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# **AGENDA OF THE COMMON COUNCIL**

**TUESDAY, MAY 5, 2015, 7:00 P.M.**  
**COUNCIL CHAMBERS**  
**ROOM 203, CITY HALL**

- Roll call.
- Pledge of Allegiance.
- Invocation.
- Approval of minutes of the April 21, 2015, meeting.
- Approval of the Agenda.
- Report by the Mayor.
- Announcements.

## **PUBLIC HEARING**

Planning Ordinance No. 1-15

An ordinance amending the Official Map of the City to approve a plat of right-of-way for a sewer easement, from Franz Avenue to Baird's Creek.

## 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 Plan Commission.
4. Report of the Traffic Commission.
5. Report of the Finance Commission.

With regard to Items #3 and #4, the Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose 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.

6. Report of the Improvement & Service Committee.
7. Report of the Personnel Committee.

With regard to Item #6, the Council may convene in closed session pursuant to Section 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating public employee contracts for competitive or bargaining reasons. 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.

8. Report of the Protection & Welfare Committee.
9. Report of the Protection & Welfare Committee granting Operator Licenses.

## RECEIVE & PLACE ON FILE

2014 Department of Public Works Annual Report.

## RESOLUTIONS

10. Resolution authorizing transfer of funds.
11. Resolution drawing final orders.
12. Resolution authorizing conditional-use approval at 1249 Shadow Lane.

## ORDINANCES - FIRST READING

13. ~~General Ordinance No. 9-15~~  
An ordinance amending Section 13-1603(b)(5) of the Code relating to community living arrangements.
14. General Ordinance No. 10-15  
An ordinance amending Chapter 13 of the Code to regulate the use of community gardens.
15. Zoning Ordinance No. 2-15  
An ordinance amending the Planned Unit Development for the Whitney Park Townhomes located in the 300 block of North VanBuren Street.
16. Zoning Ordinance No. 3-15  
An ordinance rezoning the easterly 20 feet of 2590 University Avenue and 2594 University Avenue from General Commercial (C1) District to Highway Commercial (C2) District.
17. Miscellaneous Ordinance No. 1-15  
An ordinance adopting an amendment to the Smart Growth 2022 Comprehensive Plan of the City pertaining to property generally located in the 1580 blocks of East Mason Street and Kimball Street, as well as the 500 block of Bellevue Street.

## ORDINANCES - THIRD READING

18. General Ordinance No. 8-15  
An ordinance amending Section 29.208 of the Code relating to parking regulations.
19. Planning Ordinance No. 1-15  
An ordinance amending the Official Map of the City to approve a plat of right-of-way for a sewer easement, from Franz Avenue to Baird's Creek.

Kris A. Teske  
Green Bay City Clerk

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

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**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 TUESDAY, MAY 5, 2015**

**7:00 P.M.**

## PETITIONS & COMMUNICATIONS

### IMPROVEMENT & SERVICE COMMITTEE

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

- A. Brian's Quality Concrete, Inc.
- B. Sommers Construction
- C. Weidner Concrete Construction, LLC

### PROTECTION & WELFARE COMMITTEE

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Request by the owner of Cool Hand Luke's Bar, 1238 State Street, to hold an outdoor event on May 16.

Request by the owner of the Hotbox Bar, 2056 Main Street, to hold an outdoor event on June 6, with music until midnight.

Application for a "Class A" Liquor License by Supermercado La Popular, LLC at 1740 E. Mason Street for the 2015-16 License Year. (Currently has beer only.)

Request by the owners of Nic's Bar & Grill, 1657 Main Street, to amend their liquor license to include an outdoor smoking deck as part of their licensed premises.

Applications for various licenses for the 2015-16 License Year.

## REPORT OF THE PARK COMMITTEE

May 5, 2015

The Park Committee, having met on Wednesday, April 29, 2015, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by West Side Youth Baseball to add batting cages and an expansion to the existing concessions building contingent upon the following:
  - All proper permits and insurances being obtained by West Side Youth Baseball;
  - All costs of materials, construction, and installation are the responsibility of the West Side Youth Baseball group;
  - Park staff approval of the final site design and installation of all materials must meet City building and inspection codes.
2. To approve the request by Wisconsin Public Service for a 30' x 60' utility easement in Fisk Park.
3. To approve a request for \$90,000 to update the electrical control panels and disconnect switches on nine rides at Bay Beach Amusement Park.
4. To approve the request to purchase \$72,800 of TreeAzin to treat ash trees for Emerald Ash Borer with purchasing half of the product now and the remaining half in late summer.
5. To approve \$1,150,000 for the Parks, Recreation, & Forestry Department 2015 Capital Improvements Plan and to forward the plan to the Finance Committee for approval.
6. To receive and place on file the Director's Report.

## REPORT OF THE GREEN BAY PLAN COMMISSION May 5, 2015

The Green Bay Plan Commission, having met on Monday, April 27, 2015, considered all matters on its agenda and wishes to report and recommend the following:

1. To refer to Planning staff a request by Ald. Joe Moore, on behalf of several University Avenue Business owners, to prepare a plan, including a cost analysis, of installing a large roundabout at the "triangle" on University Avenue.

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2. To amend the Comprehensive Plan to revise properties generally located in the 1580 Block of East Mason Street and Kimball Street as well as the 500 Block of Bellevue Street from Low Density Housing (LDH) to Commercial (C).
3. To amend the Planned Unit Development (PUD) for the third phase of the Whitney Park Townhomes from 3 units to 4 units located in the 300 Block of North Van Buren Street, subject to the draft Planned Unit Development.
4. To rezone the easterly 20 ft. of 2590 University Avenue and 2594 University Avenue from General Commercial (C1) to Highway Commercial (C2).
5. To authorize a Conditional Use Permit (CUP) for a Transient Residential use located at 1249 Shadow Lane, subject to compliance with the Development Standards found in Chapter 13-1602(j).
6. To create an ordinance to regulate the use of community gardens, subject to draft ordinance.
7. To approve the request of the Law Department to amend Chapter 13-1603(b)(5) regarding exceptions for Community Living Arrangements (CLAs), subject to draft ordinance amendment.

**REPORT OF THE  
TRAFFIC COMMISSION  
May 5, 2015**

The Traffic Commission having met Monday, April 20, 2015, considered all matters on its agenda and wishes to report and recommends the following:

1. To elect Dan Theno as vice chair.
2. To receive and place on file the report by the Police Department of the 2015 1<sup>st</sup> quarter serious injury and fatality crashes.
3. To receive and place on file the request by Ald. Steuer to perform a pedestrian safety study of the West Side Trail at its Bond Street, Military Avenue, and Shawano Avenue crossings with consideration of installing safety lights and features.
4. To rescind the motion from the March 16, 2015 meeting to establish a NO PARKING zone on the east side of Hazel Street from Christiana Street to a point 70 feet north of Christiana Street.
5. To remove and adopt by ordinance the NO PARKING 6 PM TO 2 AM zone on both sides of Newhall Street from Main Street to Proper Street.
6. To remove and adopt by ordinance the 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the north side of St. Anthony Drive from a point 247 feet east of Mount Mary Drive to a point 1162 feet east of Mount Mary Drive.
7. To establish and adopt by ordinance a 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the north side of St. Anthony Drive from a point 247 feet east of Mount Mary Drive to a point 790 feet east of Mount Mary Drive.
8. To establish and adopt by ordinance a NO PARKING zone on the north side of St. Anthony Drive from a point 790 feet east of Mount Mary Drive to a point 925 feet east of Mount Mary Drive.
9. To establish and adopt by ordinance a 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the north side of St. Anthony Drive from a point 925 feet east of Mount Mary Drive to a point 1162 feet east of Mount Mary Drive.

**REPORT OF THE FINANCE COMMITTEE**  
**MAY 5, 2015**

The Finance Committee, having met on Wednesday, April 29, 2015 considered all matters on its agenda and wishes to report and recommends the following:

1. To approve the request by the Finance Director to review 2014 year end results for the general fund and to transfer \$1,200,000 to the sick pay escrow fund to cover costs of retirements in 2014.
2. To approve the request by the Finance Director to make recommended changes by the City's bond counsel that incorporates additional language related to post-issuance tax compliance procedures to the City's Debt Policy.
3. To forward to Common Council the request by Ald. Chris Wery to review, with possible action, the lawsuit regarding John Kennedy including legal expenses to date.
4. To approve the report of the Claims Committee submitted by the City Attorney's Office.
5. To receive and place on file the request by Ald. Tom De Wane the summary of all costs associated with the Watermark project and the update to include the debt that was abandoned by the developers, guaranties in place for the property, taxes outstanding and City money that was put toward tenant improvements for CH Robinson

2015 Contingency Fund  
\$110,000

**REPORT OF THE  
IMPROVEMENT AND SERVICE COMMITTEE  
May 5, 2015**

The Improvement and Service Committee, having met on April 29, 2015 considered all matters on its agenda and wishes to report and recommend the following:

1. To receive and place on file the request by Ald. Wery to amend Ordinance No. 9.02(7) to allow storage of garbage/recycling carts next to a house/garage, or in front of a garage without a fence or shrub screen.
2. To approve the request by the Department of Public Works to award a sole source contract for repair of a storm water pump to Rotating Equipment Repair Corporation in the amount of \$70,340.
3. To approve the 2015 Department of Public Works Capital Improvement Program and forward the bond request to Common Council.
4. To approve the report of the Purchasing Manager:
  - A. To approve to award the purchase of Signal Poles to TAPCO for \$32,401.
5. To approve the award of the contract PAVEMENT REPAIR – 2015 to the low, responsive bidder Fischer-Ulman Construction, Inc., in the amount of \$715,351.50.
6. To approve the request by Department of Public Works to grant Director of Public Works authority to approve minor encroachments into the City rights-of-way for items that meet zoning requirements and forward the Hold Harmless Agreements to Mayor and City Clerk for execution.
7. To approve the request by Department of Public Works to award contract in the 2015 Capital Improvement Program (CIP) at a staff level subject to the following conditions:
  - A. The 2015 CIP provides sufficient funding for each program fund.
  - B. Delay in bringing forward a recommendation to award at the next regularly scheduled Committee meeting would result in an unacceptable delay in starting construction.
  - C. Any projects so awarded would be reported out at the next regularly scheduled meeting of the Improvement & Services Committee.
8. To approve the applications for Concrete Sidewalk Builder's Licenses by the following:
  - A. Frank O. Zeise Construction Co., Inc.
  - B. Melnarik Concrete, Inc.
  - C. JD Concrete Corporation
  - D. Loch Construction Co., Inc.
  - E. Precision Flatwork

9. To approve the applications for Underground Sprinkler System Licenses by the following:
  - A. Steinie's Water Gardens
10. To approve the applications for Tree & Brush Trimmer Licenses by the following:
  - A. Selner Tree & Shrub Care, LLC
11. To approve the request by Ald. Danzinger, on behalf of Ron Hertly, for an exemption to §16.11(b)2, Green Bay Municipal Code, requiring the mandatory connection of sump pump discharge to City's storm sewer system at 1804 DeGrand Street.

## REPORT OF THE PERSONNEL COMMITTEE May 5, 2015

The Personnel Committee, having met on Wednesday, April 29, 2015 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. Electrician – Public Works
  - b. 2-Signs and Marking Operators – Public Works
  - c. Planner II – Community Services

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2. No recommendation to fill the new Assistant City Attorney I position which was approved as part of the 2015 budget effective July 1, 2015 and all subsequent vacancies resulting from internal transfers.
3. To receive and place on file the recommended modifications to Personnel Policy, Chapter 19 – Electronic Communication & Information systems Usage Policy regarding the use of cell phones.
4. To hold until Committee members review the EDA audio regarding the Mayor's conduct when contacting commission, committee and authority members before, during and after meetings and to not intimidate or bully the members on how they vote or voted.
5. To receive and place on file the Report of Routine Personnel Actions for regular employees.
6. To approve the 2015 – 2017 labor agreement between the City of Green Bay and Local 420, Bus Mechanics on a 2-1 vote with Ald. Zima abstaining .

**PROTECTION & WELFARE COMMITTEE REPORT**  
**May 5, 2015**

The Protection & Welfare Committee, having met on Monday, April 27, 2015, considered all matters on the agenda and wishes to report and recommend the following:

1. To approve the application for a Class "C" Wine License by Timothy Cleary at 1247 Velp Avenue, with the approval of the proper authorities. (Currently has beer only.)

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2. To approve the application for one of seven available "Class B" Combination License by The Cannery Market, LLC at 320 N. Broadway, with the approval of the proper authorities.
3. To approve the request by the owner of Brewski's on Broadway, 1100 S. Broadway, to hold an outdoor event on June 27. The approval of the request is subject to complaint.
4. To deny the appeal by Rachel E. Anker to the denial of her Operator License application.

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

**May 5, 2015**

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**

Arendt, Amanda L	Yang, See
Bourbonnais, Michael L	
Brickham, John P	
Brown Jr., Robert A	
Burton, Megan M	
Carney, Mitchell J	
DeMars, Brittney J	
Everts, Nicole M	
Farah, Emily C	
Gerczak, John A	
Gerondale, Jamie L	
Hansen, Lynn J	
Herman, Mary Jo A	
Hill, Patricia A	
Holtmeier, Russell F	
Huempfner, Matthew J	
Jacobe, Jill M	
Kissner, Meagan V	
Loch, Kathy M	
Lyons, Ariana J	
Nuss, Cathy L	
Paulson, Michelle A	
Pleau, Rosemary	
Sandoval, Brandon A	
Seeger, Elizabeth M	
Skenandore, Webster S	
Smith, Joshua S	
Tesnow, Stephanie J	
Valentyn, Daniel J	
Vania, Josie R	
Wenzel, Brienna N	

**RESOLUTION AUTHORIZING  
TRANSFER OF FUNDS**

**May 5, 2015**

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

Pursuant to the recommendation of the Finance Committee at its meeting of April 29, 2015, the following transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	10110-59970    General Fund	\$1,200,000
To:	704100-49210    Sick Pay Escrow Fund	\$1,200,000

Adopted \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

bc

**FINAL PAYMENTS RESOLUTION**

**May 5, 2015**

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. PAVEMENT 2-14**

**Northeast Asphalt, Inc.**

TOTAL AMOUNT EARNED:	\$ 125,401.65
LESS AMOUNT RETAINED:	\$ 0.00
	<u>\$ 125,401.65</u>
LESS AMOUNT PREVIOUSLY PAID:	\$ 122,266.61
<b>AMOUNT DUE THIS ESTIMATE:</b>	<b>\$ 3,135.04</b>

**ACCOUNT NUMBERS**

**401500E-55303-61074: \$3,135.04**

**PO #105660**

**2. SEWERS 2-14 PART B**

**Visu-Sewer, Inc.**

TOTAL AMOUNT EARNED:	\$ 148,007.50
LESS AMOUNT RETAINED:	\$ 0.00
	<u>\$ 148,007.50</u>
LESS AMOUNT PREVIOUSLY PAID:	\$ 143,907.57
<b>AMOUNT DUE THIS ESTIMATE:</b>	<b>\$ 4,099.93</b>

**ACCOUNT NUMBERS**

**403500-55355-63044: \$4,099.93**

**PO #105713**

Adopted \_\_\_\_\_, 2015

Approved \_\_\_\_\_, 2015

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

jld

**RESOLUTION AUTHORIZING CONDITIONAL-USE  
APPROVAL AT 1249 SHADOW LANE  
(ZP 15-11)**

**May 5, 2015**

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

That pursuant to Zoning Petition 15-11 and the recommendation of the Plan Commission on April 27, 2015; the City of Green Bay authorizes approval of the request for a conditional-use permit for a transient-residential use located on the following described property at 1249 Shadow Lane:

Lot 5, Block 1, Deneys Subdivision No. 4 (Tax Parcel  
Number 1-2213)

Said conditional-use permit shall be granted subject to subject to compliance with the Development Standards found in Chapter 13-1602(j).

Adopted \_\_\_\_\_

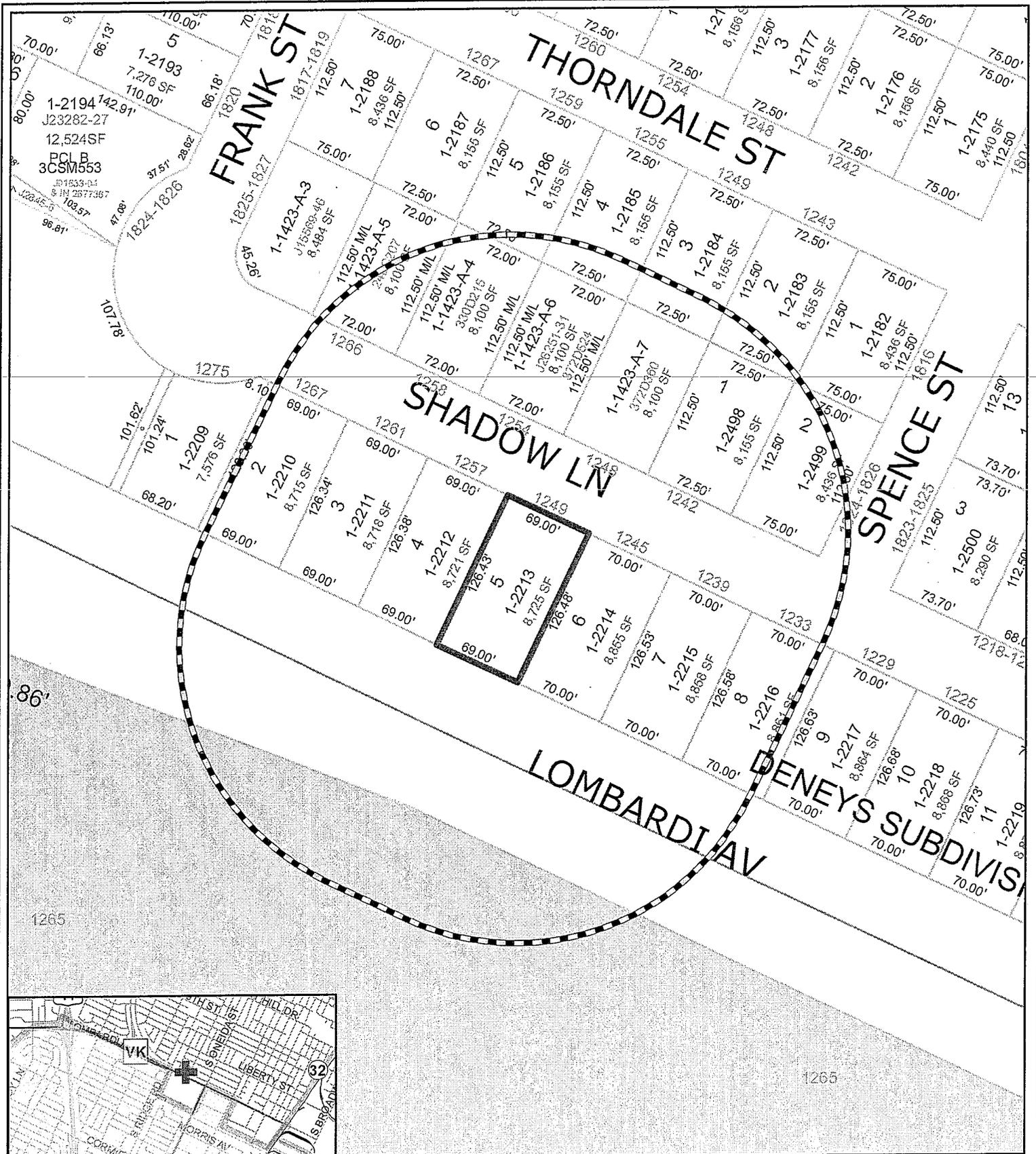
Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

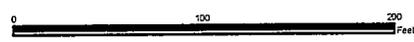
bc

Attachment – Map



**Zoning Petition (ZP 15-11)**  
**Request to authorize a Conditional Use Permit (CUP) for a**  
**Transient Residential use located at 1249 Shadow Lane**

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. April 2015. \Planning\CityZPMaps\2015\ZP15-11



-  Subject Area
-  200' Notice Area

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GENERAL ORDINANCE NO. 9-15

AN ORDINANCE  
AMENDING SECTION 13-1603(b)(5),  
GREEN BAY MUNICIPAL CODE,  
RELATING TO COMMUNITY  
LIVING ARRANGEMENTS

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

**SECTION 1.** Section 13-1603(b)(5), Green Bay Municipal Code, is hereby amended to read:

13-1603. Congregate living uses

...

(b) Community Living Arrangements in all districts:

...

**(5) Exceptions from conditional use permit process.**

**a.** In accordance with Ch. 62.23(7)(i), Wis. Stats., in all cases where a community living arrangement has capacity for eight (8) or fewer persons being served by the program, meets the criteria listed in sections (2) through (4) above, and is licensed, operated, or permitted under the authority of the Department of Health Services or the Department of Children and Families, that facility is entitled to locate in any residential zone without being required to obtain a conditional use permit.

**b. Adult Family Home or Small Group Shelter Care Facility.**  
**All adult family homes or small group shelter care facilities which serve disabled residents are entitled to locate in any residential zone without being required to obtain a conditional-use permit. All residents of the adult family home or small group shelter care facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as defined by the required state license application.**

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

**GENERAL ORDINANCE NO. 9-15**  
**Page 2**

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

Dated at Green Bay, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_,  
2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

JLM:bc

05/05/15

**GENERAL ORDINANCE NO. 10-15**

**AN ORDINANCE  
AMENDING CHAPTER 13,  
GREEN BAY MUNICIPAL CODE,  
TO REGULATE THE USE OF  
COMMUNITY GARDENS  
(TA 14-08)**

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

**SECTION 1.** Section 13-302, Green Bay Municipal Code, is amended by adding the following definition:

**13-302. General Definitions.** Unless otherwise expressly stated or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. All words and phrases not defined shall have their common meaning. Definitions of land uses listed in this ordinance are listed in Section 13-303. Definitions of signs are listed in Section 13-304.

**Community Gardens:** Sectioned plots of land for individual or group use for the planting, growing and cultivation of fruits, vegetables, plants, flowers, and herbs.

**SECTION 2.** Section 13-1613, Green Bay Municipal Code, is created as follows:

**13.1613. Development Standards – Community Gardens.** All Community Gardens are to meet or exceed the following Development Standards:

(a) Site users shall have an established set of operating rules addressing the governance structure of the garden, maintenance and general responsibilities. The name and telephone number of the garden coordinator and a copy of the operating rules shall be kept on file with the Community Services Agency. Hours of operation are limited to sun up/sun down. The entire site shall be maintained in a manner, including noise and odors, so that it does not become a nuisance in any way.

(b) The cultivated area shall have a minimum setback of 5 feet from all property lines. Crops planted in any minimum front yard setback are limited to those that will grow to a height of 3 feet or less. Dead garden plants shall be removed regularly and no later than November 15th of each year. Weeds, grass, undergrowth and uncultivated plants shall not exceed a height of 9 inches. Any exposed cultivated areas shall be stabilized with a natural ground cover such as mulch, leaves, hay or other natural-cover during the non-growing seasons.

(c) No more than two accessory structures, such as a storage shed and/or greenhouse, shall be permitted and may not exceed 150 square feet per structure. Such structures may not be located in a required front yard, 5 feet from a side and rear property line and not exceed 10 feet in overall height. Other accessory uses such as, but not limited to benches, raised/accessible planting beds, compost or waste bins, water tank enclosure, picnic tables, garden art, and children's play areas shall be permitted no closer than 5 feet from a property line and shall be less than 3 feet in height within any required front yard setback. Impervious coverage shall not exceed 20 percent of the lot area.

(d) A site plan shall be submitted in compliance with Chapter 13-1800. The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent properties.

(e) Fences shall comply with the standards of Chapter 13-521.

(f) Signage is limited to one sign per street frontage not to exceed 25 square feet per sign, compliant with the standards found in Chapter 13-2004.

#### Prohibitions

(a) Keeping of chickens and animal husbandry.

(b) No commercial uses are permitted beyond retail sales of harvested crops produced on-site.

(c) Use of heavy cultivation equipment

GENERAL ORDINANCE NO. 10-15

Page 3

- (d) Electric generators.
- (e) On-site parking and driveway cuts
- (f) Temporary on-site restrooms not longer than 5 days

SECTION 3. Section 13-602, Table 6-1, Green Bay Municipal Code, is amended as follows:

Table 6-1. Principal Uses in the Residential Districts.

Use	District				Dev. Stds.
	R-1	R-2	R-3	RR	
<b><i>Institutional and Civic Uses</i></b>					
Cemetery	C	C	C	P	
Community center, neighborhood center	C	C	C	-	X
Cultural institution	C	C	C	-	X
Library	C	P	P	-	X
Religious institution, place of worship	C	P	P	C	X
Public park, playground, recreation center	P	P	P	P	
Existing School, elementary or secondary* (Cr. GO 34-09)	C	C	C	-	x
<b>Community Gardens</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>x</b>
*”Existing” means those elementary and secondary schools existing and in operation prior to the effective date of the Zoning Code: August 19, 2006					

Note: P = Permitted Use; C = Conditional Use

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**GENERAL ORDINANCE NO. 10-15**

**SECTION 4.** Section 13-706, Table 7-1, Green Bay Municipal Code, is amended as follows:

**Table 7-1. Principal Uses in the Mixed-Use Districts**

Use	OR	NC	D	Dev. Stds.
<b>Residential Uses</b>				
<b>Institutional and Civic Uses</b>				
Cemetery		-	-	
Community center, neighborhood center	P	P	P	
Cultural Institution	P	P	P	x
Library	P	P	P	
Public park, playground, recreational center	P	P	P	
Religious institution, place of worship	P	P	P	x
Clinic, healthcare facility	P	P	P	x
<b>Community Garden</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>x</b>

**SECTION 5.** Section 13-1002, Table 10-1, Green Bay Municipal Code, is amended as follows:

**Table 10-1. Principal Uses in the Public Institutional District**

Use	Public Inst.	Dev. Stds.
<b>Institutional and Civic Uses</b>		
Cemetery	P	
Community center, neighborhood center	P	
Cultural institution	C	X
Library	P	X
Public park, playground, recreation center, or other recreational facility	P	
Religious institution, place of worship	P/C <sup>1</sup>	X
Hospital	C	X
Clinic, healthcare facility	C	X
Government office	P	
Other public or semi-public facilities not listed in this table	C	
<b>Community Gardens</b>	<b>P</b>	<b>X</b>

<sup>1</sup> Any facility with seating capacity of greater than 600 persons in the sanctuary or main activity area shall be a conditional use. Such facility shall be located with access to an arterial or collector street.

14c

**GENERAL ORDINANCE NO. 10-15**

Page 5

**SECTION 6.** Section 13-1100, Table 11-1, Green Bay Municipal Code, is amended as follows:

**Table 11-1. Principal Uses in the Conservancy District**

Use		Dev. Stds.
Agriculture, forestry, fishing, and recreation	P	
Agricultural uses that do not involve the use of fertilizer, including field crops, specialty crops, and similar uses but not livestock or animal husbandry	P	
Forest nurseries, tree and forest product gathering	P	
Fish hatcheries and preserves	C	
Hunting, trapping, and game propagation	P	
Campgrounds, public or private	P	X
Arboreta, wildlife preserves, botanical gardens, trails for non-motorized use, and similar non-intensive or passive recreational facilities	C	
<b>Community Gardens</b>	<b>P</b>	<b>X</b>

**SECTION 7.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**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 \_\_\_\_\_, 2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

bc

05/05/15

14 d

**ZONING ORDINANCE NO. 2-15**

**AN ORDINANCE  
AMENDING THE PLANNED UNIT DEVELOPMENT  
FOR THE WHITNEY PARK TOWNHOMES  
LOCATED IN THE 300 BLOCK  
OF NORTH VAN BUREN STREET  
(ZP 15-09)**

~~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 modifying the established Planned Unit Development (PUD) District on the following described property located in the 300 block of North Van Buren Street:

LOT 2 OF 25 CSM 180 BNG PRT OF LOTS 169 & 170 PLAT OF  
NAVARINO (Tax Parcel No. 9-1)

WHITNEY PARK TOWNHOMES LOT 4 (Tax Parcel No. 9-162)

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

A. Permitted Uses. A four-unit townhome may be permitted as part of Phase Three and shall be compliant with standards established in the original PUD.

B. Accessory Building.

1. One 16' x 16' garage may be constructed as part of Phase Three.

2. The structure shall meet the setbacks established with the original PUD.

3. The architecture and exterior building materials shall be consistent with the principal buildings.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**ZONING ORDINANCE NO. 2-15**  
**Page 2**

**SECTION 4.** 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 5.** 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 \_\_\_\_\_, 2015.

APPROVED:

\_\_\_\_\_  
Mayor

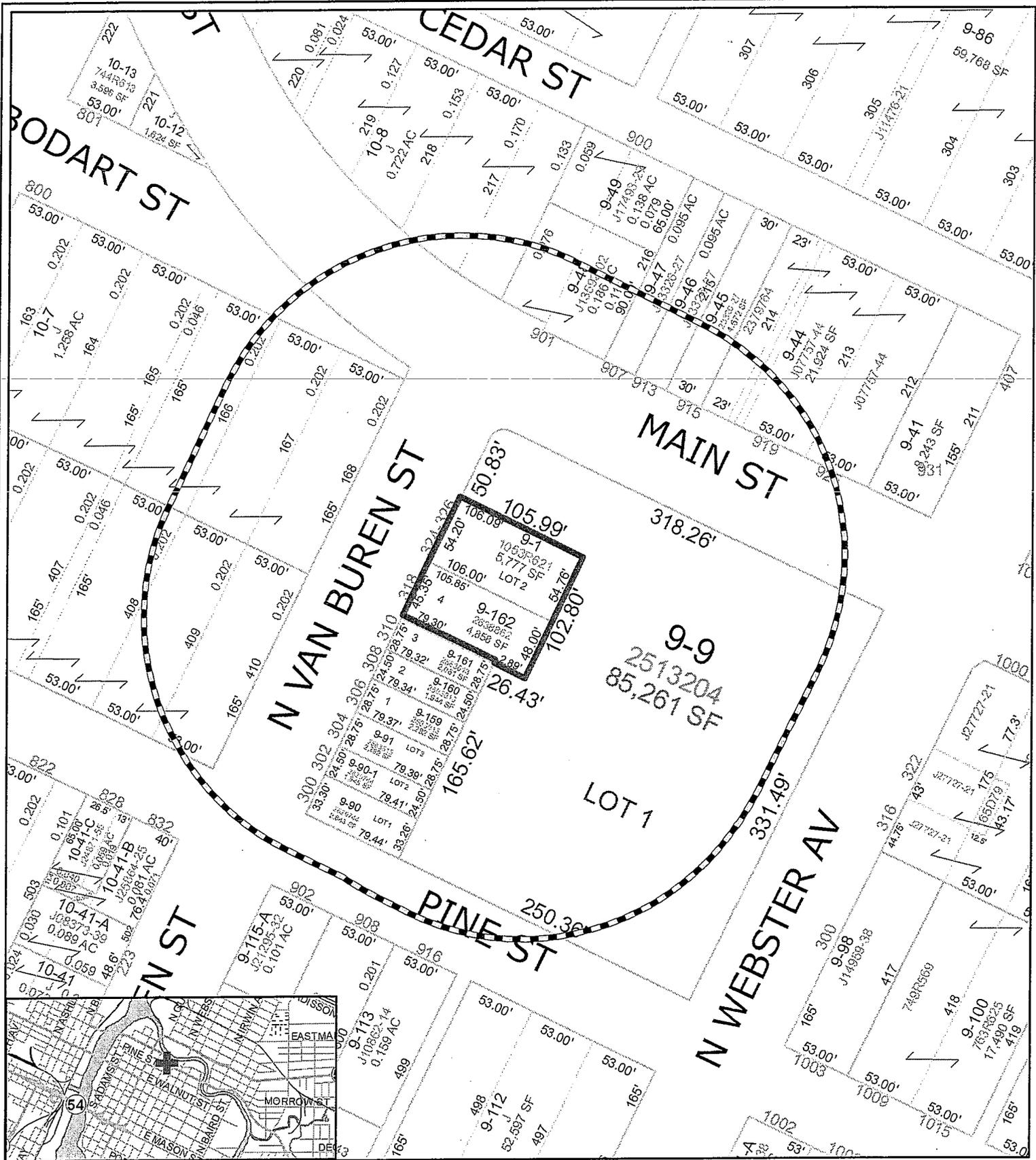
ATTEST:

\_\_\_\_\_  
Clerk

bc

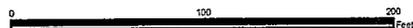
Attachments: Exhibit A – Site Plan  
Location Map

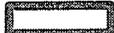




**Zoning Petition (ZP 15-09)**  
**Request to amend the Planned Unit Development (PUD) for the third phase of the**  
**Whitney Park Townhomes from 3 units to 4 units located**  
**in the 300 Block of North Van Buren Street**

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. April 2015. \Planning\CityZPMaps\2015ZP15-09



-  Subject Area
-  200' Notice Area

15c

**ZONING ORDINANCE NO. 3-15**

**AN ORDINANCE  
REZONING THE EASTERLY 20 FEET OF  
2590 UNIVERSITY AVENUE AND  
2594 UNIVERSITY AVENUE  
FROM GENERAL COMMERCIAL (C1) DISTRICT  
TO HIGHWAY COMMERCIAL (C2) DISTRICT  
(ZP 15-10)**

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

**SECTION 1.** Section 13.01, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the following described property from General Commercial (C1) District to Highway Commercial (C2) District:

2590 University Avenue: PIERRE ADDN WLY 20 FT OF LOT 9 EX ST  
BLK 1 (Parcel No. 21-2455)

2594 University Avenue: PIERRE ADDN LOT 9 EX WLY 20 FT & ALL OF  
LOT 8 & WLY 20 FT OF LOT 7 BLK 1 (Parcel No. 21-2454)

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

**SECTION 3.** 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 \_\_\_\_\_, 2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

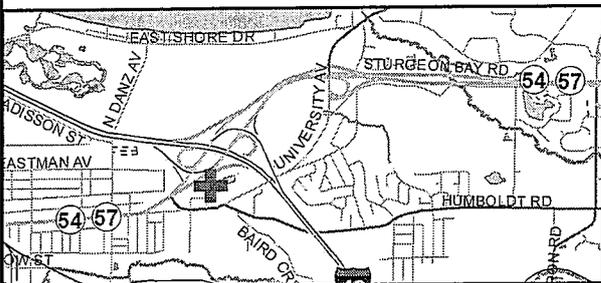
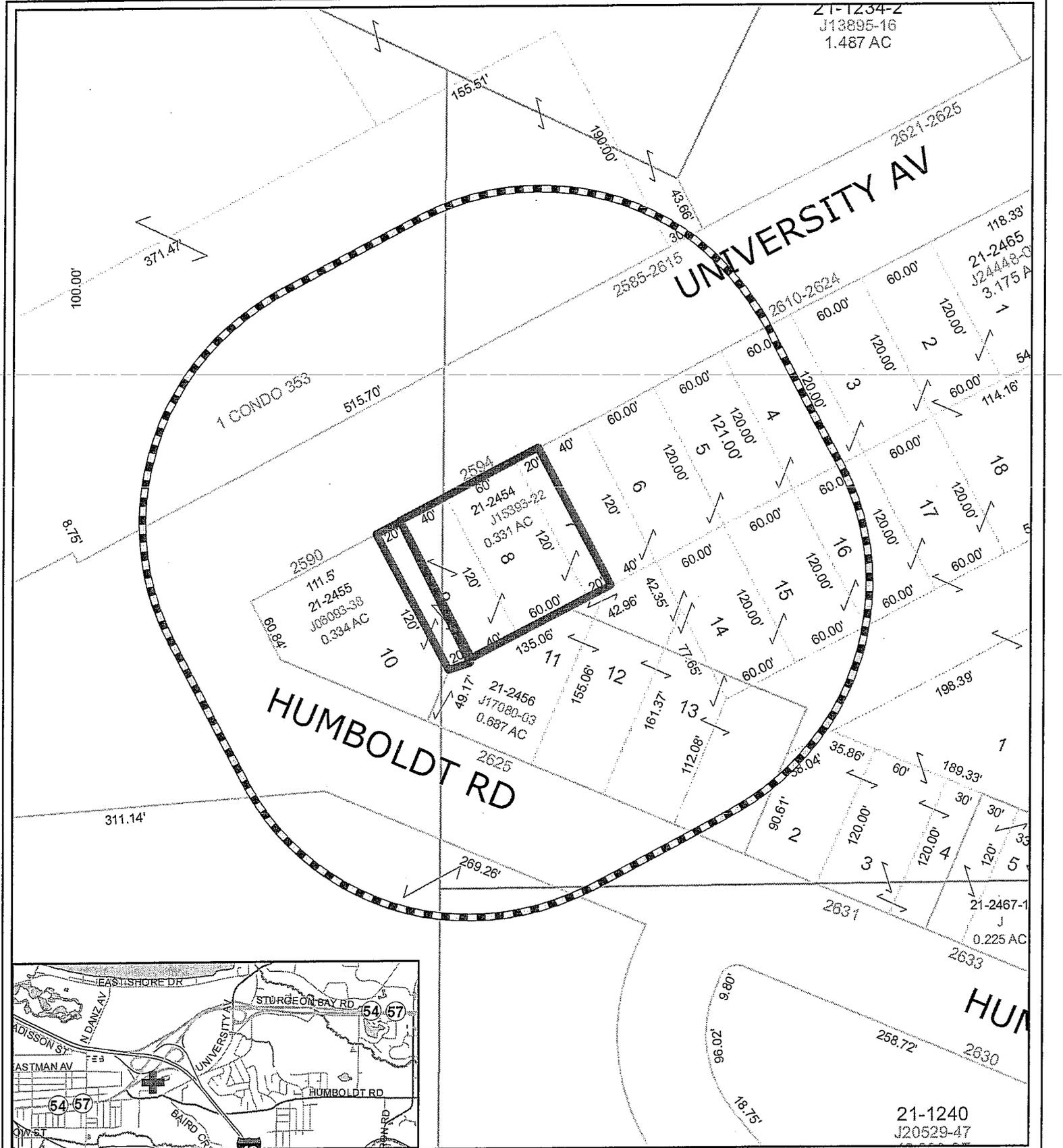
bc

05/05/15

Attachment – Map

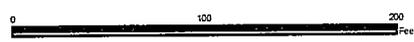
i:\legislative\council 2015\05052015\law\zo 3-15 - rezoning portion of 2590 university ave and 2594 university ave.docx

14



**Zoning Petition (ZP 15-10)**  
**Request to rezone 2590 University Avenue**  
**from General Commerical (C1) to Highway Commercial (C2)**

*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. SH April 2015. \\Planning\City\ZPM\2015\ZP15-10*



- Subject Area
- 200' Notice Area



**164**

**MISCELLANEOUS ORDINANCE NO. 1-15**

**AN ORDINANCE  
ADOPTING AN AMENDMENT TO THE  
SMART GROWTH 2022 COMPREHENSIVE PLAN  
OF THE CITY OF GREEN BAY PERTAINING  
TO PROPERTY GENERALLY LOCATED IN THE  
1580 BLOCKS OF EAST MASON STREET AND  
KIMBALL STREET, AS WELL AS THE  
500 BLOCK OF BELLEVUE STREET  
(CPA 15-02)**

WHEREAS, pursuant to §§62.23(2) and (3), Wis. Stats., the City of Green Bay is authorized to prepare, adopt, and amend a comprehensive plan as defined in §66.1001(4)(a), Wis. Stats.; and

WHEREAS, the Common Council of the City of Green Bay has adopted written procedures (known as the Public Participation Plan for Periodic Comprehensive Plan Amendments) designed to foster public participation in every stage of the preparation of periodic comprehensive plan amendments required by §66.1001(4)(a), Wis. Stats.; and

WHEREAS, the Plan Commission of the City of Green Bay, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending the Common Council adopt Comprehensive Plan Amendment CPA 15-02; and

WHEREAS, the City of Green Bay has held at least one public hearing on this ordinance in compliance with the requirements of §66.1001(4)(d), Wis. Stats. It is the Common Council's belief that this comprehensive plan amendment is necessary and consistent with the overall goals, policies, and other related elements of the plan.

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

**SECTION 1.** The Common Council has adopted the Smart Growth 2022 Comprehensive Plan for the purpose of guiding future land-use decision making, but recognizes that from time to time amendments may be necessary to reflect changes in the land use and planning needs of the community.

**SECTION 2.** The Common Council does hereby enact this ordinance to formally adopt Comprehensive Plan Amendment CPA 15-02 pursuant to §66.1001(4)(c), Wis. Stats. A copy of the comprehensive plan amendment is attached to this ordinance.

**SECTION 3.** This ordinance shall take effect upon passage by a majority of the members-elect of the Common Council and publication as required by law.

Dated at Green Bay, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED:

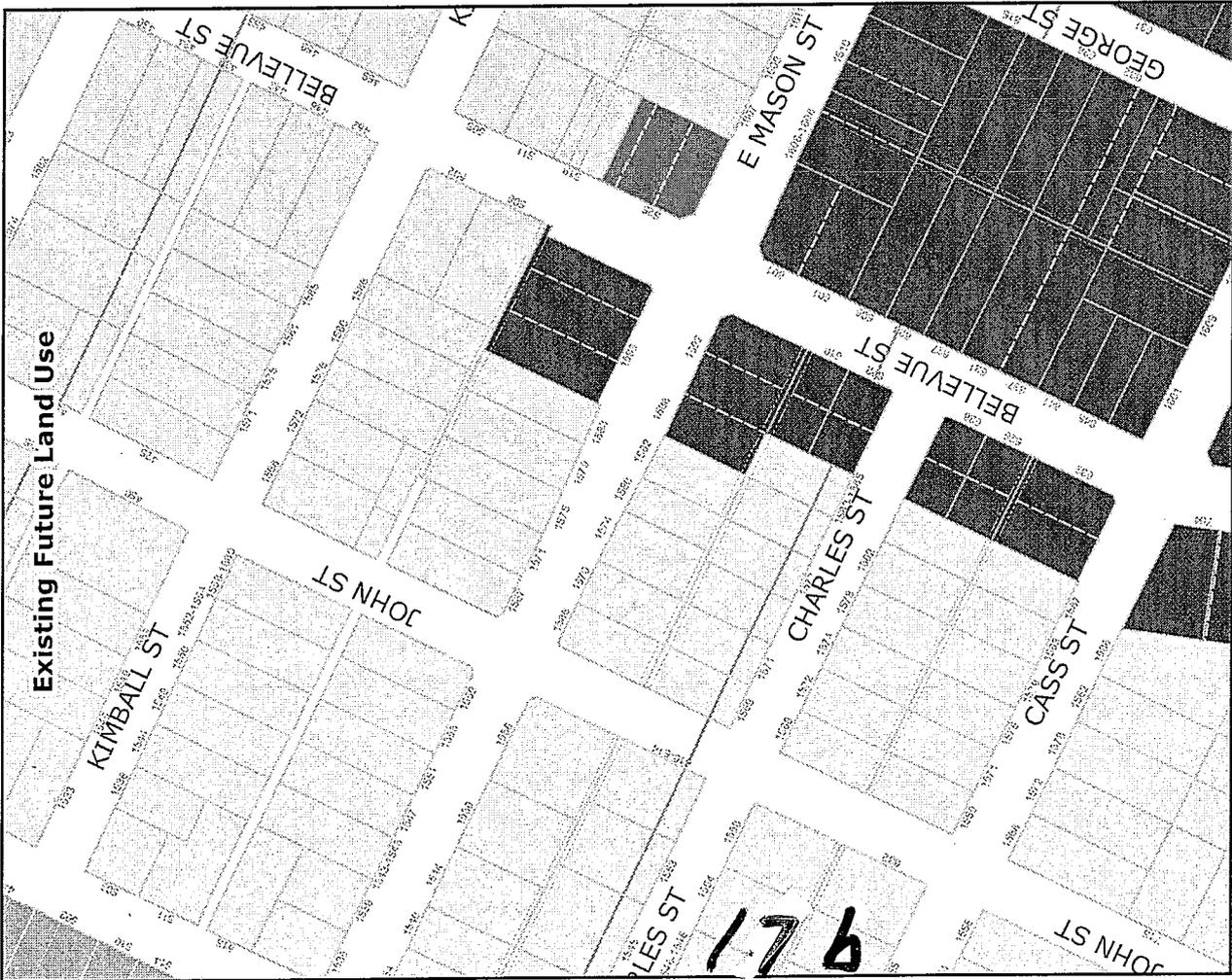
\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

bc

Enclosure – Map



Proposed Future Land Use

Existing Future Land Use

**Comprehensive Plan  
Amendment (CPA 15-02)  
Future Land Use Change  
From "Low Density Housing"  
To "Commercial"**



- Business Park
- Commercial
- General Industry
- High Intensity Retail, Office or Housing
- School

**Legend**

- Other Public or Semi Public
- Low Density Residential
- Low / Medium Density Housing
- Light Industry
- Medium Intensity Retail, Office or Housing

- Parks
- Downtown
- Private Open Space



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Map prepared by City of Green Bay Planning Department.  
P.N. 2015.X:\Planning\City\DATA\_GIS\City Actions\COMP PLAN AMEND\CPA 15-02

**GENERAL ORDINANCE NO. 8-15**

**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 adding thereto the following NO PARKING zone:

BORNEMANN STREET, west side, from a point 185 feet north of Mills Street to a point 140 feet south of Brook Street

**SECTION 2.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following 15-MINUTE LOADING DELIVERY ONLY zone:

BROADWAY, east side, from a point 180 feet north of Dousman Street to a point 270 feet north of Dousman Street

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

BROADWAY, east side, from a point 270 feet north of Dousman Street to a point 335 feet north of Dousman Street

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

BROADWAY, east side, from a point 180 feet north of Dousman Street to a point 335 feet north of Dousman Street

GARY LANE, both sides, from a point 180 feet east of Fellows Drive to its easterly terminus

**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 \_\_\_\_\_,  
2015.

-----  
APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

bc

04/21/15

**PLANNING ORDINANCE NO. 1-15**

**AN ORDINANCE  
AMENDING THE OFFICIAL MAP  
OF THE CITY OF GREEN BAY TO  
APPROVE A PLAT OF RIGHT-OF-WAY  
FOR A SEWER EASEMENT, FROM  
FRANZ AVENUE TO BAIRD'S CREEK  
(ROW 15-01)**

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

**SECTION 1.** The Official Map of the City of Green Bay, as created by Section 12.02, Green Bay Municipal Code, is hereby amended by approving a Plat of Right-of-Way for a sewer easement, from Franz Avenue to Baird's Creek, as depicted on a map attached hereto and made a part of this ordinance as though fully set forth herein.

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

**SECTION 3.** This ordinance shall not take effect until a public hearing is held thereon as provided by Section 12.03, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

bc

Attachments – Legal Description and Map

04/21/15

i:\legislative\council 2015\04212015\law\po 1-15 - amend official map approving plat of right-of-way for sewer easement, franz ave to baird's creek.docx

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**DESCRIPTION OF SEWER EASEMENT REQUIRED  
FROM FRANZ AVENUE TO BAIRD'S CREEK**

Parcel 2      GRANTOR: Ruben Mosqueda  
GRANTEE: City of Green Bay, a Wisconsin Municipal Corporation  
INTEREST REQUIRED: Permanent Limited Easement for Storm Sewer  
Construction, Maintenance and Repair

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The westerly 12.0 feet of Lot 1, according to the recorded Subdivision of Tract B, Hagemeister's Referee Plat, recorded in Brown County Document Number 2203901, in the City of Green Bay, East Side of the Fox River, Brown County, Wisconsin.

Parcel contains 2698 square feet of land more or less.

Part of tax parcel number 21-1993.



**DESCRIPTION OF SEWER EASEMENT REQUIRED  
FROM FRANZ AVENUE TO BAIRD'S CREEK**

Parcel 4      GRANTOR: Tedford Enterprises, LLC  
GRANTEE: City of Green Bay, a Wisconsin Municipal Corporation  
INTEREST REQUIRED: Temporary Limited Easement for Equipment  
Access, Storage of Materials and Directional  
Boring

That part of Lots 16 through 21, Newhall's Addition, and that part of the southwest ¼, Section 32, Township 24 North, Range 21 East, City of Green Bay, Brown County, Wisconsin described as follows:

Commencing at the southwest corner of said Lot 21, Newhall's Addition;

thence S89°-54'-11"E, 24.12 feet, along the south line of said Lot 21, to the point of beginning;

thence N00°-10'-27"E, 224.92 feet;

thence N64°-16'-21"E, 123.11 feet;

thence S28°-19'-49"W, 36.96 feet;

thence S23°-53'-49"W, 35.80 feet;

thence S22°-43'-49"W, 71.60 feet;

thence S58°-41'-37"E, 11.54 feet;

thence S00°-00'-00"E, 67.79 feet;

thence N90°-00'-00"W, 9.52 feet;

thence southwesterly along the arc of a 79.00 foot radius curve to the right, 98.66 feet, said curve having a chord which bears S34°-26'-07"W, 92.37 feet;

thence N00°-10'-27"E, 2.76 feet, to the point of beginning.

Part of tax parcel number 19-290.



