



MINUTES OF THE GREEN BAY PLAN COMMISSION

MONDAY, MARCH 27, 2023, 6:00 PM
City Hall, Room 604 - The Harry Maeir Room.
Virtual attendance is also available via Zoom.

A. ZOOM MEETING INFORMATION.

B. ROLL CALL.

I. Members: Lisa Hanson - Chair, Jacob Miller - Vice-Chair, Ald. Jim Hutchison, Sidney Bremer, Derius Daniels, Ken Rovinski, and Michael Poradek.

Present: Jacob Miller, Lisa Hanson, Jim Hutchison, Derius Daniels, Ken Rovinski, Michael Poradek

Excused: Sidney Bremer

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the March 27, 2023, meeting of the Green Bay Plan Commission.

Moved by Ken Rovinski, seconded by Derius Daniels to approve the agenda. Motion Passed.

Yes- Lisa Hanson, Derius Daniels, Ken Rovinski, Jim Hutchison, Michael Poradek, No- None, Abstain- None.

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the March 13, 2023, meeting of the Green Bay Plan Commission.

Moved by Ken Rovinski, seconded by Michael Poradek to approve the minutes. Motion Passed.

Yes- Lisa Hanson, Derius Daniels, Ken Rovinski, Jim Hutchison, Michael Poradek, No- None, Abstain- None.

E. REGULAR BUSINESS.

I. (ZP 23-04) Public Hearing on request to rezone property located at 2071 Ninth Street (Parcel 6H-1572) from (R1) Low Density Residential to (PI) Public Institutional, submitted by David Roth of One

Way Christian Church, property owner and applicant (Ald. M. Eck, District 11).

Chair Lisa Hanson read into record the rules and procedures for tonight's public hearing. This public hearing has been properly posted.

Chair Lisa Hanson opened the floor for the Public Hearing on request to rezone property located at 2071 Ninth Street (Parcel 6H-1572) from (R1) Low Density Residential to (PI) Public Institutional, submitted by David Roth of One Way Christian Church, property owner and applicant (Ald. M. Eck, District 11).

Speakers:

Jon LeRoy

David Roth

Chair Lisa Hanson asked staff and the public three (3) times if there was anyone else wishing to speak. Hearing/seeing no one, the Public Hearing was closed.

2. (ZP 23-04) Consideration with possible action on request to rezone property located at 2071 Ninth Street (Parcel 6H-1572) from (R1) Low Density Residential to (PI) Public Institutional, submitted by David Roth of One Way Christian Church, property owner and applicant (Ald. M. Eck, District 11).

Moved by Ken Rovinski, seconded by Michael Poradek to rezone property located at 2071 Ninth Street (Parcel 6H-1572) from (R1) Low Density Residential to (PI) Public Institutional. Motion Passed. Yes- Jacob Miller, Lisa Hanson, Derius Daniels, Ken Rovinski, Jim Hutchison, Michael Poradek, No- None, Abstain- None.

3. (ZP 23-06) Public Hearing on request for a Conditional Use Permit (CUP) at the 2800 block of Humboldt Road (Parcel 21-339) to allow a telecommunication tower, wireless communication facility, in a Low-Density Residential (R1) district submitted by Julie Shebeck of United States Cellular Operating Company LLC, SM LLC property owner (Ald J. Hutchison, District 2).

Chair Lisa Hanson read into record the rules and procedures for tonight's public hearing. This public hearing has been properly posted.

Chair Lisa Hanson opened the floor for the Public Hearing on request for a Conditional Use Permit (CUP) at the 2800 block of Humboldt Road (Parcel 21-339) to allow a telecommunication tower, wireless communication facility, in a Low-Density Residential (R1) district submitted by Julie Shebeck of United States Cellular Operating Company LLC, SM LLC, property owner (Ald J. Hutchison, District 2).

Speakers:

Jon LeRoy

Carol Dost

Julie Shebeck

Michelle Nooyen

Linda Harrill

Mark Harrill

Chair Lisa Hanson asked staff and the public three (3) times if there was anyone else wishing to

speak. Hearing/seeing no one, the Public Hearing was closed.

4. (ZP 23-06) Consideration with possible action on request for a Conditional Use Permit (CUP) at the 2800 block of Humboldt Road (Parcel 21-339) to allow a telecommunication tower, wireless communication facility, in a Low-Density Residential (RI) district submitted by Julie Shebeck of United States Cellular Operating Company LLC, SM LLC, property owner (Ald J. Hutchison, District 2).

Moved by Ken Rovinski, seconded by Michael Poradek to open the floor. Motion Passed.

Yes- Jacob Miller, Lisa Hanson, Derius Daniels, Ken Rovinski, Jim Hutchison, Michael Poradek, No- None, Abstain- None.

Speakers:

Jon LeRoy

Julie Shebeck

Moved by Ken Rovinski, seconded by Michael Poradek to close the floor. Motion Passed.

Yes- Jacob Miller, Lisa Hanson, Derius Daniels, Ken Rovinski, Jim Hutchison, Michael Poradek, No- None, Abstain- None.

Moved by Ken Rovinski, seconded by Derius Daniels to approve a Conditional Use Permit (CUP) at the 2800 block of Humboldt Road (Parcel 21-339) to allow a telecommunication tower, wireless communication facility, in a Low-Density Residential (RI) district subject to the following conditions:

- a. Parcel must have at least one (1) parking stall on site.
- b. Legal parking stall(s) must be setback outside of the front yard setback.
- c. Site plans must include a pedestrian access way to the facility.
- d. Ground mounted equipment shall be screened from view by suitable vegetation along the north and eastern parts of the fence enclosure. Landscaping plans must be provided with site plan application.
- e. The commercial wireless support structure shall be designed to accommodate both the applicant's antennas and comparable antennas for at least two additional users, as well as be designed to allow for future rearrangement of antennas and to accept antennas mounted at varying heights.
- f. No clear cutting of trees permitted downslope past the ridge.
- g. No barbed wire fencing allowed.
- h. Geotechnical data must be submitted showing evidence that the tower structure can be supported on site.
- i. Nonavagational lighting is permitted unless required by the FAA.
- j. Compliance with all other regulations of the Green Bay Municipal code.

Motion Passed.

Yes- Jacob Miller, Lisa Hanson, Derius Daniels, Ken Rovinski, Michael Poradek, No- Jim Hutchison, Abstain- None.

5. (ZP 23-08) Public Hearing on request to rezone properties located at 1035 Vanderbraak (#20-350), 1030 Weise (#20-349), and 1119 Vanderbraak (#20-381, #20-382 & #20-383) from Light Industry (LI) to Office Residential (OR), submitted by Community and Economic Development Department (Ald. S. Campbell, District 6).

Chair Lisa Hanson read into record the rules and procedures for tonight's public hearing. This public hearing has been properly posted.

Chair Lisa Hanson opened the floor for the Public Hearing on request to rezone properties located at 1035 Vanderbraak (#20-350), 1030 Weise (#20-349), and 1119 Vanderbraak (#20-381, #20-382 & #20-383) from Light Industry (LI) to Office Residential (OR), submitted by Community and Economic Development Department (Ald. S. Campbell, District 6).

Speakers:
Stephanie Hummel

Chair Lisa Hanson asked staff and the public three (3) times if there was anyone else wishing to speak. Hearing/seeing no one, the Public Hearing was closed.

6. (ZP 23-08) Consideration with possible action on request to rezone properties located at 1035 Vanderbraak (#20-350), 1030 Weise (#20-349), and 1119 Vanderbraak (#20-381, #20-382 & #20-383) from Light Industry (LI) to Office Residential (OR), submitted by Community and Economic Development Department (Ald. S. Campbell, District 6).

Moved by Ald. Jim Hutchison, seconded by Ken Rovinski to approve to rezone properties located at 1035 Vanderbraak (#20-350), 1030 Weise (#20-349), and 1119 Vanderbraak (#20-381, #20-382 & #20-383) from Light Industry (LI) to Office Residential (OR). Motion Passed.

Yes- Jacob Miller, Lisa Hanson, Derius Daniels, Ken Rovinski, Jim Hutchison, Michael Poradek, No- None, Abstain- None.

7. (ZP 23-09) Public Hearing on a request for a Conditional Use Permit (CUP) at 3136 West Point Road (Parcel 6H-1185-A) to allow for a detached structure with a metal exterior finished exceeding 120 square feet in a Low-Density Residential (RI) district, submitted by Lee Geurts, property owner (Ald J. Brunette, District 12).

Chair Lisa Hanson read into record the rules and procedures for tonight's public hearing. This public hearing has been properly posted.

Chair Lisa Hanson opened the floor for the Public Hearing on request for a Conditional Use Permit (CUP) at 3136 West Point Road (Parcel 6H-1185-A) to allow for a detached structure with a metal exterior finished exceeding 120 sq. ft. in a Low-Density Residential (RI) district, submitted by Lee Geurts, property owner (Ald J. Brunette, District 12).

Speakers:
Jon LeRoy
Lee Geurts

Chair Lisa Hanson asked staff and the public three (3) times if there was anyone else wishing to speak. Hearing/seeing no one, the Public Hearing was closed.

8. (ZP 23-09) Consideration with possible action on request for a Conditional Use Permit (CUP) at 3136 West Point Road (Parcel 6H-1185-A) to allow for a detached structure with a metal exterior finished exceeding 120 sq. ft. in a Low-Density Residential (RI) district, submitted by Lee Geurts, property owner (Ald J. Brunette, District 12).

Moved by Ken Rovinski, seconded by Michael Poradek to approve a Conditional Use Permit (CUP) at 3136 West Point Road (Parcel 6H-1185-A) to allow for a detached structure with a metal exterior finished exceeding 120 square feet in a Low-Density Residential (RI) district, subject to the following conditions:

- a. Applicant must use Metalunic brand product or product of similar quality, as approved by Office of Economic and Community Development staff.
- b. Site plan approval by the Office of Community and Economic Development.
- c. Compliance with all other regulations of the Green Bay Municipal Code.

Motion Passed.

Yes- Jacob Miller, Lisa Hanson, Derius Daniels, Ken Rovinski, Jim Hutchison, Michael Poradek, No-None, Abstain- None.

9. (SP 23-01) Consideration with possible action to declare a city-owned parcel as surplus, located at 1030 Weise Street, submitted by the Community and Economic Development Department (Ald. S. Campbell, District 6).

Speakers:

Stephanie Hummel

Moved by Ald. Jacob Miller, seconded by Ken Rovinski to declare a city-owned parcel as surplus, located at 1030 Weise Street, subject to the following conditions:

- a. The subject property shall be directed to the Redevelopment Authority of the City of Green Bay for disposition and development.
- b. The Water Utility shall be provided at a minimum a twenty-foot permanent easement on the north end to maintain our water main.
- c. No access to Webster Avenue (as acquired by WDOT) shall be maintained.
- d. WPS operations and rights shall not be affected for the poles and wires installed within vacated area referenced as a public utility easement as depicted on CSM 6753 as Document Number 1983362.
- e. Easements shall be retained from the Weise Street vacation (north line of parcel) and the vacation of the Aleey (south line of the parcel).

Motion Passed.

Yes- Jacob Miller, Lisa Hanson, Derius Daniels, Ken Rovinski, Jim Hutchison, Michael Poradek, No-None, Abstain- None.

F. INFORMATIONAL.

1. Director's Report.

Neil Stechschulte presented the Director's Report.

2. Date of next meeting: April 24, 2023

G. ADJOURNMENT.

Moved by Michael Poradek, seconded by Jacob Miller to adjourn. Motion Passed.

Yes- Jacob Miller, Lisa Hanson, Derius Daniels, Ken Rovinski, Jim Hutchison, Michael Poradek, No-None, Abstain- None.

VERBATIM MINUES

- Good evening, and welcome to the Monday March 27th meeting of the Green Bay Plan Commission. Start out with a roll call. Chair Lisa Hanson, Present Vice Chair Jacob Miller is absent at this point. Commissioner Rovinski?
- Present.
- Commissioner Daniels?
- Present.
- Commissioner Poradek?
- Present.
- And Alder Hutchison?
- Present.
- All right. Moving on to the approval of the agenda. Approval of the agenda for the March 27th, 2023 meeting of the Green Bay Plan Commission.
- So moved.
- Second.
- Motion by Commissioner Rovinski, a second by Commissioner Daniels. All those in favor?
- [Commission Members] Aye.
- Any opposed? Moving on to the approval of the minutes. Approval of the minutes from the March 13th, 2023 meeting of the Green Bay Plan Commission.
- So moved.
- Second.
- Motion by Commissioner Rovinski, second by Commissioner Poradek. All those in favor?
- [Commission Members] Aye.
- And we also do have Vice Chair Jacob Miller.
- Present.
- All right. And moving on to regular business. Starting with a public hearing. This public hearing has

been properly posted and public notification has been published in The Press Times. The Plan Commission is interested in hearing public comments on the subject agenda items. We invite your comments and ask that after your name has been called you state your address, whether you represent a group or association, whether you favor, oppose, or are only providing information in this matter, and your comments or concerns. We also ask that you confine your testimony to facts related to the proposal at hand and avoid repetitive testimony. City staff will provide a presentation during the public hearing, and questions raised by the public may be asked, but they will not be answered by staff until the upcoming actionable item. You must be recognized by the Plan Commission in order to speak, and please address your comments to the chair. Comments will be limited to three minutes. And we'll start, again, with, we will now open the public hearing on item number one, public hearing on request to rezone property located at 2071 Ninth Street from Low Density Residential to Public Institutional, submitted by David Roth of One Way Christian Church, property owner and applicant.

- Thank you, Chair. So the item in front of you is a request to go ahead and rezone from Low Density Residential, RI, to PI, Public Institutional. Next slide. So as you see right here in the Future Land Use, this is already good to go as far as in other public and semi-public uses. However, in the past, a lot of our church properties were zoned as RI, and over the course of time, we have done some cleanups to go ahead and change those from being RI properties to PI properties, which is a much more valid zoning district here. Next slide. So the folks from One Way Christian Church approached us. Their reason for wanting to go ahead and do this is they happen to have some old signage from another property that will not fit in a Low Density Residential neighborhood. So we thought this would make sense to go ahead and change this to PI. Now, we're not talking about signage here today, it will be a normal sign in that district, but for the sake of zoning actions, that's where we're at now. So we have received some feedback from neighbors, or some contacts from neighbors, generally questions as to why wasn't this already a PI use and not an RI use on . That said, we do recommend approval. Oh, sorry that's... Sorry.

- Yeah, it's okay.

- Waive that.

- Okay. All right, so now with this public hearing, we're looking to hear from anyone who is wishing to speak on this item. Is there anyone wishing to speak?

- I'm David Roth. I have the honor and privilege of pastoring One Way Christian Church, and I'm here just to answer any questions that you might have. But we closed on the building on February 10th, and looking forward to being a good neighbor in the MacArthur Heights neighborhood, and look forward to that. But as he indicated, we didn't find out about the zoning change until we filed for a permit for the sign and were told that it doesn't qualify under the Residential use. So we appreciate your time and hopefully an approval so that we can move forward with that. But here if you have any questions.

- All right, thank you, David. If you could just state your address for the record please.

- 2071 Ninth Street.

- Okay. Thank you. Is there else wishing to speak on this item? Is there anyone wishing to speak? Is

there anyone wishing to speak? Let the record reflect that no one came forward and this public hearing is now closed. Moving on to the corresponding actionable item, item number two, consideration with possible action on a request to rezone property located at 2071 Ninth Street from Low Density Residential to Public Institutional, submitted by David Roth of One Way Christian Church, property owner and applicant.

- So our recommendation is to go ahead and rezone the parcel from R1 to P1.

- Thank you.

- I think this one's pretty straightforward, I'll make a motion to approve it.

- Second.

- A motion by Commissioner Rovinski, a second by Commissioner Poradek. Any further discussion? All right, we'll go ahead with the voice vote. All those in favor?

- [Commission Members] Aye.

- Any opposed? All right, and then that will move forward then to the next City Council meeting, which is, is that the 4th? Oh no.

- 18th.

- Oh, right.

- Yes.

- It's not election.

- It's not, it's on-

- Okay, so April 18th. Moving on to item number three, a public hearing. This public hearing has been properly posted and public notification has been published in The Press Times. The Plan Commission is interested in hearing your public comments on the subject agenda items. We invite your comments and ask that after your name has been called you state your name and address, whether you represent a group or association or whether you favor, oppose, or are only providing information. We'll now open the public hearing on item number three. Public hearing on a request for a conditional use permit at the 2800 block of Humboldt Road to allow a telecommunication tower wireless communication facility in a low density residential district, submitted by Julie Shebek of United States Cellular Operating Company, LLC, SM, LLC, property owner.

- Thank you, Chair. So the parcel in question is on Humboldt Road. It's a parcel that's next to the restaurant that exists right off of I-43. The parcel itself right now, Future Land Use is a mix right here, of Parks and Low Density Residential, and the zoning itself is R1. So what's at play here today is a CUP for a cell phone tower on the site. Now the zoning districts don't actually matter to us in this application. Because of 2013 Act 20 passed by the Wisconsin Legislature, cell phone towers are a use that's allowed in any district. So it doesn't matter what our Comprehensive Plan says or our zoning.

What does matter for this is, with this conditional use, is does this cell phone tower work with, as far as the bulk requirements on the site at the property itself? So when we reviewed this, we got a site plan from the folks over at United States Cellular Operating Company, LLC, who submitted for initial site plan for the project. It's right here, just an indication of what this looks like from the road itself. Trees, and there's a pretty big hill that goes downhill, which is probably why this property has not been developed much here in the past. It's a giant slope. So we received a site plan for the property. What we're looking at as far as criteria is, does the actual physical improvements, do they go ahead and line up with R1 zoning? So when we reviewed this, the R1 zoning requirements, are 15 foot front yard offsets for a setback, or, because it's infill, how does it match with the other zoned R1 uses in the area? So there are three other ones off to the east of this property. We have to average them and then we can go ahead and kick out ones that are more than 20% either closer or further away from the property line. It's oblong right here. There's a mixed bag of 'em being particularly close to the folks who are directly to the east, and then ones further down the road. With that said, the 15 foot setback can go ahead and work. With this in mind, their fencing for the tower itself can go ahead and be right up at 15 feet off the property line, and any sort of parking area can go ahead and be 15 feet behind the setback itself as well. So when we reviewed this, we're looking at, as far as standards go, for both R1 and then cell phone towers, as far as what needs to be done for development standards with a cell phone tower. This next slide right here shows what the cell phone tower will go ahead and look like. Height is not an issue. Obviously this is much taller than a typical R1 use out here, but they're allowed to go ahead and do that by state statute. So with this in mind we are looking at both Section 44-158 regarding wireless communication facilities and the Land Development Standards for said facilities, as well as R1. With this in mind, we do have some recommendations that come with the following conditions. The parcel must have at least one parking stall on site. Legal parking stalls must be set back outside of the front yard setback. Going back to our site plan, in their initial concept plan here they showed a parking stall being, or two of them being in the front yard setback. They need to do a legal parking stall only behind the front yard setback itself. Third. Site plans must include a pedestrian access way to the facility. It's a requirement within 44-1586. Ground mounted equipment shall be screened from view, by suitable vegetation, along the north and eastern parts of the fence enclosure. They must include landscaping plans for this as well. They have not done that at this time. Fifth, commercial wireless support structure shall be designed to accommodate both the applicant's antennas and comparable antennas for at least two additional users, as well as be designed to allow for future rearrangements of the antennas to accept antennas mounted at varying heights. Part of why they're here today is because their existing towers are part of a decommissioned water tower. So they're looking for more coverage in this area since that is being taken down. Six, no clear cutting of trees shall be permitted down slope past the ridge itself. It's a very treed property, heavily forested. We understand they need to go ahead and have space to go ahead and put in the tower, but once you get past the ridge, and you can't keep on making development. We are requesting that trees not be clear cut. No barbed wire fencing allowed. As part of their submitted documents, they did show barbed wiring. That is not an allowed use, here in the Green Bay Code. And finally, compliance with all other regulations of the Code. We did not receive any calls about this per se, but we do have members of the audience here tonight to go ahead and speak on this matter.

- All right, thank you. All right, so now with this public hearing, we're looking to hear from people who would like to speak in favor, in opposition, or providing information only. Is there anyone wishing to speak. Okay, come to the front and state your name and address.

- [Mark] Can we both come up?

- [Linda] She's doing it. Let her do it.

- Oh, okay.

- [Mark] So you said you're taking down the water tower?

- And actually the comments, everything should be addressed to here, and at this point it's a public hearing. We're just hearing testimony. Go ahead. If you can state your name and address please.

- Carol Dost, D-O-S-T, 3335 Langdon Street. And I own the parcel of property right across the street from this. It's a vacant lot at this point. But my question was also about why you weren't able to use more of the tower, of the water tower there. And I think you're gonna be explaining more of that. And what area is actually planning to be covered by this tower? There's nothing below it on the highway, and I'm just wondering what direction you intend to see benefit from this tower? I have one three miles away in the town of Humboldt that's completely empty, and there's a need out there for it, but I don't have anybody on it. So I'm just questioning the usage and who would be the ones to use this?

- And you can certainly ask questions during the public hearing. Things will be answered during the action item. This is just for you to give your testimony.

- Okay.

- So there won't be an answer.

- Then that's what I would bring up. But I question how this would benefit anybody in the area by putting the tower up.

- Okay, thank you very much.

- You're welcome.

- Do you wanna go, sir?

- You can go.

- Oh, okay. Thank you. Good evening. My name is Julie Shebek. My address is PO Box 41, Riverside, Iowa. And I am here on behalf of United States Cellular Company. We were notified by the city that that water tower at 603 Mount Mary Drive is being decommissioned. And Jon, I don't know if you've got a, or is a, I guess I need to know if everybody's familiar where that is? It is a few blocks up from the-

- And this is the public hearing, so we're not speaking, there's not gonna be any discussion.

- Oh, okay.

- Then you can give your testimony to us.

- Oh, okay, I apologize.

- So anyway, so the water tower is a few blocks away from this area. We're notified that that is being decommissioned, so our antennas are coming down, hence the reason why we need to find a new location for the tower. So basically, the area in that, the neighbors, businesses, the school, the park, everything in that area has got coverage now, but eventually it's not going to. That lease will expire in 2024. So that's why we are here to find a new location. We had looked around the different areas, talked to different landowners in that area, found a willing landowner here. We are, as was stated in the recommendations, we're going to be putting in landscaping. I felt that there was enough natural vegetation. I'm certainly happy to put in landscaping, if I'm going to do my directions correctly, north and east on the road, and then on the east side to cover that. And I apologize, I didn't, barbed wire fencing, that's considered channeling fencing to you folks, so I apologize. I can certainly change that out to an opaque fencing and be in compliance. But basically I am here to answer any questions that the board may have.

- Thank you so much. Is there anyone else wishing to speak?

- My name is Michelle Nooyen, and I live across the street from where this will be. My address is 2867 and 2869 Humboldt Road. I am against this for several reasons. One, across the street at Jimmy Simm's, there are numerous towers, power lines, and everything already in that area. So to add more seems like an awful lot for health reasons and for the fact that there is a school just down the street. There is a large drop off on this property, so it doesn't go far. If you're looking at it, it doesn't go far in. My worry is that, it would have to be so close to the sidewalk because there is a huge drop off after that. I don't know if they'd have to fill in with the natural vegetation just to be able to fit this in here. But I have looked over there, for my own thoughts, I was like, well maybe I could build a new home across the street, but I'm like, there's no way because there's a large drop off there. So it would have to be very close to the sidewalk. I just don't feel it's necessary to have even more towers and more things in the area that's already, with Jimmy Simm's there there's a lot already in that section. Thanks.

- Okay. Thank you so much.

- Can I come up too?

- You can come together, speak one at a time, please.

- I'm not a very good speaker.

- Linda Harrill, and I live at 2884 Humboldt Road, right next door to where they wanna put the tower, and we're opposed to the tower, because they have other towers there also. And as you know, they increased all the taxes here on people now, you put a tower next to that, our land, that decreases our value. Who's responsible later for the health issues? Would that be the landowner or the cellcom owner, or the cell owners? They're ruining so much nature already, in Baird's Creek all around it. Can't they find another place? I mean that's 90 some feet, 92 feet maybe. So that was another issue. I don't wanna be looking at that. Also, it's right next to the sidewalk. Kids come down that trail, our own trail the way it is now, and you know, they've destroyed our bridge down there in the past. We have a creek back there. That's why that land is back as far it is. We've lived there over

30 some years, and that was part of our thing is having it past the creek, our land, so that it can't get destroyed and stuff. So that was another issue. And we wanna get a a ham radio tower because he has people that he knows that are on those, and I wanna know, is that gonna interfere with that? Just wondering. And let's see, what else do I have? And it looks like you's been working on this for a while and this is the first I've heard of it when we've got this letter just, you know, a week or two ago. And I know Leonard, when he donated that land too, that was, I'm sure he doesn't wanna see that get all built up and everything else too, and the same with Irene Pankratz. Well I guess that's really all I have to say.

- And we got a lot of animals that-

- If you could state your name and address for the record, please?

- Mark Harrill, 2884 Humboldt Road. And we got a lot of animals that cross right there too. And it's just, it's not practical to put it that close to the road, with a big 120 feet and a blinking light on top. There's an empty lot right across the street, and plus they got another cellcom tower down by, it used to be the cold storage. They just put that one up there, you know. You already got 250,000 cell towers around the country, how many more do you really wanna put up?

- And besides, with all the health issues too. I have, you know, I could give you's a copy of these if you would like. That was another concern. I already get headaches. I don't need more headaches. I guess that's all I got for you.

- Cell phone's off.

- That was my timer.

- Oh, okay.

- Three minutes were up, okay.

- You're good. Thank you so much.

- Yeah.

- Yeah.

- [Julie] I can still approach, can I not?

- If you want to address.

- The applicant can speak during the actual-

- Yeah, honestly it would be, what's that's?

- Yeah, during the item itself, we go on.

- The item itself would be honestly more, it would be, my whole words are failing me today. Oh

thank you. That's not the word I was looking for, but that's helpful, yeah, beneficial. It would be more beneficial, probably, to speak during the non-public hearing portion of it.

- [Julie] Oh, okay.

- 'Cause we can't talk back to you at all. We can't-

- [Julie] Okay. Okay, perfect. Perfect. Thank you.

- Is there anyone else wishing to speak on this item.

- Point of order? I'm the alder for the district.

- Okay.

- And I received a phone call. Is it appropriate now to state what the caller said or wait till the end?

- Yeah, right now is the proper time.

- Okay. I received a call from John Marchant, at 2892 Humboldt Road, and he is against the tower. Thank you.

- Thank you, Alder Hutchison. Is there anyone else wishing to speak on this item? Do we have anyone there?

- No.

- No.

- Is there anyone else wishing to speak? Is there anyone else wishing to speak? Let the record reflect that no one came forward, and this public hearing is now closed. Moving on to the corresponding action item, item number four, consideration with possible action on a request for a conditional use permit at the 2800 block of Humboldt Road to allow a telecommunication tower wireless communication facility in a Low Density Residential district, submitted by Julie Shebek of United States Cellular Operating Company, LLC, SM, LLC, property owner.

- Yes, so just to go ahead and answer a few questions here. That water tower that was in question is up here, over on Mount Mary. As far as the reasons why, Steve mentioned, that's more of a DPW question, but they do get decommissioned from time to time. As far as the question about interference, I'm gonna go ahead and put that back onto the applicant. I do not know the answer, as far as how ham radio interference would go ahead and work with a cell tower right there. You know, from our point of view as far as looking at this, this is not, in our code, a use that is a CUP use in a RI district. That said, this goes back to state law trumps that. It is an action 2013. For perspective of our point of view, it has to go ahead and meet the form designs, as far as what is occurring in the RI district itself. With that said, they meet most of those, with the exception of the conditions that were applied to, in this packet right here. So with that in mind, we would recommend approval based off of those conditions.

- Okay, thank you.

- I would make a motion to open the floor to hear from the applicant to answer some of those questions.

- Second.

- Second.

- We've got a motion by Commissioner Rovinski and a second by Commissioner Poradek. All those in favor?

- [Commission Members] Aye.

- Any opposed? All right. Do we want to hear from the applicant? If you can please come back, Ms. Shebek.

- There is an existing tower, please correct me, is, when I look at this, is this north? This is north going that, correct? Correct, north, south, east, west.

- Yeah.

- Thank you. West, it used to be a restaurant. There is a short tower that we looked at, but it is not of adequate height. The water tower was about 140 feet in height, so we are already kind of lowering our height going at 120. To significantly co-locate on that tower, which we and other carriers do all the time, if you can, then, but that, it just, it wouldn't work. The average tree height is about 70 feet. Very tree area. We wouldn't be benefiting anything there. In regards to the ham radio, we are licensed, and we have our own frequency bands. So that there would be no, there should be no interference, if an adjoining neighbor was to put up a ham radio because they all go on their different frequencies, so that that would not be a problem. Before we even start going to the zoning process, we have to enter into a lease agreement. And so we have entered into a lease agreement with that landowner. So they are very fully aware of, you know, the steps that we have to go through to get the zoning and all the approvals and everything together. So yeah, so they are in full compliance, and I believe their signature is on the application that had to be submitted. So they're aware of that. This tower should not be lit. FAA requires towers that are 200 feet and taller to be lit. This is well in compliance, and I believe I have my FAA approval, or opinion letter in there. If for some weird reason FAA came back and said, "Hey, you have to light it, we have to be in compliance. But as we sit now, we foresee no reason why that tower should have to be lit. And we have no objections to changing out the fence, the landscaping, you know, doing all the criteria that was laid out by Mr. LeRoy for the zoning, in the zoning application. Any questions or should I sit down until you think of something?

- I have a question.

- Yeah.

- It's kinda a technical one.

- I'll do my best.

- Your construction diagram is submitted with this. And I was looking specifically for any boring logs or any geotechnical report, being this is a different type of structure where it's very tall and you've got wind loads. And I don't believe we have an idea of what the foundation looks like on this. The foundations of the ice bridges were basically deep enough below frost. But I assume the foundation for this tower is gonna be significantly different. And there's an item on the drawing under the concrete and steel reinforcement, number 16, consult geotechnical investigation report for the anticipated soil conditions and construction consideration. So does that report exist yet? Or is there gonna be a boring performed or?

- Are you speaking?

- Not-

- Okay. I, you looked like you were going to say, so I didn't wanna interrupt. Yes, we do do, yes, we do do them. Okay. And that's something I could submit. I apologize. 99.9% of the time nobody even wants to see those things. But it is, yes. So that's one of the items that we do. The geotechs determine that soil samples, everything, what the depth would be, and yes. So yes, that is something that that report is, and I can certainly submit that to Mr. LeRoy when I turn around and, you know, submit the rest of those documents. So that's something that I can provide, correct.

- Well, the reason I'm asking is if this were to tip over, it would be a safety issue for those around.

- Let me, excuse me for a moment, and I do not know if you would've seen, may I approach please?

- Mm hm.

- Okay.

- All right. Okay. And this was part of my application, it is a tower design. Sabre Towers is the company that designs the towers. So they take into considerations the geo report, everything like that type of thing, when they design the tower. So when they design it, all towers are, towers are not designed to fall over like trees. They're designed to kind of have a weaker point in respect. So if something catastrophic happened and it came, it kind of buckles on itself, as opposed. So, yes, so that is why the design of the tower we felt was, was safety in terms of the location and what, and that type of a, in that location.

- Right. And the slope being right next to the structure is important geo-technically because you have some loss of lateral support. So hopefully the geotech is aware of the site, and not assuming it's flat, I guess. My concern is safety.

- Yes, yes, absolutely. Absolutely. As is US Cellular's.

- Do we have any further questions for the applicant?

- I've got one question.

- All your questions, I'm sorry, all questions are addressed to the chair. So if you have something you could certainly come up and speak. You'd need to state your name and address for the record, but you'll ask questions to us.

- Linda Harrill, 2884 Humboldt Road. I guess I was just wondering, speaking of a flat, flat land, why didn't you just go right on the other side of I-43 where there's the five acres with the other, that's a big piece of flat land?

- Chair.

- Sorry, but anyhow, that's why I'm wondering, like why didn't you choose a much bigger area that is flat land, just right on the, probably, I don't know, 500 feet the other way?

- All right. Thank you.

- Thank you. West, actually.

- May I come?

- Certainly, yes.

- To address the question, when the, and I don't know if you can put this back up or not, please, where the water tower is. The basic idea of this tower being replaced, is because the customers are in this area, whether it's personal, residential, business, or what have you, are already accustomed to having their phones. When those antennas come off of that water tower, which is three, four blocks west, it's, we're not, there's not gonna be any coverage. So we are trying to double up on the main, kinda like the same elevation, if you will, of where the rest of that is, the school, the parks, all the residences going down that way, and then coming back. So if we were to move, you know, south, down south, there's something like that, that's not gonna take care of our coverage and our, the gap or the hole in our coverage that we're going to get when they come off of the water tower. So that is the reason why that, the location is what it is in that area.

- Thank you.

- Sure.

- And now as far as the site plan, right, all the setbacks from the sidewalk and everything, they'll be able to make all the appropriate setbacks?

- Right. So you'll notice this right here on this, that dashed line that's right here, that's 15 feet. That is the setback here for the front yard.

- Okay.

- So there'll need to be some changes here with the drive entrance. There's not a legal parking stall, where I have the mouse right now, so that can't be there. But the drive entrance would go out into another parking stall over in this area, once you get past the 15 foot setback. So you know, this is the tower, that circle right there. And then the rest is the equipment for the cell tower. And the sheet

that was passed around here, that's page 13 of our agenda item.

- Right. Okay. Thank you.

- Can I approach?

- Yep.

- Mark Harrill, 2884 Humboldt Road. I've been cutting the grass and doing snow removal up and down that sidewalk for quite a while, and I really ain't getting paid. I'm just doing it for the kindness on my heart. I'm just wondering who's gonna take care of that?

- Hm, that's a-

- And the tower is there gonna be cable, oh, I'm sorry. Oh, go ahead.

- Go ahead, no, you're good.

- I just wanna know if there's gonna be cables on that tower too, or it's just concrete and block?

- Generally it's just-

- it doesn't look like it, no.

- Yeah, so I'll address, yeah, so the property owner needs to maintain the property itself as far as sidewalk goes. And yeah, from the drawings that we have, it's a large tower.

- It does not mean cell phone towers, it's not like they're electrical, where they have cables on them and stuff.

- No.

- No.

- The base itself.

- Right. Right. Okay.

- Like I said, I was like, know who's gonna shovel and cut the grass over there?

- I mean, the owner is responsible for that. The property owner is always responsible for that.

- Okay.

- And that's absolutely, if you have an issue with it, that's, you would complain.

- Sure. Yeah,

- Which division is that?
- DPW is sidewalks and weeds, I guess.
- Either way there's a, if you go to the city website, and you say there's a city complaint form area, you type it in the Google.
- Yeah.
- There's a number of different, say about a dozen to 20 different items, like long grass or snow removal on sidewalks, where you can say this parcel, this address, is not keeping up, looking into it, and then one of the departments here gets back to you.
- And plus they're probably gonna have a curb cut and put a apron in there.
- Correct.
- Yeah.
- That's all part of it.
- One further question. Would you guys like to have a cell phone tower in your backyard? I just retired and I want be healthy and wise, I guess. So thank you.
- Thank you.
- Question for the applicant.
- Go ahead.
- Yes, one of the conditions, of there being no barbed wire fencing, we talked about that a little bit before.
- Mm hm.
- Can you say what type of fencing you'd be putting in? What other safety measures you might have to put because of the non-barbed wire fencing?
- Right, so this is a monopole, so there are no guide wire anchors, so it's just a pole. And there are anti, there are climbing pegs, but they extend half up the tower halfway up. So when a technician or somebody had to come, they have to actually insert them. So we would probably put in a, you what?
- It sounds fun.
- No. Yeah, that's a whole, that's something, different world. I would probably recommend kind of those compost, those opaque like a, like you know, the compost, not compost-
- Composite.

- There you, gosh, my goodness.

- It's okay.

- I got compost. Thank you. I apologize for that. Those are the type of fence, I think that we're, the vinyl, we used to do vinyl, they kind of break a lot. So we're kind of going into those. We would probably, we could do it a dark brown, kind of blend in with the timber type of a thing. But yeah, so that's basically that we can put that up. And traditional, I think, I'm proposing eight foot, is that legal?

- The one thing that would be six foot is the maximum you would do in this situation itself. So if it's a residential district, which we are in, the max that we have is six feet.

- It is a six foot. Okay.

- Yeah.

- And it could not be any taller with a conditional use?

- It's not a conditional use. It should...

- Okay. Okay. I'm just gonna, okay, so I, so it's a six foot.

- So that's the height of the fence.

- Yes.

- But from what my understanding is, that we're talking about barbed wire.

- Right, and I just, this was made note, because in the site plan itself, there was a note saying barbed wire be on top. That is not allowed in residential districts for fencing.

- And I wasn't proposing barbed wire, which makes me think that my A&E firm didn't take it out when he made the legal drawings, or when he made the final drawings. So no, I was just proposing a chain link fence with the kind of the privacy slats going through. No barbed wire.

- Okay.

- But I will certainly take out the chain link fence and put it as an opaque fence, which is fine. I can certainly do that.

- Okay.

- So yeah.

- Yeah, I just wanted to find out, 'cause if there was no barbed wire, if you had to replace it with another security measure?

- No.
- But you're saying there was never any?
- No.
- Okay.
- No, no, no.
- Thank you.
- Follow up question on the fence. So a six foot fence will be allowed across the front of this? That's not in, that's not a, that doesn't agree with a residential zoned area?
- Right. So the fence itself has to be past the front yard setback. The front yard setback would be established at 15 feet.
- Okay.
- It cannot be up along the front of the road. You wouldn't be allowed to have that.
- Okay, so then they'd have to go down if they went-
- Yeah, yeah.
- Okay.
- Yes.
- Thank you for clarifying that.
- Any other questions for the applicant?
- Unless there's any other questions, I'd make a motion to close the floor.
- Second.
- All right, we have a motion by Commissioner Rovinski, second by Commissioner Poradek, to close the floor. All those in favor?
- [Commission Members] Aye.
- Any opposed? All right. And then with this being CUP with Act 67, it's, let's see, I always, the exact verbiage of what we find reasonable. And if it falls within the guidelines, we don't really have, we, if it falls, if we feel it falls within the guidelines.
- Right. Yeah. And when it comes to this, then there's the additional Act 20 that states you have to

go ahead and be a use, regardless of the district itself. If it would meet the requirements, of the bulk requirements for dimensional standards, on there, I guess.

- Well, I feel like staff has put the appropriate conditions on this. I mean, it kind of, I don't wanna say it is what it is, but the conditions that they put on have protected the city and the residents, as well as what we're allowed to do. I would make a motion to approve.

- I will second.

- So we have a motion by Commissioner Rovinski, a second by Commissioner Daniels.

- Just note what the conditions are, were placed on the, just so you note that in the record.

- Oh.

- What the-

- Oh, the approval-

- Yeah.

- Correct, motion to approve with the recommended conditions.

- Question for staff. To put the, because it came up in the discussion, in the open forum, any requirements on lights, on the air. I know that because it doesn't meet the height requirement, we're not looking at that. But you know, for some odd reason, something come up and then a light end up in the building, just for peace of mind for the residents. Could that be a condition that's placed as well?

- You have the right here as a, yeah, you can go ahead and add more conditions like that. So if there's something that you feel is appropriate, as a plan commission, feel free on that. Because there were no lights shared with this, didn't feel it was a need to go ahead and bring it up as conditions for the moment. But if you wanna protect for the future.

- What about the geotechnical data? Is that usually provided? And again, I'm talking about safety.

- Sure.

- As in nature of the building.

- Yeah, so there are two parts. I'll go back to that, the page 13, what was provided here.

- Yeah, I looked at that.

- As far as, that was put there.

- But-

- Right. As they go through site plan review here, as well, it's going through it right now. We look at this through the lens of how does this meet the zoning code. But it still needs to go through and pass the muster here with the rest of the sixth floor here, with their review here, for different objectives. But if you would like to add another recommendation to that here, we can do that.

- I would like to make a motion to amend the recommendations to include geotechnical data determined during the technical investigation of the site, specifically for this structure, be submitted to staff.

- Second.

- So we've already got a motion on the floor, so we gotta work with that first, I'm pretty sure.

- But that's an amendment.

- Well, it's only if the person who made the motion agrees to an amendment.

- Yes.

- It's his motion.

- I'll agree to those.

- Oh okay.

- Yes.

- I think those are good additions. I mean it just further protects the citizens. So I have no problem with that.

- Commissioner Daniels, will you still be seconding that motion?

- Did I make that motion?

- He made the motion. You made the second.

- Yes.

- And then we had questions.

- Correct, I will second.

- You still seconding that, okay.

- Seconding, yes.

- Okay. Okay, so we have a motion on the floor to approve with the recommended, with all the recommendations, and with our added additional recommendation.

- We were talking about just the one geotechnical data must be submitted showing evidence that the power structure could be supported on site.

- Okay. Okay. That...

- Additional...

- And I make additional, I make an additional amendment to add the no aerial lighting, navigation lighting.

- Okay.

- Maybe, unless required by the FAA or something-

- Yes.

- Like that.

- Okay.

- And do you?

- I what?

- You have to amend, can amend your words, you have to amend with the lighting.

- Okay. I will add that amendment.

- All his ideas.

- Okay.

- Yes.

- All right. So then with those two additional recommendations, all right, so a motion by Commissioner Rovinski, second by Commissioner Daniels. Any further discussion?

- I just want to state, being the alder, that I'm conflicted with this because I've got at least two or three constituents who are against this. I have to balance that with constituents who are serviced by this antenna. So I want people to know, I hear what you're saying. I guess I'm not gonna make a recommendation one way or the other, being the alder, I guess people can vote the way you wanna vote, and I still don't know how I'm gonna vote on this until we do it, so.

- And quickly, to add to that, can you state the law again?

- Yep.

- So this is Wisconsin Statute 2013, Act 20. This is what, so as noted, this isn't, if this is before 2013, this would not be allowed in this district right here. There are specific zoning districts that go ahead and either conditionally or permitted uses, have cell phone towers as part of their uses. However, the state law overtakes that. And so our role in this is to go ahead and make certain that what is being placed you can fit within the bulk requirements of said zoning district.

- Question for staff. Did they investigate any other areas?

- Not that I'm aware of. We didn't press, though, because it's a matter at hand of this individual parcel.

- Sure.

- Any further discussion or questions for staff? We've got a motion on the table by Commissioner Rovinski, a second by Commissioner Daniels, to approve with the recommended conditions. And there are two additional conditions. We'll go ahead with the voice vote. All those in favor?

- [Commission Members] Aye.

- Any opposed?

- Nay.

- So we've got five yays, one nay. That will go through the City Council, then, for April 18th.

- Thank you.

- Moving on to item number five. This public hearing has been properly posted and public notification has been published in The Press Times. The Plan Commission is interested in hearing public comments on the subject agenda items, and we invite your comments and ask that after your name has been called you state your address, whether you represent a group or association, whether you favor, oppose, or only providing information in this matter, and your comments or concerns. We will now open a public hearing on item number five, a public hearing on request to rezone properties located at 1035 Vanderbraak, 1030 Weise, and 1119 Vanderbraak, from Light Industry to Office Residential, submitted by Community and Economic Development Department.

- Thank you. This should look fairly familiar. We looked at this site at our last meeting, and we did a Comprehensive Plan Amendment for the parcels that are located, five parcels, three located right here at the corner of North Clay and Vanderbraak, and then two additional ones that are bounded by Vanderbraak, North Clay, and Webster. So as you can see here, I put a little bit of a color overlay, 'cause our maps don't update as fast as we take action here. The action that we took last time was to amend the Comprehensive Plan to the Low to Medium Density Housing. So that's over all five of the parcels. That was done in an effort to get the rezoning that is on the table now, and then to also allow for that to be a redevelopment site in the future for the Redevelopment Authority. So current zoning exists Light Industry. Obviously this is just some sort of a remnant that was left over from when this area had far more industrial uses. It's abutting the RI district. There's some commercial here, a park and other homes here. So the appropriate zoning district, not only for what exists on the ground, but then also that Future Land Use designation of Low to Medium Housing, would be the

Office Residential district. That'll allow for a good mix of housing options and some lighter commercial options in that district. And that's all I have.

- Okay. Thank you. Is there anyone else, is there anyone wishing to speak on this item? Is there anyone wishing to speak on this item? Is there anyone wishing to speak on this item? Let the record reflect that no one came forward and this public hearing is now closed. Moving on to the corresponding action item, item number six, consideration with possible action on a request to rezone properties located at 1035 Vanderbraak, 1030 Weise, and 1119 Vanderbraak, from Light Industry to Office Residential, submitted by Community and Economic Development Department.

- Thank you. We are recommending approval of the request. We have not heard from any additional neighbors on this. During the Comprehensive Plan Amendment, people had some questions about what it meant offering up their properties for sale, but nothing really about the redevelopment themselves. So we are recommending approval.

- Move to approve.

- Second.

- Motion by Vice Chair Miller, a second by Commissioner Rovinski. Any further discussion?

- Just a point of interest, Alder Campbell was here, and I don't know what his thoughts were on this topic, and he was, I don't know if he had an issue with the zoning or what, but he had a, he was here and interested. And I bring it up, that's vague. So I'm giving you vagueness, I'm sorry. But he was, he's in another meeting right now in the building, so.

- Yeah, he had just had some general questions for staff about what Office Residential zoning was. Didn't really have much else to say. Some of the commercial owners in the area wanted to make sure they weren't getting rezoned, that they weren't getting pushed out, and that's not part of this request, so.

- Okay.

- He didn't have a decision one way or the other.

- Okay. Thank you.

- Did you give us the full description of Office Residential.

- I could.

- No.

- I could pull up the zoning right now and read it to you? I'd be happy to do that.

- That's bedtime reading.

- All right. So we've got a motion by Vice Chair Miller, second by Commissioner Rovinski. Any

further discussion? All right, hearing none, we'll go ahead with a voice vote. All those in favor?

- [Commission Members] Aye.

- Any opposed? All right, and then that will move forward to City Council for April 18th. Moving on to public hearing item number seven. This public hearing has been properly posted and public notification has been published in The Press Times. The Plan Commission is interested in hearing public comments on the subject agenda items. We invite your comments and ask that after your name has been called, you state your address, whether you represent a group or association, and whether you favor, oppose, or are only providing information in this matter, and your comments or concerns. We will now open the public hearing on item seven, public hearing on a request for a conditional use permit at 3136 West Point Road, to allow for a detached structure with a metal exterior finish exceeding 120 square feet in a Low Density Residential district, submitted by Lee Geurts, property owner.

- Thank you, Chair. So what you see in front of you is a larger property, getting towards the edge of the city, over on West Point. You see the property boundaries. This is the existing house and a driveway. It's a two family home. This is located within a Low Density Residential Future Land Use area. And it is also now split zoned right now for R1, RR is up to the west, and then to the north is Conservancy. And you can kind of see that here, the Conservancy area that's at the back of the property. So the property owner and applicant is here tonight. What they're looking to do, this is a view from West Point itself. Looking onto the property, you can see there's a number of trees. And the property is back pretty far. They are looking to, on this basic site plan, to go ahead and take a garage that is existing, back this way, and replace it with a new garage. There are no specific site plans for it right now, but we're not asking for that as far as this. This is more, this is a conditional use, can this be allowed? So the question at hand is this. With accessory uses, the code states that any building over 120 square feet that is metal sided must have a conditional use permit. And the code then goes into not trying to have any sort of pole barns or sheds that are just large and on site.

- A Quonset.

- Yes, a Quonset, on a property. That's what the code was intending when it came down. And it said this for many districts, as far as accessory use, if you happen to have a building over 120 square feet, you must come to this board and that you request a CUP. So that's what property owner has done. He has provided some examples from a company called Metalunic that he would like to go ahead and use to construct a garage that would be metal sided on the property itself. This garage, as noted, would be far back on the property away from sight lines, still, I mean, obviously there's a neighbor off to the west right here, but it would be away from the road itself. He is looking to use materials that do appear to be high quality in nature. This is not the standard pole barn. And as we're looking at this, this, we'll be talking about a recommendation here later on, but when reviewing these right here, we're looking at items that could potentially go ahead and be standards here in the future to expand the city's role as far as allowing for metal uses for accessory buildings into the future, and give an additional item here as far as what type of look, as far as the metal siding itself could work on a building. Obviously it's not this, it's the garage, but this is what the applicant is shooting for. So the question at hand is this, to allow for an accessory building, which can be a max of 1,000 square foot. So a building between 121 square feet and 1,000 square feet to be metal sided. And so, but that we'll get into the rest of the discussion past the public hearing.

- All right. All right, so now this public hearing is now open. Is there anyone wishing to speak on this item?

- Yeah, Lee Geurts, 3136 West Point Road, property owner. Just wanted to, he pretty much said everything I have on my list, so I'll make this short. The neighbor he mentioned from the west is actually here. He came in case you guys needed to ask any questions. He had already signed a paper saying he was fine with it. I did bring a sample, basically, so you can physically see what it's going to look like. And the primary purpose behind this is we are doing expansion on the house and we want the garage to match the house and we are going to be using this on the house. So that's really where this all comes. So, okay.

- Thank you so much.

- Thank you.

- Is there anyone else wishing to speak on this item?

- Howard Schroeder, 3168 West Point Road. I live west of him. I'm proud of him as a neighborhood, 'cause since he's there, that place has been really improved. It's a beautiful place, and he keeps the place up nice.

- Thank you so much. Is there anyone else wishing to speak? Is there anyone wishing to speak? Is there anyone else wishing to speak? Let the record reflect that no one came forward and this public hearing is now closed. Moving on to the corresponding action item, item number eight, consideration with possible action on a request for a conditional use permit at 3136 West Point Road to allow for a detached structure with a metal exterior finish exceeding 120 square feet in a Low Density Residential district, submitted by Lee Geurts, property owner.

- Thank you, Chair. So staff has reviewed this and does feel that what has been submitted does feel appropriate for this site and anywhere. And we feel this is a good use right here for a test to see how do these metal siding buildings actually function here over the course of time. And this would be appropriate site to go ahead and do that. Especially as Mr. Geurts mentioned, that he's looking to go ahead and do work on his primary building that does not have the same type of regulations when it comes to metal sided buildings, as does an accessory building, going back to the whole pole barn, shed type of idea. So with that said, staff does recommend approval. We do have some conditions. Applicant must use Metalunic brand. That's the product that was presented to us. There's not a specific product that was brought forward, but we felt that that brand or product is of a quality, as long as it's approved by our department and given some specs for it, we feel it is appropriate. And then the applicant still needs to go ahead and put forth an actual site plan that would be typical of anybody who'd be putting up a use like this on the site.

- Okay. Thank you.

- Again, I think this one's a no-brainer. I mean, that is a wonderful looking siding. I realize the intent of what our code is, and yeah, I will make a motion to approve-

- Second.

- Subject to the, why can't I get that right?
- Recommendations.
- Conditions.
- The recommended conditions.
- Conditions.
- The recommended condition, yes.
- I'm having problems with words myself. So, all right, so we've got a motion by Commissioner Rovinski, a second by Commissioner Poradek. And I gotta say that's a good neighbor, to come to a Plan Commission meeting. To get his word in. Any further discussion.
- I would just say, when I was going through the packet and saw this, I was like, I want to live there.
- Can we live in the garage.
- This, I mean, it looks, if the remodel looks anything like this, I can only imagine the improvements in the neighborhood.
- Yeah, I'm excited to see the rest of the renovations. We often get-
- All right. All right.
- Rovinski, Poradek.
- Got it. All right, any further discussion? Motion on the floor with the recommended conditions by Commissioner Rovinski, second by Commissioner Poradek. All those in favor?
- [Commission Members] Aye.
- Any opposed? All right. And then that will move forward then to City Council for April 18. Moving on to item number nine, consideration with possible action to declare a city owned parcel as surplus, located at 1030 Weise Street, submitted by Community and Economic Development Department.
- Thank you.
- Thank you. I just wanted to congratulate you on the ease in which you say Weise Street, 'cause we as staff have been debating-
- It's Weise, isn't it?
- It's Weise.
- Right, it is, okay.

- Yes.
- Well, I've just-
- I just said that-
- For like a long time.
- We had no idea.
- Would it be Wiess?
- Wee-zee?
- Why-zee?
- Why-zee?
- Wiess.
- Come on, people.
- We had a lot of-
- It's like brain intuition, it would be like-
- Yeah.
- Or Liebel, it's lee-bull. Mr. Liebel used to live across the street from me.
- Really?
- Yeah, Mr. Liebel. Yeah, it was named-
- That was the-
- Yeah, but everyone says lie-bull.
- Yes, they do.
- Mm hm.
- They do.
- So anyway. Back at the same subject area that we have been at for a while here. So this is the one parcel, as part of that major request, that is owned by the city. A city owned parcel has to be declared surplus in order to be dedicated to other entities, including our Redevelopment Authority,

because they are not another department within the city. So we are recommending approval of that request based on all the other discussions that we've had before. And we have some conditions. So the first being that it's direct sales to the Redevelopment Authority for disposition and for development. That's been worked out between the departments who are at play there, and that's the condition they've come up with. The other conditions are related to a lot of easement information from our utility providers. So as part of this process, we send the information out to all of our utility providers and they let us know if there's anything that needs to be taken into consideration when declaring for surplus. In this case, all of these conditions will just be added on when we deed this property over to the RDA, and then they have to, you know, be the keepers of the deed documents, make sure these things are reflected in the future development. So with that, I am recommending approval.

- Motion to approve. With the following recommendations.

- Recommended conditions.

- Oh, now it's conditions.

- Second.

- As stated, how about that?

- There we go.

- All right, so we have the motion by Vice Chair Miller, a second by Commissioner Rovinski. Do we have any further discussion? All right, we'll go ahead with a voice vote. All those in favor?

- [Commission Members] Aye.

- Any opposed? All right, moving on to Informational. Director's Report. Mr. Stechschulte.

- Good evening, Plan Commissioners. How are you tonight?

- Great big section of me house. I'm larger than life tonight, but at least it's digital, thank goodness. So just a couple of quick updates wanted to share with the Commission this evening. Wanted to follow up on the Planned Unit Developments for the 216 Military Avenue were denied at City Council. Primarily there was, I think, certainly I won't put words into Alder Hutchison's mouth. He was certainly there. But I think there was certainly, to say at least, there was some confusion as to whether or not the property owner was actually in favor of the project or not. So I think Council was, felt there was enough uncertainty that was presented during the testimony that it was not comfortable authorizing and moving forward with the Planned Unit Development. I believe it was nine to three was vote on that. So as of right now, there is no new project going to be occurring at that address. The temporary PUD that has previously been approved is still in effect. So that is kind of the status of that particular project. I know certainly this commission obviously works considerably on it, as long as, as well as staff. So I just wanted to provide that brief update on that. A couple of other quick updates, and then I'll certainly open it up for questions. Our JBS site redevelopment engagement is underway. Unfortunately, we tried to do, we were set up for a great public engagement meeting this past Saturday at the Kroc Center, the display. So obviously as you

can imagine, the snow kept a considerable amount of folks from not attending that meeting. So we're gonna try to follow up and do a couple of other items to try to get that, a little bit more engagement regarding that project. But our consulting team is underway, is meeting with the employees at JBS, in terms of their interest in housing and in terms of the park component and is, so we are kind of moving really at top speed on that. The consultant's meeting with the school district, meeting with our Park staff, meeting with the Salvation Army staff, the Kroc Center staff, at about, for a variety of what, to try to develop the concept plans for that particular site. So that process is underway. We may be hitting the reset button a little bit. Hopefully in a couple of weeks we don't have to worry about 20 inches of snow on the next day we try to do an engagement meeting. Staff will be presenting some options related to the expansion of the Grandview Industrial Park to the EDA meeting coming up on, I believe it's the first Monday in April. At such time, then eventually there'll probably be need to be some action from this body as we kind of go to expand the planned unit developments zoning that we have kind of established for that particular area, for the Carnivore project. We assume that's going to be the default zoning for the rest of that park, but we'll be needing to bring those forward here within the next probably couple of months to have that proceed. And then just a last quick update. We did receive six responses to our Comprehensive Plan RFP. I believe we're looking at scheduling at minimum of three, possibly four consultants, to actually bring in for interview for that project. So we're excited to kinda get that one moving forward, and I'm sure we'll have more of an update and be able to share proposals with the body here, hopefully maybe even at the next meeting, to have some information on a recommendation to who to hire. So with that, available to answer any questions anyone has.

- I have a quick one. The North Webster properties, you got on the hopper there. The ones that we just approved.

- Looking at probably going out to RFP for that particular section. So once we kind of get all the zoning and the parcels straightened away, we'll be going out to RFP for those properties.

- All right. Exciting.

- It's a good spot. So. Monroe parking lot. What do we got cooking there?

- Well, we're still waiting on the developer to kind of finalize their financing for that particular project. Hopefully now that, maybe with the, it is the same gentleman who's involved with the 216 Military Avenue project. So we imagine he may have some extra time on his hands now that that one is maybe not moving forward. We hope to see some progress on that hopefully soon. But it is coming down to financing right now. And I think really finishing up how to, what the approach is on the environmental on that particular site. There is a chance that if they can't figure out a financing solution to their current gap, they may be coming back and redesigning and removing the parking from underground, which we actually kind of like on this project at this point, but hopefully, we're hoping the environmental contamination doesn't, and the cost related to remediating that, don't negatively impact that possibility.

- What was the story height, on the Monroe project?

- Five, how many stories on Monroe?

- Yeah, three, five stories to three stories, I believe, depending on which side of the project you were

on.

- Okay.

- Yeah, it's stepped down to the neighborhood.

- Correct.

- Yeah, that's what I, I mean, it was higher here, then you go.

- Yep.

- Yeah.

- Mm hm. Pretty cool.

- Any other questions?

- Thank you very much, sir.

- All right. Thank you folks.

- All right. Date of the next meeting is April 24th, 2023.

- Motion to adjourn.

- Second.

- Motion by Commissioner Poradek, second by Vice Chair Miller, to adjourn. All those in favor?

- [Commission Members] Aye.