

MINUTES
GREEN BAY PLAN COMMISSION
Monday, January 7, 2013
City Hall, Room 604
6:00 p.m.

MEMBERS PRESENT: M. Conard–Chair, L. Queoff–Vice-Chair, J. Reck, T. Duckett, and J. Wiezbiskie

MEMBERS EXCUSED: S. Bremer and T. Gilbert

OTHERS PRESENT: R. Strong, P. Neumeyer, Ald. Boyce, Ald. Kocha, R. Champeau, L. Austin, and G. Baranowski

APPROVAL OF MINUTES:

Approval of the minutes from the November 26, 2012, Plan Commission meeting

A motion was made by L. Queoff and seconded by T. Duckett to approve the minutes from the November 26, 2012, Plan Commission meeting. Motion carried.

COMMUNICATIONS:

None

OLD BUSINESS:

None

NEW BUSINESS:

Item #2 was discussed prior to Item #1.

2. (ZP 12-55) Discussion and action on the request to authorize a Conditional Use Permit (CUP) to authorize a two-family dwelling in a Low Density Residential (R1) District located at 1461 Morrow Street submitted by Ryan Champeau, Hometown Ventures, property owner (Ald. Kocha, District 5)

P. Neumeyer gave the staff report and recommendation. The request is to allow a two-family dwelling in a Low Density Residential District. There is commercial zoning to the south of the subject property and an R1 property to the north. The area contains a mixture of uses. There is a four-family and a business to the south, and there are single- and two-family uses to the north. The Comprehensive Plan recommends Low Density Residential for this area. This former three-family property is under new ownership. The owner would like to convert this dwelling to a two-family. P. Neumeyer received an email earlier that day which was distributed to the Commissioners for their review. It was from an adjoining property owner. They have some concerns about the parking situation. The front yard contains approximately four spaces. The Commission could address this issue at this time. Affected property owners were notified and only one email was received. Staff supports the request as the area acts as a transition between commercial to the south and residential to the north. Staff recommends approval of the request.

M. Conard asked if parking was normally allowed in the front yard. P. Neumeyer said it is not, but this has been grandfathered. There is encroachment of a garage in the back. He feels

some delineating between lot lines might be helpful in this situation and suggested fencing or bollards.

Ryan Champeau, 1461 Morrow Street – 1461 Morrow Street has been vacant. It was purchased in August 2012.

T. Duckett would like to see some physical identification on the property showing where tenants' cars can and cannot be parked so the adjoining neighbor has access to his/her property.

J. Reck wanted to know the width of the driveway at 1461 Morrow Street. P. Neumeyer said it goes almost the entire width of the lot.

P. Neumeyer said the petitioner added that a variance had been granted to allow paving. This is an existing condition. R. Champeau would like to delineate the four parking spaces with actual lines showing the spots as 1, 2, 3, and 4 and including that information in the lease.

M. Conard wondered if the applicant would consider planting some bushes or something in front of the house to soften the edge of the parking space. R. Champeau is open to that suggestion.

M. Conard feels there should be a physical barrier like a fence between the four parking spots for 1461 Morrow Street and the adjoining property owner's area.

L. Queoff would prefer the bollards to delineate the property lines but wondered how tall they are. P. Neumeyer said they come in different shapes and materials. Some Commissioners suggested using signage, but staff would not encourage that in a Low Density Residential area.

L. Queoff asked the petitioner if he will be occupying a unit. R. Champeau said he was not planning on it, but there is a chance.

Ald. Kocha asked where the property line is between the petitioner and adjoining property owner. P. Neumeyer showed the property line on the map and also added that the neighbor's garage encroaches on the petitioner's property.

Ald. Kocha asked if the property could ever be converted to a single-family home. P. Neumeyer explained that the property is changing from a non-conforming three-family to a non-conforming two-family property. R. Champeau does not want to convert the property to a single-family home but would have to apply for a Conditional Use Permit if that changed.

J. Wiezbiskie stated he does not support the line painting delineating each parking space, but if it was done, he suggests only painting three lines so it doesn't resemble a public parking lot. He also suggests using silver paint instead of yellow to soften the look. Bushes or shrubbery would help as well.

Ald. Kocha requested staff read the email from the concerned citizen. P. Neumeyer read the following from Steve and Sandy Bader:

Dear Paul: I am writing regarding the request for a Conditional Use Permit at 1461 Morrow Street. I own the adjoining property at 1463 Morrow Street. My only concern is the parking area in front of 1461 Morrow Street. It is approximately 35 feet wide and 16 feet deep. My driveway adjoins the property, and I do not want cars parked in my driveway. Thanks for contacting me regarding the Conditional Use request. Steven Bader.

Lynn Austin, 1449 Morrow Street – She has lived in the neighborhood for 30 years. The subject property has been a problem historically. 1461 Morrow Street and the adjoining yellow house were both owned by the same person. There were four units at the time, and the owner paved the whole front yard. The owner sold both properties to one of his renters who fixed up the buildings. He lost the property in foreclosure before the current property owner bought it. Because the property is so small, L. Austin feels it should be changed to a single-family home with a front yard.

J. Wiezbiskie said that the problem is being corrected to an extent because it is being converted from a three-family to a two-family. The owner also has a need to rent to stable tenants because he depends on the cash flow. He wondered what can be done about the problem property across the street.

Ald. Boyce asked if perhaps some of the concrete parking area in the front yard could become green space. M. Conard said each unit has to have two parking spaces available; therefore, the space must remain as is to accommodate those.

P. Neumeyer said those spots have to remain in the front yard because there is no access to the rear of the property for parking purposes. A variance might have been granted on this property due to a possible hardship for access to the rear.

M. Conard asked if there was a limit on people living in a space, such as how many per bedroom or per square foot of living space, etc. P. Neumeyer said there are occupancy limits. Complaints on amount of people occupying a home should be directed to the City's Inspection Department.

A motion was made by T. Duckett and seconded by J. Reck to approve the request to authorize a Conditional Use Permit (CUP) to authorize a two-family dwelling in a Low Density Residential (R1) District located at 1461 Morrow Street subject to the following conditions:

1. Compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit (CUP).
2. Staff working with the applicant and adjoining property owner to delineate parking areas.
3. The applicant provides additional green space to minimize the existing parking areas.

Motion carried.

A motion was made by L. Queoff and seconded by J. Reck to refer to the Historic Preservation Commission to review and consider properties located in the Main Street and Morrow Street neighborhood as a potential Historic District and/or individual properties be considered for nomination as historic. Motion carried.

1. (ZP 12-53) Discussion and action on the request to amend the existing Conditional Use Permit (CUP) for a Transient Residential use located at 1239 Shadow Lane submitted by Gary Baranowski, property owner (Ald. Brunette, District 8)

P. Neumeyer gave the staff report and recommendation. This request is to amend an existing Planned Unit Development at 1239 Shadow Lane. This is one of the first TRPs completed in the City. The amendment is pretty minor to the Conditional Use and really involves the operating plan of what was originally approved such as the frequency of the events or the rentals that could occur. It was originally approved as a greater of either two occurrences per month or the number of home games in a given month. The applicant has now requested that

be changed to four occurrences per month. Affected property owners were notified. P. Neumeyer received one informational call on this request. Staff supports the request as this was one of the first TRPs granted and therefore is more restrictive than other properties in the area.

A motion was made by L. Queoff and seconded by J. Wiezbiskie to approve the request to amend the existing Conditional Use Permit (CUP) for a Transient Residential use located at 1239 Shadow Lane. Motion carried.

3. (TA 12-08) Discussion and action on the request to amend the requirements for a Transient Residential Permit (TRP) to permit signage submitted by Gary Baranowski

P. Neumeyer gave the staff report and recommendation. The request is to allow a display of commercial banners and signs throughout the yard including the fence and exterior structures on the day of Packer games or major events inside Lambeau Field. Display of such items shall be permitted within a 48-hour window to commence on noon of the day prior to the event and end by noon the day of the event. This is to add commercial signage to the Transient Residential uses. There are no detailed requirements for signage for the TRPs – they are included under the R1 requirements. This would be quite a change to that. The main purpose of the TRPs is to protect the character of residential neighborhoods and maintain the quality of those neighborhoods. The approval of this signage could clutter the neighborhood on game day and therefore is not supported by staff.

Gary Baranowski, 3166 Atlantis Drive – He doesn't feel the property is a typical R1 due to what is approved and who has purchased the properties. He purchased his property in 2005. Thirteen of the other twenty-two homes are not owner-occupied. His property is rented corporately, and therefore G. Baranowski is requesting the legal use of banners for those corporations' use.

R. Strong said he is nervous about this request because it could easily get out of hand where the entire street could be one large "billboard" of advertising.

T. Duckett asked if signage could be allowed on a permitted basis only along that street. P. Neumeyer said that is a possibility, but the concern is how allowing signage will change the nature of the residential area.

M. Conard feels that if signage is allowed in one area for one property, it should be allowed for everyone. There is some financial sense in looking at the permitting aspect and controlling it so there are not too many across the City.

P. Neumeyer said the area is changing, and it has been suggested to change the zoning of the area to Commercial.

R. Strong wanted to clarify that the request is for one property to have signage. It is easy to assume other property owners will want the same opportunities, but currently the request is for one property.

A motion was made by L. Queoff and seconded by J. Reck to deny the request to amend the requirements for a Transient Residential Permit (TRP) to permit signage. Motion carried 4-1.

OTHER:

Director's Update on Council Actions

M. Conard presented a gavel which was awarded to the Plan Commission from the Green Bay Neighborhood Leadership Council.

R. Strong congratulated J. Wiezbiskie on receiving the Inky Meng Neighborhood Leadership award.

SUBMITTED PETITIONS: (for informational purposes only)

(CPA 12-03) Request to amend the City's Comprehensive Plan for the northwest corner of University Avenue and Elizabeth Street from High Intensity Residential, Office or Housing (HIROH) to Light Industry, Office, and Office-Warehouse submitted by Rick Schmitz, property owner (Ald. Moore, District 6)

(ED 12-02) Request to discontinue a public walkway easement along the 400 block of Main Street to make way for the Schreiber Foods development on the former mall property (Ald. Boyce, District 7)

A motion was made by L. Queoff and seconded by T. Duckett to adjourn. Motion carried.

Meeting adjourned at 7:41 p.m.