

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

MEMBERS PRESENT: Maribeth Conard, Linda Queoff, Sidney Bremer, Tim Duckett, and Tim Gilbert

MEMBERS EXCUSED: Ald. Jerry Wiezbiskie

OTHERS PRESENT: Paul Neumeyer, Dan Lindstrom, Bill Lockery, James Zepnick, Joe Jerovetz, Dale Pahnke, Tom McDermott

APPROVAL OF MINUTES:

Approval of the minutes from the June 23, 2014, Plan Commission meeting

A motion was made S. Bremer and seconded by L. Queoff to approve the minutes from the June 23, 2014, Plan Commission meeting with the following underlined revisions on Pages 5 and 6.

S. Bremer added to the Plan Commission minutes on Page 5, 5th paragraph from the top, should say; "...as they do look pretty bad".

S. Bremer added to the Plan Commission minutes on Page 6, 7th paragraph from the bottom, Ald. M. Steuer stated, "...understood the complex to have been approved..."

T. Duckett added to the Plan Commission minutes on Page 6, last paragraph, should be changed from T. Duckett to P. Neumeyer.

Motion Carried

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

1. (ZP 14-23) Discussion and action on the request to authorize a Conditional Use Permit (CUP) to construct a detached garage beyond the maximum size requirements found in Chapter 13-615, Table 6-4, in a Low Density Residential (R1) District located at 1444 South Oneida Street, submitted by James Zepnick on behalf of Cindy DeGroot, property owner. (Ald. C. Wery, District 8)

P. Neumeyer stated this is a request for a CUP to construct a detached garage at 1444 S. Oneida Street; this property is located on the corner of Biemeret and S. Oneida. The Comprehensive Plan designates the area as Low Density Residential and the area is currently zoned as Low Density Residential (R1). A picture of the existing garage was displayed. The applicant's intent is to add on to the current garage by 900 sq. ft. for a total of 1620 sq. ft., which would make the structure larger than the 1008 sq. ft. house. The CUP is for the detached

garage being over the maximum limit of 1000 sq. ft. There will be a gable roof and new vinyl siding to match the residence. Staff notified affected property owners and did receive comments but no objections regarding this proposal. 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, including standard site plan review and approval.
- b. Continuance of similar style of architecture, exterior construction material, and color of the structure.

S. Bremer asked if there were single family residences on all four sides of this property.

P. Neumeyer stated yes.

M. Conard suspended the rules for public comments.

James Zepnick – 1444 S. Oneida St: J. Zepnick gave a brief history about the purchasing of the property and lots around the property. The additional garage will be used for storage.

T. Duckett asked if there is going to be a space issue between them and their neighbor.

J. Zepnick stated there would not be. He also explained which trees would be taken down, which would stay and be moved. Other landscaping will be added in the future.

M. Conard returned to regular order of business.

S. Bremer stated she doesn't see a problem with this request. The design fits nicely with the neighborhood. L. Queoff agreed with S. Bremer.

T. Duckett stated he also agrees, however, his biggest concern was with the trees.

A motion was made by T. Duckett and seconded by T. Gilbert to approve the request to authorize a Conditional Use Permit (CUP) to construct a detached garage beyond the maximum size requirements found in Chapter 13-615, Table 6-4, in a Low Density Residential (R1) District located at 1444 South Oneida Street, subject to:

- a. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.
- b. Continuance of similar style of architecture, exterior construction material, and color of the structure.

Motion carried.

2. (ZP 14-24) Discussion and action on the request to authorize a Conditional Use Permit (CUP) to authorize the expansion of an existing church located at 2160 Packerland Drive, submitted by Richard Fisher on behalf of Beautiful Savior Church, property owner. (Ald. T. Sladek. District 12)

P. Neumeyer stated this is a request for a CUP to expand an existing church at 2160 Packerland Drive. The parcel is approximately 3.59 acres with streets on all four sides of the parcel; Packerland Drive to the east, West Red Fern Lane to the west, Red Fern Lane to the north and Winterberry Court to the south. The Comprehensive Plan designates this area as Public (PUB) uses and is currently zoned R1, Low Density Residential. The existing church was

constructed in 1995 and the proposal is to expand the church by 5400 sq. ft. for a new worship area allowing for a capacity of 350 individuals. Maps were shown of the proposed expansion project. At one time Churches were permitted uses in the Zoning Code prior to 2006. The use is now considered nonconforming to the current zoning. In order to allow for the expansion, a CUP is required under the Low Density Residential zonings for churches. Affected property owners were notified and we did receive phone calls but no objections to the request. Staff is recommending approval of the 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.

S. Bremer asked if there is enough berm to protect the surrounding houses from the backyard and parking lot view. P. Neumeyer stated yes. He does not see any type of conflict.

M. Conard suspended the rules for public comments.

Joe Jerovetz – 300 N Broadway: J. Jerovetz stated he would answer any questions regarding the construction of the expansion.

Dale Pahnke: 295 Laverne Drive: D. Pahnke stated he was representing the church and would answer any questions regarding the expansion.

S. Bremer asked if there was a plan to continue the landscaping along the Red Fern Lane side of the new Worship area.

D. Pahnke stated the landscaping will continue along and will be similar to what is already there.

M. Conard returned to regular order of business.

A motion was made by L. Queoff and seconded by T. Duckett to approve the request to authorize a Conditional Use Permit (CUP) for the expansion of an existing church located at 2160 Packerland Drive, 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.

Motion carried.

3. (TA 14-06) Discussion and action on the request to amend Chapter 13-904 to permit limited outdoor storage within the Business Park (BP) District, submitted by the Planning Staff.

P. Neumeyer stated this is a text amendment request to Chapter 13 to allow limited outdoor storage within the Business Park (BP) District. The three industrial zoning classifications, General Industrial (GI), Light Industrial (LI), and Business Park (BP), were defined. The BP District, which is the former Industrial Park (IP) District, was created to include some of the lighter industrial uses, but requires higher dimensional standards such as setbacks, green space and excludes outdoor storage. The property at 901 Morley is a catalyst for this request. This property is located on the NW side of Green Bay as part of the Nicolet Industrial Park. A

map was shown of the property. The issue is that prior to 2006 some zoning categories allowed for outdoor storage. However, in 2006 the zoning code was updated and excluded the outdoor storage requirement in the BP District. The property at 901 Morley has an existing outdoor storage but would like to expand and the only other option would be to rezone the property to LI. The Comprehensive Plan does recommend Light Industrial; however, staff would not recommend a rezoning as it may diminish the standards for surrounding properties. A brief description was given regarding the proposed development standards to permit the limited storage in the BP District.

S. Bremer asked if these standards are for the BP District. She does not see an issue with Morley Street as it fits in perfectly with the area.

P. Neumeier stated yes. Staff is trying to accommodate the businesses, like Morley, with the fact that they might need that limited outdoor storage. The intention is not to have the storage overtake the yard or replace a building that could be constructed.

M. Conard suspended the rules for public comments.

Tom McDermott – 3266 Old Orchard, Oshkosh, WI: T. McDermott stated he is the owner of 901 Morley St. He gave a brief background regarding his business. He was informed by P. Neumeier that the area was a BP District and he could not do anything regarding outdoor storage. Staff had suggested a text amendment rather than a rezoning. His main concerns regarding the text amendments would be the surfacing, 20% contiguous lot area, and fencing material. He stated gravel would be a better use than asphalt due to the heavy equipment, however, was informed you cannot use gravel in the City. He was hoping for a larger storage area as they have a 90,000 sq. ft. lot and wanted to put in a 22,000 sq. ft. contiguous lot to the north and would be losing about 4,000 sq. ft. of storage space. Also, he feels that the material the fence is made out of is overkill and would like to put in a slatted chain linked fence as cost is a factor.

M. Conard asked P. Neumeier if there was any type of movement with the terms of the fence and size of the surfaced lot and was not sure if they were part of a City Statute that they needed to pay attention to.

P. Neumeier stated this is staff's recommendations and the Plan Commission can change it as needed. Staff is confident with their recommendations. This would be a text amendment to the City's Zoning Code and these are the standards staff is recommending.

S. Bremer stated she was curious what difference in cost would be having a slatted chain link fence. She inquired if the property to the south was his and what is the make-up of that fence as it is 90% impervious.

T. McDermott stated that for 500 linear ft. of chain linked fence is \$10,000. It would cost about \$21,000 for a chain linked with vinyl slats. There is also a maintenance issue with this type of fence as well.

T. Duckett responded by saying the property to the south is owned by American Supply Company.

P. Neumeier stated that under the IP Zoning, some screening is required.

T. McDermott provided a picture of the fence from American Supply Company.

S. Bremer asked if he was looking to do a fence similar to this fence. Other than the slats sticking out from the top of the fence, she would not have an issue with the fence.

T. McDermott stated yes.

M. Conard clarified the ordinance was changed in 2006 and this fence was put in before the ordinance change.

P. Neumeyer stated that was correct and prior to 2006 the material for fencing was to include some type of screening. Now they are trying to retrofit something back in there to give some standards to allow for limited outdoor storage. T. Duckett stated it sounded like the storage was more of a cost factor than the fence.

T. McDermott stated that the outside storage is not going to be palletized items, but rather pipes, which can do damage to the asphalt.

T. Duckett asked P. Neumeyer if the surface needs to be all blacktop. P. Neumeyer replied yes. D. Lindstrom stated that a surface in any Industrial zoning needs to be blacktopped.

T. McDermott stated they wanted to have an asphalt surface for the trucks to come in and out on but have a gravel yard for the actual storage area.

S. Bremer clarified with T. McDermott that he was asking for three changes regarding the recommendations. The first being the proportion of the lot devoted to the outdoor storage and the other two being the material for the fence and using asphalt opposed to gravel.

T. McDermott stated that was correct.

T. McDermott stated he understands there needs to be standards, which does make more sense than a zoning request. He stated he would come back with a variance request for the items mentioned by S. Bremer.

M. Conard asked P. Neumeyer if the requirements are a "cosmetic" or visual solution rather than looking at the ability for the property to handle the work load.

P. Neumeyer stated yes, it is to mitigate that impact of the outdoor storage. The BP District has a higher standard overall compared to General Industrial and Light Industrial. They wanted a standard that you would find in a higher quality District.

M. Conard asked P. Neumeyer if they change any of the recommendations, are they setting a precedent that would affect the other businesses in the BP District. P. Neumeyer stated yes.

L. Queoff asked if this would be too difficult for a business to achieve with development standards that we have in place.

P. Neumeyer stated the challenge would be the retrofit of a building being built 40 – 45 years ago and trying to have them fit into modern day standards.

M. Conard asked if this area was changed in 2006 because Military Avenue was being changed.

B. Lockery stated it was the new zoning code that was adopted that switched some districts throughout the City. P. Neumeyer stated no rezoning was done, just a huge text amendment.

M. Conard asked what type of districts the business could operate in. P. Neumeyer stated Light Industrial or General Industrial.

B. Lockery stated that this would still require surface paving as gravel is not allowed.

S. Bremer stated she doesn't think the asphalt standard is up for change. She is wondering about the slatted chain link. She did not want to introduce that into the language because she would like to know what kind of material was used for the fence at American Supply.

P. Neumeyer stated it is a vinyl slatted chained link fence.

S. Bremer stated she would be comfortable with that as an alternative or additional kind of material. Her inclination would be to extend the storage area from 20% to 25%.

M. Conard stated she does disagree with the fence. The thing she is hesitating about is that this business existed in the business park before it was zoned the way that it is. If we allow this fence in this location, it is going to be a problem with the business parks throughout the City.

T. Duckett asked T. McDermott to clarify if he was looking to spend money on inside building storage rather than blacktop surfacing.

T. McDermott stated no, and that inside storage was not an option and had actually asked for 25% area of contiguous lot initially. He said he would like to see the text amendments approved.

S. Bremer asked why they decided not to rezone to a Light Industrial District.

P. Neumeyer stated that was the initial direction he gave to the applicant, and seemed like a simple solution. The Comprehensive Plan does recommend industrial zoning, which would include any of the three industrial zones and in the end; a text amendment was more appropriate than a rezoning.

T. Gilbert stated he would be OK with the 25% but would not be comfortable going any higher than that. He does believe the surface requirement should be consistent and agrees with the paved surface. As far as the fencing, he would be comfortable with the vinyl slats in the chained link fence, but is not opposed to the higher fencing standards either.

L. Queoff stated she does support the 25% for storage. She does agree to the higher fencing standard as well as the paved surface.

T. Duckett asked about the 25% and if it doesn't get approved at City Council, if it would delay T. McDermott's project in moving forward.

B. Lockery stated the recommendation of 25% is coming from the Plan Commission, and staff is not present to argue against the recommendation.

A motion was made by T. Gilbert and seconded by L. Queoff to approve the request to amend Chapter 13-904 to permit limited outdoor storage within the Business Park (BP) District subject to the following development standards:

- a. Outdoor storage areas shall not exceed 25% of the lot area and shall be contiguous.
- b. A fence 90% impervious to sight is required to enclose all outdoor storage areas from view. The fence shall not exceed eight ft. in overall height and shall consist of wood, vinyl or masonry material.
- c. No material/product may be stored higher than the required fencing.
- d. A five-foot-wide landscaped area shall be provided along all fenced areas with ground cover, shrubs or trees planted at an average spacing of 30 ft. on center.
- e. All outdoor storage areas shall be surfaced compliant with Chapter 13-1714.
- f. No outdoor storage shall encroach within a required setback.

INFORMATIONAL:

4. (PP 12-02) Update on the University Avenue Corridor Brownfield Redevelopment Plan.

D. Lindstrom gave an update to the Plan Commission regarding the University Avenue Corridor Brownfield Redevelopment Plan; a 4½ mile corridor from the University of Wisconsin – Green Bay to the Downtown. The goal of the project is to establish the process and framework for implementation of a redevelopment program. He continued by stating the overall project structure is based in community participation and includes a support staff of consultants, planning department staff, and staff from other departments within the City of Green Bay. The plan is approximately 80% – 90% complete and the 4th public workshop was held in June of this year. The University Avenue Corridor Brownfield Redevelopment Plan was then outlined to include the ten goals, supporting objectives, and a series of action plan strategies. Renderings were shown regarding the desired public vision for the catalyst sites and other future redevelopment sites.

OTHER:

Director's Update on Council Actions

Bill Lockery reported the following information:

- The City Council has not met since June 17, 2014. The next scheduled meeting is for July 15, 2014.
- The new Commissioner, Heather Mueller, will be appointed at the next City Council Meeting.
- The next Plan Commission meeting, July 21, 2014, will be cancelled.

SUBMITTED PETITIONS: (for informational purposes only)

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

Meeting adjourned at 7:39 p.m.