIGOROUS, WELL-BRANCHED AND DENSELY FOLIATED WHEN IN LEAF, AND FREE OF PESTS AND INSECTS (ADULT EGGS, PUPAE OR LARVAE). THEY SHALL HAVE HEALTHY, WELL-DEVELOPED ROOT SYSTEMS AND SHALL BE FREE FROM PHYSICAL DAMAGE OR OTHER CONDITIONS THAT WOULD PREVENT THRIVING GROWTH OR PREMATURE MORTALITY. PLANTS SHALL BE OF THE HIGHEST QUALITY, POSSESS TYPICAL GROWTH HABITS AND FORM FOR THEIR SPECIES AND BE FREE OF INJURY, PARKWAY TREES AND PARKING LOT TREES SHALL HAVE A MINIMUM BRANCHING HEIGHT OF SIX (6) FEET ABOVE THE GROUND TO ALLOW ADEQUATE VISUAL AND PHYSICAL CLEARANCE.
- PRUNING: THE CONTRACTOR SHALL PRUNE ALL TREES AND REPAIR ANY INJURIES THAT OCCURRED DURING THE PLANTING PROCESS. DOUBLE LEADERS, DEAD BRANCHES, AND LIMBS DAMAGED OR BROKEN DURING THE PLANTING PROCESS, SHALL BE PRUNED. THIS SHALL BE THE ONLY PRUNING ALLOWED AT PLANTING. PRUNING SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR TREE CARE OPERATIONS, ANSI A300. PRUNE TREES IN ACCORDANCE WITH NAA GUIDELINES. DO NOT TOP. PRUNE SHRUBS ACCORDING TO STANDARD HORTICULTURAL PRACTICES. ON CUTS OVER 3/4" IN DIAMETER AND BRUISES OR SCARS ON BARK, TRACE THE INJURED CAMBIUM LAYER BACK TO LIVING TISSUE AND REMOVE. SMOOTH AND SHAPE WOUNDS SO AS NOT TO RETAIN WATER. TREAT THE AREA WITH AN APPROVED INCONSPICUOUS LATEX BASED ANTISEPTIC TREE PAINT, IF PRUNING OCCURS "IN SEASON". DO NOT PRUNE ANY OAK TREES DURING THE MONTHS FROM APRIL TO OCTOBER.
- CLEANUP: THE WORK AREA SHALL BE KEPT SAFE AND NEAT AT ALL TIMES. DISPOSED OF EXCESS SOIL, REMOVE ALL CUTTINGS AND WASTE MATERIALS, SOIL AND BRANCHES, BIND AND WRAP THESE MATERIALS, ANY REJECTED PLANTS, AND ANY OTHER DEBRIS RESULTING FROM ALL PLANTING TASKS AND PROMPTLY CLEAN UP AND REMOVE FROM THE PROJECT SITE. UNDER NO CIRCUMSTANCES SHALL THE ACCUMULATION OF SOIL, BRANCHES OR OTHER DEBRIS BE ALLOWED UPON A PUBLIC PROPERTY IN SUCH A MANNER AS TO RESULT IN A PUBLIC SAFETY HAZARD OR DAMAGE. LIKEWISE, UNDER NO CIRCUMSTANCES SHALL ANY DEBRIS OR INCIDENTAL MATERIALS BE ALLOWED UPON ADJACENT PRIVATE PROPERTY.
- ANY SUBSTITUTIONS IN PLANT TYPE, LOCATION, OR SIZE SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- CONTRACTOR TO VERIFY PLANT MATERIAL QUANTITIES AND SQUARE FOOTAGES. QUANTITIES SHOWN ON PLAN TAKE PRECEDENCE OVER THOSE ON SCHEDULE.

LANDSCAPE MATERIAL NOTES

- MATERIALS - PLANTING MIXTURE: ALL HOLES EXCAVATED FOR TREES, SHRUBS, PERENNIALS AND ORNAMENTAL GRASSES SHALL BE BACKFILLED WITH TWO (2) PARTS TOPSOIL, ONE (1) PART SAND AND ONE (1) PART COMPOST. SOIL MIXTURE SHALL BE WELL BLENDED PRIOR TO INSTALLATION.
- MATERIALS - TOPSOIL: TOPSOIL TO BE CLEAN, FRIABLE LOAM FROM A LOCAL SOURCE, FREE FROM STONES OR DEBRIS OVER 3/4" IN DIAMETER, AND FREE FROM TOXINS OR OTHER DELETERIOUS MATERIALS. TOPSOIL SHALL HAVE A pH VALUE BETWEEN 6 AND 7. TOPSOIL AND PLANTING SOIL SHALL BE TESTED TO ENSURE CONFORMANCE WITH THESE SPECIFICATIONS AND SHALL BE AMENDED TO MEET THESE SPECIFICATIONS. PROVIDE TEST RESULTS TO OWNER'S REPRESENTATIVE PRIOR TO PLACEMENT. DO NOT PLACE FROZEN OR MUDDY TOPSOIL. APPLY SOIL AMENDMENTS TO ALL LANDSCAPE AREAS PER SOIL TEST.
- MATERIALS - SHREDDED HARDWOOD BARK MULCH: ALL PLANTING AREAS LABELED ON PLAN SHALL RECEIVE CERTIFIED WEED FREE, SHREDDED HARDWOOD BARK MULCH INSTALLED TO A MINIMUM AND CONSISTENT DEPTH OF 3-INCHES. SHREDDED HARDWOOD BARK MULCH SIZE & COLOR TO BE APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. FERTILIZER SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL, COUNTY AND STATE REQUIREMENTS. SHREDDED HARDWOOD BARK MULCH AREAS SHALL NOT RECEIVE WOVEN WEED BARRIER FABRIC.
- MATERIALS - TREE & SHRUB RINGS: ALL TREES AND/OR SHRUBS PLANTED IN SEEDED LAWN AREAS TO BE INSTALLED WITH A MINIMUM 4" DIAMETER SHREDDED HARDWOOD BARK MULCH TREE RING SPREAD TO A CONSISTENT DEPTH OF 3-INCHES. ALL TREE RINGS SHOULD BE INSTALLED WITH A 5" DEPTH SHOVEL CUT EDGE, ANGLED 45 DEGREES INTO SOIL AT A 5" DIAMETER ABOUT THE CENTER OF THE TREE PLANTING. A PRE-EMERGENT GRANULAR HERBICIDE WEED-PREVENTER SHOULD BE MIXED WITH MULCH USED TO INSTALL TREE RING AS WELL AS TOPICALLY APPLIED TO COMPLETED INSTALLATION OF TREE RING.
- MATERIALS - TREE PROTECTION: ALL TREES TO BE INSTALLED WITH LOPE TREE GUARDS AS MANUFACTURED BY A.M. LEONARD HORTICULTURAL TOOL & SUPPLY CO., OR APPROVED EQUAL.
- MATERIALS - (ALTERNATE 1): TREE WATERING BAGS: ALL TREES TO BE INSTALLED WITH ONE (1) WATER BAG. PRODUCT TO BE "TREE GATOR SLOW RELEASE WATERING BAG" PRODUCT NO. 98183-R OR APPROVED EQUAL. INSTALL IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

SEEDING & SODDING NOTES

- MATERIALS - TURFGRASS SEED: DISTURBED LAWN AREAS LABELED ON PLAN AS SUCH, SHALL RECEIVE 6" OF TOPSOIL AND EARTH CARPETS "MADISON PARKS" GRASS SEED, OR EQUIVALENT AS APPROVED BY THE OWNER'S REPRESENTATIVE, INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. IN ADDITION TO TURFGRASS SEED, ANNUAL RYE SHALL BE APPLIED TO ALL DISTURBED AREAS AT A RATE OF 1 1/2 LBS PER 1000 SQUARE FEET. FERTILIZE AND MULCH PER MANUFACTURER'S RECOMMENDATIONS. MULCH SHALL BE CERTIFIED NOXIOUS WEED SEED-FREE.
- MATERIALS - SOD: DISTURBED LAWN AREAS LABELED ON PLAN AS SUCH, SHALL RECEIVE 6" OF TOPSOIL AND A PREMIUM GRADE TURFGRASS SOD. ONLY IMPROVED TYPES OF SOD (ETI) ARE ACCEPTABLE. TURFGRASS SHALL BE MACHINE CUT AT A UNIFORM THICKNESS OF .60 INCH, PLUS OR MINUS .25 INCH, AT TIME OF CUTTING. MEASUREMENT FOR THICKNESS SHALL EXCLUDE TOP GROWTH AND THATCH. LARGE ROLL TURFGRASS SOD SHALL BE CUT TO THE SUPPLIER'S STANDARD WIDTH (36-48 INCHES) AND LENGTH. BROKEN PADS AND TORN OR UNEVEN EDGES WILL NOT BE ACCEPTABLE. STANDARD SIZE SECTIONS OF TURFGRASS SOD SHALL BE STRONG ENOUGH SO THAT THEY CAN BE PICKED UP AND HANDLED WITHOUT DAMAGE. TURFGRASS SOD SHALL NOT BE HARVESTED OR TRANSPORTED WHEN MOISTURE CONTENT IS EXCESSIVELY DRY OR WET, AS THIS MAY ADVERSELY AFFECT ITS SURVIVAL. POST-PLANT IRRIGATION WILL BE NECESSARY TO ENSURE SOD STAYS ALIVE AND ROOTS INTO SOIL. THE CONTRACTOR IS RESPONSIBLE FOR WATERING SOD UNTIL TIME OF ACCEPTANCE BY THE OWNER. TURFGRASS SOD SHALL BE HARVESTED, DELIVERED, AND INSTALLED/TRANSPORTED WITHIN A PERIOD OF 24 HOURS. TURFGRASS SOD SHALL BE RELATIVELY FREE OF THATCH, UP TO 0.5 INCH ALLOWABLE (UNCOMPRESSED); TURFGRASS SOD SHALL BE REASONABLY FREE (10 WEEDS/100 SQ. FT.) OF DISEASES, NEMATODES AND SOIL-BORNE INSECTS. ALL TURFGRASS SOD SHALL BE FREE OF GRASSY AND BROAD LEAF WEEDS AND WEED SEED. THE SOD SUPPLIER SHALL MAKE REPRESENTATIONS TO THE CONTRACTOR REGARDING WATERING SCHEDULE. THE WATERING SCHEDULE SHOULD BEGIN IMMEDIATELY AFTER SOD IS INSTALLED.

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NATURAL SPADE EDGE

NTS



PROJECT:
BAY CITY LOFTS
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GREEN BAY, WI

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SPIRE ENGINEERING, INC.
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Milwaukee, WI 53203

DATE	REVISION
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DESIGN REVIEW - NOT FOR CONSTRUCTION -

PROJ. NO.	220204
SCALE	AS INDICATED
PHASE	85% CONSTR. DOC.
DATE	10.14.2022

LANDSCAPE
NOTES & DETAILS

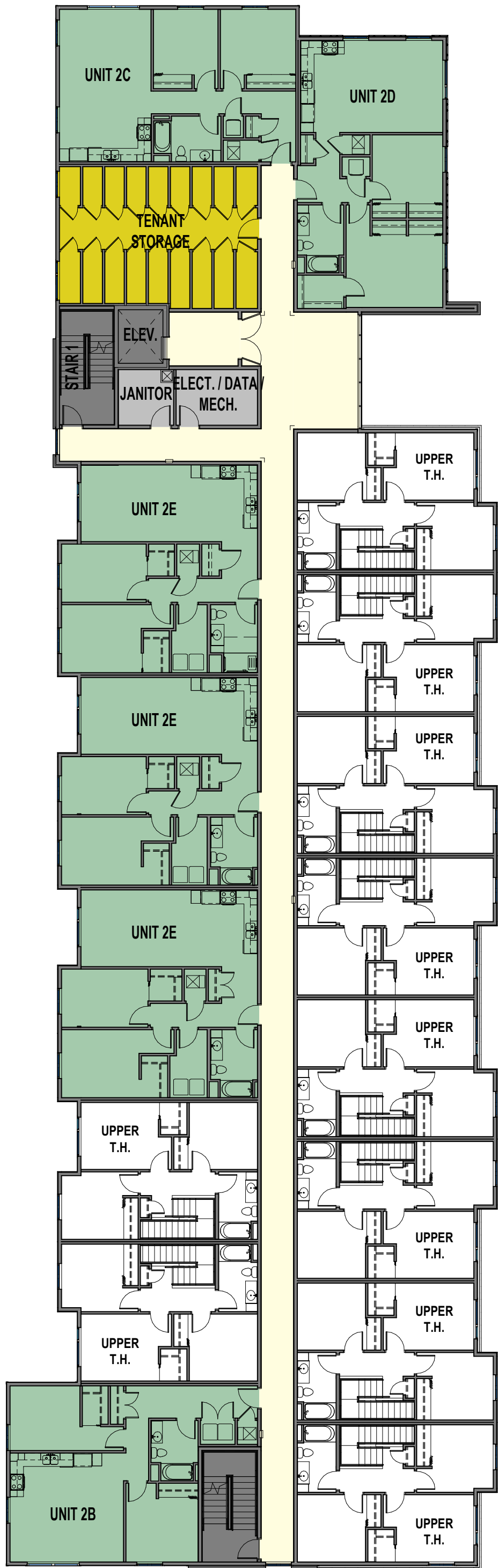
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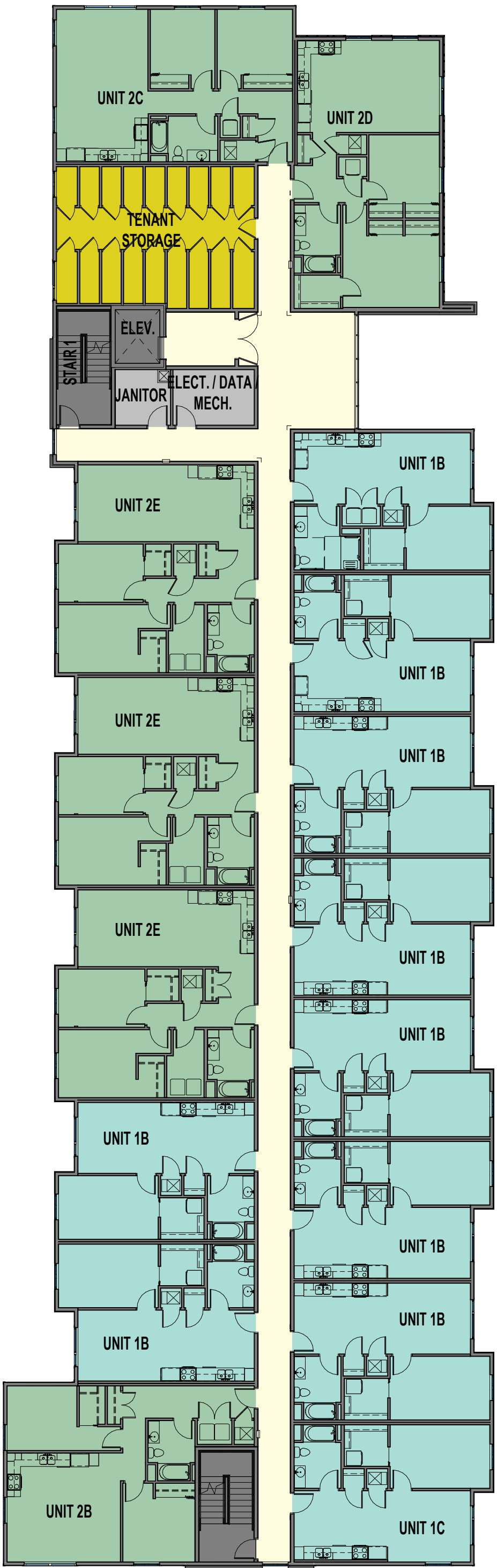
Exhibit A



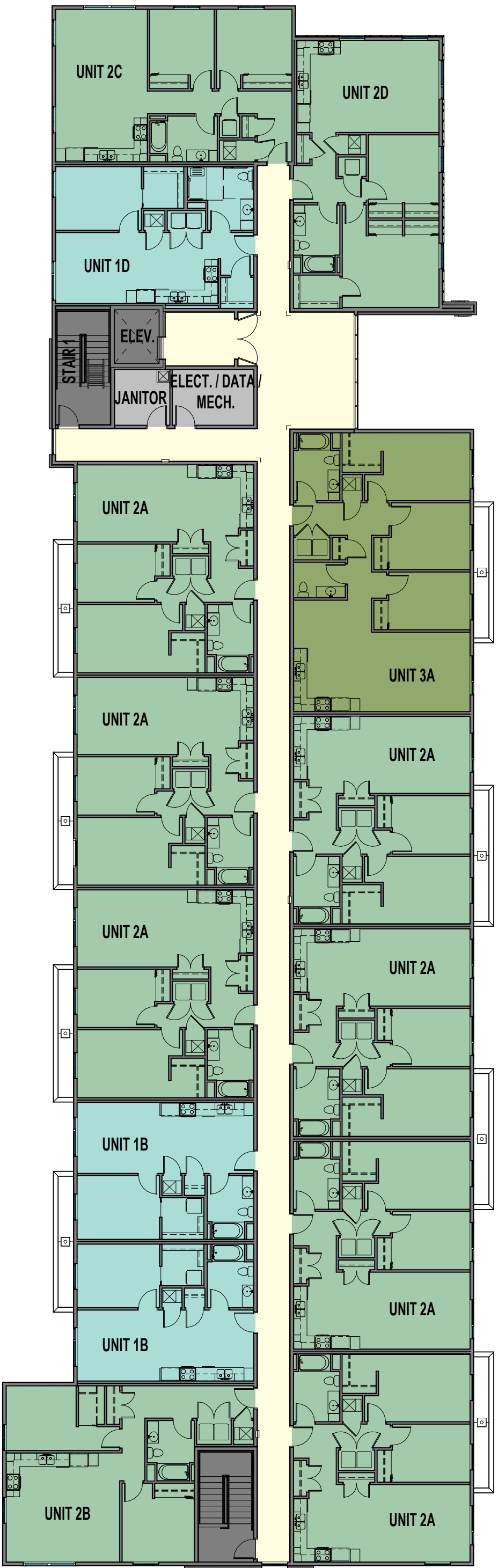
FIRST FLOOR PLAN



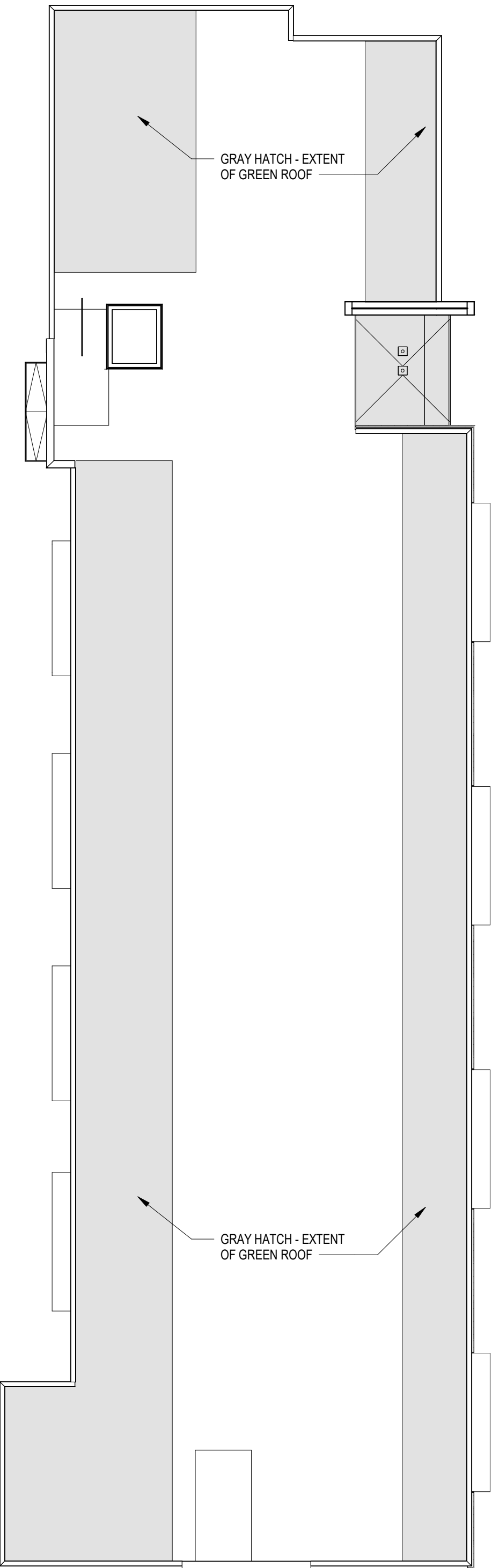
SECOND FLOOR PLAN



THIRD FLOOR PLAN



FOURTH FLOOR PLAN



ROOF PLAN

UNIT SUMMARY		
UNIT	Beds/Baths	Unit Type
UNIT 308	1BR 1BA	1C
UNIT 307	1BR 1BA	1B
UNIT 306	1BR 1BA	1B
UNIT 305	1BR 1BA	1B
UNIT 304	1BR 1BA	1B
UNIT 303	1BR 1BA	1B
UNIT 302	1BR 1BA	1B
UNIT 301	1BR 1BA	1B
UNIT 311	1BR 1BA	1B
UNIT 310	1BR 1BA	1B
UNIT 412	1BR 1BA	1D
UNIT 407	1BR 1BA	1B
UNIT 408	1BR 1BA	1B
1BR 1BA: 13		
UNIT 209	2BR 1BA	2B
UNIT 212	2BR 1BA	2E
UNIT 213	2BR 1BA	2E
UNIT 214	2BR 1BA	2E
UNIT 215	2BR 1BA	2C
UNIT 216	2BR 1BA	2D
UNIT 109	2BR 1BA	2B
UNIT 112	2BR 1BA	2A
UNIT 316	2BR 1BA	2D
UNIT 315	2BR 1BA	2C
UNIT 314	2BR 1BA	2E
UNIT 313	2BR 1BA	2E
UNIT 312	2BR 1BA	2E
UNIT 309	2BR 1BA	2B
UNIT 413	2BR 1BA	2C
UNIT 414	2BR 1BA	2D
UNIT 402	2BR 1BA	2A
UNIT 403	2BR 1BA	2A
UNIT 404	2BR 1BA	2A
UNIT 405	2BR 1BA	2A
UNIT 406	2BR 1BA	2B
UNIT 409	2BR 1BA	2A
UNIT 410	2BR 1BA	2A
UNIT 411	2BR 1BA	2A
2BR 1BA: 24		
UNIT 101.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 102.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 103.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 104.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 105.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 106.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 107.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 108.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 110.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 111.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 401	3BR 1.5BA	3A
3BR 1.5BA: 11		
TOTAL OF ALL UNITS: 48		

NOT FOR CONSTRUCTION

KEYNOTE	DESCRIPTION
04 CSTN-1	04 72 00 / CAST STONE SILL - TO MATCH CORDOVA BUFF
04 FBR-1	04 26 13 / FACE BRICK - UTILITY SIZE
04 STN-1	04 43 13 / ANCHORED STONE MASONRY VENEER
07 FCB-1	07 46 19 / FIBER CEMENT RAINSCREEN
07 MP-1	07 46 19 / METAL PANEL
07 SDG-1	07 46 46 / FIBER CEMENT LAP SIDING
07 SMF-2	07 62 00 / SHEET METAL FLASHING - PREFINISHED ALUMINUM
08 AFS-2	08 41 13 / ALUMINUM FRAMING SYSTEM - EXTERIOR, THERMALLY BROKEN
08 VWS-1	08 53 13 / VINYL WINDOW SYSTEM



COLOR ELEVATIONS

BAY CITY LOFTS

22002-04

11.16.2022

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PERSPECTIVE - S. MILITARY AVE NE CORNER



PERSPECTIVE - S. MILITARY AVE ENTRY



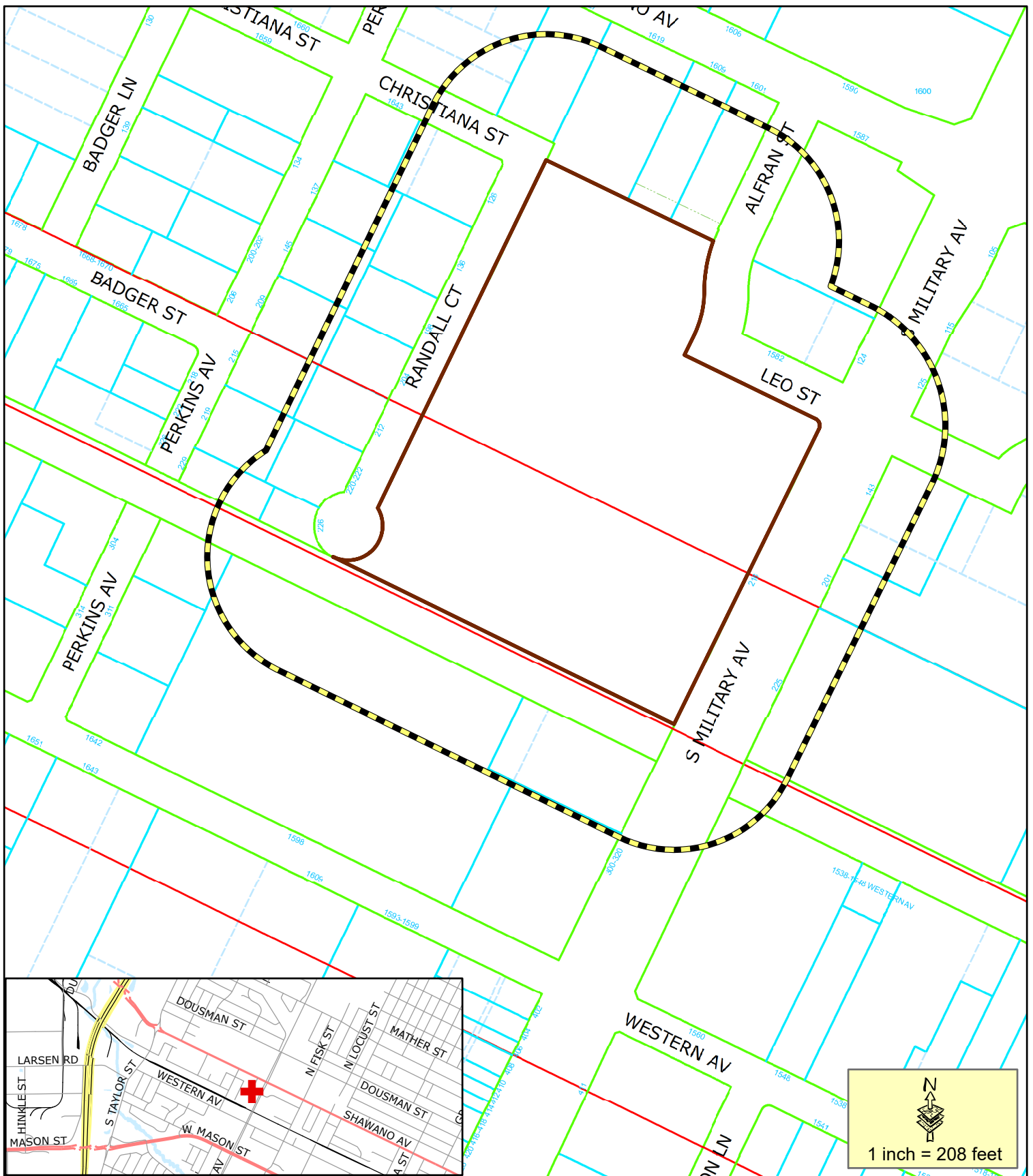
PERSPECTIVE - SOUTH WEST CORNER



PERSPECTIVE - S. MILITARY AVE SOUTH EAST CORNER



PERSPECTIVE - NORTH WEST CORNER



- Proposed PUD
- 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 DB

Zoning Petition (ZP 22-31) and (ZP 22-41) Proposed Planned Unit Developments (PUD) at 216 S Military



November 21, 2022

RE: Bay City Lofts PUD Submittal Narrative

The Bay City Lofts project is a four-story multi-family apartment building with ground floor resident amenities and surface level parking. A total of 48 affordable housing apartments are planned including one-, two-, and three-bedroom apartments, including 2-story three-bedroom townhomes. Each townhome includes their own exterior entry as well as an accessible entry from within the building.

First-floor amenities include a community room, fitness room, on-site management, bike storage and secure parcel holding room. An office is provided to the partnership with Lutheran Family Services, which also has direct access to the community room for events.

The primary façade of the building fronts Military Avenue with access to the site both Military Ave. and Leo Street. The exterior is a combination of brick, metal panel and cement board siding. Second and third story bump-outs provide additional articulation along the front and rear elevations. A vertical masonry element also provides building identity and signage.

The surface parking lot provides 54 parking stalls and a secure trash and recycling outdoor enclosure. Indoor and outdoor bike storage is also provided.

The project site is being developed in the old Shopko parking lot, providing new activity and life to the corner of Military Ave. and Leo Street.

Site development summary

Site area:	1.10 acres
Dwelling units:	48
Density:	43 units per acre
Building height:	4 stories

Apartment unit mix

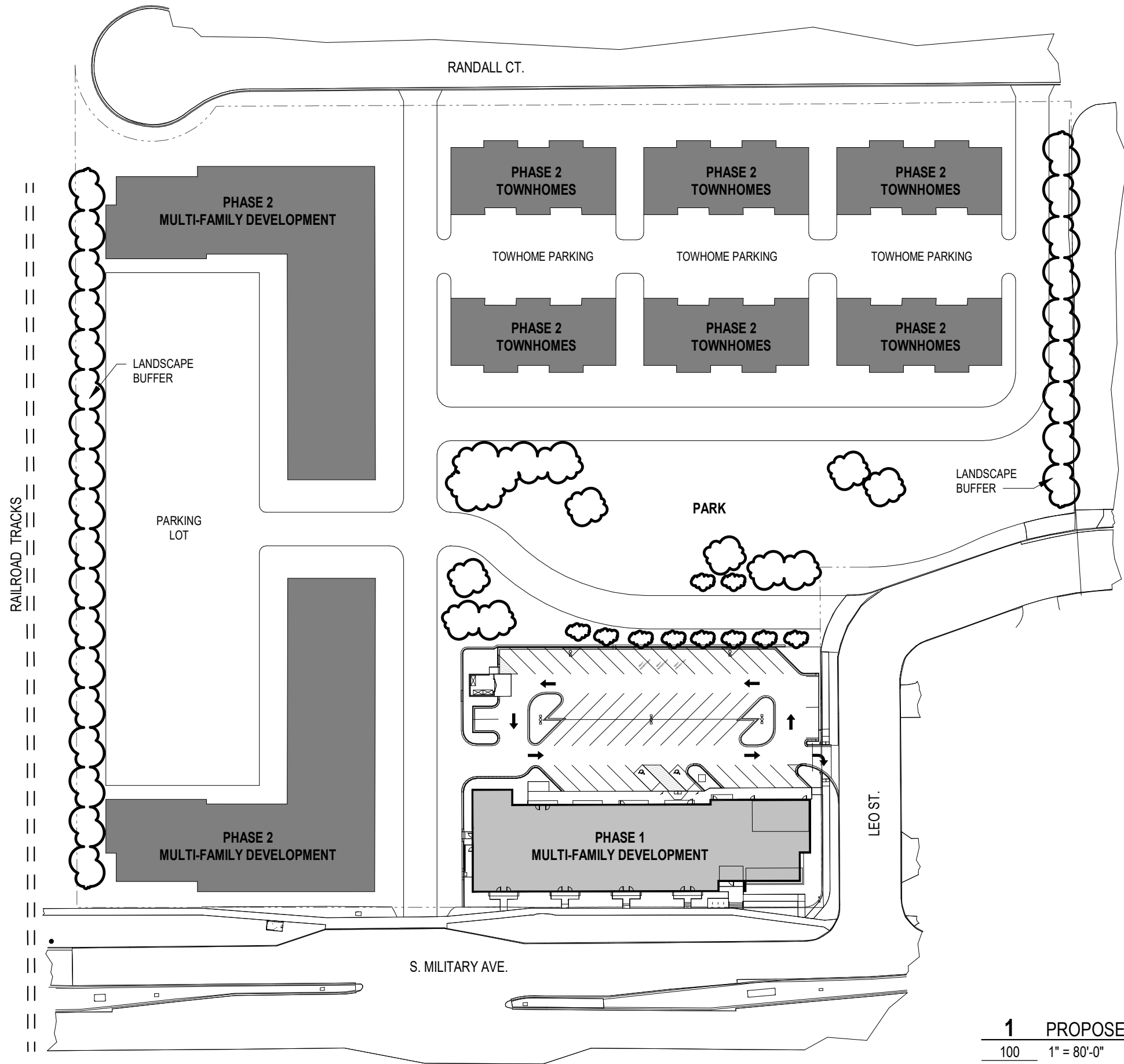
One bedroom	13
Two bedroom	24
Three bedroom	1
Three bedroom townhome	10
Total units:	48

Parking

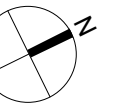
Surface spaces	54
Total spaces:	54

Bicycle Parking

Exterior	6
Interior	16
Total:	22



1 PROPOSED PHASE II SITE PLAN
100 1" = 80'-0"



PROPOSED PHASE II SITE PLAN

BAY CITY LOFTS - PHASE II CONCEPT DESIGN

22004.04
02.16.23

KA

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Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.2

(ZP 22-41) Reconsideration with possible action on request to amend a Planned Unit Development at 216 S. Military Avenue to amend the boundaries of the PUD, submitted by Mau & Associates, applicant, on behalf of Henry Real Estate Development LLC, property owner (Ald. M. Eck, District 11).

BACKGROUND

*****THIS WAS SENT BACK FROM COMMON COUNCIL ON 2/7/23*****

Primary Address: 216 S Military Ave

Aldersperson / District: Ald. Melinda Eck / District 11

Reason for Request: To permit the permanent expansion of limited Light Industrial (LI) and Community Center Commercial (C3) uses on

Surrounding Zoning and Land Uses:

SUBJECT PROPERTY: Community Center Commercial (C3) with existing ZO No. 14-21 overlay.

NORTH: Community Center Commercial – Q Tea Premium Tea House

SOUTH: General Commercial (C1) and Light Industrial (LI) - HJ Martin showroom and HJ Martin installation service center and flooring distribution center

EAST: General Commercial (C1) – Bay Area Diamond Company BMO Harris Bank

WEST: Varied Density Residential (R3) – Mixture of single, two, and multi-family residences

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for commercial use. It recommends medium/high density residential areas and low-density residential areas to the west of Parcel 6-266E (across Randall Court), and commercial areas to the north, east, and south.

The proposed zoning change to a Planned Unit Development, as drafted, is not fully consistent with the recommendation of the Comprehensive Plan for the particular property which calls for commercial use. However, the draft PUD designates three separate development areas which include both commercial and limited light industrial uses:

Development Area A: Area along Military Avenue, a depth of 186 ft. This matches the depth of a separate, concurrent PUD for multi-family apartments at the corner of Leo and S. Military. This development area would retain exclusive C3 frontage along Military Avenue in the existing parking lot area south of said multi-family PUD.

Development Area B: This area is designated for the existing Superior Discount Liquor store. This area remains a C3 use with limited light industrial permitted into the future. The existing use is permitted in C3.

Development Area C: The remainder of the site, the old ShopKo building. This area remains as a C3 use,

with limited light industrial permitted into the future. The existing use is limited light industrial and used by Martin and Bellin Health for warehousing, employee training, and medical restoration uses.

Analysis: This request allows a permanent status for limited LI uses and C3 uses within the entire site. The parcel is being split into two lots via a Certified Survey Map. Lot 2 is a concurrent PUD for multi-family housing. Lot 1 is the larger, remainder portion of the existing site which was formerly a ShopKo department store and is currently used by HJ Martin and Bellin Health for warehousing, limited production, and training purposes. The existing former ShopKo building is in full use.

Report: This request stems from an approved PUD which allowed for limited LI uses for the site in a PUD approved in 2021. Said PUD allowed for 3 years of temporary LI uses on the site in an attempt to continue redevelopment of the site. The new PUD request calls for permanent allowance of limited LI uses within the site. During this PUD submittal, HJ Martin initially requested having limited LI uses for the entirety of the Lot 1 site. Staff does not believe changing the entire site to full LI use along Military Avenue is in alignment with the comprehensive plan or Military Avenue. The city continues to facilitate and encourage the long-term redevelopment of the property by allowing the owners to reuse the existing buildings on the property until such time redevelopment of the site becomes feasible and to divide off a portion of the property for commercial or multi-family development along Military Avenue to screen off the existing building. The city is engaging with Martin and Gorman (multi-family development) on a revised development agreement for the site which will need separate RDA and Council approval. Staff proposes having separate development areas for the site to help facilitate redevelopment:

Development Area A:

The area along Military Avenue has a depth of 186 ft. and approximately 170 ft. south of the accompanying multi-family PUD to the existing building. This depth is in line with the western property line of Lot 2 in the accompanying PUD for multi-family purposes. This is the existing parking lot area south of the driveway entrance on Military Avenue. This area will remain exclusively C3 uses into the future. Design standards are noted in the PUD language, which requires at least 50 percent of new construction of a building to have a footprint parallel to Military Avenue. It is recommended to create a buffer of commercial, mixed, or residential uses along Military Avenue between the old ShopKo building, which can have limited light industrial uses as well as C3 commercial uses.

Development Area B:

This area currently contains the Superior Discount Liquor store: This area is the plane north of the southern right-of-way of Leo Street, westward to Randal Street. The existing use is permitted in C3 and will remain for at least the near future. This development area is permitted all C3 uses and the following LI uses:

- a. Limited production and processing
- b. Contractor yard (Must be fully enclosed within building)
- c. Dry cleaning establishment, commercial laundry
- d. Research and development facility
- e. Material recovery facility (minor)*
- f. Ground transportation service *
- g. Package delivery service *
- h. Public safety/service facility
- i. Telecommunication tower, wireless communication facility *
- j. General office
- k. Government office
- l. Bank or other financial institution
- m. Clinic, health care facility
- n. Artist's studio
- o. Dwelling in conjunction with business *
- p. Live work unit *

- q. Warehousing accessory to primary business
- r. Educational/training facility
- *Conditional use subject to approval by the Common Council

This distinction limits specific LI uses within the area of the existing building and parking for the existing store and provides sufficient dimensional standards for potential future commercial redevelopment along the frontage in the future. If the area were to have a change of use in the future to light industrial uses, then it would need to comply with light industrial buffering (along Randall Court) and meet C3 design guidelines. A landscape buffer in compliance with Section 44-1964 is not a recommended requirement at the moment as the area continues to be the existing retail service which has operated for decades at the site.

Development Area C:

The remaining area of the parcel, primarily the existing former department store and parking spaces. This area is bounded by rail road tracks to the south, the edge of commercial areas to the east and north and Randall Court to the west. With the existing parcel being as large as it is, this creates an interior to the commercial corridor to the north and east. Staff believes a limited light industrial use can be compatible with other uses so long as the uses are limited and any new development on the site meets site plan standards for industrial use alongside residential uses.

This development area is permitted all C3 uses and the following LI uses.

- a. Limited production and processing
- b. Contractor yard (Must be fully enclosed within building)
- c. Dry cleaning establishment, commercial laundry
- d. Research and development facility
- e. Material recovery facility (minor)*
- f. Ground transportation service *
- g. Package delivery service *
- h. Public safety/service facility
- i. Telecommunication tower, wireless communication facility *
- j. General office
- k. Government office
- l. Bank or other financial institution
- m. Clinic, health care facility
- n. Artist's studio
- o. Dwelling in conjunction with business *
- p. Live work unit *
- q. Warehousing accessory to primary business
- r. Educational/training facility
- *Conditional use subject to approval by the Common Council

Because the applicant is requesting industrial uses to become permanent in nature, staff recommends the site comply with landscape buffers detailed in Section 44-1964 in a timely manor as a condition of the PUD. This must be completed within x months of council approval. Any improvements to the site in future beyond typical maintenance are subject to the standards of the Green Bay Municipal Code.

Staff believes by having the parcel distinguished into three different development zones, appropriate actions can be taken into the future to continue redevelopment along the commercial corridor, require sufficient buffering between existing residential uses alongside industrial use and allow for defined industrial uses for a land owner who has extensive industrial reach throughout the Military-Western Avenue area.

If the draft PUD is approved with conditions, the final steps for the development of the proposed apartment will be a lot split, recording of an ingress/egress agreement for multi-family residential purposes if the

concurrent PUD is approved, and administrative review/approval of a site plan which updates the landscape buffer in alignment with industrial uses for all areas within Development Area C within 12 months of Council approval. In addition, the property is currently under a development agreement between Martin and the City for the whole block (including the multi-family area).

Update: Staff has not received any additional information for this PUD from the applicant since the Plan Commission on January 23, 2023. An updated development agreement between Martin, Gorman, and the City will be required for the block to meet updated changes to the PUD and preserve the development interests of all three groups.

RECOMMENDATION

Staff recommends approval of the PUD

FISCAL IMPACT

ATTACHMENTS

1. ZP 22-41 Application
2. ZP 22-41 Narrative
3. ZP 22-41 PUD (I)



REQUEST FOR CITY ACTION PLAN COMMISSION

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

Location of Property: 216 South Military Avenue

Parcel Number(s): 6-266-E

Petitioner(s): Mau & Associates LLP Date: 11/14/2022

Email: sbieda@mau-associates.com Phone Number: 920-434-9670

Address: 400 Security Blvd City: Green Bay State: WI Zip: 54313

Property Owner: Henry Real Estate Development LLC Phone Number: 920-321-3013

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

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

I, Steve Bieda of Mau & Associates LLP, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$300.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
- ☒ PUD and PUD Amendments (\$350.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$150.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$100.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee) – PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$200 Administration Fee) – PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Comprehensive Plan Amendments (\$200.00 Review Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature: _____ Date: _____

Petitioner Signature(s): _____

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

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

Here is a brief timeline of the conditions leading to the current request. An affiliated entity of HJ Martin ("HJ Martin") purchased the old Shopko building to use for expanded warehouse space to their headquarters just South of the site. HJ Martin then entered into Lease Agreement with Bellin Health for medical storage and medical restoration uses. A Conditional Use Permit for Bellin's uses was applied for and following the application, a Development Agreement was entered into granting the conditional use with the stipulation that within 3 years (with two, one-year extensions) a "concept plan" be submitted for further development of this site. The City suggested a concept involving residential affordable housing between Military Avenue and the existing Shopko building. HJ Martin pursued Gorman to develop affordable housing along the Military Avenue portion of site. Part of the Offer to Purchase with Gorman contains a contingency that HJ Martin's conditional uses become permanent through a Planned Unit Development, as well as truck access to the old Shopko building being relocated to better suit the existing owners/tenants, as shown on the PUD. If ANY of these contingencies are not granted, the Offer will be terminated. Access from the new apartment site will also need to be granted for the proposed apartments to Leo Street. The access and allowable uses through the PUD are major contingencies in the Offer to Purchase. The Development Agreement with the City of Green Bay spells out the uses for the existing old Shopko building. These uses will become permanent zoning conditions to the property once the PUD is approved. This PUD, along with the PUD submitted by Gorman, jointly comprise the Developer's "concept plan" as required by the Development Agreement and should be considered for approval together as the Gorman PUD is contingent upon this PUD application being approved.

-The requested PUD shall address the storage of the following materials to be stored in the existing building, including but not limited to:

- i. Flooring Materials (Hardwood, Ceramic Tile, Vinyl, Carpet, Carpet Pad)
- ii. Flooring Sundries (Adhesive, Caulk, Grout, Metals)
- iii. Tools & Equipment (Power tools, Hand tools)
- iv. Acoustical Ceiling Tile & Grid
- v. Shower Doors & Mirrors
- vi. Wheelchairs
- vii. Oxygen Tanks
- viii. Other Medical Equipment

-Training facility to include, but not be limited to, fixture installation, case work mockups, shower mockups, stair mockups and classrooms with chairs.

-The permanent future use of the structure with the proposed temporary use will be determined in a future rezoning and/or land division of the Property.

ZONING ORDINANCE NO. XX-22 (MARTIN PORTION OF BLOCK)

AN ORDINANCE

REPEALING AND RECREATING A PLANNED UNIT DEVELOPMENT (PUD)
OVERLAY DISTRICT FOR PROPERTY LOCATED AT 216 SOUTH MILITARY
AVENUE

(ZP 22-41)

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

SECTION 1. Section 44-29, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development District on the following described property:

Legal Description: Lot 1 of Certified Survey Map No. 1366, being part of Private Claim No. 1 and the vacant strip of land, West Side of Fox River, in the City of Green Bay, Brown County Wisconsin except Commencing at the Southeast Corner of said Lot 1 of Certified Survey Map No. 1366, thence N26°10'17"E, 276.60 feet along the West right of way of South Military Avenue to the point of beginning; thence N26°10'17"E, 246.18 feet along said west right of way; thence 18.91 feet along the arc of a 12.00 foot radius curve to the left whose chord bears N18°57'46"E from said West right of way of South Military Avenue to the South right of way of Leo Street; thence N64°05'49"E, 174.77 feet along said South right of way of Leo Street; thence S26°10'17"W, 258.24 feet; thence S64°05'49"W, 186.83 feet to the point of beginning.

Tax Parcel: Part of Parcel 6-266-E

SECTION 2. Pursuant to Chapter 44, Article XX, Green Bay Municipal Code, as they apply, the following conditions are imposed:

- A. Purpose and Intent. The Planned Unit Development (PUD) is being utilized to permit the permanent use of both Community Center Commercial (C3) and targeted Light Industrial (LI) uses in the 7.25 acres bounded by South Military Avenue on the east, Green Bay and Western Railroad on the south, Randall Street on the west, Alfran Street, and Leo Street on the north. PUD addresses targeted development areas with differing use and design standards along commercial and residential corridors and the interior of the block. To meet the distinctions in targeted development, the site is separated into three development areas

Development Area A: Starting at the Southeast Corner of Lot 2 on the accompanying CSM (Exhibit A); the area identified in the development area map (Exhibit C) which is generally south of Lot 2 to the existing northern wall of the former Shopko building. Area generally 186.83 feet of the right of way

of South Military Avenue and 170 feet south of Lot 2 to the existing feet building.;

Development Area B. All areas north of the plane of the southerly right of way of Leo Street extended westerly to Randall Court noted on said attached development area (Exhibit C)

Development Area C. Remaining areas on Lot 1 of said attached development area. (Exhibit C)

- B. Development Site. Area included within this PUD is proposed as Lot 1 of an accompanying Certified Survey Map (Exhibit A). The existing parcel located at South Military Avenue and Leo Street will be divided into a separate lot comprising 7.25 acres/315,765 square feet. The existing site has a building with warehousing, educational/training facility and parking lot uses as well as a separate building with a liquor store use.

C. Land Use Regulation.

1. Permitted Uses.

Development Area A:

- a. Uses as allowed under the Community Center Commercial (C3) district.

Development Area B:

- a. Uses as allowed under the Community Center Commercial (C3) district.
b. Limited production and processing
c. Contractor yard (Must be fully enclosed within building)
d. Dry cleaning establishment, commercial laundry
e. Research and development facility
f. Material recovery facility (minor)*
g. Ground transportation service *
h. Package delivery service *
i. Public safety/service facility
j. Telecommunication tower, wireless communication facility *
k. General office
l. Government office
m. Bank or other financial institution
n. Clinic, health care facility
o. Artist's studio
p. Dwelling in conjunction with business *
q. Live work unit *
r. Warehousing

s. Educational/training facility

*Conditional use subject to approval by Common Council

Development Area C:

- a. Uses as allowed under the Community Center Commercial (C3) district.
- b. Limited production and processing
- c. Contractor yard (Must be fully enclosed within building)
- d. Dry cleaning establishment, commercial laundry
- e. Research and development facility
- f. Material recovery facility (minor)*
- g. Ground transportation service *
- h. Package delivery service *
- i. Public safety/service facility
- j. Telecommunication tower, wireless communication facility *
- k. General office
- l. Government office
- m. Bank or other financial institution
- n. Clinic, health care facility
- o. Artist's studio
- p. Dwelling in conjunction with business *
- q. Live work unit *
- r. Warehousing
- s. Educational/training facility

*Conditional use subject to approval by Common Council

2. Prohibited Uses.

- a. Outdoor storage and display of product/material/equipment
- b. Sale or display of vehicles/equipment
- c. Accessory Structures Uses
- d. Self-service storage warehousing

- D. Dimensional and Area Requirements: Dimensional and area requirements or principal structure and surface parking on the subject property shall be regulated as follows:
- a. Development Area A,B and C: Dimensional and area requirements for principal structures on subject property shall be compliant with Community Center (C3) district.

- F. Access Circulation and Parking. Access, circulation, and parking within the PUD area shall meet the standards as set forth within the Chapter 44, Article XVIII of the Green Bay Municipal Code, and as modified as follows:
- a. Access to the site shall be maintained through a shared access easement between Lot 1 of attached proposed Certified Survey Map and Lot 2 of said Certified Survey Map. Shared access easement must be recorded with the Brown County Register of Deeds prior to the

issuance of building permits.

- b. All access points shall meet Green Bay Municipal Code and must be approved by the city traffic engineer.
- c. No railroad spurs are permitted off of any railroad property onto the Development Area A.

G. Building and Site Maintenance. Existing buildings and grounds shall be maintained in good repair.

- a. Development Area A: Any new building development shall have a building footprint which encompasses minimum of 50% of the street frontage parallel to South Military Avenue within the development area.
- b. Development Areas B and C: No fences are allowed to be erected within 200 feet of the public right of way of South Military Avenue, Leo Street, or Alfran Way
- c. No building design element associated with industrial uses shall be permitted e.g. dock doors, garages, lifts, mechanicals or other such similar design features as determined by the Development Director or their designee shall be allowed in areas visible from South Military Avenue. No new loading docks on the east, north, or south faces with the exception of existing loading docks.
- d. Service and loading is permitted along the Randall Street right of way.
- e. Any reconstruction (beyond maintenance) must comply with Green Bay Municipal Code requirements for C3 dimensional and other regulatory standards.

H. Lighting. All lighting on the subject property shall be regulated as set forth in Chapter 44, Article V, Division 8, Green Bay Municipal Code.

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

- a. New signs, including but not limited to freestanding and wall signs, shall conform to C3 Zoning District requirements, as specified in Chapter 30, Signs, Green Bay Municipal Code in addition with the following:
- b. One (1) pole/pylon directory sign or one (1) monument directory sign is permitted to display the whole of the tenants within Development Area A, B, and C campus.
 - i. Any tenant within Development Area A, B, or C may be apart of signage
 - ii. Freestanding signage to display the whole of tenants is limited to either one (1) pylon directory sign or one (1) monument directory sign.
 - iii. Either pole/pylon sign or monument sign must meet height and

size standards of C3 Zoning District requirements.

- c. Any changes to the design, location, or size of the existing freestanding signs require review and approval of a Sign Permit and must conform to the following:
 - i. These signs must remain perpendicular to the nearest public right-of-way.
 - ii. Pole signs shall be no higher than existing conditions at the time of PUD approval.
 - iii. Tenant panels on directory signs may be internally illuminated. No exterior lighting is permitted.
 - iv. If existing signage is used as a directory sign for two or more tenants within Development Areas A, B, or C; that sign will become the single pylon or directory sign or monument directory sign for the entire PUD.

J. Site Plan Review & Standards

- a. Prior to the issuance of any building permits, site plans shall be submitted and reviewed per Chapter 44 Article XIX, Green Bay
- b. If any site has been purchased, it shall not be further divided without review and consent of the City.
- c. An updated change of use site plan must be submitted to the Department of Community and Economic Development to denote the existing change of use on the site.
- d. Temporary barriers on the site such as jersey walls or temporary concrete walls must be removed.
- e. All existing and new service, loading, and refuse areas shall be screened in accordance with Chapter 44, Section 44-1917, Green Bay Municipal Code.
- f. Any ground-mounted and/or roof mounted mechanicals shall be screened in accordance with Chapter 44, Section 44-1917, Green Bay Municipal Code.

K. Landscaping/Transitional Yard

- a. Prior to the issuance of any building permits, detailed landscape plans shall be submitted and reviewed per Chapter 44, Article XIX, Division 5, Green Bay Municipal Code.
- b. Within 12 months of approval of PUD by Common Council, Development Area C must be improved to meet standards of Article XIX, Division 5, Section 44-1964, Green Bay Municipal Code along the right of way adjacent to Randall Court.
- c. If a land use change occurs in Development Area B which is one of the permitted light industrial uses, an approved site plan must include improvement standards of Article XIX, Division 5, Section 44-1694,

Green Bay Municipal Code along the right of way adjacent to Randall Court

- d. All existing landscaped areas must be maintained in good repair.
- L. Prior to the issuance of any building permits, stormwater management plans, meeting the standards established by the City's Department of Public Works, shall be submitted to and approved by the City. See Chapter 30, Green Bay Municipal Code.
- M. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the PUD.

SECTION 3. 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 4. 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 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. 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 7. 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 8. This ordinance shall not take effect until a public hearing is held thereon 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 _____, 2023.

APPROVED:

Mayor Eric Genrich

ATTEST:

Clerk

Attachments:

Exhibit A – Proposed Certified Survey Map
Exhibit B – Existing Site Survey Map
Exhibit C – Development Area Map

DRAFT

Mayor Eric Genrich

ATTEST:

Clerk

Attachments:

Exhibit A – Proposed Certified Survey Map

Exhibit B – Existing Site Survey Map

Exhibit C – Development Area Map

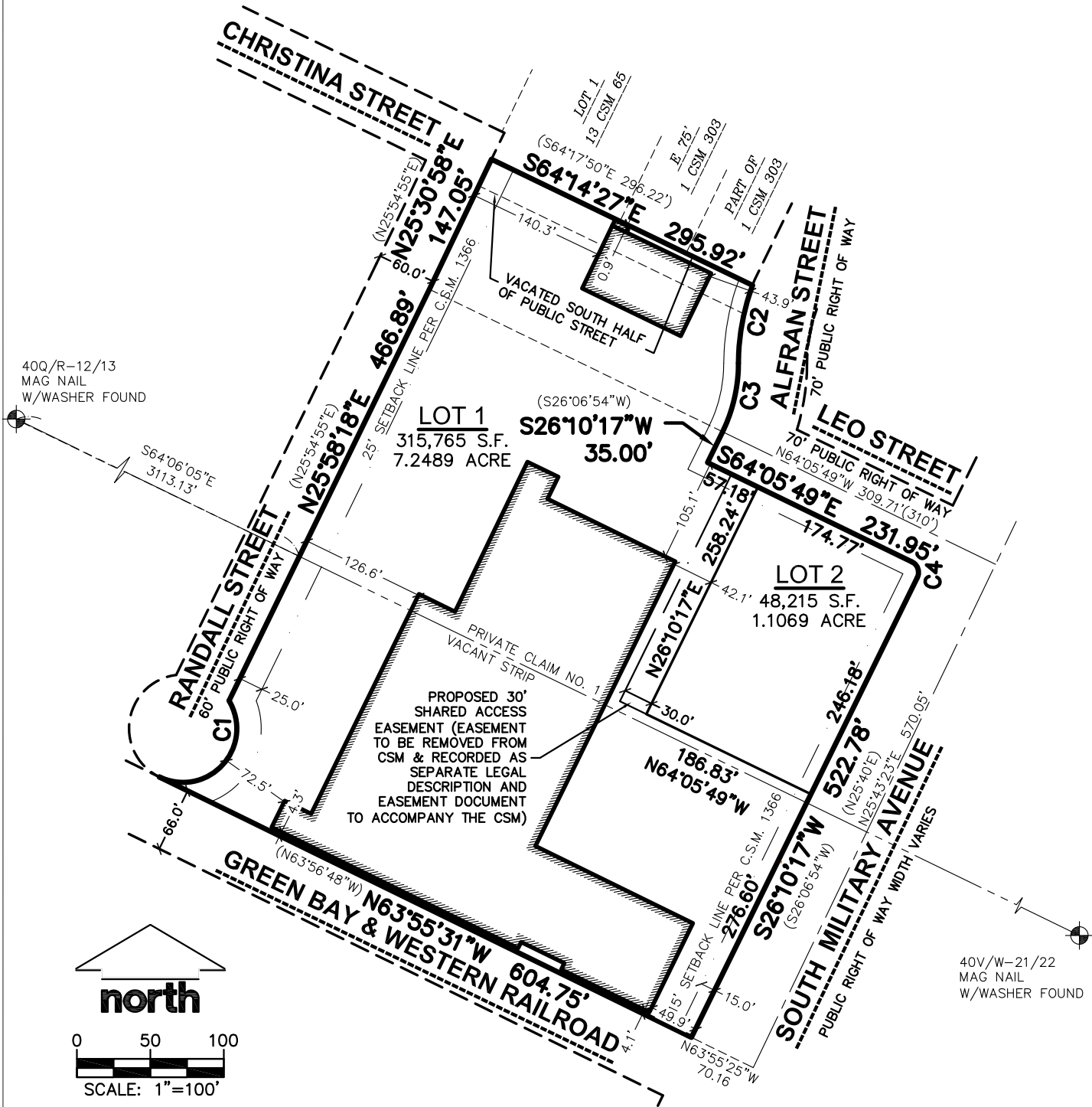
DRAFT

Exhibit A

PRELIMINARY

CERTIFIED SURVEY MAP NO. _____

LOT 1 OF CERTIFIED SURVEY MAP NO. 1366, BEING PART OF PRIVATE CLAIM NO. 1 AND THE VACANT STRIP OF LAND, WEST SIDE OF FOX RIVER, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN



LEGEND

- GOVERNMENT CORNER
- 3/4" REBAR FOUND
- 3/4" x 24" REBAR SET (1.50 LBS/LF)
- PLAT BOUNDARY
- CHORD LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- PLATTED LOT LINE
- SECTION LINE
- EASEMENT LINE
- SETBACK LINE

NOTES

1. FIELD WORK PERFORMED ON JULY 12, 2022.
2. BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, BROWN COUNTY. THE WESTERLY LINE OF S. MILITARY AVE. HAVING A BEARING OF S26°10'17"W.
3. SEE SHEET 2 FOR CURVEY TABLE.

JULY 21, 2022



THIS INSTRUMENT DRAFTED BY ANDREW W. WILKOWSKI, S-3121

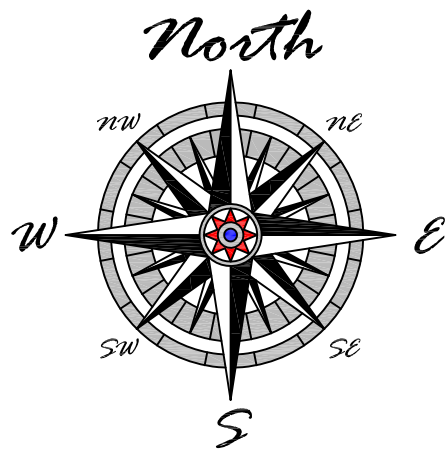
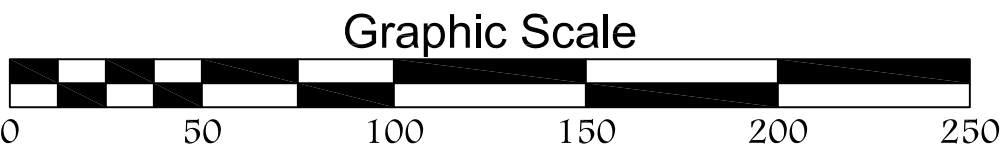
SURVEYED BY:	SURVEYED FOR:	PROJECT NO:	22-11365	SURVEYED BY:	JSD
 WAUSAU REGIONAL OFFICE 7402 STONE RIDGE DRIVE, SUITE 4 WESTON, WISCONSIN 54476 P. 715.298.6330	-	FIELDBOOK/PG:	-	DRAWN BY:	DHS
	-	SHEET NO:	1 OF 3	CHECKED BY:	AWW
	-			APPROVED BY:	AWW
	-				

VOL. _____ PAGE _____
DOC. NO. _____
C.S.M. NO. _____

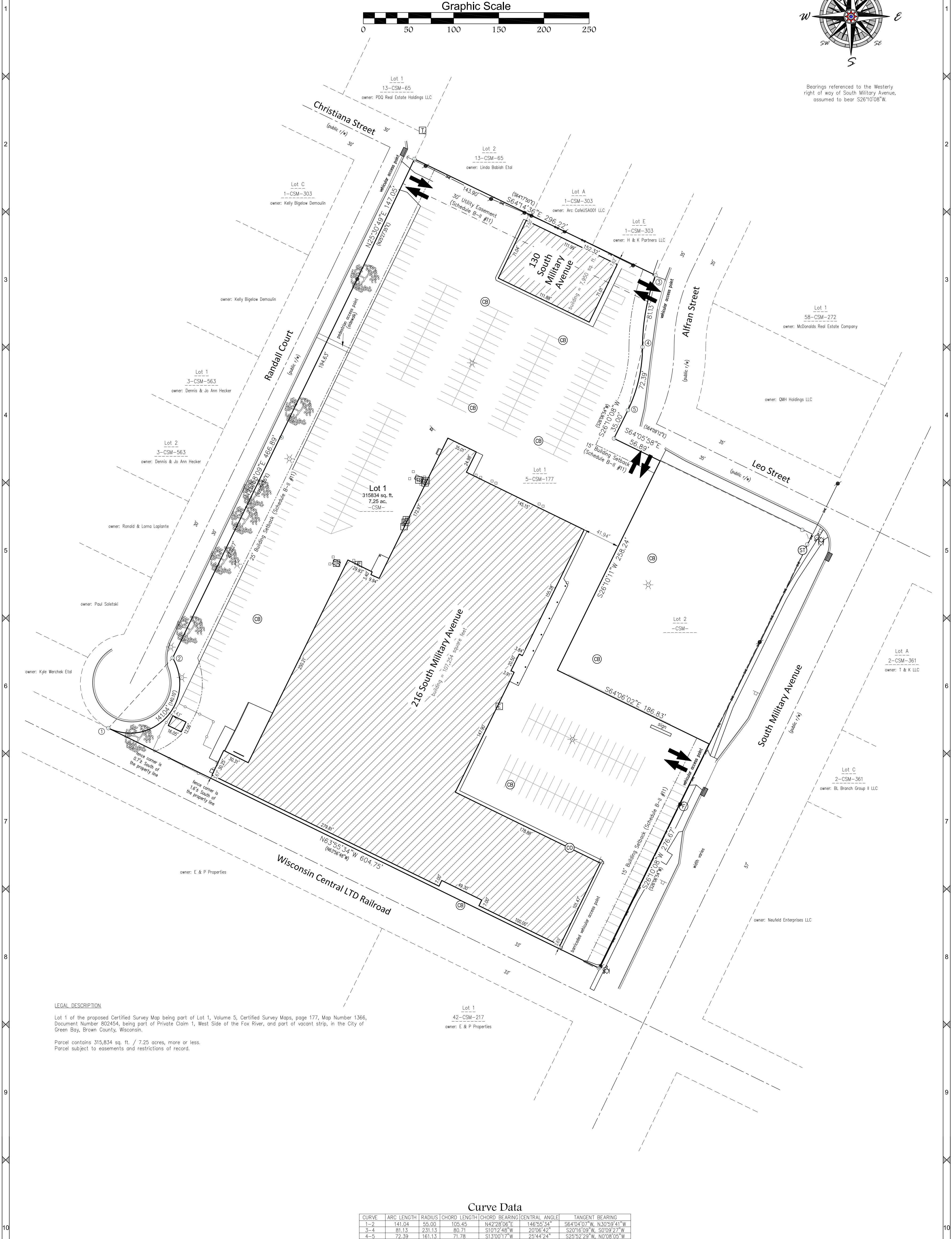
Exhibit B

- Planned Unit Development -

Lot 1 of the proposed Certified Survey Map being part of Lot 1, Volume 5, Certified Survey Maps, page 177, Map Number 1366, Document Number 802454, being part of Private Claim 1, West Side of the Fox River, and part of vacant strip, in the City of Green Bay, Brown County, Wisconsin.



Bearings referenced to the Westerly right of way of South Military Avenue, assumed to bear S26°10'08"W.



LEGAL DESCRIPTION

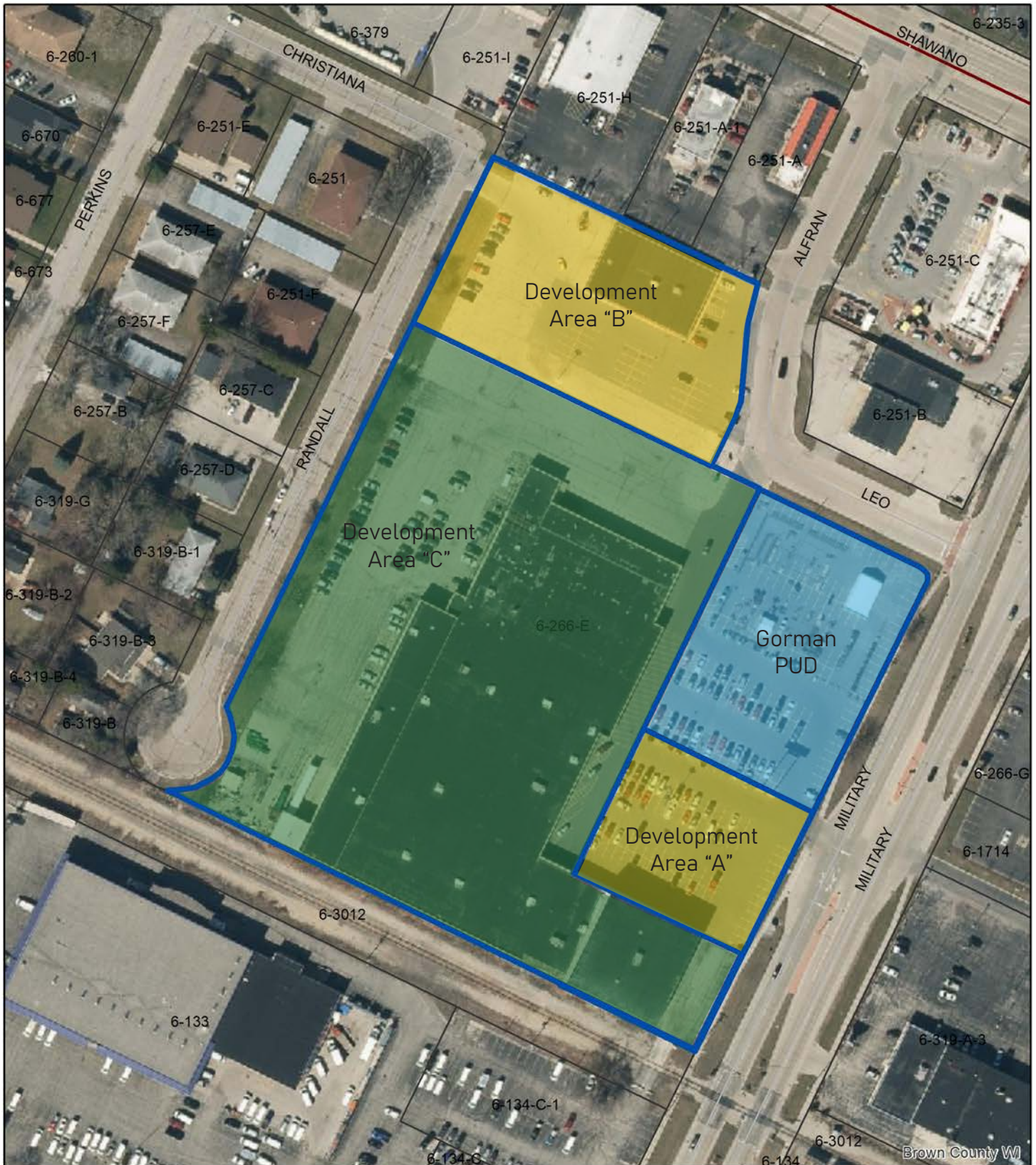
Lot 1 of the proposed Certified Survey Map being part of Lot 1, Volume 5, Certified Survey Maps, page 177, Map Number 1366, Document Number 802454, being part of Private Claim 1, West Side of the Fox River, and part of vacant strip, in the City of Green Bay, Brown County, Wisconsin.

Parcel contains 315,834 sq. ft. / 7.25 acres, more or less.
Parcel subject to easements and restrictions of record.

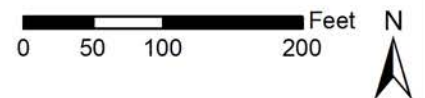
Curve Data

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
1-2	141.04	55.00	105.45	N42°28'06"E	146°55'34"	S64°04'07"W, N30°59'41"W
3-4	81.13	231.13	80.71	S10°12'48"W	20°06'42"	S2016°09'W, S039°27'W
4-5	72.39	161.13	71.78	S13°00'17"W	25°44'24"	S25°52'29'W, N03°08'05'W

Exhibit C



216 S Military Ave Parcel 6-266-E



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.
19 Jan 2023 X:\Planning\Work Order Requests\2023\23.01 Office Maps\200 Block S Military.mxd



Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.3

Consideration with possible action on the Downtown Green Bay, Inc. Business Improvement District's (BID) year-end reporting for 2022.

BACKGROUND

The Plan Commission is required to review the year-end financial reports of each Business Improvement District (BID) as stated in the BID handbook.

RECOMMENDATION

Staff is recommending approval of the BID annual financial report(s) as submitted for 2022.

FISCAL IMPACT

ATTACHMENTS

- I. 2022 DGBI & Charities Year End Financial Report

DGBI & Charities 2022 Budget vs. Actual									
					2022 Budget	2022 Final	2021 Final	2020 Final	2019 Final
Income									
	4030 · Contributions Income								
			4071 · OMSI Administrative Fees		\$64,267	\$64,267	\$59,782	\$68,848	\$65,065
			4072A - Special Events Revenue/Sponsorships (Charities)		\$346,617	\$331,478	\$239,174	\$184,027	\$301,894
7010 Interest Income (Money Market Account) & Misc.					\$50	\$272	\$52	\$57	\$1,881
				ARPA and CARES Funding from the City of Green Bay	\$0	\$25,000	\$28,750	\$0	
				Employee Retention Credit - Federal	\$0	\$44,353			
				PPP Funding	\$75,000	\$0	\$134,540		
				SBA EIDL Advance Received in 2020	\$0			\$7,000	
4740 · BID Revenue					\$266,640	\$264,636	\$265,862	\$267,724	\$222,973
Total Income					\$752,574	\$730,006	\$728,159	\$527,656	\$594,713
Expense									
	Total 5800 · Administrative Expense								
			DGBI Staff		\$221,279	\$205,726	\$125,302	\$127,151	\$121,797
			OMSI Staff		\$56,061	\$61,357	\$56,056	\$56,883	\$53,091
			Charities Staff		\$99,220	\$93,840	\$148,384	\$150,573	\$137,412
			SEP Contribution		\$8,003	\$7,531	\$8,604	\$7,490	\$6,429
			Payroll Taxes		\$28,000	\$26,856	\$26,136	\$26,439	\$26,157
			Workmen's Comp		\$2,000	\$1,505	\$1,927	\$1,180	\$1,654
			Employee Health Insurance		\$4,500	\$2,125	\$4,500	\$3,000	\$750
				*Gray columns to be paid 41% by OMSI & Charities					
Total Admin including DGBI, OMSI & Charities Staffing					\$419,063	\$398,940	\$370,909	\$372,714	\$347,288
6000 · Operating Expense									
			6020 · Building Rent & Utilities		\$28,300	\$27,958	\$25,863	\$23,520	\$21,494
			6060 · Telephone & Internet		\$3,100	\$3,277	\$3,364	\$2,915	\$6,717
			6084 · Business Insurance		\$7,000	\$8,324	\$4,932	\$4,796	\$6,738
			6100 · Office Supplies		\$1,500	\$1,688	\$1,426	\$758	\$2,370
			6120 · Postage		\$250	\$298	\$213	\$165	\$268
			6140 · Dues and Subscriptions		\$2,000	\$2,730	\$2,007	\$1,732	\$1,530
			6150 - Banking Charges & Legal Fees		\$180	\$2,275	\$220	\$242	\$697
			6160 · Non-Profit Licenses/Fees/Personal Prop. Taxes		\$100	\$118	\$87	\$116	\$172
			6220 · Accounting (Audit)		\$11,000	\$13,120	\$10,315	\$11,950	\$10,905
			6240 - Training/Education/Staff Search/Recruitment		\$3,500	\$2,028	\$960	\$893	\$3,609
			6300 · Business Expense/Travel/Meetings/Parking/Misc.		\$3,000	\$7,900	\$3,092	\$1,904	\$2,434
			6420 · Repairs & Maintenance		\$1,000	\$1,448	\$613	\$593	\$1,121
			6490 · Equipment, Copy Machine, Technology		\$2,500	\$3,016	\$1,235	\$3,200	\$8,193
			6490A-Office 365		\$700	\$696	\$698	\$694	\$696
Total 6000 · Operating Expense					\$64,130	\$74,876	\$55,025	\$53,477	\$66,944
6800 · Program Expense									
			6830 · Physical Improvements				\$1,688	\$13,226	\$8,114
				· Holiday Wreath Lighting & Décor, Window Décor	\$4,700	\$1,195	\$2,453		
				· Clean Team and Adopt-a-Block for litter and weeds	\$2,100	\$1,498	\$1,747		
				· Banner Repair and Maintenance	\$2,500	\$39	\$163		
				· Public Art	\$5,000	\$1,500	\$1,573		
				· Streetscape Initiatives - Adams Street Plan	\$5,000	\$10,000			
				· Planters *Most Planter and Hanging Basket expenses will be paid for through Grow and Glow Restricted Funds			\$722		
				Total Physical Improvements	\$19,300	\$14,232			
			6840 · Business Development		\$9,905	\$7,309	\$5,891	\$3,994	\$14,419
			6860 · Marketing & Public Relations		\$27,197	\$25,229	\$16,080	\$9,732	\$23,818
			Special Event Expenses		\$212,564	\$221,479	\$181,400	\$103,046	\$156,580
Total Program & Special Event Expenses					\$268,966	\$268,249	\$211,717	\$129,998	\$202,930
Total Expense					\$752,159	\$742,065	\$637,651	\$556,189	\$617,162
Net Income					\$416	-\$12,058	\$90,508	-\$28,533	-\$22,449



Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.4

Consideration with possible action on the Military Avenue Business Improvement District's (BID) year-end reporting for 2022.

BACKGROUND

The Plan Commission is required to review the year-end financial reports of each Business Improvement District (BID) as stated in the BID handbook.

RECOMMENDATION

Staff is recommending approval of the annual financial report(s) as submitted for 2022.

FISCAL IMPACT

ATTACHMENTS

1. budget vs actual 2022
2. 2022 Year in Review
3. BID Military (20-22)-FINAL 2022 for 2023 budget

Military Avenue Business Inc. **Budget for 2021 vs Actual**

Revenue	2021 Approved	Sub Totals	NOTES	Actual	Difference
301 BID Assessments	99,388.00		Close to actual	99,124	-264
302 Donations/Pd. Partnerships	2,000.00				
303 Grants-restricted income	5,000.00				
310 Event Funds/Sponsorships	5,000.00		Large increase in EBT food program, and market success	25,402	20402
380 Interest Income	1,000.00			158	-842
390 Projected delinquent	-6,957.00				
Total Revenue	105,431.00		Took in 55,699 over budget	124,684	19253
Carry over	74,952.00		Larger carry over per audit/review	93,904	18952
	180,383.00			218,588	

Expenses					
	Personnel		47,528.00		
513	Wages and Staff	43,500.00		45,534	-1994
251	Taxes/fees 7.65%	3,328.00			
	Intern allowance	0.00			
525	Training/Education (Dir.)	700.00			
	Operating Expenses		15,400.00	15,542	142
579	Rent	5,400.00			
555	Insurance and Wkrs	2,600.00			
	Comp Ins				
581	Office Supplies	400.00			
	Office Equipment	0.00			
531	Office Printer Lease	1,800.00			
561	Legal/Accounting	2,000.00			
533	Audit	2,250.00			
541	Grant expenses	100.00			
510	Dues and Subscriptions	600.00			
523	Postage	200.00			
596	Bank fees	50.00			
	Technology		2,400.00	3,260	860
549	Computers (+maintenance)	900.00			
585	Internet/phone	1,500.00			
	Direct Program Expenses				
	DESIGN		45,136.00	15,442	-29694
519	Façade grant program	0.00			
504	Street Planters	11,750.00			
548	Median Lawn Maintenance	500.00			
557	Street Décor/Banners	4,060.00			
571	Gateway	1,000.00			
	Public Amenities	27,826.00			
	ECONOMIC DEVELOPMENT		31,000.00	7,500	-23500
546	Business	1,000.00			
	Recruit/Support Planning/Visioning	30,000.00			
				Part of the plan done in 2021, more in 2022 to 2024- three yr plan	
	EVENTS		10,200.00	Output for increase in EBT food program	27,047 16847
535	Events	10,000.00			
535.4	Event EBT				
507	Licenses & Fees	200.00			
	ORGANIZATION		3,100.00	Extra security due to website hack and more advertising	6,685 3585
501	Marketing/Adv/Social media	2,600.00			
506	Website	500.00			
Total Expenses		154,764.00	154,764.00	121,010	-33754
	BALANCE	25,619.00		97,578	

Military Avenue, Inc.			Budget for 2022 vs Actual			
Revenue			2022 Budget Operating Plan	Totals	Actual unaudited	Difference
301	BID Assessments		99,388		97,390	-1,998
302	Donations/Pd. Partnerships		1,000			
303	Grants-restricted income		1,000		25,000	
310	Event Funds/Sponsorships		15,000		38,570	23,570
			<i>Large increase in EBT food program, and market success</i>			
380	Interest Income		300		259	-41
390	Projected delinquent/late		-6,957		2,151	-4,806
Total Revenue			109,731		163,370	53,639
			<i>Took in 53,639 over budget</i>			
	Carry over (un- audited)		90,230		93,904	3,674
			199,961		257,274	
Expenses			2022 Budget Operating Plan	Totals	Actual unaudited	Difference
	Personnel			47,850	56,200	8,350
			<i>Added PT based on grant</i>			
	Operating Expenses			15,800	16,112	312
			<i>Added laptop PT staff</i>			
	Technology			2,400	1,467	-933
	Direct Program Expenses					
	DESIGN			45,910	14,343	-31,567
			<i>No new banners, coming</i>			
	ECONOMIC DEVELOPMENT			31,000	10,383	-20,617
			<i>2022 to 2024- three yr stratigic plan</i>			
	EVENTS			15,200	24,010	8,810
			<i>Output for increase in EBT food program</i>			
	ORGANIZATION			5,500	5,632	132
			<i>More advertising</i>			
Total Expenses			<i>underspent budget by 39,873</i>		168,020	-39,873
	BALANCE		31,941		129,127	

Military Avenue 2022 Year in Review

2022 Shows Growth and New Businesses on Military Avenue

Early in 2022, we participated in a strategic plan exercise. This exercise helped to create a list of action items. After a couple years of uncertainty, 2022 was full of new, small business creation and almost full storefronts on Military Avenue. *It's a good time to be on Military Avenue!*



New and Expanding Businesses on Military Avenue

The Military Avenue BID assisted over 30 businesses in applying for the State's Main Street Bounce Back Grants over the last two years. 15 of the applicants located or expanded their business within the Military Avenue BID boundaries. New business owners find Military Avenue welcoming, affordable, and helpful.

Three new businesses located in the Martin family's development at the corner of Military and W Mason. Petco, Caribou Coffee, and a reconfigured Burlington filled out the corner section, while Scooters and the relocation of Arby's activated the parking lot in front of Planet Fitness.

The Green Bay Plaza and former Sears location saw demolition, construction and improvements. Two vacant properties will soon be active again with signed leases and opening dates in 2023. The new Club Carwash is currently under construction.



Market on Military



"We are busier and see more traffic on market days."

Both Big Lots and TJ Maxx noticed the increase in shoppers during the summer and winter Market on Military.

Growing Summer and Winter Market on Military

Both markets saw a large increase in attendance and the number of vendors in 2022. The EBT food support program, along with the grant for matching market bucks increased again, after seeing a big, 400% jump during COVID in 2021.

The markets have become a valuable, social outing for neighbors and "the regulars". Consistent dates, lots of space to use (and park), good vendors, and happy customers, contributed to the markets success!



Revenue Increased with Grants and Events

The Military Avenue BID relies on the assessment from our members. The BID assessments increased .07% from 2014 to 2021. Assessments done in 2022, will be payable in 2023.

In 2022, we were granted \$25,000 for the farmers market, allowing us to hire a part-time market manager. The market revenue increased by 13,168 to 38,570 since last year.

2022 Revenue unaudited figures

163,371 Dec. 2022 (124,683 Dec. 2021)

99,800 BID funds /interest

25,000 Market grant

38,571 Events/Sponsorship

Visit www.MilitaryAve.org

2022 Expenses unaudited figures

128,148 Dec. 2022 (120,201 Dec. 2021)

17,579 Operating/Tech

56,200 Personnel/Training

54,369 Programs -

Design/ Street Improvements

Economic/ Business Development

Events

Marketing/Advertising

Strategic Planning Outcomes

A combination of community focus groups, developer interviews, business and property owner surveys, all helped to develop a list of general observations and opportunities for Military Avenue.

The overall message heard was “Be what you are.”

The top opportunities identified:

- Build economic development through partnerships - Foster relationships with developers and the City of GB to improve ways to attract and retain businesses in the district.
- Target physical improvements - utilize grants to entice greater participation in building improvements and define corner property place makers.
- Focus on safety through partnerships and volunteers - Map and encourage private camera security plans.
- Increase Marketing - Enhance marketing so to attract and retain businesses and customers. Create key messages, logo and style to drive consistent brand promotion. Enhance social media and website.



Snow Flakes Increased the Light

Additional snow flakes were purchased this year, making them all efficient LED lights, eliminating the old bulb/fuse type ornament. It made a noticeable difference! We continue to beautify the district with flowers, winter greens, lit snow flakes, and banners. The Military sign at the Lombardi entrance is also maintained and lit within the Design/Street Improvement budget area.

Be a Leader—Join the Board of Directors

We are looking for board members for Military Avenue Business Association (MABA) and the Military Avenue Business Improvement District (BID). MABA meets monthly and the BID meets 3-4 times a year. For more information contact the Executive Director Leah Weycker 920-544-9503 Director@militaryave.org.

GISLink	PropertyAddress	OwnerName	SecondaryOwnerName	OwnerAddress1	OwnerCityState	OwnerZip	Total Assessed Value Land	Total Assessed Value Improvements	Total Assessed Value	District	Note	Bid Rate	Calculated Amount
6-133	1598 Western Ave	E & P Properties		3527 Euro Ln	De Pere, WI	54115	\$560,300	\$1,692,400	\$2,252,700	BID 20		\$0.25	\$563
6-118	421 S Military Ave	Marshall Living Trust		1330 Crystal Cove Tr #1	Green Bay, WI	54311-5985	\$285,700	\$226,500	\$512,200	BID 21		\$2.00	\$1,024
6-118-A-2	411 S Military Ave	Fox Communitites Credit Union		3401 E Calumet St	Appleton, WI	54915-4757	\$401,100	\$1,043,700	\$1,444,800	BID 21		\$2.00	\$2,500
6-1510	1566 W Mason St	Cover Rentals, LLC		1566 W Mason St	Green Bay, WI	54303	\$117,000	\$100,100	\$217,100	BID 21		\$2.00	\$434
6-1512	1566 W Mason St	Cover Rentals, LLC		1566 W Mason St	Green Bay, WI	54303	\$77,200	\$85,000	\$162,200	BID 21		\$2.00	\$324
6-1517	521 S Military Ave	Bester Dev Co LLP		1525 Ashley Ct	Green Bay, WI	54313-9303	\$190,000	\$257,900	\$447,900	BID 21		\$2.00	\$895
6-1520	501 S Military Ave	Carl A. Mongin	Nanette A. Mongin	501 S Military Ave	Green Bay, WI	54303-2209	\$45,900	\$78,900	\$124,800	BID 21		\$2.00	\$250
6-1691	1530 Leo St	Bfh Realty LLC		1521 Shawano Ave	Green Bay, WI	54303-3205	\$33,800	\$6,400	\$40,200	BID 21		\$2.00	\$250
6-1692	1536 Leo St	Bfh Realty LLC		1521 Shawano Ave	Green Bay, WI	54303-3205	\$26,700	\$6,700	\$33,400	BID 21		\$2.00	\$250
6-1693	1540 Leo St	Bfh Realty LLC		1521 Shawano Ave	Green Bay, WI	54303-3205	\$28,700	\$18,900	\$47,600	BID 21		\$2.00	\$250
6-1694	1541 Shawano Ave	Bfh Realty LLC		1521 Shawano Ave	Green Bay, WI	54303-3205	\$96,500	\$114,200	\$210,700	BID 21		\$2.00	\$421
6-1698	1521 Shawano Ave	Bfh Realty LLC		1521 Shawano Ave	Green Bay, WI	54303-3205	\$171,600	\$337,300	\$508,900	BID 21		\$2.00	\$1,017
6-1768	402 S Military Ave	E&D Development LLC		402 S Military Ave	Green Bay, WI	54303-2208	\$81,400	\$65,900	\$147,300	BID 21		\$2.00	\$294
6-235-C	123 N Military Ave	Dyal Select Enterprises LLC		123 N Military Ave	Green Bay, WI	54303-3201	\$497,600	\$283,500	\$781,100	BID 21		\$2.00	\$1,562
6-235-3	1590 Shawano Ave	Owellie Investments LLC		1600 Shawano Ave #204e	Green Bay, WI	54303-3246	\$811,600	\$650,300	\$1,461,900	BID 21		\$2.00	\$2,500
6-310-1	1400 Lombardi Ave	Lombardi Center LLC		PO Box 11237	Green Bay, WI	54307-1237	\$855,100	\$6,838,800	\$7,693,900	BID 21		\$2.00	\$2,500
6-440	704 S Military Ave	Srl2, Inc.		1740 Cofrin Dr Ste 2	Green Bay, WI	54302-2024	\$252,100	\$185,300	\$437,400	BID 21		\$2.00	\$874
6-447	802 S Military Ave	A Lautenbach CFP EA Investments LLC		1233 Cass St	Green Bay, WI	54301	\$57,600	\$53,300	\$110,900	BID 21		\$2.00	\$250
6-448	804 S Military Ave	Henry J. Boulanger	Barbara R. Boulanger	804 S Military Ave	Green Bay, WI	54304-2114	\$57,100	\$24,700	\$81,800	BID 21		\$2.00	\$250
6-449	806 S Military Ave	Plemb Properties LLC		806 S Military Ave	Green Bay, WI	54304	\$56,600	\$88,300	\$144,900	BID 21		\$2.00	\$289
6-452	822 S Military Ave	Gbwisc LLC		PO Box 1714	Green Bay, WI	54305	\$55,200	\$40,200	\$95,400	BID 21		\$2.00	\$250
6-134	1560 Western Ave	Aldi Inc		PO Box 460049dept501	Houston, TX	77056	\$635,200	\$1,206,800	\$1,842,000	BID 22		\$2.25	\$2,500
6-134-C	320 S Military Ave	E & P Properties		3527 Euro Ln	De Pere, WI	54115	\$392,800	\$859,500	\$1,252,300	BID 22		\$2.25	\$2,500
6-134-C-1	S Military Ave	E & P Properties		3527 Euro Ln	De Pere, WI	54115	\$179,400	\$40,800	\$220,200	BID 22		\$2.25	\$495
6-149	1616 W Mason St	Neufeld Enterprises II, LLC		320 S Military Ave	Green Bay, WI	54303	\$1,542,800	\$3,116,300	\$4,659,100	BID 22		\$2.25	\$2,500
6-149-B	615 S Military Ave	615 South Military Avenue LLC		691 S Green Bay Rd #208	Neenah, WI	54956-3153	\$298,300	\$597,400	\$895,700	BID 22		\$2.25	\$2,015
6-149-1	612 S Military Ave	Ran Di Enterprises LLC		6605 Maplewood Ln	Sobieski, WI	54171	\$343,300	\$332,600	\$675,900	BID 22		\$2.25	\$1,520
6-149-3	506 S Military Ave	Hai Qing Liu		920 Rasmussen Pl	Green Bay, WI	54304	\$112,500	\$135,300	\$247,800	BID 22		\$2.25	\$557
6-1513	609 S Military Ave	Besson Properties, LLC		2091 Lost Dauphin Rd	De Pere, WI	54115	\$36,500	\$69,700	\$106,200	BID 22		\$2.25	\$250
6-1514	607 S Military Ave	So Seng Ju	Sun Hee Ju	1435 Skylark Ln	Green Bay, WI	54313-6174	\$41,500	\$70,100	\$111,600	BID 22		\$2.25	\$251
6-1515-A	603 S Military Ave	G & A Larsen Properties LLC		1248 Bayport Ter	Green Bay, WI	54313	\$120,300	\$191,300	\$311,600	BID 22		\$2.25	\$701
6-1515	605 S Military Ave	Caroline Moes LLC		715 Laverne Dr	Green Bay, WI	54311	\$41,900	\$71,400	\$113,300	BID 22		\$2.25	\$254
6-1516	599 S Military Ave	G & A Larsen Properties LLC		1248 Bayport Ter	Green Bay, WI	54313	\$116,400	\$173,700	\$290,100	BID 22		\$2.25	\$652
6-1516-A	525 S Military Ave	Bryan C. Boettcher	Mary Beth Boettcher	525 S Military Ave	Green Bay, WI	54303-2209	\$89,800	\$163,700	\$253,500	BID 22		\$2.25	\$570
6-1517-A	517 S Military Ave	Hien T. Nguyen		3470 Golf Dr	Green Bay, WI	54311	\$61,000	\$87,700	\$148,700	BID 22		\$2.25	\$334
6-1517-B	519 S Military Ave	La Carreta Green Bay, LLC		1657 Main St	Green Bay, WI	54302	\$60,700	\$86,000	\$146,700	BID 22		\$2.25	\$330
6-1518	515 S Military Ave	515 Military LLC		103 John St	Oconto Falls, WI	54154	\$47,900	\$70,000	\$117,900	BID 22		\$2.25	\$265
6-1518-A	513 S Military Ave	Bao Qin He & Tian-Yo Hu Revocable Living Trust		1105 Longbow Ct	Oneida, WI	54155	\$92,800	\$124,300	\$217,100	BID 22		\$2.25	\$488
6-1519	511 S Military Ave	Besson Properties, LLC		2091 Lost Dauphin Rd	De Pere, WI	54115	\$49,900	\$72,600	\$122,500	BID 22		\$2.25	\$275
6-1519-A	509 S Military Ave	Priscilla Milson		414 Jefferson St	Green Bay, WI	54301	\$49,600	\$71,500	\$121,100	BID 22		\$2.25	\$272
6-1520-A	505 S Military Ave	K-Jaw Properties, LLC		505 S Military Rd	Green Bay, WI	54303	\$114,000	\$153,000	\$267,000	BID 22		\$2.25	\$600
6-1521	501 S Military Ave	Beacon Center Assoc		PO Box 28014	Green Bay, WI	54324-0014	\$100	\$0	\$100	BID 22		\$2.25	\$0
6-169	1505 W Mason St	Aam Green Bay Plaza LLC		610 Newport Centr Dr 290	Newport Beach, CA	92660	\$1,988,700	\$6,554,200	\$8,542,900	BID 22		\$2.25	\$2,500
6-169-G	1505 W Mason St	Aam Green Bay Plaza LLC		610 Newport Centr Dr 290	Newport Beach, CA	92660	\$1,459,800	\$3,039,100	\$4,498,900	BID 22		\$2.25	\$2,500
6-170-C	1529 W Mason St	Etd Development LLC		111 W 39th	Vancouver, WA	98660	\$269,800	\$322,200	\$592,000	BID 22		\$2.25	\$1,332
6-171-C	1561 W Mason St	Scp 2006 C23 112 LLC		One Cvs Dr	Woonsocket, RI	02895-6146	\$759,200	\$1,048,100	\$1,807,300	BID 22		\$2.25	\$2,500
6-1714	201 S Military Ave	Bl Branch Group II LLC		120 E Washington St Ste 201	Syracuse, NY	13202	\$658,400	\$1,124,800	\$1,783,200	BID 22		\$2.25	\$2,500
6-1767	1212 S Military Ave	Vanderleest Inc		1625 Vernon Ct	Green Bay, WI	54304	\$652,200	\$645,800	\$1,298,000	BID 22		\$2.25	\$2,500
6-1769	404 S Military Ave	G & A Larsen Properties LLC		1248 Bayport Ter	Green Bay, WI	54313	\$67,600	\$104,000	\$171,600	BID 22		\$2.25	\$386
6-1770	406 S Military Ave	Rnj, LLC		1324 Portside Ln	Green Bay, WI	54313	\$38,100	\$59,700	\$97,800	BID 22		\$2.25	\$250
6-1771	408 S Military Ave	Denis J. Toonen	Toni M. Toonen	1324 Portside Ln	Green Bay, WI	54313	\$67,600	\$104,100	\$171,700	BID 22		\$2.25	\$386
6-1772	410 S Military Ave	Jj 875 Property, LLC		2754 Chaska Ct	Green Bay, WI	54313	\$38,100	\$63,000	\$101,100	BID 22		\$2.25	\$250
6-1773	412 S Military Ave	Jj 875 Property, LLC		2754 Chaska Ct	Green Bay, WI	54313	\$38,100	\$63,000	\$101,100	BID 22		\$2.25	\$250
6-1774	414 S Military Ave	Jj 875 Property, LLC		2754 Chaska Ct	Green Bay, WI	54313	\$38,100	\$60,800	\$98,900	BID 22		\$2.25	\$250

6-1775	416 S Military Ave	Woon S. Chan	Cindy M. Chan	2445 Van Lake Ct	Green Bay, WI	54311-6200	\$86,600	\$123,600	\$210,200	BID 22			\$2.25	\$472
6-1776	420 S Military Ave	Woon S. Chan	Cindy M. Chan	2445 Van Lake Ct	Green Bay, WI	54311-6200	\$38,100	\$70,300	\$108,400	BID 22			\$2.25	\$250
6-1778	426 S Military Ave	Aaa3, LLC		426 S Military Ave	Green Bay, WI	54303	\$132,300	\$178,500	\$310,800	BID 22			\$2.25	\$699
6-1779	500 S Military Ave	Tmc Properties, LLC		1219 S Military Ave	Green Bay, WI	54304	\$150,700	\$228,700	\$379,400	BID 22			\$2.25	\$853
6-199-5	1203 S Military Ave	Innovative Properties Group LLC		628 N 8th St	Manitowoc, WI	54220	\$295,500	\$481,900	\$777,400	BID 22			\$2.25	\$1,749
6-207	1559 Ninth St	Bay Motel & Family Restaurant Inc		1881 Sylvan Dr	Green Bay, WI	54313	\$362,800	\$1,088,100	\$1,450,900	BID 22			\$2.25	\$2,500
6-209-B	1308 S Military Ave	RSD Enterprises LLC		7833 W Hawthorne Rd	Mequon, WI	53097-2009	\$239,200	\$384,000	\$623,200	BID 22			\$2.25	\$1,402
6-209-C	1320 S Military Ave	Triton Automotive, LLC		1541 Burgundy Pkwy	Streamwood, IL	60107	\$144,100	\$168,200	\$312,300	BID 22			\$2.25	\$702
6-209-D	1330 S Military Ave	Golrusk Real Estate LLC		1991 Allouez Ave	Green Bay, WI	54311	\$121,300	\$201,000	\$322,300	BID 22			\$2.25	\$725
6-209-E	1350 S Military Ave	Cb 1350 LLC		PO Box 13223	Green Bay, WI	54307	\$200,800	\$379,900	\$580,700	BID 22			\$2.25	\$1,306
6-235-B	116 N Military Ave	Ibf Properties, LLC		15305 Dallas Pkwy Ste 300	Addison, TX	75001	\$667,200	\$1,667,200	\$2,334,400	BID 22			\$2.25	\$2,500
6-235-1	1606 Shawano Ave	Bo Enterprises LLC		2271 Hutson Rd Ste A	Green Bay, WI	54303	\$361,500	\$228,900	\$590,400	BID 22			\$2.25	\$1,328
6-235-2	100 N Military Ave	Kartika Kuppalli	Krutika Kuppalli	5901B Peachtree Dunwoody Rd NE	Sandy Springs, GA	30312	\$711,200	\$324,100	\$1,035,300	BID 22			\$2.25	\$2,329
6-251-B	124 S Military Ave	Qmh Holdings LLC		2184 Trailside Ln	De Pere, WI	54115	\$230,900	\$381,800	\$612,700	BID 22			\$2.25	\$1,378
6-251-C	1587 Shawano Ave	Mcdonalds Real Estate Company		1728 Industrial Dr	Green Bay, WI	54302-2106	\$667,500	\$824,500	\$1,492,000	BID 22			\$2.25	\$2,500
6-251-D	101 S Military Ave	Market BaceLine, LLC		511 Broadway	Denver, CO	80203	\$814,000	\$668,000	\$1,482,000	BID 22			\$2.25	\$2,500
6-266-E	216 S Military Ave	Martin Neufeld, LLC		PO Box 11387	Green Bay, WI	54307	\$1,722,900	\$985,100	\$2,708,000	BID 22			\$2.25	\$2,500
6-266-G	143 S Military Ave	T & K LLC		6693 Anthony Dr	Sobieski, WI	54171	\$248,500	\$166,200	\$414,700	BID 22			\$2.25	\$933
6-299-A	1577 Langlade Ave	Adf Real Estate LLC		1577 Langlade Ave	Green Bay, WI	54304-2968	\$560,300	\$144,300	\$704,600	BID 22			\$2.25	\$1,585
6-299-A-1	1450 S Military Ave	Green Bay Health Holdings LLC		27101 Puerta Real Ste340	Mission Viejo, CA	92691	\$283,900	\$1,236,000	\$1,519,900	BID 22			\$2.25	\$2,500
6-319-A-3	225 S Military Ave	Neufeld Enterprises,, LLC		PO Box 11387	Green Bay, WI	54307-1387	\$805,300	\$361,100	\$1,166,400	BID 22			\$2.25	\$2,500
6-421	1593 W Mason St	Ly Properties LLC		5324 N 134th Ave	Omaha, NE	68164	\$237,700	\$273,600	\$511,300	BID 22			\$2.25	\$1,150
6-443	712 S Military Ave	Affordable Estates, LLC		712 S Military Ave	Green Bay, WI	54313	\$109,600	\$92,000	\$201,600	BID 22			\$2.25	\$453
6-445	728 S Military Ave	Gabera Paula Living Trust		6801 Philippe Allen Ave	Las Vegas, NV	89110-5240	\$116,400	\$137,600	\$254,000	BID 22			\$2.25	\$571
6-450	814 S Military Ave	Sean B. Jerovetz		14430 Velp Ave	Suamico, WI	54173-8331	\$56,200	\$59,500	\$115,700	BID 22			\$2.25	\$260
6-451	S Military Ave	Sean B. Jerovetz		14430 Velp Ave	Suamico, WI	54173-8331	\$55,700	\$4,900	\$60,600	BID 22			\$2.25	\$250
6-454	832 S Military Ave	Tracy M. Crawford		1811 Oak Leaf Dr	Green Bay, WI	54304	\$109,000	\$126,100	\$235,100	BID 22			\$2.25	\$528
6-455	834 S Military Ave	Harnowski Richard & Barbara L Revocable Trust		1762 Carriage Ct	Green Bay, WI	54304-2812	\$86,100	\$68,800	\$154,900	BID 22			\$2.25	\$348



Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.5

Consideration with possible action on Olde Main Street Inc. Business Improvement District's (BID) year-end reporting for 2022.

BACKGROUND

The Plan Commission is required to review the year-end financial reports of each Business Improvement District (BID) as stated in the BID handbook.

RECOMMENDATION

Staff is recommending approval of the annual financial report(s) as submitted for 2022.

FISCAL IMPACT

ATTACHMENTS

- I. 2022 OMSI Year End Financial Report

OMSI 2022 Budget vs. Actual					
	2022 Budget	2022 Final	2021 Final	2020 Final	2019 Final
Revenues					
BID Assessments	\$56,948	\$60,167	\$59,885	\$54,533	\$58,581
Contributions & Sponsorships*	\$41,680	\$48,787	\$27,418	\$37,098	\$45,529
Planter Program Revenue	\$8,550	\$8,100	\$8,100	\$8,550	\$8,000
Total Revenue	\$107,178	\$117,054	\$95,403	\$100,181	\$112,110
Expenses					
Administrative Fees	\$64,267	\$64,267	\$59,782	\$68,848	\$65,065
Operating					
Insurance	\$3,164	\$3,664	\$4,683	\$2,261	\$2,210
Postage & Meetings & Misc.	\$200	\$115	\$109	\$200	\$543
Legal/Accounting/Audit	\$6,700	\$7,351	\$6,560	\$7,470	\$7,895
Training/Education/Mileage/Dues & Subs.	\$500	\$540	\$589	\$406	\$283
Equipment/Office Supplies	\$500	\$0	\$158	\$551	\$1,054
Total Admin & Operating Expense	\$75,331	\$75,937	\$71,881	\$79,735	\$77,049
Programs					
Physical Improvements					
Greenspace/Planter Program	\$10,800	\$13,059	\$11,128	\$10,453	\$10,728
District Appearance	\$500	\$130	\$95	\$407	\$23
Three Corner Marker Flag	\$250	\$211	\$532	\$233	\$270
Holiday Decorations and Banner Maint.	\$1,300	\$2,620	\$4,182	\$433	\$775
Public Art Contribution	\$1,000		\$0	\$7,654	\$0
Total Physical Improvements	\$13,850	\$16,019	\$15,937	\$19,180	\$11,796
Business Development					
Business Recruitment & Retention	\$2,000	\$467	\$267	\$123	\$1,822
Total Business Development	\$2,000	\$467	\$267	\$123	\$1,822
Marketing & Events					
Website	\$804	\$800	\$808	\$842	\$3,744
Branding/Guides/Public Awareness	\$3,315	\$4,346	\$2,746	\$1,342	\$4,484
Fall Art Block Party formerly Gallery Night	\$2,100	\$716	\$2,539		\$1,567
Winter in Whitney	\$2,500	\$5,352			
Summer in the Park	\$4,000	\$3,621	\$0		\$3,682
Theater / Comedy in the Park	\$2,350	\$1,201	\$2,536	\$1,000	\$1,388
Annual Meeting-Year in Review	\$500	\$162	\$0	\$957	\$625
Small Business Saturday	\$400	\$445	\$514	\$3,750	\$351
Summer Solstice	\$4,100	\$5,567	\$0		\$3,695
Galentines Day	\$400	\$0	\$0	\$343	\$196
New Events/Music					
Total Marketing and Events	\$20,469	\$22,210	\$9,144	\$8,234	\$19,733
Total Programs	\$36,319	\$38,697	\$25,347	\$27,537	\$33,351
Total Expense	\$111,650	\$114,633	\$97,228	\$107,272	\$110,401
Net Income	\$ (4,472)	\$ 2,421	\$ (1,825)	\$ (7,091)	\$ 1,709

*Contributions & Sponsorships	2022 Budget	2022 Final	2021 Final	2020 Final	2019 Final
25% of Year in the City Sponsorships	\$ 16,125.00	\$ 20,228.00	\$ 14,228.25	\$ 13,625.00	\$ 18,331.25
Summer Solstice Income & Sponsorship 2020 SS not held, transferred sponsorship to SBS Artist Promo.	\$ 5,000.00	\$ 4,893.00	\$ -	\$ 4,000.00	\$ 5,831.58
Summer in the Park Sponsorship *2020 not held, transferred sponsorship to online Theater in Park and Frog Sculptures.	\$ 5,000.00	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00
Winter In Whitney/New Event Sponsor	\$ 2,500.00	\$ 4,000.00			
Gallery/Artisan Nite on Cedar Sponsorship & Bev. Income (Fall Art Block Party)	\$ 2,800.00		\$ 2,754.00		\$ 2,500.00
Theater in the Park Sponsor./Grant/Revenue	\$ 3,250.00	\$ 2,657.00	\$ 4,433.00		\$ 50.00
Galentine's Day Income	\$ 1,000.00		\$ -	\$ 870.00	\$ 1,125.00
OMSI Corporate sponsorships	\$ 6,000.00	\$ 12,000.00	\$ 6,000.00	\$ 12,000.00	\$ 9,000.00
Money Market Interest Income	\$ 5.00	\$ 9.00	\$ 2.62	\$ 102.77	\$ 521.36
	\$ 41,680.00	\$ 48,787.00	\$ 27,417.87	\$ 37,097.77	\$ 45,528.79
Art on Main/Public Art Restricted Funds has \$4,541.82 remaining as of 12/31/22.					
WPS Grant for Available Properties Signage Restricted Funds: \$750 received in 2018. \$442.98 was spent in 2019. \$307.02 remains.					



Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.6

(ED 23-01) Consideration with possible action on request to vacate utility easements on vacated Motor Street and vacated portion of State Street at 1919 S. Broadway (Parcel #s I-1407 & I-1415), submitted by the Green Bay Department of Public Works on behalf of Georgia Pacific Consumer Products, LP, property owner (Ald. Johnson, District 9).

BACKGROUND

Primary Address: 1919 S. Broadway

Aldersperson /District: Alder Brian Johnson / District 9

Reason for Request: To discontinue unnecessary utility easement

Analysis: This utility easement is in the vacated portions of Motor Street and State Street that are now part of 1919 S. Broadway. The Utility Easements that were retained at the time of the vacation on these streets are in conflict with the plans of the owner to complete a major expansion of their facility at 1919 S. Broadway. Because of this conflict, utilities in this area need to be relocated outside of this area at the owner's expense. The owners have agreed to grant any necessary easements required for the relocation of utilities, so they are not in conflict with the building expansion area.

Alder Brian Johnson, adjoining property owners, and the agencies below, were informed of the request. Agencies were informed that if they failed to respond or indicate locations of facilities, it will be assumed that none are present. No objections were received from property owners.

- Department of Public Works: No Objection with Condition
- Wisconsin Public Service: No Objection
- AT&T: No Response
- Green Bay Water Utility: No Response
- Time Warner Cable: No Response
- Department of Parks, Recreation, & Forestry: No Objection
- American Transmission Company: No Objection
- Mobilitie: No Response
- NEW Water: No Objection with Condition
- Charter: No Objection

RECOMMENDATION

Approval of the request, subject to the following conditions:

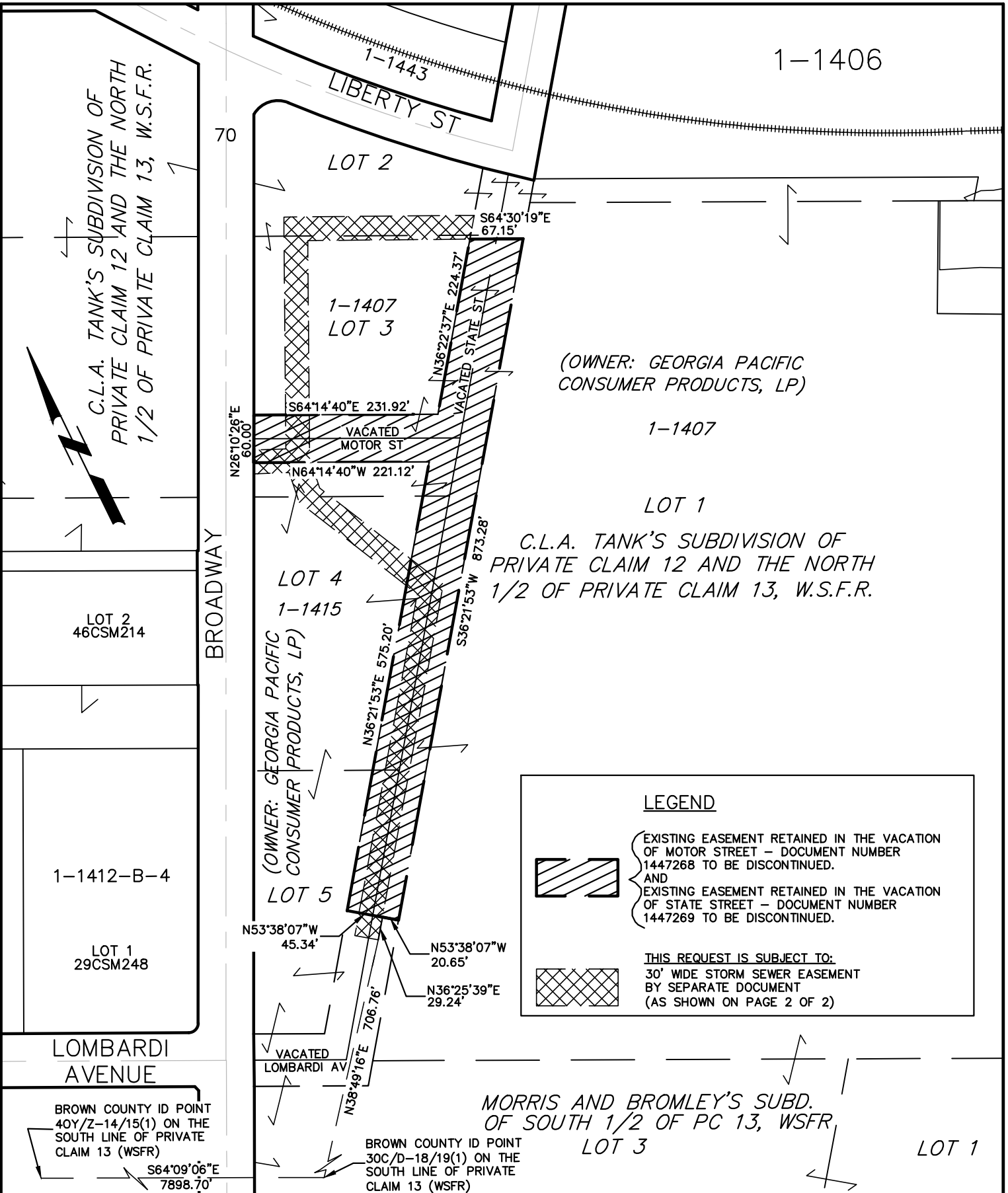
1. The property owner shall follow the signed agreement with NEW Water and the new utility easement is finalized and recorded.
2. The property owner shall provide the Relocated Easement as previously negotiated with the City of Green Bay.

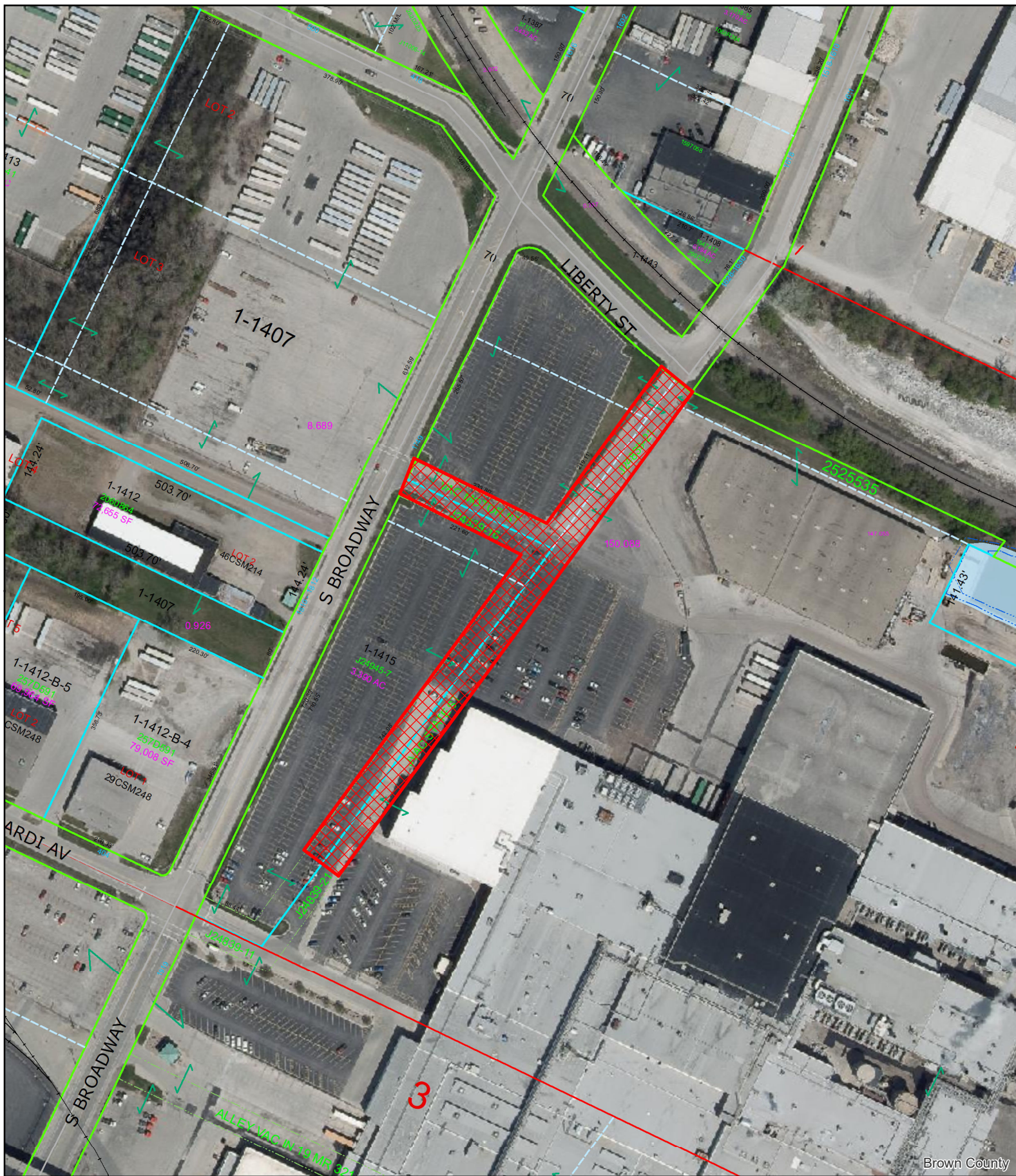
FISCAL IMPACT

ATTACHMENTS

1. ED 23-01 Easement Exhibit
2. ED 23-01 Map

I:\DeptData\PubWorks\Eng\CADD\ACAD\ROW\EasementDiscontin\ED in Vacated Motor & State Streets\GP Easement Discontinuances w Prop Storm Easement.dwg, 11/1/2022 2:43:57 PM





Brown County



ED 23-01 Utility Easement Discontinuance

This map is provided by the City of Green Bay for reference and display purposes only.
The City makes no claims regarding the accuracy or completeness of the image or data presented.

 Easement Area



1 in = 200 ft



Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.7

(CPA 22-04) Public hearing on request to amend the City's Comprehensive Plan for the portion of properties located at 815 - 821 S. Chestnut Avenue (2-178-A & 2-178) and 414-418 4th Street (2-177, 2-176 & 2-175) from Commercial land use to Medium Intensity Retail, Office & Housing (Ald. B. Johnson, District 9).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.8

(CPA 22-04) Consideration with possible action on request to amend the City's Comprehensive Plan for the portion of properties located at 815 - 821 S. Chestnut Avenue (2-178-A & 2-178) and 414-418 4th Street (2-177, 2-176 & 2-175) from Commercial land use to Medium Intensity Retail, Office & Housing (Ald. B. Johnson, District 9).

BACKGROUND

Primary Address: S. Chestnut and 4th Street

Aldersperson / District: Alder Brian Johnson / District 9

Reason for Request: To allow for future development of these parcels that is keeping with the neighborhood and Shipyard Investment Strategy.

Surrounding Zoning and Land Uses:

Subject Properties: General Commercial (CI) – vacant land, Green Bay Bicycle Collective

North: Right-of-Way - Mason Street Ramps

South: Office Residential (OR) - Single- and Two-Family Homes

General Commercial (CI) | Mixed Use Building

East: General Commercial (CI) - Dry cleaning and Storage

West: Medium-Density Residential (RI) - Single- and Two-Family Homes

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan currently recommends Commercial uses.

Report: The proposed amendment will allow a zone change for the future redevelopment of the .45 acres of land to residential or mixed-use that will act as a more appropriate transition between the lower density residential uses to the west and south with the commercial uses to the east. Please note that site addressed 414 S. Chestnut Street (parcel #2-175) was mistakenly added to this application but is not part of this proposal and should retain the future Commercial land use designation.

The Smart Growth 2022 Comprehensive Plan establishes the following review criteria for periodic amendments:

1. The change is consistent with the goals and objectives or other elements of Smart Growth 2022.
 - o Staff feels the proposed amendment is compliant.
2. The change does not create an adverse impact on public facilities and services that cannot be mitigated. Public facilities and services include roads, sewers, water supply, drainage, schools, police, fire, and parks.
 - o The proposed redevelopment area is located within the Urban Service Area and there are no significant issues relative to services or facilities.

3. Development resulting from the change does not create an undue impact on surrounding properties. Such development should be consistent with the physical character of the surrounding neighborhood or would upgrade and improve its viability.
 - o The change will encourage redevelopment of the currently underutilized property to uses that are more in keeping with the character of the surrounding neighborhood and will act as a transitional area between potentially incompatible uses.
4. The change allows a more viable transition to the planned uses on adjacent properties than the current land use.
 - o The proposed change in land use represents a more appropriate transition of uses between the lower density residential to the west and south, commercial uses to the east and Mason Street to the north..
5. The change does not have a significant adverse impact on the natural environment including trees, slopes, and groundwater, or the impact could be mitigated by improvements on the site or in the same vicinity.
 - o There are no known environmental impacts.
6. There is a change in City policies or neighborhood characteristics that would justify a change.
 - o Not applicable.
7. The change corrects an error made in the original plan.
 - o Though not an error, the proposed land-use changes designate uses more compatible with the size and location of the subject properties that likely was not analyzed in such detail when the Comprehensive Plan was developed.
8. There is a community or regional need identified in the Comprehensive Plan for the proposed land use or service.
 - o Not applicable.
9. The change helps the City meet its life-cycle and affordable housing goals.
 - o Not directly but the ability to provide housing on this site, as a standalone or part of a mixed-use development project, has the ability to increase housing options within the City and could include affordable units or free up units already in the community as new ones come online.
10. The change does not adversely impact any landmarks or other historically significant structures or properties unless mitigated through relocation, commemoration, or dedication.
 - o There are no landmarks or historically significant features that are being modified as part of the request.

This land-use designation change will allow the area to be marketed for a broader range of development possibilities while improving transitions of land uses already in place and expected for the future. A request is contained within this meeting packet for rezoning (ZP 22-44) the properties.

The Public Participation Plan for Periodic Comprehensive Plan Amendments is being followed for this request and notices have been provided regarding the public hearings for this meeting. Alder Brian Johnson, Tank Park Neighborhood Association, and neighbors within 200 ft. were notified of the meeting based on Plan Commission policy. Staff has not received any inquiries about the request as of the drafting of this report.

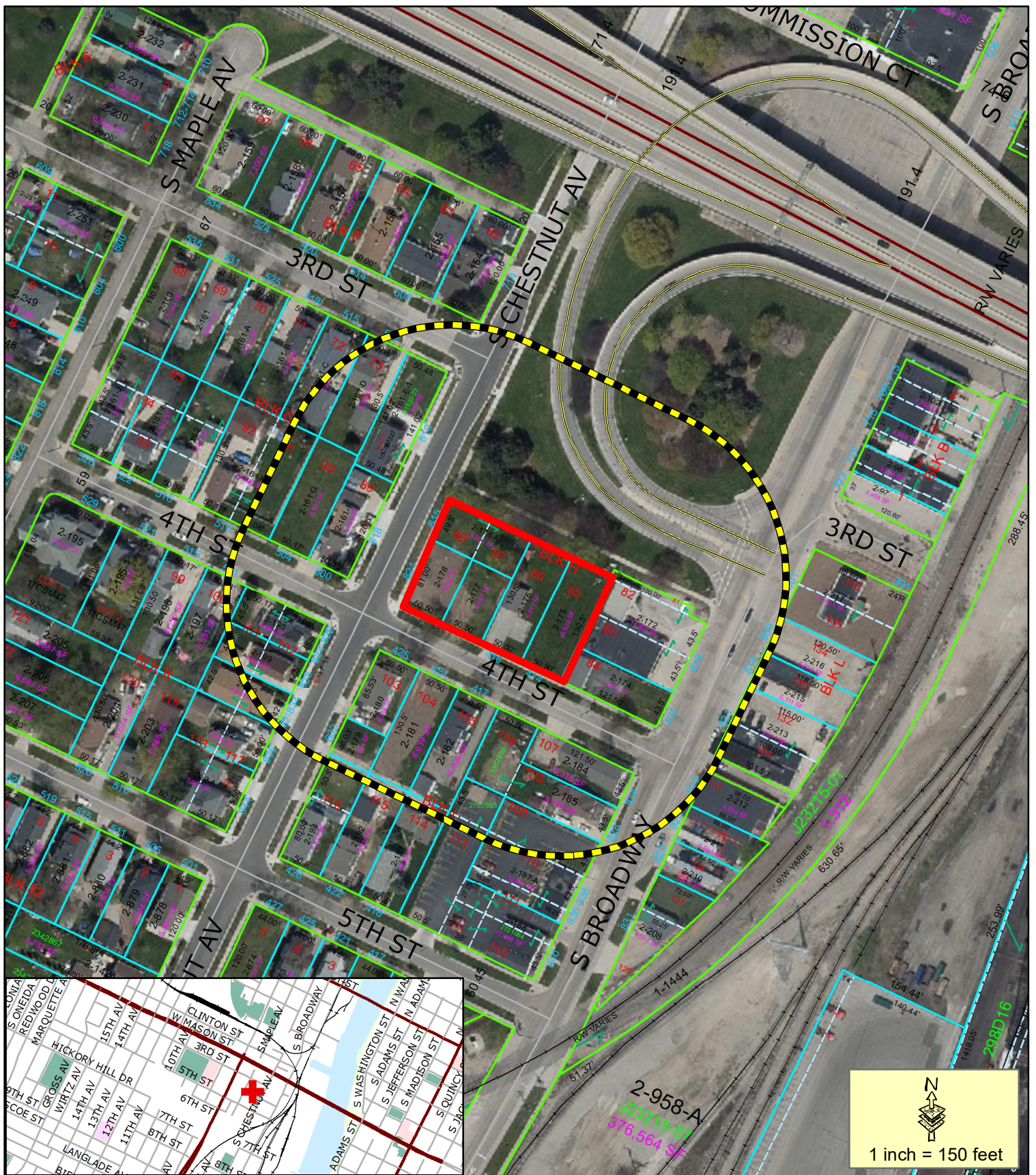
RECOMMENDATION

Approval of the request to amend the City's Comprehensive Plan from Commercial land use to Medium Intensity Retail, Office & Housing.

FISCAL IMPACT

ATTACHMENTS

I. ZP 22-44_CPA 22-04 PropMap



- Proposed CPA & Zone Change
- 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 DB

CPA 22-04 & ZP 22-44

Proposed Comprehensive Plan Amendment and Zone Change at the northeast corner of S Chestnut Ave and 4th Street





Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.9

(ZP 22-44) Public hearing on request to rezone properties at 815 - 821 S. Chestnut Avenue (Parcels 2-178-A & 2-178) and 414-418 4th Street (Parcels 2-177, 2-176 & 2-175) from General Commercial (C1) to Office Residential (OR) (Ald. B. Johnson, District 9).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.10

(ZP 22-44) Consideration with possible action on request to rezone properties at 815 - 821 S. Chestnut Avenue (Parcels 2-178-A & 2-178) and 414-418 4th Street (Parcels 2-177, 2-176 & 2-175) from General Commercial (CI) to Office Residential (OR) (Ald. B. Johnson, District 9).

BACKGROUND

Primary Address: 815-821 S. Chestnut & 414-418 4th Street.

Aldersperson / District: Alder Brian Johnson / District 9

Reason for Request: The proposed rezoning will allow for future development of these parcels that is keeping with the neighborhood and Shipyard Investment Strategy.

Surrounding Zoning and Land Uses:

Subject Properties: General Commercial (CI) – vacant land, Green Bay Bicycle Collective

North: Right-of-Way - Mason Street Ramps

South: Office Residential (OR) - Single- and Two-Family Homes

General Commercial (CI) - Mixed Use Building

East: General Commercial (CI) - Drycleaning & Storage

West: Medium-Density Residential (RI) - Single- and Two-Family Homes

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan currently recommends Commercial uses. However, application CPA 22-04 recommends a change to Medium Intensity Retail, Office, and Housing (MIROH). This rezoning is compliant with the MIROH designation.

Report: This rezone application includes four (4) lots owned by the Redevelopment Authority (RDA). These four parcels are half of a city block, covering approximately .45 acres. They are all currently zoned General Commercial (CI). The site addressed 414 S. Chestnut Street (parcel #2-175) was mistakenly added to this application but is not part of this proposal and should retain the CI zoning.

The RDA is preparing this site for a future housing development. A rezone to Office Residential (OR) would allow for ground-level housing that is not allowed in the CI district. Additionally, the OR district is a better fit when considering the potential for the development of townhome-style housing or other multi-family homes that will act as a more appropriate transition between the lower density residential uses to the west and south with the commercial uses to the east.

The Shipyard Investment Strategy calls for a mix of commercial and higher-density housing in this part of the Shipyard Neighborhood. Specifically, it calls for a buffer between the commercial areas on Broadway and along Mason Street and the residential core further west. OR is the most appropriate transitional zoning district that allows for both residential and commercial uses at appropriate densities to function as a buffer.

Alder Brian Johnson, Tank Park Neighborhood Association, and neighbors within 200 ft. were notified of the meeting based on Plan Commission policy. Staff has not received any inquiries about the request as of the drafting of this report.

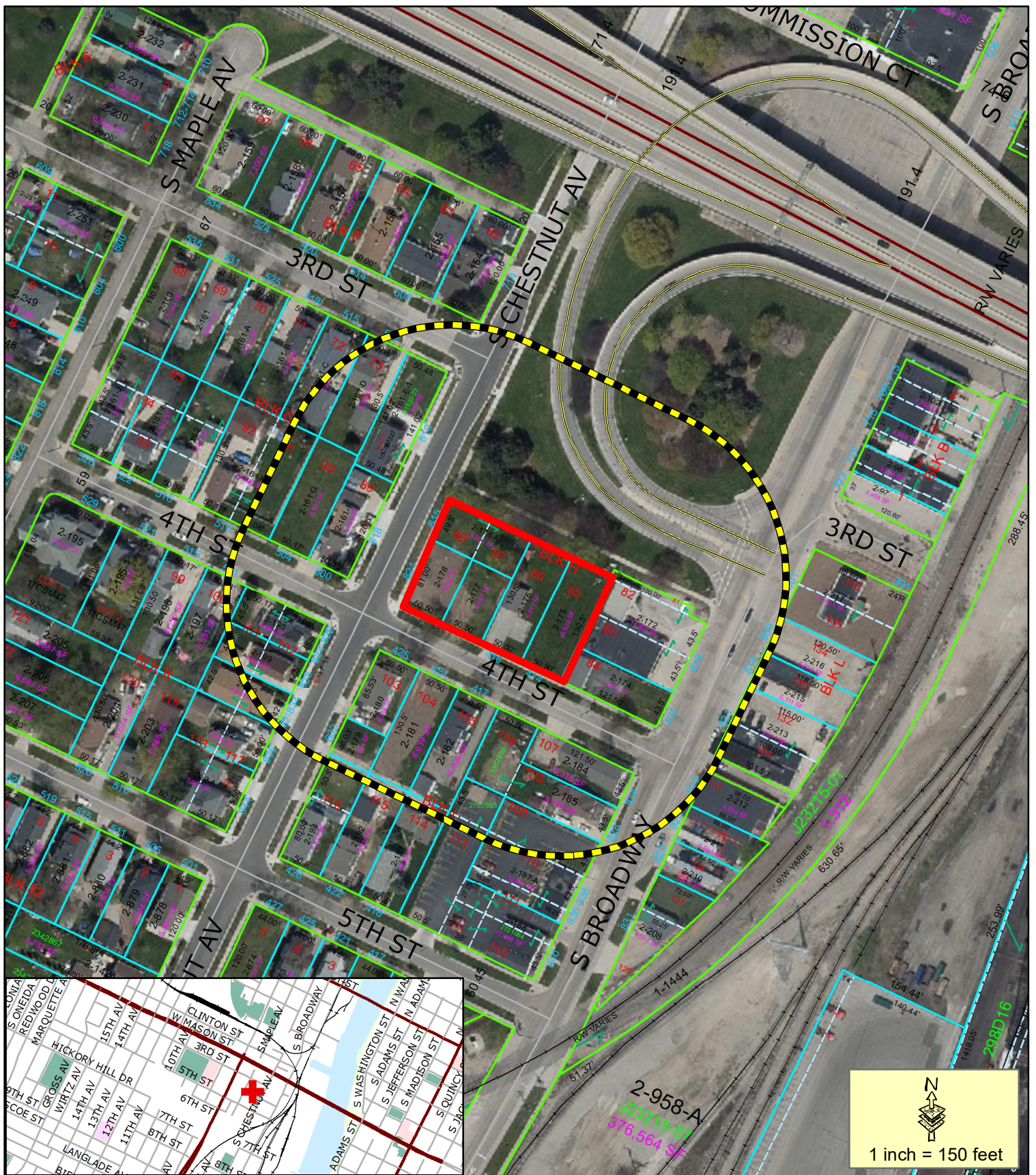
RECOMMENDATION

Approval of the request to rezone the property from General Commercial (C1) to Office Residential (OR).

FISCAL IMPACT

ATTACHMENTS

- I. ZP 22-44_CPA 22-04 PropMap



- Proposed CPA & Zone Change
- 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 DB

CPA 22-04 & ZP 22-44 **Proposed Comprehensive Plan** **Amendment and Zone Change** **at the northeast corner of** **S Chestnut Ave and 4th Street**





Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.11

(ZP 23-03) Public hearing on request to establish a Planned Unit Development at the 1100 Block of E. Walnut Street (parcels 14-195, 14-196, 14-197, 14-198, 14-199, 14-200, 14-201 & 14-202) to permit a mixed-use office & multiple-family residential development, submitted by MF Housing Partners, LLC, applicant, City of Green Bay Redevelopment Authority, property owner (Ald. R. Scannell, District 7).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.12

(ZP 23-03) Consideration with possible action on request to establish a Planned Unit Development at the 1100 Block of E. Walnut Street (Parcels 14-195, 14-196, 14-197, 14-198, 14-199, 14-200, 14-201 & 14-202) to permit a mixed-use office and multiple-family residential development, submitted by MF Housing Partners, LLC, applicant, City of Green Bay Redevelopment Authority, property owner (Ald. R. Scannell, District 7).

BACKGROUND

Primary Address: 1100 Blk of W. Walnut

Aldersperson / District: Ald. Randy Scannell / District 7

Reason for Request: To allow the construction of a mixed-use office / 43-unit multiple-family project.

Subject Parcel Zoning and Land Use: Subject land area is zoned Office Residential District (OR) and is currently undeveloped green space (formerly varied density homes).

Surrounding Zoning and Land Uses:

North: Low Density Residential District (RI) - Primarily two-family with single & multi-family

South: Office Residential District (OR) - Primarily multi-family with office, single & two-family

East: Office Residential District (OR) - Primarily two-family with single & multi-family

West: Office Residential District (OR) - Primarily two-family with single & multi-family

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for medium/high density residential as well as to the west, north and east (across N. Roosevelt Street). Low density residential uses are recommended to the south (across E. Walnut Street).

The proposed zoning change to a Planned Unit Development, as drafted, is consistent with the recommendation of the Comprehensive Plan for the particular property as well as being consistent with the intent of the area. The small office component proposed is permitted in the OR District and follows the recommendation of the comprehensive plan with integrating commercial uses throughout neighborhoods primarily as commercial nodes at corners.

Analysis: This request is for a proposed development of a mixed-use apartment building with 43 living units and approximately 5,000 sq. ft. of office/community service space on approximately 1.21 acres of land bound by medium density residential on the north and west, E. Walnut Street on the south, and N. Roosevelt Street on the east. It consists of eight (8) individual parcels ranging in size from 3,000 sq. ft. to 8,800 sq. ft. These lots must be consolidated as part of this project.

Report: The project includes the development of a three-story (42 ft. tall), 43-unit apartment building with 5,000 sq. ft. of office space on the first floor at the corner of E. Walnut and N. Roosevelt. The residential component will have five (5) one-bedroom units, 26 two-bedroom units, and 12 three-bedroom units. The

building is very linear in design with a west-east orientation, but includes architectural features to provide building wall relief and articulation, including five (5) individual unit entrances and one common entrance to the residential components along E. Walnut Street. Building materials are predominately fiber cement siding. However, the developer has included brick in the design of the first floor of the office portion of the building and a brick “knee wall” on the south (Walnut) elevation, and portions of the west and east side elevations. Siding is intentionally placed both vertically and horizontally, as well as incorporating siding panels. These varying siding materials and installation methods are employed to differentiate components of the structure, break up the mass of the predominate single material and provide relief and interest to the building’s exterior. All windows and entries include trim. Staff have a slight concern about the entrances located on the south façade as they are very nondistinctive and open to the elements. Staff recommends that building entrances on the E. Walnut Street façade include a canopy or other roofing element over the doorway roofs to protect residents from rain/snow when entering their units. As well as to protect packages and also include some type of lighting for security and convenience.

Other accessory uses within the building customarily associated with multiple family dwellings and office space could include a lobby, mail room, janitorial services, community room, resident storage areas, office space associated with residential use, home occupations, childcare for residents, and other uses deemed appropriate by the Zoning Administrator. Staff have included a conceptual site plan and building elevations for the project within the draft PUD ordinance, which will require general conformity with it.

The property itself is proposed to be improved to include surface parking for automobiles in the form of 56 parking spaces, six (6) of which are stacked and assigned to three-bedroom units and 10 dedicated/assigned to office use but maybe utilized by residents during evening hours. Bicycle parking is proposed to be provided near the northern pedestrian entrance on the rear side of the building. Access will be limited to a single drive from N. Roosevelt Street. Pedestrian access is currently proposed for the individual entrances on E. Walnut Street. As there are also multiple entrances on the rear/north façade adjoining the parking lot, it is recommended that pedestrian access from N. Roosevelt Street also be provided. Staff has included conceptual site plan and building elevations for the project within the draft PUD ordinance and development will require general conformity with it.

The PUD designation, rather than a straight development, within the OR District is necessary because several exceptions to zoning regulations associated with the OR zoning will be needed, including:

1. Density increases from the required 2,000 sq. ft. of lot area per unit (maximum of 26 units) to a proposed 1,225 sq. ft. per unit (permitting the proposed 43 units).
2. Maximum height from 35 ft to 41 ft.
3. Increase in maximum impervious surface coverage from 60 percent to the proposed 80 percent.
4. The distance of the driveway from the intersection from the required 155 ft. to the proposed 115 ft.
5. Reduction of buffer yard sizes, including the side yard setback (west lot line) from 15 ft. to the proposed 5.5 ft and rear yard setback (north lot line) to the proposed 6 ft.

Staff believes the increase in density is appropriate at this location as it is in walking proximity to the downtown and Main Street, Navarino Park, Joannes Park/East High School and is located on the bus line. It is adjacent and near many other multiple family developments with similar density. An increase in height is appropriate to match roof styles/lines with the neighborhood. Affordable and larger bedroom sized housing units have been identified in our housing market study as a land-use the greater Green Bay area is specifically lacking. Staff supports the reduced setbacks as the general area is urban in nature with buildings and improvements generally closer to each other than the typical suburban situation. The reduction in setbacks was also not a topic of concern for neighboring residents, with the assumption that there would be increased landscaping as well as the installation of solid/opaque fencing as “buffers”.

If the draft PUD is approved with conditions, the final step for the development of the proposed apartment will simply be a lot consolidation, adjustments to the south building façade, and administrative

review/approval of a site plan and building permit related to the PUD and the zoning ordinance.

The applicants met and shared their concept plans with Joannes Park Neighborhood Association and neighborhood/surrounding property owner. Some feedback was received, and plans modified to address concerns and desires of neighbors. Alder Randy Scannell, adjacent property owners and Joannes Park Neighborhood Association have been notified of the request by staff.

RECOMMENDATION

Approval of the request, subject to the following conditions:

1. Adoption of the draft PUD;
2. Consolidation of the individual lots;
3. Pedestrian access from N. Roosevelt Street to the buildings rear entrance be provided;
4. Building entrances on the East Walnut Street façade include a canopy or other roofing element over the doorway and lighting with approval by the Department of Community Development.

FISCAL IMPACT

ATTACHMENTS

1. Updated PUD Submittal - City East 2.13.23
2. ZP 23-03 PropMap
3. ZO XX-23 Draft PUD for 1100 East Walnut w exhibits



REQUEST FOR CITY ACTION PLAN COMMISSION

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

Location of Property: 1100 Block of E Walnut Street, Green Bay, WI 54301

Parcel Number(s): 14-195; 14-196; 14-197; 14-198; 14-199; 14-200; 14-201; 14-202

Petitioner(s): MF Housing Partners, LLC Date: 1/30/2023

Email: jklistner@foreinvestmentgroup.com Phone Number: (920) 246-1520

Address: 229 E Washington Street City: Appleton State: WI Zip: 54911

Property Owner: _____ Phone Number: _____

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

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

I, Jack Klister, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$375.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$375.00 Review Fee)
- ☒ PUD and PUD Amendments (\$425.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$250.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$250.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$150.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$150.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Comprehensive Plan Amendments (\$275.00 Review Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature: _____ Date: _____

Petitioner Signature(s): Jack Klister 1/30/23

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

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

Parcel No.	Address	Legal Description
14-195	1147 E Walnut Street, Green Bay, WI 54301	0.202 AC M/L PLAT OF NAVARINO LOT 748
14-196	1159 E Walnut Street, Green Bay, WI 54301	0.202 AC M/L PLAT OF NAVARINO LOT 749
14-197	1161 E Walnut Street, Green Bay, WI 54301	0.202 AC M/L PLAT OF NAVARINO LOT 750
14-198	1165 E Walnut Street, Green Bay, WI	0.101 AC M/L PLAT OF NAVARINO W 26.5 FT OF LOT 751
14-199	1167 E Walnut Street, Green Bay, WI 54301	0.101 AC M/L PLAT OF NAVARINO E 26.5 FT OF LOT 751
14-200	1173 E Walnut Street, Green Bay, WI 54301	0.202 AC M/L PLAT OF NAVARINO LOT 752
14-201	1177 E Walnut Street, Green Bay, WI 54301	0.137 AC M/L PLAT OF NAVARINO S 112 FT OF LOT 753
14-202	111 N Roosevelt Street, Green Bay, WI 54301	0.065 AC M/L PLAT OF NAVARINO N 53 FT OF LOT 753



Dear Green Bay Planning Commission Members,

On behalf of MF Housing Partners LLC, we are excited to present a proposed mixed-use development for the 1100 block of E Walnut Street. Named “City East Apartments”, the project will reimagine an underutilized 1.21-acre lot into 43 apartments and a community service facility operated by a nonprofit organization *to be announced*.

City East was selected by the Green Bay RDA as the winner of an RFP issued in June 2021. The project would be the first multi-family residential building constructed in the immediate neighborhood in more than 20 years, providing a long overdue investment in an area that currently lacks newer, architecturally significant living options. The addition of a medium density project like City East will encourage more daily activity in the neighborhood and support the recent Housing Study claim of increasing the health of the neighborhood by adding a newer, unique type of housing with different price points.

City East will cater to households of all sizes by providing 1, 2, and 3-bedroom layouts. The inclusion of 3-bedroom units helps to address the lack of affordable rental opportunities for families near downtown. Residents will be able to enjoy community amenities such as a large clubroom, onsite parking, and dedicated resident storage on all floors. The building will have elevator access to all floors and will be smoke-free and pet-friendly. The western and northern borders of the site will have a six foot, fully opaque vinyl fence to provide privacy between City East and neighboring properties.

Residents will be able to use bike racks provided onsite and will have just a short walk across the street to a bus stop serving Route 7. The Property boasts a *Walk Score* of 81, and is within close proximity to several community amenities, including two parks (Navarino Park, .50 mi; Joannes Park, .50 mi). Designed to complement the look and feel of the existing residential neighborhood, City East will be constructed in adherence to both *Wisconsin Green Built Home Standard* and *Universal Design* guidelines.

Our team has worked extensively with our architect and civil engineering partners to maximize the entirety of the existing 1.21-acre lot to create a unique, safe, and welcoming mixed-use project. City East has been designed to keep rents affordable; Design elements such as underground parking and balconies were considered but determined to not be feasible given current construction costs. To make this project a reality, our team is requesting a rezoning from Office Residential (OR) to a Planned Unit Development (PUD) to properly adhere to zoning code requirements that will be explained in this document.

Thank you for your consideration,

MF Housing Partners, LLC

Minimum Lot Area

- Required: 2,000 SF per Unit
- Project: 43 units x 2,000 = 86,000 SF; Lot area is 52,678 SF (1.21 AC)

Due to the size constraint of the lot and mixed-use nature of the project, City East would not be able to achieve the required 2,000 SF per unit requirement. Apartment sizes at City East will be very similar to other market rate and mixed income housing communities in the area. See here for projected unit breakdown at City East:

Unit Name	Size (SF)	Bedrooms	Bathrooms	No. of Units
Starr	650 – 667	1	1	5
Dillon	937 – 961	2	1	20
Jones	1,031 – 1,040	2	1	4
Burks	1,077	2	2	2
Jennings	1,201 – 1,238	3	2	3
Nelson	1,213 – 1,234	3	2	3
Driver	1,182 – 1,186	3	2	6
Total		93	57	43

Max Floor Area Ratio

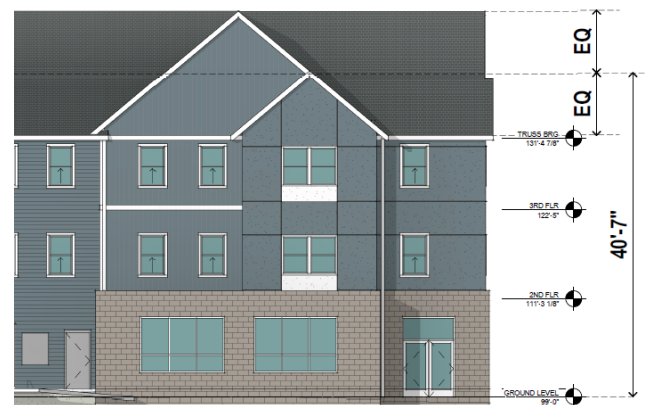
- Required: 1.00
- Project: 1.16

The gross square footage of the building is 60,876 SF, while the lot size is 52,678 SF, resulting in a floor area ratio of 1.16. The building and overall site plan have been efficiently designed to maximize the use of 1.21 acres and the building must be large enough to accommodate 43 apartment units across three stories and a 4,971 SF community service center on the first floor. The project will also preserve the existing sidewalks on the south and eastern borders of the site. The site will be comprised of 20.7% greenspace.

Maximum Height

- Required: 35'
- Project: 40' 7"

City East would need to be approximately five feet above the maximum height per OR zoning. This is due to needing to fit 43 units and a community service center on a constrained site, having nine-foot ceilings in each apartment, as well as a roof style that best compliment the character of the current neighborhood. While a flat roof design would make the building height code compliant, the pitched roof style would help provide a necessary, smooth transition from single family homes into a medium density, mixed use project.



Maximum Impervious Surface Coverage

- Required: 60.00%
- Project: 79.30%

The amount of impervious surface coverage is due to several factors including:

Parking Requirements: Located at the corner of two streets with no street parking allowed, the project must provide enough onsite parking stalls (56 total) to serve residents, guests, and office employees. Underground parking was considered for this project but found this was not feasible to keep this project affordable for future residents.

Wisconsin Green Built Home Standard and Universal Design guidelines: The project must adhere to several design guidelines. Design elements specifically related to this project that contribute to the excess impervious surface coverage include eight walk up townhomes with individual exterior entrances, as well as a large ADA ramp at the front of the building.

Consultation with Fire Department: Due to size constraints, having multiple site entry / exit points is not possible. To provide the Fire Department with enough room to conduct a Y-Turn during a site visit, an enlarged fire lane was added to the middle portion of the parking lot.

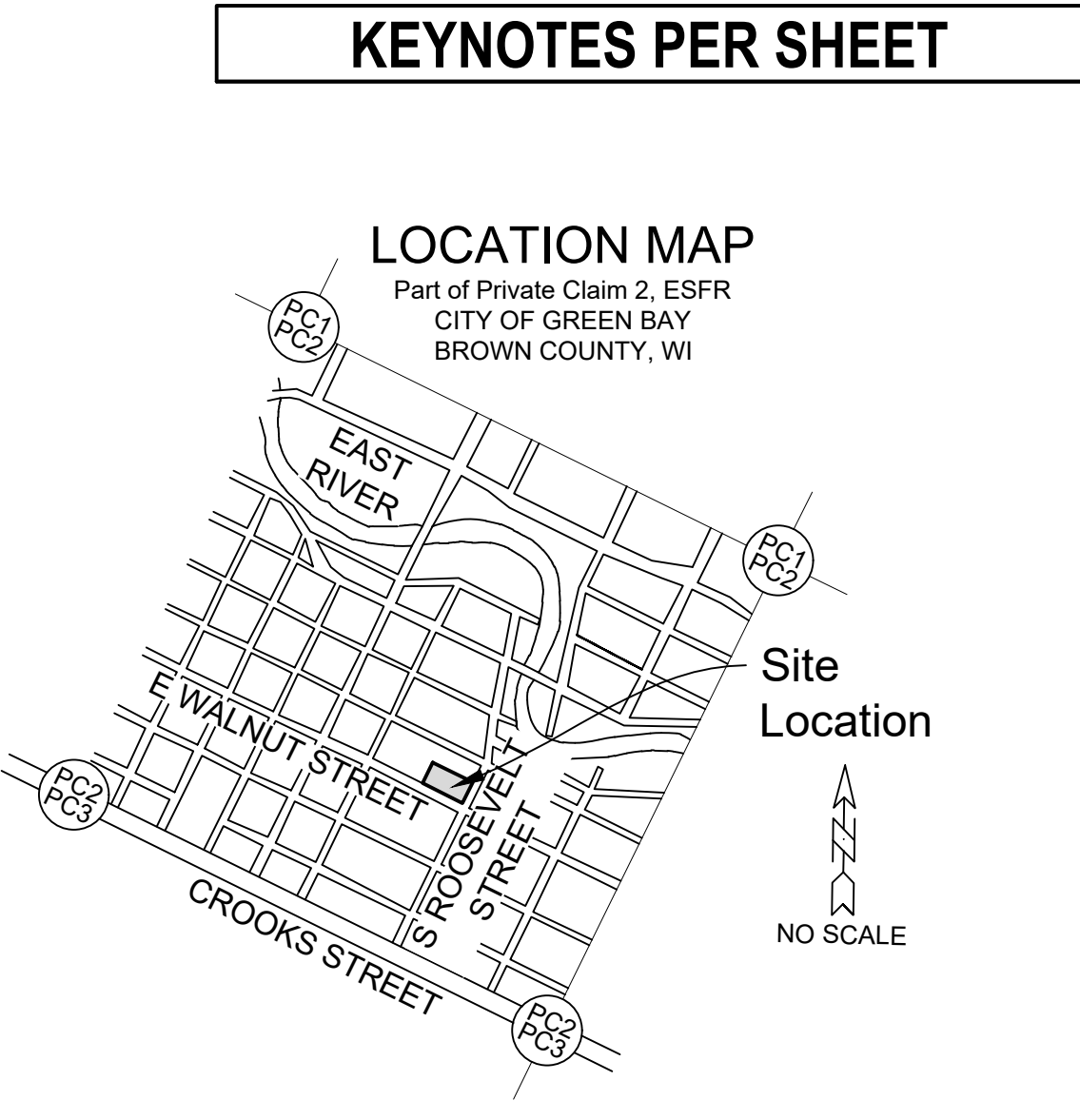
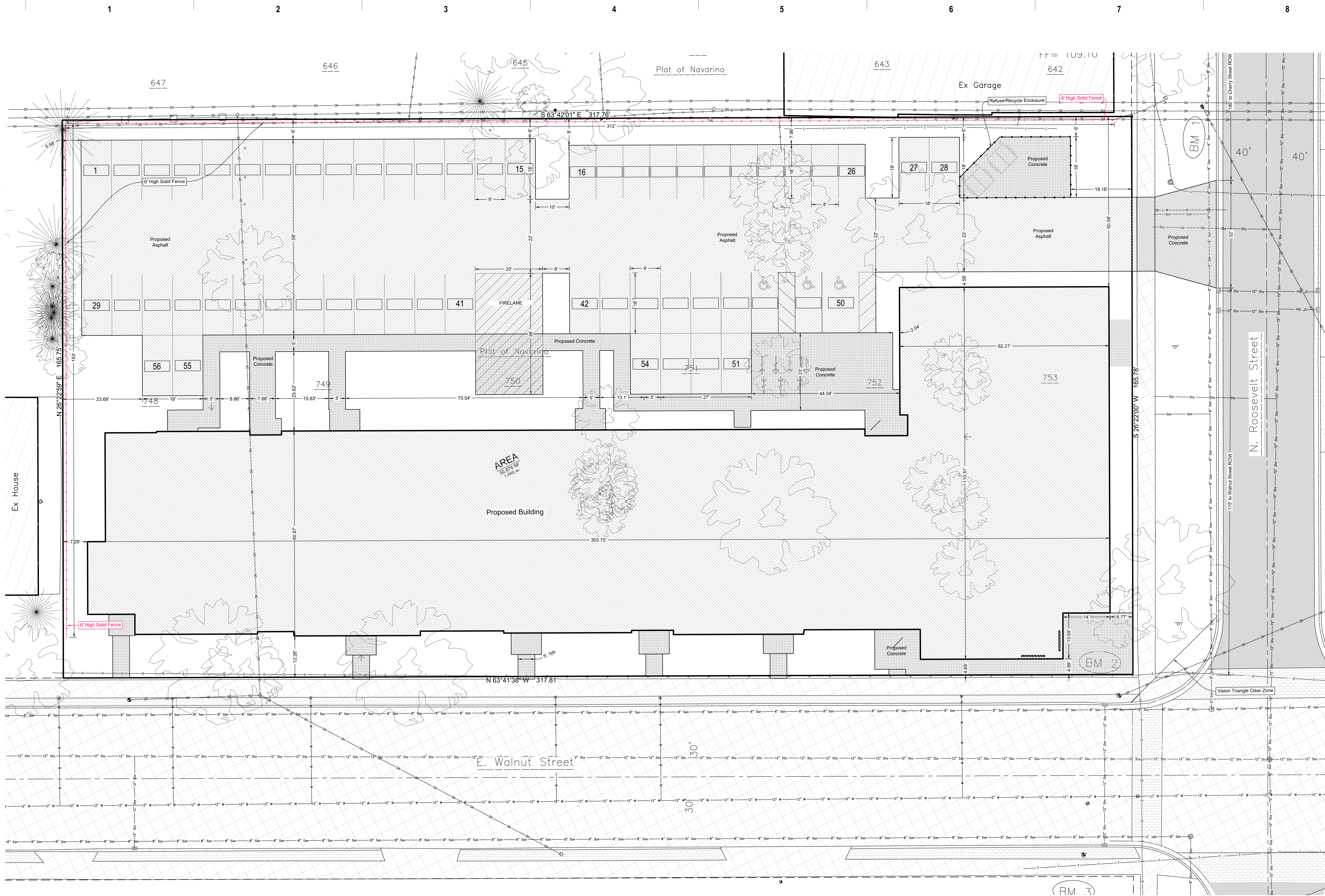
The amount of impervious surface coverage is largely due to other elements of the project designed to meet code requirements. Onsite stormwater management is proposed within bioswales and oversized storm sewers/sumps with discharge to municipal storm sewers.

Distance between Driveway & Intersection

- Required: 155'
- Project: Walnut Street = 115'; Cherry Street; 185'

The driveway for City East is proposed on the northeast side of the site off N Roosevelt Street. This location was chosen to best fit the building footprint and parking lot, provide a buffer between the houses to the north, and as a safer alternative to E Walnut Street due to traffic patterns. E Walnut Street (5,000 VPD) is a main east-west thoroughfare in the neighborhood and directly leads to Green Bay East High School. Additionally, there are no stop signs for drivers traveling along E Walnut Street as they pass N Roosevelt Street. The proposed parking lot location continues the trend in the immediate neighborhood of buildings bordering the street and parking located on the rear of the site. The size and shape of the entrance and driveway meet dimensional requirements, providing plenty of room for residents to safely enter and exit the property.

This entry / exit location would still allow plenty of room for residents entering and exiting onto N Roosevelt St. The intersection of E Walnut Street is clearly marked with crosswalks and has stop signs on both sides. Cars driving southbound towards E Walnut Street from Cherry Street will also pass a bright stop sign reminder before approaching the intersection.



SITE INFORMATION:	
Legal Description:	Plat of Navarino Lots 748 to 753
Parcel Numbers:	14-195, 14-196, 14-197, 14-198, 14-199, 14-200, 14-201, 14-202
Current Use:	Vacant, formerly residential homes
Proposed Use:	Mixed-Use Development with PUD
Current Zoning:	OR - Office Residential
Adjacent Zoning:	North - R1 - Low Density Residential South - OR - Office Residential East - OR - Office Residential West - OR - Office Residential
Site Areas	
Parcel Area:	52,678 SF (1.209 Acres)
Current Impervious:	0 SF
Proposed Building Area:	20,873 SF
Proposed Pavement Area:	16,860 SF
Proposed Sidewalk Area:	4,250 SF
Total Proposed Impervious:	41,783 SF (79.3%)
Total Proposed Greenspace:	10,895 SF (20.7%)
PARKING CALCULATIONS	
Multi-Family Parking Stalls Required:	54
(1 space per dwelling + 1 visitor space per 4 units, 434/11)	
General Office Parking Stalls Required:	10
(1 space per 500 of office floor area, 5,000 sf)	
Multi-use parking reduction:	-3
Bicycle parking reduction:	-5
Total Required Parking:	56
Standard Parking Spaces:	42
Subcompact Parking Spaces (up to 20% of total):	11
Handicapped Parking:	3
Total Parking Spaces Proposed:	56
DEMOLITION:	
All on-site trees are to be removed. Contractor shall coordinate with WPS to relocate overhead power supply to Walnut Street light pole, refer to the Utility Plan.	
PROPERTY OWNER:	
FORE Development + Investment 229 E. Washington St. Appleton, WI 54911 Phone: (920) 470-0833 Email: jkissler@foreinvestmentsgroup.com	

LEGEND	
— CATV — CATV	Underground Cable TV
— F — F	Underground Fiber Optic
— OH — OH	Overhead Electric Lines
— S — S	Sanitary Sewer
— SW — SW	Storm Sewer
— U — U	Underground Electric
— G — G	Underground Gas Line
— T — T	Underground Telephone
— W — W	Water Main
— F — F	Fence - Steel
— F — F	Fence - Wood
— F — F	Fence - Barbed Wire
— F — F	Fence - Chain Link
— F — F	Fence - Electric
— F — F	Fence - Air Conditioner
— F — F	Fence - Telephone Pedestal
— F — F	Fence - Telephone Manhole
— F — F	Fence - Intermediate Contour
— F — F	Fence - Delimited Wetlands
— F — F	Sanitary MH / Tank / Base
— F — F	Clear Out / Catch Stop / Pull Box
— F — F	Storm Manhole
— F — F	Manhole / Yard Drain
— F — F	Water MH / Well
— F — F	Hydrant
— F — F	Utility Valve
— F — F	Utility Meter
— F — F	Utility Pole
— F — F	Light Pole / Signal
— F — F	Guy Wire
— F — F	Electric Pedestal
— F — F	Electric Transformer
— F — F	Air Conditioner
— F — F	Telephone Pedestal
— F — F	Telephone Manhole
— F — F	4799.9 Spot Elevation
— F — F	CATV Pedestal
— F — F	Gas Regulator
— F — F	Railroad Signal
— F — F	Sign
— F — F	Tower / Site
— F — F	Post / Guard Post
— F — F	Satellite Dish
— F — F	Large Rock
— F — F	Flag Pole
— F — F	Decommission Tree
— F — F	Confession Tree
— F — F	Burn / Hedge
— F — F	Stump
— F — F	Soil Boring
— F — F	Benchmark
— F — F	Asphalt Pavement
— F — F	Concrete Pavement
— F — F	Gravel
— F — F	Proposed Building
— F — F	Proposed Asphalt
— F — F	Proposed Concrete
— F — F	Proposed Gravel



SHEET INDEX:	
Sheet	Page
Dimensional Site Plan	C100
Topographic Survey	C101
Drainage and Grading Plan	C102
Erosion & Sediment Control Plan	C103
Construction Details	C201
Sewer & Water Details	C202
Erosion & Sediment Control Details	C203

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors
1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

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KEY PLAN	

ISSUANCE AND REVISIONS	
DATE	DESCRIPTION

**PROGRESS DOCUMENTS
NOT FOR CONSTRUCTION**

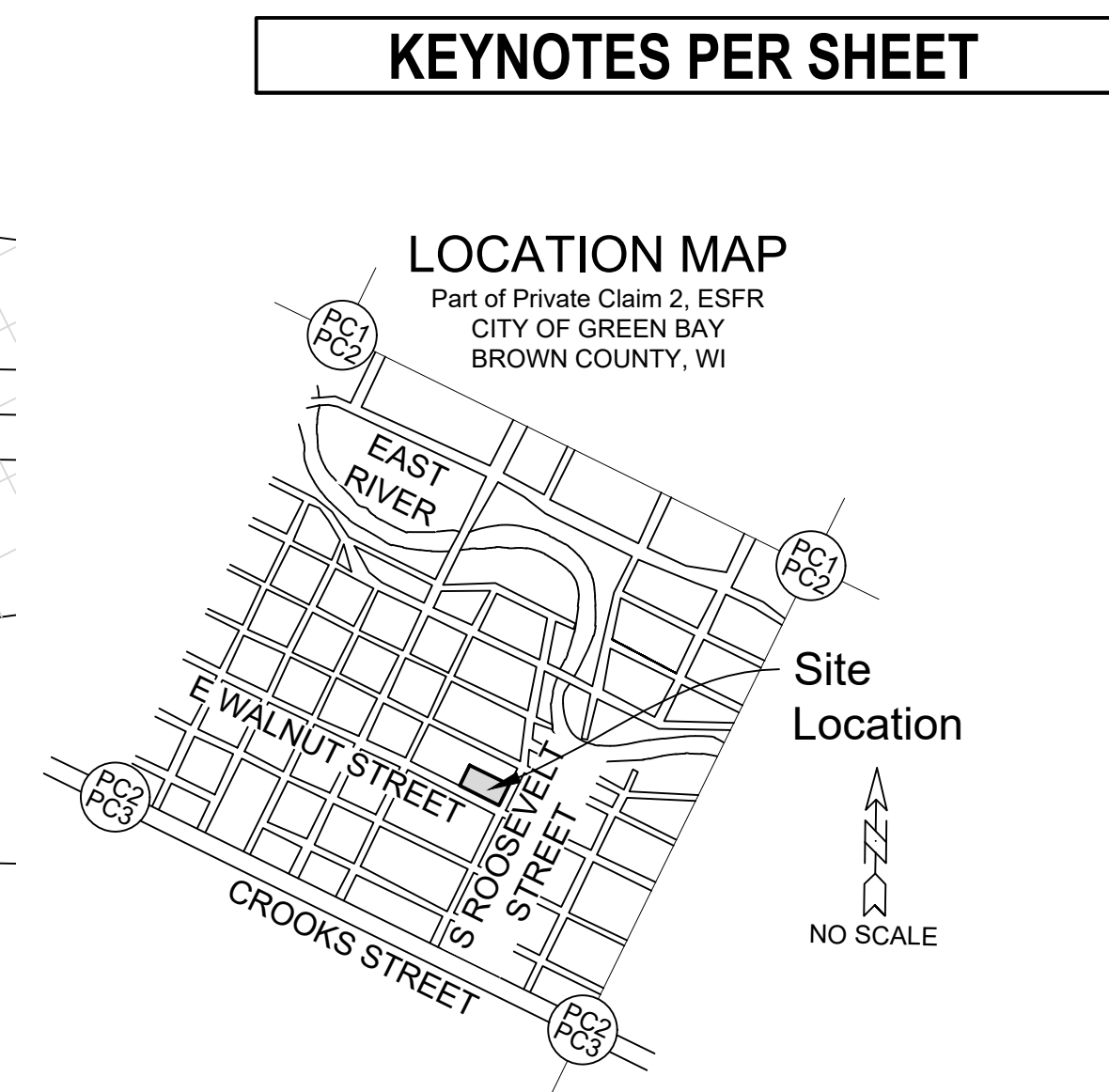
These documents reflect progress and intent and may be subject to change, including additional detail. These are not final construction documents and shall not be used for final bidding or construction-related purposes.

PROJECT INFORMATION	
CITY EAST APARTMENTS	
1177 WALNUT ST. GREEN BAY, WI 54301	
PROJECT NUMBER: 121366-01	
PROJECT MANAGER: CR	

SHEET INFORMATION	
SHEET NAME: DIMENSIONAL SITE PLAN & DETAILS C100	
SHEET NUMBER:	

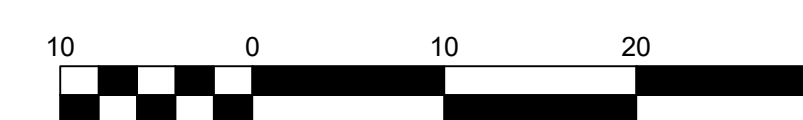
333 East Chicago Street
Milwaukee, WI 53202
(414) 271-5350
www.euta.com

milwaukee | madison | green bay | denver | atlanta



LEGEND

Cable TV Fiber Optic Overhead Electric Lines Utility GUY Wire Sanitary Sewer Storm Sewer Water Main Underground Gas Line Underground Telephone Fence - Steel Fence - Wood Fence - Chain Link Wire Tie Line Railroad Tracks Underground Electric Intermittent Corridor Delineated Wetlands	Sanitary Main / Tank / Base Clean Out / Clean Stop / Pull Box Storm Manhole Catch Basin / Yard Drain Water Main / Well Valve Utility Meter Light Pole / Signal GUY Wire Electric Transformer Air Conditioner Telephone Booth Ex Spot Elevation	CATV Pedestal Railroad Signal Sign Tower / Sign Post / Guard Post Sanitary Ditch Large Rock Flag Pole Decommission Tree Confusion Tree Bump / Hedge Bump Soil Boring Benchmark Asphalt Pavement Concrete Pavement Gravel Proposed Bridge Proposed Access Road Proposed Gravel Road
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SHEET INFORMATION

**PROGRESS DOCUMENTS
NOT FOR CONSTRUCTION**

These documents reflect progress and intent and may be subject to change, including additional detail. These are not final construction documents and shall not be used for final bidding or construction-related purposes.

1177 WALNUT ST.
GREEN BAY, WI 54301

SHEET NAME:

SHEET NUMBER:

LANDSCAPING
Concept Plan
L100

© 2022 Feinstein Lithen Architects, Inc.



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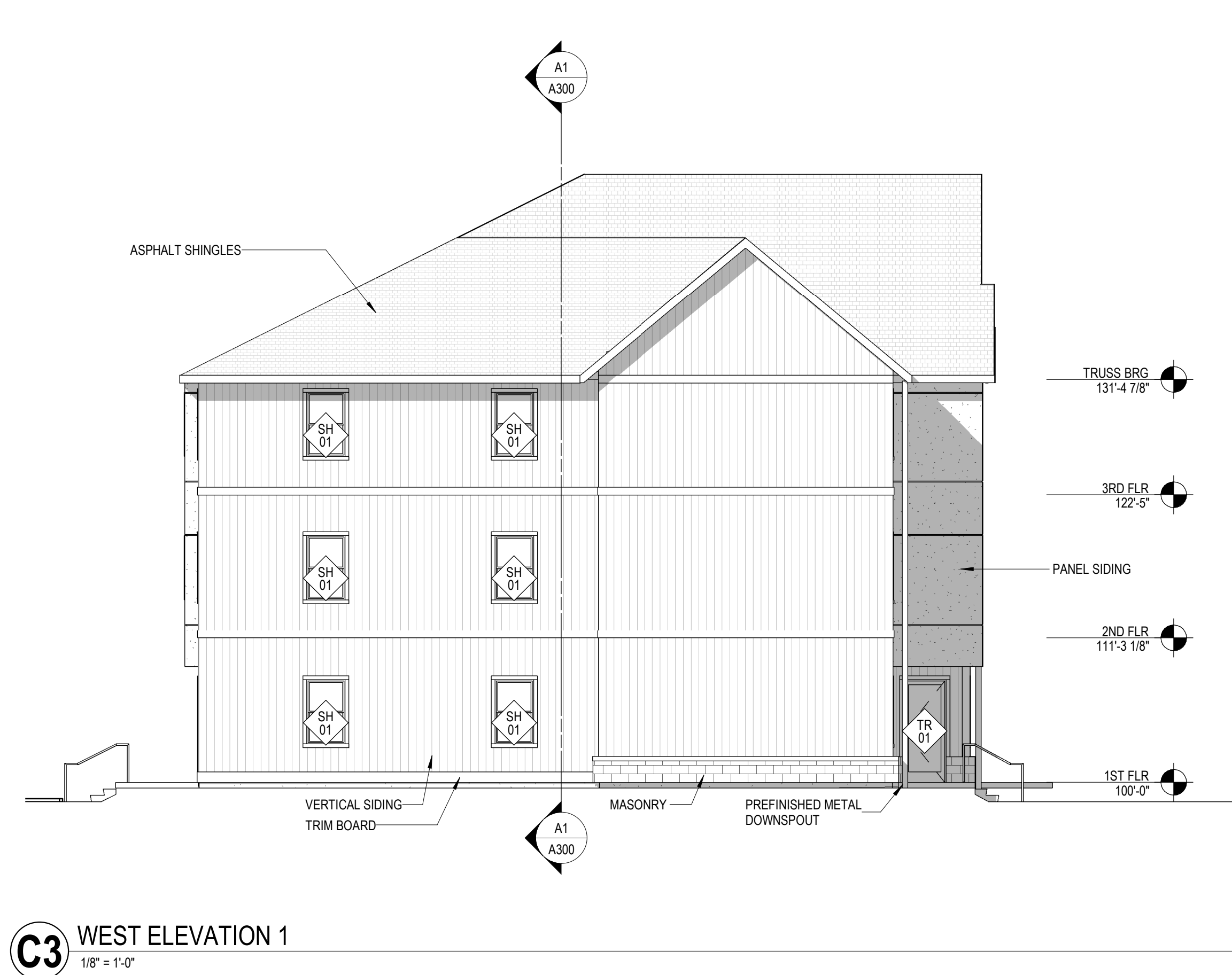
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**SHEET NOTES -
EXTERIOR ELEVATIONS**

- SEE SHEET A4000 FOR EXTERIOR FRAME TYPES AND DIMENSIONS.
- PROVIDE CONTINUOUS SEALANT AND BACKER ROD AT ALL PRECAST CONCRETE JOINTS.
- ALL INSIDE AND OUTSIDE CORNERS OF PRECAST TRIM TO NOT BE MITERED.
- EXTERIOR SIGNAGE ON BUILDING TO BE COORDINATED AND VERIFIED WITH ARCHITECT, OWNER AND SIGNAGE VENDOR.
- ALL VERTICAL INSIDE CORNERS TO HAVE 1/2" MOVEMENT JOINT.
- 1/4" INDICATES MOVEMENT JOINT - 1/2" GAP.
- 1/2" INDICATES METAL PANEL JOINT - 1/2" GAP.

KEYNOTES PER SHEET

0731	ASPHALT SHINGLES
0746-01	LAP SIDING
0746-02	PANEL SIDING
0746-04	VERTICAL SIDING
0746-05	TRIM BOARD
0910-15	PREFINISHED METAL DOWNSPOUT
2337-01	LOUVER TO MATCH ADJACENT MATERIAL COLOR, TYP
Div 04	Masonry



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KEY PLAN**ISSUANCE AND REVISIONS**

DATE	DESCRIPTION
------	-------------

**PROGRESS DOCUMENTS
NOT FOR CONSTRUCTION**

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PROJECT INFORMATION**CITY EAST APARTMENTS**

1177 WALNUT ST.
GREEN BAY, WI 54301

PROJECT NUMBER: 121366

PROJECT MANAGER: CR

SHEET INFORMATION

SHEET NAME: EXTERIOR ELEVATIONS

SHEET NUMBER:

A200

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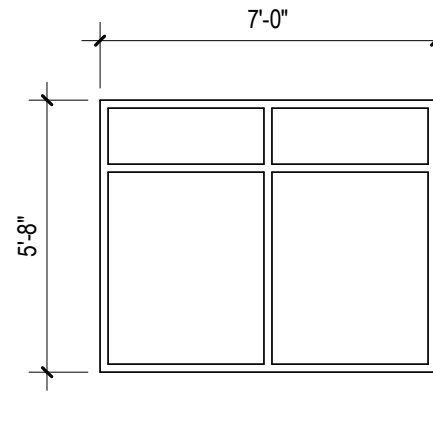
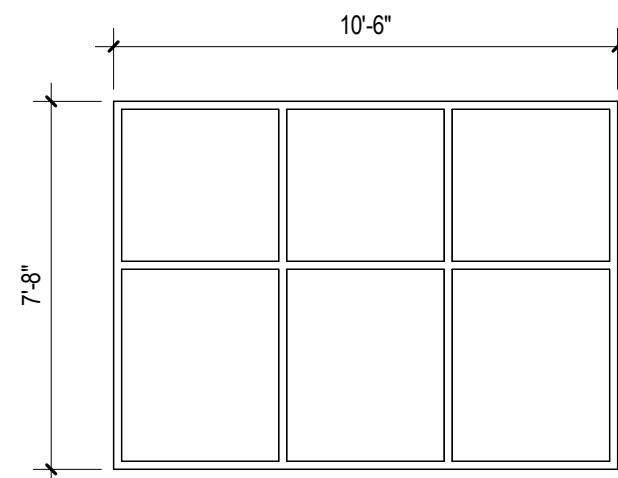
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SHEET NOTES -
EXTERIOR ELEVATIONS

- SEE SHEET 44000 FOR EXTERIOR FRAME TYPES AND DIMENSIONS.
- PROVIDE CONTINUOUS SEALANT AND BACKER ROD AT ALL PRECAST CONCRETE JOINTS.
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- 1M - INDICATES MOVEMENT JOINT - 1/2" GAP
- 1P - INDICATES METAL PANEL JOINT - 1/2" GAP

KEYNOTES PER SHEET

0731	ASPHALT SHINGLES
0746-01	LAP SIDING
0746-02	PANEL SIDING
0746-04	VERTICAL SIDING
0746-05	TRIM BOARD
0902-15	PREFINISHED METAL DOWNSPOUT
2337-01	LOUVER TO MATCH ADJACENT MATERIAL COLOR, TYP

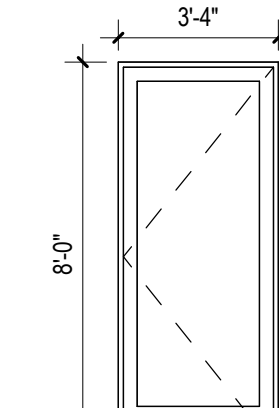
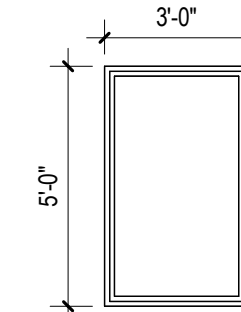
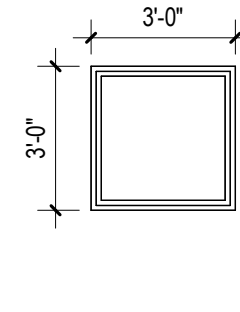
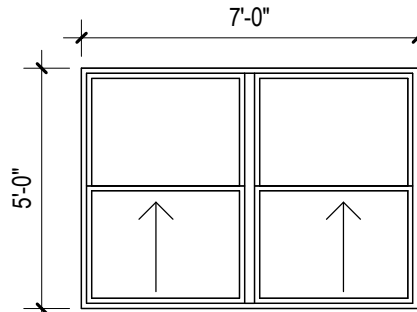
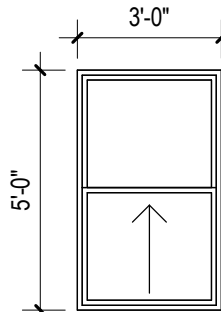
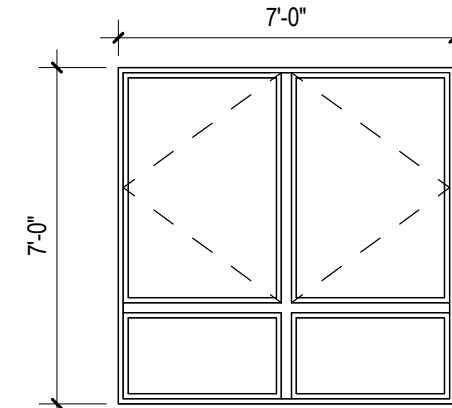


ALUMINUM STOREFRONT NOTES
1. MULLIONS 2" UNLESS NOTED OTHERWISE

FX 01

FX 02

ALUMINUM STOREFRONT



SH 01

SH 02

SH 03

FX 05

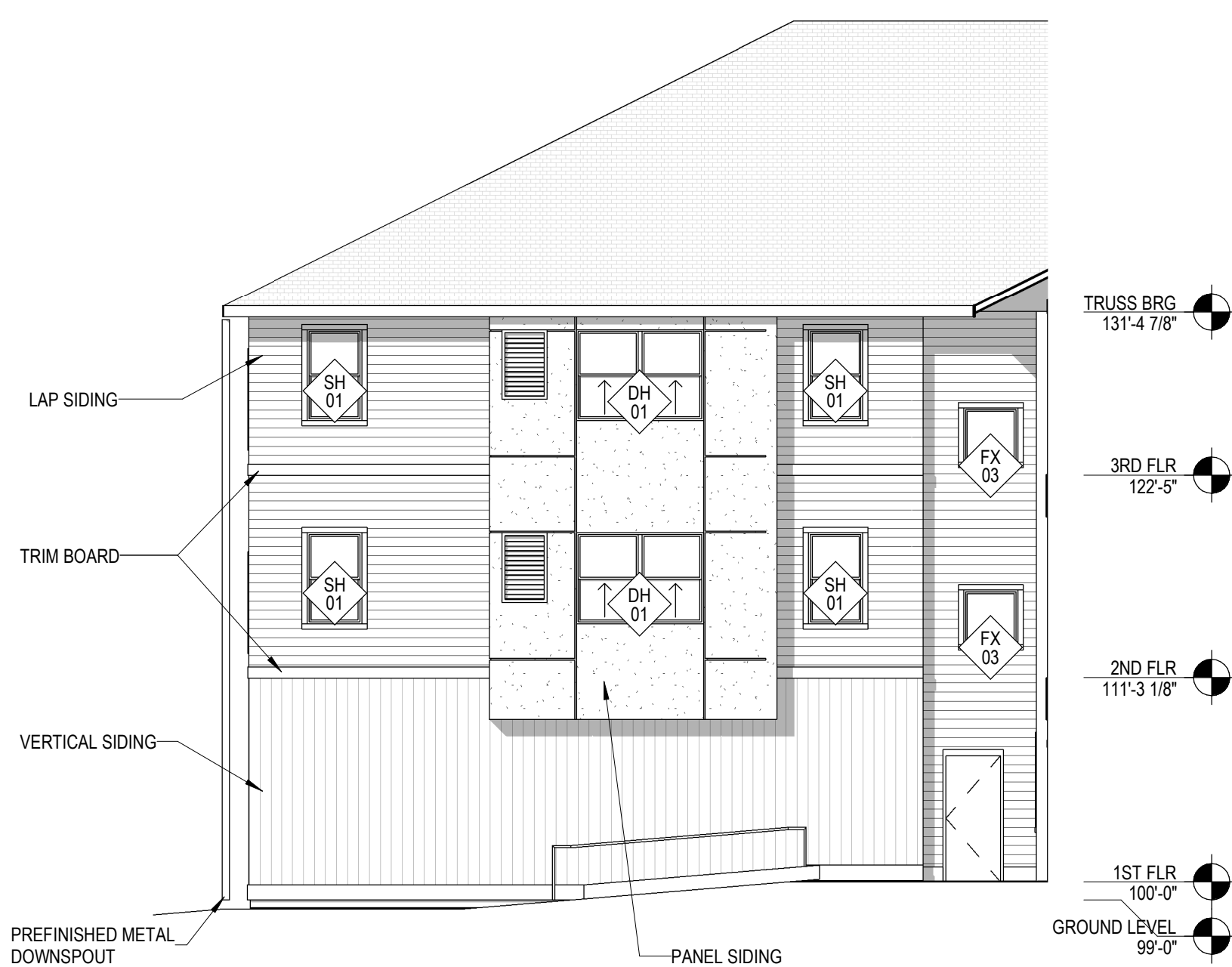
FX 04

TR 01

WINDOW TYPES
1/8" = 1'-0"



B1 NORTH ELEVATION 1
1/8" = 1'-0"



A5 WEST ELEVATION 2
1/8" = 1'-0"



A3 NORTH ELEVATION 2
1/8" = 1'-0"

KEY PLAN

ISSUANCE AND REVISIONS

DATE	DESCRIPTION
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PROJECT INFORMATION

CITY EAST APARTMENTS

1177 WALNUT ST.
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PROJECT NUMBER: 121366

PROJECT MANAGER: CR

SHEET INFORMATION

SHEET NAME: EXTERIOR ELEVATIONS

SHEET NUMBER:

A201

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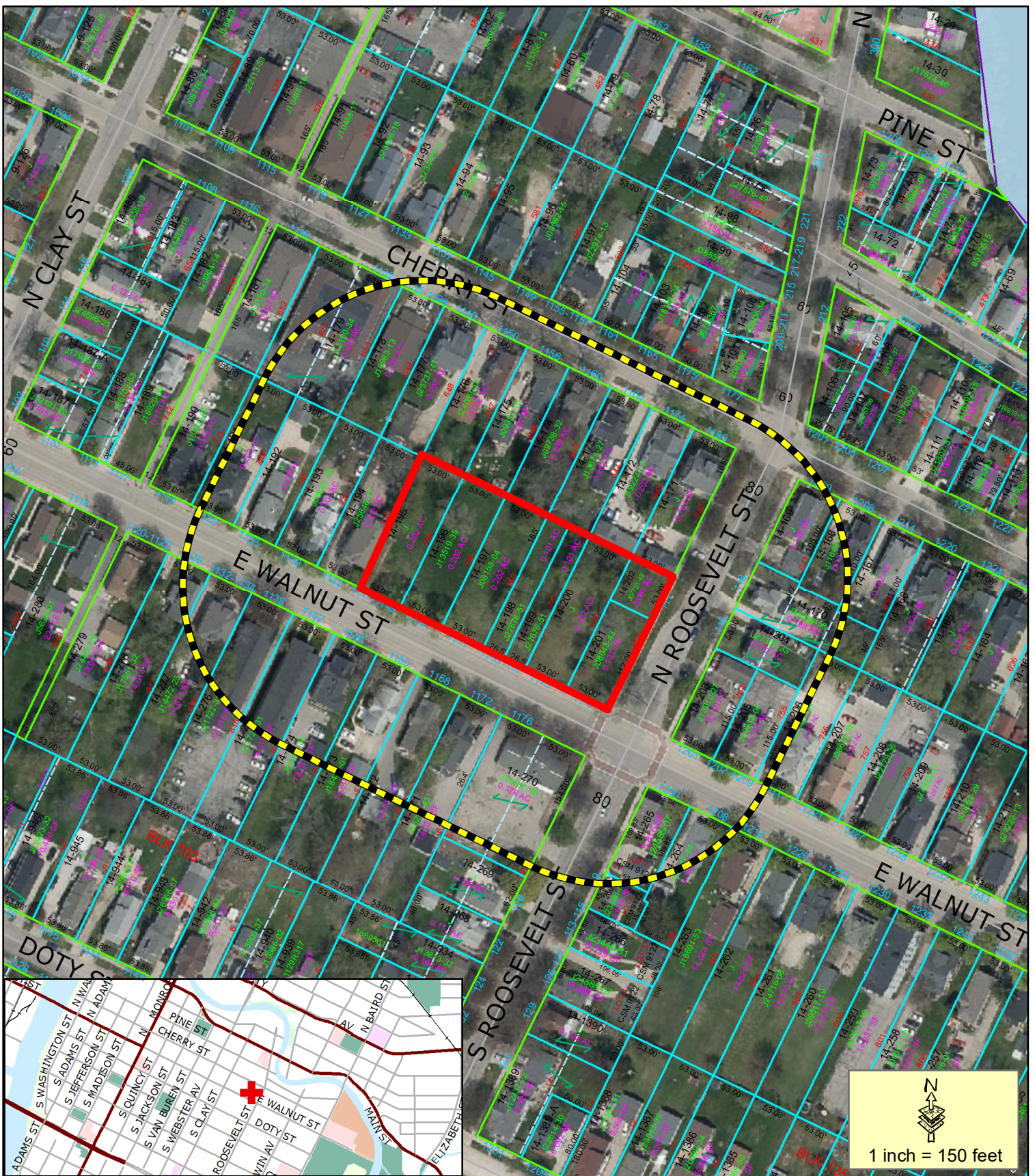
1 Walnut and Roosevelt



1 West Walnut



1 From NorthWest Corner



- Proposed PUD
- 200' Property Owner Notice

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Map prepared by DB

Zoning Petition (ZP 23-03)

Proposed Planned Unit Development (PUD) at 1100 Block East Walnut St



ZONING ORDINANCE NO. XX-23

AN ORDINANCE CREATING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT FOR PROPERTY ON THE 1100 BLOCK OF EAST WALNUT STREET (ZP 23-03)

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

SECTION 1. Section 44-30, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development Overlay District on the following described properties, as also depicted on Exhibit A - Location Map:

Parcel Identification and Legal Description:

Parcel No.	Address	Legal Description
14-195	1147 E Walnut Street, Green Bay, WI 54301	0.202 AC M/L PLAT OF NAVARINO LOT 748
14-196	1159 E Walnut Street, Green Bay, WI 54301	0.202 AC M/L PLAT OF NAVARINO LOT 749
14-197	1161 E Walnut Street, Green Bay, WI 54301	0.202 AC M/L PLAT OF NAVARINO LOT 750
14-198	1165 E Walnut Street, Green Bay, WI	0.101 AC M/L PLAT OF NAVARINO W 26.5 FT OF LOT 751
14-199	1167 E Walnut Street, Green Bay, WI 54301	0.101 AC M/L PLAT OF NAVARINO E 26.5 FT OF LOT 751
14-200	1173 E Walnut Street, Green Bay, WI 54301	0.202 AC M/L PLAT OF NAVARINO LOT 752
14-201	1177 E Walnut Street, Green Bay, WI 54301	0.137 AC M/L PLAT OF NAVARINO S 112 FT OF LOT 753
14-202	111 N Roosevelt Street, Green Bay, WI 54301	0.065 AC M/L PLAT OF NAVARINO N 53 FT OF LOT 753

Land Area comprises approximately 52,795 square feet/1.21 acres

SECTION 2. Pursuant to Chapter 44, Article XX, Green Bay Municipal Code, as it applies, the following conditions are imposed:

- A. Purpose and Intent. The Planned Unit Development (PUD) is being utilized to permit the development of a mixed-use apartment building with 43 living units and approximately 5,000 square feet of office/community service space. The overall appearance and design of the site, site improvements and the building shall be in substantial conformance with the attached Exhibits and as regulated within this PUD.
- B. Development Site. Area included within this PUD currently consists of eight (8) individual parcels; seven (7) that front East Walnut Street and one (1) that fronts North Roosevelt Street, as specified in Section 1 of this ordinance. The eight (8) individual parcels shall be combined to a single tax parcel prior to issuance of administrative site plan approval, building permit issuance and occupancy permit.
- C. Land Use Regulations. The principal and accessory land uses which may be established and/or maintained on the subject property are as follows:
1. Principal uses (within a single structure):
 - a. 43 residential dwelling units consisting of five (5) one-bedroom, twenty-six (26) two-bedroom, and twelve (12) three-bedroom units.
 - b. No greater than 5,000 square foot office space/community service facility.
 2. Accessory uses customarily associated with multiple family dwelling and office space including lobby, mail room, janitorial services, community room, resident storage areas, office space associated with the residential use, home occupations, childcare for residents, and other uses deemed appropriate by the Zoning Administrator.
- D. Prohibited Uses. The PUD limits certain uses from being established on the site or as accessory to the multi-family dwelling and office principal uses including rooming/boarding houses, shelter facilities, transitional housing, dormitories, assisted living/nursing homes, commercial uses typically associated with dwelling (family daycares and live-work units). All other proposed uses are subject to a PUD amendment.
- E. Dimensional and Area Requirements. Dimensional and area requirements for principal structure and surface parking on the subject property shall be regulated as follows:
1. General Site
 - a. Lot Size. Minimum lot area is 52,795 square feet/1.21 acres
 - b. Floor Area Ratio (FAR) Range: 1.0-1.5
 - c. Maximum Impervious Surface: 80%
 - d. Accessory building(s) shall be regulated as if in the OR Office Residential Zoning District.
 2. Building
 - a. Front Yard Setbacks
 1. East Walnut Street: 5 feet

- 2. North Roosevelt Street: 5 feet
 - b. Side Yard Setback (west lot line): 7 feet
 - c. Rear Yard Setbacks (north lot line): 8 feet
 - d. Maximum Height: Principal building shall not exceed 45 feet in height.
 - 3. Surface Parking/Refuse Enclosure.
 - a. Front Yard Setbacks
 - 1. East Walnut Street: Shall be located with building situated in front of the parking facility
 - 2. North Roosevelt Street: 5 feet
 - b. Side Yard Setback (west lot line): 5.5 feet
 - c. Rear Yard Setbacks (north lot line): 6 feet
- F. Access Circulation and Parking. Access, circulation, and parking within the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article XVIII of the Green Bay Municipal Code, and as modified as follows:
- 1. The site is limited to one (1) vehicular access driveway with ingress/egress from North Roosevelt Street approximately 115 feet north of the East Walnut Street intersection.
 - 2. Development shall provide a minimum of 56 parking spaces
 - a. 6 may be “stacked” but must be assigned to 6 of the three-bedroom units.
 - b. 40 stalls shall be dedicated to residents.
 - c. 10 stalls shall be dedicated/assigned to the office uses but may, at the discretion of the property owner, be assigned to residents during evening hours.
 - 3. Bicycle parking shall be provided near the northern pedestrian entrance.
 - 4. Pedestrian access shall be provided from all public streets with public sidewalks adjoining the development and connected via an internal pedestrian network to the entrances of the principal structure.
- G. Architectural Design. All building elevations shall generally comply with Exhibit C and subject to the following requirements:
- 1. Four-sided design. All sides of the building shall include materials and design characteristics similar to and compatible with those on the front.
 - 2. Exterior Materials. Building materials shall be durable and appropriate for the residential district as well as being regulated as follows:
 - a. Exterior building façades shall be predominately fiber cement siding with the following considerations:
 - 1. Brick or brick veneer knee wall on the south elevation, and portions of the west and east elevations as depicted on Exhibit C.
 - 2. Brick or brick veneer will be incorporated into the design of the first floor of the office portion of the building as depicted on Exhibit C.
 - 3. Siding shall be both vertical and horizontal as well as siding

panels be incorporated to help differentiate components of the structure, break up the mass of single material and provide relief and interest to the building's exterior.

- b. Windows and doors. Windows shall include trim and all building entrances shall include a canopy or other roofing element over the doorway.
 - c. Accessory structures. Accessory structures are limited to no greater than 16 feet in height and shall match the character of the principal structure, reflected in colors, materials, windows, and architectural features.
- H. Lighting. All lighting within the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article V of the Green Bay Municipal Code.
- I. Signage. All signage within the PUD area shall meet the standards of the OR Office Residential Zoning District, as set forth within Chapter 30 of the Green Bay Municipal Code.
- J. Refuse and Mechanical Equipment. Screening of refuse material containers and mechanical equipment throughout the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article XIX of the Green Bay Municipal Code.
- K. Landscaping and Transitional Yards. Landscaping within the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article XIX of the Green Bay Municipal Code with the following addition:
- 1. Increased level of buffering shall include the installation of a 6-foot-tall opaque vinyl fence running along the entire west and north property lines, excluding front yard building setbacks.
- L. Stormwater Management and Grading. A storm water management and grading plan meeting the standards established by the Department of Public Works shall be submitted to and approved by the City prior to the issuance of building permits. The purpose of these standards to manage stormwater runoff volumes and quality but shall also:
- 1. Be of human-scale interest with native plantings encouraged.
 - 2. Stormwater management facilities shall function not only as a utility but also as site amenity.
 - 3. Stormwater management areas such as bioretention areas, rain gardens, stormwater trees, or other plantings may count toward required landscape minimums of subsection J, above.
- M. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the PUD.

SECTION 3. 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 4. 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 5. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 6. 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 7. 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 8. 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 _____, 2023.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, City Clerk

db:

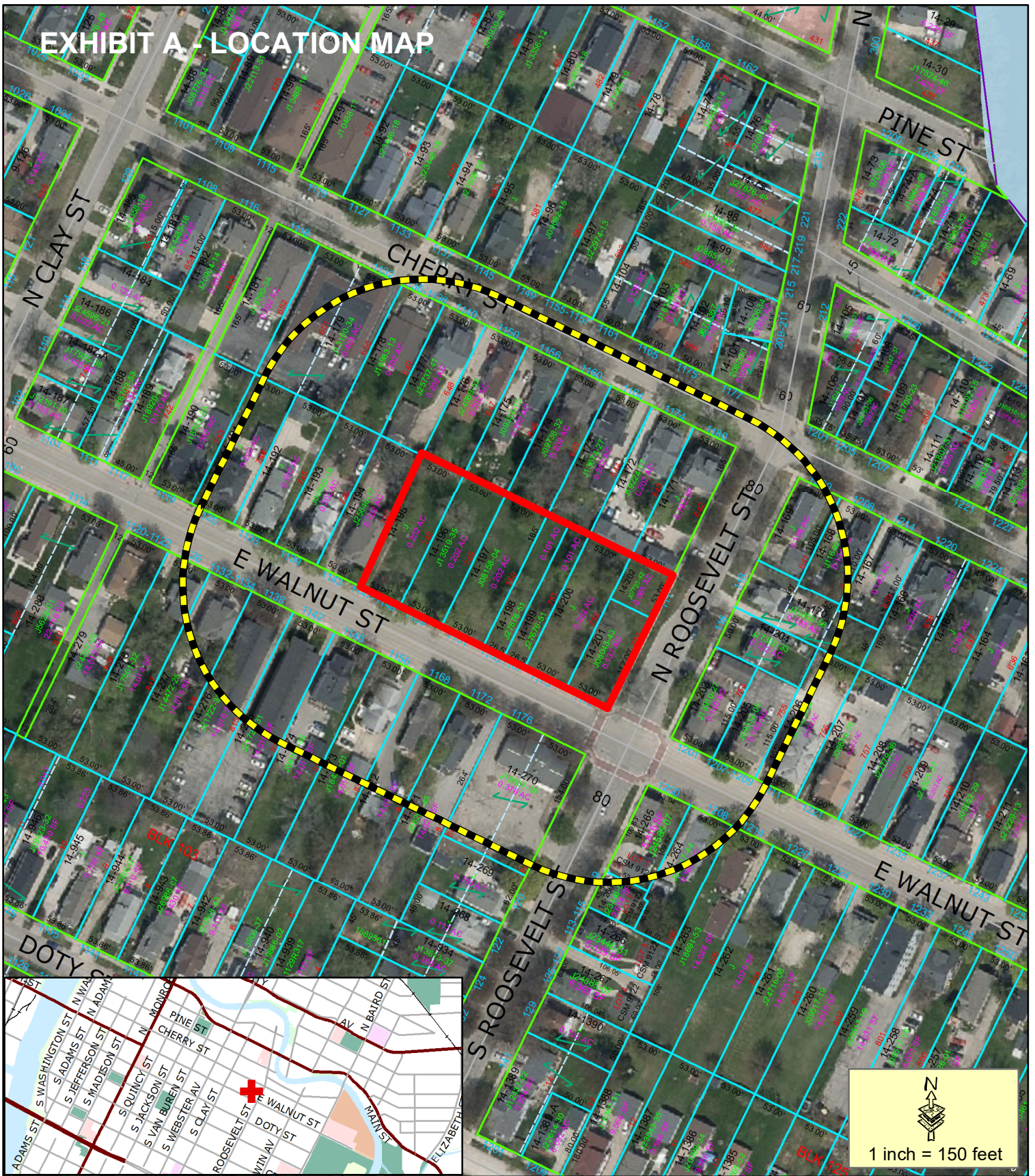
Attachments:

Exhibit A – Location Map

Exhibit B – Conceptual Site Plan

Exhibit C – Conceptual Building Elevations

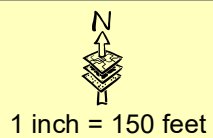
EXHIBIT A - LOCATION MAP



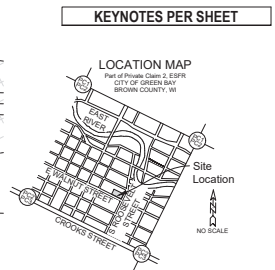
- Proposed PUD
- 200' Property Owner Notice

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Map prepared by DB

Zoning Petition (ZP 23-03) Proposed Planned Unit Development (PUD) at 1100 Block East Walnut St



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LEGEND

 PA <i>Only</i>	 Underground Cable TV	 SE <i>Only</i>	 Underground Gas Lines	 SE <i>Only</i>	 Sewer	 SE <i>Only</i>	 Sewer	 SE <i>Only</i>	 Underground Telephone	 SE <i>Only</i>	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	 Sewer	Sewer	Sewer	
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**DAVEL ENGINEERING &
ENVIRONMENTAL, INC.**
Civil Engineers and Land Surveyors
1184 Province Terrace, Menasha, WI 54952
Ph: 920-991-1888 Fax: 920-441-6864
www.davel.pro

1/27/2023 10:51 AM J:\Projects\7485\or\deg\Looney\City East Landscape Concept.deg Printed by: tim

SHEET INFORMATION

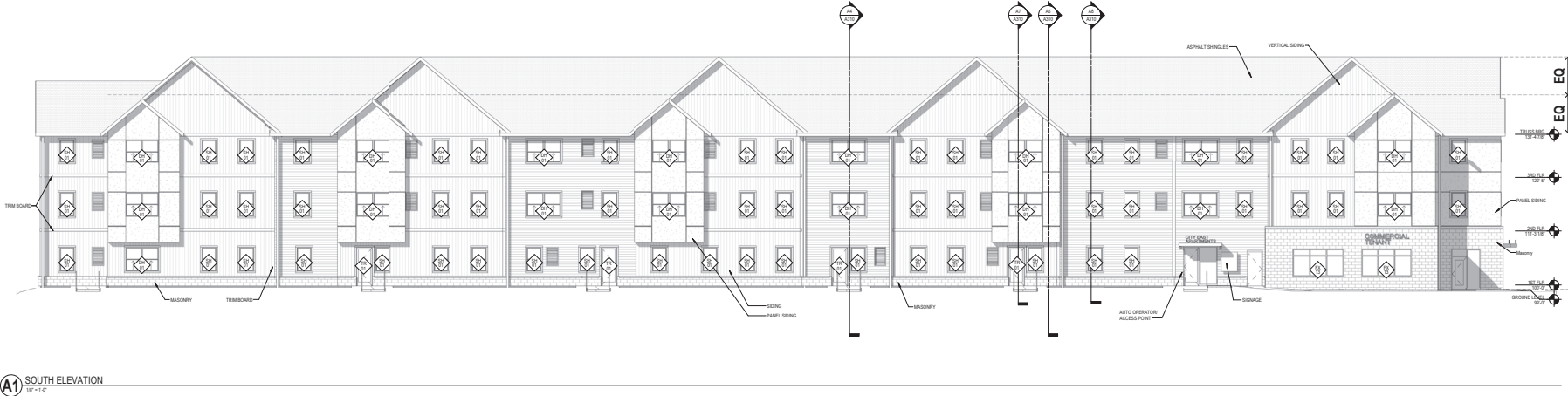
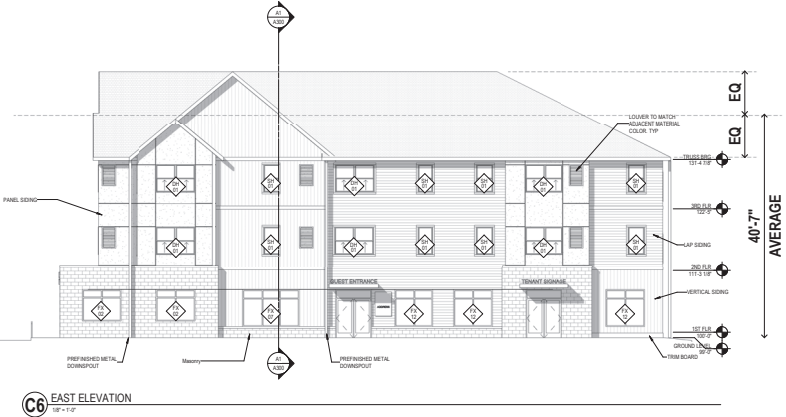
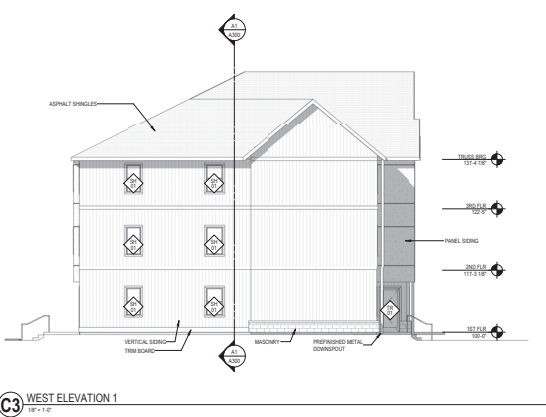
LANDSCAPING
Concept Plan
L100

2022 Epstein Uhen Architects, Inc.

EXHIBIT C.1 - CONCEPTUAL ELEVATIONS

SHEET NOTES - EXTERIOR ELEVATIONS	
1	SEE KEY PLAN FOR CONSTRUCTION DETAILS
2	PROVIDE CONTINUOUS SEALANT AND BARRIER ROOF AT ALL PRECAST CONCRETE JOINTS
3	ALL BRICK AND OTHER COMPONENTS OF PRECAST TYPICALLY TO BE MATCHED
4	EXTERIOR FINISHES ON BUILDINGS TO BE COORDINATED AND APPROVED BY THE CITY OF GREEN BAY
5	PROVIDE CORNER AND EDGING VENEER
6	ALL VERTICAL SINK CORNERS TO BE OF ALUMINUM JOINT
7	ALL SINK CORNERS TO BE OF ALUMINUM JOINT
8	ALL SINK CORNERS TO BE OF ALUMINUM JOINT
9	ALL SINK CORNERS TO BE OF ALUMINUM JOINT

KEYNOTES PER SHEET	
EQ	ASPHALT SHINGLES
EQ	2" X 4" STUDS
EQ	PANEL BOARD
EQ	VERTICAL BOARD
EQ	TRIM BOARD
EQ	PREPARED METAL DOWNPOUT
EQ	GLASS TO MATCH ADJACENT MATERIAL COLOR TYP
EQ	GLASS



KEY PLAN	

ISSUANCE AND REVISIONS	
DATE	DESCRIPTION

**PROGRESS DOCUMENTS
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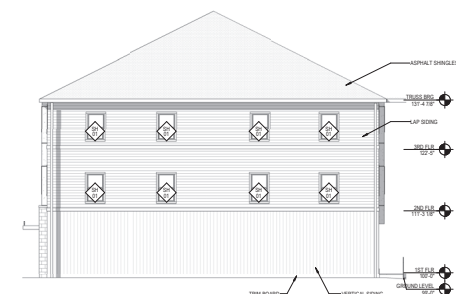
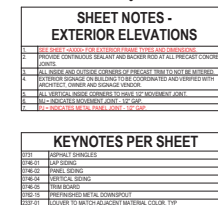
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PROJECT INFORMATION	
CITY EAST APARTMENTS	
1177 WALNUT ST. GREEN BAY, WI 54301	
PROJECT NUMBER: 121965	PROJECT MANAGER: CR

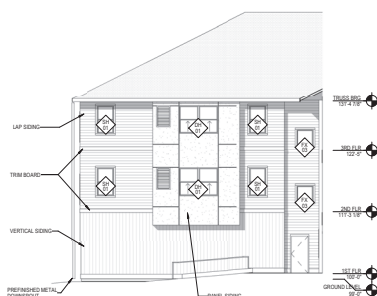
SHEET INFORMATION	
SHEET NAME: EXTERIOR ELEVATIONS	SHEET NUMBER: A200

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B1 NORTH ELEVATION 1
1/8" = 1'-0"



A5 WEST ELEVATION 2



A3 NORTH ELEVATION 2
1/8" = 1'-0"



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1177 WALNUT ST.
GREEN BAY, WI 54301

PROJECT NUMBER: 121366
PROJECT MANAGER: CS

SHEET NAME: EXTERIOR ELEVATIONS
SHEET NUMBER: **A201**

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Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.13

(TA 23-01) Public Hearing on request to create a text amendment to Chapter 44-1075, Floodplain Overlay District, submitted by Department of Community and Economic Development

BACKGROUND

Public Hearing on text amendment to Chapter 44 Article XIII regarding updated floodplain panels.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

February 27, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.14

(TA 23-01) Consideration with possible action to update Chapter 44-1075 Article XIII of the Green Bay Municipal Code, Floodplain Overlay District Ordinance, submitted by Community and Economic Development.

BACKGROUND

Request: Discussion and possible action on request to repeal and recreate Chapter 44-1075 to be compliant with the regulations of NR 116. Wis. Admin. Code, and those of the National Flood Insurance Program NFIP 44 CFR 59-72, submitted by the Green Bay Planning Department.

Reason for Request: To adopt updated panels for 2023

Comprehensive Plan: The 2022 Smart Growth-Green Bay Comprehensive plan addresses floodplain management with protection of floodplains / floodways through administration and enforcement of the city's floodplain zoning regulations, specifically Chapter 44-1075.

Report: The City approved the floodplain ordinance update last year. This new revision adds the new FEMA floodplain panels projected to be instituted in spring.

RECOMMENDATION

Staff recommends approval of the request.

FISCAL IMPACT

ATTACHMENTS

- I. Draft Floodplain 23-01 Update with New Panels 022223

GENERAL ORDINANCE NO. 23-01

**AN ORDINANCE
REPEALING AND RECREATING CHAPTER 44, ARTICLE XIII,
GREEN BAY MUNICIPAL CODE,
RELATING TO FLOODPLAIN OVERLAY DISTRICT**

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

SECTION 1. Article XIII of Chapter 44, Green Bay Municipal Code, is hereby repealed and recreated to read:

DIVISION 1. STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE, AND DEFINITIONS

44-1041. Statutory authorization. The ordinance from which this article is derived is adopted pursuant to the authorization in Wis. Stat. § 62.23 and the requirements in Wis. Stat. § 87.30.

44-1042. Finding of Fact. Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare, and tax base.

44-1043. Statement of purpose. This Article is intended to regulate floodplain development to:

- (1) Protect life, health, and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;
- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if any practicable alternative exists to locate the activity, use, or structure outside of the floodplain.

44-1044. Title. This Article shall be known as the Floodplain Zoning Code of the City of Green Bay.

44-1045. Definitions. Unless specifically defined, words and phrases in this article shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word “may” is permissive; “shall” is mandatory and is not discretionary. If a conflict should arise between a definition in this section and any definition(s) applicable elsewhere in this Chapter, the definition in this section shall control.

A Zone means that area shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

AH Zone has the meaning given to *Area of shallow flooding*.

AO Zone has the meaning given to *Area of shallow flooding*.

Accessory structure or use means a facility, structure, building, or use which is accessory or incidental to the principal use of a property, structure, or building. An accessory structure shall not be used for human habitation.

Alteration means an enhancement, upgrade, or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning, and other systems within a structure.

Area of shallow flooding means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community’s Flood Insurance Rate Map (FIRM) with a one (1) percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

Base flood means the flood having a one (1) percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

Basement means any enclosed area of a building having its floor sub-grade on all sides.

Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Building has the meaning given to *Structure*.

Bulkhead line means a geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to Wis. Stats. § 30.11 and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this article.

Campground means any parcel of land which is designed, maintained, intended, or used for the purpose of providing sites for nonpermanent overnight use by four (4) or more camping units, or which is advertised or represented as a camping area.

Camping unit means any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.

Certificate of compliance means a certification that the construction and the use of land or a building, the elevation of fill, or the lowest floor of a structure is in compliance with all of the provisions of this article.

Channel means a natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

Coastal floodplain means an area along the coast of Lake Michigan which is inundated by the regional flood and which is also subject to additional hazard due to wave runup.

Coastal high hazard area means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms.

Crawlway or *crawl space* means an enclosed area below the first usable floor of a building, generally less than five (5) feet in height, used for access to plumbing and electrical utilities.

Deck means an unenclosed exterior structure that has no roof or sides and has a permeable floor which allows the infiltration of precipitation.

Department or *DNR* means the Wisconsin Department of Natural Resources.

Development means any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures, or accessory structures; the construction of additions or alterations to buildings, structures, or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation, or drilling operations; the storage, deposition, or extraction of materials or equipment; and the installation, repair, or removal of public or private sewage disposal systems or water supply facilities.

Director means the Director of the Department of Community and Economic Development or their designee.

Dryland access means a vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief

vehicles.

Encroachment means any fill, structure, equipment, use, or development in the floodway.

Federal Emergency Management Agency or *FEMA* means the federal agency that administers the National Flood Insurance Program.

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- (1) The overflow or rise of inland waters.
- (2) The rapid accumulation or runoff of surface waters from any source.
- (3) The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan.
- (4) The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm or an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

Flood frequency means the probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent chance of occurring in any given year.

Flood hazard boundary map means a map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

Flood Insurance Rate Map or *FIRM* means a map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

Flood insurance study or *FIS* means a technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

Flood profile means a graph or longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

Flood protection elevation means an elevation of two (2) feet of freeboard above the Regional Flood Elevation. (Also see *freeboard*.)

Flood storage means those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

Floodfringe means that portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.

Floodplain means land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe and may include other designated floodplain areas for regulatory purposes.

Floodplain island means a natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

Floodplain management means policies and procedures used to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

Floodproofing means any combination of structural provisions, changes, or adjustments to properties and structures, water and sanitary facilities, and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

Floodway means the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

Freeboard means a safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development, and aggregation of the river or stream bed.

Habitable structure means any structure or portion thereof used or designed for human habitation.

Hearing notice means publication or posting meeting the requirements of Wis. Stats. Ch. 985. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least one week (7 days) before the hearing, is required. Local ordinances or bylaws may require additional notice exceeding these minimums.

High flood damage potential means damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

Highest adjacent grade means the highest natural elevation of the ground surface prior to

construction next to the proposed walls of a structure.

Historic structure means any structure that meets one of the following criteria:

- (1) The structure is listed individually in the National Register of Historic Places or the Secretary of the Interior has preliminarily determined that it meets the requirements for individual listing on the National Register.
- (2) The structure has been certified as contributing, or the Secretary of the Interior has preliminarily determined that the structure contributes, to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- (3) The structure is individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of the Interior.
- (4) The structure is individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior, or by the Secretary of the Interior in states without approved programs.

Increase in regional flood height means a calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

Land use means any nonstructural use made of unimproved or improved real estate. (Also see *development*.)

Lowest adjacent grade means elevation of the lowest ground surface that touches any of the exterior walls of a building.

Lowest floor means the lowest floor of the lowest enclosed area, including a basement. An enclosed space as provided in Section 44-1241(6)c., is not considered the building's lowest floor.

Maintenance means the act or process of ordinary upkeep and repairs, including redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures, systems, or equipment with equivalent fixtures, systems, or structures.

Manufactured home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

Mobile/manufactured home park or subdivision means a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

Mobile/manufactured home park or subdivision, existing means a parcel of land divided into

two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of the ordinance from which this article is derived. This includes, but is not limited to, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

Mobile/manufactured home park, expansion to existing means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets, and either final site grading or the pouring of concrete pads.

Mobile recreational vehicle means a vehicle which is built on a single chassis, 400 square feet or smaller when measured at the largest horizontal projection; designed to be self-propelled, carried, or permanently towable by a licensed, light-duty vehicle; licensed for highway use if registration is required; and designed primarily for use as temporary living quarters for recreational, camping, travel, or seasonal use, and not as a permanent dwelling. Manufactured homes that are towed or carried onto a parcel of land but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of “mobile recreational vehicles.”

Model, corrected effective means a hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

Model, duplicate effective means a copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

Model, effective means the hydraulic engineering model that was used to produce the current effective Flood Insurance Study.

Model, existing (pre-project) means a modification of the Duplicate Effective Model or Corrected Effective Model to reflect any humanmade modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

Model, revised (post-project) means a modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model, or Corrected Effective Model to reflect revised or post-project conditions.

Moderate wave action area (MoWA) means a special flood hazard area subject to the potential for breaking wave heights of greater than or equal to one and one-half (1.5) feet, but less than three (3) feet, where the primary source of flooding is astronomical tides, storm surges, seiches, and/or tsunamis. A MoWA is an area within zone AE on a FIRM that is between the inland limit of zone VE and a Limit of Moderate Wave Action, where identified. (Also known as “coastal A zone.”)

National Geodetic Vertical Datum or *NGVD* means elevations referenced to mean sea level datum, 1929 adjustment.

New construction means structures for which the start of construction commenced on or after the effective date of a floodplain zoning regulation adopted by this community and includes any subsequent improvements to such structures.

Non-flood disaster means a fire or an ice storm, tornado, windstorm, mudslide or other destructive act of nature, but excludes a flood.

Nonconforming structure means an existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this article for the area of the floodplain it occupies. For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.

Nonconforming use means an existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this article for the area of the floodplain which it occupies, such as a residence in the floodway.

North American Vertical Datum or *NAVD* means elevations referenced to mean sea level datum, 1988 adjustment.

Obstruction to flow means any development which blocks the conveyance of floodwaters such that the development alone or together with any future development will cause an increase in regional flood height.

Official floodplain zoning map means that map, adopted and made part of this article, as described in Section 44-1075, which has been approved by the Department and FEMA.

Open space use means those uses having a relatively low flood damage potential and not involving structures.

Ordinary highwater mark means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

Person means an individual or group of individuals, corporation, partnership, association,

municipality, or state agency.

Primary frontal dune means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

Private sewage system means a sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure.

Public utilities means those utilities using underground or overhead transmission lines such as electric, telephone, and telegraph, and distribution and collection systems such as water, sanitary sewer, and storm sewer.

Ready for highway use means a mobile recreational vehicle that is on its wheels or jacking system, is attached to a site only by quick-disconnect utilities and security devices, and has no permanently attached additions.

Reasonably safe from flooding means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Regional flood means a flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one (1) percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the regional flood elevation (RFE) is equivalent to the base flood elevation (BFE).

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Start of construction means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include: the installation of streets and/or walkways; the excavation for a basement, footings, piers, or foundations or the erection of temporary forms; the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units nor part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor, or other

structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means any manmade object with form, shape, and utility, either permanently or temporarily attached to, placed upon, or set into the ground, stream bed, or lakebed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams, and culverts.

Subdivision means has the meaning given in Wis. Stats. § 236.02(12).

Substantial damage means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

Substantial improvement means any repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure, nor any project for the improvement of a building required to correct existing health, sanitary, or safety code violations identified by the Director of the Department of Community and Economic Development and which improvements are the minimum necessary to assure safe living conditions.

Unnecessary hardship means special conditions affecting a particular property which were not self-created and have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of this article.

Variance means an authorization by the Board of Appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in this article.

Violation means the failure of a structure or other development to be fully compliant with this article. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates, or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

Watershed means the entire region contributing runoff or surface water to a watercourse or body of water.

Water surface profile means a graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

Well means an excavation opening in the ground made by digging, boring, drilling, driving, or other methods to obtain groundwater regardless of its intended use.

Zoning Administrator means the appointed Zoning Administrator or their designee.

Sections 44-1046 to 44-1073. Reserved.

DIVISION 2. GENERAL PROVISIONS

44-1074. Areas to be regulated. This Article regulates all areas of special flood hazard identified as zones A, AO, AH, A1-30, AE, VE, V1-30, or V on the Flood Insurance Rate Map. Additional areas identified on maps approved by the DNR and the City may also be regulated under the provisions of this article, where applicable.

44-1075. Official maps and revisions. Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH, AO, VE, V1-30 or V on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in subsection (1) below. Additional flood hazard areas subject to regulation under this article are identified on maps based on studies approved by the DNR and listed in subsection (2) below. These maps and revisions are on file in the office of the Zoning Administrator for the City of Green Bay.

(1) *Official maps based on the Flood Insurance Study (FIS).*

a. Flood Insurance Rate Map (FIRM), City of Green Bay, Wisconsin

<u>Panel number</u>	<u>Dated</u>
55009C0168G	5/9/2023
55009C0161F	8/18/2009
55009C0162F	8/18/2009
55009C0166G	5/9/2023
55009C0187G	5/9/2023
55009C0188G	5/9/2023
55009C0189G	5/9/2023
55009C0191G	5/9/2023
55009C0192F	8/18/2009
55009C0194F	8/18/2009
55009C0215F	8/18/2009
55009C0232F	8/18/2009
55009C0251F	8/18/2009
55009C0252F	8/18/2009
55009C0256G	5/9/2023
55009C0257G	5/9/2023
55009C0277F	8/18/2009
55009C0281F	8/18/2009
55009C0282F	8/18/2009
55009C0193G	5/9/2023
55009C0163F	8/18/2009

55009C0142G	8/18/2009
55009C0276G	5/9/2023
55009C0169G	5/9/2023
55009C0167G	5/9/2023
55009C0183G	5/9/2023
55009C0186G	5/9/2023
55009C0184G	5/9/2023

b. Flood Insurance Study (FIS) volumes 55009CV001C, 55009CV002C, 55009CV003C, and 55009CV004C for the City of Green Bay and adjoining communities, Brown County WI dated 05/23/2023 Flood Insurance Study (FIS)

c. *Letter of Map Revision*. The following are Letter of Map Revisions Based on Fill (LOMR-F) on file with the Community & Economic Development Department:

<u>Case Number</u>	<u>Tax Parcel</u>	<u>Date Approved</u>
22-05-1062A	21-1083	2/9/2022
22-05-0940A	18-781	1/24/2022
21-05-3855C	22-55-1	11/16/2021
21-05-1276A	21-947	2/10/2021
20-05-1747A	15-168-A	3/6/2020
19-05-2212A	22-58	4/3/2019
18-05-2755A	22-1231	4/5/2018
17-05-4875A	23-260-2	7/12/2017
15-05-4265A	21-1159	7/8/2015

Sections 44-1076 to 44-1103. Reserved.

DIVISION 3. ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

44-1104. Districts defined. The flood hazard areas regulated by this article are divided into districts as follows.

- (1) The Floodway District (FW) consists of the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to Section 44-1224.
- (2) The Floodfringe District (FF) consists of that portion of a riverine special flood hazard area outside the floodway within AE Zones on the FIRM, or, when floodway limits

have been determined according to Section 44-1224, within A Zones shown on the FIRM.

- (3) The General Floodplain District (GFP) consists of those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.
- (4) The Coastal Floodplain District (CFP) is an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms, including areas identified as zone V, V1-30, or VE on the FIRM. Where a riverine AE floodway extends into the CFP district, development within the floodway must comply with the regulations for both the FW and CFP districts. Where a riverine A zone or AE zone with no floodway determination abuts the CFP district, the riverine study's floodway limit must be determined based on standard floodway expansion principles within the CFP district and development within the floodway must comply with the standards for both the FW and CFP districts.

44-1105. Locating floodplain boundaries. Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in this subsection. If a significant difference exists, the map shall be amended according to this article. The Zoning Administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The Zoning Administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined. Disputes between the Zoning Administrator and an applicant over the district boundary line shall be settled according to Section 44-1281 and the criteria in this subsection. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to Division 11 of this article.

- (1) If flood profiles exist, the map scale and profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- (2) Where flood profiles do not exist for projects, including any boundary of zone A, AO, V1-30, VE or V, the location of the boundary shall be determined by the map scale.

44-1106. Removal of lands from floodplain.

- (a) Compliance with the provisions of this article shall not be grounds for removing land from the floodplain unless it is filled at least two (2) feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to this article.
- (b) The delineation of any of the Floodplain Districts may be revised by the City where natural or human-made changes have occurred and/or where more detailed studies have been

conducted. Prior to any such change, approval must be obtained from the DNR and FEMA. A completed Letter of Map Revision is a record of this approval. The floodplain administrator shall not sign a community acknowledgement form unless all of the following criteria are met.

- (1) The land and/or land around the structure must be filled at least two (2) feet above the regional or base flood elevation.
 - (2) The fill must be contiguous to land outside the floodplain.
 - (3) The applicant shall obtain a floodplain development permit before applying for a LOMR or LOMR-F.
- (c) Removal of lands from the floodplain may also occur by operation of Wis. Stats. § 87.30(1)(e) if a property owner has obtained a letter of map amendment from FEMA under 44 C.F.R. 70.

44-1107. Compliance.

- (a) No structure or use within the areas regulated by this article shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other regulations applicable to uses within the jurisdiction of these regulations.
- (b) Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with Division 12.
- (c) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use and arrangement set forth in such approved plans and applications, or amendments thereto if approved by the Floodplain Administrator. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Division 12.

44-1108. Municipalities and state agencies regulated. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this article and obtain all necessary permits. State agencies are required to comply if Wis. Stats. § 13.48(13) applies. The construction, reconstruction, maintenance, and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when Wis. Stats. § 30.2022 applies. Although exempt from local zoning permitting requirements and fees, DOT must provide sufficient project documentation and analysis to ensure that the City remains in compliance with federal, state, and local floodplain standards.

44-1109. Abrogation and greater restrictions.

- (a) The ordinance from which this article is derived supersedes all provisions of any municipal zoning ordinance enacted under Wis. Stat. § 62.23 which relate to floodplains. A more restrictive provision shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

- (b) The ordinance from which this article is derived is not intended to repeal, abrogate, or impair any existing deed restrictions, covenants, or easements. If this article imposes greater restrictions, the provisions of this article shall prevail.

44-1110. Interpretation. In their interpretation and application, the provisions of this article are the minimum requirements liberally construed in favor of the City and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this article required by Wis. Admin. Code NR ch. 116 is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of the ordinance from which this article is derived or in effect on the date of the most recent text amendment to this article.

44-1111. Warning and disclaimer of liability. The flood protection standards in this article are based on engineering experience and research. Larger floods may occur, or flood height may be increased by man-made or natural causes. This Article does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This Article does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this article.

44-1112. Severability. Should any portion of this article be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this article shall not be affected.

44-1113. Annexed areas. The Brown County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the City for all annexed areas until the City adopts and enforces an ordinance which meets the requirements of Wis. Admin. Code NR ch. 116 and 44 CFR 59-72, National Flood Insurance Program (NFIP). These annexed lands are described on the City's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the Zoning Administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

Sections 44-1114 to 44-1132. Reserved.

DIVISION 4. GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

44-1133. General development standards. The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law.

- (1) If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be all of the following.
 - a. Designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

- b. Constructed with flood-resistant materials.
 - c. Constructed by methods and practices that minimize flood damages.
 - d. Constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (2) All subdivision proposals, including for manufactured home parks, shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this article and all other land use permit requirements in Section 44-1279(b). If a subdivision or other proposed new development is in a flood-prone area, the community shall assure that:
- a. Such proposed subdivision or other proposed new development is consistent with the need to minimize flood damage within the flood-prone area;
 - b. Public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage is provided to reduce exposure to flood hazards.

44-1134. Hydraulic and hydrologic analyses.

(a) No floodplain development shall:

- (1) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
- (2) Cause any increase in the regional flood height due to floodplain storage area lost.

(b) The Zoning Administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of Division 11 of this article are met.

44-1135. Watercourse alterations.

(a) No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the Zoning Administrator has notified all adjacent municipalities, the Department and FEMA regional offices, in writing, and required the applicant to secure all necessary state and federal permits. The standards of Section 44-1134 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

- (b) As soon as is practicable, but not later than six (6) months after the date of the watercourse alteration or relocation and pursuant to Division 11 of this article, the City shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

44-1136. Development under Wis. Stats. Chs. 30 and 31. Development which requires a permit from the Department under Wis. Stats. Chs. 30 and 31, such as docks, piers, wharves, bridges, culverts, dams, and navigational aids, may be allowed if the necessary permits are obtained and amendments to this article are made according to Division 11 hereof.

44-1137. Public or private campgrounds. Public or private campgrounds shall have a low flood damage potential and shall satisfy all of the following requirements.

- (1) The campground is approved by the Department of Agriculture, Trade and Consumer Protection.
- (2) The Zoning Administrator has issued a land use permit for the campground.
- (3) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants.
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator, and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, the personnel responsible for monitoring flood elevations, the types of warning systems to be used, the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation.
- (5) An agreement under subsection (4) shall be for no more than one (1) calendar year, at which time the agreement shall be reviewed and updated by the officials identified in that subsection to remain in compliance with all applicable regulations, including those of the state Department of Agriculture, Trade and Consumer Protection and all other applicable regulations.
- (6) Any mobile recreational vehicle placed on the campground must satisfy one of the following requirements.
 - a. The vehicle is fully licensed, if required, and ready for highway use.
 - b. The vehicle must not occupy any site in the campground for more than 180 consecutive days, at which time the vehicle must be removed from the floodplain for a minimum of 24 hours.
 - c. The vehicle must meet the requirements in Divisions 5 through 8 of this article for

the floodplain district in which the campground is located.

- (7) All camping units that remain on site for more than thirty (30) days shall be issued a limited authorization by the campground operator, a written copy of which shall be kept on file at the campground. Such authorization shall allow placement of a camping unit consistent with subsection (6) and shall ensure compliance with all the provisions of this section.
- (8) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section.
- (9) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in Divisions 5 through 8 of this article for the floodplain district in which the structure is located.
- (10) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued.
- (11) All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems, and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

Sections 44-1138 to 44-1167. Reserved.

DIVISION 5. FLOODWAY DISTRICT (FW)

44-1168. Applicability. This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to Section 44-1224.

44-1169. Permitted uses. The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District if they are not prohibited by any other provision of this chapter, they meet the standards in Sections 44-1170 and 44-1171, and all permits or certificates have been issued according to Section 44-1279.

- (1) Agricultural uses such as farming, outdoor plant nurseries, horticulture, viticulture, and wild crop harvesting.
- (2) Nonstructural industrial and commercial uses such as loading areas, parking areas, and airport landing strips.
- (3) Nonstructural recreational uses such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap, and skeet activities, hunting and fishing areas, and hiking and horseback riding trails, subject to the fill limitations of Section 44-1170.

- (4) Uses or structures accessory to open space uses or classified as historic structures that comply with Sections 44-1170 and 44-1171.
- (5) Extraction of sand, gravel, or other materials that comply with Section 44-1170(d).
- (6) Functionally water-dependent uses such as docks, piers, or wharves, dams, flowage areas, culverts, navigational aids, and river crossings of transmission lines, and pipelines that comply with Wis. Stats. Chs. 30 and 31.
- (7) Public utilities, streets, and bridges that comply with Section 44-1170(c).
- (8) Portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and Wis. Admin. Code SPS ch. 383.
- (9) Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and Wis. Admin. Code NR chs. NR 811 and 812.
- (10) Wastewater treatment ponds or facilities permitted under Wis. Admin. Code NR § 110.15(3)(b).
- (11) Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway that comply with the regulations for the floodplain area occupied.

44-1170. Standards for developments in the floodway.

(a) General.

- (1) Any development in the floodway shall comply with Division 4 of this article and have a low flood damage potential.
- (2) Applicants shall provide an analysis calculating the effects of this proposal on the regional flood height to determine the effects of the proposal according to Sections 44-1134 and 44-1279(c). The analysis must be completed by a registered professional engineer in the state of Wisconsin.
- (3) Any encroachment on the regulatory floodway is prohibited unless the data submitted pursuant to subsection (2) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in Section 44-1106.

(b) Structures.

- (1) Structures accessory to permanent open space uses, including utility and sanitary facilities, or which are functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria.

- a. Such structure is not designed for human habitation, does not have a high flood damage potential, and is constructed to minimize flood damage.
 - b. Either the lowest floor of the structure is elevated to or above the flood protection elevation or the structure otherwise meets all the following standards.
 1. The lowest floor is elevated to or above the regional flood elevation and is dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding.
 2. The structural components are capable of meeting all provisions of subsection (b)(3) below.
 3. A registered professional engineer or architect has certified, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with subsection (b)(3).
 - c. The structure is anchored to resist flotation, collapse, and lateral movement.
 - d. Mechanical and utility equipment are elevated to or above the flood protection elevation.
 - e. The structure does not obstruct the flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
- (2) In order to develop a structure designed to allow the automatic entry of floodwaters below the regional flood elevation, an applicant shall submit a plan that satisfies the requirements of this section and meets or exceeds the following standards.
- a. The lowest floor is elevated to or above the regional flood elevation.
 - b. The structure has a minimum of two (2) openings which have a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding.
 - c. The bottom of all such openings shall be no higher than one (1) foot above the lowest adjacent grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
 - d. The use must be limited to parking, building access, or limited storage.
- (3) *Certification.* Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the regional flood.

- a. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup.
 - b. Construction of wells, water supply systems, and waste treatment systems so as to prevent the entrance of flood waters in such systems. Said systems must comply with this Division, including the provisions of Sections 44-1171(4) and (5).
 - c. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors.
 - d. Cutoff valves on sewer lines or the elimination of gravity flow basement drains.
 - e. Placement of utilities at or above the flood protection elevation.
- (c) *Public utilities, streets, and bridges.* Public utilities, streets, and bridges may be allowed by permit if the following criteria are met.
- (1) Adequate floodproofing measures are provided to the flood protection elevation.
 - (2) Construction meets the development standards of Section 44-1134.
- (d) *Fills or deposition of materials.* Fills or deposition of materials may be allowed by permit if the following criteria are met.
- (1) The requirements of Section 44-1134 are satisfied.
 - (2) No material is deposited in navigable waters unless a permit is issued by the Department pursuant to Wis. Stats. Ch. 30 and, if applicable, the federal government issues a permit pursuant to Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344, and all other requirements have been met.
 - (3) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling, or bulkheading.
 - (4) The fill is not classified as a solid or hazardous material.

44-1171. Prohibited uses. All uses not listed as permitted uses in Section 44-1169 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses.
- (2) Storing materials that are buoyant, flammable, explosive, or injurious to property, water quality, or human, animal, plant, fish or other aquatic life.
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts.

- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and Wis. Admin. Code SPS ch. 383.
- (5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and Wis. Admin. Code NR chs. 811 and 812.
- (6) Any solid or hazardous waste disposal sites.
- (7) Any wastewater treatment ponds or facilities, except those permitted under Wis. Admin. Code NR § 110.15(3)(b).
- (8) Any sanitary sewer or water supply lines, except those providing to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

Sections 44-1172 to 44-1190. Reserved.

DIVISION 6. FLOODFRINGE DISTRICT (FF)

44-1191. Applicability. This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to Section 44-1224.

44-1192. Permitted uses. Any structure, land use, or development is allowed in the Floodfringe District if the standards in Section 44-1193 are met, the use is not prohibited by this article or any other zoning regulation, and all permits or certificates specified in Section 44-1279 have been issued.

44-1193. Standards for development in the floodfringe. In addition to all of the general provisions from Division 2 of this article, the following requirements shall apply to development in the floodfringe according to the use requested. Any existing structure in the floodfringe must meet the nonconforming use requirements of Division 9 of this article.

- (1) *Residential uses.* Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe shall meet or exceed the following standards.
 - a. All new construction, including placement of manufactured homes, and substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill. The fill around the structure shall be one (1) foot or more above the regional flood elevation extending at least fifteen (15) feet beyond the limits of the structure. No area may be removed from the floodfringe district unless it can be shown to meet Section 44-1106.

- b. Notwithstanding subsection a. above, a basement or crawlspace floor may be placed one (1) foot above the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed lower than one (1) foot above the regional flood elevation.
 - c. Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subsection (d).
 - d. In developments where existing street or sewer line elevations make compliance with subsection (c) impractical, the City may permit new development and substantial improvements where roads are below the regional flood elevation, provided that at least one of the following criteria is satisfied.
 - 1. The City has written assurance from police, fire, and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
 - 2. The City has a DNR-approved emergency evacuation plan that follows acceptable hazard mitigation planning guidelines.
- (2) *Accessory structures or uses.* In addition to all of the general provisions from Division 2 of this article, new construction and substantial improvements of Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.
- (3) *Commercial uses.* In addition to all of the general provisions from Division 2 of this article, any commercial structure which is erected, altered, or moved into the floodfringe shall meet or exceed the standards for residential uses under subsection (1). Subject to the requirements of subsection (5), storage yards, surface parking lots, and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (4) *Manufacturing and industrial uses.* In addition to all of the general provisions from Division 2 of this article, any manufacturing or industrial structure which is erected, altered, or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in Section 44-1283. Subject to the requirements of subsection (5), storage yards, surface parking lots, and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

- (5) *Storage of materials.* Materials that are buoyant, flammable, explosive, or injurious to property, water quality, or human, animal, plant, fish, or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with Section 44-1283. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
- (6) *Public utilities, streets, and bridges.* All utilities, streets, and bridges shall be designed to be compatible with comprehensive floodplain development plans.
- a. When failure of public utilities, streets, and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with Section 44-1283.
 - b. Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.
- (7) *Sewage systems.* All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, in accordance with Section 44-1283(c), to the flood protection elevation and shall meet the provisions of all local ordinances and Wis. Admin. Code SPS ch. 383.
- (8) *Wells.* All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, in accordance with Section 44-1283(c), to the flood protection elevation and shall meet the provisions of Wis. Admin. Code NR chs. 811 and 812.
- (9) *Solid waste disposal sites.* Disposal of solid or hazardous waste is prohibited in floodfringe areas.
- (10) *Deposition of materials.* Any deposited material must meet all the provisions of this article.
- (11) *Manufactured homes.*
- a. Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage and prepare, secure approval of, and file an evacuation plan indicating vehicular access and escape routes with local emergency management authorities.
 - b. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall satisfy the following criteria.
 - 1. The lowest floor shall be elevated to the flood protection elevation.
 - 2. The homes shall be anchored so they do not float, collapse, or move laterally during a flood.

- c. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement, and substantially improved manufactured homes shall meet the residential development standards for the floodfringe subsection (1).

(12) *Mobile recreational vehicles.* All mobile recreational vehicles must be on site for fewer than 180 consecutive days and satisfy one of the following requirements.

- (a) The vehicle is fully licensed, if required, and ready for highway use.
- (b) The vehicle meets the elevation and anchoring requirements in subsection (11).

Sections 44-1194 to 44-1219. Reserved.

DIVISION 7. GENERAL FLOODPLAIN DISTRICT (GFP)

44-1220. Applicability. The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in Section 44-1075(1).

44-1221. Floodway boundaries. For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in Section 44-1075(1), the boundaries of the regulatory floodway shall be determined pursuant to Section 44-1224. If the proposed development would encroach upon the regulatory floodway, the development is subject to the standards of Division 5. If the development is located entirely within the floodfringe, the development is subject to the standards of Division 6.

44-1222. Permitted uses. Pursuant to Section 44-1224, it shall be determined whether the proposed use is located within the floodway or floodfringe. Those uses permitted in the Floodway (Section 44-1169) and Floodfringe (Section 44-1192) Districts are allowed within the General Floodplain District, according to the standards of Section 44-1223 provided that all permits or certificates required under Section 44-1279 have been issued.

44-1223. Standards for development in the general floodplain district. Division 5 applies to floodway areas, determined pursuant to Section 44-1224; Division 6 applies to floodfringe areas, determined pursuant to Section 44-1224.

- (1) New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated to or above one of the following.
 - a. The depth, in feet, as shown on the FIRM, above the highest adjacent natural grade, plus one (1) additional foot of freeboard; or
 - b. If the depth is not specified on the FIRM, three (3) feet above the highest adjacent natural grade.

- (2) New construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.
- (3) In zones AO and AH, all new construction and substantial improvement of structures shall provide adequate drainage paths to guide floodwaters around structures.
- (4) All development in zones AO and AH shall meet the requirements applicable to floodfringe areas in Division 6.

44-1224. Determining floodway and floodfringe limits. Upon receiving an application for development within zone A or within zone AE where a floodway has not been delineated on the Flood Insurance Rate Maps, the Zoning Administrator shall require the applicant to:

- (1) Submit two (2) copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations, and flood proofing measures, as well as the flood zone as shown on the FIRM.
- (2) Furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation, and to determine floodway boundaries.
 - a. A Hydrologic and Hydraulic Study as specified in Section 44-1279(c).
 - b. A surface view plan showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location, and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; and soil types and other pertinent information.
 - c. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply, and sanitary facilities.

Sections 44-1225 to 44-1239. Reserved.

DIVISION 8. COASTAL FLOODPLAIN DISTRICT (CFD)

44-1240. Applicability. The provisions of this Division apply to all Coastal Floodplain Districts (CFD) shown on the floodplain zoning maps, including zones V, V1-30, and VE. Where a floodway shown on the floodplain zoning maps, a floodway determined as explained in Section 44-1104(4), or a regulatory floodway identified pursuant to Section 44-1224 extends into a Coastal Floodplain District, development shall comply with the standards of Division 5.

44-1241. Standards for development in the coastal floodplain district. Development in the CFD shall meet the requirements of Division 4, as well as all of the following requirements.

- (1) New construction shall be located landward of the Ordinary High Water Mark.
- (2) Bulkheads, seawalls, revetments, and other erosion control measures shall not be connected to the foundation or superstructure of a building and shall be designed and constructed so as not to direct floodwaters or increase flood forces or erosion impacts on the foundation or superstructure of any building.
- (3) Human-made alterations of sand dunes are prohibited unless an engineering report documents that the alterations will not increase potential flood damage by reducing the wave and flow dissipation characteristics of the sand dunes.
- (4) The use of fill for structural support of buildings is prohibited.
 - a. Non-structural fill shall be permitted only if an engineering report demonstrates that the fill will not cause runoff, ramping, or deflection of floodwaters that cause damage to buildings.
- (5) New construction and substantial improvement of buildings shall be elevated, consistent with Wis. Admin. Code SPS § 321.34, on pilings or columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the FPE.
 - a. The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values shall be those associated with the base flood. Wind loading values shall be those defined according to American Society of Civil Engineers 7-16 *Minimum design loads and associated criteria for buildings and other structures* or other equivalent standard.
 - b. A registered professional engineer or architect shall develop or review the structural design, specifications, and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Section 44-1241(5).
- (6) New construction and substantial improvement of buildings shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.
 - a. For the purpose of Section 44-1241(6), a breakaway wall shall have a design safe loading resistance of not less than ten (10) and not more than twenty (20) pounds per square foot.

- b. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot, either by design or where so required by local or state codes, may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet all of the following conditions.
 - 1. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
 - 2. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values shall be those associated with the base flood. Wind loading values shall be those defined according to American Society of Civil Engineers 7-16 *Minimum design loads and associated criteria for buildings and other structures*, or equivalent standard.
 - c. All space enclosed by breakaway walls, open wood lattice-work, or insect screening below the lowest floor shall be used solely for parking, building access, or storage.
- (7) Require within flood-prone areas:
- a. New and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and
 - b. New and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems, discharges from the systems into flood waters, and onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.
- (8) All mobile recreation vehicles must be on site for fewer than 180 consecutive days and satisfy one of the following requirements.
- a. The vehicle must be fully licensed and ready for highway use.
 - b. The vehicle must meet the standards of Section 44-1241(1) through (9), inclusive.
- (9) Manufactured homes placed or substantially improved within the Coastal Floodplain District shall meet the standards of Section 44-1241(1) through (9), inclusive.

Section 44-1242 to 44-1249. Reserved.

DIVISION 9. NONCONFORMING USES

44-1250. General regulations.

- (a) *Applicability.*

- (1) The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within this article or with Wis. Stats. § 87.30, Wis. Admin. Code NR §§ 116.12 through 116.14, and 44 CFR 59-72. These standards shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of the ordinance from which this article is derived or any amendment thereto. A party asserting the existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning regulations in effect at the time the use or structure was created.
 - (2) As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, the City shall develop a list of those nonconforming buildings, their present equalized assessed values, and the costs of those activities associated with changes to those buildings.
- (b) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this article may continue subject to the following conditions.
- (1) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this article. The words “modification” and “addition” include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding, or replacement of any such existing use, structure, or accessory structure or use. “Modification” does not include maintenance activities, including, but not limited to, painting, decorating, paneling, and other nonstructural components and the maintenance, repair, or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance. The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification, or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.
 - (2) If a nonconforming use or the use of a nonconforming structure is discontinued for twelve (12) consecutive months, it is no longer permitted and any future use of the property, including any structure or building thereon, shall conform to the applicable requirements of this article.
 - (3) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed values, the cost of all modifications or additions which have been permitted, and the percentage of each structure’s total current value those modifications represent;
 - (4) No modification or addition to any nonconforming structure or any structure with a nonconforming use which over the life of the structure would equal or exceed 50 percent of its present equalized assessed value shall be allowed unless the entire

structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. Contiguous dry land access must be provided for residential and commercial uses in compliance with Section 44-1193(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50 percent provisions of this subsection.

- (5) No maintenance on a per-event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50 percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. Contiguous dry land access must be provided for residential and commercial uses in compliance with Section 44-1193(1). Maintenance to any nonconforming structure which does not exceed 50 percent of its present equalized assessed value on a per-event basis does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.
- (6) If on a per-event basis the total value of the work being done under subsections (4) and (5) equals or exceeds 50 percent of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. Contiguous dry land access must be provided for residential and commercial uses in compliance with Section 44-1193(1).
- (7) Except as provided in subsection (8), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed, or rebuilt unless the use and the structure meet the current requirements of this article. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50 percent of the structure's present equalized assessed value.
- (8) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the following minimum requirements are met and all required permits have been granted prior to the start of construction.
 - a. *Residential Structures.* The following minimum requirements for residential structures must be met.
 - 1. The lowest floor, including basement, shall be elevated to or above the flood protection elevation using fill, pilings, columns, posts, or perimeter walls. Perimeter walls must meet the requirements of Section 44-1283(b).

2. The structure shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, and shall be constructed with methods and materials resistant to flood damage.
 3. The structure shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
 4. In A Zones, City staff must obtain, review, and utilize any flood data available from a federal, state, or other source.
 5. For residential structures in AO Zones with no elevations specified, the lowest floor, including basement, shall meet the standards in Section 44-1223.
 6. In AO Zones, there shall be adequate drainage paths around structures on slopes to guide floodwaters around and away from said structures.
- b. *Nonresidential Structures.* The following minimum requirements for nonresidential structures must be met.
1. The structure shall meet the requirements of Section § 44-1250(b)(8)a.
 2. The structure shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in Section 44-1283(a) or (b).
 3. In AO Zones with no elevations specified, the structure shall have the lowest floor, including basement, meet the standards in Section 44-1223.
- (c) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with Section 44-1170(a), flood resistant materials are used, and construction practices and floodproofing methods that comply with Section 44-1283 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of Section 44-1250(b)(8)a. if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and constitutes the minimum alteration necessary to preserve the historic character and design of the structure.

44-1251. Floodway District.

- (a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition meets the following criteria.

- (1) The City has granted a permit or variance which meets all requirements of this article for the modification or addition.
- (2) The modification or addition meets the requirements of Section 44-1250.
- (3) The modification or addition shall not increase the obstruction to flood flows or regional flood height.
- (4) Any addition to the existing structure shall be floodproofed pursuant to Section 44-1283, by means other than the use of fill, to the flood protection elevation.
- (5) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply.
 1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two (2) openings must be provided with a minimum net area of at least one (1) square inch for every one (1) square foot of the enclosed area. The lowest part of the opening can be no more than twelve (12) inches above the adjacent grade.
 2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials.
 3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation.
 4. The use must be limited to parking, building access, or limited storage.
- (b) No new on-site sewage disposal system or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair, or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of this Code, including Section 44-1283(c), and Wis. Admin. Code SPS ch. 383.
- (c) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair, or maintenance of an existing well in the Floodway District shall meet the applicable requirements of this Code, including Section 44-1283(c), and Wis. Admin. Code NR chs. 811 and 812.

44-1252. Floodfringe District.

- (a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless the City has granted a permit or variance for such modification or addition and the modification or addition meets the requirements of Section 44-1193 except where subsection (b) is applicable.

(b) Where compliance with the provisions of subsection (a) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Appeals, using the procedures established in Section 44-1281, may grant a variance from those provisions of subsection (a) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if all of the following criteria are met.

(1) No floor is allowed below the regional flood elevation for residential or commercial structures.

(2) Human lives are not endangered.

(3) Public facilities, such as water or sewer, shall not be installed.

(4) Flood depths shall not exceed two (2) feet.

(5) Flood velocities shall not exceed two (2) feet per second.

(6) The structure shall not be used for storage of materials as described in Section 44-1193(5).

(c) All new private sewage disposal systems, or addition to, replacement, repair, or maintenance of a private sewage disposal system shall meet all the applicable provisions of this Code, including Section 44-1283(c) and Wis. Admin. Code SPS ch. 383.

(d) All new wells, or addition to, replacement, repair, or maintenance of a well shall meet the applicable provisions of this Code, including Section 44-1283(c), and Wis. Admin. Code NR chs. 811 and 812.

44-1253. Coastal Floodplain District.

(a) New construction and substantial improvements to structures in the Coastal Floodplain District shall meet the standards of Division 8.

(b) No structural repairs, modifications, or additions to any existing building, the cost of which exceeds, over the life of the existing building, 50 percent of its present equalized assessed value, may be allowed in a coastal floodplain area unless the entire building is permanently changed to conform with the standards prescribed in Division 8.

Sections 44-1254 to 44-1277. Reserved.

DIVISION 10. ADMINISTRATION

44-1278. Applicability. The Zoning Administrator, Plan Commission, and Board of Appeals shall administer this article in accordance with Section 44-53 of this Code and Wis. Stats. § 62.23(7).

44-1279. Zoning Administrator.

(a) *Duties and powers.* The Zoning Administrator is authorized to administer this article and shall have the duties and powers listed in this section.

- (1) Advise applicants of the provisions of this article, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- (2) Issue permits and inspect properties for compliance with provisions of this article and issue certificates of compliance where appropriate.
- (3) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
- (4) Keep records of all official actions, including, but not limited to:
 - a. All permits issued, inspections made, and work approved.
 - b. Documentation of certified lowest floor and regional flood elevations.
 - c. Floodproofing certificates.
 - d. Water surface profiles, floodplain zoning maps and regulations, and nonconforming uses and structures including changes, appeals, variances, and amendments.
 - e. All substantial damage assessment reports for floodplain structures.
 - f. List of nonconforming structures and uses.
 - g. In the Coastal Floodplain District, documentation of the certified elevation of the bottom of the lowest horizontal structural member of new construction and substantial improvements.
 - h. In the Coastal Floodplain District, certification by a licensed professional engineer or architect where required for new construction and substantial improvement under Division 8.
- (5) Submit copies of the following items to the Department Regional office:
 - a. Within ten (10) days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments.
 - b. Copies of case-by-case analyses and other required information.
 - c. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- (6) Investigate, prepare reports, and report violations of this article to the Plan Commission and City Attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.

(7) Submit copies of amendments to the FEMA Regional office.

(b) *Land use permit.* A land use permit shall be obtained before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

(1) *Expiration.* All permits issued under the authority of this article shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.

(2) The application to the Zoning Administrator shall include the following general information:

a. Name and address of the applicant, property owner and contractor.

b. Legal description, proposed use, and whether it is new construction or a modification.

(3) *Site development plan.* A site plan drawn to scale shall be submitted with the permit application form and shall contain all of the following information.

a. The location, dimensions, area, and elevation of the lot.

b. The location of the ordinary highwater mark of any abutting navigable waterways.

c. The location of any structures with distances measured from the lot lines and street center lines.

d. The location of any existing or proposed on-site sewage systems or private water supply systems.

e. The location and elevation of existing or future access roads.

f. The location of floodplain and floodway limits as determined from the official floodplain zoning maps.

g. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD).

h. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of Division 5 and/or 6 are met.

- i. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to Section 44-1134. This may include any of the information noted in Section 44-1170.
 - j. Hydraulic and hydrologic studies as described in subsection (c), at the discretion of the Zoning Administrator.
- (c) *Hydraulic and hydrologic studies to analyze development.* All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.
- (1) *Zone A floodplains and AE zones within which a floodway is not delineated.*
- a. *Hydrology.* The appropriate method shall be based on the standards in Wis. Admin. Code NR ch. 116.07(3), *Hydrologic Analysis: Determination of Regional Flood Discharge*.
 - b. *Hydraulic modeling.* The regional flood elevation shall be based on the standards in Wis. Admin. Code NR ch. 116.07(4), *Hydraulic Analysis: Determination of Regional Flood Elevation* and on the following:
 - 1. The required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting Water Service Elevation (WSEL) for the study.
 - 2. Channel sections must be surveyed.
 - 3. Minimum four-foot (4') contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
 - 4. A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope, including a survey of the channel at each location.
 - 5. The most current version of the Hydrologic Engineering Center River Analysis System (HEC-RAS) shall be used.
 - 6. A survey of bridge and culvert openings and the top of road is required at each structure.
 - 7. Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.

8. Standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients, and effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
 9. The model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- c. *Mapping.* A work map of the reach studied shall be provided, showing all cross-section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development, and whether the proposed development is located in the floodway.
1. If the proposed development is located outside of the floodway, it is determined to have no impact on the regional flood elevation.
 2. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.
- (2) *Zone AE floodplains.*
- a. *Hydrology.* If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on Wis. Admin. Code NR ch. 116.07(3), *Hydrologic Analysis: Determination of Regional Flood Discharge*.
 - b. *Hydraulic modeling.* The regional flood elevation shall be based on the standards in Wis. Admin. Code NR ch. 116.07(4), *Hydraulic Analysis: Determination of Regional Flood Elevation* and on the following:
 1. *Duplicate Effective Model.* The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
 2. *Corrected Effective Model.* The Corrected Effective Model shall not include any human-made physical changes since the effective model date but shall

import the model into the most current version of HEC-RAS for Department review.

3. *Existing (Pre-Project Conditions) Model.* The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
 4. *Revised (Post-Project Conditions) Model.* The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.
 5. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans, and survey notes.
 6. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.
- c. *Mapping.* Maps and associated engineering data shall be submitted to the Department for review and must meet the following conditions.
1. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, and bridge plans.
 2. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be revised more easily.
 3. Annotated FIRM panel showing the revised 1.0 percent and 0.2 percent annual chance floodplains and floodway boundaries.
 4. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used, all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.

5. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
 6. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
 7. Both the current and proposed floodways shall be shown on the map.
 8. The stream centerline or profile baseline used to measure stream distances in the model shall be visible on the map.
- (d) *Certificate of compliance.* No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt, or replaced shall be occupied until a certificate of compliance is issued by the Zoning Administrator, except where no permit is required, subject to the following provisions.
- (1) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this article.
 - (2) Application for such certificate shall be concurrent with the application for a permit.
 - (3) If all provisions of this article are met, the certificate of compliance shall be issued within ten (10) days after written notification that the permitted work is completed.
 - (4) The applicant shall submit a certification signed by a registered professional engineer, architect, or land surveyor that the fill, lowest floor, and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of Section 44-1283 are met.
 - (5) Where applicable pursuant to Section 44-1223, the applicant must submit a certification by a registered professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor, excluding pilings or columns, and an indication of whether the structure contains a basement.
 - (6) Where applicable pursuant to Section 44-1223, the applicant must submit certifications by a registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by Section 44-1223.
- (e) *Other permits.* Prior to obtaining a floodplain development permit, the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under § 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

44-1280. Zoning agency.

(a) The Green Bay Plan Commission shall:

- (1) Oversee the functions of the office of the Zoning Administrator.
- (2) Review and advise the Common Council on all proposed amendments to this article, maps, and text.
- (3) Publish adequate notice pursuant to Wis. Stats. Ch. 985 specifying the date, time, place, and subject of the public hearing.

(b) The Green Bay Plan Commission shall not:

- (1) Grant variances to the terms of this article in place of action by the Board of Appeals.
- (2) Amend the text or zoning maps in place of official action by the Common Council.

44-1281. *Board of Appeals.* The Board of Appeals, established under Article II, Division 4 of this Chapter and in accordance with Wis. Stats. § 62.23(7)(e), is hereby authorized or shall be appointed to act for the purposes of this article. The Board shall exercise the powers conferred by this Code and the Wisconsin Statutes. The Zoning Administrator shall not be the secretary of the Board.

(1) *Powers and duties.*

- a. *Appeals.* The Board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement or administration of this article.
- b. *Boundary Disputes.* The Board shall hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map.
- c. *Variances.* The Board shall hear and decide, upon appeal, variances from the standards of this article.

(2) *Appeals to the Board.*

- a. Appeals to the Board may be taken by any person aggrieved, or by any officer or department of the City affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within thirty (30) days, unless otherwise provided by the rules of the Board, by filing with the official whose decision is in question, and with the Board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the Board all records regarding the matter appealed.
- b. *Application materials.*

1. When applying for a variance, the applicant shall provide site and building plans containing sufficient detail to allow the Board to evaluate whether the criteria for granting a variance can be met.
 2. When an applicant requests a variance to the minimum floodproofing standards established by Section 44-1170 or 44-1193, the applicant shall submit the plans and certifications prepared by a registered professional engineer or architect, as required by Section 44-1283, and shall also submit the following information, prepared by a qualified professional such as a surveyor, engineer, architect, or other construction professional:
 - (i) The basic anticipated drainage pattern that would be expected to provide positive draining throughout the subject area.
 - (ii) How surface drainage would reach storm sewers within the road right-of-way or any other available stormwater facilities.
 - (iii.) Whether back yard drains or sewers would be required.
 - (iv.) Design details for the side slopes of fill areas that are treated in any way other than by grading to a slope no steeper than 3:1, including, but not limited to, retaining walls and terracing.
- b. *Notice and hearing for appeals including variances.*
1. *Notice.* The Board shall:
 - (i) Fix a reasonable time for the hearing.
 - (ii) Publish adequate notice pursuant to Wisconsin Statutes specifying the date, time, place, and subject of the hearing.
 - (iii) Ensure that notice shall be mailed to the parties in interest and the Department Regional office at least ten (10) days in advance of the hearing.
 2. *Hearing.* Any party may appear in person or by agent. The Board shall:
 - (i) Resolve boundary disputes according to Section 44-1281(3).
 - (ii) Decide variance applications according to Section 44-1281(4).
 - (iii) Decide appeals of permit denials according to Section 44-1282.
- c. *Decision.* The final decision regarding the appeal or variance application shall:
1. Be made within a reasonable time.
 2. Be sent to the Department Regional office within ten (10) days of the decision.

3. Take the form of a written determination signed by the chairman or secretary of the Board.
4. State the specific facts which are the basis for the Board's decision.
5. Either affirm, reverse, vary, or modify the order, requirement, decision, or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction, or grant or deny the variance application.
6. If the Board grants the appeal, the decision shall include the reasons for granting an appeal, including a description of the hardship demonstrated by the applicant in the case of a variance, which reasons must be clearly stated in the recorded minutes of the Board proceedings.

(3) *Boundary disputes.* The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries.

- a. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary.
- b. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board.
- c. If the boundary is incorrectly mapped, the Board should inform the Plan Commission or the person contesting the boundary location to petition the Common Council for a map amendment according to Division 11.

(4) *Variance.*

- a. The Board may, upon appeal, grant a variance from the standards of this article if an applicant convincingly demonstrates all of the following.
 1. Literal enforcement of this article will cause unnecessary hardship.
 2. The hardship is due to adoption of the floodplain ordinance from which this article is derived and from unique property conditions which are not common to adjacent lots or premises. In such case this article or the map at issue must be amended.
 3. The variance is not contrary to the public interest.
 4. The variance is consistent with the purpose of this article in Section 44-1043.
- b. In addition to the criteria in subsection a., to determine that an applicant qualifies for a variance under FEMA regulations, the Board must find that the following criteria have been met.

1. The variance will not cause any increase in the regional flood elevation.
2. The applicant has shown good and sufficient cause for issuance of the variance.
3. Failure to grant the variance would result in exceptional hardship.
4. Granting the variance will not result in additional threats to public safety, extraordinary expense, the creation of a nuisance, fraud on or victimization of the public, or a conflict with existing local laws.
5. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.

c. *Variance limitations.* The Board shall not:

1. Grant any variance that would grant, extend, or increase any use prohibited in the zoning district.
 2. Grant a variance for a hardship based solely on an economic gain or loss.
 3. Grant a variance for a hardship which is self-created.
 4. Grant a variance that would damage the rights or property values of other persons in the area.
 5. Grant any variance that would permit actions to be taken without first amending this article and/or applicable maps as required by Division 11.
 6. Grant any variance that would allow any alteration of a historic structure, including its use, which would preclude its continued designation as a historic structure.
- d. When the Board grants a floodplain variance, it shall notify the applicant in writing that said variance may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy of the notice shall be maintained with the variance record.

44-1282. To review appeals of permit denials.

- (a) The Board of Appeals shall review all data related to the appeal. This may include, but is not limited to:
- (1) Permit application data listed in Section 44-1279(b).
 - (2) Floodway/floodfringe determination data described in Section 44-1224.

(3) Data listed in Section 44-1170(a)(2), where the applicant has not submitted this information to the Zoning Administrator.

(4) Other data submitted with the application or submitted to the Board with the appeal.

(b) For appeals of all denied permits, the Board shall:

(1) Follow the procedures of Section 44-1281.

(2) Consider the Plan Commission's recommendations.

(3) Either uphold the denial or grant the appeal.

(c) For appeals concerning increases in regional flood elevation, the Board shall:

(1) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements have been made with all adversely affected property owners in accordance with Division 11.

(2) Grant the appeal upon a determination that the data properly demonstrates that the project does not cause an increase, provided that no other reasons for denial exist.

44-1283. Floodproofing standards.

(a) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect which demonstrates that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to the development standards in Divisions 4 through 8 of this article.

(b) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan that either:

(1) Has been certified by a registered professional engineer or architect; or

(2) Meets or exceeds all of the following standards:

a. Contains a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding.

b. The bottom of all openings shall be no higher than one (1) foot above grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(c) Floodproofing measures shall be designed, as appropriate, to do all of the following.

- (1) Withstand flood pressures, depths, velocities, uplift and impact forces, and other regional flood factors.
- (2) Protect structures to the flood protection elevation.
- (3) Anchor structures to foundations to resist flotation and lateral movement.
- (4) Minimize or eliminate infiltration of flood waters.
- (5) Minimize or eliminate discharges into flood waters.
- (6) Place essential utilities at or above the flood protection elevation.
- (7) Comply with the following standards if any part of the foundation below the flood protection elevation is enclosed.
 - a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two (2) openings must be provided with a minimum net area of at least one (1) square inch for every one (1) square foot of the enclosed area. The lowest part of the opening can be no more than twelve (12) inches above the adjacent grade.
 - b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials.
 - c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation.
 - d. The use must be limited to parking, building access, or limited storage.

44-1284. Public information.

- (a) Place marks on structures to show the depth of inundation during the regional flood.
- (b) All maps, engineering data, and regulations shall be available and widely distributed.
- (c) Real estate transfers shall show the floodplain district in which any real property is located.

Sections 44-1285 to 44-1311. Reserved.

DIVISION 11. AMENDMENTS

44-1312. Conditions for Amendments.

- (a) Obstructions or increases may only be permitted if amendments are made to this article, the official floodplain zoning maps, floodway lines, and water surface profiles, in accordance with Section 44-1313.
- (b) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this article, the official floodplain zoning maps, floodway lines, and water surface profiles, in accordance with Section 44-1313. Any such alterations must be reviewed and approved by FEMA and DNR.
- (c) In A Zones, increases equal to or greater than one (1) foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this article, the official floodplain maps, floodway lines, and water surface profiles, in accordance with Section 44-1313.

44-1313. Change of floodplain zoning district boundaries. The Common Council shall change or supplement the floodplain zoning district boundaries and this article in the manner outlined in Section 44-1314. Actions which require an amendment to this article and the submission of a Letter of Map Change (LOMC) include, but are not limited to, the following.

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height.
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM.
- (3) Any changes to any other officially adopted floodplain maps listed in Section 44-1074(2).
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain.
- (5) Correction of discrepancies between the water surface profiles and floodplain maps.
- (6) Any upgrade to the text of this article required by Wis. Admin. Code NR § 116.05 or otherwise required by law, or for changes by the City.
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM require prior approval by FEMA.

44-1314. Procedures. Amendments to this article may be made upon petition of any party according to the provisions of Wis. Stats. § 62.23. The petitions shall include all data required by Sections 44-1224 and 44-1279(b). No land use permit shall be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the Plan Commission for a public hearing and recommendation to Common Council. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of Wis. Stats. § 62.23.
- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the Common Council.

Sections 44-1315 to 44-1341. Reserved.

DIVISION 12. ENFORCEMENT AND PENALTIES

44-1342. Violation and penalty. Any violation of the provisions of this article by any person shall be unlawful and shall be referred to the City Attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this article is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the City, the state, or any citizen thereof pursuant to Wis. Stats. § 87.30.

Sections 44-1343 to 44-1368. Reserved.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2023.

APPROVED:

Mayor

ATTEST:

Clerk

ljm

March 7, 2023