

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Allouez Village Board on Tuesday, January 17, 2017 at 6:30 P.M., at the Allouez Village Hall, 1900 Libal Street on the following:

### **ZONING ORDINANCE 2017-01**

An ordinance re-zoning certain properties located at 1525 S. Webster Avenue, also known as Parcel AL-1592, from Commercial to B Residential.

The Village Board of the Village of Allouez does ordain as follows:

**Section 1.** Section 11.100, Schedule A and Schedule E of the Village Code of Ordinances, together with the zoning map referred to therein, are hereby amended by re-zoning the following described properties from Commercial to B Residential -

MATH REYNENS PLAT LOTS 7-8-13 & 14 EX S 50 FT OF LOTS 8 & 13 & EX R.R. ALSO E 9 FT OF LOT 11

The owner of record for the above described parcels is Kevin C Servais, 1525 S. Webster Avenue, Green Bay, WI 54301-2458.

**Section 2.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.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 hereon, and until the ordinance is adopted and published.

Dated this 30<sup>th</sup> day of December, 2016.

---

Debra M. Baenen  
Allouez Clerk-Treasurer

Publish: January 2, 2017 & January 9, 2017

FEE: \$200.00

VILLAGE OF ALLOUEZ  
PETITION FOR REZONING

R# 1971  
10/18/16  
\$200.00

RECEIPT NUMBER 308472 DATE PAID \$ 200

Please complete this form. In cases where the complete legal description of the property under consideration is too lengthy to include in the space allowed in 3 below, include it on a separate sheet with this application. Also, attach the required map and/or drawing of the property to be considered. A fee of \$200.00 must accompany all petitions for rezoning.

PETITIONER'S NAME Kevin C. Servais

ADDRESS 1525 S. Webster Ave 6B Wi-54301

PHONE NUMBER 920-655-8255 AL-1592

The above named hereby petitions the Village Board of Allouez as follows:

1. That petitioner's interest in the property is as Residence (owner)
2. That record title to the property is presently in the name of from Deed (Kevin) being retitled now Mike Bliss
3. That the legal description of the property under consideration is: 50 ft Math Reys Plot Lot 7-8-13-14 ex 5-5 ~~125~~ of Lots 8-13  
or a copy of the legal description is attached hereto. EX R.R. Also E 9 ft of Lot 11
4. That the size of the property is: 20,427 sq ft (60' x 310')
5. That a certified survey map, or a copy of the recorded plat on which the property is shown is attached hereto.
6. That the premises are presently zoned as Class Business
7. That the petitioner seeks rezoning to Residential

Dated this 18 day of October, 20 16.

(Signed) Kevin C. Servais  
(Petitioner)

(Signed) \_\_\_\_\_  
(Owner, if other than Petitioner)

Oct. 25, 2016

Plan Commission Meets  
(Informational Notice - Petitioner to be present)

Board accepts or rejects Plan Commission recommendation.  
Board may or may not schedule a hearing.

Jan. 17, 2017

Date of hearing if one is scheduled  
(requires a Class II Notice - Petitioner to be present)

# Memo

To: Plan Commission

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: ACTION RE: REZONING PARCEL NUMBER AL-1592, LOCATED AT 1525 S. WEBSTER AVENUE LEGALLY DESCRIBED AS: MATH REYNENS PLAT LOTS 7-8-13 & 14 EX S 50 FT OF LOTS 8 & 13 & EX R.R. ALSO E 9 FT OF LOT 11 FROM COMMERCIAL TO B RESIDENTIAL

Date: October 19, 2016

A petition to rezone parcel AL-1592, located at 1525 S Webster Avenue from "Commercial" to "B Residential" has been requested by Kevin Servais. The current structure and use of the parcel is an upper/lower duplex and is an existing, non-conforming use.

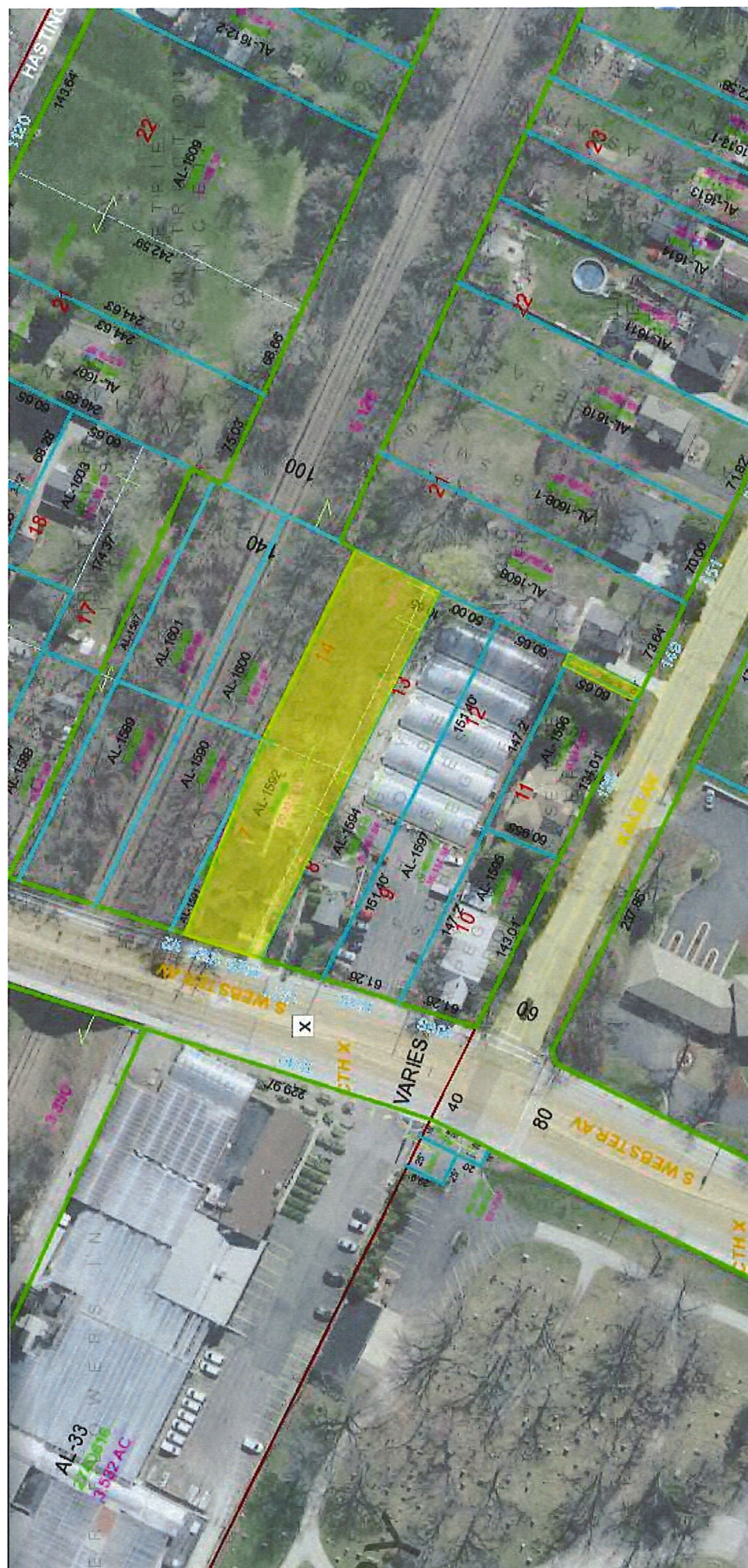
The Village of Allouez Comprehensive Plan (amended in 2015) does not specifically reference this parcel, but does call for commercial development in this area (along S Webster Avenue, approximately from Allouez Avenue to the Green Bay border).

It is unknown whether or not this lot has always been zoned "Commercial." However, the current use is only allowed under "B Residential." The zoning code does require that any "B Residential" lot have 90' of frontage. The building was likely constructed when neither of these requirements were in place, making this an existing, non-conforming use. Change in the zoning will require the parcel to comply with all of the zoning requirements for the new zoning. Any variance would have to be granted by the Board of Appeals. Rezoning of the parcel would need to be contingent on receiving a variance.

Parcel AL-1592 includes a 9'x60' strip off of Kalb Avenue (see attached) that was created for access to Kalb Avenue. A 9' easement allows for continued access to both pieces of the parcel. The small piece of land could be excluded from the rezoning by creating separate "zoning lots," but will have to be specifically referenced.

Plan Commission is asked whether or not to recommend approval to rezone parcel AL-1592 from "Commercial" to "B Residential" and if it should include the 9 x 60' strip off of Kalb. If the recommendation is to approve rezoning of the parcel, condition should be to receive a variance for lot frontage from the Board of Appeals.

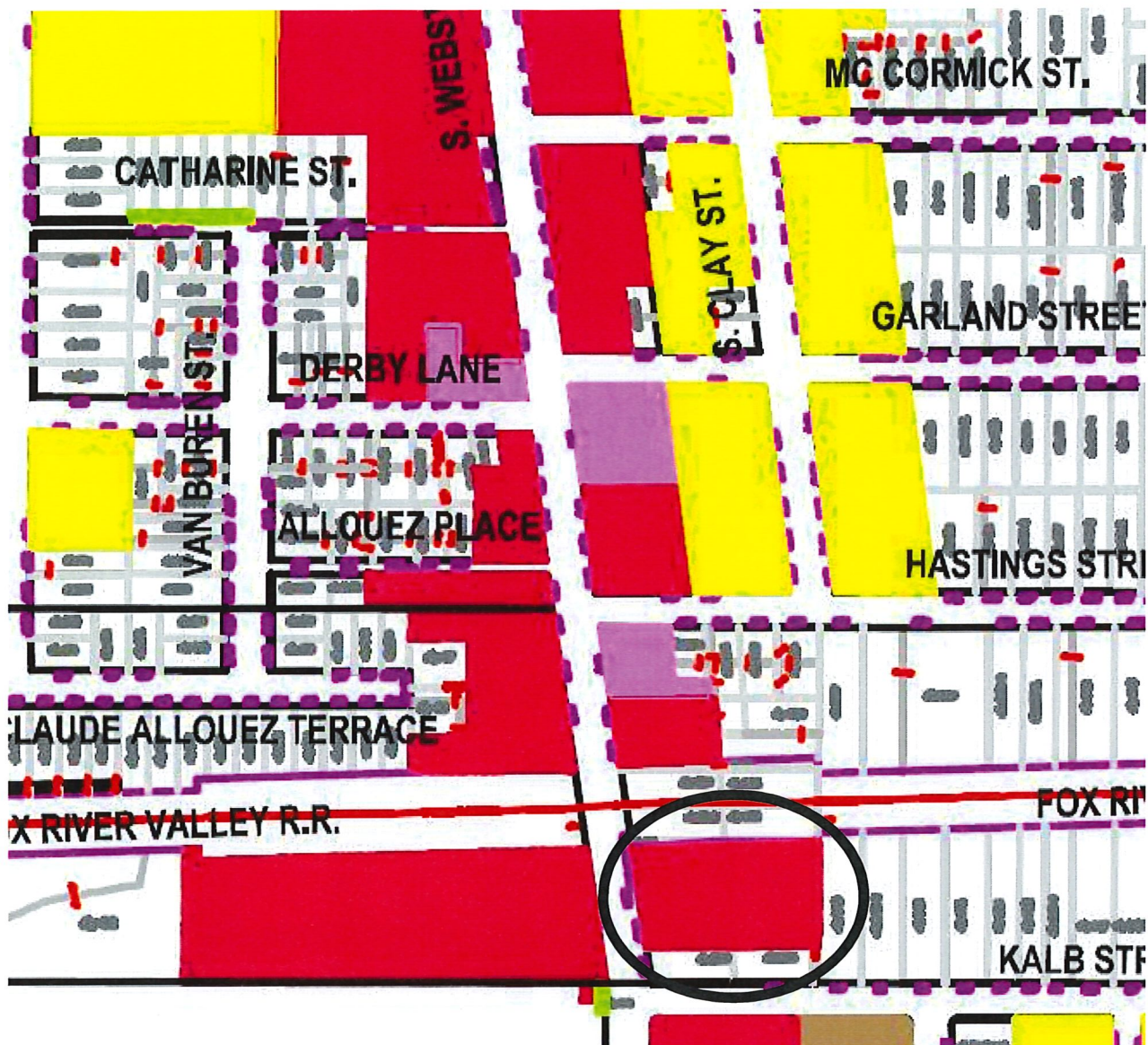






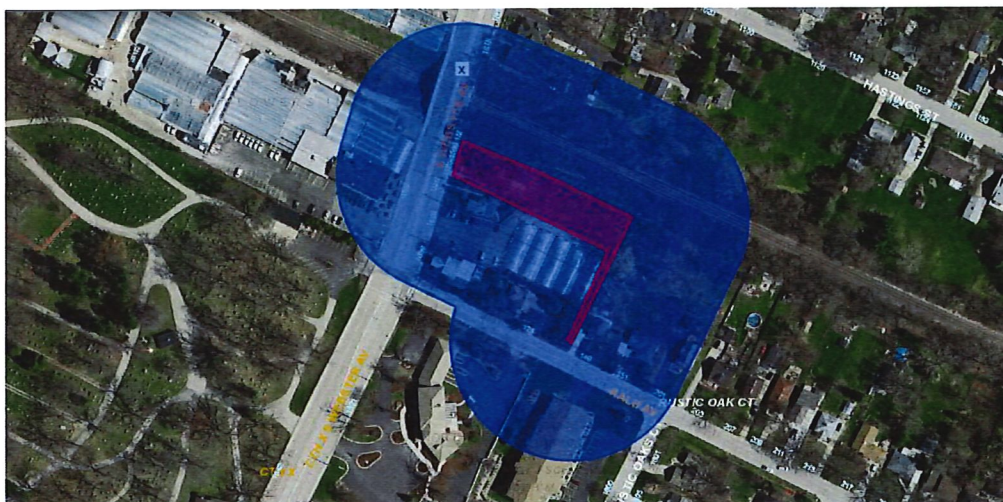
# Surrounding Zoning

---



## 200' Around Property

---



October 25, 2016 (Plan Commission Meeting)

**PLAN COMMISSION MEETING  
TUESDAY, OCTOBER 25, 2016  
6:00 PM, ALLOUEZ VILLAGE HALL**

CALL TO ORDER/ROLL CALL

Kornowske called the meeting to order at 6:00 p.m.

Present: Kornowske, Retzlaff, Dart, Ropp, Kowalzek-Adrians (arrived at 6:01p.m.), Hansen, Nohr  
(arrived at 6:03p.m.)  
Excused: Wheeler  
Also Present: B. Lange, T. Fuller

MODIFY/ADOPT AGENDA

**Retzlaff / Hansen moved to adopt the agenda as presented. Motion carried.** (Kowalzek-Adrians, Nohr not present for vote)

MINUTES FROM SEPTEMBER 7, 2016

**Dart / Hansen moved to adopt the minutes from September 7, 2016 as presented. Motion carried.** (Kowalzek-Adrians, Nohr not present for vote)

MINUTES FROM SEPTEMBER 26, 2016

**Kowalzek-Adrians / Retzlaff moved to adopt the minutes from September 26, 2016 as presented. Motion carried.** (Nohr not present for vote)

ANNOUNCEMENTS

- Webster Avenue Bridge opening ceremony is on Saturday, October 29<sup>th</sup> from 11:00-3:00. There will be live music, food, and activities.
- Allouez residents are able to Early Vote at the Village Hall Monday-Friday from 7:30-4 up until the Friday before the election (November 4<sup>th</sup>).
- Comment period is open for a Combination Certified Survey Map (CSM) located at 3130 S Webster Avenue.
- The League of Wisconsin Municipalities has said that being absent from a meeting does not prohibit a voting member from voting on the approval of meeting minutes from the meeting missed.
- Staff reminded the Plan Commission members to reply "accept" or "decline" to the meeting requests so alternates can know ahead of time if they will need to attend.



PUBLIC APPEARANCES

Jim O'Rourke, 2339 Oakwood Avenue

- Would like to see the village follow the Graef recommendations for more mixed-use zoning in our zoning districts, specifically along the nodes of Riverside Drive on the riverfront.
- Agrees with the rezoning request (Parcel AL-1592) because it creates commercial nodes instead of a commercial strip. Commercial nodes are historically how Webster developed along the trolley line.

ACTION RE: REZONING PARCEL NUMBER AL-1592, LOCATED AT 1525 S. WEBSTER AVENUE  
LEGALLY DESCRIBED AS: MATH REYNENS PLAT LOTS 7-8-13 & 14 EX S 50 FT OF LOTS 8 & 13 &  
EX R.R. ALSO E 9 FT OF LOT 11 FROM COMMERCIAL TO B RESIDENTIAL

Kevin Servais, petitioner, 1525 S Webster Avenue, was present to provide a background on the property and answer any questions.

- Cannot receive a home equity loan, only a commercial loan, under current zoning
- Plans to continue the current use as residential
- Current zoning will limit the sale of his property to those with cash or business interests
- The property is a small area to be redeveloped
- The property lost some frontage with the Webster Avenue Bridge reconstruction

Discussion included:

- Previous use of the building – was previously used as a retail shop
- Looking at the aggregate of all the surrounding parcels for redevelopment
- The current use (residential) can maintain as an existing non-conforming use
- Personal finance problem versus village zoning issue
- The question of mixed use zoning
- Potential of other financing options: TIF (Tax Increment Finance) funds, CDBG (Community Development Block Grant) loan
- The current uses and zoning of surrounding properties
- Proposed repairs to the house and how the Board of Appeals next steps
- Subdivision history of the property and surrounding parcels
- Upstairs rental
- The number of properties village-wide that are existing non-conforming use
- The Comprehensive Plan direction
- Possibility of temporary zoning

**Retzlaff / Ropp moved to table action to the next meeting so that staff can investigate temporary zoning and other financing options. Motion carried.**

ACTION RE: MUTUAL ACCOUNTABILITY FOR PLAN COMMISSION RECOMMENDATIONS

Discussion included:

- The checklists that are provided to developers prior to beginning development review processes (Planned Development District and Site Plan and Design Review) – items that are required and identified in the checklist
- Order of procedures for the development review processes

October 25, 2016 (Plan Commission Meeting)

- Providing the minutes to the Village Board as part of a development review process agenda packet prior to being approved by the Plan Commission.
- Staff specifically identifying items that do not meet the zoning code or items that are missing from the packet
- Staff more clearly pointing out to the Village Board the reasoning behind the Plan Commission decisions at their meetings for the public benefit

#### DISCUSSION OF BICYCLE AND PEDESTRIAN PLAN

Staff went over the maps that illustrate the location and types of facilities being discussed by the Ad Hoc Bicycle and Pedestrian Committee. The maps were compared with the maps from the 2015 Comprehensive Plan update, which show proposed bicycle and pedestrian facilities.

**The commission suspended the rules at 7:11p.m. and opened discussion up for public comment.**

Jim O'Rourke, 2339 Oakwood Avenue

- Suggests a crossing be added on Riverside Drive from Taft Street so the neighborhood can access the Fox River Trail.
- Commented on the need for sidewalk on Taft Street.
- Fox River Trail pass sales will increase with increased access to the trail.

**The commission picked up the rules at 7:13p.m. and closed public comment.**

Discussion will continue as the draft of the plan is developed.

#### DISCUSSION OF VILLAGE OWNED PROPERTIES FOR SALE

Staff provided an update on the properties the village currently has listed for sale.

- Former Village Hall property (1646 & 1677 S Webster Avenue)
- Pump House (535 Greene Avenue)
- Former Town & Country Supplier Club property (3241 & 3245 Riverside Drive)

#### UPDATE ON ZONING CODE PROCESS

Staff reported that the Village Board is reviewing the project and will consider funding in the 2017 Budget. Staff is also investigating other avenues that will assist in analyzing the existing code.

#### BOARD OF APPEALS UPDATE FROM OCTOBER 10, 2016

Kornowske provided an update of the Board of Appeals decision from October 10, 2016 for the property located at 1230 Goodell Street. Variance requested for frontage and lot area was approved.

Staff reviewed a report of past Board of Appeals decisions.



October 25, 2016 (Plan Commission Meeting)

NEXT MEETING DATE AND AGENDA ITEMS

Next meeting date: Monday, November 28, 2016, 6:00p.m.

Agenda items: Action re: rezoning of Parcel AL-1592, update on the Bicycle and Pedestrian Plan, update on the zoning code process

ADJOURNMENT

**Retzlaff / Hansen moved to adjourn at 7:47p.m. Motion carried.**

Minutes submitted by Trevor Fuller, Planning and Zoning Administrator.