



Meeting Date: 2/18/13
 Agenda Item: #6-7

**VILLAGE OF HOWARD PLAN COMMISSION
 STAFF REPORT**

REPORT TO: Burt McIntyre, President
 Village Plan Commission

REPORT FROM: Dave Wiese, Community Development Director

REPORT WRITTEN: February 12, 2013

REPORT SUBJECT: **Agenda Item # 6-7**
 Action on a request for a conditional use permit from Schroeder's Flowers and Woodman's Food Market to construct two temporary structures in the Woodman's parking lot, located at 2400 Dousman Street, for the purpose of selling flowers and garden plants over a period of 110 days

BACKGROUND

BASIC INFORMATION

Project Name	Schroeder's Flowers CUP
Applicant Name/Contact No.	Schroeder's, 920-499-1480
Consulting Planner and/or Engineer	N/A
Size of Parcel	18.13 Acres
Existing Zoning	Business (B-1)
Requested Zoning	N/A
Abbreviated Legal	Lot #42, 29-41 Retail Centre
Comp. Land Map Designation	Regional Commercial

ADJACENT LAND USE/ZONING MATRIX

<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>
North	Vacant Land & Single Family Dwellings	B-1 & R-2
South	Bank, Hair Salon, Vacant Restaurant	B-1
East	Office Buildings & Highway 41	B-1 & B-2
West	Single/Two Family Dwellings	R-1 & R-2

ZONING CONSISTENCY MATRIX

	<i>Required</i>	<i>Provided</i>
Zoning Requested:		
Minimum Development Area	5000 square feet	18 Acres
Minimum Lot Width	50 feet	331+ feet
Minimum Street Building Setback	35 feet	35+ feet
Minimum Side Yard Setback	10 feet	>50 feet
Minimum Rear Yard Setback	15 feet	>50 feet
Maximum Height	35 feet	<35 feet

BACKGROUND

The subject property is currently the site of the Woodman's Grocery Store. The applicant is requesting a conditional use permit to place a 30' x 64' greenhouse and a 30' X 48' awning type structure in the Woodman's parking lot for the outdoor storage and sale of garden plants (annuals and perennials.) The time frame requested is for a 110-day period.

The Plan Commission unanimously approved the same request in 2011 by granting a two-year conditional-use permit with the following conditions:

1. No additional lighting is added.
2. No additional signs are added (only the name on the cover of the greenhouse).
3. If electricity is needed, proper measures are in place to protect the public.
4. Hours of operation are from 8 a.m. to 8 p.m. seven days a week.
5. All development is done consistent with the application as submitted.

EXECUTIVE ANALYSIS

1. **Zoning** The property is presently zoned is zoned B-1 Business. A CUP is needed for any outdoor sales and storage.
2. **Setbacks** The locations of the structures are the same as last year. All setbacks would be met.
3. **Parking** Shared with Woodman's.
4. **Floodplain, Shoreland Zoning & Stormwater Management** N/A
5. **Land Division** No land division is being proposed in this request.
6. **Lighting** All new lighting will be required to comply with Section 17.24 of the Zoning Ordinance (Exterior Lighting Regulations).
7. **Fire Protection** This property is currently served by the municipal water system and is located approximately 3.0 miles from the nearest fire station.

CONDITIONAL USE STANDARDS Section 17.20(10)(g) of the Zoning Ordinance requires that "The Plan Commission shall not recommend and the Village Board shall not approve a conditional use unless findings are first made, based on evidence presented, that the following standards are met."

1. The conditional use shall not be detrimental to or endanger the health, safety, morals, comfort or general welfare of the public.
2. The conditional use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted, nor shall it substantially diminish or impair property values within the neighborhood.
3. The conditional use shall not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.
4. The exterior architectural appeal and functional plan of proposed buildings and structures shall not be so at variance with existing buildings and structures, or buildings and structures under construction in the immediate area, or the character of the zoning district, as to cause a substantial depreciation in property values within the neighborhood.

5. Adequate utilities, access roads, drainage and necessary facilities are in place or will be provided.
6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
7. The conditional use shall, in all other respects, conform to applicable regulations of the zoning district in which it is located, except as such regulations may be modified by the Village Board pursuant to Plan Commission recommendations.

RECOMMENDED ACTION BY THE PLAN COMMISSION

It is requested that the Plan Commission open the public hearing and ask the applicant to present the plans for the proposed structures in detail, including how the above referenced "Conditional Use Standards" will be met. Subsequently, the Plan Commission should invite comments from the public and then close the public hearing.

The Village staff is requesting that, after the public hearing is closed, the Plan Commission review the applicant's request and, if satisfied with the proposal, recommend approval to the Village Board with the following conditions and any specific conditions as may be necessary to satisfy the "Conditional Use Standards" referenced above:

1. No additional lighting is added.
2. No additional signs are added (only the name on the cover of the greenhouse).
3. If electricity is needed, proper measures are in place to protect the public.

The Plan Commission previously approved a two-year conditional use permit. During the two-year period, no problems were experienced and no complaints were received. According to Sec. 50-1013 of the Howard Municipal Code, the Plan Commission can recommend to the Village Board approval of the conditional use permit for any period up to five years:

Sec. 50-1013. - Validity.

A conditional use approval granted by the village board per section 50-1012 shall be valid for a period not to exceed five years at which time the approval shall expire and the structure shall be dismantled and removed from the property.

ATTACHMENTS

I-VIII Completed Conditional Use Application/ Supplemental Information

COPIES EMAILED TO

Schroeder's, 1530 S. Webster Ave., Green Bay, WI 54301 plantdr@schroederflowers.com



2456 Glendale Ave
Green Bay, WI 54313

CONDITIONAL USE PERMIT APPLICATION

See Following Pages for Materials to be submitted with this application
Application Fee: \$250.00
Date: _____
Initials: _____
Application #: _____

Applicant

Name: Schroeders Flowers Inc and Woodmans Food Market
Address: 1530 S Webster Ave Green Bay WI 54301
Phone: (920)-712-5882 Email: Huts@SchroederFlowers.com
Business Name: Woodmans Food Market
Conditional Use Site Address: 2400 Dousman St Green Bay WI 54303
Landowner of Record: Woodmans Food
Address: 2400 Dousman St Green Bay WI 54303
Phone: (920)- - - - Email: _____

Consultant(s)

Architect

Name: None
Address: Same
Phone: () - - - - Email: _____

Contractor/Engineer

Name: Schroeder's Flowers Inc
Address: 1530 S Webster Ave Green Bay WI 54301
Phone: (920)-712-5882 Email: Huts@SchroederFlowers.com

Parcel/Building Information

Lot Size: X Acres/Sq. Ft Current Zoning: Business Parcel Number: VH - X
Lot Dimensions: 19205₂ Ft Does Current Zoning Permit Intended Use: yes
Bldg. Sq. Footage: 1440 Sq Ft Street Frontage: 30x64 - 30x48

Describe Specifically the Nature of the Request: We request to place 2 Temporary structures in Woodmans parking lot. The same size structure as the last 6 years - in same location these are Greenhouse type structures made of steel frames and covered with plastic. We propose to sell plants, flowers and assorted products in or around the greenhouse. Greenhouse are 14 high we would like to request a total of 110 days - also similar in past years 5 days to set up and 3 days to remove structures.

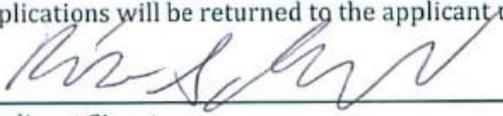
REQUIRED

(Check the Box to Signify Your Submittal of Listed Items Which Apply to Your Request)

- A plat of survey or the equivalent thereof depicting the location, dimensions, boundaries, uses and size of the site. *Enclosed 2 Air photos*
- A site plan including the following:
 - Density and floor area ratio
 - Building heights and setbacks *Greenhouse Height 14' set backs shown on photo*
 - Size & location of lots
 - Screening and fencing *No screening or fencing Planned*
 - Location of sanitary and storm sewer lines
 - Location of water mains
 - Site drainage
 - Location of roads, driveways and walks *- shown on air photo*
 - Existing and proposed structures, parking, loading areas, ingress/egress points *shown*
 - Location of recreational and open space areas reserved or dedicated for public uses
 - Percentage of green space & impervious surface
- Landscape plan including table depicting quantity, size and name of species.
- Lighting plan showing photometrics and a specification sheet of all fixtures to be used. *No lighting*
- Full-color rendering of building facades and large samples of colors and building materials that will be used on the project. *Pictures Enclosed*
- An attachment stating the methods and hours of operation. *8am to 8pm 7 days a week*
- Sign plan with dimensions of sign. *Maximum The only signs with Schroeders Name would be on the building (Greenhouse) picture #2 shows a banner with name that we used until we could get our name painted on the Greenhouse.*

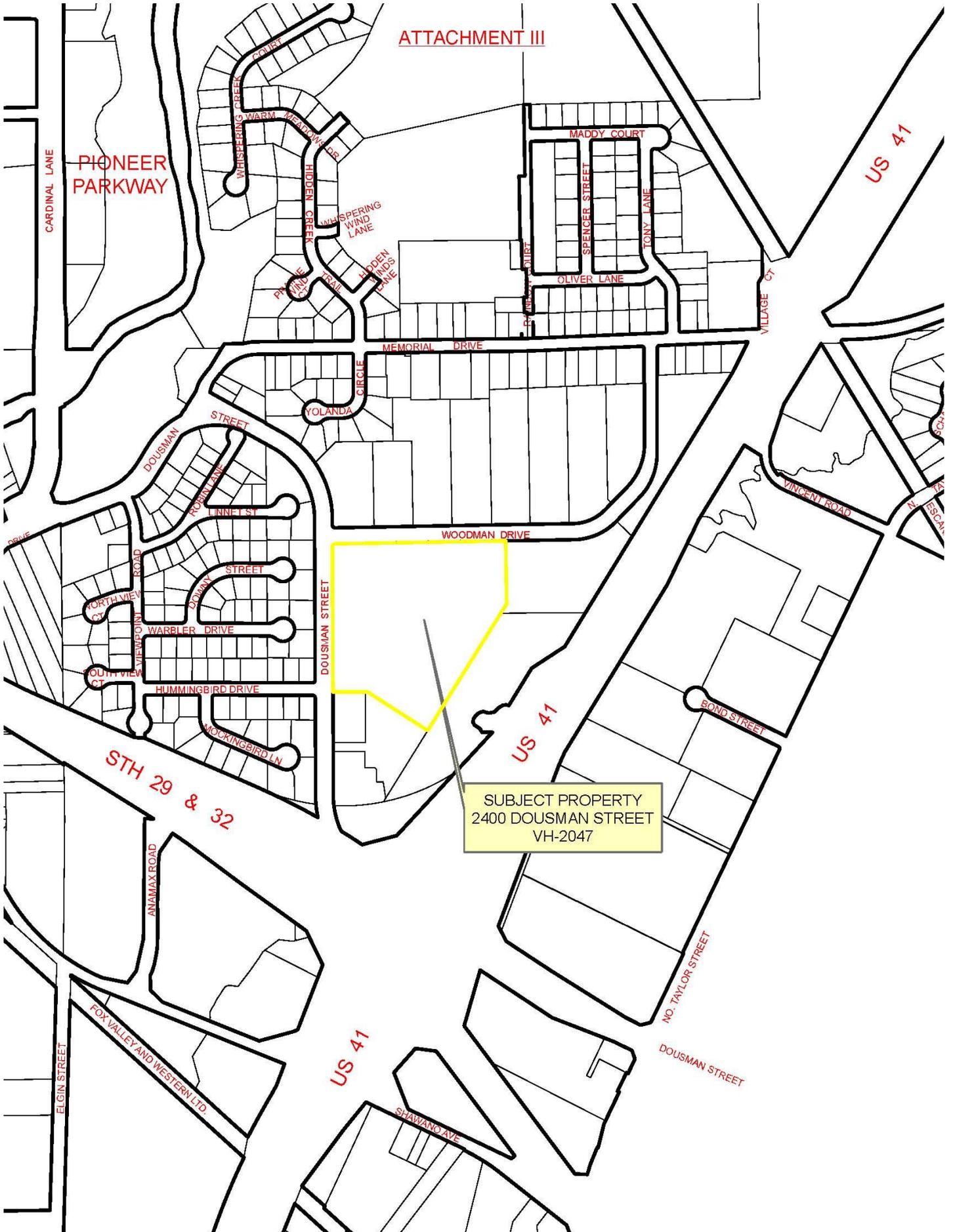
Submit 10 copies of all color documents. If possible, provide electronic versions (pdf, word, excel, etc) of plans.

With this signature, I certify that all required materials above have been submitted. Furthermore, I understand any required materials not submitted will result in an incomplete application. Incomplete applications will be returned to the applicant until all required materials are submitted.

X  _____ 10-30-12 _____
Applicant Signature Date

Please direct all questions to Dave Wiese at 434-4640 or dwiese@villageofhoward.com

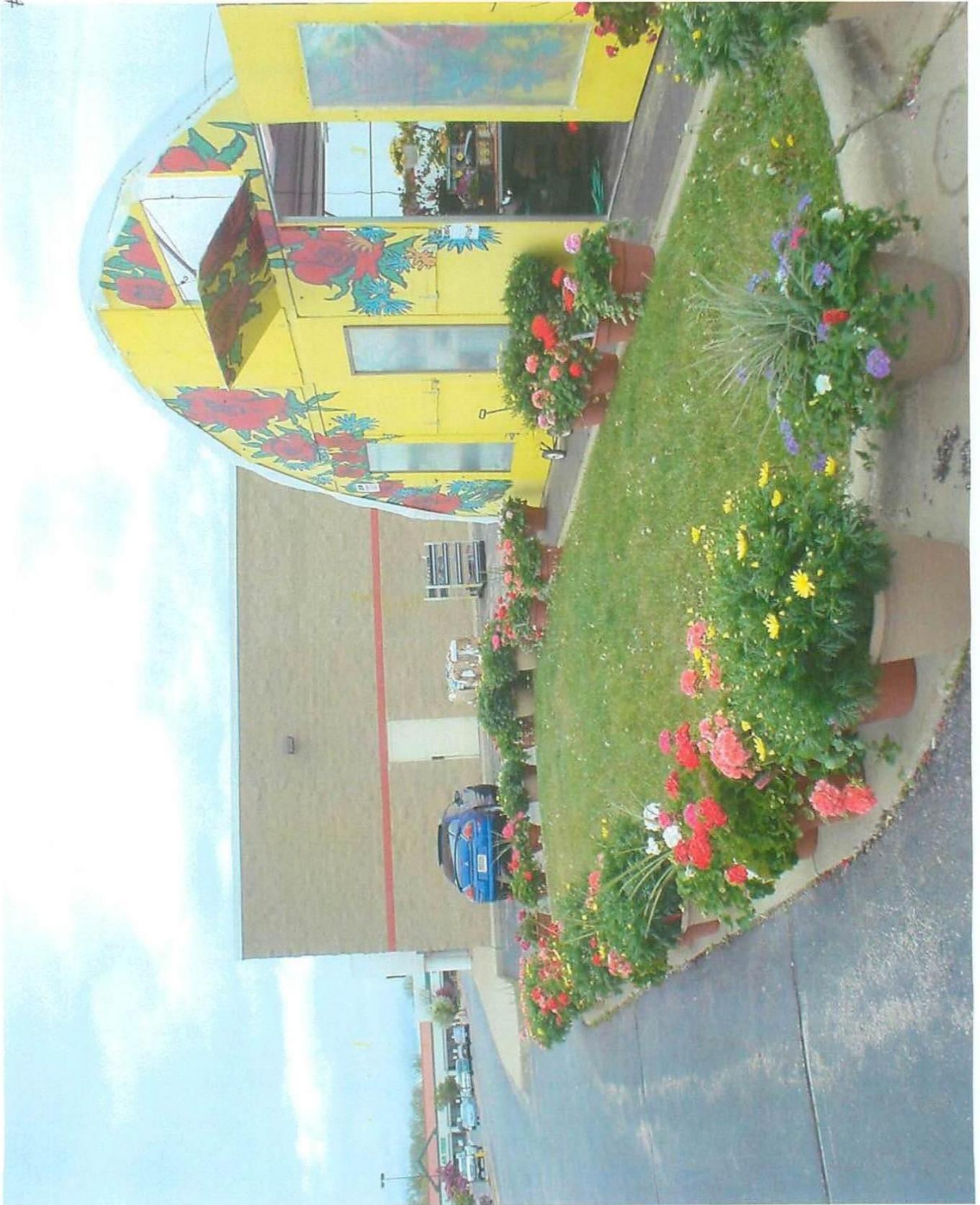
ATTACHMENT III





ATTACHMENT VI

#7



#2

ATTACHMENT VII



7
H



Schmoedens

