



Plan Commission

Regular Meeting

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Final Minutes

Monday, June 27, 2016

7:00 PM

De Pere City Hall Council Chambers

Call to Order

The meeting was called to order at 7:00 PM by Mayor Michael J. Walsh

Attendee Name	Title	Status	Arrived
Michael J. Walsh	Mayor	Present	
James Boyd	Alderpersion	Present	
Larry Lueck	Alderpersion	Present	
Derek Beiderwieden	Commissioner	Present	
Jim Kalny	Commissioner	Excused	
Amy Kunding		Present	
Steve Taylor	Commissioner	Present	

Also present: Planning Director Kim Flom, City Planner Peter Schleinz, and members of the public.

2. Approval of the minutes of the May 23, 2016 Plan Commission meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Alderpersion
SECONDER:	Derek Beiderwieden, Commissioner
AYES:	Walsh, Boyd, Lueck, Beiderwieden, Kunding, Taylor
EXCUSED:	Jim Kalny

3. Review and recommendation on the Conditional Use Application for 102 N. Broadway, to allow for residential use on the second through fifth floors of the proposed development.*

Planning Director Kim Flom reported on the 102 N Broadway project, noting the changes that have been made from the original plan including the addition of a fifth floor which was approved by the Plan Commission in May 2016. Due to the very specific language in the conditional use permit for the project, which allows for residential use on the second, third, and fourth floors of the building, the CUP needs to be amended to include the fifth floor of the development. Staff recommended approval and called for any questions from the Commission members. James Boyd stated that he had no objection to the fifth floor and then asked when the developer would be breaking ground on the project. The developer, Jason Tadych, replied that construction would be starting either later this week or early next week. Derek Beiderwieden motioned, seconded by Steve Taylor, to approve the amendment to the conditional use permit. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Derek Beiderwieden, Commissioner
SECONDER:	Steve Taylor, Commissioner
AYES:	Walsh, Boyd, Lueck, Beiderwieden, Kunding, Taylor
EXCUSED:	Jim Kalny

4. Review and Recommendation for a Rezoning request from R1 First Residential to B2 Community Shopping District for parcels WD-VA450, WD-VA-450-1, WD-454 and WD-455-1.

Planning Director Kim Flom introduced the Plan Commission members to Peter Schleinz, the new City Planner for the City. Upon introduction, Peter reported on the rezoning request for 1030-1040 Main Ave, near the intersection of US 41 NW corner from R1 First Residential to B2 Community Shopping District. The four parcels being considered, WD-VA450, WD-VA-450-1, WD-454, and WD-455-1, were annexed in from Ashwaubenon in 2012. The recommended best use would be commercial, but the parcels were zoned R-1 when annexed, which City Planner Peter Schleinz stated may be an inappropriate zoning classification for its location right next to the highway interchange. Staff recommended approval of the rezoning request. Mayor Walsh called for any questions or comments from the Commission members. Amy Kunding asked what the main differences were between an R1 and B2 district. City Planner Peter Schleinz explained that an R1 zoning category is first residential which primarily supports single family homes while a B2 district is a commercial shopping district which would allow for retail and commercial businesses. Mayor Walsh asked if anyone present in the audience would like to speak. James Boyd motioned, seconded by Steve Taylor, to open the meeting for public comments. Upon vote, motion carried unanimously. Homeowner Ruth Zych addressed the Commission members. She asked if the B2 district includes hotels, or if it is just primarily commercial shopping. Planning Director Kim Flom replied that hotels and motels are permitted in both B-1 and B-2 Districts. Ruth then asked if any of the land around the four parcels was being considered for rezoning as well. City Planner Peter Schleinz stated that at this time, only the four specific parcels are being considered by the developer for a proposed business development. Further to the North, there are residential properties that are already in existence. Ruth Zych then asked if there is a particular development being considered for this property. The developer, Garritt Bader from GB Real Estate Investments explained that he is working on behalf of a specific retailer who has shown an interest in the front two acres of the parcels. The rear acreage is somewhat undetermined at this time. James Boyd asked about the width of the property, stating that it is not that wide. Garritt replied that the front area would be utilized by the retailer, with the possibility of a second retailer using the back area of the property, depending on how the road network ends up. James Boyd asked how long this land has been vacant. Garritt replied that it's been vacant 8-10 years. Amy Kunding asked if the party that has expressed interest in rezoning this area would follow within the guidelines and requirements of the B-2 district. Garritt replied that their use would be allowed in the B2 zoning district. He also stated that some of the site constraints may require some sort of variance use because of the width of the property. Ruth Zych stated that the concern of a few homeowners near the proposed rezoning site is that the road their homes are on would become an access road for a business development. She asked if that was part of the future plans for this development. Garritt Bader replied that he can't speak to what happens in the future regarding the road network but as for his plans right now, there is no plan to connect that street. From the city's prospective, Planning Director Kim Flom stated that the City does not have an official map or road network approved in this area but is looking at infrastructure improvements that would facilitate the redevelopment. She also said that from a planning perspective, connecting the road makes sense and the connection of the road network would be discussed at public hearings and meetings before anything would be done. Kathy Kochen, another homeowner living in the area addressed the Commission, requesting that her address be included on the cc notice since she was not included for this meeting. Planning Director Kim Flom agreed that her address would be included for any future meetings regarding this matter. Kim added that as a rezoning request, this project will go to the Common Council for a public hearing scheduled for July 19, 2016.

Mayor Walsh moved, seconded by Derek Beiderwieden, to return to regular order. Upon vote, motion carried unanimously. Mayor Walsh moved, seconded by James Boyd, to approve the rezoning request. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael J. Walsh, Mayor
SECONDER:	James Boyd, Alderperson
AYES:	Walsh, Boyd, Lueck, Beiderwieden, Kunding, Taylor
EXCUSED:	Jim Kalny

5. Review and Recommendation for a Three (3) lot CSM in the West Industrial Park. *

Planning Director Kim Flom reviewed the three lot CSM in the West Industrial Park, which was purchased by the City in 2015. The City is currently using TID funds from TID #6 which is set to expire soon there is one year left of expenditures to connect Fortune to Venture in terms of a road way connection and then also construct a regional detention pond that will facilitate future development. The first CSM shows the right of way needed for the road connection and there are two other lots that make up this CSM, which includes an outlot for the storm water detention pond. This CSM is being put forward by the City to facilitate the infrastructure work in the West Industrial Park. Mayor Walsh moved, seconded by Steve Taylor, to accept the recommendation. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael J. Walsh, Mayor
SECONDER:	Steve Taylor, Commissioner
AYES:	Walsh, Boyd, Lueck, Beiderwieden, Kunding, Taylor
EXCUSED:	Jim Kalny

6. Review and Recommendation for a Railroad Spur CSM in the West Industrial Park. *

Planning Director Kim Flom reviewed the CSM for the railroad spur, related to the previous three lot CSM in the West Industrial Park which was discussed as agenda item 5. Kim explained that this particular CSM just takes a look at the City-owned railroad spur and cleans it up as related to the alignment and the outlots of some of the property ownership that is around in that area. Derek Beiderwieden clarified that this CSM is just for the property that goes around the right of way for the railroad spur. Kim answered yes. Mayor Walsh moved, seconded by Derek Beiderwieden, to accept the recommendation. Upon vote, motion carried unanimously

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael J. Walsh, Mayor
SECONDER:	Derek Beiderwieden, Commissioner
AYES:	Walsh, Boyd, Lueck, Beiderwieden, Kunding, Taylor
EXCUSED:	Jim Kalny

Adjournment

Mayor Walsh moved, seconded by James Boyd, to adjourn the meeting at 7:23 PM. Upon vote, motion carried unanimously.

Respectfully submitted,

Kelly Barker