Plan Commission

335 South Broadway

De Pere, WI 54115
http://www.de-pere.org

Regular Meeting

Agenda

Monday, June 22, 2015 **7:00 PM** **De Pere City Hall Council Chambers**

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Plan Commission** of the City of De Pere will be held on **June 22, 2015** at **7:00 PM** in the **De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI 54115.**

This meeting can be viewed LIVE at www.depere.tv. This meeting is also rebroadcast on TW Cable Channel 4 and AT&T U-verse Channel 99 throughout the week and available on demand at www.depere.tv.

Call to Order

1. Roll Call.
2. Approval of the minutes of the May 26, 2015 Plan Commission meeting.
3. Review the Site Plan application for an addition for the Belmark Expansion project, Parcels ED-F0094 and ED-F0094-3 (Heritage Rd.) Applicant: The Boldt Company.
4. Review the Conditional Use Application for student housing at 620 Fourth Street. Applicant: St. Norbert College.*
5. Review the Conditional Use Application for student housing at 325 Marsh Street. Applicant: St. Norbert College.*
6. Review the Rezoning Application to rezone WD-52, WD-59 and part of WD-60 from General Industrial (I-3) to Residential District with a Planned Development District Overlay (R-3 PDD). Applicant: Commonwealth Development.*
7. Review Vacation Application to vacate a portion of the right of way for Fort Howard Avenue. Applicant: Commonwealth.*
8. Review and presentation by WisDOT on the design for HWY 57 (North Broadway).*
9. Review the proposed design changes to the intersection of Grant Street at Apollo and Suburban.*
10. Review the project proposal from DLZ for a roundabout study for Main Av and Lawrence Dr.*
11. Review the zoning text amendment regarding telecommunication mobile service facilities (Chapter 14.37(1)).*
12. Review the CSM Application for a CSM with two outlots and a road dedication for the re-configuration of Washington Street. Surveyor: Robert E Lee.*
13. Review of Orion's Run Second Addition Final Plat, located south of the City limits off Lawrence Drive in the Town of Lawrence. Surveyor: Mach IV Engineering and Surveying LLC.*

Adjournment

*** Items with an asterisk require City Council approval.**

Any person wishing to attend this meeting who, because of disability, requires special

accommodations should contact the City Planner's office at 339-4043 by Noon on Monday, June 22nd, 2015 so that arrangements can be made.

AGENDA SENT TO:
Plan Commission Members
Alderpersons
News Media
The Boldt Co.
St. Norbert College
Fourth St Residents
Marsh St Residents
Commonwealth Development Corp
Ft. Howard Av Residents
N. Broadway Residents
Grant St Residents
Robert E. Lee & Associates
Mach IV Engineering & Surveying LLC

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Approval of the minutes of the May 26, 2015 Plan Commission meeting.**

ATTACHMENTS:

- PC_May2015_Minutes_Draft (PDF)

Plan Commission

335 South Broadway

De Pere, WI 54115
http://www.de-pere.org

Regular Meeting

Draft Minutes

Tuesday, May 26, 2015 **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
Derek Beiderwieden	Commissioner	Present	
James Boyd	Alderperson	Excused	
Jim Kalny	Commissioner	Present	
Larry Lueck	Alderperson	Present	
Elizabeth Runge	Commissioner	Present	
Steve Taylor	Commissioner	Excused	
Michael J. Walsh	Mayor	Present	

Also present: City Planning Director Ken Pabich, City Engineer Eric Rakers, Building Inspector Dave Hongisto, and members of the public.

2. Approval of the minutes of the April 27, 2015 Plan Commission meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael J. Walsh, Mayor
SECONDER:	Elizabeth Runge, Commissioner
AYES:	Beiderwieden, Kalny, Lueck, Runge, Walsh
EXCUSED:	James Boyd, Steve Taylor

3. Review the Site Plan application for a new cell tower located off Suburban Court on parcel WD-364-D-519. Applicant: Verizon.

Jim Kalny noted that under the advice of the city attorney, he must abstain from discussion and voting on this item because the applicant is a client of his firm. Larry Lueck also must abstain as an employee of Cellcom.
Ken Pabich reported that this agenda item was tabled last month to allow staff a chance to review additional materials that were submitted. City staff was concerned about the construction of a new tower when an existing structure is located 400 feet away. Ken stated that the city cannot prohibit the site, but it must meet zoning requirements. The tower would be designed to hold multiple carriers; any future facilities would still be required to come in for plan approval. The Plan Commission is left no choice but to approve the application as long as it meets the requirements set by other departments.
Mayor Walsh motioned, seconded by Elizabeth Runge, to open the meeting for public comments. Upon vote, motion carried unanimously.
Rodney Carter with the law firm of Davis & Kuelthau re-distributed his clients' sworn statements regarding the economic feasibility of the project, and provided an overview of the timeline of the project.
Discussion followed regarding prior and existing leases between Verizon and the city.
Guy Stewart from SBA Communications informed the board that when the application was submitted, city staff suggested changes and Verizon has complied.
Property owner Bill Sulzmann stated that he is dedicated to the city of De Pere and would not want to do anything to ruin the visual aesthetics of the area.

Attachment: PC_May2015_Minutes_Draft (3606 : Minutes)

David Platz with the law firm of Godfrey & Kahn, representing the owner of the property, pointed out that the city's comprehensive plan encourages telecommunications providers to expand their services.
Mayor Walsh motioned, seconded by Derek Beiderwieden, to return to regular order. Upon vote, motion carried unanimously.
Derek Beiderwieden motioned, seconded by Elizabeth Runge, to approve the site plan application. Upon vote, motion carried 2-1. Mayor Walsh provided an explanation for his nay vote. He stated that it has nothing to do with Mr. Sulzmann or his properties. While he does not believe that it is technically infeasible or economically burdensome for Verizon to locate on the city water tower, his vote has more to do with the state legislature and what they are trying to do at the local level. De Pere has worked hard to keep standards high in the city, but with this trend in state legislation, municipalities are left with little to no control over things that affect their communities. He stated that it is a matter of pride on the city's part to ensure that this was not a unanimous vote.

RESULT:	**ADOPTED [2 TO 1]**
MOVER:	Derek Beiderwieden, Commissioner
SECONDER:	Elizabeth Runge, Commissioner
AYES:	Derek Beiderwieden, Elizabeth Runge
NAYS:	Michael J. Walsh
ABSTAIN:	Jim Kalny, Larry Lueck
EXCUSED:	James Boyd, Steve Taylor

4. Review Washington Street design between Chicago and Merrill.*

Washington St between Chicago and Merrill is scheduled for resurfacing and water line replacement this summer. Due to ongoing complaints about the current street layout, staff is proposing a design change to be incorporated into the resurfacing project. The 5-legged intersection, traffic queuing on the north end, street width and traffic speeds are all an issue. Parents will drop off their children on the left side of Washington and let them run across the street. Staff has spent 6-8 months analyzing safety and traffic issues, and studying at least 20 potential design options. The preferred option being presented would abandon the Washington street leg of the intersection and a turn lane would be created from Ontario directly onto Washington. Staff consulted with Brown County Planner Cole Runge, who is known for his work with school districts on traffic safety. Staff also conducted meetings with the school district and residents, and tweaked the design alignment based on their feedback. In addition, the police department provided input from the crossing guards' perspective.
Ken Pabich reported that the Park board supports providing the necessary right-of-way through the park. He noted that in the second design option, the lane flares back open after the turn for parking; the school district and county planners were not in favor of this. Ken acknowledged that not every single issue can be resolved with this redesign; however, these proposed changes can be achieved within the budget of the resurfacing project.
Mayor Walsh motioned, seconded by Larry Lueck, to open the meeting for public comments. Upon vote, motion carried unanimously.
Jack Van Dyke expressed concern about S. Ontario being converted to a one-way street. He does not have an objection to the new turning lane.

Attachment: PC_May2015_Minutes_Draft (3606 : Minutes)

Jason & Heather Baierl stated that their home is located directly across from the proposed turning lane. It does seem to be the best option because of the problems with the 5-legged intersection, but they are not in favor of removing the park and gazebo. They have witnessed high usage of the park, and inquired if the gazebo could be rebuilt or relocated. Ken stated that the Park board has discussed salvaging, moving, or building a new gazebo. The Baierls also inquired whether a roundabout was considered in place of the 5 point intersection.

City Engineer Eric Rakers stated that a roundabout is too expensive for the parameters of the current resurfacing project; however it could be considered in the future. A four-legged roundabout would be much easier to accomplish. Ms. Baierl suggested that the southern end of Washington St could be closed off entirely and student drop off could be restricted to the designated drop off area that already exists on school property.

Staff has discussed this with the school district, and their goal is to encourage parents to do that which is why the district was not in favor of widening the street.

Mayor Walsh motioned, seconded by Derek Beiderwieden, to return to regular order. Upon vote, motion carried unanimously.

Alderperson Lueck stated that he appreciates the work city staff has done, but is concerned that the redesign would only push the problems somewhere else. He inquired how the success of these changes would be measured. Discussion followed regarding parking lanes versus through lanes. Ken stated that the school's preference is not to have parking on Washington St; they want to have parents using the parking lot instead.

Eric remarked that one of the challenges at the 5-legged intersection is the southbound traffic on Ontario attempting to turn north back on to Washington St. Drivers skirt the curb instead of swinging out into the intersection, which creates a dangerous situation. Discussion followed regarding the potential for traffic to back up at the new turn, and the likelihood that the four-way controlled stops and the crossing guards would create natural breaks for turning.

Jim Kalny motioned, seconded by Larry Lueck, to re-open the meeting for public comments. Upon vote, motion carried unanimously.

Resident Penny Gebelein expressed concern that the redesign would create traffic backups on westbound Merrill St as well.

Elizabeth Runge spoke in favor of the redesign because the current 5-way intersection with one crossing guard is not safe.

Larry Lueck motioned, seconded by Jim Kalny, to return to regular order. Upon vote, motion carried unanimously.

Derek Beiderwieden motioned, seconded by Jim Kalny, to approve Design Option 1 with the following amendment: the left queue lane will be extended south to the point where the right lane bumps in. Upon vote, motion carried as amended 4-1.

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RESULT:	**ADOPTED AS AMENDED [4 TO 1]**
MOVER:	Derek Beiderwieden, Commissioner
SECONDER:	Jim Kalny, Commissioner
AYES:	Derek Beiderwieden, Jim Kalny, Elizabeth Runge, Michael J. Walsh
NAYS:	Larry Lueck
EXCUSED:	James Boyd, Steve Taylor

5. Review the Rezoning Application for parcel ED-477 (428 N Superior St) from General Business with a Planned Development District Overlay (B2-PDD) to Single and Two Family Residence with a Planned Development District Overlay (R2-PDD). Applicant: Tadych Investment Partners.*

Ken Pabich explained that this parcel came before the Plan Commission in 1988, to change the zoning from R-2 to a Planned Development District with underlying B-2 zoning. The current application requests a rezone to return the parcel to R-2 with a PDD overlay. The site has been vacant for more than six years, and the existing building and parking lot are in need of serious repair. The general plan proposes to create 10 lots for single family homes, which would be accessed by a private alley. Ken displayed a map of the original plat which contained seven lots before the school was built. From a density standpoint, this could have potentially been 14 units for the R-2 zoning. Staff recommends that the proposed zoning is compatible, and feels it could be a compatible project if City Council and the Plan Commission approve the specific plans. Tonight the Plan Commission will consider the rezoning request and the general development plan. If approved, it will then forward to a public hearing at City Council. The final detailed plans would come before the Plan Commission and Council again after that.

Mayor Walsh motioned, seconded by Jim Kalny, to open the meeting for public comments. Upon vote, motion carried unanimously.

Penny & Mike Gebelein expressed concern about lot size, minimum square footage requirements, the proposed setbacks between houses, and lack of green space and its effect on the appearance of the development. They also inquired whether the city would be responsible for alley maintenance.

Linda Beane-Katner stated that this site is located in a historic district, and neighboring residents have worked hard to obtain and maintain that status. She inquired if the city has assessed whether the existing building can be renovated. She also expressed concern about the look of the new homes, the spacing of the units, and the method that would be used to raze the building.

Amy Ritter expressed concern that if the proposed homes do not sell at the asking price, the quality of the homes might drop. She inquired whether the city has considered making the site into a park, and also asked if it could be zoned R-1 to prevent crowding duplexes into the space.

Emily Schultz voiced her opinion that ten homes would make the site too crowded and that it would be inconsistent with the layout of other properties in the neighborhood.

Erica Van Kirk expressed concern about losing the mature trees on the lot.

Developer Jason Tadych then addressed the group and responded to comments from the public. The existing building and parking lot are in rough condition; there is water in the building, and the roof has issues. Renovation would require a significant

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investment. They looked at converting the building to a multifamily use, but the interior structure is concrete which is very limiting; therefore it did not make sense to pursue a conversion. They plan to raze the structure and return the site to its historic roots with single family homes that have a basis in historic architecture such as wraparound front porches, lap or shingle siding, etc. The would like to salvage the brick from the original structure to use in the development. They have not yet established the exact method of demolition, but have reached out to several demolition contractors. Tadych acknowledged they would not be able to save all of the trees, but would try to save the ones along Superior St. The PDD would stipulate single family homes only, and would require the submission of a landscape plan as well. The alley would be private and as such the City would not be responsible for maintenance.

Ken reported that the Parks department did not consider the site for a city park because the price point to acquire it was too high. He pointed out that while ten units is higher than the existing, it could potentially have been 14 for R-2 zoning; ten is not out of line for an infill project. Jim Kalny inquired if the developer considered eight lots; Tadych responded that the cost of acquiring the land, razing, utility improvements etc necessitated ten.

Mayor Walsh motioned, seconded by Jim Kalny, to return to regular order. Upon vote, motion carried unanimously.

Discussion followed regarding lot sizes in other PDD districts; Ken displayed examples for the Commission to view. Building Inspector Dave Hongisto stated that in his opinion, the cost to renovate the existing structure would be prohibitive and that this development proposal is the best use for the site. The PDD zoning provides a safeguard for the neighborhood. The overlay gives the developer flexibility within reason to deviate from the standards of the zoning code, but also gives the city the ability to place additional restrictions and conditions above and beyond the zoning code.

Larry Lueck expressed concern about the density, and requested visual renderings as well as documentation regarding attempts to save the building. Staff will request that the developer present those items at the City Council meeting. Discussion followed regarding front yard setbacks; the developer is proposing 15 feet, and existing setbacks on the street vary; one example is 12 feet. The Historic Preservation Commission will work with the developer to document anything of historical significance and coordinate salvage. Ken noted that the site was previously converted to office space, so interior items may already have been removed.

Discussion followed regarding methods to ensure that the project moves forward if approved. Ken explained that the general plan would traditionally have a schedule of implementation. While factors like an economic downturn can't be controlled, this Commission can place conditions such as timelines, a set number of pre-sales, etc.

Jim Kalny motioned, seconded by Elizabeth Runge, to approve the rezoning and general development plan and forward to City Council for a public hearing. Upon vote, motion carried unanimously.

Attachment: PC_May2015_Minutes_Draft (3606 : Minutes)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jim Kalny, Commissioner
SECONDER:	Elizabeth Runge, Commissioner
AYES:	Beiderwieden, Kalny, Lueck, Runge, Walsh
EXCUSED:	James Boyd, Steve Taylor

6. Review the CSM Application for a two lot CSM on the south end of American Boulevard parcel WD-L492-B. Surveyor: Mau & Associates.*

   Ken Pabich provided an overview of the application; he noted that the City will reserve two access points on Lot 2. Jim Kalny motioned, seconded by Larry Lueck, to approve the request and forward to City Council for approval. Upon vote, motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jim Kalny, Commissioner
SECONDER:	Larry Lueck, Alderperson
AYES:	Beiderwieden, Kalny, Lueck, Runge, Walsh
EXCUSED:	James Boyd, Steve Taylor

7. Review the CSM Application which divides WD-1377 into two and combines them with neighboring parcels on American Boulevard. Surveyor: Mau & Associates.*

   Derek Beiderwieden motioned, seconded by Jim Kalny, to approve the application and forward to City Council for approval. Upon vote, motion carried unanimously.

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

8. Review the CSM Application for a two lot CSM on the north west corner of American Boulevard and Southbridge Road parcel WD-L179-1. Surveyor: Mau & Associates.*

   Mayor Walsh motioned, seconded by Elizabeth Runge, to approve the application and forward to City Council for approval. Upon vote, motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael J. Walsh, Mayor
SECONDER:	Elizabeth Runge, Commissioner
AYES:	Beiderwieden, Kalny, Lueck, Runge, Walsh
EXCUSED:	James Boyd, Steve Taylor

9. Review the CSM Application for an extraterritorial CSM for a 3 lot CSM and road dedication in the Town of Rockland. Surveyor: Zeitler.*

   Mayor Walsh motioned, seconded by Larry Lueck, to approve the application and forward to City Council for approval. Upon vote, motion carried unanimously.

Attachment: PC_May2015_Minutes_Draft (3606 : Minutes)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael J. Walsh, Mayor
SECONDER:	Larry Lueck, Alderperson
AYES:	Beiderwieden, Kalny, Lueck, Runge, Walsh
EXCUSED:	James Boyd, Steve Taylor

Adjournment

Mayor Walsh motioned, seconded by Elizabeth Runge, to adjourn the meeting at 9:10 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen

Attachment: PC_May2015_Minutes_Draft (3606 : Minutes)

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review the Site Plan application for an addition for the Belmark Expansion project, Parcels ED-F0094 and ED-F0094-3 (Heritage Rd.) Applicant: The Boldt Company.**

ATTACHMENTS:

- PC_Staff_June22_Belmark (PDF)
- Application for Site Plan Review - Belmark P5P2 (PDF)
- 2015-06-09 Belmark Plant 5 Phase 2 Site Plan Review Drawings (PDF)
- Belmark P3-P5-SITE 8-19-14 (PDF)

Review the Site Plan application for an addition for the Belmark Expansion project, Parcels ED-F0094 & ED-F0094-3 (Heritage Rd.) Applicant: The Boldt Company.

Figure 1. Image of existing location of project.

Overview:

Belmark Inc. is planning to add a 55,661 sq ft expansion on the northeast corner of existing plant #5. As part of the project they are also updating the façade for building 5 to coordinate with their remaining campus.

Review:

No additional review from departments was needed for this expansion. The site plan meets all requirements.

Recommendation:

Based on staff review, we would recommend approval.

Attachment: PC_Staff_June22_Belmark (3620 : Belmark)

	CITY OF DE PERE **APPLICATION FOR SITE PLAN REVIEW**	**Fee:** $ 275.00 **Receipt #:** **Date:**

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

SECTION 1: Applicant / Permittee Information

Applicant Name (Ind., Org. or Entity) The Boldt Company	Authorized Representative Matthew Van Lanen	Title Architect	
Mailing Address 2525 N. Roemer Road, P.O. Box 419	City Appleton	State WI	ZIP Code 54912
Email Address matthew.vanlanen@boldt.com	Phone Number (incl. area code) 920-225-6177	Fax Number (incl. area code) 920-739-4531	

SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind. Org. or Entity) Belmark, Inc.	Contact Person Karl Schmidt	Title President/CEO	
Mailing Address 600 Heritage Road, P.O. Box 5310	City De Pere	State WI	ZIP Code 54115
Email Address karls@belmark.com	Phone Number (incl. area code) 920-336-2848	Fax Number (incl. area code) 920-336-4577	

SECTION 3: Project or Site Location

Project Address/Description 633 Heritage Road, DePere, WI 54115 / Plant 5 Phase 2	Parcel No. ED-F0094 & ED-F0094-3

SECTION 4: Project Information

Existing Zoning:	I-1 (Industrial Park District)		
Present Use of Parcel:	Industrial		
Proposed Use of Parcel:	Industrial		
Estimated Start Date:	July 13, 2015	Estimated Completion Date:	January 1, 2016

Please submit 1 hard copy 24x36, 1 hard copy 11x17 and 1 PDF copy of the Site Plan.

SECTION 5: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Permit Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print) Matthew Van Lanen	Title Architect	Phone Number 920-225-6177
Signature of Applicant		Date Signed 6/9/2015

TO BE COMPLETED BY CITY STAFF	
CSM Review authorized by the De Pere Municipal Code, Chapter 46.	

Attachment: Application for Site Plan Review - Belmark P5P2 (3620 : Belmark)

SITE PLAN REVIEW REQUIREMENTS

1) Preliminary consultation. Prior to the submittal of a site plan, it is recommended that the developer meet with the Director of Planning, the Building Inspector, and/or other appropriate city staff to discuss zoning district, site plan, and landscaping plan requirements.
2) Plan submittal. Submit 1 hard copy 24x36, 1 hard copy 11x17 and 1 PDF copy of the Site Plan. Once the site plan is approved a final version shall be submitted in AutoCAD in the Brown County coordinate system,.
3) Plan submittal. Plan submittal should include:
   a) Title sheet: Title sheet must have the site statistics including site square footage; Percent site coverage; Percent open space; and Floor area ratio. Title sheet should also include location, developer and architect.
   b) Existing Site Plan: plan should show existing boundaries, utilities, existing built features, parking facilities, and natural features.
   c) Grading / Erosion Control Plan
   d) Building Site Plan
   e) Building Elevations: all material must be clearly listed. Color elevations are strongly recommended to be included.
   f) Parking Plan (if necessary): Parking plan should clear show how parking is meeting code requirements. Access driveways should be clearly identified along with the plan curb cut locations.
   g) Refuse Plan (if necessary)
   h) Landscape Plan
   i) Lighting Plan
   j) Sign Plan

4) All plans are required to be drawn to scale. If plans do not meet code requirements or if there are special parts to the project which needs to be address a written summary should be provided.

Attachment: Application for Site Plan Review - Belmark P5P2 (3620 : Belmark)

Attachment: 2015-06-09 Belmark Plant 5 Phase 2 Site Plan Review Drawings (3620 : Belmark)

BELMARK, INC

BUILDING 5 PHASE 2
DE PERE, WISCONSIN

PROJECT DIRECTORY

OWNER

BELMARK, INC.
600 HERITAGE ROAD
DE PERE, WI 54115
PHONE: (800) 367-4536
FAX: (920) 336-2848

CONTACT: JOHN AMBROSIUS

PROJECT ARCHITECT

THE BOLDT COMPANY
TECHNICAL SERVICES DIVISION
2525 N. ROEMER ROAD
P.O. BOX 419
APPLETON, WI 54912-419
PHONE: (920) 225-6177
FAX: (920) 739-4531
EMAIL: MATTHEW.VANLANEN@BOLDT.COM

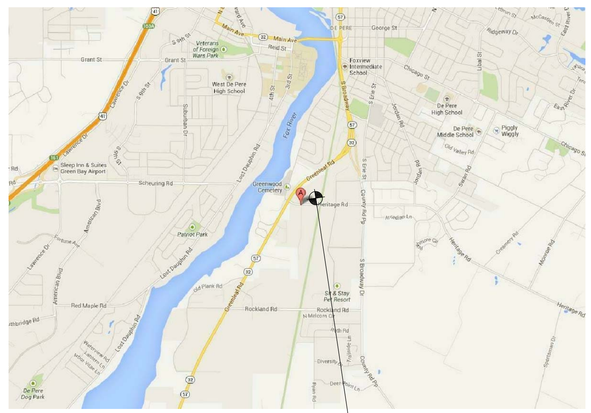
CONTACT: MATT VAN LANEN

GENERAL CONTRACTOR

THE BOLDT COMPANY
OSCAR J. BOLDT CONSTRUCTION DIVISION
2525 N. ROEMER ROAD
P.O. BOX 419
APPLETON, WI 54912-419
PHONE: (920) 225-6384
FAX: (920) 739-4409
EMAIL: TONY.MEEUWSEN@BOLDT.COM

CONTACT: TONY MEEUWSEN

VICINITY MAP



PROJECT LOCATION
675 HERITAGE ROAD, DE PERE

SHEET INDEX

SHEET #	SHEET NAME
G-101	COVER SHEET
C-101	RENDERINGS - ALTERNATE 2A
A-201	EXTEROIR OFFICE ELEVATIONS
A-903	OFFICE RENDERING - ALTERNATE 3
A-904	RENDERINGS - ALTERNATE 3

SITE STATISTICS

SITE SQUARE FOOTAGE	299,776 SQ. FT.
PERCENT SITE COVERAGE	59.77%
PERCENT OPEN SPACE	40.23%
PERCENT FLOOR AREA	34.12%

BOLDT BUILDS.
Oscar J. Boldt Construction

BOLDT Technical Services
A Division of The Boldt Company

SAFETY: A WAY OF LIFE

NOT FOR CONSTRUCTION

DRAWINGS AND SPECIFICATIONS PREPARED BY THE BOLDT COMPANY SHALL NOT BE COPIED, DISTRIBUTED OR USED EXCEPT AS AUTHORIZED BY CONTRACT WITHOUT EXPRESSED WRITTEN CONSENT OF THE BOLDT COMPANY.

BOLDT Technical Services
2525 North Roemer Road
PO Box 419
Appleton, WI 54912-0419
920-739-6321
www.theboldtcompany.com

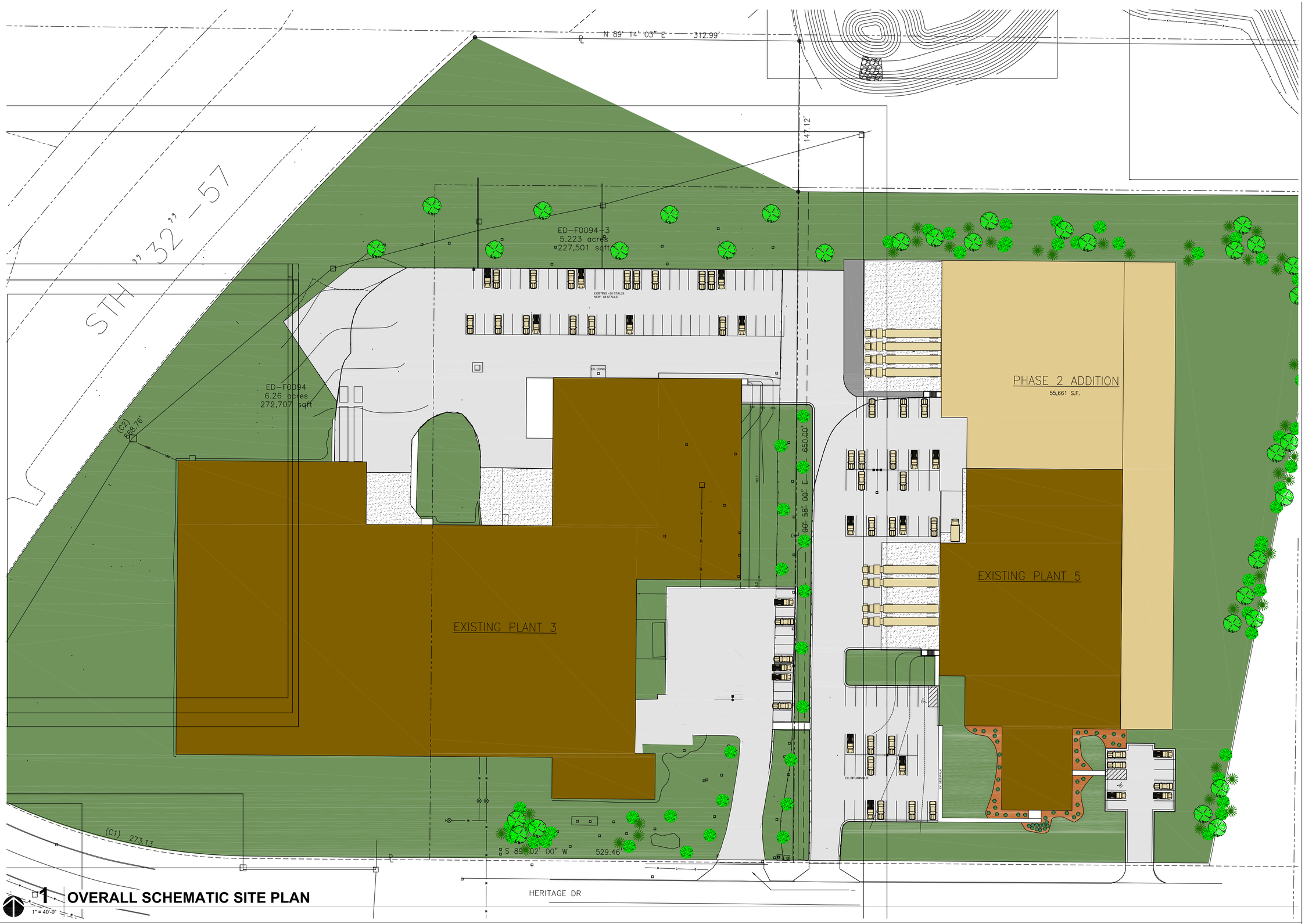
No.	Description	Date
1	ISSUED FOR SITE PLAN REVIEW	06/09/2015

BELMARK, INC
BUILDING 5 PHASE 2
DE PERE, WISCONSIN
COVER SHEET

Project Number	89015-00052
Drawn By	JOP
Checked By	MRV

G-101

Attachment: 2015-06-09 Belmark Plant 5 Phase 2 Site Plan Review Drawings (3620 : Belmark)



1 OVERALL SCHEMATIC SITE PLAN

1" = 40'-0"

SAFE THINKING
our crusade to eliminate accidents

NOT FOR CONSTRUCTION

PROJECT LOCATION:
PARCEL ID NUMBER: ED-F0094 & ED-F0094-3
PARCEL ADDRESS: 633 HERITAGE ROAD, DE PERE, WI

DRAWINGS AND SPECIFICATIONS PREPARED BY THE BOLDT COMPANY SHALL NOT BE COPIED, DISTRIBUTED OR USED EXCEPT AS AUTHORIZED BY CONTRACT WITHOUT EXPRESSED WRITTEN CONSENT OF THE BOLDT COMPANY.

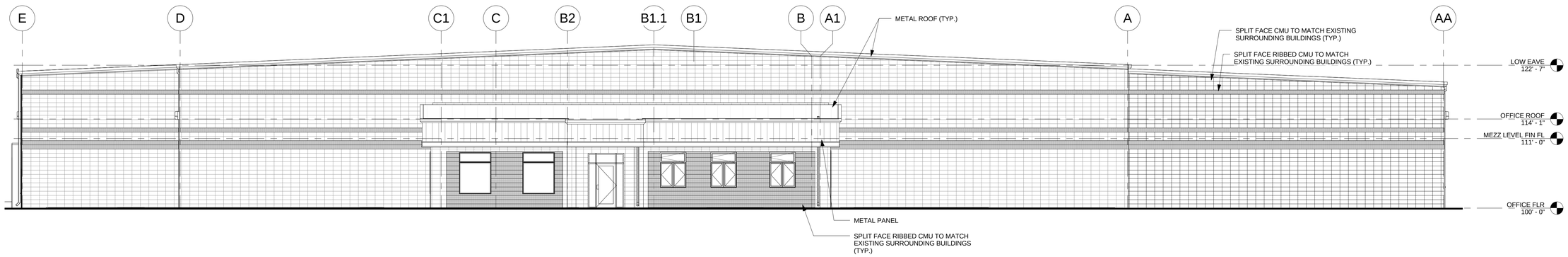
BOLDT™ Technical Services
2525 North Roemer Road
PO Box 419
Appleton, WI 54912-0419
920-734-5021
www.theboldtcompany.com

No.	Description	Date
A	PROPOSAL	05/27/2015
B	OWNER REVIEW	06/05/2015
1	ISSUED FOR SITE PLAN REVIEW	06/09/2015

BELMARK INC
PLANT 5, PHASE 2
DE PERE, WISCONSIN
SCHEMATIC SITE PLAN

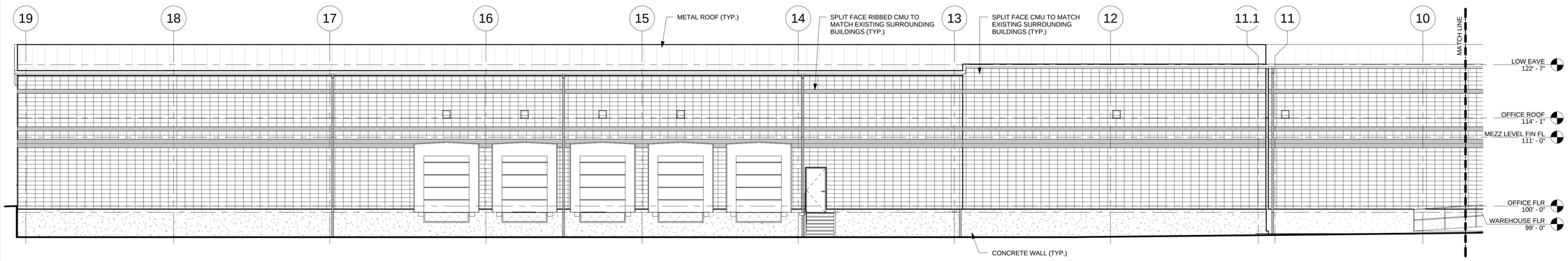
Project Number 89015-00052
Drawn By MRV
Checked By

C-101



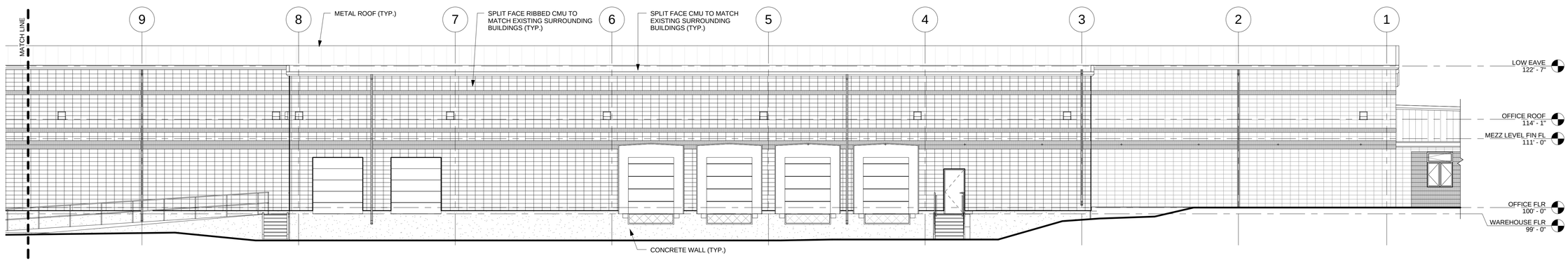
1 ELEVATION - SOUTH

1/8" = 1'-0"



2 ELEVATION - WEST

1/8" = 1'-0"



3 ELEVATION - WEST (CONTINUED)

1/8" = 1'-0"

SAFETY: A WAY OF LIFE

NOT FOR CONSTRUCTION

DRAWINGS AND SPECIFICATIONS PREPARED BY THE BOLDT COMPANY SHALL NOT BE COPIED, DISTRIBUTED OR USED EXCEPT AS AUTHORIZED BY CONTRACT WITHOUT EXPRESSED WRITTEN CONSENT OF THE BOLDT COMPANY.

BOLDT™ Technical Services
2525 North Roemer Road
PO Box 419
Appleton, WI 54912-0419
920-739-6621

www.theboldtcompany.com

No.	Description	Date
A	OWNER REVIEW	06/05/2015
1	ISSUED FOR SITE PLAN REVIEW	06/09/2015

BELMARK, INC

BUILDING 5 PHASE 2
DE PERE, WISCONSIN

EXTERIOR OFFICE ELEVATIONS

Project Number	89015-00052
Drawn By	JOP
Checked By	MRV

A-201

BOLDT™
Technical Services
2525 North Roemer Road
PO Box 419
Appleton, WI 54912-0419
920-739-6621

www.theboldtcompany.com

No.	Description	Date
A	OWNER REVIEW	06/05/2015
1	ISSUED FOR SITE PLAN REVIEW	06/09/2015

BELMARK, INC

BUILDING 5 PHASE 2
DE PERE, WISCONSIN

OFFICE RENDERING - ALTERNATE 3

Project Number	89015-00052
Drawn By	CMS
Checked By	MRV

A-903

SAFETY: A WAY OF LIFE

NOT FOR CONSTRUCTION

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SAFETY: A WAY OF LIFE

NOT FOR CONSTRUCTION

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920-739-6621

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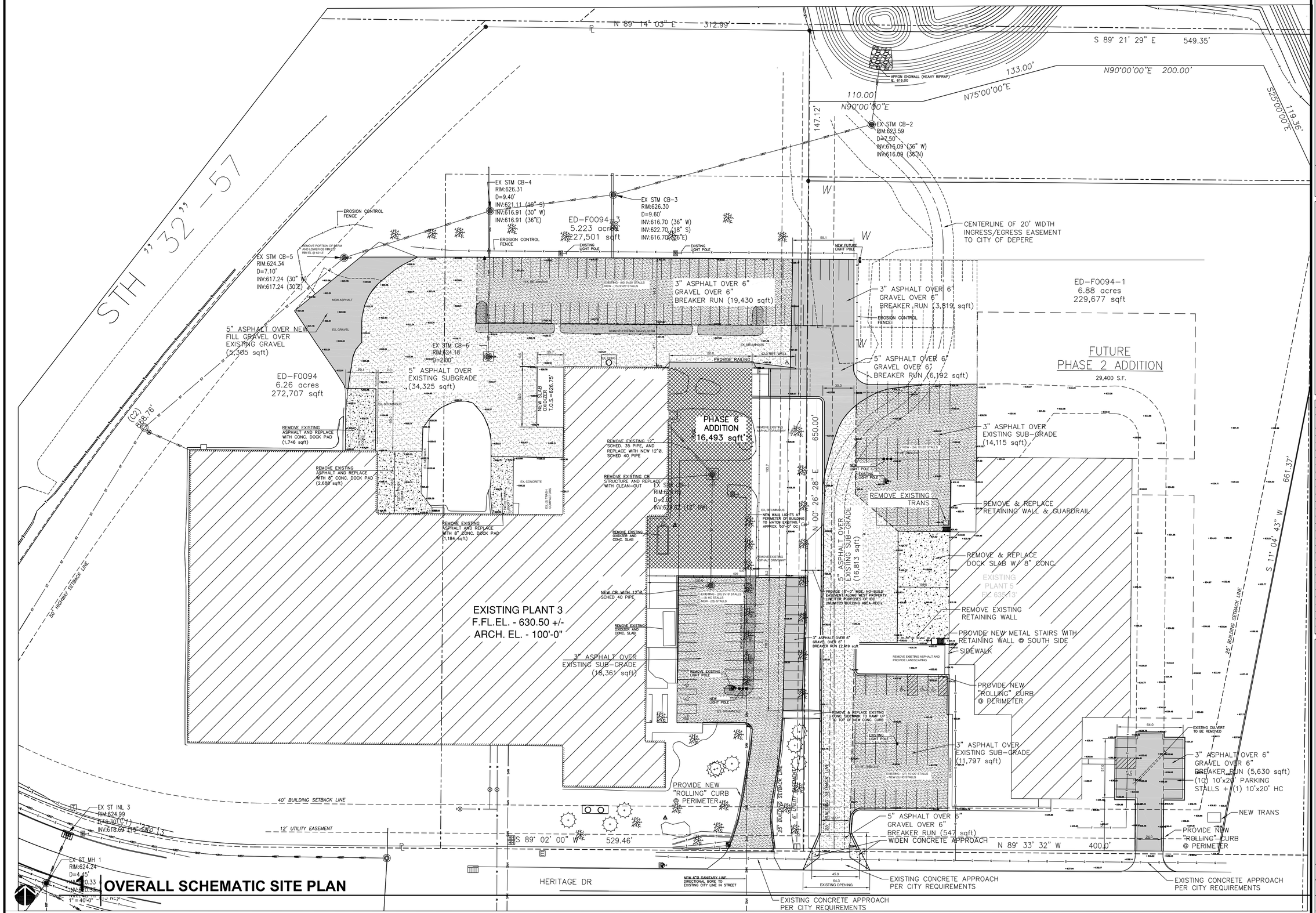
No.	Description	Date
A	OWNER REVIEW	06/05/2015
1	ISSUED FOR SITE PLAN REVIEW	06/09/2015

BELMARK, INC
BUILDING 5 PHASE 2
DE PERE, WISCONSIN
RENDERINGS - ALTERNATE 3

Project Number	89015-00052
Drawn By	CMS
Checked By	MRV

A-904

Attachment: Belmark P3-P5-SITE 8-19-14 (3620 : Belmark)



OVERALL SCHEMATIC SITE PLAN

SAFE THINKING
our crusade to eliminate accidents

PROJECT LOCATION:
PARCEL ID NUMBER: ED-F0094 & ED-F0094-3 & ED-F0094-1
PARCEL ADDRESS: 633 & 675 HERITAGE ROAD, DE PERE, WI

DRAWINGS AND SPECIFICATIONS PREPARED BY THE BOLDT COMPANY SHALL NOT BE COPIED, DISTRIBUTED OR USED EXCEPT AS AUTHORIZED BY CONTRACT WITHOUT EXPRESSED WRITTEN CONSENT OF THE BOLDT COMPANY

BOLDT™ Technical Services
2525 North Roemer Road
PO Box 419
Appleton, WI 54912-0419
920-739-6321
www.theboldtcompany.com

No.	Description	Date
A	CITY REVIEW	10/11/2013
2	DSPS FULL REVIEW	11/15/2013
4	CITY SUBMITTAL	8/19/2014

BELMARK PLANT 3 & PLANT 5
BELMARK INC
DE PERE, WI 54115
SCHEMATIC SITE PLAN

Project Number 88638-88641
Drawn By
Checked By

C-000

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review the Conditional Use Application for student housing at 620 Fourth Street. Applicant: St. Norbert College.***

ATTACHMENTS:

- PC_Staff_June22_620 Fourth (PDF)
- 620Fourth (PDF)

City of De Pere *Plan Commission*
Staff Comments *June 22, 2015*

Review the Conditional Use Application for student housing at 620 Fourth Street. Applicant: St. Norbert College. *

A Conditional Use Application was submitted by St. Norbert College to be located at 620 Fourth Street. The property is zoned R-2 (Single and Two Family Residence). The table below summarizes some of the impacts related to the conditional use request.

Conditional Use Review Form	**Yes**	**No**	**NA**
Will the proposed use be compatible with the surrounding area?	X		
Will the proposed building be architecturally compatible with those in the surrounding area?			X
Will the condition create a:			
1. Noise problem		X	
2. Traffic problem		X	
3. Parking problem		X	
4. Highway Access problem			X
5. Garbage disposal problem		X	
6. Policy and Fire protection problem		X	
7. Be hazardous to children		X	
8. Lighting problem		X	
9. Sewage disposal problem		X	
10. Water supply problem		X	
11. Runoff or drainage problems		X	
12. Windblown articles		X	
13. Water pollution		X	
14. Air pollution		X	
15. Wind erosion		X	
Would the new use of the property have an adverse effect on population densities?		X	
Would the property insurance rates increase for adjoining owners?		X	
Would the granting of the conditional use be detrimental to the environment?		X	
Would the proposed use add or create a floodplain problem?		X	
Would prime agricultural land be destroyed if approved?		X	
Will this use have an adverse effect on a school district?		X	
Will this change decrease adjacent property values?		X	
Will the use add to the economic growth of the labor and industry of Brown County?		X	
Is the conditional use primarily for a speculative income return?		X	

Recommendations:

Staff recommends approval of the conditional use with the following recommendations:

1. Modifications to the building shall obtain the proper local and state permits.
2. The conditional use shall be forwarded to the City Council for action.

Attachment: PC_Staff_June22_620 Fourth (3623 : 620 $th)

CITY OF DE PERE

APPLICATION FOR CONDITIONAL USE

Fee: $ 245.00

Receipt #: _____

Date: _____

Please print or type using black ink for duplicating purposes.

A. Property Owner:

Name: Saint Norbert College, Attn Eileen Jahnke

Mailing Address: 100 Grant Street, De Pere, WI 54115

Phone: 403-3250

Email: _____

I hereby appoint the following as my agent for purposes of this application:

Agent:

Name: _____

Mailing Address: _____

Phone: _____

Email: _____

B. Property Information

Address/Location of Property: 620 Fourth Parcel #: WD-856

Parcel Dimension: _____ Parcel Area: 8,561

Legal Description: STEWART'S 1ST ADDN PRT OF LOT 21 DESC IN 1744319

C. Land Use

Existing Zoning: Single - Two Family (R-2)

Present Use of Parcel: Vacant

Proposed Use of Parcel: College housing

Present Use of Adjacent Property: Owned by College for Student Housing

A Conditional Use Permit is requested as authorized by the De Pere Zoning Code, Section(s): Section 14.30

Owner Signature _____ Date _____

Agent Signature _____ Date 6-18-15

Attachment: 620Fourth (3623 : 620 $th)

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review the Conditional Use Application for student housing at 325 Marsh Street. Applicant: St. Norbert College.***

ATTACHMENTS:

- PC_Staff_June22_325 Marsh (PDF)
- 325Marsh (PDF)

City of De Pere *Plan Commission*
Staff Comments *June 22, 2015*

Review the Conditional Use Application for student housing at 325 Marsh Street. Applicant: St. Norbert College. *

A Conditional Use Application was submitted by St. Norbert College to be located at 325 Marsh Street. The property is zoned R-2 (Single and Two Family Residence). The table below summarizes some of the impacts related to the conditional use request.

Conditional Use Review Form	**Yes**	**No**	**NA**
Will the proposed use be compatible with the surrounding area?	X		
Will the proposed building be architecturally compatible with those in the surrounding area?			X
Will the condition create a:			
1. Noise problem		X	
2. Traffic problem		X	
3. Parking problem		X	
4. Highway Access problem			X
5. Garbage disposal problem		X	
6. Policy and Fire protection problem		X	
7. Be hazardous to children		X	
8. Lighting problem		X	
9. Sewage disposal problem		X	
10. Water supply problem		X	
11. Runoff or drainage problems		X	
12. Windblown articles		X	
13. Water pollution		X	
14. Air pollution		X	
15. Wind erosion		X	
Would the new use of the property have an adverse effect on population densities?		X	
Would the property insurance rates increase for adjoining owners?		X	
Would the granting of the conditional use be detrimental to the environment?		X	
Would the proposed use add or create a floodplain problem?		X	
Would prime agricultural land be destroyed if approved?		X	
Will this use have an adverse effect on a school district?		X	
Will this change decrease adjacent property values?		X	
Will the use add to the economic growth of the labor and industry of Brown County?		X	
Is the conditional use primarily for a speculative income return?		X	

Recommendations:

Staff recommends approval of the conditional use with the following recommendations:

1. Modifications to the building shall obtain the proper local and state permits.
2. The conditional use shall be forwarded to the City Council for action.

Attachment: PC_Staff_June22_325 Marsh (3622 : Marsh)

CITY OF DE PERE

APPLICATION FOR CONDITIONAL USE

Fee: $ 245.00

Receipt #: _____

Date: _____

Please print or type using black ink for duplicating purposes.

A. Property Owner:

Name: Saint Norbert College, Attn Eileen Jahnke

Mailing Address: 100 Grant Street, De Pere, WI 54115

Phone: 403-3250

Email: _____

I hereby appoint the following as my agent for purposes of this application:

Agent:

Name: _____

Mailing Address: _____

Phone: _____

Email: _____

B. Property Information

Address/Location of Property: 325 Marsh St Parcel #: WD-220

Parcel Dimension: _____ Parcel Area: 8,561

Legal Description: ASSESSOR'S PLAT OF W.DEPERE PCL "A" OF LOTS 9 & 10 OF STEWART'S 1ST ADDN

C. Land Use

Existing Zoning: Single - Two Family (R-2)

Present Use of Parcel: Vacant

Proposed Use of Parcel: College housing

Present Use of Adjacent Property: Owned by College for Student Housing

A Conditional Use Permit is requested as authorized by the De Pere Zoning Code, Section(s): Section 14.30

Owner Signature _____ Date _____

Agent Signature _____ Date 6-18-15

Attachment: 325Marsh (3622 : Marsh)

City of De Pere, Wisconsin

Request For Plan Commission Action

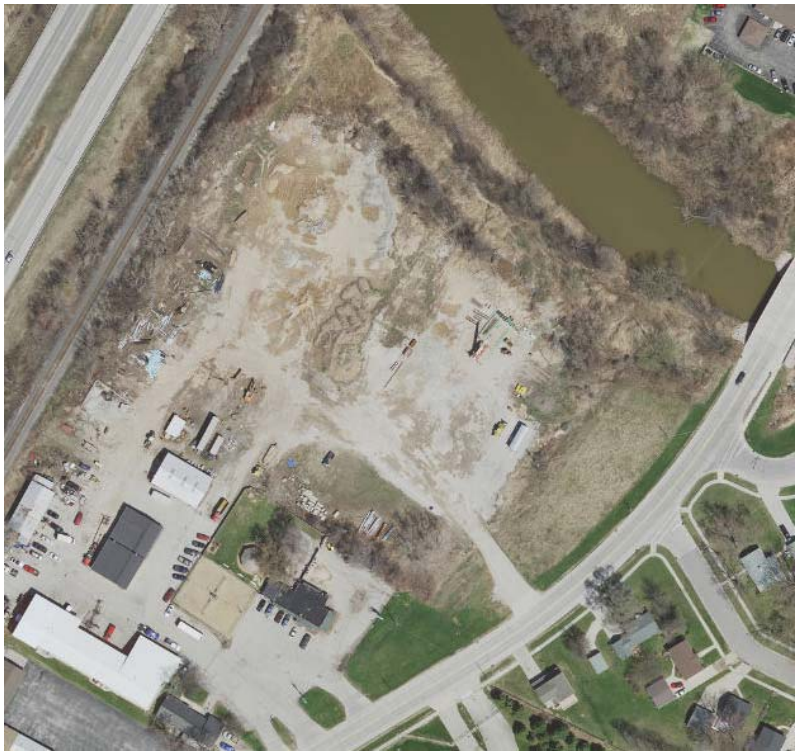
MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review the Rezoning Application to rezone WD-52, WD-59 and part of WD-60 from General Industrial (I-3) to Residential District with a Planned Development District Overlay (R-3 PDD). Applicant: Commonwealth Development.***

ATTACHMENTS:

- PC_Staff_June22_Commonwealth RZ (PDF)
- Rezoning App(PDF)
- Site Plan w Clinic- De Pere (PDF)
- Zoning De Pere Letter with Clinic 6-11-15 (DOCX)

City of De Pere *Plan Commission*
Staff Comments *June 22, 2015*

Review the Rezoning Application to rezone WD-52, WD-59 and part of WD-60 from General Industrial (I-3) to Residential District with a Planned Development District Overlay (R-3 PDD). Applicant: Commonwealth Development. *



Description: The current parcel is undeveloped and is used by the current owner for outdoor storage. The property was recently approved (end of 2014) PDD for a multi-family complex which would cover parcels WD-52, WD-59, and part of WD-60. An approved CSM would be completed as part of the Precise Development Plan. This Rezoning Application is to expand the use of the PDD to include multi-family development and to add a clinic as part of the project.

Location: 1703 Fort Howard Ave.

Zoning

Existing Zoning: The I-3 General Industrial District is designed to accommodate those heavy industrial activities which, by their character, should be relatively remote from residential and business development.

Proposed Zoning: The purpose of the Planned Development District is to promote the maximum benefit from coordinated area site planning, diversified location of structures, mixed compatible uses, provide for a safe and efficient system of pedestrian and vehicular traffic, attractive recreation and landscaped open spaces, economic design and location of public and private utilities and ensure adequate planning.

Adjacent Zoning: Office to the north (Ashwaubenon), B-2 to the south, I-3 to the west (across Ashland Ave), R-1 and R-2 to the east.

Land Use

Current use: Vacant

Use of Adjacent Property: Uses are consistent with the zoning.

Suitability to Existing Zoning: There is a general mix of zoning in the area. A high I-3 use would be considered incompatible from the staff perspective.

Suitability to Proposed Zoning: The requested use would be compatible with the residential uses to the east. The rail and river provide a buffer from uses to the west and north. Existing commercial to the south is in transition.

Effects of Proposed Rezoning

Densities:	Change	**Utilities:**	Change	**Police and Fire:**	Change
Traffic:	Increase	**Pedestrian:**	Increase	**Parking:**	Provided on site
Highway Access:	NA	**Garbage:**	Increase	**Property Value:**	Increase
Pollution:	No change	**Schools:**	Increase		

Attachment: PC_Staff_June22_Commonwealth RZ (3621 : Commonwealth)

General Development Plan Review

Sanitary Sewer
(1) The City of De Pere has an 8" diameter sanitary sewer along the east side of Fort Howard Avenue that is approximately 9 feet deep. The Green Bay Metropolitan Sewerage District interceptor sewer traverses along the south side of Ashwaubenon Creek through WD-52 and WD-59. This is a large diameter pipe (48") with depth in excess of 30 feet depth.
Water Main
(1) An 8" diameter water main is located on the east side of Fort Howard Avenue. Calculations would need to be done to determine if this pipe could supply the demand and meet fire flow requirements for this development. A loop may be needed.
Storm Water Management
(1) This site would need to comply with City of De Pere and WDNR NR151 regulations for storm water management.
Traffic/Vehicle Access
(1) Access to the site would be off of Fort Howard Avenue.
General
(1) All utility connections to be made within the street right of way will require a street excavation permit. (2) Curb cut permits are required for new driveways.

Recommendation:
Based on staff review, we would recommend that the rezoning be approved with the comments above being addressed and that the General Development Plan and rezoning request be forwarded to Council for the required public hearing.

Attachment: PC_Staff_June22_Commonwealth RZ (3621 : Commonwealth)

	CITY OF DE PERE **APPLICATION FOR REZONING**	**Fee:** $ 275.00 **Receipt #:** **Date:**

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

SECTION 1: Applicant / Permittee Information

Applicant Name (Ind., Org. or Entity)	Authorized Representative	Title	
Commonwealth Development Corp.	Louie A. Lange III	President	
Mailing Address	**City**	**State**	**ZIP Code**
54 E. First Street	Fond du Lac	WI	54935
Email Address	**Phone Number (incl. area code)**	**Fax Number (incl. area code)**	
k.mcdonell@commonwealthco.net	920-922-8170	920-922-8171	

SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind. Org. or Entity)	Contact Person	Title	
Feaker & Sons Co Inc	Dan Feaker	Owner	
Mailing Address	**City**	**State**	**ZIP Code**
1669 Fort Howard Ave	De Pere	WI	54115
Email Address	**Phone Number (incl. area code)**	**Fax Number (incl. area code)**	

SECTION 3: Project or Site Location

Project Address/Description	Parcel Number(s):
1703 Fort Howard Ave, De Pere, WI 54115	WD-52, WD-59, & Part of WD-60

SECTION 4: Proposed Rezoning Use

Existing Zoning:	I-3		
Proposed Zoning:	PDD		
Adjacent Zoning: North	Adjacent Zoning: South	Adjacent Zoning: West	Adjacent Zoning: East
N/A	B-2	Hwy 41 Dist-B & I-3	R-2 & R-1
Present Use of Parcel	Construction Equipment Storage		
Proposed Use of Parcel	Multifamily Housing & Clinic		

SECTION 5: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Permit Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print)	Title	Phone Number
Louie A. Lange III	President	920-922-8170
Signature of Applicant		**Date Signed**
		6/9/2015

Attached additional sheets if necessary.

Attachment: Rezoning App (3621 : Commonwealth)

Attachment: Site Plan w Clinic- De Pere (3621 : Commonwealth)

Project Information

Property Area: 268,885.75 Sq Ft, or +/- 6.17 Acres

Number of Units: 34 Units - 3 Story Building
19 - 3 Bedroom Units
15 - 2 Bedroom Units

28 Units - Townhomes
28 - 3 Bedroom Units

62 Total Units

Proposed Zoning: PDD (Planned Development District)

Proposed Use: Multi-Family Apartments

Parking Provided: 99 Surface Stalls (6 HC/ADA Accessible)
62 Total Garages
161 Total Stalls Provided

06.08.2015

M+A DESIGN, LLC
54 East First Street
Fond du Lac, Wisconsin 54935
l.petrie@madesignllc.net (920) 922-8170

COMMONWEALTH
CONSTRUCTION CORPORATION
54 E. FIRST STREET, FOND du LAC, WI 54935
(920) 922-8170 FAX: (920) 922-8171

PRELIMINARY

NEW BUILDING FOR:

FORT HOWARD PROPERTY

COUNTY HIGHWAY H
DE PERE, WI 54115

JOB NUMBER:
2014.92

SHEET
C1.0

June 11, 2015

City of De Pere
Attention; Ken Pabich
335 S. Broadway
De Pere, WI 54115

Dear Mr. Pabich,

Commonwealth is requesting a modification to the Planned Development District for the 6.17 acre parcel that consists of parcel #'s WD-52, WD-59, and approximately 2 acres of WD-60. The request is to rezone the property from an I-3 District to a Planned Development District to allow for both Multifamily and a Medical Clinic. We have the parcel under contract and are proposing to develop 62 apartment units for families in De Pere along with the Clinic space. In addition to the apartment units and the clinic space our proposal includes a management office, fitness center, and community space for the tenants to enjoy. The proposal includes a 3-story midrise building with at-grade parking on the first floor, and three additional townhouse style buildings. An additional garage building will ensure each unit has a designated private garage. The 2-story townhouses will have individual entrances with attached garages for each unit. The clinic is planned to be located fronting Fort Howard Avenue and will be approximately 2,000 square feet.

We believe the addition of the clinic space will be a great fit with the neighborhood and allow for greater access to affordable health care within De Pere. The clinic will be a great amenity for the project, and for the community as a whole. We are excited for the opportunity to work with the City of De Pere and look forward to having an opportunity to present our proposal in further detail.

Sincerely,

Kevin C. McDonell
Vice President of Development

54 East First Street · Fond du Lac, WI 54935 · (920) 922-8170 · Fax: (920) 922-8171

www.commonwealthco.net

Attachment: Zoning De Pere Letter with Clinic 6-11-15 (3621 : Commonwealth)

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review Vacation Application to vacate a portion of the right of way for Fort Howard Avenue. Applicant: Commonwealth.***

ATTACHMENTS:

- PC_Staff_June22_Commonwealth ROW (PDF)
- ROW Vacation App (PDF)

Review the Vacation Application to vacate a portion of the right of way for Fort Howard Avenue. Applicant: Commonwealth.*

As part of the Commonwealth General Development Plan, they are requesting that a portion of Fort Howard Avenue be vacated. Staff did check with the County and they supported the option. Staff is still working with the County to determine if the vacation would also need county approval. By vacating this portion of the right of way, it allows for the project to incorporate more green space. If vacated, the Precise Implementation Plan would show how the vacated ROW would be used.

Figure 1. Area in orange is approximate area to be vacated.

<u>Recommendation:</u>

Staff would recommend vacation of the ROW as shown and that the recommendation be forwarded to the Common Council for action.

Attachment: PC_Staff_June22_Commonwealth ROW (3624 : Vacation)

	CITY OF DE PERE **APPLICATION FOR ROW VACATION**	**Fee:** $ 275.00 **Receipt #:** **Date:**

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

SECTION 1: Applicant / Permittee Information

Applicant Name (Ind., Org. or Entity)	Authorized Representative	Title	
Commonwealth Development Corp.	Louie A. Lange III	President	
Mailing Address	**City**	**State**	**ZIP Code**
54 E. First Street	Fond du Lac	WI	54935
Email Address	**Phone Number (incl. area code)**	**Fax Number (incl. area code)**	
k.mcdonell@commonwealthco.net	920-922-8170	920-922-8171	

SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind. Org. or Entity)	Contact Person	Title	
Feaker & Sons Co Inc	Dan Feaker	Owner	
Mailing Address	**City**	**State**	**ZIP Code**
1669 Fort Howard Ave	De Pere	WI	54115
Email Address	**Phone Number (incl. area code)**	**Fax Number (incl. area code)**	

SECTION 3: Right of Way Requested to be Vacated

Name of ROW:	Formal legal description to be drafted. See attached site plan.
Legal Description to be Vacated: (Please attach map)	

SECTION 4: Reason of Vacation

Reason for Requesting Vacation of ROW:	In discussions with the city, Right of Way has been determined to be excess property. Vacation of Right of Way will put property back on tax rolls and expand development potential.

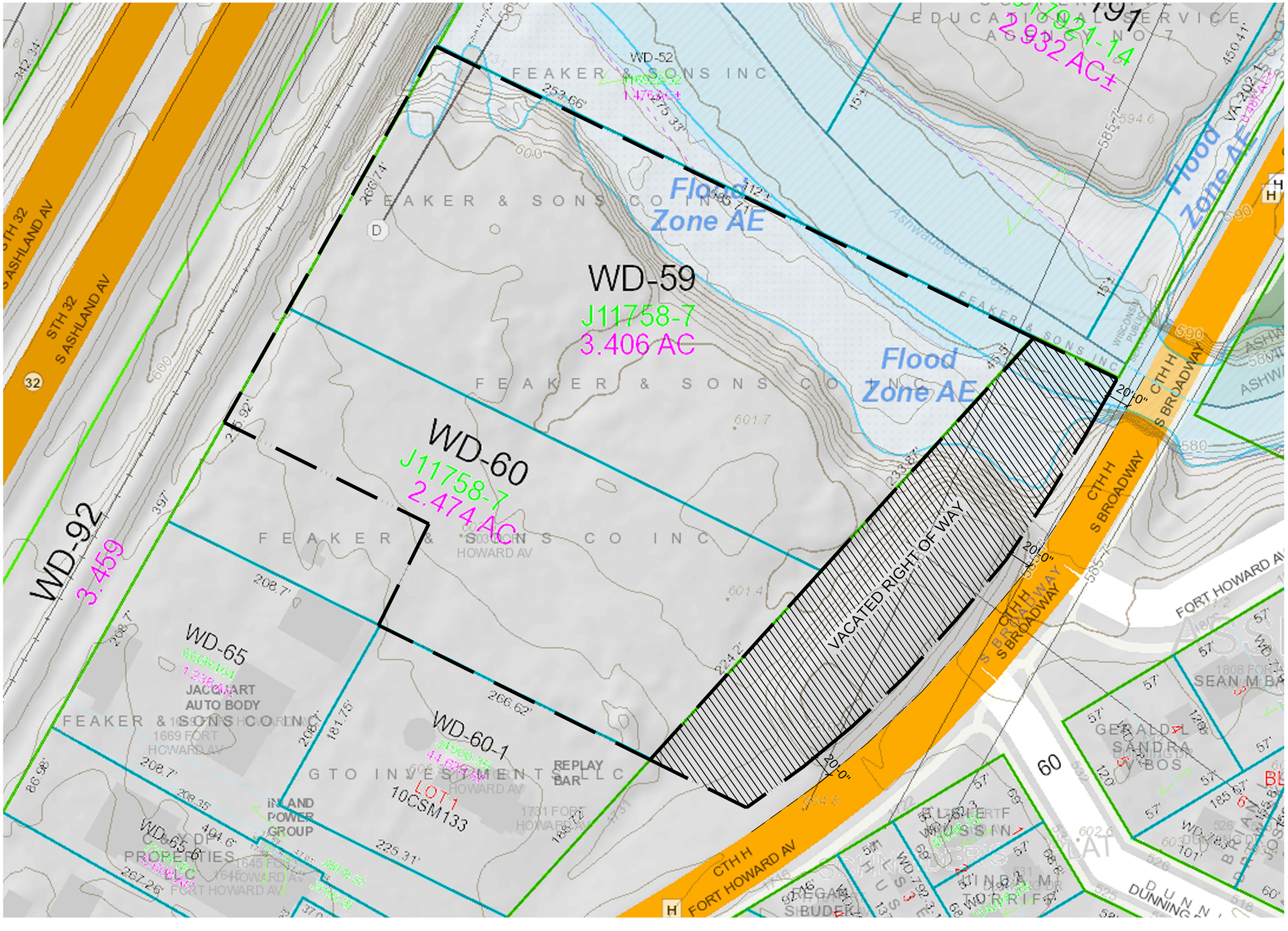
SECTION 5: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative for this Application. I certify that the information contained in this form and attachments is true and accurate.

Name of Owner/Authorized Representative (please print)	Title	Phone Number
Louie A. Lange III	President	920-922-8170
Signature of Applicant		**Date Signed**
Louie A. Lange III		6/9/2015

Attachment: ROW Vacation App (3624 : Vacation)

Attachment: ROW Vacation App (3624 : Vacation)



05.21.2015

M+A DESIGN, LLC
54 East First Street
Fond du Lac, Wisconsin 54935
l.petrie@madesignllc.net (920) 922-8170

COMMONWEALTH
CONSTRUCTION CORPORATION
54 E. FIRST STREET, FOND du LAC, WI 54935
(920) 922-8170 FAX: (920) 922-8171

PRELIMINARY

NEW BUILDING FOR:

FORT HOWARD PROPERTY

COUNTY HIGHWAY H
DE PERE, WI 54115

JOB NUMBER:
2014.92
SHEET

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review and presentation by WisDOT on the design for HWY 57 (North Broadway).***

ATTACHMENTS:

- PC_Staff_June22_Broadway (PDF)
- WIS57_stakeholder5_presentation (PDF)
- Working_Alt_Display 1_36x140_opt (PDF)

Review and presentation by WisDOT on the design for HWY 57 (North Broadway).*

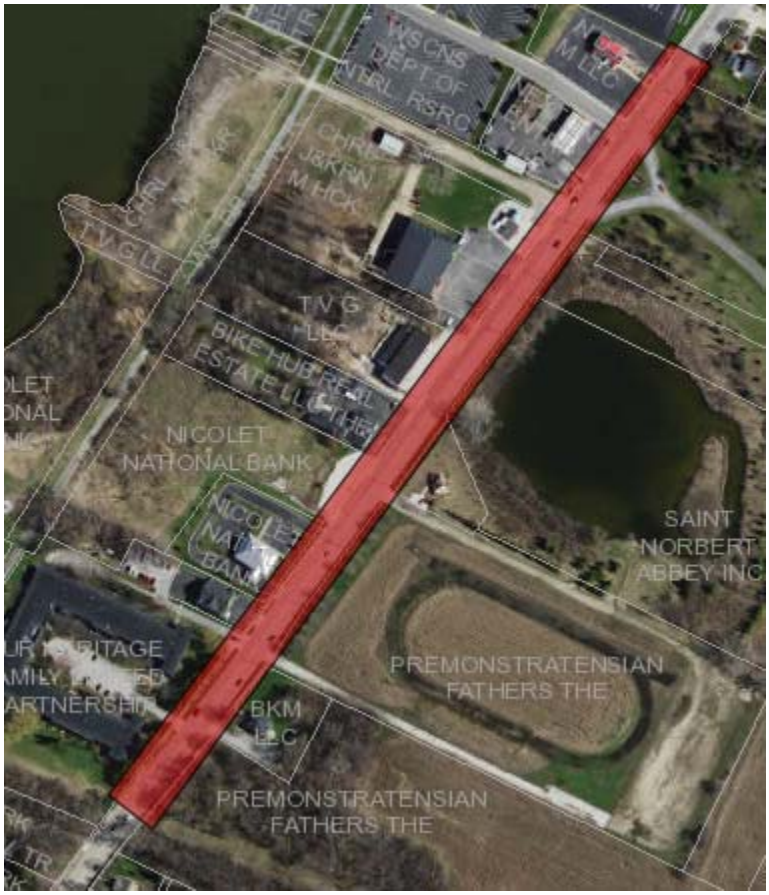


Figure 1. Project Corridor shown in red.

Overview:
HWY 57 (North Broadway) from the Crow's Nest north to the City of Green Bay is scheduled to be reconstructed in 2017. Over the past year, staff has worked with WisDOT in the design for the City portion of the project (see Figure 1). Staff will be presenting the proposed design for the City corridor. The proposed design is attached.

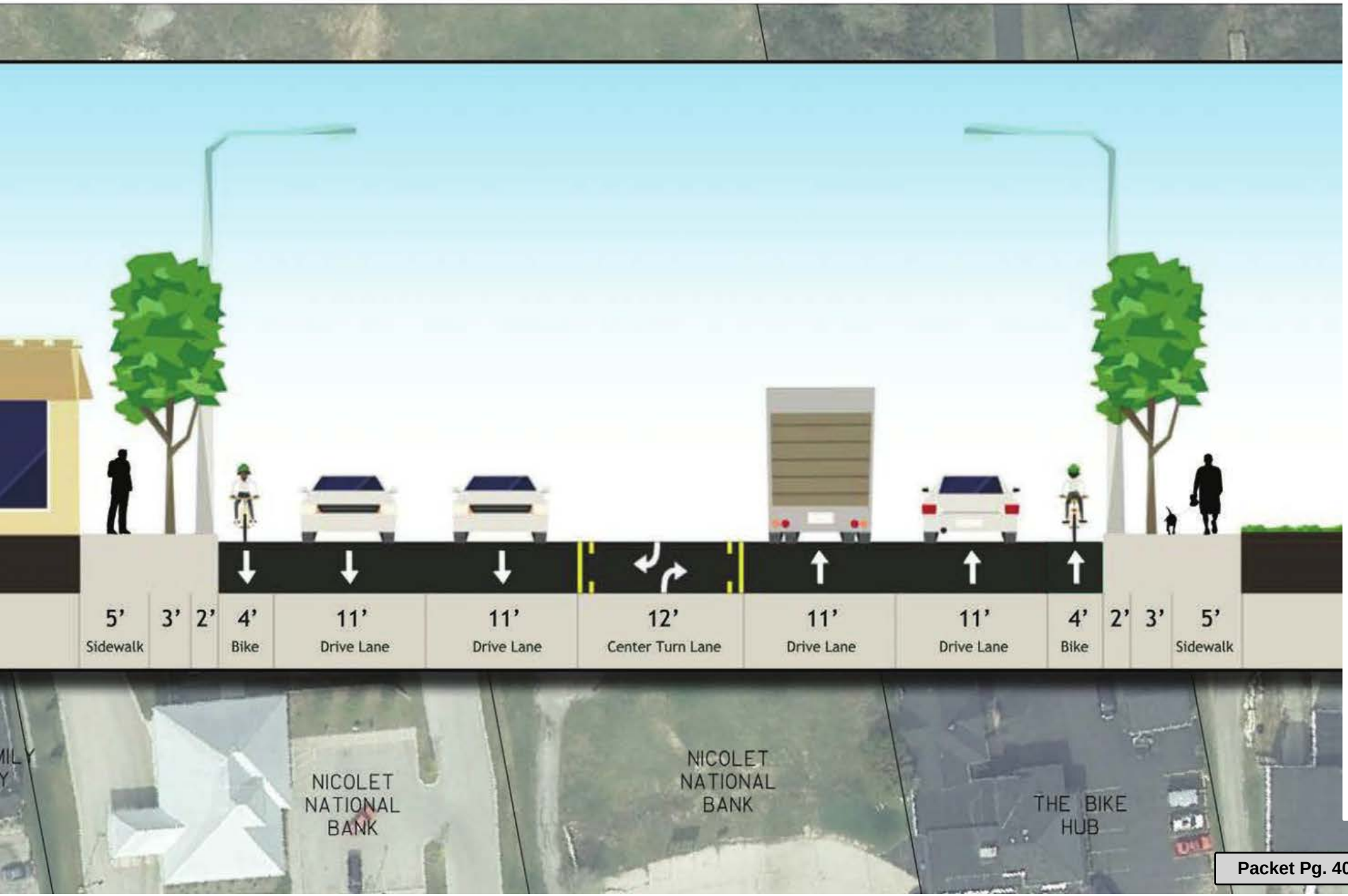
Recommendation
Staff would recommend approval of the proposed design and that the recommendation be forwarded to the Common Council.

Attachment: PC_Staff_June22_Broadway (3608 : Broadway)

Broadway Street – City of De Pere
Riverside Drive – Village of Allouez

Stakeholder Meeting #5
November 12, 2014

Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)



Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)

Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)

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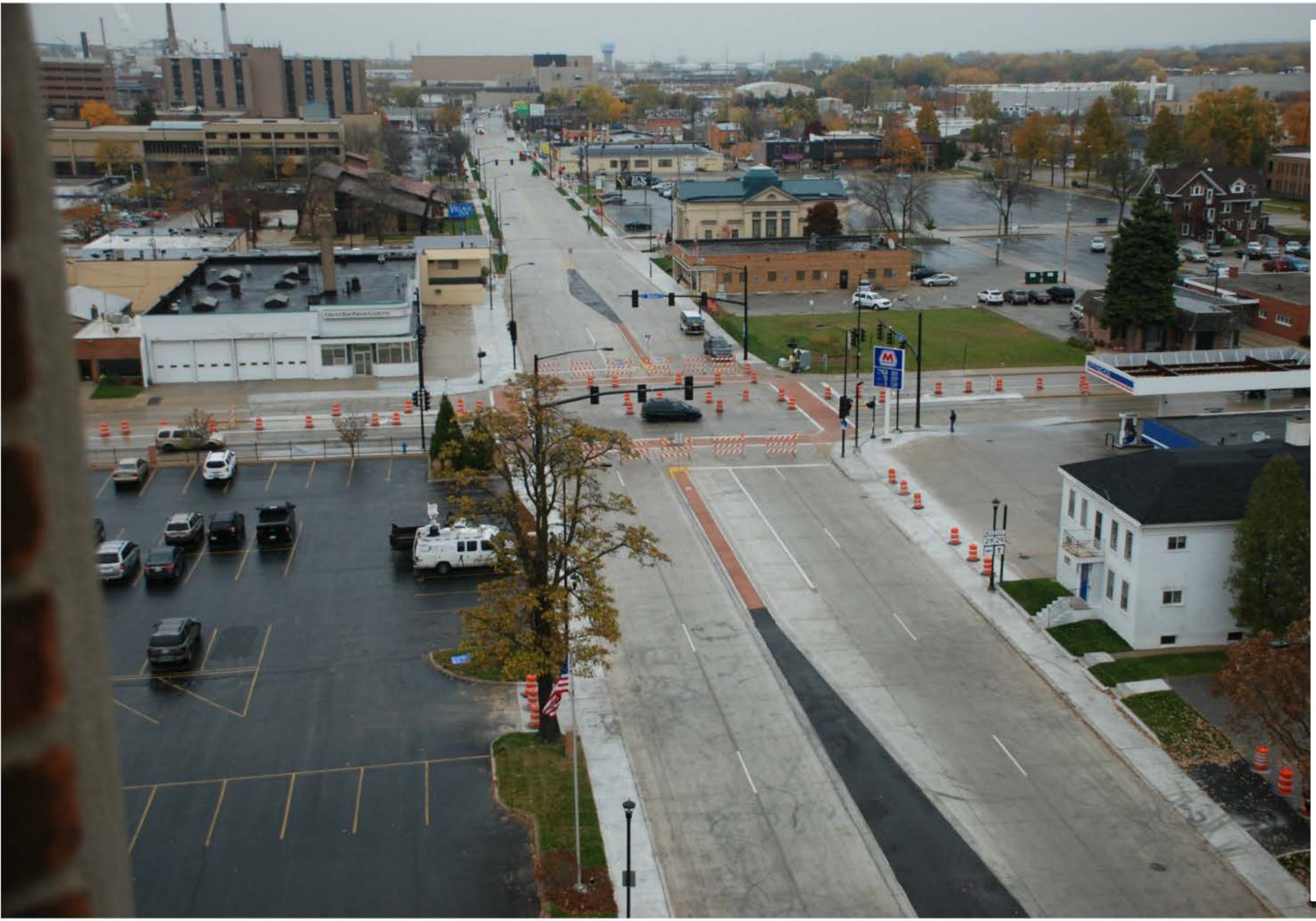

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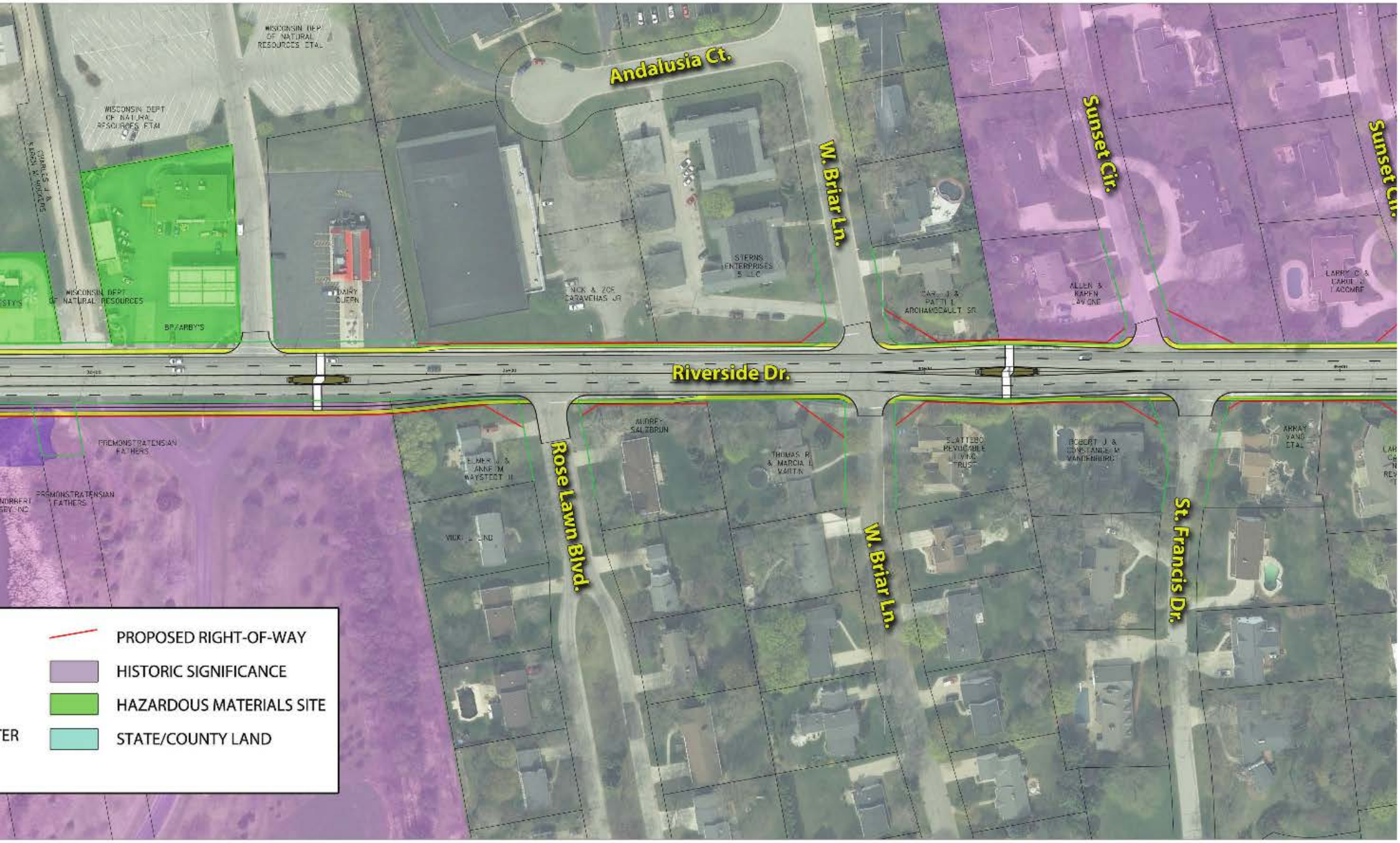


Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)

Photo Location

4085-38-00
Village of Allouez, Riverside Drive
S Village Limits - N Village Limits
WIS 57
Brown County

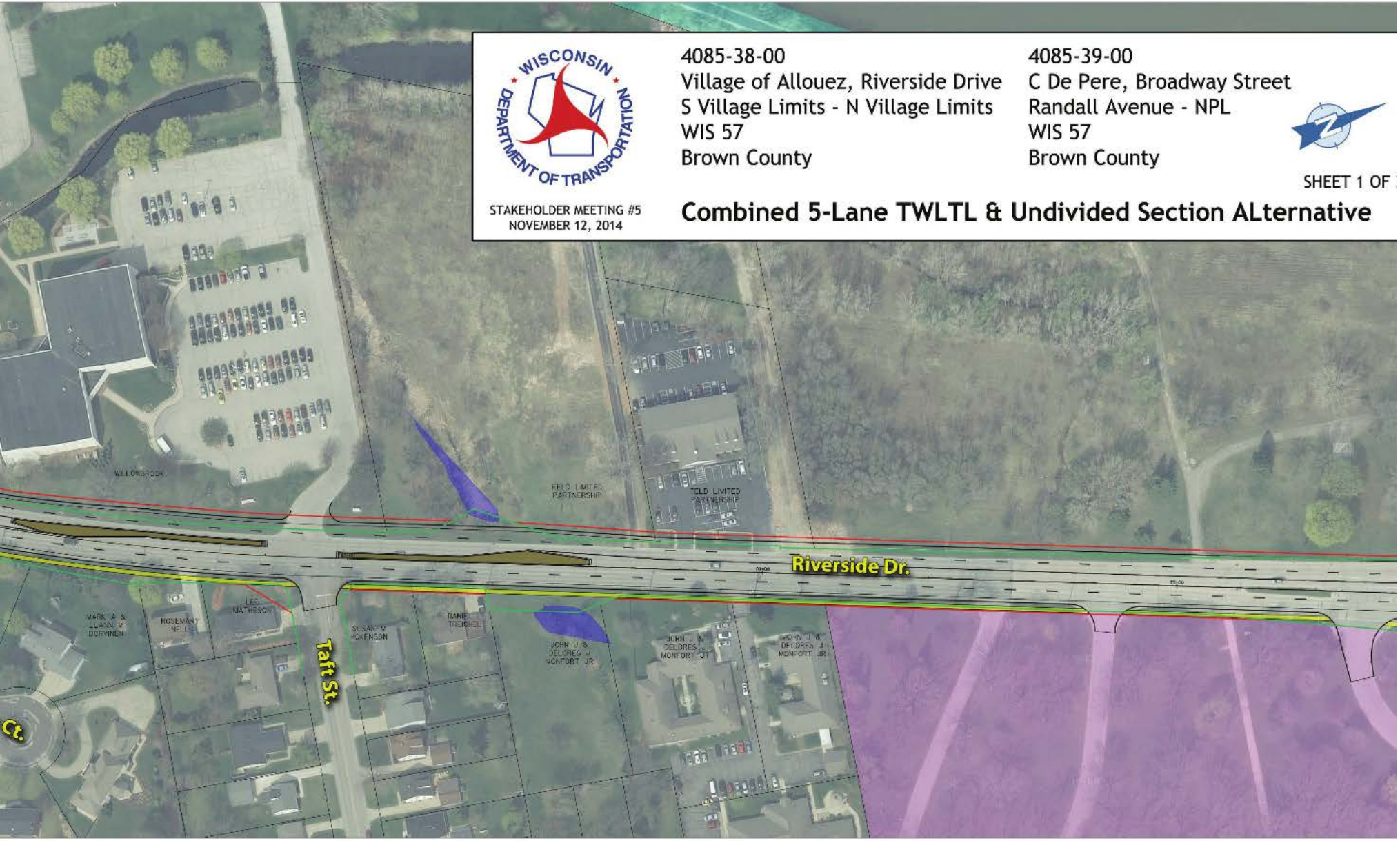
NOVEMBER 12, 2014

Briar Ln. Looking North

PROPOSED ROADWAY AS RENDERED
THE ROADWAY EXHIBIT TITLED "
LANE TWLTL & UNDIVIDED SECTION A
DATED NOVEMBER 12, 2014. THE L
PRELIMINARY AND SUBJECT TO

Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)

Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)



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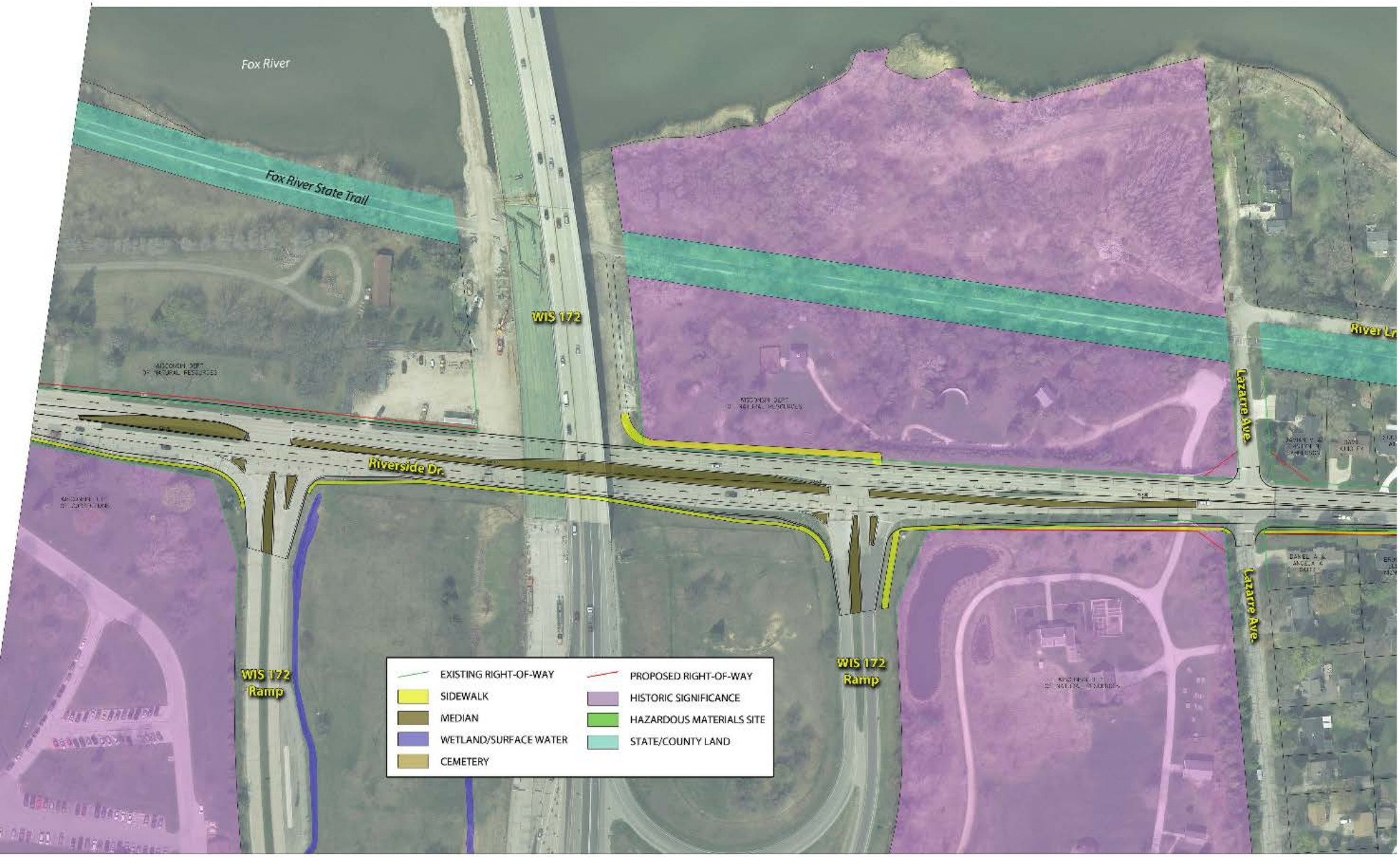
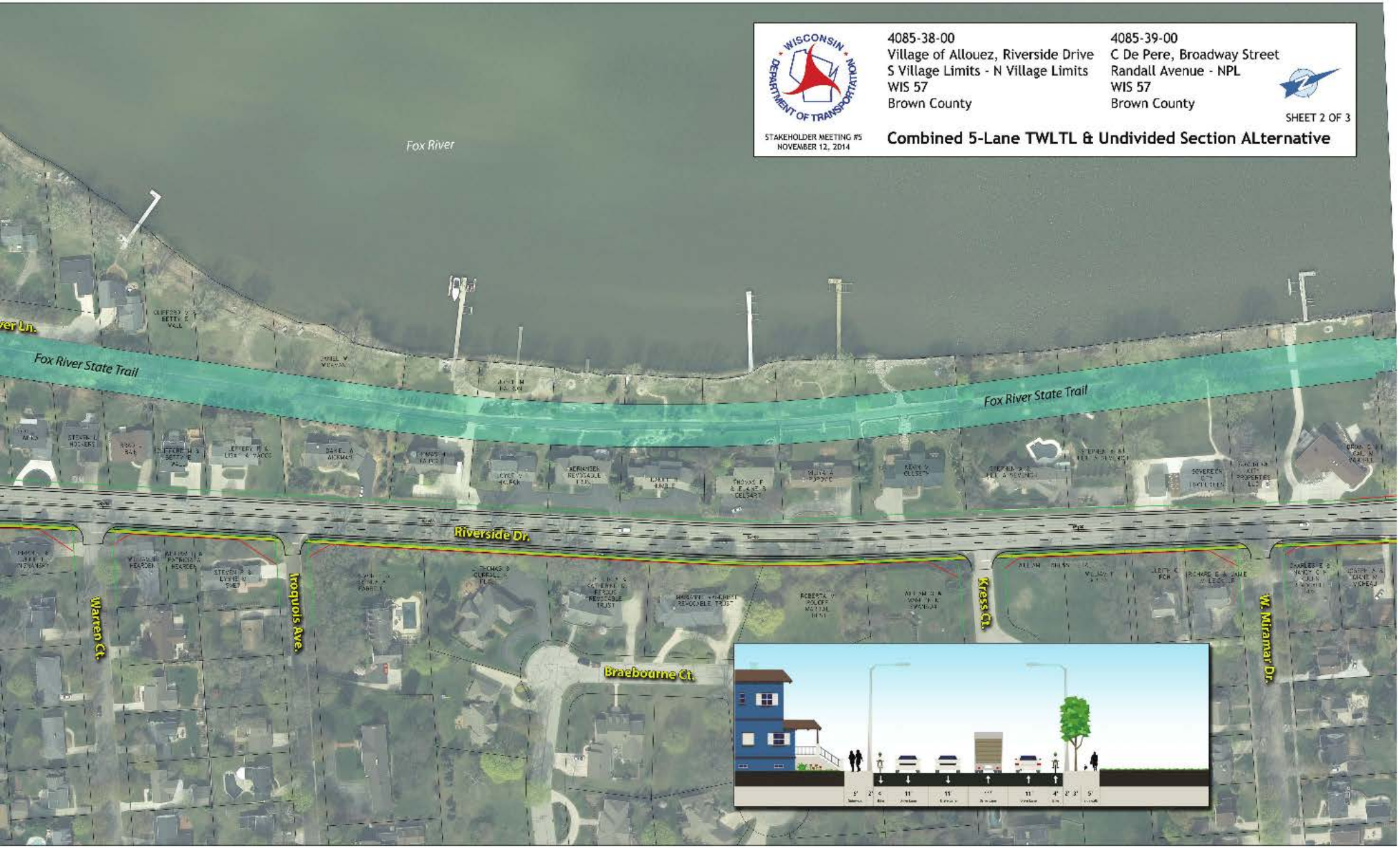


Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)



Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)

Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)

Photo Location

4085-38-00
Village of Allouez, Riverside Drive
S Village Limits - N Village Limits
WIS 57
Brown County

NOVEMBER 12, 2014

Iroquois Ave. Looking North

PROPOSED ROADWAY AS RENDERED IS BASED ON THE ROADWAY EXHIBIT TITLED "COMBINED 5-LANE TWLTL & UNDIVIDED SECTION ALTERNATIVE" DATED NOVEMBER 12, 2014. THE LAYOUTS ARE PRELIMINARY AND SUBJECT TO CHANGE.

Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)

Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)

Attachment: WIS57_stakeholder5_presentation (3608 : Broadway)

WISCONSIN DEPARTMENT OF TRANSPORTATION

STAKEHOLDER MEETING #5
NOVEMBER 12, 2014

4085-38-00
Village of Allouez, Riverside Drive
S Village Limits - N Village Limits
WIS 57
Brown County

4085-39-00
C De Pere, Broadway Street
Randall Avenue - NPL
WIS 57
Brown County

SHEET 1 OF 3

Combined 5-Lane TWLTL & Undivided Section ALternative

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review the proposed design changes to the intersection of Grant Street at Apollo and Suburban.***

ATTACHMENTS:

- PC_Staff_June22_Grant (PDF)
- BUMPOUT 6-15 (PDF)

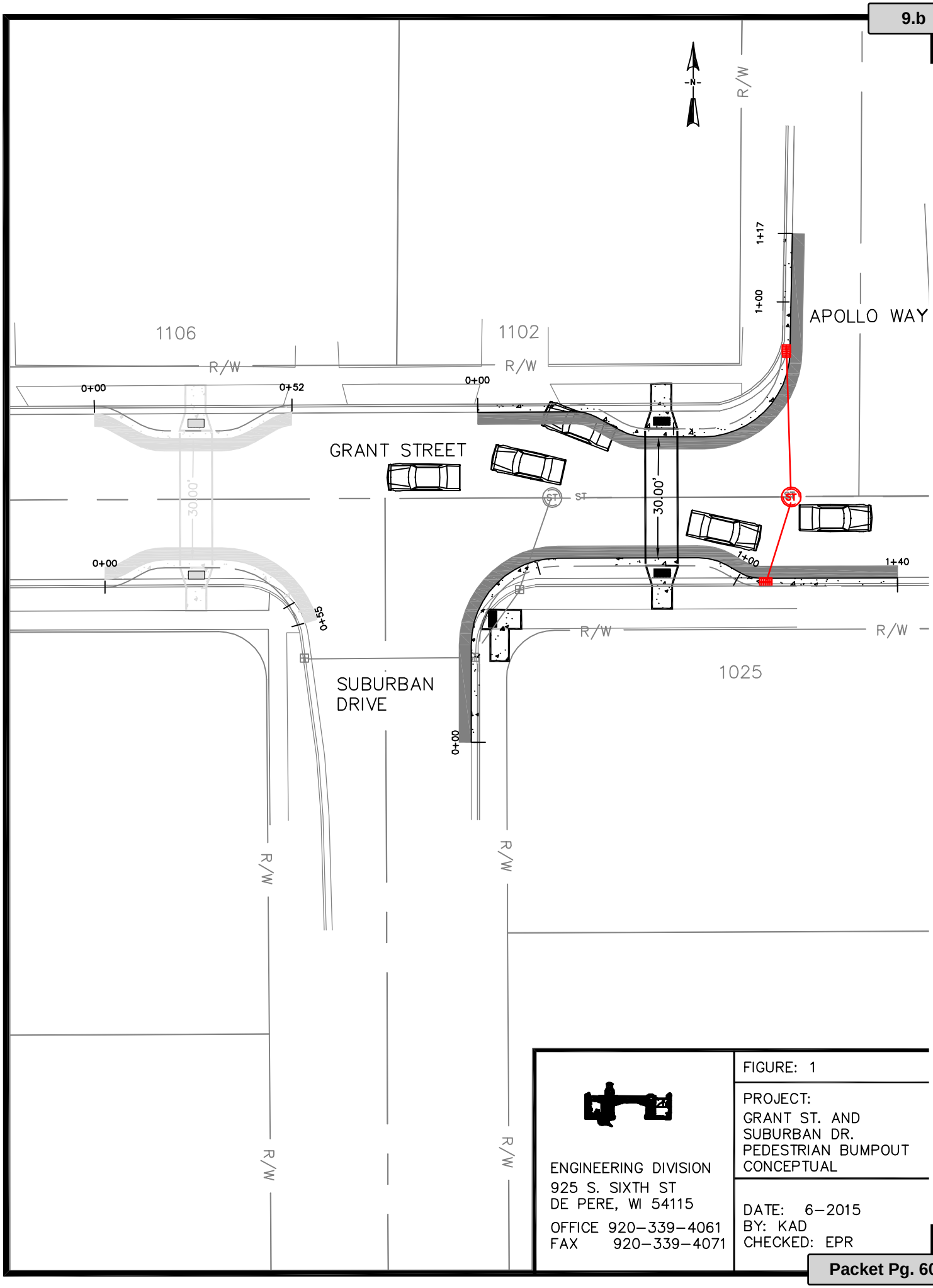
Review the proposed design changes to the intersection of Grant Street at Apollo and Suburban.*

Figure 1. Intersection shown above.

Overview:
The intersection of Grant Street and Apollo / Suburban has been an area of concern for safety for both pedestrians and bike users (see Figure 1). The primary concern is crossing Grant Street due to the speeds on Grant and the offset intersections. Engineering staff has worked with the County in getting approval to make design enhancements to increase safety. Staff looked at various options which were narrowed down to two primary options. In mid-June, the two options were tested to determine which would be more effective by placing cones in the street. The preferred design has been attached for review by the Plan Commission (see attached design).

Recommendation:
Staff would recommend approval of the proposed design and that the recommendation be forwarded to the Common Council.

Attachment: PC_Staff_June22_Grant (3607 : Apollo)



ENGINEERING DIVISION
925 S. SIXTH ST
DE PERE, WI 54115
OFFICE 920-339-4061
FAX 920-339-4071

FIGURE: 1

PROJECT:
GRANT ST. AND
SUBURBAN DR.
PEDESTRIAN BUMPOUT
CONCEPTUAL

DATE: 6-2015
BY: KAD
CHECKED: EPR

Attachment: BUMPOUT 6-15 (3607 : Apollo)

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review the project proposal from DLZ for a roundabout study for Main Av and Lawrence Dr.***

ATTACHMENTS:

- PC_Staff_June22_DLZ (PDF)
- Lawrence - Main Proposal Letter (6-17-15) (PDF)

Review the project proposal from DLZ for a roundabout study for Main Av and Lawrence Dr.*

Figure 2. Project location.

Overview:
When the HWY41 work was occurring in De Pere in 2010, there was discussion on the long term design for Main and Lawrence. At that time, the property to the north and west of McDonalds was located in the Village of Ashwaubenon and there was not enough interest to address the intersection. With this entire area now in the City, there has been interest expressed to create access to the property to the north and also address the access into McDonalds. Since a roundabout design would potentially create a new street, the Plan Commission is being asked to review the project proposal and ultimately the proposed design of the intersection.

In 2010, DLZ had completed several designs that could be considered as alternatives. The City would now like to work with DLZ to complete the necessary work as outlined in the Scope of Work which is attached. Staff is recommending DLZ based on the amount of work done to date, plus they are a level 3 roundabout design firm which is required for this intersection.

Funding for the project would come from the undesignated reserves initially; however these dollars would be paid back to the account once a Tax Increment District is created.

Recommendation:
Staff would recommend approval of the proposal, and that the proposal be forwarded to the Common Council for approval.

Attachment: PC_Staff_June22_DLZ (3610 : DLZ)

DLZ
ARCHITECTURE • ENGINEERING • PLANNING
SURVEYING • CONSTRUCTION SERVICES

INNOVATIVE IDEAS
EXCEPTIONAL DESIGN
UNMATCHED CLIENT SERVICE

June 17, 2015

Mr. Ken Pabich, Planning & Economic Development Director
City of De Pere
335 S. Broadway
De Pere, Wisconsin 54115

RE: Study and Concept Design for Roundabout at Main Avenue/Lawrence Drive Intersection

Dear Mr. Pabich:

DLZ National, Inc. appreciates the opportunity to provide this proposal to the City of De Pere (City) for roundabout study and concept design services at the intersection of Main Avenue and Lawrence Drive.

Our proposal is broken into four main sections Scope of Work, Schedule, Proposed Fee, and Approval of Proposal.

Scope of Work

Based on coordination with you and staff from the Wisconsin Department of Transportation (WisDOT), it is our understanding that our work scope should include specific tasks as outlined in the WisDOT Facilities Development Manual (FDM), which are noted below. Please note that we are not planning to undertake any of the tasks identified in section 11-25-3 of the FDM (these are the "Program Level Scoping" tasks). The intent of our proposed work scope is to perform baseline traffic operational analysis and concept level design work to determine roundabout feasibility. It is not intended to address all of WisDOT's requirements for a Stage 1 design submittal.

Task 1: Perform Traffic Counts

DLZ staff will obtain AM and PM peak hour turning movement counts for the intersections of Main Avenue/Lawrence Drive, Main Avenue/USH 41 northbound ramps, and Main Avenue/10th Street. We anticipate taking up to six total hours of counts at each location. Truck percentages will also be determined based upon these counts. Pedestrian volumes will be counted in addition to automobile volumes. We do not intend to perform Average Daily Traffic (ADT) counts.

Task 2: Traffic Operational Analysis

It is our understanding that the traffic analysis will be undertaken for three intersections: Main Avenue/Lawrence Drive, Main Avenue/USH 41 northbound ramps, and Main Avenue/10th Street.

Using the new traffic counts obtained in Task 1, future traffic growth rates from WisDOT, and expected peak hour traffic volumes provided by the City for the new north leg with extended Lawrence Drive, we will develop an updated year 2035 or year 2040 traffic forecast. Whether year 2035 or year 2040 is used as the design year will be as directed by the City and WisDOT. As a part of the update, we will make reasonable assumptions about the distribution of pass-by trips and origins/destinations of the new trips. The resulting traffic information will be depicted on the standard WisDOT Traffic Flow Worksheet. This information will be sent to the City and WisDOT for approval.

Once the traffic volumes and forecast are approved, we will perform the traffic analysis consistent with WisDOT

FDM section 11-26-20, utilizing Highway Capacity Software (HCS) and/or SIDRA software. Due to the close proximity of the existing roundabout at Main Avenue/USH 41 northbound ramps and the proposed roundabout at Main Avenue/Lawrence Drive, we anticipate that detailed supplemental analysis will be needed for various lane utilization scenarios using SIDRA software. We do not plan to perform any microsimulation traffic model work using PARAMICS or similar software.

For the existing traffic signal controlled intersection at Main Avenue/10th Street, we will perform an evaluation of queues and delays using the updated traffic volumes. The focus here will be upon lane utilization, queue lengths, and the traffic operations/interaction between the two roundabouts. It is our understanding that the City or WisDOT will provide an existing SYNCHRO or HCS model for this intersection, which includes existing signal timing.

The results of our traffic analysis will be presented in a short memo that also includes lane assignment sketches. This memo will be sent to the City and WisDOT for review and approval. Based on review comments, we will update the traffic analysis and memo, and the final version will be submitted. We are assuming one round of review comments will need to be addressed.

Task 3: Concept Design Drawing

Using aerial photo base mapping and design criteria provided by the City and WisDOT and the results of the traffic analysis from Task 2, we will prepare one concept design drawing for the Main Avenue/Lawrence Drive intersection and prepare the FDM 11-26 Attachment 5.1, Roundabout Critical Design Parameters Document. The starting point for this design is "Concept D" which was previously provided to the City and WisDOT in May of 2015. Based on the previous analyses we have completed, it is anticipated that all four of the roundabout entries will require two lanes. Further, we anticipate that the drawing will be for a "Case 1" design for trucks. It is our understanding that this design will not need to accommodate oversize/overweight (OSOW) trucks. Further, it is our understanding that topographical survey files are not currently available for portions of the project area.

A highly developed design that shows face of curb locations, crosswalks, splitter islands, shared-use path, bike ramps, and a truck apron with appropriate widths will be developed to meet the Stage 1 Roundabout Design Process Requirements. In addition, an exhibit showing truck paths and all fast paths (R1-R5) with speed calculations will be provided. All fast path and design vehicle analyses will be reflected in the concept design. The drawing will identify all driveways to be removed and roadways to be relocated, sidewalk locations, pedestrian crossings, potential right-of-way needs, conceptual pavement markings, and truck aprons.

The drawing will be revised one total time based on joint review/comments from the City and WisDOT.

As a part of this task, will we summarize the existing and proposed distance between the US-41 NB off ramp interchange and the Lawrence Drive intersection. We will also summarize the modifications required to the splitter island between the US-41 NB off ramp roundabout and the proposed Lawrence Drive roundabout and how it affects the safety and operations of the US-41 NB off ramp roundabout (i.e. WB entry, EB exit).

We are not anticipating any analysis/deliverables related to the following items: crash analysis; vertical profiles/analysis (including slope stake lines); drainage design; construction cost estimates; typical sections or cross-sections; signing; maintenance of traffic; lighting; landscaping; plan sheets; critical design parameters table; sight distance calculations/drawings; utilities; Intersection Control Evaluation (ICE); OSOW assessment;

Attachment: Lawrence - Main Proposal Letter (6-17-15) (3610 : DLZ)

design of Case 2 or Case 3 roundabout geometry; technical memo or report other than the traffic memo noted in Task 2; design work related to the park and ride lot; public meetings; or detail grades.

Task 4: Meetings

DLZ staff will attend one meeting in person with staff from the City and WisDOT. We anticipate that additional coordination will occur via teleconference and email.

Schedule

We are proposing the following timelines for key project milestones.

Milestone	Expected Completion
Perform traffic counts	1 week after notice to proceed (NTP)*
Submit traffic flow worksheets	1 week after traffic counts completed
Submit draft traffic results memo	2 weeks after approval of traffic forecast
Submit draft concept design	2 weeks after submittal of traffic results memo
Submit final traffic memo, concept design, Roundabout Critical Design Parameters Document	1 week after all comments received/resolved
Meeting	TBD

*Please note that it may be undesirable or unacceptable to WisDOT to perform traffic counts during the week of July 5, since this is adjacent to a holiday.

Proposed Fee

DLZ proposes to complete the above noted task for a lump sum fee of Eighteen Thousand Five Hundred and 00/100 Dollars ($18,500.00).

The Standard Terms and Conditions, as set forth as attached Exhibit A, are incorporated here into and made a part of this proposal. The Client referred to in the Standard Terms and Conditions means the City of De Pere.

If you approve and accept this work order proposal, please sign, date and return a scanned or hard copy of this proposal for our records.

Please contact Mr. Wesley Butch of our office with any questions. We greatly appreciate the opportunity to work with the City on this project and look forward to its successful completion.

Very truly yours,

DLZ NATIONAL, INC.

Manoj Sethi, P.E.
President

MS/wab/eh

Enclosures

Attachment: Lawrence - Main Proposal Letter (6-17-15) (3610 : DLZ)

INNOVATIVE IDEAS
EXCEPTIONAL DESIGN
UNMATCHED CLIENT SERVICE

Approval of Proposal

The City of De Pere accepts DLZ's proposal for roundabout design and traffic analysis services and hereby instructs DLZ to commence work on these services. The City of De Pere further agrees that this work is subject to all terms and conditions found in the Standard Terms and Conditions contained in Exhibit A to this letter. The City of De Pere approves the lump sum fee of Eighteen Thousand Five Hundred and 00/100 Dollars ($18,500.00) for this work.

_____
Authorized Signature

_____
Printed Name

_____
Title

_____
Date

V:\Opportunities\Madison\2015\Federal\{MA150020NA} De Pere, City of - Roundabout Study Update Main Street STH 32 Lawrence Drive CTH G\Lawrence - Main Proposal Letter (6-17-15).doc

Attachment: Lawrence - Main Proposal Letter (6-17-15) (3610 : DLZ)

EXHIBIT A
DLZ'S STANDARD TERMS AND CONDITIONS

1. INVOICE AND PAYMENT PROCEDURES: DLZ shall submit invoices, once a month, at a minimum, to the CLIENT for Services accomplished during each calendar month.

The CLIENT hereby agrees that payment will be made for DLZ's Services within thirty (30) days from the date of the invoice; and, in default of such payment, hereby agrees to pay all cost of collection, including reasonable attorney's fees, regardless of whether legal action is initiated. The CLIENT hereby acknowledges that unpaid invoices shall accrue interest at 18 percent per annum after they have been outstanding for over thirty (30) days. If an invoice remains unpaid sixty (60) days after the date of the invoice, DLZ may, upon giving seven (7) days written notice of its intent to do so, suspend all Services on the CLIENT's project. This suspension shall remain in effect until all unpaid invoices are paid in full. If an invoice remains unpaid ninety (90) days after the date of the invoice, DLZ may, upon giving seven (7) days written notice of its intent to do so, declare CLIENT to be in breach of this Agreement and pursue its remedies for collection.

2. CONSTRUCTION SERVICES: Construction Phase Services are not intended to include exhaustive detailed inspections of contractor work but site observations to become generally familiar with and to keep CLIENT informed about the progress and quality of work. The Contractor is solely responsible for its compliance or noncompliance with the Contract Documents. If, under this Agreement, professional services are provided during the construction phase of the project, DLZ shall not be responsible for or have control over contractor means, methods, techniques, sequences, or procedures; or for safety precautions and programs in connection with the Work. Nor shall DLZ be responsible for the Contractor's failure to carry out the Work in accordance with the Contract Documents or for Contractor's failure to comply with applicable laws, ordinances, rules or regulations. Under no circumstances will DLZ have any direct contractual relationship with the Construction Manager, Contractor, any subcontractors, material suppliers or other consultants unless DLZ and the CLIENT expressly agree otherwise in writing. CLIENT agrees that DLZ will perform on-site construction observation for this project and that such services will not be performed by others.

3. SUBSURFACE INVESTIGATION: DLZ makes no representations concerning soil conditions unless specifically included in writing in this Agreement, and DLZ is not responsible for any liability that may arise out of the making or failure to make soil surveys, or sub-surface soil tests, or general soil testing.

4. AGENCY REVIEW: In the event that, due to a change in applicable laws or a change in the requirements or policies of a governmental agency after the date of this Agreement, additional office or field work is required, said additional work shall be paid for by CLIENT as extra work.

5. SURVEY STAKING: In the event that any survey staking is disturbed by an act of God or parties other than DLZ, the cost of restaking shall be paid for by CLIENT as extra work.

6. MISCELLANEOUS EXPENSES: The CLIENT shall pay the costs of checking and inspection fees, zoning and annexation application fees, assessment fees, soils engineering fees, soils testing fees, aerial topography fees, and all other fees, permits, bond premiums, title company charges, blueprints and reproductions, and all other charges not specifically covered by the terms of this Agreement.

7. CHANGE OF SCOPE: The scope of Services set forth in this Agreement is based on facts known at the time of execution of this Agreement, including, if applicable, information supplied by DLZ and CLIENT. DLZ will promptly notify CLIENT of any perceived changes of scope in writing and the parties shall negotiate modifications to this Agreement before commencement of any change in scope.

8. SAFETY: DLZ shall establish and maintain programs and procedures for the safety of its employees. DLZ specifically disclaims any authority or responsibility for general job site safety and safety of persons other than DLZ employees.

9. REUSE OF PROJECT DELIVERABLES: Reuse of any documents or other deliverables, including electronic media, pertaining to the Project by CLIENT for any purpose other than that for which such documents or deliverable were originally prepared, or alternation of such documents or deliverables without written verification or adaption by DLZ for the specific purpose intended, shall be at CLIENT's sole risk.

10. OPINIONS OF CONSTRUCTION COST: Any opinion of construction costs prepared by DLZ is supplied for the general guidance of the CLIENT only. Since DLZ has no control over competitive bidding or market conditions, DLZ cannot guarantee the accuracy of such opinions as compared to contract bids or actual cost to CLIENT.

11. INSURANCE: DLZ will maintain insurance coverage for Professional, Comprehensive General, Automobile, Worker's Compensation and Employer's Liability in amounts in accordance with all legal requirements and DLZ business requirements. Certificates evidencing such coverage will be provided to CLIENT upon request. For projects involving construction, CLIENT agrees to require its construction contractor, if any, to include DLZ as an additional insured on its policies relating to the Project. DLZ coverage referenced above shall, in such case, be excess over contractor's primary coverage.

12. INDEMNITY: To the fullest extent permitted by law, DLZ shall indemnify and save harmless CLIENT from and against liability and damages sustained by CLIENT, its employees, and representatives by reason of injury or death to persons or damage to tangible property to the proportionate extent caused directly by the negligence of DLZ or its employees.

13. LIMITATION OF LIABILITY: No employee of DLZ, its parent, subsidiary or affiliate companies, shall have individual liability to CLIENT. CLIENT agrees that, to the fullest extent permitted by law, DLZ's total liability to CLIENT for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in any way related to the Project or this Agreement from any causes including, but not limited to, DLZ's negligence, error, omissions, strict liability, or breach of contract shall not exceed the total compensation received by DLZ under this Agreement. If CLIENT desires a limit of liability greater than provided above, CLIENT and DLZ shall include in the Agreement the amount of such limit and the additional compensation to be paid to DLZ for assumption of such risk.

14. PREVAILING PARTY LITIGATION COSTS: In the event any actions are brought to enforce this Agreement, the prevailing party shall be entitled to collect its litigation costs from the other party. Any litigation shall be governed by the laws of the state in which the Project is located.

15. AUTHORITY: The persons signing this Agreement warrant that they have the authority to sign as, or on behalf of, the party for whom they are signing.

16. STATUTE OF LIMITATIONS: To the fullest extent permitted by law, parties agree that, except for claims for indemnification, the time period for bringing claims regarding DLZ's performance under this Agreement shall expire one year after Project Completion.

17. SCHEDULE: DLZ shall not be responsible for the Contractor's schedule or failure to carry out the Work in accordance with the Contract documents. DLZ shall not have control over or charge of acts or omissions of the Contractor, Subcontractors, or their agents or employees, or any other persons performing portions of the Work.

18. SHOP DRAWINGS: DLZ will review shop drawings solely for general conformance with design concept, and not for the purpose of reviewing or approving their accuracy, completeness, dimensions or quantities, constructability, performance, compatibility with other construction components, or their compliance with the requirements of the Contract Documents, such as Buy America requirements, all of which remain the responsibility of the Contractor. DLZ's review also is not for the purpose of reviewing or approving the Contractor's safety precautions or construction means, methods, techniques, sequences or procedures.

Attachment: Lawrence - Main Proposal Letter (6-17-15) (3610 : DLZ)

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review the zoning text amendment regarding telecommunication mobile service facilities (Chapter 14.37(1)).***

ATTACHMENTS:

- PC_Staff_June22_Zoning Amendment (PDF)
- §14-37-1 Cell Tower Zoning (DOCX)

Review the zoning text amendment regarding telecommunication mobile service facilities (Chapter 14.37(1)). *

Overview:

The City has recently gone through an application and approval for the siting of a new cell tower. As part of that process, it was identified that the City would benefit from an update to the Code to correspond with the newly adopted State Statute regulations for cell towers. The attached draft zoning amendment was drafted with the City Attorney and Planning Staff to align the City regulations with the newly adopted State Code. Similar codes from the area were reviewed to draft the attached.

Please take note, that within this draft, under section *2(c)3e Lot considered fully developed* – it states that any lot with an approved facility shall be considered a fully developed lot and no further primary or accessory use shall be established, making it an unbuildable lot.

Recommendation:

Staff would recommend approval of the proposed zoning amendment and that the recommendation be forwarded to the Common Council for public hearing and approval.

Attachment: PC_Staff_June22_Zoning Amendment (3618 : Cell Town Zoning)

ORDINANCE #15-

CREATING SECTION 14-37-1 DE PERE MUNICIPAL CODE
REGARDING TELECOMMUNICATION MOBILE SERVICE FACILTIES

WHEREAS, the recent state law changes have been enacted placing restrictions on local regulations of wireless telecommunication facilities; and

WHEREAS, the Common Council desires to create language to address the placement of wireless telecommunication facilities in accordance with State of Wisconsin requirements; and

WHEREAS, the proposed amendment to the Zoning Code was reviewed by the City Plan Commission on _____, which recommends to the Common Council approval of ordinance regulations addressing placement of wireless telecommunication facilities in accordance with state law; and

WHEREAS, the City Clerk-Treasurer, having published a Notice of Public Hearing regarding such proposed zoning change and, pursuant thereto, a public hearing having been held on the _____ day of _____, 2015 at 7:35 p.m. and the Common Council having heard all interested parties or their agents and attorneys.

NOW THEREFORE**,** THE COMMON COUNCIL OF THE CITY OF DE PERE, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section 1. §14-37-1, De Pere Municipal Code, is hereby created to read as follows:

§14-37-1 Radio and Television Antennas, Wireless Telecommunication Mobile Service Facilities

(1) *Applicability*. The regulations in this section shall apply to radio transmitting and receiving antennas, including satellite dish antennas as defined in §14-03(147) and wireless telecommunication mobile service facilities as defined in §14-37-1(2)(b)12) of this Chapter.

DRAFT

Attachment: ?14-37-1 Cell Tower Zoning (3618 : Cell Town Zoning)

(2) *Wireless Telecommunication Mobile Service Facilities*.

(a) **Purpose**. This section is intended to regulate mobile service facilities to the full extent allowed by Wis. Stats. §66.0404 and other applicable laws. Nothing herein is intended to regulate or authorize the regulation of mobile service facilities in a manner that is preempted or prohibited by Wis. Stats. §66.0404 or other applicable laws.

(b) **Definitions**. All terms used herein shall have the meaning described in Wis. Stats. §66.0404(1) as set forth below:

1) "Antenna" means communications equipment that transmits and receives electromagnetic radio signals and is used in the provision of mobile services.
2) "Application" means an application for a permit under this section to engage in either:
   a. The siting and construction of a new mobile service support structure and facilities.
   b. With regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities or a class 2 collocation.
3) "Building permit" means a permit issued by City that authorizes an applicant to conduct construction activity that is consistent with city building code.
4) "Class 1 collocation" means the placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility but does need to engage in substantial modification.
5) "Class 2 collocation" means the placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility or engage in substantial modification.
6) "Collocation" means class 1 or class 2 collocation or both.
7) "Distributed antenna system" means a network of spatially separated antenna nodes that is connected to a common source via a transport medium and that provides mobile service within a geographic area or structure.
8) "Equipment compound" means an area surrounding or adjacent to the base of an existing support structure within which is located mobile service facilities.
9) "Existing structure" means a support structure that exists at the time a request for permission to place mobile service facilities on a support structure is filed with City.
10) "Fall zone" means the area over which a mobile support structure is designed to collapse.
11) "Mobile service" has the meaning given in 47 USC 153 (33):
   a. Mobile service. The term “mobile service” means a radio communication service carried on between mobile stations or receivers and land stations, and by mobile stations communicating among themselves, and includes:
      i. Both one-way and two-way radio communication services,

DRAFT

Attachment: ?14-37-1 Cell Tower Zoning (3618 : Cell Town Zoning)

ii. A mobile service which provides a regularly interacting group of base, mobile, portable, and associated control and relay stations (whether licensed on an individual, cooperative, or multiple basis) for private one-way or two-way land mobile radio communications by eligible users over designated areas of operation, and

iii. Any service for which a license is required in a personal communications service established pursuant to the proceeding entitled "Amendment to the Commission's Rules to Establish New Personal Communications Services" (GEN Docket No. 90–314; ET Docket No. 92– 100), or any successor proceeding.

12) "Mobile service facility" means the set of equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment, that is necessary to provide mobile service to a discrete geographic area, but does not include the underlying support structure.

13) "Mobile service provider" means a person who provides mobile service.

14) "Mobile service support structure" means a freestanding structure that is designed to support a mobile service facility.

15) "Permit" means a permit, other than a building permit, or approval issued by a political subdivision which authorizes any of the following activities by an applicant:
   a. A class 1 collocation.
   b. A class 2 collocation.
   c. The construction of a mobile service support structure.

16) "Political subdivision" means a city, village, town, or county.

17) "Public utility" has the meaning given in Wisconsin Statutes.

18) "Search ring" means a shape drawn on a map to indicate the general area within which a mobile service support structure should be located to meet radio frequency engineering requirements, taking into account other factors including topography and the demographics of the service area.

19) "Substantial modification" means the modification of a mobile service support structure, including the mounting of an antenna on such a structure, that does any of the following:
   a. For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
   b. For structures with an overall height of more than 200 feet, increases the overall height of the structure by 10 percent or more.
   c. Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is necessary for collocation.
   d. Increases the square footage of an existing equipment compound to a total area of more than 2,500 square feet.

20) "Support structure" means an existing or new structure that supports or can support a mobile service facility, including a mobile service support structure, utility pole, water tower, building, or other structure.

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Attachment: ?14-37-1 Cell Tower Zoning (3618 : Cell Town Zoning)

21) "Utility pole" means a structure owned or operated by an alternative telecommunications utility, as defined in Wisconsin Statutes; public utility, as defined in Wisconsin Statutes; telecommunications utility, as defined in Wisconsin Statutes; political subdivision; or cooperative association organized under Wisconsin Statutes; and that is designed specifically for and used to carry lines, cables, or wires for telecommunications service, as defined in Wisconsin Statutes; for video service, as defined in Wisconsin Statutes; for electricity; or to provide light.

(c) **New Towers and Facilities**. The siting and construction of a new mobile service support structure and facilities shall be subject to the following requirements:

1) **Application and Fee Process.** The applicant shall submit a written application to the City Building Inspector which shall include all of the following information.
   a. The name and business address of, and the contact individual for, the applicant.
   b. The location of the proposed tower.
   c. The location of the mobile service facility.
   d. A construction plan which describes the tower, equipment, network components, antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new tower.
   e. An explanation as to why the applicant chose the proposed location, and why the applicant did not choose collocation, including a sworn statement from the responsible party attesting that collocation within the applicant's service area would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome.
   f. The application shall be accompanied by a fee as set from time-to-time by the Common Council to defray the cost of notification and holding of public hearing. Costs incurred by the City in obtaining legal, planning, engineering and other technical and professional advice in connection with the review and implementation of the conditional use shall be charged to the Petitioner. Such fee shall be established by resolution of the common council and shall not exceed the limits established by Wis. Stats. §66.0404(4)(d).

2) **Determination of Completeness within 10 days of Submittal.** The Director of Planning & Economic Development (Director) shall review the application and determine whether the application is complete. If the application includes all of the foregoing information, the application shall be found to be complete. The Director shall notify the applicant in writing within ten days of receiving the application if it is found not to be complete, and such notice shall specify in detail the required information that was incomplete. Applicants are allowed to resubmit their applications as often as necessary until it is complete.

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Attachment: ?14-37-1 Cell Tower Zoning (3618 : Cell Town Zoning)

3) **Conditional Use Review Procedure.** The siting of a wireless telecommunications mobile service facility and substantial modifications of existing facilities shall be a conditional use, reviewed pursuant to the procedures set forth below and is not subject to §14.30 of this Chapter:
   a. **Plan Commission Review.** After the Director determines the application is complete, it shall forward the application to the Plan Commission for review. The Plan Commission shall forward its recommendation to the Common Council for public hearing thereon.
   b. **Public Hearing Notice.** Notice of such public hearing shall be published by the Clerk-Treasurer as a Class I notice. The Clerk-Treasurer shall serve by first class mail a copy of the public hearing notice to all owners of record of real property located within 300 ft. of the property for which a conditional use is sought.
   c. **Requirements.**
      i. Conditional use status shall not be granted to communication towers unless the tower is located so that there is sufficient radius of clear land around the tower so that its collapse shall be completely contained on the property, subject to the following. If an applicant provides the City with engineering certification showing that the tower is designed to collapse within a smaller area than the radius equal to the height of the tower, the smaller area shall be used unless the City has and provides the applicant substantial evidence that the engineering certification is flawed.
      ii. Setback distances shall be required according to the regulations of this Chapter.
      iii. All facilities shall meet all State and Federal codes.
   d. **Public Hearing and Determination.** The Common Council shall make a decision on the application after a public hearing thereon within 90 days of a completed application unless the time is extended by the Applicant. Said decision shall be reduced to writing and a copy made a permanent part of the City records. If conditional use status is not granted, the reasons therefor will be included in such record. A grant of condition use status, subsequent changes or additions thereto and terminations thereof shall be recorded as follows:
      i. An official record of such conditional grant shall be prepared by the Director on a form prescribed therefore which shall include the description of the use for which the grant is given and all conditions attached thereto as well as a copy of the resolution of the Common Council approving the grant. A copy of the completed form shall be recorded at the Brown County Register of Deeds as a covenant on the title for the premises for which the conditional use was granted.
   e. **Changes, Additions or Modifications.** Subsequent changes, additions or modifications to the approved plans or use shall be governed by paragraph (d) below.
   f. **Conditions.** Conditions such as landscaping, architectural design, type of construction, flood proofing, anchoring of structures, construction

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Attachment: ?14-37-1 Cell Tower Zoning (3618 : Cell Town Zoning)

commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yard, or parking requirements, among other issues as deemed appropriate may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this Chapter; subject to the limitations of **Section 4) Limitations upon Authority** below.

g. **Lot Considered Fully Developed.** Any lot with a siting and construction of new mobile service support structure and facilities that has been approved and completed pursuant to this section shall be considered a fully developed lot and no further primary or accessory use shall be established. The property is further prohibited to be divided by a minor or major land division as defined in Wis. Stats. Ch. 236.

4) **Limitations upon Authority.** The City review and action in the matter shall be subject to the limitations imposed by Wis. Stats. §66.0404(4). In the event the applicant believes the City has exceeded its authority in this regard, the applicant shall notify the Common Council in writing and the Common Council reserves the right to reconsider the matter, to ensure that applicable laws are followed.

(d) **Modifications**. Changes, additions or other modifications to an existing mobile service support structure or mobile service facility shall be subject to the requirements of this paragraph. The application together with applicable fee as set forth in paragraph (c) 3) a. above shall be made to the Building Inspector/Zoning Inspector, who shall provide a copy thereof to the Director. The Director shall review the application for modification and determine whether the changes, additions, or other modifications shown on the application constitute a substantial modification as defined in this Chapter.

1) **Substantial modification.**

a. **Review Process.** The review process for a substantial modification shall follow the review process for a new tower, as described in Section (c) **New Towers and Facilities,** above, except that the required plans should describe the proposed modifications, rather than describe the new structure.

2) **Not Substantial Modifications.**

a. **Application Information.** The applicant shall submit a written application that describes the applicant's basis for concluding that the modification is not substantial, and all of the following information:

i. The name and business address of, and the contact individual for, the applicant.

ii. The location of the affected support structure.

iii. The location of the proposed facility.

b. **Completeness Determination within Five Days.** The Director shall determine whether the application is complete. If the application includes all of the foregoing information, the application shall be found to be complete. The Director shall notify the applicant in writing within five (5)

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Attachment: ?14-37-1 Cell Tower Zoning (3618 : Cell Town Zoning)

days of receiving the application if it is found not to be complete, specifying in detail the required information that was incomplete. The applicant may resubmit as often as necessary until it is complete.

c. **Determination.** The Director shall make a decision on the application within a reasonable time after receipt of the completed application and not later than 45 days after receipt of the completed application unless the time is extended by the Applicant. Said decision shall be stated in writing and a copy made a permanent part of the City records. If modifications as requested are not approved by the Building Inspector, the reasons therefor will be provided to the applicant in writing.

d. **Limitations Upon Authority.** The City review and action in the matter shall be subject to the limitations imposed by Wis. Stats. §66.0404(4). And such other laws as may apply which may include 47 USCA § 1455. In the event the applicant believes the City has exceeded its authority in this regard, the applicant shall notify the Common Council in writing and the Common Council reserves the right to reconsider the matter.

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3: The sections of this ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of other portions of the ordinance.

Section 4: This ordinance shall take effect on and after its passage and publication.

Adopted by the Common Council of the City of De Pere, Wisconsin, this _____ day of _____, 2015.

APPROVED:

_____
Michael J. Walsh, Mayor

ATTEST:

_____
Shana L. Defnet, Clerk-Treasurer

Ayes:_____
Nays:_____
Publication Date: _____
Effective Date: _____

DRAFT

Attachment: ?14-37-1 Cell Tower Zoning (3618 : Cell Town Zoning)

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review the CSM Application for a CSM with two outlots and a road dedication for the re-configuration of Washington Street. Surveyor: Robert E Lee.***

ATTACHMENTS:

- PC_Staff_June22_CSM (PDF)
- CSM_Washington (PDF)

Review the CSM Application for a CSM with two outlots and a road dedication for the re-configuration of Washington Street. Surveyor: Robert E Lee.*

The Plan Commission and the City Council approved the re-configuration of Washington Street last month. To move forward with the project, the road dedication must be approved. The attached CSM shows the park being divided into 2 outlots with the road dedication being shown in the middle.

As a reminder, the Park Board did approve supporting the right of way needed for the project.

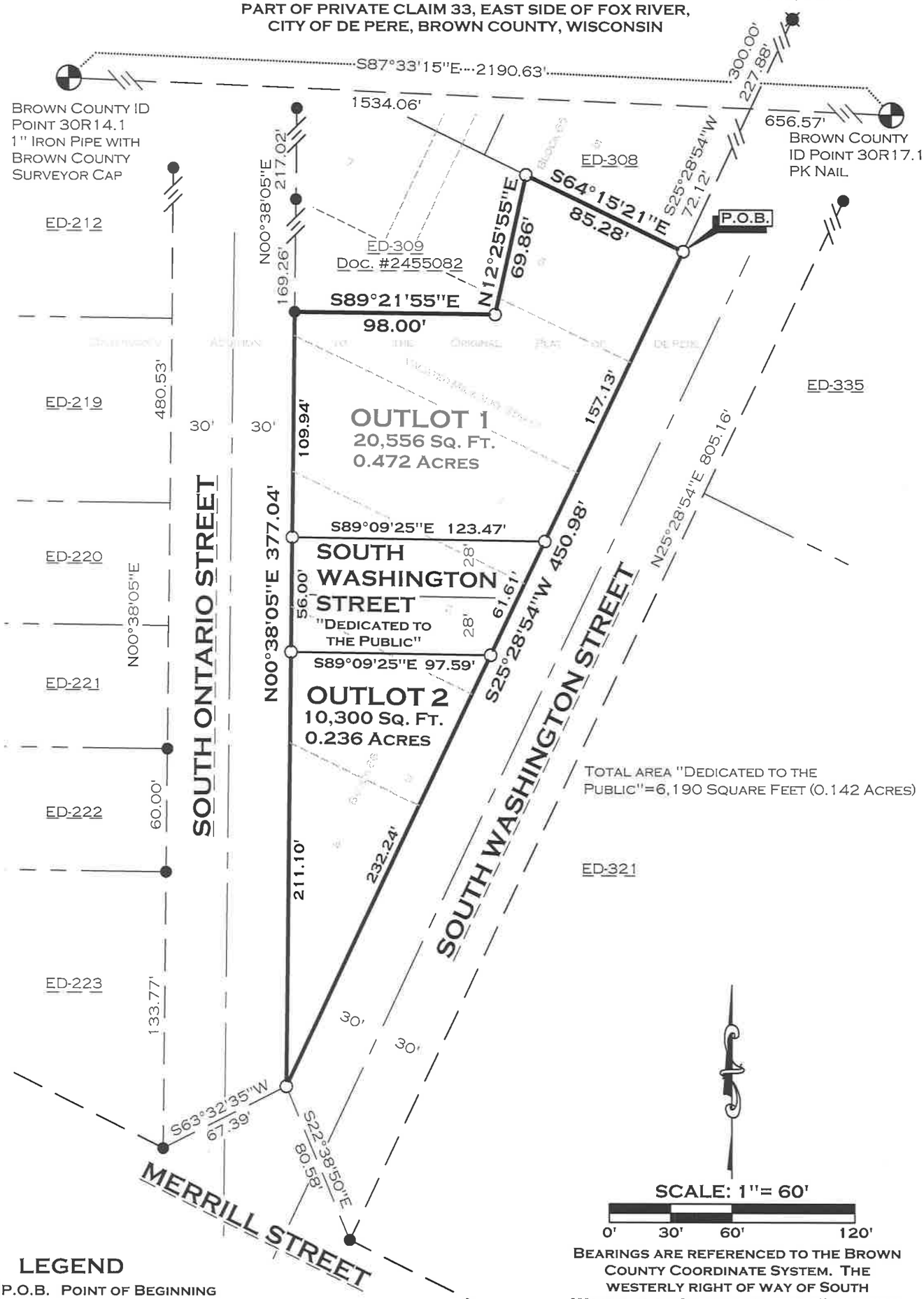
Recommendation:
Staff would recommend approval of the CSM, and that the CSM be forwarded to the Common Council for approval.

Figure 1. CSM location.

Attachment: PC_Staff_June22_CSM (3609 : CSM)

CERTIFIED SURVEY MAP

ALL OF LOTS 1, 2, 3 AND 4, BLOCK 66, PART OF THE VACATED MILWALKY STREET AND PART OF LOT 6, BLOCK 65, ALL PART OF DICKINSON'S ADDITION TO THE ORIGINAL PLAT OF DE PERE, BEING PART OF PRIVATE CLAIM 33, EAST SIDE OF FOX RIVER, CITY OF DE PERE, BROWN COUNTY, WISCONSIN



BEARINGS ARE REFERENCED TO THE BROWN COUNTY COORDINATE SYSTEM. THE WESTERLY RIGHT OF WAY OF SOUTH WASHINGTON STREET BEARS S25°28'54"W.

LEGEND

P.O.B. POINT OF BEGINNING

○ SET 1" X 18" IRON PIPE WITH CAP WEIGHING 1.38 LBS./LIN. FT.

● EXISTING 1" Ø IRON PIPE

✱ EXISTING ¾" Ø IRON PIPE

EXISTING COUNTY MONUMENT

ROBERT E. LEE & ASSOCIATES, INC.
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
1250 CENTENNIAL CENTRE BOULEVARD
HOBART, WI 54155 PHONE:(920) 662-9641
INTERNET: WWW.RELEEINC.COM FAX:(920) 662-9141

SURVEYOR'S CERTIFICATE

I, Troy E. Hewitt, Professional Land Surveyor, do hereby certify that by the order and under the direction of Ken Pabich, City of De Pere, I have surveyed, divided, dedicated and mapped a parcel of land being all of Lots 1, 2, 3 and 4, Block 66, part of the vacated Milwalky Street and part of Lot 6, Block 65, all part of Dickinson's Addition to the Original Plat of De Pere, being part of Private Claim 33, East Side of Fox River, City of De Pere, Brown County, Wisconsin described as follows:

Commencing at Brown County ID Point #30R14.1;
thence S87°33'15"E, 1534.06 feet on the line that connects said ID Point #30R14.1 to Brown County ID Point #30R17.1 to the westerly right of way of South Washington Street;
thence S25°28'54"W, 72.12 feet on said westerly right of way to the POINT OF BEGINNING;
thence continuing S25°28'54"W, 450.98 feet on said westerly right of way to the easterly right of way of South Ontario Street;
thence N00°38'05"E, 377.04 feet on said easterly right of way to the southwest corner of lands described in Document Number 2455082;
thence S89°21'55"E, 98.00 feet on the southerly line of said lands;
thence N12°25'55"E, 69.86 feet on the easterly line of said lands to the northerly line of said Lot 6;
thence S64°15'21"E, 85.28 feet on said northerly line to said westerly right of way of South Washington Street, the Point of Beginning.

Said parcel contains 37,046 Square Feet (0.850 Acres) of land more or less.

That the within map is a true and correct representation of the exterior boundaries of the land surveyed and the division of it and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and with Chapter 14 of the General Ordinances of the City of De Pere in the surveying, dividing, dedicating and mapping of the same.

Dated this _____ day of _____, 2015.

_____
Troy E. Hewitt PLS #2831
ROBERT E. LEE & ASSOCIATES, INC.

OWNER'S CERTIFICATE

As Owner's, we hereby certify that we caused the land described on this plat to be surveyed, divided, and mapped as represented on the plat. We also certify that this plat is required by S-236.10 or S236.12 to be submitted to the following for approval or objection: CITY OF DE PERE

CITY OF DEPERE
A MUNICIPAL CORPORATION

_____
Michael Walsh, Mayor Date

Attest:_____
Shana Defnet
Clerk-Treasurer

STATE OF WISCONSIN)

BROWN COUNTY) SS

Personally came before me this _____ day of _____, 2015, the above named Michael Walsh, Mayor and Shana Defnet, Clerk-Treasurer, of the City of De Pere, Wisconsin to me known to be the same person's who executed the foregoing instrument and acknowledged the same.

Notary Public, _____, State of _____.

My commission expires _____

CITY BOARD APPROVAL CERTIFICATE

Approved by the City of De Pere this _____ day of _____, 2015.

_____
Shana Defnet, Clerk-Treasurer

Office of the Register of Deeds
Brown County, Wisconsin

Received for Record_____, 20

at_____o'clock_____M and recorded as

Document #_____in

Volume_____of _____on Page____.

Cathy Williquette, Register of Deeds

SHEET 2 OF 2

ROBERT E. LEE & ASSOCIATES, INC.
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
1250 CENTENNIAL CENTRE BOULEVARD
HOBART, WI 54155 PHONE:(920) 662-9641
INTERNET: WWW.RELEEINC.COM FAX:(920) 662-9141

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**June 22, 2015**
DEPARTMENT:	**Planning**
FROM:	**Sarah Wallace**
SUBJECT:	**Review of Orion's Run Second Addition Final Plat, located south of the City limits off Lawrence Drive in the Town of Lawrence. Surveyor: Mach IV Engineering and Surveying LLC.***

ATTACHMENTS:

- PC_Staff_June22_Final Plat (PDF)
- Final Plat App Orion's Run (PDF)
- 0023-17-14 Final Plat (PDF)

Review of Orion's Run Second Addition Final Plat, located south of the City limits off Lawrence Drive in the Town of Lawrence. Surveyor: Mach IV Engineering and Surveying LLC.*

Overview:

Mach IV has submitted the Final Plat for Orion's Run Second Addition that creates 89 lots located off of Lawrence Drive in the Town of Lawrence. The Preliminary Plat was submitted and reviewed by the City Plan Commission in December of 2011. Under our review, the City ensures that a plat meets the standards of Chapter 46 which governs our Platting and Division of Land. Based on these provisions, the Final Plat does meet our requirements.

Recommendation:

Based on the findings above, Staff would recommend approval of the Final Plat and that it be forwarded to City Council.

Attachment: PC_Staff_June22_Final Plat (3619 : Final Plat)

CITY OF DE PERE

APPLICATION FOR PLAT REVIEW

Fee: $175.00

Receipt #: 103742

Date: 6-11-15

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

SECTION 1: Applicant / Permittee Information

Applicant Name (Ind., Org. or Entity)	Authorized Representative	Title	
Mach IV Engineering & Surve	Randy Oettinger	Professional Land Surveyor	
Mailing Address	**City**	**State**	**ZIP Code**
211 N Broadway, Suite 114	Green Bay	WI	54303
Email Address	**Phone Number (incl. area code)**	**Fax Number (incl. area code)**	
roettinger@mach-iv.com	920 569-5765	920 569-5767	

SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind. Org. or Entity)	Contact Person	Title	
CCLW LLC	Pat Kaster	Developer	
Mailing Address	**City**	**State**	**ZIP Code**
1317 Lombardi Access Rd	Green Bay	WI	54304
Email Address	**Phone Number (incl. area code)**	**Fax Number (incl. area code)**	
patkaster@rivercityrealtors	497-5090		

SECTION 3: Project or Site Location

Project Address/Description	Parcel No.
Cosmos Way/Andromeda Drive	L-1709

SECTION 4: Plat Review

Review Type:	☐ Preliminary Plat ☒ Final Plat	
Fee:	Preliminary Plat Fee: $250 + (20 # of lots x $60) = 1450.00 Final Plat Fee: $175	$ 175
Present Use of Parcel:	Vacant Outlot 4 of Orion's Run First Add	
Proposed Use of Lots:	Residential	

Please submit 1 hard copy and 1 PDF copy of the Plat if the property is located within the City or if the property is located within the extraterritorial jurisdiction.

SECTION 5: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Permit Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print)	Title	Phone Number
Randy Oettinger	Land Surveyor	920 569-5765
Signature of Applicant		**Date Signed**
Randall J. Oettinger		6/2/2015

TO BE COMPLETED BY CITY STAFF

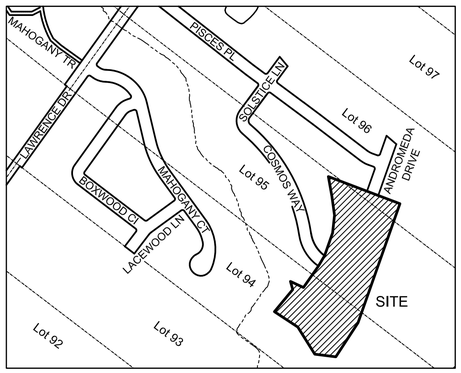
Plat Review authorized by the De Pere Municipal Code, Chapter 46.	

Orion's Run Second Addition

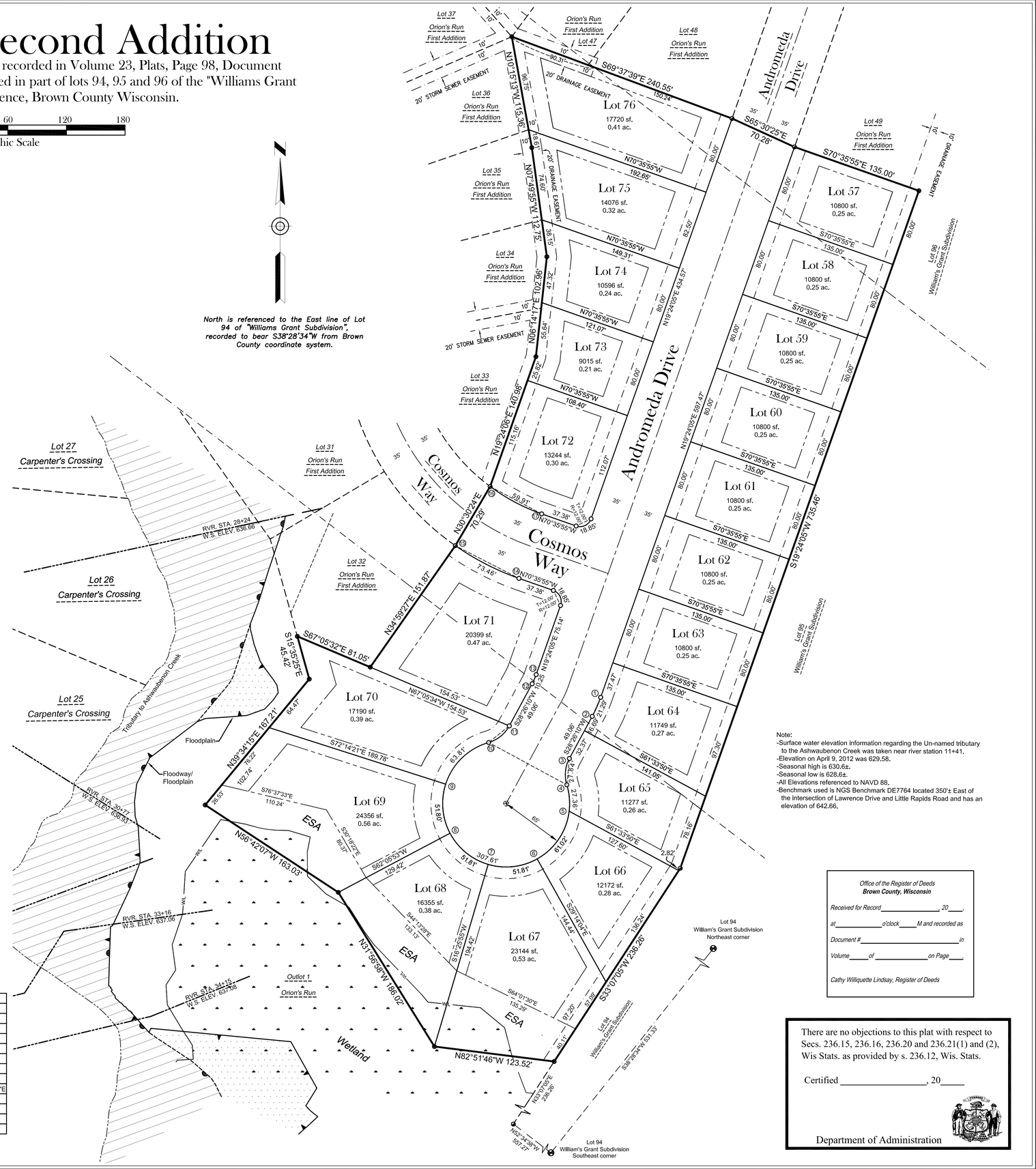
All of Outlot 4 of Orion's Run, First Addition, recorded in Volume 23, Plats, Page 98, Document Number 2661337, Brown County Records, located in part of lots 94, 95 and 96 of the "Williams Grant Subdivision", Town of Lawrence, Brown County Wisconsin.

60 30 0 60 120 180
Graphic Scale

Vicinity Map
(Not to Scale)



North is referenced to the East line of Lot 94 of "Williams Grant Subdivision", recorded to bear S38°28'34"W from Brown County coordinate system.



Legend

- 1" iron pipe found
- 2" iron pipe found
- 2.38" (o.d.) x 18" iron pipe weighing 3.65 lbs/lin. foot set
- Brown County Monument

- All other lot corners marked with a 1.32" (o.d.) x 18" Iron pipe with cap weighing 1.68 lbs\lin. foot.
- All linear measurements have been made to the nearest hundredth of a foot. (unless noted)
- All distances on curves are arc lengths.

30' — 30' Building setback (unless noted)

12' — 12' Utility easement (unless noted)

Floodplain

Floodway

RVR. STA. xx+xx / W.S. ELEV. xxx.xx — Flood study cross-section with station & floodplain elevation information

ESA — Environmentally Sensitive Area

W/L — Wetland

Curve Data

Curve	Arc	Radius	Chord	Chord Bearing	Central Angle	Tangent Bearing
1-2	21.29	135.00	21.27	S23°55'07.5"W	9°02'05"	
3-4	27.84'	35.00'	27.11	S5°38'58.5"W	45°34'23"	S17°08'13"E
4-5	27.36	65.00	27.16	S5°04'47"W	24°06'51"	
5-6	61.02	65.00	58.81	S33°52'17"W	53°47'19"	
6-7	51.81	65.00	50.45	S83°35'56"W	45°39'58"	
7-8	51.81	65.00	50.45	S50°44'06"W	45°39'58"	
8-9	51.80	65.00	50.44	S05°04'14"W	45°39'47"	
9-10	63.81	65.00	61.28	N45°53'06"E	56°14'53"	
4-10	307.61'	65.00'	91.00	N61°33'50"W	271°08'46"	N17°08'13"W-N74°00'33"E
10-11	27.84'	35.00'	27.11	N51°13'21.5"E	45°34'23"	S74°00'33"W
12-13	10.25'	65.00'	10.24	N23°55'07.5"E	09°02'05"	
14-15	73.46	270.00	73.24	N62°48'14"W	15°35'22"	N55°00'33W
16-17	59.91	200.00	59.69	S62°01'00"E	17°09'50"	N53°26'05"W

Note:
- Surface water elevation information regarding the Un-named tributary to the Ashwaubenon Creek was taken near river station 11+41.
- Elevation on April 9, 2012 was 629.58.
- Seasonal high is 630.62.
- Seasonal low is 628.62.
- All Elevations referenced to NAVD 88.
- Benchmark used is NGS Benchmark DE7764 located 350'± East of the intersection of Lawrence Drive and Little Rapids Road and has an elevation of 642.66.

Office of the Register of Deeds
Brown County, Wisconsin

Received for Record _____, 20____,
at _____ *o'clock* _____ *M and recorded as*
Document # _____ *in*
Volume _____ *of* _____ *on Page* _____.

Cathy Williquette Lindsay, Register of Deeds

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

Mach IV
Engineering & Surveying LLC
211 N. Broadway, Suite 114, Green Bay, WI 54303
PH:920-569-5765 Fax: 920-569-5767

CCLW LLC.

Orion's Run Second Addition

Tax Parcel # L-1709

NO.	REVISION DESCRIPTION

DATE: August 13, 2014
DRAFTED BY: RJO
CHECKED BY:
PROJECT# 0023-17-14
SCALE: 1"=60'
SHEET NUMBER
1 OF 2
DRAWING NUMBER
1001

Attachment: 0023-17-14 Final Plat (3619 : Final Plat)

Orion's Run Second Addition

All of Outlot 4 of Orion's Run, First Addition, recorded in Volume 23, Plats, Page 98, Document Number 2661337, Brown County Records, located in part of lots 94, 95 and 96 of the "Williams Grant Subdivision", Town of Lawrence, Brown County Wisconsin.

Certificate for the Town of Lawrence

Approved for the Town of Lawrence this ____ day of _____, 20__.

_____
Robert Bartelt
Town Administrator

Certificate for the City of DePere

Approved for the City of DePere this _____ day of _____, 20__

_____
Ken Pabich
Director of Planning

Brown County Planning Commission

Approved for the Brown County Plan Commission this ____ day of _____, 20__.

_____
Peter Schleinz
Senior Planner

Treasurer's Certificate

As duly elected Town Treasurer and Brown County Treasurer, We hereby certify that the records in our office show no unredeemed tax sales and no unpaid taxes or special assessments affecting any of the lands included in this Plat as of the dates listed below.

_____ _____
Jennifer Messerschmidt Date — Mary Reinhard Date
Town of Lawrence Treasurer — Brown County Treasurer

Surveyor's Certificate

I, Andrew S. Cleveland, Registered Land Surveyor, hereby certify:

That in full compliance with the provisions of Chapter 236, Wisconsin Statutes, and the subdivision regulations of the Town of Lawrence, the City of DePere and the Brown County Planning Commission and under the direction of the owners listed hereon, I have surveyed, divided and mapped "Orion's Run Second Addition", and that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed and is all of Outlot 4 of Orion's Run, First Addition, Volume 23, Plats, Page 98, Document Number 2661337, Brown County Records located in part of lots 94, 95 and 96 of the " Williams Grant Subdivision",Town of Lawrence, Brown County, Wisconsin.

Said parcel contains 345,681 sq. ft. \ 7.94 acres of land more or less.

Subject to all easements and restrictions of record.

Road dedication contains 68,787 sq. ft. \ 1.58 acres of land, more or less.

_____
Andrew S. Cleveland S-2787
Date: August 14, 2014

Notes

1) All roads within the plat boundary are dedicated to the public.
2) Sideyard setback is 10 feet for all lots.
3) Rearyard setback is 25 feet for lots not included within an ESA.
4) Wetland delineated by Mach IV Engineering and Surveying LLC., dated October 11, 2011. Wetland delineation concurrence letter from WDNR dated December 5, 2011.
5) The property owner, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Department of Natural Resources, "Wisconsin Construction Site Best Management Practice Handbook" to prevent soil erosion. However, if the Town of Lawrence, at the time of construction, has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any construction or installation related activities associated with streets and utilities.
6) Flood Plain mapping based on a Letter of Map Revision (LOMR) dated February 27, 2012. Reference Community Name Brown County, Community Number 550020, Panel Number 244 and Suffix F. The effective date is July 13, 2012.
7) A Shoreland permit from the Brown County Zoning Administrator's office is required for Lots 64-71 prior to any construction, fill or grading activity within 300 feet of a stream.
8) Lots 67, 68 & 69 include wetland areas that may require permits from the Wisconsin Department of Natural Resources, Army Corp of Engineers, Brown County Planning Commission, or the local municipality's Zoning Administrator's Office prior to any development activity.
9) Through Section 823.08 of Wisconsin Statutes, the Wisconsin Legislature has adopted a right to farm law. This statute limits the remedies of owners of later established residential property to seek changes to pre-existing agricultural practices in the vicinity of the agricultural property. Active agricultural operations are now taking place and may continue to take place in the vicinity of these new residential lots. These active agricultural operations may produce noises, odors, dust, machinery traffic, or other conditions during daytime and evening hours.

Office of the Register of Deeds
Brown County, Wisconsin

Received for Record_____, 20____,
at_____o'clock_____M and recorded as
Document #_____in
Volume_____of _____on Page____

Cathy Williquette Lindsay, Register of Deeds

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

Owner's Certificate (Document Number 2537378)

CCLW LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that we caused the land described on ORION'S RUN SECOND ADDITION to be surveyed, divided, mapped and dedicated as represented hereon. CCLW LLC also certifies that this Plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

TOWN OF LAWRENCE
CITY OF DEPERE
BROWN COUNTY PLANNING COMMISSION
DEPT. OF ADMINISTRATION

In Witness Whereof, the said CCLW LLC has caused these presents to be signed by Patricia A. Kaster and Dennis P Layden, its managers, on this _____ day of _____, 20__.

LAND CONTRACT VENDEE (Document Number 2537378)

_____ _____
Patricia A. Kaster — Dennis P Layden
Manager - CCLW LLC — Manager - CCLW LLC

Personally came before me this ____ day of _____, 20____, the above named managers of said Limited Liability Company and acknowledged that he executed the foregoing instrument as such managers as the deed of said Limited Liability Company, by its authority.

_____
Notary Public My Commission Expires _____
Brown County, Wisconsin

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

LAND CONTRACT VENDOR (Document Number 2537378)

_____ _____
James L. Van Gheem — Ida M. Van Gheem

Personally came before me this ____ day of _____, 20____, the above named managers of said Limited Liability Company and acknowledged that he executed the foregoing instrument as such managers as the deed of said Limited Liability Company, by its authority.

_____
Notary Public My Commission Expires _____
Brown County, Wisconsin

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

Restrictive Covenants

1) The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the abutting property owners to provide for adequate drainage of surface water.
2) No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.
3) Lots 67, 68 & 69 contain an Environmentally Sensative Area (ESA) as defined in the Brown County Sewage Plan. The ESA includes wetlands, all land within 35 feet of wetlands 2 acres or greater, floodway, all lands within 35 feet of the floodway or 75 feet beyond the ordinary high water mark - whichever is greater, navigable waterways and all land within 75 feet of the ordinary high water mark of navigable waterways. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.

Grant of Easement

There is hereby granted jointly to the Town of Lawrence, Wisconsin, a municipal corporation, Wisconsin Public Service Corporation, and the Wisconsin Telephone Company, both public utilities, and their successors and assigns, a perpetual right of way over and across an easement in all lands designated herein as "Utilities Easements" for the purpose of constructing, installation, and maintenance of the water distribution system, sanitary and storm sewers, drainage swales, gas and electric distribution systems, telephone systems, and cable television systems. No habitable structures or accessory buildings shall be constructed within or upon said easements. All grades, either constructed or established within said easements, shall not be disturbed or altered. This easement is perpetual.

Mach IV
Engineering & Surveying LLC
211 N. Broadway, Suite 114, Green Bay, WI 54303
PH:920-569-5765 Fax: 920-569-5767

CCLW LLC.
Orion's Run Second Addition
Tax Parcel # L-1709

NO.	REVISION DESCRIPTION

DATE: August 13, 2014
DRAFTED BY: RJO
CHECKED BY:
PROJECT# 0023-17-14
SCALE:
SHEET NUMBER
2 OF 2
DRAWING NUMBER
1001

Attachment: 0023-17-14 Final Plat (3619 : Final Plat)