



AGENDA OF THE GREEN BAY PLAN COMMISSION

MONDAY, APRIL 24, 2023, 6:00 PM
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 April 24, 2023, meeting of the Green Bay Plan Commission.

D. Approval of Minutes.

1. Approval of the minutes from the March 27, 2023, meeting of the Green Bay Plan Commission.

E. Regular Business.

1. (CPA 23-03) Public hearing on the request to amend the City's Comprehensive Plan for the property located at 2850 Humboldt Road (Parcel# 21-338) from Park uses to Commercial uses, submitted by Dianne Crowley, property owner (Ald. J. Hutchison, District 2).
2. (CPA 23-03) Consideration with possible action on the request to amend the City's Comprehensive Plan for the property located at 2850 Humboldt Road (Parcel# 21-338) from Park uses to Commercial uses, submitted by Dianne Crowley, property owner (Ald. J. Hutchison, District 2).
3. (ZP 23-07) Public hearing on the request to rezone the property located at 2850 Humboldt Road (Parcel# 21-338) from split General Commercial (CI) and Low-Density Residential (RI) to General Commercial (CI), submitted by Dianne Crowley, property owner (Ald. J.

Hutchison, District 2).

4. (ZP 23-07) Consideration with possible action on the request to rezone the property located at 2850 Humboldt Road (Parcel# 21-338) from split General Commercial (C1) and Low-Density Residential (R1) to General Commercial (C1), submitted by Dianne Crowley, property owner (Ald. J. Hutchison, District 2).
5. (ZP 23-10) Public hearing on the request for a Conditional Use Permit (CUP) at 158 N. Maple Street (Parcel# 4-95) to allow for the development of the dormitory within the Office Residential (OR), submitted by the Redevelopment Authority of Green Bay, property owner (Ald B. Johnson, District 9).
6. (ZP 23-10) Consideration with possible action on the request for a Conditional Use Permit (CUP) at 158 N. Maple Street (Parcel# 4-95) to allow for the development of the dormitory within the Office Residential (OR), submitted by the Redevelopment Authority of Green Bay, property owner (Ald B. Johnson, District 9).
7. (ZP 23-12) Public Hearing on the request for a Conditional Use Permit (CUP) at 1200 S. Broadway (Parcel# 1-855) to allow a self-service storage facility in a Special Purpose-Residential Light Industrial district (S-RLI), submitted by Filip Barasan, Barsan Corporation, applicant and Green Bay Redevelopment Authority, property owner (Ald B. Johnson, District 9).
8. (ZP 23-12) Consideration with possible action on the request for a Conditional Use Permit (CUP) at 1200 S. Broadway (Parcel# 1-855) to allow a self-service storage facility in a Special Purpose-Residential Light Industrial district (S-RLI), submitted by Filip Barasan, Barsan Corporation, applicant and Green Bay Redevelopment Authority, property owner. (Ald B. Johnson, District 9).
9. (ZP 23-13) Public hearing on the request to establish a Planned Unit Development at the 2500 block of University Avenue (Parcel# 21-1249-1-3) to permit the development of multiple-family residential use, submitted by Gorman & Co., applicant and Meyer Family Investment Corp., property owner (Ald. Craig Stevens, District 5).
10. (ZP 23-13) Consideration with possible action on the request to establish a Planned Unit Development at the 2500 block of University Avenue (Parcel# 21-1249-1-3) to permit the development of multiple-family residential use, submitted by Gorman & Co., applicant and Meyer Family Investment Corp., property owner (Ald. Stevens, District 5).
11. (SV 23-01) Consideration with possible action on the request to vacate a public cul-de-sac located at Vine Street and Ricky Street, submitted by Mau & Associates, on behalf of Habitat for Humanity, property owner (Ald. Morgan, District 3).
12. (VR 23-02) Consideration with possible action on the request to deviate from Section 44-554, minimum lot size and minimum lot width, of the Green Bay Municipal Code, submitted by Mau & Associates, on behalf of Habitat for Humanity, property owner (Ald. B. Morgan, District 3).
13. (TA 23-02) Public Hearing on the request to amend portions of the Zoning Code, Chapter 44, Articles III, VII, VIII, IX, XVI, and XXI, related to dog-friendly business, submitted by The Community and Economic Development Department.

14. (TA 23-02) Consideration with possible action to amend portions of the Zoning Code, Chapter 44, Articles III, VII, VIII, IX, XVI, and XXI, related to dog-friendly business, submitted by the Community and Economic Development Department.
15. (ED 23-02) Consideration with possible action on a request to release a 6 ft. x 300 ft. utility easement in the 100 Block of E. Mason Street (Parcel # 15-168-A and 15-2) to accommodate the Astor One Development, Miller Land Investment, LLC and Green Bay Redevelopment Authority, property owners and Green Bay Dept. of Public Works, applicant (Ald. B. Johnson, District 9)..
16. Consideration with possible action regarding On Broadway Inc. (OBI) Business Improvement District's (BID) budgeted vs actual year-end reporting for 2022.

F. Informational.

1. Director's Report.
2. Date of next meeting: May 8, 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)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Washington DC)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 841 3767 5822

Passcode: 483400

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

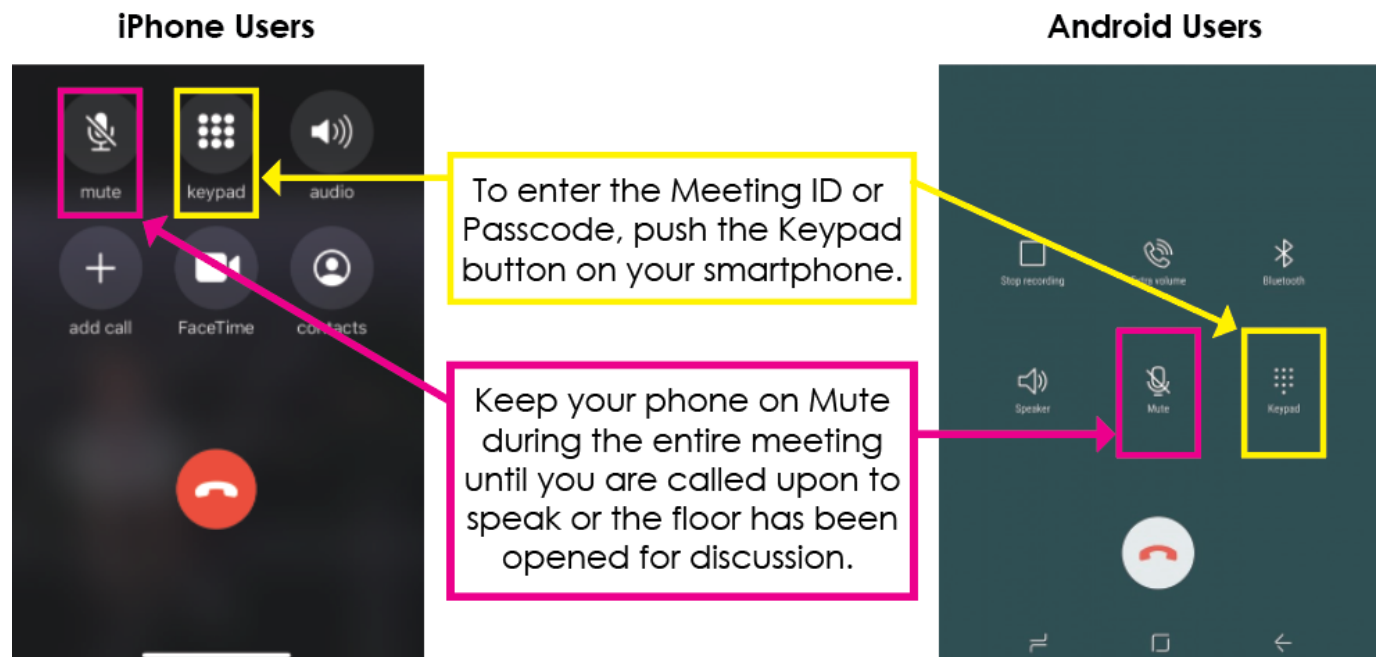
Additional Information

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

April 24, 2023

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.1

(CPA 23-03) Public hearing on the request to amend the City's Comprehensive Plan for the property located at 2850 Humboldt Road (Parcel# 21-338) from Park uses to Commercial uses, submitted by Dianne Crowley, property owner (Ald. J. Hutchison, District 2).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.2

(CPA 23-03) Consideration with possible action on the request to amend the City's Comprehensive Plan for the property located at 2850 Humboldt Road (Parcel# 21-338) from Park uses to Commercial uses, submitted by Dianne Crowley, property owner (Ald. J. Hutchison, District 2).

BACKGROUND

Primary Address: 2850 Humboldt Road

Aldersperson/District: Ald. Hutchison, District 2

Reason for Request: The proposed comprehensive plan amendment would allow for a clean-up rezoning for an existing restaurant property to General Commercial.

Surrounding Zoning and Land Uses:

SUBJECT: General Commercial (CI) & Low Density Residential (RI) Restaurant
NORTH: Low Density Residential (RI) Vacant, Wooded Land
SOUTH: Low Density Residential (RI) Vacant, Wooded Land
EAST: Low Density Residential (RI) Vacant, Wooded Land & Single Family Homes
WEST: Low Density Residential (RI) Vacant, Wooded Land

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan recommends Park use for this parcel.

Analysis: The subject parcel is located at 2850 Humboldt Road. It is currently 1.023 acres. It's the current home of Jimmy Simms Restaurant and has been a commercial restaurant for many years.

The applicant is hoping to expand the restaurant's outdoor area. This is proposed to be done on land that the City of Green Bay currently owns. The applicant and our Parks Department are working on an exchange of property to facilitate the proposed expansion. In exploring this, it was discovered that this parcel is split zoned between General Commercial (CI) and Low Density Residential (RI). CI zoning is the appropriate zoning district for this parcel and is in need of clean-up action (also on this agenda). In order to rezone the property, the comprehensive plan also needs to be amended to reflect commercial use rather than park use.

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

- I. The change is consistent with the goals and objectives or other elements of The Smart Growth 2022 Comprehensive Plan.
 - o Staff feels the proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.

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 amendment should have no impact on public facilities and services.
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 proposed change in land use would not create a detriment to the surrounding neighborhood. The commercial use has been established for years and the expansion area is towards Interstate-43 and no residential properties.
4. The change allows a more viable transition to the planned uses on adjacent properties than the current land use.
 - o The proposed amendment has no impact on adjacent planned uses.
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 natural features that would impact the future development of the site. The surrounding wooded areas will be maintained.
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 Not applicable. However, the designation for park uses is inappropriate given the City has no plans to establish a park at this site. This designation is outdated.
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 applicable. However, commercial nodes are encouraged to create stronger neighborhoods.
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.

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. Ald. Jim Hutchison and neighbors within 200 ft. had been noticed of the meeting based on Plan Commission policy. No inquiries have been made as of the drafting of this report.

RECOMMENDATION

Approval of the request.

FISCAL IMPACT

ATTACHMENTS

I. CPA 23-03, ZP 23-07 Map



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.3

(ZP 23-07) Public hearing on the request to rezone the property located at 2850 Humboldt Road (Parcel# 21-338) from split General Commercial (CI) and Low-Density Residential (RI) to General Commercial (CI), submitted by Dianne Crowley, property owner (Ald. J. Hutchison, District 2).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.4

(ZP 23-07) Consideration with possible action on the request to rezone the property located at 2850 Humboldt Road (Parcel# 21-338) from split General Commercial (CI) and Low-Density Residential (RI) to General Commercial (CI), submitted by Dianne Crowley, property owner (Ald. J. Hutchison, District 2).

BACKGROUND

Primary Address: 2850 Humboldt Road

Aldersperson/District: Ald. Jim Hutchison, District 2

Reason for Request: The proposed rezoning cleans up an inappropriate split zoning.

Surrounding Zoning and Land Uses:

SUBJECT: General Commercial (CI) & Low Density Residential (RI) Restaurant

NORTH: Low Density Residential (RI) Vacant, Wooded Land

SOUTH: Low Density Residential (RI) Vacant, Wooded Land

EAST: Low Density Residential (RI) Vacant, Wooded Land & Single Family Homes

WEST: Low Density Residential (RI) Vacant, Wooded Land

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan currently recommends park uses for this parcel. An amendment is being considered as part of this agenda to amend that designation to commercial uses.

Report: The subject parcel is located at 2850 Humboldt Road. It is currently 1.023 acres. It's the current home of Jimmy Simms Restaurant and has been a commercial restaurant for many years.

The applicant is hoping to expand the restaurant's outdoor area (see attached). This is proposed to be done on land that the City of Green Bay currently owns. The applicant and our Parks Department are working on a property exchange to allow for this expansion. In exploring this, it was discovered that this parcel is split zoned between General Commercial (CI) and Low Density Residential (RI). CI zoning is the appropriate zoning district for this parcel.

Ald. Jim Hutchison and neighbors within 200 ft. have been noticed of the meeting based on Plan Commission policy. No inquiries have been made as of the drafting of this report.

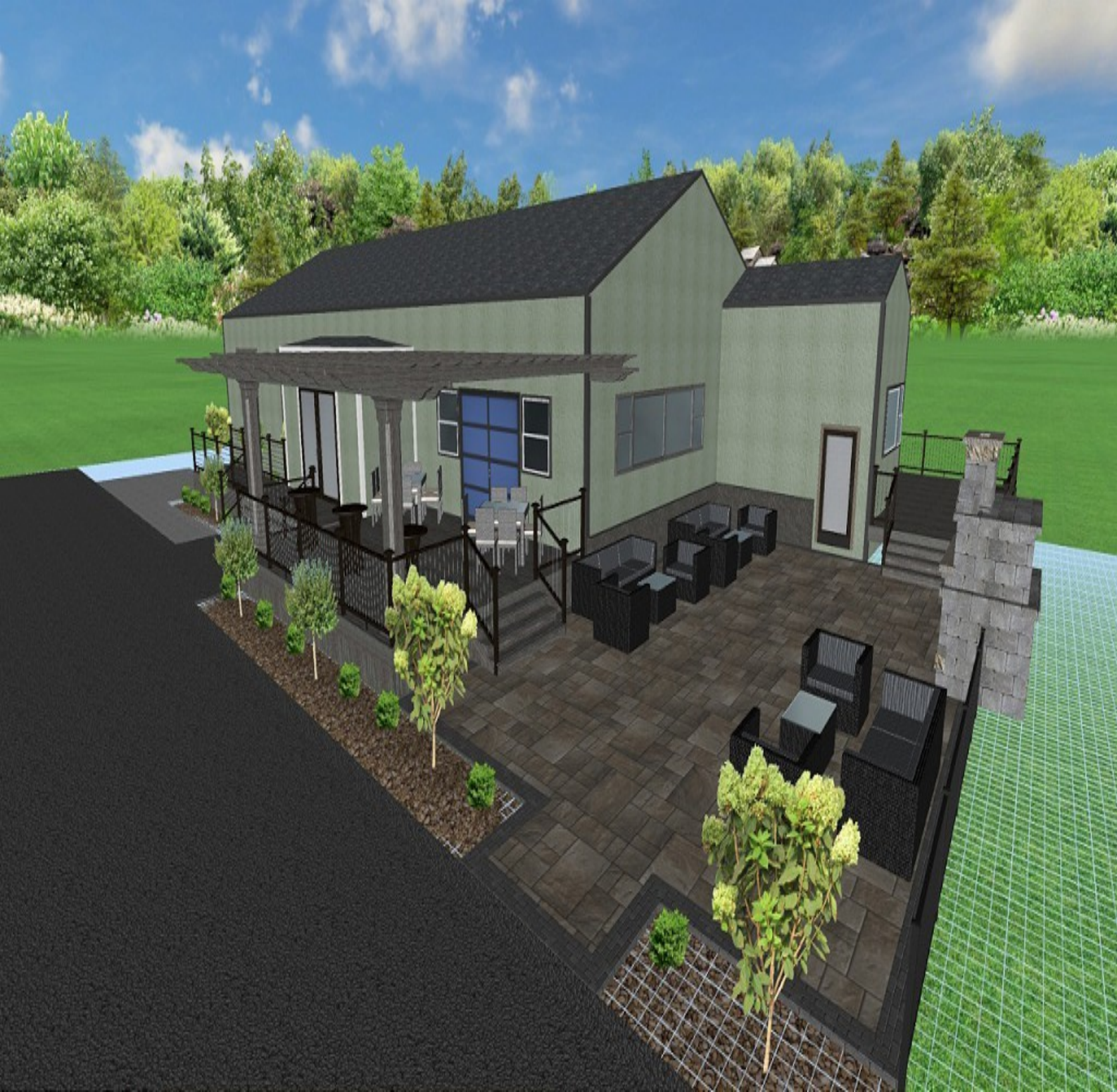
RECOMMENDATION

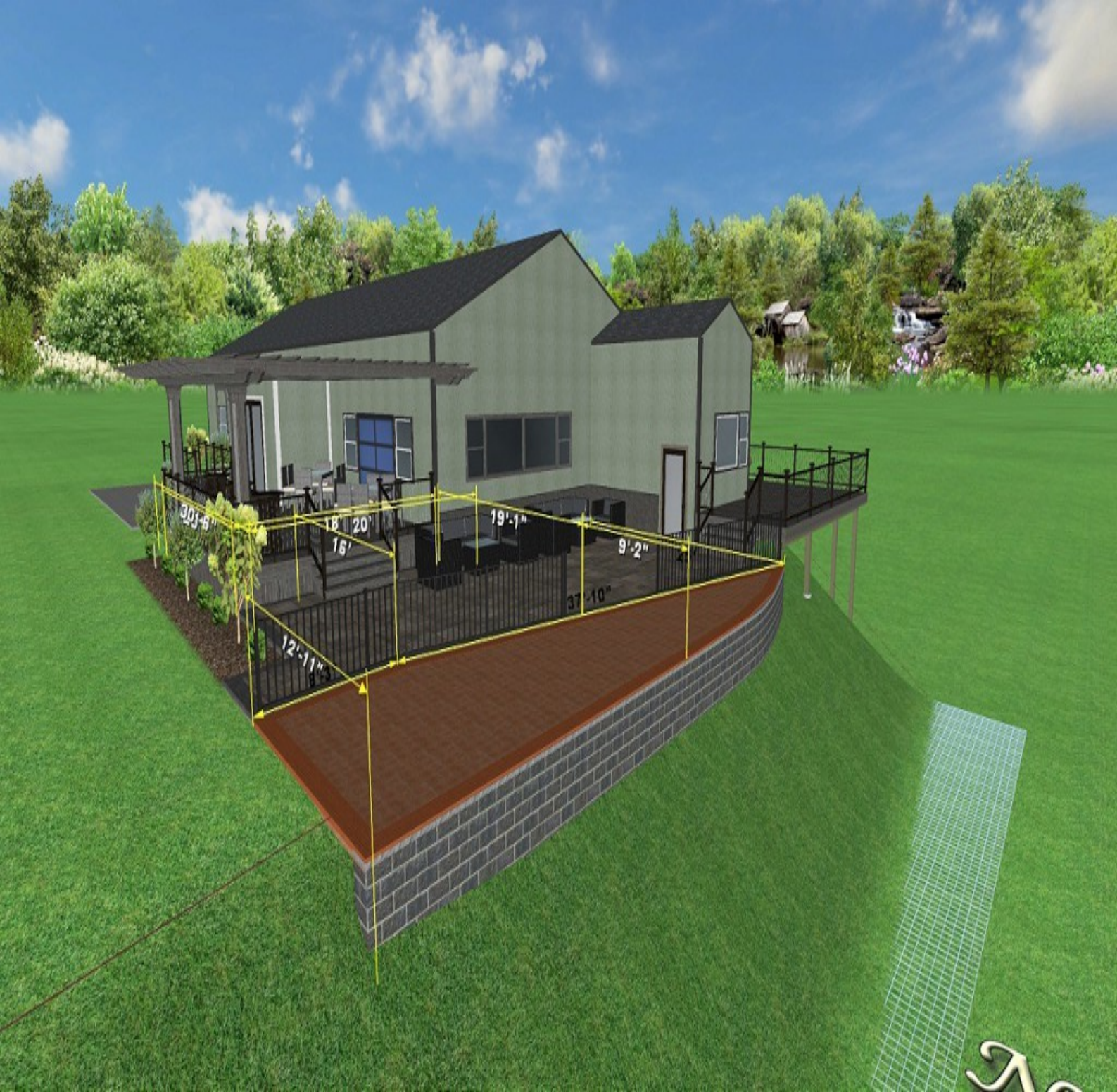
Approval of the request.

FISCAL IMPACT

ATTACHMENTS

1. CPA 23-03, ZP 23-07 Map
2. ZP 23-07 Project Pic 3
3. ZP 23-07 Project Pic 4
4. ZP 23-07 Applicant Narrative





**Explanation and Overview of Project at 2850 Humboldt Rd, Green Bay WI 54311
and Need for Rezoning**

Our business, Jimmy Simms LLC is housed in property owned by Simonet-Crowley Restaurant Group (same ownership) located at 2850 Humboldt Road.

A few months ago we obtained the services of DVR Construction for the design and construction of a new patio/ pergola attachment to our existing building. Once complete, the plan and quote were submitted to Erin Rovinski, Design Specialist for the City of Green Bay Community and Economic Development Department.

Our design was approved for reimbursement funding under the Façade Grant.

As we proceeded we learned that in fact some of what appeared to be property of our business (based on the work of previous ownership) was actually partially city property.

In order to fully carry out the design as originally planned, based on the recommendations of Dan Ditscheit, PLA, Director of the Parks, Recreation and Forestry Department of Green Bay we could have a few options to include an easement or land swap. Upon further review it was also determined that we would need to rezone to be fully compliant.

In order to move forward with this project in a timely manner, with respect to our business having the patio open and operation during optimum summer months, we request this rezoning of the affected parts of our property.

Thank you.



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.5

(ZP 23-10) Public hearing on the request for a Conditional Use Permit (CUP) at 158 N. Maple Street (Parcel# 4-95) to allow for the development of the dormitory within the Office Residential (OR), submitted by the Redevelopment Authority of Green Bay, property owner (Ald B. Johnson, District 9).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.6

(ZP 23-10) Consideration with possible action on the request for a Conditional Use Permit (CUP) at 158 N. Maple Street (Parcel# 4-95) to allow for the development of the dormitory within the Office Residential (OR), submitted by the Redevelopment Authority of Green Bay, property owner (Ald B. Johnson, District 9).

BACKGROUND

Primary Address: 158 N. Maple Street

Aldersperson / District: Ald. Brian Johnso, District 9

Reason for Request: To permit the development of a dormitory facility for young adults.

Surrounding Zoning and Land Uses:

SUBJECT: Office/Residential (OR) Vacant Multi-family Home

NORTH: Office/Residential (OR) Single- and two-family Residential

SOUTH: Office/Residential (OR) Single-, Two- and Multi-Family Residential

EAST: Office/Residential (OR) Multi-Family Residential

WEST: Office/Residential (OR) Single-, Two- and Multi-Family Residential

Comprehensive Plan: The 2022 Smart Growth Plan designates the subject area as Medium to High-Density Residential uses (M/HDR).

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

Report: The subject property is located on the southeast corner of N. Maple Street and Hubbard Street, currently owned by the Green Bay Redevelopment Authority (RDA). The site is a single lot (Parcel# 4-95) containing a total 0.09 acres or 4,131 sq. ft. with approximately 55 ft. of frontage on N. Maple Street and 75 ft. of frontage on Hubbard. The property is improved with a three-story 3,823 sq. ft. Queen Ann style building constructed in 1903-04. The approval of the request would allow the development of a dormitory use for up to 6 unrelated young adults who are juniors or seniors at the University of WI-Green Bay, as well as an AmeriCorp Vista Fellow who will help and coordinate the activities at the dormitory. A narrative from the applicant is attached within this agenda.

The City of Green Bay, University of WI-Green Bay, and Base Companies LLC, are proposing to rehabilitate the former six-unit multiple-family home at 158 N. Maple Street and create "The Center for Community Based Learning (The Center)". The Center will provide affordable housing for university students while also providing the opportunity for an immersive learning experience that matches students with local nonprofits

and neighborhood associations to provide internships, resulting in new programs and projects that will impact the surrounding neighborhood and community. The Center will be the first of its kind in the UW-System and the State of Wisconsin.

The three-story house is proposed to bring together university and non-university participants for education classes, meetings, planning and workshops. The interior of the structure will be completely redesigned and rebuilt. The ground floor will have a meeting room (accessible only with the oversight of the VISTA fellow), a communal kitchen and half-bath, as well as include ADA accessibility from the exterior lift and an ADA living space. The second floor will have single and double bedrooms for students and a full-bath, and the top floor will have a bedroom and office space for the VISTA fellow plus 1-2 additional bedrooms (space permitting) and a full-bath. The exterior of the structure will be rehabilitated to include composite siding with accent shingle siding, trim board and custom millwork medallion. Windows is proposed to be replaced, adjusting placement to new room layouts. In an attempt to maintain as much of the historical integrity of the original home as possible, the 3rd level window arrangements will repurpose the arched trim detail. Metal railings will be extended on upper-level patios and extended on the first-floor porch. The property will be essentially unchanged and includes the structure and one-stall garage and 3-4 surface stalls accessed off Hubbard Street.

In the review of the Conditional Use Permit (CUP), the Zoning Ordinance Section 44-83(e) establishes seven standards for the Plan Commission to consider when reviewing a CUP:

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

The use of a dormitory is permitted with a CUP and must meet minimum criteria within the Code. The Zoning Ordinance Section 44-158I related to congregate living uses, includes development standards for dormitory uses in all districts as follows:

- (1) On-site services shall be for residents of the facility only.
- (2) The maximum number of persons occupying the building shall not exceed four per bedroom with 50 square feet of sleeping area per resident, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption. Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.
- (3) One bath and restroom facility for every eight individuals residing in the dormitory. The bath and restroom facility shall be located so that no individual is required to pass through a sleeping room other than their own in order to access the bath and restroom facility.
- (4) One kitchen and dining area for every ten individuals residing in the dormitory.
- (5) One laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and a washbasin for every ten individuals residing in the dormitory.
- (6) One common use area/lounge of at least 600 square feet in size for relaxation and recreation of the occupants for every ten individuals residing in the dormitory.
- (7) If the dormitory use ceases for a period of 12 months or more, the conditional use approval will no longer be in effect. If construction and occupancy has not been completed and established within 12 months

of the date of approval, the conditional use status of the property shall no longer be in effect. In the event of a natural disaster or emergency situation, as determined by the City of Green Bay, these regulations may be suspended for a term of not more than 12 months.

This proposed use follows the development standards. Staff believes the proposed use is consistent and not contrary with existing land uses in the immediate neighborhood and meets the standards for CUP approval. However, staff is recommending additional conditions based on the specifics of dormitory use.

Ald. Brian Johnson, the Fort Howard Neighborhood Association, and adjacent property owners within 200 ft. of the subject area have been noticed of the request. A neighborhood meeting was conducted on April 3, 2023, where there was overall support for the project and the only concern expressed was that the building's exterior design should match the neighborhood. A zoning action sign is located on the site as well. There have been no inquiries regarding this request as of the drafting of this report.

RECOMMENDATION

Approval of request, subject to:

1. A maximum capacity of 6 individual unrelated residents who are students of UWGB and one VISTA fellow to act as the property caretakers for a maximum total of 7 individual tenants. Any increase in residents will require Plan Commission and Common Council approval.
2. If the dormitory use is discontinued, the operation is dissolved, or if UWGB's Center for Civic Engagement no longer operates/manages the facility, the use shall terminate immediately. The use/operation shall not be renewed or reestablished without the Plan Commission and City Council review and approval.
3. Conformance with the operating plan submitted by the applicant.
4. Compliance with all other regulations of the Green Bay Municipal Code.
5. Final site and building plans are reviewed and approved by the Green Bay Redevelopment Authority.

FISCAL IMPACT

ATTACHMENTS

1. ZP 23-10 Location Map
2. ZP 23-10 Application 4.10.23
3. 27967 N Maple St Exterior (03-08-2023)

-  Proposed CUP
-  200' Property Owner Notice



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: 158 N Maple Avenue

Parcel Number(s): 4-95

Petitioner(s): City of Green Bay

Date: 03/15/2023

Email: will.peters@greenbaywi.gov

Phone Number: 920-448-3150

Address: 100 N Jefferson Street, Room 608

City: Green Bay

State: WI

Zip: 54303

Property Owner: Redevelopment Authority of the City of Green Bay Phone Number: 920-448-3400

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, William Peters, 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): _____

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.: _____

2P 23-10

UWGB COMMUNITY BASED LEARNING CENTER

Project:

UW-Green Bay's Center for Civic Engagement together with the City of Green Bay is converting a house purchased by the city at 158 N Maple into a community-based learning center. The center will house 5-6 students plus the Center for Civic Engagement's AmeriCorp Vista fellow who will work with and help coordinate many of the activities. In exchange for reduced rent, students will commit to a year-long community-based learning project with local organizations, NGOs, community groups or the city to gain valuable practical experience, to foster community development and strengthen connections between UWGB and the city.

Layout/Concept:

This three-story house, located on the near West side of Green Bay is an ideal space to bring together university and non-university participants to come together for education classes, meetings, planning and workshops. The ground floor will have a meeting room (accessible only with the oversight of the VISTA fellow), a communal kitchen and half-bath. The second floor will have single and double bedrooms for students and a full-bath and the top floor will have a bedroom and office space for the VISTA fellow plus 1-2 additional bedrooms (space permitting) and a full-bath.

Community-based Learning:

Community-based learning "integrates problem-based service-learning, volunteerism, and experiential learning across a variety of disciplines in academic and community-based settings" (Carlisle, et. al.). Studies have shown that students participating CBL programs report increased capacities across multiple personal and professional indicators, including being more connected to their community and having expanded career opportunities. Junior and Seniors from all backgrounds and academic disciplines willing to commit to a year-long community-based project will be invited to apply, with preference given to those who have completed the Civic Scholars program as well as underrepresented students. They will be expected to devote 50hrs of CBL per credit hour as well as work to foster a collaborate and mutually beneficial atmosphere in the Center. Together with the VISTA Fellow, residents will be encouraged to have weekly dinners together and invite guest from the community and/or the university to share updates on the work they are engaged in. UWGB Faculty and Staff as well as community leaders will also be encouraged and invited to present to the residents in the first-floor board room.

Legal Property Description 158 N Maple Avenue

The North 55 feet of lot one hundred three (103) and the North 55 feet of the West 25 feet of lot one hundred two (102), according to the recorded plat of Dousman's Addition to Fort Howard, in the city of Green Bay, West side of Fox River, Brown County, Wisconsin.



158 NORTH MAPLE



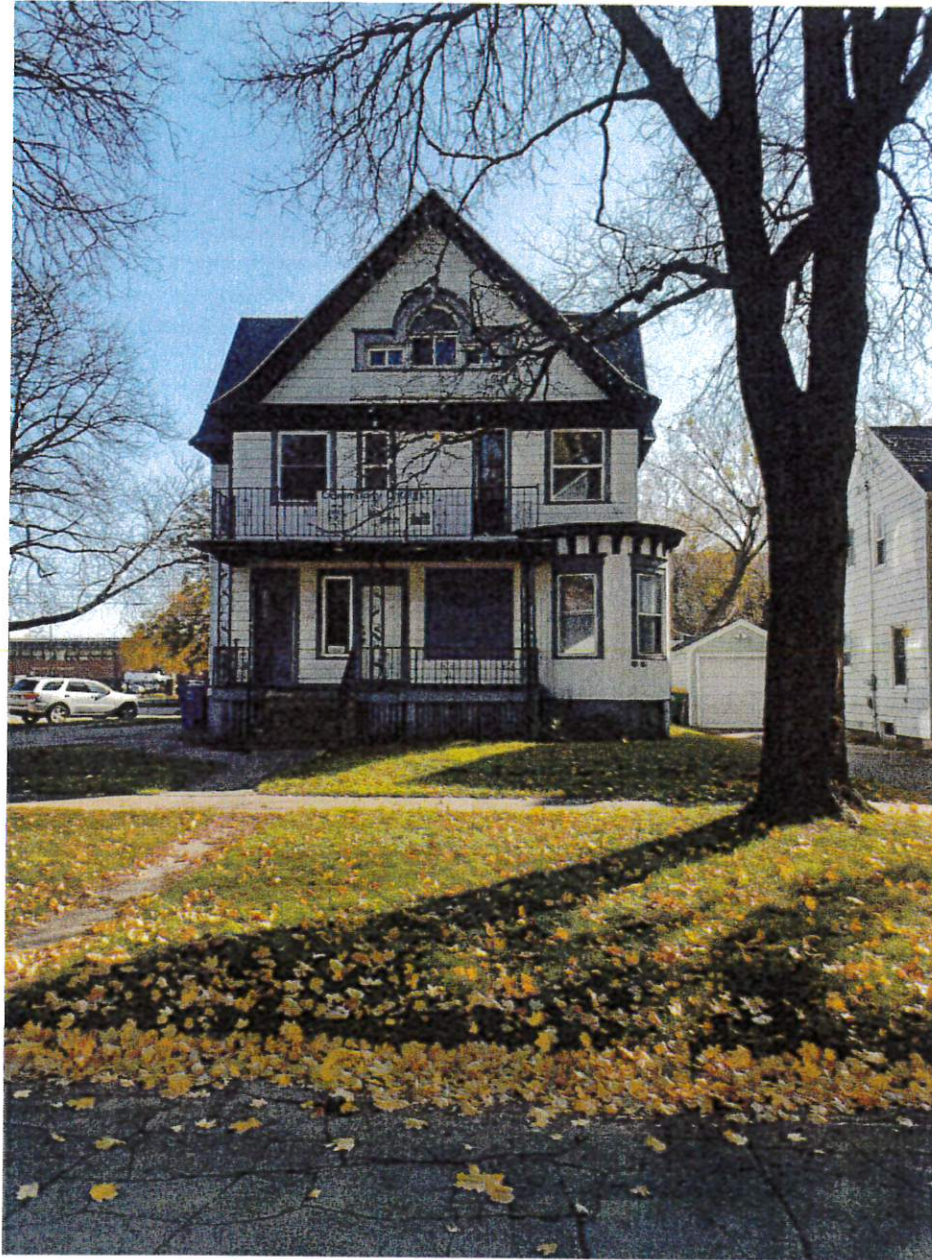
A partnership project to develop community-based learning opportunities.

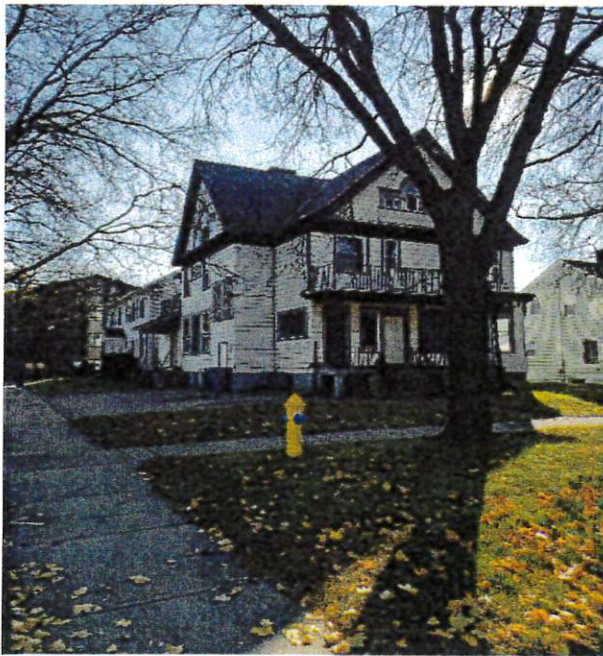


UNIVERSITY of WISCONSIN
GREEN BAY



The City of Green Bay, University of Wisconsin-Green Bay, and Base Companies LLC, are proposing a rehabilitation project of the residential property located at 158 North Maple Avenue. The purpose of this project is to create the Center for Community Based Learning (The Center). The Center will provide affordable housing while also giving students the opportunity for an immersive learning experience, matching students with local non-profits and neighborhood associations to provide meaningful internships resulting in new programs and projects that will impact the surrounding neighborhood and community. The Center will be the first of its kind in the UW-System and the state of Wisconsin.









EXTERIOR FINISH SCHEDULE						
MARK	MATERIAL TYPE	MANUFACTURER	MODEL / SIZE	COLOR	ADDITIONAL INFORMATION	COMMENTS



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PROJECT

CLIENT NAME
158 MAPLE

GREEN BAY WISCONSIN

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

PROJECT NO.	22-27697
FILE NAME	
DRAWN BY	Author
DESIGNED BY	Designer
REVIEWED BY	Checker
ORIGINAL ISSUE DATE	MM/DD/YY
CLIENT PROJECT NO.	

TITLE
EXTERIOR ELEVATIONS

SHEET
A2-11



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



3 SOUTH ELEVATION
1/8" = 1'-0"



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



4 EAST ELEVATION
1/8" = 1'-0"



PRELIMINARY NOT FOR CONSTRUCTION

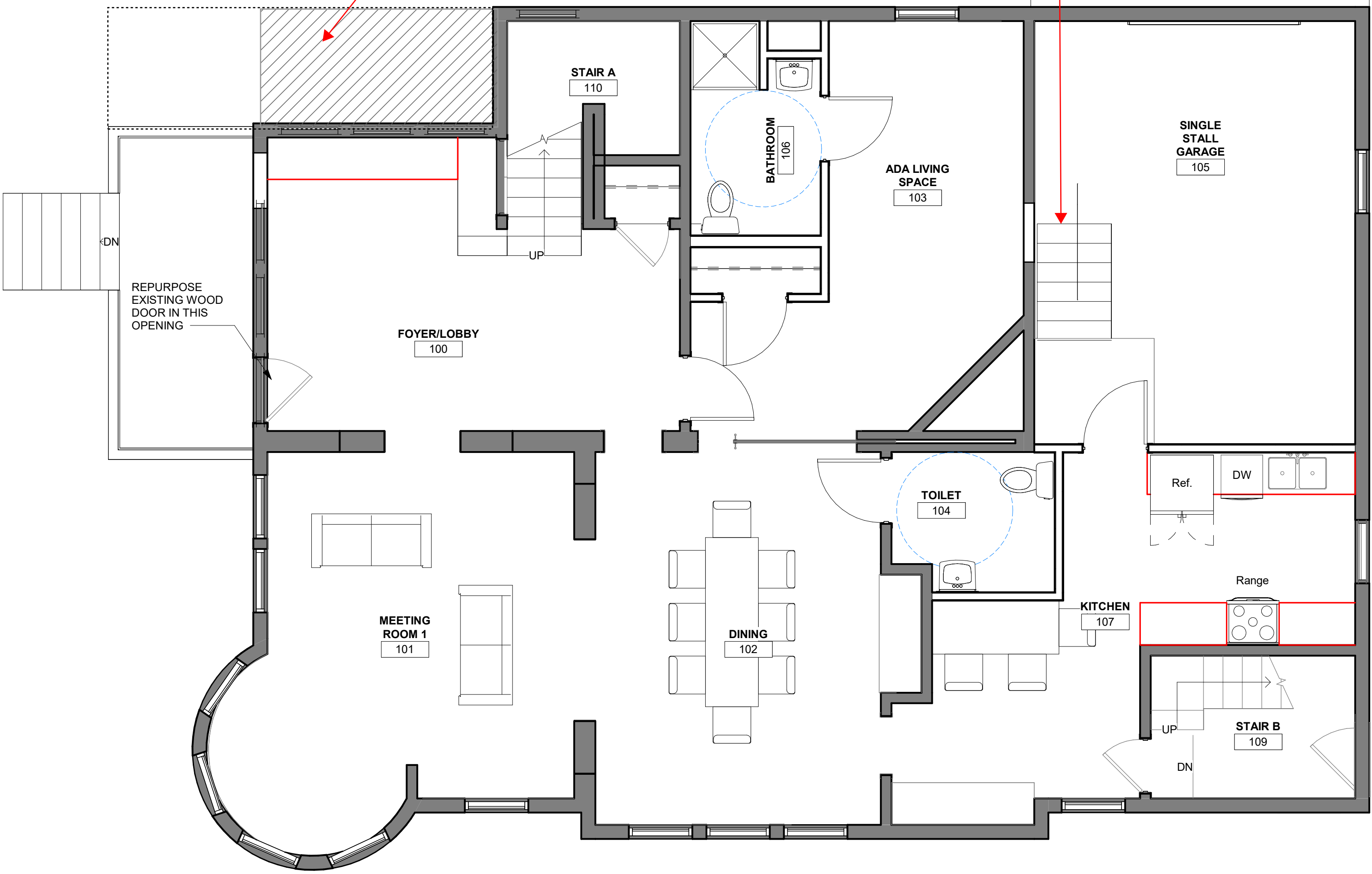


<https://www.garaventalift.com/en/products/home-elevator.html>

<https://www.garaventalift.com/en/products/inclined-platform-lift/x3-straight.html>

POSSIBLE ENCLOSED LIFT
COULD INCORPORATE A
WRAP AROUND SECOND
FLOOR ROOF

POSSIBLE INCLINE
PLATFORM



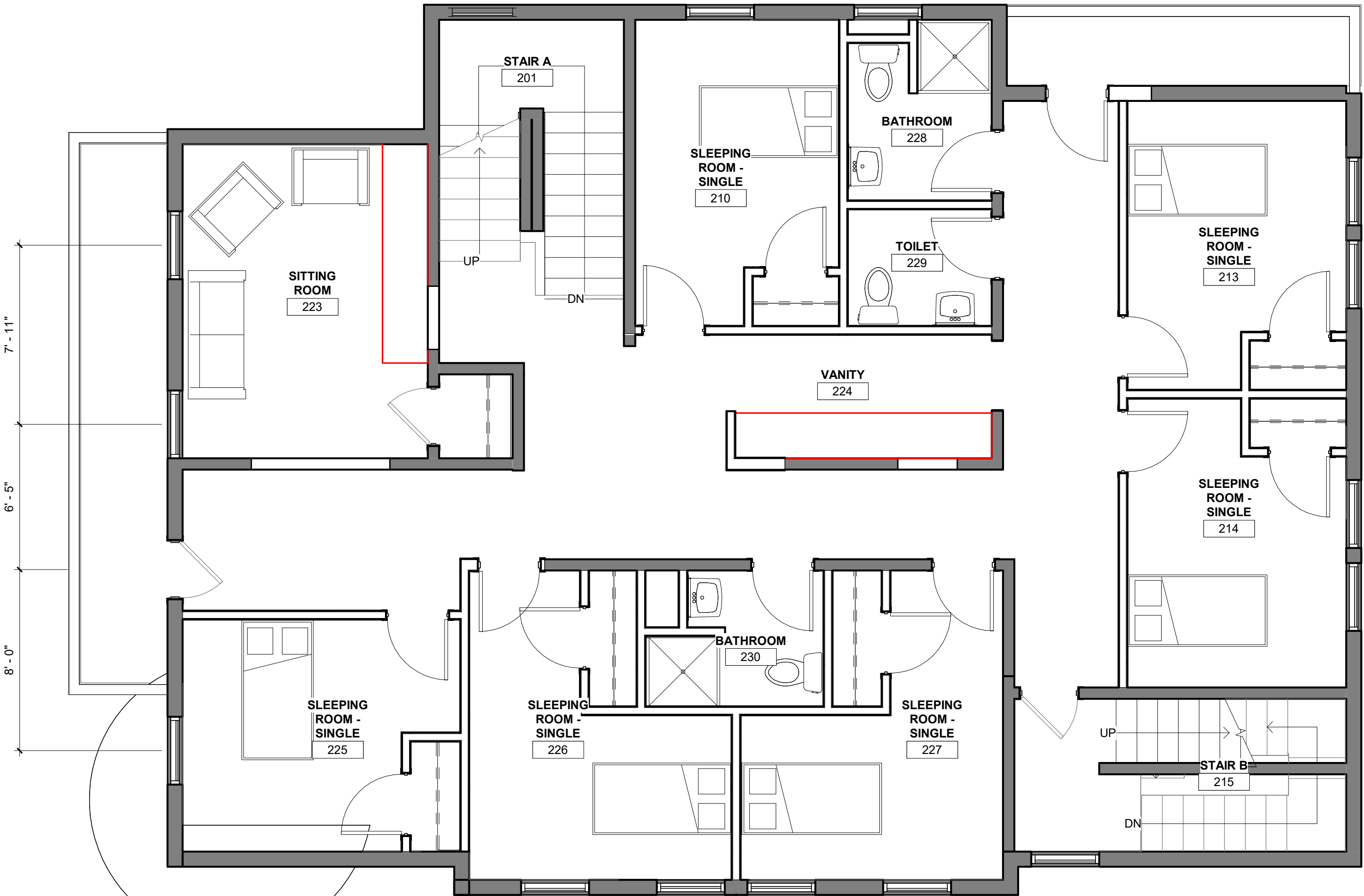
1 FIRST FLOOR PLAN
1/4" = 1'-0"

CONCEPT 1

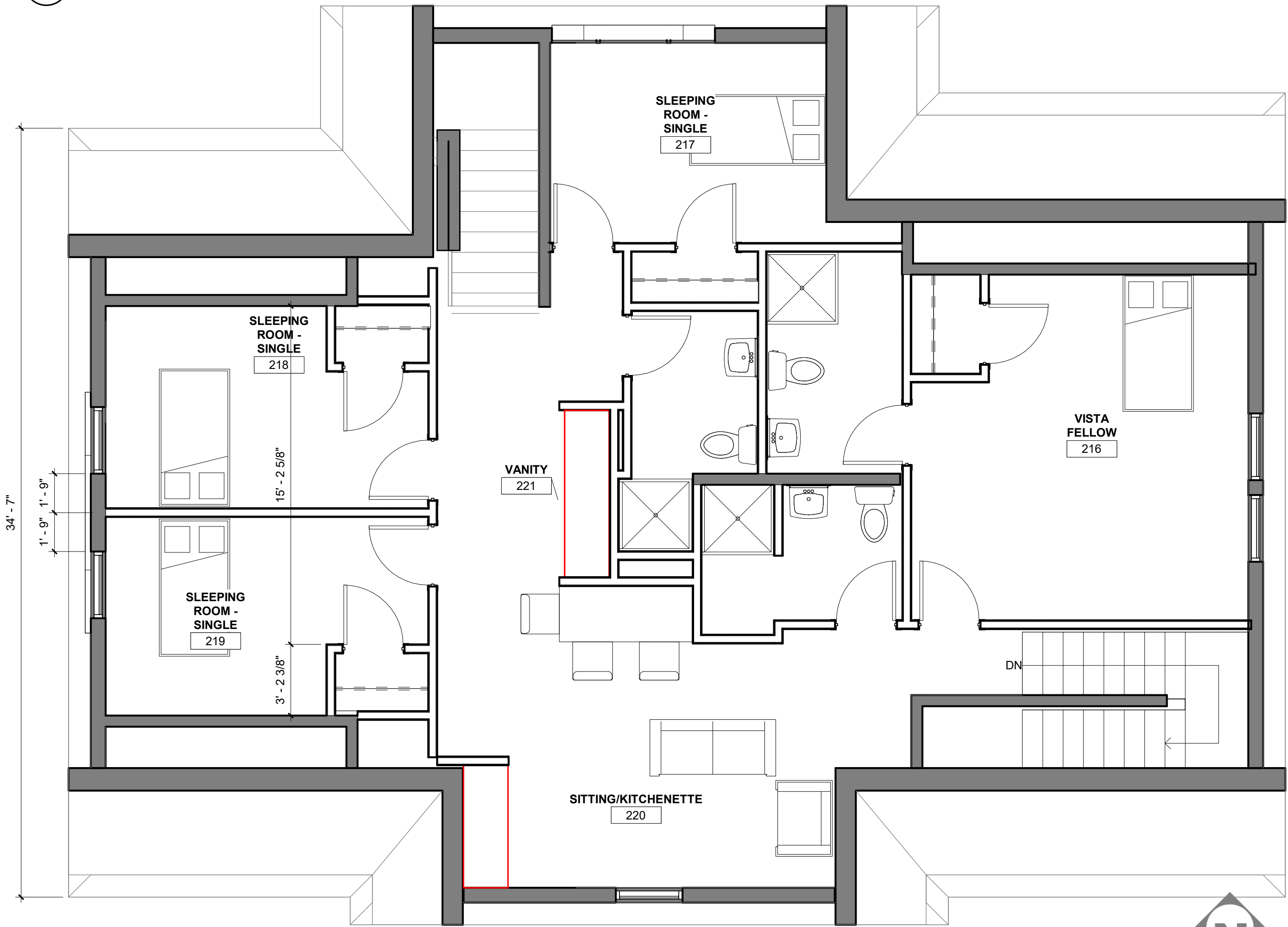


Architecture + Engineering + Environmental + Planning

158 MAPLE
GREEN BAY, WISCONSIN - 12/22/22
ISG PROJECT NO. 22-27697



2 SECOND FLOOR PLAN
1/4" = 1'-0"



3 THIRD FLOOR PLAN
1/4" = 1'-0"



ISGinc.com





Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.7

(ZP 23-12) Public Hearing on the request for a Conditional Use Permit (CUP) at 1200 S. Broadway (Parcel# 1-855) to allow a self-service storage facility in a Special Purpose-Residential Light Industrial district (S-RLI), submitted by Filip Barasan, Barsan Corporation, applicant and Green Bay Redevelopment Authority, property owner (Ald B. Johnson, District 9).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.8

(ZP 23-12) Consideration with possible action on the request for a Conditional Use Permit (CUP) at 1200 S. Broadway (Parcel# 1-855) to allow a self-service storage facility in a Special Purpose-Residential Light Industrial district (S-RLI), submitted by Filip Barasan, Barsan Corporation, applicant and Green Bay Redevelopment Authority, property owner. (Ald B. Johnson, District 9).

BACKGROUND

Primary Address: 1200 S Broadway (Parcel# 1-855)

Aldersperson/District: Ald. Johnson, District 9

Reason for Request: The proposed CUP would allow a self-service storage facility in a Special Purpose - Residential Light Industrial district (S-RLI) to be built at 1200 S. Broadway.

Surrounding Zoning and Land Uses:

SUBJECT: Special Purpose – Residential Light Industrial (S-RLI) Green Space
NORTH: Special Purpose – Residential Light Industrial (S-RLI) Automotive Repair Shop
SOUTH: Special Purpose – Residential Light Industrial (S-RLI) Single-Family Home
EAST: Special Purpose – Residential Light Industrial (S-RLI) Single-Family Home
WEST: Special Purpose – Residential Light Industrial (S-RLI) Single-Family Home

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan currently recommends a Light Industrial (LI) future land use on this property and to the areas adjacent in all cardinal directions. The proposed use is considered a conditional use within the Light Industrial zoning district and is consistent with the Comprehensive Plan.

Report: The subject property is an existing corner lot at Eighth Street and S. Broadway. The lot is 50 ft. x 145 ft. in size, creating a 7661 sq. ft. lot. The lot is currently vacant and has been this way since at least 2012. A portion of the lot is currently located in the FEMA 100-Year Floodplain but was removed from the draft FEMA Flood Insurance Maps which have been adopted by the Common Council and anticipated to be enacted in May 2023.

The request of the Conditional Use Permit (CUP) is to permit a self-storage service facility which is defined in the Zoning Code as:

A facility consisting of individual self-contained storage units or spaces leased to individuals, organizations, or businesses for storage of personal or business property.

Barsan Corporation, the petitioner and developer, is looking to redevelop the property which is currently owned by the Green Bay Redevelopment Authority (RDA). The RDA granted Barsan a 60-day option on the property at its April 11, 2023, meeting. The S-RLI District is unique within the city. The district is established to “address planning and land use issues and opportunities that go beyond the general purposes of the City’s

conventional zoning districts. S-RLI District is a mixed-use district, meaning that it is intended to encourage a mix of compatible land uses in a variety of locations and scales in order to preserve and enhance the vitality of the neighborhood. The overall intent for land uses in the S-RLI District is to allow the continuation and limited expansion of existing single- and two- family residential uses, to allow the addition of attached or accessory residential uses (live-work unit, dwelling in conjunction with a business, etc.) where they enhance the vitality of a commercial or industrial use, to allow very limited new residential uses, and to allow a carefully selected set of commercial and light industrial uses that will be compatible with the existing and anticipated housing in the area. Other compatible uses may also be allowed where they are consistent with the overall purpose of the District”.

The proposed project is unique, but fits the characteristics described in the S-RLIs establishment. Barsan proposes a three-story building with approximately 14,400 sq. ft. for storage units, 3 indoor parking spaces, and common spaces for users. Each floor is projected to have multiple smaller sized units compared to conventional suburban storage units which typically are large enough to store vehicles. Daily operations have been described in the applicant’s narrative. The facility is proposed to be accessible for 24 hours a day with garage entry from 7am through 8pm. The facility is proposed to be accessed through the alley for vehicular traffic. An elevator and stair wells are proposed for entry to floors 2 and 3. The proposed space accommodates 116 individual self-storage units. Additional off-site parking is required to meet minimum parking requirements set forth in GB Zoning Code 44-1726 Figure B. as additional 9 stalls are needed.

Building fenestration and scale is different than typical self-storage facilities in the area. Barsan proposes exposed finished concrete, custom sheet metal similar to apartment building aesthetics, windows on the upper floors, first floor store front look, and outdoor lighting.

Ald. Brian Johnson and property owners within 200 ft. have been notified of the request. Staff has not received any inquiries as of the drafting of this report.

RECOMMENDATION

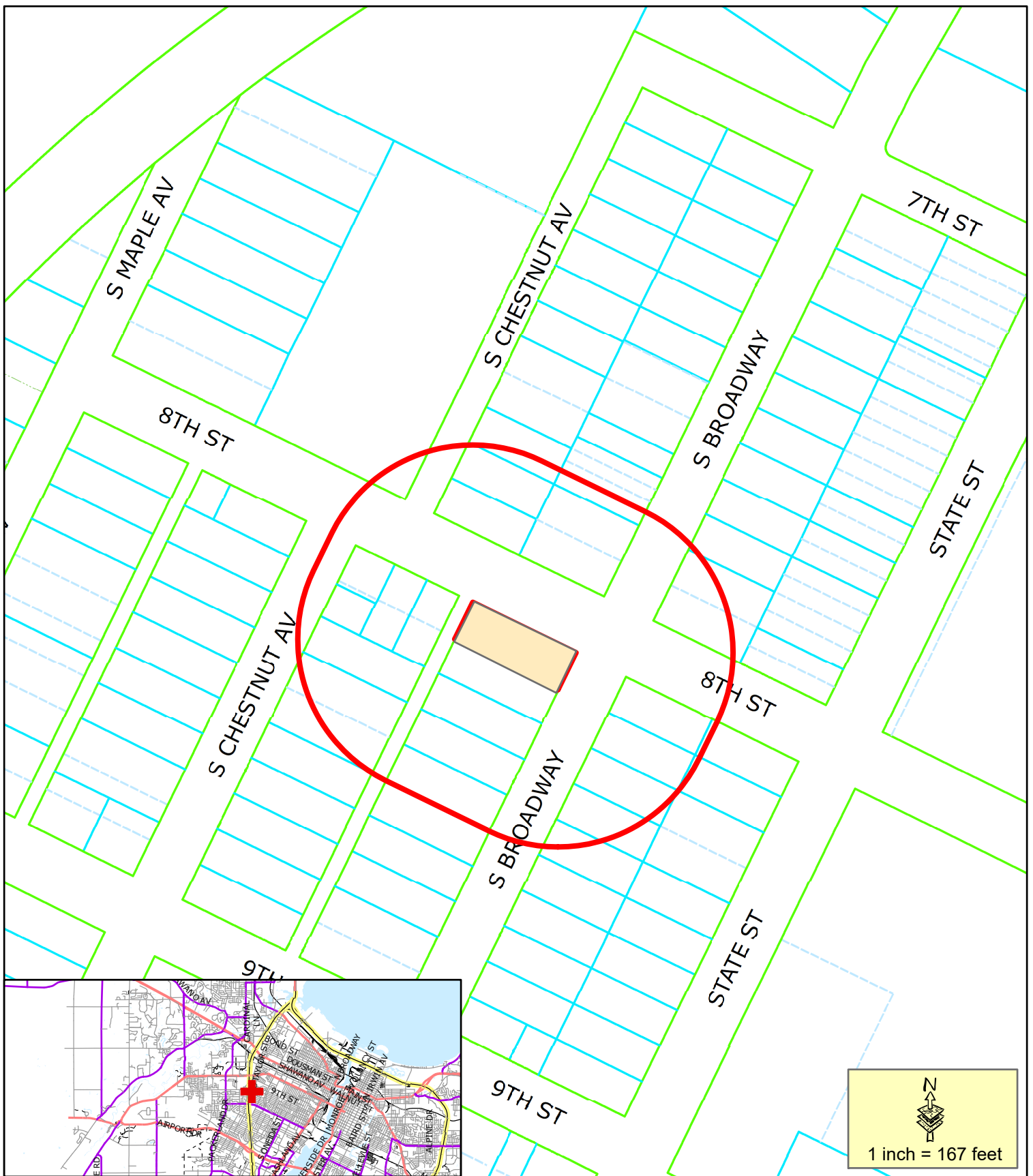
Recommendation: Approval of the CUP request , subject to:

- a. Submitted site plans to remain in general conformance of what has been provided with this conditional use permit request.
- b. The maximum building height shall be three stories, no greater than 40 feet in total.
- c. Individual storage units shall not contain motor vehicles.
- d. A minimum of three indoor parking spaces are provided to users. The applicant must meet sufficient additional off-street parking to meet the minimum standard for parking requirements for the self-service storage use.
- e. Submission of information regarding the specific custom sheet metal to be used on the buildings. Staff to review and grant approval.
- f. Final site and building plans are reviewed and approved by the Green Bay Redevelopment Authority.
- g. Compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.

FISCAL IMPACT

ATTACHMENTS

1. 23-12 Property Map
2. 23-12 Application and Info



Proposed Conditional Use Permit

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 JL

**Conditional Use Permit Request
(ZP 23-12)
Request for Self-Service Storage Use
1200 S Broadway**

March 29, 2023

City of Green Bay, Dept. of Community & Economic Development
Planning & Projects
Attn: Jon LeRoy
100 North Jefferson Street
Green Bay, WI 54301

Dear Jon,

Per our recent conversations, this letter serves as a formal request for a Conditional Use Permit (CUP) and purchase of city-owned land to proceed with a new commercial enterprise within the city. Following is a description of my plan for urban storage.

Vision

The vision for this project is a compact building of high quality construction within a safe, semi-residential/semi-commercial area. The 120 foot by 40 foot three-story building will have 14,400 square feet for storage units, indoor parking, lobby and common spaces including elevator. The goal is to provide secure rented storage spaces to individuals seeking short and/or long-term rentals. For example, people living in apartments or small homes may desire climate-controlled space for items such as home furnishings, bicycles, canoes, file boxes, etc. The space would NOT accommodate items such as motor vehicles, motorcycles, ATVs, grand pianos and such. The building may have multiple entry/exit options, with parking space for loading and unloading. Users will have a choice of storage space size with price differentials and access to the second and third floor via a utility elevator or stairways. The well-lit exterior façade may be used for murals or custom designs complementing existing and future development in surrounding areas.

Market Need

The past few decades have witnessed an explosion of built storage units on the periphery of cities across our country. Most of these units are “generic” in appearance and detract from the natural surroundings. At the same time, city residents are often seeking convenient spaces for storing their accumulated “stuff.” As the population grows and city residents seek storage options, the demand for this type of storage will continue to escalate. Many medium and large metropolitan areas have found this type of storage to be both popular with users and beneficial to the city in terms of tax revenue. Additionally, this facility will be aesthetically designed to fit within a semi-residential area.

Exterior Construction Materials

- Exposed finished concrete
- Custom sheet metal similar to apartment building aesthetics
- 2nd and 3rd floor street facing windows
- 1st floor storefront
- Outdoor façade lighting
- Options for murals (if desired)

All other visible exterior materials and finishes will be presented prior to permitting.

Access, Hours of Service and Security

The facility will be accessible by users 24 hours per day through front doors. The garage entry door will be accessible between 7am and 8pm. An internet website will be the primary interface for users wanting to rent self-storage space. From the website, users will view options of space by size, by floor level and monthly fees. They can view the unit from the website, submit payment, sign the agreements, and receive access instructions all online. Entry fobs can be picked up or mailed.

Alley garage entry and street entry may allow for drive up activity for loading and unloading items. A utility elevator will be located near the loading/unloading area. In addition, two stairways allow for movement between floors on the far ends of the building.

Indoor and exterior lighting will increase the safety of activities within and outside the building. Security cameras will be located at multiple locations indoors and outdoors. Overall security will be managed by the storage firm (company name to be shared at closing per the 1031 option). Users may purchase their own additional renter's insurance although the building's overall insurance will be covered by the owner.

This first inner city storage unit will be a "test case" for future expansion of the growing storage industry. We envision this attractive, well-maintained facility will be greatly appreciated by new and current residents of the area. Please give this request serious consideration and contact me with any questions, concerns or suggestions.

Regards,

A handwritten signature in blue ink, appearing to be 'Filip Barsan', with a stylized, cursive script.

Filip Barsan



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: 1200 S Broadway

Parcel Number(s): 1-855

Petitioner(s): Barsan Corporation

Date: 3-28-2023

Email: filip@barsancorp.com

Phone Number: 844-622-7726

Address: 419 N Broadway

City: Green Bay

State: WI

Zip: 54303

Property Owner: Green Bay Redevelopment Authority

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, Filip, 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)
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- ☐ 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: 3-28-2023

Petitioner Signature(s): _____

3-28-23

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.: _____

PROJECT: Urban Mini Storage
ADDRESS: 1200 S Broadway Green Bay WI, 54304
PARCEL: 1-855
LOT GROSS SIZE: 7,661 SF

APPLICANT: Barsan Corporation
CONTRACTOR: Barsan Construction LLC
BUILDING FOOTPRINT: 4,800 SF
GROSS BUILDING SIZE: 14,400 SF



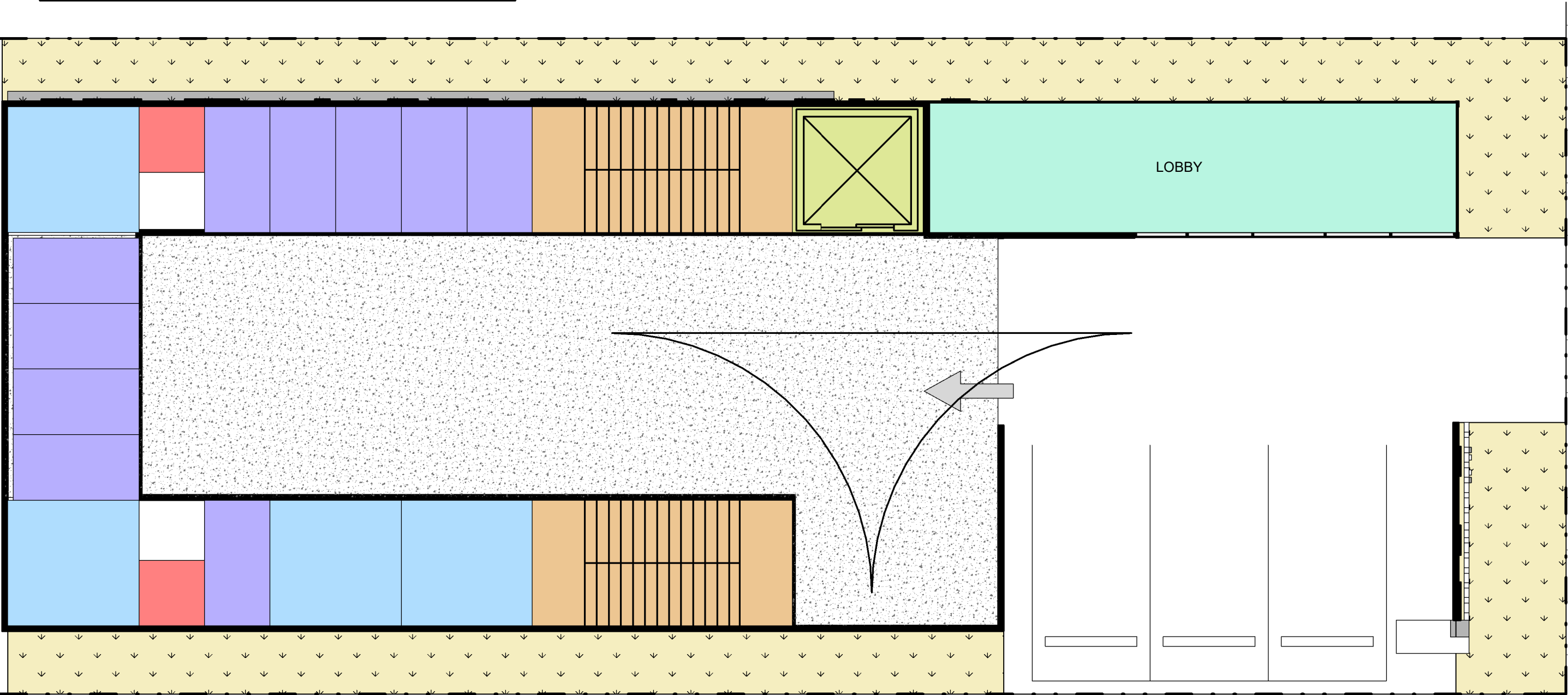
KEY

Green:	Property Line	Yellow:	Garage Entry
Red:	Building Perimeter	Purple:	Enclosed Outdoor HVAC or Trash
Orange:	Lot Dimensions		

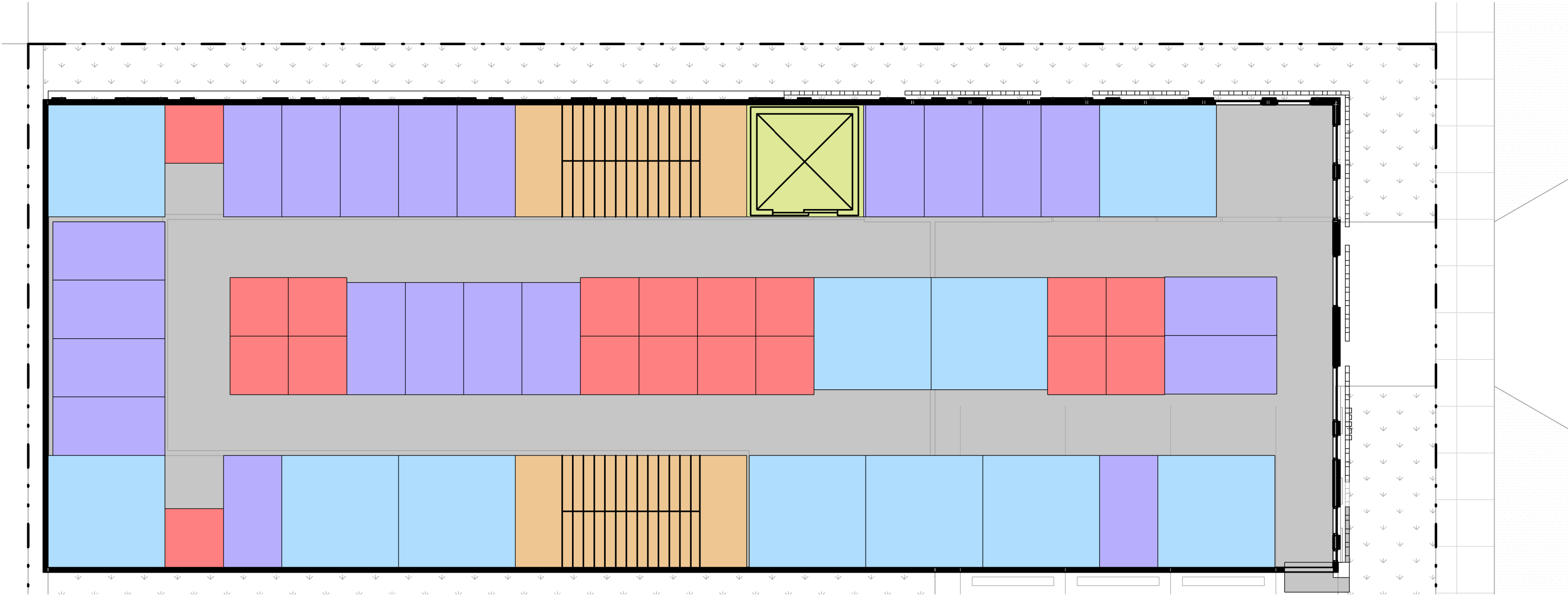




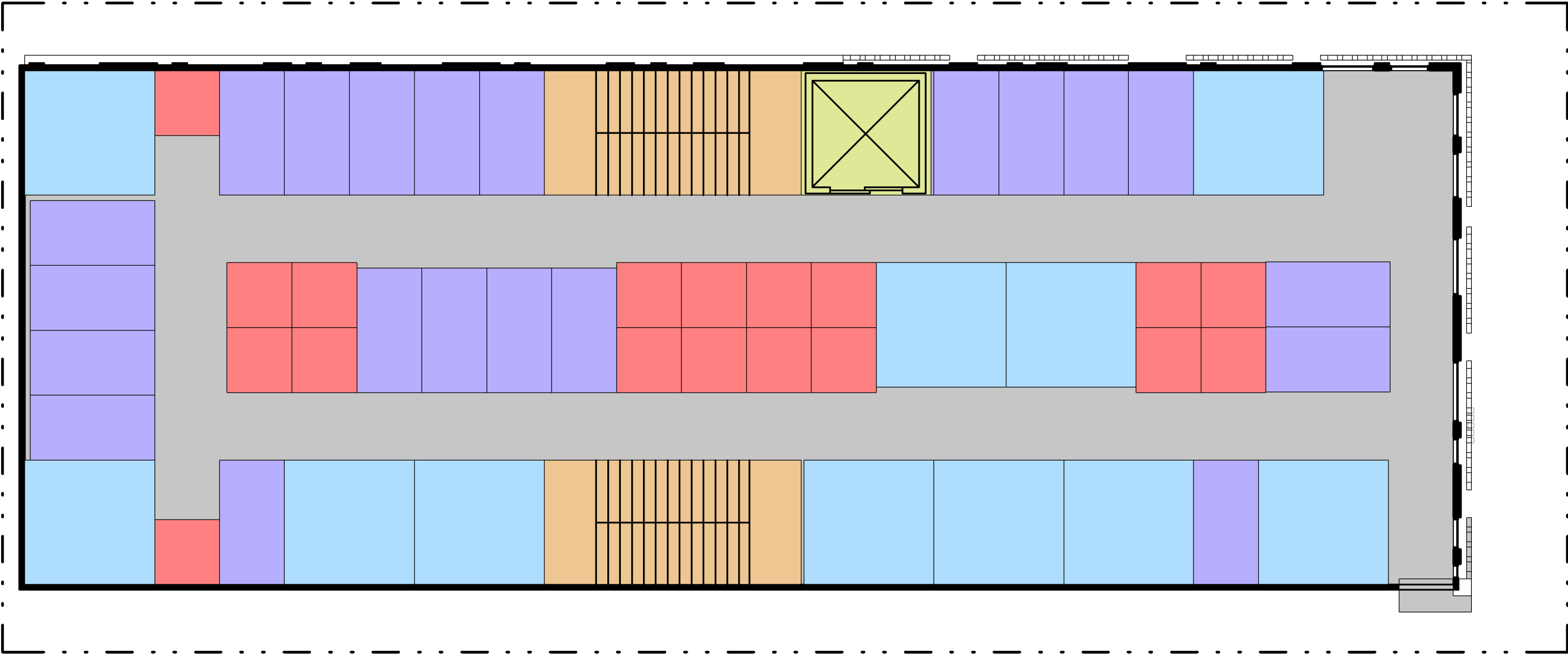
UNIT MATRIX				
Unit Size	Floor 1	Floor 2	Floor 3	Total
5 x 5	2	18	18	38
5 x 10	10	21	21	52
10 x 10	4	11	11	26
	16	50	50	116 UNITS



UNIT MATRIX				
Unit Size	Floor 1	Floor 2	Floor 3	Total
5 x 5	2	18	18	38
5 x 10	10	21	21	52
10 x 10	4	11	11	26
	16	50	50	116 UNITS



UNIT MATRIX				
Unit Size	Floor 1	Floor 2	Floor 3	Total
5 x 5	2	18	18	38
5 x 10	10	21	21	52
10 x 10	4	11	11	26
	16	50	50	116 UNITS





Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.9

(ZP 23-13) Public hearing on the request to establish a Planned Unit Development at the 2500 block of University Avenue (Parcel# 21-1249-1-3) to permit the development of multiple-family residential use, submitted by Gorman & Co., applicant and Meyer Family Investment Corp., property owner (Ald. Craig Stevens, District 5).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.10

(ZP 23-13) Consideration with possible action on the request to establish a Planned Unit Development at the 2500 block of University Avenue (Parcel# 21-1249-1-3) to permit the development of multiple-family residential use, submitted by Gorman & Co., applicant and Meyer Family Investment Corp., property owner (Ald. Stevens, District 5).

BACKGROUND

Primary Address: 2500 Block University Avenue (Parcel 21-1249-1-3)

Aldersperson/District: Ald. Stevens, District 5

Reason for Request: A Planned Unit Development (PUD) overlay is proposed for the purpose of constructing a 48 unit multi-family residential building.

Surrounding Zoning and Land Uses:

SUBJECT General Commercial (C1) Vacant

NORTH General Commercial (C1) Storage, Auto-Oriented Commercial

SOUTH Varied-Density Residential (R3) Multi-Family Dwellings

EAST General Commercial (C1) Vacant

WEST Varied Density Residential (R3)/Highway Commercial (C2) Multi-Family Dwellings, Auto-Oriented Commercial

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for Commercial Uses. The University Avenue Corridor Plan calls for this area to be redeveloped to facilitate commercial, mixed use and residential uses. Staff believes the PUD request is consistent with the goals of the University Avenue Corridor Plan.

Report: The subject parcel is located along the 2500 Block of University Avenue at the intersection of University and Rothe on a 1.84 acre parcel. The parcel has been mostly vacant in decades past.

Gorman Company, the developer and applicant, are proposing a 4 story multi-family residential building with some first floor office space to facilitate an agreement with Lutheran Family Services to provide services to the community.

The proposed project includes the development 48 residential units. 13 one-bedroom units, 24 two-bedroom units, 1 three bedroom unit, and 10 three bedroom townhouse units are proposed. Ground floor space includes common spaces for residents, private residences, and office space for Lutheran Family Services.

The building is shaped in a way to provide articulation and building wall relief, most notably along University Avenue as the building is placed along the right way with multiple individual entries to townhomes as well as a common entry to the bulk 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 accessory spaces can be converted to any C-I use in the future to add more mixed-use components to the building beyond the planned Lutheran Family Services.

Parking at the property will be tucked behind the front of the building. Multi-family buildings with 48 units require a minimum of 60 stalls at the developments. This proposed layout accounts for 60 auto parking stalls and bicycle parking. Staff has included an updated conceptual site plan and building elevations for the project within the draft PUD ordinance and this development will require general conformity with it. The site is also accessible by sidewalk along University Avenue. The development will require a sidewalk constructed at Rothe alongside its western boundary to the southern property line. The parking lot does not meet requirements of landscaping with a parking lot as the southern row of parking has more than 15 stalls of parking without a landscape island break. One will be required to breakup 28 consecutive stalls.

Multi-family buildings are permitted in CI districts, however residences are allowed to be only located above the ground floor. This proposal has a mix of uses on the ground floor, including residential. Additionally, the building height is approximately 50 feet for the 4 stories of building and any roof mounted equipment. This exceeds the 35 foot maximum of CI buildings. Staff believes the overall quality of the project and fit within in the framing of the University Avenue Corridor Plan goals creates an overall positive development on the site. The 1.84 acres work well with a building of this size and surrounding environment.

A neighborhood meeting was held on April 13th at the parcel. Weather was pleasant. Attendance was limited to one person from the public. The developer, current property owner, city staff, Alder Stevens as well.

If the draft PUD is approved with conditions, a full site plan will need to be submitted to the Office of Community and Economic Development for site plan review based off the elements provided with this PUD and meeting all other standards of the Green Bay Municipal Code.

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

RECOMMENDATION

Approval of the draft PUD.

FISCAL IMPACT

ATTACHMENTS

1. ZP 23-13 Application
2. 23-13 Zoning Letter Map
3. ZP 23-13 Narrative
4. ZP 23-13 Site Plan Concept 042123
5. Draft PUD ZP 23-13 04.19.23



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: Parcel # 21-1249-1-8 Corner of Potter & University
Parcel Number(s): _____
Petitioner(s): Gorman & Company Date: 4-3-23
Email: tmattkorn@gormanusa.com Phone Number: 414 617-9997
Address: 200 N. Main Street City: Oregon State: WI Zip: 53575
Property Owner: Meyer Family Investments Corp. Phone Number: 920 655-2685

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, Edward Mattkorn, 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)
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- ☐ 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): _____

(V) Owner Signature: Michael A. Meyer, Pres. Date: 3/31/23
Petitioner Signature(s): Edward Mattkorn General Counsel Gorman & Company, Inc.

Checklist of required attachments:

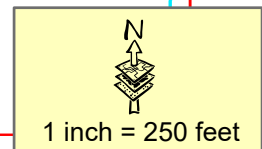
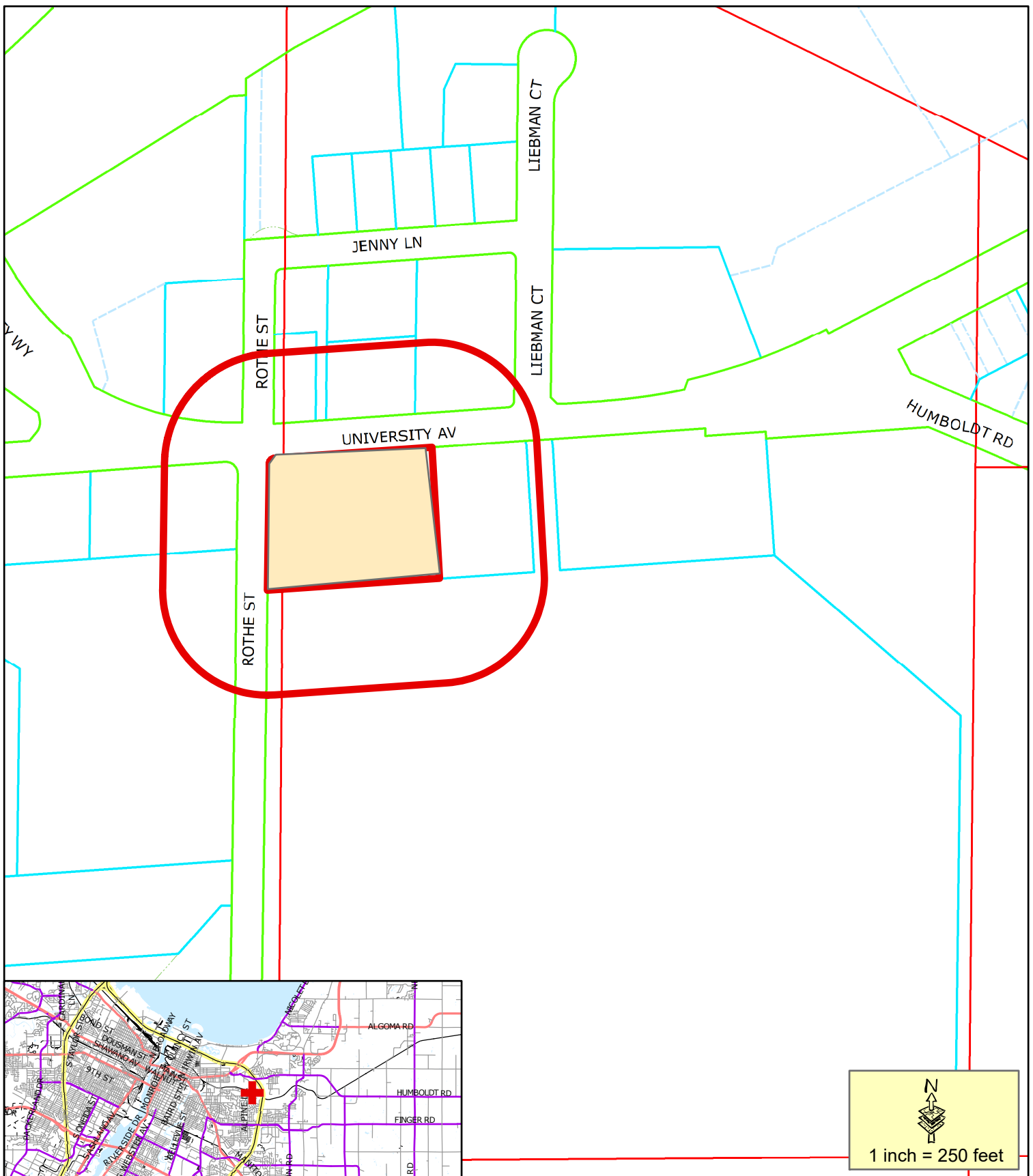
- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: _____

Receipt No.: _____

Zoning Petition No.: _____



- Proposed Rezone for Planned Unit Development
- 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 JL

Rezone Request (ZP 23-13)
Planned Unit Development
2500 Block of University Avenue
Parcel 21-1249-1-3



April 21, 2023

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 University Avenue with access to the site both University Avenue and Rothe 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 60 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 a vacant lot, providing new activity and life to the corner of University Avenue and Rothe Street.

Site development summary

Site area:	1.84 acres
Dwelling units:	48
Density:	33 units per acre
Building height:	4 stories

Apartment unit mix

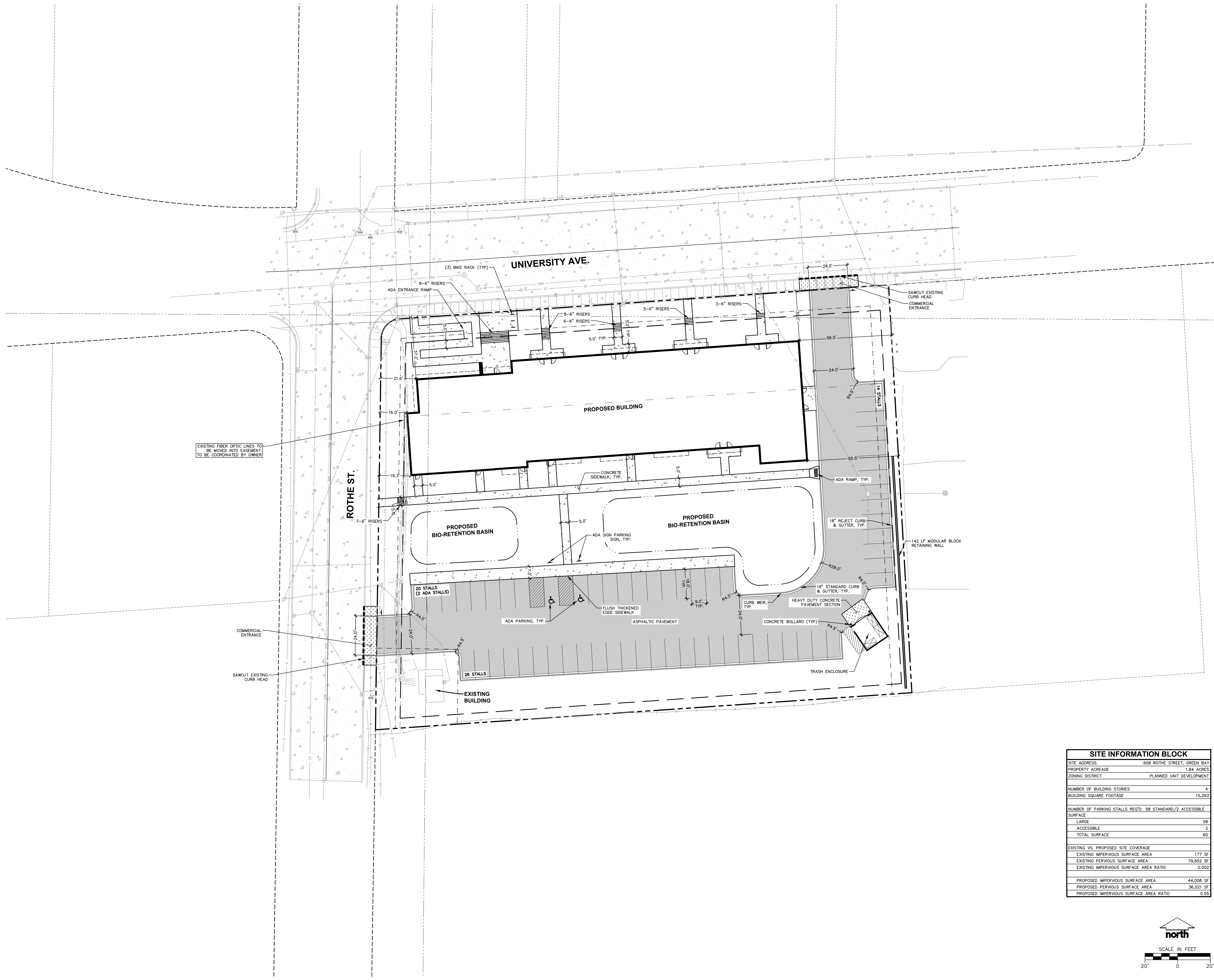
One bedroom	13
Two bedroom	24
Three bedroom	1
<u>Three bedroom townhome</u>	<u>10</u>
Total units:	48

Parking

<u>Surface spaces</u>	<u>60</u>
Total spaces:	60

Bicycle Parking

Exterior	6
<u>Interior</u>	<u>16</u>
Total:	22



PROJECT:
BAY CITY LOFTS
608 ROTHE STREET
GREEN BAY, WI 54311

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

ARCHITECT:
KORB + ASSOCIATES
ARCHITECTS
648 N. PLANKINTON AVE
SUITE 240
MILWAUKEE, WI 53203

CIVIL ENGINEER:
JSD PROFESSIONAL
SERVICES, INC.
7402 STONE RIDGE DRIVE
WESTON, WI 54476

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

DATE	REVISION

SITE INFORMATION BLOCK	
SITE ADDRESS	608 ROTHE STREET, GREEN BAY
PROPERTY ACREAGE	1.84 ACRES
ZONING DISTRICT	PLANNED UNIT DEVELOPMENT
NUMBER OF BUILDING STORIES	4
BUILDING SQUARE FOOTAGE	15,293
NUMBER OF PARKING STALLS REQ'D: 58 STANDARD/2 ACCESSIBLE	
SURFACE	
LARGE	58
ACCESSIBLE	2
TOTAL SURFACE	60
EXISTING VS. PROPOSED SITE COVERAGE	
EXISTING IMPERVIOUS SURFACE AREA	177 SF
EXISTING PERVIOUS SURFACE AREA	79,852 SF
EXISTING IMPERVIOUS SURFACE AREA RATIO	0.002
PROPOSED IMPERVIOUS SURFACE AREA	44,008 SF
PROPOSED PERVIOUS SURFACE AREA	36,021 SF
PROPOSED IMPERVIOUS SURFACE AREA RATIO	0.55

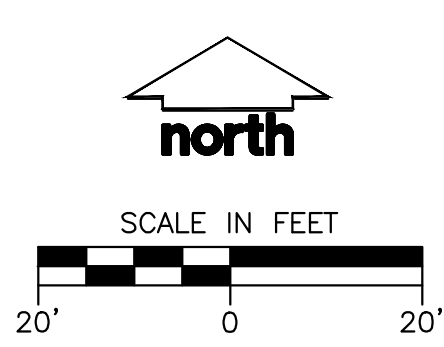
DESIGN REVIEW - NOT FOR CONSTRUCTION -

PROJ. NO.	22023-04
SCALE	AS INDICATED
PHASE	
DATE	

Site Plan

C200

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ZONING ORDINANCE NO. XX-23

AN ORDINANCE
CREATING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT FOR
PROPERTY LOCATED AT 2500 BLOCK OF UNIVERSITY AVENUE (PARCEL 21-
1249-1-3)
(ZP 23-13)

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 33 CSM 272, being part of Government Lots 2 and 3 and being part of the SE ¼ of the NW 1/4, Section 33, T24N-R21E, in the City of Green Bay, Brown County, Wisconsin.

Tax Parcel: 21-1249-1-3

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, multi-story affordable 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. 1.837 acre parcel located at the southeast corner of University Avenue and Rothe Street, parcel 21-1249-1-3.
- 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.
 2. C-1 uses are permitted on ground floor and spaces directly connected to the ground floor.
 3. 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, surface parking lot and other uses deemed appropriate by the Zoning Administrator.

4. Land use will generally conform with the design of the conceptual site plan (Exhibit A)

5. Residential units are permitted on the ground floor of the development.

6. Prohibited Uses. The PUD limits 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, and assisted living/nursing homes. All other proposed uses are subject to a PUD amendment.

- A. Dimensional and Area Requirements: Dimensional and area requirements or principal structure and surface parking on the subject property shall be regulated as follows:

1. General Site.

- a. Lot Size. Minimum lot area is 1.8 acres
- b. Maximum Impervious Surface: 80%
- c. Maximum Building Height: 50 feet

2. Apartment Building.

- a. Front Yard Setbacks

1. University Avenue: Minimum: 15 feet
2. Rothe Street: Minimum: 15 feet

- b. Side Yard Setbacks (east lot line): 6 feet

- c. Rear Yard Setback (south lot line): 6 feet

- d. Maximum Height: Principal building shall not exceed 50 feet in height.

3. Surface Parking.

- a. Front Yard Setbacks

1. Rothe Street: Minimum: 15 feet
2. University Avenue: Not Applicable. No parking along street.

- b. Side Yard Setback

1. (South lot line): Minimum: 20 feet

- c. Rear Yard Setbacks

1. (East lot line): Minimum: 6 feet

- B. 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.

- C. Architectural Design. All building elevations shall generally comply with Exhibit B 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 (minimum of 90%):

- I. Brick or brick veneer
 - II. Cementitious panels/siding
 - III. Architectural/decorative metal panels
 - IV. Wood or wood composite
 - V. Windows and doors
 - b. Windows and doors. Windows shall include trim and all building entrances shall include a canopy or other roofing element over the doorway.
 - c. A minimum of one public entryway to the principal building must be accessible from University Avenue.
 - d. 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. Any modifications to the design and character of the existing accessory structure located near the southwest corner of the property must be complimentary of existing conditions as of April 2023 or complimentary of the design and character of the new primary building.

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

E. Signage. All signage shall be regulated as set forth in Chapter 30 Green Bay Zoning Code. Any signage for the primary multi-family use must align with R-3 signage standards for signage not displayed in Exhibit B.

F. Site Plan Review & Standards

1. Prior to the issuance of any building permits, site plans shall be submitted and reviewed per Chapter 44 Article XIX, Green Bay Zoning Code.
2. Risers, paved stoops, paved entries leading to private and public doorways along University Avenue which are in the front setback are allowed.

G. Access/Parking/Pedestrian Circulation.

1. All parking shall be regulated as required in Chapter 44, Article XVIII, Green Bay Zoning.
2. Pedestrian access shall be provided from University Avenue and

Rothe Street to the development and connected via an internal pedestrian network to the primary entrance of the principal building.

3. A public sidewalk extension is required along Rothe Street in the public right of way.

H. Landscaping/Transitional Yard

1. 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 Zoning Code.
 2. Landscape buffer area can be reduced to six feet in width along the eastern property line.
- I. 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.
- J. 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:

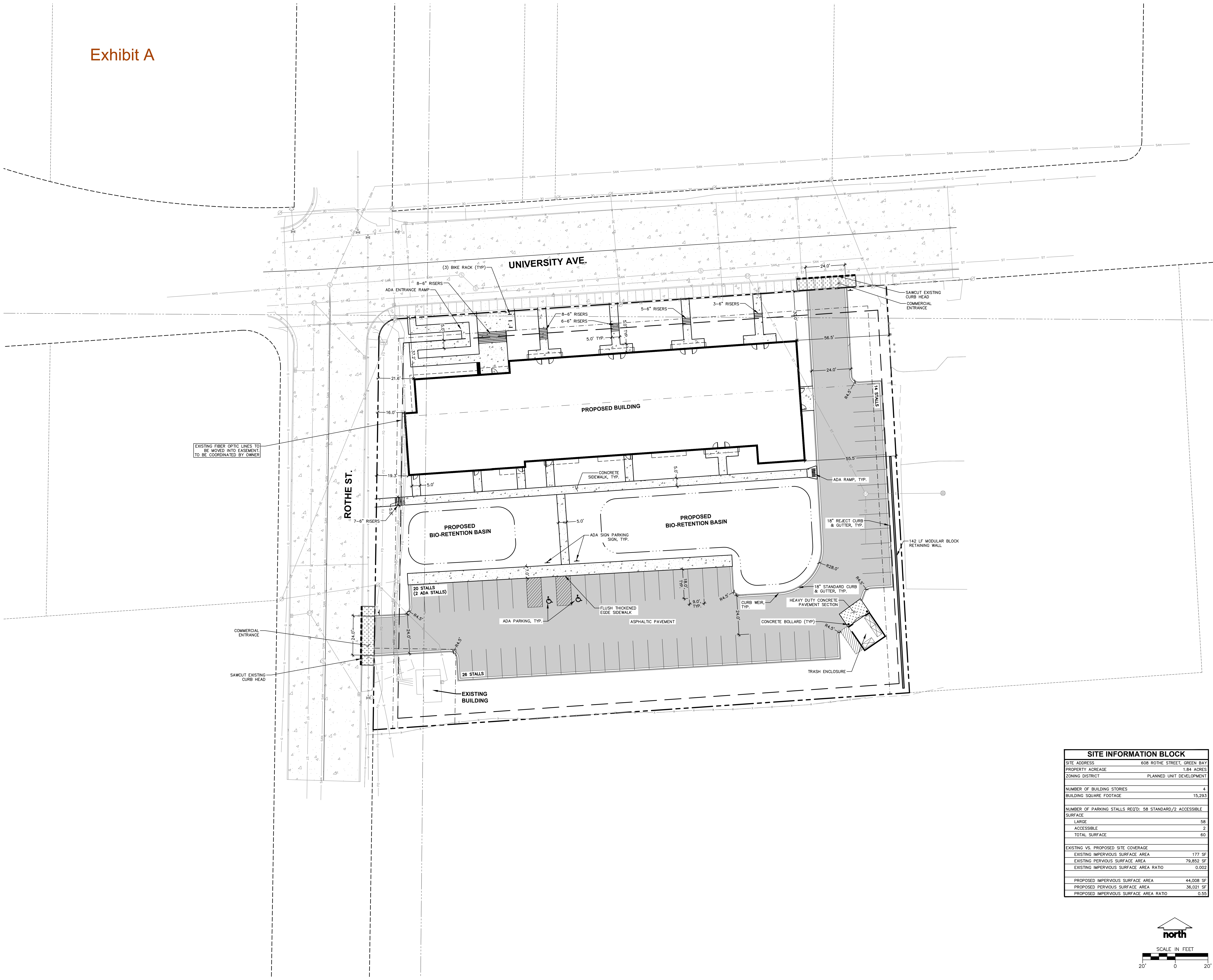
Mayor Eric Genrich

ATTEST:

Clerk

Attachments:

Exhibit A -Conceptual Site Plan
Exhibit B – Conceptual Building Elevations and Floor Plans



PROJECT:
BAY CITY LOFTS
608 ROTHE STREET
GREEN BAY, WI 54311

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

ARCHITECT:
KORB + ASSOCIATES
ARCHITECTS
648 N. PLANKINTON AVE
SUITE 240
MILWAUKEE, WI 53203

CIVIL ENGINEER:
JSD PROFESSIONAL
SERVICES, INC.
7402 STONE RIDGE DRIVE
WESTON, WI 54476

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

DATE	REVISION

SITE INFORMATION BLOCK	
SITE ADDRESS	608 ROTHE STREET, GREEN BAY
PROPERTY ACREAGE	1.84 ACRES
ZONING DISTRICT	PLANNED UNIT DEVELOPMENT
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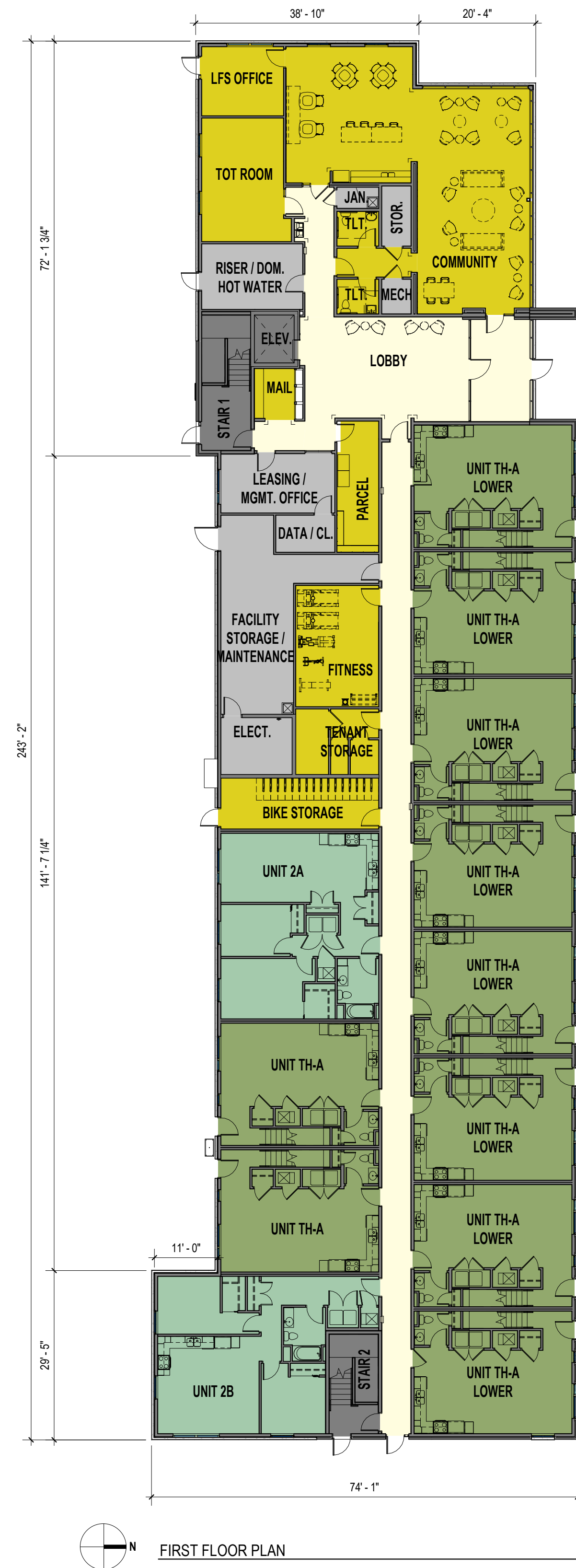
PROJ. NO.	22023-04
SCALE	AS INDICATED
PHASE	
DATE	

Site Plan

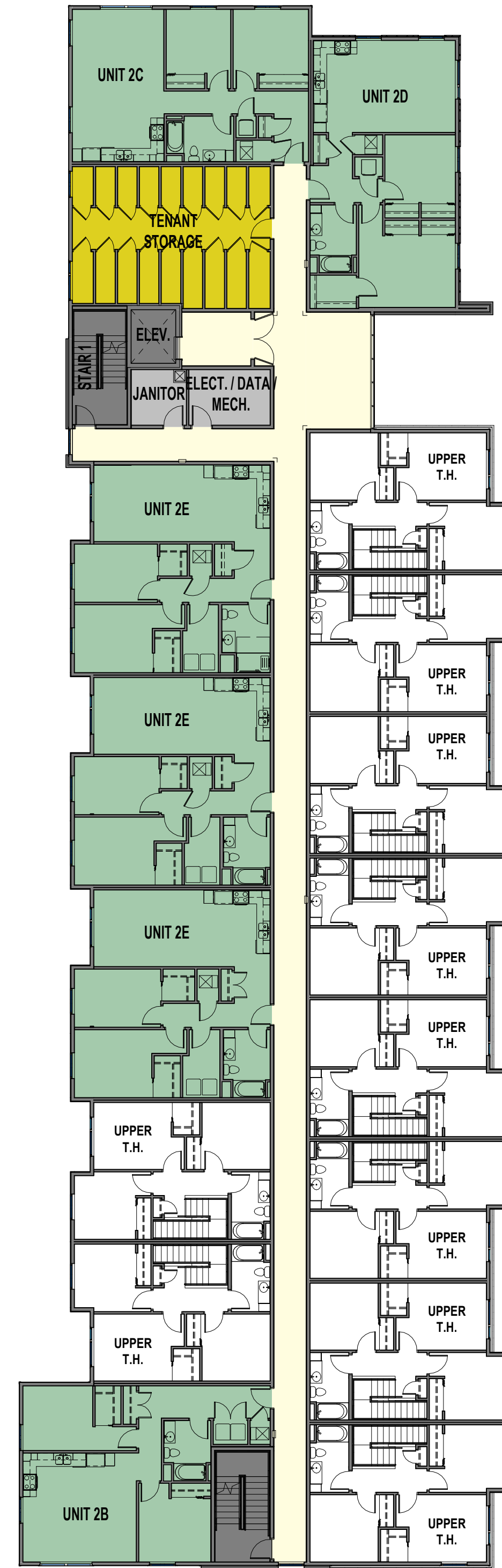
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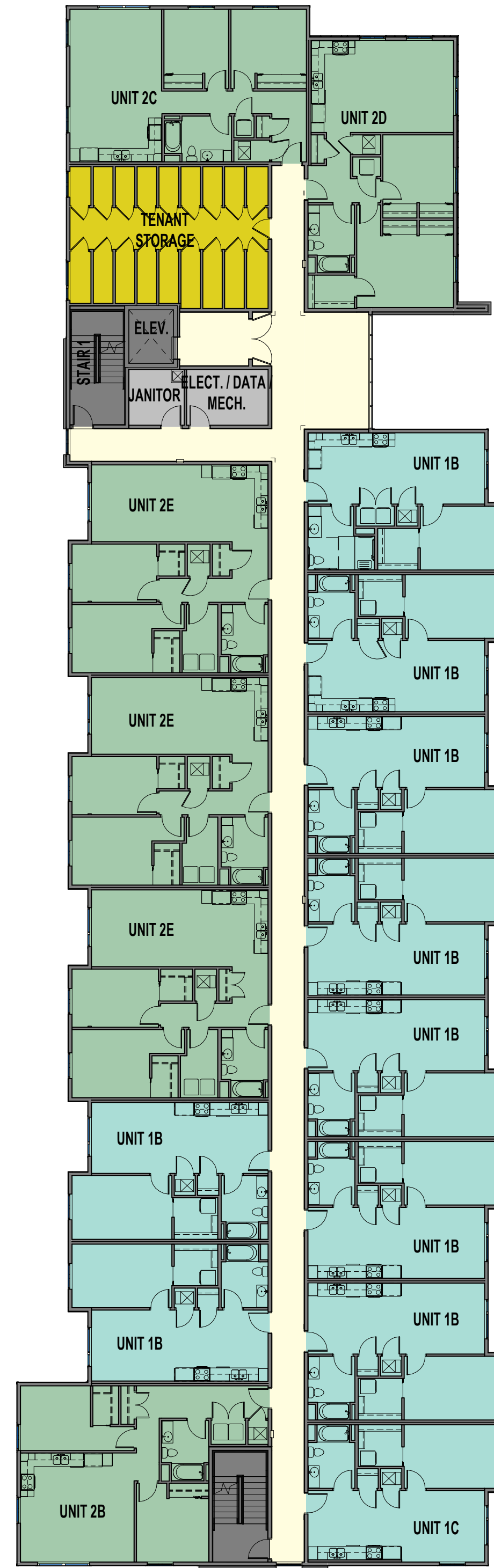
DESIGN REVIEW - NOT FOR CONSTRUCTION -



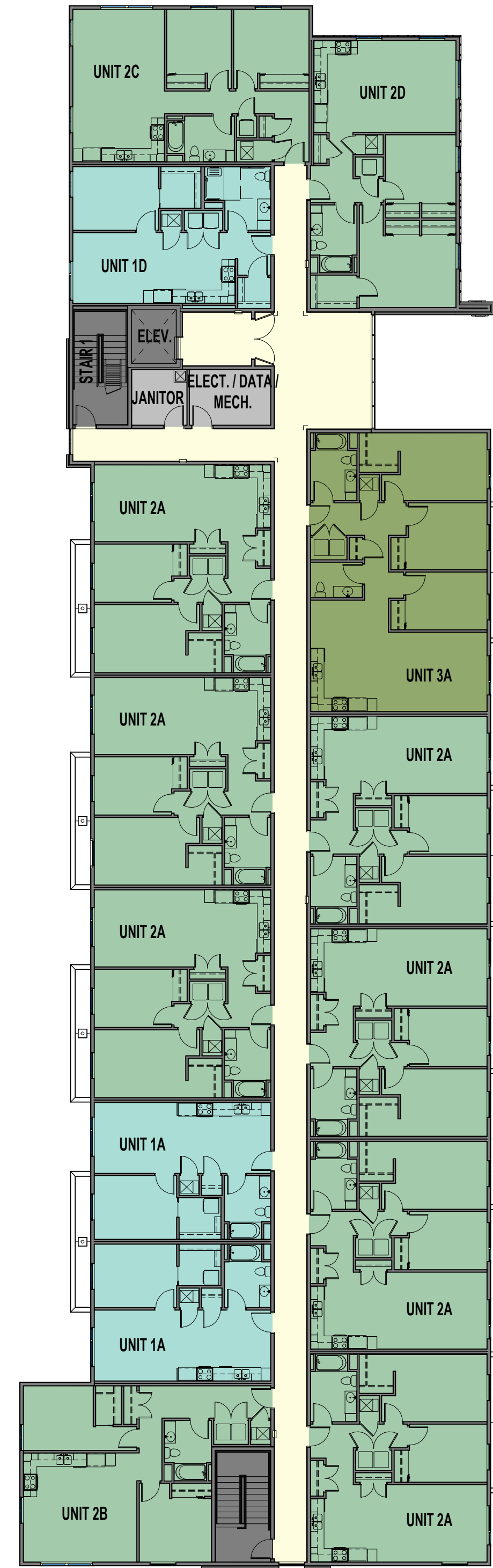
SECOND FLOOR PLAN



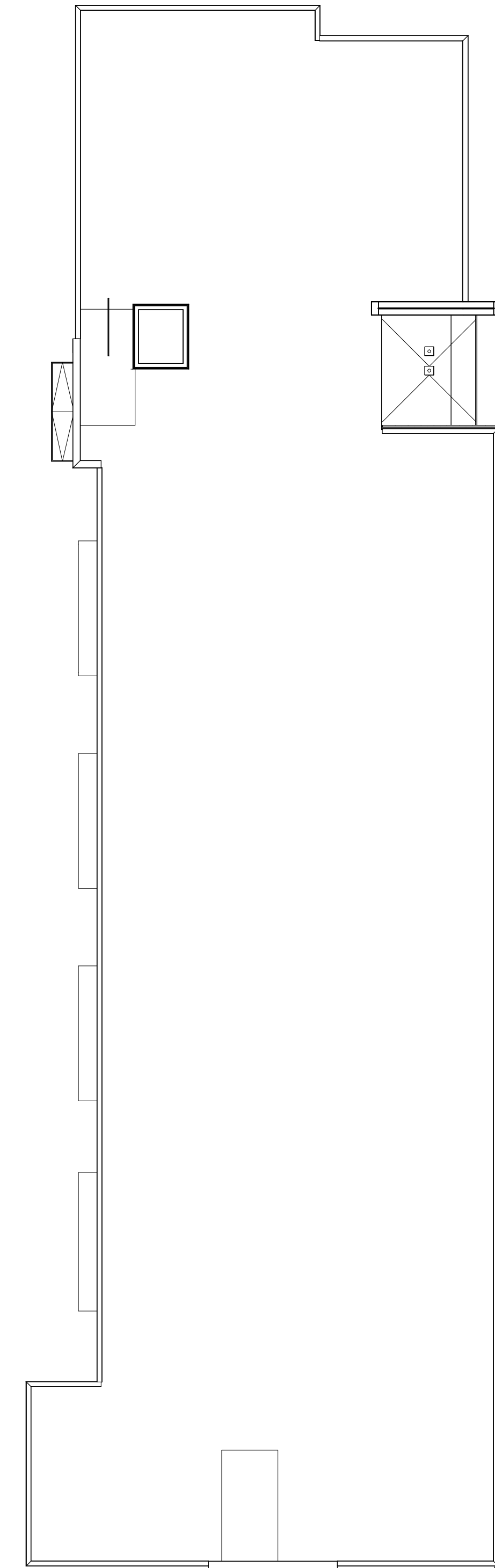
THIRD FLOOR PLAN



FOURTH FLOOR PLAN

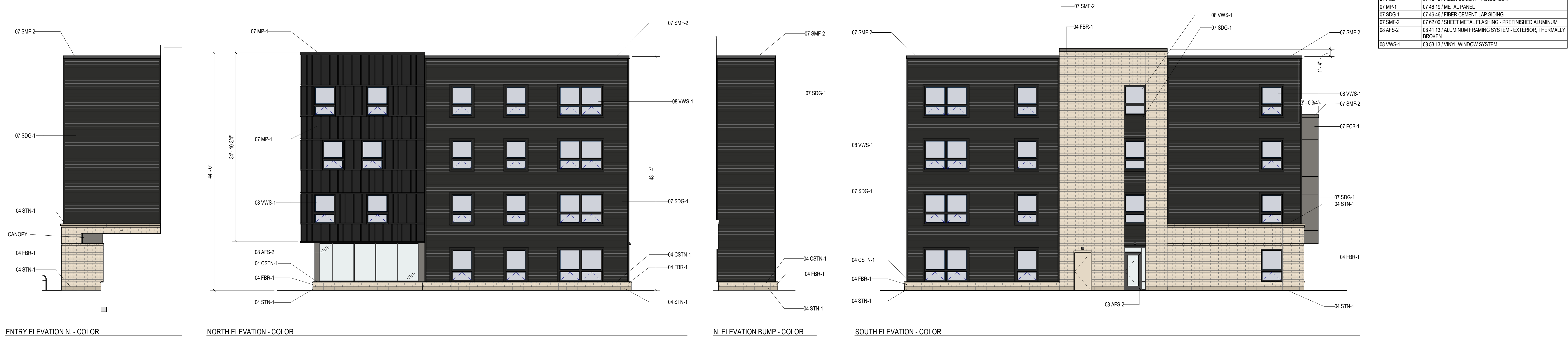


ROOF PLAN



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	1A
UNIT 408	1BR 1BA	1A
1BR 1BA: 13		
UNIT 209	2BR 1BA	2B
UNIT 212	2BR 1BA	2E
UNIT 213	2BR 1BA	2C
UNIT 214	2BR 1BA	2E
UNIT 215	2BR 1BA	2E
UNIT 216	2BR 1BA	2B
UNIT 109	2BR 1BA	2D
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	THA
UNIT 102.1 (LOWER)	3BR 1.5BA	THA
UNIT 103.1 (LOWER)	3BR 1.5BA	THA
UNIT 104.1 (LOWER)	3BR 1.5BA	THA
UNIT 105.1 (LOWER)	3BR 1.5BA	THA
UNIT 106.1 (LOWER)	3BR 1.5BA	THA
UNIT 107.1 (LOWER)	3BR 1.5BA	THA
UNIT 108.1 (LOWER)	3BR 1.5BA	THA
UNIT 110.1 (LOWER)	3BR 1.5BA	THA
UNIT 111.1 (LOWER)	3BR 1.5BA	THA
UNIT 401	3BR 1.5BA	3A
3BR 1.5BA: 11		
TOTAL OF ALL UNITS: 48		

NOT FOR CONSTRUCTION





PERSPECTIVE - INTERSECTION OF UNIVERSITY AVE & ROTHE ST - NORTHWEST CORNER



PERSPECTIVE - UNIVERSITY AVENUE ENTRY



PERSPECTIVE - SOUTHEAST CORNER



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.11

(SV 23-01) Consideration with possible action on the request to vacate a public cul-de-sac located at Vine Street and Ricky Street, submitted by Mau & Associates, on behalf of Habitat for Humanity, property owner (Ald. Morgan, District 3).

BACKGROUND

Primary Address: Vine Street and Ricky Street

Reason for Request: Vacate an existing cul-de-sac to allow for a future housing development.

Aldersperson/District: Ald. Bill Morgan / District 3

Surrounding Zoning and Land Uses:

North: Varied-Density Residential (R3), Apartment Complex

South: Low-Density Residential (R1), Vacant

East: Low-Density Residential (R1), Two-Family Homes

West: Varied-Density Residential (R3), Apartment Complex

Report: This request is part of a large housing development. The vacation of this cul-de-sac would allow for more developable space (see attached plat). This vacation request, along with the variance request included in this agenda, are required for the approval of the subdivision plat. The cul-de-sac is adjacent to and only services the development site and an apartment complex (Parcel# 21-1361-3). A new driveway will be installed for the apartment complex as part of this development.

Ald. Bill Morgan, adjoining property owners, and reviewing agencies were informed of this request. No objections were received. All conditions from utility providers are included in the recommendation.

RECOMMENDATION

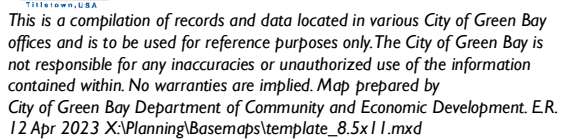
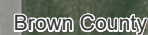
Approval of the request contingent upon waiting period and public hearing and subject to the following conditions:

1. Access to parcel 21-1361-3 shall be maintained. This shall be addressed in the Developers Agreement with the petitioner(s).
2. Green Bay Water Utility's existing facilities can be abandoned provided that abandonment happens along with the water main extension that is needed for the housing development.
3. Wisconsin Public Service shall be granted a utility easement for their existing facilities within the vacation area.
4. The existing Storm and Sanitary Sewer within the vacated area will need to be modified and/or a sewer easement will need to be addressed in the Developers Agreement with the petitioner(s).

FISCAL IMPACT

ATTACHMENTS

1. SV 23-01 Map
2. SV 23-01 Exhibit
3. CP 23-01 Preliminary Plat, Habitat Homestead
4. SV 23-01 Application



 Vacation Area



North



Exhibit

Part of Lot 26, Astors Plat of Private Claim 3 thru 7, located in Private Claim 6 and 7, East Side of Fox River, City of Green Bay, Brown County, Wisconsin.

Graphic Scale: 1" = 40'



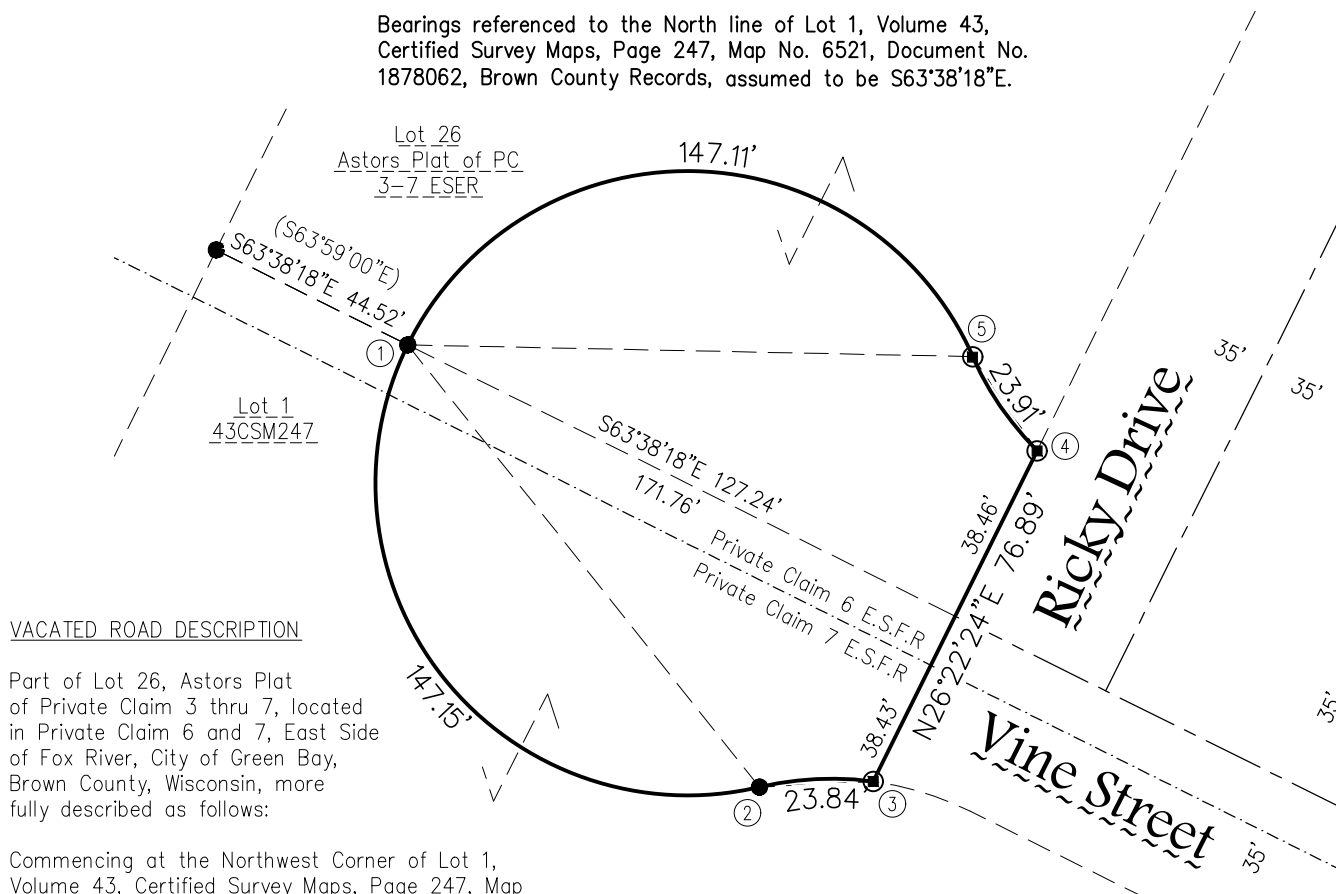
Legend

- 1" iron pipe found
- ⊙ computed point
- () recorded as bearing

Curve Data

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
1-2	147.15'	65.00'	117.68'	S38°29'53"E	129°42'02"	S26°21'08"W & S76°39'06"E
2-3	23.84'	65.00'	23.71'	N87°09'27"E	21°01'02"	N82°20'02"E
4-5	23.91'	65.00'	23.78'	N34°27'55"W	21°04'33"	N45°00'12"W
5-1	147.11'	65.00'	117.66'	N88°48'53"W	129°39'58"	N23°58'54"W

Bearings referenced to the North line of Lot 1, Volume 43, Certified Survey Maps, Page 247, Map No. 6521, Document No. 1878062, Brown County Records, assumed to be S63°38'18"E.



VACATED ROAD DESCRIPTION

Part of Lot 26, Astors Plat of Private Claim 3 thru 7, located in Private Claim 6 and 7, East Side of Fox River, City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the Northwest Corner of Lot 1, Volume 43, Certified Survey Maps, Page 247, Map No. 6521, Document No. 1878062, Brown County Record; thence S63°38'18"E, 44.52 feet along a Northerly line of said Lot 1 to the Point of Beginning; thence 147.15 feet along a Northerly line of said Lot 1, also being the South right of way of Vine Street being the arc of a 65.00 foot radius curve to the Left whose long chord bears S38°29'53"E, 117.68 feet; thence 23.84 feet along a Northerly line of said Lot 1, also being said South right of way being the arc of a 65.00 foot radius curve to the Right whose long chord bears N87°09'27"E, 23.71 feet; thence N26°22'24"E, 76.89 feet; thence 23.91 feet along the North said right of way being the arc of a 65.00 foot radius curve to the Right whose long chord bears N34°27'55"W, 23.78 feet; thence 147.11 feet along the North said right of way being the arc of a 65.00 foot radius curve to the Left whose long chord bears N88°48'54"W, 117.66 feet to the Point of Beginning.

Vacated road contains 13,439 square feet / 0.31 acres more or less.

Client: Habitat for Humanity
Tax Parcel: 21-1361-6, 21-1361-3
Drafted By: NDK
File: D-5401Exhibit 011623.dwg
Data File: D-5401.txt

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

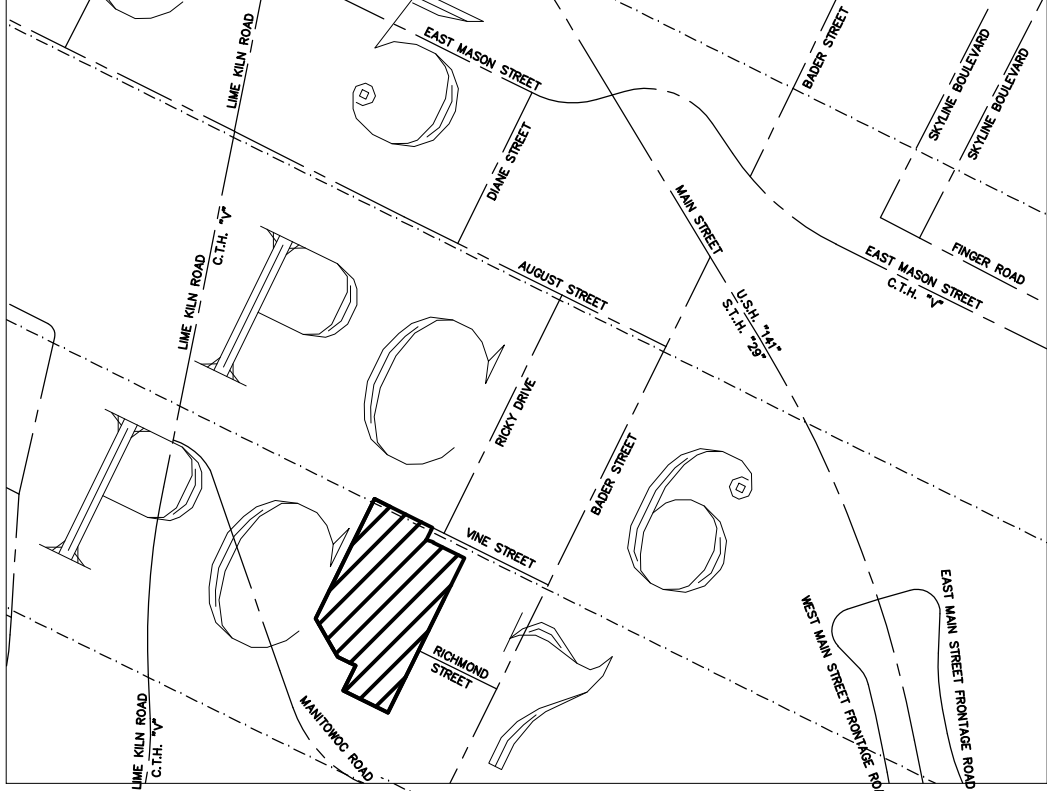
Sheet One of One
Project No.: D-5401
Drawing No.: X-1440
Fieldwork Completed: 09/14/22

PRELIMINARY

Location Sketch

Private Claim 7, E.S.F.R.
City of Green Bay
Brown County, Wisconsin

(not to scale)



- A Preliminary Plat of -

Habitat Homestead

All of Lot 1, Volume 43, Certified Survey Maps, Page 247, Map No. 6521, Document No. 1878062, Brown County Records, being part of Lot 26, Astors Plat of Private Claim 3 thru 7, and part of Vacated Vine Street, all located in Private Claim 6 and 7, East Side of Fox River, City of Green Bay, Brown County, Wisconsin.

Graphic Scale: 1" = 40'



Owner:

Greater Green Bay Habitat for Humanity Inc.
0 Richmond Street, Green Bay, WI, 54302

Developer:

Greater Green Bay Habitat for Humanity Inc.
1967 Allouez Avenue, Green Bay, WI, 54311

Approving / Objecting Agencies

City of Green Bay
Department of Administration

UTILITY EASEMENT PROVISIONS

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

Greater Green Bay Habitat for Humanity Inc., Grantor, to WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation, Grantee,

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

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

CERTIFICATE OF THE GREEN BAY CITY CLERK

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

Celestine Jeffreys
Green Bay City Clerk

CERTIFICATE OF THE CITY OF GREEN BAY

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

Neil Stechschulte
Director of Development

CERTIFICATE OF THE BROWN COUNTY TREASURER

As duly elected City Treasurer for the City of Green Bay, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Plat as of the dates listed below.

Celestine Jeffreys
Green Bay City Treasurer

SURVEYOR'S CERTIFICATE

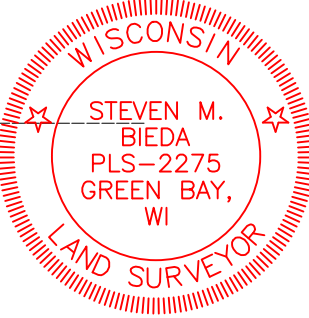
I, Steven M. Bieda, Professional Land Surveyor, PLS-2275, hereby certify:

That in full compliance with the provisions of Chapter 236, Wisconsin Statutes, and the subdivision regulations of the City of Green Bay and under the direction of the owners listed hereon, I have surveyed, divided and mapped "Habitat Homestead", and that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed and is all of Lot 1, Volume 43, Certified Survey Maps, Page 247, Map No. 6521, Document No. 1878062, Brown County Records, being part of Lot 26, Astors Plat of Private Claim 3 thru 7, and part of Vacated Vine Street, all located in Private Claim 6 and 7, East Side of Fox River, City of Green Bay, Brown County, Wisconsin, more fully described as follows:

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Parcel contains 125,584 square feet / 2.88 acres more or less.
Road dedication contains 26,013 square feet / 0.60 acres more or less.
Parcel subject to any easement and restrictions of record.

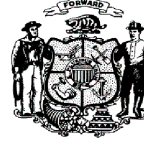
Steven M. Bieda
PLS-2275
February 10th, 2022



There are no objections to this plat with respect to
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),
Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

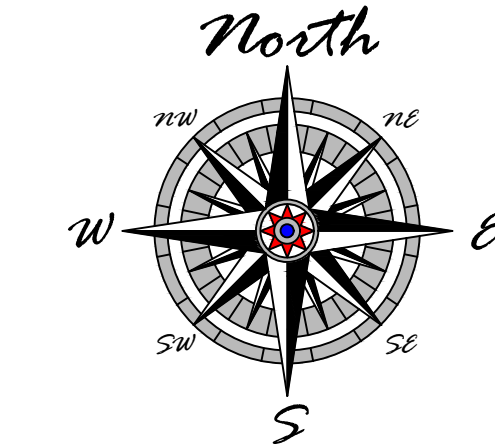
Department of Administration



Legend

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- 12' public utility easement (unless noted)



Lot 25
Astors Plat of PC
3-7 ESER

Lot 26
Astors Plat of PC
3-7 ESER

Lot 10
Bk. 1
Bentwood Addition

Vine Street
Private Claim 6 E.S.F.R.
Private Claim 7 E.S.F.R.

Ricky Drive
dedicated to the public

Richmond Street
dedicated to the public

Richmond Street

Manitowoc Road

NOTES

Bearings referenced to the Brown County Traverse ID line between G-9.1 and G-8.1, assumed to be N63°49'18"W.

OWNER'S CERTIFICATE

As Owners, We hereby certify that we caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented hereon. We understand that the City will discontinue any public improvements upon discovery or notice of any other condition requiring abnormal public improvement costs. We further acknowledge that the City's action or inaction in this regard shall not be construed as an admission of liability for hazardous waste clean-up or burial site preservation costs. We certify that this plat is required by s.236.10 or 236.12 to be submitted to the City for approval or objection:

CITY OF GREEN BAY
DEPARTMENT OF ADMINISTRATION

Greater Green Bay Habitat for Humanity, Inc.

Personally came before me this _____ day of _____, 20____, the above named Owners, to me known to the persons who executed the foregoing instrument and acknowledged the same.

Notary Public
Brown County, Wisconsin

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

My Commission Expires _____

Mau & Associates, LLP

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

Habitat for Humanity

Preliminary Plat

TAX PARCEL NO. 21-1361-6

DRAWN BY
NDK

SCALE
1"=40'

PROJECT NO.
D-5401
SHEET NO.
1 of 1
DRAWING NO.
P-2552

File: D-5401PrePlat 011623.dwg

Data File: D-5401.txt Fieldwork Completed: 09/14/22



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: 0 Richmond Street, Green Bay, WI, 54302

Parcel Number(s): 21-1361-6

Petitioner(s): Steve Bieda

Date: _____

Email: sbieda@mau-associates.com

Phone Number: (920)434-9670

Address: 400 Security Blvd. Suite 1

City: Green Bay

State: WI

Zip: 54313

Property Owner: Greater Green Bay Habitat For Humanity

Phone Number: (920)593-3921

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, _____, 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: 3/27/23

Petitioner Signature(s): _____

3/23/23

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.: _____

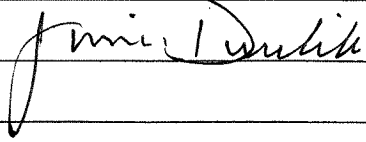
REQUEST FOR CITY ACTION PLAN COMMISSION

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

Per WI State Statute 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
	Logan Rankin	2010 Vine Street, Green Bay, WI 54302
	Jessica Diederich	1967 Allouez Ave, Green Bay, WI 54311 for Habitat Homestead

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



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.12

(VR 23-02) Consideration with possible action on the request to deviate from Section 44-554, minimum lot size and minimum lot width, of the Green Bay Municipal Code, submitted by Mau & Associates, on behalf of Habitat for Humanity, property owner (Ald. B. Morgan, District 3).

BACKGROUND

Aldersperson/District: Ald. Bill Morgan, District 3

Reason for Request: The proposed subdivision variance will permit smaller lots for a new housing development.

Surrounding Zoning and Land Uses:

Subject: Properties: Low Density Residential (R1) – Single Family Home

North: Varied-Density Residential (R3) & Low Density Residential (R1) Single-, Two-, and Multi-Family Homes

South: Low Density Residential (R1) Single Family Homes

East: Low Density Residential (R1) Single Family Home

West: Varied-Density Residential (R3) Multi-Family Complex

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan recommends Medium-High Density Residential Uses.

Report: The Plan Commission and City Council have the authority to approve variations to the specific requirements of the Subdivision and Platting Ordinance. See the code language below.

Section 36-457 of the Subdivision and Platting Ordinance dictates when the Plan Commission and Common Council find that extraordinary hardship or injustice will result from strict compliance with this ordinance, the terms may vary to the extent deemed necessary and proper to grant relief, provided that the modification meets the following standards:

- a. The modification is due to physical features of the site or its location.
- b. The modification is the least deviation from this ordinance, which will mitigate the hardship.
- c. The modification is not detrimental to the public interest and is in keeping with the general spirit and intent of this ordinance.
- d. Modifications may also be granted for a complete community or neighborhood unit that provides adequate public spaces and improvement for the circulation, recreation, light, air, and service needs when fully developed and populated.
- e. The requirement of filing and recording the plat or survey shall not be waived.
- f. Any modification thus granted shall be entered in the minutes of the Council, along with the reasons, which, in the opinion of the Council, justified the modification.

This request is part of a large housing development, Habitat Homestead. A subdivision plat (CP 23-01) is

being processed and requires this variance, as well as the approval of the vacation of the cul-de-sac (also on this agenda). The proposed development will have 14 lots and 1 outlot for stormwater purposes. Of the 14 lots, 8 will be single-family detached homes (lots 7-14) and 6 will be single-family attached townhomes (lots 1-6). The townhomes require a Conditional Use Permit, which will be brought forward at a future meeting.

Of the 8 single-family detached lots, 4 lots require a variance for being under the minimum square footage, which is 7,500 sq. ft. in the Low-Density Residential (RI) district. The variances are as follows:

- Lot 9, 6,226 sq. ft.
- Lot 12, 5,802 sq. ft.
- Lot 13, 5,971 sq. ft.
- Lot 14, 6,142 sq. ft.

Additionally, all 8 lots require a variance for lot width, which is 75 ft. in the RI district. The average frontage on these lots is 49.94 ft.

This housing development is being proposed by Habitat for Humanity. They have been working with the City on creating this neighborhood for their clients. Staff supports the reduction in size for single-family lots within the City, and for this development in particular. Infill lots throughout the City have a minimum frontage of 50 ft. While this is a new development, it's also infill and staff feels the infill minimum is an appropriate reference point to maintain the spirit of the municipal code.

This will be a neighborhood by itself and can create its own "feel" through lot sizes and building design. Additionally, the existing neighborhood has lot frontage under the current RI requirements, with frontages between 50 ft. and 70 ft. and lot sizes. The lot size restraints are due to the existing parcel size; since this is infill development, there is only so much space available for new lots.

The proposed development will improve access and circulation to this area with the road extension of Richmond Street to Vine Street. It will also remove a cul-de-sac, which is not the preferred infrastructure for an established, grid-style neighborhood.

Staff believes the subdivision variance is justified as noted above. This application meets the hardship requirements provided in 36-457, specifically based on the location of the new lots as an infill development, it is keeping with the spirit of the existing code, compatible with the City's Housing Market Study, and the development will increase access and circulation.

RECOMMENDATION

Approval of the request.

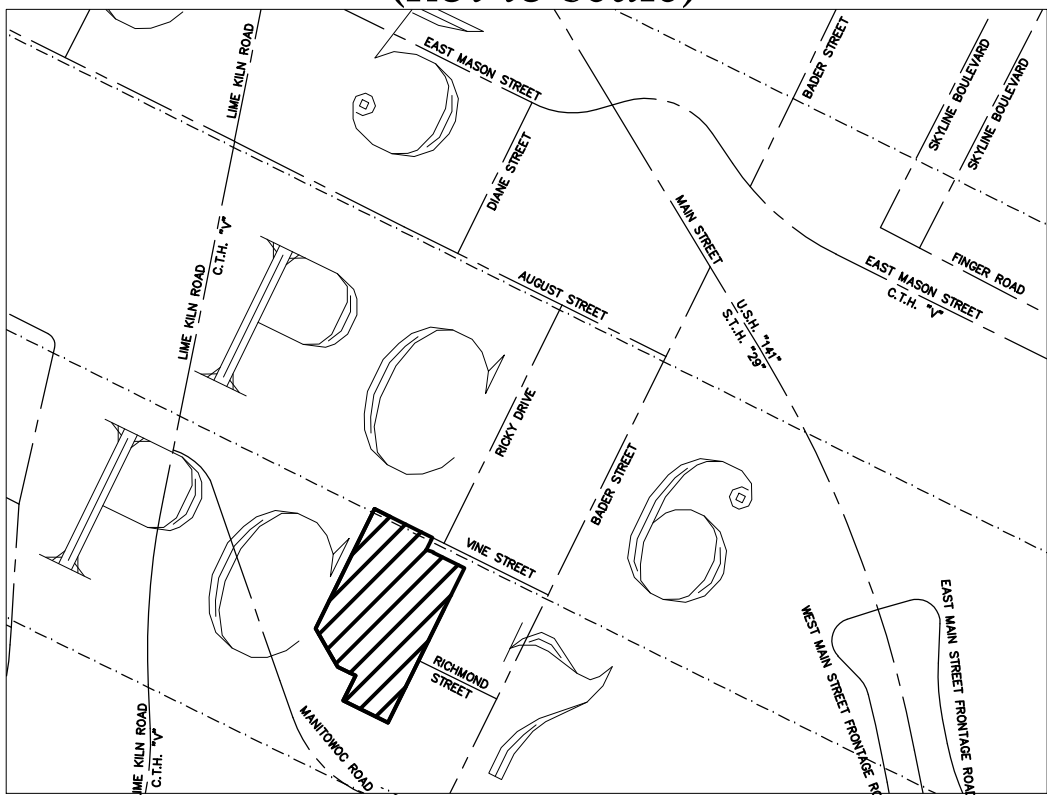
FISCAL IMPACT

ATTACHMENTS

- I. VR 23-02, Prelim Plat, Habitat Homestead

Location Sketch

Private Claim 7, E.S.F.R.
City of Green Bay
Brown County, Wisconsin
(not to scale)



- A Preliminary Plat of -

Habitat Homestead

All of Lot 1, Volume 43, Certified Survey Maps, Page 247, Map No. 6521, Document No. 1878062, Brown County Records, being part of Lot 26, Astors Plat of Private Claim 3 thru 7, and part of Vacated Vine Street, all located in Private Claim 6 and 7, East Side of Fox River, City of Green Bay, Brown County, Wisconsin.

Graphic Scale: 1" = 40'



Owner:

Greater Green Bay Habitat for Humanity Inc.
0 Richmond Street, Green Bay, WI, 54302

Developer:

Greater Green Bay Habitat for Humanity Inc.
1967 Allouez Avenue, Green Bay, WI, 54311

Approving / Objecting Agencies

City of Green Bay
Department of Administration

UTILITY EASEMENT PROVISIONS

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CERTIFICATE OF THE GREEN BAY CITY CLERK

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Celestine Jeffreys Date
Green Bay City Clerk

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Neil Stechschulte
Director of Development

CERTIFICATE OF THE BROWN COUNTY TREASURER

As duly elected City Treasurer for the City of Green Bay, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Plat as of the dates listed below.

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Green Bay City Treasurer

SURVEYOR'S CERTIFICATE

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That in full compliance with the provisions of Chapter 236, Wisconsin Statutes, and the subdivision regulations of the City of Green Bay and under the direction of the owners listed hereon, I have surveyed, divided and mapped "Habitat Homestead", and that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed and is all of Lot 1, Volume 43, Certified Survey Maps, Page 247, Map No. 6521, Document No. 1878062, Brown County Records, being part of Lot 26, Astors Plat of Private Claim 3 thru 7, and part of Vacated Vine Street, all located in Private Claim 6 and 7, East Side of Fox River, City of Green Bay, Brown County, Wisconsin, more fully described as follows:

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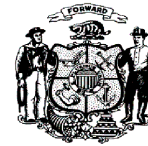
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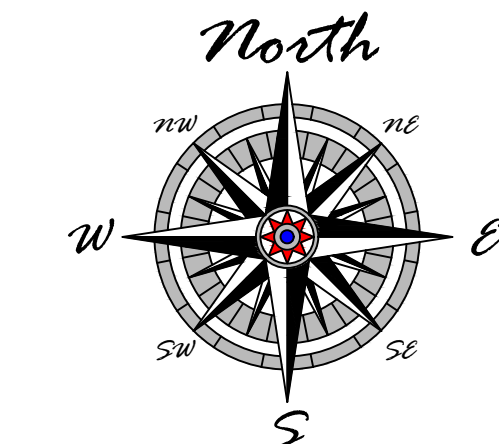
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Astors Plat of PC
3-7 ESER

Lot 26
Astors Plat of PC
3-7 ESER

Lot 10
Bentwood Addition

Lot 3
Bentwood Addition

Lot 2
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Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.13

(TA 23-02) Public Hearing on the request to amend portions of the Zoning Code, Chapter 44, Articles III, VII, VIII, IX, XVI, and XXI, related to dog-friendly business, submitted by The Community and Economic Development Department.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.14

(TA 23-02) Consideration with possible action to amend portions of the Zoning Code, Chapter 44, Articles III, VII, VIII, IX, XVI, and XXI, related to dog-friendly business, submitted by the Community and Economic Development Department.

BACKGROUND

Reason for Request: To expand the Green Bay Municipal Code to include dog-friendly businesses.

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan does not provide specific guidance regarding particular text amendments.

Analysis: Planning staff has received inquiries from businesses looking to establish dog-friendly businesses. Through this process, staff recognized that our code was silent on some popular dog establishments and overly restrictive in other allowed uses. With that, we are proposing various changes to Chapter 44, Zoning Code.

These amendments primarily focus on the addition of two new uses (defined in Section 44-250(7): Commercial Business with Dog Area: Commercial facility with an accessory use allowing an area for customers to bring their dog(s).

Commercial Dog Day Care: Commercial facility occupied by dogs for the purpose of exercise and socialization during daytime business hours. No animal will be kept overnight or on weekends. These facilities can include indoor and outdoor spaces.

These uses have been added to the allowed use tables in the Mixed-Use, Commercial, Industrial, and Special Purpose District zoning districts. These uses would be permitted in the following districts: Downtown, C1, C2, C3, LI, BP, and SRLI. They would be conditionally permitted in the following districts: OR and NC. All zoning districts would have land use development standards required, as follows:

- (1) Facilities shall be soundproofed to ensure that the noise levels associated with the use do not interfere with the health, welfare, and safety of adjoining properties.
- (2) All overnight kennels shall be located within a completely enclosed building.
- (3) Total area requirements must allow for one hundred (100) square feet per dog. This area requirement per dog shall be calculated by using the total area that will be occupied by the dogs, including area within the building and outdoor play area.
- (4) For Commercial Dog Day Cares: Outdoor space must be completely fenced with a minimum six-foot high solid wooden (or other material approved by the Zoning Administrator, or their designee, which will absorb sound) fence with a lockable gate. The fence shall be no closer than thirty (30) feet to any property used or zoned for residential use and no closer than fifteen (15) feet to any property used or zoned for nonresidential use. Use of outside space is limited to the hours of 7am-10pm. Outdoor space is prohibited in the front yard.
- (5) For Commercial Business with Dog Area: Outdoor space must be completely fenced with a six-foot high

fence with a lockable gate. This fence shall be no more than 50% opaque (exemptions to opacity can be granted by the Zoning Administrator). The fence shall be no closer than five (5) feet to any property line, walkway, or parking area. Use of outside space is limited to the hours of 7am-10pm.

(6) Noise levels shall not exceed sixty-five (65) decibels as measured at the property line adjacent to any property used or zoned for residential, office, commercial, institutional, or park use and seventy (70) decibels as measured at the property line to any property used or zoned for industrial, storage, or transportation use.

(7) Animal waste must be picked up immediately, bagged, and deposited in a sealed container to prevent odor from impacting neighboring properties. Animal waste containers must be stored at least fifteen (15) feet from any property line and meet all dumpster screening standards for commercial land uses.

(8) Outdoor areas shall be supervised whenever dogs are present.

(9) All provisions in Chapter 6 of the Green Bay Municipal Code (Animals) shall be met.

Additionally, we are proposing that animal hospitals and veterinary clinics would be allowed to have runs, exercise areas, and enclosures/kennels that are located outside. They would follow the same land use development standards listed above. Our current code only allows for indoor facilities. Staff is recommending to keep the indoor facility provision in place for animal boarding/kennel uses, as well as animal grooming establishments.

Staff have spoken to three businesses in the area who have businesses that would be impacted by this change. They have been in favor of this amendment and support the changes.

RECOMMENDATION

Approval of the proposed amendments to Articles III, VII, VIII, IX, XVI, and XXI, related to dog-friendly businesses, as proposed.

FISCAL IMPACT

ATTACHMENTS

- I. Draft G.O. 09-23 relating to Commercial Dog Uses

GENERAL ORDINANCE NO. 09-23

AN ORDINANCE AMENDING CHAPTER 44, ARTICLES III, VII, VIII, IX, XVI, AND XXI, GREEN BAY MUNICIPAL CODE, RELATING TO COMMERCIAL DOG USES

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

SECTION 1. Article III, Definitions, of Chapter 44, Green Bay Municipal Code, is hereby amended to reflect the addition of the following definitions:

Section 44-250(7): Land Use Definitions

Commercial Business with Dog Area: Commercial facility with an accessory use allowing an area for customers to bring their dog(s).

Commercial Dog Day Care: Commercial facility occupied by dogs for the purpose of exercise and socialization during daytime business hours. No animal will be kept overnight or on weekends. These facilities can include indoor and outdoor spaces.

SECTION 2. Article VII, Mixed-Use Districts, of Chapter 44, Green Bay Municipal Code, is hereby amended to add:

Section 44-615, Table 44-5

Use	OR	NC	D	Dev. Stds.
Service Businesses				
Business with Dog Area	C	C	P	x
Commercial Dog Day Care	C	C	P	x

SECTION 3. Article VIII, Commercial Districts, of Chapter 44, Green Bay Municipal Code, is hereby amended to add:

Section 44-681, Table 44-8

Use	C1	C2	C3	Dev. Stds.
Service Businesses				
Business with Dog Area	P	P	P	x
Commercial Dog Day Care	P	P	P	x

SECTION 4. Article IX, Industrial Districts, of Chapter 44, Green Bay Municipal Code, is hereby amended to add:

Section 44-769, Table 44-11

Use	LI	GI	BP	Dev. Stds.
Service Businesses				
Animal grooming establishment	P	-	P	x
Animal boarding facility, kennel	P	-	P	x
Commercial Dog Day Care	P	-	P	x

SECTION 5. Article XVI, Land Use Development Standards, Chapter 44, Green Bay Municipal Code, is hereby amended to reflect the addition of the following:

Section 44-1584, Land Use Development Standards, Commercial Uses

(b)Animal boarding facility, kennel in all districts ~~except the L-1 district.~~

(1) Animal boarding facilities shall be required to be soundproofed to ensure that the noise levels associated with the use do not interfere with the health, welfare, and safety of adjoining properties.

(2) All runs, exercise areas, and enclosures/kennels shall be located within a completely enclosed building.

(3) All provisions in Chapter 6 of the Green Bay Municipal Code shall be met.

(c)Animal grooming establishment in all districts ~~except the L-1 district.~~

(1)Animal grooming establishments shall be required to be soundproofed to ensure that the noise levels associated with the use do not interfere with the health, welfare, and safety of adjoining properties.

(2)All runs, exercise areas, and enclosures/kennels shall be located within a completely enclosed building.

(3) All provisions in Chapter 6 of the Green Bay Municipal Code shall be met.

(d)Animal hospital, veterinary clinic in all districts ~~except the L-1 district.~~

(1)Animal hospitals and veterinary clinics shall be required to be soundproofed to ensure that the noise levels associated with the use do not interfere with the health, welfare, and safety of adjoining properties.

(2)All runs, exercise areas, and enclosures/kennels shall be located within a completely enclosed building.

(2) Runs, exercise areas, and enclosures/kennels can be located outside in accordance with the Land Use Development Standards for Commercial Dog Day Care uses.

(3) All provisions in Chapter 6 of the Green Bay Municipal Code shall be met.

(k) Commercial Dog Day Care and Commercial Business with Dog Area in all districts.

(1) Facilities shall be soundproofed to ensure that the noise levels associated with the use do not interfere with the health, welfare, and safety of adjoining properties.

(2) All overnight kennels shall be located within a completely enclosed building.

(3) Total area requirements must allow for one hundred (100) square feet per dog.

This area requirement per dog shall be calculated by using the total area that will be occupied by the dogs, including area within the building and outdoor play area.

(4) For Commercial Dog Day Cares: Outdoor space must be completely fenced with a minimum six-foot high solid wooden (or other material approved by the Zoning Administrator, or their designee, which will absorb sound) fence with a lockable gate. The fence shall be no closer than thirty (30) feet to any property used or zoned for residential use and no closer than fifteen (15) feet to any property used or zoned

for nonresidential use. Use of outside space is limited to the hours of 7am-10pm. Outdoor space is prohibited in the front yard.

(5) For Commercial Business with Dog Area: Outdoor space must be completely fenced with a six-foot high fence with a lockable gate. This fence shall be no more than 50% opaque (exemptions to opacity can be granted by the Zoning Administrator). The fence shall be no closer than five (5) feet to any property line, walkway, or parking area. Use of outside space is limited to the hours of 7am-10pm.

(6) Noise levels shall not exceed sixty-five (65) decibels as measured at the property line adjacent to any property used or zoned for residential, office, commercial, institutional, or park use and seventy (70) decibels as measured at the property line to any property used or zoned for industrial, storage, or transportation use.

(7) Animal waste must be picked up immediately, bagged, and deposited in a sealed container to prevent odor from impacting neighboring properties. Animal waste containers must be stored at least fifteen (15) feet from any property line and meet all dumpster screening standards for commercial land uses.

(8) Outdoor areas shall be supervised whenever dogs are present.

(9) All provisions in Chapter 6 of the Green Bay Municipal Code shall be met.

(l) Day labor agency

(m) Drive-through facility

(n) Firearms sales and service in all districts

(o) Garden supply store/greenhouse, commercial districts.

(p) Garden supply store/greenhouse, mixed-use districts.

(q) General retail in residential districts.

(r) Health clubs in all industrial districts.

(s) Motor vehicle repair/service station in all mixed-used and commercial districts, as well as in the BP district.

(t) Outdoor commercial recreation area.

(u) Personal service business in residential districts

(v) Restaurants with drive-through facilities.

(w) Payday loan businesses and auto title loan businesses.

SECTION 6. Article XXI, Special Purpose District, of Chapter 44, Green Bay Municipal Code, is here by amended to add:

Section 44-2075, Table 44-23

Use	S-RLI	Dev. Stds.
Service Businesses		
Business with Dog Area	P	x
Commercial Dog Day Care	P	x

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. 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

May 16, 2023
law



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Dena Mooney, Staff

AGENDA ITEM # E.15

(ED 23-02) Consideration with possible action on a request to release a 6 ft. x 300 ft. utility easement in the 100 Block of E. Mason Street (Parcel # 15-168-A and 15-2) to accommodate the Astor One Development, Miller Land Investment, LLC and Green Bay Redevelopment Authority, property owners and Green Bay Dept. of Public Works, applicant (Ald. B. Johnson, District 9)..

BACKGROUND

Primary Address: 100 Block of E. Mason Street

Aldersperson /District: Ald. Brian Johnson, District 9

Reason for Request: To discontinue a utility easement to accommodate development of the site.

Analysis: This utility easement was granted in 1981, on the Certified Survey Map that created the lot for the former Kerscher Metal site (Lot 1) and the railroad (Lot 2), which is now owned by the Green Bay Redevelopment Authority. The plan is to re-plat this block to accommodate the Astor One Development and relocate the Fox River State Trail.

Ald. Brian Johnson, adjoining property owners (Miller Land Investment, LLC), 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 the property owner.

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

RECOMMENDATION

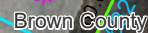
Recommendation: Approval of the request, subject to the following condition:

1. A separate and existing 24' easement remains along the north property line for the use of a main by Green Bay Water Utility.

FISCAL IMPACT

ATTACHMENTS

1. ED 23-02 Map
2. ED 23-02 Application
3. ED 23-02 Application Narrative
4. ED 23-02 1971 Pipeline Easement (GB Water Utility)

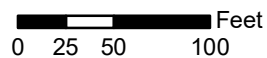


(ED 23-02) Utility Easement Discontinuance



Easement Area

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. D.M.



1 inch = 100 feet





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: 100 Block of East Mason Street

Parcel Number(s): 15-168-A and 15-2

Petitioner(s): Department of Public Works

Date: April 3, 2023

Email: tom.giese@greenbaywi.gov

Phone Number: 920-448-3111

Address: 100 N Jefferson Street

City: Green Bay

State: WI

Zip: 54301

Property Owner: Miller Land Investment, LLC & City of Green Bay Phone Number: 920-448-3111

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, Steven M Grenier - Director of Public Works, 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: 04/03/23

Petitioner Signature(s): _____

Checklist of required attachments:

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

For office use only:

Review Fee: Waiver Request

Receipt No.: _____

Zoning Petition No.: _____

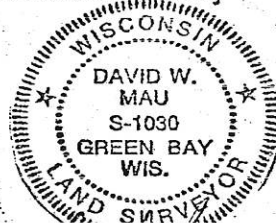
CERTIFIED SURVEY MAP

SURVEYOR'S CERTIFICATE

SHEET 1 of 4

I, David W. Mau, Registered Land Surveyor, hereby certify that I have surveyed, divided and mapped part of Lots 1,2,3,4,5 and all of Lots 6,7,8, Block 6, Plat of the Town of Astor, City of Green Bay, Brown County, Wisconsin more fully described on Sheet 2 of 4.

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



David W. Mau
May 29, 1981

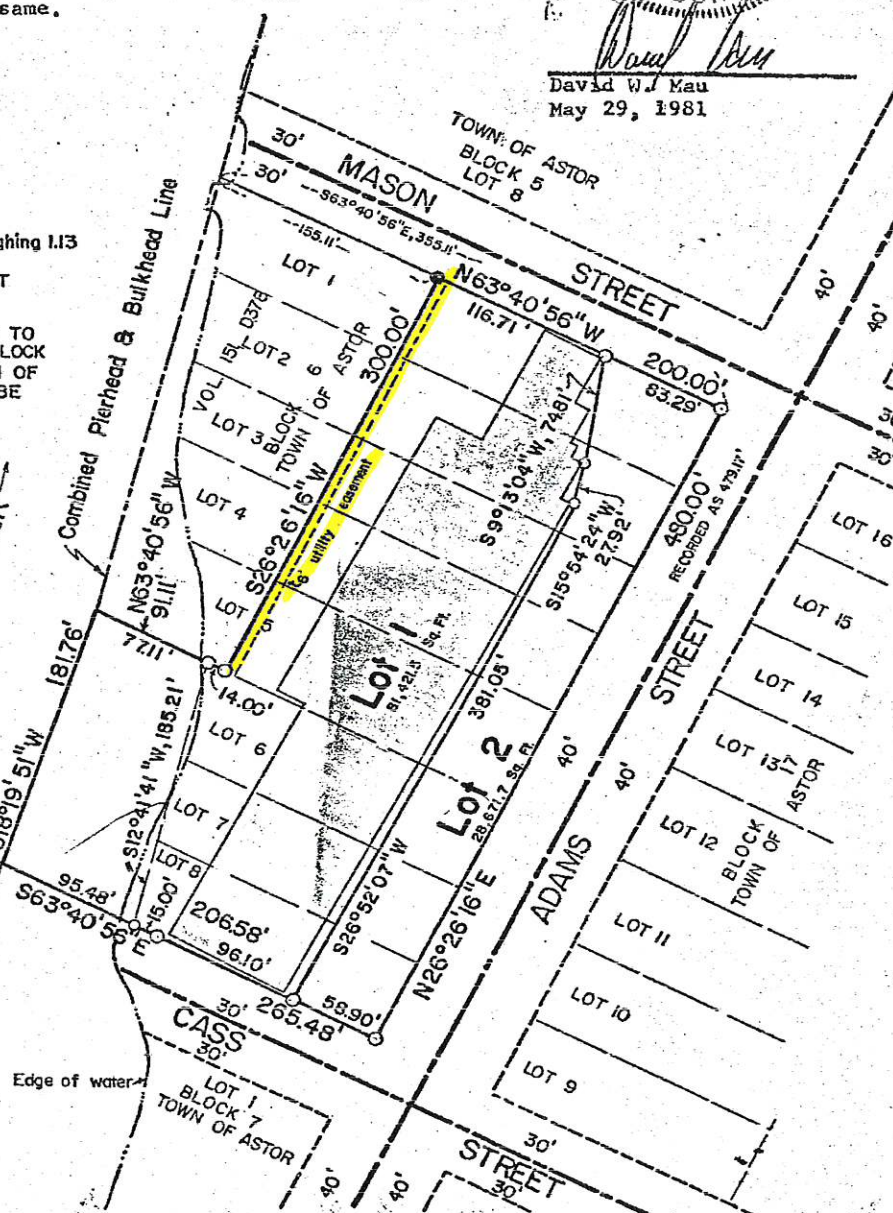


Scale 1"=100'

- 1"x24" Iron pipe weighing 11.3 LBS/LIN. FT. set.
- RAILROAD SPIKE SET

BEARING REFERENCED TO THE EAST LINE OF BLOCK 6, PLAT OF THE TOWN OF ASTOR, ASSUMED TO BE N26°26'16"E.

NOTE: Chicago, Milwaukee, St. Paul & Pacific Railroad is hereby granted an easement along the easterly boundary of Lot 1 wherever the centerline of the adjacent Chicago, Milwaukee St. Paul & Pacific Railroad track along the westerly line of Lot 2 is closer than 10 feet to the common lot line between Lots 1 & 2. The intention being to convey an easement along the easterly edge of Lot 1 which will give a clearance of 10 feet from the adjoining railroad centerline to the edge of water.



E MASON ST

N63°42'07"W
6.00'

NW CORNER
LOT 1-11CSM99

LOT 1

LOT 1

LOT 2

15-2

LOT 3

LOT 4

LOT 5

LOT 1

11CSM99

S63°42'07"E
6.00'

LOT 7

LOT 8

CASS ST

S ADAMS ST

LOT 2
11CSM99

15-168

UTILITY EASEMENT
TO BE DISCONTINUED

15-168-A
LOT 4

PLAT OF ASTOR
BLOCK 6

S26°24'32"W
N26°24'32"E

EDGE OF WATER

COMBINED PIERHEAD AND BULKHEAD LINE

FOX RIVER



DISCLAIMER

This Computer Aided Drafting and Design (CADD) drawing is a compilation of records and data located in various Public and Private offices. Bearings and distances on this map are based on Brown County basemap. A field survey has not been completed. Brown County and/or City of Green Bay are not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.

CITY OF GREEN BAY, WISCONSIN
DEPT. OF PUBLIC WORKS- ENGINEERING DIVISION

UTILITY EASEMENT GRANTED IN 11-CSM-99
TO BE DISCONTINUED

0 30' 60' 120'



DATE	BY

DESCRIPTION OF PUBLIC UTILITY EASEMENT TO BE DISCONTINUED BETWEEN
FOX RIVER AND S ADAMS STREET FROM EAST MASON STREET TO SOUTH

That part of Lot 1, Brown County Certified Survey Map Number 2379 recorded in Volume 11 of Certified Survey Maps. Page 99, as Document Number 976872, (being part of Lots 1, 2, 3, 4 and 5, Block 6, according to the recorded Plat of Astor), City of Green Bay, Brown County, Wisconsin, described as follows:

Beginning at the northwest corner of said Lot 1, Certified Survey Map Number 2379;
thence S26°-24'-32"W, 300.00 feet, along the west line of said Lot 1, Certified Survey Map Number 2379;
thence S63°-42'-07"E, 6.00 feet;
thence N26°-24'-32"E, 300.00 feet, to the north line of said Lot 1, Certified Survey Map Number 2379;
thence N63°-42'-07"W, 6.00 feet, along said north line, to the point of beginning.

<u>Parcels affected</u>	<u>Owners Name & Mailing Address</u>
15-168-A	Miller Land Investments, LLC 1618 Hidden Falls Ct De Pere, WI 54115
15-2	City of Green Bay 100 N Jefferson Street Green Bay, WI 54301

Narrative for Easement Discontinuance request for the future development of the Astor One site.

This request is to release the utility easement granted in 1981 by the Certified Survey Map that created the lot for the former Kerscher Metal site (Lot 1) and the railroad (Lot 2) which is now owned by the RDA. The plan is to re-plat this block to accommodate the Astor One Development.

742164

VOL 962 PAGE 502

PIPE LINE AGREEMENT

THIS AGREEMENT, made and entered into this the 25th day of January, 1972, by and between CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, a Wisconsin Corporation, hereinafter referred to as the "Railroad," and

CITY OF GREEN BAY IN THE COUNTY OF
BROWN AND STATE OF WISCONSIN

, hereinafter called the "Licensee," (if more than one licensee, said term and all language herein referring thereto shall be interpreted in the plural and refers jointly and severally to such licensees).

WITNESSETH

That WHEREAS, the licensee desires the right to install, maintain and operate a certain pipe upon, along and under the Railroad's premises at or near Green Bay

Brown County Wisconsin

to be used for the purpose hereinafter set forth.

NOW, THEREFORE, the parties mutually agree as follows:

1. The Railroad, for and in consideration of the payments and covenants hereinafter mentioned to be made, kept and performed by the Licensee, does hereby license and permit said Licensee to construct, install, and thereafter during the term hereof to maintain and operate under, along and across the Railroad's property in the manner and subject to the terms and conditions herein provided, a certain pipe to be used only for the purpose of a water line, in the location or locations shown by the yellow line between points lettered "A - B" upon the map attached hereto, marked "Exhibit X", dated June 24, 1971 and made a part hereof. The boundaries of the railroad right of way are located as shown by the heavy dash and two dot lines.

2. The said pipe shall be of reinforced concrete and have a diameter of not to exceed 24 & 36 inches. At all points where said pipe passes beneath the roadbed or tracks the same shall be installed and maintained at such depth that the top of said pipe, or any casing which may contain it, shall be not less than 8 feet, measured vertically, below the base of the rails of any such track.

The said water line shall consist of a twenty-four inch (24") reinforced concrete carrier pipe, placed inside a thirty-six inch (36") reinforced concrete casing pipe, eight feet (8') below base of rail, extending underneath the right of way and tracks of the Railroad at Green Bay, Wisconsin, as shown between the points lettered "A - B" on the said Exhibit "X" dated June 24, 1971.

The specifications for materials and the construction procedure shall be as outlined in yellow color on the said Exhibit "X".

3. The word "pipe" wherever used herein, not otherwise herein modified, shall be construed to mean all of the pipes above described and the casings and other coverings and all appurtenances thereof.

4. This agreement shall be effective from and after the date hereof and shall continue in full force and effect until terminated in some one of the ways hereinafter provided.

5. The Licensee shall pay to the Railroad upon execution of this agreement the sum of ~~Twenty-five Dollars (\$25.00)~~ ^{Fifty Dollars (\$50.00)} to cover the cost of preparation thereof. The Licensee shall pay all assessments or taxes which may be assessed or levied against or on account of said pipe, or the use thereof and shall indemnify and save harmless the Railroad and the Railroad's property from and against any and all liens or claims on account of any such assessments or taxes. The Licensee shall pay to the Railroad, upon execution of this agreement, the sum of \$250.00 for the privilege and license hereby granted, payment to be made to the Treasurer of the Railroad at Chicago, Illinois. The Railroad acknowledges receipt of payment by the Licensee of the said \$50.00 preparation fee and the one-time \$250.00 payment.

6. The Licensee shall bear the entire cost and expense incurred in connection with the construction, maintenance, renewal and removal of said pipe, including all cost and expense incurred by the Railroad in connection therewith for all work performed and materials used, and for supervision and inspection. All work of installation, alteration, maintenance and removal of said pipe within the limits of the right of way of the Railroad shall be done by the Licensee under the supervision, and to the satisfaction of, the superintendent of the Railroad, and no work shall be done by the Licensee upon the premises of the Railroad without first notifying said superintendent of Licensee's desire so to do, provided that the Railroad may perform any work by it deemed necessary to support any of its tracks while such work is being done and any work necessary to restore the track and roadbed to their former condition, or any other work by it deemed necessary to be done upon its right of way by reason of the installation, alteration, maintenance or removal of said pipe, and the Licensee agrees to repay to the Railroad promptly upon the rendition of bills therefor the cost of all such work so done by it. "Cost" as used in this agreement shall mean all assignable costs, plus 10% on all labor items to cover elements of expense not capable of exact ascertainment, and shall include charges for transportation of men and material at tariff rates and store expense on material.

7. The said pipe, and all parts thereof, whether within or without the limits of the premises of the Railroad, shall be constructed and at all times maintained, repaired, renewed and operated in such manner as to cause no interference whatsoever with the constant, continuous, and uninterrupted use of the tracks, facilities, property and premises of the Railroad, both as regards operation, maintenance, repairs and renewals, or new construction by the Railroad. Nothing shall be done, or suffered to be done, by the Licensee at any time that will in any manner interfere with or impair the usefulness of any tracks, improvements, or other facilities, now or hereafter maintained upon said railroad premises, or in any way interfere with, obstruct or endanger, railroad operation thereon; and if at any time the Railroad shall be of the opinion that the presence, condition or use of said pipe in any way interferes with the operation of the railroad, or any use which the Railroad desires to make of its property, it may forthwith require the Licensee to remove, alter or repair said pipe, or may remove, alter or repair the same at the cost of the Licensee.

8. Where boring and jacking operations are required on the right of way of the Railroad, the headings from which the boring and jacking operations are performed shall be located not less than 1.25 times the depth in feet from the base of the rail to the bottom of the trench, plus 6.5 feet, from the center line of an operated track, measured at right angles to the center line of the track.

9. The Railroad shall have the right at any and all times to raise or lower its grade, to make such changes in its existing track or tracks, roadbeds, structures and facilities or in the present standards thereof and to construct, maintain and operate such additional roadbeds, tracks, structures and facilities on said right of way and over and across said pipe as from time to time it may elect and may do whatever is necessary to enable it to use said railroad premises for all lawful purposes; and the Licensee agrees, at Licensee's sole cost, and within ten days after written notice from the Railroad so to do, to remove said pipe or make such changes in, additions to or changes in the location thereof, as may in the judgment of the Railroad be necessary to conform to the changes, alterations or new construction by the Railroad. If the Licensee shall fail so to do the Railroad may, if it so elects, in addition to any other remedy which it may have, remove said pipe or make such changes in, additions to or changes in the location thereof as are necessary for said purposes and the Licensee agrees to pay promptly upon rendition of bill the cost thereof. Provided, that the Railroad may in any event at its election do any of such work required to be done upon its right of way without notice and for all such work the Licensee likewise agrees to pay promptly upon rendition of bill the cost thereof. All the terms, conditions and stipulations herein expressed with reference to the construction, maintenance, repair, renewal or removal of said pipe in the location above described shall apply to the same as relocated, changed or modified within the contemplation of this section.

10. The license hereby granted is subject to the superior title of the Railroad to its said property and to all other outstanding and superior rights, if any, and the Licensee shall not by reason of the license hereby granted acquire or assert any title or claim of title to any of said property adverse to the title of the Railroad or its successors, and upon any abandonment of the use hereby authorized or upon any termination of the license hereby granted, such title shall remain in the Railroad, its successors and assigns, free and clear of all rights or claims of the Licensee.

11. As a material consideration to the Railroad for entering into this agreement, and without which the Railroad would not enter into same, the Licensee agrees to, and hereby does, release, indemnify and save harmless the Railroad, its officers, agents and employees, from and against any and all liability, loss, cost, damage, expense, actions and claims for personal injuries, including death, regardless of cause, suffered by any person whomsoever while upon the Railroad's premises in connection with the construction, operation, maintenance, repair, renewal or removal of said pipe, or for personal injuries, including death, suffered by any person whomsoever or for or arising out of damage to or destruction of property of any party whomsoever, including the parties hereto, in any manner arising out of or caused or contributed to by the existence, presence, construction, maintenance, condition, operation, repair, renewal, use or removal of said pipe.

12. ~~THIS LICENSE MAY BE TERMINATED BY THE RAILROAD AT ANY TIME FOR ANY BREACH OF ANY OF THE PROVISIONS OF THIS AGREEMENT HEREIN CONTAINED TO BE PERFORMED BY THE LICENSEE, AND THIS RIGHT IS IN ADDITION TO ANY OTHER RIGHTS IN ANY OF THE PROVISIONS OF THIS AGREEMENT. FAILURE TO TERMINATE FOR ANY SUCH BREACH SHALL NOT CONSTITUTE WAIVER OF ANY FUTURE BREACH. THE RIGHTS OF THE LICENSEE SHALL ALSO TERMINATE IN CASE LICENSEE SHALL ABANDON THE USE OF SAID PIPE OR FAIL TO USE THE SAME FOR A PERIOD OF ONE YEAR. THE RAILROAD MAY ALSO, WITHOUT CAUSE, REVOKE AND TERMINATE THIS LICENSE BY GIVING THIRTY DAYS' NOTICE IN WRITING, MAILED TO THE LICENSEE AT THE ADDRESS NOTED BELOW THE SIGNATURE OF THE LICENSEE HERETO. SHOULD SAID PIPE BE PERMITTED TO BE IN ANY ORDER OF DISORDER IN THE JUDGMENT OF THE RAILROAD, FOR ANY CONTINUOUS PERIOD OF TWENTY-FOUR HOURS, THE RAILROAD MAY AT ONCE REVOKE THIS LICENSE WITHOUT NOTICE. WITHIN TEN DAYS AFTER ANY TERMINATION OF THIS AGREEMENT THE LICENSEE SHALL HAVE ALL PROPERTY OF THE LICENSEE FROM THAT PORTION OF THE RIGHT OF WAY OF THE RAILROAD NOT OCCUPIED BY THE ROADBED OR TRACKS, AND SHALL RESTORE TO THE SATISFACTION OF THE RAILROAD'S SUPERINTENDENT THE SAID RIGHT OF WAY TO AS GOOD A CONDITION AS IT WAS IN AT THE TIME OF CONSTRUCTION OF SAID PIPE, AND IF THE LICENSEE FAILS TO DO SO THE RAILROAD MAY DO SUCH WORK OF REMOVAL AND RESTORATION AT THE COST AND EXPENSE OF THE LICENSEE. THE RAILROAD MAY AT ITS OPTION UPON ANY TERMINATION AT THE COST AND EXPENSE OF THE LICENSEE REMOVE THE PORTION OF SAID PIPE EXTENDING UNDER SAID ROADBED TRACK OR TRACKS, AND RESTORE SAID ROADBED TO AS GOOD A CONDITION AS IT WAS IN AT THE TIME OF THE CONSTRUCTION OF SAID PIPE, OR IT MAY PERMIT THE LICENSEE TO DO SUCH WORK OF REMOVAL AND RESTORATION UNDER THE SUPERVISION OF THE RAILROAD'S SUPERINTENDENT.~~

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~~In case of termination in any manner herein provided, the Licensee shall have no claim or redress of any character against the Railroad by reason of such termination, removal of said pipe or restoration of the premises, nor shall such termination release the Licensee from any obligation or liability of the Licensee hereunder with respect to any matter or thing occurring prior to such termination.~~

13. The terms and conditions of this agreement shall be binding upon and the benefits thereof shall accrue to the heirs, executors, administrators, successors and assigns of the respective parties hereto, but the Licensee shall not assign the same or any rights thereunder without the written consent of the Railroad having been first obtained. In the event the Railroad shall permit any other railroad company or companies to use its said right of way facilities or premises, such other user or users shall have the benefit of the provisions of indemnity and release from liability inuring to the Railroad hereunder, with the same effect as if such other user or users were parties hereto.

14. The Licensee shall require its contractor to provide for and in behalf of the Railroad, a Railroad Protective Liability Insurance Policy providing for protection to the Railroad in accordance with the U. S. Bureau of Public Roads Memorandum 20-12 issued June 30, 1967. The limits of such policy or policies shall not be less than \$500,000 for all damages arising out of bodily injuries to or death of one person and, subject to that limit for each person, a total of \$1,000,000 for all damages arising out of bodily injuries to or death of two or more persons in any one occurrence; and not less than \$500,000 for all damages arising out of injury to or destruction of property in any one occurrence, and, subject to that limit for any one occurrence, a total limit of \$1,000,000 for all damages, arising out of injuries to or destruction of property during the policy period. Said insurance shall be executed by a corporation qualified to write the same in the State of Wisconsin, and shall be delivered to and approved by the Railroad prior to the entry upon or use of its property by the contractor.

15. The grant and license herein contained shall continue to be in effect so long as the said pipe shall remain in place and in use by the Licensee. Should the Licensee at any time cease to use the said pipe, the Railroad may, immediately upon cessation, consider this license cancelled and the said Licensee shall remove said pipe from the premises of the Railroad under the direction and supervision of the Chief Engineer of the Railroad, and in case of failure on the part of said Licensee, to remove same, it shall be understood that the pipe is abandoned, and said Railroad may remove the same from its premises at the expense of said Licensee, or may disconnect said pipe at the points where it enters and leaves the said premises.

(continued on Sheet 4)

~~IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.~~

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC
RAILROAD COMPANY,

Attest: _____ By _____
Secretary General Manager

Attest: _____ By _____
Secretary Licensee

Address: _____

(continued from Sheet 3)

16. The Licensee agrees and understands that the rights and privileges granted the Licensee under this agreement are subject and subordinate to the rights and privileges granted by the Railroad to the Service Warehousing Company in Lease 69217 dated October 24, 1961.

17. This agreement shall terminate and cancel agreement dated September 13, 1971 by and between the Railroad and the Licensee.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

CHICAGO, MILWAUKEE ST. PAUL
AND PACIFIC RAILROAD COMPANY

By

L. E. Engstrom

President

Attest:

W. E. Pottinger
Assistant Secretary

CITY OF GREEN BAY IN THE COUNTY OF
BROWN AND STATE OF WISCONSIN

By

Donald A. Telleman, Mayor
(Title)

Attest:

Ernest H. Center
City Clerk Secretary

Department of Public Works
Room 210 - City Hall

Address: Green Bay, Wisconsin - 54301

REGISTER'S OFFICE
Brown County., Wis. }

Received for record the 8th day
of February A. D. 1972 at
8⁰¹ o'clock A. M. and recorded in
Vol. 962 of Records on page 502

Harold P. Lock

Register of Deeds

11-1-1951

EXHIBIT "X"

105-16280



Report to the Green Bay Plan Commission

MEETING DATE

April 24, 2023

PREPARED BY

Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.16

Consideration with possible action regarding On Broadway Inc. (OBI) Business Improvement District's (BID) budgeted vs actual 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. BID Report 2022

2022 Broadway BID

	<u>Budget</u>	<u>Actual</u>
<u>Design</u>		
Lighting		
tree lighting in winter	\$ 5,000.00	\$ 5,000.00
Annual Maintenance		
planters in spring		
watering in spring, summer, fall		
weeding in spring, summer, fall		
fall décor		
winter décor		
banner maintenance	\$ 25,000.00	\$ 25,000.00
Public Art		
murals for the mural & busker festival		
maintenance of benches/gargage cans	\$ 15,000.00	\$ 15,000.00
Total Design	<u>\$ 45,000.00</u>	<u>\$ 45,000.00</u>
<u>Administrative</u>		
Admin Allocation		
To assist with payment of administrative expenses including but not limited to rent, telephones, internet, office supplies, utilities, and salaries necessary to execute the proposed activities.	\$ 16,469.00	\$ 16,469.00
BBID Annual Audit		
2021 audit	\$ 3,000.00	\$ 3,000.00
Total Administrative	<u>\$ 19,469.00</u>	<u>\$ 19,469.00</u>
<u>Marketing</u>		
Marketing Allowance		
District marketing throughout the year including support for the creation of a cohesive brand strategy.	\$ 17,877.00	\$ 17,877.00

Total Marketing	<u>\$ 17,877.00</u>	<u>\$ 17,877.00</u>
Total	<u><u>\$ 82,346.00</u></u>	<u><u>\$ 82,346.00</u></u>

Actual BID Proceeds	
3/18/2022 2022 BID Proceeds	\$ 79,820.00
5/9/2022 Delinquent Collection	\$ 817.00
6/28/2022 Delinquent Collection	<u>\$ 895.00</u>
	<u><u>\$ 81,532.00</u></u>