

PUBLIC NOTICE OF MEETING

Pursuant to Section 19.84, Wis. Stats., notice is hereby given to the public that a Regular Meeting of the **PLAN COMMISSION** of the City of De Pere will be held as follows:

Date: **MONDAY, APRIL 23, 2012**
Time: **7:00 p.m.**
Place: **De Pere City Hall, Second Floor, Council Chambers
335 S. Broadway Street, De Pere, Wisconsin 54115**

AGENDA FOR SAID MEETING:

Roll call.

1. Approve the minutes of the regular meeting of the Plan Commission on March 26, 2012.
2. Review request for moratorium for off premise signs which require a permit as defined in Section 98-3 pending recommendation and implementation of the new signage ordinance.
3. Review the extraterritorial CSM request for a 3 lot CSM, located in the Town of Ledgeview, Parcel D-401. Surveyor: Zeitler.
4. Future agenda items.
5. Adjournment.

Ken Pabich
Director of Planning and Economic Development

Notice is hereby given that a majority of the members of the Common Council of the City of De Pere may attend this meeting to gather information about a subject(s) over which they have decision-making responsibility.

Any person wishing to attend this meeting who, because of disability, requires special accommodation should contact the City Administrator at 339-4044.

AGENDA SENT TO:

PLAN COMMISSION MEMBERS
ALDERPERSONS
BULLETIN BOARDS
NEWS MEDIA
DACC
TOWN OF LEDGEVIEW
TOWN OF LAWRENCE
TOWN OF ROCKLAND

ITEM 2: NONE

ITEM 3:

MARK LAACK
STEVEN ZEITLER

3100 HERITAGE RD
7410 HIDDEN VALLEY RD

DE PERE WI 54115-9233
MARIBEL, WI 54227

CITY PLAN COMMISSION MEETING
March 26, 2012

The Plan Commission of the City of De Pere, Wisconsin, met in regular session in the Council Chambers of City Hall.

Mayor Michael Walsh called the meeting to order at 7:00 p.m. Roll call was taken and the following members were present: Elizabeth Runge, Thomas Walsh, James Kalny, Alderperson Kathleen Van Vonderen, and Alderperson Robert Wilmet. Member(s) excused: Derek Beiderwieden. Also present: City Planning Director Kenneth Pabich, and members of the public.

1. Alderperson Wilmet moved, seconded by James Kalny, to approve the minutes of the February 27, 2012 meeting as presented. Upon vote, motion carried unanimously.
2. Review the project request at Sit And Stay Properties, LLC, 2021 Enterprise Drive, ED-344-104-7. Applicant: Thomas Wood.
 - A. Conditional Use Amendment to expand the pet care facility in the I-3 General Industrial District.
 - B. Review a Site Plan Request for a 3,200 square foot addition to the existing Sit And Stay pet care facility.

Mayor Walsh moved, seconded by James Kalny, to open the meeting to the public. Upon vote, motion carried unanimously.

Owners of Sit And Stay Properties - Tom Wood and Jim Otto, 2021 Enterprise Drive, De Pere. Tom indicated there have been issues with wind blowing the screening down, property drainage issues, keeping vegetation growing without the dogs destroying it. Tom indicated their goal is to complete the landscaping, and they have no problem adding split-face block to the wall that currently has metal siding.

Mayor Walsh moved, seconded by Alderperson Van Vonderen, to go back to regular order. Upon vote, motion carried unanimously.

- A. Conditional Use Amendment to expand the pet care facility in the I-3 General Industrial District.

Mayor Walsh moved, seconded by Alderperson Wilmet, to approve the Conditional Use Amendment subject to the conditions noted in the Staff recommendation including: 1) adding split-face block in place of the metal siding; 2) submitting an updated landscape plan to the Planning Director for review and approval; and 3) adding berms or other plantings along the pond area. Upon vote, motion carried unanimously.

DRAFT

- B. Review a Site Plan Request for a 3,200 square foot addition to the existing Sit And Stay pet care facility.

Mayor Walsh moved, seconded by Alderperson Van Vonderen, to approve the Site Plan Request. Upon vote, motion carried.

3. Review a Vacation Request for Glenwood Avenue between Ridgeway Boulevard and Nicolet Avenue. Applicant: City of De Pere.

After some discussion, Mayor Walsh moved, seconded by James Kalny, to approve the Vacation Request. Upon vote, motion carried.

4. Review the CSM request for the Glenwood Avenue right of way dedication between Ridgeway Boulevard and Nicolet Avenue. Applicant: City of De Pere.

After some discussion, James Kalny moved, seconded by Alderperson Wilmet, to approve the CSM Request. Upon vote, motion carried.

5. Review the extraterritorial final plat of Orion's Run, located south of the City limits off Lawrence Drive in the Town of Lawrence. Surveyor: Ben LaCount.

After some discussion, Mayor Walsh moved, seconded by James Kalny, to approve the extraterritorial plat of Orion's Run. Upon vote, motion carried.

6. Future Agenda Items.

There was no discussion.

7. Adjournment.

Before adjourning, Alderperson Wilmet indicating he is not seeking re-election for another aldermanic term, and as a result, this will be his last Plan Commission meeting. Alderperson Wilmet thanked the Plan Commission, and indicated he was grateful to have had an opportunity to serve the De Pere community.

The Plan Commission thanked Alderperson Wilmet for his tenure as a member of the Common Council and the Plan Commission. Mayor Walsh praised Alderperson Wilmet for his outstanding dedication and commitment to the De Pere community.

Mayor Walsh moved, seconded by Thomas Walsh, the Plan Commission adjourned the meeting at 7:50 p.m.

Respectfully submitted,
Lori Phillips, Recording Secretary

Item #2: Review request for moratorium for off premise signs which require a permit as defined in Section 98-3 pending recommendation and implementation of the new signage ordinance.

US41 is in the process of being converted to an interstate highway. Interstate status also changes the signage requirements along the corridor. This potential change has created a push to establish signage along the corridor before the conversion would be made.

The City code on signage, as it relates to off premise signage, is out of date and was planned to be updated in 2012. The moratorium on permitted off premise signage will allow the City to develop regulations that match the needs for the City and also the rapid changes in the different sign technology.

A moratorium is a tool that can be used by the City with a specific purpose and timeframe. The purpose and timing of the moratorium would be to hold off on permitted new or converted off premise signage until the City can amend the sign ordinance. It is important to note that the moratorium would not restrict temporary off premise signage (for example for events).

Recommendation

Staff would recommend that the Plan Commission approve a moratorium on off premise signs which require a permit and forward the recommendation to the Common Council for action. The moratorium would be in affect until the sign ordinance can be amended.

Key Sections from Chapter 98

Sec. 98-3. Definitions.

Off-premises sign means a sign which advertises goods, products, facilities, events or services not necessarily on the premises where the sign is located, or directs persons to a different location from where the sign is located.

Sec. 98-9. Signs not requiring a permit.

15) On-premises and off-premises temporary signs. Temporary signs not exceeding 32 square feet in area pertaining to drives or events of civic, philanthropic, educational, religious organizations, provided that such signs are posted not more than 30 days before such event and removed within three days after the event. All such signs shall meet all other provisions of this chapter and all zoning code setback requirements.

Sec. 98-14. Signs permitted by zoning districts.

(a) General business and industrial. Signs allowed in general business and industrial districts are as follows:

- (1) Signs not requiring permit.*
- (2) Special signs under the terms and conditions provided at section 98-13.*
- (3) Signs for authorized conditional and nonconforming uses.*
 - a. Permitted signs:*
 - 1. Wall, window, marquee, directional, canopy and ground signs.*
 - 2. Off-premises signs shall be permitted in U.S. Highway 41 Business Corridor A and B Districts within the primary viewing of U.S. Highway 41. Two off-premises signs shall be permitted per zoning lot, not to exceed 700 square feet per sign.*
 - b. Area restrictions: The total area of all on-premises signs may not exceed four square feet per lineal foot of lot frontage, excluding directional signs.*
 - c. Height restrictions: Ground signs may not exceed 35 feet in height.*
 - d. Spacing: Off-premises signs shall be spaced at a minimum of 500 feet between such signs.*

RESOLUTION #12-

IMPOSING A MORATORIUM ON ISSUANCE OF SIGN PERMITS FOR
ERECTING, CONSTRUCTING, ENLARGING OR STRUCTURALLY MODIFYING
PERMANENT OFF-PREMISE SIGNS

WHEREAS, the City of De Pere Planning, Building Inspection and Law Department staff are in the process of developing proposed comprehensive changes to the City's sign ordinance, including changes to regulations covering permanent off-premise signs; and

WHEREAS, nomination of US Highway 41 (HWY 41) as part of the Federal Interstate Highway System has been made and such designation is anticipated to occur in 2014, meaning that federal regulations pertaining to such system, including the prohibition of erecting new off-premise signs along such corridor, will then become effective; and

WHEREAS, such pending designation has, and will continue to result in actions to install off-premise signs along the HWY 41 corridor within the City in order for the signs to be grandfathered as non-conforming but allowed structures when the Federal Interstate designation becomes final; and

WHEREAS, over four miles of HWY 41 frontage lie within the corporate limits of the City; and

WHEREAS, the erection of a significant number of off-premise signs within that four mile stretch of HWY 41 in a less than two year period without clear direction in the sign code will potentially have harmful effects on neighboring properties and upon the development of improved and unimproved parcels; and

WHEREAS, during this interim period between the present and finalization of the sign ordinance modifications, it is important to maintain the status quo on the location and number of current off-premise signs so as to ensure that erection of off-premise signs during this interim

period do not injure or cause harm to the use and enjoyment of other property in the orderly development, to the improvement in the immediate vicinity for the uses already permitted and to property values within the corridor; and

WHEREAS, the Plan Commission has reviewed the matter and finds that a moratorium on the issuance of sign permits for the erection, construction, enlarging or structural modification of permanent off-premise signs under Chapter 98 De Pere Municipal Code is necessary to maintain the status quo during the period of study and therefore recommends approval of a moratorium not to exceed 12 months in length, to permit City sign ordinance standards for off-premise signs and recommendations to be presented, approved and implemented by the City.

NOW THEREFORE, BE IT HEREBY RESOLVED THAT:

The Common Council of the City of De Pere hereby adopts the findings of the Plan Commission and based thereon, together with the facts and data contained in this Resolution, imposes a moratorium on the issuance of sign permits requested under Chapter 98 De Pere Municipal Code to erect, construct, enlarge or structurally modify permanent off-premise signs.

BE IT FURTHER RESOLVED THAT:

Said moratorium be enacted in order to permit permanent off-premise sign standards and recommendations to be presented, approved and implemented by the City.

BE IT FURTHER RESOLVED THAT:

Said moratorium shall apply to all new applications for a sign permit for the erection, construction, enlargement or structural modification of a permanent off-premise sign dated April 23, 2012 and after.

BE IT FURTHER RESOLVED THAT:

Said moratorium shall lapse at the expiration of 12 months or upon the completion and approval of the steps set forth above, whichever occurs sooner.

BE IT FURTHER RESOLVED THAT:

All City officers, officials and employees are hereby authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 1st day of May, 2012.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Vicki L. Scray, Deputy Clerk

Ayes: _____

Nays: _____

Item #3: Review the extraterritorial CSM request for a 3 lot CSM, located in the Town of Ledgeview, Parcel D-401. Surveyor: Zeitler.

Zeitler Surveying has submitted the CSM that creates three lots located on CHT X in the Town of Ledgeview. Lot 1 is 7.421 acres, lot 2 is 4.475 acres and lot 3 is 1.644 acres.

Recommendation:

Based on the findings above, staff would recommend approval of the CSM subject to the following:

1. The CSM be forwarded to City Council for approval.
2. The CSM must meet all state and local regulations and changes required by the County.



CITY OF DE PERE

APPLICATION FOR CSM REVIEW

Fee: \$ 285.00

Receipt #: 71229

Date: Mar 27, 2012

Please print or type using black ink for duplicating purposes.

A. **Property Owner:** Name: MARK J Laack
Mailing Address: 3100 Heritage Road
Phone: 430-7370 Fax #: _____
E-Mail Address: ML@USSPECIALTY.COM
Signature: _____ Date: _____

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

Agent: Name: Steven E Zeitler RLS
Mailing Address: 7410 Hidden Valley Rd Marshfield, Wis
Phone: 863-8411 Fax #: 54227
E-Mail Address: zeitler99@aol.com
Signature: Sto E Zeitler Date: 3/26/12

B. Property Information

Address/Location of Property: 3100 Heritage Road
De Pere, Wis 54115
Parcel #: D-401

NOTE: Please submit thirteen (13) copies of the CSM if property is located within the City or two (2) copies of the CSM if the property is located within the extraterritorial jurisdiction.

A CSM Review is requested as authorized by the De Pere Municipal Code, Chapter 46.

Signed: Sto E Zeitler
Applicant/Agent

Dated: 3/26/12

CERTIFIED SURVEY MAP

PART OF PRIVATE CLAIM 38 AND PRIVATE CLAIM 39,
EAST SIDE FOX RIVER, TOWN OF LEDGEVIEW,
BROWN COUNTY, WISCONSIN

Surveyors Certificate:

I, Steven E. Zeitler, Registered Land Surveyor, do hereby certify that I have surveyed, divided, and mapped the land described hereon; that I have made such survey and map by the direction of the owners listed hereon; and that I have complied with the provisions of Chapter 236 Section 236.34 of the Wisconsin Statutes, the Town of Ledgeview, City of DePere, and the Brown County Planning Commission in surveying, dividing and mapping the hereon described parcel of land and that the map hereon is a true and correct representation of the exterior boundary and the division of it.

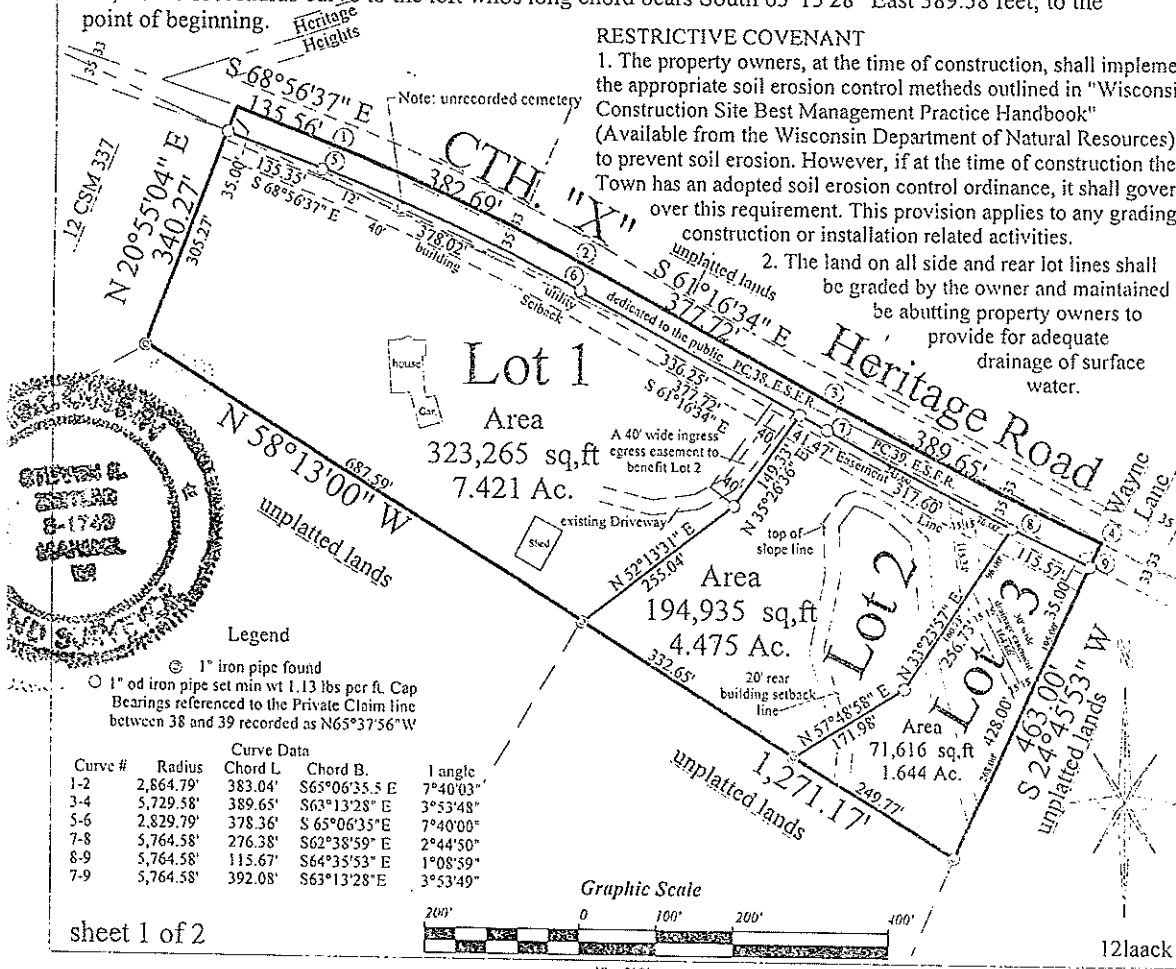
Steven E. Zeitler 3/26/12
Steven E. Zeitler RLS # 1749 Date

Description:

Part of Private Claim 38 and Private Claim 39, East Side Fox River, Town of Ledgeview, Brown County, Wisconsin described as; Commencing at the Northeast Corner of Private Claim 39, East Side Fox River; thence along the northerly line of Private Claim 39 North 65°37'56" West 3,731.22 feet; thence South 24°45'53" West 3.24 feet to the centerline of CTH. "X" being the point of beginning; thence continuing South 24°45'53" West 463.00 feet; thence North 58°13'00" West 1,271.17 feet; thence along the easterly line of Lot 2 of Certified Survey Map Volume 12 Page 337 North 20°55'04" East 340.27 feet to the centerline of CTH. "X"; thence along said line South 68°56'37" East 135.56 feet; thence continuing along the arc of a 383.33 foot radius curve to the right whose long chord bears South 65°06'35" East 383.04 feet; thence South 61°16'34" East 377.72 feet; thence 389.65 feet along the arc of a 5,729.58 foot radius curve to the left whose long chord bears South 63°13'28" East 389.58 feet; to the point of beginning.

RESTRICTIVE COVENANT

1. The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in "Wisconsin Construction Site Best Management Practice Handbook" (Available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the Town has an adopted soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction or installation related activities.
2. The land on all side and rear lot lines shall be graded by the owner and maintained be abutting property owners to provide for adequate drainage of surface water.



CERTIFIED SURVEY MAP

PART OF PRIVATE CLAIM 38 AND PRIVATE CLAIM 39,
EAST SIDE FOX RIVER, TOWN OF LEDGEVIEW,
BROWN COUNTY, WISCONSIN

OWNERS CERTIFICATE:

As owners, we hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented hereon; we also certify that this Certified Survey Map is required to be submitted to the Town of Wrightstown, and the Brown County Planning Commission, for approval or objection in accordance with current Land Subdivision Ordinances

LAACK COLD STORAGE

Mark J. Laack President

STATE OF WISCONSIN)
BROWN COUNTY)SS

Personally came before me this ____ day of _____,
2012 the above named owners, to me known to be the persons who
executed the foregoing instrument and acknowledge the same.

Notary Public

Steven E. Zeitler

My commission expires 1/13/13

CITY OF DE PERE APPROVAL:

Approved by the City of De Pere, Brown County, Wisconsin
on the ____ day of _____, 2012

Kenneth Pabich Planning & Economic Development Director

TOWN OF LEDGEVIEW APPROVAL:

Approved by the Town of Wrightstown, Brown County
Wisconsin, on the ____ day of _____, 2012.

Sarah Burdette Town Clerk

BROWN COUNTY PLAN COMMISSION APPROVAL:

Approved by the Brown County Planning Commission
this ____ day of _____, 20012

Peter Schleinzi Senior Planner

TREASURER'S CERTIFICATE

As duly elected Brown County Treasurer, we hereby certify that the records in our office show no unpaid taxes; no unredeemed tax sales and no unpaid special assessments affecting any of the lands included as of the date listed below.

for recording

Kerry M. Blaney Date
Brown County Treasurer