

## **TOWN OF GREEN BAY PLANNING COMMISSION MINUTES**

**DATE:** 4/18/17

**TIME:** 7:01 p.m.

**PRESENT:** Bob Boncher, Mike Gilson, Dawn Goodman, Gary Jonet, John Metzler, Jason Miller

**ABSENT:** Jack Salewski (resigned)      **Others Present:** Gary Gomand, Jim Gomand, Louis Gomand, Shirley Gomand, Debbie Olson, Mary Abts, Dean Abts, and Brian Leahy (sp?), who represents Champion Holdings, LLC., who is hoping to purchase the land to build a hotel.

**APPROVAL OF LAST MEETING'S MINUTES:** John Metzler opened the meeting and asked if the meeting notice was properly posted in 3 places. Dawn Goodman confirmed it was. The March 21, 2017 meeting minutes were reviewed. Jason Miller made a motion to accept the minutes as presented. Mike Gilson seconded the motion. All 6 members approved.

### **ISSUE #1: Shirley and Louie Gomand Zoning Amendment 1031-J and the Preliminary CSM: 3 acres of GB-2 to be changed to Business for a small hotel or Bed & Breakfast (they will be selling the property). (7:05-7:37pm).**

Planning Commission Secretary Dawn Goodman passed out the CSM for part of GB-2 and a packet of information to all of the Planning Commission, then Planning Commission Chairman, John Metzler opened the floor to hear what those attending had to say.

Shirley Gomand stated they are looking to rezone the 3 acres in question in order to sell it to Brian Leahy (sp?), who wishes to build a bed and breakfast or a hotel on it.

Zoning Administrator, Gary Jonet, stated that in reviewing the requirements for a Business Zone, a Conditional Use Permit will be required for either a B&B or a hotel.

Dawn Goodman stated that a rezoning would not be needed if they have a B&B on the property, according to the new Zoning amendments passed on November 2016, which allows for B&B's with a Conditional Use permit in that current zoning.

Brian Leahy stated that they want to have an establishment with 50 rooms and so would be doing a hotel and need the rezoning.

Dawn Goodman clarified that the intention was only for a hotel and not ever for a B&B. They confirmed that.

Brian Leahy stated he preferred to call it "an Inn" because a hotel brings to mind a high story structure, whereas they would be doing a 3 story, 50 room Inn.

Dawn Goodman asked Brian Leahy if he represented a hotel chain. He said he did not. She asked if he represented any religious entity or any type of Non-Profit group. He said he did not.

Brian Leahy explained he formed an LLC (Champion Land Holdings, LLC) with Gottfried & Kahn in Green Bay. He said they call themselves Champion Inc.

John Metzler clarified it would be a 50 room facility vs. an 8 bed B&B. Brian Leahy again stated it would be 50 rooms and added that anything smaller, like an 8 room B&B, would not be economically feasible. He also stated that they believe there is a real need for a facility the size they are planning in the coming times.

John Metzler questioned the height of the building. Brian Leahy stated they hope it will be 3 stories in height. He said it has not been designed yet, but he stated he spoke with Zoning Administrator, Gary Jonet, and was told it cannot exceed 35 feet high. John Metzler stated that was due to fire department limitations.

Brian Leahy stated they will be using Berners & Schober of Green Bay to do the design. He referred the Planning Commission to a Site Plan and gave copies of it to be reviewed.

Bob Boncher noted there were 75 parking spots and that seemed a lot for a 3 acre area. Brian Leahy said they felt it would work in the preliminary design, after talking with the architects and looking at the requirements. Dawn Goodman noted that the parking would be behind the facility and stated she thought that was important and better for aesthetics and fitting into the area. Brian Leahy stated it is not final but preliminary and that they are trying to make it so that it will fit in with how things look at the Shrine. He added he knew it was still subject to our approval and the Zoning book.

Dawn Goodman asked about sewage plans. Brian Leahy stated that it would possibly be using holding tanks. Dawn Goodman questioned if it should actually be a mound system. Brian stated he thought it would be holding tanks based on some preliminary investigating they did on the matter. He stated they will be meeting with sanitation, power and water in early May to learn more how to actually do it.

Bob Boncher questioned if holding tanks would work and that soil samples usually lead to mounds be required. Brian Leahy stated that soil testing had not been done yet. There was further discussion about septic system requirements and all were reminded that the County handles that.

Then Debbie Olson asked what would be required as far as a Conditional Use Permit and when would it be required. Gary Jonet explained when they actually know what they will finally be doing. Brian Leahy questioned if it were zoned L-I (Light Industrial) would a conditional use then not be necessary. Gary Jonet stated that the request before the PC is a Business zoning request and not an Light Industrial zoning. He then explained a hotel is accepted under B-1 Business with a Conditional Use Permit.

Brian Leahy then asked Gary Jonet what would be required to have a Light Industrial zoning, explaining that Gottfried and Kahn had recommended it be zoned that way.

Dawn Goodman stated she did not think a hotel was ever appropriate for such a zoning. She asked Zoning Administrator, Gary Jonet, to verify that. Gary and the Planning Commission examined the Zoning requirements under Light Industrial. Gary explained that Hotels and Motels are not allowed in Permitted uses nor are they allowed in that zoning under Conditional uses. Brian Leahy questioned if Light Industrial is not more comprehensive in what it allows. Gary explained that Light Industrial is meant for Industrial uses like metal shops, etc. But after further reading of the Light Industrial requirements, Gary concluded that Hotels/Motels are actually allowed. He also clarified that if it would be Light Industrial zoning, then it would be allowed as a Permitted Use and would probably not need a Conditional Use permit.

The Planning Commission discussed the interpretation of the wording in Section XII LI (Light Industrial) A (Permitted Uses) which states:

“The following uses are permitted in the LI District: 1. Any use allowed in the B-1 Community Business Zones (*there are a list of exceptions, but hotels/motels were not in those exceptions*). These uses may be allowed as Conditional Uses after determination by the Town Plan Commission under Section XII, B.1. “

The next section was also reviewed, “B. Conditional Uses”, which states: “The following Conditional Uses may be allowed in the LI District: 1. Other uses to be determined by the Town Plan Commission to be similar in nature to the permitted uses listed above and deemed to have no potential for environmental hazard.”.

Dawn Goodman stated she still did not think it was appropriate for a hotel/motel to be zoned Light Industrial. John Metzler stated the Zoning allowed for it.

Gary Jonet questioned Brian Leahy if he now wanted to change the zoning request to a Light Industrial. Brian stated he wanted Light Industrial.

Debbie Olson asked if the wording could just be changed on the initial application for a Zoning Amendment. Gary Jonet stated it could, so Planning Commission Secretary, Dawn Goodman, then changed the wording on the application 1031-J to read Light Industrial. She asked Gary Jonet if it needed to be reposted. Gary said it did not.

Jason Miller questioned what the dimensions would be for the parking spots. Brian stated that the architects went according to what is prescribed in our zoning—Gary Jonet stated that would be 1.5 spaces per each unit.

Mike Gilson still questioned the appropriateness of it being Light Industrial.

Dawn Goodman suggested the PC read the definition of Light Industrial. She read it aloud: “The LI-Light Industrial District - is designed to accommodate those industrial and business activities which, by their character, should not pose a threat to the environment from potential accidents, spillage, or normal business operational practices. The lands located within this zoning classification are fragile in nature, and need more protection than most locations in the Town.”

John Metzler stated, it would be hard to know what the future holds for the area. Dawn Goodman disagreed and stated that based on what she remembered from attending the Shrine’s visioning session held with the Town on 1/14/16, a hotel does not fit in with the Shrine’s idea for the area, which she stated was keeping the area as rural as possible.

Shirley Gomand stated that the Shrine does not own her farm.

Dawn Goodman also stated that the vision of the community was also to remain rural in nature, as far back as the last 3 comprehensive plans.

Debbie Olson stated that: “the Shrine is driving it. This would not be happening if it were not for the Shrine.” She then stated that “In all reality, I don’t think the Shrine can say that the rest of the community cannot move progressively forward.”

John Metzler stated: "You are right on that. My thinking is that we cannot stop development in the Town, but we can control where it is."

Mike Gilson stated: "That's why we have the Light Industrial where it is."

John Metzler mentioned the main industrial area, which is heavier industrial, is up on Highway P, as an example.

Bob Boncher stated that the zoning ordinance has to be followed. In the future it might be changed, but they would be grand-fathered in if that were to happen.

Dawn Goodman stated that the Planning Commission has to make sure it is following the Comprehensive Plan when it comes to such rezoning. She pointed out that besides the maintenance of a rural atmosphere in the plan, it also stipulates that the Town should be looking out for developing commercial-wise. She stated "The Shrine is bringing in a lot of business and so the proposed hotel does fit in with the plan in that respect". She stated that she believed "the Shrine is a business generator, whether they want to call themselves that or not and they are bringing in significant business to the area". She pointed out that the proposed hotel will not be a non-profit, so it would hopefully be paying a significant amount of taxes to the area, *and* it would actually be providing a service for the "business" across the road from it, because currently there is not any hotel space in this immediate area for the elderly and disabled (and anyone else) who visits there and wants to be as close to it as possible--wanting to be able to walk across the street to the Shrine.

John Metzler questioned if a restaurant were to come in to the same area and for the same reason, where would that fall in the zoning?

Gary Jonet stated that would have to be B-1 Business.

John Metzler speculated that there will be others who will want to develop gift shops and other things to also be part of the Shrine and that there is nothing the Town can do to stop it.

It was suggested that the Town form a special district with the Shrine area, like Lambeau Field did with Ashwaubenon. Discussion ensued as to what some of that might entail.

Dawn Goodman questioned if anyone at the meeting (these were some of the surrounding neighbors and relatives of the Gomands) objected to the hotel's plans. They stated no.

Someone speculated that the Shrine would not object either *if* they were building the hotel.

Dawn Goodman explained how she had talked to someone from a nearby town who suggested that the Town could benefit from the Shrine, and all that it brings to the area, by catering to it and providing for their needs, if done properly. She stated the town could be "progressively rural" and to try to think ahead.

John Metzler stated that "in order for it to not be a mistake in the future, we have to do it right from the start."

Dawn Goodman stated she believed the Town should “follow what we have, but also think about the future.”

Debbie Olson stated that “part of why the Gomand family likes what Brian and his investment group are proposing, is because it’s being respectful of the area, staying with the idea of the current community and our rural nature, and he is keeping it a reasonable size and it seemed like a good fit as well as providing a good business”.

Dawn Goodman pointed out that Louie had been the Town Zoning Administrator in the past and that “he understands the importance of doing things properly and being a good steward of the land.” She said she respected the Gomands for that and hoped that they have chosen someone who will also be a good steward of it going forward.

Dawn Goodman asked if anyone from the Shrine has said anything to them about their plans. Shirley said they had not.

John Metzler stated that the time for community input will be at the Town Meeting (the Public Hearing, which would take place before the Town Meeting).

Shirley Gomand stated the potential for tax-related income for the Town is something to consider also.

Mike Gilson stated that he would like the proposed hotel to maintain a rural atmosphere but he is not sure how that could be controlled.

Jason Miller stated he would be curious to see that achieved also and that there are always ways to make sure the design fits in with the surrounding area. He said there is a definite need for a hotel and that he is glad to see that this development is being done with local people and not a big chain establishment. He stated that what needs to be done is to make sure the zoning is done correctly. He cited as especially important whether the water source on this 3 acre parcel can support all of the guests taking showers, bathrooms, etc.

Bob Boncher and John Metzler gave opinions about depth of water veins (possibly 900 feet deep) and types of sanitary systems currently being used by other area residents and the DNR’s involvement.

Brian Leahy stated that he had spoken with Matt Hayroth from the DNR, that they had looked over maps regarding water and sanitation and his (Hayroth’s) opinion was that it would be fine and it would work. He said that included the prescribed distance from where the Kewaunee River starts 75 feet, and 150 feet from the sides of it, etc. They were told the DNR would come out and give actual requirements and measurements when/and if the rezoning and sale take place.

Jason Miller stated that the Town has to also look out for the interests of the area residents near the rezoning because they are Estate Residential and when/if they go to sell their homes, having a parcel zoned Light Industrial could effect their property value.

Bob Boncher stated a Light Industrial zoned area would keep any heavy industrial activity from going on there and so there should be less potential for any problems.

Debbie Olson and Shirley Gomand stated they believe the property values would actually increase as a result of the development on the property.

**MOTION MADE BY** Bob Boncher to recommend to the Town Board to rezone part of parcel GB-2 (3 acres) (see the CSM), from A-2 General Agriculture to LI-Light Industrial.

**MOTION 2NDED BY** Jason Miller. **AYES: 6 NAYS: 0 MOTION CARRIED.**

A Public Hearing was set for Tuesday May 9, 2017 at 6:30 pm.

**ISSUE #2: Continue development of a Parade and/or Special Events Ordinance policy. (7:38pm to 7:50pm).**

The Planning Commission members asked Planning Commission Secretary what the status was of the ordinance and application. Dawn Goodman explained that she had asked the Town Board if it could be reviewed by an attorney before a public hearing would take place. The Town agreed and so that is going to be done. At this time there was nothing more to report about it.

**Old Business:** There was no old business to discuss at this time.

**Any Other Business:** There was discussion about possibly updating the Nuisance Ordinance in light of pending citations that have used it and anticipation of using it in the future as well. Town Clerk, Debbie Mercier is going to have a lawyer look over the current one and help us to update it eventually.

**Date & Time of Next Planning Commission Meeting were set:** Tuesday, May 16, 2017 at 7:00 pm *if it is found necessary to have a meeting.*

**Motion to Adjourn Made by:** Mike Gilson, Bob Boncher 2nded. **AYES: 6 NAYS: 0. Motion Carried. Adjournment time:** 7:55 p.m.

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**Planning Commission Chairperson**

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**Planning Commission Secretary**