



Meeting Date: October 15, 2012
Agenda Item: #12-13

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

VILLAGE PLAN COMMISSION STAFF REPORT

REPORT TO: President Burt McIntyre and Village Plan Commission

REPORT FROM: Dave L. Wiese, Executive Director of Community Services

AGENDA ITEM: A public hearing at 5:55 p.m. on October 15, 2012 at 2456 Glendale Avenue concerning a request for a conditional use approval from Vandervest Harley-Davidson to allow outdoor amplified music, sale of merchandise, service and sale of food at 1966 Velp Avenue (VH-2652)

ACTION REQUESTED: Approval of the proposed conditional use permit.

POLICY ISSUE

Should the Village approve the conditional use permit, thereby allowing outdoor amplified music, sale of merchandise, service and sale of food?

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.

BASIC INFORMATION

Project Name	Vandervest CUP
Applicant	Lynn Vandervest
Phone	920-498-8822
Consultant/ Engineer	N/A
Parcel Size	8.08 Acres
Proposed Zoning	N/A
Current Zoning	Highway Commercial (B-2)
Land Map Designation	Neighborhood Commercial

ADJACENT LAND/ZONING MATRIX

	LAND USE	ZONING
North	Park, Vacant Land	B-2 & I-1
South	Business & Residential	B-2 & R-1
East	US 41	B-2
West	Business	B-2

POLICY ALTERNATIVE(S)

The Plan Commission could take the following action:

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

BACKGROUND INFORMATION

The applicant wishes to have outdoor sales (food and drink consumption) and amplified music, parties, etc. outdoors. A conditional use permit is required because Section 50-500(4) of the Zoning Ordinance requires that *“Except for permitted off-street parking and loading, and except as specifically allowed as a conditional use in accordance with the regulations specified in division 9 of article II of this chapter, all business, servicing, processing, sales and storage shall be conducted within completely enclosed buildings.”*

EXECUTIVE ANALYSIS

1. **Zoning:** The property is zoned Highway Commercial (B-2). The proposed use is a conditional use in the B-2 zone.
2. **Setbacks:** All existing construction complies with current setback regulations.
3. **Parking:** All parking for events should be handled on site.
4. **Floodplain, Shoreland Zoning & Stormwater Management:** The property is located in a regulatory 100-year flood fringe area. However, this fact has no effect on the proposed CUP.
5. **Land Division:** No land division is being proposed with this request.
6. **Lighting:** The application submitted does not include a proposal for new lighting. However, if new lighting is installed it will have to comply with the exterior lighting regulations set forth in the Zoning Ordinance.
7. **Fire Protection:** This property is served by municipal water and sewer and is located approximately 1.00 miles from the nearest fire station.
8. **Lot Width and Area:** The lot complies with the minimum lot width and area regulations of the Zoning Ordinance
9. **Driveway Locations:** Driveway locations remain unchanged.
10. **Signage:** No additional signage is being proposed.
11. **Garbage:** The dumpsters are not presently enclosed within an enclosure and there are no enclosure requirements in the B-2 zone.
12. **Landscape:** No new landscaping is being proposed.

CONDITIONAL USE STANDARDS

Section 50-267 of the Zoning Ordinance requires that *“The Village 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 village plan commission recommendations.

CONDITIONS REQUIRED BY VILLAGE CODES

N/A

CONDITIONS SUGGESTED BY STAFF

When reviewing this request, the Plan Commission may wish to consider one or more of the following as conditions of approval of the Conditional Use Permit:

1. The consumption of food and drink shall be limited to the patio area.
2. The outdoor patio area shall be monitored and supervised by staff personnel at all times.
3. Electronically amplified sounds shall be permitted until 10:00 p.m. on weekends.
4. Construct a dumpster enclosure to enclose the dumpsters and waste oil container complying with the regulations set forth in Section 50-508(6) of the Village Code within one year of permit issuance.
5. The conditional use permit shall expire 2 years from the date of approval.
6. The consumption of alcohol shall be limited to the patio area within the confines of the existing fence.
7. No additional lighting is added.

ATTACHMENTS

- I Completed Conditional Use Permit Application
- II Plat map of property

ATTACHMENT I



2456 Glendale Ave
Green Bay, WI 54313

**CONDITIONAL USE PERMIT
APPLICATION**

See Following Pages ¹⁰⁶
for Materials to be ^{9/19/12}
submitted with this
application

Application Fee: \$250.00

Date: 9-6-12

Initials: _____

Application #: _____

Applicant

Name: Olde 41 (Vanderwest Harley-Davidson)
Address: 1906 Velp Ave Green Bay, WI Green Bay
Phone: 920-498-8825 Email: 31303
Business Name: _____
Conditional Use Site Address: _____
Landowner of Record: Alex. Lynn Vanderwest
Address: 15881 Mary Rd New Franken WI
Phone: () - - - - Email: lynn@vwd.com 5625

Consultant(s)

Architect

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

Contractor/Engineer

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

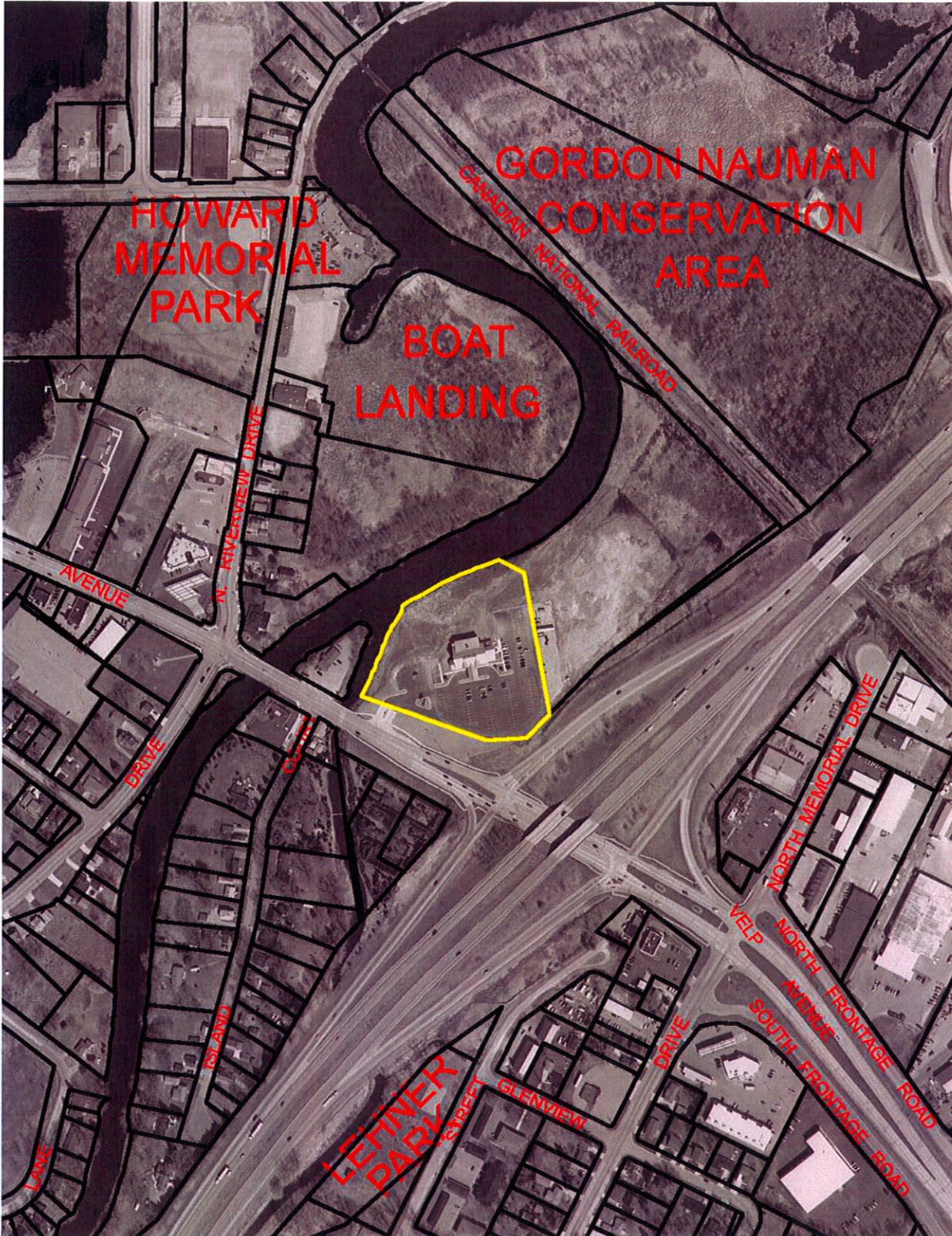
Parcel/Building Information

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:

Permit to sell beer-liquor outdoors
sell clothing-collared shirts outdoor
Live Music outdoors
grill food outdoors for packer parties, Benelites, etc.
Wedding receptions; parties outdoors.

ATTACHMENT II



SMET CONSTRUCTION SERVICES
 688 WALTER DRIVE
 CHESTER, VA 6085
 PHONE (803) 682-0828
 1-800-275-8728
 WWW.SMET.COM



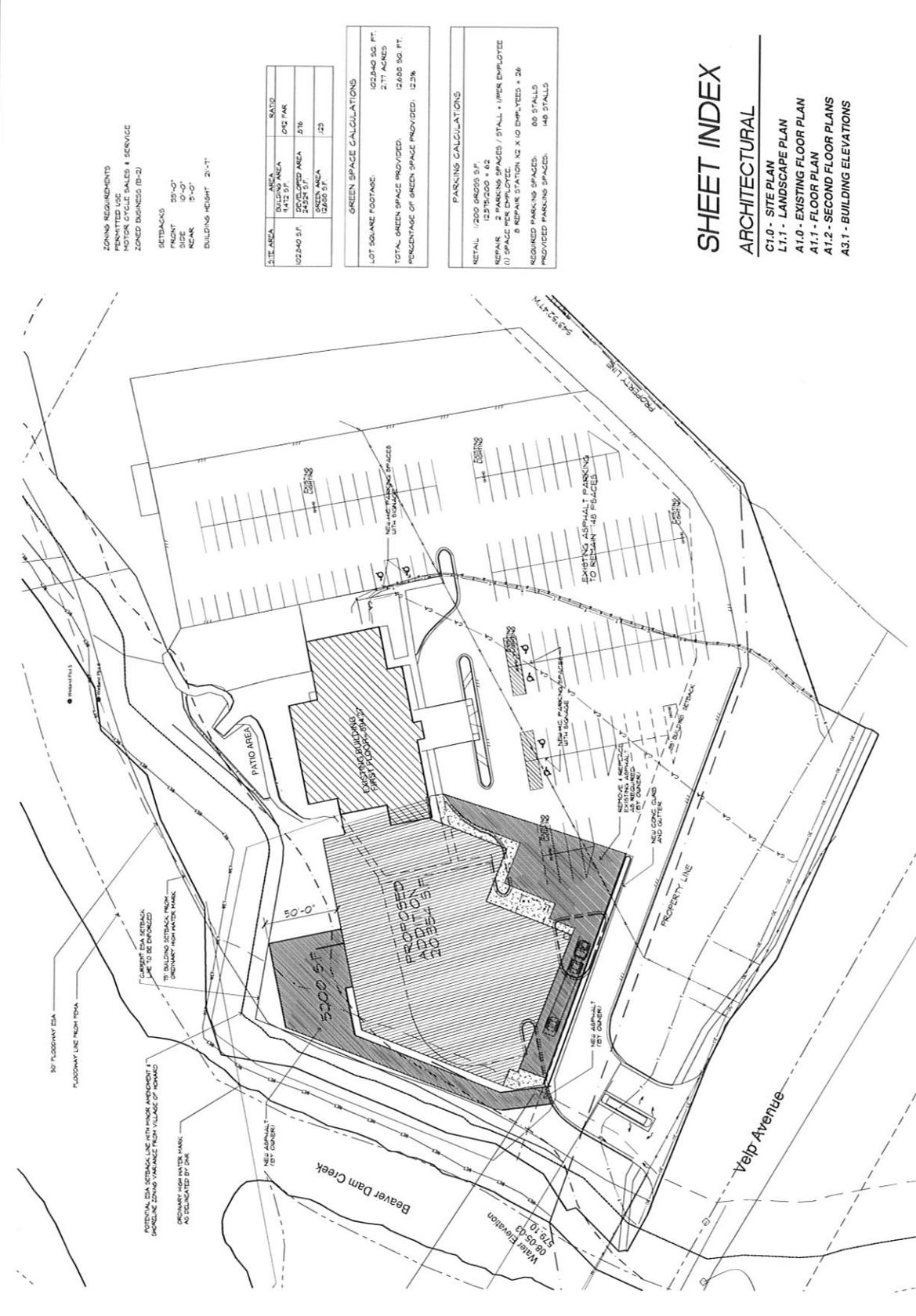
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NO.	REVISION	DATE
1	ISSUED FOR PERMITS	03/14/20
2	REVISED PER COMMENTS	03/14/20
3	REVISED PER COMMENTS	03/14/20
4	REVISED PER COMMENTS	03/14/20
5	REVISED PER COMMENTS	03/14/20

NEW FACILITY FOR
 HARLEY DAVIDSON
 VILLAGE OF HOWARD, VA

PROJECT NO.	19-00000000
DATE	MARCH 14, 2020
SCALE	1" = 30'-0"
DRAWN BY	...
CHECKED BY	...
DATE	...

C1.0



ZONING REQUIREMENTS
 PERMITTED USE
 MOTOR CYCLE SALES & SERVICE
 ZONED BUSINESS (B-2)

SETBACKS
 FRONT 30'-0"
 SIDE 10'-0"
 REAR 5'-0"
 BUILDING HEIGHT 21'-0"

SITE AREA	AREA	RATIO
12240 SF	BUILDING AREA 1415 SF	0.115
12240 SF	PAVING AREA 2432 SF	0.199
12240 SF	GREEN AREA 12685 SF	1.03

GREEN SPACE CALCULATIONS
 LOT SQUARE FOOTAGE: 12240 SQ. FT.
 TOTAL GREEN SPACE PROVIDED: 12685 SQ. FT.
 PERCENTAGE OF GREEN SPACE PROVIDED: 123%

PARKING CALCULATIONS
 RETAIL: 1/200 (6225 SQ. FT.)
 REPAIRS: 1/250 (48960 SQ. FT.)
 (1) SPACE PER EMPLOYEE
 & REPAIR STATION 32 X 10 EMPLOYEES + 26
 REQUIRED PARKING SPACES: 89 STALLS
 PROVIDED PARKING SPACES: 140 STALLS

SHEET INDEX

ARCHITECTURAL

- C1.0 - SITE PLAN
- L1.1 - LANDSCAPE PLAN
- A1.0 - EXISTING FLOOR PLAN
- A1.1 - FLOOR PLAN
- A1.2 - SECOND FLOOR PLANS
- A3.1 - BUILDING ELEVATIONS

ATTACHMENT II NORTH
 1" = 30'-0"