

MINUTES
GREEN BAY PLAN COMMISSION
Monday, January 12, 2015
City Hall, Room 604
6:00 p.m.

MEMBERS PRESENT: Maribeth Conard–Chair, Sydney Bremer, Ald. Jerry Wiezbiskie, Tim Gilbert, and Heather Mueller

MEMBERS EXCUSED: Linda Queoff-Vice Chair and Tim Duckett

OTHERS PRESENT: Kim Flom, Paul Neumeyer, Dan Lindstrom, Bill Angoli, Tina Bunker, David Hemstreet, Barbara Brebner, Pat Quinn, Gail Quinn, Nancy Stahl, Dennis Golueke, Pat Kaster, Jim Grzeca, Jackie Grzeca, Jim Gorzlancyte, Kevin Quinn, Greg Lake, John Bunker, Michael Sewell, Cindy Murphy Myers, Bob & Fay Boerschinger, Shirley Triest-Robertson and Charles Frisk.

APPROVAL OF MINUTES:

Approval of the minutes from the November 10, 2014, Plan Commission meeting

A motion was made by T. Gilbert and seconded by H. Mueller to approve the minutes from the November 10, 2014, Plan Commission meeting. Motion carried.

M. Conard explained the rules for public speaking this evening. She also stated that item #2 under New Business will be discussed first followed by the second item under Old Business.

COMMUNICATIONS:

NEW BUSINESS:

2. (ZP 14-38) Discussion and action on the request for a Conditional Use Permit (CUP) for four (4) structures to exceed the 35 feet. maximum height limitation in the General Industrial (GI) District located on the Green Bay Metropolitan Sewage District campus, 2231 North Quincy Street, submitted by Bill Angoli, Green Bay Metropolitan Sewage District. (Ald. J. Moore, District 6)

P. Neumeyer stated this is a request for a Conditional Use Permit (CUP) for a series of structures on the Green Bay Metropolitan Sewage District property that are to going to exceed 35 feet. in height in the General Industrial (GI) District. The property is approximately 72 acres in size and located close to the mouth of the Fox River. The proposed structures are not located within the 100 year floodplain. The Green Bay Yacht Club and the Metro boat launch are also located on this property. The 2022 Smart Growth Green Bay Comprehensive Plan calls for Industrial uses for this property. There are a total of four structures that will be exceeding the 35 feet height limitation: The Bio Gas Storage Tank, 36 feet, two Digesters, 103 feet to the top with a “dog house” for a total of 120 feet in height, and a Solids Facility, 70 feet with additional stacks for a total of approximately 130 feet in height. P. Neumeyer then gave additional details of each individual building. There are other structures on the site that exceed the 35 feet. height requirement. Ald. J. Moore and affected property owners were notified of the request. Staff has not received any calls or questions. Planning staff is recommending approval of this item, as proposed on the site plan and submitted building elevations, subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan review and approval.

M. Conard suspended the rules to allow for public comments.

Bill Angoli – GBMSD, 2231 N. Quincy Street: gave a brief history on the current project and what they want to accomplish with the new structures. He then gave a brief history of the property, in which the property has been in operation since 1976. He went on to state that the new structures are needed because the current structures cannot process / handle the current solids and are old and out of date.

A conversation ensued between B. Angoli and Plan Commission members. S. Bremer asked if the incinerators were the same as the digesters. B. Angoli stated they were not. S. Bremer clarified that the old solids building will be demolished and replaced with the new structure. B. Angoli stated that was correct and that no other structures will be demolished. S. Bremer asked for clarification regarding the total height of the new structures. B. Angoli explained to S. Bremer the height of the structures and height of future structures.

Ald. J. Wiezbiskie inquired about the emissions coming out of the stacks. B. Angoli stated that there is a pollution control system that will be added to help limit the emissions into the atmosphere. There are new regulations that need to be met by 2016. However, this project is slated to be completed by 2018 and will have to get a variance from the EPA in 2016 until the project is completed. Ald. J. Wiezbiskie asked where they were at, height wise, compared to the bridge level. B. Angoli stated they are still below bridge level.

M. Conard returned the meeting back to regular order of business.

A motion was made by S. Bremer and seconded by Ald. J. Wiezbiskie to approve the request as proposed on the site plan and submitted building elevations, subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan review and approval. Motion carried.

OLD BUSINESS:

1. (ZP 14-37) Discussion and action on the request for a Traditional Neighborhood Development (TND) designation in an area generally located north of Finger Road, west of Northview Road, south of Catalina Drive, and east of Erie Road, submitted by Erie Road Development LLC and Humboldt Investments LLC, property owners. (Ald. J. Wiezbiskie, District 1)

D. Lindstrom stated the Comprehensive Plan, adopted in 2002, stated that for this area new development should include a strong pedestrian emphasis in neighborhoods, neighborhood design incorporating sidewalks, street trees, narrower local (minor) residential streets with modest front setbacks, interconnected streets, nearby shops, and convenient access to transit – a traditional neighborhood development.

D. Lindstrom explained the elements of a traditional neighborhood, including:

- Compact and designed for the human scale
- Mixes of complementary land uses
- Mix of housing types, styles, and sizes
- Interconnectivity throughout an area (car, bike, pedestrian, etc.)
- Retains historic or cultural elements
- Incorporates significant environmental features

D. Lindstrom then gave a brief overview of neighborhood development and stated that even though a traditional neighborhood has not been implemented recently, the majority of Green Bay neighborhoods are traditional. This area was chosen because of its proximity to future schools, parks, business centers, recreation (GC, Baird Creek) and ease of access to UWGB and other areas.

It was requested by the Plan Commission for staff to come up with a compromise on how some of the density could be reduced. According to TND, there are specific density requirements that need to be met and the previous proposal did not. By switching to a PUD approach it enabled the density to be reduced. Staff prepared a zoning ordinance to reduce the density (concerns of neighbors), enabled a phased development that can be responsive to the market (concerns of developer), detailed if and when formal amendments must be made to the Plan Commission and City Council, and allowed for additional oversight on several higher density uses. Renderings of the proposed Grandview Place TND were shown explaining the primary land uses. Also shown was the proposed PUD Plan for Grandview Place. One additional change requested was road alignment. The Petitioner and Surveyor were able to meet and readjust some power lines.

D. Lindstrom then introduced and discussed the Draft PUD that was included in the agenda. He explained the draft PUD was created using the TND ordinance. Staff wanted to maintain the elements of the traditional neighborhood. Also presented was a list of revisions the petitioner and Planning staff discussed to align with the current zoning code.

D. Lindstrom stated that Planning staff has been working with the petitioner. However, they do differ on several items, which include: sidewalks throughout the development on both sides of the street, garage setbacks, and rear loaded Townhomes. He then went through each of the items in detail.

Sidewalks

The Traditional Neighborhood ordinance was what the PUD was created from. The ordinance calls for sidewalks on both sides of the street throughout the development. In the zoning code there are standards based on density. If you reach a certain density, you are required to have sidewalks on both sides of the street and if you are below a certain density, only one side of the street

Garage Setbacks

The TND chapter of the zoning code requires garages to be set back ten feet from the main dwelling; staff placed that standard into the draft PUD. This is to bring focus to the home and not the garage or vehicle. The petitioner would like the garage flush with the home. Staff stated their recommended concession was to reduce the standard to five feet.

Townhomes Vehicle Access

In a traditional neighborhood, the main focus is on pedestrian traffic and to lessen the presence of vehicles in the area. In the PUD draft it is calling for rear access for townhomes. Front access could dominate the blocks with driveways and curb cuts. Planning staff is suggesting rear access to prevent the domination of vehicles and driveways. Examples of homes were shown.

D. Lindstrom presented the time line and actions thus far. Ald. J. Wiezbiskie and property owners within 500' of the subject area were notified of the request. There were 11 responses prior to the drafting of the Staff Report and two additional responses since that time. Planning staff is recommending approval of the draft PUD with the proposed revisions presented as well as any additional conditions or revisions of the Plan Commission to include the realignment for the proposed Rocky Arbor Trail.

A question and answer discussion ensued between D. Lindstrom and the Plan Commission. S. Bremer asked questions if the specific standards should be tied directly to the land use map.

Ald J. Wiezbiskie wanted clarification regarding the drive-thru's and if they were omitted. D. Lindstrom stated that in the TND ordinance they were not permitted. However, some drive-thru's might be appropriate for the area as thus added it to the conditional uses to offer the Plan Commission additional oversight. Ald. J. Wiezbiskie asked if the ten foot setback is what they are proposing right now. D. Lindstrom again stated that is what the TND ordinance is calling but

planning staff has made the recommendation of five (5) feet behind the principal structure. Ald. J. Wiezbiskie wanted clarification regarding language in the PUD and where Planning staff stands regarding sidewalks. D. Lindstrom provided the clarification and stated that the TND recommends standard is to have them on both sides of the street throughout the area.

Tina Bunker - 825 S. Huron Road: T. Bunker is the Petitioner / Developer for the Grandview Place development. T. Bunker gave a presentation to the Plan Commission regarding the Grandview Development Plan. She explained in her plan the need for senior housing. She also informed the Plan Commission that she has revised the development plan after a neighborhood meeting and the last Plan Commission meeting. She briefly went through the changes that they had made.

A question and answer session ensued between T. Bunker and Plan Commissioners. Issues discussed were population growth, housing (to include single family attached and detached), green space, roadways, developers and the different phases.

M. Conard suspended the rules for public comments.

David Hemstreet – 636 St James Circle: He stated he is here to speak for the Baird Creek Preservation. They have three areas of concern with the development. Their first concern is protecting the water quality in Baird Creek, concentrating on the run-off from adjacent properties and protecting the creek from excessive storm drain run-off. They would like to see buffers to help protect the creek from the run-off and detention facilities that would be maintained by the city. Their second area of concern is with the extension of the Baird Creek Parkway along the south fork of Baird Creek. Their third concern is public access. D. Lindstrom stated that stormwater management will be required throughout the development. This will address the quantity and quality of the runoff before returning water to the creek. He continued by stating the parkways land on the map is shown be dedicated to the public at the time of platting and will have multiple access points on both sides of the creek.

Barbara Brebner – 228 Eire Road: Her main concern is density.

Pat Quinn – 545 La Count Road: He is a business owner in the I-43 District and part owner in this development. He states that they do understand the concerns of the neighborhoods and have tried to meet those concerns with their subsequent revisions. However, they have been sitting on this land for twelve (12) years and are looking to get the development started.

Dennis Golueke – 375 S. Grandview Road: He stated his major concern is the multi-family homes and the Rocky Trail ending on Grandview. He would like for them to consider ending the Rocky Trail over on Catalina Drive where there is already an existing road. He would like to see the townhouses verses the multi-family homes.

Pat Kaster – 1317 Lombardi Access Road: She stated she represents property to the south of this development. She is for the development. She also stated she sat in on the Comprehensive Plan in 2002 and stated this is what the area was planned for.

Jim Grzeca – 3667 Finger Road: He thanked the developer for making the changes that they did make to the plan. Density is still his concern as well as absentee landlords for the multi-family homes and townhouses, and commercial property. He is also concerned about storm sewers and unfinished homes.

Jackie Grzeca - 3667 Finger Road: She stated she is opposed to the PUD for the Erie Road and Grandview area. She wants the area to remain single family residential.

Jim Gorzlancyte – 3722 Catalina Drive: He has concerns about the little green space, a road proposed for the development, as well as existing homes being grandfathered in for curb and gutter. D. Lindstrom addressed the issues and referred to the draft PUD regarding the revised roadway pattern and green space is required for all land uses and the specific areas shown on the map would be public green space. He also explained the process in which DPW assesses for road improvement.

John Bunker - 3184 Morning Woods Court: He is a developer for this project and supports the neighborhood development. He requested the discussion of the sidewalks be taken off the table and that it does not need to be addressed at this time. However, he does feel the zoning is a more pertinent issue. D. Lindstrom stated the sidewalks would be written into the zoning ordinance and therefore should be addressed at this time.

Cindy Murphy Myers – 3542 Golf Drive: Her concerns are public access from Golf Road, storm water run-off, green space, and railroad crossings. She stated Golf Drive does not have sidewalks as they voted not to have them. Ald. Wiezbiskie stated the railroad crossings are owned by the railroads and they have tried to address this issue in the past. M. Conard asked if Golf Drive would be required to put in sidewalks. D. Lindstrom stated there is no plan at this time for Golf Drive to be part of this development and to have sidewalks. Sidewalks are required with all new subdivisions according to the subdivision ordinance.

Shirley Triest-Robertson – 450 Erie Road: She has several concerns. One being the storm water run-off from the new development, and how would that be treated, and what can be done to keep the wildlife around. Another is the road coming in, and lights from vehicles coming into her front window. She wanted to know about the several developments to the north of her location on how they will tie in with the development and even if it's part of the development. D. Lindstrom again clarified the stormwater issues and the development must meet DNR standards. He also stated the other developments to the north are separate and not part of this development.

Charles Frisk – 560 Sunrise Circle: He stated he is the President of the Baird Creek Preservation Foundation. He stated his concerns have already been answered.

Debbie Cesar – 365 S. Grandview Road: She stated there are a multitude of vacant apartments and houses and wonders why they need to add more multi-family development. She would rather see the development start with single family and not the multi-family.

The following were present for the meeting and did not wish to speak:

- Gail Quinn, (For the Development) 545 La Count Road
- Nancy Stahl, (For the Development) 999 S. Water Division Road;
- Kevin Quinn, (For the Development) 611 La Count Road
- Greg Lake, (For the Development), 3313 Cottage Hill Drive
- Michael Sewell, (For the Development) 745 Ontario Road
- Bob & Fay Boerschinger, (For the Development) 2769 Daniel Court.

M. Conard returned the meeting to regular order of business.

M. Conard addressed with T. Bunker the questions of sidewalks, garage setbacks and rear access for the townhomes.

T. Bunker stated most of the lots have a trail in back or have a sidewalk in front. There are a few areas, due to density, that do not have sidewalks and never are they eliminated on both sides of the street. M. Conard commented on the depth of the lots and that they are deeper than “normal” sized lots. T. Bunker stated the lot sizes are “average”; however, they do vary in width and depth so they

can get a variety of housing styles on them. S. Bremer pointed out an area where sidewalks should be added, which T. Bunker did not have an issue with. T. Bunker did point out the areas where they do not want to add sidewalks in the lower traffic areas.

T. Bunker then discussed the garage setbacks. She stated that in the TND ordinance you allow the home itself to come closer to the road, so by default it needs to set back ten feet as the lots are smaller in size, however, the proposed lots will be normal size. They would like either/or setbacks of ten feet or able to maintain a minimum garage setback of 20 feet from the street. She feels they will be extremely limited in designing floor plans. S. Bremer wanted clarification of the garage setbacks. She confirmed that the draft ordinance outlined ten feet behind the principle structure but staff is now recommending a concession of five feet. T. Bunker stated they want either the 20 feet setback from the right-of-way, if the garage is going to be in front or the ten feet behind the house as either way you are accomplishing 20 feet.

D. Lindstrom went into detail about the setbacks and building up to the setback line. He stated that if the first home back in and was set back 20 feet from the street then all homes would then be set back to that approximate distance and then the garages would be flush with the structure and would be going against the ideas of a traditional neighborhood.

S. Bremer asked what the objection was not having the garage flush. T. Bunker stated it limits the diversity of floor plans and her overall concern is for the salability of the home.

H. Mueller asked if this was an aesthetic issue. There needs to be functionality for parking a car, not across the sidewalk, and at the same time we don't want all of the garages in front of the house.

T. Bunker stated she feels the ordinance is trying to deemphasize the vehicle and she is looking more at function. She stated they are looking for more variety opportunity.

M. Conard then asked if there were any questions for T. Bunker regarding the townhomes.

Ald. J. Wiezbiskie stated he does want the sidewalk issue resolved this evening and would like to see sidewalks on both sides of the street. T. Bunker stated that they can require sidewalks on every plat when they build or upon occupancy; this is the best way to accomplish this. She still would like those few areas only to have sidewalks on one side due to low traffic and trails behind the properties. D. Lindstrom did clarify to Ald. J. Wiezbiskie regarding sidewalks and that information can be found in the draft PUD.

A discussion then ensued between Plan Commissioners and T. Bunker regarding the townhouses and rear access. T. Bunker stated no one wanted to see alleys. S. Bremer stated she did not want to see garages butted up against other garages. T. Bunker stated by doing the rear access it would cut into the backyards of the townhomes homes. She would like to see either/or and the market can decide what is more appealing at that time. S. Bremer asked D. Lindstrom if the issue regarding the garage and the rear loading of the townhouses, having front yards rather than driveway front yards, could be resolved with a percentage. For example, no more than 20% of the garage be flush with the fronts of the main dwelling. D. Lindstrom stated it could be if that is what the Plan Commission and City Council would like to see. T. Bunker stated she would have a concern with property values.

K. Flom asked D. Lindstrom if the townhomes come back through Plan Commission process of approval or strictly the multi-family. D. Lindstrom stated as it is drafted it is just the multi-family and senior living. She stated that could be another possible option to take this particular townhome type and have it come back to the Plan Commission that they can review the elevations and have a true feel of what it's going to look like. D. Lindstrom confirmed it could require a CUP for townhomes and the driveways and garages could then be reviewed as part of the site plan.

T. Bunker stated she did not plan on the garage or townhome changes and is asking for flexibility. She does not think what the Planning staff is offering is going to provide the market flexibility needed to ensure the product can come to market and sell in an efficient manner. She can't have the design standpoint limited and needs flexibility.

M. Conard stated that it was to her knowledge this was now becoming a PUD, and are still following the traditional neighborhood development design standards. These items would be part of the design standards and some could be discussed further under a conditional use permit.

Ald. J. Wiezbiskie stated he would not be flexible on the garage setbacks. M. Conard stated other neighborhood developments she has seen similar to this have all been full and popular and all had the garages set back and all had sidewalks and were beautiful. S. Bremer asked Ald. J. Wiezbiskie if his flexibility includes K. Flom's suggestion that a relief from the garage set back might be accorded through a CUP process. He stated no. Since the Planning staff has already conceded five feet, and thinks they should be able to live with that standard. S. Bremer stated that she would support that and would side with Ald. J. Wiezbiskie to have sidewalks on both sides of the street.

Ald. J. Wiezbiskie asked T. Bunker how flexible is she on these issues. T. Bunker stated that she would take the sidewalks, but is still against the garage setbacks due to design limitations and would have a certain amount they can protrude and she is still against the townhome rear load. H. Mueller asked if the Plan Commission can apply guidance standards to different phases as we do not have a lot of development that looks like this. She asked if they can start with certain elements in phase I and II and decide to revisit that requirement later. D. Lindstrom stated there is a section of the draft ordinance that does talk about amendments if they needed to be addressed at a later date.

S. Bremer asked M. Conard if they could take each issue and take a preliminary vote in order to make their final decision. She stated yes.

A motion was made by S. Bremer, seconded by Ald. J. Wiezbiskie that they maintain the requirement of sidewalks on both sides of the street.

D. Lindstrom raised a point of order and suggested to avoid confusion the committee should have their discussions and straw poll and then make a motion to deny or approve with conditions on that single motion.

S. Bremer then withdrew her motion.

T. Gilbert made a recommendation to set the garage setbacks at 5 feet for Phase I and II and revisit them if necessary. Ald. J. Wiezbiskie asked why after I and II, why not after Phase I. T. Gilbert then amended his recommendation to after Phase I.

H. Mueller liked the idea of being able to include this in a conditional use provision. We do have a specific vision we would like for this to look like. M. Conard and T. Gilbert both agreed. Ald. J. Wiezbiskie asked if it was the intention to keep the townhomes rear loaded. M. Conard stated yes.

A motion was made by T. Gilbert and seconded by H. Mueller to approve the request to create a Planned Unit Development (PUD) in an area generally located north of Finger Road, west of Northview Road, south of Catalina Drive, and east of Erie Road, subject to:

- A. Road realignment for the proposed Rocky Arbor Trail listed in Exhibit J.
- B. Garage setback reduced from ten (10) feet to five (5) feet.
- C. Townhomes permitted as a Conditional Use Permit.

Motion carried. (J. Wiezbiskie did not vote, but he did not abstain)

OTHER:

Director's Update on Council Actions

K. Flom informed the Plan Commission of the following items:

- There are no new updates at this time.

P. Neumeyer informed the Plan Commission of the following items:

- Housing & Zoning Inspectors have sent letters to University Ave. Market and Anduzzi's regarding the brightness of their signs. The outcome is still pending.
- 860 Elmore Street was issued an occupancy permit for a two-family use. One of the requirements was to update the Plan Commission. City Inspectors have been to the property and reviewed all the conditions of the CUP.

SUBMITTED PETITIONS: (for informational purposes only)

A motion was made by Ald. J. Wiezbiskie and seconded by T. Gilbert to adjourn. Motion carried.

Meeting adjourned at 9:24 p.m.