

MINUTES
GREEN BAY PLAN COMMISSION
Monday, March 25, 2013
City Hall, Room 400
6:00 p.m.

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

MEMBERS EXCUSED: T. Gilbert

OTHERS PRESENT: R. Strong, D. Lindstrom, S. Bieda, Courtney Carr, Chris Carr, N. Hefling, S. Frisque, J. Challe, L. Challe, H. Schroeder, T. Frisque, and A. Popkey

APPROVAL OF MINUTES:

Approval of the minutes from the March 11, 2013, Plan Commission meeting

A motion was made by J. Wiezbiskie and seconded by J. Reck to approve the minutes from the March 11, 2013, Plan Commission meeting. Motion carried.

COMMUNICATIONS:

None

OLD BUSINESS:

None

NEW BUSINESS:

1. (OMA 13-01) Discussion and action on the request to amend the Official City Map to reflect an alternative future road pattern north of West Point Road submitted by Steven Bieda, Mau & Associates (Ald. Sladek, District 12)

D. Lindstrom gave the staff report and recommendation. The property is on the corner of Hillcrest and West Point just south of Mason Street on the far west side. Items in yellow as shown on the map are on the current Official Map as roads to be removed from the map. The area is primarily wetlands; it is part of DPW policy to not accept wetlands as potential roads as they cannot be developed. As a result, these streets that have been on the Official Map for years have become a hindrance to the further development. Camel Court was previously platted. It did not have any connections to the street network. Camel Court runs in from the east. Staff requested that a 15-foot-wide pedestrian easement be included as part of this request and plat so that the neighborhood to the north can be connected to West Point Road, which has sidewalks adjacent to it. Planning staff is requesting approval of the request subject to the conditions as presented in the staff report.

J. Wiezbiskie asked what will happen with Tara Marie Lane. D. Lindstrom said its removal is being proposed due to the wetland status of the land, but the existing street stub will remain as is.

J. Wiezbiskie continued by questioning what tax advantages/disadvantages there are having additional curbing and streets run to those two homes. D. Lindstrom stated the curbing and street stub is already there; however, if the area was to be redone, it would be addressed at that point.

J. Wiezbiskie asked how that portion is maintained as far as snow plowing, trimming, edging, etc. D. Lindstrom said the maintenance would remain as it is now.

M. Conard asked if the pedestrian easement crosses any properties where homes are located. D. Lindstrom said there is nothing at this point, and it is being proposed as part of the plat.

S. Bremer asked if the dotted areas on the map are wetlands. D. Lindstrom said yes – there is a 35-foot ESA buffer that the petitioner has been willing to include beyond the minimum 35 feet. They are including the storm water facility as part of that conservation area as well.

J. Wiezbiskie asked if the road in pink on the map will be Camel Court or Sandstone Place. D. Lindstrom said it would continue to be a north-south designation, so it would be Sandstone Place. But once it makes the switch to the east-west designation, it would be Camel Court. There are currently no homes on Camel Court.

Steve Bieda, 400 Security Boulevard – He reiterated that the request is only to amend the Official City Map, not for approval of the plat.

Courtney Carr, 1330 Sandstone Place – She questioned whether there are two lots located on Ferndale and Sandstone. D. Lindstrom said there were two proposed lots in that location.

Courtney Carr was also concerned about the natural elements of the area and the large amount of water in the land. Is this the only option? S. Bieda said there are only two ways in the area – one off of West Point Road and the second is the proposed location. Those roads are already dedicated public roads. It is easier to come from the north to create usable lots and create a cul-de-sac setting which is more desirable than a thru-street.

T. Duckett asked where the runoff is going currently. S. Bieda said the water from the entire area goes into the wetland running west. Road infrastructure and storm water management ponds will help route water (into the stormwater pond for pretreatment then) into the wetlands.

D. Lindstrom showed an area on the map that is zoned Rural Residential, which is normally the zoning of large lots. In order to develop an area into single-family homes, the zoning would have to be changed to R1 to match the rest of the neighborhood. The petitioner is willing to zone the wetlands Conservancy and having the lands be part of an ESA, which is protected by DNR and Brown County regulations that limits the land-disturbing activities.

R. Strong said the term “wetlands” is more of a geology term; Conservancy is a zoning designation that controls how that land can be used. The first step in protecting the existing wetlands is to remove the streets proposed to go through the wetlands. The second step is to zone the area Conservancy so it limits the types of uses of the property. This also allows the land that can be developed to be developed.

Courtney Carr asked if there would only be single-family homes. D. Lindstrom said at this time the R1 zoning would include single-family homes only. Duplex homes would require conditional use permits that require Plan Commission approval.

S. Bieda said there is a duplex located on West Point Road at this time.

Courtney Carr was more concerned with the types of homes going in on Camel Court. D. Lindstrom said it is designed for single-family homes only.

Chris Carr, 1330 Sandstone Place – He asked if Ferndale was still proposed to extend to those three lots behind. D. Lindstrom said the Official Map shows right-of-way to those areas. The wetland does not stop at property lines but continues into those areas. One of the recommendations would be to vacate Ferndale Street (west of Sandstone Place) if those lots are not buildable. The intersection would be a 3-way – north, south, and east.

Nick Hefling, 3135 Sunland Circle – He asked about sidewalks going in. D. Lindstrom said there would be pedestrian access via sidewalks connecting the areas as depicted on the map.

R. Strong said anyone purchasing the lots will be aware of the walkway in between the lots.

Sabrina Frisque, 1331 Sandstone Place – She wanted clarification that her property will end up on a corner and asked if there would be a charge for curb and gutter. D. Lindstrom said that is a conversation for the Department of Public Works. He will follow-up with her.

Laurie Challe, 1320 Sandstone Place – She is also concerned about water issues in the area, the single-family home zoning with a conditional use permit for duplexes, and the Oneida Indian Tribe soliciting the purchase of homes in the area. D. Lindstrom said the homes to the north and to the east are zoned R1. All homes zoned R1 have the opportunity to request a conditional use permit for a duplex as well.

S. Bremer said the R1 zoning district is the most restrictive zoning classification for residential districts. The Commission has generally supported the maximization of single-family dwellings in the area, and when the Plan Commission considers the possibility of a conditional use permit, they ensure it is appropriate to the neighborhood.

L. Challe asked if the Oneida Tribe could buy all of that land that becomes available. R. Strong said they have the same rights to purchase land as anyone else, and they have the ability to put that land into trust.

L. Challe is concerned about building any closer to the existing wetlands due to the large amount of water issues. S. Bieda responded that they are only building where they are allowed.

M. Conard read a letter from concerned citizens:

We are out of town and cannot attend the meeting on March 25th pertaining to ZP 13-07 Rezoning Request. We would like to go on record stating that while we have no problem with rezoning the land for Residential Single Family Owner Occupied Homes, we are against rezoning it for rental two family or multi-family homes. The property up for rezoning is directly across the street from our house. We live in the King of Arms Subdivision on West Point Road. According to the map for the rezoning, they plan on putting up some Two-Family Duplexes. We are completely against this due to the fact that this would lower our home value and change our quality of life. We would appreciate you taking this into consideration and giving it some thought before you make a decision on the rezoning. Please keep the homes in our neighborhood uniform, and our neighborhood orderly. Thank you. Sincerely, Todd Bardouche and Loretta Bardouche, 3147 West Point Road, Green Bay, WI 54313.

M. Conard asked if the map did in fact show a plan to construct duplexes. D. Lindstrom said that was part of a previous plan and has been removed. Single-family homes are the only type proposed at this time.

Howard Schroeder, 3168 West Point Road, read the following letter he submitted to the Plan Commission:

Since 1965, I have owned the property at 3168 West Point Road, which is 2 lots West of the future development of Sand Ridge Park South subdivision. In regard to the removing and/or realignment of streets listed in OMA 13-1, I have no objection. In fact I was not aware that those streets were even proposed. In the 48 years that I have owned and lived there, notification was never received about those proposed streets. I have concern about all developers of subdivisions. I call them "land rapists" for a lack of a better term. A majority of developers are more interested in their present financial gain and not what problems future and present residents of the area have to put up with. I hope this developer would have the character, 5 to 10 years later, to be prouder of the area he developed than the financial gain he obtained. This also should apply to the Green Bay Plan Commission. This developer may or may not know that most of the proposed subdivision, West Point Road (lots 5, 6, 7) to the North, about the Camel Court area, has approximately three (3) feet to eight (8) feet of road construction fill. This was done approximately about 1980s or 90s when Ashwaubenon reconstructed Oneida Street. This fill consisted of various types of soil, broken curb/concrete, large stones, broken sewer pipe, and blacktop on top of the original bog/peat like wetland soil. This can be proven by looking at contour maps of the 1960s versus present contour maps. I would hope the developer would notify the future owners of this property of possible basement footing problems. But, if he is like most, it will be buyer beware!!! See Attachment of approximate area where road construction fill was dumped. Before the fill was dumped in the wetland area of Sand Ridge Park South subdivision, the spring fed creek would only freeze over when temperature got below 0 degrees. I always thought this wetland area, North of West Point Road and East of Hillcrest would be a nice place for a park/wildlife area. The closest park for this area is Ted Fritsch Park which is across State Hwy. 54/West Mason Street. I am going on record, even though this not on the agenda now, I am opposed to anymore duplexes on West Point Road. This area is across from King of Arms subdivision, which is an upscale area. Attachment: Approximate area where road construction fill was dumped in the wetlands.

Tim Frisque asked when they would start developing after this gets approved. D. Lindstrom said it could be a few weeks and months to go through the entire plat approval process.

S. Bremer wanted to know if fill had any impact on the new development. S. Bieda said they would be digging out six to nine feet of material for the home foundations and would assess the soil stability at that time.

A motion was made by T. Duckett and seconded by L. Queoff to approve the request to amend the Official City Map to reflect an alternative future road pattern north of West Point Road subject to the following conditions:

- a) The placement of a 15-foot-wide pedestrian way from the extension of Sandstone Place to West Point Road.
- b) Non-objection from commenting departments.

Motion carried.

2. (ZP 13-07) Discussion and action on a request from Steven Bieda, Mau & Associates, to rezone the 3100 block West Point Road/the proposed Sand Ridge Park South Subdivision from Rural Residential (RR) to Low Density Residential (R1) and to rezone existing wetland areas as Conservancy (CON) (Ald. Sladek, District 12)

The staff report and recommendation were discussed under Item #1 by D. Lindstrom.

S. Bremer asked if there is a requirement the Commission can impose about informing potential buyers of possible soil problems. D. Lindstrom said it would be up to the developer.

J. Wiezbiskie asked if staff would point out where any extra lots would occur. D. Lindstrom showed the proposed Conservancy, ESA boundary, and the R1 district lots.

A motion was made by J. Wiezbiskie and seconded by T. Duckett to approve the request to rezone the 3100 block West Point Road/the proposed Sand Ridge Park South Subdivision from Rural Residential (RR) to Low Density Residential (R1) and to rezone existing wetland areas as Conservancy (CON). Motion carried.

3. (SV 13-01) Discussion and action on the request to vacate the portion of Valley View Road east of Barberry Lane submitted by Jerry Hansen, representative for the Green Bay Packers (Ald. Brunette, District 9)

D. Lindstrom gave the staff report and recommendation. The proposed vacation is part of the Lambeau Field expansion. The Village of Ashwaubenon is going through the same process right now to vacate their half of the street. Currently the Packers own the parcels to the south and east of the site. All comments from the reviewing agencies were received. Wisconsin Public Service has facilities present but does not object provided the existing facilities can be maintained and allowed to remain or be removed at the requestor's expense. The Department of Public Works has facilities present as well but does not object provided the petitioner is responsible for all costs to abandon the existing storm sewer and remove pavement within the vacated area. Staff is recommending approval of the request with conditions.

Aaron Popkey, representative of the Green Bay Packers, gave a presentation to the Plan Commission regarding the updates being made to Lambeau Field.

A motion was made by J. Wiezbiskie and seconded by S. Bremer to approve the request to vacate the portion of Valley View Road east of Barberry Lane subject to the following conditions:

- a) Petitioner is responsible for all costs to abandon the existing storm sewer and remove pavement within the vacated area.
- b) A utility easement is retained for the existing Wisconsin Public Service facilities, or the facilities are removed and/or relocated at the requestor's expense.

Motion carried.

INFORMATIONAL:

Information discussion/update regarding Sand Ridge Park South Subdivision (Ald. Sladek, District 12)

- D. Lindstrom felt many good questions were raised during this discussion.
- D. Lindstrom said the developer submitted a CSM for the first three lots.

Information discussion/update regarding Largo Ridge Estates revised subdivision (Ald. Wiezbiskie, District 1)

- There were two outlots on the Official Map, which were requested to be removed. The Parks Committee and City Council both recommended the outlots stay on the map. If staff removes the outlots from the map, the City would lose the parkland designation. The conservation easement allows the developer to develop now.
- This subdivision will be utilizing the 60-foot right-of-way.

OTHER:

Director's Update on Council Actions

- R. Strong reported on City Council approvals of the Bellin Hospital's PUD extension, the Elizabeth Street religious use, and Donald Driver Way street renaming.
- Staff received a request from Heritage Fox River Preservation Group to be a member of its organization. It is \$150 per year to be a member. This item will be brought back to the Plan Commission at the next meeting.
- The City's offer to purchase was accepted for the Clarion Inn, which means the City will retain its foundation and air rights to the KI Convention Center.
- City Hall Room 604's remodel is underway.

SUBMITTED PETITIONS: (for informational purposes only)

None

A motion was made by S. Bremer and seconded by J. Wiezbiskie to adjourn. Motion carried.

Meeting adjourned at 7:49 p.m.