



AGENDA OF THE GREEN BAY PLAN COMMISSION

MONDAY, NOVEMBER 4, 2024, 6:00 PM
City Hall, Room 604 - The Harry Maier Room.
Virtual attendance is also available via Zoom.

A. Zoom Meeting Information.

- I. Join Zoom Meeting Online:

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSIZGZlFjcmlpWnZlOEVnUT09>

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.

- I. Members: Chair Lisa Hanson, Vice-Chair Jacob Miller, Ald. Jim Hutchison, Derius Daniels, Ken Rovinski, Emma Fulwilder and Kelsey Lutzow.

C. Approval of the Agenda.

- I. Approval of the agenda for the Monday, November 4, 2024, meeting of the Green Bay Plan Commission.

D. Approval of Minutes.

- I. Approval of the minutes from the October 7, 2024, meeting.

E. Regular Business.

- I. [ITEM HELD AT PETITIONERS REQUEST] (ZP 24-40) Public Hearing on a request to establish a Planned Unit Development located at 1835 Ridge Road and 1820 Frank Street, submitted by Vierbicher on behalf of Kuehn Ridge Holdings LLC, property owner (Ald. C. Wery, District 8) **[PUBLIC HEARING and CONSIDERATION WITH POSSIBLE**

ACTION IS POSTPONED]

2. [ITEM HELD AT PETITIONERS REQUEST] (ZP 24-41) Public Hearing on a request to establish a Planned Unit Development located at 1825 Frank Street, submitted by Vierbicher on behalf of WISC Short Term Rentals LLC, property owner (Ald. C. Wery, District 8). **[PUBLIC HEARING and CONSIDERATION WITH POSSIBLE ACTION IS POSTPONED]**
3. (ZP 24-35) Public hearing on a request to rezone properties located at 1644, 1648, 1652, and 1656 Deckner Avenue and 129, 133, 137, and 145 Oak Grove Avenue from General Commercial (CI) District to Office-Residential (OR) District, submitted by Dennis and Cindy Scherer and the City of Green Bay Community and Economic Development Department (Ald. C. Stevens, District 5).
4. (ZP 24-35) Consideration with possible action on a request to rezone properties located at 1644, 1648, 1652, and 1656 Deckner Avenue and 129, 133, 137, and 145 Oak Grove Avenue from General Commercial (CI) District to Office-Residential (OR) District, submitted by Dennis and Cindy Scherer and the City of Green Bay Community and Economic Development Department (Ald. C. Stevens, District 5).
5. (ZP 24-36) Public hearing on the request for a Conditional Use Permit (CUP) to allow a substation/distribution equipment use within the (GI) General Industrial district at 2020 North Quincy Street in the form of a Battery Energy Storage System (BESS). Tern Energy Storage LLC-petitioner, US Venture Inc-Property Owner (Ald. Prestley, District 6).
6. (ZP 24-36) Consideration and possible action on the request for a Conditional Use Permit (CUP) to allow a substation/distribution equipment use within the (GI) General Industrial district at 2020 North Quincy Street in the form of a Battery Energy Storage System (BESS). Tern Energy Storage LLC-petitioner, US Venture Inc-Property Owner (Ald. Prestley, District 6).
7. (ZP 24-38) Public hearing on the request for a Conditional Use Permit (CUP) to allow a single-family residential property use within the (R3) Varied-Density Residential district at 815 N Webster Avenue; Christian Ortega of Ortegas properties LLC, applicant and property owner (Ald. A. Proffitt, District 7).
8. (ZP 24-38) Consideration with possible action on the request for a Conditional Use Permit (CUP) to allow a single-family residential property use within the (R3) Varied-Density Residential district at 815 N Webster Avenue; Christian Ortega of Ortegas properties LLC, applicant and property owner (Ald. A. Proffitt, District 7).
9. (ZP 24-39) Public Hearing on a request to amend a Planned Unit Development located at 226 Borneman Street, submitted by Summit BHC on behalf of 226 Borneman LLC, property owner (Ald. C. Stevens, District 5).
10. (ZP 24-39) Consideration with possible action on a request to amend a Planned Unit Development located at 226 Borneman Street, submitted by Summit BHC on behalf of 226 Borneman LLC, property owner (Ald. C. Stevens, District 5).

F. Informational.

1. Director's report.
2. Date of next meeting: November 25, 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

November 4, 2024

PREPARED BY

AGENDA ITEM # E.I

[ITEM HELD AT PETITIONERS REQUEST] (ZP 24-40) Public Hearing on a request to establish a Planned Unit Development located at 1835 Ridge Road and 1820 Frank Street, submitted by Vierbicher on behalf of Kuehn Ridge Holdings LLC, property owner (Ald. C. Wery, District 8) **[PUBLIC HEARING and CONSIDERATION WITH POSSIBLE ACTION IS POSTPONED]**

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

AGENDA ITEM # E.2

[ITEM HELD AT PETITIONERS REQUEST] (ZP 24-41) Public Hearing on a request to establish a Planned Unit Development located at 1825 Frank Street, submitted by Vierbicher on behalf of WISC Short Term Rentals LLC, property owner (Ald. C. Wery, District 8). **[PUBLIC HEARING and CONSIDERATION WITH POSSIBLE ACTION IS POSTPONED]**

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

AGENDA ITEM # E.3

(ZP 24-35) Public hearing on a request to rezone properties located at 1644, 1648, 1652, and 1656 Deckner Avenue and 129, 133, 137, and 145 Oak Grove Avenue from General Commercial (CI) District to Office-Residential (OR) District, submitted by Dennis and Cindy Scherer and the City of Green Bay Community and Economic Development Department (Ald. C. Stevens, District 5).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

Dena Mooney, Staff

AGENDA ITEM # E.4

(ZP 24-35) Consideration with possible action on a request to rezone properties located at 1644, 1648, 1652, and 1656 Deckner Avenue and 129, 133, 137, and 145 Oak Grove Avenue from General Commercial (CI) District to Office-Residential (OR) District, submitted by Dennis and Cindy Scherer and the City of Green Bay Community and Economic Development Department (Ald. C. Stevens, District 5).

BACKGROUND

Primary Addresses: 1644, 1648, 1652, and 1656 Deckner Avenue and 129, 133, 137, and 145 Oak Grove Avenue

Aldersperson/District: Ald. Stevens, District 5

Reason for Request: Bring existing land uses into compliance and create a transitional area between the Main Street commercial uses to the residential uses to the west.

Surrounding Zoning and Land Uses:

Subject: General Commercial (CI) and Low Density Residential (RI) | Single and Multi-Family Homes and Commercial

North: General Commercial (CI) | Commercial

South: Low-Density Residential (RI) | Single-Family Homes

East: General Commercial (CI) | Commercial

West: Single-Family Residential (RI) | Single and Multi-Family Homes

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan recommends Commercial for these parcels. This rezoning is consistent with this recommendation.

Report: The subject area is located to the east of Main Street and south of Deckner Avenue at the Deckner Avenue - Oak Grove Avenue intersection. The owners of 129 Oak Grove Avenue, Dennis and Cindy Scherer, would like to sell their property, which is a single-family residential parcel. The issue being faced is that certain lenders are unwilling to finance the sale because the use of the property is a legal, nonconforming use (single-family dwelling) in the General Commercial District (CI). Planning staff recognized that other homes in the neighborhood are also zoned CI or are split zoned CI and Low-Density Residential (R-I) and have amended the request to bring forward other parcels to be considered in this petition.

CI is generally for moderate-intensity commercial uses. 129, 133, 137 and 145 Oak Grove Avenue and 1648 Deckner Avenue are single-family residences and 1646 Deckner Avenue is a multi-family residence. These dwellings are not permitted in the CI district and are currently considered legal nonconforming. Expansions of legal nonconforming uses are not permitted, and repairs/alterations are limited to 50% value in structural repairs. A more suitable zoning district for the parcels would be Office-Residential (OR) which is a transitional mixed-use district that allows single-family homes with a conditional

use permit. Low-intensity commercial uses and multi-family dwellings are also permitted by right in the OR district. 1656 Deckner Avenue is a commercial property (personal service establishment) and is permitted in the OR district. Furthermore, including all of these parcels in the application eliminates spot zoning.

The subject properties are all identified on the future land use map as Commercial. This was done to aid in the expansion of commercial opportunities along Main Street. Rather than wait until a development was proposed to rezone the properties off of Main Street, the properties in this area were zoned to General Commercial (CI) an approximate distance of 150' inward from Main Street. Planning staff supports rezoning this area from CI to OR because it still maintains the commercial vision for the corridor but allows an opportunity for the existing residential uses to remain where appropriate. Since the rezone complies with the future land use map and complements surrounding land uses, staff supports the request.

Ald. Stevens and neighbors within 200 feet have been notified of the meeting based on Plan Commission policy. No objections have been received as of the drafting of this report. However, an inquiry was made by the owner of 1638 Deckner Avenue requesting that their property be included in this action. That request will need to be done by separate application.

RECOMMENDATION

Approval of the request.

FISCAL IMPACT

ATTACHMENTS

1. ZP 24-35 Application
2. ZP 24-35 Map
3. 24-35 Zoning 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: 129 Oak Grove Ave

Parcel Number(s): 21-2384

Petitioner(s): Dennis & Cindy Scherer

Date: 10/4/24

Email: dennis@vs.machine.com

Phone Number: (920) 680-6654

Address: 5877 Airport Drive

City: Pulaski State: WI Zip: 54162

Property Owner: Dennis & Cindy Scherer

Phone Number: _____

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

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

I, Dennis & Cindy Scherer, 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: Dennis Scherer

Date: 10/4/24

Petitioner Signature(s): Dennis Scherer

Cindy Scherer

Checklist of required attachments:

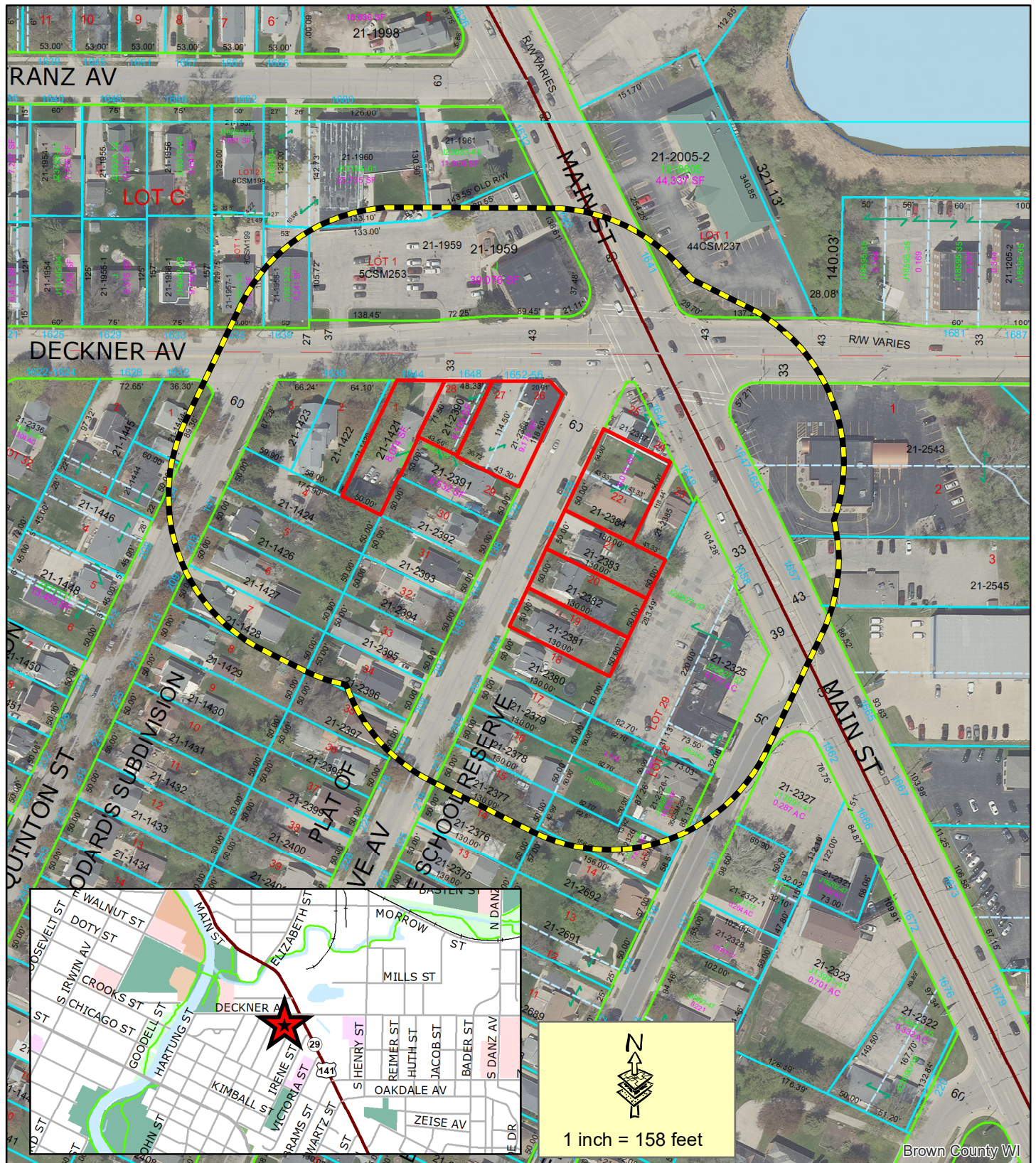
- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: _____

Receipt No.: _____

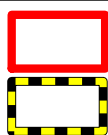
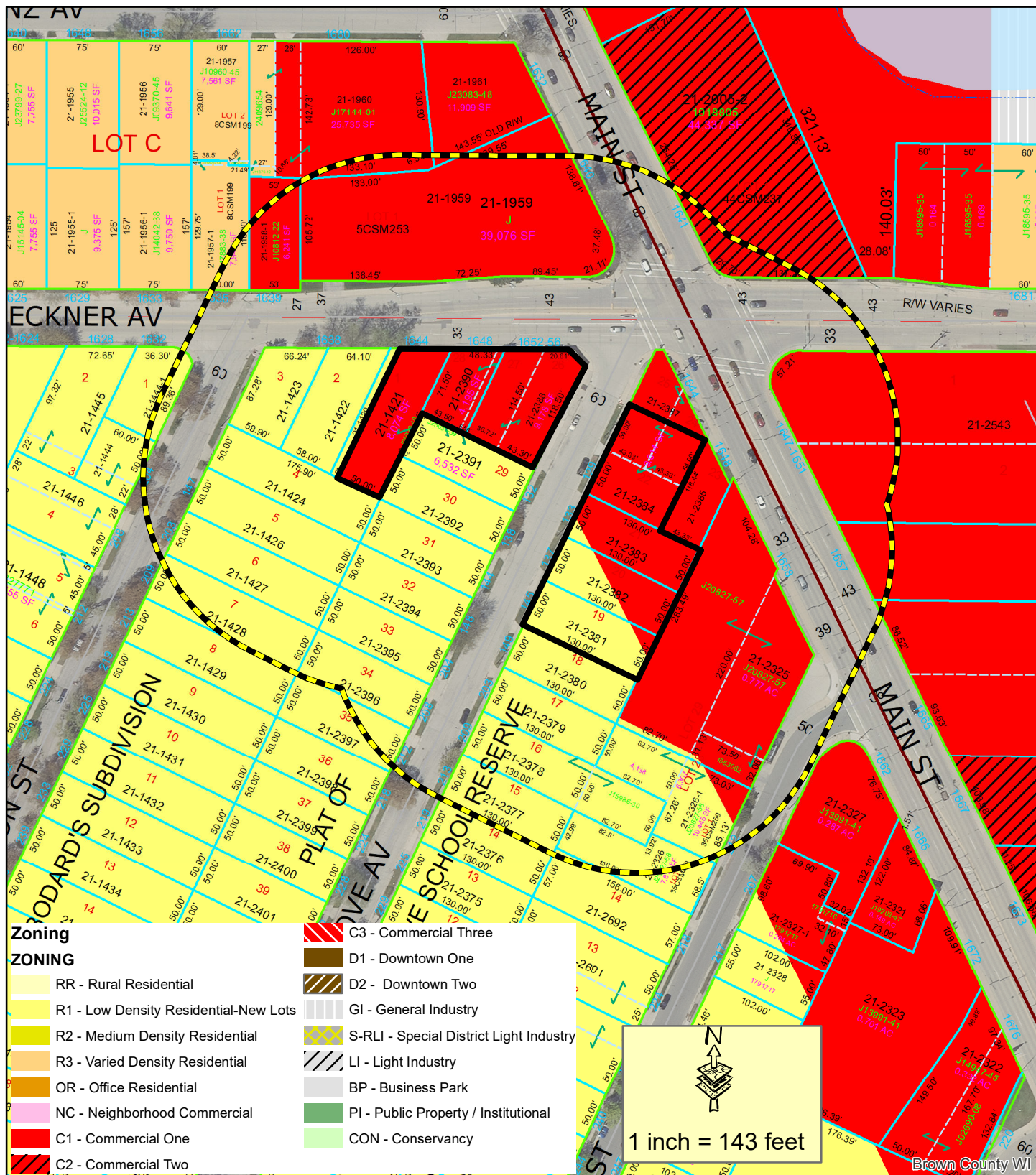
Zoning Petition No.: _____



Zoning Petition (ZP 24-35)
Rezone Subject Area at
1644, 1648, 1652, 1656 Deckner Ave
129, 133, 137, 145 Oak Grove Ave
from General Commercial (C1) to
Office-Residential (OR)



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.



Subject Area

200' Property Owner Notice

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

Zoning Petition (ZP 24-35)
Rezone Subject Area at
1644, 1648, 1652, 1656 Deckner Ave
129, 133, 137, 145 Oak Grove Ave
from General Commercial (C1) to
Office-Residential (OR)





Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

AGENDA ITEM # E.5

(ZP 24-36) Public hearing on the request for a Conditional Use Permit (CUP) to allow a substation/distribution equipment use within the (GI) General Industrial district at 2020 North Quincy Street in the form of a Battery Energy Storage System (BESS). Tern Energy Storage LLC-petitioner, US Venture Inc-Property Owner (Ald. Prestley, District 6).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.6

(ZP 24-36) Consideration and possible action on the request for a Conditional Use Permit (CUP) to allow a substation/distribution equipment use within the (GI) General Industrial district at 2020 North Quincy Street in the form of a Battery Energy Storage System (BESS). Tern Energy Storage LLC-petitioner, US Venture Inc-Property Owner (Ald. Prestley, District 6).

BACKGROUND

Reason for Request: To allow the establishment of a Battery Energy Storage System (BESS) on 8.1 acres of land located on the southern and eastern portion of the 20-acre property. The (GI) General Industrial District requires a Conditional Use Permit.

Surrounding Zoning and Land Uses:

Subject: (GI) General Industrial | Fuel Storage

North: (GI) General Industrial | Sewage District

South: (GI) General Industrial | I-43 & Fuel Storage

East: (GI) General Industrial | Warehousing & Manufacturing

West: (GI) General Industrial | WPS & Sewage District

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for Business Park uses. 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 not inconsistent with the comprehensive plan.

Report: The subject 20-acre property is located at the northeast corner of North Quincy Street and Chip Street just north of Interstate Highway 43. It is a through lot with approximately 580 feet of frontage along North Quincy Street and Angie Street. It is designated / zoned for general industrial uses, which is our least restrictive zoning district and most appropriate for this use. However, substations and distribution facility must receive a Conditional Use Permit to be established.

The petitioner is proposing to utilize 8.1 acres of the 20-acre property for Battery Energy Storage System (BESS). The proposed project will consist of approximately 450 battery enclosures (10' X 30' in size), approximately 112 transformers and a collection substation. The BESS will charge its batteries with energy from the electric transmission grid, store that energy on site, and later deliver that energy back onto the grid when needed.

The project's infrastructure (excluding the generation-tie line which connects the project to the grid and collector substation) will reach a maximum height of approximately 12 feet and include seven-to-eight-foot security fencing. Access to the site will be through an internal shared drive located off Angie Street and a knox box will be located at the front gate to provide 24-hour access for emergency services. Additional security will be provided by monitoring the property remotely 24-hours-a-day, 365-days-a-year. The project may also include an operation and maintenance facility. The project will also include an approximately 1/4-

mile long line connecting the BESS to the ATC Tower Substation located across N. Quincy Street.

The project is not anticipated to create much of a traffic impact following construction and will also not produce any air pollution or odors. Sound produced by BESS facilities is generally related to the HVAC systems.

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

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

Staff believes this location is the most suitable location for this type of use as the area is almost exclusively manufacturing, industrial and warehouse uses. Staff feels this request meets all seven standards for Conditional Use Permit approval. It will not be detrimental to the public health, safety and welfare; will not impede orderly development; the design will not diminish property values in the area; the site has adequate utilities to service it, adequate measures will be taken to provide access and parking; and the overall use will conform to all regulations of the zoning code. This use is quite passive as compared to other permitted use in the (GI) General Industrial District.

Aldersperson Prestley (Alder for the District), Alderson Proffitt (adjoining District) and property owners within 400-ft of the subject site have been notified of the request by the City via notification letters. As of the drafting of this report, staff has not received any inquiries about the request.

RECOMMENDATION

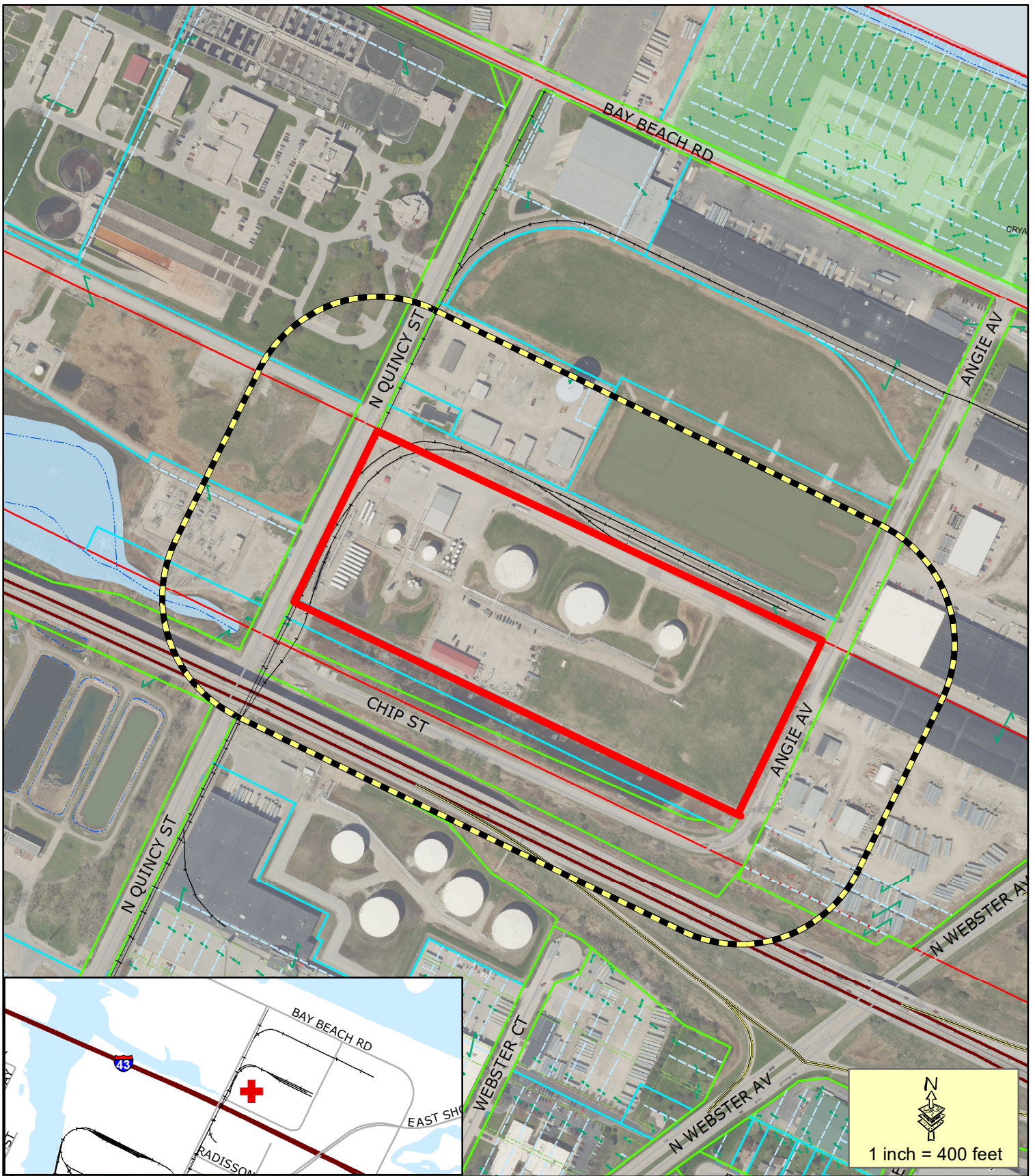
Approval of the request, subject to the following condition:

1. Compliance with all other regulations of the Green Bay Municipal Code.

FISCAL IMPACT

ATTACHMENTS

1. ZP 24-36 Locartion Map
2. ZP 24-36 App_Combined
3. ZP 24-36 Resolution_CUP at 202 N Quincy



- Proposed CUP
- 400' Property Owner Notice

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Map prepared by DB

Zoning Petition (ZP 24-36) Proposed Conditional Use Permit (CUP) at 2020 n Quincy Street





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: 2020 N Quincy St, City of Green Bay, 54302

Parcel Number(s): 20-689-A

Petitioner(s): Tern Energy Storage LLC Date: 10/8/2024

Email: notice@cip.dk Phone Number: (212) 257-5000

Address: 412 W. 15th Street, 15th Floor City: New York State: NY Zip: 10011

Property Owner: U.S. Venture, Inc. Phone Number: 920-739-6101

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, Tern Energy Storage LLC, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$375.00 Review Fee)
- ☒ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$375.00 Review Fee)
- ☐ PUD and PUD Amendments (\$425.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$250.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$250.00 Review Fee)
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- ☐ 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: Sean Toland Date: 9/19/24
 Petitioner Signature(s): _____ September 30, 2024
DAAEB132C879462...

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.: _____



TERN ENERGY STORAGE LLC

Conditional Use Permit Application for Tern Energy Storage
System

2020 N. Quincy Street

City of Green Bay, WI

October 2024

Submitted to the City of Green Bay



Tern Battery Energy Storage System
Project Narrative

I. TABLE OF CONTENTS

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II. PROJECT OVERVIEW

The project is a 200-megawatt (MW), 800 megawatt-hour (MWh) Battery Energy Storage System (BESS) located within the City of Green Bay, Wisconsin (City) (the “Project” or “Tern Energy Storage”). The Project will support grid stability and reliability, responding quickly to sharp changes in demand for power. Without energy storage resources, blackouts and brownouts are more likely, costing businesses and families’ significant losses. The Project is especially important to support the ongoing transition to renewable energy. Wind power and solar energy have many benefits, such as reducing air pollution, creating local jobs and tax revenues, and making both Wisconsin and the United States more energy independent. However, wind and solar resources only produce electricity when the wind is blowing, and the sun is shining. Energy storage systems like the Project supplement the wind and solar being added to Wisconsin’s grid, by enabling the storage of energy from intermittent resources. The Project represents a critical value-add to those clean generation resources and will deliver energy to the grid when it is needed. Additionally, recent events have shown that BESS facilities can make existing baseload facilities more efficient and avoid events like “load shedding” (i.e., cutting off electric customers during emergency events). These events drive up costs for businesses and families. The Project will aid the region’s ongoing transition to renewables, providing reliable electric service, and delivering significant economic benefits.

III. PROJECT DESCRIPTION

The Project is located on an approximately 8.1-acre portion of property owned by U.S. Ventures, Inc., at 2020 N. Quincy Street in Green Bay. The Tax Parcel Number is 20-689 and the site is

zoned General Industry (GI). See **Attachment A** for a site location map. See **Attachment B** for a certified survey map and legal description of the site. See **Attachment C** for a conceptual site plan.

The Project will be able to store a maximum of 800 MWh of electricity at a given time, with a maximum injection capacity of 200 MW into the electric transmission grid by connection into the Tower Substation, owned by American Transmission Company (ATC), located immediately across N. Quincy Street. The Project's infrastructure (excluding the generation-tie line which connects the Project to the grid (Gen-Tie Line) and collector substation) will reach a maximum height of approximately 12 feet. The Project will include seven-to-eight-foot security fencing. The security fencing will have the required warning signs per the National Electrical Code (NEC), and a sign posted on the entry gate providing a 24-hour emergency response number. Additionally, a Knox box will be located at the front gate to provide 24-hour access to emergency responders. The Project will be remotely monitored 24-hours-a-day, 365-days-a-year. The Project may include an Operation & Maintenance (O&M) facility on the site. Please see a more detailed description of the Project's infrastructure in the "Project Components" section below.

The Project also includes an approximately ¼-long Gen-Tie Line that will be constructed from the Project to the ATC Tower Substation. The Gen-Tie Line is identified on the site location map (**Attachment A**).

The amount of land under option to purchase is approximately 8.1 acres; however, battery equipment will be placed on only a portion of the land. The fenced acreage of the battery storage facility will be approximately 7.3 acres.

IV. PROJECT ENTITY, OWNER, & DEVELOPER

The Project will be owned and operated by Tern Energy Storage, LLC (Tern Energy Storage), a wholly owned subsidiary of Copenhagen Infrastructure Partners (CIP), and will be developed by Tenaska, Inc.

CIP is an infrastructure investment firm specializing in renewable energy and other essential infrastructure projects. They are known for their expertise in developing, financing, and managing critical infrastructure, particularly in the field of renewable energy.

CIP has a strong track record of successfully developing and operating renewable energy projects globally. They have been involved in various phases of renewable energy projects, including project development, financing, construction, and long-term operation. Currently, CIP has approximately \$20 billion of assets under management. CIP is involved in the development of 550 MW of BESS projects in Wisconsin, including the proposed Tern Energy Storage project.

Tenaska is a privately held company based in Omaha, Nebraska. Tenaska has been in business for over 35 years and has grown into one of the largest privately held companies in the U.S. Tenaska has been responsible for developing, managing, and/or operating over 22,000 MWs of generation over its 35 years. Tenaska has consistently been recognized in the industry for safety and has a proven track record developing a wide range of energy projects, including natural gas, renewables, and BESS facilities. It is a partner with CIP in all of CIP's Wisconsin BESS projects.

V. PLAN OF OPERATION

The Project will charge its batteries with energy from the electric transmission grid, store that energy on site, and later deliver that energy back onto the transmission grid through the same

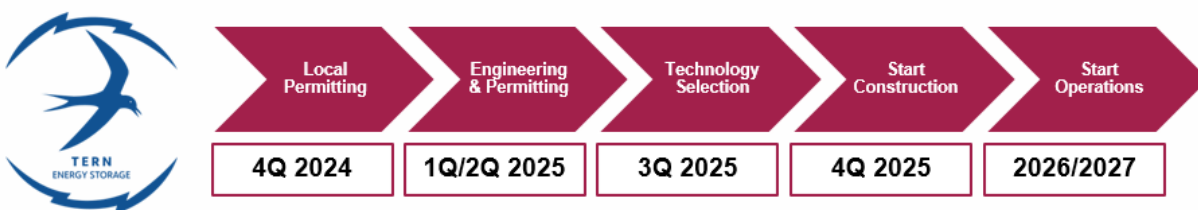
point of interconnection. During operation, the Project will be monitored and operational 24 hours a day and 365 days a year.

Operation of the Project will be performed remotely, however, site maintenance and periodic security patrols are anticipated to produce one to two full-time equivalent (FTE) positions. During construction, the Project is expected to produce about 75 construction jobs.

The Project is not expected to significantly impact traffic during construction or operations. Additionally, the Project will not produce any air pollution or odors. The Project will meet the post-development peak stormwater discharge requirements as outlined in the City's Post-Construction Stormwater Management Ordinance.

Tern Energy Storage plans to commence Project construction in 2025, pending receipt of all required permits and approvals, and availability of key equipment for the Project. Please see below a tentative project timeline:

Tern Energy Storage Timeline



VI. PROJECT COMPONENTS

The main components of the Project include:

- **Battery Storage Enclosures** – Battery components will be housed in purpose-built enclosures that will be placed on concrete, pier, or other foundation that follows the site-specific geotechnical recommendations. Each battery enclosure will be approximately 10 feet tall, 30 feet wide and 8 feet deep. Lithium-ion battery cells will be configured in modules, which will be arranged in racks, which will be housed in battery enclosures. HVAC and temperature control systems will be incorporated into the enclosure's design. The enclosures will also house a battery management system that will monitor the batteries and ensure their performance is safe and efficient. To ensure that the Project will be able to maintain its energy capacity, space will be reserved on site for future power augmentation, i.e., the addition of batteries and related facilities.
- **Inverters** – Inverters will be used in charging to convert incoming electricity from alternating current (AC) to direct current (DC), and vice versa upon battery discharge.
- **Transformers** – Transformers will be used to step down the voltage of incoming electricity to enable storage and will be used to step up the voltage to enable transmission back to the grid.
- **Collector Substation** – A collector substation will be constructed on the Project site that will include the Project's electrical transmission equipment such as breakers and main

power transformer. The collector substation will have an approximately 1.30-acre footprint within the Project area.

- **Energy Management System (EMS)** – The Project will be run by an onsite EMS. This system will control the charging and discharging of the batteries.
- **Battery Management System (BMS)** – The Project will be monitored 24/7 by the BMS. This includes extensive monitoring of the battery's temperature, voltage, amperage, and other safety features. The BMS ensures that the Project is operating within normal parameters, and immediately halts operation should it detect anomalous operation.
- **Access/Security** – The Project site will have an access road throughout, security fencing, and night sky friendly lighting around the Project's collector substation. Access to the Project will be limited to Project staff, and as necessary, emergency responders. Battery area lighting shall be manually operated and only utilized when needed for maintenance activities after dark.

VII. PUBLIC SAFETY

Tern Energy Storage is committed to using "Tier 1" battery energy storage products. Tier 1 products are preferentially differentiated from other products based on the supplier's experience, financial strength, and product quality. The Project will be designed and operated in accordance with the National Fire Protection Association (NFPA) 855 Standard on the Installation of Energy Storage Systems as well as other applicable industry codes and standards, including the National Electric Code (NEC). NFPA 855 is considered the gold-standard for battery energy storage fire safety and includes requirements for the design, construction, installation, commissioning, operation, maintenance, and decommissioning of BESS.

Before construction begins, the Project will work with local first responders on designing and establishing a Project-specific Emergency Response Plan (ERP). Additionally, Tern Energy Storage is committed to annual first responder training, as well as review and updating, as necessary, of the ERP. The Project team has already started conversations with the Green Bay Metro Fire Department to establish the foundations of this partnership.

Tern Energy Storage is committed to decommissioning the Project at the end of its useful life. When the Project is decommissioned, all infrastructure will be removed to a minimum depth of four feet, and the site will be restored to as close to its pre-construction condition as practicable.

VIII. SOUND

The minimal sound produced by BESS facilities is generally related to the system's HVAC components and inverters. These systems are essential for the safe, efficient operation of the BESS. The sound generated is similar to that created by a commercial air conditioning unit. The Project will comply with all applicable local noise ordinances.

IX. ECONOMIC IMPACT

As noted above, the Project will create approximately 75 construction jobs during construction and one to two FTE jobs during operations. The Project will also produce tax revenue for the City during its operation, which is expected to be up to 30 years.

The Project offers a critical benefit to local communities by helping bring emission-free firm energy resources to the electric grid. As more companies look to meet sustainability goals, the Project may help attract private business to the City by complementing local renewable energy projects in the provision of clean energy 24 hours a day. Further, the Project will support grid stability and reliability, responding quickly to sharp changes in demand for power.

X. AESTHETICS

The Project will be sited in an industrial area of the City, within the City's General Industrial district, and is compatible with the use of the adjacent properties. Its industrial aesthetics will blend in with the industrial structures located around it and will not obstruct desirable views for City residents. Tern Energy Storage will maintain Project equipment and fencing to industry standards to ensure the Project remains a good neighbor. Tern Energy Storage will not display advertising material or signage other than warning, equipment identification, and ownership information within the Project area. In the unanticipated event that there are complaints from neighboring properties, Tern Energy Storage will resolve them quickly and reasonably.

XI. STORMWATER MANAGEMENT PLAN

A preliminary stormwater management plan has been prepared and is provided as **Attachment D**. The plan will meet or exceed all applicable Wisconsin stormwater standards including those outlined by the Wisconsin Department of Natural Resources and the Project's Wisconsin National Pollutant Discharge Elimination System (NPDES) Permit.

Attachment A

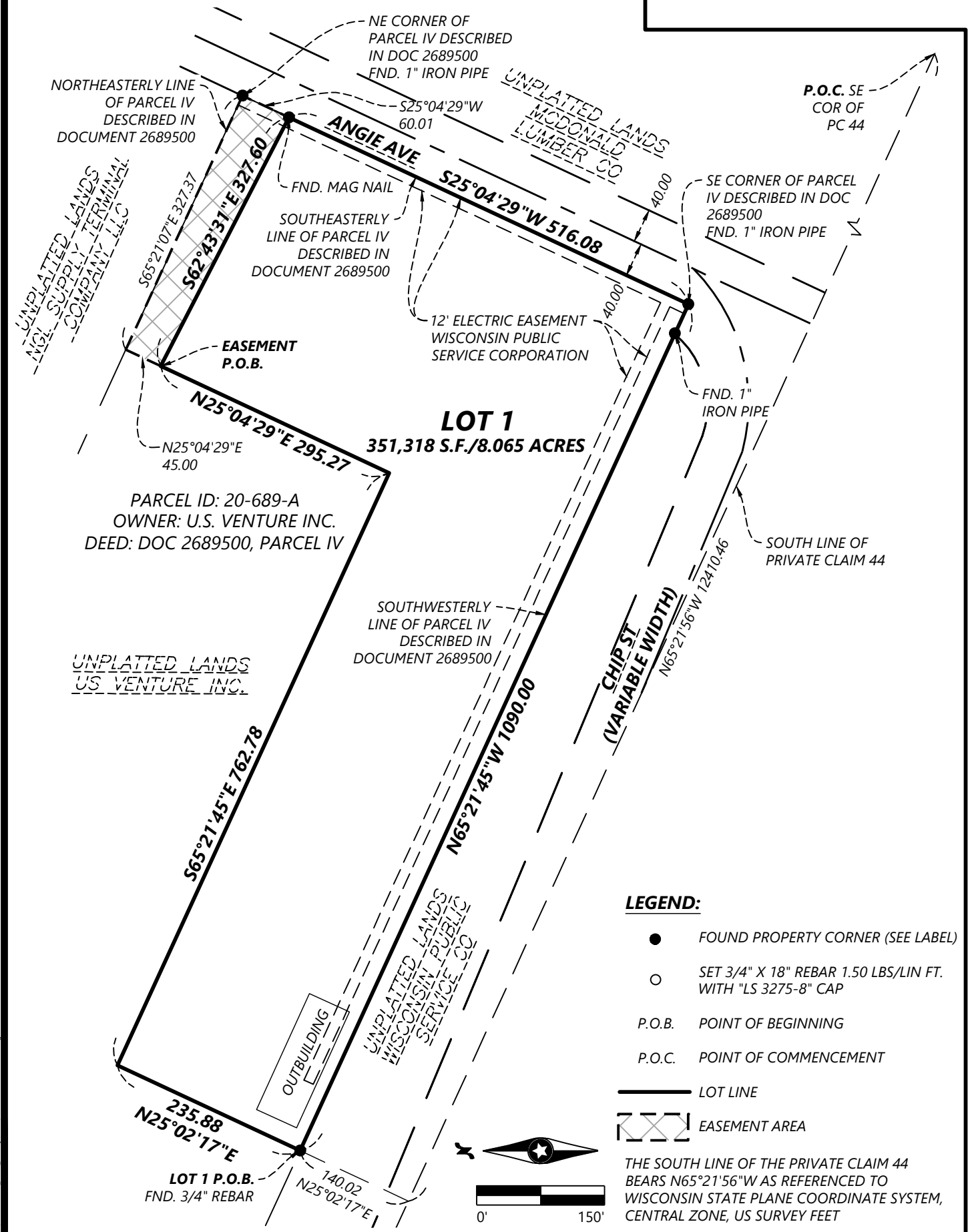
Site Location Map

2020 N. Quincy St.



CERTIFIED SURVEY MAP

Part of the Private Claim 44, East
Side of Fox River, City of Green Bay,
Brown County, Wisconsin



**Tern BESS
Project**
Brown County,
Wisconsin

Westwood

Phone (952) 937-5150
Toll Free (888) 937-5150

12701 Whitewater Drive, Suite #300
Minnetonka MN, 55343
westwoodps.com

Westwood Professional Services, Inc.

CHECKED:	BTL
DRAWN:	EAI
FIELD CREW:	JGG
FIELD WORK DATE:	06/29/2024

SHEET 1 OF 3 SHEETS

DATE: 10/04/2024

CERTIFIED SURVEY MAP

Part of the Private Claim 44, East Side of Fox River, City of Green Bay, Brown County, Wisconsin

SURVEYOR'S CERTIFICATE:

I, Benjamin Lawrence, Professional Land Surveyor, hereby certify:

That I have surveyed, divided and mapped a part of the Private Claim 44, East Side of Fox River, City of Green Bay, Brown County, Wisconsin bounded and described as follows:

LOT ONE LEGAL DESCRIPTION:

Commencing at the southeast corner of said Private Claim 44; thence North 65 degrees 21 minutes 56 seconds West along the south line of said Private Claim 44, a distance of 12,410.46 feet; thence North 25 degrees 02 minutes 17 seconds East, a distance of 140.02 feet to a point on the southwesterly line of Parcel IV described in Document 2689500, recorded 12/19/2014 in the Brown County Recorder's Office, said point also being the Point of Beginning; thence continuing North 25 degrees 02 minutes 17 seconds East, a distance of 235.88 feet; thence South 65 degrees 21 minutes 45 seconds East, a distance of 762.78 feet; thence North 25 degrees 04 minutes 29 seconds East, a distance of 295.27 feet; thence South 62 degrees 43 minutes 31 seconds East, a distance of 327.60 feet to a point on the southeasterly line of said Parcel IV; thence South 25 degrees 04 minutes 29 seconds West along said southeasterly line, a distance of 516.08 feet to the southeast corner of said Parcel IV; thence North 65 degrees 21 minutes 45 seconds West along the southwesterly line of said Parcel IV, a distance of 1090.00 feet to the Point of Beginning.

Said lot contains 351,318 square feet or 8.065 acres, more or less, and is subject to all easements, restrictions, and reservations of record, if any.

Together with an easement area, described as follows:

Commencing at the southeast corner of said Private Claim 44; thence North 65 degrees 21 minutes 56 seconds West along the south line of said Private Claim 44, a distance of 12,410.46 feet; thence North 25 degrees 02 minutes 17 seconds East, a distance of 140.02 to a point on the southwesterly line of Parcel IV described in Document 2689500, recorded 12/19/2014 in the Brown County Recorder's Office; thence North 25 degrees 02 minutes 17 seconds East, a distance of 235.88 feet; thence South 65 degrees 21 minutes 45 seconds East, a distance of 762.78 feet; thence North 25 degrees 04 minutes 29 seconds East, a distance of 295.27 feet to the Point of Beginning; thence continuing North 25 degrees 04 minutes 29 seconds West, a distance of 45.00 feet to a point on the northeasterly line of said Parcel IV; thence South 65 degrees 21 minutes 07 seconds East along said northeasterly line, a distance of 327.37 feet to the northeast corner of said Parcel IV; thence South 25 degrees 04 minutes 29 seconds West along the southeasterly line of said Parcel IV, a distance of 60.01 feet; thence North 62 degrees 43 minutes 31 seconds West, a distance of 327.60 feet to the Point of Beginning.

Said easement contains 17,189 square feet or 0.395 acres, more or less.

Bearings and distances are based on the Wisconsin State Plane Coordinate System, Central Zone, US Survey Feet.

I have made such Certified Survey Map under the direction of Tenaska Energy Company, on behalf of US Venture Inc.

That such map is a correct representation of the exterior boundaries of the land surveyed and the division thereof.

That I have fully complied with the provisions of s. 236.34 of the Wisconsin Statutes, the subdivision regulations of the city of Green Bay and Brown County in surveying, dividing and mapping the same.

BENJAMIN T. H. LAWRENCE, PLS

WI LICENSE NO. 3275-8, EXPIRATION 01/31/2026

BEN.LAWRENCE@WESTWOODPS.COM

DATE

OWNER'S CERTIFICATE:

As a representative of US Venture Inc., I do hereby certify that I caused the land described herein to be surveyed, divided, mapped and dedicated as represented on this Certified Map _____, I also certify that this Certified Survey Map is required to be submitted to the Brown County Office of Planning and Development following for approval or objection.

Representative of US Venture Inc.

OWNERS'S NOTARY CERTIFICATE:

STATE OF WISCONSIN

COUNTY

Personally came before me this _____ day of _____, 2024, the above named owner, to me know to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, _____, Wisconsin

My Commission Expires _____

N:\013456.dwg, CADD, Survey\CSM\013456.dwg, BESS_CSM.dwg

**Tern BESS
Project**
Brown County,
Wisconsin

Westwood

Phone (952) 937-5150

Toll Free (888) 937-5150

12701 Whitewater Drive, Suite #300

Minnetonka MN, 55343

westwoodps.com

Westwood Professional Services, Inc.

CHECKED:	BTL
DRAWN:	EAI
FIELD CREW:	JGG
FIELD WORK DATE:	06/29/2024

SHEET 2 OF 3 SHEETS

DATE: 10/04/2024

CERTIFIED SURVEY MAP

Part of the Private Claim 44, East Side of Fox River, City of Green Bay, Brown County, Wisconsin

CERTIFICATE OF THE GREEN BAY CITY CLERK:

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

By: _____
Date Green Bay City Clerk

City of Green Bay Planning Commission:

Approved for the City of Green Bay Planning Commission on this _____ day of _____, 2024

By: _____
Office or Position

N:\003456.dwg CADD Survey\CSM\003456.dwg BESS CSM.dwg

Tern BESS
Project
Brown County,
Wisconsin

Westwood

Phone (952) 937-5150
Toll Free (888) 937-5150

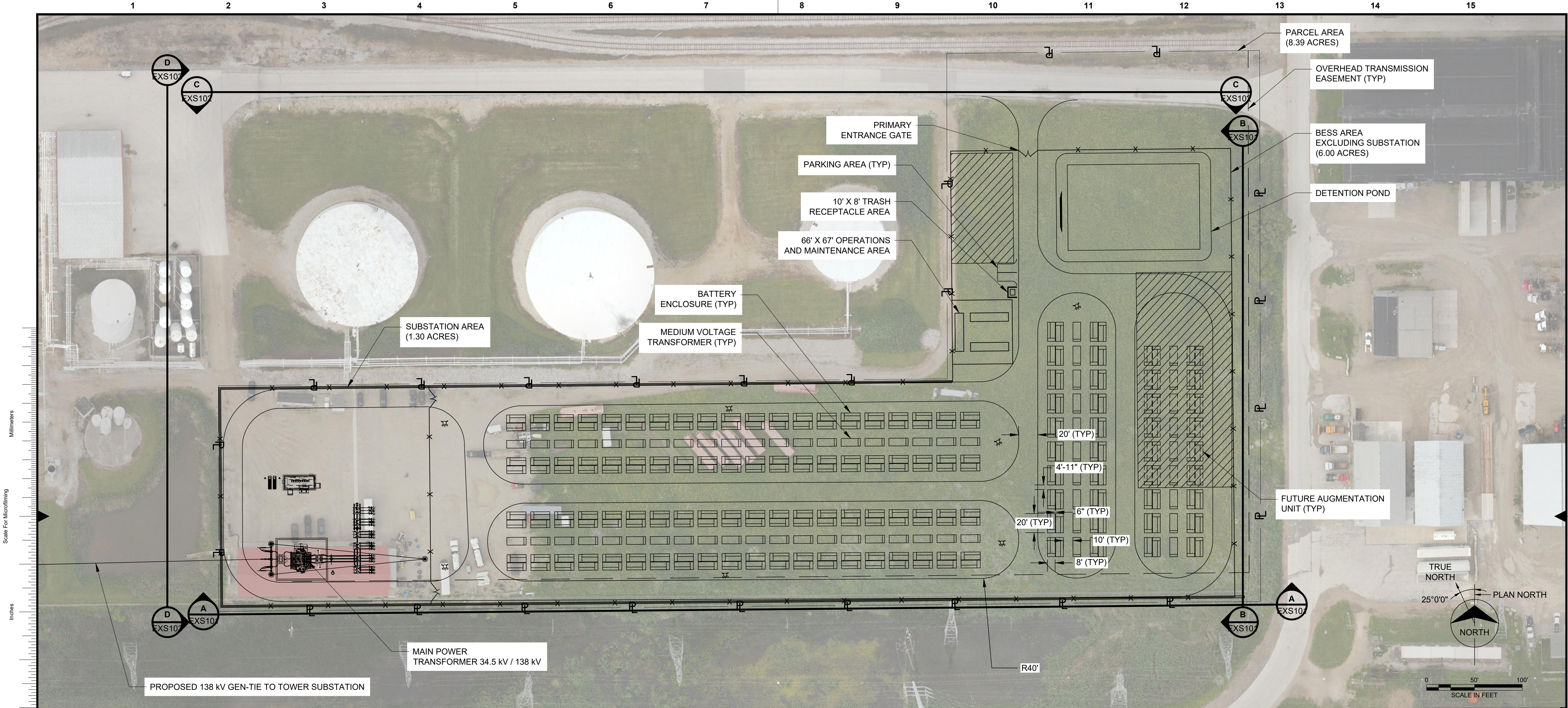
12701 Whitewater Drive, Suite #300
Minnetonka MN, 55343
westwoodps.com

Westwood Professional Services, Inc.

CHECKED:	BTL
DRAWN:	EAI
FIELD CREW:	JGG
FIELD WORK DATE:	06/29/2024

SHEET 3 OF 3 SHEETS

DATE: 10/04/2024



ENERGY STORAGE SYSTEM DESCRIPTION	
FACILITY RATING @ POI	200 MW / 800 MWh

MATERIAL LIST	
NUMBER OF BATTERY ENCLOSURES (BOL)	212
NUMBER OF BATTERY ENCLOSURES (EOL)	236
NUMBER OF MEDIUM VOLTAGE TRANSFORMER (BOL)	53
NUMBER OF MEDIUM VOLTAGE TRANSFORMER (EOL)	59

PRELIMINARY PROJECT ACREAGE OUTLINE	
PARCEL AREA	8.39 ACRES
BUILDABLE AREA	7.73 ACRES
BESS AREA	6.00 ACRES
SUBSTATION AREA	1.30 ACRES

LEGEND:

- PARCEL LINE
- FENCE
- SETBACK
- GATE
- HYDRANT

ABBREVIATION LIST:

- BESS - BATTERY ENERGY STORAGE SYSTEM
- BOL - BEGINNING OF LIFE
- EOL - END OF LIFE
- PCS - POWER CONVERSION SYSTEM
- TYP - TYPICAL

NOTES:

1. FINAL LAYOUT SUBJECT TO CHANGE BASED ON FINAL ENVIRONMENTAL, CIVIL, GEOTECHNICAL, AND AUTHORITY HAVING JURISDICTION REQUIREMENTS.
2. EQUIPMENT QUANTITIES, CONFIGURATION, AND FOOTPRINT SUBJECT TO CHANGE BASED ON FINAL BESS TECHNOLOGY SELECTION AND ADDITIONAL PROJECT DUE DILIGENCE.
3. CIVIL GRADING AND STORMWATER DESIGN TO BE FINALIZED IN DETAILED DESIGN PHASE OF PROJECT.
4. FIRE WATER REQUIREMENTS TO BE FINALIZED IN DETAILED DESIGN PHASE OF PROJECT AND AS REQUIRED BY AHJ.
5. FLOODPLAINS, AND OTHER ENVIRONMENTAL CONSTRAINTS NOT CONSIDERED IN LAYOUT DEVELOPMENT.
6. LANDSCAPING NOT INCLUDED OR CONSIDERED IN LAYOUT DEVELOPMENT.
7. SITE CONSTRAINTS SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE BASED ON FINAL REPORTS/SURVEYS.
8. DESIGN MAINTAINS FACILITY NAMEPLATE RATING THROUGH YEAR 20 WITH AUGMENTATION EVENT AT YEAR 7.
9. ROAD SURFACE TO COMPLY WITH SECTION 44-1694 OF THE ZONING ORDINANCE.

PRELIMINARY - NOT
FOR CONSTRUCTION

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no.	date	by	ckd	description	

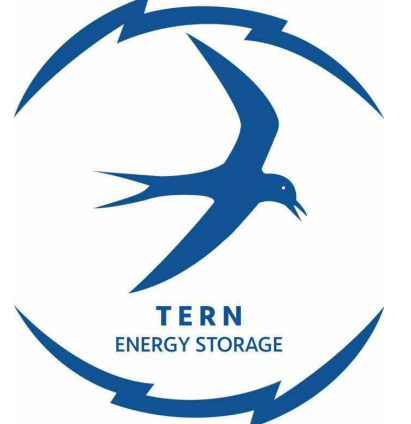
no.	date	by	ckd	description	



9400 WARD PARKWAY
KANSAS CITY, MO 64114
816-333-9400
Burns & McDonnell Engineering Co., Inc.
Firm Reg. No. 1308-11

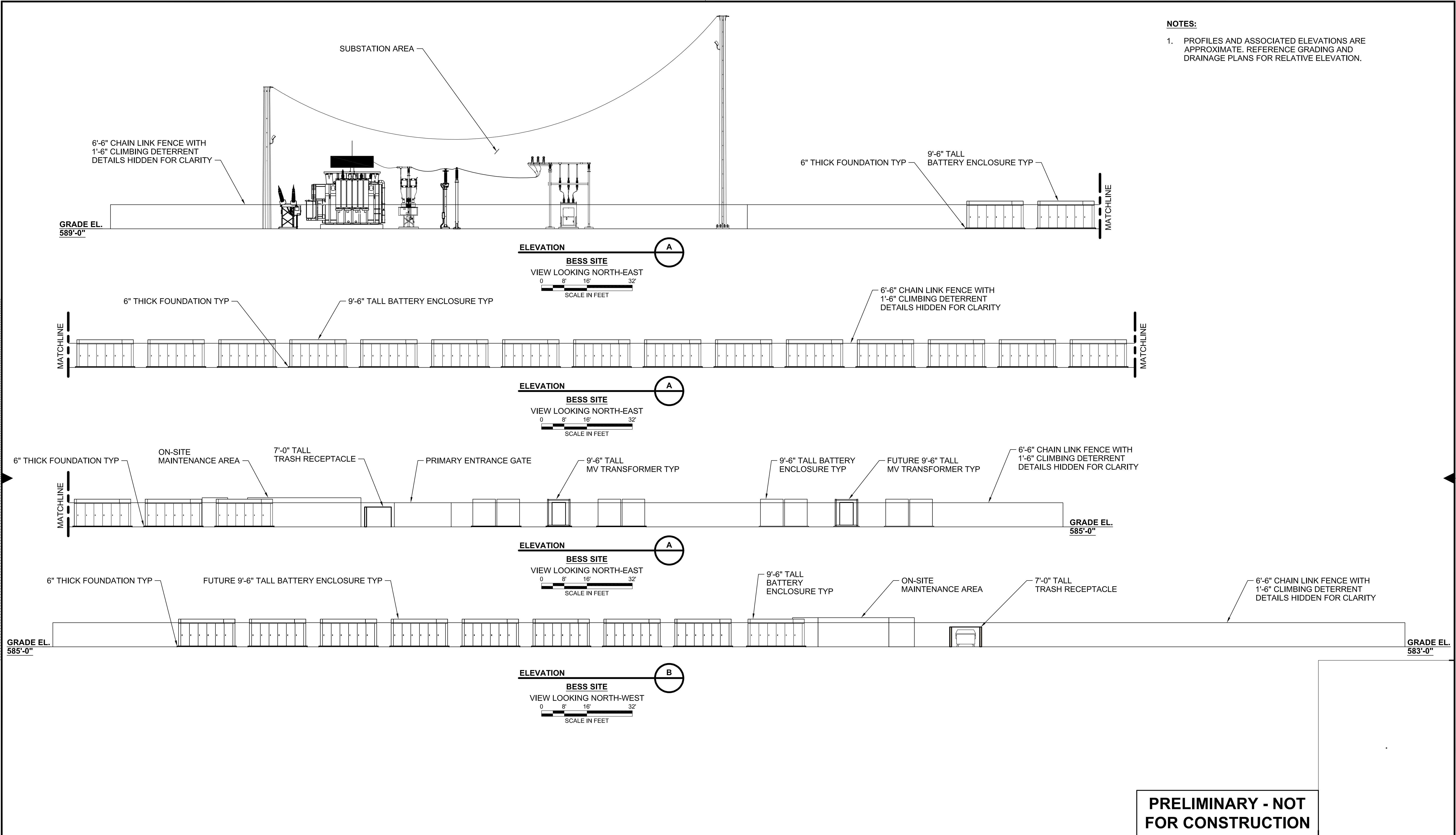
designed
C. KARNEI

detailed
C. KARNEI



BROWN COUNTY, WISCONSIN

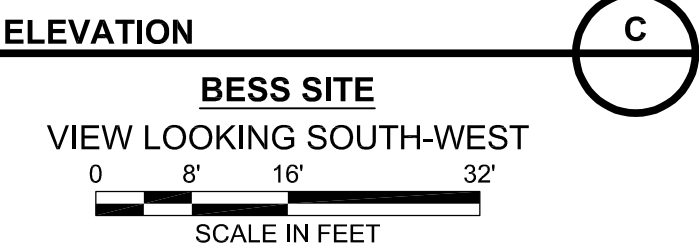
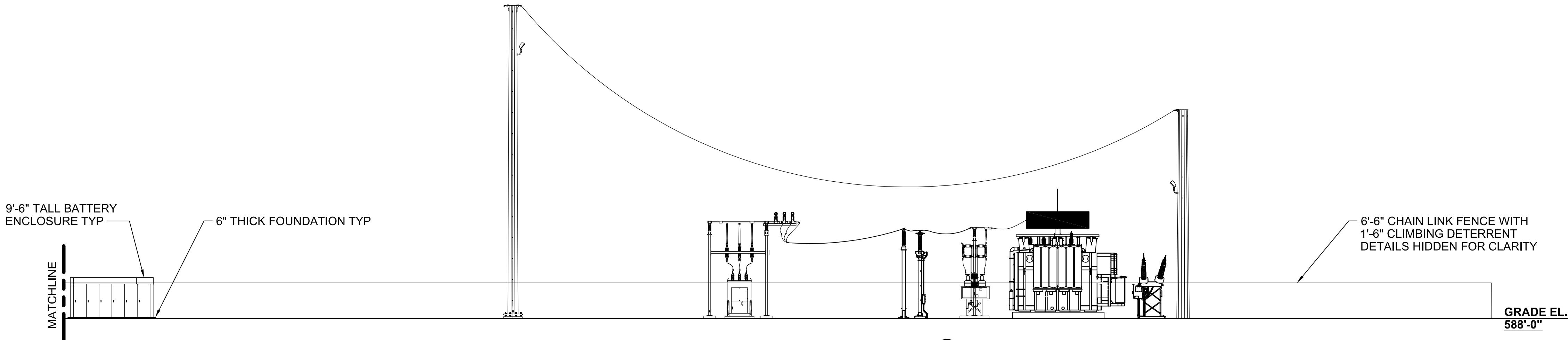
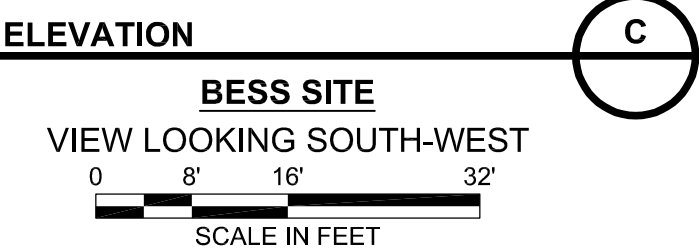
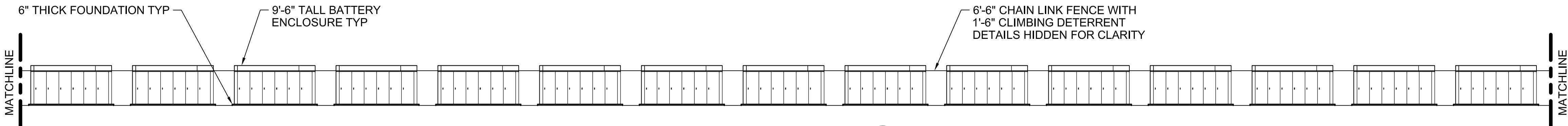
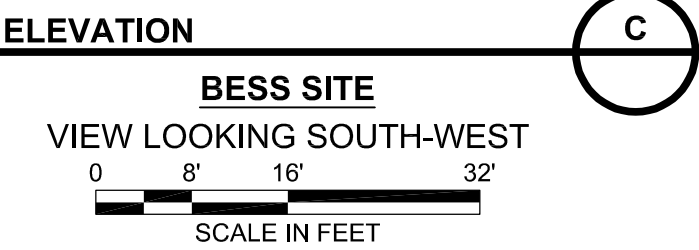
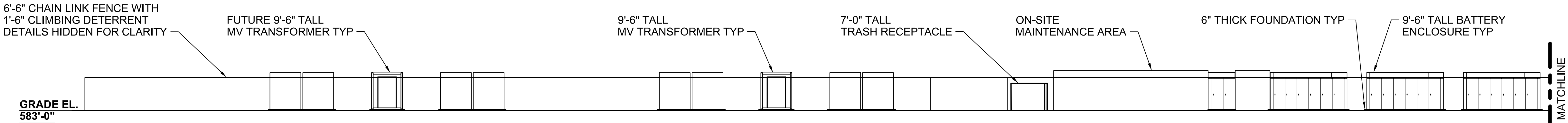
TERN ENERGY STORAGE 200 MW / 800 MWH SITE PLAN	
project	contract
drawing	rev.
sheet 1 of 1 sheets	
file TenaskaTernLayout.dwg	



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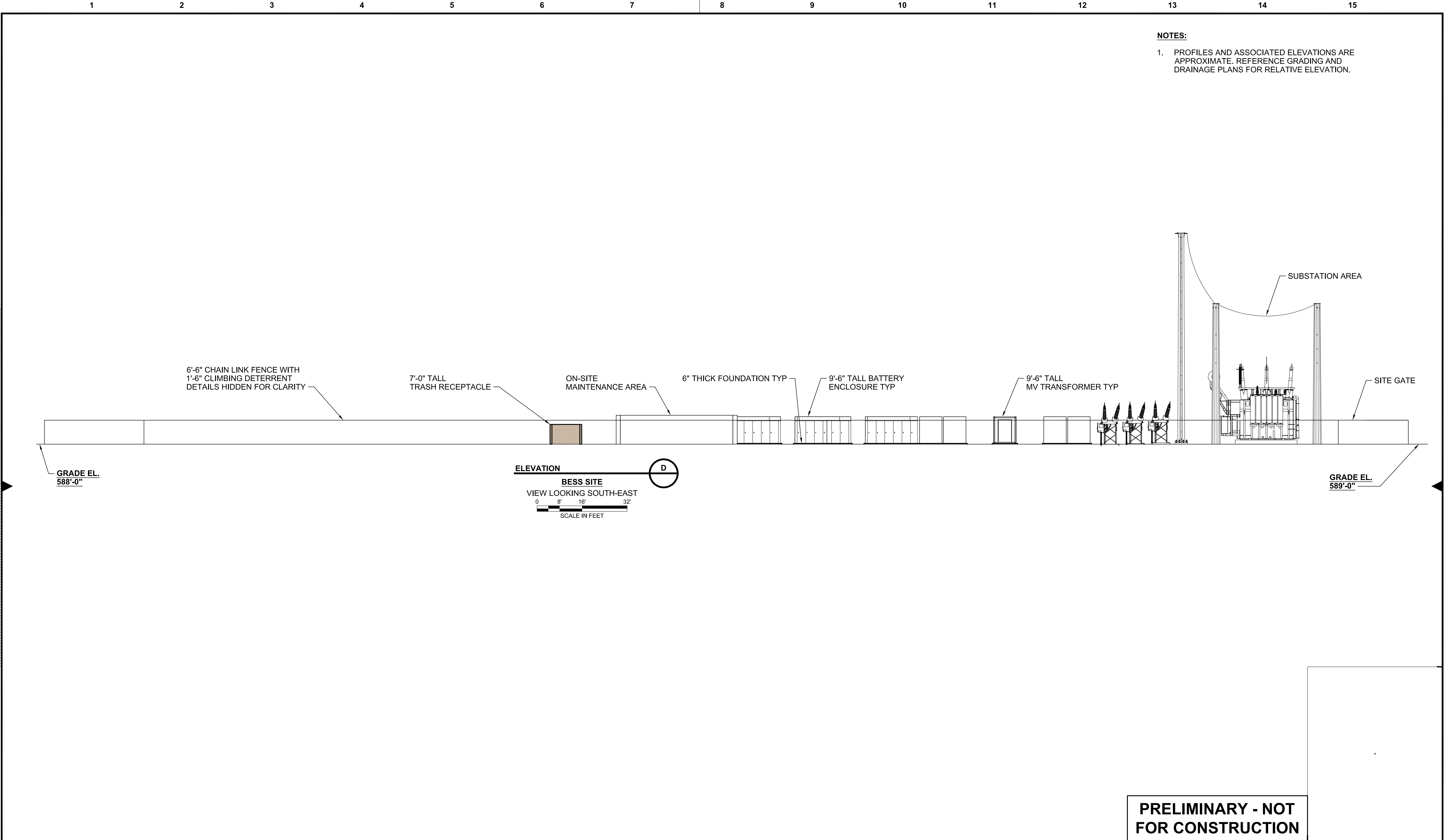
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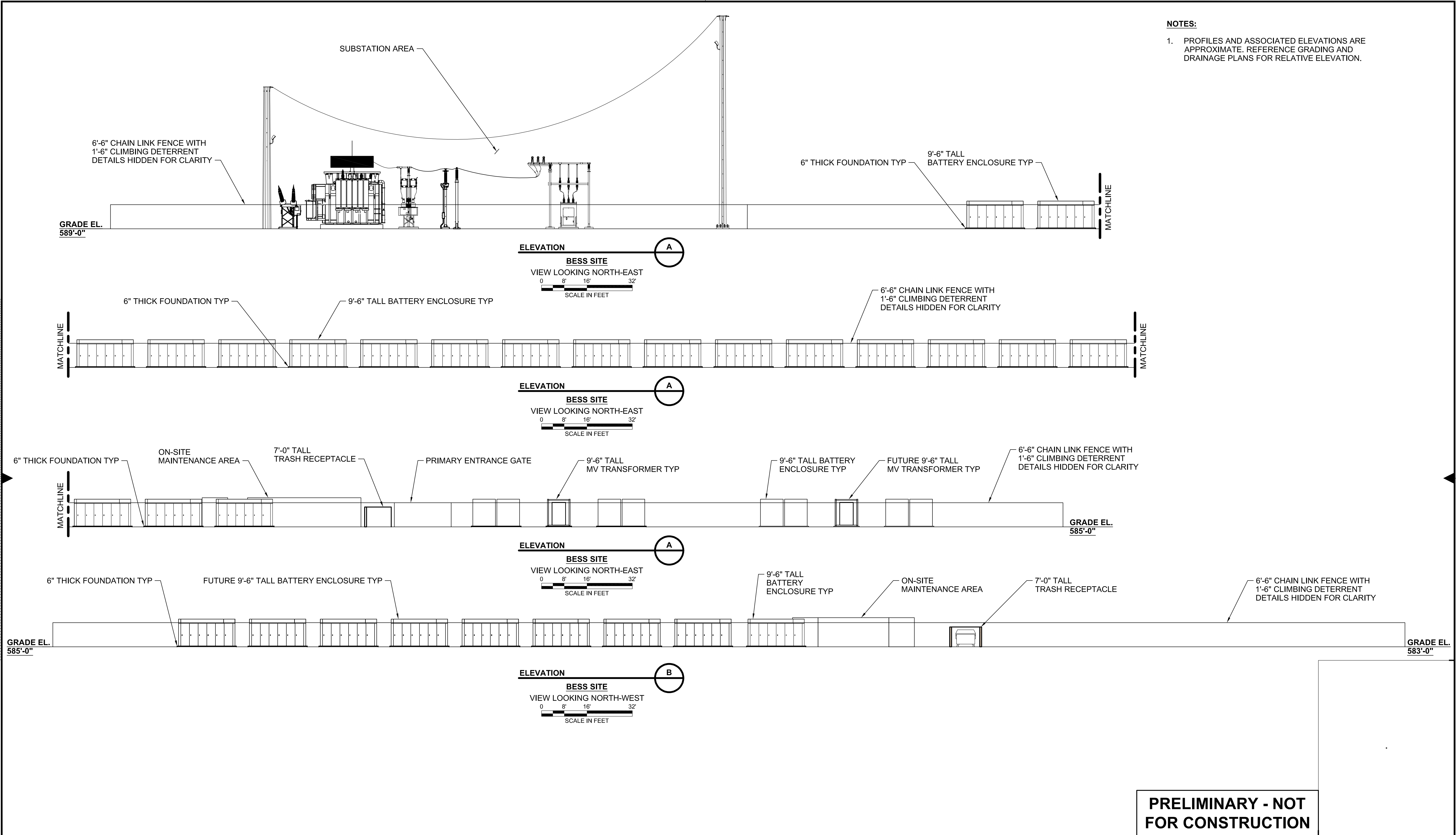
1. PROFILES AND ASSOCIATED ELEVATIONS ARE APPROXIMATE. REFERENCE GRADING AND DRAINAGE PLANS FOR RELATIVE ELEVATION.



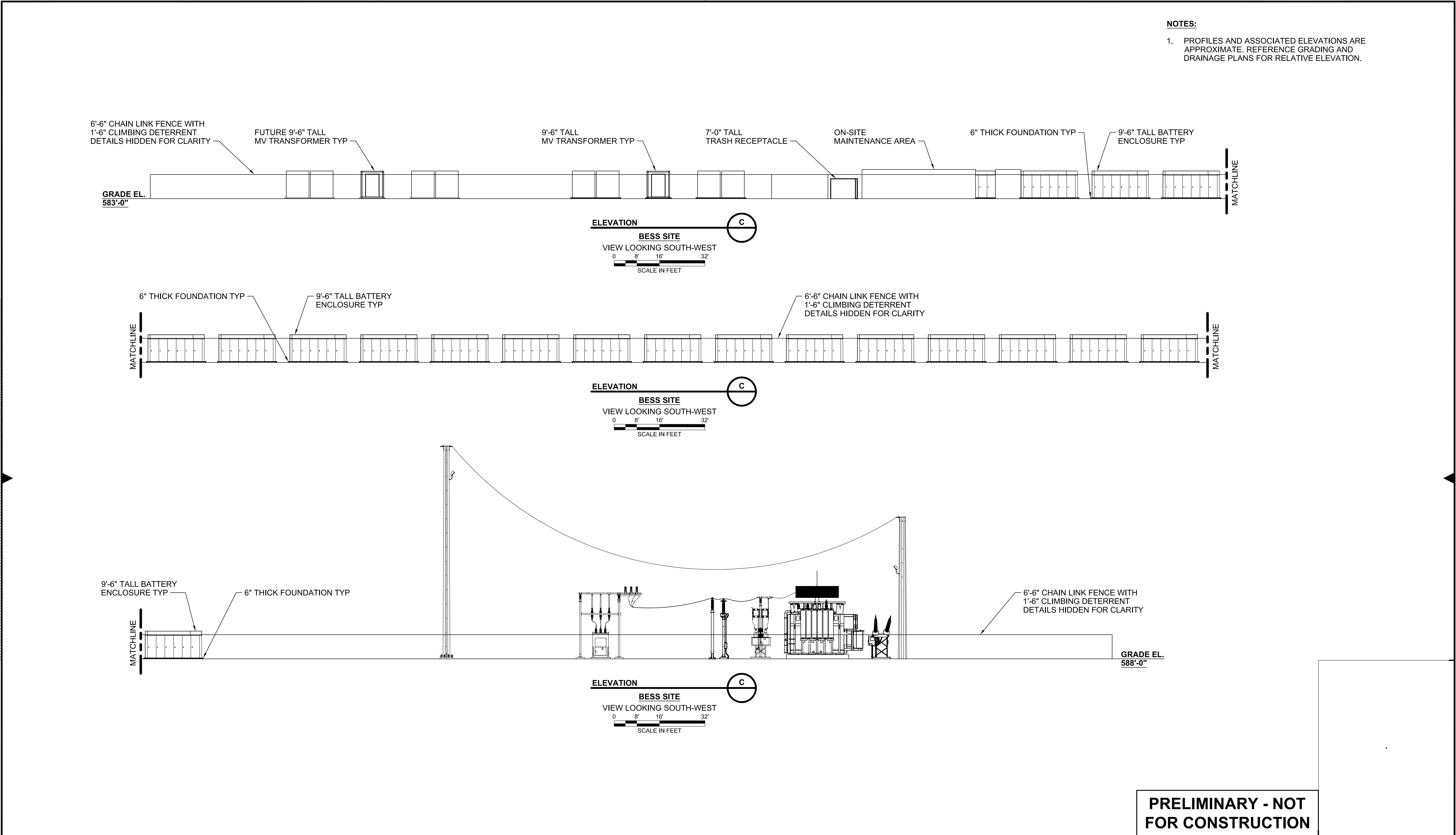
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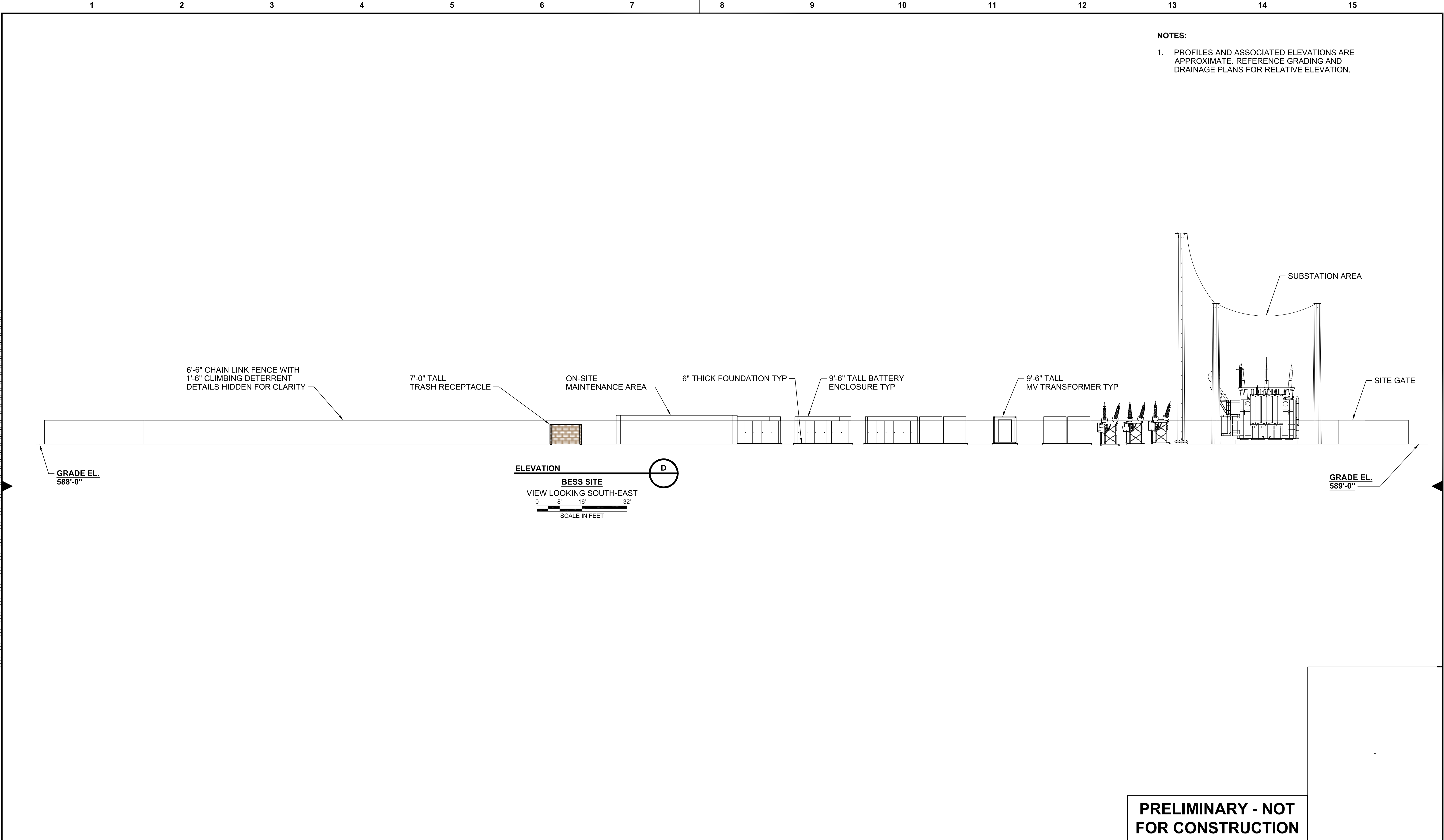




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**RESOLUTION AUTHORIZING CONDITIONAL USE
PERMIT AT 2020 NORTH QUINCY STREET
(ZP 24-36)**

November 12, 2024

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

That, pursuant to Zoning Petition 24-36 and the recommendation of the Plan Commission on November 4, 2024, the City of Green Bay does authorize a Conditional Use Permit (CUP) to allow for the establishment a Battery Energy Storage System (BESS) on 8.1 acres of land located on the southern and eastern portion of the 20-acre property in the General Industrial (GI) zoning district described as follows:

LEGAL DESCRIPTION:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PRIVATE CLAIM 44; THENCE NORTH 65 DEGREES 21 MINUTES 56 SECONDS WEST ALONG THE SOUTH LINE OF SAID PRIVATE CLAIM 44, A DISTANCE OF 12,410.46 FEET; THENCE NORTH 25 DEGREES 02 MINUTES 17 SECONDS EAST, A DISTANCE OF 140.02 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF PARCEL IV DESCRIBED IN DOCUMENT 2689500, RECORDED 12/19/2014 IN THE BROWN COUNTY RECORDER'S OFFICE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 25 DEGREES 02 MINUTES 17 SECONDS EAST, A DISTANCE OF 235.88 FEET; THENCE SOUTH 65 DEGREES 21 MINUTES 45 SECONDS EAST, A DISTANCE OF 762.78 FEET; THENCE NORTH 25 DEGREES 04 MINUTES 29 SECONDS EAST, A DISTANCE OF 295.27 FEET; THENCE SOUTH 62 DEGREES 43 MINUTES 31 SECONDS EAST, A DISTANCE OF 327.60 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID PARCEL IV; THENCE SOUTH 25 DEGREES 04 MINUTES 29 SECONDS WEST ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 516.08 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL IV; THENCE NORTH 65 DEGREES 21 MINUTES 45 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL IV, A DISTANCE OF 1090.00 FEET TO THE POINT OF BEGINNING.

SAID LOT CONTAINS 351,318 SQUARE FEET OR 8.065 ACRES, MORE OR LESS.

Said conditional-use permit shall be granted subject to:

1. Compliance with all other regulations of the Green Bay Municipal Code.

Adopted _____

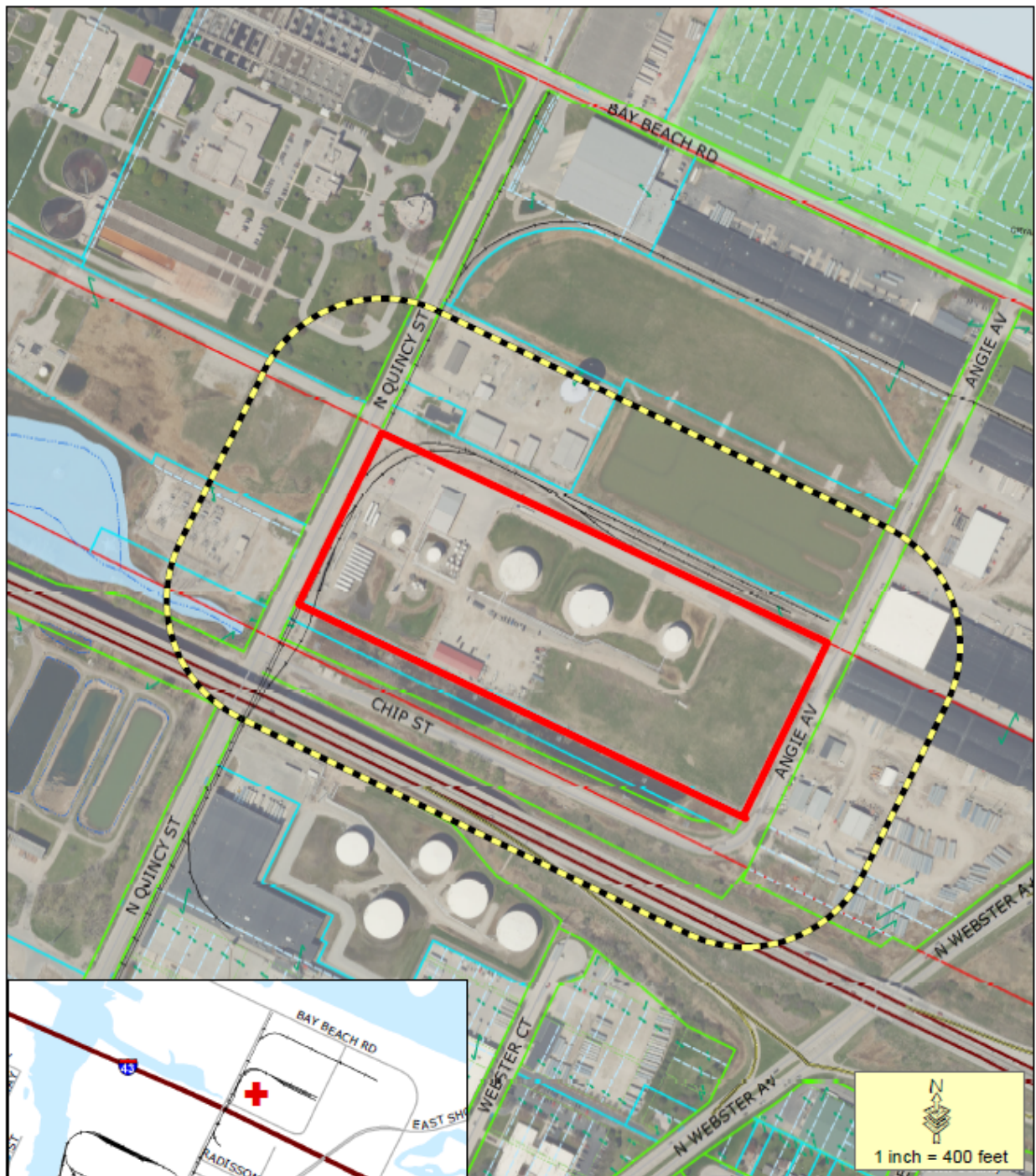
Approved _____

Mayor

Clerk

db:

Attachment – Map



- Proposed CUP
- 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 DB

Zoning Petition (ZP 24-36)
Proposed Conditional Use
Permit (CUP) at
2020 n Quincy Street





Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

AGENDA ITEM # E.7

(ZP 24-38) Public hearing on the request for a Conditional Use Permit (CUP) to allow a single-family residential property use within the (R3) Varied-Density Residential district at 815 N Webster Avenue; Christian Ortega of Ortegas properties LLC, applicant and property owner (Ald. A. Proffitt, District 7).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # E.8

(ZP 24-38) Consideration with possible action on the request for a Conditional Use Permit (CUP) to allow a single-family residential property use within the (R3) Varied-Density Residential district at 815 N Webster Avenue; Christian Ortega of Ortegas properties LLC, applicant and property owner (Ald. A. Proffitt, District 7).

BACKGROUND

Primary Address: 815 N Webster Avenue

Reason for Request: To allow a single-family residential use within a Varied-Density (R3) Residential District.

Surrounding Zoning and Land Uses:

SUBJECT: Varied-Density Residential (R3) | Vacant Land

NORTH: Varied-Density Residential (R3) | Vacant Land

SOUTH: Varied-Density Residential (R3) | Two-Family Homes

EAST: Low-Density Residential Single-Family Home

WEST: Varied-Density Residential (R3) | Two-Family Home

Comprehensive Plan: The 2022 Smart Growth Plan currently designates this area along the Webster Avenue corridor from Harvey north to Vanderbraak Streets as Public uses. The zoning is not consistent with the Comprehensive Plan.

Report:

Conditional use approval may be recommended by the Plan Commission with reasonable consideration of the following:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
3. The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.
4. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.
6. Adequate parking facilities as specified in Article XVIII of Section 44-83 within the Municipal Code.
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable City ordinances.

The property owner is seeking to create a 1.5 to 2 story single family home on the 6,090 square foot parcel adjacent to Webster Avenue and an existing alley way. The property is zoned R3-Varied Density Residential. Within R3 zoning, a single family use requires a conditional use permit. The applicant has provided concepts for a house on the property, which consists of a 33' x 53' single-family home with a detached 2-stall garage.

The subject parcel is surrounded by three parcels and a public alley. The neighboring properties on the block range from 5982 square feet to 8814 square feet in size and are narrow in nature. All three neighboring lots have permitted uses within an R3 district as all three are two-family dwellings. The R3 zoning encourages a higher intensity of uses such as 3-4 unit multifamily or larger. However, parcel sizes need to be taken into consideration for appropriate size to accommodate permitted uses.

The existing size of the 6090 square foot parcel is not suitable for multi-family development when adjacent to one- or two-family residential properties in its current size configuration. Because the parcel is adjacent to existing one- or two-family residences, a multi-family building would require 25-foot buffers along the southern and western boundaries, making the lot undevelopable for multi-family purposes. A single- or two-family use is a more appropriate use given the size of the parcel.

Staff feels the CUP is appropriate and believes, given the presence of an alley and the narrow nature of the parcel, a drive entrance should come from the alley rather than Webster. It will offer better options for development of garage use on the site and aid in a more orderly flow of egress to Webster Avenue compared a drive entrance close to an alley or neighboring driveway.

Ald. Proffitt and adjacent property owners within 200 ft. of the subject area have been notified of the request. There have been no inquiries regarding this request as of the drafting of this report.

RECOMMENDATION

Approval of the request, with the following conditions:

1. Driveway access must originate from the alley directly north.
2. CUP is subject to compliance with all other regulations of the Green Bay Municipal Code.

FISCAL IMPACT

ATTACHMENTS

1. ZP 24-38 Application
2. ZP 24-38 Concept Plans and Narratives
3. ZP 24-38 Property 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: 815 N Webster Ave. Green Bay WI 54302-1436
Parcel Number(s): 7-432-1
Petitioner(s): Christian Ortyn S Date: 09/30/24
Email: Ortyaspropertiesllc@gmail.com Phone Number: 920-217-2892
Address: 3328 Paula St. City: Green Bay State: WI Zip: 54311
Property Owner: Ortyas properties LLC Phone Number: 920-217-2892

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, Christian Ortyn S., respectfully request that the City of Green Bay take the following action:

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

Owner Signature: _____ Date: 9-30-2024

Petitioner Signature(s): _____

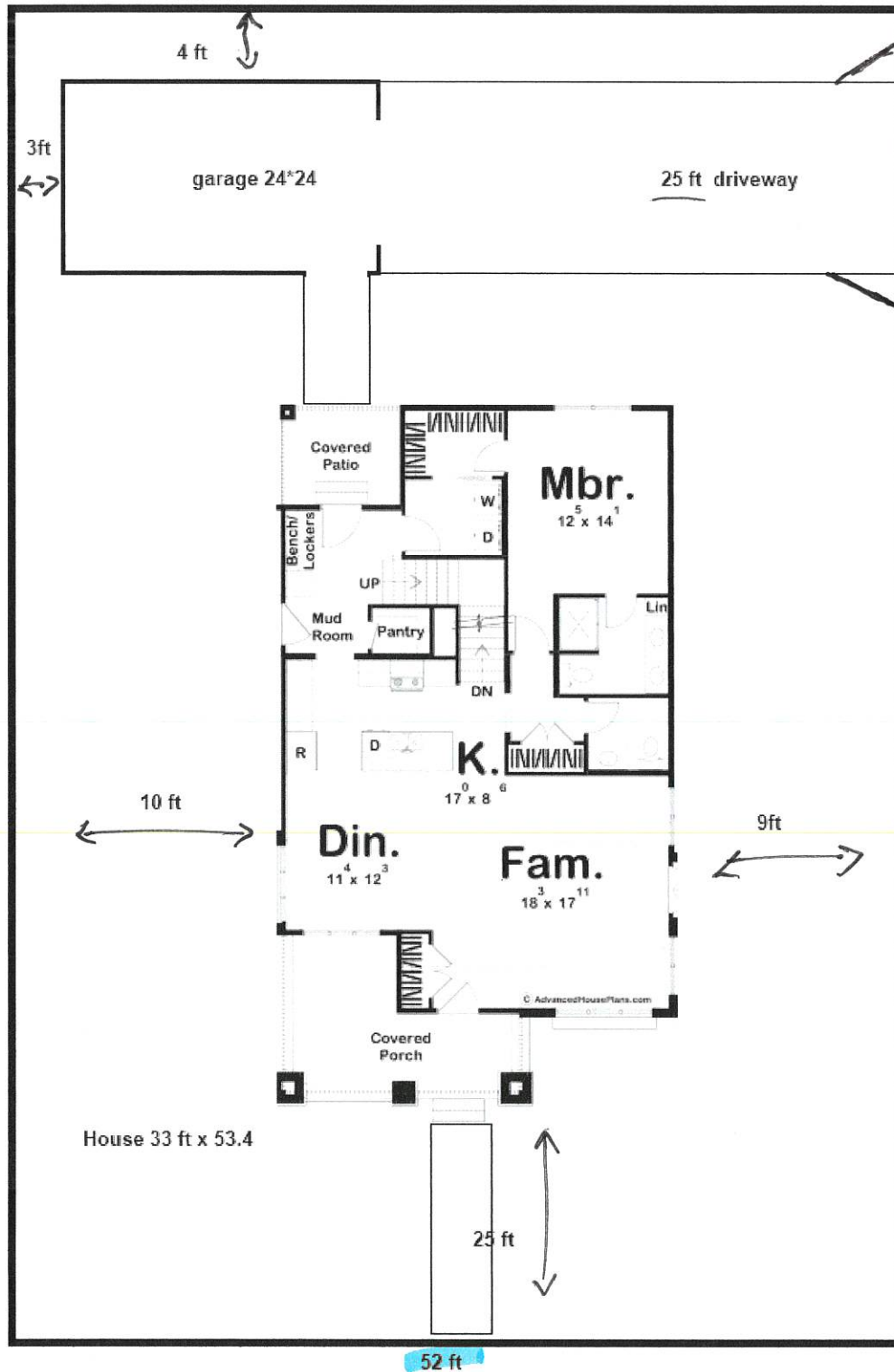
Checklist of required attachments:

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

For office use only:

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

1836 sqf 3 Bed 3 Bath 33' Wide 53'.4" Deep



ALLEY

Webster Ave

815 N Webster - Accepted Offer

1 message

Transaction Coordinator <tc@terryallenrealty.com>
To: ortegaspropertiesllc@gmail.com
Cc: Carin Gardner <carin@terryallenrealty.com>

Mon, Sep 23, 2024 at 10:33 AM

Hello again Christian,

Congratulations on your accepted offer! As you know, my name is Amy and I am the Transaction Coordinator for Terry Allen Realty. I will be assisting you and your agent from this point through closing to ensure a smooth and seamless transaction.

I've provided important dates and accepted offer paperwork for your review. I will be working hard to take care of everything needed to be certain the crucial deadlines highlighted below are met.

Offer Accepted:(all deadlines will run from this date) 9/20/2024***Earnest Money: 9/25/2024****Closing Date: 10/11/2024**

* Please make your earnest money payable to Liberty Title in the amount of \$500 & put the address of the property that you are purchasing in the memo section of your check. You can mail or drop off your check to Liberty Title - 107 N Broadway, Green Bay, WI 54303

You'll find all of the Accepted Offer documents attached to this email. Please keep them for your records!

I understand this is a lot of information - please let me know if you have any questions! **Please confirm receipt of this email and its documents as well!**

We look forward to working with you!

Amy

AMY HALVERSON

Transaction Coordinator

Work Cell: 920.655.6700

Email: tc@terryallenrealty.com

Terry Allen Realty

@TerryAllenRealty

Find us on  

Where we find your dreams a home!

4 attachments

-  **Pre Approval - 815 Webster.pdf**
146K
-  **RANW Addendum A - 815 Webster.pdf**
5533K
-  **Seller refusal condition report - 815 Webster.pdf**
784K
-  **Vacant Land Offer to Purchase - 815 Webster.pdf**
11206K

Bought this lot to build a house for my Mother, want to build a single family home attached are some proposals, may change the look of the house but concept will be the same.

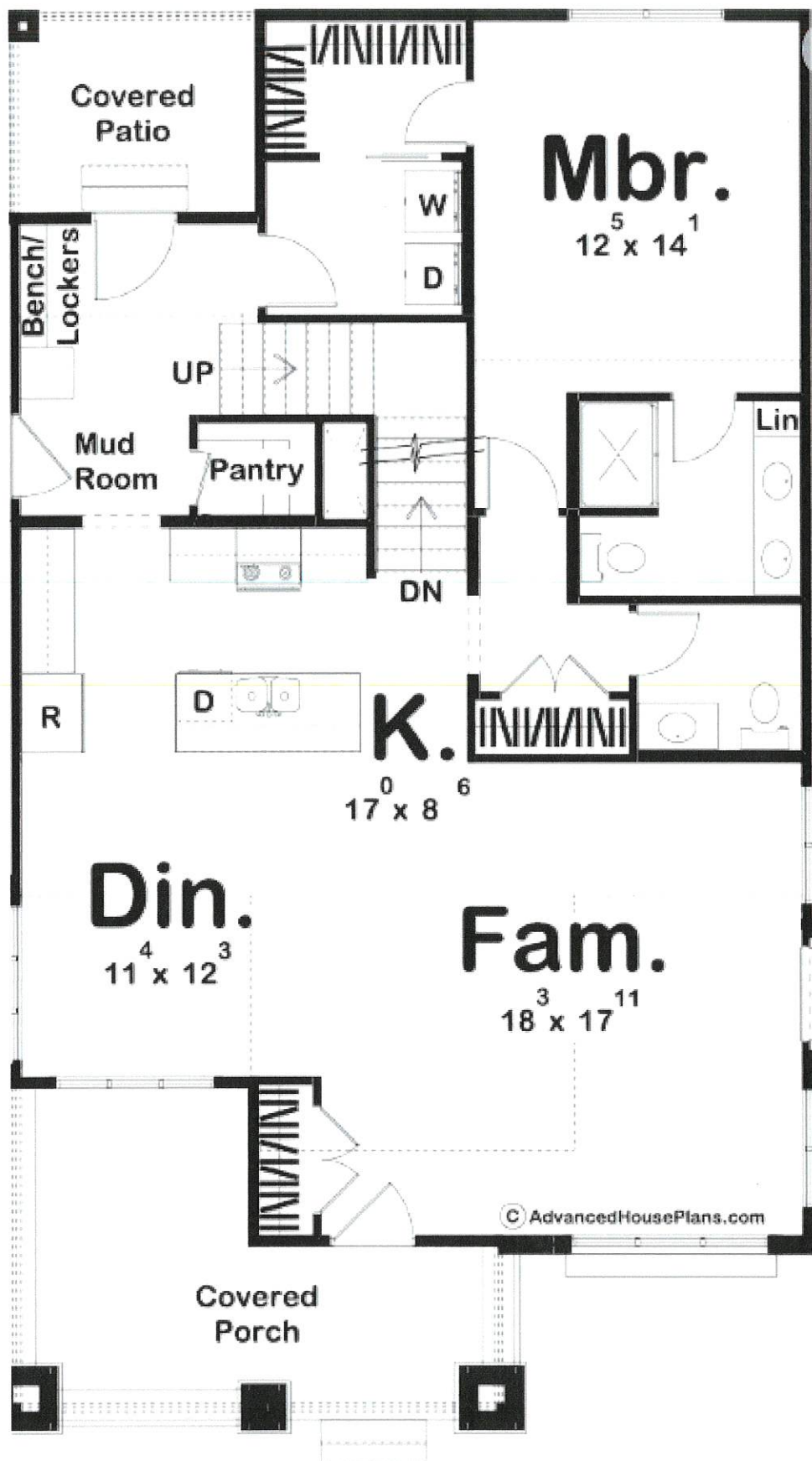
Note: Closing on this lot on 10/11/24 will be under Ortegas properties LLC

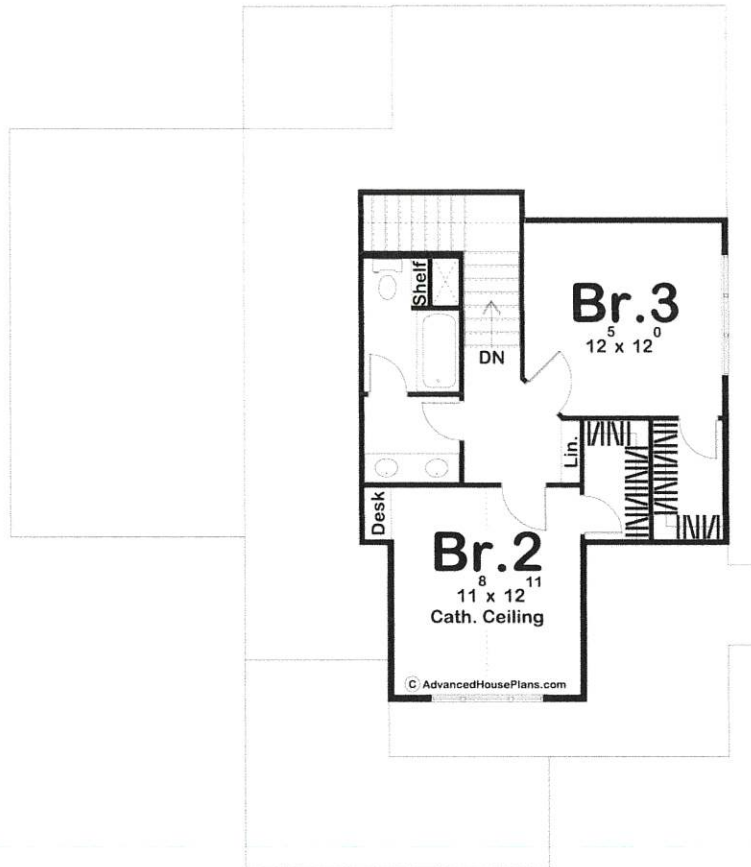


815 N. Webster Ave.

I bought this lot to build a home for
 my 75 years old mother, this will be a
 1.5 story 3bed 2.5 BATH Approx 1836^{sq} living space
 this Design you have a few changes ~~area~~
 but will keep same concept 1.5-2 story home
 3B/3B

Main Level





Construction Specs

Layout

Bedrooms	3
Bathrooms	3
Garage Bays	1

Square Footage

Main Level	1290 Sq. Ft.
Second Level	546 Sq. Ft.
Garage	372 Sq. Ft.
Total Finished Area	1836 Sq. Ft.

Exterior Dimensions

Width	47' 0"
Depth	53' 4"
Ridge Height	26'
<i>Calculated from main floor line</i>	

576
2412

Default Construction Stats
Stats are unique to the individual plan.

Foundation Type	Basement
Exterior Wall Construction	2x4
Roof Pitches	8/12 Primary, 6/12 2/12 Secondary
Foundation Wall Height	9'
Main Wall Height	9'
Second Wall Height	8'

Plan Description

The Martin Court plan gives off a cozy and inviting Crafstman cottage look and mixes in plenty of modern amenities. This house has wonderful curb appeal. Inside the home, the floorplan feels larger than it is with its open concept. The family room, dinette, and kitchen flow seamlessly together. The family room is warmed by a fireplace. The kitchen includes a large island with a flush snack bar. The Master suite is conveniently located on the main floor and includes his/her vanities, a walk-in shower and a walk-in closet with access to the laundry room.Upstairs, you will find 2 bedrooms, bedrooms 2 and 3 share a conveniently located hall bathroom and each has its own walk-in closet.Back on the main floor, the 1 car garage accesses the home through a convenient mudroom.

815 N Webster Ave



Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

AGENDA ITEM # E.9

(ZP 24-39) Public Hearing on a request to amend a Planned Unit Development located at 226 Borneman Street, submitted by Summit BHC on behalf of 226 Borneman LLC, property owner (Ald. C. Stevens, District 5).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.10

(ZP 24-39) Consideration with possible action on a request to amend a Planned Unit Development located at 226 Borneman Street, submitted by Summit BHC on behalf of 226 Borneman LLC, property owner (Ald. C. Stevens, District 5).

BACKGROUND

Primary Address: 226 Bornemann Street

Reason for Request: To permit the development of a 56-bed Community Living Arrangement Facility

Subject Parcel Zoning and Land Use: Subject property is part of a Planned Unit Development and currently includes three vacant buildings, previously occupied by a nursing home that included assisted living, skilled nursing, and other related uses.

Surrounding Zoning and Land Uses:

North: General Industrial (GI) | Vacant Land

South: Public Institutional (PI) & Low-Density Residential (R1) | East Side Municipal Garage & Apartment Building

East: Varied-Density Residential (R3) & PUD | Apartment Buildings

West: Light Industry (LI) & Highway Commercial (C2) | Storage & Automotive Uses

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for Medium- to High-Density Residential uses. This PUD amendment is consistent with this designation.

Analysis: 226 Bornemann is a 4.492 acre parcel on the City's east side. There is an existing PUD over this parcel, which allowed for the development of the existing buildings and their previous nursing home use. There are three buildings on the parcel, which we will refer to as the North Building, South Building, and the Former Skilled Nursing Building. These buildings are currently vacant with previous use of a nursing home, assisted living, skilled nursing, and associated uses.

The petitioner has submitted an application to reuse the property for a Community Living Arrangement (CLA), which allows three or more adults not related to the operator to reside in a facility and are typically provided with care, treatment, and other services. For this CLA proposal, the operator will be a licensed Community-Based Residential Facility (CBRF), certified as a in-patient residential community substance abuse treatment facility. This is a voluntary treatment facility, like the Jackie Nitschke center. The attached applicant narrative details the services they propose to provide. This business plan aligns with the City's CLA definition and appears to meet municipal code.

The PUD amendment cleans up the initial PUD language to our updated format, allows for the CLA/CBRF use, and details phasing for this project. Phase 1 is proposed to include 28 beds to be operated in the North Building. Phase 2 is proposed to include 28 beds to be operated in the South Building. Both of these phases

may involve food preparation services to be completed in the Former Skilled Nursing Building. However, initially, food services for residents will be delivered from off-site locations and/or catered. Any other additions to the services, beds, or uses on this property will require an amendment to this PUD.

Parking for the site was not presented as part of the applicant's narrative. The Green Bay Municipal Code requires 2 spaces per 3 bedrooms plus 2 spaces per 3 employees on the largest shift. This has been written into the PUD as a requirement.

A neighborhood meeting was held on Tuesday, October 22nd. Seven members of the community attended. Discussion was focused on whom the clientele may be for the facility as well as traffic and parking concerns. The applicant noted that this is a completely voluntary treatment facility, and residents are required to go through a detox program (not at this facility) before entering for treatment. They also noted this is an in-patient facility, so there is limited traffic generated from the use outside of staff.

Ald. Stevens and property owners within 400-feet have been notified of the request. We have received no objections as of the drafting of this report.

RECOMMENDATION

Approval of the request, subject to the draft PUD.

FISCAL IMPACT

ATTACHMENTS

1. Draft Z.O. 24-24 DRAFT PUD Amendment for 226 Bornemann
2. ZP 24-39 Location Map, Exhibit A
3. ZP 24-39 Site-Building Layout, Exhibit B
4. ZP 24-39 Concept Renderings, Exhibit C
5. ZP 24-39 Applicant Narrative
6. ZP 24-39 Application

ZONING ORDINANCE NO. 24-24

AN ORDINANCE AMENDING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT FOR PROPERTY LOCATED AT 226 BORNEMANN STREET (ZP 24-39)

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 amending a Planned Unit Development Overlay District on the following described property, as also depicted on Exhibit A - Location Map:

~~All of Parcel "A", Volume 3 Certified Survey Maps, Page 275, Brown County Records and Part of the North ½ of the Southwest ¼ of the Southeast ¼, Section 32, T24N-R21E, and part of Lots 1 and 12, and all of Lots 2-11 of Block 3 of the recorded plat of "Smith Brothers Garden Addition", City of Green Bay, Brown County, Wisconsin, more fully described as follows:~~

~~Beginning at the Northwest corner of Parcel "A", Volume 3, Certified Survey Maps, Page 275, Brown County Records, thence S89°59'39"E, 202.46 feet along the North line of said Certified Survey Map; thence N00°03'03"E, 200.40 feet along the West line of Block 3, "Smith Brothers Garden Addition" to the South right-of-way of Brooks Street; thence S89°59'39"E, 169.00 feet along said South right-of-way; thence S44°58'18"E, 5.65 feet to the West right-of-way of Berger Street; thence S00°03'03"W, 619.02 feet along said West right-of-way; thence S45°01'27"W, 9.90 feet to the North right-of-way of Mills Street; thence S 89°59'52"W, 360.78 feet along said North right-of-way; thence N45°01'17"W, 9.90 feet to the East right-of-way of Bornemann Street; thence N00° 02'25"W, 422.67 feet along said East right-of-way to the point of beginning. (195,781 square feet or 4.49 acres; Tax Parcel Noss: 21-2595, 21-2594, 21-2593, 21-2591, 21-2590, 21-2589, 21-2588, 21-2587, 21-2585, 21-2582, 21-1222)~~

~~The West 40 feet of Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6), all in Block Three (3), according to the recorded Plat of Smith Brothers Garden Addition, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin.~~

~~And~~

~~Parcel "A", Volume 3 Certified Survey Maps, Page 275, Map No 823; said map being part of the North ½ of the Southwest ¼ of the Southeast ¼, Section Thirty-two (32), Township Twenty-four (24) North, Range Twenty-one (21) East, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin.~~

~~And~~

~~The South 211.25 feet of the East 173 feet of that part of the Southwest ¼ of the Southeast 1/4, Section Thirty-two (32), Township Twenty-four (24) North, Range Twenty-one (21) East, lying West of the said Smith Brothers Garden Addition and North of the North line of Mills Street, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin.~~

~~And~~

That part of the North ½ of the Southwest ¼ of the Southeast ¼, Section Thirty-two (32), Township Twenty-four (24) North, Range Twenty-one (21) East, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin, more particularly described as follows: Commencing at the Southwest corner of Lot 1, Block Three (3), of Smith Brothers Garden Addition and running thence North 89°59'57" West along the North line of Mills Street, a distance of 202.32 feet to the Northeast corner of Schober Street (n/k/a Bornemann Street) and Mills Street and the point of beginning of this description; thence North 0°03'03" East along the East line of said Schober Street (n/k/a Bornemann Street), a distance of 211.25 feet; thence South 89°59'57" East, a distance of 29.32 feet; thence South 0°03'03" West, a distance of 211.25 feet to North line of Mills Street; thence North 89°59'57" West along said North line of Mills Street, a distance of 29.32 feet to the point of beginning; except part described in Jacket 3482 Records Image 43.

And

Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6), except the Westerly Forty (W'ly 40) feet thereof, all in Block Three (3), according to the recorded Plat of Smith Brothers Garden Addition, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin, except part described in Jacket 3482 Records Image 43.

And

Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), all in Block Three (3), according to the recorded Plat of Smith Brothers Garden Addition, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin, except part described in Jacket 17377 Records Image 7.

Tax Parcel: 21-1222

Land Area: Comprises approximately 195,659 square feet / 4.492 acres

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

- A. Purpose and Intent. The amended Planned Unit Development (PUD) is being utilized to permit the expansion of uses within the PUD, specifically to allow for a group living facility. The overall appearance and design of the site and improvements shall comply with the attached Exhibits and as regulated within this PUD.
- B. Development Site. The area included within this PUD consists of all land included at 226 Bornemann Street (Parcel Number 21-1222). A PUD amendment shall be required for any future changes that do not comply with this PUD.
- C. Land Use Regulations. The principal and accessory land uses which may be established are as follows:
 - 1. Nursing Homes.
 - 2. ~~Permitted Community Based Residential Facilities (CBRFs) as approved previously by the City of Green Bay as effective as of adoption of this ordinance.~~

3. Community Living Arrangement defined as a facility licensed, operated, or permitted by the State of Wisconsin that is a facility where three or more adults, not related to the operator, reside and are typically provided with care, treatment, or services above the level of room service, which may include prescribed personal care. This definition includes Community Living Arrangements (CLAs), Community Based Residential Facilities (CBRFs), and Adult Family Homes (AFHs) as defined by Wisconsin State Statutes, but does not include transitional housing, nursing homes, prisons, jails, correctional facilities, convents, monasteries/seminaries, or educational institutions and related student housing.
 - a. Based on the resident capacity, community living arrangements shall provide adequate living space in compliance with the most restrictive of the dormitory standards of Article XVI and Chapter 8 of Green Bay Municipal Code and applicable state administrative codes.
 - b. A community living arrangement may be considered a dormitory as defined and regulated within the Green Bay Municipal Code.
 - ~~4. Community living arrangements shall be permitted in accordance with Sec. 62.23(7)(i), Wis. Stats., and Sec. 13.03(11), Green Bay Municipal Code.~~
 - ~~5. The Phase 1 expansion is to include 15 suites, kitchen facilities, dining area, laundry, a multi-purpose room, office space and a mechanicals room.~~
 - ~~6. Any future expansion will require a Planned Unit Residential District amendment.~~
 - ~~7. A 20 bed CBRF located in the 201 block of Berger Street.~~
 8. Accessory use(s) are permitted and shall abide by all building setback requirements.
- D. Prohibited Uses. Land uses not listed in Section C shall be considered prohibited uses within this PUD. A PUD amendment is required for any additional uses.
- E. Project Phasing: The proposed project shall be allowed in phases as detailed below and that substantially comply with Exhibit B:
1. Phase One (28 beds): Operate a 28-bed residential facility to be located in the North Residential Building.
 2. Phase Two (28 beds): Operate an additional 28-bed residential facility to be located in the South Residential Building.
 3. Phase 3: Any additional phases, including facility expansion into the previous nursing home building, will require an amendment to this PUD.
 4. The Skilled Nursing building is allowed to be used in any phase as a commercial kitchen facility at the discretion of the property owner. If no

commercial kitchen facility exists on site, catering services can be used in lieu of a commercial kitchen.

F. Dimensional and Area Requirements. Dimensional and area requirements for principal structure on the subject property shall generally comply with Exhibit B and be regulated as follows:

1. Setbacks. Setbacks shall be established in conformity with the approved site plan. In no case shall setbacks, from all public street frontages, be less than as follows:
 - a. Front Yard Setback (Bornemann Street): Setbacks for all buildings shall be no less than 25' from the property line.
 - b. Rear Yard Setback (Berger Street): Setbacks for all buildings shall be no less than 15' from the property line.
 - c. Side Yard Setback (Mills & Brooks Streets): Setbacks for all buildings shall be no less than 10' from the property line.
 - d. Parking Lot Setback: Setbacks for all parking areas shall be no less than 10' from the property line.
2. Dimensional and area provisions, including accessory buildings, shall be regulated under the Varied-Density Residential (R3) Zoning District.

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

1. No building within the development shall exceed one story or 35' in height, from grade to peak of roof.
2. Building facades shall be constructed of and contain brick, brick window sills, brick soldier courses, vinyl siding, aluminum soffit, fascia and gutter system, and asphalt roof shingles.
3. All rooftop and ground level mechanical equipment shall be screened from public view using architectural treatments consistent with the overall design of the structure.

H. Signage. All signs on the subject property shall conform to ~~Table A (R3/R4 Multi-Family), Sec. 13.36, Green Bay Municipal Code.~~ the standards as set forth within Chapter 30 of the Green Bay Municipal Code for the Office Residential Zoning District.

I. Access, Circulation, and Parking. Access, circulation, and parking within the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article XVIII of the Green Bay Municipal Code, and the following standards:

- ~~1. Parking shall be provided for guests and residents of the proposed development as specified in Sec. 13.41, Green Bay Municipal Code.~~
2. Parking shall be provided within 1,000' feet on the property and with the following calculation:
 - a. Two (2) spaces for every three (3) bedrooms PLUS

- b. Two (2) spaces per every three (3) employees on the largest shift
- 3. All parking areas are to be paved bituminous or concrete.
- ~~4. The southernmost drive along the west side of Berger Street shall be closed to City standards.~~
- ~~5. Handicapped parking spaces shall be made available as outlined in the Wisconsin Handicapped Parking Requirements (ADAAG 4.1.2).~~
- ~~6. Landscaping and Parking Maintenance. All maintenance and upkeep of landscaping, internal drives and parking areas within the PURD are the sole responsibilities of the Developer.~~
- J. Lighting. Lighting shall be provided within the development by the inclusion of two types of lighting elements - freestanding elements at various locations on the site and building wall mounted lighting elements on the structures as detailed below:
 - 1. Freestanding lighting elements shall not exceed 12' in overall height.
 - 2. Building wall mounted lighting elements shall consist of a traditional light fixture.
 - 3. All exterior lighting shall be retained on site and shielded from all properties.
 - 4. All lighting within the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article V of the Green Bay Municipal Code.
- K. Refuse and Mechanical Equipment. All refuse areas are to be enclosed with a cedar board-on-board fence, impervious to sight. Screening of refuse material containers and mechanical equipment throughout the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article XIX of the Green Bay Municipal Code.
- L. Landscaping and Transitional Yards. ~~A detailed landscape plan shall be submitted to and approved by the City prior to issuance of occupancy. Landscaping shall be completed in whole with the completion of the development.~~ Landscaping within the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article XIX of the Green Bay Municipal Code.
- ~~M. Stormwater Management. A stormwater management plan, meeting the standards established by the City's Department of Public Works, shall be submitted to and approved by the City.~~
- N. Compliance with all the regulations of the Green Bay Municipal Code not covered under the PUD. If not covered as part of this PUD, the base zoning for the parcel shall be considered Varied-Density Residential (R3).
- ~~O. The consolidation of the following parcels into one tax parcel: 21-2595, 21-2594, 21-2593, 21-2591, 21-2590, 21-2589, 21-2588, 21-2587, 21-2585, 21-~~

~~2582, 21-1222.~~

SECTION 3. The provisions of this ordinance, including, without limitation, the granting of a conditional-use permit and all obligations, conditions, restrictions, and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property. All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 4. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit, and the plans identified therein, had been set forth in its entirety in the body of this ordinance.

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

SECTION 6. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 7. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

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

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

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, City Clerk

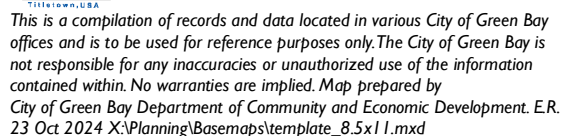
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Attachments:

Exhibit A - Location Map

Exhibit B – Site-Building Layout

Exhibit C - Conceptual Plans



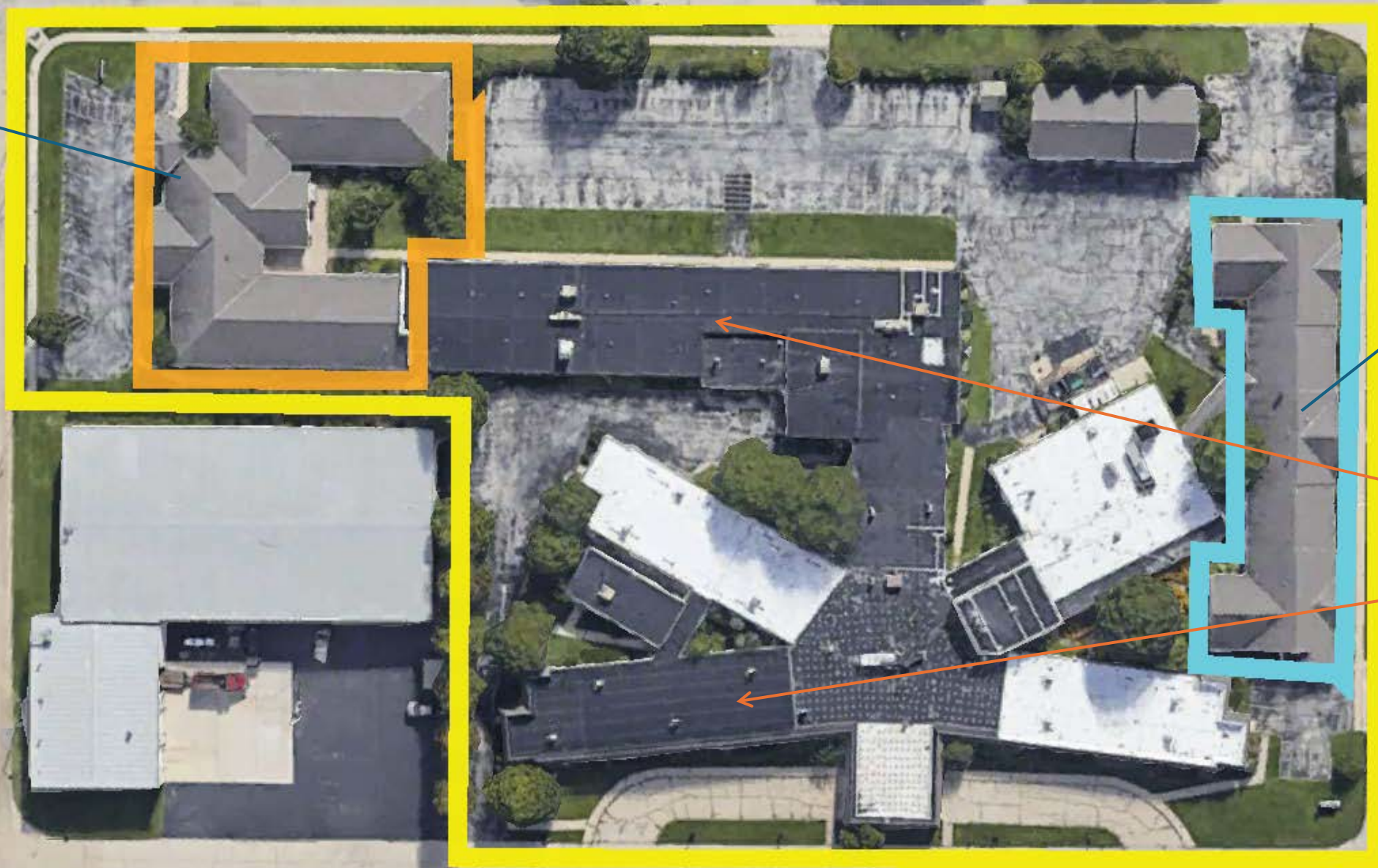
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400' Notification Area

**North
Building**

**South
Building**

**Former
Skilled
Nursing
Facility**





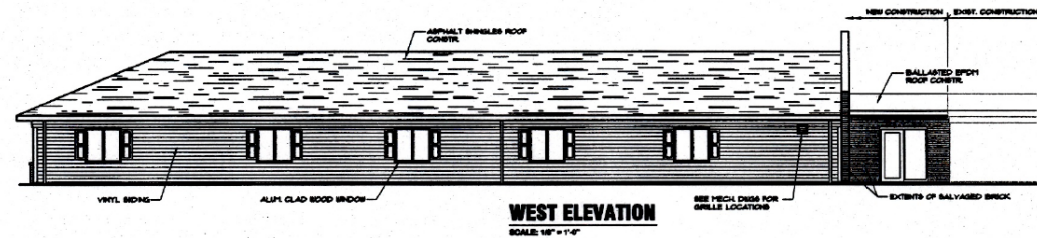
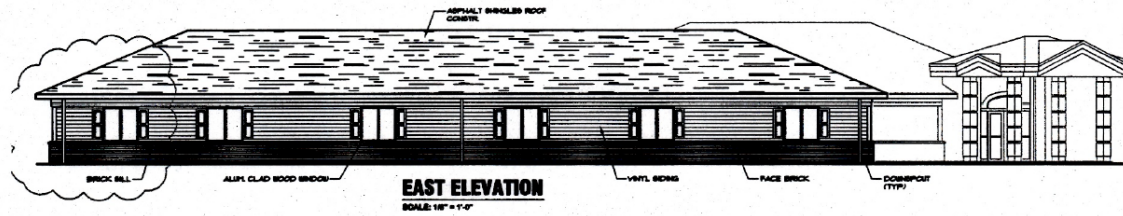
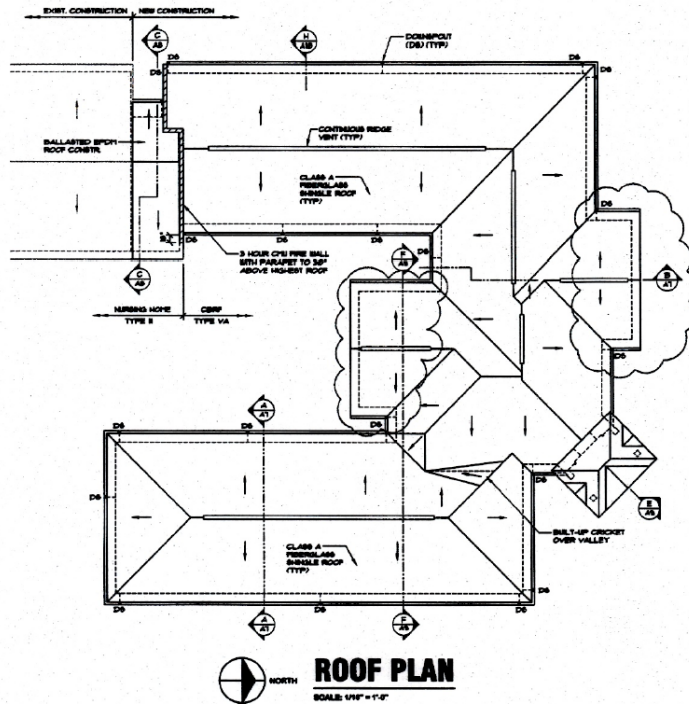
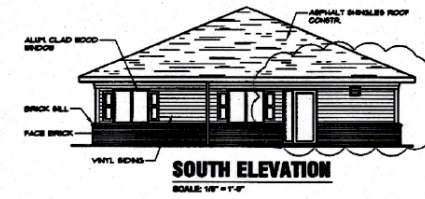
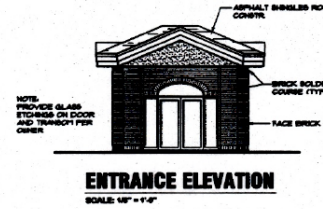
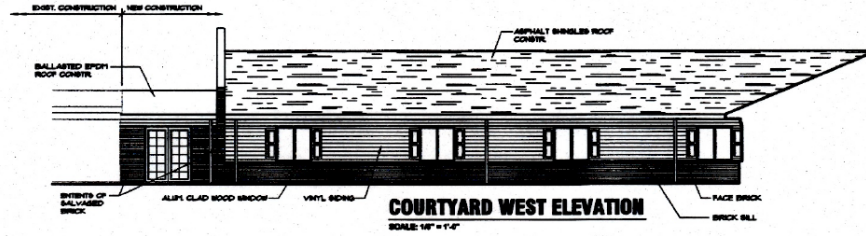
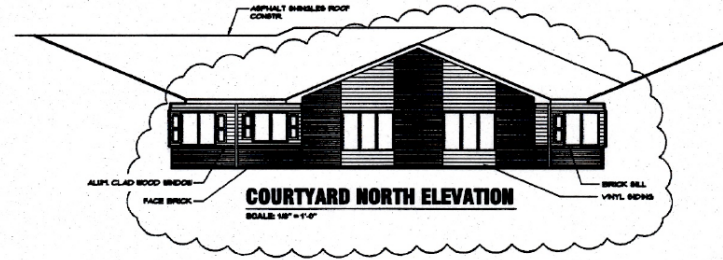
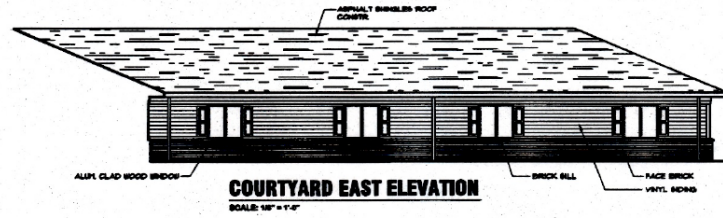
CONCEPT PLANNING

Summit Behavioral Health
Green Bay, WI
North & South Residential



CONCEPT PLANNING

Summit Behavioral Health Green Bay, WI North Residential

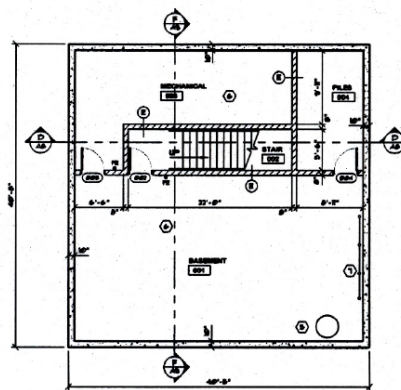
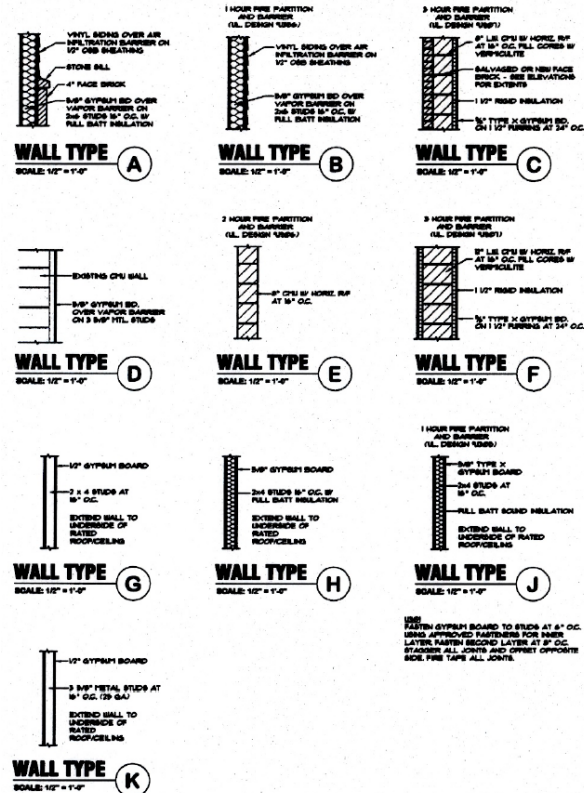




CONCEPT PLANNING

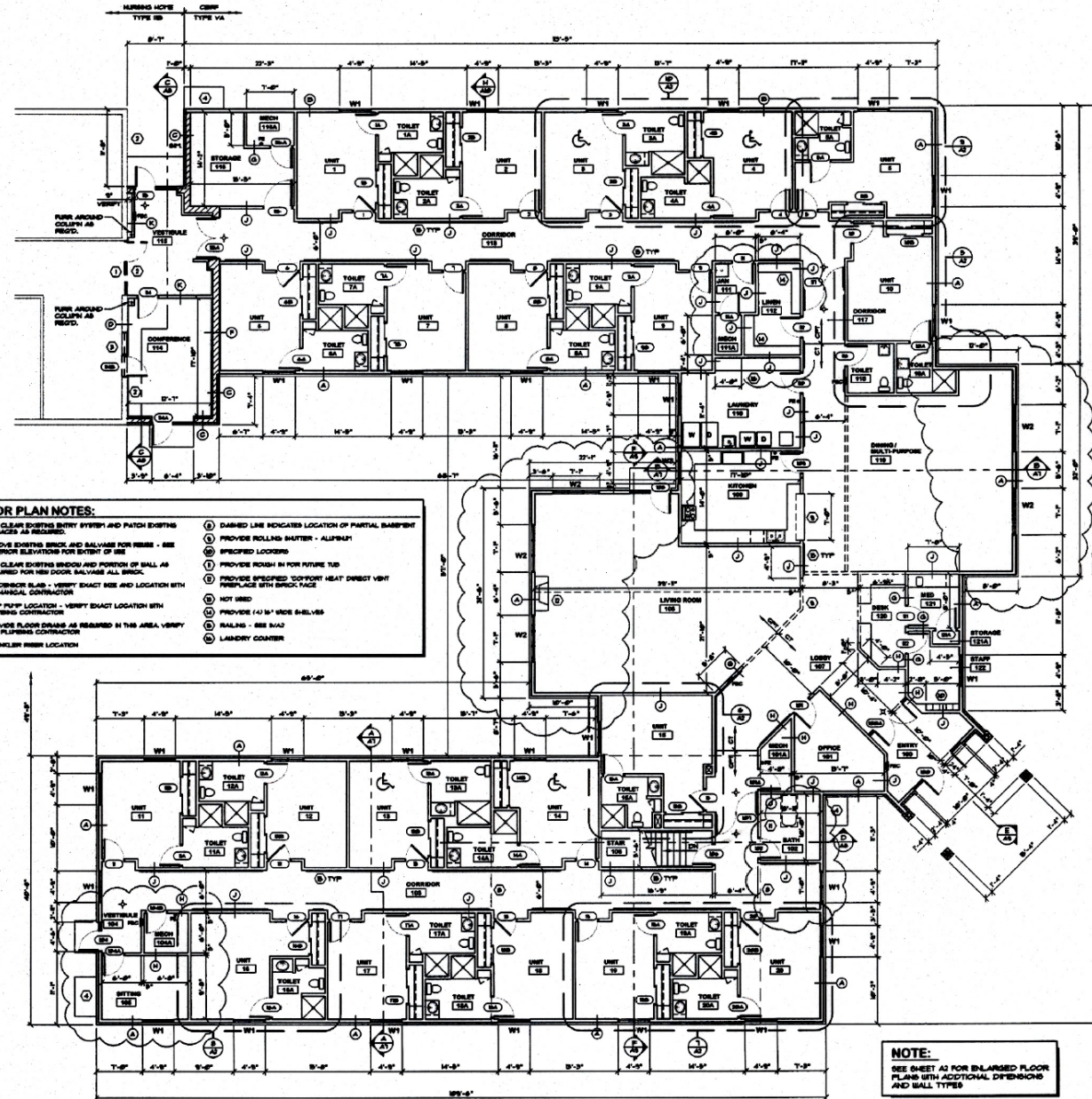
Summit Behavioral Health Green Bay, WI

North Residential



BASEMENT PLAN
SCALE: 1/8" = 1'-0"

- FLOOR PLAN NOTES:**
1. SITE CLEAR EXISTING ENTRY SYSTEM AND PATCH EXISTING SURFACES AS REQUIRED
 2. REMOVE EXISTING BRICK AND SALVAGE FOR REUSE - SEE EXTERIOR ELEVATIONS FOR EXTENT OF USE
 3. SITE CLEAR EXISTING BRICK AND PORTION OF WALL AS REQUIRED FOR NEW DOOR SALVAGE ALL BRICK
 4. CONCRETE SLAB - VERIFY EXACT SIZE AND LOCATION WITH FOUNDATIONAL CONTRACTOR
 5. GYP BOARD LOCATION - VERIFY EXACT LOCATION WITH PLUMBING CONTRACTOR
 6. PROVIDE FLOOR DRAINS AS REQUIRED IN THIS AREA, VERIFY WITH PLUMBING CONTRACTOR
 7. SPRINKLER RISER LOCATION
 8. DASHED LINE INDICATES LOCATION OF PARTIAL BARRIER
 9. PROVIDE ROLLING SHUTTER - ALUMINUM
 10. SPECIFIED LOCKING
 11. PROVIDE ROUGH IN FOR FUTURE TUB
 12. PROVIDE SPECIFIED COFFERT HEAT DIRECT VENT PREFABRICATE WITH BRICK FACE
 13. NOT USED
 14. PROVIDE (4) 1/2" WIDE SHELVES
 15. RAILING - SEE S42
 16. LANDRY COUNTER



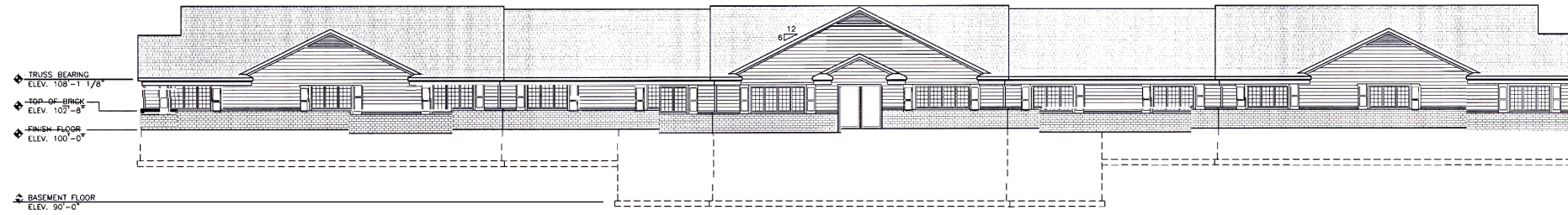
NOTE:
SEE SHEET A2 FOR ENLARGED FLOOR PLANS WITH ADDITIONAL DIMENSIONS AND WALL TYPES

FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

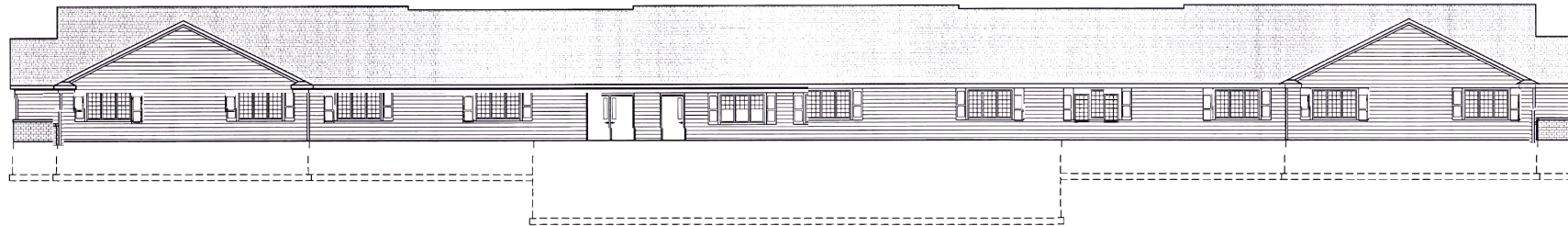


CONCEPT PLANNING

Summit Behavioral Health Green Bay, WI South Residential



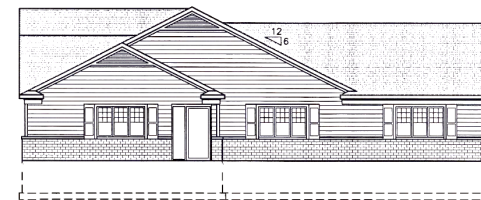
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



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



WEST ELEVATION
SCALE: 1/8" = 1'-0"



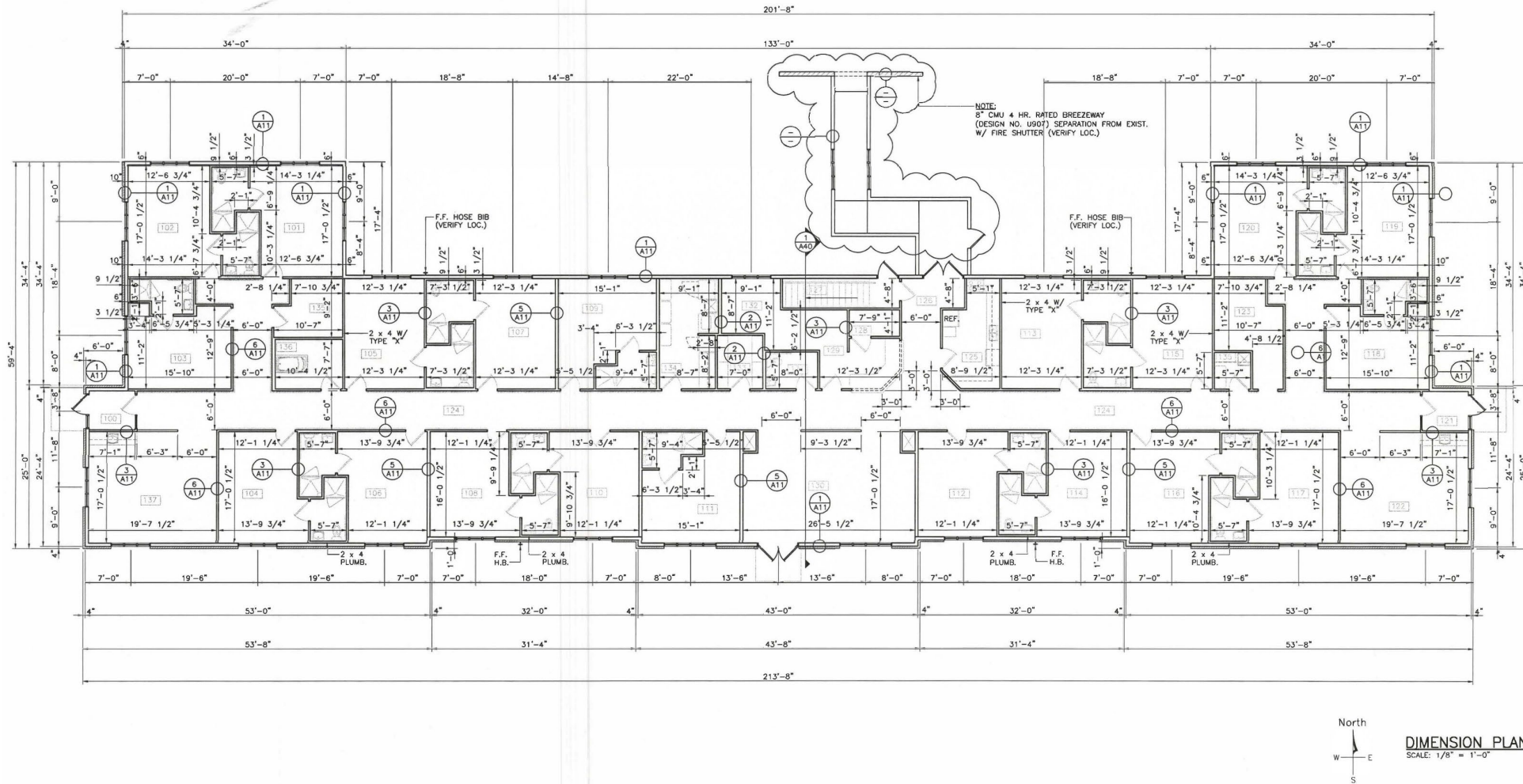
EAST ELEVATION
SCALE: 1/8" = 1'-0"



Summit Behavioral Health

Green Bay, WI

South Residential





Applicant: SBH-Green Bay LLC dba Willow Creek Behavioral Health
Summit Behavioral Healthcare, LLC/Summit BHC

Submitted to: Green Bay City Planning and Zoning

Contact: Alison Denil, Facility CEO: (920) 328-1227
John Flanagan, VP Development: (214) 240-9476

Summary of Proposed Use

Summit BHC will purchase, renovate and convert a 68,000 sq ft building, formerly a Skilled Nursing Facility located at 226 Bornemann, Green Bay, Wisconsin. The facility will be licensed by the State of Wisconsin DHS as a community-based residential facility (CBRF) under Chapter 50 of Wis. Stats. and Admin Rule DHS 83, certified as a residential community substance use treatment facility (DHS 75), and will be CARF-accredited.

This facility will provide access to care for adults, young and old, struggling with the devastating effects of addiction. The Summit BHC facility will provide withdrawal management, harm reduction, rehabilitation and residential services for individuals in care. The treatment programming will follow ASAM criteria. Those admitted to service will be struggling with Opioid abuse disorder, alcoholism, other substances such as benzodiazepines.

The facility will do modifications to the inside of the building. These renovations will be to assure enough space is available for group therapy, art therapy, music and movement therapy. Summit BHC will provide dietary services, update the kitchen and dining area, and acquire the appropriate license to provide meals and dietary services on-site.

About Summit Behavioral Healthcare

Our Mission

Summit BHC is dedicated to treating those battling addiction, as well as their families. We provide a high standard of client care through evidence-based and holistic treatment, to help our clients reach their full potential. Our mission is to, *"improve the lives we touch"*.

Addiction is a complex and progressive disease in which individuals are bound by dependence on substances manifesting both physical and behavioral phases and symptoms. Addiction is not the result of a moral consequence, a character weakness, or the result of external factors/problems.

We Believe....

- 1) Addiction is a chronic and progressive treatable, rather than curable disease.
- 2) We can identify and arrest the progression of the disease.
- 3) Addicted individuals have the potential for success in achieving continuous abstinence.

Our Values

We are committed to:

Honesty. We work with integrity and fairness.

Competence. We strive to be the best and hold ourselves accountable.

Perseverance. We meet challenges with the resolve to succeed.

Passion. We are passionate about what we do, each other and who we serve.

Respect. We honor the human dignity of everyone we work with.

Teamwork. We succeed, and have fun, by pulling together.

The Levels of Care Provided

- ASAM Criteria is utilized to determine and guide individuals to and through the appropriate levels of care, starting with the intake/admission process. The facility will be available 24-7, 365 days a year to provide access to care through our admissions department. Expanding prevention, harm reduction, treatment, and recovery services for people in Wisconsin with opioid use disorder and other substance use disorders.

Residential:

- Level 3.1 – Clinically Managed, Low-Intensity RES – typically provides 24-hour living support and structure with available trained personnel, offering at least 5 hours of clinical services per week.
- Level 3.3 – Clinically Managed, Population Specific High Intensity RES – typically offers 24-hour care with trained counselors to stabilize imminent danger along with less intense milieu and group treatment for those who may not be able to engage in the full active milieu or therapeutic community.
- Level 3.5 – Clinically Managed, Medium-Intensity RES – provides 24-hour care with trained counselors to stabilize multi-dimensional imminent danger and prepare for a community-based treatment setting. Individuals can tolerate and utilize the full milieu or therapeutic community. This is our most common level of care provided, as “residential”.
- Level 3.7 – Medically Monitored, High-Intensity Inpatient – medically monitored withdrawal management which provides 24-hour nursing care with a physician’s availability for significant problems in Dimension 1,2, or 3. Individuals require medication and/or increased monitoring and withdrawal management. This is our “detox” level of care.

If after opening the inpatient programs, Summit BHC may want to open an outpatient clinic providing the levels of care described below.

Outpatient:

- Level 1 – Outpatient – typically consists of less than 9 hours of services per week for adults. Can be delivered in a wide variety of settings.
- Level 2.1 – Intensive Outpatient – typically consists of 9 or more hours of services per week to treat multi-dimensional instability. Also known as “level 2” and delivers services that are capable of meeting complex needs common in addiction.
- Level 2.5 – Partial Hospitalization – typically consists of 20 or more hours of services per week for multi-dimensional instability that does not require 24-hour care. It is an organized outpatient service, also known as “day treatment”.

Summit BHC, founded in 2013 operates 26 Inpatient residential treatment centers across the United States. Summit BHC's programming continues to implement evidenced based treatment, staying up to date on proven interventions both therapeutically and medicinally. Additionally, we share best practices across the platform.

Age Range of Patients to Whom Care Will be Provided

Summit BHC will serve male and female adults, age 18 and older.

Classification of Chemical Dependencies to be Treated

Patients will meet admission criteria if their substance use meets the criteria for any of the DSM V Substance abuse disorders, including:

- Alcohol Substance Abuse Disorder
- Opioid Substance Abuse Disorder
- Sedative, Hypnotic, & Anxiolytic Substance Abuse Disorder
- Cocaine Substance Abuse Disorder
- Inhalant Substance Abuse Disorder
- Amphetamine Substance Abuse Disorder
- As well as any combination of the above

Patients who meet the criteria of the DSM V Substance Abuse Disorder AND show imminent signs of or are at significant risk experiencing detoxification symptoms will be admitted to the medically monitored detoxification level of care.

The Geographic Area Served

The facility will be located within the Green Bay, WI city limits. The services provided will serve individuals from the Green Bay MSA, a population of nearly 321,000.

The population(s) to be served

The need for additional substance use treatment services in Wisconsin is extensive. The Wisconsin Mental Health and Substance Use Needs Assessment 2019 provides the most recent data which identifies 8.5% of Wisconsin residents age 18 years and older have a substance use disorder. The use of alcohol, opioids, methamphetamine, and other substances requires intensive treatment and recovery programming for success, however the available services within the state are unable to meet the needs, resulting in a substance use disorder statewide treatment gap of 69%. The proposed facility will be located in Brown County, Wisconsin. According to the 2024 Brown County Community

Health Needs Assessment, 25% of adults reported excessive alcohol consumption, 36% of motor vehicle crash deaths involved alcohol, overdose deaths continue to rise, and drug and DUI arrests are climbing year over year. The project is a large facility that will be able to directly impact the treatment gap and improve access to care for Wisconsinites.

Project design

Provided that the necessary approvals are obtained, Summit BHC will be purchasing a former Nursing Home and Assisted living facility at 226 Bornemann Drive in Green Bay, WI. The facility had major challenges recovering from the impact of Covid and has been closed for some. Summit BHC has the facility under an LOI and is working through the Purchase Sale Agreement. Initially we plan to convert two of the buildings heretofore referred to as the North Building and the South Building. These facilities were where the higher functioning assisted living residents lived. Both buildings will require some renovation. Starting with the North Building, we will complete renovations which will create 28 beds for potential individuals along with treatment areas for programming. The South building will be renovated as well and offer an additional 28 beds. Summit BHC will be seeking approval from the Green Bay planning and zoning authority to allow for the treatment program and services to go forward under the prior approved zoning umbrella. Summit BHC will seek state licensing, and CARF accreditation, holding Summit BHC accountable to adhere to all the expectations of both local, state and federal guidelines.

Both the North Building and South Building were licensed as CBRF facilities by a prior user. Summit BHC is not aware of any site or building conditions, such as parking, landscaping, or setbacks, that would violate existing Site Related Regulations.

Phase One (28 beds):

Purchase, renovate and operate a 28-bed residential CBRF facility to be located in the North Residential Building. Summit BHC will either partially renovate the existing nursing home building, with all necessary approvals, to allow the kitchen facilities to be used for meal preparation for the North Building residents or will utilize catering services to serve North Building residents.

Phase Two (28 beds):

Renovate and operate an additional 28-bed residential CBRF facility to be located in the South Residential Building, as dictated by facility census growth. As with the North Building, using the kitchen facilities located in the existing nursing home building to serve North and South Building residents is desirable and could be pursued pending all necessary approvals and project costs.

Phase 3:

Assuming that the census grows as expected, the third phase will involve completing the renovation of the nursing home building . Additional CBRF residential beds could be added up to the City's CBRF ward limits (understood to be one percent of ward population) with the remainder of the facility to be used for affiliated purposes including outpatient clinic, managerial and related uses.

Legal Description

The West 40 feet of Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6), all in Block Three (3), according to the recorded [PLAT OF SMITH BROTHERS GARDEN ADDITION](#), in the City of Green Bay, East side of Fox River, Brown County, Wisconsin.

And

Parcel "A" of [CERTIFIED SURVEY MAP NO. 823](#) recorded in the Office of the Register of Deeds for Brown County, Wisconsin on December 23, 1969, in Volume 3 of Certified Survey Maps, Page 275 as Document No. 704958; said certified survey map being part of the North 1/2 of the Southwest 1/4 of the Southeast 1/4, Section Thirty-two (32), Township Twenty-four (24) North, Range Twenty-one (21) East, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin.

And

The South 211.25 feet of the East 173 feet of that part of the Southwest 1/4 of the Southeast 1/4, Section Thirty-two (32), Township Twenty-four (24) North, Range Twenty-one (21) East, lying West of the said SMITH BROTHERS GARDEN ADDITION and North of the North line of Mills Street, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin.

And

That part of the North 1/2 of the Southwest 1/4 of the Southeast 1/4, Section Thirty two (32), Township Twenty-four (24) North, Range Twenty-one (21) East, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin, more particularly described as follows: Commencing at the Southwest corner of Lot 1, Block Three (3), of Smith Brothers Garden Addition and running thence North 89°59'57" West along the North line of Mills Street, a distance of 202.32 feet to the Northeast corner of Schober Street (n/k/a Bornemann Street) and Mills Street and the point of beginning of this description; thence North 0°03'03" East along the East line of said Schober Street (n/k/a Bornemann Street), a distance of 211.25 feet; thence South 89°59'57" East, a distance of 29.32 feet; thence South 0°03'03" West, a distance of 211.25 feet to North line of Mills Street; thence North 89°59'57" West along said North line of Mills Street, a distance of 29.32 feet to the point of beginning; except part described in Jacket 3482 Records Image 43.

And

Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6), except the Westerly Forty (W'ly 40) feet thereof, all in Block Three (3), according to the recorded [PLAT OF SMITH BROTHERS GARDEN ADDITION](#), in the City of Green Bay, East side of Fox River, Brown County, Wisconsin, except part described in Jacket 3482 Records Image 43.



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: 226 Borneman St Green Bay WI
Parcel Number(s): (Parcel # 21 -1222)
Petitioner(s): Summit BHC Date: 10-09-2024
Email: john.flanagan@summitbhc.com Phone Number: 214-240-9476
Address: 501 Corporate Centre Blvd. Suite 600 City: Franklin State: TN Zip: 37064
Property Owner: 226 Borneman LLC, Steve Tokarczyk Phone Number: 716-861-7120

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, John Flanagan, respectfully request that the City of Green Bay take the following action:

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

Owner Signature: _____ Date: 10-08-2024

Petitioner Signature(s): John Flanagan

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.: _____



Report to the Green Bay Plan Commission

MEETING DATE

November 4, 2024

PREPARED BY

AGENDA ITEM # F.I

Director's report.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None