Plan Commission

335 South Broadway

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

Regular Meeting

Final Minutes

Monday, March 28, 2016 | **7:00 PM** | **De Pere City Hall Council Chambers**

Call to Order

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

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

Also present: City Planner Sarah Wallace, Building Inspector Dave Hongisto, City Attorney Judy Schmidt-Lehman, and members of the public.

2. Approval of the minutes of the February 22, 2016 Plan Commission meeting.

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

3. Review and Recommendation on the Site Plan Application for American 3 Fab, Parcel WD-L436-2. Applicant: Mau and Associates

City Planner Sarah Wallace reviewed the site plan, pointing out that the east elevation (where the property owner plans future expansion) does not meet material requirements. Staff has requested an updated landscaping plan with additional landscaping to screen that wall. Sarah also reported that as conversations for the future potential bridge corridors continue, there is a possibility that Innovation Court would need to be reconfigured; the developer is aware of this.

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

Neighboring property owner John Cordry expressed concern about the project, appropriate zoning, and property values.

Attorney Eric Erdman concurred with Cordry that this business should be placed in an industrial district.

Developer Mark Soderlund provided additional comments on the project.

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

Mayor Walsh inquired about property values, and Building Inspector Dave Hongisto replied that it would be speculative to comment without knowing what type of business may locate on adjacent properties in the future.

James Boyd motioned, seconded by Jim Kalny, to approve the site plan subject to staff comments and conditions. Upon vote, motion carried unanimously.

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

4. Review the rezoning request for ED-1469, located along Honey Ct. from Limited Industrial (I-2) to General Business District (B-2) Applicant: Alliance Construction*

   City Planner Sarah Wallace reported that the applicant is proposing to retrofit the building for a restaurant. The rezoning request is consistent with the City's Comprehensive Plan.
   Derek Beiderwieden motioned, seconded by Jim Kalny, to approve the rezoning request and forward to City Council for approval. Upon vote, motion carried unanimously.

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

5. Review the rezoning request for ED-1469-1, ED-1469-2, located along Cook Street and ED-1469-4 located along Honey Ct. from Limited Industrial (I-2) to General Business District (B-2) Applicant: City of De Pere*

   City staff contacted property owners adjacent to the parcel in the previous agenda item to determine their interest in rezoning their properties as well. The owners to the north are currently marketing the property and are interested in changing the zoning. The property to the south is a plumbing business with long term plans to stay, and they do some light manufacturing as part of their operations. Therefore, staff is recommending to retain the current zoning for that particular property.
   Mayor Walsh motioned, seconded by Steve Taylor, to approve the rezoning request for ED-1469-1 and ED-1469-2 and forward to City Council for approval. Upon vote, motion carried unanimously.

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

6. Review request for sign variance for two wall signs to be placed on 1551 Lawrence Dr. for Life Church. Agent: Jones Sign.

   City Planner Sarah Wallace provided an overview of the variance requests, as well as updates to the City's sign ordinance that were implemented in 2014. Staff provided supplemental information about standards for variances, which was distributed at the meeting and reviewed individually.
   Mayor Walsh motioned, seconded by Jim Kalny, to open the meeting for public comments. Upon vote, motion carried unanimously.
   Life Church representative Ken Merrell thanked the Commission for the opportunity to speak. He disagreed with staff's conclusion that a hardship does not exist, because their property is situated further back from the road than others nearby, with some of them blocking the view of their building. He provided information on sign industry standards for letter visibility & maximum readable distance. He stated that the business center pole

sign is very small and does not provide a lot of impact. They also believe that their main sign coverage area faces south toward Scheuring Road.

Amy Kundinger requested clarification on the motivation for the reduction in the sign code update. Building Inspector Dave Hongisto explained that staff recognized that the old allowances were an issue, and could have allowed a sign the size of a billboard. City staff researched other local ordinances and solicited input from all of the local sign companies, receiving only two responses. Dave expressed concern about a precedent being set if this variance request is approved.

Nick Lison from Jones Sign Co. stated that he wished he had seen the invitation for input when the ordinance was updated. He noted that the current ordinance provision eliminates 40% of the existing Sportsman's Warehouse signage.

James Boyd inquired if the current sign ordinance was in place when Life Church purchased the building. Staff confirmed that it was, and noted that a condition of site plan approval was that signage would need to be approved.

Larry Lueck requested clarification on whether a property owner can choose which face of a building signage can be placed on. Dave confirmed that the ordinance specifies that the sign must be placed on the street frontage, which in this case is Lawrence Drive. He noted that this property is not a corner lot.

Sonny Hennessy, executive pastor and marketing director for Life Church, spoke in favor of granting the variance requests. She stated that if the variances are not granted, they would consider doing temporary vinyl banners similar in size to those used by Pathways Church in Appleton. Discussion followed. Dave concurred that temporary sign permits can be issued, but that the same square footage restrictions would apply.

Sarah pointed out that the Sportsman's Warehouse signage was considered a non-conforming use after the ordinance update, and that there is a provision which removes non-conforming status if the property is abandoned.

Shawn Hennessy, Life Church pastor, addressed staff comments and requested clarification on non-conforming status as it would have related to Sportsman's Warehouse. He stated that the current ordinance creates a hardship due to visibility, but mostly creates a financial hardship due to the additional costs and time involved in removing and reducing the existing signs.

De Pere resident George Soncrant spoke in favor of allowing a sign on the southern elevation of the building.

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

James Boyd motioned, seconded by Jim Kalny, to deny the variance requests. Discussion followed regarding options for considering the requests separately.

James Boyd motioned, seconded by Jim Kalny, to withdraw their previous motion.

Derek Beiderwieden motioned, seconded by Steve Taylor, to deny the size variance request. Discussion followed. Upon vote, motion carried unanimously.

Derek Beiderwieden motioned, seconded by Steve Taylor, to approve the variance for a second sign, with the condition that it be in conformance with size allowances. Upon roll call vote, motion failed with Beiderwieden, Taylor, and Kundinger voting aye; and Boyd, Lueck, Kalny, and Walsh voting nay.

7. Future Agenda Items

None.

Adjournment

Mayor Walsh motioned, seconded by Derek Beiderwieden, to adjourn the meeting at 8:35 P.M. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen