

**MINUTES
GREEN BAY PLAN COMMISSION
Monday, April 7, 2014
City Hall, Room 604
6:00 p.m.**

MEMBERS PRESENT: Ald. Jerry Wiezbiskie, Sidney Bremer, Tim Gilbert, and Tim Duckett

MEMBERS EXCUSED: Maribeth Conard, Linda Queoff, and Jim Reck

OTHERS PRESENT: Paul Neumeyer, Bill Lockery, Trish Kurowski, William G. Macier, Julie Macier, Mike Stangel, Claudia Hendrickson, Jeff Mirkes, Ger Lor, Bao He, and Carol Kittell

APPROVAL OF MINUTES:

Approval of the minutes from the March 24, 2014, Plan Commission meeting

A motion was made by S. Bremer and seconded by T. Gilbert to approve the minutes from the March 24, 2014, Plan Commission meeting with the following underlined revisions on Pages 4 and 9.

S. Bremer added to the Plan Commission minutes on Page 4, top paragraph, should say "close to homeless shelters."

S. Bremer added to the Plan Commission minutes on Page 9, 3rd paragraph, should say "...from the Astor Neighborhood that some were in favor..."

Motion carried.

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

2. (ZP 14-10) Discussion and action on a request for a Conditional Use Permit (CUP) to authorize an educational use for the Green Bay Area Public School District (GBAPS) within a General Commercial (C1) District at 1148 Main Street submitted by Mike Stangel, GBAPS (Ald. Boyce, District 7)

P. Neumeyer stated this is a request for a Conditional Use Permit (CUP) for educational use within a General Commercial (C1) District at 1148 Main Street (AKA 325 S. Roosevelt Street). The property is located on the SW corner of Main and Roosevelt Streets and is part of the Olde Main Street district. This area is a high commercial corridor. The Comprehensive Plan recommends medium intensity retail office and housing land uses. This building has been vacant for a few years and is about 20,000 square feet with both a single and 2-story portion, on the west side of the site. This request is identical to a request brought before the Plan Commission last year at 2430 Finger Road to operate an Alternative Education Program. There are a variety of land uses in this area to include taverns, office uses and restaurants. Alderperson Boyce and affected adjacent property within 200 feet of the subject area have been

notified of the request. Staff has not received any calls regarding this request; however, have received a letter of support from the Olde Main Street District. Staff is recommending approval of this request subject to:

- a) Combine all parcels into one tax parcel.
- b) Compliance is required with all applicable regulations of the Green Bay Municipal Code, including site plan approval and necessary building permits.

Ald. J. Wiezbiskie made a motion, seconded by S. Bremer to open the floor for public comments. Motion carried.

Trish Kurowski – 1147 Pine Street: Stated she is against having a school at this location due to the fact that the subject property surrounds her home and is fearful they are going to “condemn” her property and force her to move.

T. Duckett asked T. Kurowski what type of business she would like to see going on the property.

T. Kurowski stated she wouldn’t mind a business, but does not want a school as they can condemn her property for expansion.

William G. Macier – 2470 Newberry Avenue: He stated that since the City of Green Bay is a destination and anything that brings and creates business traffic for business owners he is very much in favor of. He also supports the school district and creating an educational facility for those students who may be facing challenges.

Mike Stangel – 200 S. Broadway Street: He addressed T. Kurowski’s concern about expansion. At this time they have not talked or thought about acquiring any other property. He stated if property ever came available, they make look at it at that time.

S. Bremer asked if they were bringing in more programs with this proposal and if they have adequate space for the additional programs.

M. Stangel stated that was correct. The last proposal they had a limited amount of space and therefore could only have the one program. With the larger building they have more space and can have more staff, offer more programs and can have storage.

S. Bremer asked M. Stangel what thoughts and/or concerns he had regarding the appropriateness of the location with relation to the taverns and the adult entertainment located nearby.

M. Stangel stated they do not have as much concern as they did a few years ago as the adult entertainment use that was located across Main Street is now closed and the other establishments are open after the school closes.

Jeff Mirkes – Olde Main Street, Inc.: He stated they have used Educational Uses as a way to bring vibrancy to the downtown area. Not only will this provide educational needs, but will bring these students and their families to the downtown area and show them all the things going on in the area. He stated this property is well suited for something of this nature. It is also taking a vacant property and giving it a new life.

Ald. J. Wiezbiskie and members of the Plan Commission allowed T. Kurowski to ask an additional question.

T. Kurowski asked what type of students will be attending the school.

Claudia Hendrickson – 200 S. Broadway Street: C. Hendrickson stated she is the Executive Director for Special Education Department at the Green Bay Area Public School. She answered T. Kurowski's question by stating the school will have students who have broken school rules, online learning, project based learning and those with mental health issues with a total of about 70 – 80 students and 50 – 55 staff members.

A motion was made by T. Duckett and seconded by S. Bremer to approve the request for a Conditional Use Permit (CUP) to authorize an educational use for the Green Bay Area Public School District (GBAPS) within a General Commercial (C1) District at 1148 Main Street subject to:

- a) Combine all parcels into one tax parcel.
- b) Compliance is required with all applicable regulations of the Green Bay Municipal Code, including site plan approval and necessary building permits.

T. Gilbert clarified with P. Neumeyer that the CUP will allow the City to monitor the use. He verified that if there is any expansion that may lead to acquiring additional surrounding property it would have to come before the Commission again.

P. Neumeyer stated that was correct and they would also need to submit a site plan building plan to get a permit.

Motion carried.

1. (ZP 13-12) Discussion and action on a request to authorize a Conditional Use Permit (CUP) to operate a minor auto repair in a General Industrial (GI) District located at 203 Alexander Street submitted by Vang Yang, business operator (Ald. Boyce, District 7)

P. Neumeyer stated this is a request for a Conditional Use Permit (CUP) to authorize a minor auto repair use in a General Industrial (GI) District located at 203 Alexander Street. The CUP will only include the northern portion of the property; this will modify the limits to the CUP. The location site is described as being along Alexander Street between Warren and McDonald Streets. The Comprehensive Plan recommends Industrial uses and is currently zoned GI. This request was submitted about a year ago and staff has been working with the applicant regarding potential conditions provided by staff. The building is a one-story masonry building that has been used for office space in the past and has an attached metal building as the shop area. The majority of the site is within the AE District of the 100-year floodplain. The proposed business would perform minor auto and light truck repair. Alderperson Boyce and affected adjacent property within 200 feet of the subject area have been notified of the request. Staff has not received any calls regarding this request. Staff is recommending approval of this request subject to:

- a) Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit (CUP), including standard site plan review and approval.
- b) All vehicle parts including tires shall be stored inside of an enclosed building.
- c) Compliance with the submitted operations plan and submitted site plan.

- d) There shall be no expansion of the conditional use without Plan Commission and City Council approval.
- e) Access better delineated along the Warren and Alexander Streets right-of-way and creating code-compliant access.
- f) All vehicle parking areas shall be paved in compliance with the Zoning Code within one year of site plan approval.
- g) Repairs shall be made to any chipping and peeling paint on the exterior of the building.

Ald. J. Wiezbiskie asked P. Neumeyer if the applicant was aware of all the conditions and if they are in agreement of the conditions.

P. Neumeyer stated they are aware of all conditions. The applicant is here tonight and can discuss the conditions.

Ald. J. Wiezbiskie inquired about the entrance and exits and if he was proposing a "normal" width created by using rail ties.

P. Neumeyer stated they are being allowed a two-way driveway cut on Alexander and Warren Streets.

T. Duckett asked about the complaints regarding this property.

P. Neumeyer stated there is a past history of complaints and nothing with the current owners.

S. Bremer asked if there were any other issues involved in the floodplain location and asked if the issues right now have nothing to do with the construction, but rather use of the property.

P. Neumeyer stated there currently is not, however, if they were to expand or modify the building by 50% they would have to comply with current standards.

A motion was made by T. Duckett and seconded by T. Gilbert to approve the request to authorize a Conditional Use Permit (CUP) to operate a minor auto repair in a General Industrial (GI) District located at 203 Alexander Street subject to:

- a) Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit (CUP), including standard site plan review and approval.
- b) All vehicle parts including tires shall be stored inside of an enclosed building.
- c) Compliance with the submitted operations plan and submitted site plan.
- d) There shall be no expansion of the conditional use without Plan Commission and City Council approval.
- e) Access better delineated along the Warren and Alexander Streets right-of-way and creating code-compliant access.
- f) All vehicle parking areas shall be paved in compliance with the Zoning Code within one year of site plan approval.
- g) Repairs shall be made to any chipping and peeling paint on the exterior of the building.

Motion carried.

3. (ZP 14-11) Discussion and action on a request for a Conditional Use Permit (CUP) to authorize an educational use at the former Annunciation School site within a Low Density

Residential (R1) District at 1087 Kellogg Street submitted by Carol Kittell, Annunciation of the BVM Congregation (Ald. Steuer, District 10)

P. Neumeyer started by saying Ald. Mark Steuer was not able to attend the meeting, but does support this request. This is a request for a CUP for educational use in an R1 district. The subject area is on Gray Street, between Kellogg and Division Streets. The Comprehensive Plan recommends Park and Public uses but is currently zoned Low Density Residential. Prior to 2006, Churches and schools were permitted use in the R1 district; however, the current code requires a Conditional Use Permit (CUP). The Annunciation grade school was last in operation in May 2008. The proposal tonight is for a new private school, Providence Academy, to occupy the space on the 2nd floor. This CUP is to also include the church and the other uses on site to be permitted as they are non-conforming at this point. Alderperson Steuer and affected adjacent property within 200 feet of the subject area have been notified of the request. Staff has not received any calls regarding this request. Staff is recommending approval of this request subject to:

- a) Any future principal building construction will require a Conditional Use Permit (CUP); new accessory buildings will be permitted as allowed under the current zoning.
- b) Any interior remodeling of any existing building will be permitted and subject to site plan and building plan approval.
- c) Existing parish uses, including GRACE, will be permitted to remain and operate in the existing footprint of the current buildings on campus.
- d) The Providence Academy will be permitted and will be allowed to expand up to 150 students. Any future expansion of the educational use or building principal building expansion will require an amendment to the CUP.

Ald. J. Wiezbiskie asked if 150 students are too many for one floor.

P. Neumeyer stated that the school can expand using floors 2 and 3.

S. Bremer wanted to clarify that condition d is a total of 150 students and not an additional 150 students and that the CUP is to also include the church.

P. Neumeyer stated that was correct.

Carol Kittell – 1087 Kellogg Street: C. Kittell stated that Providence Academy is currently renting space at St Jude's Parish. They are looking to expand to include a high school program and will currently be moving grades 7-10 to the 2nd floor.

S. Bremer asked how many students currently attend 7th – 10th grade.

C. Kittell stated they are expecting approximately 28 students next year.

A motion was made by S. Bremer and seconded by T. Duckett to approve the request to authorize an educational use at the former Annunciation School site within a Low Density Residential (R1) District at 1087 Kellogg Street subject to:

- a) Any future principal building construction will require a Conditional Use Permit (CUP); new accessory buildings will be permitted as allowed under the current zoning.
- b) Any interior remodeling of any existing building will be permitted and subject to site plan and building plan approval.

- c) Existing parish uses, including GRACE, will be permitted to remain and operate in the existing footprint of the current buildings on campus.
- d) The Providence Academy will be permitted and will be allowed to expand up to 150 students. Any future expansion of the educational use or building principal building expansion will require an amendment to the CUP.

Motion carried.

INFORMATIONAL:

OTHER:

Director's Update on Council Actions

B. Lockery reported the following information:

- The Common Council gave final approval for the PUD amendment for the property at 2430 Finger Road.
- The Common Council gave final approval for the rezoning for House of Hope
- The Common Council gave final approval for the CUP for the solar panels on 9th Street.
- The Common Council did hold up the approval for the CUP for the Resource Center.
- New Council Members will take office April 15, 2014.

SUBMITTED PETITIONS: (for informational purposes only)

A motion was made by T. Duckett and seconded by S. Bremer to adjourn the meeting. Motion carried.

Meeting adjourned at 6:48 p.m.