



AGENDA OF THE COMMON COUNCIL

WEDNESDAY, APRIL 6, 2016, 7:00 P.M.

**COUNCIL CHAMBERS
ROOM 203, CITY HALL**

- Roll call.
- Pledge of Allegiance.
- Invocation.
- Approval of minutes of the March 15, 2016, meeting.
- Approval of the Agenda.
- Report by the Mayor.
- Announcements.

PUBLIC HEARINGS

Public Hearing regarding vacation of portions of University Avenue, Clement Street, University Way and Fred Street. (Item #11)

Zoning Ordinance No. 7-16

An ordinance creating a Planned Unit Development (PUD) Overlay District for properties located in the 2400 block of Sturgeon Bay Road (2400 block University Avenue). (Item #15)

RECOGNITION

Recognition of outgoing alderpersons.

Recognition of Employee of the Year.

REFERRAL OF PETITIONS & COMMUNICATIONS

1. Referral of communications and petitions received by the City Clerk.
Late communications.

REPORTS FOR COUNCIL ACTION

2. Report of the Park Committee.
3. Report of the Traffic Commission.
4. Report of the Finance Committee.
5. Report of the Improvement & Service Committee.
6. Report of the Personnel Committee.
7. Report of the Protection & Welfare Committee.
8. Report of the Protection & Welfare Committee granting Operator Licenses.

RECEIVE & PLACE ON FILE

Check register for February, 2016

RESOLUTIONS

9. Resolution drawing final orders.
10. Resolution approving an easement and Hold Harmless Agreement by 360 Development for utility services for the Water Mark Building.
11. Resolution regarding vacating portions of University Avenue, Clement Street, University Way and Fred Street.
12. Resolution ordering sidewalks constructed and issuing 60-day notices.

ORDINANCES - FIRST READING

13. General Ordinance No. 4-16
An ordinance amending Section 29.208 of the Code relating to parking regulations.
14. General Ordinance No. 5-16
An ordinance amending Section 29.307 of the Code relating to traffic regulations.

ORDINANCE - THIRD READING

15. Zoning Ordinance No. 7-16
An ordinance creating a Planned Unit Development (PUD) Overlay District for properties located in the 2400 block of Sturgeon Bay Road (2400 block University Avenue)

COMMITTEE OF THE WHOLE

To review and discuss, with possible action, the negotiations regarding the Oneida Tribe service agreement.

The Council may convene in closed session pursuant to Section 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons or pursuant to Sections 19.85(1)(g), Wis. Stats., for purposes of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

Kris A. Teske
Green Bay City Clerk

Supporting documents for the numbered items in this agenda are contained in the Appendix of Supplemental Information.

ACCESSIBILITY: Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.



APPENDIX OF SUPPLEMENTAL INFORMATION

FOR COUNCIL MEETING

OF WEDNESDAY, APRIL 6, 2016

7:00 P.M.



PETITIONS & COMMUNICATIONS

FINANCE COMMITTEE

Request by Ald. Moore to set aside \$3,000,000 of Stadium District Excess Tax Revenue for Lead Pipe Service Line upgrades.

*Reimburse up to \$3,000 if private owner upgrades prior to 2017

*Reimburse up to \$2,000 if upgrades are done between 1/1/17 and 6/30/17

*Reimburse up to \$1,000 if upgrades are done between 7/1/17 and 12/31/17

IMPROVEMENT & SERVICE COMMITTEE

Applications for Concrete Sidewalk Builder's Licenses by the following:

- A. Allied Concrete Construction, Inc.
- B. Andersen Basement Repair, Inc.
- C. Frank O. Zeise Construction Co., Inc.
- D. E & I Concrete Construction
- E. Delrar, Inc.
- F. Howard Immel, Inc.
- G. Ken's Concrete LLC
- H. Loch Construction Co., LLC
- I. Tom Phillips Construction, Inc.
- J. J.C. Santy Construction, LLC

Request by Ald. Moore to eliminate any connection fees for Private Lead Pipe Service Line upgrades through 12/31/17.

LEGAL AND MAYOR'S OFFICE

Request by Ald. Moore to lobby the Governor's Office for \$1,700,000 in emergency or grant funding for lead service line upgrades.

PLAN COMMISSION

Request by Ald. Moore to eliminate all permit fees for Private Lead Pipe Service Line upgrades through 12/31/17.

PROTECTION & WELFARE COMMITTEE

Request by the owner of Brewski's on Broadway, 1100 S. Broadway, to hold outdoor events on May 14 and 21.

Application for a Class "B" Beverage License by OM JAK Main Wings, Inc. at 1980 Main Street.

Appeal by Kiaran Coit to the denial of his Public Vehicle Operator License application.

Request by Ald. Moore to lobby local State Leadership on the following items:

- *Realtors must disclose Lead Pipe Service Lines as adverse material facts when known
- *Add Lead Pipe disclosure form similar to Lead Paint Disclosure
- *Change Landlord Tenant Law, that a Landlord must disclose Lead Pipe Service lines in rental properties prior to agreeing to a lease with a tenant.

REPORT OF THE PARK COMMITTEE

April 6, 2016

The Park Committee, having met on Wednesday, March 30, 2016, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by Compassion International, a non-profit 501c3 organization, to hold a Walk with Compassion event on June 18, 2016, at Joannes Park contingent upon the following:
 - All costs of the event are the responsibility of Compassion International;
 - All proper permits and insurances being obtained;
 - Must adhere to all noise ordinances and regulations;
 - Final approval of the City's Special Events Committee.
2. To approve the Bullfrogs schedule of events for the 2016 season, allow a Boy Scout Campout at Joannes Stadium on June 11, 2016, and to allow dogs to be in Joannes Stadium on June 26, 2016, for the Bark in the Park event contingent upon the following:
 - All proper permits and insurances being obtained;
 - Final special event approval from the City Special Events Committee;
 - Prohibiting the sale of hard liquor;
 - Must adhere to all noise ordinances and regulations;
 - Bullfrogs responsible for requesting proof of vaccinations and licenses for each dog entering Joannes Stadium for the Bark in the Park event;
 - The Park Committee and City Council to temporarily suspend Ordinance 25.04-9 to allow dogs at Joannes Stadium, but still require them to be on a leash, on June 26, 2016, for Bark in the Park event.
3. To accept a donation of ornamental light poles and fixtures at Whitney Park from Garritt Bader contingent upon the following:
 - All costs of materials, construction, and installation are the responsibility of Garritt Bader;
 - Park staff approval of the final site design and installation plans;
 - Once installed, it becomes City property;
 - All proper permits and insurances being obtained;
 - All materials must meet the City of Green Bay buildings and inspection codes.
4. To forward the \$5,000,000 Colburn neighborhood pool concept to the full City Council for discussion.
5. To award a contract to Commercial Recreation Specialist for the design and manufacture of a custom climbing wall for the Joannes Aquatic Center for \$28,581.
6. To receive and place on file the Director's Report.



**REPORT OF THE
TRAFFIC COMMISSION
April 6, 2016**

The Traffic Commission having met Monday, March 14, 2016 considered all matters on its agenda and wishes to report and recommends the following:

1. That Matt Kuepers remains Chair and Dan Theno remains Vice Chair of the Traffic Commission.
2. To change the existing southbound curb lane on Challenger Drive at East Mason Street from a through right-turn lane to a right-turn only lane.
3. To change the existing southbound curb lane on Ontario Road at East Mason Street from a through right-turn lane to a right-turn only lane.
4. To receive and place on file the request to establish a 4-WAY STOP condition at the intersection of Spence Street and Thorndale Street.
5. To receive and place on file the request to establish a 4-WAY STOP condition at the intersection of Shirley Street and Locust Street.
6. To have DPW staff review the intersection sight distance of Shirley Street and Locust Street.
7. To postpone the request to establish a NO STOPPING OR STANDING zone on both sides of Western Avenue at Hudson Street to the April 18, 2016 Traffic Commission meeting so staff can contact Franklin Middle School staff to ask they communicate parking concerns with student parents.
8. For staff to collect speeds on both Locust and Platten Streets from Dousman Street to Velp Avenue to determine the effectiveness of the number of SPEED LIMIT 25 signs along both streets.
9. To receive and place on file the request to consider safer and more effective alternatives to the present trail signage on Shawano Avenue (between Oneida and Fisk Streets) and on North Military Avenue (between Dousman and Bond Streets).
10. To receive and place on file the request to review various school opening and closing times to see if there are safer and more efficient ways to better handle school bus and pedestrian traffic.
11. To refer to DPW staff the request to consider installing a left-turn arrow signal on southbound Military Avenue, turning east onto Bond Street.
12. To refer to staff the request to consider the renaming of the Traffic Commission to the new designation of "The Bicycle, Pedestrian, & Traffic Commission."

13. To refer to staff the request to consider revisions to the Municipal Code pertaining to the rule of the Traffic Commission in regards to access pedestrian/bike considerations and alternative traffic goals within the community.
14. To receive and place on file the crossing guard study along South Monroe Avenue near Aldo Leopold School.
15. To adopt by ordinance the removal of the 2-HOUR 7 AM TO 4 PM SCHOOL DAYS zone on the east side of Ridge Road from a point 60 feet south of Shirley Street to a point 680 feet south of Shirley Street.
16. To adopt by ordinance the removal of the 2-HOUR 7 AM TO 4 PM SCHOOL DAYS zone on the west side of Ridge Road from a point 114 feet south of Shirley Street to a point 680 feet south of Shirley Street.
17. To adopt by ordinance to establish a 2-HOUR 7 AM TO 4 PM SCHOOL DAYS zone on the east side of Ridge Road from a point 60 feet south of Shirley Street to Hickory Hill Drive.
18. To adopt by ordinance to establish a 2-HOUR 7 AM TO 4 PM SCHOOL DAYS zone on the west side of Ridge Road from a point 114 feet south of Shirley Street to Hickory Hill Drive.

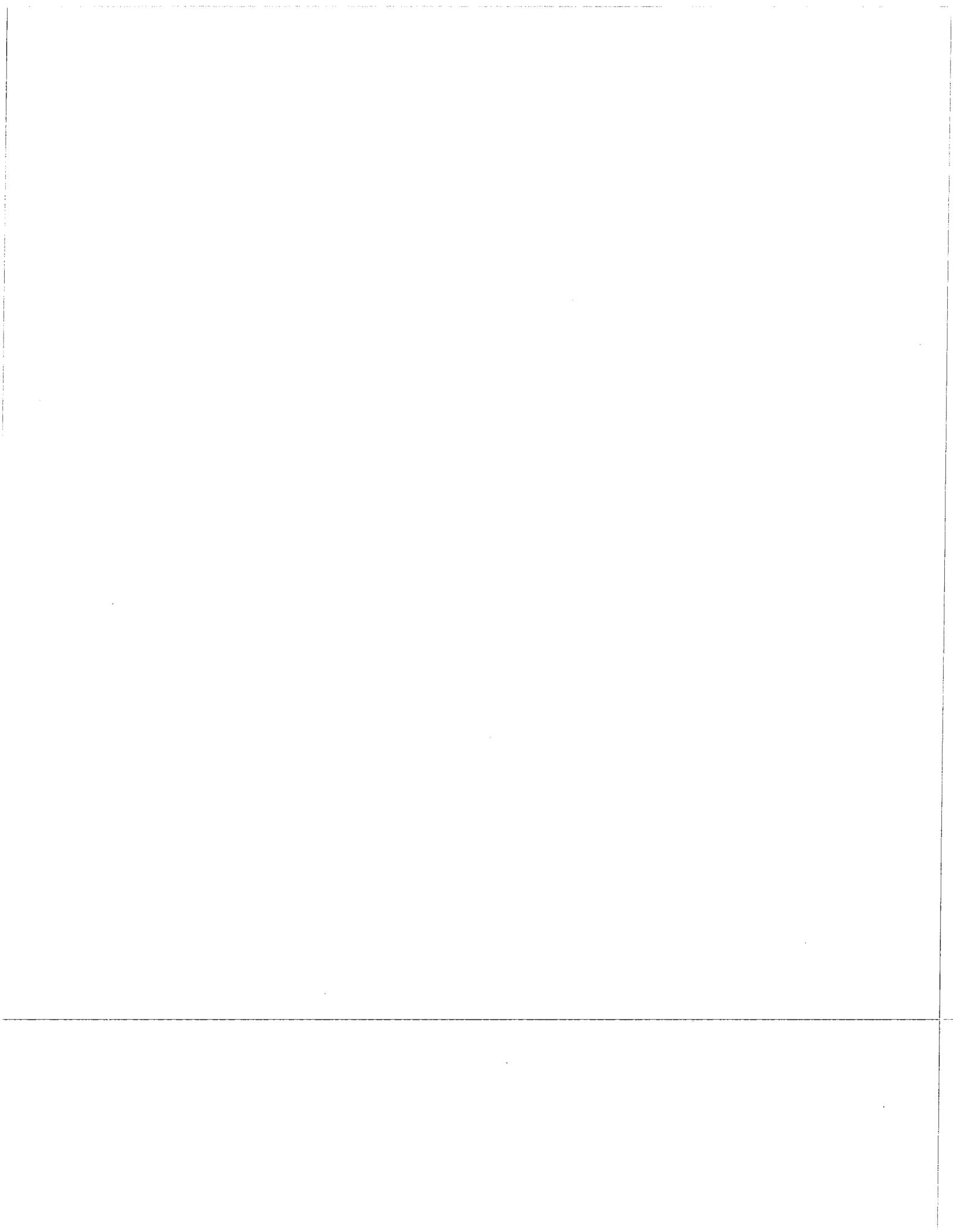
**REPORT OF THE FINANCE COMMITTEE
APRIL 6, 2016**

The Finance Committee having met on Tuesday, March 22, 2016, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by the City Assessor to cancel certain real and personal property taxes.
2. To hold until the next Finance Committee meeting the request by Ald. Zima to pay property taxes on behalf of St. Patrick's Church on 505-515 Clinton Street to allow time for the Assessor's office to review assessed value of the two parcels and bring their findings back to the Finance Committee.
3. To hold the request by Ald. Chris Wery until the next Finance Committee meeting to live stream City Council meetings and have IT continue researching different streaming options.
4. To receive and place on file the request of Ald. Moore the report of the next five callable bonds with balance due (payment in full) and estimated interest savings by paying each in full.
5. To hold the request by Ald. Tom DeWane, on behalf of Scott Vanidestine, to fund up to 30 utility belts for the Police Explorer Program to be used for training competition in order for the Police Department to research funding needs based on the overall program and bring back their findings to the next finance committee.
6. To approve Ald. Steuer to work through the application process that would incorporate bringing all three groups to the City from the 3rd US Infantry Regiment from Fort Myer, VA to Green Bay on August 7, 2016 to celebrate the 200th anniversary of the landing of American troops in the area, potentially at no cost. Should there be a cost associated with this endeavor; Ald. Steuer would bring that cost back to the finance committee.
7. A motion to hold this agenda item while additional information is being gathered on the total building costs and business plan detail to be presented at the next finance committee meeting along with closed session language.
8. To hold until next meeting the request by Ald. Chris Wery that, should the Colburn Olympic Pool Project come in higher than the original \$4.5 million estimate, up to \$1 million of the excess stadium tax revenue be utilized to fund the overage. (Carried over from January 12, 2016 Finance Committee meeting.)

2016 Contingency Fund
\$60,000

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**REPORT OF THE
IMPROVEMENT AND SERVICE COMMITTEE
April 6, 2016**

The Improvement and Service Committee, having met on March 23, 2016 considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by 360 Development to place objects in the right-of-way of the Public Alley north of Cherry Street, south of Pine Street, west of Washington Street, utility services for redevelopment of the Watermark Building contingent upon receiving the applicable insurance, the owner receiving all necessary City approvals and authorize the Mayor and City Clerk to execute the agreement.
2. To approve the request by Blue Viper LLC to enter into a Developer's Agreement for the construction of public infrastructure to support the Bradley Estates and Superior Heights subdivisions. The executed Developer's Agreement will be reported to the Committee.
3. To approve the request by University Avenue Center LLC to enter into a Developer's Agreement for the construction of public infrastructure to support the development in the general location bordered by Fred Street, Van Deuren Street, Sturgeon Bay Road, and University Way. The executed Developer's Agreement will be reported to the Committee.
4. To receive and place on file the request by Ald. Zima, on behalf of all people who cross the Walnut Street Bridge, that the Department of Public Works provide emergency repairs to the railroad crossing at about 100 West Walnut Street.
5. To receive and place on file the request by Ald. Moore to delay construction of an all-purpose trail on the south side of University Avenue from Humboldt Road to Curry Lane until a sufficient time for public comment has passed. Staff or the Contractor shall notify all the residents along the project route of the construction schedule.
6. To approve the request by Ald. Moore for DPW to send out an RFP to receive bids on a consultant to advise the City in implementing a plan for floodwater remediation with the award being brought to Committee for approval.
7. To approve the request by Department of Public Works to award a Professional Engineering Service Contract with Brown & Caldwell for the Elizabeth Street Drainage Basin Hydraulic and Hydrology Analysis.
8. To approve the report of the Purchasing Manager:
 - A. To approve the purchase of streetlight poles, luminaires, wire, and electrical accessories to the following vendors:
 - Cisco Distributing - \$35,556
 - TAPCO - \$83,329
 - Werner Electric - \$14,672
 - B. To approve a contract for Sanitary Sewer Televising for 2016 to Northern Pipe for \$292,530.

9. To approve and award the following contracts to the low, responsive bidders:
 - A. To approve to award contract PARKS PROJECT 2-16 (ARNIE WOLFF SOCCER FIELDS – PHASE III) to Peters Concrete Co., in the amount of \$198,174.60.
 - B. To approve to award contract PAVEMENT 1-16 to Peters Concrete, in the amount of \$255,869.00.
 - C. To approve to award contract PAVEMENT REPAIR 2016 to Sommers Construction Co., Inc., in the amount of \$904,110.00.
 - D. To approve to award contract QUINCY STREET PUMP STATION REROOFING to Northern Metal & Roofing, in the amount of \$64,608.00.
 - E. To approve to award contract SEWERS 1-16 (INCLUDING WATER MAIN):

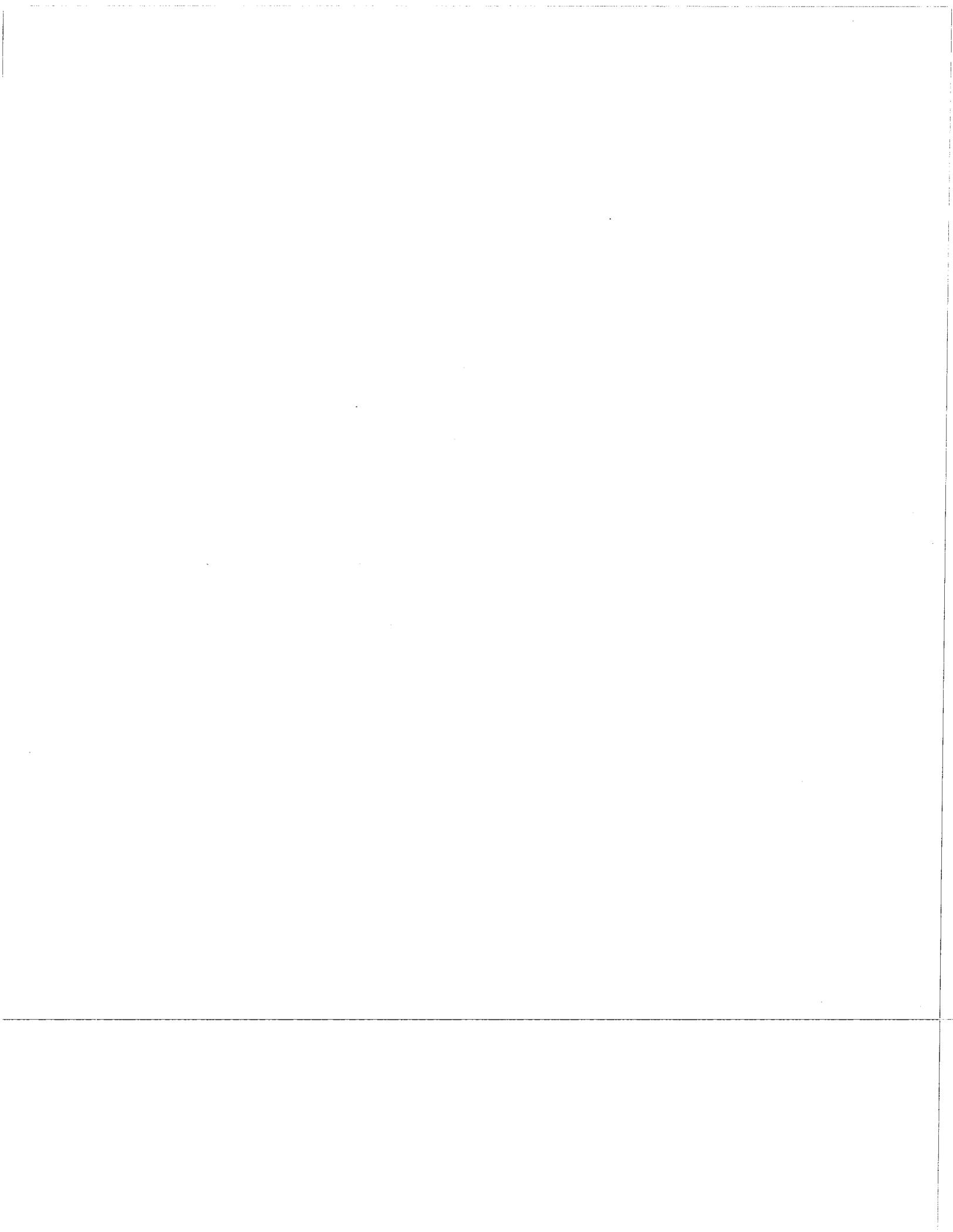
Part A to Feaker & Sons, in the amount of \$711,349.95.
Part B to Degroot Construction, in the amount of \$1,231,216.81.
Part C to Degroot Construction, in the amount of \$1,094,658.51.
 - F. To approve to award contract SEWERS 2-16 (HUMBOLDT ROAD) to Peters Concrete, in the amount of \$449,860.90.
10. To approve the application for a Concrete Sidewalk Builder's License by JD Concrete Corporation and to authorize Department of Public Works to request and review references from Fisher Concrete Sawing, Inc., T & L Construction, and Weise Construction and approve the license applications if the references are acceptable.
11. To approve the application for a Tree & Brush Trimmer License by A to Z Tree Service LLC.

REPORT OF THE PERSONNEL COMMITTEE
April 6, 2016

The Personnel Committee, having met on Tuesday, March 22, 2016 considered all matters on its agenda and reports and recommends the following:

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Forestry Worker I – Parks, Recreation & Forestry
 - b. Senior Mechanic – Public Works
 - c. Sanitation Laborer – Public Works
 - d. Account Clerk II - Finance
2. To approve out of state travel for Captain Paul Ebel to attend the annual NFL Security Conference June 1-3, 2016 in Orlando, Florida with no cost to the City for transportation or room and board.
3. To receive and place on file the report of routine personnel actions for regular employees.
4.
 - a. To approve the 2016 wage agreement between the City of Green Bay and the Parks and Forestry Labor Association with a 2% general salary increase effective with the start of the pay period in which October 1, 2016 occurs.
 - b. To approve the 2016-2018 labor agreement between the City of Green Bay and Local 857, Amalgamated Transit Union with a 2% general salary increase effective with the start of the pay period in which October 1 occurs in each year of the contract.
 - c. No update on police negotiations.





PROTECTION & WELFARE COMMITTEE REPORT
APRIL 6, 2016

The Protection & Welfare Committee, having met on Monday, March 21, 2016, considered all matters on the agenda and wishes to report and recommend the following:

1. To forward with no recommendation, the application for a "Class B" Combination License by LM Capital, LLC at 301 S. Broadway. (Formerly the Crunchy Frog) Held up at last meeting.
2. To approve request by the owners of Anduzzi's, 900 Kepler Drive, to hold an outdoor event on July 22-24 with music until 11:30 P.M. on July 23. The approval of the request is subject to complaint.
3. To approve the application for an available "Class B" Combination License by LVP SHS Green Bay Holding Corp, at 1011 Tony Canadeo Run with the approval of the proper authorities. (Currently Green Bay CS Hotel Group, LLC who hold a reserve license)
4. To approve the request by Ald. Nennig to allow the Art Garage to have up to four mobile food vendors on their property for a special event on April 21, 2016.
5. To approve the request by Ald. Wiezbiskie, on behalf of a constituent, to adopt a resolution supporting and recommending a seven day custody period for abandoned or stray animals.



**REPORT OF THE PROTECTION AND WELFARE COMMITTEE
GRANTING OPERATOR LICENSES**

April 6, 2016

The Protection and Welfare Committee wishes to request that the following applications for Operator Licenses be granted.

Stipulations placed on licenses shall continue to be in effect.

OPERATOR LICENSES

Anderson, April S
Bessner, Emily M
Dedesing, Julianna M
Denault, Tasha M
Hackel, Carissa A
Hopkins, Christopher S
Johnson, Jesse D
Kettner, Courtney L
Krueger, Anastasia N
Lutz, Madisen R
Murray, Karonda M
Novak, Patricia R
Olmsted, Thomas J
Paluda, Kristin L
Petry, Travis J
Pietz, Joseph S
Rosemergy, Chase E
Schuette, Heidi A
Singleton, Sebastian C
Szatori, Cassie A
Wicker, Beth F
Willis, Brian J
Witty, Jacob D
Woodliff, Nicole L
Yang, Kong
Zittlow, Christopher J



FINAL PAYMENTS RESOLUTION

April 6, 2016

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That the City Clerk be and is hereby instructed to draw FINAL ORDERS in favor of the following contractors for their projects in the amounts listed as follows:

1. **SEWERS 5-15 PART B**
Insituform Technologies USA, LLC.
TOTAL AMOUNT EARNED: \$ 129,591.55
LESS AMOUNT RETAINED: \$ 0.00
\$ 129,591.55
LESS AMOUNT PREVIOUSLY PAID: \$ 126,136.87
AMOUNT DUE THIS ESTIMATE: \$ 3,454.68

ACCOUNT NUMBERS
403500-55355-63095: \$3,454.68
PO #1500198

2. **RESURFACING 1-15 PART B**
Northeast Asphalt, Inc.
TOTAL AMOUNT EARNED: \$ 1,148,517.92
LESS AMOUNT RETAINED: \$ 0.00
\$ 1,148,517.92
LESS AMOUNT PREVIOUSLY PAID: \$ 1,138,517.92
AMOUNT DUE THIS ESTIMATE: \$ 10,000.00

ACCOUNT NUMBERS
401500E-55303-61035: \$10,000.00
PO #1500120

3. **SEWERS 2-15 (INCLUDING WATER MAIN)**
DeGroot Conctruction, Inc.
TOTAL AMOUNT EARNED: \$ 402,152.59
LESS AMOUNT RETAINED: \$ 0.00
\$ 402,152.59
LESS AMOUNT PREVIOUSLY PAID: \$ 389,336.29
AMOUNT DUE THIS ESTIMATE: \$ 12,816.30

ACCOUNT NUMBERS
501-12201-63055: \$2,307.90
412500E-55355-63055: 10,508.40
PO #1500168

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Adopted _____, 2016

Approved _____, 2016

Mayor

ATTEST:

City Clerk

slf

**RESOLUTION APPROVING
AN EASEMENT AND HOLD HARMLESS AGREEMENT
360 DEVELOPMENT
UTILITY SERVICES FOR THE WATERMARK BUILDING
April 6, 2016**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

To approve the request by 360 Development to place objects in the right-of-way of the Public Alley north of Cherry Street, south of Pine Street, west of Washington Street, utility services for redevelopment of the Watermark Building contingent upon receiving the applicable insurance, the owner receiving all necessary City approvals and authorize the Mayor and City Clerk to execute the agreement.

Adopted _____, 2016

Approved _____, 2016

Mayor

ATTEST:

City Clerk

jld



RESOLUTION REGARDING VACATING OF PORTIONS OF UNIVERSITY AVENUE, CLEMENT STREET, UNIVERSITY WAY AND FRED STREET (SV 15-02)

April 6, 2016

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

That, based on the request for vacation filed heretofore, the report of the Plan Commission, and the public hearing held on the matter, it appears to be in the public interest that a portion of University Avenue, Clement Street, University Way, and Fred Street of the City of Green Bay, described on the attachment hereto, be, and the same is hereby vacated, abandoned, and discontinued, subject to the following conditions:

1. This Street Vacation and Closure request shall only be instituted if the related Easement Discontinuance (ED 16-01), CSM Variance Request (VR 16-01), CSM (CSM 15-05), Rezoning Request (ZP 15-17a), and PUD Request (ZP 15-17b) are approved.
2. A long-term closure agreement between University Avenue Center LLC and the City of Green Bay is required for University Avenue that details maintenance, improvements, and access rights along the closed portion of the roadway. This shall include language about the WisDOT retained portion of roadway.
3. Concerning the University Avenue Closure, petitioner is to pay all costs to create Access Easement(s) to all adjacent properties.
4. This Street Vacation and Closure request shall not become official until University Avenue Center LLC takes ownership of all adjacent properties currently under contract.
5. An agreed upon Traffic Impact Analysis shall be accepted by all required regulatory bodies prior to Final approval of this vacation/closure request.
6. A street design for Fred Street shall be determined and agreed upon between the petitioner, the Planning Department, and the Department of Public Works prior to the final approval of this request. The petitioner shall pay all costs associated with this, including costs for additional right-of-way if needed.
7. Language on the Proposed CSM that indicates "Fred Street Vacation" east of Lots 30 & 31 shall be removed.
8. Concerning the University Avenue Closure, access to sewers must be retained.
9. Concerning the University Avenue Closure, petitioner is to pay all costs to realign the area to meet with University Way.
10. Concerning the University Avenue Vacation, the Clement Street Vacation, and the Fred Street Vacation, an easement must be retained for the maintenance of existing sewers

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OR the petitioner is to pay all costs to relocate the sewers including acquisition costs for additional right-of-way or easements.

11. Concerning the University Avenue Vacation, the Clement Street Vacation, and the Fred Street Vacation, petitioner is to pay all costs to properly close pavement at intersecting street locations.
12. Concerning the University Avenue Closure and Clement Street Vacation, petitioner is to provide an easement (recorded in CSM 15-05) for existing fiber optic lines OR pay the costs to relocate this line, including acquisition costs for additional right-of-way or easements.
13. AT&T shall maintain an existing duct packing along the south side of University Avenue. A utility easement shall be provided for this in CSM 15-05.
14. This request cannot obstruct or violate in any way the easement rights, transmission assets, or alignment of poles and overhead conductors for American Transmission Company.
15. The petitioner shall reimburse Wisconsin Public Service for relocation of its facilities and shall provide a new easement in CSM 15-05.
16. Sidewalks shall be provided on both sides of the future extension of Clement Street.
17. The petitioner shall install a sidewalk around the northern perimeter (Sturgeon Bay Road/University Way) of the project area to replace the existing sidewalk connection.
18. Future sidewalk crossings shall be perpendicular to the streets.
19. Concerning the University Avenue Vacation, the current proposal does not appear to be ADA compliant for pedestrian crossings. All pedestrian treatments must be ADA compliant.
20. Breakaway signage will be required between the new Clement Street extension and Ruth/Van Deuren Street.
21. The petitioner shall relocate the existing transit stop within the project area.

BE IT FURTHER RESOLVED that the City Clerk shall cause a certified copy of this resolution to be filed with the Register of Deeds for Brown County, Wisconsin.

Adopted _____

Approved _____

Mayor

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Clerk

jwf

Attachments (map and legal description)

DESCRIPTION OF STREET VACATION AT UNIVERSITY AVENUE,
CLEMENT STREET, UNIVERSITY WAY, AND FRED STREET
(SV 15-02)

The vacation of a portion of Clement Street lying between the South right-of-way line of University Avenue and the North right-of-way line of Van Deuren Street, being part of the Southeast 1/4 of the Northwest 1/4, Section 33, Township 24 North, Range 21 East, City of Green Bay, Brown County, Wisconsin, more particularly described as follows:

Commencing at the West 1/4 corner of said Section 33; thence North $00^{\circ}21'44''$ East, coincident with the West line of said Northwest 1/4, 1169.40 feet to the Westerly extension of said South right-of-way line of University Avenue; thence North $85^{\circ}58'13''$ East, coincident with said South right-of-way of University Avenue and the Westerly extension thereof, 1661.02 feet to the West right-of-way of said Clement Street and the point of beginning; thence North $85^{\circ}58'13''$ East, coincident with said South right-of-way line of University Avenue, 96.22 feet to the East right-of-way line of said Clement Street and the beginning of a curve concave to the Southeast; thence 17.87 feet coincident with said East right-of-way line of Clement Street and the arc of said curve, said curve having a radius length of 12.00 feet, a central angle of $85^{\circ}18'55''$, and a chord that bears South $43^{\circ}18'46''$ West, for a distance of 16.26 feet; thence South $00^{\circ}39'18''$ West, coincident with said East right-of-way line of Clement Street, 276.24 feet; thence North $89^{\circ}20'23''$ West, 77.00 feet to said North right-of-way line of Van Deuren Street and the beginning of a curve concave to the Northwest; thence 26.70 feet, coincident with said North right-of-way line of Van Deuren Street and the arc of said curve, said curve having a radius length of 17.00 feet, a central angle of $89^{\circ}59'17''$, and a chord that bears North $45^{\circ}38'57''$ East, for a distance of 24.04 feet to said West right-of-way line of Clement Street; thence North $00^{\circ}39'18''$ East, coincident with said West right-of-way line of Clement Street, 240.41 feet to the beginning of a curve concave to the Southwest; thence 38.01 feet, coincident with said West right-of-way line of Clement Street and the arc of said curve, said curve having a radius length of 23.00 feet, a central angle of $94^{\circ}41'05''$, and a chord that bears North $46^{\circ}41'14''$ West, for a distance of 33.83 feet to said South right-of-way line of University Avenue and the point of beginning.

Said Vacation contains 17,315 square feet or 0.397 acres, more or less.

The vacation of a portion of Fred Street as dedicated on the Geimer Addition Subdivision Plat, recorded in Volume 9 of Plats, on Page 9, as Document Number 510131, in the Brown County Register of Deeds Office, being part of the Southwest 1/4 of the Northwest 1/4, Section 33, Township 24 North, Range 21 East, City of Green Bay, Brown County, Wisconsin, more particularly described as follows:

Commencing at the West 1/4 corner of said Section 33; thence North $00^{\circ}21'44''$ East, coincident with the West line of said Northwest 1/4, 1169.40 feet to the Westerly extension of said South right-of-way line of University Avenue; thence North $85^{\circ}58'13''$ East, coincident with said Westerly extension of the South right-of-way of University Avenue and the South right-of-way line of said University Avenue, 1130.33 feet to the intersection of the West right-of-way line of said Fred Street and said South right-of-way line of University Avenue, also being the Northeast corner of Lot 32 of said Geimer Addition and the point of beginning; thence continuing North $85^{\circ}58'13''$ East, coincident with said South right-of-way line of University Avenue, 60.17 feet to the intersection of the East right-of-way line of said Fred Street and said South right-of-way line of University Avenue and the Northwest corner of Lot 1 of said Geimer Addition; thence South $00^{\circ}17'00''$ West, coincident with said East right-of-way line of Fred Street, 142.00 feet; thence North $89^{\circ}43'00''$ West, 60.00 feet to said West right-of-way line of Fred Street; thence North $00^{\circ}17'00''$ East, coincident with said West right-of-way line of Fred Street, 137.48 feet to said intersection of the West right-of-way line of Fred Street and said South right-of-way line of University Avenue, also being said Northeast corner of Lot 32 of and the point of beginning.

Said Vacation contains 8,385 square feet or 0.192 acres more or less.

The vacation of a portion of University Way being part of Government Lot 3, Section 33, Township 24 North, Range 21 East, City of Green Bay, Brown County, Wisconsin, more particularly described as follows:

Commencing at the West 1/4 corner of said Section 33; thence North $00^{\circ}21'44''$ East, coincident

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with the West line of said Northwest 1/4, 1169.40 feet to the Westerly extension of the South right-of-way line of University Avenue; thence North 85°58'13" East, coincident with said South right-of-way of University Avenue and the Westerly extension thereof, 2106.01 feet; thence North 04°01'47" West, 66.00 feet to the North right-of-way line of said University Avenue, the Southeast corner of Lot 2 of Certified Survey Map Number 5538, recorded in Volume 36, on Page 227, in the Brown County Register of Deeds Office, and the point of beginning; thence North 36°56'56" East, coincident with said North right-of-way line of University Avenue, 80.55 feet to the Northeast corner of said Lot 2 and the South right-of-way line of said University Way; thence South 53°36'54" East, coincident with the Southeasterly extension of said South right-of-way line of University Way, 13.88 feet; thence South 11°57'58" East, 11.89 feet to the beginning of a curve concave to the Northwest ; thence 26.22 feet coincident with the arc of said curve, said curve having a radius length of 30.00 feet, a central angle of 50°04'09", and a chord that bears South 13°04'07" West, for a distance of 25.39 feet; thence South 38°06'11" West, 21.27 feet to said North right-of-way line of University Avenue; thence South 85°58'13" West, coincident with said North right-of-way line of University Avenue 43.30 feet to the point of beginning.

Said Vacation contains 2,004 square feet or 0.046 acres, more or less.

The vacation of a portion of University Avenue being part of the Southeast 1/4 of the Northwest 1/4, part of the Southwest 1/4 of the Northwest 1/4, and part of Government Lot 3, all in Section 33, Township 24 North, Range 21 East, City of Green Bay, Brown County, Wisconsin, more particularly described as follows:

Commencing at the West 1/4 corner of said Section 33; thence North 00°21'44" East, coincident with the West line of said Northwest 1/4, 1169.40 feet to the Westerly extension of the South right-of-way line of University Avenue; thence North 85°58'13" East, coincident with said Westerly extension of the South right-of-way of University Avenue, 1130.33 feet to the intersection of said South right-of-way line of University Avenue and the West right-of-way line of Fred Street, also being the point of beginning; thence North 00°17'00" East, 13.62 feet; thence North 58°24'49" East, 113.31 feet to the Westerly extension of the North right-of-way line of said University Avenue; thence North 85°58'13" East, coincident with said North right-of-way line of University Avenue and said Westerly extension thereof, 684.29 feet; thence South

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00°24'09" West, 66.20 feet to said South right-of-way line of University Avenue and the Northeast corner of Parcel 1 of Certified Survey Map Number 1135, recorded in Volume 4, on Page 277, in the Brown County Register of Deeds Office; thence South 85°58'13" West, coincident with said South right-of-way line of University Avenue, 780.66 feet to said intersection of the South right-of-way line of University Avenue and the West right-of-way line of Fred Street, and the point of beginning.

Said Vacation contains 48,999 square feet or 1.125 acres, more or less.

The closure of a portion of University Avenue being part of the Southeast 1/4 of the Northwest 1/4 and part of Government Lot 3, all in Section 33, Township 24 North, Range 21 East, City of Green Bay, Brown County, Wisconsin, more particularly described as follows:

Commencing at the West 1/4 corner of said Section 33; thence North 00°21'44" East, coincident with the West line of said Northwest 1/4, 1169.40 feet to the Westerly extension of said South right-of-way line of University Avenue; thence North 85°58'13" East, coincident with said South right-of-way of University Avenue and the Westerly extension thereof, 1911.00 feet to the Northwest corner of Parcel 2 of Certified Survey Map Number 1135, recorded in Volume 4, on Page 277, in the Brown County Register of Deeds Office and the point of beginning; thence North 00°24'09" East, 66.20 feet to the North right-of-way line of said University Avenue; thence North 85°58'13" East, coincident with said North right-of-way line of University Avenue and the Easterly extension thereof, 314.14 feet to the Southeasterly extension of the South right-of-way line of University Way; thence South 53°36'54" East, coincident with said Southeasterly extension of the South right-of-way line of University Way, 44.60 feet; thence South 00°53'58" West, 37.22 feet to said South right-of-way line of University Avenue; thence South 85°58'13" West, coincident with said South right-of-way line of University Avenue, 350.01 feet to said Northwest corner of Parcel 2 and the point of beginning.

Said Closure contains 22,593 square feet or 0.519 acres, more or less.

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Subject to the following conditions:

1. This Street Vacation and Closure request shall only be instituted if the related Easement Discontinuance (ED 16-01), CSM Variance Request (VR 16-01), CSM (CSM 15-05), Rezoning Request (ZP 15-17a), and PUD Request (ZP 15-17b) are approved.
2. A long-term closure agreement between University Avenue Center LLC and the City of Green Bay is required for University Avenue that details maintenance, improvements, and access rights along the closed portion of the roadway. This shall include language about the WisDOT retained portion of roadway.
3. Concerning the University Avenue Closure, petitioner is to pay all costs to create Access Easement(s) to all adjacent properties.
4. This Street Vacation and Closure request shall not become official until University Avenue Center LLC takes ownership of all adjacent properties currently under contract.
5. An agreed upon Traffic Impact Analysis shall be accepted by all required regulatory bodies prior to Final approval of this vacation/closure request.
6. A street design for Fred Street shall be determined and agreed upon between the petitioner, the Planning Department, and the Department of Public Works prior to the final approval of this request. The petitioner shall pay all costs associated with this, including costs for additional right-of-way if needed.
7. Language on the Proposed CSM that indicates "Fred Street Vacation" east of Lots 30 & 31 shall be removed.
8. Concerning the University Avenue Closure, access to sewers must be retained.
9. Concerning the University Avenue Closure, petitioner is to pay all costs to realign the area to meet with University Way.
10. Concerning the University Avenue Vacation, the Clement Street Vacation, and the Fred Street Vacation, an easement must be retained for the maintenance of existing sewers OR the petitioner is to pay all costs to relocate the sewers including acquisition costs for additional right-of-way or easements.
11. Concerning the University Avenue Vacation, the Clement Street Vacation, and the Fred Street Vacation, petitioner is to pay all costs to properly close pavement at intersecting street locations.
12. Concerning the University Avenue Closure and Clement Street Vacation, petitioner is to provide an easement (recorded in CSM 15-05) for existing fiber optic lines OR pay the costs to relocate this line, including acquisition costs for additional right-of-way or easements.

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13. AT&T shall maintain an existing duct packing along the south side of University Avenue. A utility easement shall be provided for this in CSM 15-05.
14. This request cannot obstruct or violate in any way the easement rights, transmission assets, or alignment of poles and overhead conductors for American Transmission Company.
15. The petitioner shall reimburse Wisconsin Public Service for relocation of its facilities and shall provide a new easement in CSM 15-05.
16. Sidewalks shall be provided on both sides of the future extension of Clement Street.
17. The petitioner shall install a sidewalk around the northern perimeter (Sturgeon Bay Road/University Way) of the project area to replace the existing sidewalk connection.
18. Future sidewalk crossings shall be perpendicular to the streets.
19. Concerning the University Avenue Vacation, the current proposal does not appear to be ADA compliant for pedestrian crossings. All pedestrian treatments must be ADA compliant.
20. Breakaway signage will be required between the new Clement Street extension and Ruth/Van Deuren Street.
21. The petitioner shall relocate the existing transit stop within the project area.

Parcels Affected

Owners Name and Mailing Address

21-2475-F-1

Alba Reo LLC
200 E. Washington Street #2A
Appleton, WI 54911

21-1252-2

Mark and Michelle Conard
3266 Peterson Road
Green Bay, WI 54311-7238

21-1251

Mark and Michelle Conard
3266 Peterson Road
Green Bay, WI 54311-7238

21-1251-B

Mark and Michelle Conard
3266 Peterson Road
Green Bay, WI 54311-7238

21-1251-A

Lyle and Janice Conard
2655 Shore Ridge Court

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Green Bay, WI 54311-7267

21-1254-2-D Lee & Lee Inc.
2247 University Avenue
Green Bay, WI 54302-4510

21-1254-3 Lee & Lee Inc.
2247 University Avenue
Green Bay, WI 54302-4510

21-1254 Movado Investments LLC
314 N. Danz Avenue
Green Bay, WI 54302

21-1254-2-C Movado Investments LLC
314 N. Danz Avenue
Green Bay, WI 54302

21-1254-2 Larry and Carol Ehlinger
2450 University Avenue
Green Bay, WI 54302-5027

21-1714-E-32 Maurice S. Meyers & Martin Franke
136 E. Walker Street
Milwaukee, Wi 53204

21-1251-1 SRL2 Inc.
1740 Cofrin Drive
Green Bay, WI 54302



APRIL 6, 2016

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

THAT THE FOLLOWING DESCRIBED SIDEWALKS BE ORDERED CONSTRUCTED AND THAT THE CITY CLERK ISSUE A SIXTY (60) DAYS NOTICE AS PER THE ATTACHED SCHEDULE:

<u>NAME</u>	<u>LOCATION</u>	<u>LINEAR FEET</u>	<u>CREDIT</u>
Humboldt Rd SBCClient (0) AND RC (12039)			
21-2998	703 BASCOM WY	100.0000	0.0000
JOSEPH A & TAMARA H BETHEL 703 BASCOM WY GREEN BAY WI 54311-5905	UNIVERSITY HEIGHTS LOT 2		
21-3059	704 BASCOM WY	123.0000	0.0000
MARK P PETERSON 704 BASCOM WY GREEN BAY WI 54311-5906	UNIVERSITY HEIGHTS LOT 63		
21-369-1	706 CORNELIUS DR	194.0000	0.0000
DANEEN R KLEHN 708 CORNELIUS DR GREEN BAY WI 54311-5916	PRT OF NE1/4 SEC 34 & PRT OF NW1/4 SEC 35 ALL IN T24N R21E AS DESC IN 1098 R 85 & ALSO PRT DESC IN 1109 R 339		
21-372	3220 HUMBOLDT RD	330.5000	0.0000
CITY OF GREEN BAY-CLERK 100 N JEFFERSON ST GREEN BAY WI 54301-5006	N 5 AC OF W 1/2 OF E 1/2 OF SE1/4 NW1/4 SEC 35 T24N R21E EX 908 R 52 & EX RD		
21-373	HUMBOLDT RD	330.5000	0.0000
BASTEN FAMILY REAL ESTATE DEVELOPMENT LP 3307 HUMBOLDT RD GREEN BAY WI 54311-5754	E1/2 OF THE SE1/4 NW1/4 EX THE N 5 AC OF THE W1/2 THEREOF & EX THE W 37 FT OF THE S 636 FT & EX RD ALL IN SEC 35 T24N R21E		
21-374-1	3214 HUMBOLDT RD	90.0000	0.0000
ROBERT & ELIZABETH VANDEN AVOND 3214 HUMBOLDT RD GREEN BAY WI 54311-5753	N 175 FT OF THE E 90 FT OF THE W 212 FT OF THE SE 1/4 NW 1/4 SEC 35 T24N R21E EX 906 R 421 BCR		
21-374-2	3214 HUMBOLDT RD	90.0000	0.0000
ROBERT VANDEN AVOND 3214 HUMBOLDT RD GREEN BAY WI 54311-5753	N 175 FT OF THE E 90 FT OF THE W 302 FT OF THE SE 1/4 NW 1/4 SEC 35 T24N R21E EX 906 R 423 BCR		
21-384	3240 HUMBOLDT RD	190.8000	0.0000
CITY OF GREEN BAY-CLERK 100 N JEFFERSON ST GREEN BAY WI 54301-5006	W1/2 OF THE SE-NW EX THE W 470 FT OF THE N 285 FT THEREOF & THE W 37 FT OF THE S 636 FT OF THE E1/2 OF THE SE-NW & THE E1/2 OF THE SW-NW EX THE N 285 FT THEREOF ALL IN SEC 35 T24N R21E		
21-6512	HUMBOLDT RD	813.0000	0.0000
BASTEN FAMILY REAL ESTATE DEVELOPMENT LP 3307 HUMBOLDT RD GREEN BAY WI 54311-5754	LOT 1 OF 35 CSM 75 BNG ALL OF LOTS 1 THRU 4 MAJESTIC POINTE & BNG PT OF NE1/4 NW1/4 SEC 35 T24N R21E EX 38 CSM 36 & EX RD IN 2726373 & PRT IN 2726819		
21-6512-1	3275 HUMBOLDT RD	150.0000	0.0000
BETTY M DE KEYSER 3275 HUMBOLDT RD GREEN BAY WI 54311-5752	LOT 1 OF 38 CSM 36 BNG PART OF LOT 4 MAJESTIC POINTE		
21-362-1	3489 HUMBOLDT RD	180.0000	0.0000

CITY OF GREEN BAY-CLERK 100 N JEFFERSON ST GREEN BAY WI 54301-5006	LOT 1 OF 10 CSM 171 BNG PRT OF NE1/4 NE1/4 SEC 35 T24N R21E EX RD IN 1940994		
21-362-2	3475 HUMBOLDT RD	1726.6000	0.0000
BAYSIDE CHRISTIAN FELLOWSHIP INC 3475 HUMBOLDT RD GREEN BAY WI 54311-5756	PRT OF NE1/4 NE1/4 SEC 35 T24N R21E DESC IN J20991-02 & J24970-13 & 1559853 & PRT VAC ST ADJ IN 1568595 & PRT NW1/4 NE1/4 & PRT OF NE1/4 NE1/4 DESC IN 1702497 & PRT DESC IN 2063917 & EX RD IN 2719553		
21-363	3349 HUMBOLDT RD	69.9000	0.0000
REX BASTEN 3307 HUMBOLDT RD GREEN BAY WI 54311-5754	OUTLOT 1 OF 45 CSM 349 BNG PRT OF NW1/4 NE1/4 SEC 35 T24N R21E EX RD IN 2719552		
21-363-1	3325 HUMBOLDT RD	188.3000	0.0000
THOMAS R PETERSON 3325 HUMBOLDT RD GREEN BAY WI 54311-5754	LOT 1 OF 45 CSM 349 BNG PRT OF NW1/4 NE1/4 SEC 35 T24N R21E		
21-363-1-1	3335 HUMBOLDT RD	90.0000	0.0000
RANDY J BAIN 2668 FREEDOM RD DE PERE WI 54115	LOT 2 OF 45 CSM 349 BNG PRT OF NW1/4 NE1/4 SEC 35 T24N R21E		
21-363-2	3307 HUMBOLDT RD	229.0000	0.0000
CRAIG J & JANICE BASTEN 3307 HUMBOLDT RD GREEN BAY WI 54311-5754	LOT 1 OF 3 CSM 613 & PART DESC IN J24502- 04 BNG PART OF NW1/4 NE1/4 SEC 35 T24N R21E		
21-366	3404-3428 HUMBOLDT RD	279.4000	0.0000
GREAT LAKES PROPERTIES C/O GOODLETSON MGMT 1110 MORAIN WY STE 110 GREEN BAY WI 54303-4462	LOTS 2,3 & 4 OF 10 CSM 247 BNG PART OF SE1/4 NE1/4 SEC 35 T24N R21E		
21-366-2	3430 HUMBOLDT RD	90.3000	0.0000
THOMAS S & LINDA L EVANS 2794 WEST POINT RD GREEN BAY WI 54304-1346	LOT 1 OF 10 CSM 247 BNG PRT OF SE1/4 NE1/4 SEC 35 T24N R21E		
21-368	3199 HUMBOLDT RD	27.7000	0.0000
RONALD J & MARY M GAUTHIER 3199 HUMBOLDT RD GREEN BAY WI 54311-5775	PRT OF NE1/4 NW1/4 SEC 35 T24N R21E DESC IN J16054-37 EX 2726819		
21-368-2	3203 HUMBOLDT RD	45.3000	0.0000
DONNA MARIE PUYLEART 3203 HUMBOLDT RD GREEN BAY WI 54311-5752	E 42 FT OF W 70 FT OF S 255 FT OF NE 1/4 NW 1/4 S35 T24N R21E EX 906 R 422 BCR		
21-363-3	3343 HUMBOLDT RD	122.9000	0.0000
PETER J & GINA M BASTEN 3343 HUMBOLDT RD GREEN BAY WI 54311-5754	LOT 3 OF 45 CSM 349 BNG PRT OF NW1/4 NE1/4 SEC 35 T24N R21E EX RD IN 2719550		
21-369	3181 HUMBOLDT RD	200.1000	0.0000
STANLEY C ZDEB & JULIE I PERRY 3742 SANDPIPER WY GREEN BAY WI 54311	NW 1/4 NW 1/4 S35 T24N R21E EX 639 R 342 BCR EX 869 R 521 & EX ST		
21-374	3218 HUMBOLDT RD	290.1400	0.0000
ROBERT J VANDEN AVOND 3214 HUMBOLDT RD GREEN BAY WI 54311-5753	W 470 FT OF N 285 FT OF THE W1/2 SE1/4 NW1/4 OF SEC 35 T24N R21E EX 660 R 164 & EX 660 R 165 & EX 906 R 419 & EX RD IN 2718144		
21-8016	3446 HUMBOLDT RD	876.0000	0.0000
KINSHIP VII LLC 343 E LE CAPITAINE CI GREEN BAY WI 54302-5160	STONE GARDEN LOT 1		

21-3060 WAYNE F WILQUET 3147 HUMBOLDT RD GREEN BAY WI 54311-5775	3147 HUMBOLDT RD UNIVERSITY HEIGHTS LOT 64	90.3000	0.0000
21-3061 KENNETH L & DIANE M COOK 3153 HUMBOLDT RD GREEN BAY WI 54311-5775	3153 HUMBOLDT RD UNIVERSITY HEIGHTS LOT 65	90.3000	0.0000
21-3063 BECKY M KRUEGER 3167 HUMBOLDT RD GREEN BAY WI 54311-5775	3167 HUMBOLDT RD UNIVERSITY HEIGHTS LOT 67	90.2000	0.0000
21-3064 BRUCE H SHEFCHIK & JULIE M RICHARDSON 3173 HUMBOLDT RD GREEN BAY WI 54311-5775	3173 HUMBOLDT RD UNIVERSITY HEIGHTS LOT 68	90.1000	0.0000
21-3062 MARVIN RUCKER 3165 HUMBOLDT RD GREEN BAY WI 54311-5775	3165 HUMBOLDT RD UNIVERSITY HEIGHTS LOT 66	90.3000	0.0000
21-3065 JEFFREY M WERY 3195 HUMBOLDT RD GREEN BAY WI 54311	3195 HUMBOLDT RD UNIVERSITY HEIGHTS LOT 69	102.8000	0.0000
21-2997 THOMAS H BRUNETTE 3119 HUMBOLDT RD GREEN BAY WI 54311-5750	3119 HUMBOLDT RD UNIVERSITY HEIGHTS LOT 1	90.0000	0.0000
21-6516 JOEY J DE KEYSER 705 LAKE LARGO DR GREEN BAY WI 54311	705 LAKE LARGO DR MAJESTIC POINTE LOT 5	153.7000	0.0000
21-365 BASTEN FAMILY REAL ESTATE DEVELOPMENT LP 3307 HUMBOLDT RD GREEN BAY WI 54311-5754	WOODSIDE RD SW1/4 NE1/4 SEC 35 T24N R21E EX 907 R 228 & EX 37 CSM 121 & EX RD IN 2726373	1039.2000	0.0000
21-365-1 CROCUS ESTATES LLC 3021 PATTON DR PLOVER WI 54467-2642	655 WOODSIDE RD LOT 1 OF 37 CSM 121 BNG PRT OF SW1/4 NE1/4 SEC 35 T24N R21E	256.5000	0.0000

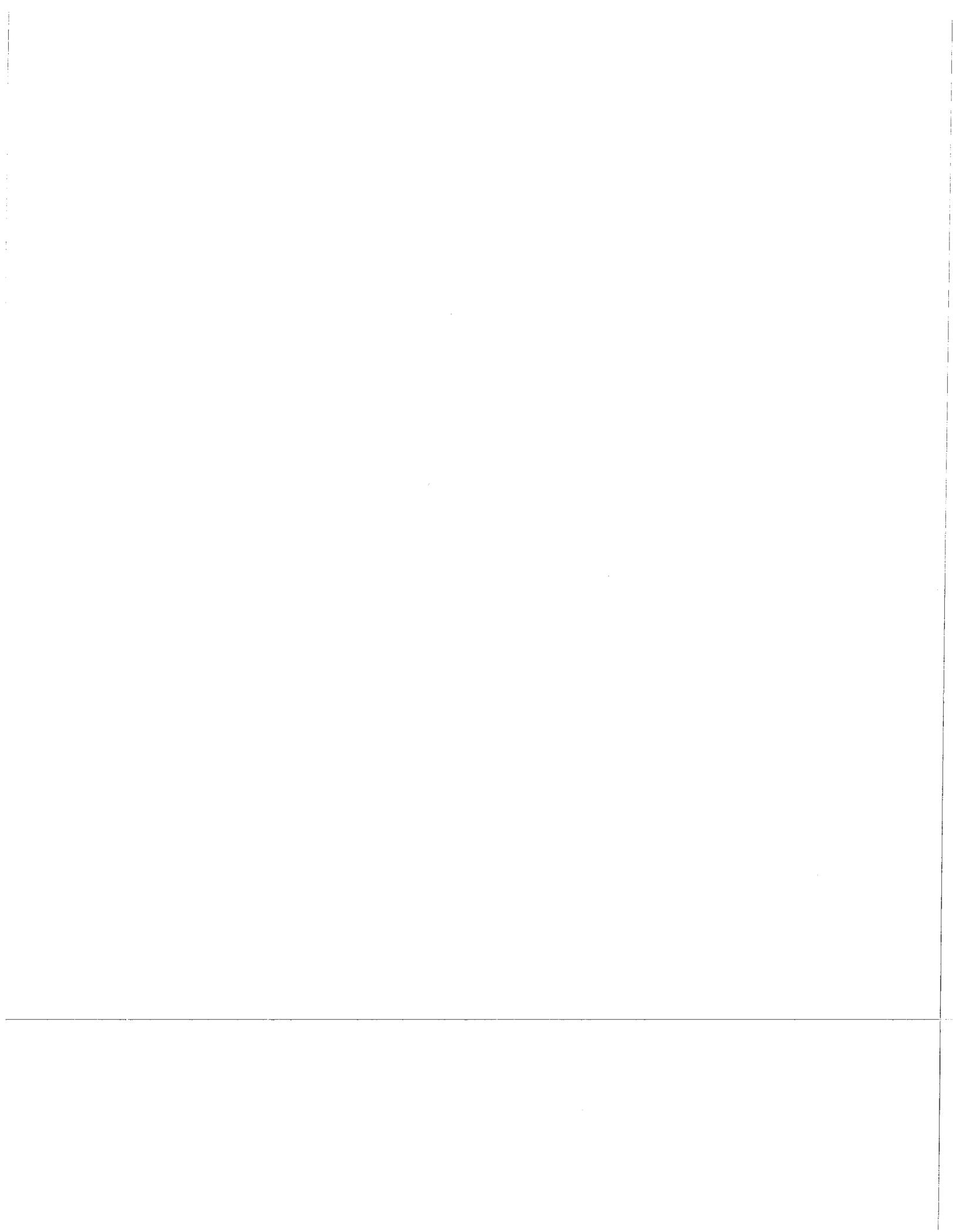
Adopted _____

Approved _____

Mayor

City Clerk

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GENERAL ORDINANCE NO. 4-16

**AN ORDINANCE
AMENDING SECTION 29.208,
GREEN BAY MUNICIPAL CODE,
RELATING TO PARKING REGULATIONS**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING zones:

EAST SHORE DRIVE, north side, from a point 225 feet west of Utah Avenue to Utah Avenue

EAST SHORE DRIVE, both sides, from a point 40 feet west of Danz Avenue to Danz Avenue

SECTION 2. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING zones:

EAST SHORE DRIVE, both sides, from a point 385 feet east of East Shore Circle to Nicolet Drive

SECTION 3. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following TWO-HOUR PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

RIDGE ROAD, east side, from a point 60 feet south of Shirley Street to a point 680 feet south of Shirley Street

RIDGE ROAD, west side, from a point 114 south of Shirley Street to a point 680 feet south of Shirley Street

SECTION 4. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following TWO-HOUR PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

RIDGE ROAD, east side, from a point 60 south of Shirley Street to Hickory Hill Drive

RIDGE ROAD, west side, from a point 114 south of Shirley
Street to Hickory Hill Drive

SECTION 5. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this _____ day of _____, 2016.

APPROVED:

Mayor

ATTEST:

Clerk

JWF

04/06/16

GENERAL ORDINANCE NO. 5-16

AN ORDINANCE
AMENDING SECTION 29.307,
GREEN BAY MUNICIPAL CODE,
RELATING TO TRAFFIC REGULATIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 29.307, Green Bay Municipal Code, is hereby amended by adding thereto the following 1-WAY STOP condition:

SAVAGE STREET at DEER TRAIL

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this _____ day of _____,
2016.

APPROVED:

Mayor

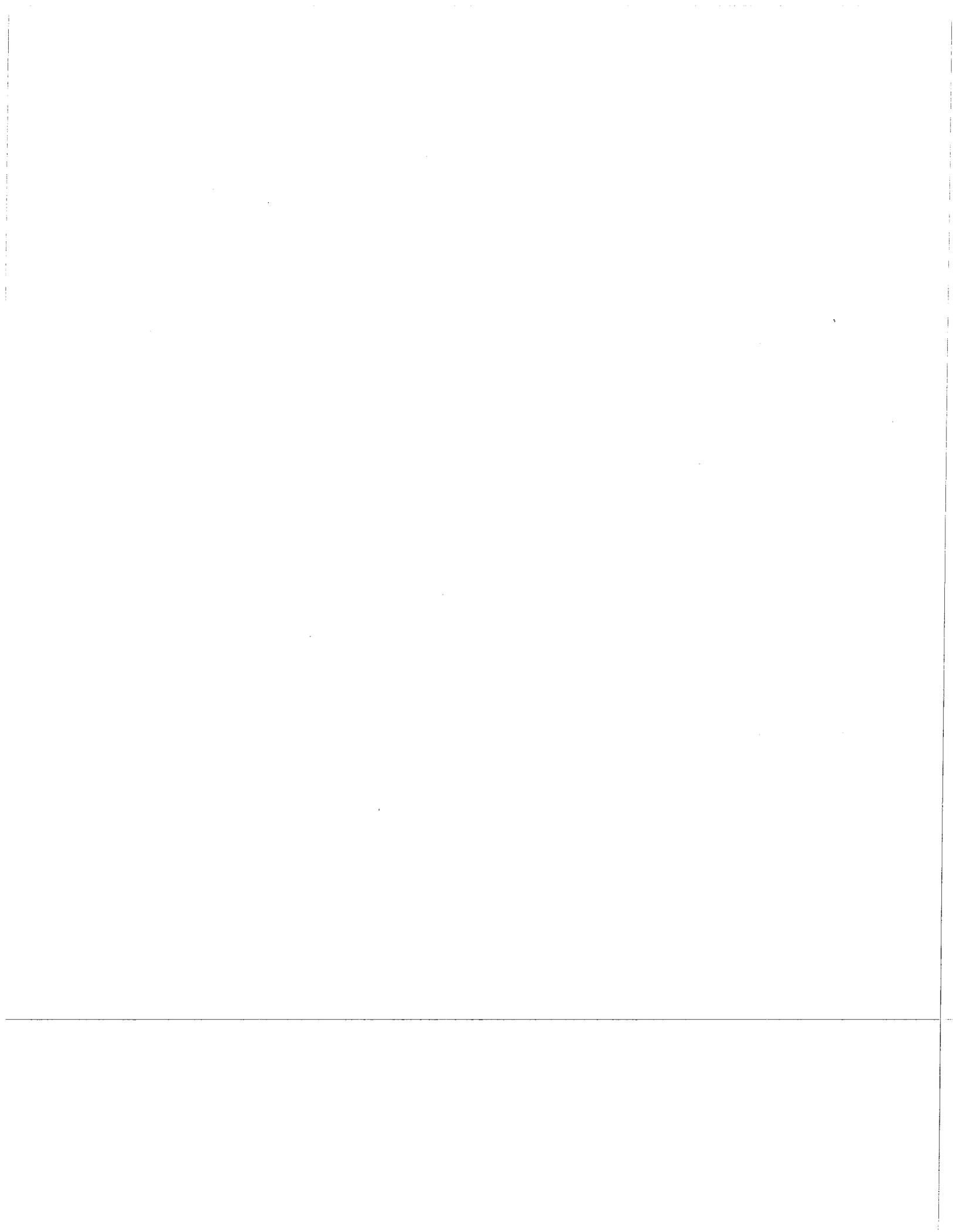
ATTEST:

Clerk

jwf

04/06/16

14.



ZONING ORDINANCE NO. 7-16

AN ORDINANCE
CREATING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY
DISTRICT FOR PROPERTIES LOCATED IN THE 2400 BLOCK OF
STURGEON BAY ROAD (2400 BLOCK UNIVERSITY AVENUE)
(ZP 15-17b)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS
FOLLOWS:

SECTION 1. Section 13-108, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development District on the following described properties:

Legal Description: Proposed Lots 1, 2, 3, 4 as depicted on the enclosed proposed Certified Survey Map (CSM), Exhibit A.

Tax Parcel: A portion of 21-2475-F-1; 21-1254, 21-1254-2-C, 21-1254-2-D, 21-1254-3, 21-1252-2, 21-1251, 21-1251-B, 21-1251-A, 21-1714-E-32

SECTION 2. Pursuant to Section 13-1900, et seq., Green Bay Municipal Code, as they apply, the following conditions are imposed:

- A. Purpose and Intent. The purpose and intent of the Planned Unit Development (PUD) is to permit the construction of a Festival Foods and Kwik Trip as the primary anchors and act as a commercial gateway to University Avenue. Due to the proximity to residential properties, appropriate buffering is desired to minimize new construction yet, enhance the commercial corridor and its redevelopment. The general appearance and design of the site shall generally comply with the attached Exhibits A to G.
- B. Permitted Uses. The land uses which may be established and/or maintained on the subject property are as follows:
1. Grocery Store
 2. Convenience store, fueling area
 3. Car wash with hours of operation limited to 7:00 am to 9:00 pm
 4. Other uses as permitted within the General Commercial (C3) District.
- C. Dimensional and Area Requirements. Dimensional and area requirements for principle structures on the subject property shall be as required as follows:
1. Festival Foods/Kwik Trip:
 - a. Front yard: 15 feet
 - b. Corner side yard setbacks: 10 feet
 - c. Interior side yard: 0 feet.

- d. Rear yard setback: 15 feet and shall comply with the requirements found in Chapter 13-1820(c), Green Bay Zoning.
- e. Buildings shall not exceed 35 feet in height, the front façade of the Festival Foods building shall not exceed 45 feet in height. The fuel island canopy shall not exceed 20 feet in overall height.
- f. Impervious coverage: Festival Foods shall not exceed 86% of the site and may include interior lot landscaping as part of the calculation.
- g. Impervious coverage: Kwik Trip shall not exceed 70% of the site may include interior lot landscaping as part of the calculation.
- h. Setback areas shall exclude paving and buildings except, where accessed is deemed necessary for deliveries and Fire Department access.
- i. If any part of the development is adjacent to residential uses, the setback shall be compliant with Chapter 13-1820, Green Bay Zoning.

2. Multi-Tenant Commercial Development – Proposed Lot 3:

- a. University Way: 5 feet
- b. Sturgeon Bay Road: 15 feet
- c. Interior yard: 0 feet.
- d. The building shall not exceed 25' height.
- e. Impervious coverage shall not exceed 80% of the site.
- f. Setback areas shall exclude paving and buildings.

3. Commercial Development – Proposed Lot 4:

No formal development has been proposed future Lot 4, any future proposals shall be brought to the Plan Commission for review and approval as an amendment to this ordinance.

D. Architecture. All building elevations shall generally comply with Exhibits C & D and subject to the following requirements:

- 1. Ground floor facades that face public streets or pedestrian walkways shall have features, such as arcades, display windows, entry areas, awnings, or other such features for no less than forty percent (40%) of the horizontal length of the façade.
- 2. Wall articulation. No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding thirty (30) feet without including at least one (1) of the following: change in plane, change in texture or masonry pattern, windows, or an equivalent element that subdivides the wall into human-scale proportions.
- 3. Four-sided design. All sides of the building shall include materials and design characteristics similar to and compatible with those on the front.

Front building facades shall contain windows at the ground floor or first floor in order to create visual interest.

4. Proposed Lot 3: The exterior of the building shall contain a full masonry exterior and shall be similar in color to the proposed Festival Foods. All four-sides of the proposed building shall include but, not limited to similar architectural design, building material, glazing, roof-lines, doors and building façade materials.

5. Building materials. All building facades shall be designed with architecturally-finished materials. Durable materials, such as masonry or stucco, shall be used on all street-facing facades. All subsequent additions and outbuildings constructed after the erection of an original building or buildings shall be constructed of comparable materials and designed in a manner consistent with the original design, unless the entire building is being renovated.

E. Lighting. All lighting on the subject property shall be regulated as set forth in Section 13-500, Green Bay Municipal Code. All canopy lighting shall be recessed. No pole light shall exceed 25 feet in overall height and shall be shielded when adjacent to a property line or right-of-way line.

F. Signage. All signage for the current project shall be regulated as follows:

1. All signs shall be constructed and in compliance with Chapter 13-2004 Green Bay Zoning.
2. Proposed Lots 1 & 2 each are permitted one pylon sign not to exceed 20 feet in overall height. Each pylon sign may be illuminated and shall not exceed 125 square feet per sign face and shall resemble the style and materials of the principal structures. Reader-boards or electronic message centers are permitted and shall not exceed 30% of the sign face.
3. Proposed Lot 3 is permitted wall signage on only the front elevation and the rear elevation (University Way frontage) compliant with Chapter 13-2010, Table 20-2, Community Center Commercial (C3); no monument or pylon signs are permitted.
4. Proposed Lot 4 shall be permitted one illuminated monument sign not to exceed 8 feet in overall height; each sign face shall not exceed 100 square feet. Reader-boards or electronic message centers are permitted and shall not exceed 30% of the sign face.
5. Wall signs are permitted as allowed in Chapter 13-2010, Table 20-2, Community Center Commercial (C3).
6. Directional signs are not to exceed 12 square feet per sign face.
7. No signage, except for directional signage, shall face a residentially zoned parcel.

G. Site Plan Review & Standards

1. A site plan shall be submitted and review per Chapter 13-1800.
2. All service, loading and refuse areas shall be screened per Chapter 13-1813, Green Bay Zoning but, may not encroach closer than 10 feet to a public right-of-way.
3. Any ground-mounted and/or roof-mounted mechanicals shall be screened compliant with Chapter 13-1815, Green Bay Zoning.

H. Parking/Pedestrian Access.

1. All parking shall be regulated as required in Chapter 13-1700.
2. Proposed drives along future Clement Street may be no less than 90' measured from centerline to centerline.
3. No direct access from the site is permitted to Van Dueren Street from proposed Lot 1 and Lot 2.
4. Pedestrian access shall be provided from all public streets adjoin the development and connected via an internal pedestrian network to the primary entrance of the principal buildings.
5. A bus shelter shall be provided and the developer shall coordinate with Green Bay Transit for its placement.
6. Bike parking facilities provided adjacent to each principal building in close proximity to a primary entrance.

I. Landscaping/Transitional Yard

1. A detailed landscape plan shall be submitted identifying the type and placement of all plant materials.
2. A minimum 4' high but, not to exceed 8' high impervious fence is required along the southern limits of the Kwik Trip, proposed Lot 1 and Festival Foods proposed Lot 2.
3. All street terrace areas shall be vegetated and/or covered with a natural material.

J. A stormwater management plan, meeting the standards established by the City's Department of Public Works, shall be submitted to and approved by the City prior to the issuance of a building permit. See Chapter 30, Green Bay Municipal Code.

K. The proposed Certified Survey Map (CSM) be approved and recorded in accordance with Chapter 14 Green Bay Subdivision & Platting.

L. The pending Traffic Impact Analysis (TIA) be completed and agreed to by the City of Green Bay and the developer.

M. As of the drafting of this PUD not all properties had been acquired by the developer, any area not acquired shall be excluded from this PUD.

N. The approval of the PUD is subject to the approval of previous action items taken by the Plan Commission and Common Council including but not limited to: SV15-02, ED 16-01, VR 16-02 and ZP 15-17a.

O. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the PUD.

SECTION 3. The provisions of this ordinance, including, without limitation, the granting of a conditional use permit and all obligations, conditions, restrictions, and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property.

All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 4. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit and the plans identified therein had been set forth in its entirety in the body of this ordinance.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 7. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

SECTION 8. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2016.

APPROVED:

Mayor James J. Schmitt

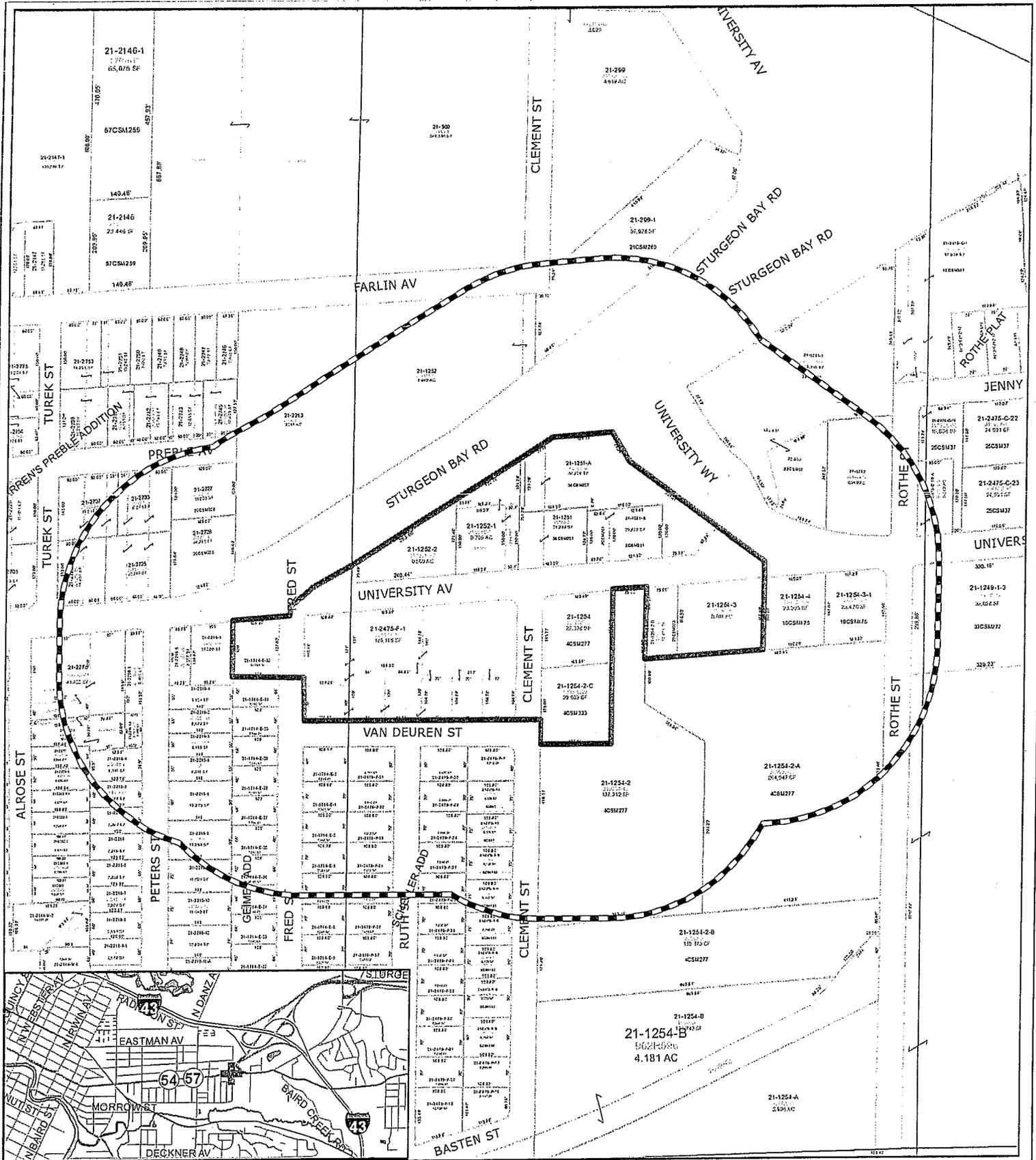
ATTEST:

Clerk

Attachments:

- Exhibit A – Proposed Certified Survey Map (CSM)
- Exhibit B – Conceptual Site Plan
- Exhibit C – Conceptual Building Elevations-Festival Foods
- Exhibit D – Conceptual Building Elevations-Multi-Tenant Building, Lot 3
- Exhibit E – Conceptual Building Elevations-Kwik Trip Building
- Exhibit F – Conceptual Building Elevations-Kwik Trip Fuel Island Canopy
- Exhibit G – Conceptual Building Elevations-Kwik Trip-Car Wash

15e



Zoning Petition (ZP 15-17b)
A request to create a Planned Unit Development (PUD)
for several parcels in the 2400 Block of University Avenue

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Planning Department. P.N. February 2016. \Planning\City\ZP\Mapst2015\ZP15-17b



0 100 200
 Feet

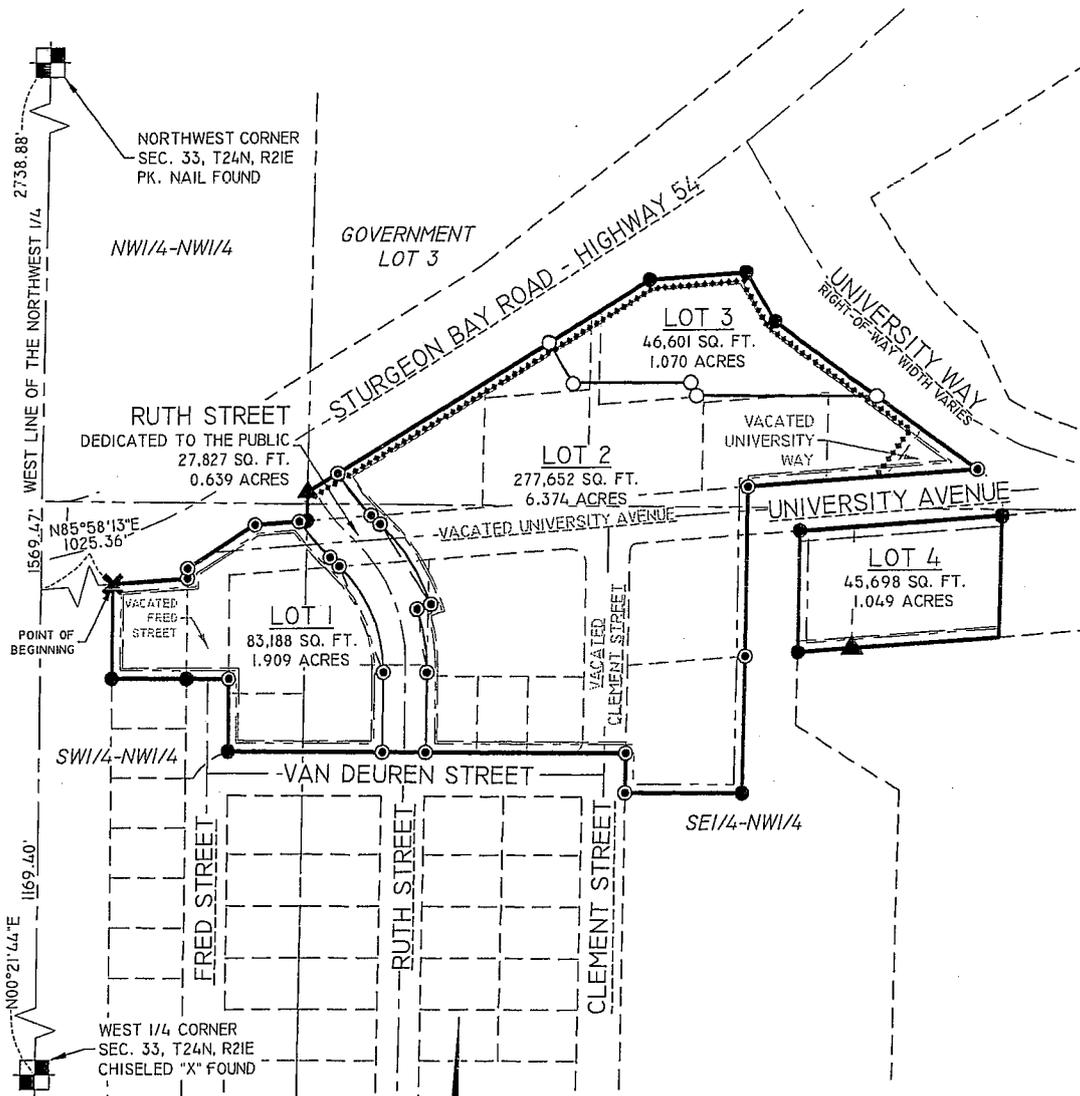


Subject Area
 400' Notice Area

154

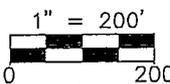
R.E.I. 4080 N. 20th AVE WAUSAU, WI 54401 (715)675-9784
BROWN COUNTY CERTIFIED SURVEY MAP
 MAP NO. _____ VOLUME _____ PAGE _____

PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, LOT 32 OF GEIMER ADDITION, RECORDED IN VOLUME 9 OF PLATS, ON PAGE 9, BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, ALL OF PARCEL 1 OF VOLUME 4 CERTIFIED SURVEY MAPS, PAGE 277, MAP NUMBER 1135, ALL OF PARCEL 1 OF VOLUME 4 CERTIFIED SURVEY MAPS, PAGE 333, MAP NUMBER 1163, ALL OF LOT 1, VOLUME 29 CERTIFIED SURVEY MAPS, PAGE 378, MAP NO. 4642, SAID MAPS BEING PART OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 33, PART OF GOVERNMENT LOT 3, ALL OF LOT 2 OF VOLUME 36 OF CERTIFIED SURVEY MAPS, PAGE 227, MAP NUMBER 5538, ALL OF LOT 1 OF VOLUME 36 OF CERTIFIED SURVEY MAPS, PAGE 227, MAP NO. 5538; ALL OF PARCELS A AND B, VOLUME 2, CERTIFIED SURVEY MAPS, PAGE 261 MAP NUMBER 480, SAID MAPS BEING A PART OF SAID GOVERNMENT LOT 3, PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION THIRTY-THREE 33, ALL OF LOTS 1, 2, 3, 4, 5, AND PART OF LOT 6, ACCORDING TO THE RECORDED PLAT OF SCHELLER ADDITION, AND ALL OF LOTS 1 AND 2, ACCORDING TO THE RECORDED PLAT OF GEIMER ADDITION AND PART OF SAID WEST 1/3 OF THE EAST 1/2 OF THE NORTHWEST 1/4, INCLUDING PART OF VACATED FRED STREET, ALL OF VACATED UNIVERSITY AVENUE, ALL OF VACATED CLEMENT STREET, AND ALL OF VACATED UNIVERSITY WAY, ALL IN SECTION 33, TOWNSHIP 24 NORTH, RANGE 21 EAST, IN THE CITY OF GREEN BAY, EAST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN.

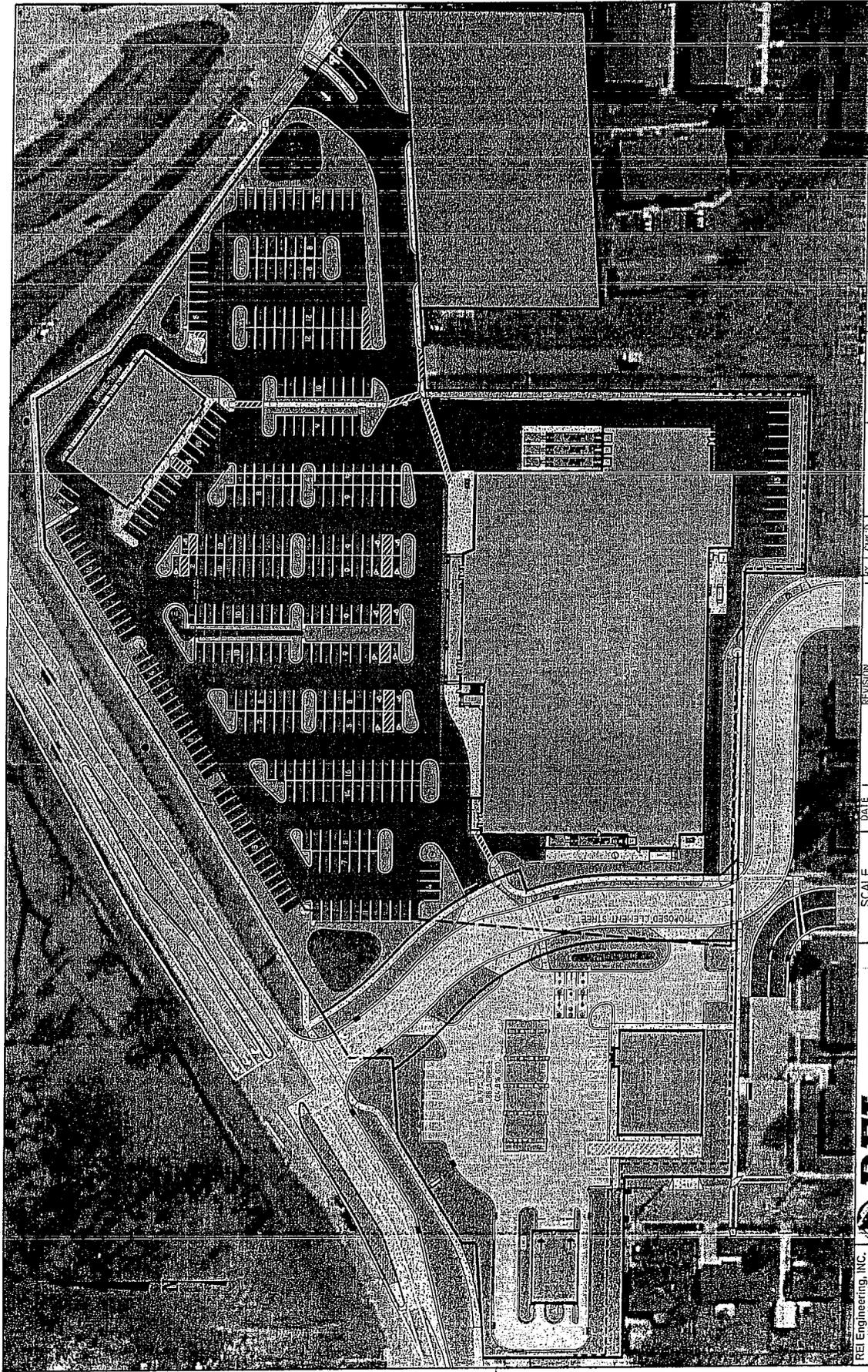


LEGEND	
✕	- CHISELED "X" FOUND
●	- 1 1/4 IN. O.D. IRON PIPE FOUND
○	- 1 1/4 IN. O.D. X 18 IN. IRON PIPE WEIGHING 1.68 LBS./LIN. FT. SET
▲	- MAG NAIL FOUND
⊙	- #10 X 18" BAR WEIGHING 4.303 LBS./LIN. FT. SET
*****	- RESTRICTED ACCESS
126.00'	- MEASURED BEARING/LENGTH
(126.00')	- RECORDED BEARING/LENGTH

NOTES:
 1. BEARINGS ARE BASED ON THE BROWN COUNTY COORDINATE SYSTEM NAD83 (2011) DATUM AND REFERENCED TO THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 24 NORTH, RANGE 21 EAST MEASURED TO BEAR NORTH 00°21'44" EAST.
 2. EXISTING BUILDINGS ON THE SUBJECT PROPERTIES ARE TO BE RAZED AND ARE NOT SHOWN.
 3. CURRENT ZONING IS C1 AND C2.



159



REI Engineering, Inc.
 225 N. 20th St., Suite 100
 Phoenix, AZ 85004
 Phone: 602.955.1234 Fax: 602.955.1235
 E-Mail: info@rei-engineering.com

REI
 CIVIL & ENVIRONMENTAL
 ENGINEERING, SURVEYING

SCALE: 1" = 20'
 0 10 20

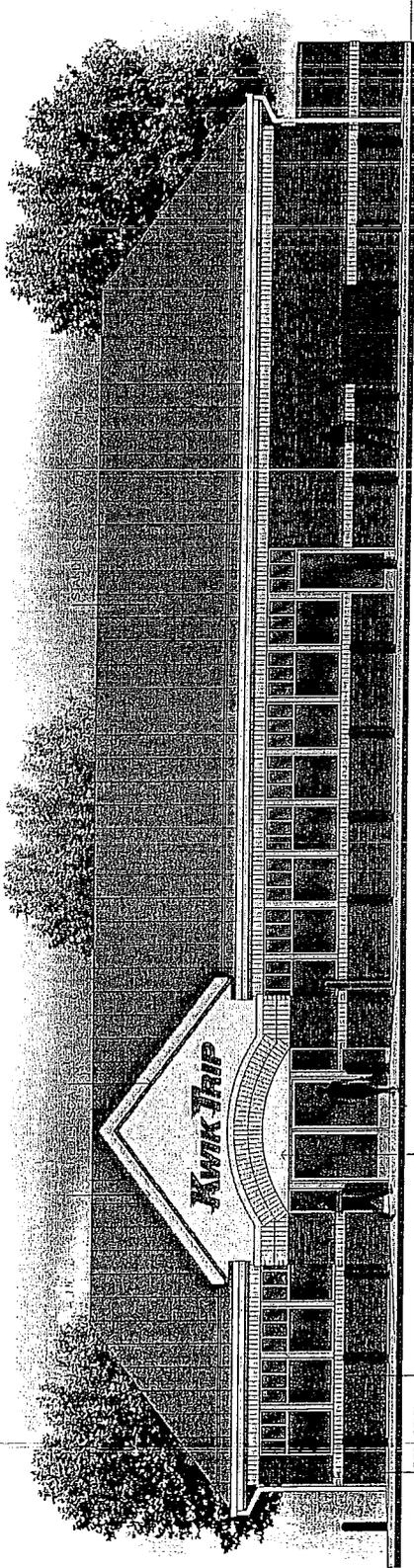
DATE	REVISION

BY: CLK/UD	CHECKED BY: MWR	DESIGNED BY: JMB
	SUPERVISED BY: JLP, JDS	485 FOXBORO LTP
	DRAWN BY: NMP	UNIVERSITY AVENUE
		CHESTER, WISCONSIN 53001
		DATE: 01/28/16
		SHEET DESIGN
		REF. NO. 6645
		REI

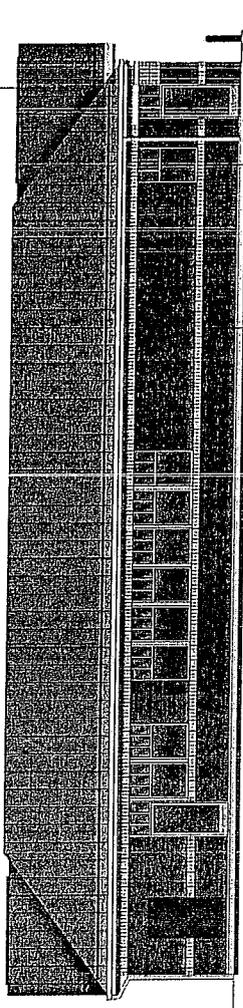
EXHIBIT B

156.

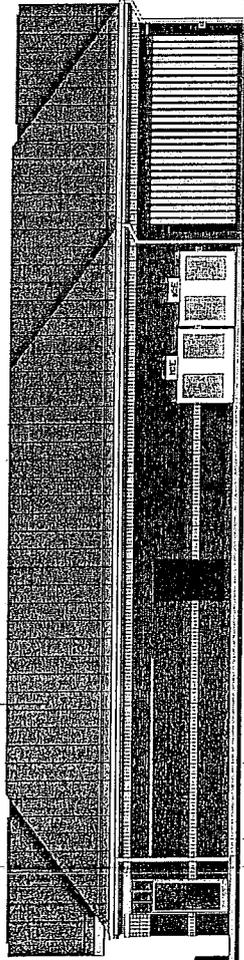
CLARSON
 ARCHITECTS
 210 Main Street #3
 Westfield, MA 01099
 (418) 754-4000
 info@clarsonarch.com



FRONT ELEVATION
 1/4" = 1'-0"
 RED BRICK | TAN SOLDIER COURSE | TAN STUCCO

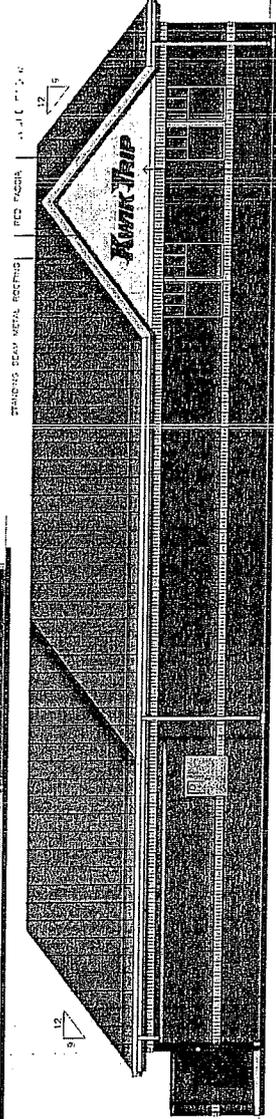


LEFT SIDE ELEVATION
 3/16" = 1'-0"
 TAN SOLDIER COURSE | RED BRICK



RIGHT SIDE ELEVATION
 3/16" = 1'-0"
 STANDING SEAM METAL ROOFING | RED BRICK

LH VI COMBO
 PROTOTYPE

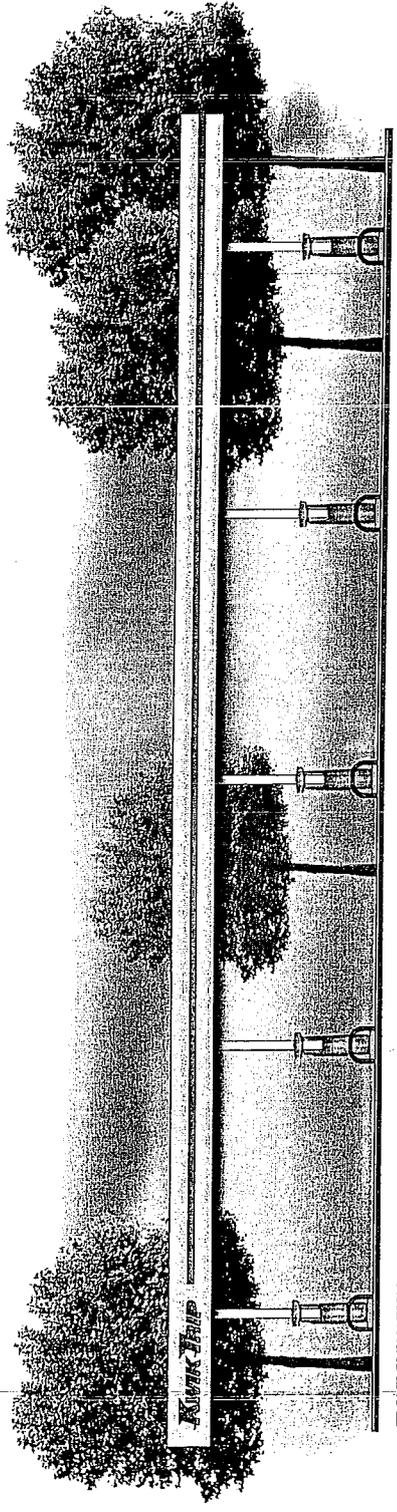


BACK ELEVATION
 3/16" = 1'-0"
 RED BRICK | TAN SOLDIER COURSE | TAN STUCCO

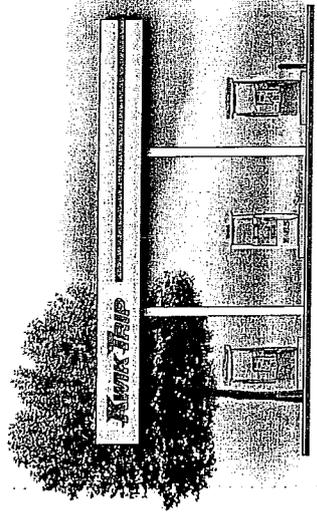
A200

EXHIBIT E

15K



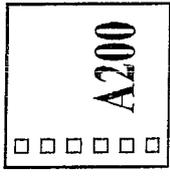
FRONT ELEVATION
3/16" = 1'-0"



SIDE ELEVATION
3/16" = 1'-0"



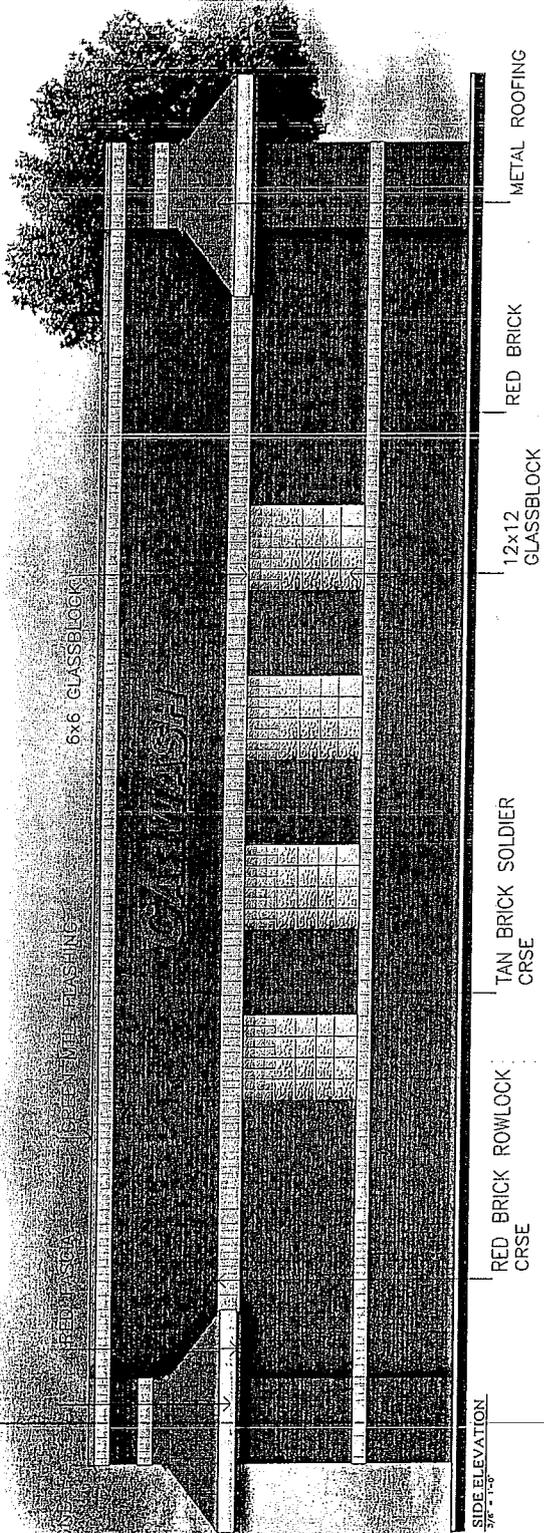
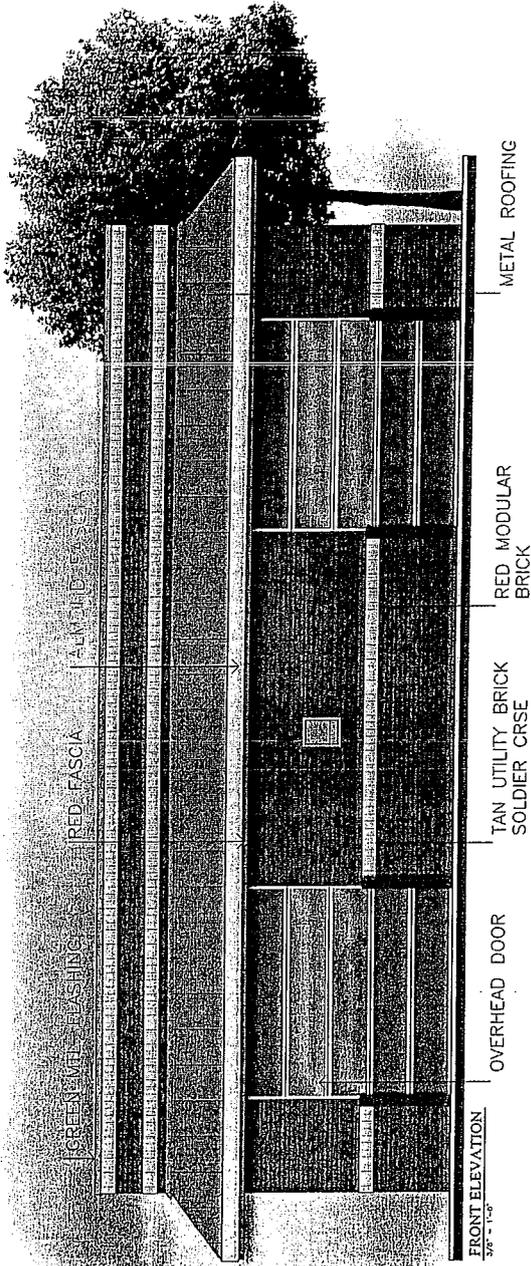
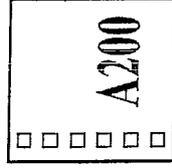
Flat Canopy
10 MPD



156



DB CW



15 m

EXHIBIT G