



Plan Commission

Regular Meeting

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

Final Minutes

Monday, April 30, 2018

7:00 PM

De Pere City Hall Council Chambers

Call to Order

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

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

Also present: Development Services Director Kim Flom and members of the public.

2. Approval of the minutes of the March 26, 2018 Plan Commission meeting.

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

3. Recommendation regarding a Proposed Extraterritorial Two Lot Certified Survey Map at 5177 Tetzlaff Road in the Town of Rockland (Parcel R-269). Submitted by Steven E. Zeitler, PLS, authorized representative for Lynda Tetzlaff.*

Development Services Director Kim Flom reviewed the extraterritorial CSM in the Town of Rockland. She noted that, because this property partially falls within the City's urban reserve area, each lot must be at least ten acres in size. Staff recommended approval of the CSM, subject to the conditions listed in the staff report. This item will be reviewed by the Common Council at their May 16, 2018 meeting. Mayor Walsh moved, seconded by Amy Kunding, to approve the CSM. Upon vote, motion carried unanimously.

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

4. Review and recommendation for a Conditional Use Permit application for an Overnight Shelter Facility at 290 Reid Street (Pennings Activity Center) in an R2 Residential District. Submitted by Steve Jakups on behalf of St. Norbert College. *

Development Services Director Kim Flom reviewed the request to amend the conditional use permit for an overnight shelter facility at St. Norbert College. The request is to extend the operation of the shelter by one month, from November 1 through April 30 annually to November 1 through June 2 annually. Derek Beiderwieden noted that he believed the original intent was to accommodate winter overthrow from St. John's shelter. He questioned why the shelter would need to extend it for an extra month in the spring when the winter months are the shelter's busiest time. Kim noted that per the letter submitted by the applicant, St. Norbert College, the college was contacted by the director of St. John's shelter requesting that the college house guests during the summer months. However, due

to the academic year, commencement, and summer camp activities at the college, it was determined that the college could only accommodate this request through June 2. Mayor Walsh also questioned the reason for the request, saying that the month they are asking to extend the permit is in spring, not winter. The applicant was not at the meeting to answer the Plan Commission's questions; therefore, the Plan Commission referred this item back to staff before making a decision. Larry Lueck requested that the item be brought to the May Plan Commission meeting and that a representative from St. Norbert College be in attendance to answer any questions. Larry Lueck moved, seconded by James Boyd, to refer the item back to staff. Upon vote, motion carried unanimously.

RESULT:	REFERRED BACK TO STAFF [UNANIMOUS]
	Next: 5/29/2018 7:00 PM
MOVER:	Larry Lueck, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Walsh, Boyd, Lueck, Beiderwieden, Kunding, Taylor

5. Recommendation regarding a Site Plan for a building addition for Drift Inn located at 1535 Ashland Avenue in De Pere (Parcel WD-68-1). Submitted by Mark VerHaag, Vice President, Representative for JACHNA LLC, Robert Mach, Mach IV, authorized Representative for FoxStar Investments LLC.

Development Services Director Kim Flom reviewed the site plan for an 1100 square foot addition at the Drift Inn. She reported that the addition will be comprised of a three foot masonry/stone base and mini rib vertical metal panels above the stone base. The vertical metal panels are typically not allowed on a building in the B-2 zoning district. However, in 2015, the Plan Commission approved the use of the metal panels on the original building. Because of this, they would like to use the metal panels on the addition so it is consistent with the rest of the building. Staff recommended approval of the site plan subject to the conditions outlined in the staff report. Mayor Walsh moved, seconded by Derek Beiderwieden, to approve the site plan. Upon vote, motion carried unanimously.

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

6. Recommendation regarding a Site Plan for a modified onsite storm water management system and additional pavement for Poolworks at 765 Lawrence Drive in De Pere (Parcel WD-D0216-4). Submitted by Ben Hamblin, McMahon Associates INC Project Engineer, authorized representative for Poolworks.

Development Services Director Kim Flom reviewed the site plan for a modified storm water management system and additional pavement for Poolworks. She noted that there are no changes proposed to the building. The proposal includes adding approximately 8000 square feet of pavement and the redesign and relocation of the stormwater management system. Staff recommended approval of the site plan, subject to the conditions outlined in the staff report. Kim added that the applicant has already submitted an updated site plan, which has addressed several of the conditions. Derek Beiderwieden moved, seconded by James Boyd, to approve the site plan. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Derek Beiderwieden, Commissioner
SECONDER:	James Boyd, Alderperson
AYES:	Walsh, Boyd, Lueck, Beiderwieden, Kunding, Taylor

7. Recommendation regarding the proposed 61 Lot and one Outlot Preliminary Plat of "Pine Trail Crossing" at 2600-2700 BLK Ryan Road (Parcels ED-R27-1 & ED-R27-2). Submitted by Steven M. Bieda, Mau & Associates LLP, authorized representative for AGG LLC.*

Development Services Director Kim Flom reviewed the preliminary plat for Pine Trail Crossing. The proposed development includes 60 single family lots, one potential multi-family lot, and one outlot. These two parcels were recently annexed into the City of De Pere in January 2018. The applicant is requesting two variances for the development. The street frontages for 28 of the lots do not meet the required frontage of 85 feet. The first variance is requesting these lots to be no less than 80 feet wide. The second variance request is to reduce the side yard setback from 10 feet to 7 feet on 20 of the lots. Kim reported that both the Engineering and Building departments have reviewed the plat and are comfortable with the 7 foot side yard setback. She also noted that Trailside Estates, the subdivision to the north has several lots that are less than 85 feet wide, including some lots that are 75 feet wide. James Boyd asked if new subdivisions in the City are required to put in sidewalks and Kim replied yes. Because no park land is required of this project, the developer will be required to provide payment in lieu of dedication. Larry Lueck asked for clarification on the numbering of lots on the plat. Mayor Walsh moved, seconded by Steve Taylor, to open the meeting for public comments. Upon vote, motion carried unanimously. Steve Bieda, the representative for the project, addressed the board. He noted that although a few of the numbers are not in sequential order, the numbering is correct. By state statutes, the plat must be numbered this way. He did add that on the preliminary plat, Lot 8 must be changed to Outlot 2. This is for tax purposes for the owners, who will be using the outlot to gain driveway access to their house and agricultural fields, not for building purposes. Mayor Walsh moved, seconded by Derek Beiderwieden, to close the meeting. Upon vote, motion carried unanimously. Kim reminded the commission that this is a preliminary plat review, which will be reviewed by the Common Council at their meeting on May 1. Once the final plat is submitted, it will again be reviewed by both Plan Commission and Common Council before being recorded. Staff recommended approval of the preliminary plat, subject to the conditions outlined in the staff report. Mayor Walsh moved, seconded by Derek Beiderwieden, to approve the preliminary plat, including the two variance requests and the change of Lot 8 to Outlot 2. Upon vote, motion carried unanimously.

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

8. Recommendation regarding a Site Plan for a storage shed for the Brown County Fairgrounds at 1500 Fort Howard Avenue in De Pere (Parcel WD-57). Submitted by Steve Corrigan, authorized Representative for the Brown County Fair Association and Brown County Parks.

Development Services Director reviewed the site plan request to build a 3200 square foot metal storage building on the grounds of the Brown County Fairgrounds. The shed is

designed to be able to be moved to a different location. Staff recommended approval of the site plan subject to conditions outlined in the staff report, along with the updated condition that no construction of any kind occur until De Pere receives a fully executed copy of the "Build, Donate and Lease Agreement" between Brown County and the Brown County Fair Association. Mayor Walsh moved, seconded by Amy Kunding, to approve the site plan. Upon vote, motion carried unanimously.

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

9. Review and recommendation for a Proposed Right-Of-Way Vacation at 1022 Main Avenue in De Pere (Adjacent to Parcel WD-708-X-1-2). Submitted by City of De Pere.*

Development Services Director Kim Flom reviewed the right-of-way vacation for 1022 Main Avenue. She reported that the subject area is being redesigned with a roundabout, which would leave a portion of the street vacated. The vacated portion would then be attached to McDonald's, who is the adjacent property owner to the north. McDonald's desires the right-of-way for the site plan for their new building, which will utilize the area for heavy landscaping, a pedestrian/bicycle connection, and a drive lane near or within the right-of-way. This right-of-way vacation will be reviewed by the Common Council at their May 1, 2018 meeting, followed by a public hearing potentially on June 19, 2018. Derek Beiderwieden moved, seconded by Mayor Walsh, to approve the right-of-way vacation, subject to the condition that all existing easements remain in place. Upon vote, motion carried unanimously.

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

10. Review and recommendation for a Proposed Right-Of-Way Vacation at the 500 BLK S. 9th Street in De Pere (Adjacent to Parcels WD-D0217-3 & WD-D0218-2). Submitted by City of De Pere.*

Development Services Director Kim Flom reviewed the right-of-way vacation for the 500 BLK S. Ninth Street. If the vacation is approved by Council, the property would be split into two pieces and each piece would be attached to the two adjacent properties to the west. One of the property owners, Ray Hoffman, has approached the City with interest to build one or two duplex units on Parcel WD-D0218-2. However, the current size and dimension of the parcel makes it difficult to construct two duplex buildings that meet zoning code setbacks. With the addition of the vacated right-of-way, the parcel could be developed as requested. If approved, the Common Council will review this item at its May 16, 2018 meeting, followed by a public hearing potentially on July 17, 2018. Staff recommended approval of the right-of-way vacation, subject to two conditions:

1. All existing easements remain in place.
 2. Staff send notification letters for the right-of-way vacation public hearing that also includes information on the proposal to construct two duplex units on Parcel WD-D0218-2.
- Mayor Walsh moved, seconded by Steve Taylor, to approve the right-of-way vacation. Upon vote, motion carried unanimously.

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

Adjournment

Mayor Walsh moved, seconded by Amy Kunding, to adjourn the meeting at 7:43 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker