



Plan Commission

335 South Broadway

De Pere, WI 54115

<http://www.de-pere.org>

Regular Meeting

Final Minutes

Monday, November 30, 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
Michael J. Walsh	Mayor	Present	
James Boyd	Aldersperson	Present	
Larry Lueck	Aldersperson	Absent	
Derek Beiderwieden	Commissioner	Present	
Jim Kalny	Commissioner	Present	
Elizabeth Runge	Commissioner	Excused	
Steve Taylor	Commissioner	Present	

Also present: City Planner Sarah Wallace, Planning & Economic Development Director Kim Flom, City Attorney Judith Schmidt-Lehman, Building Inspector Dave Hongisto, City Administrator Larry Delo and members of the public.

2. Approval of the minutes of the October 26, 2015 Plan Commission meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Derek Beiderwieden, Commissioner
SECONDER:	Steve Taylor, Commissioner
AYES:	Walsh, Boyd, Beiderwieden, Kalny, Taylor
ABSENT:	Larry Lueck
EXCUSED:	Elizabeth Runge

3. Conditional Use Application for Renovations and Addition to the St. Norbert College Sports Center Facility in a Single and Two Family (R2) Zoning District. Applicant: St. Norbert College*

City Planner Sarah Wallace reported that as part of the St. Norbert College Sports Center renovation and expansion project, the adjacent Human Resources building will be razed and 50-55 parking spaces will be removed. No onsite parking is planned for this project. A parking analysis was provided by the applicant; based on the number of students and faculty, there will still be sufficient parking after completion of the project to comply with City code requirements.

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

Resident Larry Roffers stated that he lives on Pleasant Place adjacent to the sports center parking lot. He inquired what the structure is going to look like, and how much traffic will be generated by the expansion. Sarah displayed the footprint of the existing building and expansion, as well as design renderings. She indicated the location of the parking that will be removed, and noted that the streets to the north and south have parking on one side. Mr. Roffers stated that the project will be a great asset for St. Norbert and the City, but has concerns about parking and the potential for increased traffic on side streets. Discussion followed about existing parking patterns and alternatives.

Pat Wrenn, Director of Facilities at St. Norbert College, explained that the two parking lots around the existing building are designated for employees. Generally speaking, students are already parking elsewhere in student-designated lots.

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

Mayor Walsh motioned, seconded by Jim Kalny, to approve the conditional use request and forward it to City Council. Upon vote, motion carried unanimously.

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

4. Review and Recommendation for a four (4) lot CSM for St. Norbert College. Surveyor: Steven Bieda, Mau and Associates

City Planner Sarah Wallace reviewed the CSM request: Lot 1 is for the new sports center, Lot 2 is for the carriage house, and Lots 3 & 4 are for residential housing. Staff recommends approval with the easement condition specified in the packet.

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

5. Review and Recommendation on the Site Plan Application for St. Norbert College Sports Center Facility (601 Third Street). Applicant: St. Norbert College

St. Norbert College is proposing an 8,000 SF addition to the Schuldes Sports Center which will include a pool, and an expansion of staff facilities and the gym area. The second story addition to the perimeter of the building will include a mezzanine overlooking the pool. City Planner Sarah Wallace received updated drawings from the architects today, but there are no changes to staff comments based on them.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Taylor, Commissioner
SECONDER:	Derek Beiderwieden, Commissioner
AYES:	Walsh, Boyd, Beiderwieden, Kalny, Taylor
ABSENT:	Larry Lueck
EXCUSED:	Elizabeth Runge

6. Review and Action on a Sign Variance request for a sign at 785 Scheuring Rd for Depot Condominium (WD-1921). Applicant: Creative Signs

Building Inspector Dave Hongisto reviewed the variance request for a ground mount sign within the front yard setback. The site is located on the south side of Scheuring Road just west of Syble Hopp School, immediately adjacent to the railroad tracks. The proposed sign location is in between two driveways accessing Scheuring Rd. He

noted that although the sign would be located within the 15 foot setback, it is far enough back that it would not cause a vision hazard. Staff also noted that this request is very similar to one granted a few months ago to the dental office on N. Broadway.

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

7. A Public Hearing on the proposed boundary and project plan amendment to Tax Incremental Financing District #10 is scheduled for 7:00 p.m., or as soon thereafter as can be heard.

A. Notice of Public Hearing

Agenda item #7 was moved up so that it could be addressed first in order to accommodate the public hearing notice. Staff member Carey Danen announced that the Notice of Public Hearing was published in the Green Bay Press Gazette on November 16th and 23rd, 2015.

B. Review of Boundary and Project Plan Amendment for Tax Incremental Financing District #10

Planning Director Kim Flom reviewed the proposed amendment, explaining that over the last few months the City has been working with Belmark to offer TID incentives for their corporate office expansion. This would be a 30,000 square foot project with an assessed value of \$12.5 million, adding 50 - 164 employees over time. The boundary amendment will place the Belmark site within the TID district, as well as include other properties that have development potential. Kim noted that the boundary can only be amended four times over the life of the TID. The project plan amendment was provided in the packet and is also on file in the City Clerks' office. Staff has since made some minor modifications to the plan, which they distributed at the meeting. The revisions added figures for new TID Districts #11 and 12 to the totals of the City's equalized value (this proposed amendment would place the City at 7.6%, which is well within the 12% cap). The updated plan also includes revised project costs to reflect that road extensions and regional detention facilities were already in the original plan. No new infrastructure is anticipated for the expanded area.

Mayor Walsh declared the public hearing open; no one wished to speak so he declared the public hearing closed.

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

C. Resolution PC15-04, Recommending Adoption of the Boundary and Project Plan Amendment for Tax Incremental Financing District #10*

Staff noted that the resolution is scheduled for the City Council meeting tomorrow. Jim Kalny motioned, seconded by Mayor Walsh, to approve the project plan and boundary amendment with the changes supplied by staff tonight. Upon vote, motion carried unanimously.

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

8. Review of a Major Amendment to a Precise Implementation Plan for Life Church (1551 Lawrence Dr.) for a 48,000+SF Place of Assembly, parcel WD-D0020-3. Applicant: Life Church Green Bay Inc.*

Planning Director Kim Flom provided an overview of the amendment request, as well as the analysis conducted by staff. Staff utilized the City's Comprehensive Plan, zoning code, and the general development plan and subsequent approvals for this planned development district. Kim reported that the City's planning staff does not support this request; their research concluded feel the proposed use is not consistent with the City's Comprehensive Plan and past zoning action.

City code allows for churches in commercial and residential districts, which make up a good portion of the City. She commended Life Church for seeking out the approval of neighbors like Menards and Walmart. She concluded by noting that the land use decisions made to date on this property have not deviated from a focus on retail, intense daily activity, highway-oriented uses. Life Church's current building is 25,000 square feet. This building is much larger at 48,000 square feet, but on a slightly smaller site. They have proposed 800 seats at this location, which would meet the code parking requirements. Staff would be interested in hearing about overflow agreements.

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

Life Church pastor Shawn Hennessy thanked Kim for her kind words. He stated that a lot that has changed in retail since 2002 when the City's Comprehensive Plan was written, and that there has been a huge influx of churches of this style into retail areas across the nation. He reported that he has received verbal approval to use Walmart's lot for overflow parking. Mr. Hennessy explained that part of the reason they bought their current building instead of constructing new was that it would take too much time. He also believes that the economic development generated by their congregation would rival a retailer.

Kip Golden, contractor with CR Structures, pointed out that the City's Comprehensive Plan references commercial nodes that create "activity centers". He feels that Life Church is an activity center because it offers additional non-worship activities and programming throughout the week, and that it would complement the retail area. He stated that what they are asking is not unprecedented; pointing to the change of use for Nicolet Townhomes and New Life Christian Fellowship in the downtown as examples. He also referenced the list of permitted uses, and proposed that the church could be considered "Other businesses typically found in shopping

centers" because many churches are now located in shopping centers. Mr. Golden also stated that if a megachurch was located next to a residential area, residents would be strongly opposed to the traffic.

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

Mayor Walsh requested that staff address the point of being similar to the church located in downtown. Kim stated that currently churches are permitted in the B-1 and B-2 districts, but the difference here is that a church bringing in weekly numbers such as Life Church's would likely not fit in a small downtown building. The zoning code establishes different uses for different areas, and there are other parts of the City with appropriate zoning.

Mayor Walsh stated that he is in favor of maintaining the current zoning. It was set up to be very restrictive in order to maintain commercial use in the district. He applauded Life Church for their diligence in coming forward, researching and getting approvals from the neighbors. He disagreed with the suggestion of the potential economic impact of having the church at this location, because their currently location probably brings in just as much.

Alderperson Boyd stated that he would like to make it clear that the Plan Commission voted in favor of the change in use for Nicolet Townhomes site specifically because it did not front the highway.

Jim Kalny stated that he is taking an opposing view. While the Commission wants to be able to provide a place for this type of organization, he questions if the B-1 district is where he would want it. He agrees it does not seem to be consistent with the City's Comprehensive Plan, but it is following a trend.

Mayor Walsh motioned, seconded by James Boyd, to accept staff's recommendation to deny the request. Upon vote, motion carried with Jim Kalny voting nay. Mayor Walsh noted that this item will go to the City Council meeting on December 15th for a public hearing.

RESULT:	DEFEATED [4 TO 1]
MOVER:	Michael J. Walsh, Mayor
SECONDER:	James Boyd, Alderperson
AYES:	Michael J. Walsh, James Boyd, Derek Beiderwieden, Steve Taylor
NAYS:	Jim Kalny
ABSENT:	Larry Lueck
EXCUSED:	Elizabeth Runge

9. Ordinance changes to Chapter 46 De Pere Municipal Code regarding land subdivisions.*

City Attorney Judy Schmidt-Lehman explained that this section of the code, which has been in place since 1974, had some inconsistencies which are addressed with this amendment.

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

10. Future Agenda Items.

None.

Adjournment

Mayor Walsh motioned, seconded by Steve Taylor, to adjourn the meeting at 8:05 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen