



Meeting Date: 8/19/13
Agenda Item: #6-7

Mission Statement
Delivering quality services in a courteous,
cost-effective and efficient manner

PLAN COMMISSION STAFF REPORT

REPORT TO: President Burt McIntyre and Village Plan Commission

REPORT FROM: Dave Wiese, Director of Community Development

AGENDA ITEM: Action on request for conditional use approval from Dr. Crystal Maloney, representing Vitality Chiropractic, to allow a chiropractic office at 2253 Woodale Avenue, VH-727-B-291-19 and VH-727-B-291-20.
THIS WILL BE A RECOMMENDATION TO THE VILLAGE BOARD FOR THE AUGUST 26, 2013 VILLAGE BOARD MEETING.

POLICY ISSUE

Should the Village approve the conditional use thereby allowing a chiropractic office at 2253 Woodale Avenue?

RECOMMENDED ACTION BY PLAN COMMISSION

It is recommended that the Plan Commission open the public hearing and ask the applicant to explain his request in detail. Subsequently, the Plan Commission should invite comments from the public and then close the public hearing. After the public hearing is closed, the Plan Commission should review the applicant's request, including how the Conditional Use Standards will be met. Finally, if satisfied with the proposal, the Plan Commission should recommend approval to the Village Board with any specific conditions as may be necessary to address concerns voiced by the public, staff or Commission members.

POLICY ALTERNATIVE(S)

The Plan Commission could take any of the following actions:

- Approve the request without conditions.
- Approve the request with conditions.
- Deny the request
- Table the request until a later meeting date

BACKGROUND The applicant is requesting conditional use approval to allow for a chiropractic office in part of the tenant building at 2253 Woodale Avenue. As per section 50-562, conditional uses in the I-1 General Industrial Zoning District include limited non-accessory retail, office and business uses which are compatible with and operated concurrently in the same building as a permitted use.

EXECUTIVE ANALYSIS

1. The property is presently zoned I-1. Several uses are established in the strip development.
2. **Setbacks** The applicant would be using the existing building and renting space.
3. **Parking** Adequate parking exists on site.
4. **Floodplain, Shoreland Zoning & Stormwater Management** N/A
5. **Land Division** No land division is being proposed in this request.
6. **Lighting** N/A
7. **Fire Protection** This property is not currently served by the municipal water system and is located approximately 3.0 road miles from the nearest fire station.

CONDITIONAL USE STANDARDS Section 50-267 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.

STAFF RECOMMENDED CONDITIONS

1. Any additional signage other than wall signs or a monument sign shall need site plan approval.

ATTACHMENTS

- I. Completed application
- II. Link to aerial view <http://data.mashedworld.com/dualmaps/map.htm?x=-88.0716612136&y=44.5725500668=16&gm=2&ve=5&gc=0&bz=16&bd=0&mw=1&sv=1&svb=0&svp=0&svz=0&svm=1&svf=1>



CONDITIONAL USE PERMIT APPLICATION

2456 Glendale Ave
Green Bay, WI 54313

See Following Pages
for Materials to be
submitted with this
application

Application Fee: \$250.00

Date: _____

Initials: _____

Application #: _____

Applicant

Name: Dr. Crystal A. Maloney D.C.
Address: 1600 W. Shawano Ave. #124 Green Bay, WI 54303
Phone: (920)-328-8400 Email: clarentdc@gmail.com
Business Name: Vitality Chiropractic
Conditional Use Site Address: 2253 Woodale Ave Green Bay, WI 54813
Landowner of Record: Mi-Mar Builders II / Mike Derks
Address: 1540 Capitol Drive Suite 107
Phone: (920)-609-0118 Email: _____

Consultant(s)

Architect

Name: _____
Address: _____
Phone: () - - Email: _____

Contractor/Engineer

Name: _____
Address: _____
Phone: () - - Email: _____

Parcel/Building Information

Lot Size: _____ Acres/Sq. Ft Current Zoning: _____ Parcel Number: VH - _____
Lot Dimensions: _____ Does Current Zoning Permit Intended Use: _____
Bldg. Sq. Footage: _____ Street Frontage: _____

Describe Specifically the Nature of the Request:

Requesting to put a Chiropractic office/practice at this location 1 Doctor Practice.

(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.
- A site plan including the following:
 - Density and floor area ratio
 - Building heights and setbacks
 - Size & location of lots
 - Screening and fencing
 - Location of sanitary and storm sewer lines
 - Location of water mains
 - Site drainage
 - Location of roads, driveways and walks
 - Existing and proposed structures, parking, loading areas, ingress/egress points
 - 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.
- Full-color rendering of building facades and large samples of colors and building materials that will be used on the project.
- An attachment stating the methods and hours of operation.
- Sign plan with dimensions of sign.

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 *D. Capital Maloney*
Applicant Signature

6/20/13
Date

Please direct all questions to Dave Wiese at 434-4640 or _____

Please Note the Following

- Incomplete applications will not be accepted and/or processed.
- All applications and required materials must be submitted on or prior to the deadline on the schedule displayed on page three (3) of this application.
- Processing an application may take up to sixty (60) days due to legal notices mandated by State law
- The Plan Commission meets on the third Monday of every month at 6:30 p.m. at 2456 Glendale Avenue
- The Plan Commission will make a recommendation to the Village Board (often with conditions) to approve or deny the conditional use permit request. The Village Board will take action on the recommendation from the Plan Commission at the next scheduled Board meeting (typically the fourth Monday of the month).
- If approved, the permit must be signed by the Village Administrator and the applicant prior to any construction or business activity taking place.

Standards Used by Plan Commission When Ruling on a Conditional Use Permit Request

- Issuance of conditional use permit shall not be detrimental to or endanger the health, safety, morals, comfort or general welfare of the public.
- Shall not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.
- Shall not substantially diminish or impair property values within the neighborhood or impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.
- The exterior aesthetic appeal and functionality of proposed buildings must complement existing buildings and the character of the zoning district.
- Adequate utilities, access roads, drainage and other necessary utilities are provided.
- Adequate ingress/egress shall be designed to minimize traffic congestion.
- Must conform to applicable regulations of the zoning district in which it is located.