

MINUTES
GREEN BAY PLAN COMMISSION
Monday, June 23, 2014
City Hall, Room 604
6:00 p.m.

MEMBERS PRESENT: Maribeth Conard, Linda Queoff, Sidney Bremer, Ald. Jerry Wiezbiskie, Tim Duckett, and Tim Gilbert

MEMBERS EXCUSED:

OTHERS PRESENT: Paul Neumeyer, Ald. Mark Steuer, A representative from Mach IV Engineering, Tom Martin, Peter Petitjean, Earl McGregor, Xinhua Wei, Dennis Kellner

APPROVAL OF MINUTES:

Approval of the minutes from the June 9, 2014, Plan Commission meeting

A motion was made Ald. J. Wiezbiskie and seconded by S. Bremer to approve the minutes from the June 9, 2014, Plan Commission meeting with the following underlined revisions on the agenda.

M. Conard added T. Duckett's name to Members Present on the Agenda.

Motion carried.

ELECTION OF OFFICERS:

Discussion and action on the annual election of officers on the Plan Commission per Commission Rule #17 - Chair, Vice-Chair, and Secretary

L. Queoff nominated M. Conard for Chair, seconded by Ald. J. Wiezbiskie.

K. Flom asked three times if there were any other nominations for Chair. There were no other nominations.

M. Conard will retain her position as Chair of Green Bay Plan Commission. Motion carried.

M. Conard called for nominations for Vice-Chair.

S. Bremer nominated L. Queoff as Vice-Chair, seconded by Ald. J. Wiezbiskie.

M. Conard asked times if there were any other nominations. There were no other nominations.

L. Queoff will retain her position as Vice-Chair of Green Bay Plan Commission. Motion carried.

There will be no voting for Secretary, as that position is held by the Director Kim Flom.

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

1. (ZP 14-19) Discussion and action on the request to rezone 1672-1678 East Mason Street/1666 Cass Street from Light Industrial (LI) to General Commercial (C1), submitted by Edward N. Martin, Martinwood, LLC, property owner. (Ald. Tim De Wane, District 4)

P. Neumeyer stated this request is to rezone properties at 1672 – 1678 East Mason and 1666 Cass Street; a map was shown with the properties outlined. The Comprehensive Plan recommends Commercial zoning and it is currently zoned light industrial. The change will actually be a “down zoning” for the area and will allow for a church to occupy this site. Staff notified affected property owners and did not receive any calls or questions regarding this request. Plan staff is recommending approval.

S. Bremer confirmed that this is currently zoned as light industrial and not general commercial.

P. Neumeyer stated that was correct.

L. Queoff asked which buildings the church would use.

P. Neumeyer stated most likely the building just off of Victoria Street.

Ald. M. Steuer asked if there would be any changes regarding structure of the buildings.

P. Neumeyer stated that at this time they are just requesting the change in zoning.

M. Conard suspended the rules for public comments.

Tom Martin – 2021 S. Webster: T. Martin stated he is one of the owners for the property and was there to answer any questions.

M. Conard returned to regular order of business.

A motion was made by Ald. J. Wiezbiskie and seconded by T. Duckett to approve the request to rezone 1672-1678 East Mason Street/1666 Cass Street from Light Industrial (LI) to General Commercial (C1). Motion carried.

2. (ZP 14-21) Discussion and action on the request to authorize a Conditional Use Permit (CUP) for a metal accessory structure within a Public/Institutional (PI) District at 3150 Gershwin Drive, submitted by Joel Ehrfurth, Mach IV Engineering & Surveying, LLC, on behalf of Brown County, property owner (Ald. J. Wiezbiskie, District 1)

P. Neumeyer stated this is a request for a Conditional Use Permit (CUP) to construct an accessory building at the Brown County Treatment Center located just south of STH 54 – 57 along Gershwin Drive on the County Farms property. The Comprehensive Plan recommends some higher density residential along with some Public uses; this area is currently zoned Public Institution (PI). A map was shown of the proposed site. The proposed building will be 50 ft. x 80 ft. or about 4,000 sq. ft. and approximately 26 ft. in height. The CUP is required because the structure exceeds 120 sq. ft. The building will be constructed using 16 ft. metal wall panels containing translucent wall panels. This will be used for cold storage for maintenance equipment and salt storage. Staff notified affected property owners. No calls or questions were received. Staff is recommending approval of the request, subject to standard site plan approval.

Ald. M. Steuer asked where the building would be located on the property.

P. Neumeyer showed a map of the site of the proposed building.

Ald. J. Wiezbiskie asked if the structure would be visible from Bay View Drive.

P. Neumeyer stated there is quite a bit of distance between Bay View Drive and the proposed property site.

T. Duckett asked if there would be any landscaping around the building.

P. Neumeyer stated he was not aware of anything at this time.

M. Steuer stated he would like to know what the visibility would be from Bay View area as there are open sight lines.

M. Conard suggested planting trees behind the building as a condition of approval.

P. Neumeyer stated that could be added as a condition. The overall height of the structure is 26 ft.

A motion was made by T. Duckett and seconded by L. Queoff to approve the request to authorize a Conditional Use Permit (CUP) for a metal accessory structure within a Public/Institutional (PI) District at 3150 Gershwin Drive with the condition that a landscape buffer be placed around the south side of the proposed building. Motion carried.

3. (ZP 14-22) Discussion and action on the request to authorize a Conditional Use Permit (CUP), in a General Commercial (C1) District, for building material sales use at 633 North Military Avenue, submitted by Tom Katers, Raasch Engineers/Architects, on behalf of Badger Ladder, LLC/Badger Scaffold, LLC (Ald. M. Steuer, District 10)

P. Neumeyer stated this is a request for a CUP in a C1 District at 633 North Military Avenue for building material sales, to include ladders and scaffolding. A property map was shown of the proposed site. This site is the former ABC Supply and has been vacant for some time. The Comprehensive Plan recommends industrial uses for this property, but is currently zoned a C1. There are two existing buildings on site and due to their operation they need to have outdoor storage to be classified as a building supply sales use, which is why they need the CUP. Affected property owners were notified of the request. There were a few calls received, but no objections to the request. Staff does recommend approval with the following conditions:

- a. All outdoor storage areas shall have a maximum 8-foot high fence, 90% impervious to sight.
- b. A complete site plan shall be submitted and approved prior to any construction, change of use, or other activity that requires site plan approval under 13-1802 Green Bay Municipal Code.
- c. A detailed landscape plan shall be submitted and approved by Green Bay's Community Development Review Team (CDRT) as part of the site plan approval process to display an increase in vegetation on the site.
- d. Planting beds shall be provided along the front building elevations of the main building.
- e. Unless stated above, the development must comply with all other regulations of the Green Bay Municipal Code.

S. Bremer asked when referring to "ladders" if it was referencing cranes. She inquired if the circles on the site plan represented trees. She further stated this would be a vast improvement for the residential area view as the current situation is unsightly.

L. Queoff asked if they would be resurfacing the parking lot.

P. Neumeyer stated he was not sure at this point.

M. Conard suspended the rules for public comment.

Peter Petitjean – 1763 Maidstone Circle: P. Petitjean addressed S. Bremer’s concern about the ladders. The ladders would be ones you would recognize in a hardware store. They do not plan on having anything taller than the fence line and have added additional trees and are willing to follow the recommendations that are stated. Other improvements would include shrubbery being added to the front of the building where the parking is currently, the driveway being resealed, and buffer landscaping placed toward the neighboring houses.

Earl McGregor – 1611 Bond Street: E. McGregor stated this is the second time, since ABC Supply moved out, that we had to come here and get a CUP. He did call P. Neumeyer prior to the meeting concerning what would happen if this company moved out and if new businesses coming in after would be required to get a CUP.

P. Neumeyer stated it would depend on the use. If another similar company would come in it would continue under the current CUP. However, if there was a change of use, there would be a possibility it could need to be rezoned or need a CUP.

T. Martin stated he is the Real Estate Broker representing ABC Supply. He stated the property has been vacant for three years and feels this is a good fit for the area.

Ald. M. Steuer stated to P. Petitjean that his main concern is traffic especially on Bond Street.

P. Petitjean stated they would be trying to use the frontage road. They are trying not to exit near the residential areas. He stated they want to be good neighbors.

M. Conard returned to regular order of business.

Ald. Steuer asked P. Neumeyer to go over the five (5) conditions for approval.

P. Neumeyer read the 5 conditions of approval needed for the request.

S. Bremer wanted to confirm that the owner has already agreed to the conditions of approval.

P. Petitjean stated that was correct.

Ald. M. Steuer asked specifically what was being added to the landscaping.

P. Petitjean stated that currently next to the residential area, there are three trees. They plan on planting two trees behind those trees and some bushes along the fence. There are two trees next to the building and plan on planting three more trees. In front of the building there is one tree and will be adding six trees to that area.

A motion was made by S. Bremer and seconded by T. Gilbert to approve the request to authorize a Conditional Use Permit (CUP), in a General Commercial (C1) District, for building material sales use at 633 North Military Avenue subject to the following conditions:

- a. All outdoor storage areas shall have a maximum 8-foot high fence, 90% impervious to sight.
- b. A complete site plan shall be submitted and approved prior to any construction, change of use, or other activity that requires site plan approval under 13-1802 Green Bay Municipal Code.
- c. A detailed landscape plan shall be submitted and approved by Green Bay’s Community Development Review Team (CDRT) as part of the site plan approval process to display an increase in vegetation on the site.
- d. Planting beds shall be provided along the front building elevations of the main building.

- e. Unless stated above, the development must comply with all other regulations of the Green Bay Municipal Code.

Motion carried.

- 4. (ZP 13-09) Discussion and action on the request to amend conditions of approval for an approved Conditional Use Permit (CUP) at 860 Elmore Street, submitted by Xinhua Wei, property owner (Ald. R. Scannell, District 7)

P. Neumeyer stated this is a request to reconsider conditions of approval for a CUP that was granted last year for 860 Elmore Street. P. Neumeyer gave a brief history regarding the property and appearances in front of the Plan Commission. This property was built as a four-family, but lost its nonconforming status after it had sat vacant for more than a year. The City Council chose to approve a two-family use on this site along with conditions of approval. The applicant is moving through the process of trying to occupy the site with tenants but has some concerns regarding the conditions of approval. Affected property owners were notified and we did receive a few calls and questions regarding the request. Staff recommends no change to the approved CUP for 860 Elmore Street as approved by the Council.

M. Conard suspended the rules for public comments.

Xinhua Wei – 4630 Seminole Trail: X. Wei stated he was approved for a two-family use and not the four-family he originally applied for. He feels that some of the conditions of approval should be looked at again as some only applied to the four-family CUP. He feels he was not able to address any of the conditions of the CUP. He would like to discuss conditions #3, #6, and #8. He would like condition #8, regarding the fence, be removed from the conditions. The reason it was added was to block the lights from the cars. Now that it's a two-family unit, there will be less traffic and the house will be just the same as the other houses in the area. He asked if the wording could be modified in conditions #3 and #6 to be "Fix or replace" rather than "new". He provided a picture of a "like new" light fixture that was purchased at the Re-Store. He asked if the wording could be modified in condition #4 to read "remove or replace" rather than "replace". He provided a picture of the building with the shutters removed.

P. Neumeyer stated the idea for condition #4 is to have the building resemble the original building and that is why it states to put new shutters on the windows.

S. Bremer confirmed with X. Wei that his main concern is the fence. She also addressed the entry lighting, and asked if he had already found entry lights at the Re-Store and if they were already installed. She asked if what he was looking for was to have the condition changed so the fact that they are "like new" rather than "new" to meet the conditions. She inquired if he would be doing the same with the mailboxes as they do look very new.

X. Wei stated that was correct. He stated he would replace the mailboxes with "like new" if the wording would be changed to like in condition #3.

S. Bremer asked if he did any work on the windows.

X. Wei stated that he replaced the storm windows, screens, and repainted the outside of the windows.

Dennis Kellner – 869 Bond Street: D. Kellner stated he came to stay informed regarding the project. One of his major concerns is that no work has been done other than the two outside

lights being replaced and the awning finally coming off. He stated it appears that one family is using both apartments upstairs and one family is using both apartments downstairs.

M. Conard asked D. Kellner if he had an opinion regarding the fence.

D. Kellner stated fences make good neighbors and would be a positive impact for the neighborhood. It is a good amenity to have for renting to people who have children or pets.

S. Bremer asked X. Wei if the \$15,000 he spent renovating was strictly for the interior.

X. Wei stated that was correct. The \$15,000 spent does include new carpeting, new appliances, new windows and screens.

M. Conard asked how the building was going to be separated for the tenants.

X. Wei stated he was informed by an inspector to have one family on the top floor and one family on the bottom floor.

M. Conard asked P. Neumeyer if this was typical.

P. Neumeyer stated this was a bit unusual.

A discussion ensued regarding the arrangement of the two-family units. P. Neumeyer stated as long as the building has met the codes, it can be divided as X. Wei chooses. J. Wiezbiskie is concerned that the property has not yet been converted back to a two-family. S. Bremer wanted to know if two (2) kitchens have been removed and X. Wei stated no. Ald. M. Steuer understood the complex to be side by side.

S. Bremer stated she would like to address the conditions X. Wei has brought before Plan Commission tonight. She thinks modifying conditions #3 and #6 to read "new" or "like new" are appropriate replacements for the matching lamps and mailboxes in front. She has mixed feelings about the shutters as it makes the building look more like a house and less like a large apartment house. She stated the side fence would be an important addition because the driveway comes up so close to the next door neighbor's house and they need the protection for their front yard. She is less concerned about the back because there are a lot of fences already fenced. Her inclination is to modify condition #8 to require a side fence along the left hand side.

M. Conard stated she too would agree to the conditions that S. Bremer stated above. She suggested keeping the shutters to dress the building up a little.

T. Duckett stated he wanted to add a condition to make sure that the building is converted to a two-family unit.

S. Bremer stated she agreed and wanted confirmation of the conversion to be presented to the Plan Commission.

M. Conard asked how they would get confirmation.

T. Duckett stated from the City of Green Bay Inspection Department.

Ald. J. Wiezbiskie stated that there have been no signs of the conversion from a four-family unit to a two-family unit as there are still four gas and electric meters. He does not want to be policing or having some check on the property to ensure it stays a two-family unit.

A motion was made by S. Bremer and seconded by T. Gilbert to amend conditions of approval for an approved Conditional Use Permit (CUP) at 860 Elmore Street subject to:

- a. Approved conditions #3 and #6 will be modified to allow new or like lighting and mailboxes.
- b. Approved condition #8 will be modified to only require a fence along the west side of the property.
- c. Confirmation will be provided to the Plan Commission, by the Building Inspection division, that the former four-unit has been converted to a two-family use compliant with current codes.

Motion carried.

5. (TA 14-05) Discussion and action on a request to amend Chapter 13-604, Table 6-2 regarding the regulation covered porches, submitted by the Planning Department.

P. Neumeyer stated that the request is to amend Chapter 13-604 regarding covered porches as they affect historic district and historic properties. There have been recent requests for the construction of new covered porches within the setback area. Staff is proposing a language change to make it simpler to offer historical properties or those properties within a historic district to restore or replace the original porch structure.

S. Bremer asked if they would still need to go before the Historic Preservation Committee.

P. Neumeyer stated yes.

S. Bremer asked if the HPC could certify the replacement is indeed historically appropriate.

P. Neumeyer stated that staff and the HPC will have to evaluate with historical documentation or the assistance of the property owner's architect.

T. Duckett asked P. Neumeyer to clarify contributing building.

P. Neumeyer stated that it would be a building among other historically significant buildings that contribute as a whole to a district.

S. Bremer asked to reword the language to state "...restoration or *historically appropriate* replacement of a significant architectural feature of the *original* structure".

T. Gilbert asked if this would include any home that has a covered porch.

P. Neumeyer stated no. It is really just an exception for the historical district.

Ald. M. Steuer stated he is the alderman represented in the HPC. He supports this request.

M. Conard asked if it would be more appropriate if *historically appropriate* be moved to in front of restoration.

S. Bremer stated to add "historically appropriate" in front of *replacement or restoration* to emphasize the historical aspect.

A motion was made by S. Bremer and seconded by L. Queoff to amend Chapter 13-604, Table 6-2 regarding the regulation covered porches, subject to draft amendment, to state:

A porch proposed for a designated historic property or a contributing building within a historic district, may be constructed within a front and/or side yard setback provided the porch is a historically appropriate replacement or restoration of a historically significant architectural feature of the original structure.

Motion carried.

INFORMATIONAL:

OTHER:

Director's Update on Council Actions

Kim Flom reported on the following items:

- The Common Council gave final approval for the alley closure between S. Monroe and Quincy Street.
- The Common Council did hold the Walmart PUD amendment for 30 days to accommodate the return of Ald. Sladek. It is expected to go back to Council on July 15, 2014.
- There is a University Avenue Corridor Workshop on June 25, 2014 at 6:00 pm.

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 7:27 p.m.