AGENDA OF THE GREEN BAY PLAN COMMISSION

MONDAY, APRIL 29, 2024, 6:00 PM
City Hall, Room 604 - The Harry Maier Room.
Virtual attendance is also available via Zoom.

A. Zoom Meeting Information.

1. Join Zoom Meeting Online:
   https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZIOEVnUT09

   Or call in by phone: +1 312 626 6799
   Meeting ID: 841 3767 5822
   Passcode: 483400

   If you wish to speak at this public meeting or leave a comment, please fill out the online Comment Form prior to the meeting. More detailed Zoom Instructions can be found online.

B. Roll Call.

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

C. Approval of the Agenda.

1. Approval of the agenda for the Monday, April 29, 2024, meeting of the Green Bay Plan Commission.

D. Approval of Minutes.

1. Approval of the minutes from the April 8, 2024, meeting.

E. Regular Business.

1. Consideration with possible action on the On Broadway Inc. Business Improvement District 2022 annual audit.

2. (ZP 24-09) Public Hearing on a request to rezone 715 Marquette Avenue from Office

Residential (OR) District and Low-Density Residential (R1) District to Low-Density Residential (R1) District, submitted by Department of Community and Economic Development, on behalf of Linda Cramer, property owner (Ald. C. Wery, District 8).

3. (ZP 24-09) Consideration with possible action on the request to rezone 715 Marquette Avenue from Office Residential (OR) District and Low-Density Residential (R1) District to Low-Density Residential (R1) District, submitted by Department of Community and Economic Development, on behalf of Linda Cramer, property owner (Ald. C. Wery, District 8).

4. (ZP 24-13) Public hearing on a request to rezone property from Business Park (BP) to Light Industrial (LI) at 1709 and 1745 Moraine Terrace (Parcels 6-58-1 and 6-58-B-1), submitted by US LBM LLC 2009 dba Builders Supply, on behalf of Imbar LLC, property owner (Ald. B. Delie, District 10).

5. (ZP 24-13) Consideration with possible action on a request to rezone property from Business Park (BP) to Light Industrial (LI) at 1709 and 1745 Moraine Terrace (Parcels 6-58-1 and 6-58-B-1), submitted by US LBM LLC 2009 dba Builders Supply, on behalf of Imbar LLC, property owner (Ald. B. Delie, District 10).

6. (ZP 24-11) Public Hearing on a request to rezone Parcel 21-7596 from Rural Residential District (RR) to General Commercial District (C1) at 3000 Block of Finger Road, submitted by Brett Paul of Xsite Real Estate, on behalf of 1st Security Credit Union, property owner (Ald. J. Hutchison, District 2).

7. (ZP 24-11) Consideration with possible action on a request to rezone Parcel 21-7596 from Rural Residential District (RR) to General Commercial District (C1) at 3000 Block of Finger Road, submitted by Brett Paul of Xsite Real Estate, on behalf of 1st Security Credit Union, property owner (Ald. J. Hutchison, District 2).

8. (ZP 24-12) Public Hearing on the request for a Conditional Use Permit to create a restaurant with drive through in a C1 General Commercial district at 3000 Block of Finger Road (Parcel 21-7596), submitted by Brett Paul of Xsite Real Estate, on behalf of 1st Security Credit Union, property owner (Ald. J. Hutchison, District 2).

9. (ZP 24-12) Consideration with possible action on the request for a Conditional Use Permit to create a restaurant with drive through in a C1 General Commercial district at 3000 Block of Finger Road (Parcel 21-7596), submitted by Brett Paul of Xsite Real Estate, on behalf of 1st Security Credit Union, property owner (Ald. J. Hutchison, District 2).

10. (ZP 24-10) Public Hearing regarding a Conditional Use Permit request to allow the use of a fuel/gas/service station, convenience store, and car wash facility in a Community Center Commercial District (C3) at 1007 and 1009 West Mason Street (Parcels 2-1260 and 2-1187) petitioned by Seth Waddell of Kwik Trip; Bay Center Inc, property owner (Ald. B. Johnson, District 9).

11. (ZP 24-10) Consideration with possible action on a Conditional Use Permit request to allow the use of a fuel/gas/service station, convenience store, and car wash facility in a Community Center Commercial District (C3) at 1007 and 1009 West Mason Street (Parcels 2-1260 and 2-1187) petitioned by Seth Waddell of Kwik Trip; Bay Center Inc, property owner (Ald. B. Johnson, District 9).

F. Informational.

1. Director's report.
2. Date of next meeting: Thursday, May 2, 2024

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.

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Wendy Townsend, Economic Coordinator

AGENDA ITEM # E.1

Consideration with possible action on the On Broadway Inc. Business Improvement District 2022 annual audit.

BACKGROUND

Each year the Business Improvement Districts (BIDs) present their annual audit to the Plan Commission and are required to share any adverse audit findings per the BID handbook.

RECOMMENDATION

Review and recieve and place in file.

FISCAL IMPACT

ATTACHMENTS

1. 2022 On Broadway Audited Financial Statements
2. 2022 On Broadway Independent Auditor Report
3. On Broadway 2022 Audit - City Response

ON BROADWAY, INC.

FINANCIAL STATEMENTS
WITH INDEPENDENT AUDITORS' REPORT

DECEMBER 31, 2022 AND 2021

ON BROADWAY, INC.

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DECEMBER 31, 2022 AND 2021

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INDEPENDENT AUDITORS' REPORT

To the Board of Directors
On Broadway, Inc.
Green Bay, Wisconsin

Opinion

We have audited the financial statements of On Broadway, Inc. (a nonprofit organization), which comprise the statements of financial position as of December 31, 2022 and 2021 and the related statements of activities, functional expenses, and cash flows for the years then ended, and the related notes to the financial statements.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of On Broadway, Inc. as of December 31, 2022 and 2021, and the changes in its net assets and cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audits in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of On Broadway, Inc. and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Change in Accounting Principle

As discussed in Note 1 to the financial statements, in 2022, the Organization adopted new accounting guidance in accordance with Accounting Standards Codification Topic 842, *Leases*, as of the beginning of the period of adoption. The prior period presented is in accordance with Topic 840. Our opinion is not modified with respect to this matter.

Responsibilities of Management for the financial statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about On Broadway, Inc.'s ability to continue as a going concern for one year after the date that the financial statements are issued.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of On Broadway, Inc.'s internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about On Broadway, Inc.'s ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

Hawkins Ash CPAs, LLP

Green Bay, Wisconsin
December 18, 2023

ON BROADWAY, INC.
STATEMENTS OF FINANCIAL POSITION

	DECEMBER 31,	
	2022	2021
ASSETS		
Cash (including cash held for others)	$ 411,026	$ 421,620
Accounts receivable	92,058	25,768
Grants receivable	32,292	-
Prepaid expenses	2,769	18,063
Prepayments to vendors	5,977	-
Property and equipment, net	2,344,022	15,548
Deposit on property and equipment	-	5,000
Operating lease right-of-use asset	111,023	-
Other assets	1,200	1,200
TOTAL ASSETS	**$ 3,000,367**	**$ 487,199**
LIABILITIES AND NET ASSETS		
LIABILITIES		
Accounts payable	$ 71,646	$ 39,215
Agency funds payable	1,878	2,647
Accrued expenses		
Payroll and related liabilities	40,334	18,466
Property taxes	44,009	-
Vacation	6,352	3,850
Retirement plans	10,947	2,131
Interest	18,923	-
Other	4,408	-
Deferred revenue	64,036	73,474
Operating lease liability	101,076	-
Notes payable	2,334,213	23,113
TOTAL LIABILITIES	2,697,822	162,896
NET ASSETS		
Without donor restrictions	300,935	319,303
With donor restrictions	1,610	5,000
TOTAL NET ASSETS	302,545	324,303
TOTAL LIABILITIES AND NET ASSETS	**$ 3,000,367**	**$ 487,199**

The accompanyting notes are an integral part of these statements.

ON BROADWAY, INC.
STATEMENTS OF ACTIVITIES

	FOR THE YEAR ENDED DECEMBER 31,					
	2022			2021		
	WITHOUT DONOR RESTRICTIONS	WITH DONOR RESTRICTIONS	TOTAL	WITHOUT DONOR RESTRICTIONS	WITH DONOR RESTRICTIONS	TOTAL
SUPPORT AND REVENUE						
Special events	$ 530,891	$ -	$ 530,891	$ 397,650	$ -	$ 397,650
Business improvement district assessments	80,715	-	80,715	76,466	-	76,466
Grants	184,873	-	184,873	51,485	-	51,485
Contributions	330,419	1,610	332,029	251,398	5,000	256,398
In-kind contributions	230,425	-	230,425	77,130	-	77,130
Rental income	264,571	-	264,571	-	-	-
Miscellaneous income	7,449	-	7,449	15,028	-	15,028
Net assets released from restrictions	5,000	(5,000)	-	17,640	(17,640)	-
TOTAL SUPPORT AND REVENUE	1,634,343	(3,390)	1,630,953	886,797	(12,640)	874,157
EXPENSES						
Program sevices	1,216,070	-	1,216,070	623,931	-	623,931
Management and general	401,531	-	401,531	104,165	-	104,165
Fundraising	35,110	-	35,110	41,526	-	41,526
TOTAL EXPENSES	1,652,711	-	1,652,711	769,622	-	769,622
CHANGE IN NET ASSETS	(18,368)	(3,390)	(21,758)	117,175	(12,640)	104,535
NET ASSETS AT BEGINNING OF YEAR	319,303	5,000	324,303	202,128	17,640	219,768
NET ASSETS AT END OF YEAR	**$ 300,935**	**$ 1,610**	**$ 302,545**	**$ 319,303**	**$ 5,000**	**$ 324,303**

The accompanying notes are an integral part of these statements.

ON BROADWAY, INC.
STATEMENT OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED DECEMBER 31, 2022

	PROGRAM SERVICES	MANAGEMENT AND GENERAL	FUNDRAISING	TOTAL
Salaries and wages	$ 331,203	$ 59,129	$ 28,262	$ 418,594
Employee benefits	16,869	3,007	1,450	21,326
Payroll taxes	22,824	4,069	1,962	28,855
Broadway District promotion	126,485	-	-	126,485
Special events	620,735	-	-	620,735
Depreciation	5,704	41,396	490	47,590
Insurance	8,487	1,513	730	10,730
Public market	33,623	-	-	33,623
Dues and subscriptions	-	1,193	-	1,193
Interest	-	63,753	-	63,753
Office expenses	9,539	1,700	821	12,060
Professional fees	-	10,650	-	10,650
Contracted services	-	22,926	-	22,926
Grounds keeping and maintenance	17,980	-	-	17,980
Rent	8,948	18,178	769	27,895
Repairs and maintenance	792	24,076	-	24,868
Property and income taxes	-	46,503	-	46,503
Meetings and conventions	-	10,661	-	10,661
Travel and lodging	-	7,807	-	7,807
Utilities	7,281	59,812	626	67,719
Technology	5,500	13,676	-	19,176
License and fees	-	8,829	-	8,829
Volunteer recognition	-	1,721	-	1,721
In-kind	100	90	-	190
Miscellaneous	-	842	-	842
TOTAL EXPENSES	**$ 1,216,070**	**$ 401,531**	**$ 35,110**	**$ 1,652,711**

The accompanying notes are an integral part of these statements.

ON BROADWAY, INC.
STATEMENT OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED DECEMBER 31, 2021

	PROGRAM SERVICES	MANAGEMENT AND GENERAL	FUNDRAISING	TOTAL
Salaries and wages	$ 134,918	$ 54,305	$ 31,742	$ 220,965
Employee benefits	3,863	1,555	909	6,327
Payroll taxes	10,460	4,210	2,461	17,131
Broadway District promotion	72,401	-	-	72,401
Special events	360,290	-	-	360,290
Depreciation	4,841	1,948	1,139	7,928
Insurance	5,000	2,012	1,176	8,188
Public market	-	-	-	-
Dues and subscriptions	-	1,653	-	1,653
Interest	-	1,476	-	1,476
Office expenses	5,345	2,078	1,215	8,638
Professional fees	-	7,850	-	7,850
Contracted services	-	-	-	-
Grounds keeping and maintenance	8,772	-	-	8,772
Rent	12,257	4,934	2,884	20,075
Repairs and maintenance	414	221	-	635
Property and income taxes	-	-	-	-
Meetings and conventions	-	1,083	-	1,083
Travel and lodging	-	2,300	-	2,300
Utilities	-	-	-	-
Technology	4,885	14,102	-	18,987
License and fees	-	3,027	-	3,027
Volunteer recognition	-	1,321	-	1,321
In-kind	485	90	-	575
Miscellaneous	-	-	-	-
TOTAL EXPENSES	**$ 623,931**	**$ 104,165**	**$ 41,526**	**$ 769,622**

The accompanying notes are an integral part of these statements.

ON BROADWAY, INC.
STATEMENTS OF CASH FLOWS

	YEAR ENDED DECEMBER 31, 2022	YEAR ENDED DECEMBER 31, 2021
CASH FLOWS FROM OPERATING ACTIVITIES		
Change in net assets	$ (21,758)	$ 104,535
Adjustments to reconcile change in net assets to net cash provided by (used in) operating activities:		
Depreciation	47,590	7,928
Changes in assets and liabilities		
(Increase) decrease in assets		
Accounts receivable	(66,290)	(23,076)
Unconditional promises to give	-	17,640
Grants receivable	(32,292)	-
Prepaid expense	15,294	1,637
Prepayments to vendors	(5,977)	-
Operating lease right-of-use asset	(111,023)	-
Increase (decrease) in liabilities		
Accounts payable	32,431	29,328
Agency funds payable	(769)	1,478
Accrued expenses		
Payroll and related liabilities	21,868	11,099
Property taxes	44,009	-
Vacation	2,502	889
Retirement plans	8,816	2,131
Interest	18,923	-
Other	4,408	-
Operating lease liability	101,076	-
Deferred revenue	(9,438)	(17,798)
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES	49,370	135,791
CASH FLOWS FROM INVESTING ACTIVITIES		
Deposit on property and equipment	-	(5,000)
Purchase of property and equipment	(31,064)	-
NET CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES	(31,064)	(5,000)
CASH FLOWS FROM FINANCING ACTIVITIES		
Payments on capital lease obligation	-	(1,106)
Payments on line of credit	-	(21,558)
Payments on long term debt	(28,900)	(11,577)
NET CASH PROVIDED BY (USED IN) FINANCING ACTIVITIES	(28,900)	(34,241)
NET INCREASE (DECREASE) IN CASH	(10,594)	96,550
CASH AT BEGINNING OF YEAR	421,620	325,070
CASH AT END OF YEAR	**$ 411,026**	**$ 421,620**
SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION:		
Cash paid during the year for interest	$ 44,830	$ 1,476
SUPPLEMENTAL DISCLOSURE OF NON-CASH FLOW INFORMATION:		
Proceeds from long-term debt used to purchase property and equipment	$ 2,340,000	$ -

The accompanying notes are an integral part of these statements.

NOTE 1 - Nature of Organization and Significant Accounting Policies

Nature of Organization - On Broadway, Inc. (the "Organization") is a not-for-profit corporation organized under the laws of the State of Wisconsin for the purpose of improving the Green Bay community through economic development, historic preservations and promotion of the city's downtown Broadway District. The Business Improvement District (BID) contributes funds to the Organization for the purpose of providing staff, support services, and assistance in developing and implementing the social and economic conditions within the district by bringing together appropriate partnerships of people, organizations, and funds to evaluate, facilitate, and implement Broadway development projects.

Basis of Accounting - The financial statements of On Broadway, Inc. have been prepared on the accrual basis of accounting and, accordingly, reflect all significant receivables, payables and other liabilities.

Basis of Presentation - The accompanying financial statements are prepared in accordance with the accounting principles generally accepted in the United States of America (U.S. GAAP) as codified by the Financial Accounting Standards Board.

The Organization is required to report information regarding its net assets and its activities based on the existence or absence of donor or grantor imposed restrictions. Accordingly, net assets and changes therein are classified and reported as follows:

> *Net Assets Without Donor Restrictions:* Net assets available for use in general operations and not subject to donor or certain grantor restrictions.
>
> *Net Assets With Donor Restrictions:* Net assets subject to donor or certain grantor imposed restrictions. Some donor-imposed restrictions are temporary in nature, such as those that will be met by the passage of time or other events specified by the donor. Other donor-imposed restrictions are perpetual in nature, where the donor stipulates that resources be maintained in perpetuity. Donor-imposed restrictions are released when a restriction expires, that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

Accounting Pronouncements Adopted - In February 2016, the FASB issued Accounting Standards Update 2016-02, Leases (Topic 842). The standard requires the recognition of right-of-use assets and lease liabilities for lease contracts with terms greater than 12 months. Operating lease costs are recognized in the statements of activities as a single lease cost and finance lease costs are recognized in two components, interest expense and amortization expense. The Organization adopted the standard effective January 1, 2022 and recognized and measured leases existing at, or entered into after, January 1, 2022 (the beginning of the period of adoption), with certain practical expedients available. Lease disclosures for the year ended December 31, 2021 are made under prior lease guidance in FASB ASC 840. The Organization has elected the package of practical expedients permitted in ASC Topic 842. Accordingly, the Organization accounted for its existing leases as either finance or operating leases under the new guidance, without reassessing (a) whether the contract contains a lease under ASC Topic 842, (b) whether classification of the operating lease would be different in accordance with ASC Topic 842, or (c) whether the unamortized initial direct costs before transition adjustments would have met the definition of initial direct costs in ASC Topic 842 at lease commencement.

NOTE 1 - Nature of Organization and Significant Accounting Policies - Continued

As a result of the adoption of the new lease accounting guidance, the Organization recognized on January 1, 2022, the beginning of the adoption period, no cumulative effect adjustment to net assets, an operating lease liability of $115,799, and an operating right-of-use asset of $124,491.

As of January 1, 2022 the Organization adopted the provision of FASB issued Accounting Standards Update 2020-07, Presentation and Disclosures by Not-for-Profit Entities for Contributed Nonfinancial Assets (Topic 958). Under the new guidance, gifts-in-kind are required to be presented as a separate line item on the statements of activities and additional disclosures will be required. The presentation and disclosures for contributed nonfinancial assets have been enhanced in accordance with the standard.

Cash and Cash Equivalents - The Organization's cash consists of cash on deposit with banks. For purposes of the statements of cash flows, the Organization considers all unrestricted, highly liquid investments with an initial maturity of three months or less to be cash equivalents. The Organization does not have any cash equivalents as of December 31, 2022 and 2021.

Cash Held for Others - Included in the Organization's cash are funds held for others. The Organization has little or no discretion in determining the use of the assets and is merely a pass through (see the agency funds payable note). Therefore, the Organization accounts for this as an agency transaction on the statements of financial position.

Accounts/Grants Receivable - Accounts receivable are stated at the amount management expects to collect from outstanding balances. Management provides for uncollectible amounts through a provision for bad debt expense and an adjustment to a valuation allowance based on its assessment of the current status of individual accounts. Balances that are still outstanding after management has used reasonable collection efforts are written off through a charge to the valuation allowance and a credit to accounts receivable. Management believes all receivables are collectible; accordingly, no allowance has been recorded.

Promises to Give - Unconditional promises to give that are expected to be collected within one year are recorded at net realizable value. Unconditional promises to give that are expected to be collected in future years are recorded at the present value of estimated future cash flows. The discounts on those amounts are computed using a nominal interest rate applicable to the year in which the promise is received. Amortization of the discounts is included in contribution revenue. Conditional promises to give are not included as support until the conditions are substantially met. Management provides for uncollectible amounts through a provision for bad debt expense and an adjustment to a valuation allowance based on its assessment of the current status of individual pledges. Balances that are still outstanding after management used reasonable collection efforts are written off through a charge to the valuation allowance and a credit to unconditional promises to give. Management believes all receivables are collectible; accordingly, no allowance has been recorded.

NOTE 1 - Nature of Organization and Significant Accounting Policies - Continued

Property and Equipment - All acquisitions of property and equipment in excess of $2,000 with useful lives greater than one year are capitalized. Purchased property and equipment are carried at cost. Donated property and equipment is carried at the approximate fair value at the date of donation. Depreciation is computed on the straight-line method based on the estimated useful lives:

Asset	Life
Buildings and improvements	25 years
Furniture, vehicles, and equipment	5 years

Construction in progress costs represent cumulative costs of projects not yet placed in service. No depreciation was taken on these capitalized costs.

Valuation of Long-lived Assets - U.S. GAAP requires that long-lived assets and certain identifiable intangible assets be reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount of an asset may not be recoverable. Management reviews all material assets annually for possible impairment. If such assets are considered to be impaired, the impairment recognized is measured as the amount by which the carrying amount of the assets exceeds the estimated fair value of the assets. No assets are considered to be impaired at December 31, 2022 and 2021.

Agency Funds Payable - The Organization administers the Electronic Benefits Transfer (EBT) program at its Farmers' Market on Broadway events. EBT is an electronic system that allows a Food Share recipient to authorize the transfer of their government benefits from a Federal account to a retailer to pay for food. This program started with funds from the Greater Green Bay Community Foundation Basic Needs Giving Partnership and United Healthcare Community Plan along with strong collaboration between Wello, Inc., farmers' markets, UW- Extension, WIC and many more. The receipts and disbursements associated with EBT are not included in the Organization's statements of activities.

Revenue Recognition - The Organization records the following exchange transaction revenue in its statements of activities and changes in net assets:

Special Event Revenue: The Organization conducts special events in which a portion of the gross proceeds paid by the participant represents payment for the direct cost of the benefits received by the participant at the event - exchange component, and a portion represents a contribution to the Organization. Unless a verifiable objective means exists to demonstrate otherwise, the fair value of meals and entertainment provided at the special events is measured at the actual cost to the Organization. The contribution component is the excess of the gross proceeds over the fair value of the direct donor benefit. The performance obligation is the delivery of the event. The event fee is set by the Organization. The Organization combines in the statements of activities the exchange and contribution components of the gross proceeds from special events. Special event fees/sponsorships collected by the Organization in advance of its delivery are initially recognized as liabilities (deferred revenue) and recognized as special event revenue after delivery of the event. For special events fees received before year-end for an event to occur after year end, the Organization follows AICPA guidance where the inherent contribution is conditioned on the event taking place and is therefore treated as a refundable advance along with the exchange component.

NOTE 1 - Nature of Organization and Significant Accounting Policies - Continued

Included in special events are:

Sponsorships: Sponsorships include revenue for logo placement on event websites along with verbal recognition and/or signage at events. Sponsors fill out a sponsorship request form and pay the selling price listed on the form for the sponsorship requested. The sponsor receives the benefit during the event they chose to sponsor. The Organization does not have an enforceable right to payment until the event has taken place. Therefore, revenue from sponsorships is recognized at a point in time when the performance obligation has been met. Sponsorships that overlap year-end are reflected as deferred revenue on the statements of financial position.

Vendor fees: Included in vendor fees are booth fees for vendors at the Farmers Markets. The fees are a stated price for each booth spot. The price is allocated between the number of markets the vendor pays for. The performance obligation is met each week when the vendors attend the farmers market. All performance obligations are met in the year the payments are received.

Food and Beverage Sales: Sales for food and beverages at events are exchanged for cash at the price stated in the menu. The performance obligations are met when the product is delivered to the customer as that is when control of the product transfers.

Contribution Recognition - Contributions are recognized when received or unconditionally pledged. Conditional contributions and promises to give, are recognized as revenue when the barriers to entitlement are overcome and either a right of return of assets transferred or a right of release of a promisor's obligation to transfer assets is removed. Contributions received are recorded as net assets without donor restrictions or net assets with donor restrictions depending on the existence and/or nature of any donor restrictions.

Contributions restricted by donors are reported as increases in net assets without donor restrictions if the restrictions expire in the reporting period in which the revenue is recognized. All other donor-restricted contributions are reported as increases in net assets with donor restrictions, depending on the nature of the restrictions. When a restriction expires, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the statements of activities as net assets released from restrictions.

Grant Recognition - Grants are either recorded as contributions or exchange transactions based on criteria contained in the grant award:

Grant awards that are contributions - Grants awards that are contributions are evaluated for conditions and recognized as revenue when conditions in the award are satisfied. Unconditional awards are recognized as revenue when the award is received. Amounts received in which conditions have not been met are reported as a refundable advance liability.

Grant awards that are exchange transactions - Exchange transactions are those in which the resource provider or grantor receives a commensurate value in exchange for goods or services transferred. Revenue is recognized when control of the promised goods or services is transferred to the customer (grantor) in an amount that reflects the consideration to which the entity expects to be entitled in exchange for those goods or services. Amounts received in excess of recognized revenue are reflected as a contract liability.

NOTE 1 - Nature of Organization and Significant Accounting Policies - Continued

In-Kind Contributions - The Organization records the value of donated goods when there is an objective basis to measure the value. Donated goods are reflected as in-kind contribution revenue and in the accompanying statements of activities.

Donated services are recognized as contributions if the services a) create or enhance nonfinancial assets or b) require specialized skills that are performed by people with those skills and would otherwise be purchased by the Organization. Such amounts, which are based on information provided by third-party services providers, are recorded at their estimated fair value determined on the date of contributions.

A substantial number of volunteers have made significant contributions of their time to the Organization's program and supporting services. The value of this contributed time is not reflected in these financial statements because the criteria for recognition have not been satisfied.

Functional Allocation of Expenses - The costs of providing various programs and other activities have been summarized on a functional basis in the statements of activities. Accordingly, certain costs have been allocated among the program services and supporting activities benefited. Those expenses include salaries and wages, benefits, payroll taxes and certain office expenses, which are allocated based on estimates of employee time spent on each function as determined by employees.

Advertising Costs - Advertising costs are expensed as incurred.

Use of Estimates - Management uses estimates and assumptions in preparing financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses. Actual results could differ from those estimates.

Tax Status - The Organization is exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code (IRC). However, income from certain activities not directly related to the Organization's tax-exempt purpose is subject to taxation as unrelated business income. In addition, the Organization qualifies for the charitable contribution deduction under Section 170(b)(1)(A) and has been classified as an organization other than a private foundation under Section 509(a)(2). The Organization is also exempt from State taxation.

Accounting for Uncertainty in Income Taxes - U.S. GAAP requires management to evaluate tax positions taken by the Organization and recognize a tax liability (or asset) if the Organization has taken an uncertain position that more likely than not would not be sustained upon examination by a taxing authority. Management has analyzed the tax positions taken by the Organization and has concluded that as of December 31, 2022 and 2021, there are no uncertain positions taken or expected to be taken that would require recognition of a liability (or asset) or disclosure in the financial statements. The Organization is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax periods in progress. The Organization will recognize future accrued interest and penalties related to any unrecognized tax benefits and income tax expense if incurred.

Reclassifications - Certain accounts in the prior year financial statements have been reclassified for comparative purpose to conform to the presentation of the current year's financial statements.

NOTE 1 - Nature of Organization and Significant Accounting Policies - Continued

Subsequent Events - The Organization evaluated subsequent events through December 18, 2023, the date which the financial statements were available to be issued.

NOTE 2 - Concentration of Cash and Credit Risk

The Organization may have deposits with a financial institution at times during the year that exceed the Federal Deposit Insurance Corporation (FDIC) insurance threshold of $250,000. The Organization's deposits at December 31, 2022 and 2021 did not exceed the FDIC insurance threshold. The Organization does not require collateral or other security to support deposits subject to this credit risk.

NOTE 3 - Liquidity and Availability

Financial assets available for general expenditure, that is, without donor or other restrictions limiting their use, within one year of the statement of financial position date, comprise the following as of December 31:

	2022	2021
Cash	$ 411,026	$ 421,620
Accounts receivable	92,058	25,768
Grants receivable	32,292	-
Total financial assets available within one year	535,376	447,388
Less amounts not available for general expenditure within one year:		
Escrow account with RDA	-	52,095
Agency funds payable	1,878	2,647
Net assets with donor restrictions	1,610	5,000
Total financial assets available to management for general expenditure within one year	$ 531,888	$ 387,646

Liquidity Management

The Organization maintains a policy of structuring its financial assets to be available as its general expenditures, liabilities, and other obligations come due. In addition, the Organization invests cash in excess of weekly requirements in short-term investments. To help manage unanticipated liquidity needs, the Organization has a committed line of credit of $50,000, which it could draw upon.

NOTE 4 - Property and Equipment

A summary of property and equipment is as follows as of December 31:

	2022	2021
Land	$ 160,248	$ -
Buildings and improvements	2,099,716	-
Furniture, vehicles, and equipment	69,173	43,125
Construction in progress	90,052	-
	2,419,189	43,125
Less: Accumulated depreciation	75,167	27,577
NET PROPERTY AND EQUIPMENT	**$ 2,344,022**	**$ 15,548**

Depreciation expense for the years ended December 31, 2022 and 2021 was $47,590 and $7,928, respectively.

NOTE 5 - Line of Credit

The Organization has a line of credit of $50,000 that matures on May 20, 2024. The interest rate is equal to the one-month Wall Street Journal Prime plus 0.25%. The interest rate for the years ended December 31, 2022 and 2021 was 7.75% and 3.50%, respectively. The agreement is collateralized by substantially all assets of the Organization. There was no outstanding balance on the line of credit as of December 31, 2022 and 2021.

NOTE 6 - Notes Payable

The Organization's notes payable are as follows at December 31:

	2022	2021
Note payable with interest at 5.35%, monthly payments of $575, unsecured, due August 20, 2024*	$ 17,325	$ 23,113
U.S. Small Business Administration, Economic Injury, Disaster Loan, with interest at 2.75% and monthly payments of $2,244,applied to accrued interest first, secured by business assets, due January 1, 2052	500,000	-
Note payable with interest at 3.50% and monthly payments of $8,315,secured by property, due April 1, 2029	1,816,888	-
	2,334,213	23,113
Less current maturities	42,935	5,812
TOTAL	$ 2,291,278	$ 17,301

*The Organization entered into a modification agreement in October 2020 for six months of interest only payments. Payments of principal and interest return in July 2021. All other terms of the loan remain the same.

NOTE 6 - Notes Payable - Continued

Maturities of notes payable for the years following December 31, 2022 are as follows:

2023	$ 42,935
2024	49,309
2025	39,469
2026	54,198
2027	56,043
Thereafter	2,092,259
TOTAL	**$ 2,334,213**

NOTE 7 - Net Assets

Net assets with donor restrictions are restricted for the following purposes or periods at December 31:

	2022	2021
Subject to expenditure for specified purpose:		
Economic support specialist	$ -	$ 5,000
Dog park	1,610	-
TOTAL NET ASSETS WITH DONOR RESTRICTIONS	**$ 1,610**	**$ 5,000**

Net assets were released from donor restrictions by incurring expenses satisfying the restricted purpose or by occurrence of the passage of time or other events specified by the donors as follows for the years ended December 31:

	2022	2021
Expiration of time restrictions	$ -	$ 17,640
Satisfaction of purpose restriction:		
Economic support specialist	5,000	-
TOTAL RESTRICTIONS RELEASED	**$ 5,000**	**$ 17,640**

NOTE 8 - Defined Contribution Benefit Plan

The Organization sponsors a defined contribution plan covering all eligible employees. The Organization makes matching contributions to the plan each year not to exceed 3% of plan participants' compensation. Total expense for the years ended December 31, 2022 and 2021 was $11,084 and $6,327, respectively.

NOTE 9 - Leases

Lessee
The Organization leases office space under a long-term, non-cancelable operating lease agreement. The lease expires September 30, 2028 and provides for two extensions of five years each. The Organization did not include in the determination of right-of-use assets and lease liabilities the renewal options as the options are not reasonably certain to be exercised. The lease provides for increases in future minimum annual rental payments based on a defined schedule.

The weighted-average discount rate is based on the discount rate implicit in the lease, or if the implicit rate is not readily determinable from the lease, then the Organization elected the option to use the risk-free rate determined using a period comparable to the lease terms as the discount rate.

Total lease expense is as follows for the year ended December 31, 2022:

Operating lease expense	$ 20,095
TOTAL	**$ 20,095**

Other lease information is as follows for the years ended December 31, 2022:

Cash paid for amounts included in the measurement of lease liabilities	
Operating cash flows from operating leases	$ 16,350
Weighted-average remaining lease term in years	
Operating leases	5.75
Weighted-average discount rate	
Operating leases	1.51%

The future minimum lease payments under operating leases are as follows as of December 31, 2022:

2023	$ 16,950
2024	17,550
2025	18,150
2026	18,750
2027	19,350
Thereafter	14,850
Total minimum lease payments	105,600
Less amounts representing interest	4,524
TOTAL LEASE LIABILITIES	**$ 101,076**

NOTE 9 - Leases - Continued

For the year ended December 31, 2021, the Organization accounted for leases under ASC Topic 840. Operating lease expense for the year ended December 31, 2021 was $20,095. The Organization also leased equipment under agreements accounted for as capital leases. The economic substance of the leases are that the Organization is financing the acquisition of the assets through the leases, and accordingly, they are recorded in the Organization's assets and liabilities.

The following is an analysis of the leased assets included in property and equipment at December 31, 2021:

Server equipment	$ 5,135
Less accumulated depreciation	5,135
TOTAL	**$ -**

Lease depreciation is included in depreciation expense.

Lessor

Operating Leases (Lessor)

The Organization leases a building to office and retail customers. Initial lease terms generally range from month-to-month to five years with fixed lease payments ranging from $300 per month to $9,000 per month.

Leased property subject to operating leases at December 31, 2022, includes:

	2022
Building	$ 2,099,716
Less accumulated depreciation	40,379
	$ 2,059,337

Depreciation expense for leased property subject to operating leases is provided on the straight-line method over the estimated useful life of the property in amounts necessary to reduce the assets to their estimated residual values. Depreciation expense relating to leased property subject to operating leases was $40,379 for 2022. Revenue from operating leases is included in rental revenue on the statements of activities.

NOTE 10 - In-Kind Contributions

The value of donated services and goods included as in-kind contributions in the financial statements and the corresponding expenses or assets for the years ended December 31, 2022 and 2021 are as follows:

	2022	2021
Advertising	$ 4,220	$ 61,918
Broadway District Beautification	5,043	6,440
Special events	220,972	6,633
Miscellaneous	190	2,139
TOTAL IN-KIND CONTRIBUTIONS	**$ 230,425**	**$ 77,130**

NOTE 10 - In-Kind Contributions - Continued

The Organization receives contributed advertising that is reported using current rates for similar types of services.

Contributed special event services and supplies expenses, miscellaneous expenses and Broadway District Beautification expenses received by the Organization are recorded as in-kind contribution revenue with a corresponding increase to event expenses, organization expenses and promotion expenses, respectively. Donated goods are valued at the fair market value based on current market rates for similar services and items.

All contributed advertising, special event expenses and supplies were utilized by the Organization's programs and supporting services. There were no donor-imposed restrictions associated with the donated services and assets.

NOTE 11 - Paycheck Protection Program (PPP) Loan

The Organization was granted a $51,485 loan under the second round of the PPP administered by a Small Business Administration (SBA) approved partner. The loan was uncollateralized and fully guaranteed by the Federal government. The Organization initially recorded the loan as a refundable advance and subsequently recognized grant revenue in accordance with guidance for conditional contributions, that is, once the measurable performance or other barrier and right of return of the PPP loan no longer existed. The Organization has recognized $0 and $51,485 as grant revenue for the years ended December 31, 2022 and 2021, respectively.

NOTE 12 - Employee Retention Credit

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) provided an employee retention credit (the Credit) which is a refundable tax credit against certain employment taxes of up to $5,000 per employee for eligible employers. The credit is equal to 50% of qualified wages paid to employees, capped at $10,000 of qualified wages through December 31, 2020. The Consolidated Appropriations Act of 2021 and the American Rescue Plan Act of 2021 (collectively the Acts) expanded the availability of the credit and extended the credit through the third quarter of 2021. The Acts increased the credit to 70% of qualified wages, capped at $10,000 per quarter. During the year ended December 31, 2022, the Organization recorded a $32,292 benefit related to the credit which is presented in the statements of activities as grant revenue. As of December 31, 2022, the Organization has a $32,292 receivable balance related to the credits which is recorded as grants receivable on the Organization's statements of financial position.

NOTE 13 - Commitments

In June 2022, the Organization entered into a contract for campaign assistance for the Public Market for a total cost of $44,000. Services began in June 2022. As of December 31, 2022, $26,400 was paid towards the contract.

In September 2023, the Organization entered into a contract for architecture services for the Public Market for a total cost of $628,000. In the event of termination by the Organization, progress payments for services rendered through such phase are due to the architect.

ON BROADWAY, INC.

INDEPENDENT AUDITORS' REPORTS ON COMMUNICATIONS WITH THOSE CHARGED WITH GOVERNANCE, COMMUNICATION OF SIGNIFICANT DEFICIENCIES, A MATERIAL WEAKNESS AND MANAGEMENT ADVISORY COMMENTS

DECEMBER 31, 2022

ON BROADWAY, INC.

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INDEPENDENT AUDITORS' REPORT ON COMMUNICATIONS WITH THOSE CHARGED WITH GOVERNANCE

To the Board of Directors and Management
On Broadway, Inc.
Green Bay, Wisconsin

We have audited the financial statements of On Broadway, Inc. as of and for the year ended December 31, 2022, and have issued our report thereon dated December 18, 2023. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit

As communicated in our engagement letter dated January 9, 2023 our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of its respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of On Broadway, Inc. solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our comments regarding a material weakness, significant control deficiencies and other matters noted during our audit in separate letters to you dated December 18, 2023.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, our firm, and our network firms have complied with all relevant ethical requirements regarding independence.

Significant Risks Identified

We have identified the following significant risks:

- Management Override of Controls – professional standards require the auditor to address the risk that management is in a unique position to override controls that otherwise appear to be operating effectively.
- Improper Revenue Recognition – professional standards require the auditor to presume that risks of fraud exist in revenue recognition.

We have designed our audit procedures to adequately address the significant risks identified.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by On Broadway, Inc. is included in Note 1 to the financial statements. As described in Note 1 to the financial statements, during the year, the Organization changed its method of accounting for leases by adopting FASB issued Accounting Standards Update 2016-02, *Leases*. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive estimates affecting the financial statements were:

> Management's estimate of the useful lives of depreciable assets is based on the lives used in prior years on similar asset types and reviewing current additions in relation to the expected lives as expressed by the manufacturers or vendors from whom the asset was purchased.
>
> The allocation of expenses is based on estimates of employee time spent on each function as determined by employees.
>
> Management's estimate of in-kind donations is based on the estimated fair value of the goods or services received.
>
> Management's estimate of the discount on leases is based on the risk-free rate using a period comparable to the lease terms.

We evaluated the key factors and assumptions used to develop these estimates and determined that they are reasonable in relation to the basic financial statements taken as a whole.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting On Broadway, Inc.'s financial statements relate to liquidity and availability, notes payable, commitments, and net assets.

Significant Unusual Transactions

For purposes of this communication, professional standards require us to communicate to you significant unusual transactions identified during our audit. We have not identified any significant unusual transactions during the audit

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. Uncorrected misstatements or matters underlying those uncorrected misstatements could potentially cause future-period financial statements to be materially misstated, even though the uncorrected misstatements are immaterial to the financial statements currently under audit. Management has corrected all identified misstatements.

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. The material misstatements (and other adjustments) that we identified as a result of our audit procedures were brought to the attention of, and corrected by, management and are listed in Appendix A.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to On Broadway, Inc.'s financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Circumstances that Affect the Form and Content of the Auditors' Report

For purposes of this letter, professional standards require that we communicate any circumstances that affect the form and content of our auditors' report.

- Emphasis-of-Matter: As discussed in Note 1 to the financial statements, the Organization adopted new accounting guidance in accordance with Accounting Standards Codification Topic 842, *Leases*.

Representations Requested from Management

We have requested certain written representations from management, which are included in the attached letter dated December 18, 2023.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings or Issues

In the normal course of our professional association with On Broadway, Inc., we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating conditions affecting the entity, and operating plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as On Broadway, Inc.'s auditors.

This report is intended solely for the information and use of the Board of Directors and management of On Broadway, Inc. and is not intended to be and should not be used by anyone other than these specified parties.

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Hawkins Ash CPAs, LLP

Green Bay, Wisconsin
December 18, 2023

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INDEPENDENT AUDITORS' REPORT ON COMMUNICATION OF SIGNIFICANT DEFICIENCIES AND A MATERIAL WEAKNESS

To the Board of Directors and Management
On Broadway, Inc.
Green Bay, Wisconsin

In planning and performing our audit of the financial statements of On Broadway, Inc. (the "Organization") as of and for the year ended December 31, 2022, in accordance with auditing standards generally accepted in the United States of America, we considered On Broadway, Inc.'s internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we identified a certain deficiency in internal control that we consider to be a material weakness and other deficiencies that we consider to be significant deficiencies.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the Organization's financial statements will not be prevented, or detected and corrected, on a timely basis. A reasonable possibility exists when the likelihood of an event occurring is either reasonably possible or probable as defined as follows:

- *Reasonably possible*. The chance of the future event or events occurring is more than remote but less than likely.
- *Probable*. The future event or events are likely to occur.

We consider the following deficiency in On Broadway, Inc.'s internal control to be a material weakness:

Material Audit Adjustments

During our audit, we noted several audit adjustments, some of which were material that needed to be recorded in order for the financial statements to be in accordance with generally accepted accounting principles. We recommend the Organization develop a process to ensure transactions are being properly recorded throughout the year. We recommend reviewing the current year audit adjustments and attempt to adjust accounts to actual next year end. This will ensure the board is reviewing the most accurate and complete financial statements on a monthly basis.

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the following deficiencies in On Broadway, Inc.'s internal control to be significant deficiencies:

Management Responsibility for Preparation of Financial Statements

Adequate internal controls necessitate personnel (management or others) of your Organization have adequate training and knowledge that would enable you to prepare financial statements (and footnotes) in accordance with generally accepted accounting principles (GAAP). The training and knowledge of your personnel limits your ability to prepare GAAP basis financial statements. This weakness could result in the possibility of undetected errors or irregularities. Without additional training of personnel adequate internal control is not possible.

Segregation of Duties

The size of the Organization's administrative staff limits the amount of duties which can be properly segregated. We noted cash is received and deposited by the same individual, bank reconciliations are prepared by someone who also handles cash, and invoice entry, check preparation, and check mailing are done by the same individual. This lack of segregation of duties could result in the possibility of undetected errors or irregularities. Without a larger staff, an ideal internal control system is not possible. We need to make you aware of this deficiency or control weakness even though it may not be practical to correct with the addition of more staff. We noted the Organization uses several other controls to help compensate for this deficiency or control weakness, such as requiring a monthly review of bank statements and bank reconciliations by the Treasurer and requiring checks be signed by someone other than the accountant.

This communication is intended solely for the information and use of the Board of Directors and management of On Broadway, Inc. and is not intended to be and should not be used by anyone other than these specified parties.

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Green Bay, Wisconsin
December 18, 2023

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MANAGEMENT ADVISORY COMMENTS

To the Board of Directors and Management
On Broadway, Inc.
Green Bay, Wisconsin

In planning and performing our audit of the financial statements of On Broadway, Inc. (the "Organization") for the year ended December 31, 2022, in accordance with auditing standards generally accepted in the United States of America, we considered the Organization's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control.

However, during our audit we became aware of several matters that are opportunities for strengthening internal controls and operating efficiency. A separate letter dated December 18, 2023 contains our communication of significant deficiencies and a material weakness in the Organization's internal control. This letter does not affect our report dated December 18, 2023 on the financial statements of On Broadway, Inc.

We will review the status of these comments during our next audit engagement. We have already discussed these comments and suggestions with various Organization personnel, and we will be pleased to discuss them in further detail at your convenience, to perform an additional study of these matters, or to assist you in implementing the recommendations. Our comments are summarized as follows:

Cost Allocation Policy

Under Accounting Standards Updated 2016-14, Not-for-Profit Entities (Topic 958) - *Presentation of Financial Statements of Not-for-Profit Entities,* organizations are required to present a statement of functional expenses to allocate costs between functional categories using an appropriate and reasonable allocation methodology. The Organization does not have a cost allocation policy for allocating expenses between its program and supporting activities. The functional expense allocation is a necessary process in preparing the Organization's financial statements. The current allocation is based on management's estimate of a percentage of costs attributable to each function. There is no documentation supporting the percentages used in the allocation. We recommend the Organization create a cost allocation policy and then allocate functional expenses according to the new policy. We also recommend the Organization educate personnel on the definitions of the functional categories: program, management and general, and fundraising and ensure a reasonable methodology is implemented to allocate expenses by a functional category for those that will be allocated by a wage analysis (ie. a time study).

Employee Handbook

Currently, the Organization does not have an employee handbook. An employee handbook should include specific policies such as accrued vacation and employee reimbursements. We recommend the Organization document an employee handbook and provide it to all employees.

Gift Acceptance Policy

With the enhanced disclosure requirements under Accounting Standards Update 2020-07 (Topic 958) – *Presentation and Disclosures by Not-for-Profit Entities for Contributed Nonfinancial Assets,* a formalized gift acceptance policy has become increasingly important. This policy will establish standards governing an organization's fiduciary stewardship over contributions and gifts received. At a minimum, the policy should include: 1) who has the authority to accept gifts, 2) the types of gifts that will (or won't) be accepted, 3) how non-cash gifts will be valued, 4) how various types of gifts will be utilized in the organization and 5) the protocol for gift receipts to donors. We recommend the Organization create a policy to define your current gift acceptance procedures.

Grant Management

During our review of grant funding and expenses, we noted the same expenses were claimed for two grants. We also noted expenses in the Profit and Loss by class for the 2022 Christkindlmarket totaled $34,000 but total expenses claimed in the grant tracking document were $44,800. The same expenses cannot be claimed for multiple grants. Also, it is important to accurately report expenses in the Profit and Loss by class by event and/or grant in order to track expenses related to each grant. In reviewing the Tourism grant agreement, we noted it states the grant would reimburse 50% of event expenses up to stated maximum amounts. Two of the grant spending categories did not have expenses equal to or greater than the maximum amounts. We recommend management review grant agreements for compliance and implement policies and procedures to ensure grant reporting and tracking is accurate going forward.

Old Fort Square Expenses

During our review of expenses, we noted the Organization is recording all expenses related to the Old Fort Square building in one expense account, rather than in natural expense accounts within a class. This causes the need for the expenses to be allocated to natural categories at the end of the year. We recommend the Organization record expenses in natural expense accounts under the Old Fort Square QuickBooks class.

Following the Capitalization Policy as Established

During our review of fixed assets, the Organization elected to capitalize a group of similar asset items as one asset. Individual costs of the items were under capitalization policy. However, the Organization's capitalization policy does not include capitalizing groups of similar items. Per discussion with management, the items would not be as useful as individual items. We recommend the Organization update the capitalization policy to be consistent with actual practices.

Payroll Tax Filings

During our testing of expenses, we noted the Organization did not have all four quarters of payroll tax filings on file. Per discussion with management, the prior bookkeeper did not retain copies and the Organization needed to request copies from the IRS. We recommend management obtain the copies and implement a policy to ensure all tax filings are retained.

Timely Depositing of Receipts

During our audit, we noted that the Organization utilizes the undeposited funds account within their accounting system to record receipts prior to depositing the funds to their bank account. It was noted that there were multiple instances where the receipts were not being deposited to the bank account for a significant time period after the receipt was received. We recommend that the Organization review their processes and procedures over this account in order to ensure the timely deposit of receipts to their bank account.

Bank Reconciliations

During our review of the bank reconciliations, we note the bank statement balance on the reconciliations for December 31, 2022 did not agree to the bank statement ending balance as of December 31, 2022. We recommend management review 2023 bank reconciliations to ensure they are reconciled accurately and ensure all future bank reconciliations are reconciled accurately as well.

This report is intended solely for the information and use of management, Board of Directors and others within the Organization and is not intended to be and should not be used by anyone other than these specified parties.

Hawkins Ash CPAs, LLP

Green Bay, Wisconsin
December 18, 2023

APPENDIX A

ON BROADWAY, INC.

ADJUSTING JOURNAL ENTRIES

Client: ***On Broadway, Inc.***

Engagement: ***On Broadway, Inc.***

Period Ending: ***12/31/2022***

Workpaper: ***Adjusting Journal Entries Report***

Account	Description	Debit	Credit
Adjusting Journal Entries JE # 1			
To record depreciation expense			
60700	Depreciation	47,590.00	
12150	A/D Furniture and Equipment		47,590.00
Total		**47,590.00**	**47,590.00**
Adjusting Journal Entries JE # 2			
To record accrued interest.			
59001	Interest Expense	18,923.00	
20690	Accrued Interest		18,923.00
Total		**18,923.00**	**18,923.00**
Adjusting Journal Entries JE # 3			
To record WPS charges for December.			
60410	Utilities	9,205.00	
20000	Accounts Payable		9,205.00
Total		**9,205.00**	**9,205.00**
Adjusting Journal Entries JE # 4			
To record additional in-kind per supporting documentation.			
80400	IK - Events	1,450.00	
80400	IK - Events	2,095.00	
70000	IK - Revenue		1,450.00
70000	IK - Revenue		2,095.00
Total		**3,545.00**	**3,545.00**
Adjusting Journal Entries JE # 5			
To adjust equity for rounding.			
64950	Miscellaneous Event Expense	1.00	
32000	Unrestricted Net Assets		1.00
Total		**1.00**	**1.00**
Adjusting Journal Entries JE # 6			
To record accrued payroll for 2022 portion of 1/15/2023 payroll.			
60100	Salaries and Wages	7,788.00	
20750	Accrued Payroll		7,788.00
Total		**7,788.00**	**7,788.00**
Adjusting Journal Entries JE # 7			
To record current year adjustment for accrued vacation.			
60100	Salaries and Wages	2,502.00	
20750	Accrued Payroll		2,502.00
Total		**2,502.00**	**2,502.00**
Adjusting Journal Entries JE # 8			
To reclassify expenses under capitalization policy to proper account.			
60420	Repairs/Maintenance	1,713.00	
12100	Furniture and Equipment		1,713.00
Total		**1,713.00**	**1,713.00**

Account	Description	Debit	Credit
Adjusting Journal Entries JE # 9			
To record lease under ASC 842.			
60400	Rent	3,745.00	
HA17	Operating Lease ROU Asset	111,023.00	
HA 4	Prepaid Rent		13,692.00
HA18	Operating Lease Liability		101,076.00
Total		**114,768.00**	**114,768.00**
Adjusting Journal Entries JE # 10			
To reclassify construction costs for Phase 1 of Public Market to CWIP at			
12300	OFS Construction Work In Progress	90,052.00	
12058	OFS Improvements		90,052.00
Total		**90,052.00**	**90,052.00**
Adjusting Journal Entries JE # 11			
To reverse entry to rent that should have gone to miscellaneous expense			
40490	Miscellaneous	4,862.00	
60400	Rent		4,862.00
Total		**4,862.00**	**4,862.00**
Adjusting Journal Entries JE # 12			
To record rent payable and move prepaid rent to CY expense.			
60400	Rent	2,750.00	
60400	Rent	5,050.00	
10475	Prepaid Expenses		1,350.00
HA 6	Prepaid Vendor Balances		1,400.00
HA19	Rent Payable		5,050.00
Total		**7,800.00**	**7,800.00**
Adjusting Journal Entries JE # 13			
To reclassify expense by natural category for financial statement			
59001	Interest Expense	43,410.00	
60410	Utilities	58,514.00	
60420	Repairs/Maintenance	22,137.00	
60430	Insurance	990.00	
60630	Contracted Maintenance Labor	22,926.00	
67100	Property Taxes	46,503.00	
62050	211 N Broadway		194,480.00
Total		**194,480.00**	**194,480.00**
Adjusting Journal Entries JE # 14			
To record accrual for 50% of final billing to Graef Services related to			
12058	OFS Improvements	9,972.00	
20000	Accounts Payable		9,972.00
Total		**9,972.00**	**9,972.00**

Account	Description	Debit	Credit
Adjusting Journal Entries JE # 15			
To reversed accrual for deleted payroll.			
20750	Accrued Payroll	16,462.00	
10110	Nicolet Checking		11,658.00
20100	Payroll Liabilities		406.00
20200	Social Security Tax W/H		1,237.00
20250	Federal Income Tax W/H		1,560.00
20300	State Income Tax W/H		689.00
20490	Insurance liability		912.00
Total		**16,462.00**	**16,462.00**
Adjusting Journal Entries JE # 16			
To move O'Connor Connective to expense.			
61510	Fundraising Campaign	8,800.00	
10475	Prepaid Expenses		8,800.00
Total		**8,800.00**	**8,800.00**

APPENDIX B

ON BROADWAY, INC.

MANAGEMENT REPRESENTATION LETTER

ON BROADWAY
A Great American Main Street

Board of Directors

Barb LaMue
President

Kasha Huntowski
Secretary

Dru Carney
Treasurer

Gail McNutt
Past President

Garritt Bader
Linda Bova
Tommy Everman
Ryan Krumrie
Jackie Krutz
Ryan Martin
Heather Mueller
Brad Toll
Chad VanHandel
Manny Vasquez
Ken Wachter

Brian Johnson
Executive Director

On Broadway, Inc.
340 N Broadway, Suite 165
Green Bay, WI 54303

Ph. (920) 437-2531
info@onbroadway.org

downtowngreenbay.com

December 18, 2023

Hawkins Ash CPAs, LLP
520 N Broadway, Suite 250
Green Bay, WI 54303

Dear Hawkins Ash CPAs:

This representation letter is provided in connection with your audit of the financial statements of On Broadway, Inc., which comprise the statements of financial position as of December 31, 2022 and 2021, and the related statements of activities, functional expenses and cash flows for the years then ended, and the related notes to the financial statements, for the purpose of expressing an opinion on whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm that to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves as of December 18, 2023.

Financial statements

- We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated January 9, 2023, for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

- We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.
- Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.
- All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.
- The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with U.S. GAAP.
- We have complied with all contractual agreements, grants, and donor restrictions.
- We have maintained an appropriate composition of assets in amounts needed to comply with all donor restrictions.
- We have accurately presented the entity's position regarding taxation and tax-exempt status.
- The bases used for allocation of functional expenses are reasonable and appropriate.
- We have included in the financial statements all assets and liabilities under the entity's control.
- We have designed, implemented, and maintained adequate internal controls over the receipt and recording of contributions.
- Reclassifications between net asset classes are proper.
- The governing board's interpretations concerning whether laws place restrictions on net appreciation of donor-restricted endowments are reasonable and have been disclosed to you.
- Methods and significant assumptions used by management to determine fair values, their consistency in application, and the completeness and adequacy of fair value information for financial statement measurement and disclosure purposes are appropriate.
- With respect to the financial statements preparation services, tax preparation services, maintenance of fixed asset schedules, maintenance of lease schedules and calculation of employee retention credit, we have performed the following:
  - Made all management decisions and performed all management functions;
  - Assigned a competent individual to oversee the services;
  - Evaluated the adequacy of the services performed;
  - Evaluated and accepted responsibility for the result of the service performed; and
  - Established and maintained internal controls, including monitoring ongoing activities.

Information Provided

- We have provided you with:
  - Access to all information, of which we are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters;
  - Additional information that you have requested from us for the purpose of the audit; and
  - Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
- All transactions have been recorded in the accounting records and are reflected in the financial statements.

- We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- We have provided to you our analysis of the entity's ability to continue as a going concern, including significant conditions and events present, and if necessary, our analysis of management's plans, and our ability to achieve those plans.
- We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
  - Management;
  - Employees who have significant roles in internal control; or
  - Others when the fraud could have a material effect on the financial statements.
- We have no knowledge of any allegations of fraud, or suspected fraud, affecting the entity's financial statements communicated by employees, former employees, analysts, regulators, or others.
- We have no knowledge of any noncompliance or suspected noncompliance with laws, regulations, contracts, and grant agreements whose effects should be considered when preparing financial statements.
- We are not aware of any pending or threatened litigation, claims, and assessments whose effects should be considered when preparing the financial statements and we have not consulted legal counsel concerning litigation, claims, or assessments.
- We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions of which we are aware.

On Broadway, Inc.

Brian Johnson
Executive Director

HAWKINS | ASH
CPAs

April 16, 2024

To Whom It May Concern

Re: On Broadway, Inc. 2022 Audit Report

As reported in our audit of On Broadway, Inc. (the Organization) for the year ended December 31, 2022, there was concern over the grant tracking and reporting for the JEM Grant from the Wisconsin Department of Tourism and the Tourism Grant from the City of Green Bay. We have not performed audit procedures on activity for 2023, and therefore are unable to conclude if this comment has been corrected. We did note the Organization hired a new Office Manager in 2023 who appears to be better qualified for the position.

Steps the Organization can take to correct this comment are as follows:

- Ensure classes in QuickBooks are accurate and all expenses are being coded to the correct class.
- Have one individual responsible for grant compliance, including submission of reimbursements for all grants.
- Ensure the individual responsible for grant compliance has all grant agreements and understands the expenses eligible to be claimed under each grant.
- Ensure grant reimbursements are being submitted timely.
- Have a process in place for an individual to review all grant submissions before they are submitted to ensure expenses are accurate and not being claimed under multiple grants.

It was also noted that there was concern about the bullet point related to managements' assessment of the risk of fraud in the management representation letter (see the attached representation letter). Generally accepted auditing standards (GAAS) require the auditor to obtain a management representation letter. During an audit, management makes many representations to the auditor, both oral and written, in response to specific inquiries or through the financial statements. Such representations from management are part of the audit evidence the auditor obtains, but is not a substitute for the application of those auditing procedures necessary to afford a reasonable basis for an opinion regarding the financial statements under audit. GAAS includes a sample management representation letter which is the basis for the letter obtained as part of our 2022 audit of the Organization. The bullet point in questions is management representing they disclosed any potential risks based on their internal assessment. It is not an acknowledgement that there is fraud. In addition, the management representation letter includes a bullet point that is specific to fraud for which management represented that they were not aware of any fraud.

If there are any other concerns, please feel free to contact me.

Thank you,

Briana Peters, CPA
Partner

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Stephanie Hummel, Staff

AGENDA ITEM # E.2

(ZP 24-09) Public Hearing on a request to rezone 715 Marquette Avenue from Office Residential (OR) District and Low-Density Residential (R1) District to Low-Density Residential (R1) District, submitted by Department of Community and Economic Development, on behalf of Linda Cramer, property owner (Ald. C. Wery, District 8).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Stephanie Hummel, Staff

AGENDA ITEM # E.3

(ZP 24-09) Consideration with possible action on the request to rezone 715 Marquette Avenue from Office Residential (OR) District and Low-Density Residential (R1) District to Low-Density Residential (R1) District, submitted by Department of Community and Economic Development, on behalf of Linda Cramer, property owner (Ald. C. Wery, District 8).

BACKGROUND

Primary Address: 715 Marquette Ave.

Alderperson/District: Ald. Wery, District 8

Reason for Request: The proposed rezoning will best match the existing land use.

Surrounding Zoning and Land Uses:
Subject: Low-Density Residential (R1)/Office Residential (OR) | Single-Family Home
North: Office Residential (OR) | Empty Lot/Parking
South: Low-Density Residential (R1) | Single-Family Homes
East: Office Residential (OR) | Office Building
West: Community Center Commercial (C3) | Shopping Center Condominium

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan currently recommends Low-Density Residential uses for this parcel. This rezoning is consistent with this recommendation.

Report: The subject parcel is located at 715 Marquette Avenue. The parcel is 0.15 acres. The existing land-use is a single-family dwelling. The parcel has split zoning with a spite strip zoned Low-Density Residential (R1) and the remaining portion zoned Office Residential (OR). Spite strips are typically used to ensure buffers between residential and non-residential uses. However, this practice is out-of-date and the current zoning code addresses buffers sufficiently. The property to the north was previously a multi-family building that was demolished by the neighboring doctor's office and is intended for parking. There is no interest in future expansion involving the subject parcel. Furthermore, zoning code Sec. 44-615 lists single-family dwellings in an Office Residential district as a conditional use, compared to a permitted use in the Low-Density Residential district; thus, a rezone to R1 is appropriate and is consistent with future land use as set forth by the city Comprehensive Plan.

Ald. Wery and neighbors within 200 feet have been notified 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. ZP 24-09 Application pg 1
2. ZP 24-09 Map
3. ZP 24-09 Street View
4. ZO ##-## 715 Marquette

DocuSign Envelope ID: D160E381-F79F-4CA2-BE37-59C7DC1704C3

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: 715 Marquette Ave Green Bay WI 54304

Parcel Number(s): 2-1089

Petitioner(s): _____ Date: _____

Email: _____ Phone Number: _____

Address: _____ City: _____ State: _____ Zip: _____

Property Owner: Linda Cramer Phone Number: 920-606-7250

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, Linda Cramer, 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: DocuSigned by: F0709C53B8A5439... Date: 4/1/2024

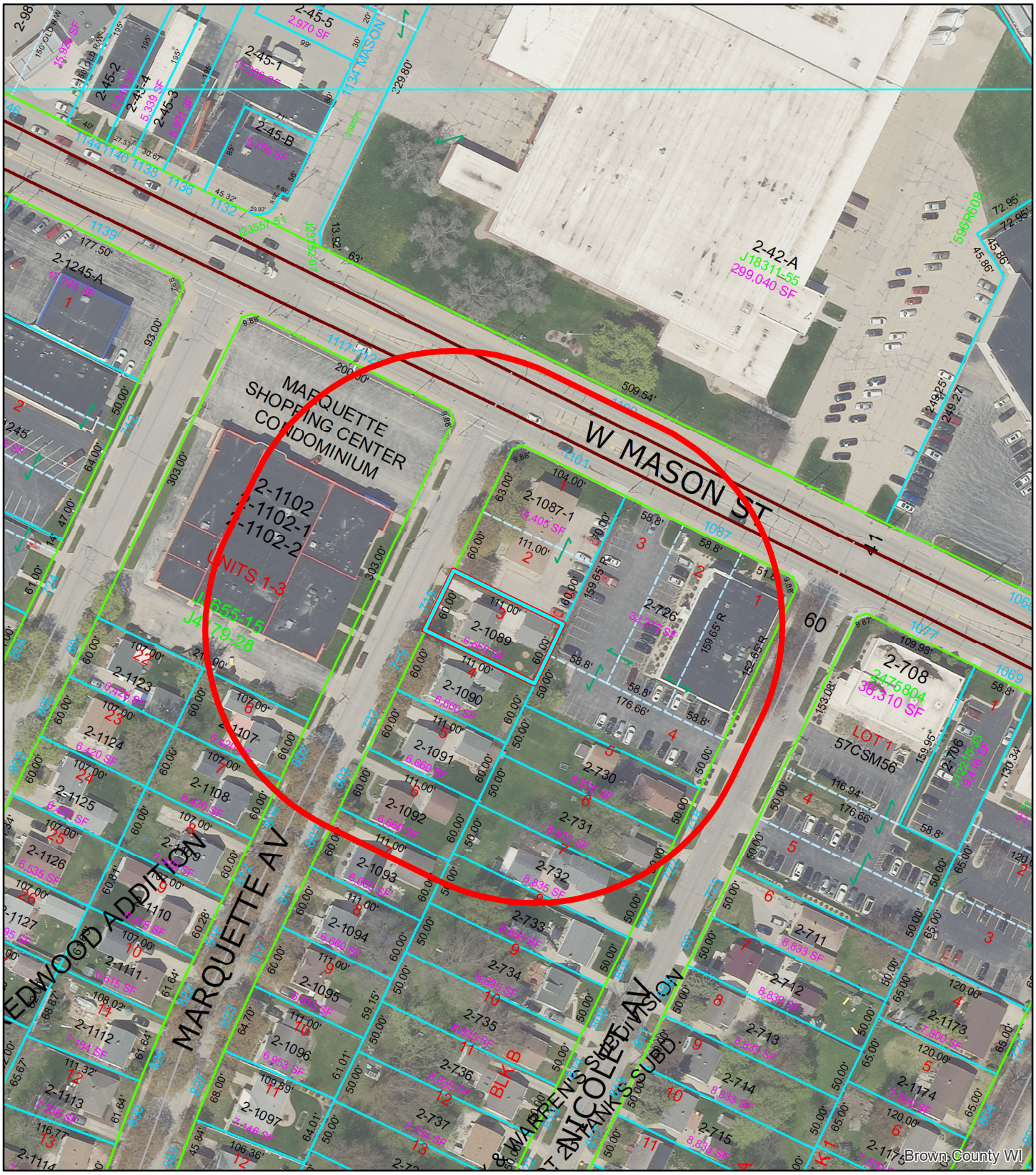
Petitioner Signature(s): _____ _____

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.:_____



(ZP 24-09) Rezone from OR & R1 to R1 at 715 Marquette Avenue

0 35 70 140 Feet

N

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 09 Apr 2024 X:\Planning\Basemaps\template_8.5x11.mxd

715 Marquette Avenue

200' Notification Area

NO
PARKING
ANY
TIME

ZONING ORDINANCE NO. XX-XX

AN ORDINANCE REZONING PROPERTY LOCATED AT 715 MARQUETTE AVE FROM OFFICE RESIDENTIAL (OR) AND LOW-DENSITY RESIDENTIAL (R1) TO LOW-DENSITY RESIDENTIAL (R1) (ZP 24-09)

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

SECTION 1. Section 44-30, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the following described property, known as 715 Marquette Avenue (Parcel #2-1089), from Office Residential (OR) and Low-Density Residential (R1) to Low-Density Residential (R1):

> LOT 3, BLOCK 1, ACCORDING TO THE RECORDED PLAT OF MEACHAM'S REDWOOD ADDITION, IN THE CITY OF GREEN BAY, WEST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN.

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

SECTION 3. This ordinance shall not take effect until a public hearing is held hereon as provided by Section 44-82, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

_____
Eric Genrich, Mayor

ATTEST:

_____
Celestine Jeffreys, Clerk

sh:
Attachment – Location Map

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Dena Mooney, Staff

AGENDA ITEM # E.4

(ZP 24-13) Public hearing on a request to rezone property from Business Park (BP) to Light Industrial (LI) at 1709 and 1745 Moraine Terrace (Parcels 6-58-1 and 6-58-B-1), submitted by US LBM LLC 2009 dba Builders Supply, on behalf of Imbar LLC, property owner (Ald. B. Delie, District 10).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Dena Mooney, Staff

AGENDA ITEM # E.5

(ZP 24-13) Consideration with possible action on a request to rezone property from Business Park (BP) to Light Industrial (LI) at 1709 and 1745 Moraine Terrace (Parcels 6-58-1 and 6-58-B-1), submitted by US LBM LLC 2009 dba Builders Supply, on behalf of Imbar LLC, property owner (Ald. B. Delie, District 10).

BACKGROUND

Reason for Request: The proposed rezoning will allow for common light industrial zoning of all properties owned by the applicant along Moraine Terrace and Morely Road and the expansion of secured, outdoor storage for Wisconsin Building Supply.

Surrounding Zoning and Land Uses:
Subject Property: Business Park (BP) | Industrial
North: Village of Howard | Mixed Residential
South: Low Density Residential, Light Industrial | Railroad, Single-Family Residential, Manufacturing
East: Business Park (BP), Light Industrial | Contractor Services, Manufacturing, Vacant
West: Low Density Residential (R1), Public Institutional (PI) | Vacant, Railroad, Institutional, Single-Family Residential

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

Consistency Analysis: The proposed use of the subject property is compatible with the future land use map as Light Industrial (LI) is a compatible zoning district for the Light Industrial designation.

Report: This zone change application involves a 1.02-acre parcel at 1709 Moraine Terrace and a 16.28-acre parcel at 1745 Moraine Terrace.

Wisconsin Building Supply (WBS) currently operates a truss and wall-component production facility at 1745 Moraine Terrace. WBS desires to utilize two neighboring properties (vacant lot at 711 Morley Road and a smaller warehouse at 1709 Moraine Terrace), all under the same ownership, for use as additional secured outdoor storage.

The properties currently have different zoning designations. 1709 and 1745 Moraine Terrace are zoned Business Park (BP), and 711 Morley Road is zoned Light Industrial (LI). The applicant would like to have all the parcels be zoned LI. This would allow them the ability to combine parcels and expand their outdoor storage. In the BP district, outdoor storage areas shall not exceed 25% of the lot area. 1745 Moraine Terrace currently exceeds that number at approximately 51%. In the LI District, outdoor storage is permitted without a maximum limit but must be completely screened from any adjacent street, sidewalk, public walkway, public park, or residential property.

The future land use map identifies this area as Light Industrial, not Business Park. Since the rezone complies

with the future land use map, staff supports the request.

Ald. B. Delie and neighbors within 400 ft. have been notified of the meeting based on Plan Commission policy. Ald. Delie did contact staff with a concern he received from a neighbor. The concern was regarding lighting and noise. The lights at 1745 Moraine Terrace are not in compliance with Article V, Div. 8, Sec. 44-495 (Lighting) and orders have been issued by the City. The lights must be brought into compliance regardless of the rezoning petition. Article III of Chapter 24 (Nuisances) would apply to any noise matters. Staff will require a photometric plan to be included with any future site plan applications.

RECOMMENDATION

Approval of the request to rezone the property from Business Park (BP) to Light Industrial (LI).

FISCAL IMPACT

ATTACHMENTS

1. ZP 24-13 Application
2. ZP 24-13 Narrative
3. ZP 24-13 Location Map
4. Draft ZO 08-24 1709_1745 Moraine Terrace BP to LI with map

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: 1745 Moraine Terrace & 1709 Moraine Terrace, Green Bay, WI

Parcel Number(s): 6-58-B-1 & 6-58-1

Petitioner(s): US LBM, LLC 3009 dba Wisconsin Buiding Supply Date: 4/2/2024

Email: mike.petrina@wibuildingsupply.com Phone Number: 920-496-5094

Address: 1745 Moraine Terrace City: Green Bay State: WI Zip: 54303

Property Owner: Imbar, LLC Phone Number: 715–831-2106

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, Wisconsin Building Supply & Imbar, LLC, respectfully request that the City of Green Bay take the following action:

- [x] 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: Jim Petrina, MANAGING MEMBER, IMBAR, LLC Date: 4/1/24

Petitioner Signature(s): PetrinM@uslbm.us

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.:_____

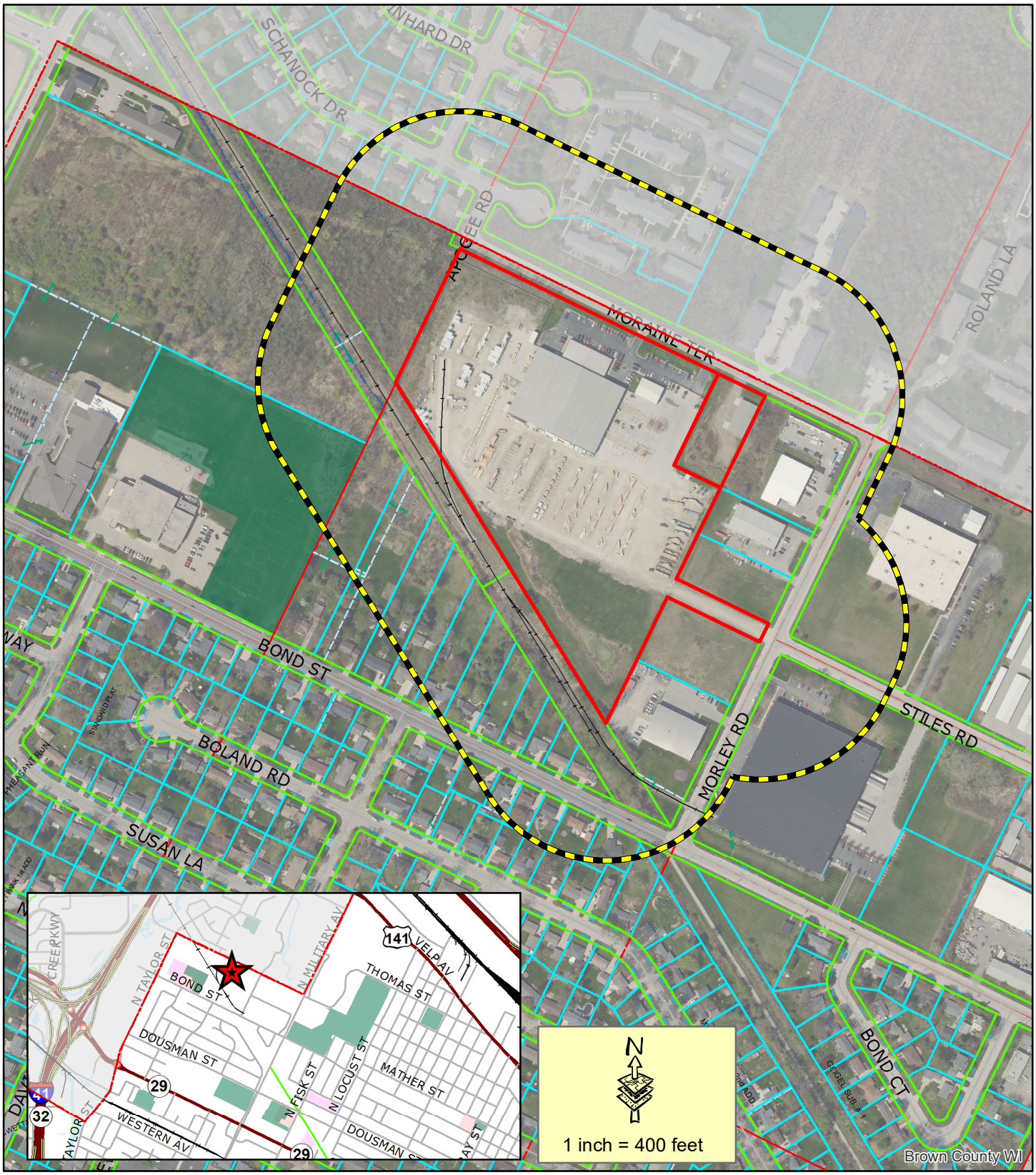
Legal Description:
1745 Moraine Terrace: Lot 1 of Volume 42 CSM 35, Being Part of Lot 87 Fort Howard Military Reserve, City of Green Bay, Brown County, Wisconsin

1709 Moraine Terrace: Parcel 2 of Volume 6 Certified Survey Maps, Page 491, Map No. 1642 as Doc. No. 870906; said Map being part of Lot 87, according to the recorded Plat of Fort Howard Military Reserve, City of Green Bay, West side of Fox River, Brown County, Wisconsin

Narrative Descripting Project:
Wisconsin Building Supply (WBS) currently operates a truss and wall-component production facility at 1745 Moraine Terrace, and this property has been utilized for a similar use since 2001, either by WBS, or a prior company. We are proud to employ over 90 team members currently at this facility, and help supply the building components needed to increase new housing supply in the greater Green Bay area and beyond.

WBS desires to most efficiently utilize two neighboring properties (vacant lot with address of 711 Morley Rd., and a smaller warehouse at 1709 Moraine Terrace), all under the same ownership, for use as additional secure outdoor storage, all with a screened-fence perimeter. The properties currently have different zoning designations (either BP – Business Park, or Light Industrial), and common zoning is sought for future use. From meetings with City staff, applicants believe the Light Industrial zoning best fits the long-term land-use plan, and current business use.

Maps of new fencing:
Maps of the two properties requiring fencing once the three properties are zoned the same and combined is included. The rough draft of the fencing for the 711 Morley property will need to be adjusted slightly for some setback limits and green space requirements. The fencing map for 1709 Moraine Terrace is closer to the final layout.



Subject Area

400' 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 DM.

Zoning Petition (ZP 24-13)
Rezone Subject Area
at 1709 and 1745 Moraine Terrace
from Business Park (BP) to Light Industrial (LI)

CITY OF GREEN BAY 1854 Titletown, USA

ZONING ORDINANCE NO. 08-24

AN ORDINANCE REZONING PROPERTY LOCATED AT 1709 AND 1745 MORAINE TERRACE FROM BUSINESS PARK DISTRICT TO LIGHT INDUSTRIAL DISTRICT (ZP 24-13)

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

SECTION 1. Section 44-30, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the following described properties, known as tax parcels 6-58-1 and 6-58-B-1 which are located at 1709 and 1745 Moraine Terrace from Business Park (BP) District to Light Industrial (LI) District.:

1709 MORAINE TERRACE (6-58-1)
PARCEL TWO (2), OF VOL. 6 CERTIFIED SURVEY MAPS, PAGE 491, MAP NO. 1642, AS DOCUMENT NO. 870906; SAID MAP BEING PART OF LOT EIGHTY-SEVEN (87), ACCORDING TO THE RECORDED PLAT OF FORT HOWARD MILITARY RESERVE, IN THE CITY OF GREEN BAY, WEST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN.

1745 MORAINE TERRACE (6-58-B-1)
LOT ONE (1), VOL. 42, CERTIFIED SURVEY MAPS, PAGE 35, MAP NO. 6305; SAID MAP BEING PART OF LOT EIGHTY-SEVEN (87), ACCORDING TO THE RECORDED PLAT OF FORT HOWARD MILITARY RESERVE, IN THE CITY OF GREEN BAY, WEST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN.

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

SECTION 3. This ordinance shall not take effect until a public hearing is held hereon as provided by Section 44-82, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

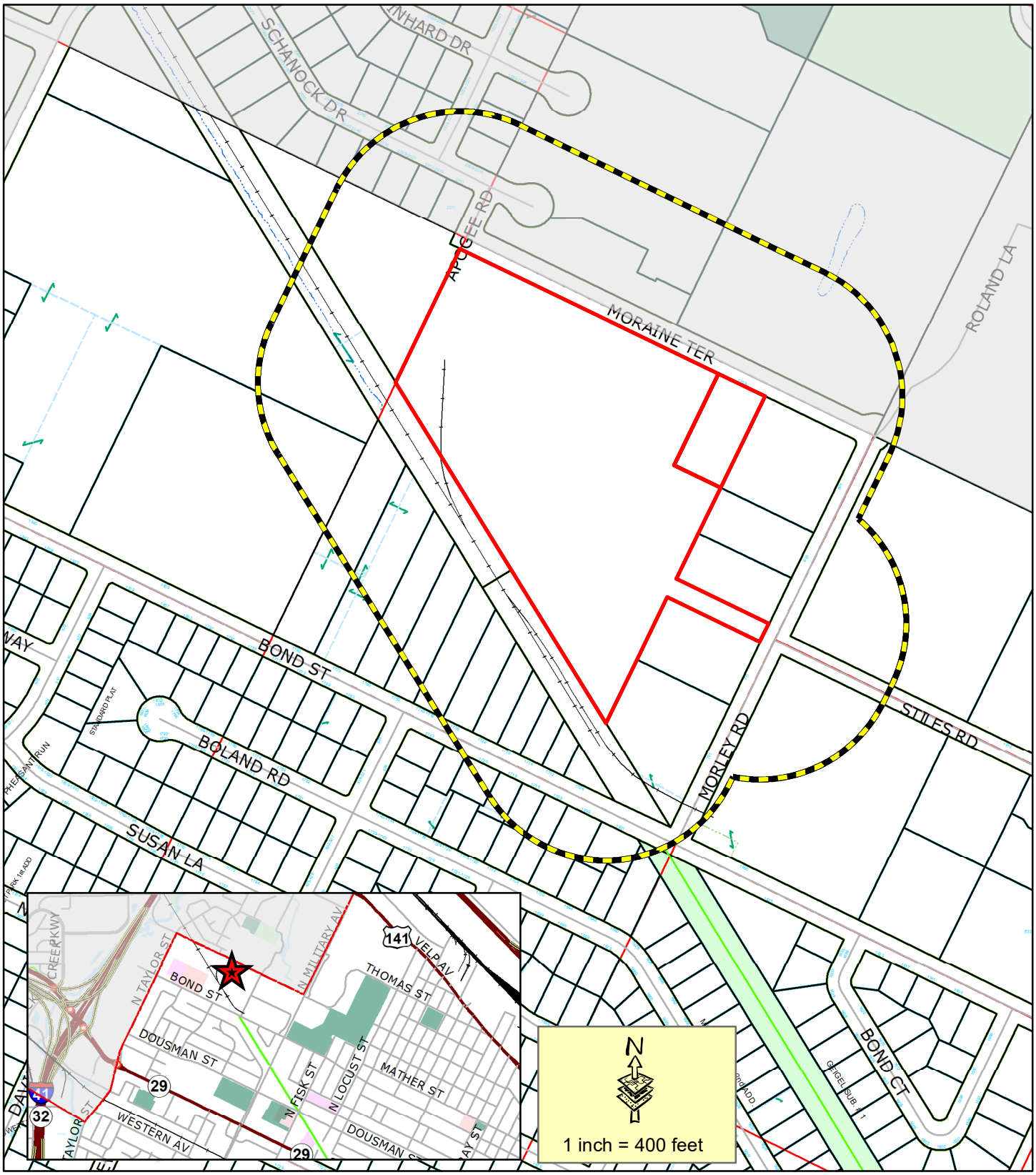
APPROVED:

_____
Eric Genrich, Mayor

ATTEST:

_____
Celestine Jeffreys, City Clerk

dam
Attachment – Map



Subject Area

400' Property Owner Notice

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Zoning Petition (ZP 24-13)
Rezone Subject Area
at 1709 and 1745 Moraine Terrace
from Business Park (BP) to Light Industrial (LI)

CITY OF GREEN BAY 1854 Titletown, USA

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.6

(ZP 24-11) Public Hearing on a request to rezone Parcel 21-7596 from Rural Residential District (RR) to General Commercial District (C1) at 3000 Block of Finger Road, submitted by Brett Paul of Xsite Real Estate, on behalf of 1st Security Credit Union, property owner (Ald. J. Hutchison, District 2).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.7

(ZP 24-11) Consideration with possible action on a request to rezone Parcel 21-7596 from Rural Residential District (RR) to General Commercial District (C1) at 3000 Block of Finger Road, submitted by Brett Paul of Xsite Real Estate, on behalf of 1st Security Credit Union, property owner (Ald. J. Hutchison, District 2).

BACKGROUND

Alderperson/District: Ald. Jim Hutchison (District 2)

Reason for Request: The applicant would like to develop the subject parcel for commercial purposes, specifically for a drive-through restaurant on the eastern portion of the property and future commercial use on the remainder of the parcel.

Surrounding Zoning and Land Uses:
Subject: Rural Residential (RR) (Rezone) | Vacant
North: Low Density Residential (R1) | Single and Two Family Dwellings
South: Planned Unit Development (PUD) | Business Park
East: General Commercial (C1) | Vacant
West: Low Density Residential (R1) | Vacant

Comprehensive Plan: The 2022 Smart Growth Plan designates this area as commercial.

Consistency Analysis: The proposed use of the subject property is compatible with the future land use map as (C1) General Commercial is a compatible zoning for Commercial designation.

Report: This request is to facilitate the construction of a drive-through restaurant, Ziggy's Coffee. The vacant site is located on a three-sided parcel fronting East Mason Street, Ontario Road, and Finger Road.

The applicant is seeking to subdivide the 110,718 square foot property to create a smaller parcel with a Ziggy's Coffee at the east side of the property and leave the remaining part up for development. The comprehensive plan calls for this area to become commercial use. Recent years have seen development along this corridor start to flourish with the addition of Uncle Mike's Bakery to the west and approved plans to create a day care center, dental clinic, and strip commercial shopping center to the east.

The street frontage along all three sides of the property is connected by either arterial or connector streets; all of which are improved with urban curb and gutter and wide streets (Finger Road being the smallest curb to curb at ~37 feet wide).

While the applicant has a rezone to create the coffee shop, the entire parcel should be rezoned to accommodate proposed and future requests which fit within the comprehensive plan. C1 is appropriate for the property as it permits a broad spectrum of commercial uses for the site which fits within the comprehensive plan and offers goods/services uses to the area. Other classifications such as (C2) or (C3)

Highway Commercial/Community Center Commercial are considered by staff to be too intensive in this area because of the size of the lots and the relative proximity to existing homes. Staff believes a C1 designation is warranted.

Ziggy's has provided a conceptual future plan of the eastern portion of the property. Since the property is proposed to be a drive through commercial use, this use on the eastern portion of the property requires a conditional use permit. This request is a separate action which will be considered in ZP 24-12.

Ald. Hutchison, the McAuliffe Neighborhood Association and adjacent property owners within 400 feet of the site have been notified of the request. As of the drafting of this report, staff has received an inquiry into the development from a neighbor asking questions about the development. Xsite Real Estate hosted a neighborhood meeting regarding the rezone and CUP requests on April 10 from 4:30 to 5:30 pm at Mackinaws. Staff and developers were present. No members of the public attended.

RECOMMENDATION

Approval of the request to permit a rezone of the parcel from (RR) Rural Residential to (C1) General Commercial.

FISCAL IMPACT

ATTACHMENTS

1. ZP 24-11 and 12 Application
2. ZP 24-11, 12 Ziggi's Overview
3. ZP 24-11, 12 Ziggi's Coffee Narrative
4. ZP 24-11 Concept Site Plan
5. ZP 24-11 and 12 Street View
6. ZO 10-24 Draft Ord

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: 3000 Block of Finger Rd & Mason St., Green Bay, WI

Parcel Number(s): 21-7596

Petitioner(s): Xsite Real Estate Date: 3/13/24

Email: brettpaul@xsiterealestate.com Phone Number: 6302583311

Address: 745 McClintock Dr., Suite 305 City: Burr Ridge State: IL Zip: 60527

Property Owner: 1st Security Credit Union Phone Number: 920.993.9000

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, Brett Paul, respectfully request that the City of Green Bay take the following action:

- [x] Rezone Property ($375.00 Review Fee)
- [x] 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): _____

Fox Communities Credit Union, successor in interest to 1st Security Credit Union

Owner Signature: Mitchell J. Musial, its General Counsel Date: 4/3/2024

Petitioner Signature(s): Brett Paul - Manager

Checklist of required attachments:

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

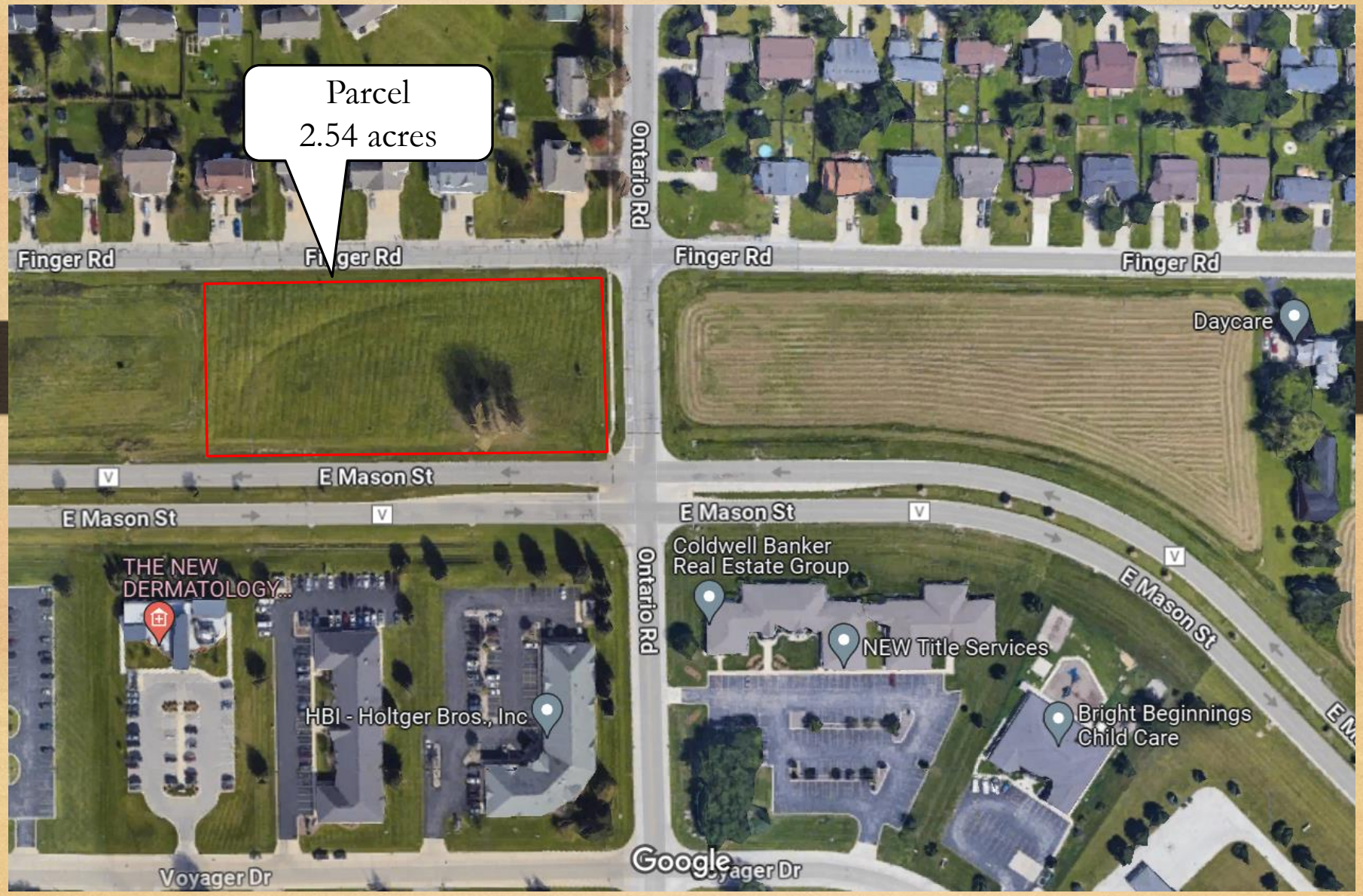
For office use only:

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

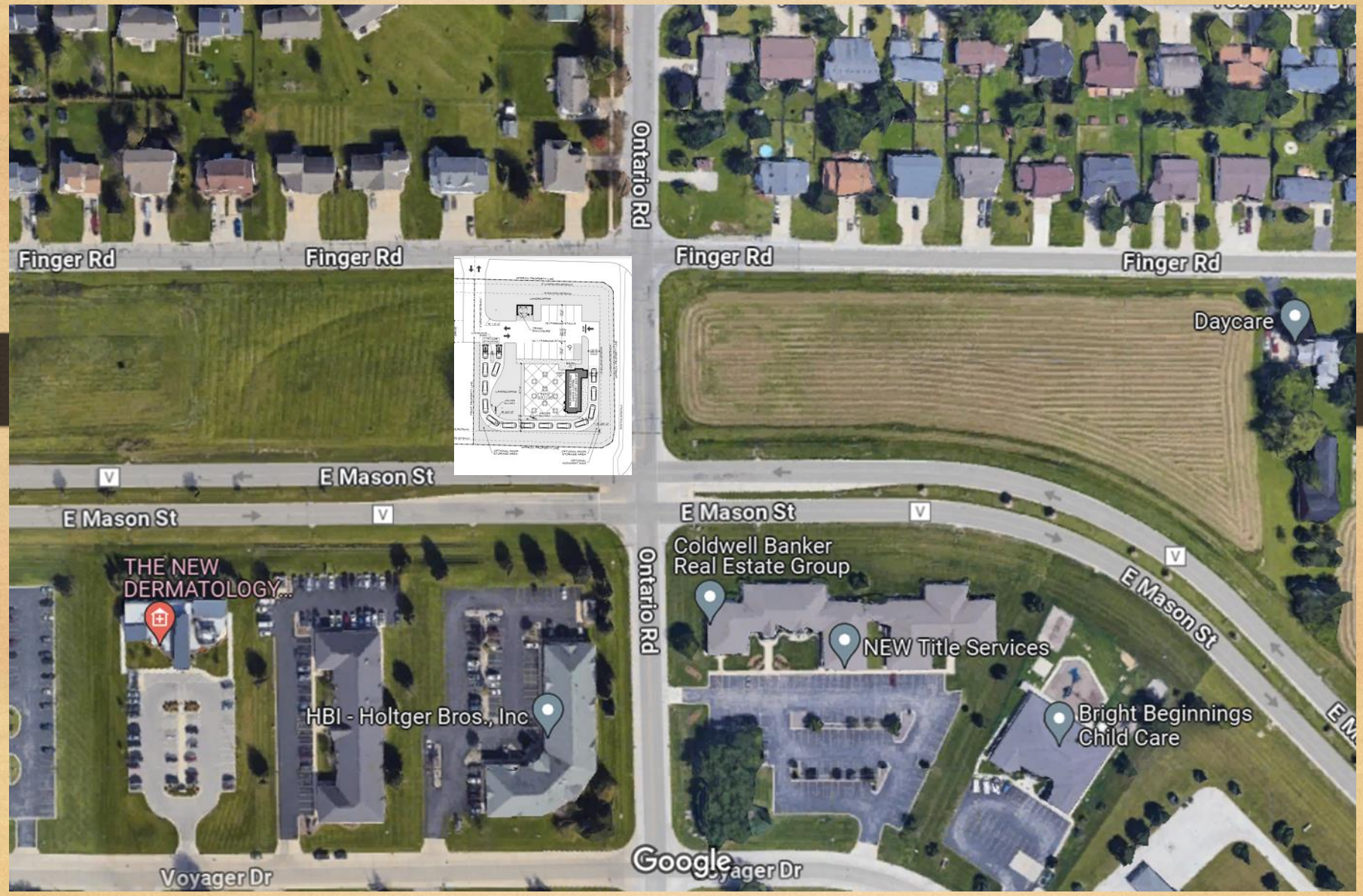
Ziggi's Coffee

NWC Mason and Ontario, Green Bay, WI

NWC Mason and Ontario, Green Bay, WI



NWC Mason and Ontario, Green Bay, WI



Proposal: Change of Zoning from Rural Residential to C-1 Zoning

Overview:

The property located at the northwest corner of Mason St. and Ontario Rd., spanning approximately 2.54 acres, presents a prime opportunity for responsible development that aligns with the city's vision for growth and economic vitality. We propose a change in zoning from Rural Residential to C-1 Zoning to facilitate the establishment of a community-oriented commercial space that will serve as a catalyst for positive transformation in the area.

Justification for Zoning Change:

1. **Alignment with Comprehensive Plan:** The city's comprehensive plan designates this area for commercial zoning, reflecting a strategic vision for the future development and prosperity of Green Bay. Our proposal is in direct accordance with this vision, ensuring consistency and adherence to long-term planning goals.

2. **Economic Development:** Introducing commercial zoning to the site will stimulate economic activity, create job opportunities, and contribute to the overall economic health of the community. The proposed Ziggi's Coffee shop, occupying 0.64 acres of the site, represents an initial investment in this vision, with potential for further commercial development on the remaining land.

3. **Community Enhancement:** The addition of a community-focused establishment like Ziggi's Coffee will provide residents with a convenient and inviting gathering place, fostering social interaction and community cohesion. Furthermore, the inclusion of a drive-thru, subject to conditional use approval, will enhance accessibility and convenience for patrons while mitigating potential traffic impact through thoughtful design and management.

Benefits to the Area:

Revitalization:

By repurposing underutilized land for commercial use, we aim to revitalize the area and enhance its attractiveness to residents and visitors alike. The proposed development will breathe new life into the neighborhood, creating a vibrant destination that complements the surrounding context.

Community Engagement and Considerations:

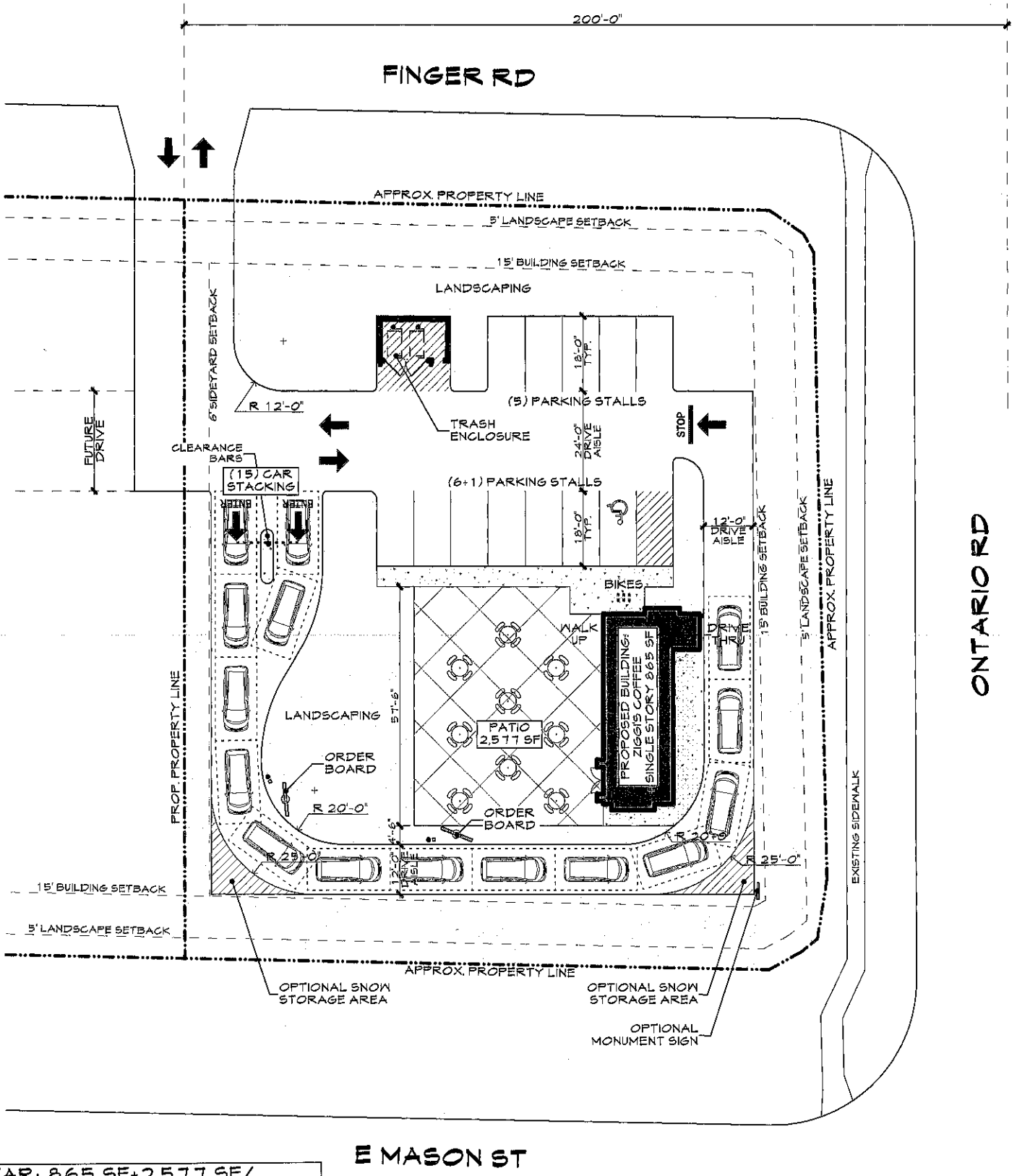
Throughout the planning process, we have engaged with stakeholders and community members to solicit feedback and address any concerns. We are committed to transparency and collaboration, ensuring that the proposed development reflects the needs and aspirations of the local community.

Conclusion:

In conclusion, the requested zoning change from Rural Residential to C-1 Zoning represents a strategic opportunity to realize the full potential of the property at the corner of Mason St. and Ontario Rd. By embracing commercial development in accordance with the city's comprehensive plan, we can create a dynamic and inclusive environment that enhances the quality of life for all residents of Green Bay.

We respectfully urge the zoning board to support our proposal and approve the requested zoning change, paving the way for a vibrant and sustainable future for this important intersection.

Thank you for your consideration.



FAR: 865 SF+2,577 SF/ 28,034 SF=0.123

BUILDING TYPE-DRIVE THRU
STYLE-"THE 865" MIRRORED

NOTE THAT THIS PLAN IS FOR CONCEPTUAL USE ONLY.

0 10' 20' 40'

N

ZIGGI'S COFFEE

PRELIMINARY SITE PLAN

GREEN BAY, WI

DATE: Monday, January 22, 2024

3000 FINGER ROAD
GREEN BAY, WI 54311
+/- 28,034 SQ. FT.

MAH Architectural Group
1385 S. Colorado Blvd, Penthouse
Denver, Colorado 80222
(O) 303.778.0608
(F) 303.778.0609
(W) www.maharch.com

Ontario Rd

ZONING ORDINANCE NO. 10-24

AN ORDINANCE REZONING PROPERTY LOCATED AT THE 3000 BLOCK OF FINGER ROAD (PARCEL 21-7596) FROM RURAL RESIDENTIAL (RR) TO GENERAL COMMERCIAL (C1) (ZP 24-11)

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

SECTION 1. Section 44-30, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the following described property, known as 300 block of Finger Road (Parcel 21-7596); from Rural Residential (RR) to General Commercial (C1)

> LOT 1 OF VOLUME 47 CERTIFIED SURVEY MAPS, PAGE 89, MAP NO. 6975, SAID LOT BEINGA LL OF LOT 1 OF VOLUME 46 CERTIFIED SURVEY MAPS, PAGE 314, MAP NO. 6296, SAID MAP BEING PART OF THE NE ¼ OF THE NE ¼ OF SECTION 10, TOWNSHIP 23 NORTH, RANGE 21 EAST, IN THE CITY OF GREEN BAY, EAST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN

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

SECTION 3. This ordinance shall not take effect until a public hearing is held hereon as provided by Section 44-82, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

_____
Eric Genrich, Mayor

ATTEST:

_____
Celestine Jeffreys, Clerk

jl:
Attachment – Location Map

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.8

(ZP 24-12) Public Hearing on the request for a Conditional Use Permit to create a restaurant with drive through in a C1 General Commercial district at 3000 Block of Finger Road (Parcel 21-7596), submitted by Brett Paul of Xsite Real Estate, on behalf of 1st Security Credit Union, property owner (Ald. J. Hutchison, District 2).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.9

(ZP 24-12) Consideration with possible action on the request for a Conditional Use Permit to create a restaurant with drive through in a C1 General Commercial district at 3000 Block of Finger Road (Parcel 21-7596), submitted by Brett Paul of Xsite Real Estate, on behalf of 1st Security Credit Union, property owner (Ald. J. Hutchison, District 2).

BACKGROUND

Alderperson/District: Ald. Jim Hutchison (District 2)

Reason for Request: The applicant would like to develop the subject parcel for a drive-through restaurant.

Surrounding Zoning and Land Uses:
Subject: Rural Residential (RR) (Rezone) | Vacant
North: Low Density Residential (R1) | Single and Two Family Dwellings
South: Planned Unit Development (PUD) | Business Park
East: General Commercial (C1) | Vacant
West: Low Density Residential (R1) | Vacant

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

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: This request is to facilitate the construction of a drive-through restaurant. The vacant site is located at a three-sided parcel fronting East Mason Street, Ontario Road, and Finger Road. This site is a part of the requested rezone of the property from (RR) Rural Residential to (C1) General Commercial. Within the C1 use requirements, a drive-through facility is a conditional use. The petitioner intends to split the parcel to create a smaller parcel for Ziggy's Coffee Shop and leave the remainder for future commercial development. The proposal includes a single story, 865 square foot coffee shop which would be used primarily for drive-through purposes. However, the coffee shop does have a walk-up window and a large outdoor patio, which the developer seeks to promote to the neighborhood as a walkable outdoor space to dine outside with their coffee shop products.

A drive-through lane is proposed to come off Finger Road, wrapping around the building counterclockwise. The pickup window is situated along the eastern building wall with the order speaker and menu board along the southern portion of the property. This places the areas of noise/exhaust pollution towards Mason Street and Ontario, rather than near the homes along Finger Road. The drive-through lane can hold up to 15 autos if each automobile, on average, is separated within 0–4 feet of one another. City code requires room for 3

stalls in front of the pick-up window and three behind a menu board. This design meets both standards.

Vehicular access to the site is provided through a shared drive along Finger Road. The shared drive would also be used as an access point to future development to the west. While the site has three sides, access is limited. East Mason Street is not available for ingress/egress due to existing access agreements along East Mason Street. Ontario Road cannot provide access as the intersection is too close to both Finger Road and East Mason Street. The site requires a drive entrance somewhere within its property. Because of the limitations on Mason and Ontario, a drive entrance must be placed somewhere along Finger. Inherently, the development will create ingress egress that faces out towards existing two-family residences. Staff believes the placement of the driveway in the location, nearly as far east as possible on the lot, is the best placement for a drive entrance.

The proposed site plan notes a landscape area along the north, south, and east property lines. The intent of a buffer separation is shown in the proposal. A detailed landscaping plan meeting regulations specific to Sec. 44-1966 (Perimeter parking lot landscaping) must be met with formal site plan review. These standards include a landscape buffer of at least 15 feet in width and the screening shall consist of either a masonry wall, fence, berm, plantings, or a combination thereof that forms a screen a minimum of three feet in height, and not less than 90 percent opaque on a year-round basis. Screening located along front and corner side yards is limited to three feet in height and must be at least 90 percent opaque on a year-round basis, and tree plantings of at least one canopy tree per 40 lineal feet of the perimeter of the parking lot. The landscaping code provides a good starting point to separate drive-through purposes from neighboring properties. However, staff recommend a higher threshold for this drive-through and northern parking area as headlights are facing north towards existing homes. With this in mind, staff recommends a screening formed no less than four feet in height and not less than 100 percent opaque on a year-round basis in the area where cars face north.

The landscaping code provides a good visual separation of auto uses from neighboring properties but does not address sound and light which emanates from drive-through uses. The drive-through area is approximately 175 linear feet away from the front of the nearest homes across Finger Road. This is comparable to the distance from drive-through order windows or menu boards to similar new drive-through restaurants located near neighborhoods on East Mason Street. Staff recommends limiting the hours of operation of the drive-through from 5:30am to 9:30pm. This is the same requirement placed on a similar request across the street.

This property will require a variance from the Board of Appeals at the May 20, 2024, meeting because of placement of drive-through windows or menu boards between the principal building and street. Typically, the Board of Appeals desires a conditional use permit to either be approved or in the process of approval before granting a variance. This timeline for both conditional use and variance is in alignment with those actions.

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

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
3. The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.
4. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.

6. The conditional use shall have adequate parking facilities as specified in Article XVIII 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.

Staff believes the use in conjunction with the proposed conceptual site plan meets the standards for a CUP for drive-through purposes. Staff believes the commercial site will inherently bring change to the neighborhood, but the specific use through the proposed design meets the standards for a conditional use permit.

Ald. Hutchison, the McAuliffe Neighborhood Association and adjacent property owners within 200 feet of the site have been notified of the request. As of the drafting of this report, staff has received an inquiry into the development from a neighboring property owner at the fore-mentioned Board of Appeals meeting. The neighbor had concerns about cueing of the drive-through potentially leading to traffic backed up on Finger Road and expressed concern for properties facing across from a drive entrance leaving the property.

RECOMMENDATION

Approval of the request, subject to:
1. A site plan and applicable permit applications are submitted to the Department of Community and Economic Development for review and approval.
2. The property must be divided, and the drive-through use is only applicable to the easternmost parcel as proposed in the conceptual site plan.
3. A variance to permit a drive-through to allow the placement of drive-through windows or menu boards between the principal building and street must be approved by the Board of Appeals.
4. Landscaping along the northern boundary between the drive-through lane and the property line must include a screening of a minimum of four feet in height and 100 percent opaque on a year-round basis.
5. Compliance with all the 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. ZP 24-11 and 12 Application
2. ZP 24-11 and 12 Location Map
3. ZP 24-11, 12 Ziggi's Coffee Narrative
4. ZP 24-11, 12 Ziggi's Overview
5. ZP 24-11 Concept Site Plan
6. ZP 24-11 and 12 Street View
7. ZP 24-12 Draft Resolution CUP 3000 Block Finger Road

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: 3000 Block of Finger Rd & Mason St., Green Bay, WI

Parcel Number(s): 21-7596

Petitioner(s): Xsite Real Estate Date: 3/13/24

Email: brettpaul@xsiterealestate.com Phone Number: 6302583311

Address: 745 McClintock Dr., Suite 305 City: Burr Ridge State: IL Zip: 60527

Property Owner: 1st Security Credit Union Phone Number: 920.993.9000

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, Brett Paul, respectfully request that the City of Green Bay take the following action:

- [x] Rezone Property ($375.00 Review Fee)
- [x] Conditional Use and CUP Amendment, including Single Lot Duplexes ($375.00 Review Fee)
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- [ ] Official Map Amendment ($200.00 Administration Fee)
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- [ ] Vacate a Street/Alley/Pedestrian Way ($300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
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- [ ] Comprehensive Plan Amendments ($275.00 Review Fee)
- [ ] Other ($200.00 Administration Fee): _____

Fox Communities Credit Union, successor in interest to 1st Security Credit Union

Owner Signature: Mitchell J. Musial, its General Counsel Date: 4/3/2024

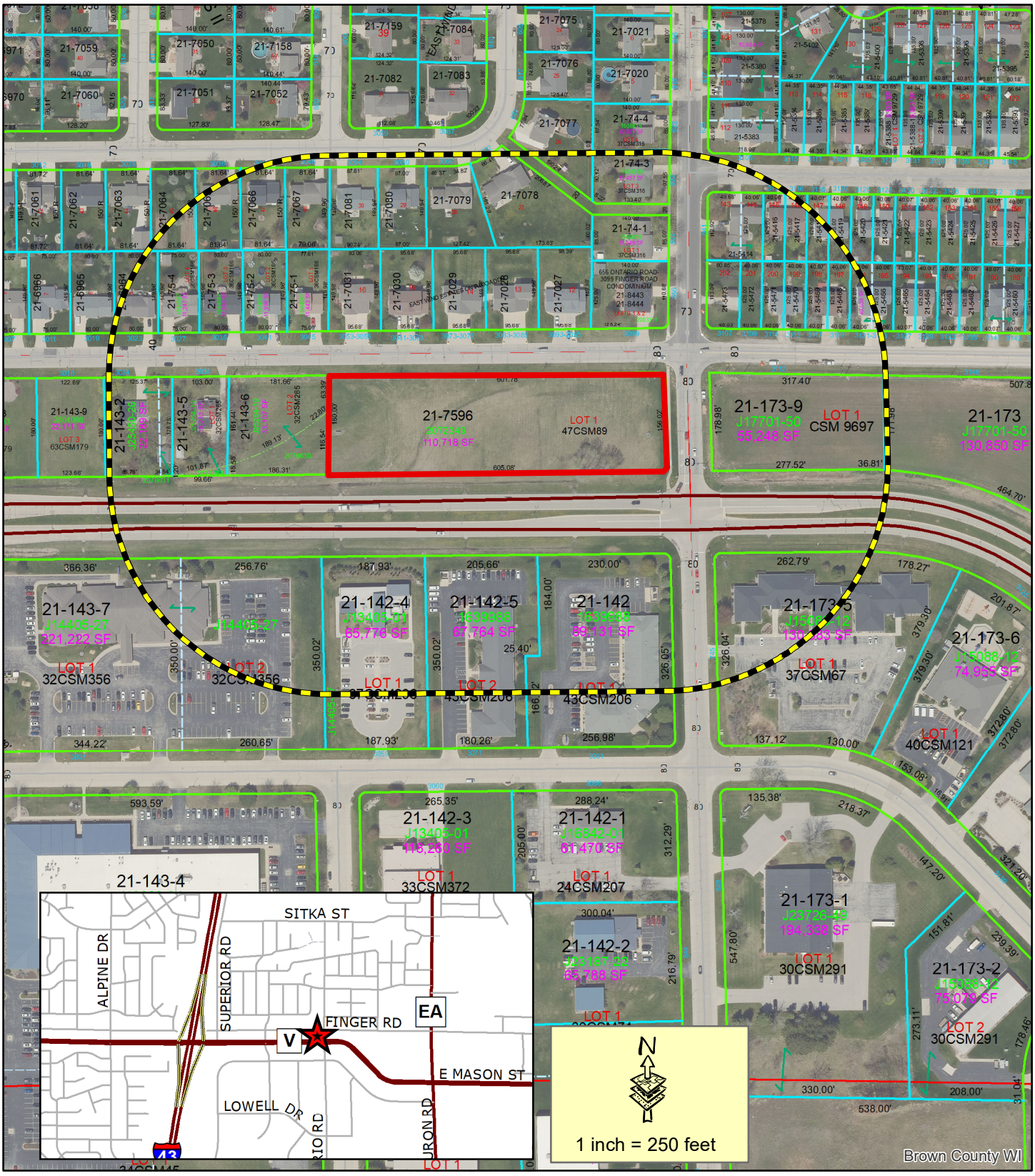
Petitioner Signature(s): Brett Paul - Manager

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.:_____



Subject Area

400' 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 DM.

Zoning Petitions (ZP 24-11 and ZP 24-12) Rezone and Conditional Use Permit at 3000 Block of Finger Road

CITY OF GREEN BAY 1854 Titletown, USA

Proposal: Change of Zoning from Rural Residential to C-1 Zoning

Overview:

The property located at the northwest corner of Mason St. and Ontario Rd., spanning approximately 2.54 acres, presents a prime opportunity for responsible development that aligns with the city's vision for growth and economic vitality. We propose a change in zoning from Rural Residential to C-1 Zoning to facilitate the establishment of a community-oriented commercial space that will serve as a catalyst for positive transformation in the area.

Justification for Zoning Change:

1. **Alignment with Comprehensive Plan:** The city's comprehensive plan designates this area for commercial zoning, reflecting a strategic vision for the future development and prosperity of Green Bay. Our proposal is in direct accordance with this vision, ensuring consistency and adherence to long-term planning goals.

2. **Economic Development:** Introducing commercial zoning to the site will stimulate economic activity, create job opportunities, and contribute to the overall economic health of the community. The proposed Ziggi's Coffee shop, occupying 0.64 acres of the site, represents an initial investment in this vision, with potential for further commercial development on the remaining land.

3. **Community Enhancement:** The addition of a community-focused establishment like Ziggi's Coffee will provide residents with a convenient and inviting gathering place, fostering social interaction and community cohesion. Furthermore, the inclusion of a drive-thru, subject to conditional use approval, will enhance accessibility and convenience for patrons while mitigating potential traffic impact through thoughtful design and management.

Benefits to the Area:

Revitalization:

By repurposing underutilized land for commercial use, we aim to revitalize the area and enhance its attractiveness to residents and visitors alike. The proposed development will breathe new life into the neighborhood, creating a vibrant destination that complements the surrounding context.

Community Engagement and Considerations:

Throughout the planning process, we have engaged with stakeholders and community members to solicit feedback and address any concerns. We are committed to transparency and collaboration, ensuring that the proposed development reflects the needs and aspirations of the local community.

Conclusion:

In conclusion, the requested zoning change from Rural Residential to C-1 Zoning represents a strategic opportunity to realize the full potential of the property at the corner of Mason St. and Ontario Rd. By embracing commercial development in accordance with the city's comprehensive plan, we can create a dynamic and inclusive environment that enhances the quality of life for all residents of Green Bay.

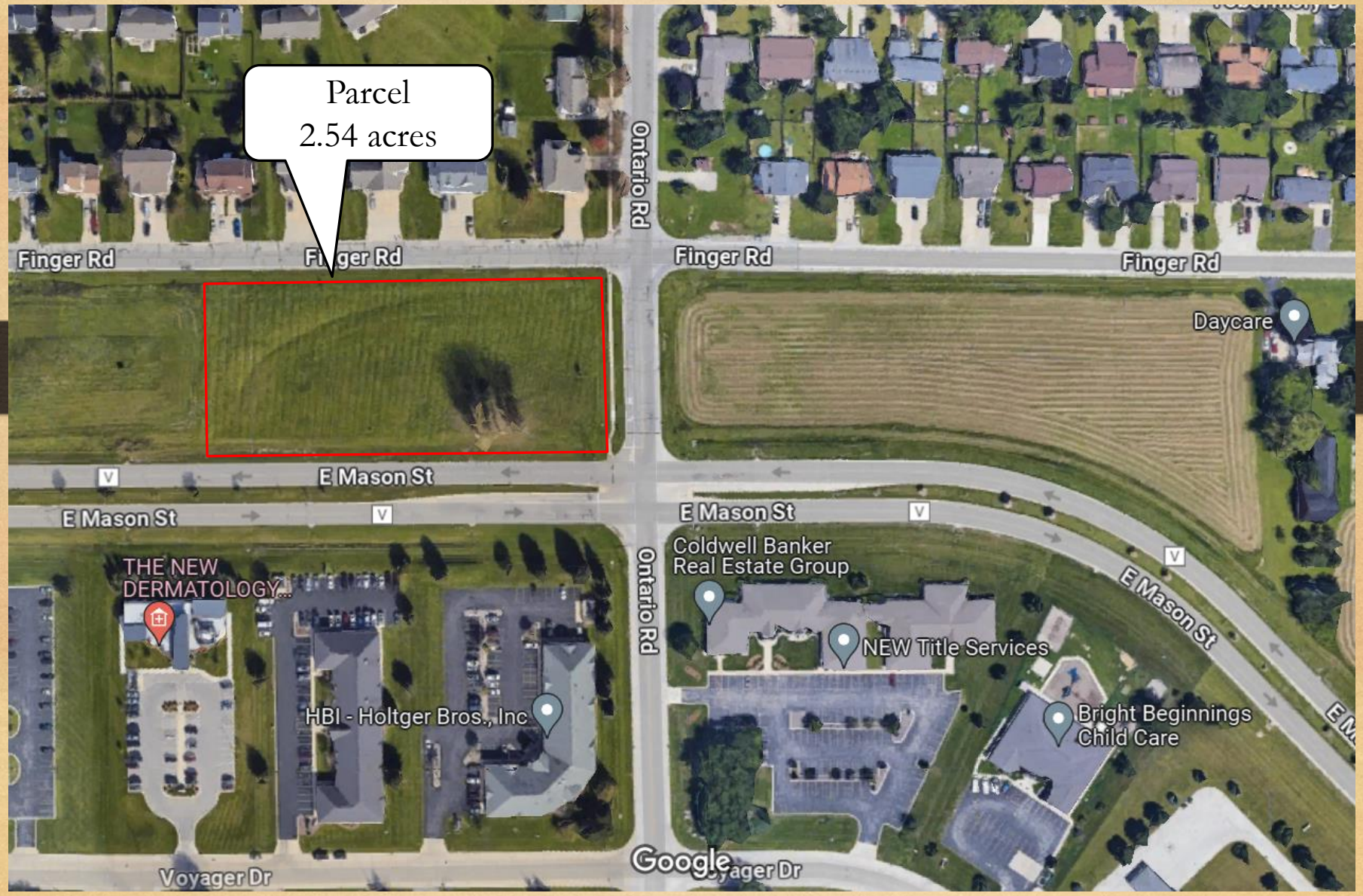
We respectfully urge the zoning board to support our proposal and approve the requested zoning change, paving the way for a vibrant and sustainable future for this important intersection.

Thank you for your consideration.

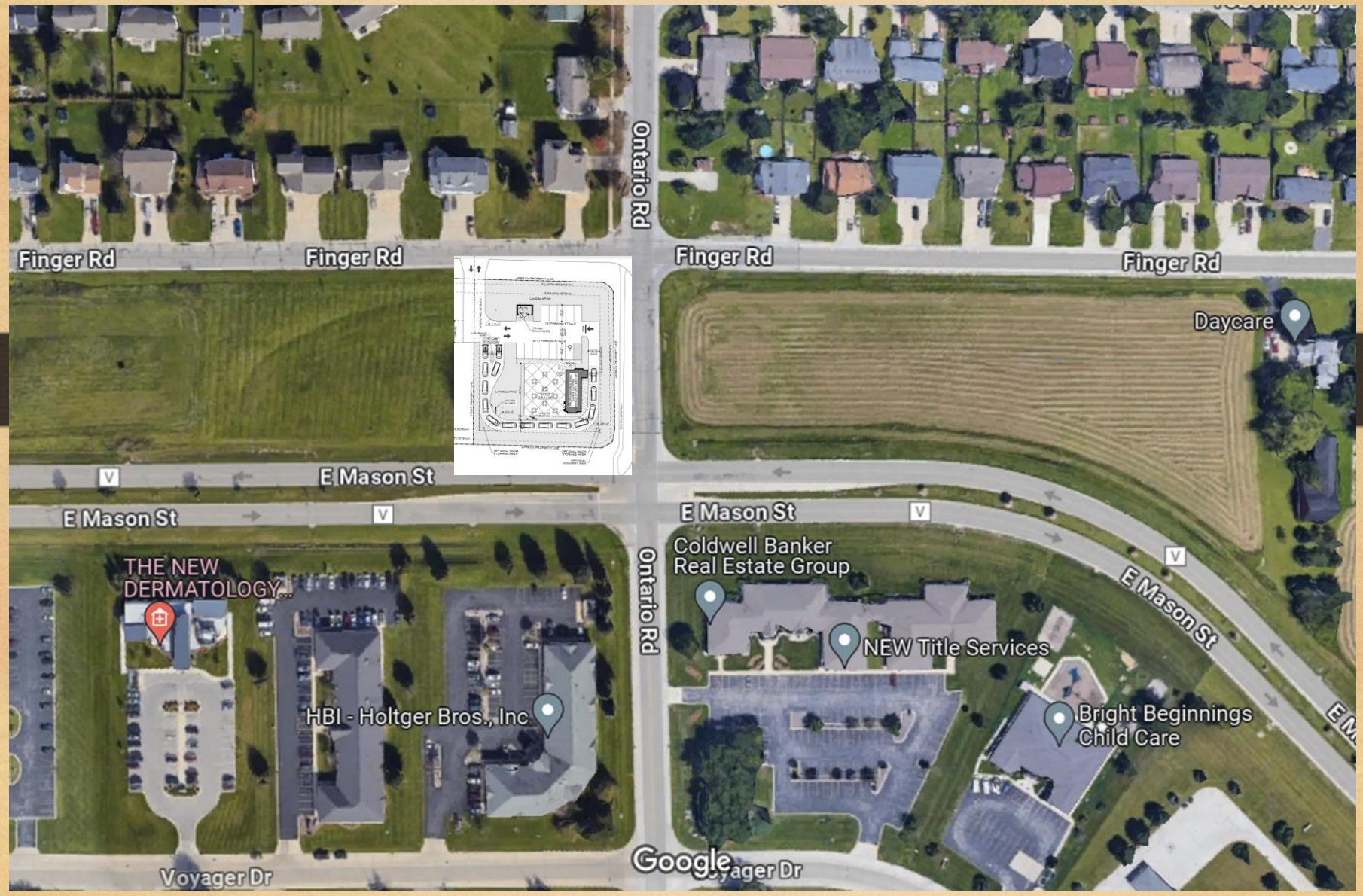
Ziggi's Coffee

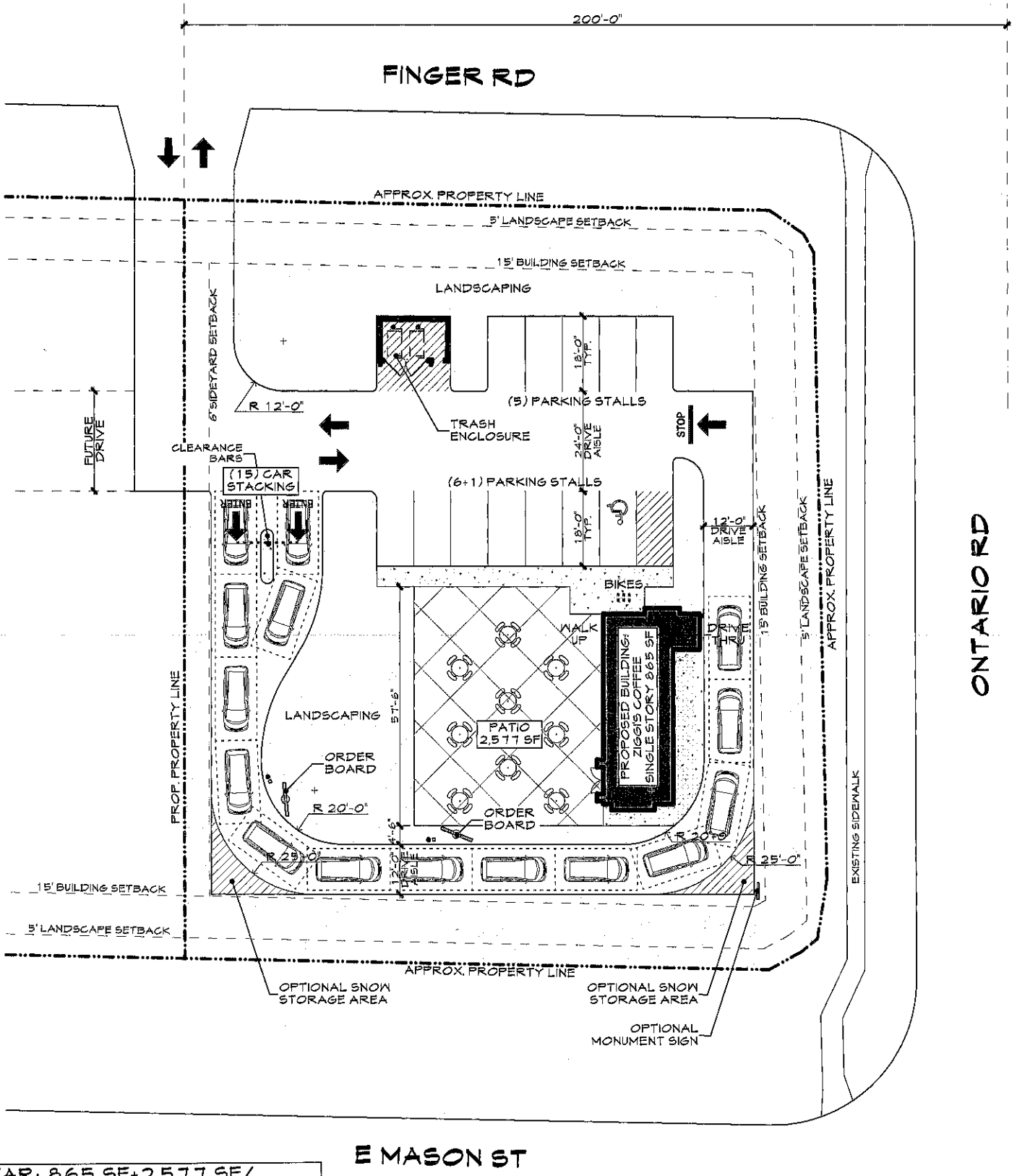
NWC Mason and Ontario, Green Bay, WI

NWC Mason and Ontario, Green Bay, WI



NWC Mason and Ontario, Green Bay, WI





FAR: 865 SF+2,577 SF/ 28,034 SF=0.123

BUILDING TYPE-DRIVE THRU
STYLE-"THE 865" MIRRORED

NOTE THAT THIS PLAN IS FOR CONCEPTUAL USE ONLY.

0 10' 20' 40'

N

ZIGGI'S COFFEE

PRELIMINARY SITE PLAN

GREEN BAY, WI

DATE: Monday, January 22, 2024

3000 FINGER ROAD
GREEN BAY, WI 54311
+/- 28,034 SQ. FT.

MAH Architectural Group
1385 S. Colorado Blvd, Penthouse
Denver, Colorado 80222
(O) 303.778.0608
(F) 303.778.0609
(W) www.maharch.com

Ontario Rd

RESOLUTION AUTHORIZING CONDITIONAL USE PERMIT AT 3000 BLOCK OF FINGER ROAD (PARCEL 21-7596) (ZP 24-12)

May 7, 2024

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Zoning Petition 24-12 and the recommendation of the Plan Commission on April 29, 2024, the City of Green Bay does authorize a Conditional Use Permit (CUP) for a drive-through restaurant at the following described property located at 3000 Block of Finger Road (Parcel 21-7596), submitted by Brett Paul of Xsite Real Estate; 1st Security Credit Union, property owner:

> LOT ONE (1) OF CERTIFED SURVEY MAPS, MAP NO. 9697, AS DOCUMENT NO. 3051425, BEING PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW ¼ OF NW ¼), SECTION ELEVEN (11), TOWN TWENTY-THREE (23) NORTH, RANGE TWENTY-ONE (21) EAST, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN
>
> Tax Parcel No. 21-7596

Said conditional-use permit shall be granted subject to:

1. A site plan and applicable permit applications are submitted to the Department of Community and Economic Development for review and approval.

2. The property must be divided and the drive-through use is only applicable to the eastern most parcel.

3. A variance to permit a drive through to allow the placement of drive-through windows or menu boards between the principal building and street must be approved by the Board of Appeals.

4. Landscaping along the northern boundary between the drive through lane and the property line must include a screening of a minimum of four feet in height and 100 percent opaque on a year-round basis.

5. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.

Adopted _____

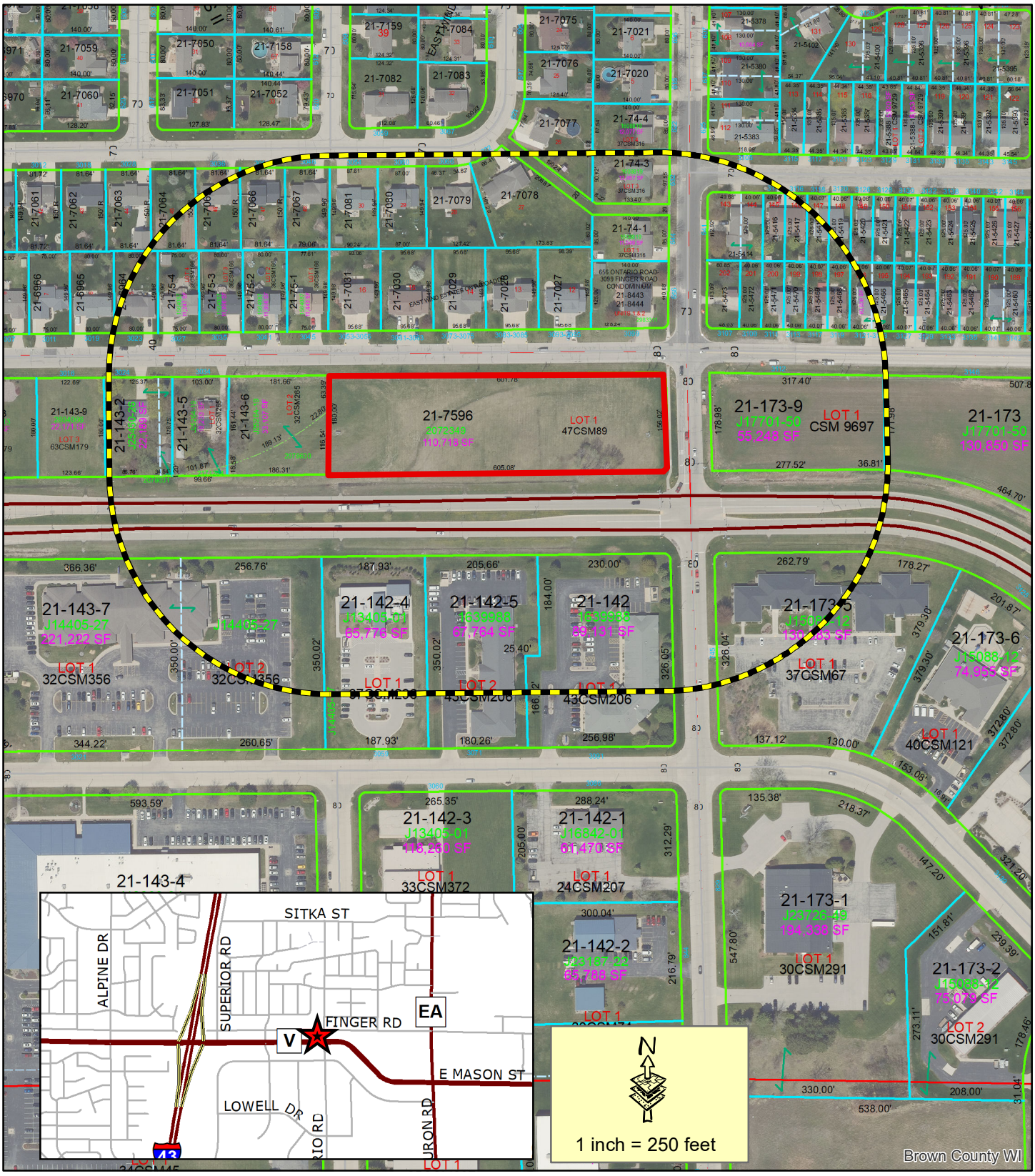
Approved _____

_____
Eric Genrich, Mayor

_____
Celestine Jeffreys, Clerk

JL

Attachment – Map



Subject Area

400' 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 DM.

Zoning Petitions (ZP 24-11 and ZP 24-12) Rezone and Conditional Use Permit at 3000 Block of Finger Road

CITY OF GREEN BAY 1854 Titletown, USA

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.10

(ZP 24-10) Public Hearing regarding a Conditional Use Permit request to allow the use of a fuel/gas/service station, convenience store, and car wash facility in a Community Center Commercial District (C3) at 1007 and 1009 West Mason Street (Parcels 2-1260 and 2-1187) petitioned by Seth Waddell of Kwik Trip; Bay Center Inc, property owner (Ald. B. Johnson, District 9).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.11

(ZP 24-10) Consideration with possible action on a Conditional Use Permit request to allow the use of a fuel/gas/service station, convenience store, and car wash facility in a Community Center Commercial District (C3) at 1007 and 1009 West Mason Street (Parcels 2-1260 and 2-1187) petitioned by Seth Waddell of Kwik Trip; Bay Center Inc, property owner (Ald. B. Johnson, District 9).

BACKGROUND

Alderperson/District: Ald. Brian Johnson (District 9)

Reason for Request: The applicant would like to develop the subject parcels into a Kwik Trip Convenience Store with a car wash component.

Surrounding Zoning and Land Uses:
Subject: Community Center Commercial (C3) | Strip Mall with Vacancies
North: General Commercial (C1) General Industrial (GI) | LaForce Industrial
South: Low Density Residential (R1) | Single- and Two-Family Residences
East: Low Density Residential (R1) | Single Family Residences
West: Office-Residential (OR) | Counseling Offices

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

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: Seth Waddell of Kwik Trip has requested city action to pursue the development of a convenience store with a car wash at the former Bay Center and Subway located at the southeast corner of West Mason Street and Gross Avenue. Kwik Trip intends to redevelop two parcels at 1007 and 1009 West Mason (Parcels 21-1260 and 21-1187).

The existing site consists of three buildings. The largest building currently faces West Mason Street with service entrances on the south side of the building, fronting Gross Court. The second-largest building is currently located in the southeastern area of the main parcel with a large service entrance located off Gross Court. This building tucked in the southeast corner of the strip center typically had four tenants. A final shop on a separate parcel has been located in the northeastern part of the proposed development. The last tenant at this location was a Subway restaurant.

Kwik Trip is seeking to change the use and design of the 2.83 acre properties to a single convenience store with attached car wash. Convenience stores, fuel stations, and car washes are conditional uses within the Community Center Commercial districts. Kwik Trip has supplied plans. Key highlights of the plans include a

single building individually, with one drive entrance proposed to come off each surrounding street (West Mason, Gross Avenue, and Gross Court).

Operations

Kwik Trip is seeking to create a convenience store with fuel operations, both of which are conditional uses within the C3 district. The proposal includes 10 fueling pumps with a canopy coming off Gross Avenue with the store facing both West Mason and Gross Avenue. Behind and to the side of the store, an attached car wash is proposed. The site has adequate parking and includes more greenspace than the existing site with a new stormwater management area located on the eastern portion of the property, alongside single family homes directly adjacent. The existing site has a slight loss of elevation from west to east. The addition of the storm water pond brings a net positive to neighboring residents who have had sheathing from the large asphalt lot lacking storm water facilities in its current state.

The store will sell typical items found at Kwik Trip, providing another limited fresh food and bakery option for the neighborhood. Kwik Trip intends on operating the main store for 24 hours a day.

Traffic and Drive Openings

The site has a typical traffic count of approximately 22,400-22,700 vehicles per day along West Mason Street (WisDOT Traffic Counts). The site is located at a midpoint between the controlled Oneida/W Mason intersection and 12th/W Mason intersection. DPW did not feel a TIA (Traffic Impact Analysis) was needed for this development based on the location of Gross Avenue being the location at the mid-point of the two controlled intersections and the designation of West Mason Street being a state highway with larger arterial capacity on the road. The location of the driveway on West Mason is near the existing location of the driveway into the existing strip center. The proposed location on Gross Avenue is located at a central location between West Mason and Gross Court. This is an ideal location for the driveway. Additionally, the single entry point is an improvement to the existing two entry points located on Gross Avenue in present day. Finally, a third driveway entrance is proposed on Gross Court. The location itself does not meet standards for location of a driveway as it is less than 155 feet from the nearest intersection to the west and is not in compliance with Sec. 44-1698 (a.). During the February 2024 neighborhood meeting, the drive entrance was a concern voiced by a handful of the neighbors in attendance. Gross Court is a neighborhood street which is neither an arterial nor collector street. Given the site already has two entrances, staff recommends a condition to eliminate drive entrances off Gross Court and extend landscaping/buffer improvements across the southern property line. Additionally, site plans indicate an existing curb cut remaining on the northern part of Gross Avenue. This is not permitted by Chapter 44 and will need to be removed as a part of an approved site plan.

Lighting

A lighting and photometric plan has been provided by the applicant. Lighting standards permit semi-cutoff and full cutoff lights to have a maximum illumination of one foot-candle at the property line. The submitted plans call for lights to have a maximum of 0.4 foot candles at the property line. Lighting plans appear to meet a balance of providing both sufficient lighting for the development and stopping light pollution at the property line.

Landscaping

Landscaping plans have been provided. A minimum 15-foot buffer area with landscaping is present throughout the property. A six-foot wood fence has been proposed along the eastern property line, thence clockwise along the southern property line to a proposed drive entrance. The southern property line directly adjacent to Gross Court has a curious position of being both front facing to Gross Court and the 'rear' of activity of the site. A four-foot buffer is required in this area to be made of either landscaping, berming plants (minimum of 90 percent opaque on a year-round basis), wall, fence or a combination thereof. Staff recommends a four-foot barrier (choice made by Kwik Trip) along the right-of-way of Gross Court, Gross Avenue, and West Mason Street and keeping a six-foot wooden fence in the side yards of the

property.

Car wash

A car wash is a conditional use. The car wash is placed with traffic coming in along an east-west drive and then entering an attached car wash located along the eastern portion of the building and exiting towards West Mason. This design does a solid job of aligning vehicle movement and headlights to be parallel to the nearest homes and the exiting headlights facing towards West Mason. Given the size of the site and the relationship to the convenience store, this use is a practical compliment to the other conditional uses requested and staff recommends approval of the attached car wash with a condition added that car wash hours are limited to 7:00am – 9:00pm. This is in alignment with other car wash hours at similar Kwik Trip stations.

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

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

Staff believes the use in conjunction with the proposed conceptual site plan meets the standards for a CUP for convenience store purposes. Staff believes the commercial site will inherently bring change to the neighborhood, but the specific use through the proposed design meets the standards for a conditional use permit.

A neighborhood meeting for this project was held by the petitioners in February 2024 at the site of the proposed development in one of the vacant stores in the existing strip center. The meeting was attended by approximately 40 neighbors as well as Alders Johnson and Wery. The proposal received a mixed reaction from neighbors, who both had concerns and praise for the proposed new development. Concerns raised included traffic issues, noise/light pollution, and stormwater queries.

Ald. Johnson, the Marquette Park Neighborhood Association and adjacent property owners within 400 feet of the site have been notified of the request and the forthcoming Public Hearing. As of the drafting of this report, staff has not received additional comments beyond the neighborhood meeting in February.

RECOMMENDATION

Approval of the request, subject to:

1. A site plan and applicable permit applications are submitted to the Department of Community and Economic Development for review and approval.
2. No driveway access permitted along the southern property line.
3. Limit car wash operations to the hours of 7:00am - 9:00pm daily.
4. Combine both parcels into a single parcel. (2-1260, 2-1187)
5. Permit a single driveway entry entering off Gross Avenue and remove any existing driveway curb cuts

along Gross Avenue which do not serve a new single driveway entry point off of Gross Avenue.
6. Compliance with all the 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. ZP 24-10 Application
2. ZP 24-10 Narrative
3. ZP 24-10 Site Plan Info
4. ZP 24-10 Location Map
5. ZP 24-10 Street Views
6. ZP 24-10, LaForce Response
7. ZP 24-10 Draft Resolution CUP 1039 W Mason

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: 1039 W Mason St, Green Bay, WI 54303

Parcel Number(s): 2-1187

Petitioner(s): Seth Waddell Date: 3/26/24

Email: swaddell@kwiktrip.com Phone Number: 608-793-4933

Address: 1813 Kramer Street City: Lacrosse State: WI Zip: 54602

Property Owner: BAY CENTER INC Phone Number: 920-435-0021

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, Seth Waddell, respectfully request that the City of Green Bay take the following action:

- [ ] Rezone Property ($375.00 Review Fee)
- [x] 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: 3-26-2024

Petitioner Signature(s): Seth Waddell Digitally signed by Seth Waddell DN: CN=Seth Waddell Date: 2024.03.26 07:34:54-05'00' _____

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.:_____

Store Engineering

PHONE 608-793-5555
FAX 608-781-8960

1626 Oak St., P.O. Box 2107
La Crosse, WI 54602

www.kwiktrip.com

March 26, 2024

Green Bay Planning & Development Department
Jon Leroy
100 North Jefferson Street
Green Bay, WI 54301

RE: Kwik Trip Store #1732

Dear Mr. Leroy:

This letter is intended to accompany the submittal for our application to the Green Bay Planning Department for the requested Site Development Plan Review. Please accept this letter as our request to be placed on the next available Meeting Agenda.

Kwik Trip, Inc. is proposing the construction of a convenience store with a single bay carwash and a 10-dispenser fueling canopy. Included within the submittal are a PDF of the Site Improvement Plans, Building and Canopy Elevations, Signage Plans, and the Storm Water Management Plan.

Operations

The requested hours of operation will be 24 hours for all uses. The type of products that will be sold will be similar to that of our existing stores throughout the mid-west: fresh produce, bakery and dairy, hot and cold food and beverages, fresh meat and groceries, tobacco products, lotto, convenience store merchandise, alcohol, gasoline, diesel, E-85, ice and propane. The outside merchandising of products is being requested next to the store (two ice chests and one propane cage) and underneath the proposed main canopy. To ensure that the freshest products are sold in our stores, we request that daily deliveries be allowed.

OUR MISSION

To serve our customers and community more effectively than anyone else by treating our customers, co-workers and suppliers as we, personally, would like to be treated, and to make a difference in someone's life.

Buildings, Architecture and Site Design

The architectural elements in this state-of-the-art building consist of a full brick cladding, standing seam metal roof, store front aluminum openings and stucco accents. Extensive landscaping, modern storm water facilities, monument and wall signage, customer and employee parking, concrete paving with curb and gutter are also included in the overall site design.

Investment in the City

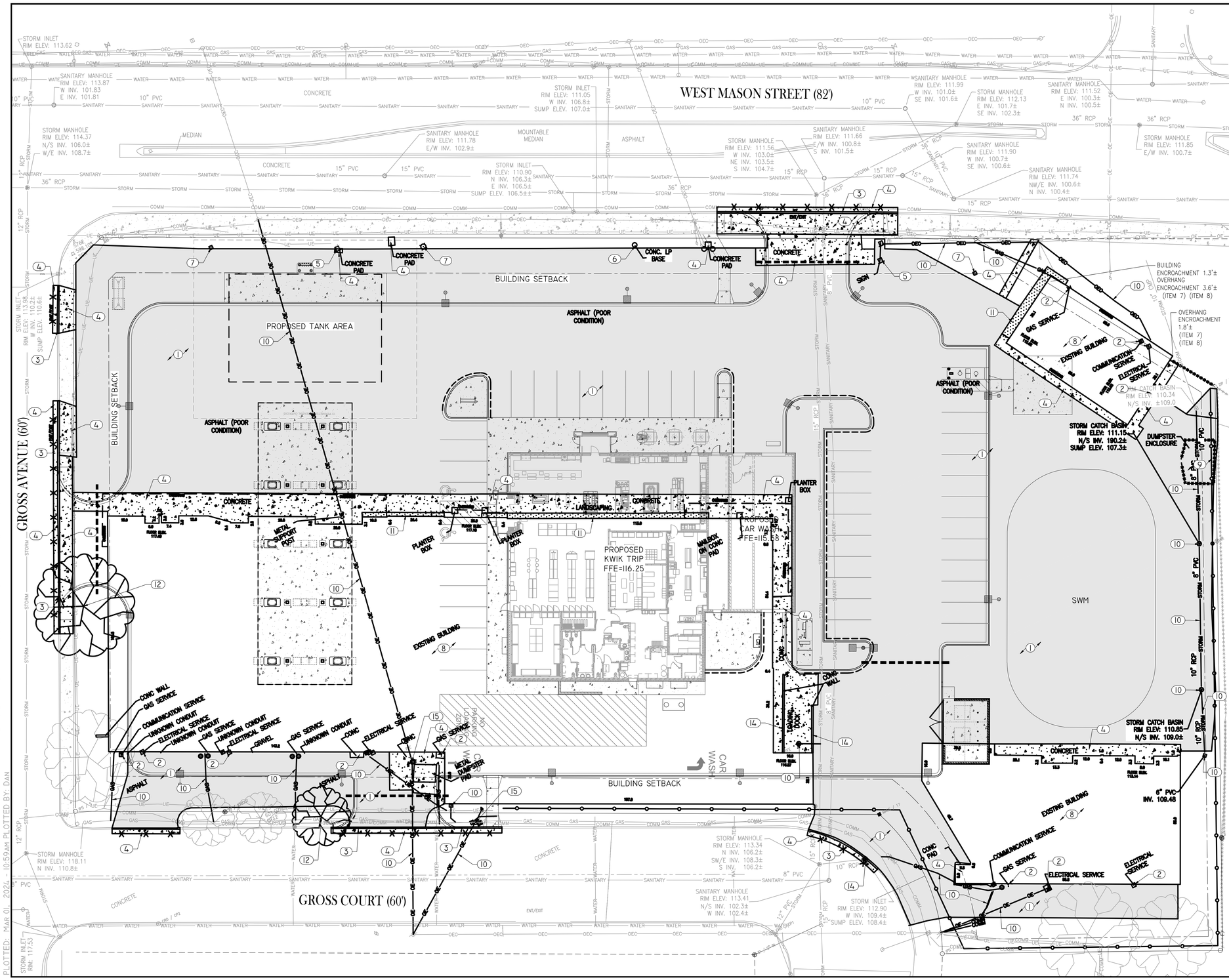
This project will be a multi-million-dollar investment in the City of Green Bay. Not only in the physical improvements and development of a vacant parcel, but also an investment of approximately 25 to 30 new permanent jobs in the City. The projected payroll here is estimated to be approximately $500,000 annually.

Community Partner

We pride ourselves in being an asset in the communities where we are located. Families can walk or ride their bikes to our stores. Retirees on fixed income can access fresh groceries like milk, eggs, bread and fruit just steps from their car. We take pride in giving back to the communities we serve with charitable donations and by partnering with local non-profits. Kwik Trip would be happy to provide any additional information or answer any questions or concerns the City of Green Bay may have with our submittal. Please feel free to call or email with any questions you may have.

Sincerely,

Seth Waddell
Development Manager
Store Engineering
swaddell@kwiktrip.com
608-793-4933



KEYED NOTES

1. SAWCUT AND REMOVE ASPHALT.
2. REMOVE MECHANICAL (TYP.)
3. REMOVE CURB AND GUTTER.
4. REMOVE CONCRETE.
5. REMOVE SIGNAGE.
6. REMOVE LIGHT POLE BASE.
7. REMOVE LIGHT POLE.
8. REMOVE BUILDING.
9. REMOVE DUMPSTER ENCLOSURE.
10. REMOVE UTILITIES AND APPURTENANCES.
11. REMOVE LANDSCAPING.
12. REMOVE TREE.
13. REPLACE INLET GRATE.
14. REMOVE RETAINING WALL.
15. REMOVE POWER POLE.

KWIK TRIP™ STORES

KWIK STAR™ STORES

KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
LA CROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960

REI
CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING
REI Engineering, INC.
4080 N. 20TH AVENUE
WAUSAU, WISCONSIN 54401
PHONE: 715.675.9784 FAX: 715.675.4060
EMAIL: MAIL@REIENGINEERING.COM

SCALE
0 20 40

DEMO PLAN

CONVENIENCE STORE #1732

1007 & 1009 W MASON ST.
GREEN BAY, WI

#	DATE	DESCRIPTION
1		

DRAWN BY	LAZ
SCALE	GRAPHIC
PROJ. NO.	11123A
DATE	03/01/24 - REVIEW DOCUMENTS
SHEET	C020

DRAWING FILE: Q:\11100-11999\11123A - KWIK TRIP #1732 - GREEN BAY\DRAWING\PLANS\11123A-C020-DEMO PLAN.DWG LAYOUT: C020
PLOTTED: MAR 01, 2024 - 10:59AM PLOTTED BY: DAN

KEYED NOTES

1. NOT USED.

49,098 SF — 2. 6" DEPTH (MIN.) CONCRETE SLAB-ON-GRADE WITH #3 REBAR, 3' O.C. CONCRETE SEALER: TK-26UV. SEE DETAIL 6/C500.

9,912 SF — 3. 8" DEPTH (MIN.) CONCRETE SLAB-ON-GRADE WITH #4 REBAR, 4' O.C. CONCRETE SEALER: TK-26UV. SEE DETAIL 6/C500.

1,012 SF — 4. 8" DEPTH CONCRETE APPROACH SIMILAR TO DETAIL 7/C500.

3,750 SF — 5. 6" CONCRETE WALK. SEE DETAIL 2/C500. CONCRETE SEALER: TK-26UV

47,860 SF UNDISTURBED=0 SF — 6. LANDSCAPE AREA. SEE SHEET C700.

7. 6" CONCRETE CURB HEAD.

8. 18" CURB AND GUTTER, SEE DETAIL 9/C500.

8A. 18" MOUNTABLE CURB AND GUTTER, SEE DETAIL 8/C500.

9. 18" REJECT CURB AND GUTTER, SEE DETAIL 9/C500.

10. TRANSITION CURB & GUTTER. SEE DETAIL 4/C500.

11. STANDARD CURB & GUTTER TERMINATION. SEE DETAIL 5/C500.

12. TAPER CURB FROM FLUSH TO FULL HEIGHT OVER 6' LENGTH.

13. A.D.A. ACCESSIBLE PARKING SPACE WITH LOADING ZONE. PROVIDE APPROPRIATE STRIPING AND PAVEMENT MARKINGS. SEE SHEET C204.

14. OFF-STREET PARKING STALLS
STRIPING - 4" WIDE STALL LINES, USE HIGH VISIBILITY YELLOW PAINT.
SPACES PROVIDED
(22) 9.0' x 20.0' (MIN.) GENERAL PARKING
(10) 9.7' x 20.0' (MIN.) GENERAL PARKING
(10) 9.1' x 20.0' (MIN.) GENERAL PARKING
(2) 8.0' x 20.0' ACCESSIBLE PARKING WITH (1) 10.0' x 20.0' LOADING ZONE
(1) 9.0' x 20.0' ACCESSIBLE PARKING WITH (1) 5.0' x 20.0' LOADING ZONE

15. EXTERNAL TRASH ENCLOSURE TO MATCH BUILDING. SEE ARCHITECTURAL DETAILS.

16. KWIK TRIP TRADEMARK SIGN SUBJECT TO SEPARATE REVIEW AND APPROVAL (VERIFY FINAL LOCATION WITH SIGN PERMIT). SEE DETAIL 12/C501.

17. 4" WIDE, HIGH VISIBILITY, PAVEMENT STRIPING, LANE MARKINGS AND TEXT. COLOR: HC MARKINGS- YELLOW, ALL OTHERS- YELLOW.

18. SIDEWALK RAMP (12:1 SLOPE MAX). SEE DETAIL 12/C500.

19. GAS TANK VENT STAND, SEE PIPING PLANS.

20. 30" HT., 6" DIA. CONCRETE FILLED PIPE BOLLARD INSTALLED AT EACH PARKING STALL ALONG BUILDING. SEE DETAIL 10/C500.

21. 40'-0" x 120'-0" DISPENSER ISLAND CANOPY. VERIFY SIZE, PLACEMENT, COLUMN AND FOOTING SIZE WITH CANOPY AND STRUCTURAL PLANS. CANOPY GRAPHICS PER OWNER.

22. CONCRETE ISLANDS W/ 6" EXPOSURE WITH FUEL DISPENSERS. DISPENSER PER OWNER, 3'-6"x 6'-0".

23. 36" HT., 6" DIA. CONCRETE FILLED PIPE BOLLARD SIMILAR TO DETAIL 10/C500.

24. OUTDOOR MERCHANDISING AREA.

25. UNDERGROUND FUEL STORAGE TANKS PER OWNER. PROVIDE PIPING AND VENTING PER OWNER'S SPECIFICATIONS. SEE DETAIL 1/C501.

26. HC PVC BOLLARD SLEEVE PER OWNER. VAN ACCESS SIGNAGE AT 48" HT. STALL PARKING AT 60" HT. SEE SHEET C204.

27. STORM STRUCTURE. SEE SHEET C300 FOR FURTHER STORM SEWER INFORMATION.

28. LP CAGE.

29. 'FREE AIR' COMPRESSOR. PROVIDE SIGNAGE PER OWNER.

30. SITE AREA LIGHT WITH CONCRETE BASE. SEE DETAIL 11/C500.

31. PVC IRRIGATION SLEEVE UNDER PAVEMENT. VERIFY W/ IRRIGATION PLAN FOR EXACT SIZE AND LOCATION BEFORE INSTALLATION. SEE DETAIL 3/C500.

32. NOT USED.

33. BIKE RACK.

34. VACUUM. SEE DETAIL 14/C500.

35. NOT USED.

36. TRANSFORMER PAD.

37. DISCONNECT PAD.

38. NOT USED.

39. NOT USED.

40. NOT USED.

41. OUTDOOR ICE MERCHANDISING AREA.

42. PROPOSED GREASE INTERCEPTOR.

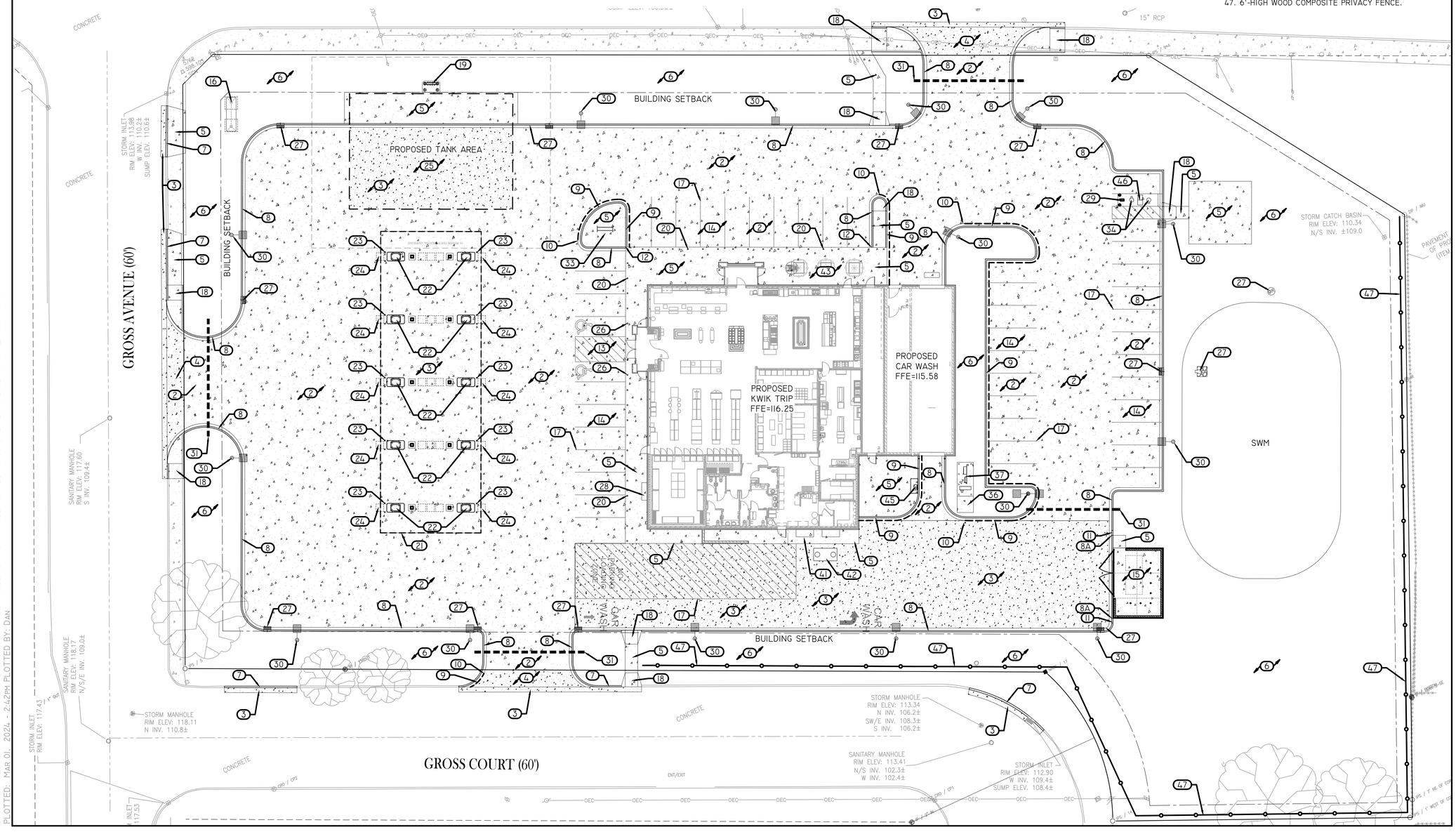
43. PICNIC AREA.

44. NOT USED.

45. PROPOSED COIN BOX. SEE DETAIL 13/C501.

46. PROPOSED REFUSE CONTAINER.

47. 6'-HIGH WOOD COMPOSITE PRIVACY FENCE.



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PLOTTED: MAR 01, 2024 - 2:42PM PLOTTED BY: DAN

KWIK TRIP STORES

KWIK STAR STORES

KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
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FAX (608) 781-8960

REI
CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING
REI Engineering, INC.
4080 N. 20TH AVENUE
WAUSAU, WISCONSIN 54401
PHONE: 715.675.9784 FAX: 715.675.4060
EMAIL: MAIL@REIENGINEERING.COM

SCALE
0 20 40

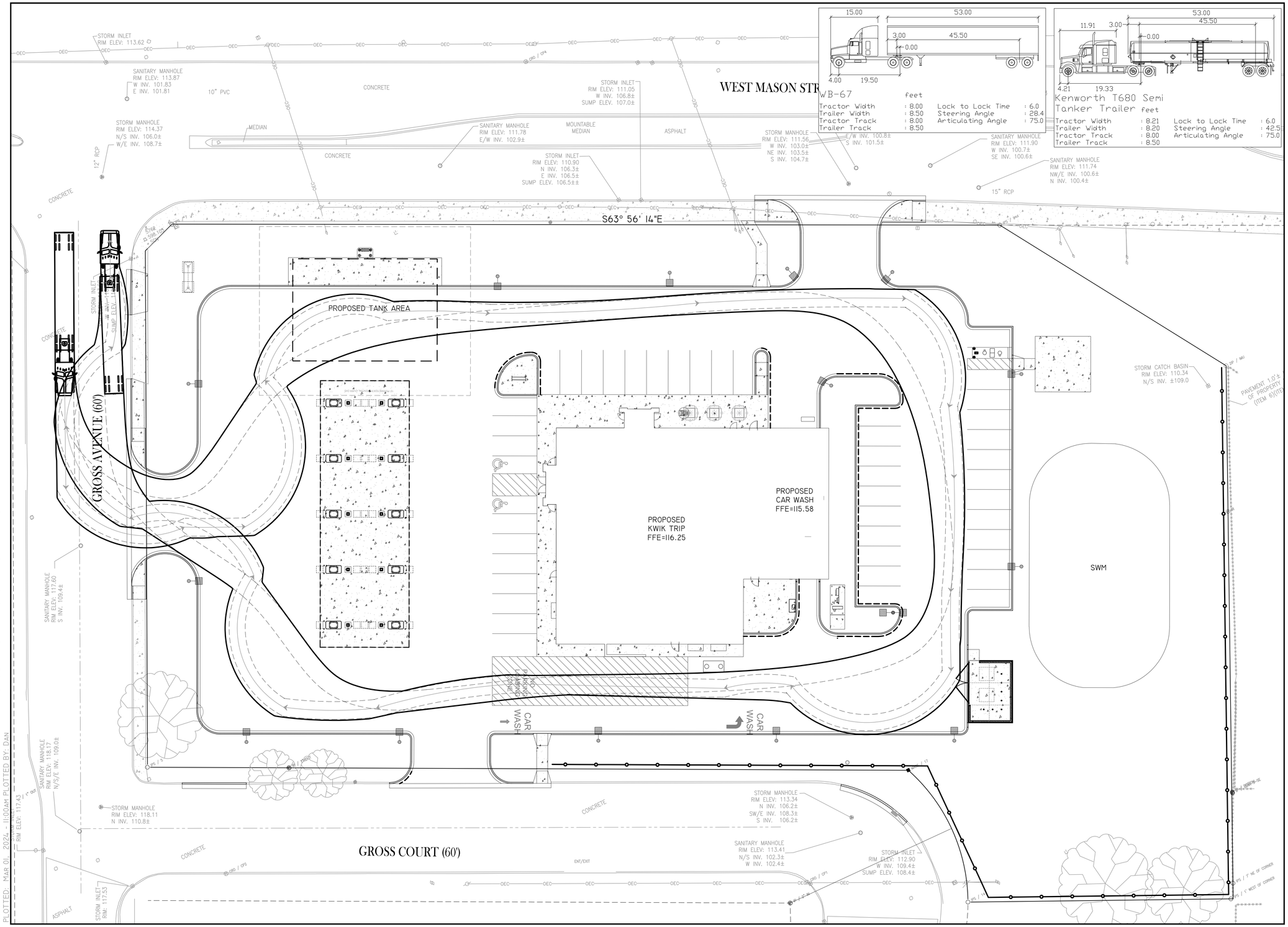
SITE KEYNOTE PLAN

CONVENIENCE STORE #1732

1007 & 1009 W MASON ST.
GREEN BAY, WI

#	DATE	DESCRIPTION
1		

DRAWN BY	LAZ
SCALE	GRAPHIC
PROJ. NO.	11123A
DATE	03/01/24 - REVIEW DOCUMENTS
SHEET	C100



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SCALE
0 20 40

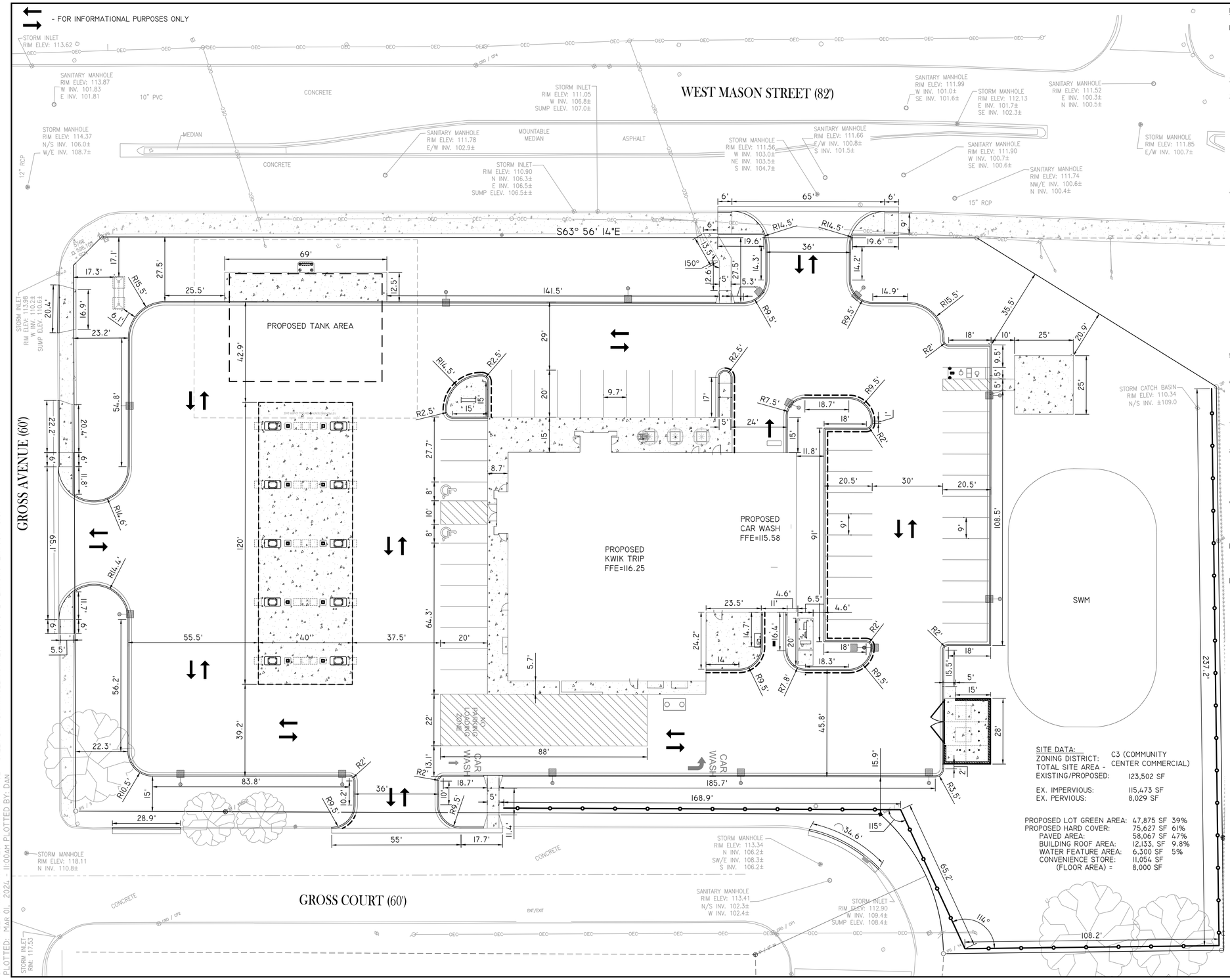
SITE CIRCULATION PLAN

CONVENIENCE STORE #1732

1007 & 1009 W MASON ST.
GREEN BAY, WI

#	DATE	DESCRIPTION
1		

DRAWN BY LAZ
SCALE GRAPHIC
PROJ. NO. 11123A
DATE 03/01/24 - REVIEW DOCUMENTS
SHEET C180



LAYOUT NOTES:

1. PLAN PREPARED FROM AN ALTA/ACSM LAND TITLE SURVEY BY: CAROW LAND SURVEYING CO., INC. 920-731-4168
2. CURBS ARE DIMENSIONED TO BACK OF CURB.
3. CONVENIENCE STORE, AND ISLAND COMPLEXES ARE LOCATED FROM THE NORTHEASTERN MOST PROPERTY CORNER AND ALIGNED PARALLEL/PERPENDICULAR TO THE REFERENCE LINE LABELED S63°56'14"E, UNLESS OTHERWISE INDICATED ON THIS PLAN.
4. UNLESS SHOWN OTHERWISE ON THIS DRAWING, CONTRACTOR SHALL PROVIDE CONTROL JOINTS, CONSTRUCTION JOINTS, AND EXPANSION JOINTS IN SLAB ON GRADE, SIDEWALKS AND DRIVES. CONTROL JOINT MAXIMUM DISTANCE: WALKS- 8' O.C., ALL OTHERS- 15' O.C. SAW CUT CONTROL JOINTS MINIMUM ONE-QUARTER CONCRETE THICKNESS. EXPANSION JOINT MAXIMUM DISTANCE: WALKS- 24' O.C., ALL OTHERS- 40' O.C. DOWEL ALL EXPANSION JOINTS- MAXIMUM 24" O.C.
5. CONCRETE IN ISLAND COMPLEX SHALL BE SMOOTH FINISHED.
6. EXTERIOR CONCRETE SURFACES TO BE SEALED. CONCRETE SEALER: APR 15- OCT 31 USE:TK-26UV NOV 1- DEC 31 USE: TK-290
7. EXPANSION JOINTS SHALL BE DECK-O-FOAMED AND CAULKED WITH SLI.
8. DIAGONAL STRIPING LINES (HATCHING) IN THE "NO PARKING LOADING ZONE" AREA AND ANY OTHER AREA THAT IS HATCHED SHALL BE SPACED 5' ON CENTER.
9. LETTERING FOR ALL WORDING SUCH AS "NO PARKING LOADING ZONE" AND CARWASH SHOULD BE 12" TALL.
10. ALL DIAGONAL STRIPING SHALL BE ANGLED AS CLOSE TO DIMENSIONED ANGLE AS POSSIBLE.
11. CURBS AROUND THE RAISED FILLS SHALL BE PAINTED YELLOW.

PARKING REQUIREMENTS

PARKING REQUIRED
SERVICE STATION = 1 STALL PER 2 EMPLOYEES +1
PARKING PROVIDED 45 STALLS

BUILDING HEIGHTS
CONVENIENCE STORE 20.0'
CANOPY 19.5'

BUILDING SETBACKS
FRONT: 15'
REAR: 6'
SIDE: 6'

SITE DATA:

ZONING DISTRICT:	C3 (COMMUNITY CENTER COMMERCIAL)
TOTAL SITE AREA - EXISTING/PROPOSED:	123,502 SF
EX. IMPERVIOUS:	115,473 SF
EX. PERVIOUS:	8,029 SF
PROPOSED LOT GREEN AREA:	47,875 SF 39%
PROPOSED HARD COVER:	75,627 SF 61%
PAVED AREA:	58,067 SF 47%
BUILDING ROOF AREA:	12,133. SF 9.8%
WATER FEATURE AREA:	6,300 SF 5%
CONVENIENCE STORE: (FLOOR AREA) =	11,054 SF 8,000 SF

UTILITY PROVIDERS

ELECTRIC/ GAS:
WISCONSIN PUBLIC SERVICE-
800-450-7260

TELEPHONE:
AT&T- 855-274-5895

SANITARY/ WATER:
GREEN BAY WATER 920-448-3480

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SCALE
0 20 40

SITE DIMENSION PLAN

CONVENIENCE STORE #1732

1007 & 1009 W MASON ST.
GREEN BAY, WI

#	DATE	DESCRIPTION
1		

DRAWN BY	LAZ
SCALE	GRAPHIC
PROJ. NO.	11123A
DATE	03/01/24 - REVIEW DOCUMENTS
SHEET	C181

DRAWING FILE: Q:\11100-11199\11123A - KWIK TRIP #1732 - GREEN BAY\DRAWING\PLANS\11123A-C180-SITE PLAN.DWG LAYOUT: C181
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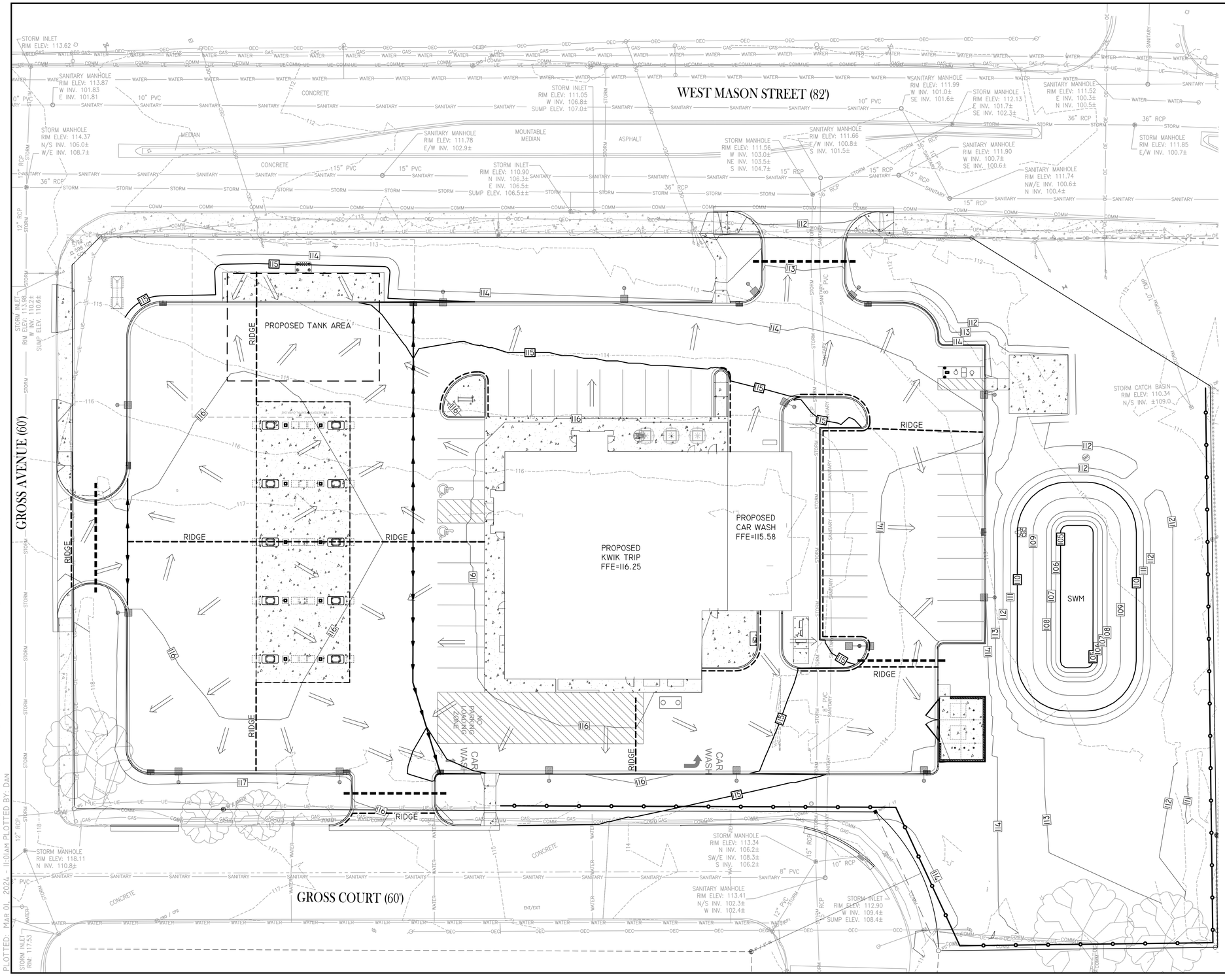

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PLOTTED: MAR 01, 2024 - 11:01AM PLOTTED BY: DAN

NOTE: CONTRACTOR TO OBTAIN RIGHT-OF-WAY EXCAVATION PERMIT PRIOR TO BEGINNING SITE WORK.

CALL DIGGERS HOTLINE @ 1-800-242-8511 AT LEAST 3 WORKING DAYS PRIOR TO EXCAVATING.

CONSTRUCTION NOTE:

COORDINATE WITH OWNER FOR POSSIBLE CONSTRUCTION FENCING AND GATE LOCATIONS AND APPROPRIATE SIGNAGE INSTALLATION.

NOTE:

- REFER TO OTHER PROJECT PLANS AND INFORMATION RELATED TO THIS PROJECT PRIOR TO BEGINNING ANY GRADING WORK.

- PLAN PREPARED FROM ALTA/ACSM LAND TITLE SURVEY BY: CAROW LAND SURVEYING CO., INC. (920)731-4168

- CONTRACTOR SHALL LOCATE ALL UTILITIES WHICH MAY AFFECT THIS WORK AND NOTIFY OWNER OF ANY CONFLICTS.

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED ELEVATIONS PRIOR TO START OF CONSTRUCTION. VERIFY CRITICAL ELEVATIONS TO ENSURE CONFORMANCE WITH GRADING PLAN, PARTICULARLY WITH WALK AND/ OR PAVEMENTS TO REMAIN. MEET EXISTING GRADES ALONG STREETS, PROPERTY LINES AND DRIVEWAY ENTRANCES. RESTORE ALL EXISTING PAVEMENTS THAT REMAIN TO THEIR ORIGINAL, IF NOT BETTER CONDITION. NOTIFY OWNER OF ANY CONFLICTS.

- AREAS NOT PAVED AND TO BE LANDSCAPED SHALL RECEIVE MINIMUM OF 4" DEPTH COMPACTED TOPSOIL.

- CONTRACTOR SHALL COORDINATE GRADING AND INSTALLATION OF DRIVES IN R.O.W. WITH APPROPRIATE GOVERNMENT AGENCIES. OBTAIN APPROPRIATE PERMITS FOR GRADING AND DRAINAGE IN ALL R.O.W.

- REFER TO OWNER'S SPECIFICATIONS FOR CURB, APPROACH, BITUMINOUS, AND CONCRETE PROFILES, AS WELL AS ADDITIONAL SITE STANDARDS RELATED TO THIS PROJECT.

- EXCAVATOR IS RESPONSIBLE FOR ALL EROSION CONTROL INSPECTIONS.

FINISHED FLOOR ELEV.
PROPOSED KWIK TRIP CONVENIENCE STORE FINISHED ELEVATION - IST FLOOR= 116.25 FEET

NOTE GRADING CONTRACTOR:

ANY PROPERTY IRONS THAT ARE DISTURBED IN THE GRADING PROCESS SHALL BE RESET BY A LICENSED LAND SURVEYOR AT NO ADDITIONAL COST TO THE OWNER.

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SCALE
0 20 40

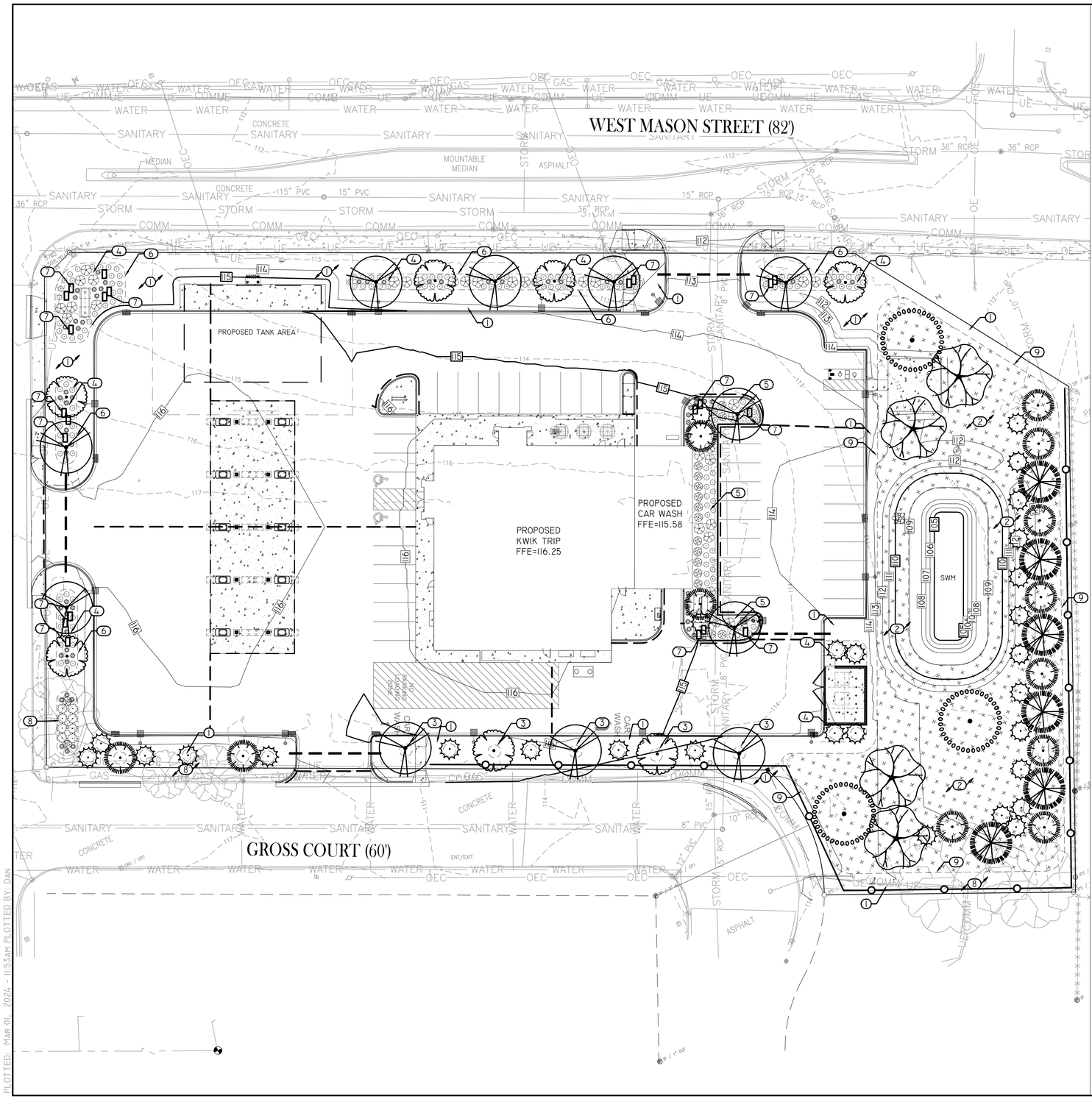
GRADING PLAN

CONVENIENCE STORE #1732

1007 & 1009 W MASON ST.
GREEN BAY, WI

#	DATE	DESCRIPTION
1		

DRAWN BY	LAZ
SCALE	GRAPHIC
PROJ. NO.	11123A
DATE	03/01/24 - REVIEW DOCUMENTS
SHEET	C200



KEYED NOTES

1. SOD, *ALL AREAS NOTED ON PLAN & ALL DISTURBED AREAS DUE TO CONSTRUCTION ACTIVITY.
2. (25,000 SF TOTAL) AGRECOL, SHORTGRASS PRAIRIE FOR DRY SOILS, APPLY GLYPHOSATE HERBICIDE TO AREA WHEN MAJORITY OF WEEDS ARE 2"-3" TALL. WAIT 10 DAYS THEN FINELY TILL THE SOIL ONLY 1"-2" DOWN AND PLANT IMMEDIATELY BY HAND BROADCASTING AT A RATE OF 11 LBS/ACRE. RAKE OR DRAG AREA LIGHTLY, COVERING THE SEED WITH ABOUT $\frac{1}{4}$" TO $\frac{1}{2}$" OF SOIL. ROLL AREA FIRMLY AFTER RAKING. MULCH PRAIRIE SEEDED AREAS LESS THAN 4:1 SLOPE WITH 1" OF WEED FREE STRAW MULCH. APPLY WISDOT NET-FREE CLASS I, URBAN TYPE B EROSION MAT ON SLOPING AREAS STEEPER THAN 4:1. *REFER TO AGRECOL'S "NATIVE SEEDING INSTRUCTIONS" ON THEIR WEBSITE FOR DETAILED INSTRUCTIONS/GUIDELINES FOR SUCCESSFUL SEED ESTABLISHMENT AND MANAGEMENT. (LINK BELOW)

   HTTPS://WWW.AGRECOL.COM/NATIVE-SEEDING-INSTRUCTIONS_EP_44.HTML
3. 6' DIAMETER WOOD MULCH TREE RING, 3"-4" DEPTH, DARK BROWN COLOR, *ALL TREES PLANTED WITHIN SOD AREAS.
4. SHREDDED HARDWOOD MULCH, 3"-4" DEPTH, DARK BROWN COLOR.
5. DECORATIVE STONE MULCH, 3"-4" ROUND COBBLES, 4"-5" DEPTH, WITH COMMERCIAL GRADE WEED BARRIER FABRIC UNDERLAYMENT.
6. SHOVEL CUT EDGE, 4"-6" DEPTH CLEAN CUT EDGE AROUND PLANTING BEDS WITHIN SOD AREAS.
7. (22 EA TOTAL) ACCENT BOULDERS, (48" X 18" X 18") LIMESTONE BLOCKS/CUBES, PLAN SYMBOL: ▯
8. PRESERVE AND PROTECT EXISTING TREES TO REMAIN, TYP.
9. EDGE/EXTENT OF NATIVE PRAIRIE SEEDING, TYP.

PLANT SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	CONT.	QTY
DECIDUOUS TREES					
	Fall Fiesta® Sugar Maple	Acer saccharum 'Bailsta'	2" Cal.	B&B	11
	Red Oak	Quercus rubra	2" Cal.	B&B	3
	Swamp White Oak	Quercus bicolor	2" Cal.	B&B	4
	White Oak	Quercus alba	2" Cal.	B&B	7
EVERGREEN TREES					
	Black Hills White Spruce	Picea glauca 'Densata'	6` Ht.	B&B	29
	White Pine	Pinus alba	6` Ht.	B&B	6
	White Spruce	Picea glauca	6` Ht.	B&B	12
DECIDUOUS SHRUBS					
	Arctic Fire® Red Twig Dogwood	Cornus sericea 'Farrow'	5 gal.	Pot	19
EVERGREEN SHRUBS					
	Dark Green Anglo-Japanese Yew	Taxus x media 'Dark Green'	5 gal.	Pot	8
	Kallay Compact Pfitzer Juniper	Juniperus chinensis 'Kallays Compact'	5 gal.	Pot	35
PERENNIALS					
	Prairie Dropseed	Sporobolus heterolepis	1 gal.	Pot	158
	Shenandoah Switch Grass	Panicum virgatum 'Shenandoah'	1 gal.	Pot	66

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SCALE
0 25 50

LANDSCAPE PLAN

CONVENIENCE STORE #1732

1007 & 1009 W MASON ST.
GREEN BAY, WI

#	DATE	DESCRIPTION
1		

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SCALE GRAPHIC
PROJ. NO. 11123A
DATE 03/01/24 - REVIEW DOCUMENTS
SHEET C700

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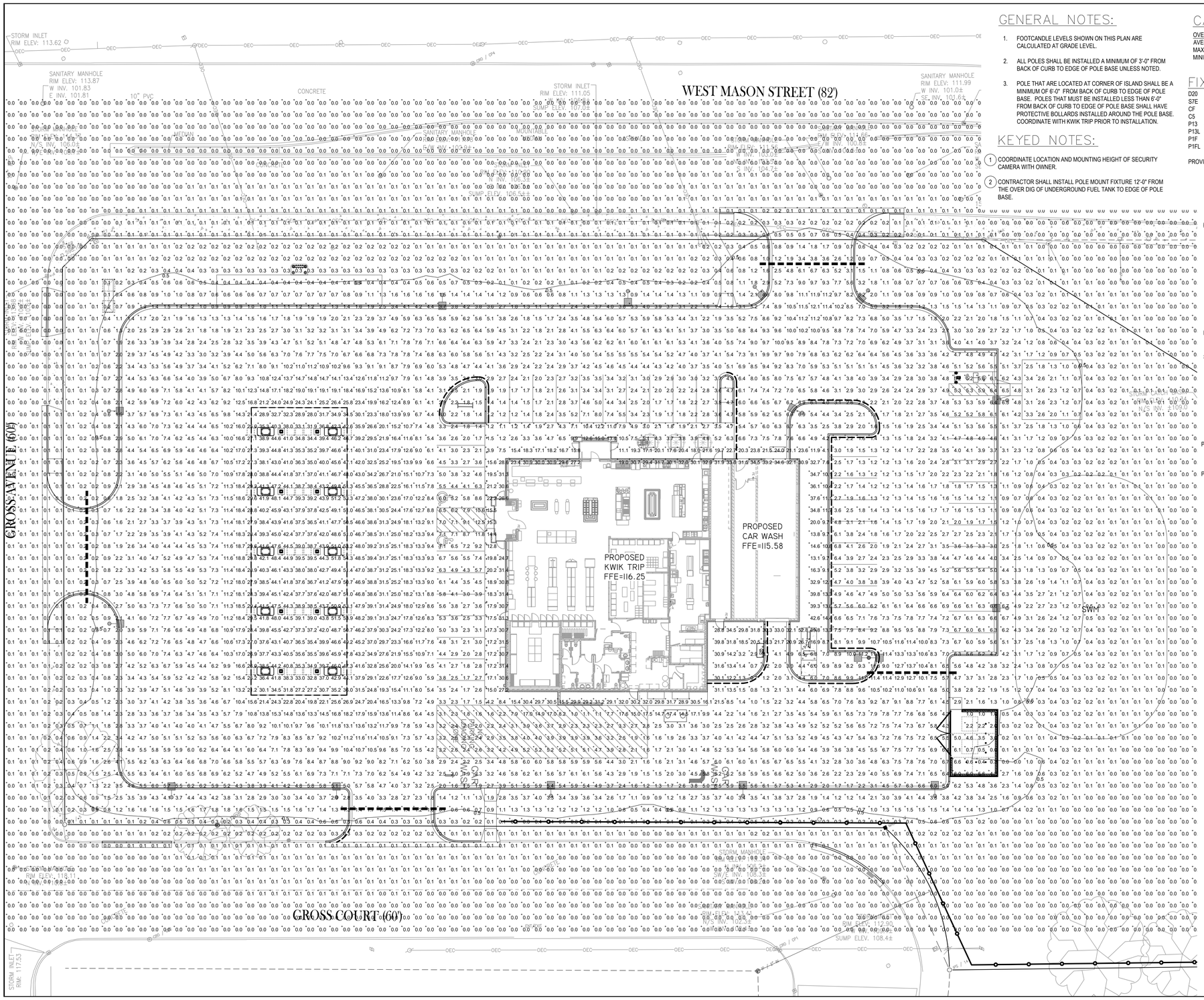


GENERAL NOTES:

1. FOOTCANDLE LEVELS SHOWN ON THIS PLAN ARE CALCULATED AT GRADE LEVEL.
2. ALL POLES SHALL BE INSTALLED A MINIMUM OF 3'-0" FROM BACK OF CURB TO EDGE OF POLE BASE UNLESS NOTED.
3. POLE THAT ARE LOCATED AT CORNER OF ISLAND SHALL BE A MINIMUM OF 6'-0" FROM BACK OF CURB TO EDGE OF POLE BASE. POLES THAT MUST BE INSTALLED LESS THAN 6'-0" FROM BACK OF CURB TO EDGE OF POLE BASE SHALL HAVE PROTECTIVE BOLLARDS INSTALLED AROUND THE POLE BASE. COORDINATE WITH KWIK TRIP PRIOR TO INSTALLATION.

KEYED NOTES:

1. COORDINATE LOCATION AND MOUNTING HEIGHT OF SECURITY CAMERA WITH OWNER.
2. CONTRACTOR SHALL INSTALL POLE MOUNT FIXTURE 12'-0" FROM THE OVER DIG OF UNDERGROUND FUEL TANK TO EDGE OF POLE BASE.

CALCULATION STATISTICS

OVERALL SITE:
AVERAGE: 3.7
MAXIMUM: 54.3
MINIMUM: 0.0

FIXTURE QUANTITIES

D20	- 40
S7E	- 6
CF	- 11
C5	- 9
P13	- 1
P13L	- 3
P1F	- 4
P1FL	- 8

PROVIDE (15) 16' POLES.

FIXTURE SYMBOLS:

- LED LIGHT MOUNTED UNDER FUEL CANOPIES
- LED STRIP LIGHT MOUNTED IN GABLE
- RECESSED LED DOWNLIGHT
- POLE MOUNTED LED FIXTURE
- CAMERA

FIXTURE TYPES:

D20 - RECESSED LED DOWNLIGHT
GOTHAM EVO-35/30-8AR-WD-120-TRW

S7E - LED STRIP LIGHT MOUNTED IN GABLE LITHONIA
TZL1N-L96-10000LM-FST-MVOLT

CF - LSI LIGHTING: SCV-LED-23L-SCFT-UNV-DIM-50-WHT MOUNTED UNDER GAS CANOPY MOUNT FIXTURES WITH FORWARD THROW OPTIC AIMING IN DIRECTION OF ARROW.

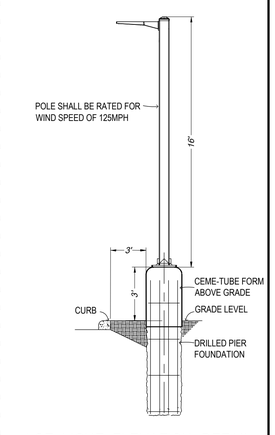
C5 - LSI LIGHTING: SCV-LED-15L-SC-UNV-DIM-50-WHT MOUNTED UNDER GAS CANOPY

P13- LSI LIGHTING: MRS-LED-18L-SIL-3-UNV-50-70CRI-WHT

P13L- LSI LIGHTING: MRS-LED-18L-SIL-3-UNV-50-70CRI-WHT-IL

P1F- LSI LIGHTING: MRS-LED-18L-SIL-FT-UNV-50-70CRI-WHT

P1FL- LSI LIGHTING: MRS-LED-18L-SIL-FT-UNV-50-70CRI-WHT-IL



LOT LIGHT ELEVATION DETAIL

NOT TO SCALE

2024-0195.02

GRAEF
275 West Wisconsin Avenue, Suite 300
Milwaukee, WI 53203
414 / 259 1500
414 / 259 0037 fax

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PHOTOMETRIC LIGHTING PLAN

CONVENIENCE STORE #1732

1007 & 1009 W MASON ST.
GREEN BAY, WI

#	DATE	DESCRIPTION
1		

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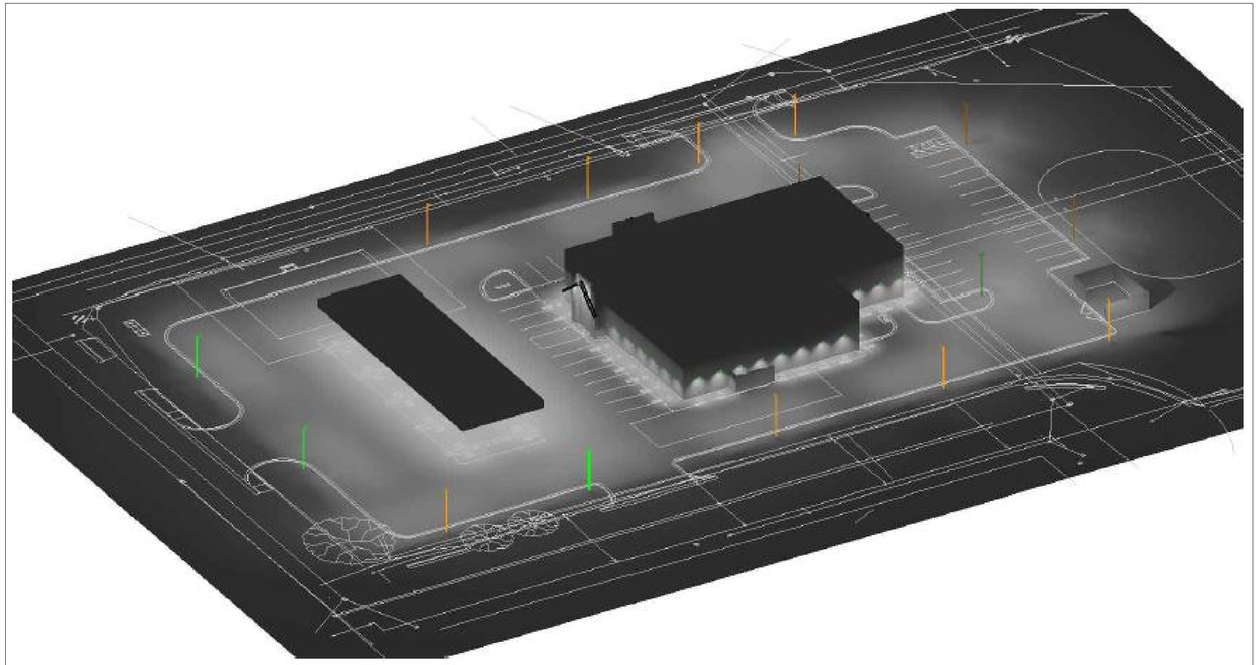
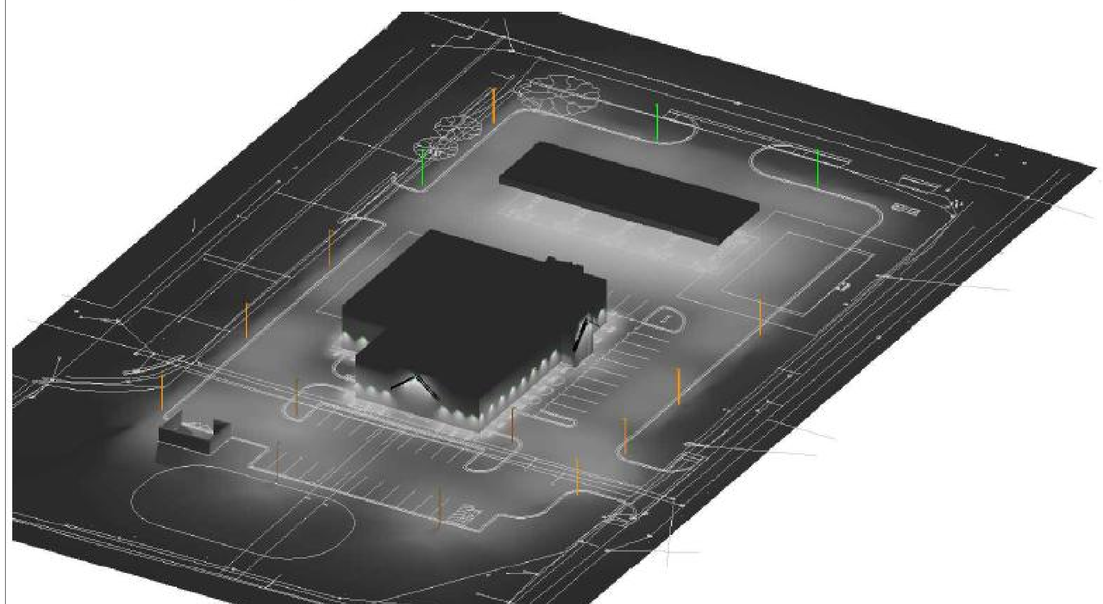
SCALE	GRAPHIC
PROJ. NO.	11123A
DATE	03/01/24 - REVIEW DOCUMENTS
SHEET	C800



PHOTOMETRIC SITE PLAN
SCALE: 1" = 30'-0"



PHOTOMETRIC SITE PLAN
SCALE: 1" = 30'-0"

2024-0195.02

GREF
275 West Wisconsin Avenue, Suite 300
Milwaukee, WI 53203
414 / 259 1500
414 / 259 0037 fax

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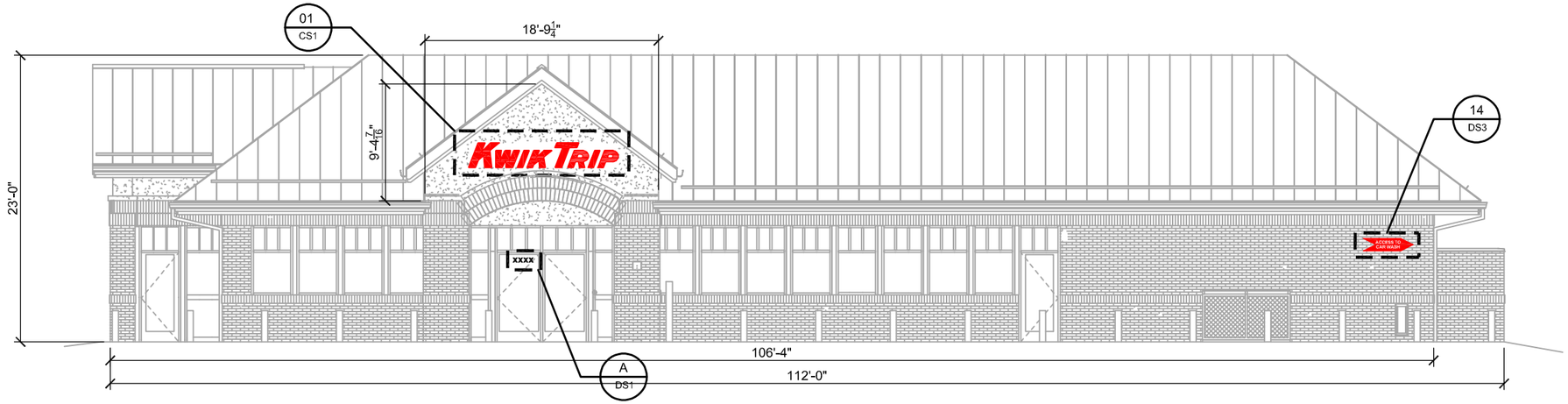
PHOTOMETRIC RENDERING PLAN

CONVENIENCE STORE #1732

1007 & 1009 W MASON ST.
GREEN BAY, WI

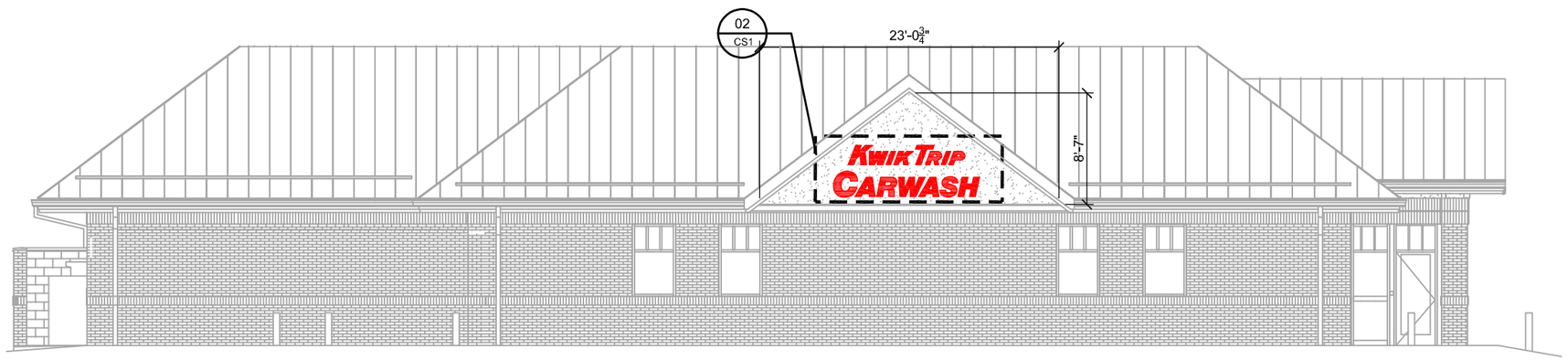
#	DATE	DESCRIPTION
1		

DRAWN BY	DLC
SCALE	GRAPHIC
PROJ. NO.	11123A
DATE	03/01/24 - REVIEW DOCUMENTS
SHEET	C801



STORE ELEVATION

SCALE: 3/32" = 1'-0"

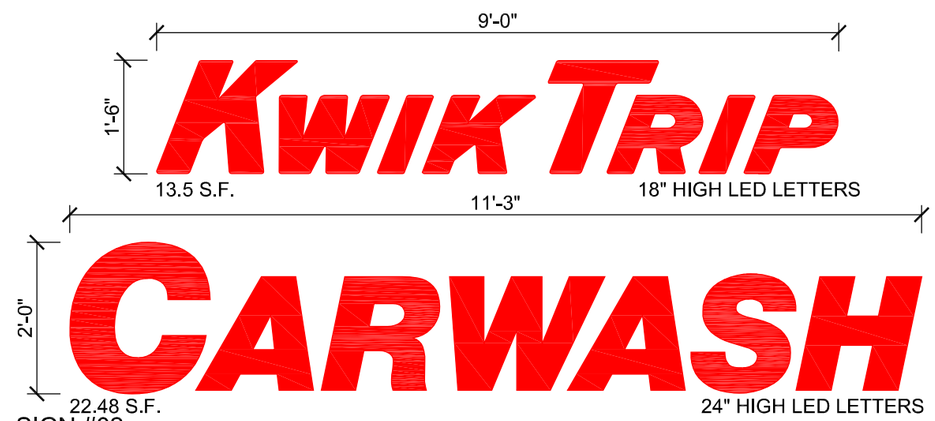


STORE ELEVATION

SCALE: 3/32" = 1'-0"

LOGO DETAIL - SIGN #01

SCALE: 1/2" = 1'-0"



LOGO DETAIL - SIGN #02

SCALE: 1/2" = 1'-0"

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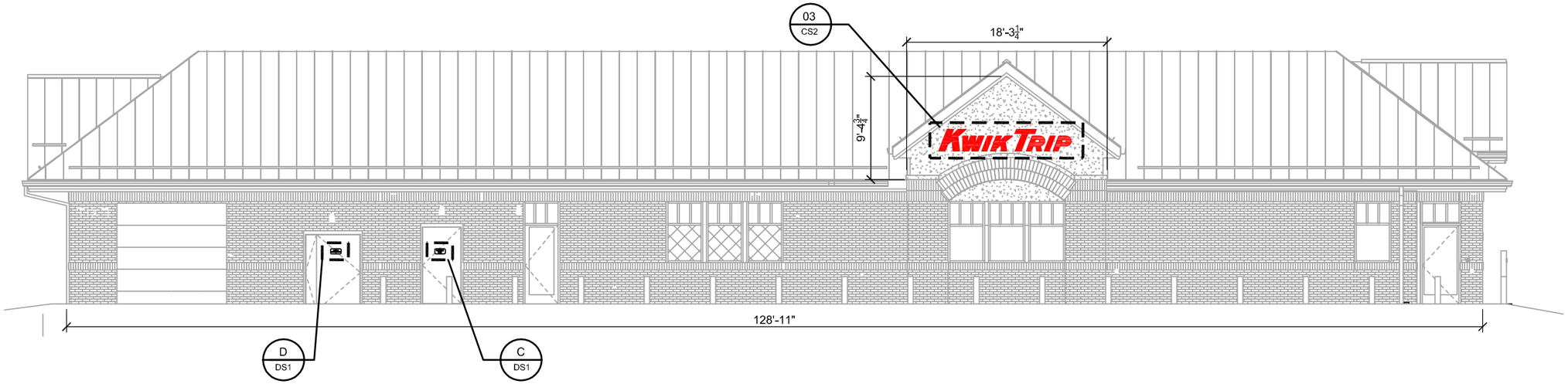
CONVENIENCE STORE SIGNAGE

CONVENIENCE STORE #1732
WITH 1 BAY CARWASH

1007 & 1009 W MASON ST
GREEN BAY, WI

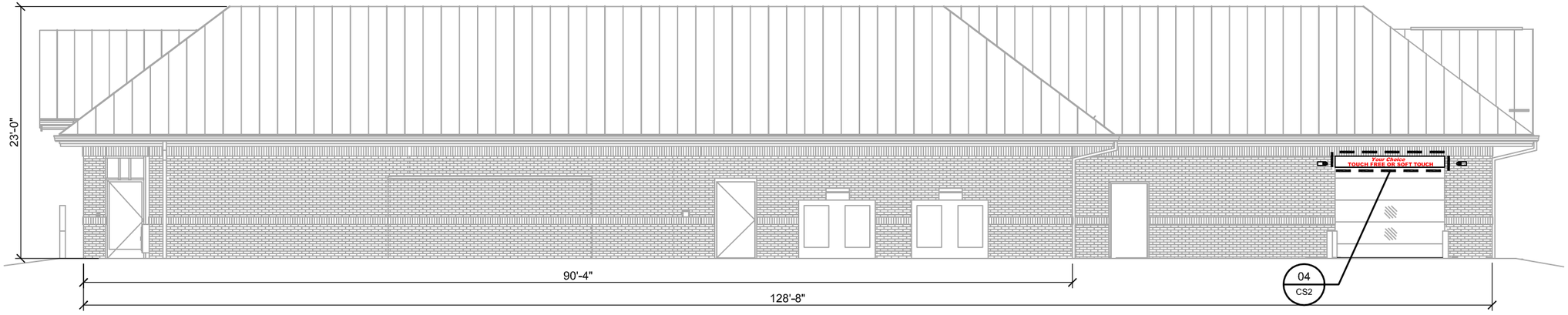
#	DATE	DESCRIPTION

DRAWN BY	KMK
SCALE	MULTIPLE
PROJ. NO.	0001
DATE	2024 02-16
SHEET	CS1



STORE ELEVATION

SCALE: 3/32" = 1'-0"



STORE ELEVATION

SCALE: 3/32" = 1'-0"

LOGO DETAIL - SIGN #03

SCALE: 1/2" = 1'-0"

Your Choice
TOUCH FREE OR SOFT TOUCH

NON-LIT INFORMATIONAL SIGN
RED VINYL ON WHITE ALUMINUM
1'-0"H X 10'-0"W = 10.0 SQ FT

INFORMATIONAL SIGN #04

SCALE: 1/2" = 1'-0"

KWIK TRIP

KWIK STAR

KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
LA CROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960

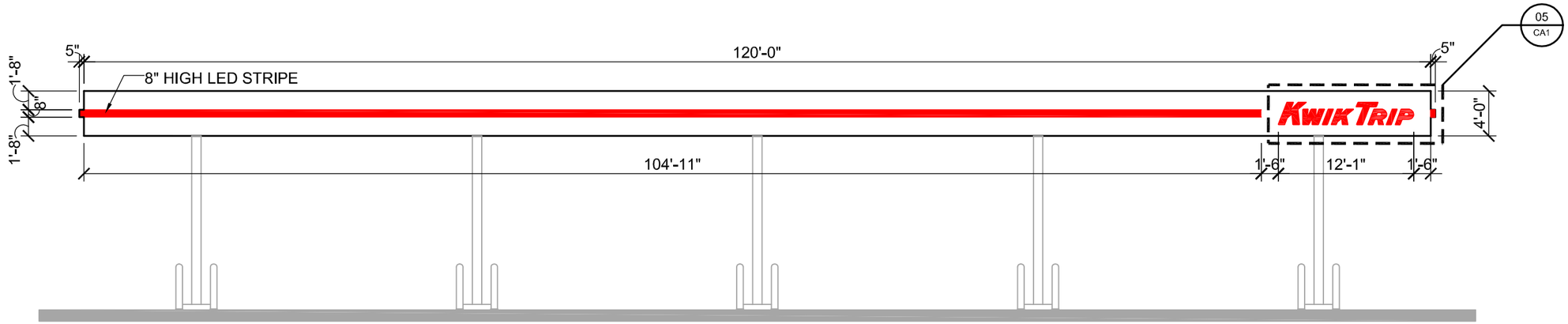
CONVENIENCE STORE SIGNAGE

CONVENIENCE STORE #1732
WITH 1 BAY CARWASH

1007 & 1009 W MASON ST
GREEN BAY, WI

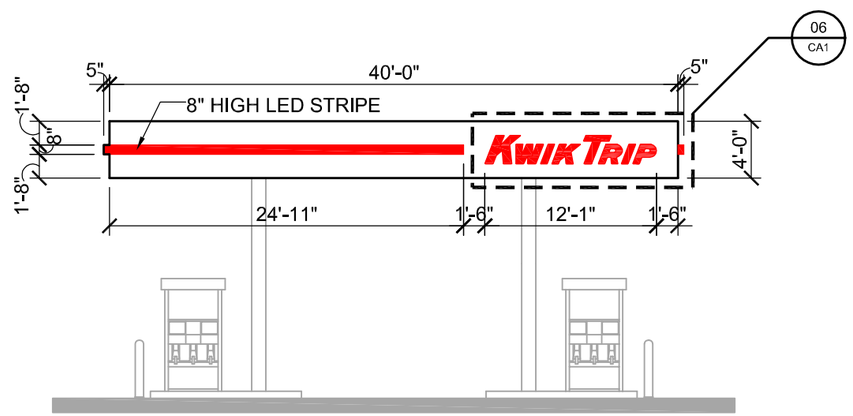
#	DATE	DESCRIPTION

DRAWN BY	KMK
SCALE	MULTIPLE
PROJ. NO.	0001
DATE	2024 02-16
SHEET	CS2



CANOPY ELEVATION

SCALE: 3/32" = 1'-0"



CANOPY ELEVATION

SCALE: 3/32" = 1'-0"

LOGO DETAIL - SIGNS #05 & #06

SCALE: 1/2" = 1'-0"

KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
LA CROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960

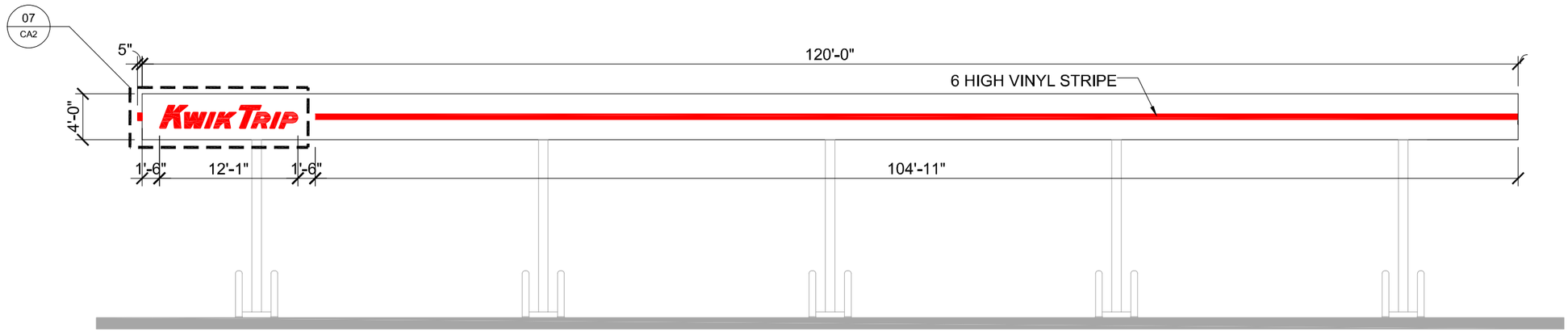
CANOPY SIGNAGE

CONVENIENCE STORE #1732
WITH 1 BAY CARWASH

1007 & 1009 W MASON ST
GREEN BAY, WI

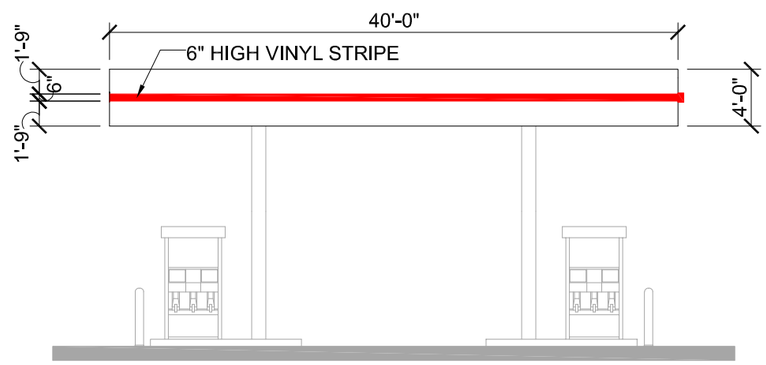
#	DATE	DESCRIPTION

DRAWN BY	KMK
SCALE	MULTIPLE
PROJ. NO.	0001
DATE	2024 02-16
SHEET	CA1



WEST CANOPY ELEVATION

SCALE: 3/32" = 1'-0"



SOUTH CANOPY ELEVATION

SCALE: 3/32" = 1'-0"

LOGO DETAIL - SIGN #07

SCALE: 1/2" = 1'-0"

KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
LA CROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960

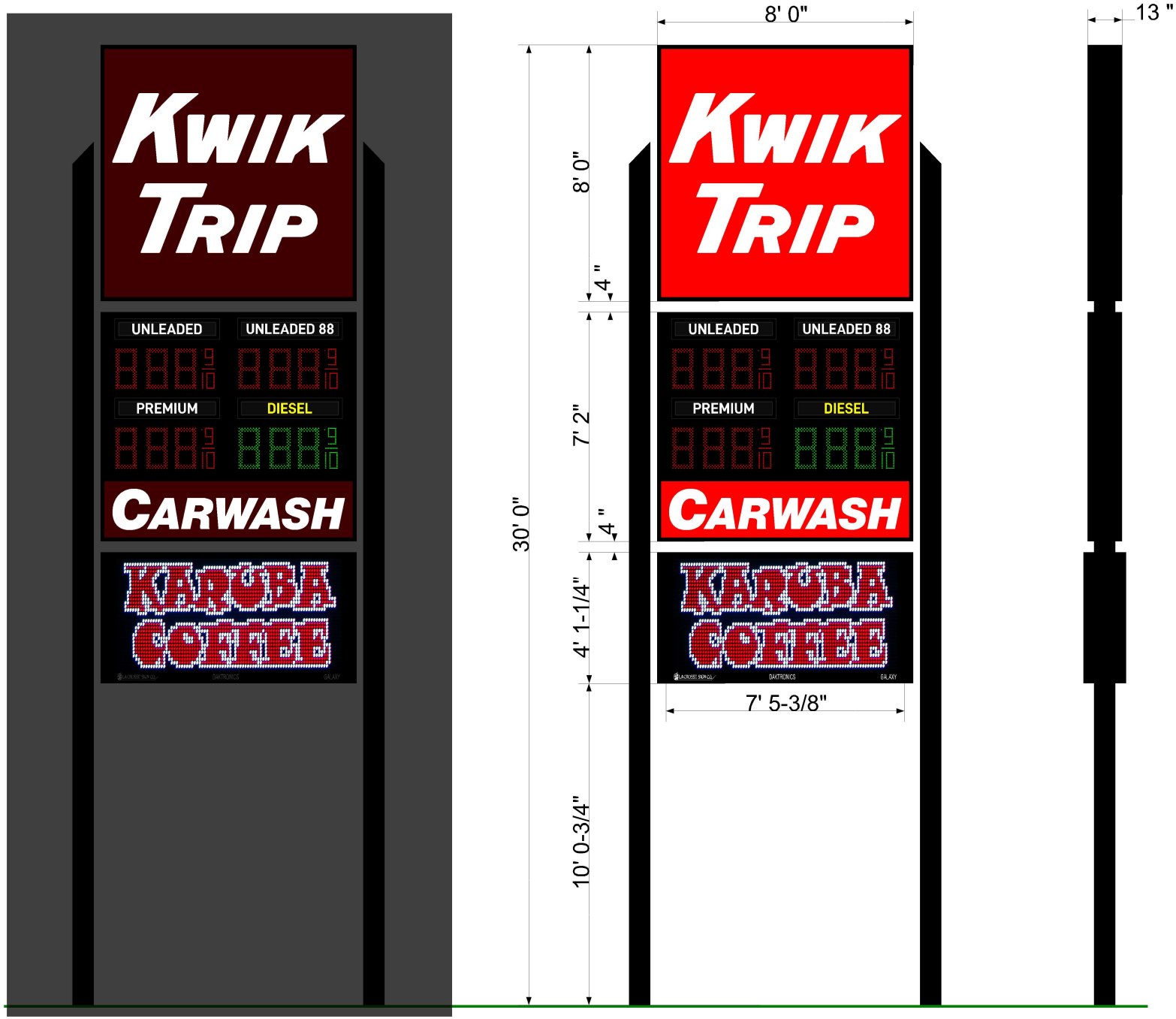
CANOPY SIGNAGE

CONVENIENCE STORE #1732
WITH 1 BAY CARWASH

1007 & 1009 W MASON ST
GREEN BAY, WI

#	DATE	DESCRIPTION

DRAWN BY	KMK
SCALE	MULTIPLE
PROJ. NO.	0001
DATE	2024 02-16
SHEET	CA2



Approved by:_____ Date:_____ Landlord:_____ Date:_____

*Colors on sketch are only a representation, actual color of finished product may differ from this sketch.
*To make the best use of standard sized materials and control costs the size of the finished product may vary slightly.

La Crosse Sign Group
lacrossesign.com

1450 Oak Forest Drive	Onalaska, WI 54650	608-781-1450
2242 Mustang Way	Madison, WI 53718	608-222-5353
2502 Melby Street	Eau Claire, WI 54703	715-835-6189

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Client
Kwik Trip #1732
Green Bay, WI

Project
A - Pylon Sign

Consultant
Kelly Voegele

Design Art
Danielle Hadley

Pylon Sign Specifications
- Height 30' 0"
- Opaque Face w/ Illuminated Logo
- 16" Pricers w/ Illuminated Products
- EMC 135 x 270 Daktronics

Area
- 64 sqft Face
- 56 sqft Price / Carwash Cabinet
- 30.57 sqft EMC
- 150.57 sqft Total

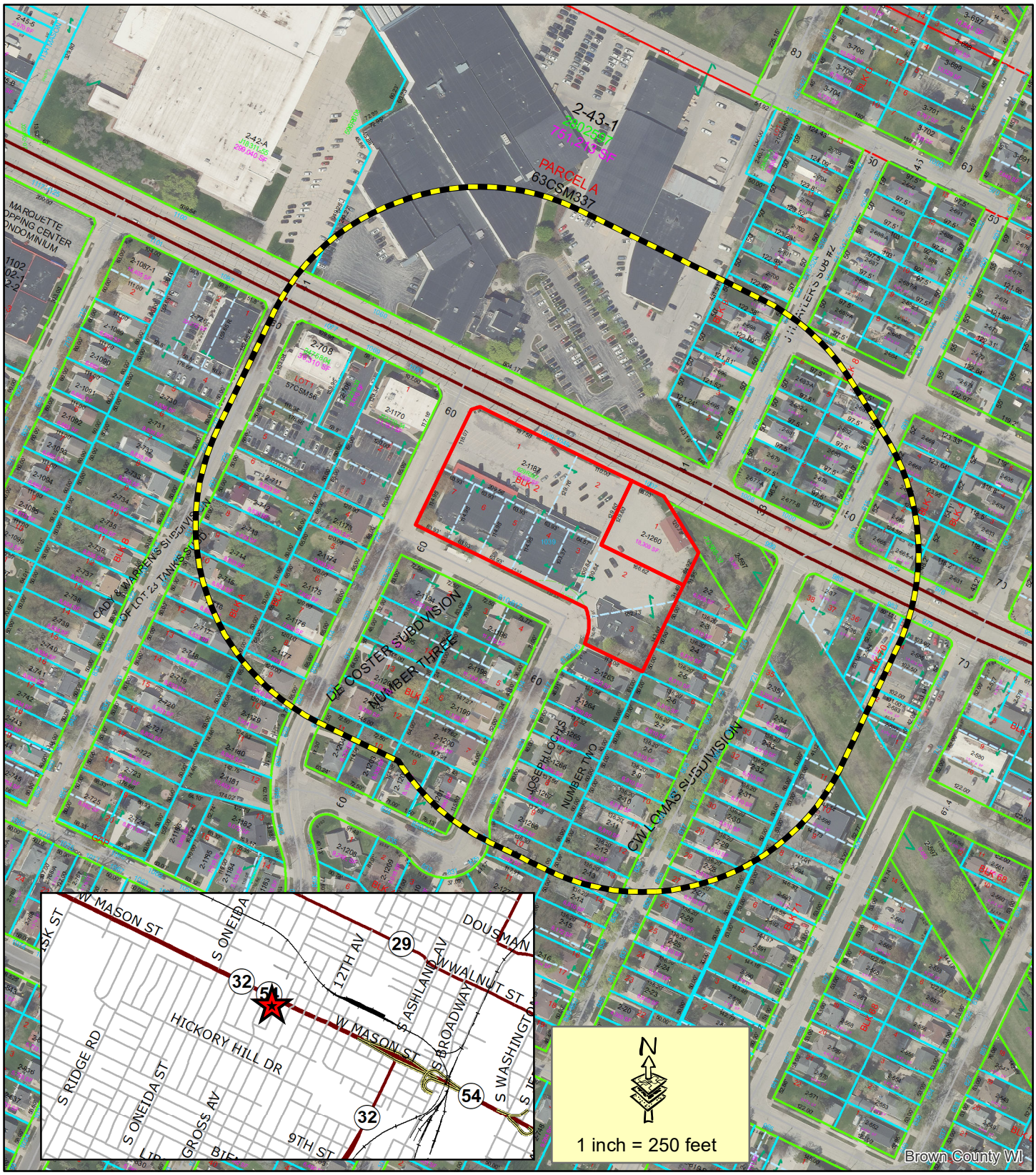
Color Key
1. NA 708350 Red S/G
2. Black S/G
3. White Acrylic
4. Black (3630-22)
5. Yellow (3630-015)
6. Lexan

Job Number
124599

Creation Date
3/11/2024

Revision Date **Revision Number**

File Path
1 - Kwik Trip\Green Bay, WI 1732\124599-Artwork for KT1732 Green Bay\Design1732 Green Bay Art 124599 Pylon



Subject Area

400' 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 DM.

Zoning Petition (ZP 24-10) Conditional Use Permit at 1007 and 1039 W. Mason St

CITY OF GREEN BAY 1854 Titletown, USA

BAY CENTER
Badger
LIQUOR
LIQUOR
1000 W. Mason
700 Gross Av
Gross Ave
35
Google

800 Gross Av
800 Gross Ct
Gross Ct

From: John Knier
To: Jon LeRoy
Subject: ZP 24-10, Proposed CUP at 1007 and 1039 West Mason Street (April 29th Public Hearing)
Date: Tuesday, April 23, 2024 3:30:59 PM

Hello Jon,

Thank you for your correspondence dated April 17th, 2024 relating to the above matter. I am writing on behalf of LaForce, LLC. As you may know, LaForce has operated its business for many years at 1060 West Mason just to the north across the street from this request. We wanted to comment to say that we are not against the proposed development in general yet we have concerns about traffic and pedestrian safety in the area and especially with pedestrians crossing Mason Street. At present we have ~ 325 employees working at this location. In addition to our employees, there will likely be more neighbors from the community walking across Mason Street to visit the Kwik Trip convenience store. There is a bus stop on the north side of the street as well. Last year a pedestrian was killed crossing Mason Street just a block south of our location. We think it would be best to conduct a traffic study in conjunction with this request to determine what type of pedestrian safety improvements (cross walks, etc.) would be appropriate to install in this area.

We will attempt to attend the hearing but if you could ensure to present our comments to the Commission that would be great, Jon. Please do not hesitate to contact me with any questions.

Thank you.

John Knier
Corporate Secretary

LaForce | **Electronic Security Systems**
P: 1.800.236.8858 ext. 275401
john.knier@laforceinc.com

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RESOLUTION AUTHORIZING CONDITIONAL USE PERMIT AT 1007 AND 1009 WEST MASON STREET (ZP 24-10)

MAY 7, 2024

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Zoning Petition 24-10 and the recommendation of the Plan Commission on April 29, 2024, the City of Green Bay does authorize a Conditional Use Permit (CUP) for a convenience store, fuel/gas station, and carwash facility in a Community Center Commercial District at 1007 and 1009 West Mason Street (Parcels 2-1260 and 2-1187) petitioned by Seth Waddell of Kwik Trip; Bay Center Inc, property owner.

> **PARCEL 1 (PARCEL 2-1260):**
> LOT 1, JOSEPH LOCH SUBDIVISION NO. 2, ACCORDING TO THE RECORDED PLAT THEREOF, IN THE CITY OF GREEN BAY, WEST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN.
>
> AND
>
> **PARCEL 2 (PARCEL 2-1187):**
> LOTS 1, 2, 3, 4, 5, 6 AND 7, BLOCK 2, DE COSTER'S SUBDIVISION NO. 3, IN THE CITY OF GREEN BAY, WESTSIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN ALONG WITH THAT PART OF VACATED GROSS COURT IN JACKET 13685, IMAGE 03, AS DOCUMENT NO. 1166833, AND EXCEPTING THEREFROM THAT PART DESCRIBED IN JACKET 23321, IMAGE 01, AS DOCUMENT NO. 1405966.

Said conditional-use permit shall be granted subject to:

1. A site plan and applicable permit applications are submitted to the Department of Community and Economic Development for review and approval.

2. No driveway access permitted along the southern property line.

3. Limit carwash operations to the hours of 7:00am-9:00pm daily.

4. Combine both parcels into a single parcel. (2-1260, 2-1187)

5. Permit a single driveway entry entering off Gross Avenue and remove any existing driveway curb cuts along Gross Avenue which do not serve a new single driveway entry point off of Gross Avenue.

6. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.

Adopted _____

Approved _____

_____
Eric Genrich, Mayor

_____
Celestine Jeffreys, Clerk

jl

Attachment – Map

Report to the
Green Bay Plan Commission

MEETING DATE	PREPARED BY
April 29, 2024	

AGENDA ITEM # F.1

Director's report.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None