



# Plan Commission

## Regular Meeting

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

### Agenda

---

|                                  |                |                                           |
|----------------------------------|----------------|-------------------------------------------|
| <b>Monday, November 26, 2018</b> | <b>7:00 PM</b> | <b>De Pere City Hall Council Chambers</b> |
|----------------------------------|----------------|-------------------------------------------|

---

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 **November 26, 2018** 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](http://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](http://www.depere.tv).*

#### Call to Order

1. Roll Call
2. Approval of the minutes of the October 22, 2018 Plan Commission meeting.
3. Recommendation regarding a rezoning request from R-1 (Single Family Residence District) to R-1 (PDD) Planned Development District, R-2 (Single and Two-Family Residence District) and R-3 (Multiple Family Residence District) at 2500 BLK Lawrence Drive (parts of Parcels WD-L482, WD-L483 & WD-L484). Submitted by Pat Kaster, TLKM Development LLC, authorized representative for R&M Garrity Farm LLC, property owner.\*
4. Recommendation regarding the proposed 61 Lot and two Outlot Preliminary Plat of "Garrity's Glen South" at 2500 BLK Lawrence Drive (parts of Parcels WD-L482, WD-L483 & WD-L484). Submitted by Pat Kaster, TLKM Development LLC, authorized representative for R&M Garrity Farm LLC, property owner.\*
5. Review and recommendation for a Conditional Use Permit application for a proposed combination motor vehicle service station and grocery store (e.g. a gas station and convenience store) to be developed at 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right-of-way (Parcels WD-D0208, WD-D0209 and part of Renkens Court right-of-way) within the Highway 41 Business Corridor: B district. Submitted by Michael F. Dura, RA, Riverview Architecture and Krist Oil CO, authorized representative for Michael & Ronald Vieau ETAL, Byrne Trust, and City of De Pere, property owners.\*
6. Review and recommendation for a Proposed Right-Of-Way Vacation of all of Renkens Court (Adjacent to Parcels WD-D0207, WD-D0208, WD-D0209, WD-D0210). Submitted by Michael F. Dura, RA, Riverview Architecture and Krist Oil CO.\*
7. Recommendation regarding a Site Plan for proposed new gas station and convenience store at 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right-of-way (Parcels WD-D0208, WD-D0209 and part of Renkens Court right-of-way). Submitted by Michael F. Dura, RA, Riverview Architecture and Krist Oil CO, authorized representative for Michael & Ronald Vieau ETAL, Byrne Trust, and City of De Pere, property owners.
8. Status Report of City of De Pere Zoning Ordinance and Sign Ordinance Rewrite—November 2018.

#### Adjournment

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 the day of the meeting so that arrangements can be made.

\*Items with an asterisk require City Council approval.

Agenda Sent To:

Alderspersons

City Administrator

Mayor

Department Heads

TV, Newspapers & Radio Stations

Kress Family Library

De Pere Chamber of Commerce

Pat Kaster, TLKM Development LLC

Joseph Garrity, R&M Garrity Farm LLC ETAL

Michael F. Dura, RA

Michael H & Ronald P Vieau ETAL

Byrne Trust

Duncan Associates

City of De Pere, Wisconsin



**Request For Plan Commission Action**

---

**MEETING DATE:** November 26, 2018

**DEPARTMENT:** Planning

**FROM:** Kelly Barker

**SUBJECT:** Approval of the minutes of the October 22, 2018 Plan Commission meeting.

---

**ATTACHMENTS:**

- PC\_Oct2018\_Minutes\_Draft (PDF)



# Plan Commission

## Regular Meeting

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

### Draft Minutes

Monday, October 22, 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     | Excused |         |
| Derek Beiderwieden | Commissioner | Present |         |
| Amy Kunderling     | Commissioner | Present |         |
| Steve Taylor       | Commissioner | Present |         |
| Grant Schilling    | Commissioner | Present |         |

Also present: Development Services Director Kim Flom, City Planner Peter Schlein, and members of the public.

- Approval of the minutes of the August 27, 2018 Plan Commission meeting.

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | James Boyd, Alderman                                     |
| <b>SECONDER:</b> | Steve Taylor, Commissioner                               |
| <b>AYES:</b>     | Walsh, Boyd, Beiderwieden, Kunderling, Taylor, Schilling |
| <b>EXCUSED:</b>  | Larry Lueck                                              |

- Recommendation regarding a Proposed Extraterritorial 35 Lot and 3 Outlot final plat of Hidden Ackers at 2200 BLK French Road in Town of Lawrence (Parcels L-444 & L-446). Submitted by Randall J. Oettinger, PLS, authorized representative for NAZCR TRAC LLC, property owner.\*

City Planner Peter Scheinz reviewed the final plat for Hidden Ackers in the town of Lawrence. Staff recommended approval of the final plat and forwarding it to the Common Council for final approval, subject to the condition outlined in the staff report. Mayor Walsh moved, seconded by Amy Kunderling, to approve the plat. Upon vote, motion carried unanimously.

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Michael J. Walsh, Mayor                                  |
| <b>SECONDER:</b> | Amy Kunderling, Commissioner                             |
| <b>AYES:</b>     | Walsh, Boyd, Beiderwieden, Kunderling, Taylor, Schilling |
| <b>EXCUSED:</b>  | Larry Lueck                                              |

- Recommendation regarding a sign variance request to allow a replacement monument sign to be located 3 feet from a property line on Scheuring Road, rather than behind the 15 foot property line setback, at 1700 Lost Dauphin Road (Parcel WD-208-1). Submitted by Rev. Cindy Warmbier-Meyer, authorized representative for St. John Lutheran Church, property owner.

City Planner Peter Schlein, reviewed the sign variance request for 1700 Lost Dauphin Road. Staff recommended approval of the variance. Peter noted that the existing sign will

Attachment: PC\_Oct2018\_Minutes\_Draft (7655 : Approval of the minutes of the October 22, 2018 Plan Commission meeting.)



be removed and replaced with the new sign. Derek Beiderwieden moved, seconded by Amy Kunding, to approve the sign variance. Upon vote, motion carried unanimously.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Derek Beiderwieden, Commissioner                      |
| <b>SECONDER:</b> | Amy Kunding, Commissioner                             |
| <b>AYES:</b>     | Walsh, Boyd, Beiderwieden, Kunding, Taylor, Schilling |
| <b>EXCUSED:</b>  | Larry Lueck                                           |

5. Recommendation regarding a sign variance request to allow a replacement wall sign to be 424 square feet in area as the sign faces the Fox River, rather than a maximum of 50 square feet in area, at 200 Main Avenue (Parcel WD-365). Submitted by Nick Lison, Jones Sign Company, authorized representative for Expera Nicolet LLC (Ahlstrom Munksjo), property owner.

City Planner Peter Schleinz reviewed the sign variance request for 200 Main Avenue. Staff recommended approval of the sign variance. Mayor Walsh moved, seconded by Amy Kunding, to approve the sign variance. Upon vote, motion carried unanimously.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Michael J. Walsh, Mayor                               |
| <b>SECONDER:</b> | Amy Kunding, Commissioner                             |
| <b>AYES:</b>     | Walsh, Boyd, Beiderwieden, Kunding, Taylor, Schilling |
| <b>EXCUSED:</b>  | Larry Lueck                                           |

6. Planned Development District Pre Application Concept Meeting for part of Garrity's Glen South. Submitted by Patricia Kaster, Managing Member of TLKM Development LLC, authorized representative for R&M Garrity Farm LLC ETAL, property owner.

City Planner Peter Schleinz reviewed the PDD pre-application request for Garrity's Glen South. Peter explained that the applicant is asking for conceptual approval from the Plan Commission, which is required prior to official submittal of a petition for consideration of a Planned Development District. The proposed subdivision will include 80 lots, with single family, two-family, and multi-family housing available. The petitioner is requesting that some of the single family lots along Tipperary Trail be allowed to have a street frontage of no less than 70 feet, rather than the standard of 80 feet, as well as side yard setbacks of 8 feet, rather than the standard of 10 feet. Mayor Walsh moved, seconded by James Boyd, to open the meeting. Upon vote, motion carried unanimously. The developer, Pat Kaster of River City Realtors, addressed the commission. She stated that the development will have a homeowner's association to take care of the lawn care and snow removal. The project will start as spec homes, with five different floor plans. From there, people can customize within the confines of the specific floor plans. Mayor Walsh moved, seconded by Derek Beiderwieden, to go back to regular order. Upon vote, motion carried unanimously. Staff recommended approval of the concept of rezoning part of the 2500 Block of Lawrence Drive to R-1 Planned Development District in order to accommodate a single family residential development. Steve Taylor moved, seconded by Amy Kunding, to approve the concept. Upon vote, motion carried unanimously.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Steve Taylor, Commissioner                            |
| <b>SECONDER:</b> | Amy Kunding, Commissioner                             |
| <b>AYES:</b>     | Walsh, Boyd, Beiderwieden, Kunding, Taylor, Schilling |
| <b>EXCUSED:</b>  | Larry Lueck                                           |

7. Status Report of City of De Pere Zoning Ordinance and Sign Ordinance Rewrite–October 2018.

City Planner Peter Schleinz provided an update on the De Pere Zoning Code Ordinance Rewrite. He reported that, in September, the consultant completed the first draft of the zoning code Module 1, related to provisions and procedures. Also in September, the consultant began writing the first draft of the zoning code Module 2. It is expected that the draft of the modules will be ready for public review and input by early January 2019. Mayor Walsh moved, seconded by Derek Beiderwieden, to receive and place the memo on file. Upon vote, motion carried unanimously.

|                  |                                                       |
|------------------|-------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Michael J. Walsh, Mayor                               |
| <b>SECONDER:</b> | Derek Beiderwieden, Commissioner                      |
| <b>AYES:</b>     | Walsh, Boyd, Beiderwieden, Kunding, Taylor, Schilling |
| <b>EXCUSED:</b>  | Larry Lueck                                           |

#### Adjournment

Mayor Walsh moved, seconded by Amy Kunding, to adjourn the meeting at 7:21 PM. Upon vote, motion carried unanimously.

Respectfully submitted,  
Kelly Barker

## City of De Pere, Wisconsin

**Request For Plan Commission Action**

---

**MEETING DATE:** November 26, 2018

**DEPARTMENT:** Planning

**FROM:** Peter Schleinz

**SUBJECT:** Recommendation regarding a rezoning request from R-1 (Single Family Residence District) to R-1 (PDD) Planned Development District, R-2 (Single and Two-Family Residence District) and R-3 (Multiple Family Residence District) at 2500 BLK Lawrence Drive (parts of Parcels WD-L482, WD-L483 & WD-L484). Submitted by Pat Kaster, TLKM Development LLC, authorized representative for R&M Garrity Farm LLC, property owner.\*

---

**ATTACHMENTS:**

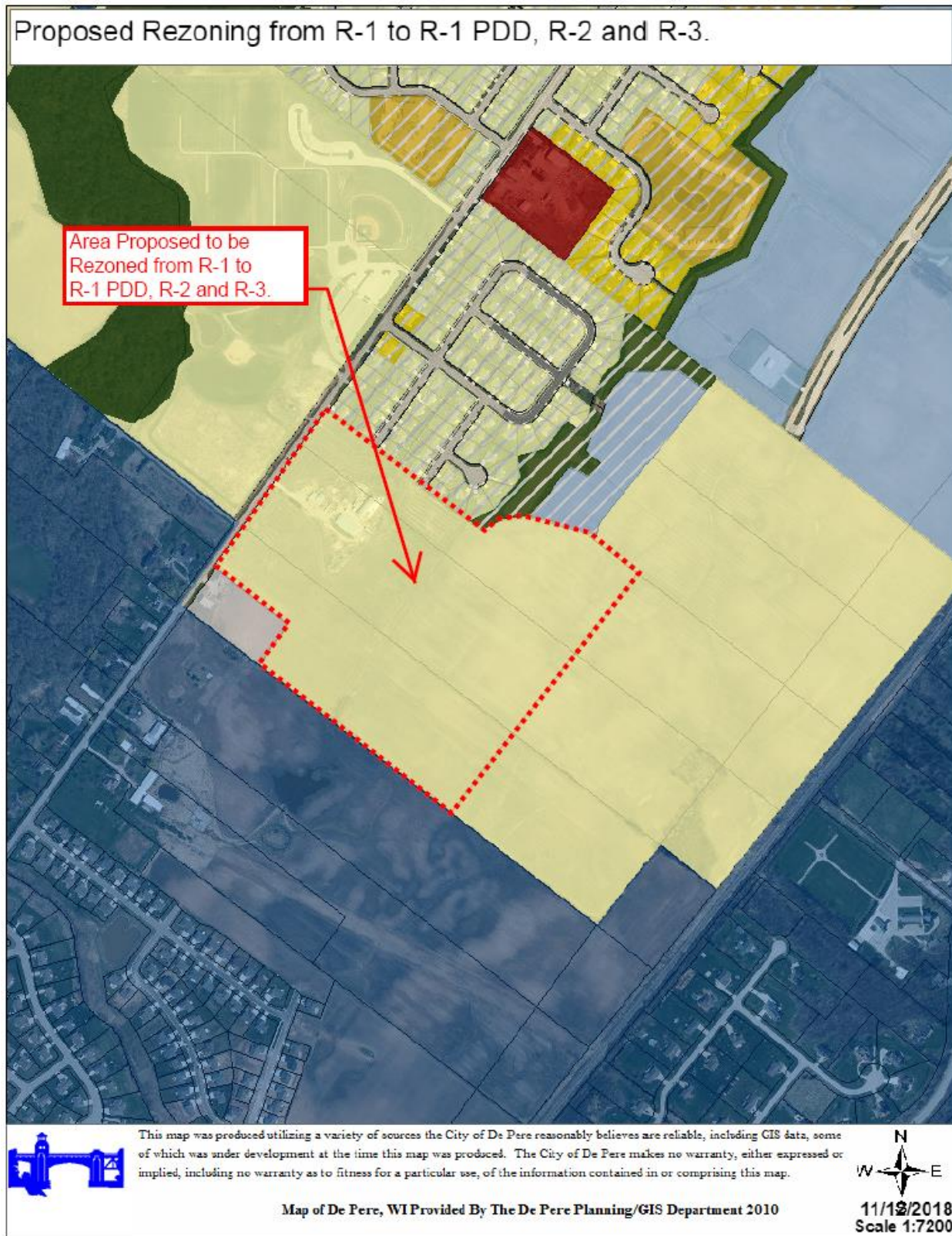
- Report to Plan Commission - Rezoning WD-L482 etc from R-1 to R-1 PDD, R-2 & R-3 (DOCX)
- Application Form (PDF)
- Map of Garrity'sGlenSouth\_110918 (PDF)
- General Development Plan & PIP (PDF)

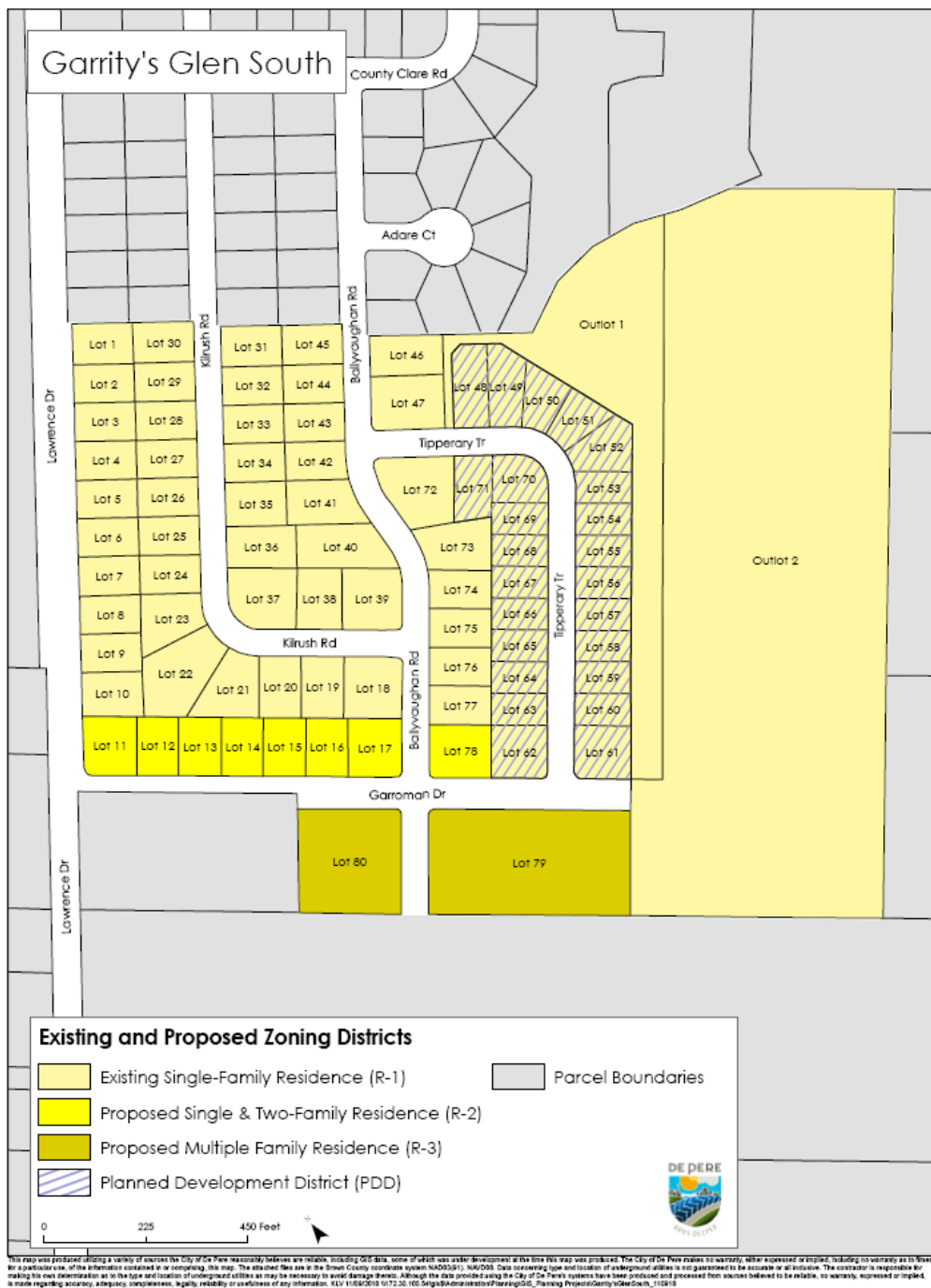
- Item 3: Recommendation regarding a rezoning request from R-1 (Single Family Residence District) to R-1 (PDD) Planned Development District, R-2 (Single and Two-Family Residence District) and R-3 (Multiple Family Residence District) at 2500 BLK Lawrence Drive (parts of Parcels WD-L482, WD-L483 & WD-L484). Submitted by Pat Kaster, TLKM Development LLC, authorized representative for R&M Garrity Farm LLC, property owner.\*

### SITE MAPS









**REQUESTED ACTION:** Rezoning Request.

*Rezone parts of Parcels WD-L482, WD-L483 and WD-L484 from R-1 (Single Family Residence District) to R-1 PDD (Planned Development District), R-2 (Single and Two-Family Residence District) and R-3 (Multiple Family Residence District).*

**COMMON DESCRIPTION:** 2500 BLK Lawrence Drive, located generally between County Clare Road and the south City of De Pere limits.

**PARCEL NUMBERS:** WD-L482, WD-L483 and WD-L484

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                               |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>EXISTING ZONING:</b>       | R-1 (Single Family Residential District)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                               |
| <b>PROPOSED ZONING:</b>       | <p>Proposed 'Garrity's Glen South' Plat Lots 48-71 changing from R-1 to R-1 PDD.<br/> Proposed 'Garrity's Glen South' Plat Lots 11-17 and 78 changing from R-1 to R-2.<br/> Proposed 'Garrity's Glen South' Plat Lots 79 and 80 changing from R-1 to R-3.<br/> All other lots and outlots in the proposed plat remain unchanged as R-1.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                               |
| <b>SURROUNDING LAND USES:</b> | <p>Residential and natural areas to the north.<br/> Agricultural and industrial to the south.<br/> Agricultural to the east.<br/> Southwest Park to the west.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                               |
| <b>COMPREHENSIVE PLAN:</b>    | <p>Neighborhood Residential (Including Multi-Family).<br/> Business park near Outlot 2.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                               |
| <b>APPLICANT / OWNER:</b>     | <p>Pat Kaster<br/> Authorized Representative<br/> TLKM Development LLC<br/> 2170 Velp Avenue, Suite 106<br/> Green Bay, WI 54303</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>R&amp;M Garrity Farm LLC ETAL<br/> Property Owner<br/> 3173 Trenton Lane<br/> Green Bay, WI 54313-4025</p> |
| <b>SITE HISTORY:</b>          | <p>After a review of air photographs, the property and nearby areas were used for agricultural purposes. Adjacent residential development to the north occurred in the late 2000's. The site is located adjacent to the City of De Pere and Town of Lawrence municipal limits.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                               |
| <b>STAFF REVIEW:</b>          | <p>With this request, the applicant proposes rezoning parts of the subject area (proposed Garrity's Glen South subdivision) from the existing R-1 to the following:</p> <ul style="list-style-type: none"> <li>• <b>Proposed Lots 48-71 changing to R-1 PDD.</b> The purpose for the proposed PDD overlay is to allow minimum street frontages to be reduced from 85 feet to 70 feet and to reduce side yard setbacks from 10 feet to 8 feet. This area is proposed to have a "homeowners association" to create a single-family home condominium type living option, without creating a condo plat.</li> <li>• <b>Proposed Lots 11-17 and 78 changing to R-2.</b> The purpose for R-2 is to allow for the development of duplex units along the north side of Garroman Drive. This area is not part of the proposed PDD overlay.</li> <li>• <b>Proposed Lots 79 and 80 changing to R-3.</b> The purpose for R-3 is to allow for the development of multifamily units along the south side of Garroman Drive. This area is not part of the proposed PDD overlay.</li> </ul> |                                                                                                               |

All other parts of the proposed subdivision are to remain zoned as existing R-1, including the proposed outlots. However, the configuration of Outlot 1 will change as Outlot 1 will not extend between Lots 47-48 on the final plat; rather, Outlot 1 will connect to the street via an easement between Lots 50-51.

When a PDD overlay is part of a rezoning request, a "General Development



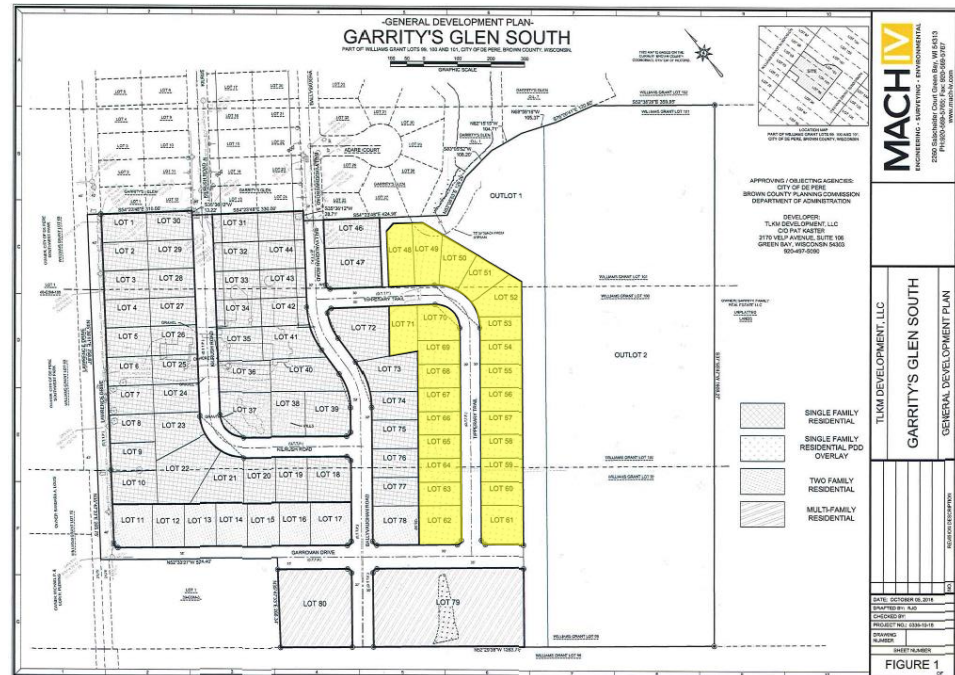
Plan” must be submitted to Plan Commission with the rezoning request. The petitioner submitted documents that include the information for a General Development Plan, including an organizational structure, letter of intent, company summary, concept site plan, elevations, etc. For ease of review, the General Development Plan information has been summarized below, in a format identified in the City’s Municipal Code:

- *NOTE: A General Development Plan identifies the general concept for a property and is not intended to reflect a complete Site Plan*

## GENERAL DEVELOPMENT PLAN SUMMARY (For the R-1 PDD Area Only)

### 1. General Location Map

The following map identifies single family lots 48 through 71 (highlighted yellow) from the Garrity’s Glen plat, which is the only area proposed to have the PDD overlay. The developer intends on creating a homeowner’s association for the PDD area that will create a maintenance free lifestyle for the future PDD residents.



### 2. Property Boundaries

The general property boundary for each zoning category can be clearly seen on the attached graphics at the beginning of this report. Lot lines will be established for each lot within the zoning areas if the Garrity’s Glen South subdivision is approved and recorded as a final plat (expected to occur on or after January 28, 2019).

### 3. Property Topography

The property is relatively flat. Topography information is shown on the maps attached to this report



**4. General site plans that cover the following:**

**a. Land uses**

The proposed land use for the PDD area will be 24 single family residential lots. The street frontage is proposed to be reduced from the typical 85 foot minimum to a 70 foot minimum. The side yard setbacks are proposed to be reduced from 10 feet to 8 feet in order to accommodate smaller structures on narrow lots. The two changes (lot width and side yard setbacks) are the only changes that make the lots different than standard City of De Pere R-1 lots.

**b. Residential density**

The PDD area is proposed to have 24 single family residential lots. The entire subdivision, including areas that are not part of the PDD includes 70 single family lots 8 duplex lots, two multifamily lots, and two outlots.

**c. Aesthetic characteristics**

Building elevation samples, included with this report identify general colors, materials, and appearances of proposed homes within the PDD. The samples did not include specific site plan designs or landscaping.

**d. Street patterns**

A public right-of-way pattern was proposed with the Garrity's Glen plat, which includes 60 foot wide right of ways for all streets and a 70 foot right of way for the east-west street that will eventually connect Lawrence Drive to American Boulevard. The streets are not designated truck routes and it is the City's intent that these roads, and Lawrence Drive will be maintained as residential roads (not truck routes) in the future.

**e. Basic storm drainage patterns**

Outlot 1 is the designated storm water management system area, which is located immediately to the east of the proposed PDD overlay.

**f. Recreational and open spaces (size/location)**

There are no proposed new city park facilities located within the PDD or proposed plat area. Southwest Park is located nearby, to the west of Lawrence Drive.

**g. Common open spaces**

The site is developed like a typical residential neighborhood. No additional common open space has been proposed.

**h. Development statistical data**

There are a total of 24 single family residential lots proposed on the site. The number of bedrooms total 34. The residential population of the site is expected to be approximately 42. The proposed and existing public street system, parks, and school district will accommodate the new residents.

**i. Deed restrictions and structure of associations**

The General Development Plan does not identify specific deed restrictions; however, a homeowners association is proposed to be created for the PDD area in order to accommodate the maintenance free needs that the developer is proposing to new residents. A homeowners association does not create additional rules to be enforced by city staff.

**j. Additional info added by Plan Commission**

Additional information may be requested at the time of the November 26, 2018 Plan Commission meeting.

Overall, the proposed rezoning is in conformance with the future land uses identified by the City's Comprehensive Plan. Outlot 2, which is not proposed to be rezoned, is identified as future Business Park in the Comprehensive Plan. Outlot 2 cannot be developed until the status changes; at that time the need to rezone to a business park category would be appropriate.

**REVIEW PROCESS:**

For rezoning applications with a PDD overlay and General Plan, the Plan Commission provides a recommendation to the Common Council for the rezoning and the components of the PDD overlay that are identified in the General Plan. If recommended for approval by Plan Commission, a public hearing is expected to be held at the December 18, 2018 Council meeting prior to review of the rezoning and General Plan by the Common Council.

Residents within 300 feet of the three properties have been notified regarding this application. Rezoning signs have also been posted on the property.

Within one year of approval of the rezoning and General Plan, an application for a Precise Implementation Plan (PIP) must be submitted. That submittal is reviewed by the Plan Commission and the City Council.

The plat review for this project is part of a number of reviews under consideration for Garrity's Glen South. Other concurrent reviews include:

- 1) Residential Infrastructure Policy and TID Incentive (approved by Finance/Personnel at their November meeting – Council review required).
- 2) Rezoning
- 3) Preliminary and ultimately final plat approval

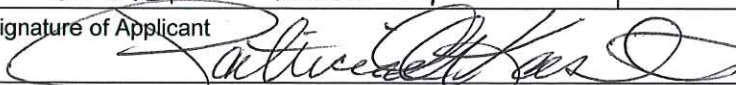
**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the rezoning request with PDD overlay and the General Development Plan, subject to the following:

1. Meets all state and local regulations.
2. The rezoning should not go into effect until the Garrity's Glen South plat is recorded.

|                                                                                   |                                                               |                          |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------|--------------------------|
|  | <b>CITY OF DE PERE</b><br><br><b>APPLICATION FOR REZONING</b> | <b>Fee:</b> \$ 305.00    |
|                                                                                   |                                                               | <b>Receipt #:</b> 137354 |
|                                                                                   |                                                               | <b>Date:</b> 10-24-18    |

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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                |                                              |                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------|------------------------------|
| <b>SECTION 1: Applicant / Permittee Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                |                                              |                              |
| Applicant Name (Ind., Org. or Entity)<br>TLKM DEVELOPMENT, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                | Authorized Representative<br>PATRICIA KASTER |                              |
| Title<br>MANAGING MEMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                |                                              |                              |
| Mailing Address<br>2170 VELD AVE STE 106                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | City<br>GREEN BAY                              | State<br>WI                                  | ZIP Code<br>54303            |
| Email Address<br>PKASTER@RIVERCITYREALTORS.COM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Phone Number (incl. area code)<br>920.497.5090 | Fax Number (incl. area code)<br>920.497.4881 |                              |
| <b>SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                |                                              |                              |
| Name (Ind. Org. or Entity)<br>R&M GARRITY FARM, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                | Contact Person<br>JOSEPH GARRITY             |                              |
| Title<br>MANAGING MEMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                |                                              |                              |
| Mailing Address<br>4030 BOY SCOUT BLVD STE 700                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | City<br>TAMPA                                  | State<br>FL                                  | ZIP Code<br>33607            |
| Email Address<br>JOSEPH.GARRITY@ATKINSGLOBAL.COM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Phone Number (incl. area code)<br>813.281.8242 | Fax Number (incl. area code)<br>NA           |                              |
| <b>SECTION 3: Project or Site Location</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                |                                              |                              |
| Project Address/Description<br><br>GARRITY GLEN SOUTH                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                | Parcel Number(s):<br><br>L-482, L-483, L-484 |                              |
| <b>SECTION 4: Proposed Rezoning Use</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                |                                              |                              |
| Existing Zoning:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | R1                                             |                                              |                              |
| Proposed Zoning:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | R1/R1 WITH PDD OVERLAY, R2, & R3               |                                              |                              |
| Adjacent Zoning: North<br>R-1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Adjacent Zoning: South<br>I-1/R-1              | Adjacent Zoning: West<br>R-1                 | Adjacent Zoning: East<br>R-1 |
| Present Use of Parcel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | AGRICULTURAL                                   |                                              |                              |
| Proposed Use of Parcel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | R1/R2/R3                                       |                                              |                              |
| <b>SECTION 5: Certification and Permission</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                |                                              |                              |
| <p><b>Certification:</b> 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.</p> <p><b>Permission:</b> 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.</p> |                                                |                                              |                              |
| Name of Owner/Authorized Representative (please print)<br>Patricia A Kaster                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                | Title<br>MANAGING MEMBER                     | Phone Number<br>920.497.5090 |
| Signature of Applicant<br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                | Date Signed<br>10/5/2018                     |                              |

Attached additional sheets if necessary.

Attachment: Application Form (7660 : Recommendation regarding a rezoning request from R-1 (Single Family Residence District) to R-1 (PDD))

# PETITION

To: City of De Pere

Property: Part Parcel #WD-L482  
Part Parcel #WD-L483  
Part Parcel #WD-L484  
Approx 36 Acres m/l

Owners: Joseph R. Garrity  
R & M Garrity Farm, LLC

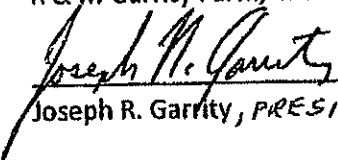
Developer: TLKM Development, LLC  
c/o Patricia A Kaster  
2170 Velp Avenue, Suite 106  
Green Bay, WI 54303

We, the undersigned, being the owners of the above described property do join with the Developer/Agent and respectfully request the properties be zoned as follows:

All as part of Garrity's Glen South

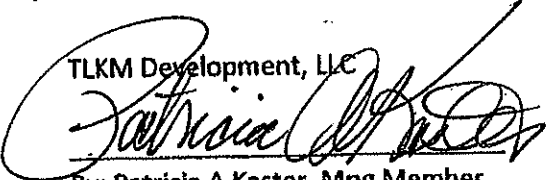
Lots 1-10, 18 - 47, 72-77 be zoned R-1 Single Family Residential  
Lots 11 - 17 & Lot 78 Be R-2 Two Family Residential lots  
Lots 48 - 71 Be zoned R-1 Planned Development  
Lots 79 & 80 Be zoned R-3 Multi-family

R & M Garrity Farm, LLC

  
Joseph R. Garrity, PRESIDENT

Date: 10/4/18

TLKM Development, LLC

  
By: Patricia A Kaster, Mng Member

Date: 10/4/2018

A copy of the Preliminary Plat of Garrity's Glen South is attached to this Petition



# Garrity's Glen South

County Clare Rd

Adare Ct

Outlot 1

Outlot 2

Lawrence Dr

Kilrush Rd

Ballyvaughan Rd

Tipperary Tr

Kilrush Rd

Ballyvaughan Rd

Tipperary Tr

Garroman Dr

Lawrence Dr

## Existing and Proposed Zoning Districts



Existing Single-Family Residence (R-1)



Parcel Boundaries



Proposed Single &amp; Two-Family Residence (R-2)



Proposed Multiple Family Residence (R-3)



Planned Development District (PDD)

0 225 450 Feet



This map was produced utilizing a variety of sources the City of De Pere reasonably believes are reliable, including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising, this map. The attached files are in the Brown County coordinate system NAD83(91). NAVD88. Data concerning type and location of underground utilities is not guaranteed to be accurate or all inclusive. The City of De Pere makes his own determination as to the type and location of underground utilities as may be necessary to avoid damage thereto. Although the data provided using the City of De Pere's systems have been produced and processed from sources believed to be reliable, no warranty is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information. KLV 11/09/2018 11:17:30.100.54\gis\SA\Administration\Planning\GIS\_Planning Projects\Garrity'sGlenSouth\_110918

# GARRITY GLEN SOUTH GENERAL DEVELOPMENT AND PRECISE IMPLEMENTATION PLAN



**DATE:** October 5, 2018

**PETITIONER:** TLKM Development, LLC  
2170 Velp Avenue Suite 106  
Green Bay, WI 54303

**PARCEL NUMBERS:** Part of WD-L482, WD-L483, & WD-L484

**EXISTING ZONING:** R-1 Single Family Residential

## PROPOSED ZONING:

Proposed zoning is shown in Figure 1. In summary, in approved, zoning will be as follows:

Lots 1-10, 18-47, 72-77 will remain R-1 zoning

Lots 11-17 & 79 are proposed as R-2 Two Family

Lots 48-72 are proposed as R-1 Single Family with a Planned District Development (PDD) overlay.

Lots 79-80 are proposed as R-3 Multifamily

The overlay lots will conform to R-1 Single Family lots with the following exceptions:

Minimum Lot Width: 70' (R1 is 80')

Minimum Lot Size 10,000 sf (R1 is )

Side Yard Setbacks: 8' (R1 is 10')

## GENERAL DEVELOPMENT PLAN:

The applicant proposes the above rezoning in order to develop the property into a mixed use residential development. The PDD overlay will allow for a portion of the site to be developed as a home owner's association. The intent is to provide a market product that features a maintenance free lifestyle for the owners. The association will allow individual home ownership, will be easier for prospective buyers to finance, and provide exterior maintenance to the association members. Furthermore, the slightly denser development provided by the PDD will act as a buffer to transition the future commercial/industrial development likely to occur to the east. The result for the City will be a development that has homes that are well maintained, retain their value, and for all practical purposes function the same (in terms of demands on city services) as standard R-1 districts. Outlot 1 is designated for storm water management infrastructure. The storm water management infrastructure will likely be shared with the future development to the east.

## General Location Map

Figure 2 illustrates the project location as well as its existing condition.

## Boundaries

The proposed development is located on portions of three tax parcels (WD-L482, WD-L483, & WD-L484). The western portions of the site will be subdivided via a plat. The balance of the parcels will remain with the current owner. The preliminary plat is shown as Figure 3.

Upon the advice of the City Engineer, the eastern property line will be the location of the stormwater management facilities to serve the proposed development as well as allow potential treatment for the future commercial development along the extension of American Boulevard. The applicant is awaiting for confirmation from City staff as to the required width of the proposed outlot in order to confirm the property line location. As shown, the proposed development incorporates approximately 35 acres.



### Topography

The site was surveyed and the topography of the site is shown in Figure 2.

### Generalized Site Plan

The proposed zoning is shown in Figure 1 and the proposed preliminary plat is shown in Figure 3. The homes in the PDD Overlay area are conceptually shown in Figure 4 and 5. Examples of the proposed multifamily units are shown in Figure 6 and 7.

### Market Analysis

Market conditions in the City of DePere are extremely strong. DePere is an attractive and sought after place to live due to its location, services, quality of life, and school district. At the time of this application, the Multiple Listing Service (MLS) indicates there are only 15 lots for sale in West DePere. For comparison, the following competing communities have the following inventories:

|                |     |
|----------------|-----|
| West DePere    | 15  |
| Bellevue       | 52  |
| Hobart         | 37  |
| Lawrence       | 69  |
| Ledgeview      | 69  |
| Howard-Suamico | 143 |

The R1 lots will be offered at an entry to mid-range price of \$52,900 to \$67,700. The R1/PDD lots will be approximately \$50,000 but will not be sold without the structure. The R2 lots will be offered for sale at \$69,900. The R3 lots will be kept within the development team and the multifamily units constructed similar to the buildings shown in Figure 6 and 7.

The homes on the R1 lots are projected to be \$250,000 to \$375,000. R2 homes are projected to be \$325,000 to \$400,000. The R1/PDD lots will fill a market niche that people across multiple age groups are seeking. That niche is a single family home on a smaller lot with an association that will be responsible for lawn care and snow removal while providing the benefits of home ownership. The homes in this area are projected to be \$220,000 to \$350,000.

The property currently is used for agricultural purposes and has an assess value of \$77,400. The proposed developed will have the following projected assessed value:

|        |              |
|--------|--------------|
| R1     | \$14,375,000 |
| R1/PDD | \$ 7,680,000 |
| R2     | \$ 2,900,000 |
| R3     | \$ 2,100,000 |
| Total  | \$27,055,000 |

### PRECISE IMPLEMENTATION PLAN:

*Precise implementation plan.* The Precise Implementation Plan consists of that portion of the General Development Plan for which specific development approval is requested and may not be approved until after final approval of the General Development Plan is secured. Such plan shall be clearly marked "Precise Implementation Plan" in bold letters and shall provide the following information:

- An accurate identification of the area of the Precise Implementation Plan as it relates to the General Development Plan.  
*Refer to Figure 1.*
- A subdivision plat as required by Section [Chapter] 236, Wisconsin Statutes [Wis. Stats. ch. 236], of the area of the Precise Implementation Plan showing all existing utilities and recorded easements.



*Refer to Figure 3 . The infrastructure is proposed as public facilities and as such, would be designed in accordance with application City standards. No deviations from City design standards are proposed.*

- c) The topography of the area of the Precise Implementation Plan showing contours at an interval of no more than 5 feet.

*Refer to Figure 2.*

- d) A detailed site development plan showing at a scale no smaller than 1" = 200' the specific designation of proposed land utilization, including the pattern of public and private roads, driveways, walkways, and parking facilities; detailed lot layout, and the arrangements of building groups other than single family residences; the use intended for any nonresidential buildings; and the specific treatment of any common open spaces.

- e) A proposed grading plan for the area of the Precise Implementation Plan.

*With the exception of the R-3 Multifamily sites, the grading for the proposed development is proposed as public facilities and as such, would be designed in accordance with application City standards. No deviations from City design standards are proposed.*

*The R-3 Multifamily sites will be subject to City Site Plan Review and will conform to City grading requirements as it is assumed the regional storm water management facilities will be designed to incorporate these sites.*

- f) Specific landscape plans for all common open space, amenities or housing groups other than private single family lots, including fences, walls, signs, and lighting.

*The R-1 lots will be sold to private owners and their individual landscape areas will conform to City standards for an R-1 zoning district. The R-2 lots will be sold to private owners and their individual landscape areas will conform to City standards for an R-2 zoning district.*

*Landscaping of the homes in the R1/PDD overlay will be constructed at the time the homes are built. The landscaping is provided at that time is intended to create an equitable uniform curb appeal across that portion of the development. The R-3 Multifamily sites will be subject to City Site Plan Review and will conform to City landscape requirements. Example landscape areas for similar R1/PDD and multifamily sites are shown in Figures 4-7.*

*Landscaping in the terraces associated with the roadways will conform to City standards.*

- g) Architectural plans for any nonresidential buildings, multiple family structures or building clusters other than conventional single family homes on individual lots in sufficient detail to indicate the floor area, bulk, and visual character of such buildings.

*Sample homes in the PDD overlay district are shown in Figure 5 and 6. The proposed conceptual multifamily buildings are shown in Figure 6 and 7.*

- h) Detailed storm drainage, sanitary sewage disposal, and water system plans approved by the Board of Public Works.

*The infrastructure is proposed as public facilities and as such, would be designed in accordance with application City standards. No deviations from City design standards are proposed.*

- i) Proposed engineering standards for all roads, parking areas, and walkways.

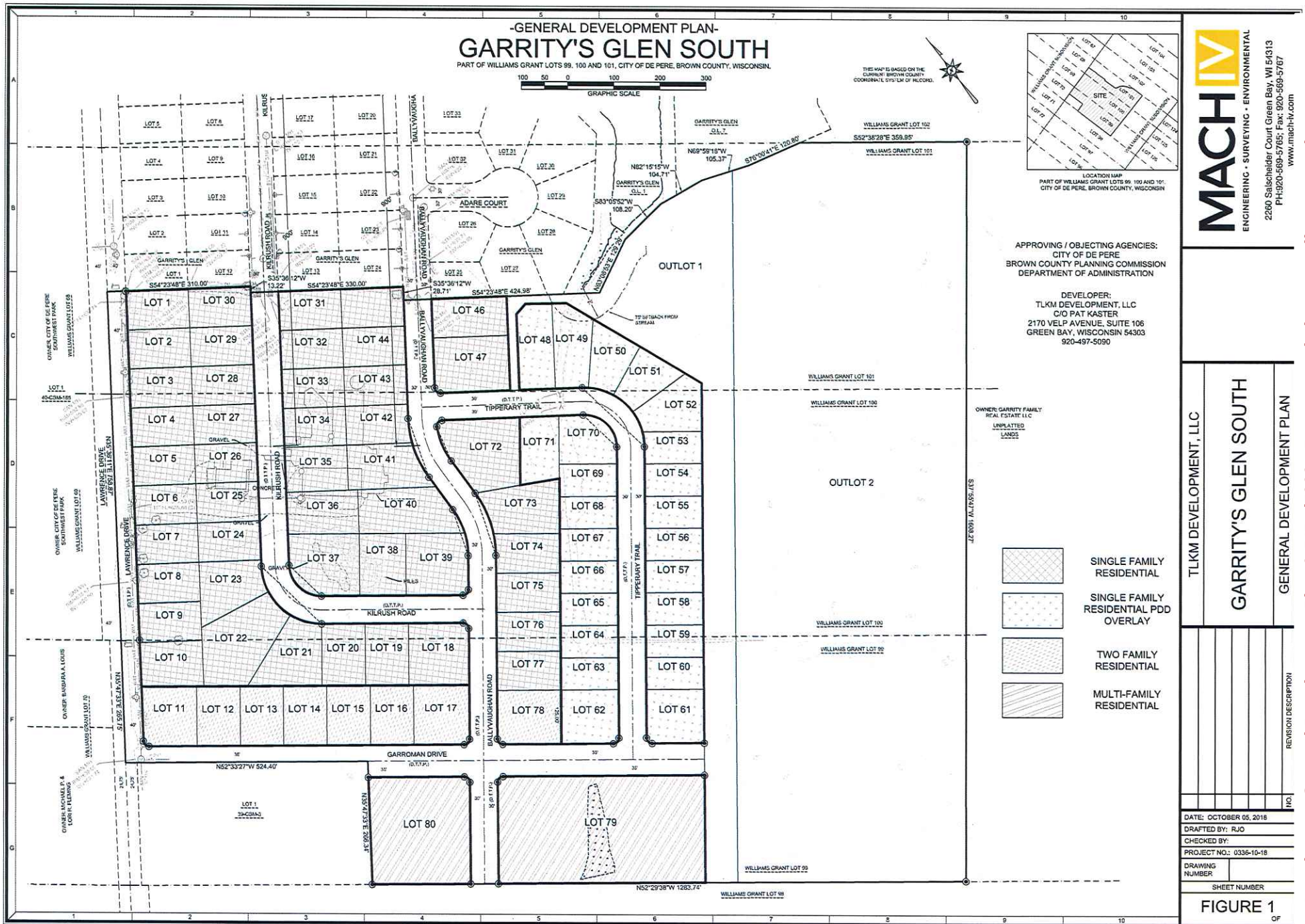
*The roads and walkways are proposed as public facilities and as such, would be designed in accordance with application City standards. No deviations from City design standards are proposed. The R-3 multifamily sites will be subject to City Site Plan reviews and no deviations from City standards are anticipated at this time.*

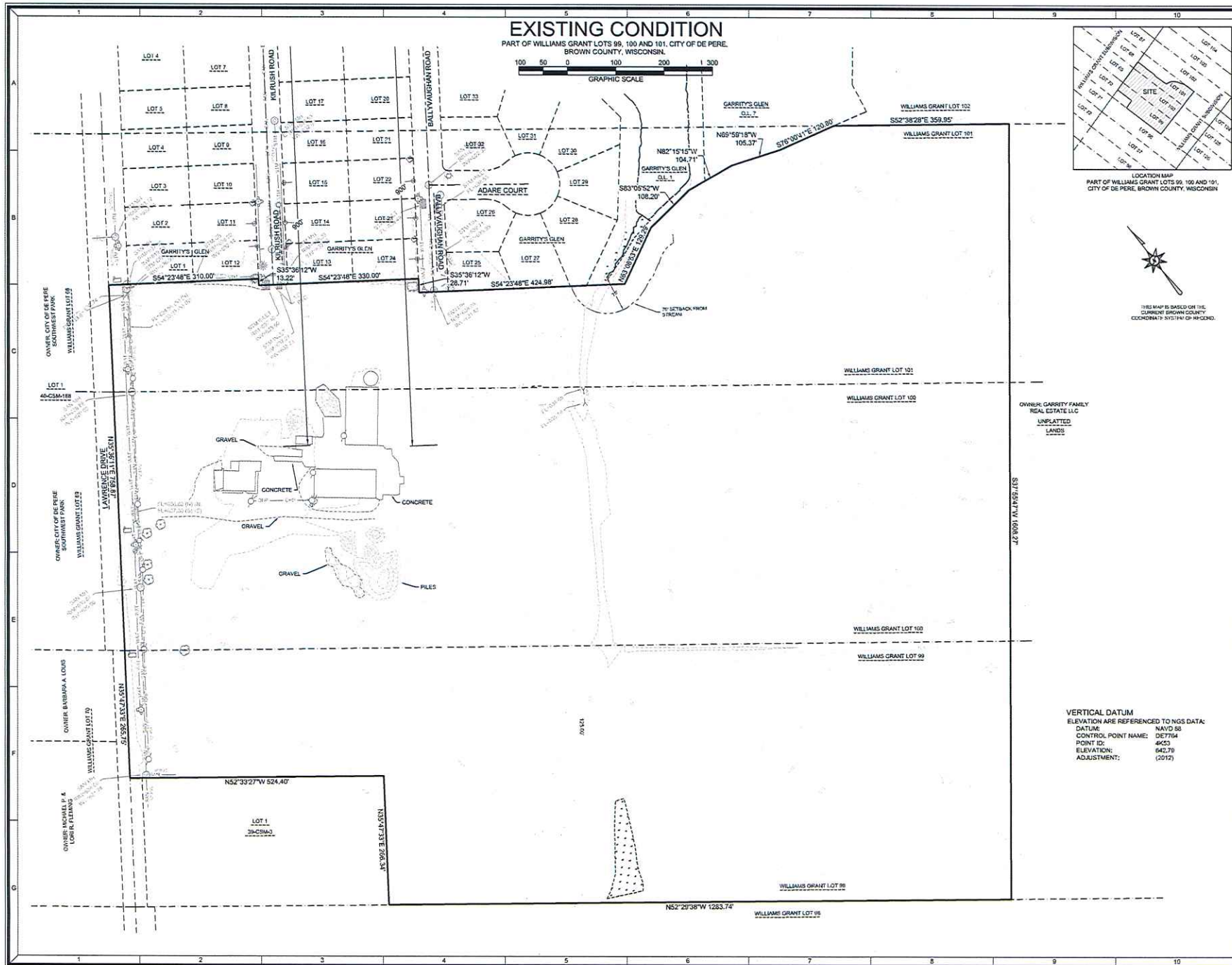
- j) Agreements, bylaws, covenants, and other documents providing for permanent preservation and maintenance of common open areas and amenities.

*The proposed home owner's association bylaws will submitted for review. No further agreements, bylaws, or covenants are proposed. The bylaws would apply to lots in the PDD overlay. The R1 lots will have restrictive covenants, a draft version is included for review and consideration.*



- k) A schedule and map as to the intended phasing of development if more than one phase is intended.  
*The proposed development is projected to occur in a single phase.*
- l) Any other information deemed appropriate and necessary by the Plan Commission.





**MACHIV**  
ENGINEERING • SURVEYING • ENVIRONMENTAL

2880 Salschelder Court Green Bay, WI 54313  
PH: 920-569-5765; Fax: 920-569-5767  
www.machiv-wi.com

TLKM DEVELOPMENT, LLC

**GARRY'S GLEN SOUTH**

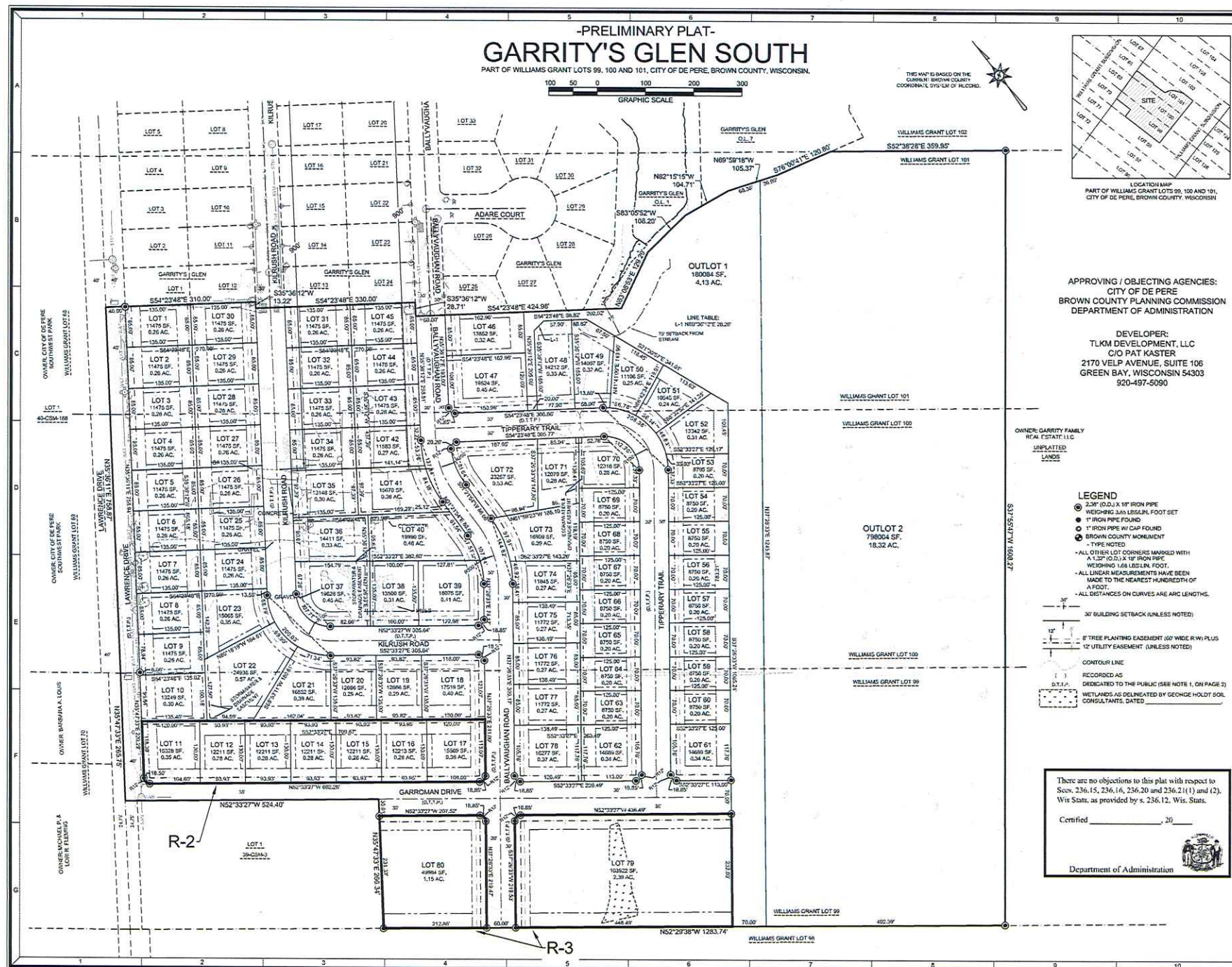
EXISTING CONDITION

| NO. | REVISION DESCRIPTION |
|-----|----------------------|
|     |                      |
|     |                      |
|     |                      |
|     |                      |

DATE: OCTOBER 05, 2016  
 DRAFTED BY: RJO  
 CHECKED BY:   
 PROJECT NO.: 0336-10-18  
 DRAWING NUMBER:   
 SHEET NUMBER:   
**FIGURE 2**  
 OF

Attachment: General Development Plan & PIP (7660 : Recommendation regarding a rezoning request





**MACH IV**  
 ENGINEERING • SURVEYING • ENVIRONMENTAL

2580 Schaefer Court Green Bay, WI 54313  
 PH: 920-589-5765; Fax: 920-589-5767  
 www.mach-iv.com

TLKM DEVELOPMENT, LLC

GARRITY'S GLEN SOUTH

PRELIMINARY PLAT

DATE: OCTOBER 05, 2016

DRAFTED BY: RJG

CHECKED BY:

PROJECT NO.: 0336-10-18

DRAWING

NUMBER

SHEET NUMBER

FIGURE 3

OF





**MACHIV**  
ENGINEERING • SURVEYING • ENVIRONMENTAL  
2260 Salschaller Court Green Bay, WI 54313  
PH: 920-569-5765; Fax: 920-569-5767  
www.machiv.com

PROFESSIONAL  
SEAL

TLKM DEVELOPMENT, LLC

GARRITY'S GLEN SOUTH

R-1/PDD CONCEPT PHOTOS

| NO. | REVISION DESCRIPTION |
|-----|----------------------|
|     |                      |
|     |                      |
|     |                      |
|     |                      |

DATE: OCTOBER 05, 2018  
DRAFTED BY: RJO  
CHECKED BY:  
PROJECT NO.: 0336-10-18  
DRAWING NUMBER

SHEET NUMBER  
**FIGURE 4**  
OF

Attachment: General Development Plan & PIP (7660 : Recommendation regarding a rezoning request





**MACHIV**  
ENGINEERING • SURVEYING • ENVIRONMENTAL

2260 Salschelder Court Green Bay, WI 54313  
PH: 920-569-5765; Fax: 920-569-5767  
www.machiv.com

PROFESSIONAL  
SEAL

TLKM DEVELOPMENT, LLC

GARRITY'S GLEN SOUTH

R-1/PDD CONCEPT PHOTOS

| NO. | REVISION DESCRIPTION |
|-----|----------------------|
|     |                      |
|     |                      |
|     |                      |
|     |                      |

DATE: OCTOBER 05, 2018

DRAFTED BY: RJJO

CHECKED BY:

PROJECT NO.: 0336-10-18

DRAWING  
NUMBER

SHEET NUMBER

**FIGURE 5**  
OF

Attachment: General Development Plan & PIP (7660 : Recommendation regarding a rezoning request





**MACHIV**  
ENGINEERING • SURVEYING • ENVIRONMENTAL  
2280 Salschider Court Green Bay, WI 54313  
PH: 920-569-5765 Fax: 920-569-5767  
www.machiv.com

PROFESSIONAL  
SEAL

TLKM DEVELOPMENT, LLC

GARRITY'S GLEN SOUTH

R-3 CONCEPT PHOTOS

| REVISION DESCRIPTION |  |
|----------------------|--|
| NO.                  |  |
|                      |  |
|                      |  |
|                      |  |
|                      |  |

DATE: OCTOBER 05, 2016  
DRAFTED BY: RJO  
CHECKED BY:  
PROJECT NO.: 0335-10-16  
DRAWING  
NUMBER

SHEET NUMBER

FIGURE 6  
OF

Attachment: General Development Plan & PIP (7660 : Recommendation regarding a rezoning request





**MACHIV**  
ENGINEERING • SURVEYING • ENVIRONMENTAL

2880 Salschelder Court Green Bay, WI 54313  
PH: 920-569-5765; Fax: 920-569-5767  
www.machiv.com

PROFESSIONAL  
SEAL

TLKM DEVELOPMENT, LLC

GARRITY'S GLEN SOUTH

R-3 CONCEPT PHOTOS

| NO. | REVISION DESCRIPTION |
|-----|----------------------|
|     |                      |
|     |                      |
|     |                      |
|     |                      |

DATE: OCTOBER 05, 2018

DRAFTED BY: RLJO

CHECKED BY:

PROJECT NO.: 0338-10-18

DRAWING  
NUMBER

SHEET NUMBER

**FIGURE 7**  
OF

Attachment: General Development Plan & PIP (7660 : Recommendation regarding a rezoning request

## GARRITY'S GLEN SOUTH

City of De Pere, Brown County, Wisconsin

### RESTRICTIVE COVENANTS

**REAL ESTATE:** Lots 1 thru 78, according to the recorded Plat of Garrity's Glen South, City of DePere, Brown County, Wisconsin

**Use Restrictions:** *lots 1-10, 18-47 & 72-77* shall be used for single-family residential purposes only. A lot may be used in conjunction with a single family improvement for private recreational type improvements such as a swimming pool, tennis court(s) or other recreational uses, subject to receipt of prior written approval from the Village of Howard and further subject to the other covenants contained herein and any other restrictions, easements, setbacks or reservations of record. No lot shall contain more than one (1) single family dwelling.

Lots 11-17 & 78 shall be used for duplex (2 family residential purposes.

Lots 79 & 80 shall be used for Multi-family purposes and shall accommodate three 8-unit buildings for a total of 24 units.

**Governmental Permits:** All homes in Garrity's Glen South are subject to permits and fees as required by the Village of Howard, Brown County and any other that may apply. See notes and restrictions on plat.

**Drainage Easements:** There is a drainage easement between Lots

**Plan Approval:** Lots 1 thru 78 shall require complete copies of Plans (Construction Blueprints), including the plan for each level of home containing finished living space (above or below grade) all elevations and plot plan must be submitted to the Developer for approval prior to the start of construction and shall remain on file with Developer.

All homes to have a minimum 6/12 roof pitch

All homes to have a minimum 2 stall attached garage

All homes to have a hard surface driveway

All homes to be built on site

All homes to have a fully landscaped yard

All homes to have at least 25% of the front elevation in masonry (brick or stone)

All homes to have a foundation below the frost line

All homes shall be placed on the lot to establish the top of foundation at a minimum of 24" above curb height, with adjustments being made for the contour of the road and existing homes.

Lots 79 & 80 shall have separate approval for the Multi-family buildings thereon.

The improvements on each Lot or any alteration thereof shall be subject to the approval of the Developer which has the authority to approve or reject the plat plan, design, floor plan, elevation and site location of improvements on any Lot. Such approval may be evidenced on the blueprint itself or on a separate written instrument signed by the Developer.

**Subdivision of Lots:** No Lot or Lots may be subdivided into any parcels, tracts or lots smaller than that which was originally conveyed by Developer to the initial purchaser(s). Developer reserves unto itself the rights to subdivide, redivide and or divide into parcels, tracts or lots, any or all of the real property owned by the Developer.

**Building relocation:** No building erected elsewhere may be moved onto any Lot or Lots within this plat.



**Temporary Structures:** No temporary structures (including, within exclusion of others, trailers, basement without residence above, tent, shack, garage or barn of any kind) will be permitted for dwelling purposes.

**Grade:** There has been a grading/drainage plan designed and approved for Rustic Heights. Every home built on each lot must be in compliance with said grading/drainage plan at all times. Final grade, after construction; the construction area and land occupied by public easement shall not be graded in such a manner as to interfere with drainage of storm water on said lot or neighboring lots

Developer makes no warrants or representations as to the ability of any lot in this plat being able to accommodate a walk-out or exposed lower level. Determination of said use must be made by a qualified professional. Lot/home owner is ultimately responsible to make sure the house is built according to the grading/drainage plan and in such a manner as to not disrupt grading/drainage for the subject lot nor for any adjacent property now or in the future.

**Erosion control:** Lot owner must make sure lot is in total compliance with all erosion control requirements at all times: before/during and after construction.

**Start Date/Completion:** There is not a construction limit between Lot purchase/ownership and start date. However, projects must be completed within one year of the start of construction (issuance of building permit by the Village of Howard). Every structure shall have a permanent finish on the exterior within six months of start. Completion of a project includes the dwelling and the Lot which shall be finally graded to meet existing grade requirements, landscaping, lawn, and hard surface driveway.

**Lot Stakes/Corner Markers:** Survey stakes (metal pipes in the ground) identify every Lot corner. Whether done by individual lot owner, their builder, or professional surveyor, the Lot owner is responsible to locate corner markers. The home must be placed within the legal limits of the Lot/plat and the requirements of the Village of Howard. Lot owners shall be solely responsible for maintaining all survey markers and must be sure they are not moved or removed during the construction of their individual homes. A disturbance of a survey stake by anyone is a violation of Section 236.32 of the Wisconsin Statutes.

**Fill and Topsoil:** Stockpiles of topsoil and fill placed on any Lot during road/infrastructure construction remain the property of the subdivision and are not a part of the sale of any individual Lot upon which it may be stockpiled. Any fill or topsoil hauled in or out of any Lot shall be at buyer's expense. Buyer shall be responsible to remove from their Lot and the subdivision any excess top soil or fill left from the construction on their respective Lot. Lot Owners/Builders are not allowed to 'DUMP' their excess dirt on any other lot in this subdivision. If they do so and developer has to have it removed, removal will be at the expense of the person who 'dumped' it.

**Maintenance of Vacant Lot:** The Lot owner is responsible for maintenance and upkeep of the lot prior to the start of construction, including but not limited to keeping the lot free of trash and debris and cutting long grass and weeds.

**Suitability of Soil:** During the development process, soil(s) may have been moved on to/off of/across lots in this development. Developer makes no representations or warranty whatsoever, express or implied, regarding the physical condition of any lot. Developer recommends prospective buyer have their lot inspected and tested (at buyer's expense) by a qualified professional regarding subsurface conditions or any other matter which may be of concern to buyer/builder.

**Construction Debris/Curb Cuts:** The lot owners shall dispose of all debris created during construction, including curb cuts and/or other concrete debris. Any cost incurred by Developer for removal of such debris shall be billed to the lot owner who was responsible for the removal of such debris.

**Outbuildings:** No storage sheds or outbuildings of any kind shall be allowed in Rustic Heights.

**Animals:** No horses, cattle, swine, sheep, goats or live poultry of any kind shall be kept on any lot in the plat.

**Fences:** No chain link or wire fences shall be permitted on any lot. All fences must be located by a professional surveyor and must comply with all restrictions imposed by the Village of Howard

**Amendments/Changes:** Variations from these restrictions may be approved in writing by the subdivision developer.

**Duration:** The covenants are restrictions of this Declaration and shall remain in effect for a period of twenty (20) years from the date hereof and thereafter shall automatically continue to be in effect for additional periods of five (5) years unless terminated or otherwise limited or enlarged by the recording of an instrument executed and acknowledged by the then owners of at least seventy-five percent (75%) of the lots covered by this Declaration.

Executed at Green Bay, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_ 2018

TLKM Development, LLC

Member

State of Wisconsin  
Brown County

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public: \_\_\_\_\_  
Brown County, Wisconsin  
Commission expires: \_\_\_\_\_

This document drafted by: Patricia A Kaster, Member TLKM Dev. LLC

**City of De Pere, Wisconsin****Request For Plan Commission Action**

---

**MEETING DATE:** November 26, 2018

**DEPARTMENT:** Planning

**FROM:** Peter Schleinz

**SUBJECT:** Recommendation regarding the proposed 61 Lot and two Outlot Preliminary Plat of “Garrity’s Glen South” at 2500 BLK Lawrence Drive (parts of Parcels WD-L482, WD-L483 & WD-L484). Submitted by Pat Kaster, TLKM Development LLC, authorized representative for R&M Garrity Farm LLC, property owner.\*

---

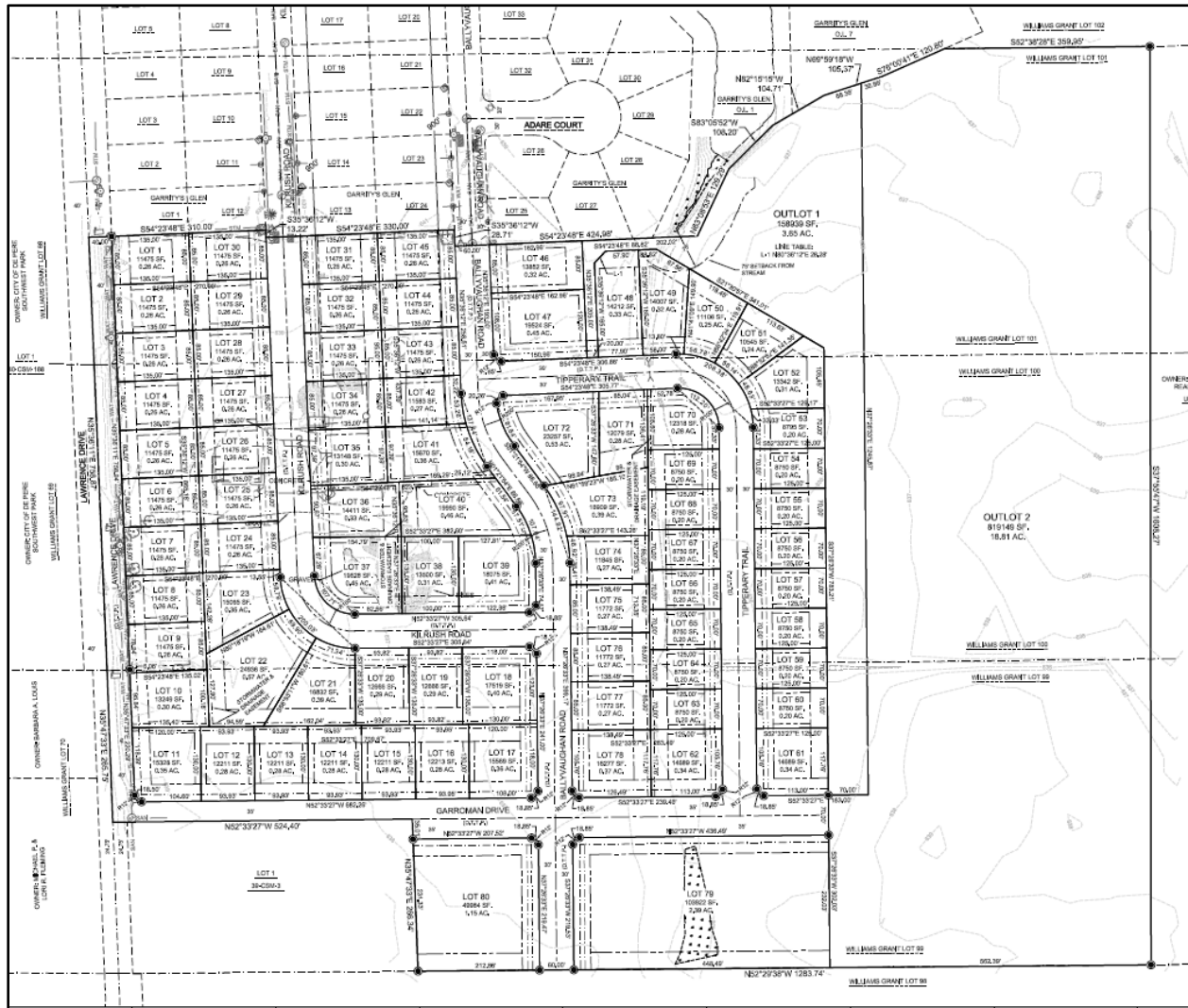
**ATTACHMENTS:**

- Preliminary Plat - Garrity's Glen South - Plan Commission Report (DOCX)
- Application Form (PDF)
- Preliminary Plat (PDF)



- ## SITE MAP



**PROPOSED PRELIMINARY PLAT AREA**

**REQUESTED ACTION:** Preliminary Plat Approval

*Preliminary plat is associated with a rezoning petition that will be reviewed by Plan Commission on November 26, 2018.*

**COMMON DESCRIPTION:** 2500 BLK Lawrence Drive, located generally between County Clare Road and the south City of De Pere limits.

**PARCEL NUMBERS:** WD-L482, WD-L483 and WD-L484

**EXISTING ZONING:** R-1 (Single Family Residential District)

**PROPOSED ZONING:** Rezoning is requested but is not part of the Preliminary Plat Review. Please refer to the 'Garrity's Glen Rezoning and PDD General Development Plan Staff report.

**SURROUNDING LAND USES:** Residential and natural areas to the north.

Agricultural and industrial to the south.  
Agricultural to the east.  
Southwest Park to the west.

**COMPREHENSIVE PLAN:** Neighborhood Residential (Including Multi-Family).  
Business park near Outlot 2.

|                           |                                                                                                                       |                                                                                              |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>APPLICANT / OWNER:</b> | Pat Kaster<br>Authorized Representative<br>TLKM Development LLC<br>2170 Velp Avenue, Suite 106<br>Green Bay, WI 54303 | R&M Garrity Farm LLC ETAL<br>Property Owner<br>3173 Trenton Lane<br>Green Bay, WI 54313-4025 |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|

**SITE HISTORY:** After a review of air photographs, the property and nearby areas were used for agricultural purposes. Adjacent residential development to the north occurred in the late 2000's. The site is located adjacent to the City of De Pere and Town of Lawrence municipal limits.

**STAFF REVIEW:** When reviewing a preliminary plat, staff considers State Statutes 236, Section 46-8 of the De Pere Platting and Division of Land Code, the future land use recommendation of the Comprehensive Plan, surrounding land uses, and desired development patterns.

The preliminary plat meets the criteria of State Statutes 236 and most criteria of Section 46-8 of the De Pere Platting and Division of Land Code. Lot sizes are sufficient for property zoned R-1 and proposed to be zoned R-2 and R-3. The PDD overlay area (proposed Lots 48-71) proposes the following differences from typical zoning:

- Minimum street frontages of 85 feet will be allowed to be 70 feet
- Side yard setbacks of 10 feet will be allowed to be 8 feet

The developer intends on creating a homeowners association in the PDD overlay area to create a condominium-like neighborhood with minimal maintenance responsibilities of residents. The structures in the PDD will be single-family houses on individual smaller lots and appear to be similar to the lots in the rest of the neighborhood.

Outlot 1 was created to allow for stormwater management. Outlot 2 was established for future development, most likely related to the Business-Industrial Park.

Proposed Garromon Drive will eventually be extended to connect Lawrence Drive with American Boulevard. However, Garromon Drive is not designated to be a truck route for industrial vehicle ingress-egress.

Please note that the Garroman Drove right-of-way, near Lawrence Drive, is only 35-feet wide. That is because only half of the typical 70-foot wide



right-of-way is owned by the developer and the other half of the right-of-way would be dedicated by the property owner to the south. This is not atypical when dealing with property development and the public street will be built within the 35-foot right of way.

The City would consider acquiring the southern half of the right of way if one of the two occurs: 1) If and when the adjacent property owner would consider developing his property; 2) If and when American Drive is extended to the south and the Garroman Drive is extended to connect with American Drive. This is development dependent and staff does not have an estimated time frame.

Parks, Recreation, & Forestry Department suggested the creation of a right-of-way for a trail that could connect Southwest Park to Outlot 1 (for a future off-street trail loop) between the residential houses, but that concept cannot be accomplished easily with the minimum width residential lot design without losing 5-6 lots.

There are a significant number of conditions of approval linked to this report. The number of conditions occurred because the site was drawn with many details that are typically seen on a "final plat." Thus the staff review covered many more topics than are typically reviewed during a preliminary plat review.

The City plat is reviewed by the City of De Pere. A courtesy review of technical measurements was performed by Brown County to expedite the efficient process of recording plats.

#### **REVIEW PROCESS**

For preliminary City plat petitions, the Plan Commission provides either an approval, rejection with reason, or approval with conditions decision. The Common Council also reviews preliminary City plats. The Common Council is expected to review the City plat on December 4, 2018.

The Plan Commission and Common Council will review the City plat again should a final plat be submitted for review and recording.

The plat review for this project is part of a number of reviews under consideration for Garrity's Glen South. Other concurrent reviews include:

- 1) Residential Infrastructure Policy and TID Incentive (approved by Finance/Personnel at their November meeting – Council review required).
- 2) Rezoning
- 3) Preliminary and ultimately final plat approval

**STAFF RECOMMENDATION:** Staff recommends APPROVAL of the preliminary City plat and forwarding the map to the Common Council for final approval, subject to:

**(PLEASE NOTE THAT THE LARGE NUMBER OF CONDITIONS (33) IS NOT DUE TO A POOR SUBMITTAL. RATHER, IT IS BECAUSE THE SUBMITTED PLAT INCLUDED EXTRA REVIEWABLE DETAILS THAT ARE TYPICALLY NOT SUBMITTED UNTIL A FINAL PLAT IS DRAFTED.)**

1. Meeting all other state and local regulations.
2. Final Plat approval is subject to a successful rezoning of Lots 48-72 to R-1 PDD, Lots 11-17 & 79 to R-2, and Lots 79-90 to R-3.
3. Final Plat approval is subject to the PDD allowing Lots 48-72 to have 70 feet of street frontage and 8 foot side yard setbacks.
4. The dedicated right-of-way, Garroman Drive, should be extended to the east boundary of Outlot 1. Future Garroman Drive should be dashed in through Outlot 2.
5. Outlot 1 should be extended to the south lot line of Lot 79. Due to the dedicated right of way, this may create an Outlot 3 that is to be dedicated to the City as part of Restrictive Covenant #1.
6. Identify the ownership and use for Outlot 2 in the Restrictive Covenants.
7. Label Lot 45 on page 2 of the plat.
8. Note #3 should be removed as rear yard setbacks are established by the Municipal Code.
9. The first sentence of Note #2 should be removed as side yard setbacks are established by the Municipal Code. The second sentence should include a reference to being per the potentially approved PDD, and include an approval date. The note should also reference a potential PDD approved front yard lot width.
10. If the WDNR determines a waterway does not exist on the plat, modify Restrictive Covenant #3 to not include navigable waterways. The body of water is a storm water management pond.
11. Reference the source and date of approval of the wetland delineation. Provide a copy of the delineation, and approval letter, to City staff.
12. The recommendation to include street trees with plat approvals has been recurring with recent plat reviews, and is strongly suggested. If street tree plantings are proposed as part of the development, indicate the plant and timing.
13. Per Wis. Stats. § 236.20(2)(k), when a street is on a circular curve, the main chords of the right-of-way lines shall be drawn as dotted or dashed lines in their proper places. All curved lines shall show, either on the lines or in an adjoining table, the radius of the circle, the central angle subtended, the chord bearing (delta), the chord length, and the arc length for each segment. The tangent bearing shall be shown for each end of the main chord for all nontangent circular lines. When a circular curve of 30-foot radius or less is used to round off the intersection between 2 straight lines, it shall

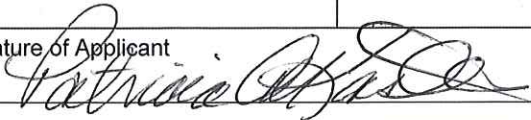
- be tangent to both straight lines. It is sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to the point of intersection of the straight lines.
14. The developer/property owner shall be responsible to remove existing buildings and/or foundations in conflict with street construction. Foundation abandonment shall be completed per City Specifications.
  15. Gravel piles and other debris shall be removed by the developer.
  16. Provide documentation that there are no existing utility easements on the property.
  17. Provide a wetland delineation report.
  18. Remove the outlot extension between lots 46/47 and 48. This will be moved/changed to a 20 foot public access between Lots 50 and 51 as Public Access.
  19. Add Note: "Offsite drainage to be collected and transported to the City storm sewer upon development on Lot 79."
  20. The City is designing utilities for the subdivision. All lot lines shall be considered available for utilities until the final design is completed. Easement width shall be 20 feet for single utilities and 30 feet for two utilities. The final easements shall be labeled on the final plat.
  21. (1) Label the Stormwater and Drainage Easement as 6 feet wide on each side of the lot line. (2) Add a 6 foot Stormwater and Drainage Easement on each lot line on the back of Lots 46, 47, 48, and 49.
  22. Add the following note: "Drainage easements shall prohibit any obstruction to the flow of water, by any means."
  23. Add the following note: "Drainage easements shall not permit any structure, earthen berm, dam, erection of other improvement, tree or landscaping."
  24. Add the following note: "Drainage easements shall allow the erection of a fence or annual plantings such that the same do not obstruct the flow of water."
  25. Add the following note: "Drainage easements shall prohibit the grantor (property owner) from changing the grade elevation of the drainage easement from the established grade."
  26. Add the following note: "Drainage easements shall allow the grantee full rights of ingress and egress to carry on and all work in connection with the maintenance and operation in, over, under and across the lands of the grantor."
  27. Add the following note: "Drainage easements shall not allow the property covered by said easement to be used in any way or manner that will impair the rights of the grantee."
  28. Add the following storm water covenant on the face of the subdivision as follows: "The land on the side of the lots within the area shall be graded by the subdivider and maintained by the



- abutting property owner to provide for the adequate drainage of surface water."
29. Add the following note: "Exposed basement windows shall be approved by the Inspection Department prior to construction."
  30. Add the following note: "The City of De Pere requires the installation of sidewalk on all lots abutting all streets. Sidewalk installation shall be complete prior to the issuance of the occupancy permit by the City."
  31. Add the following note: "Driveways for Lots 79 and 90 off of Ballyvaughn Road shall be constructed with an 8" depth concrete apron. The driveway may be used by City trucks for turning around."
  32. Add the following note: "The City may restrict parking on one side of Ballyvaughn, Kilrush, Garroman, and Tipperary."
  33. Add the following note: The City may restrict parking on the east side of Lawrence Drive."

|                                                                                   |                                                                        |  |                          |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------|--|--------------------------|
|  | <b>CITY OF DE PERE</b><br><b>APPLICATION FOR</b><br><b>PLAT REVIEW</b> |  | <b>Fee:</b> \$5854.00    |
|                                                                                   |                                                                        |  | <b>Receipt #:</b> 137355 |
|                                                                                   |                                                                        |  | <b>Date:</b> 10-24-18    |

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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                          |                                              |                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------|-------------------|
| <b>SECTION 1: Applicant / Permittee Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                              |                   |
| Applicant Name (Ind., Org. or Entity)<br>TLKM DEVELOPMENT, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                          | Authorized Representative<br>PATRICIA KASTER |                   |
| Title<br>MANAGING MEMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                          |                                              |                   |
| Mailing Address<br>2710 VELP S                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | City<br>GREEN BAY                                                                        | State<br>WI                                  | ZIP Code<br>54303 |
| Email Address<br>PKASTER@R                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Phone Number (incl. area code)<br>920.497.5090                                           | Fax Number (incl. area code)<br>920.497.4881 |                   |
| <b>SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)</b>                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                              |                   |
| Name (Ind. Org. or Entity)<br>R&M GARRITY FARM. LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          | Contact Person<br>JOSEPH G                   |                   |
| Title<br>MANAGING MEMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                          |                                              |                   |
| Mailing Address<br>4030 BOY S                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | City<br>TAMPA                                                                            | State<br>FL                                  | ZIP Code<br>33607 |
| Email Address<br>JOSEPH.GAR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Phone Number (incl. area code)<br>813.281.8242                                           | Fax Number (incl. area code)<br>NA           |                   |
| <b>SECTION 3: Project or Site Location</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                          |                                              |                   |
| Project Address/Description<br>GARRITY GLEN SOUTH                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                          | Parcel No.<br>L-482, L-483, L-484            |                   |
| <b>SECTION 4: Plat Review</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                          |                                              |                   |
| Review Type:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input checked="" type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat |                                              |                   |
| Fee:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Preliminary Plat Fee: \$278 + (82 # of lots x \$68)<br>Final Plat Fee: \$195             |                                              | \$5,854.00        |
| Present Use of Parcel:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | AGRICULTURAL                                                                             |                                              |                   |
| 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.                                                                                                                                                                                                                                                                                                                                                                  |                                                                                          |                                              |                   |
| <b>SECTION 5: Certification and Permission</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                          |                                              |                   |
| <b>Certification:</b> 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. |                                                                                          |                                              |                   |
| <b>Permission:</b> 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<br>MANAGING MI                                                                     | Phone Number<br>920.497.5090                 |                   |
| Signature of Applicant<br>                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                          | Date Signed<br>10/5/2018                     |                   |

|                                                                   |  |
|-------------------------------------------------------------------|--|
| <b>TO BE COMPLETED BY CITY STAFF</b>                              |  |
| Plat Review authorized by the De Pere Municipal Code, Chapter 46. |  |

Attachment: Application Form (7659 : Recommendation regarding the proposed 61 Lot and two Outlot Preliminary Plat of "Garrity's Glen South")

# PETITION

To: City of De Pere

Property: Part Parcel #WD-L482  
Part Parcel #WD-L483  
Part Parcel #WD-L484  
Approx 36 Acres m/l

Owners: Joseph R. Garrity  
R & M Garrity Farm, LLC

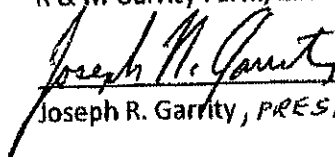
Developer: TLKM Development, LLC  
c/o Patricia A Kaster  
2170 Velp Avenue, Suite 106  
Green Bay, WI 54303

We, the undersigned, being the owners of the above described property do join with the Developer/Agent and respectfully request the properties be zoned as follows:

All as part of Garrity's Glen South

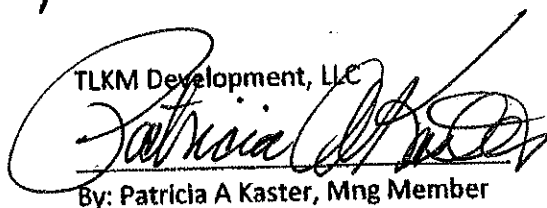
Lots 1-10, 18 - 47, 72-77 be zoned R-1 Single Family Residential  
Lots 11 - 17 & Lot 78 Be R-2 Two Family Residential lots  
Lots 48 - 71 Be zoned R-1 Planned Development  
Lots 79 & 80 Be zoned R-3 Multi-family

R & M Garrity Farm, LLC

  
Joseph R. Garrity, PRESIDENT

Date: 10/4/18

TLKM Development, LLC

  
By: Patricia A Kaster, Mng Member

Date: 10/4/2018

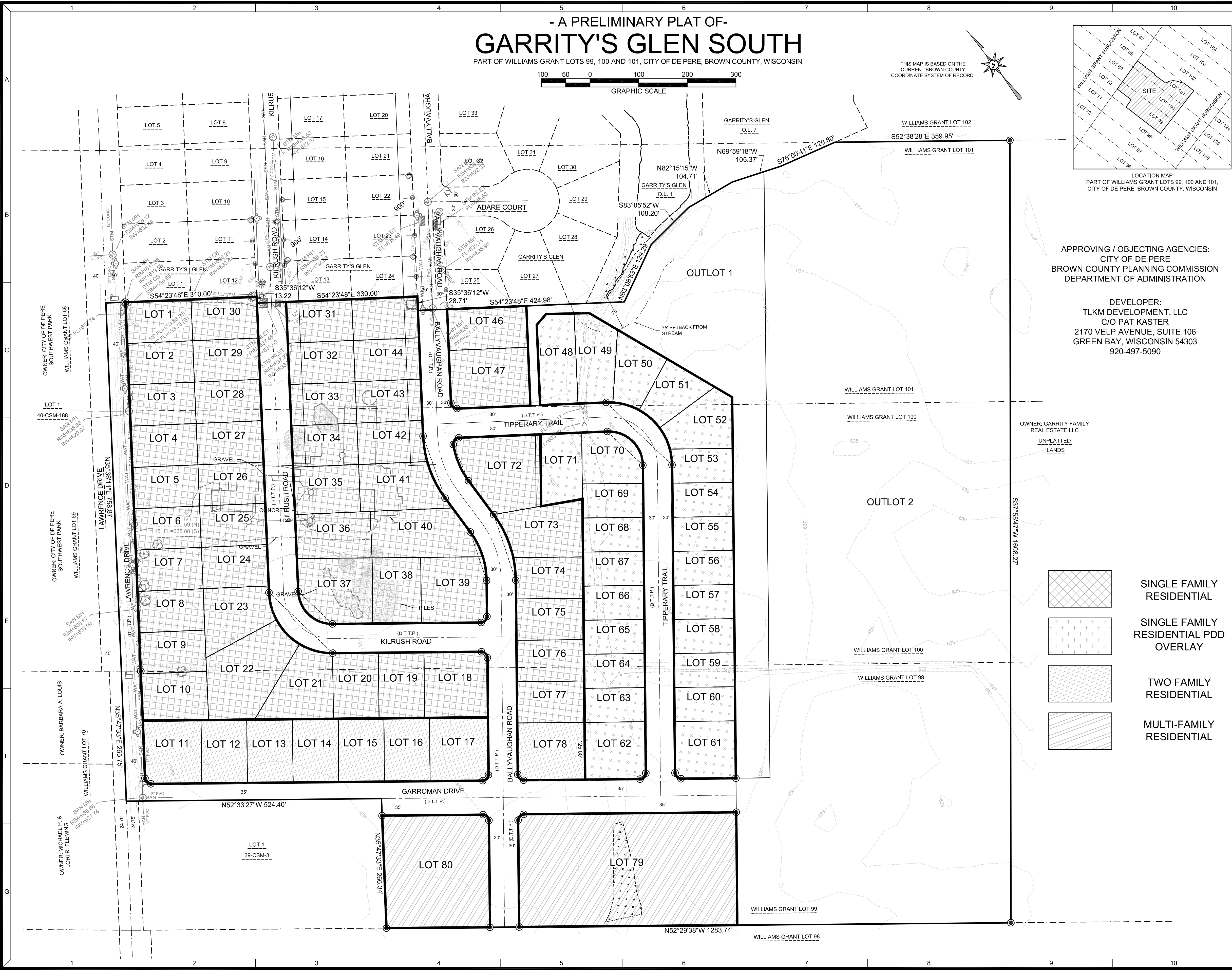
A copy of the Preliminary Plat of Garrity's Glen South is attached to this Petition





**Attachment: Preliminary Plat (7659 : Recommendation regarding the proposed 61 Lot and two Outlot Preliminary Plat of "Garrity's Glen Sout)**





**MACHIV**  
ENGINEERING • SURVEYING • ENVIRONMENTAL

2260 Salscheider Court Green Bay, WI 54313  
PH: 920-569-5765; Fax: 920-569-5767  
www.machiv.com

|                       |  |                      |  |                          |  |
|-----------------------|--|----------------------|--|--------------------------|--|
| TLKM DEVELOPMENT, LLC |  | GARRITY'S GLEN SOUTH |  | GENERAL DEVELOPMENT PLAN |  |
|                       |  |                      |  | REVISION DESCRIPTION     |  |
|                       |  |                      |  | NO.                      |  |
|                       |  |                      |  | DATE: SEPTEMBER 28, 2018 |  |
|                       |  |                      |  | DRAFTED BY: RJO          |  |
|                       |  |                      |  | CHECKED BY:              |  |
|                       |  |                      |  | PROJECT NO.: 0336-10-18  |  |
|                       |  |                      |  | DRAWING NUMBER           |  |
|                       |  |                      |  | SHEET NUMBER             |  |
|                       |  |                      |  | 2                        |  |
|                       |  |                      |  | OF 4                     |  |

Attachment: Preliminary Plat (7659) - Recommendation regarding the proposed 61 Lot and two Outlot Preliminary Plat of "Garrity's Glen South"



OF 4





**Attachment: Preliminary Plat (7659 : Recommendation regarding the proposed 61 Lot and two Outlot Preliminary Plat of "Garrity's Glen Sout)**

## City of De Pere, Wisconsin

**Request For Plan Commission Action**

---

**MEETING DATE:** November 26, 2018

**DEPARTMENT:** Planning

**FROM:** Peter Schleinz

**SUBJECT:** Review and recommendation for a Conditional Use Permit application for a proposed combination motor vehicle service station and grocery store (e.g. a gas station and convenience store) to be developed at 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right-of-way (Parcels WD-D0208, WD-D0209 and part of Renkens Court right-of-way) within the Highway 41 Business Corridor: B district. Submitted by Michael F. Dura, RA, Riverview Architecture and Krist Oil CO, authorized representative for Michael & Ronald Vieau ETAL, Byrne Trust, and City of De Pere, property owners.\*

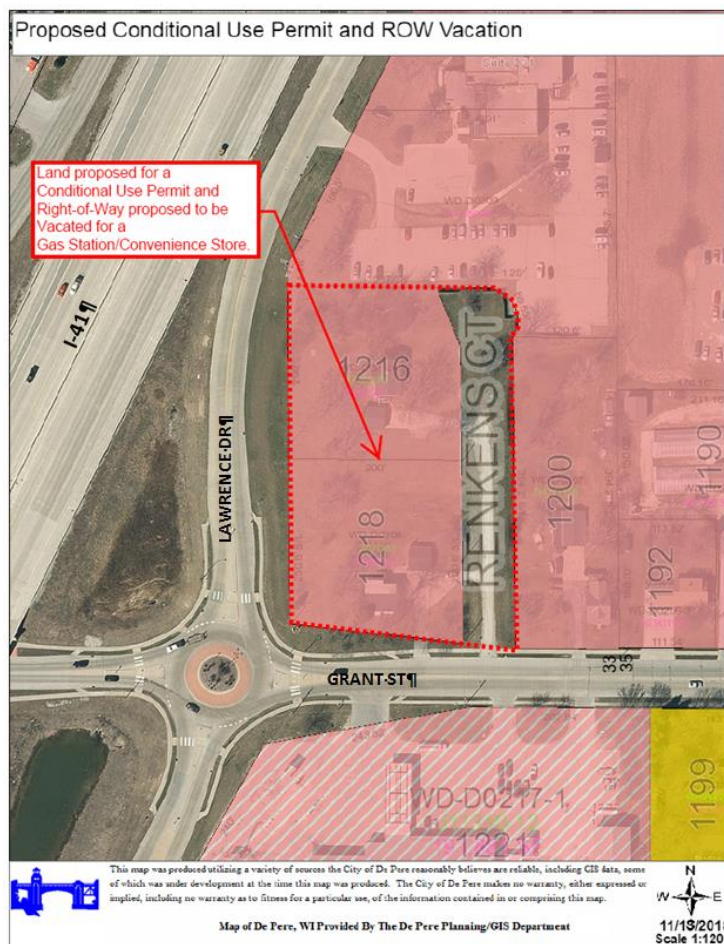
---

**ATTACHMENTS:**

- Gas Station & Convenience Store Conditional Use - Plan Commission Report 11-26-2018 (DOCX)
- Application Form (PDF)
- Map of Subject Area (PDF)
- Petitioners Response to Conditional Use Standards (PDF)

- ITEM 5:** Review and recommendation for a Conditional Use Permit application for a proposed combination motor vehicle service station and grocery store (e.g. a gas station and convenience store) to be developed at 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right-of-way (Parcels WD-D0208, WD-D0209 and part of Renkens Court right-of-way) within the Highway 41 Business Corridor: B district. Submitted by Michael F. Dura, RA, Riverview Architecture and Krist Oil CO, authorized representative for Michael & Ronald Vieau ETAL, Byrne Trust, and City of De Pere, property owners.\*

**PROPOSED CONDITIONAL USE PERMIT LOCATION**



**REQUESTED ACTION:** Conditional Use Permit Approval.

*Allow a combination motor vehicle service station and grocery store (e.g. a gas station and convenience store) within the Highway 41 Business Corridor: District B.*

**COMMON DESCRIPTION:** 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right-of-way located northeast from the Grant Street and Renkens court intersection.



|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                             |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PARCEL NUMBER(S):</b>      | WD-D0208, WD-D0209 and part of Renkens Court right-of-way                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                             |
| <b>EXISTING ZONING:</b>       | Highway 41 Business Corridor: District B.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                             |
| <b>PROPOSED ZONING:</b>       | No proposed rezoning.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                             |
| <b>SURROUNDING LAND USES:</b> | Business to the north and south.<br>Residential to the east.<br>I-41 corridor to the west.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                             |
| <b>COMPREHENSIVE PLAN:</b>    | Commercial.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                             |
| <b>APPLICANT/OWNER :</b>      | Michael F. Dura, RA<br>Riverview Architecture<br>and Krist Oil Co<br>303 Seldon Road<br>Iron River, MI 49935                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Property Owners of Parcel WD-D0208:<br/>Michael H &amp; Ronald P Vieau ETAL<br/>1290 S. Pine Tree Road<br/>De Pere, WI 54115</p> <p>Property Owners of Parcel WD-209:<br/>Byrne Trust<br/>1216 Renkens Court<br/>De Pere, WI 54115-1378</p> <p>Property Owners of Renkens Court:<br/>City of De Pere</p> |
| <b>SITE HISTORY:</b>          | <p>After a review of air photographs, the subject area was originally agricultural. The drive lane that is presently within the Renkens Court right-of-way was put in place in the 1940's-50's. and agricultural/residential lots were developed on the parcels.</p> <p>Despite being originally built with single family homes, the properties are zoned HWY B and this indicates support of redeveloping the properties into land uses compatible with the HWY B Zoning District. However, without lot combination and right of way vacation, the property area does not meet the minimum lot size for the HWY B District.</p> <p>On November 26, 2018 the Plan Commission will review a conditional use permit, a right-of-way vacation, and a site plan for the area.</p> |                                                                                                                                                                                                                                                                                                             |
| <b>STAFF REVIEW:</b>          | <p>The applicant requests a Conditional Use Permit in order to construct and operate a 5,520 sq.ft. gas station and convenience store at the northeast corner of Lawrence and Grant. A Conditional Use Permit is required in order to ensure that the proposed project does not result in any negative impacts to the surrounding areas and is also a good 'fit' for the neighborhood. In addition to the Conditional Use Permit, this project also requires that the City provide additional land, via vacating the Renkens Court right of way.</p> <p>Municipal Code 14-30(5) includes the following conditional use review parameters. The petitioner's response to the parameters is attached to this</p>                                                                 |                                                                                                                                                                                                                                                                                                             |

report. Staff comments regarding the parameters are detailed below.

- a) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;*

The proposed uses for the site are a gas station and a convenience store. The property is currently zoned HWY-B and commercial redevelopment of these lots fits within the future land use goals of the City. Another gas station and store exists across Grant Street to the south. The property not only has visibility from HWY 41, but is also located at a City of De Pere gateway. Because of that, any project proposed for this location should be aesthetically pleasing and utilize high quality design. It is important to note, however, that the adjacent property to the east is an existing residential land use, but is also zoned HWY-B.

- b) That the conditional use will not be injurious to the use and enjoyment of other property in the orderly development and improvement in the immediate vicinity for the purposes already permitted nor substantially diminish or impair property values within the neighborhood;*

Country Visions Cooperative/Cenex currently provides gasoline and cooperative sales across Grant Street to the south of the proposed project site. This indicates that the land use itself fits within the orderly development of the community. However, based on the site location, visibility and proximity to residential neighborhoods, the aesthetic of the proposed project should be of high caliber and reviewed in detail in order to minimize any negative impact to property values within the neighborhood. In addition, a heavy landscape buffer should be implemented along the east property line in order to screen the project from the existing residential property.

- c) That adequate facilities, access roads, drainage, and/or necessary facilities have been or are being provided;*

The project will generate additional traffic in the area. The proposed site plan for the project accommodates for that by including vehicular access points on Grant Street (CTH EE) and Lawrence Drive. The developer will need to obtain driveway permits from Brown County Department of Public Works in order to connect a driveway to Grant Street (Brown County has been made aware of the proposed connection by the developer). The developer will also need to obtain driveway permits from City of De Pere Public Works in order to connect a driveway to Lawrence Drive (the city is aware of the site plan and the distance from the roundabout has already

been considered). A formal storm water management plan has not yet been submitted to staff for review, however spaces at the north and southern end of the site have been identified on a site plan for potential storm water management.

- d) *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and*

As referenced in the above bullet, ingress and egress is proposed to be provided with the creation of two two-way drives on a related site plan. One drive will connect to Grant Street, which is part of the brown County Highway system between 5<sup>th</sup> Street and the two I-41 frontage roads at the City limits. The other drive will connect to Lawrence Drive, which is one of the two frontage roads to the I-41 freeway with connections to the freeway at Main Avenue to the north and Scheuring Road to the south. The site will have 15 parking stalls, in addition to areas for fueling under two canopies.

- e) *That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Council pursuant to the recommendations of the Plan Commission.*

As submitted, the site plan and elevations for the proposed gas station and convenience store meet Zoning Code requirements for setbacks, materials and landscaping. However, as noted above, there are a number of reasons why a project that exceeds the minimum should be pursued in this location. Including:

The project requires land provided by the City of De Pere, at no cost, via the right of way vacation of Renkens Court. In this sense, the City is providing a direct incentive to the project in order to spur redevelopment. Because of this, the project should be a shining example of the type of redevelopment that is desired in the De Pere commercial corridors.

- 1) Gas station and convenience stores are not permitted 'as of right' in this zoning district. The Conditional Use Permit review is designed in order to incorporate project conditions that will help mitigate any possible negative impacts of the proposed use.
- 2) The project site is visible from I-41 and is also a gateway into the City of De Pere. Previous recent site plan approvals have included landscaping and building design that have exceeded Code requirements. These enhanced standards are likely to be codified via the Zoning Code rewrite project.





All City of De Pere property owners within 300 feet of the subject area have been notified of this application. No public comments have been received regarding the petition.

#### REVIEW PROCESS:

The Plan Commission will make a recommendation on the Conditional Use Permit request. The Common Council considers that recommendation and will conduct a public hearing, in the form of a resolution, after a Class II notice. That meeting is scheduled for December 18, 2018. Project notification letters have been sent to property owners within 300 feet of the site boundary.

This right of way review is linked to a number of other reviews necessary for the request to develop a Krist Oil Gas Station and Convenience Store at the northeast corner of Grant and Lawrence. Other concurrent reviews include:

- 1) Site Plan – Plan Commission review November 2018.
- 2) Right of Way Vacation for Renkens Ct – Plan Commission Review November 2018. Council Review December 2018 and February 2019.

**STAFF RECOMMENDATION:** Staff recommends APPROVAL of the Conditional Use Permit application to allow a proposed combination motor vehicle service station and grocery store (e.g. a gas station and convenience store), located at 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right-of-way, subject to the following:

1. Successful vacation of the Renkens Court right-of-way.
2. Completed Site plan approval for a proposed combination motor vehicle service station and grocery store (e.g. a gas station and convenience store) with design standards and landscaping that are above and beyond current Code requirements and as approved by staff, the Plan Commission and Common Council.
  - a. A focus on masonry along all columns of the canopies and pole sign that is at least 5-6 feet high should be considered in the design, which is reflective of building architecture.
  - b. A focus on heavy landscaping and ground cover along street frontages and multi-height landscaping along the building should be considered in the design.
  - c. The pole sign include a base and design that includes masonry and is reflective of the building architecture and also softened by foundation landscaping.
  - d. Other conditions as required by the Plan Commission or Common Council.

PLANNING DEPT.

RECEIVED  
CITY OF DE PERE  
OCT 18 2018

|                                                                                   |                                                                                |                   |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------------|
|  | <b>CITY OF DE PERE</b><br><br><b>APPLICATION FOR</b><br><b>CONDITIONAL USE</b> | Fee: \$ 305.00    |
|                                                                                   |                                                                                | Receipt #: 137225 |
|                                                                                   |                                                                                | Date: 10-18-18    |

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)<br>Krist Oil Company | Authorized Representative<br>Michael F Dura, RA | Title<br>Owners Agent        |                   |
| Mailing Address<br>303 Seldon Road                         | City<br>Iron River                              | State<br>MI                  | ZIP Code<br>49935 |
| Email Address<br>mfdarch@centurytel.net                    | Phone Number (incl. area code)<br>715-732-9685  | Fax Number (incl. area code) |                   |

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

|                                            |                                |                              |          |
|--------------------------------------------|--------------------------------|------------------------------|----------|
| Name (Ind. Org. or Entity)<br>See attached | Contact Person                 | Title                        |          |
| Mailing Address                            | City                           | State                        | ZIP Code |
| Email Address                              | Phone Number (incl. area code) | Fax Number (incl. area code) |          |

**SECTION 3: Project or Site Location**

|                                                                        |                                     |
|------------------------------------------------------------------------|-------------------------------------|
| Project Address/Description<br>1216 and 1218 Renkens Court, DePere, WI | Parcel No.<br>WD-D0210 and WD-D0208 |
|------------------------------------------------------------------------|-------------------------------------|

**SECTION 4: Proposed Conditional Use**

|                                     |                                                                              |  |  |
|-------------------------------------|------------------------------------------------------------------------------|--|--|
| Existing Zoning:                    | Highway 41 Business Corridor, District B                                     |  |  |
| Present Use of Parcel:              | Residential                                                                  |  |  |
| Proposed Use of Parcel:             | Convenience Store                                                            |  |  |
| Present Use of Adjacent Properties: | South- Convenience store<br>North- Office<br>West- Highway East- Residential |  |  |

**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)<br>Michael F Dura                                      | Title<br>Owners Agent | Phone Number<br>715-732-9685   |
| Signature of Applicant<br> |                       | Date Signed<br>October 5, 2018 |

A plan consisting of all applicable information listed on the attached shall be submitted with this application.

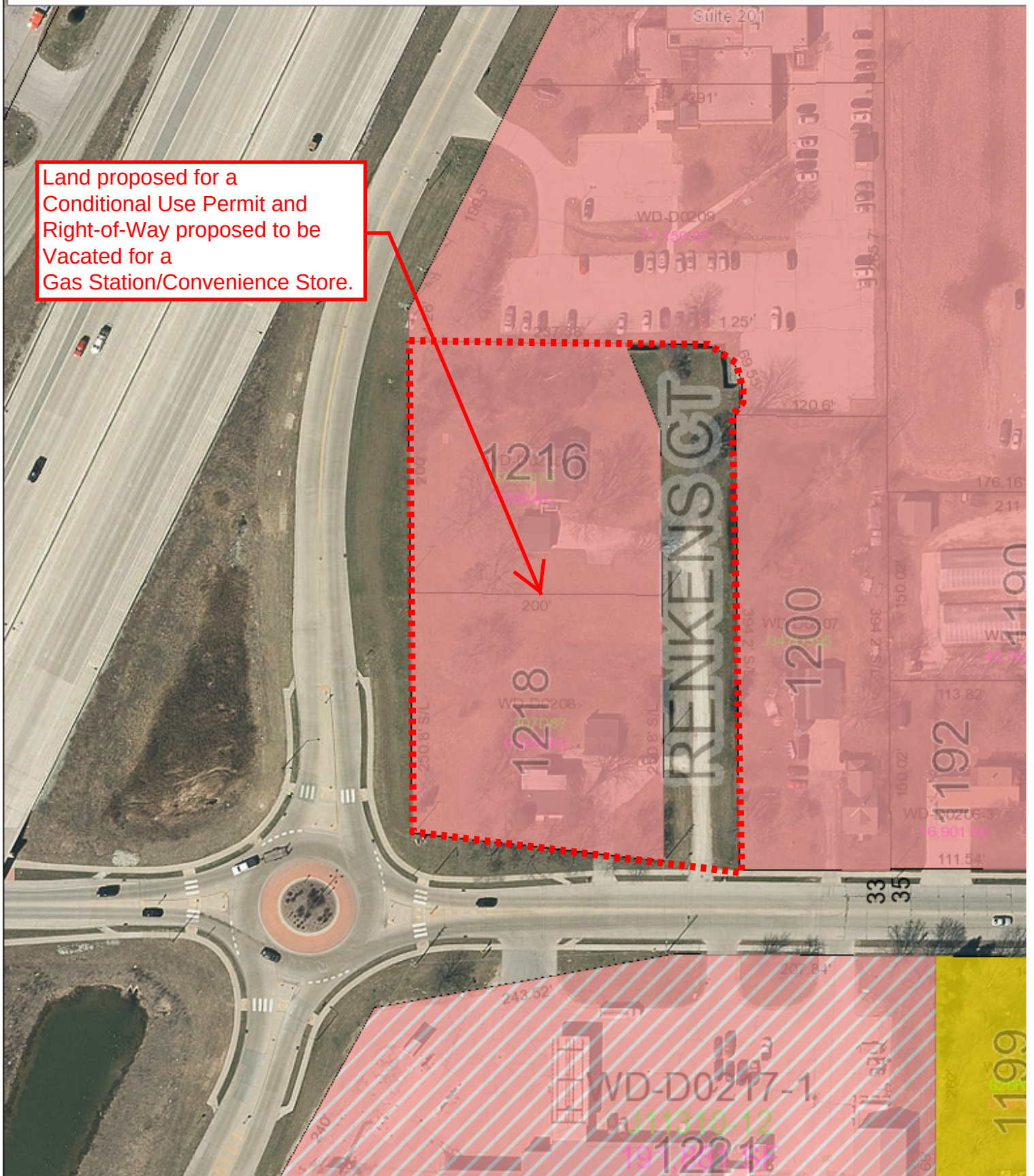
**TO BE COMPLETED BY CITY STAFF**

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



# Proposed Conditional Use Permit and ROW Vacation

Land proposed for a  
Conditional Use Permit and  
Right-of-Way proposed to be  
Vacated for a  
Gas Station/Convenience Store.



This map was produced utilizing a variety of sources the City of De Pere reasonably believes are reliable, including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising this map.

Map of De Pere, WI Provided By The De Pere Planning/GIS Department



11/13/2018

Packet Pg. 54

Attachment: Map of Subject Area (7662 : Review and recommendation for a Conditional Use Permit application for a proposed combination



## Conditional Use Submittal Requirements

1. Project Name: Krist Convenience Store  
DePere, WI
  
2. Summary of Conditional Use: The proposed establishment will be a "neighborhood" convenience store that will provide grocery items as well as fuel for automobiles and small recreation vehicles. The proposed establishment will NOT provide vehicle repair and will NOT serve large semi type trucks.
  
3. Responses to Conditional Use Standards:
  - a. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;  

The construction and operation of this convenience store will not be detrimental or endanger the public as described. In fact, this establishment will be beneficial to the neighborhood by providing affordable fuel and quick access to grocery items to the neighborhood. Every effort will be made to isolate on site vehicle traffic from neighbors with buffering. Noise, light and drainage will also be isolated on the property.
  
  - b. That the conditional use will not be injurious to the use and enjoyment of other property in the orderly development and improvement in the immediate vicinity for the purposes already permitted nor substantially diminish or impair property values within the neighborhood;  

The construction and operation of this convenience store is similar to other adjacent businesses in the area so it should not diminish or impair property values. Buffering will isolate the business from an adjacent residential property.
  
  - c. That adequate facilities, access roads, drainage, and/or necessary facilities have been or are being provided;  

Storm drainage will be contained on site to minimize pollution discharge to public waterways.
  
  - d. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;  

The proposed project includes closing Renkens Court which will reduce the number of driveway/street openings on Grant Street from two to one. The new driveways on Grant Street and Lawrence Drive have been located as far away from the round-a-bout as possible to minimize traffic impact on the streets.

- e. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Council pursuant to the recommendations of the Plan Commission.

The proposed project is similar to some other establishments to the south and east except additional measures have been taken to buffer the proposed property from some adjacent uses.

4. Project timeline: The proposed project construction timeline is spring 2019 to Fall 2019

5. Ownership: Krist Oil Company has an offer to purchase both properties however, the actual purchase will not be complete until zoning approval. The existing property owners are:

Byrne Trust  
1216 Rennkens CT  
DePere, WI 54115-1378

Marie Vieau  
1290 S Pine Tree Road  
DePere, WI 54115

Documentation has already been submitted to the City from both owners indicating they are aware of this application.



**City of De Pere, Wisconsin****Request For Plan Commission Action**

---

**MEETING DATE:** November 26, 2018

**DEPARTMENT:** Planning

**FROM:** Peter Schleinz

**SUBJECT:** Review and recommendation for a Proposed Right-Of-Way Vacation of all of Renkens Court (Adjacent to Parcels WD-D0207, WD-D0208, WD-D0209, WD-D0210). Submitted by Michael F. Dura, RA, Riverview Architecture and Krist Oil CO.\*

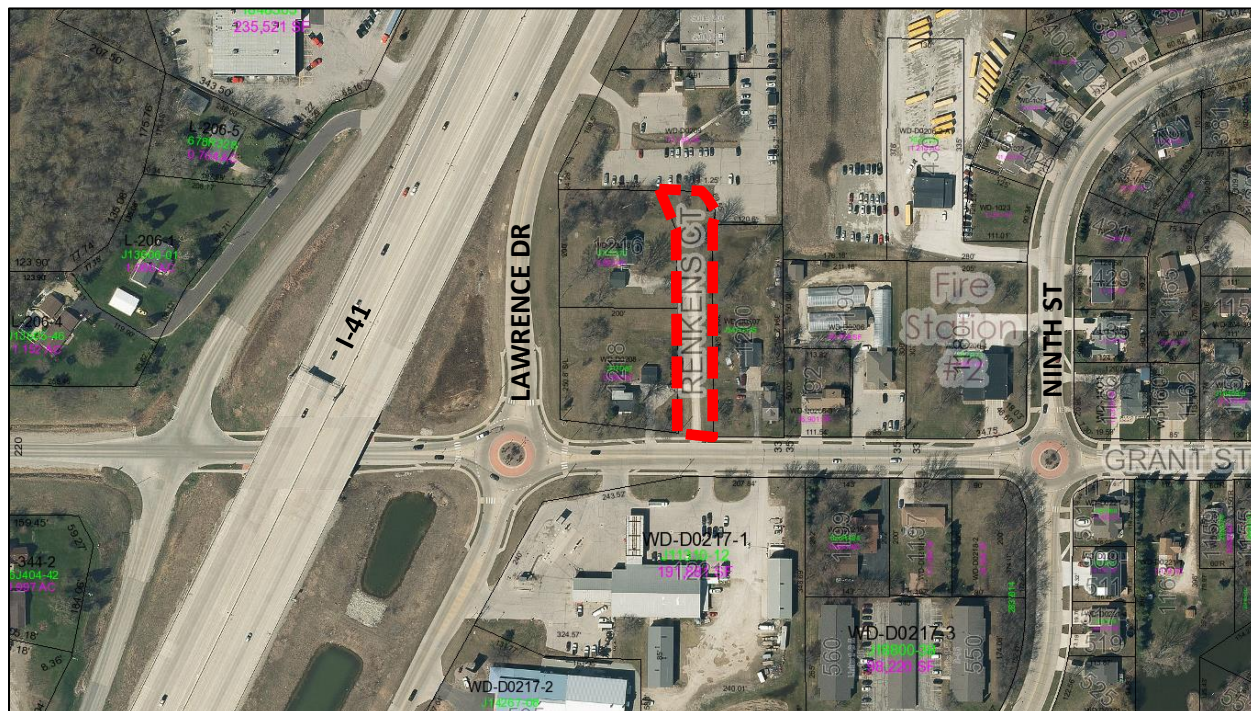
---

**ATTACHMENTS:**

- ROW Vacation - Renkens CT - Plan Commission Report (DOCX)
- Application Form (PDF)
- Map of Subject Area (PDF)

- ITEM 6:** Review and recommendation for a Proposed Right-Of-Way Vacation of all of Renkens Court (Adjacent to Parcels WD-D0207, WD-D0208, WD-D0209, WD-D0210). Submitted by Michael F. Dura, RA, Riverview Architecture and Krist Oil CO.\*

**PROPOSED RIGHT-OF-WAY VACATION**



- REQUESTED ACTION:** Public Right-Of-Way Vacation Approval.  
*Right-Of-Way Vacation for all of Renkens Court.*
- COMMON DESCRIPTION:** Renkens Court, located north from Grant Street and between Lawrence Drive & Ninth Street.
- PARCEL NUMBER(S):** Adjacent to Parcels WD-D0207, WD-D0208, WD-D0209, WD-D0210
- EXISTING ZONING:** None as the area is existing Right-Of-Way.
- PROPOSED ZONING:** If the vacation is approved by Common Council, the vacated right-of-way will take on the Highway 41 Business Corridor: District B of adjacent Parcels WD-D0209 and WD-D0210.
- SURROUNDING LAND USES:** Business to the north and south.  
Residential to the east.  
I-41 corridor to the west.
- COMPREHENSIVE PLAN:** Commercial.

**APPLICANT/OWNER NAME:** Michael F. Dura, RA                      Owner of right-of-way:  
Riverview Architecture  
and Krist Oil Co.                      City of De Pere  
303 Seldon Road  
Iron River, MI 49935

**SITE HISTORY:** After a review of air photographs, the subject area was originally agricultural. The drive lane that is presently within the Renkens Court right-of-way was put in place in the 1940's-50's.

The land that was originally dedicated to make the Renkens Court right-of-way came from current Parcels WD-D0209 and WD-D0210. Because of this, the land will be attached back to the two referenced parcels if a vacation occurs.

On November 26, 2018 the Plan Commission will review a conditional use permit, a right-of-way vacation, and a site plan for the area.

**STAFF REVIEW:** When reviewing a right-of-way vacation/discontinuance, staff utilizes the vacation process identified in Wisconsin State Statutes 66.103 and 66.105. The role of the Plan Commission in the process is determining if such a vacation/discontinuance is necessary, and if so, recommending to the Common Council that the right-of-way be vacated/discontinued. The following are factors for consideration:

- At present, the right-of way is adjacent to 4 parcels of land, of which two parcels to the west, utilize the right-of-way for access via a driveway, not a fully improved public street.
- Both properties to the west are proposed to be purchased for the construction of a gas station and convenience store. The proposed development does not utilize Renkens Court for access.
- The two adjacent parcels are proposed for redevelopment total less than 2 acres. The right of way vacation would increase the redevelopment area to over 2 acres, which meets the minimum lot size for the HWY B Zoning District if the parcels are combined with vacated right-of-way.
- The street vacation has been reviewed by both Development Services and Engineering staff.
- If the right-of-way is vacated, the utility easement must remain due to existing underground utilities. No structures are allowed within the easement.
- The right of way is to be vacated in an 'as is' condition. If the right-of-way is vacated and access to the easement is required, any loss of



pavement or landscaping must be replaced by the developer as general replacement landscaping (grass/gravel) is put back into place.

- If the right-of-way is vacated the land will legally be attached to Parcels WD-D0209 and WD-D0210 to create lots similar to the following:



Typically, when a right-of-way is vacated, the land is divided in half and attached to each adjacent property owner. However; when all of the land was originally dedicated by an owner on one side of the right-of-way to create the street, all of the right-of-way then is attached back to the original land that dedicated the right-of-way. That is what happens with Renkens Court – the right-of-way is attached only to the two properties that dedicated the land, rather than to four adjacent properties.

All property owners within 300 feet of the subject area have been notified of the right-of-way vacation petition. As of November 20, 2018 staff only heard from Stuart Frankenthal of Jass Realty Company LLC, owner of adjacent Parcel WD-D0209, who does not support the proposed vacation, for the following reasons:

1. Economic impact to property (additional land attachment)
2. Loss of future access to property from Renkens Court

If an adjacent property owner objects to a proposed vacation, then the need for a simple majority vote of approval from the Common Council

changes to the need for a 2/3 vote (6 out of 8 Council members must vote in favor, not just 2/3 of Council members in attendance when voting).

Any property owner comments received after November 20, 2018 will be provided to the Plan Commission at the meeting on November 26, 2018.

**REVIEW PROCESS:**

The Common Council will review the Plan Commission recommendation twice, first as a resolution on December 18, 2018 and then with a public hearing and resolution potentially on February 5, 2019.

Although not required by State Statutes, property owners within 300 feet were notified of all proposed meetings, and will again be notified of the February 5, 2019 public hearing.

This right of way review is linked to a number of other reviews necessary for the request to develop a Krist Oil Gas Station and Convenience Store at the northeast corner of Grant and Lawrence. Other concurrent reviews include:

- 1) Site Plan – Plan Commission review November 2018.
- 2) Conditional Use Permit – Plan Commission review November 2018. Council Review anticipated December 2018.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL and forwarding the right-of-way vacation to the Common Council for final approval with the following conditions:

1. All existing easements remain in place.
2. Subject to Common Council approval of a related conditional use permit and site plan for lands located west from the right-of-way.

**LEGAL DESCRIPTION**

All of Renkens Court: A complete formal legal description will be completed if Plan Commission recommends approval of right-of-way vacation to Common Council.

CITY OF DE PERE  
RECEIVED  
OCT 18 2018  
PLANNING DEPT.

|                                                                                   |                                                                                                                                     |                   |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------|
|  | <p align="center"><b>CITY OF DE PERE</b></p> <p align="center"><b>APPLICATION FOR</b></p> <p align="center"><b>ROW VACATION</b></p> | Fee: \$ 305.00    |
|                                                                                   |                                                                                                                                     | Receipt #: 137225 |
|                                                                                   |                                                                                                                                     | Date: 10-18-18    |

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)<br>Krist Oil Company | Authorized Representative<br>Michael F Dura, RA | Title<br>Owners Agent        |                   |
| Mailing Address<br>303 Seldon Road                         | City<br>Iron River                              | State<br>MI                  | ZIP Code<br>49935 |
| Email Address<br>mfdarch@centurytel.net                    | Phone Number (incl. area code)<br>715-732-9685  | Fax Number (incl. area code) |                   |

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

|                                                               |                                |                              |          |
|---------------------------------------------------------------|--------------------------------|------------------------------|----------|
| Name (Ind. Org. or Entity)<br>See conditional use application | Contact Person                 | Title                        |          |
| Mailing Address                                               | City                           | State                        | ZIP Code |
| Email Address                                                 | Phone Number (incl. area code) | Fax Number (incl. area code) |          |

#### SECTION 3: Right of Way Requested to be Vacated

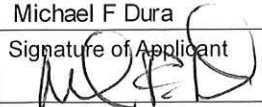
|                                                      |               |
|------------------------------------------------------|---------------|
| Name of ROW:                                         | Renkens Court |
| Legal Description to be Vacated: (Please attach map) | See site plan |

#### SECTION 4: Reason of Vacation

|                                        |                                                                                                                                           |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Reason for Requesting Vacation of ROW: | Renkens Court is only used to access the residence at 1216 Renkens Court. That residence will be removed as part of the proposed project. |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|

#### 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.

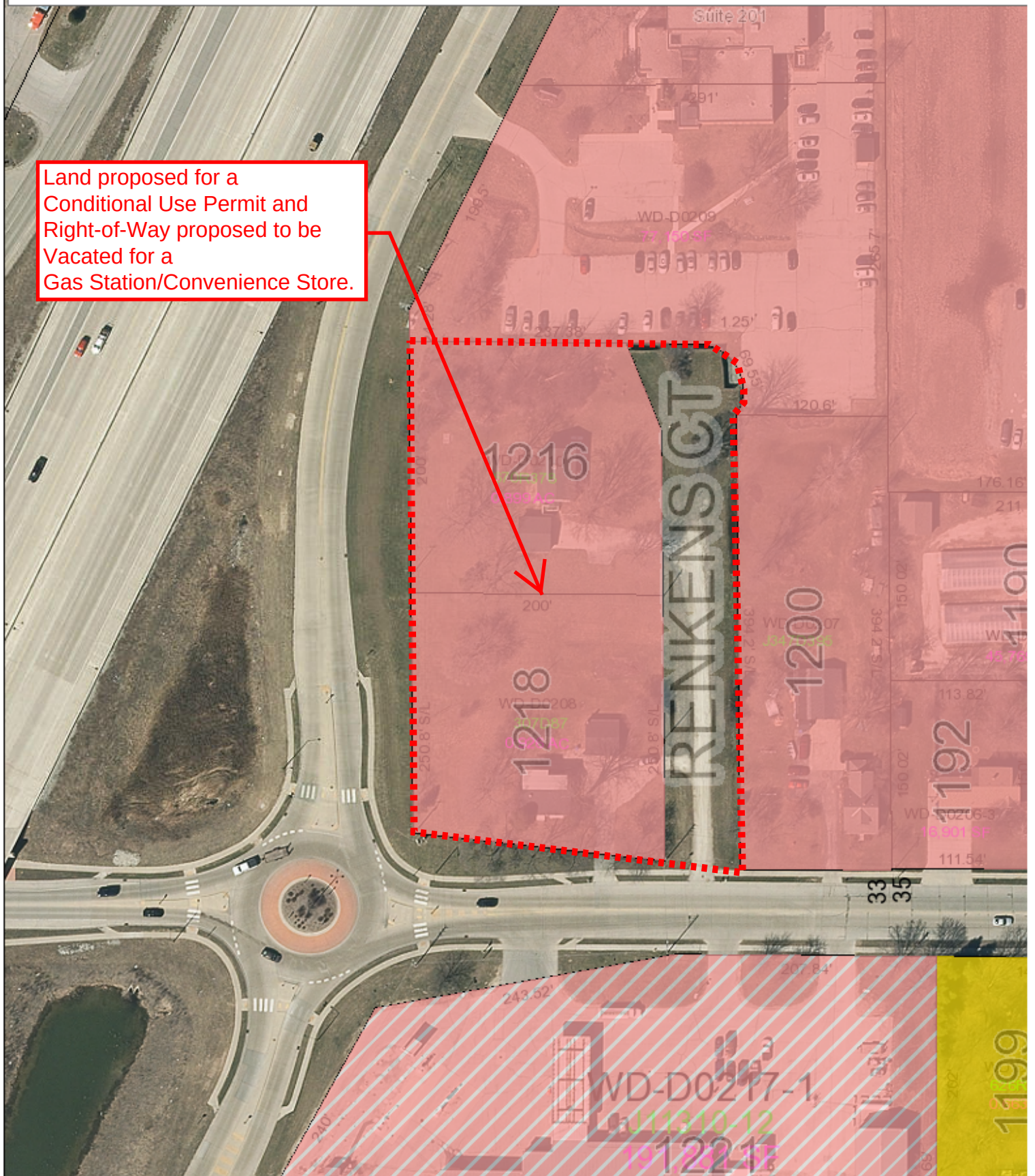
|                                                                                                               |                       |                                |
|---------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------|
| Name of Owner/Authorized Representative (please print)<br>Michael F Dura                                      | Title<br>Owners agent | Phone Number<br>715-732-9685   |
| Signature of Applicant<br> |                       | Date Signed<br>October 5, 2018 |

Attachment: Application Form (7661 : Review and recommendation for a Proposed Right-Of-Way Vacation of all of Renkens Court (Adjacent to)



# Proposed Conditional Use Permit and ROW Vacation

Land proposed for a  
Conditional Use Permit and  
Right-of-Way proposed to be  
Vacated for a  
Gas Station/Convenience Store.



This map was produced utilizing a variety of sources the City of De Pere reasonably believes are reliable, including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising this map.

Map of De Pere, WI Provided By The De Pere Planning/GIS Department



11/13/2018

Packet Pg. 63

Attachment: Map of Subject Area (7661 : Review and recommendation for a Proposed Right-Of-Way Vacation of all of Renkens Court (Adjacent

**City of De Pere, Wisconsin****Request For Plan Commission Action**

---

**MEETING DATE:** November 26, 2018

**DEPARTMENT:** Planning

**FROM:** Peter Schleinz

**SUBJECT:** Recommendation regarding a Site Plan for proposed new gas station and convenience store at 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right-of-way (Parcels WD-D0208, WD-D0209 and part of Renkens Court righty-of-way). Submitted by Michael F. Dura, RA, Riverview Architecture and Krist Oil CO, authorized representative for Michael & Ronald Vieau ETAL, Byrne Trust, and City of De Pere, property owners.

---

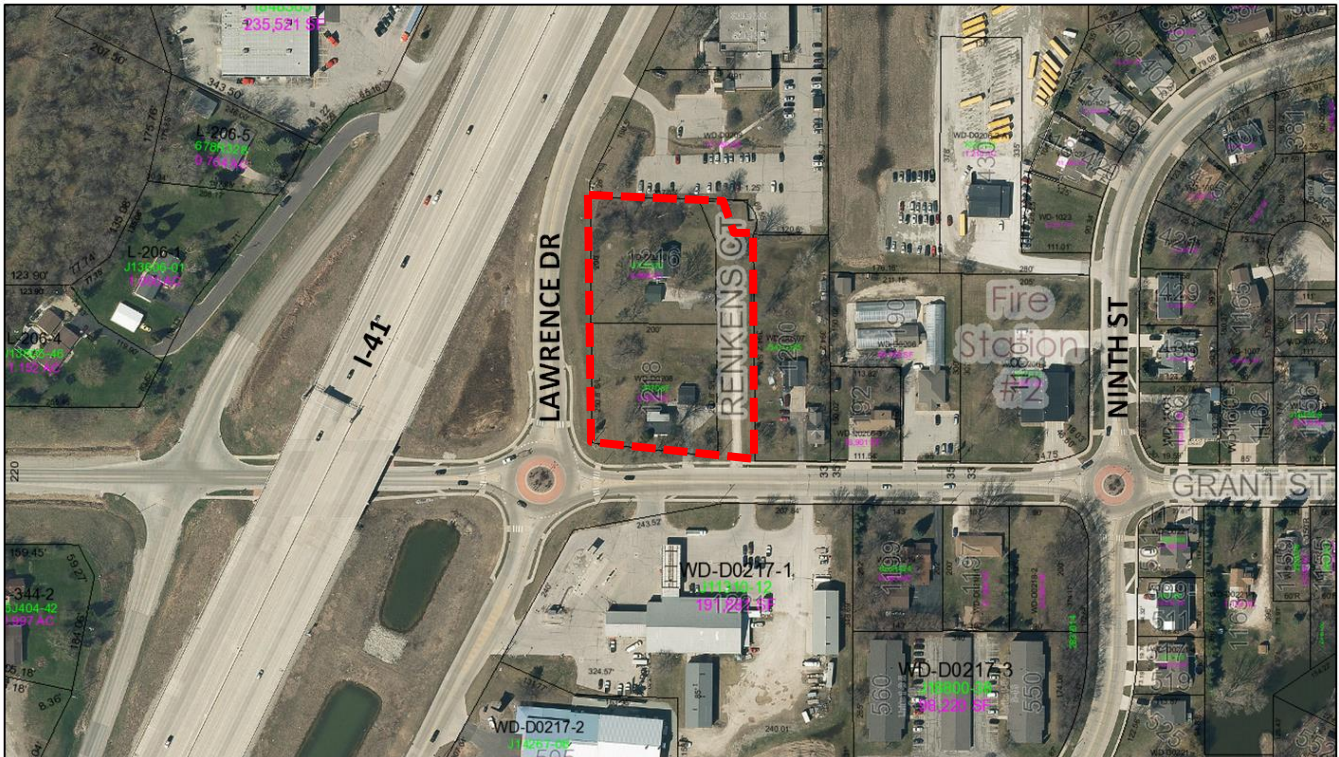
**ATTACHMENTS:**

- Report to Plan Commission - Site Plan at 1218 Grant ST - Krist Oil (DOCX)
- Application Form (PDF)
- Krist Site Plan 11-14-18 (PDF)



- ITEM 7:** Recommendation regarding a Site Plan for proposed new gas station and convenience store at 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right-of-way (Parcels WD-D0208, WD-D0209 and part of Renkens Court right-of-way). Submitted by Michael F. Dura, RA, Riverview Architecture and Krist Oil CO, authorized representative for Michael & Ronald Vieau ETAL, Byrne Trust, and City of De Pere, property owners.

### SITE MAP



|                               |                                                                                                                                                          |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>REQUESTED ACTION:</b>      | Site Plan approval<br><br><i>A new gas station and convenience store.</i>                                                                                |
| <b>COMMON DESCRIPTION:</b>    | 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right of way located northeast from the Grant Street and Renkens Court intersection. |
| <b>PARCEL NUMBERS:</b>        | WD-D0208, WD-D0209 and part of Renkens Court right-of-way                                                                                                |
| <b>EXISTING ZONING:</b>       | Highway 41 Business Corridor: District B.                                                                                                                |
| <b>PROPOSED ZONING:</b>       | No proposed rezoning                                                                                                                                     |
| <b>SURROUNDING LAND USES:</b> | Business to the north and south.<br>Residential to the east.<br>I-41 corridor to the west.                                                               |
| <b>COMPREHENSIVE PLAN:</b>    | Commercial                                                                                                                                               |



**APPLICANT / OWNER:** Michael F. Dura, RA  
Riverview Architecture  
and Krist Oil Co  
303 Seldon Road  
Iron River, MI 49935

Property Owners of Parcel WD-D0208:  
Michael H & Ronald P Vieau ETAL  
1290 S. Pine Tree Road  
De Pere, WI 54115

Property Owners of Parcel WD-209:  
Byrne Trust  
1216 Renkens Court  
De Pere, WI 54115-1378

Property Owners of Renkens Court:  
City of De Pere

**SITE HISTORY:** After a review of air photographs, the subject area was originally agricultural. The drive lane that is presently within the Renkens Court right-of-way was put in place in the 1940's-50's. and agricultural/residential lots were developed on the parcels.

Despite being originally built with single family homes, the properties are zoned HWY B and this indicates support of redeveloping the properties into land uses compatible with the HWY B Zoning District. However, without lot combination and right of way vacation, the property area does not meet the minimum lot size for the HWY B District.

On November 26, 2018 the Plan Commission will review a conditional use permit, a right-of-way vacation, and a site plan for the area.

**STAFF REVIEW:** The applicant proposes to construct a Krist Oil gas station and convenience store at the northeast corner of Lawrence Drive and Grant Street. While this report is specifically related to the site plan review, other requests are part of the overall project including,

1. Request that the City of De Pere vacate the Renkens Court right of way, which results in approximately 0.3 acres of land that will become part of the development parcel.
2. Approval of a Conditional Use Permit that would allow a gas station and convenience store in the HWY B District.
3. Site plan approval for the proposed gas station and convenience store.
4. A combination CSM to consolidate all parcels that will be reviewed by the Brown County Plan Commission.

As submitted, the site plan and elevations for the proposed gas station and convenience store meet minimum Zoning Code requirements for setbacks, materials and landscaping. However, there are a number of reasons why a project that exceeds the minimum should be pursued in this location. Including:

- 1) The project requires land provided by the City of De Pere, at no cost, via the right of way vacation of Renkens Court. In this sense, the City is providing a direct incentive to the

project in order to spur the redevelopment. Because of this, the project should be a shining example of the type of redevelopment that is desired in the De Pere commercial corridors.

- 2) Gas station and convenience stores are not permitted 'as of right' in this zoning district. The Conditional Use Permit review is designed in order to incorporate project conditions that will help mitigate any possible negative impacts of the proposed use.
- 3) The project site is visible from Highway 41 and is also a gateway into the City of De Pere. Previous site plan approvals have included landscaping and building design that have exceeded Code requirements. These enhanced standards are likely to be codified via the Zoning Code rewrite project.

The 5,520 square foot building is approximately 92 feet wide along Grant Street and 60 feet deep along Lawrence Drive. The site has an unattached 24 foot by 95 foot gas canopy on the south side of the building and an unattached 24 foot by 46 foot diesel canopy on the east side of the building. There is a 55 foot long berthing (loading) zone on the west side of the building, but it does not include a separate structure. The site plan was drawn assuming that only half of the Renkens Court property would be deeded to the development parcel upon vacation. Due to property history, the full right of way would actually become part of the development parcel. Therefore, the project site will include 30 additional feet on the east edge that is currently not shown on the site plan.

The façade materials are red split faced block on the lower walls and corners of the building with beige brick on the walls of the building. The front building corner, near the public access door, also has glass. The support columns for the sign and canopy have 3 feet of red concrete masonry unit to match the building; however, the developer indicated that the support column masonry height would be increased to at least 5-6 feet high on final site plans. The canopy on the front and east side of the building is red architectural steel.

There is a pole sign in the southwest corner of the site. There are also two wall signs on the south and west sides of the building, as well as on the end of the fuel canopy. Location of the signs appear to be acceptable, however the location and size of signs on the fuel canopy requires additional information, which will be obtained as part of the sign permitting process with the City Inspection staff. The pole sign will also require additional features in order to comply with the Code requirement that the sign base match the architecture of the building.

When reviewing a Site Plan request, staff considers the Zoning Code, future land use recommendation of the Comprehensive Plan and the surrounding land uses and desired development patterns.

The site plan requires the successful approval of a right-of-way vacation and a conditional use permit, and following requirements set by the 'Highway 41 Business Corridor: District B' zoning code (Section 14-45.3):

- Combination motor vehicle service station and grocery store [gas station and convenience store] – only allowed if approved with a conditional use permit
- Lot Size: Before lots and street are combined —(meets minimum 2 acre requirement if all lots and proposed vacated right-of-way are combined)
  - 1218 Grant Street Lot: ~0.88 acres
  - 1216 Renkens Court Lot: ~0.89 acres
  - Renkens Court right-of-way: ~exact acreage unknown until right-of-way vacation occurs (Approximately 0.3 acres)
- Front Yard Setback: ~33 feet (meets 40 foot minimum requirement)
- Corner side Yard Setback: ~40 feet (meets 40 foot minimum requirement)
- Interior Side Yard Setback: ~25 feet (meets 25 foot minimum requirement)
- Rear Yard Setback: ~195 feet (meets 25 foot minimum requirement)
- Building Height: 1 story at ~16 feet (allowed height N/A)
- Floor Area Ratio: 0.059 (meets range of 0.05 to 0.8)
- Landscaping: 22 trees with building and street front vegetation (Minimum requires approximately 12 trees and 20% greenspace)
  - Note that 7 of the 22 trees are part of a required “landscaping screening” that is adjacent to a residential use property, which should not be counted in the landscaping requirement total.

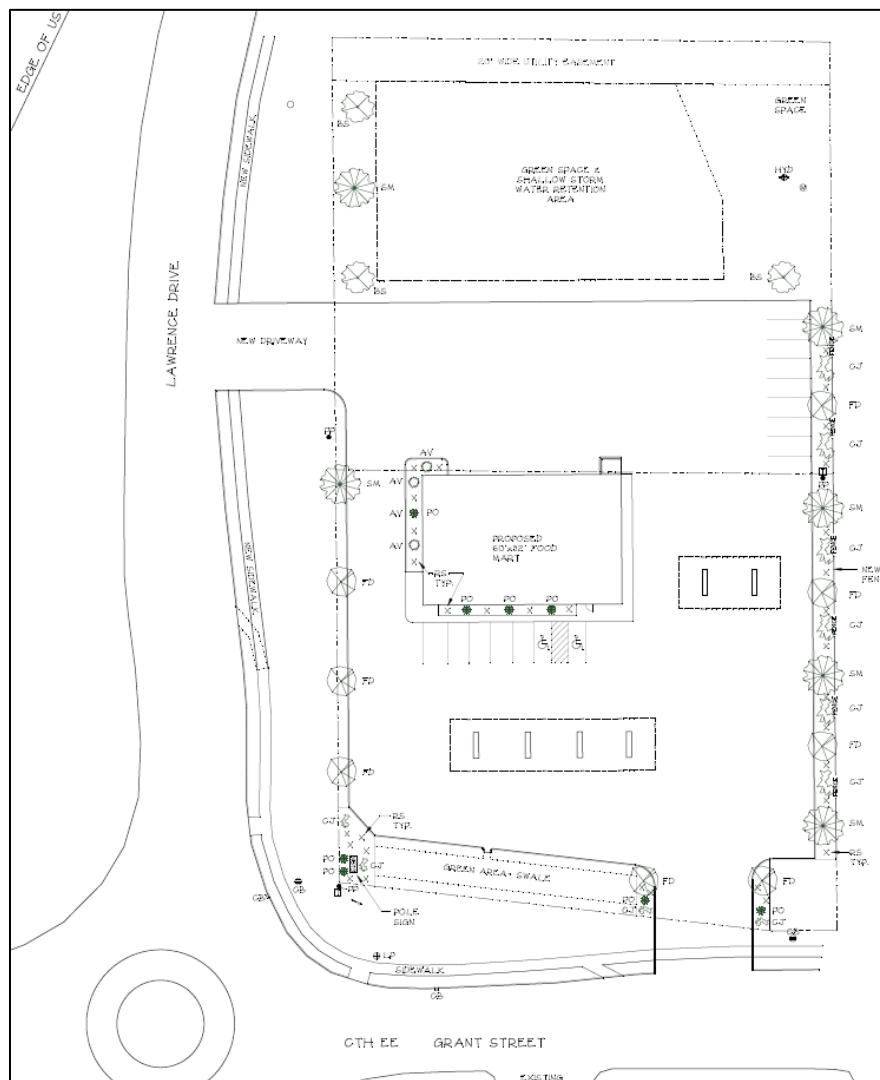
Although the minimum landscaping requirement has been met, it is strongly recommended that the Plan Commission request a significant increase in landscaping (trees and ground cover) along the street frontages and along the west and south sides of the building to soften and screen the view of the massive paving area of the site, as has been required for many recent site plans along city gateway streets. Specific areas of focus include the following:

- Increased and varied density and height of foliage along the building facades, facing the two streets, to break up the mass of the CMU and brick areas that has no windows.
- Increased planting beds along Lawrence Drive, between the trees, and plantings along Grant Street between the paved area and the swale.

The business owner is aware of the landscaping desire and expressed a willingness to increase landscaping and other features. An updated landscaping plan has not yet been submitted for staff review.



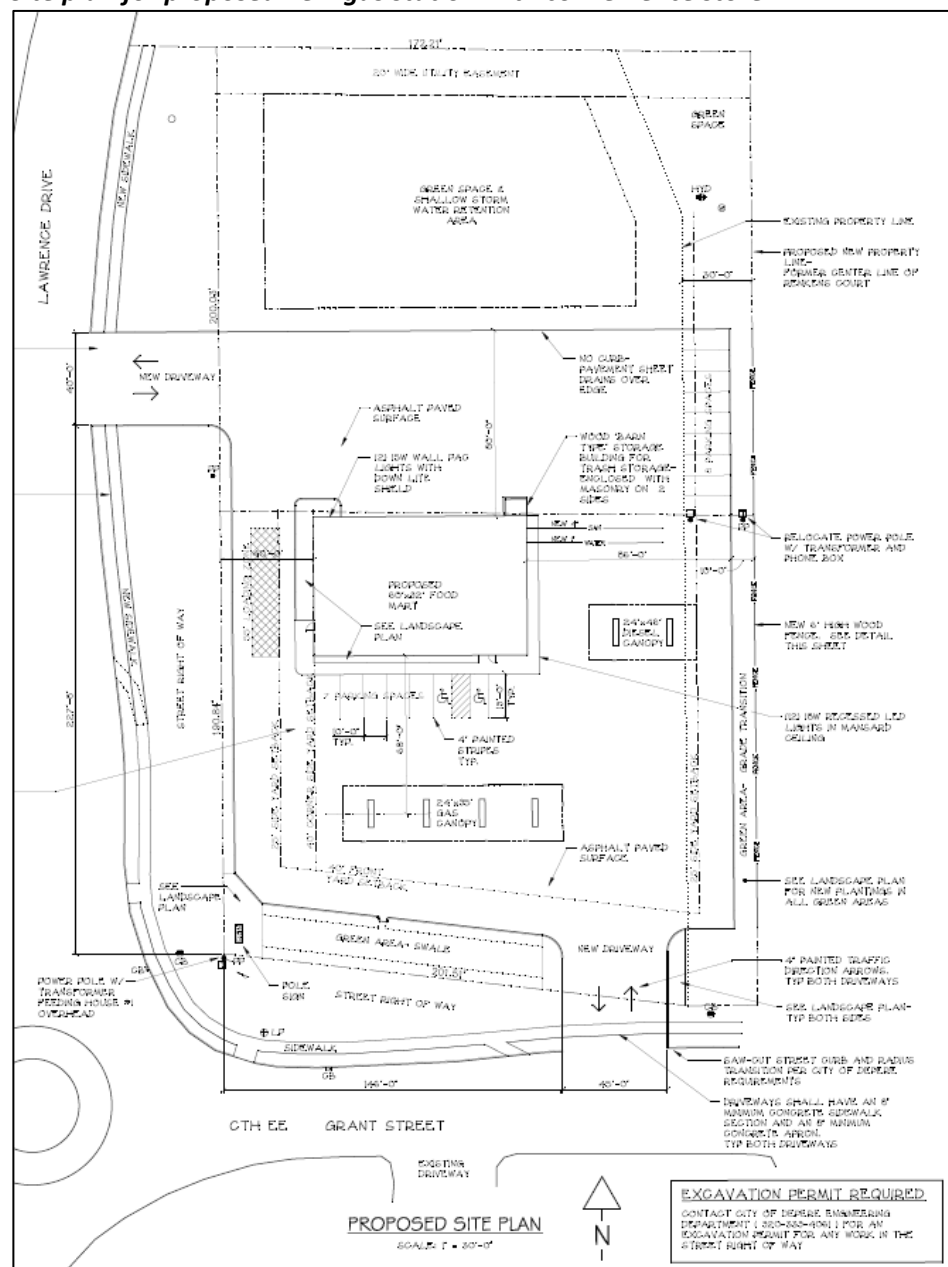
***Landscape Plan (present)***



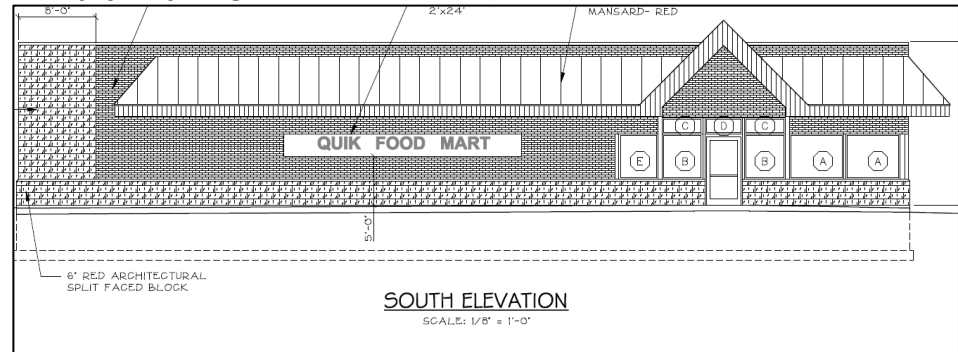
Per current Zoning Code 14-56(2)(o) & 14-56(2)(r), parking lot requirements are 1 space per employee, space for patrons (not specific), and 3 reservoir waiting spaces per service window/station at the drive-in:

| Area             | Required Stalls                                                        | Provided Stalls       |
|------------------|------------------------------------------------------------------------|-----------------------|
| C-Store Parking  | 1 for each 250 sq. ft. gross floor area of 3,108 sq. ft. (13 required) | 13                    |
| Employee Parking | 1 for each employee on maximum shift (4 minimum)                       | 2                     |
| <b>TOTAL</b>     | <b>17 Auto Stalls</b>                                                  | <b>15 Auto Stalls</b> |

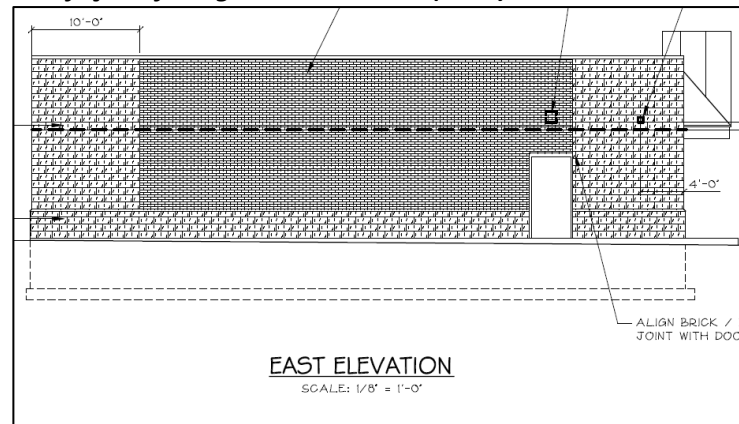
***Site plan for proposed new gas station with convenience store.***



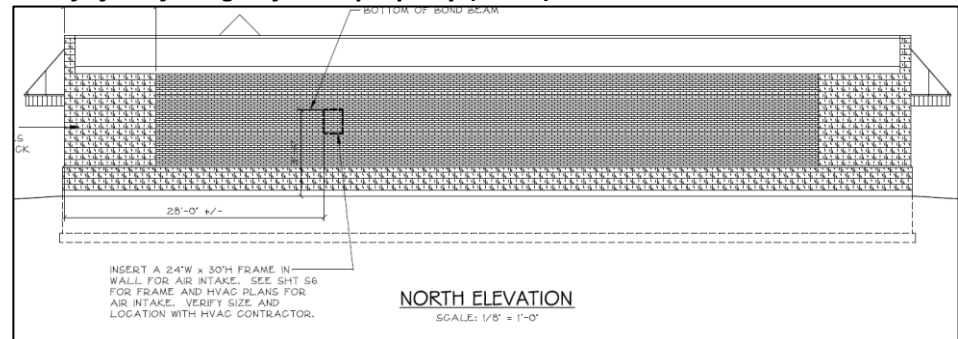
**Front façade facing Grant Street (South).**



**Side façade facing Lawrence Drive (west).**

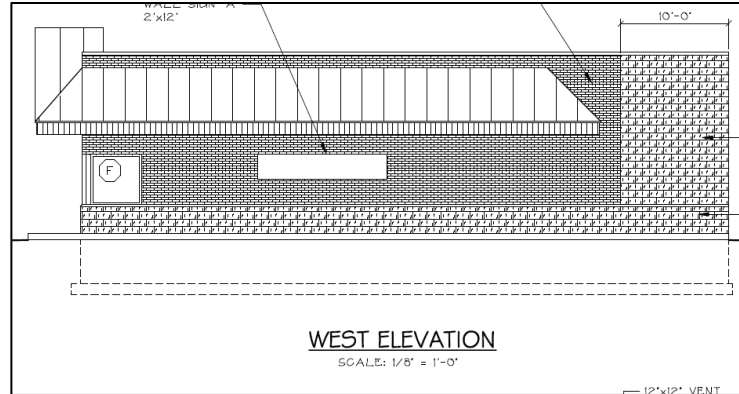


**Rear façade facing adjacent property (north).**





**Interior side façade facing Renkens Court and adjacent property (east).**



As designed, the project will meet Zoning Code minimum standards for the use of masonry and glass. The building looks very similar to existing Krist Oil gas station developments. However, as mentioned before, there is precedent for consideration of design elements that are above and beyond code standards. Some areas to consider for this, or future projects are listed below. Because these are not code requirements, many of them are not listed in the staff comments.

- 1) Building architecture: The building, as designed, fits the typical Krist Oil prototype. In comparison to other recently constructed commercial projects, the design of the building appears somewhat boxy. Staff has suggested that the designers break up massing and use combinations of approvable materials to give the building a more interesting look. The Krist Oil team is committed to the design as submitted, which is influenced by the Krist Brand and operations. They are not willing to consider any architectural changes at this time. Because the design does meet current code minimum, there is no request to alter the building architecture in the staff comments below.
- 2) Site Plan: Current zoning code does not require buildings to be located 'near the street' in order to minimize the appearance of parking and drive aisles but this is encouraged for all new design projects. Because Grant Street leads directly into residential area, and Lawrence Drive is a busier commercial route, it might make more sense to rotate the buildings and/or reorient the site in order to shift the center of activity towards Lawrence Drive. This is not required by Code and there is no request to alter the site plan in this manner in the staff comments below.
- 3) Gas Canopies: The gas canopies as submitted include a 3 foot masonry base. Increasing the height of this feature may help enhance the appearance of the canopies. The project team has indicated this is an acceptable request and the owner is willing to increase the masonry height to at least 5-6 feet at the base of the support columns.
- 4) At 2 acres, the site is quite spacious for the use being proposed, which results in ample green area. However, the landscape plan shows a minimal amount of landscape material. Additional trees, shrubs and perennials should be added to the site in order to screen pavement expanses, soften blank building walls and frame the entrances into the

site. The project team has indicated that this is an acceptable request.

**STAFF COMMENTS:**

The following staff comments are conditions that need to be met, per City staff review.

**Engineering:**

1. Utilities are not shown with the underground gas tanks on one site plan page. Per NR 811.75(1)(b): Proposed water mains shall be adequately separated from any potential source of contamination. Twenty-five feet between a water main and a buried main or tank containing gasoline, diesel, bio-diesel, ethanol, other alternative fuel, fuel oil, petroleum product, motor fuel, burner fuel, lubricant, waste oil, or hazardous substance.
2. A Storm Water Management Plan (SWMP) is needed. Per Sec 28-7(1): BMPs shall be designed installed and maintained to control total suspended solids carried in runoff from the post-construction site as follows. The total suspended solids reduction shall be based on the average annual rainfall, as compared to no runoff management controls.
3. Post-construction sites with one acre or more of land disturbance or 20,000 square feet of impervious surface disturbance/creation require the following:
  - a. Reduce the total suspended solids load by 80 percent for infill and new development.
  - b. Reduce the total suspended solids load by 40 percent for redevelopment.
4. Provide peak discharge data in Storm Water Management Plan. Per Sec 28-7(2): BMPs shall be designed, installed and maintained to control peak discharges from the post-construction site as follows:
  - a. The peak post-development discharge rate shall not exceed the peak pre-development discharge rate for the one year, two-year, ten-year, and 100-year, 24-hour design storms. These peak discharge requirements apply to new development and redevelopment areas.
5. Storm water management BMPS's shall be surveyed after construction with a record drawing submitted to the City. The plan shall be stamped by an engineer that the facilities conform to the design. A field review of the facility shall be completed with City staff.
6. Will need a 20 foot easement starting at the northern property line to cover the City's water main (in the green space & shallow storm water retention area). Recorded easement is required before occupancy.
7. Erosion Control and construction staging plans are required. Included the WISDNR soil loss and discharge calculator.
8. A storm water management plan and maintenance agreement are required.
9. Driveway opening on Lawrence Drive will need to go to the BOPW for approval due to the high ADT.
10. Erosion Control Plans are needed.
11. Construction Staging Plans are needed.
12. Lighting Plan is needed.
13. Sheet A1 - List site plan addresses and parcel number(s).
14. Sheet A1 - City will require an easement for the entirety of Renkens Court at a minimum. Easement shall extend 10 feet off the centerline of our existing utilities to provide access in the future. Needs to be shown on the site plan as well.
15. Sheet C1 - Show existing fence at Parcel WD-D0209. It goes into the ROW on Renkens Court.
16. Sheet C1 - Need northing and eastings on all property boundary measurements.
17. Sheet C2 - Label all ROW lines (same as property line to denote our street ROW).
18. Sheet C2 - No Utility locates (gas, electric, fiber, etc. were provided).
19. Sheet C2 - Existing sanitary services need to be abandoned and capped at the

main.

20. Plan wide - Survey elevations should be using City Datum, not set to 100 +/-.
21. Sheet C3 - Identify the Underground Gas tank locations on site plan.
22. Sheet C3 - Make note on plans that excavation permit is needed for any work in City Right of Way. Call 920-339-4061 to speak to City of De Pere Engineering Staff to obtain excavation permits.
23. Sheet C3 - Note that a minimum of 4" pavement marking is needed.
24. Sheet C3 - Locate the new water and sewer services on the site plan.
25. Sheet C3 - Sidewalk installation will be required along frontage on Lawrence Drive. City will provide grades.
26. Sheet C3 - Make note that Street closure permits will need to be pulled for any construction staging on Grant Street or Lawrence Drive. Call 920-339-4061 to speak to City of De Pere Public Works to obtain Street Closure Permits.
27. Sheet C3 - Show concrete apron and sidewalk section for Lawrence Drive entrance.
28. Sheet C4 - Need proposed contours for new drainage plan.
29. Sheet C4 - Haven't reviewed new drainage plan. Will review once the remainder of the utilities is shown.
30. Additional comments may be provided based newly provided information or responses to comments listed above.

**Fire:**

1. None.

**Forestry:**

1. Recommend more plantings and planting beds.

**Health:**

1. None.

**Planning:**

1. Requires a successfully approved conditional use permit for a gas station convenience store (combination motor vehicle service station and grocery store).
2. The parking requirements for the site require at least 17 stalls and there are only 15 stalls shown on the site plan; however, there is ample space to add several more parking stalls if needed. Plan Commission and/or staff reserves the right to order additional parking stalls to be added to the site, with painted parking lot stall stripes, should it appear that additional stalls are needed in the future.
3. Requires a successfully approved public right-of-way vacation of Renkens Court.
4. Requires the successful combination of Parcels WD-D0208 and WD-D0210 into one lot. A "Combination CSM can be petitioned through the Brown County Planning Commission.
5. Update all plans to show the accurate property dimension that includes the full Renkens Court right of way.
6. There is an existing water main on Renkens Court. The project, as proposed (plans appear to be similar to previous submittal), cannot happen unless the existing utilities are relocated by the developer. If the utilities cannot be relocated, then the site plan must be revised. \*Site plan should be redrawn to show the separation between the water mains and the area that the canopy covers (particularly near Renkens Court), as well as the minimum 25 foot separation from fuel tanks (show outline of underground tanks in the approximate location in the southwest corner of the properties).
7. Provide scaled elevations that define the look, materials, and colors of the refuse/recycling storage area that meet code requirements. Include identification



- for the enclosure gate/door.
8. Provide updated canopy elevations that show masonry column details for review.
  9. Identify the location of the HVAC system. Identify that proper screening of the HVAC system has been incorporated into the building design.
  10. Provide a scaled elevation of the pole sign and identify the materials/colors that the sign is made of as it needs to match the architectural features of the building (e.g. – demonstrate the use of masonry at the base that is at least 5-6 feet high, as suggested by the developer. Also, provide measurements for the distance that the pole sign is from the property lines. NOTE: Plan Commission does not approve sign permits; however, the Commission will provide advice as to whether the signage is located properly.
  11. Provide clearly marked curbing around the entire paved area, less areas where the storm water management plan specifically requires watershed from the pavement (part of north end?).
  12. Provide a much more robust landscape plan that reflects the heavy vegetation of discussed recent new & redevelopment sites. Landscaping plan should identify vegetation location, names, and sizes. The landscape plan should include a specific timeframe for installation, as well as a procedure/timeline for replacement of vegetation that does not survive. 20% of site must remain greenspace (open space) Add taller vegetation along the west façade of the new building to break up the mass of the building and add interest. The east edge should also be redesigned given the additional property that will be gained by the Renkens Court right of way vacation.
  13. To ensure that the south side building landscaping is not blocked by items placed in front of the store (as seen in photos of other stores) identify the proposed location for items such as public LP tanks, ice machines, etc.
  14. Label the parking lot striping as being 4-inches wide.  
The labelling of the East and West building elevations is backwards in the site plan and should be corrected. Likewise, the location of the wall sign on the incorrectly labeled “west elevation” should be on the other elevation in order to be visible from the street.

**Inspection:**

1. Provide all signage renderings and details for review.
2. Raze permits and proper sanitary & water abandonment shall be provided prior to permitting. Note: There is a ten day hold for the HSPC to document the existing dwellings.

The above conditions must be addressed via revised submittals and staff review and approval prior to issuance of a site plan approval memo.

**REVIEW PROCESS:**

For Site Plan Requests, the Plan Commission either approves or denies the project. Conditions of approval must be resolved between the petitioner and staff before a final approval memo is issued and building permits are released. This site plan is not reviewed by Common Council.

This right of way review is linked to a number of other reviews necessary for the request to develop a Krist Oil Gas Station and Convenience Store at the northeast corner of Grant and Lawrence. Other concurrent reviews include:

- 1) Conditional Use Permit – Plan Commission review November 2018. Council Review December 2018.
- 2) Right of Way Vacation for Renkens Ct – Plan Commission Review November 2018. Council Review December 2018 and February 2019.

STAFF RECOMMENDATION: Staff recommends APPROVAL of the Site Plan request for a new gas station and convenience store at 1218 Grant Street, 1216 Renkens Court and part of the Renkens Court right-of-way, subject to compliance with the staff comments noted in this report and the following:

- 1) That the planning comments be addressed via a revised plan set to be submitted to the City no later than December 10 in order to be reviewed prior to the Council Conditional Use Permit meeting.

|                                                                                   |                                                                           |                   |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------|-------------------|
|  | <b>CITY OF DE PERE</b><br><br><b>APPLICATION FOR<br/>SITE PLAN REVIEW</b> | Fee: \$ 305.00    |
|                                                                                   |                                                                           | Receipt #: 137225 |
|                                                                                   |                                                                           | Date: 10-18-18    |

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)<br>Krist Oil Company | Authorized Representative<br>Michael F Dura, RA | Title<br>Owners agent        |                   |
| Mailing Address<br>303 Seldon Road                         | City<br>Iron River                              | State<br>MI                  | ZIP Code<br>49935 |
| Email Address<br>mfdarch@centurytel.net                    | Phone Number (incl. area code)<br>715-732-9685  | Fax Number (incl. area code) |                   |

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

|                                                               |                                |                              |          |
|---------------------------------------------------------------|--------------------------------|------------------------------|----------|
| Name (Ind. Org. or Entity)<br>See conditional use application | Contact Person                 | Title                        |          |
| Mailing Address                                               | City                           | State                        | ZIP Code |
| Email Address                                                 | Phone Number (incl. area code) | Fax Number (incl. area code) |          |

**SECTION 3: Project or Site Location**

|                                                                        |            |
|------------------------------------------------------------------------|------------|
| Project Address/Description<br>1216 and 1218 Renkens Court, DePere, WI | Parcel No. |
|------------------------------------------------------------------------|------------|

**SECTION 4: Project Information**

|                         |                                          |                            |           |
|-------------------------|------------------------------------------|----------------------------|-----------|
| Existing Zoning:        | Highway 41 Business Corridor, District B |                            |           |
| Present Use of Parcel:  | Residential                              |                            |           |
| Proposed Use of Parcel: | Convenience store                        |                            |           |
| Estimated Start Date:   | Spring 2019                              | Estimated Completion Date: | Fall 2019 |

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

**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)<br>Michael F Dura                                    | Title<br>Owners agent | Phone Number<br>715-732-9685   |
| Signature of Applicant:  |                       | Date Signed<br>October 5, 2018 |

**TO BE COMPLETED BY CITY STAFF**

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





W2832 Ivy Lane  
Porterfield, WI 54159  
Phone: 715-732-9685  
Fax: 866-896-2440  
Email: Mfdarch@centurytel.net

October 10, 2018

City of DePere  
Attn: Kimberly Flom, Director of Planning  
335 South Broadway  
DePere, WI 54115

Re: Proposed Krist Convenience Store  
Renkens Court  
DePere, WI  
Job #2214

Enclosed please find:

1. A completed "Application for Site Plan Review"
2. A completed "Application for Conditional Use"
3. A completed "Application for ROW Vacation"
4. One set of full scale site plans for the proposed project
5. One set of half scale (11"x17") site plans for the proposed project
6. A copy of an email from the WDOT regarding restrictions for the site.
7. A copy of an email from the Brown County Public Works regarding driveway permits.
6. A check for \$915 for permit fees.

I can also provide an electronic copy of the drawings via email. Let me know if these are needed.

I did not submit an erosion control plan for before and during construction but I will when it is needed. Please advise on this.

Let me know if you need anything else for processing the applications. Also, let me know when any necessary meetings are scheduled.

Sincerely,

Michael F Dura, RA

encl.

Attachment: Application Form (7663 : Recommendation regarding a Site Plan for proposed new gas station and convenience store at 1218





AERIL VIEWS OF PROPOSED PROJECT

PLANTINGS SHOWN ARE APPROXIMATE ONLY-  
SEE SHT C5 FOR ACTUAL PROPOSED  
LANDSCAPE PLANTINGS

SHEET INDEX

|    |                                              | REVISION HISTORY |
|----|----------------------------------------------|------------------|
| A1 | AREA PLAN, ZONING INFORMATION, GENERAL NOTES | 11-14-18         |
| A2 | FLOOR PLAN                                   | 11-14-18         |
| A3 | EXTERIOR ELEVATIONS                          | 11-14-18         |
|    |                                              |                  |
| C1 | EXISTING SITE PLAN                           | 11-14-18         |
| C2 | EXISTING DRAINAGE AND UTILITY PLANS          | 10-5-18          |
| C3 | PROPOSED SITE PLAN                           | 11-14-18         |
| C4 | PROPOSED DRAINAGE PLAN                       | 11-14-18         |
| C5 | PROPOSED LANDSCAPE PLAN                      | 11-14-18         |
| C6 | EROSION CONTROL PLAN                         | 11-14-18         |
| C7 | PROPOSED SITE PLAN EASEMENTS                 | 11-14-18         |
|    |                                              |                  |

ZONING INFORMATION

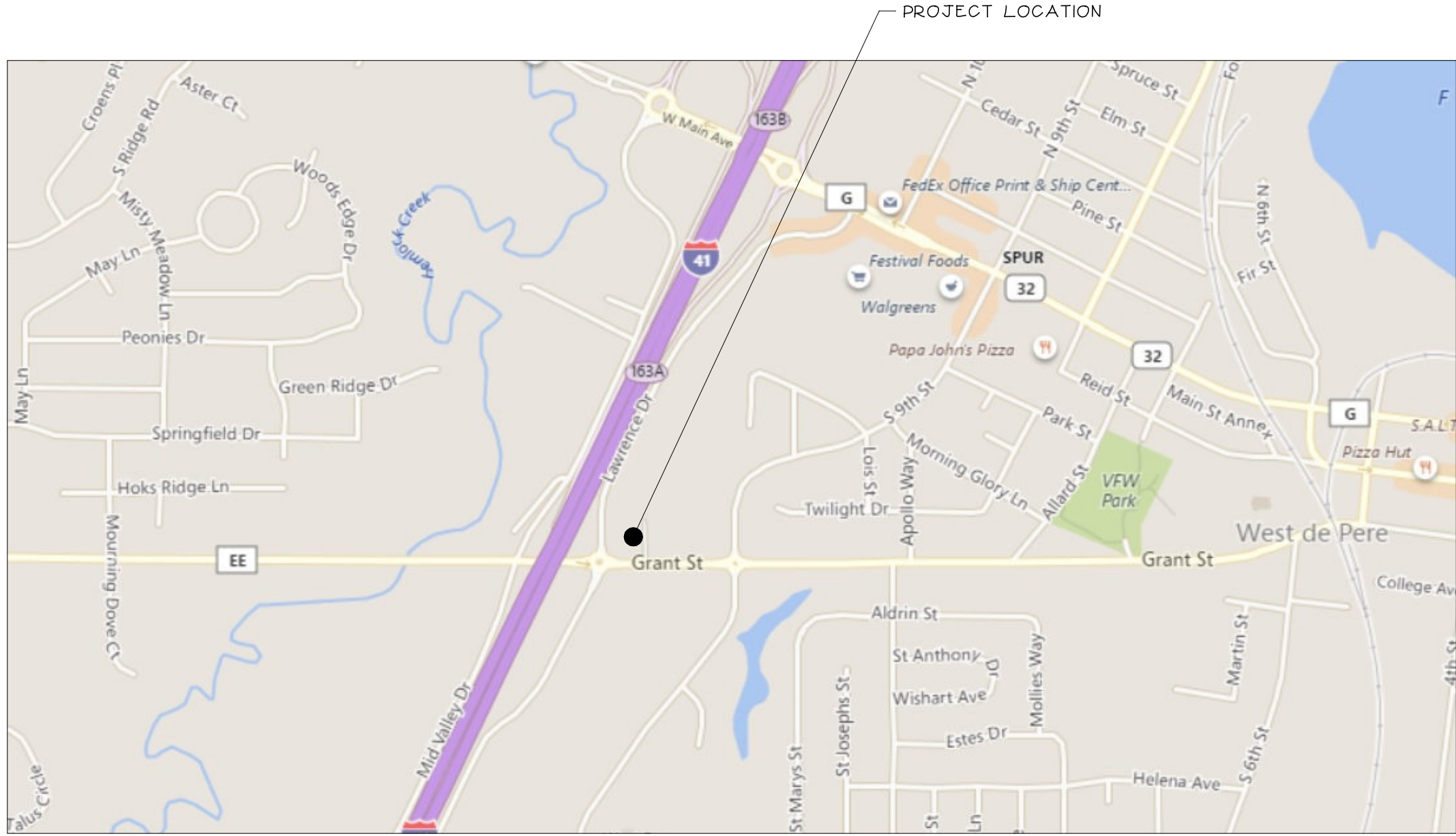
|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PROJECT ADDRESS:            | PROPOSED KRIST CONVENIENCE STORE<br>DEPERE, WI                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| DEVELOPER / OWNER:          | KRIST OIL COMPANY<br>303 SELDON ROAD<br>IRON RIVER, WI 49935                                                                                                                                                                                                                                                                                                                                                                                                                     |
| PROPERTY LEGAL DESCRIPTION: | PARCEL #1 LEGAL DESCRIPTION- ASSESSORS SUB WSFR THAT PRT OF N 200 FT OF S 450.8 FT OF W 200 FT OF LOT 124 DESC IN 670 R 378<br>PARCEL #2 LEGAL DESCRIPTION- THAT PRT OF LOT 124 ASSESSOR'S SUBD. OF LANDS IN CITY OF NICOLET COM. SW COR N 250.8 FT E 200 FT S 250.8 FT W 200 FT TO BEG. EX STS & HWYS                                                                                                                                                                           |
| ZONING USE:                 | HWY 41, DISTRICT B                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| MINIMUM LOT SIZE:           | 2 ACRES                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| ALLOWABLE LOT COVERAGE:     | 60 %                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| OPEN SPACE:                 | 20%                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| SETBACKS:                   | FRONT 40'<br>REAR 25', 50' IF ADJACENT TO RESIDENTIAL USE<br>SIDE 25'                                                                                                                                                                                                                                                                                                                                                                                                            |
| FLOOR AREA RATIO:           | MINIMUM 0.05<br>MAXIMUM 0.8                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| PARKING REQUIRED            | One parking space for every employee on the maximum shift and two parking spaces for each service bay , and one parking space for each 250 square feet, or fraction thereof, of gross customer service area, and one parking space for each vehicle customarily used in the operation. Each gas station shall have a minimum of four parking spaces. In no instance shall a required parking space or its maneuvering area conflict with vehicles being fueled or awaiting fuel. |

PROJECT NOTES

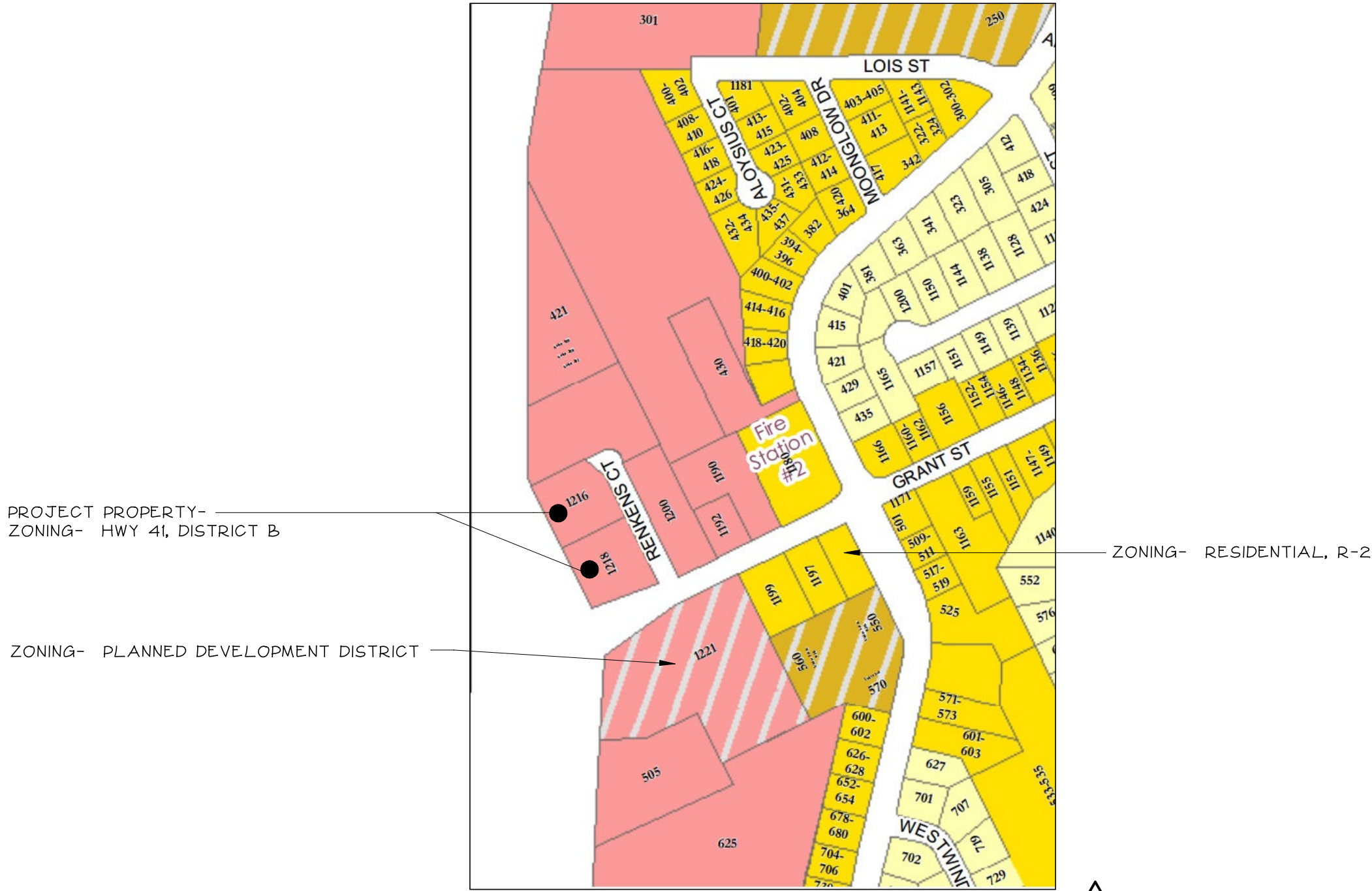
- The proposed project includes street vacation of Renkens Court with half of the street ROW included in the project area.
- The proposed project includes combining two existing separate parcels as well as a portion of the vacated street into one parcel.
- A 20' wide utility easement shall be added to the north edge of the property for an existing City water line.
- Separate Erosion Control and Staging plans will be issued to control erosion during construction.
- A Storm Water Management Plan and Maintenance Agreement shall be included with this project.

GENERAL NOTES

- Contractors for all trades shall be responsible for the following:
  - Verify all site conditions and dimensions. Report discrepancies to the architect or owner.
  - Do not scale drawings. Dimensions shall always take precedence.
  - Coordination with all trades, inspectors, agencies and the owner.
  - Design and installation of all temporary scaffolding, bracing, shoring, etc.
  - Locating and protecting all underground and concealed utilities.
  - Jobsite and all construction shall conform to O.S.H.A., state and local regulations.
  - All work shall comply with the current Wisconsin Commercial Building Code (including referenced codes and standards), Wisconsin Plumbing Code, Wisconsin Mechanical Code, Wisconsin Electrical Code (NEC), Wisconsin Energy Code and Wisconsin Barrier Free Code (ANSI) A117.11. Work shall also comply with Americans With Disabilities Act and all other state and local codes and ordinances.
- All footings to be placed on well compacted undisturbed virgin soil or compacted sand fill. Compaction shall be 95% Proctor Density or better.
- TYPE OF CONSTRUCTION: Combustible, Type 5b
- OCCUPANCY: M, Mercantile
- BUILDING AREA:
  - Proposed area 5,520 sf
  - Allowable area (Table 503) 1 story / 3,000 sf
- BUILDING OCCUPANT LOAD
  - Retail area 3,108 sf / 30 sf per person = 81 people
  - Storage area 710 sf / 300 sf per person = 3 people
- STRUCTURAL INFORMATION:
  - Allowable Soil Pressure 2500 psf (assumed)
    - Building loads:
      - Roof Live load, Pg 40 psf (ground snow)
      - Building Classification II
      - Importance Factor, I 1.0
      - Exposure Factor, Ce 1.0 (Exposure 'B', Partially exposed)
      - Thermal Factor, Ct 1.2 (mansard), 1.0 (main roof)
      - Slope Factor, Cs .455 (mansard), 1.0 (main roof)
      - Flat roof snow load, Pf 58.8 psf (mansard), 28 psf (main roof)
      - Sloped roof snow load, Ps 15.3 psf (mansard), 28 psf (main roof)
      - Roof Dead load 11 psf (mansard), 15 psf (main roof)
      - Wind Load 110 mph (Risk category II)
      - Importance Factor 1.0

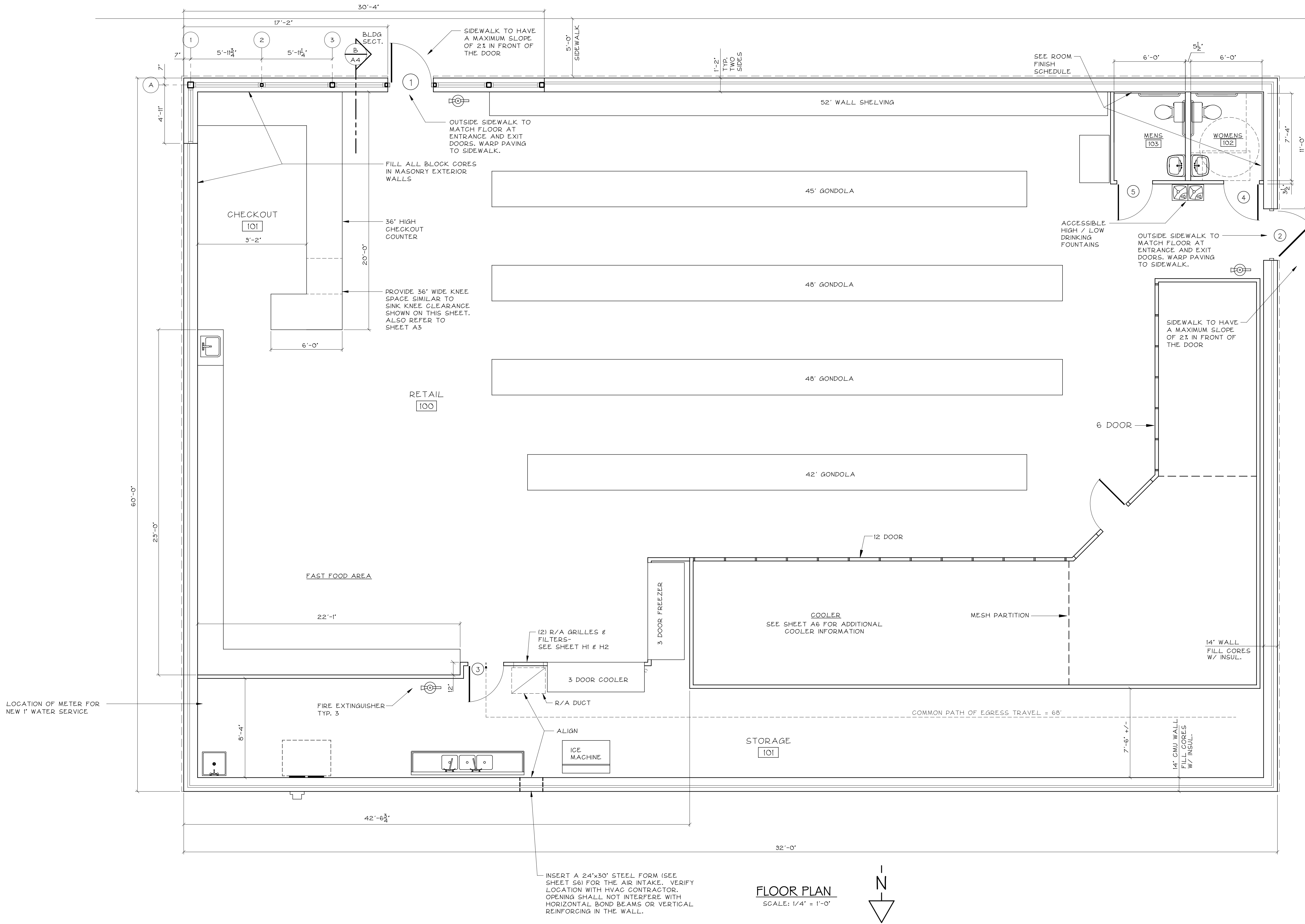


LOCATION MAP  
NO SCALE

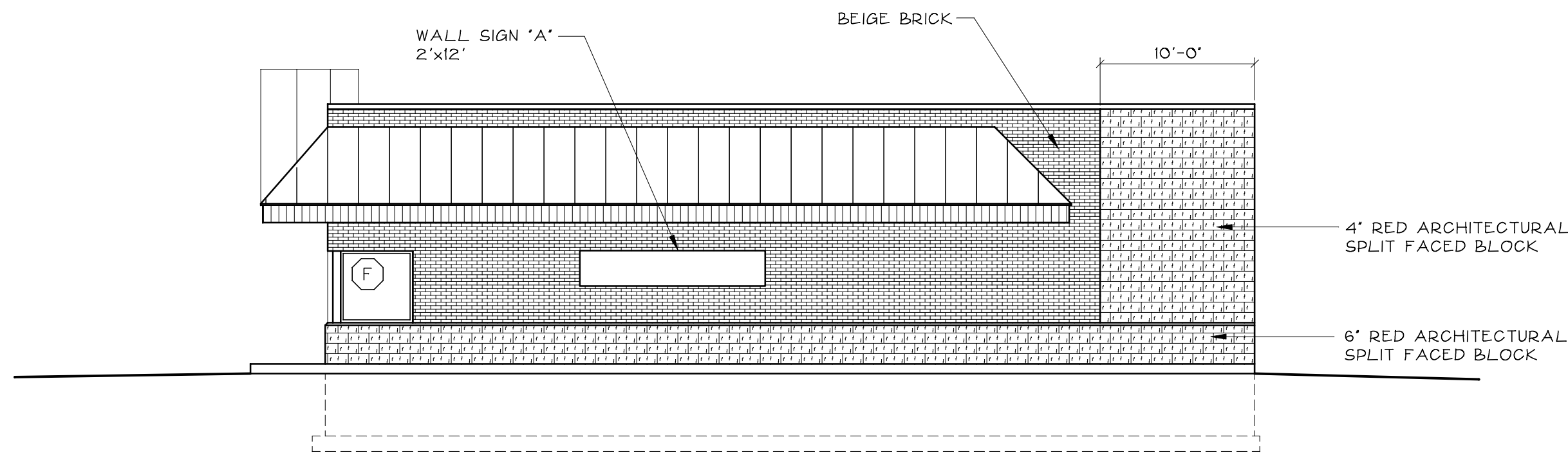


PARTIAL ZONING MAP  
NO SCALE



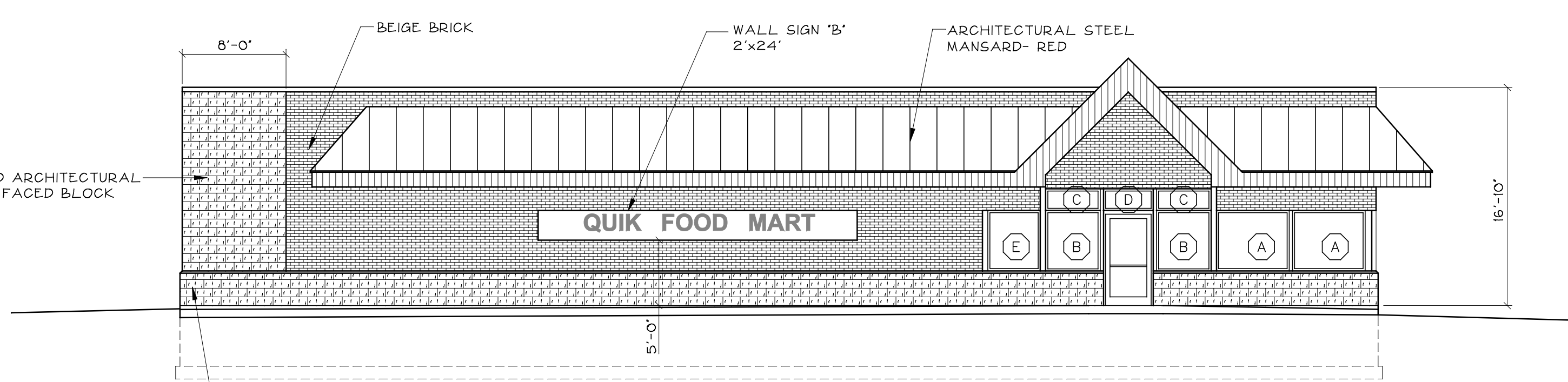






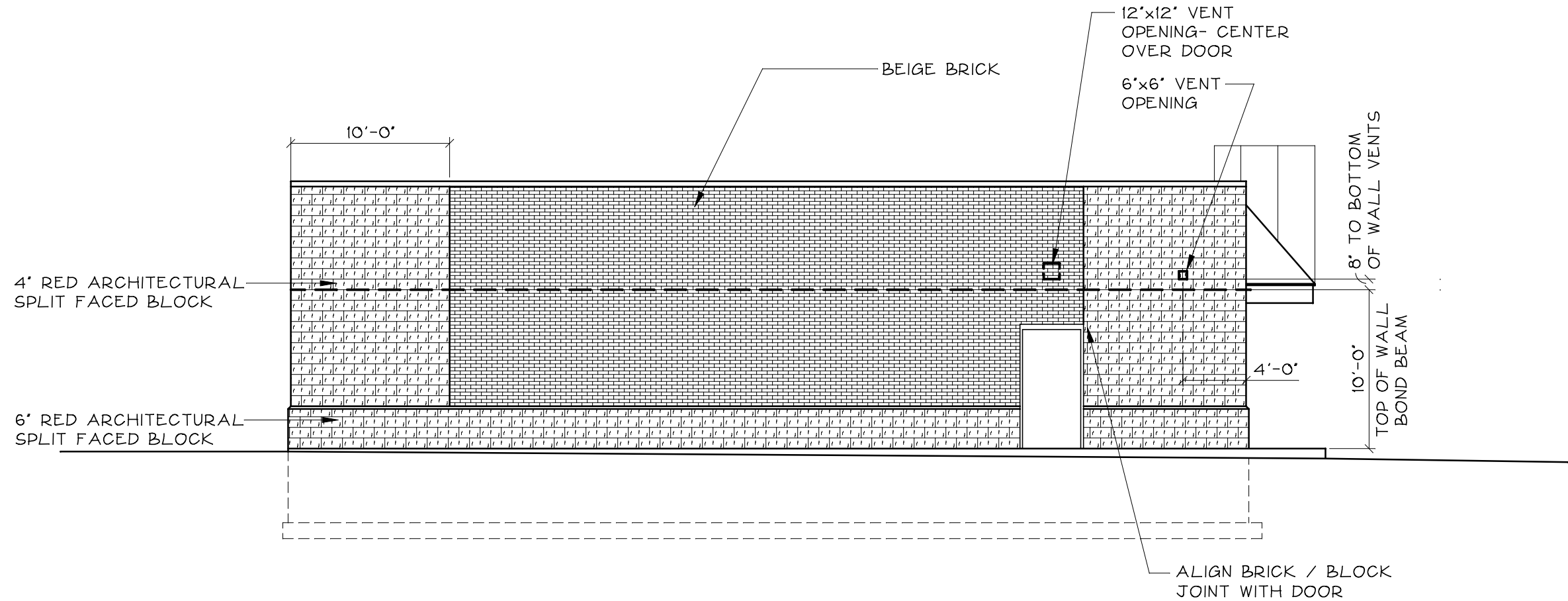
WEST ELEVATION

SCALE: 1/8" = 1'-0"



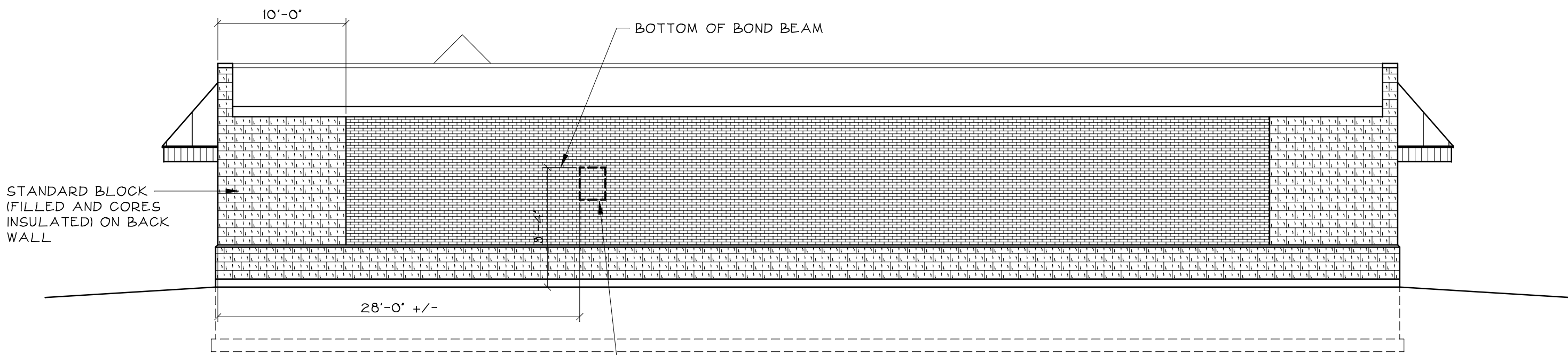
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



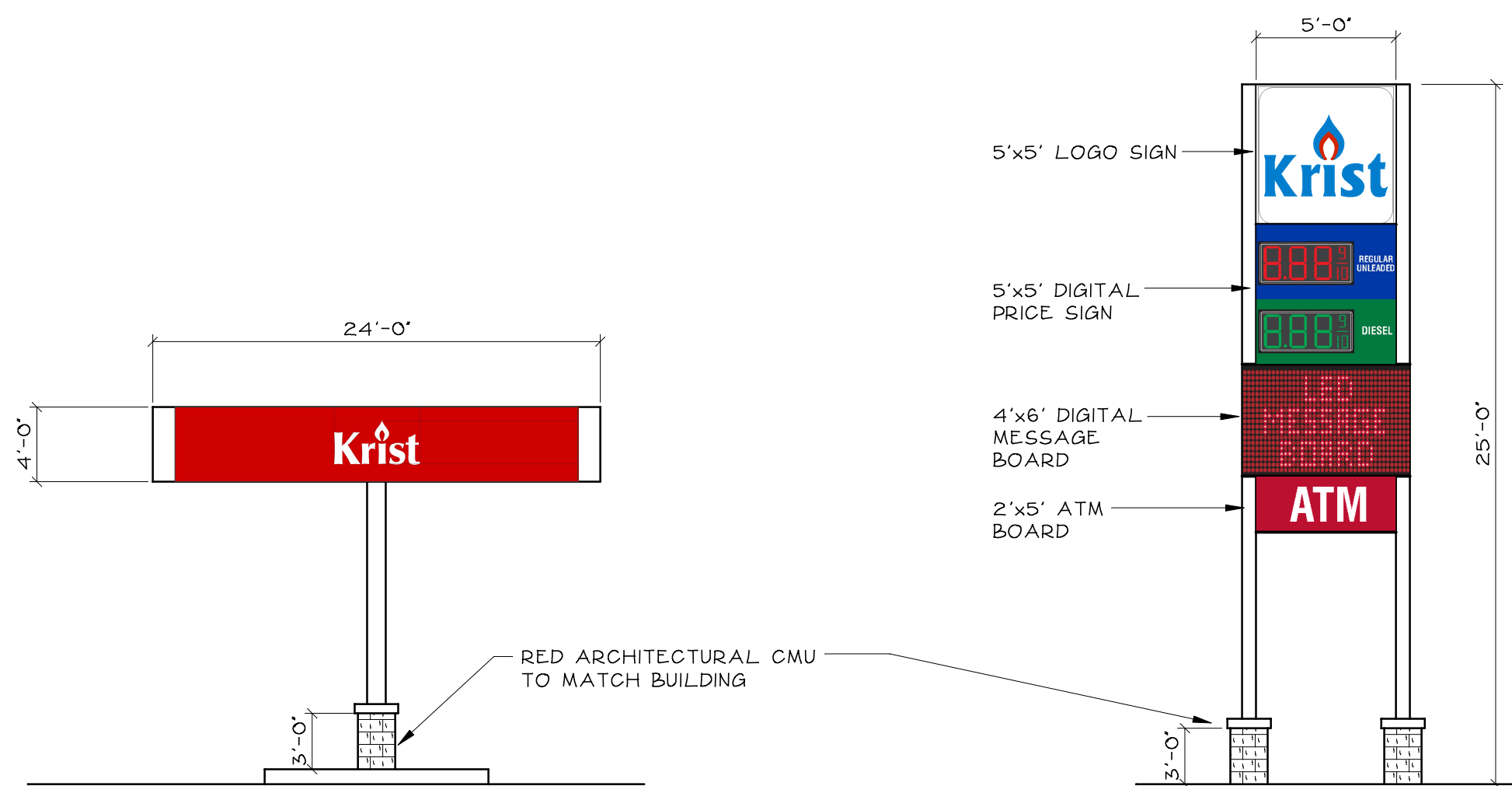
EAST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



END VIEW OF FUEL CANOPY

NOT TO SCALE

PROPOSED POLE SIGN

NOT TO SCALE

DATE: 10-5-18  
REV. 1 MFD 11-14-18  
REV. 2 .  
REV. 3 .  
REV. 4 .

BY: MFD  
CHK: MFD  
APPV: MFD

COPYRIGHT RIVERVIEW ARCHITECTURE LLC  
ALL RIGHTS RESERVED AND ENFORCED. THIS  
PRINT SHALL NOT BE COPIED OR REPRODUCED  
WITHOUT THE EXPRESSED WRITTEN PERMISSION  
OF RIVERVIEW ARCHITECTURE LLC.



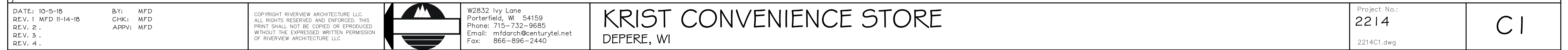
W2832 Ivy Lane  
Porterfield, WI 54159  
Phone: 715-732-9685  
Email: mfdarch@centurytel.net  
Fax: 866-896-2440

NEW CONVENIENCE STORE  
DEPERE, WI

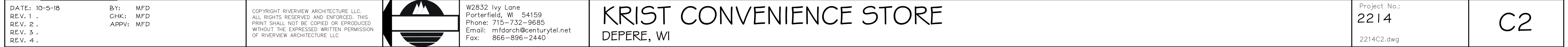
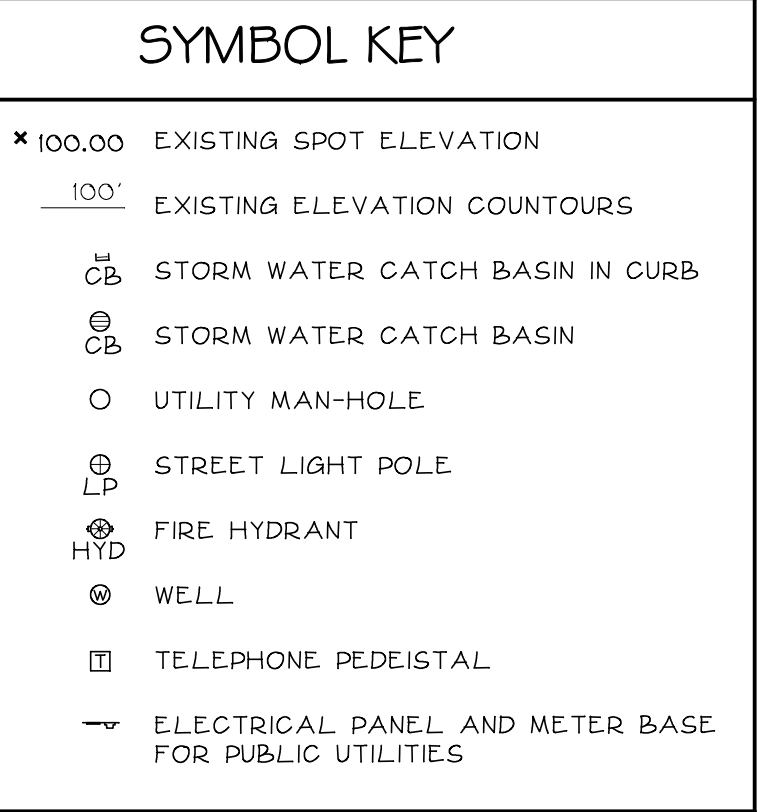
Project No.:  
2214  
2214A3.dwg

A3





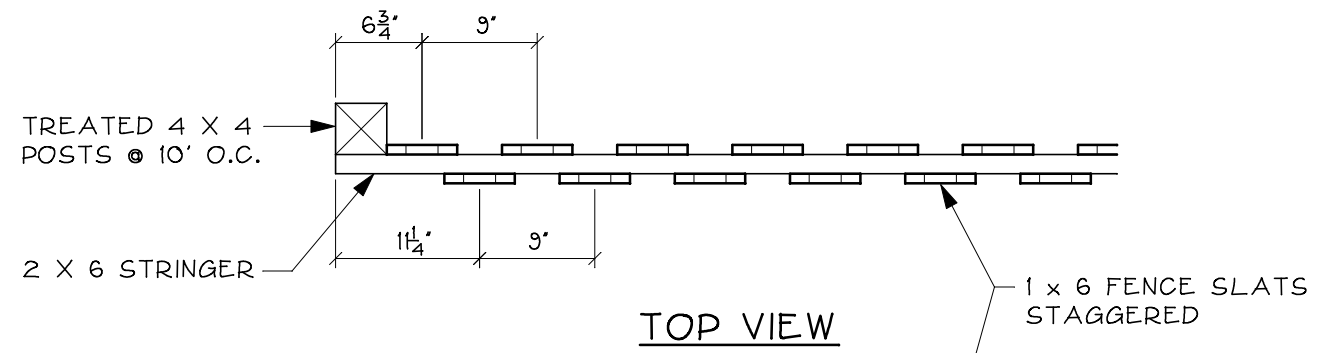
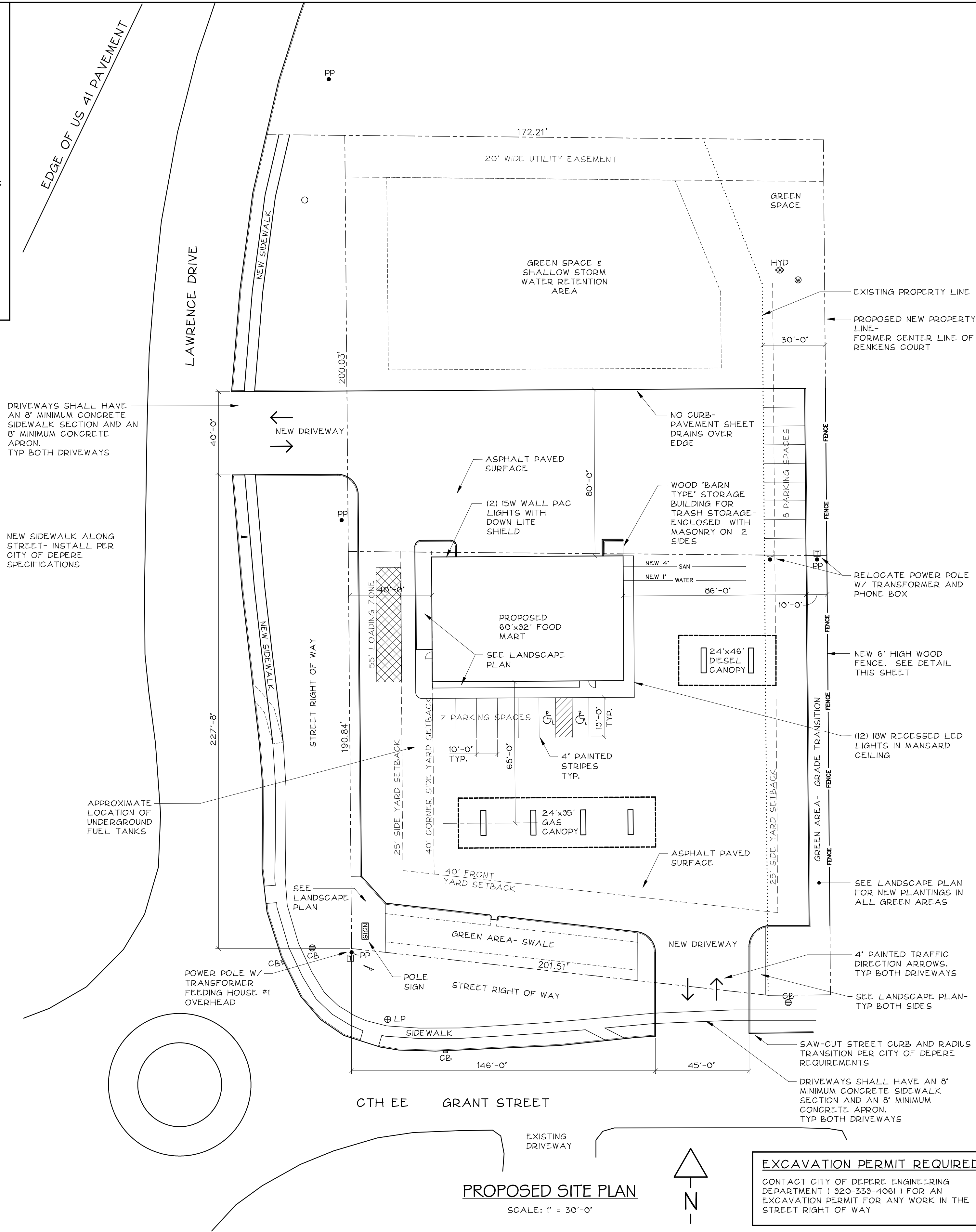




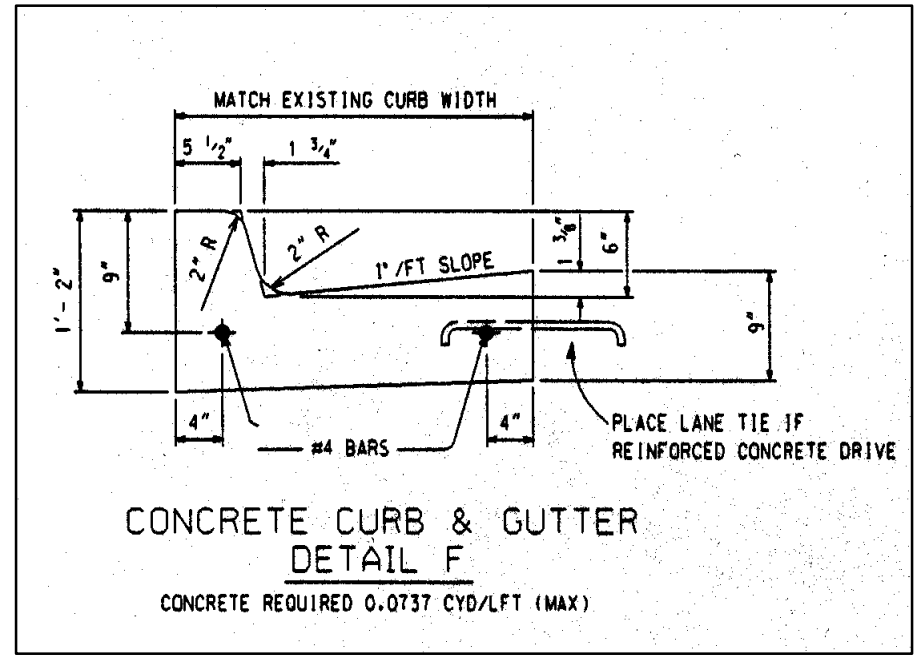


ZONING CALCULATIONS:

|                                                                                              |                                                   |                         |
|----------------------------------------------------------------------------------------------|---------------------------------------------------|-------------------------|
| PARKING REQUIRED:                                                                            | Employees per shift=                              | 2 people, 2 spaces      |
|                                                                                              | Store customer area 3,108 sf / 250 sf per stall = | 13 spaces               |
|                                                                                              | TOTAL=                                            | 15 spaces               |
| PARKING PROVIDED:                                                                            | 15 SPACES + 6 SPACES AT FUEL PUMPS)               |                         |
| ACTUAL LOT AREA:                                                                             | PARCEL #1:                                        |                         |
|                                                                                              | ORIGINAL LOT=                                     | 33,034.8 SF             |
|                                                                                              | PROPOSED REINKENS COURT VACATION=                 | 6,355.3 SF              |
|                                                                                              | SUBTOTAL=                                         | 45,388.1 SF             |
|                                                                                              | PARCEL #2:                                        |                         |
|                                                                                              | ORIGINAL LOT=                                     | 40,258.0 SF             |
|                                                                                              | PROPOSED REINKENS COURT VACATION=                 | 6,340.3 SF              |
|                                                                                              | SUBTOTAL=                                         | 46,598.3 SF             |
|                                                                                              | TOTAL=                                            | 92,587.0 SF, 2.12 ACRES |
| LOT COVERAGE:                                                                                | Convenience store=                                | 5,520 sf                |
|                                                                                              | Gas canopy=                                       | 2,280 sf                |
|                                                                                              | Diesel canopy=                                    | 1,104 sf                |
|                                                                                              | SUB-TOTAL=                                        | 8,904 SF                |
|                                                                                              | Lot coverage = 5,520 sf / 92,587 sf               | 5.9 %                   |
| Underground fuel tanks shall be located 25' min. from all municipal water lines or laterals. |                                                   |                         |



A NEW FENCE DETAIL  
C3 NO SCALE



B CURB & GUTTER DETAIL  
C3 NO SCALE

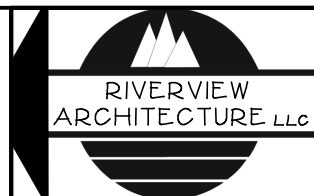
SYMBOL KEY

- CB STORM WATER CATCH BASIN IN CURB
- CB STORM WATER CATCH BASIN
- O UTILITY MAN-HOLE
- LP STREET LIGHT POLE
- HYD FIRE HYDRANT
- W WELL
- TELEPHONE PEDESTAL
- ELECTRICAL PANEL AND METER BASE FOR PUBLIC UTILITIES

DATE: 10-5-18  
REV. 1 MFD 11-14-18  
REV. 2.  
REV. 3.  
REV. 4.

BY: MFD  
CHK: MFD  
APPV: MFD

COPYRIGHT RIVERVIEW ARCHITECTURE LLC  
ALL RIGHTS RESERVED AND ENFORCED. THIS  
PRINT SHALL NOT BE COPIED OR EPRODUCED  
WITHOUT THE EXPRESSED WRITTEN PERMISSION  
OF RIVERVIEW ARCHITECTURE LLC



W2832 Ivy Lane  
Porterfield, WI 54159  
Phone: 715-732-9685  
Email: mfdarch@centurytel.net  
Fax: 866-896-2440

KRIST CONVENIENCE STORE  
DEPERE, WI

EXCAVATION PERMIT REQUIRED  
CONTACT CITY OF DEPERE ENGINEERING  
DEPARTMENT ( 320-333-4061 ) FOR AN  
EXCAVATION PERMIT FOR ANY WORK IN THE  
STREET RIGHT OF WAY

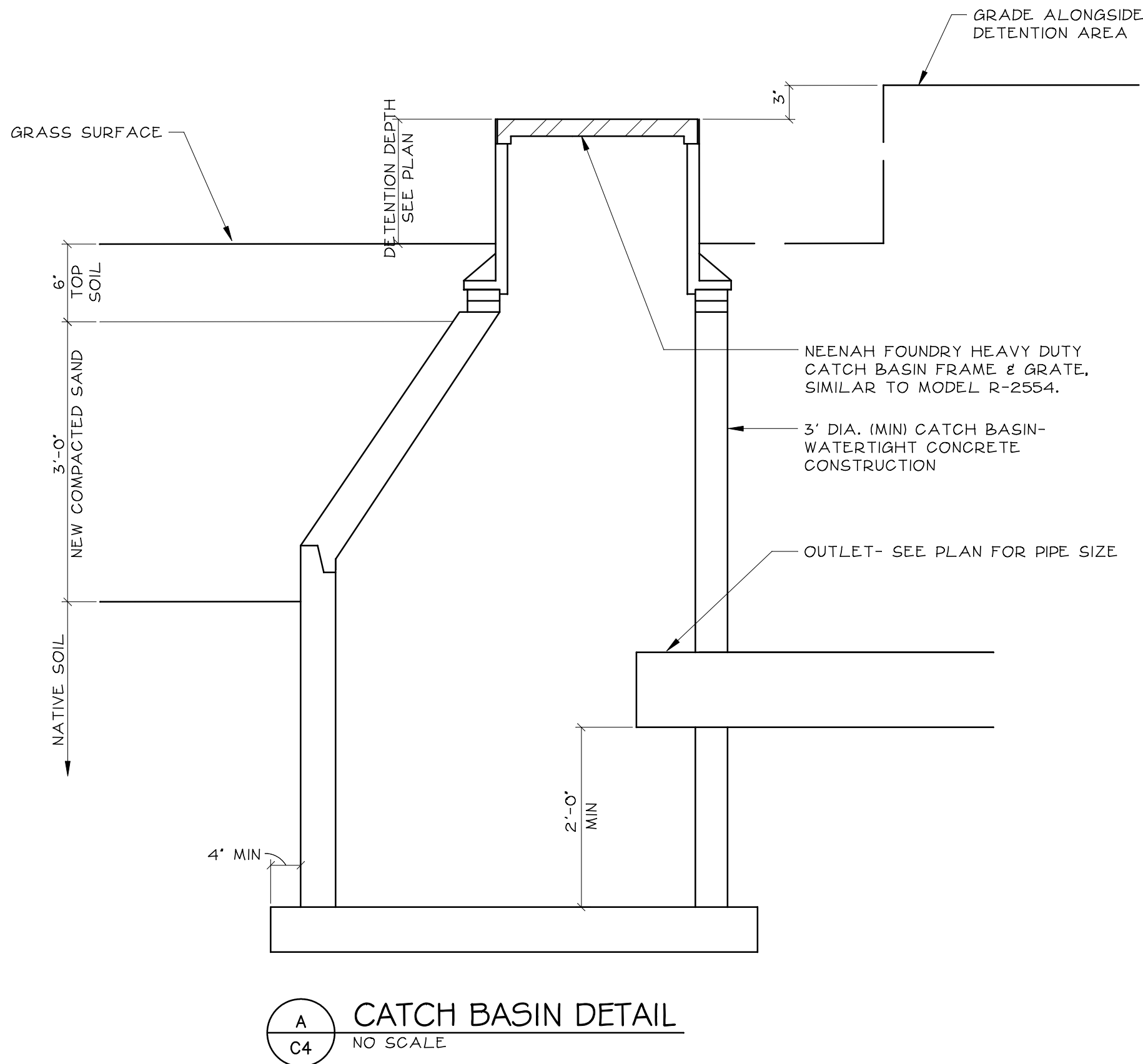
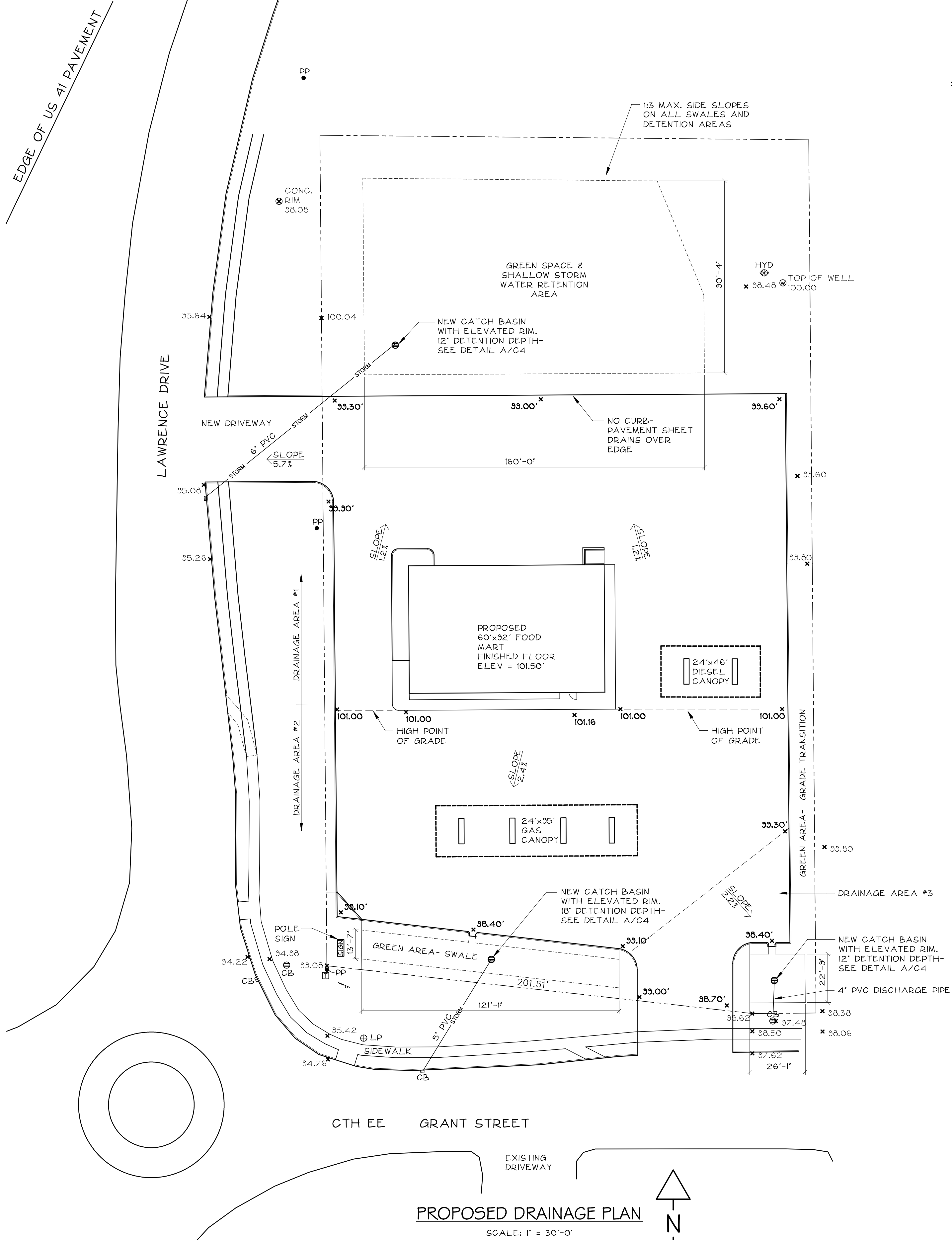
Project No.:  
2214  
2214C3.dwg

C3



DRAINAGE CALCULATIONS:

1. DRAINAGE SCHEME:
- A. Detention and infiltration areas will be used to receive storm water and allow suspended solids and any other contaminants to settle to the surface where surface vegetation will retain contaminants. The detention areas will be sized to hold a minimum of 15 minutes of storm water to allow the solids and other contaminants to settle.
- B. In the event of a fuel spill, detention areas will receive contaminants and keep them on site where they can be remediated by removing soils.
- C. Since most of the soils on site are fairly heavy clay soils, all detention areas shall be excavated to have a bed of 3 feet of compacted medium sand under 6" of topsoil to improve absorption of the detention area.
- D. All detention areas shall have a catch basin that has a rim height of 3' below the edge of the retention area. The rim height is also elevated above the bottom of the detention area to allow storm water to be retained and infiltrated on site. The overflow pipe will be sized to a capacity of calculated pre-construction storm water discharge so the City storm water system will not be overtaxed.
2. EXISTING DRAINAGE AREAS:
- AREA #1:
- |                                 |           |
|---------------------------------|-----------|
| Impervious surfaces=            | 2,140 sf  |
| Semi pervious, gravel surfaces= | 2,305 sf  |
| Pervious, grass surfaces=       | 56,881 sf |
| SUB-TOTAL=                      | 61,326 sf |
- AREA #2:
- |                                 |             |
|---------------------------------|-------------|
| Impervious surfaces=            | 4,008 sf    |
| Semi pervious, gravel surfaces= | 1,184 sf    |
| Pervious, grass surfaces=       | 20,315.3 sf |
| SUB-TOTAL=                      | 26,107.3 sf |
- AREA #3:
- |                                 |            |
|---------------------------------|------------|
| Semi pervious, gravel surfaces= | 1,164 sf   |
| Pervious, grass surfaces=       | 3,363.7 sf |
| SUB-TOTAL=                      | 5,153.7 sf |
3. PROPOSED DRAINAGE AREAS SURFACES:
- AREA #1:
- |                                 |           |
|---------------------------------|-----------|
| Impervious surfaces=            | 31,534 sf |
| Pervious, grass detention area= | 14,047 sf |
| Pervious, grass surfaces=       | 15,685 sf |
| SUB-TOTAL=                      | 61,326 sf |
- AREA #2:
- |                                 |             |
|---------------------------------|-------------|
| Impervious surfaces=            | 21,330 sf   |
| Pervious, grass detention area= | 1,630 sf    |
| Pervious, grass surfaces=       | 2,427.3 sf  |
| SUB-TOTAL=                      | 26,107.3 sf |
- AREA #3:
- |                                 |            |
|---------------------------------|------------|
| Impervious surfaces=            | 3,245 sf   |
| Pervious, grass detention area= | 654 sf     |
| Pervious, grass surfaces=       | 1,254.7 sf |
| SUB-TOTAL=                      | 5,153.7 sf |
4. PROPOSED DRAINAGE AREAS VOLUMES:
- AREA #1:
- |                                                       |                                                                                                                                                                                                                                  |
|-------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Infiltration area=                                    | 14,047 sf                                                                                                                                                                                                                        |
| Storm water quantity (Q)=                             | 1,677 cfs                                                                                                                                                                                                                        |
| Depth of infiltration area=                           | 12 inches                                                                                                                                                                                                                        |
| Time to fill infiltration area=                       | 124.73 min                                                                                                                                                                                                                       |
| (14,047 sf x 1' deep) / (11,877 cfs x 60 sec per min) |                                                                                                                                                                                                                                  |
| Overflow pipe size=                                   | The pre-development storm discharge from area #1 was 443 GPM. A 6" pvc pipe @ 1% slope will meter the overflow to 327 GPM so the municipal storm system will receive no more water after the development than it did previously. |
- AREA #2:
- |                                                        |                                                                                                                                                                                                                                  |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Infiltration area=                                     | 1,630 sf                                                                                                                                                                                                                         |
| Storm water quantity (Q)=                              | 1,063 cfs                                                                                                                                                                                                                        |
| Depth of infiltration area=                            | 18 inches                                                                                                                                                                                                                        |
| Time to fill infiltration area=                        | 33.52 min (1.66 hours)                                                                                                                                                                                                           |
| (1,630 sf x 1.5' deep) / (11,063 cfs x 60 sec per min) |                                                                                                                                                                                                                                  |
| Overflow pipe size=                                    | The pre-development storm discharge from area #1 was 237 GPM. A 5" pvc pipe @ 1% slope will meter the overflow to 201 GPM so the municipal storm system will receive no more water after the development than it did previously. |
- AREA #3:
- |                                                   |                                                                                                                                                                                                                                                                           |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Infiltration area=                                | 654 sf                                                                                                                                                                                                                                                                    |
| Storm water quantity (Q)=                         | .176 cfs                                                                                                                                                                                                                                                                  |
| Depth of infiltration area=                       | 12 inches                                                                                                                                                                                                                                                                 |
| Time to fill infiltration area=                   | 61.33 min (1.03 hours)                                                                                                                                                                                                                                                    |
| (654 sf x 1' deep) / (1,176 cfs x 60 sec per min) |                                                                                                                                                                                                                                                                           |
| Overflow pipe size=                               | The pre-development storm discharge from area #1 was 45 GPM. A 4" pvc pipe @ 1% slope will meter the overflow to 111 GPM. This will allow slightly more storm water into the municipal storm system. We do not want to use a smaller pipe size due to potential clogging. |
5. PERCENT IMPERVIOUS AREA: 61.4%

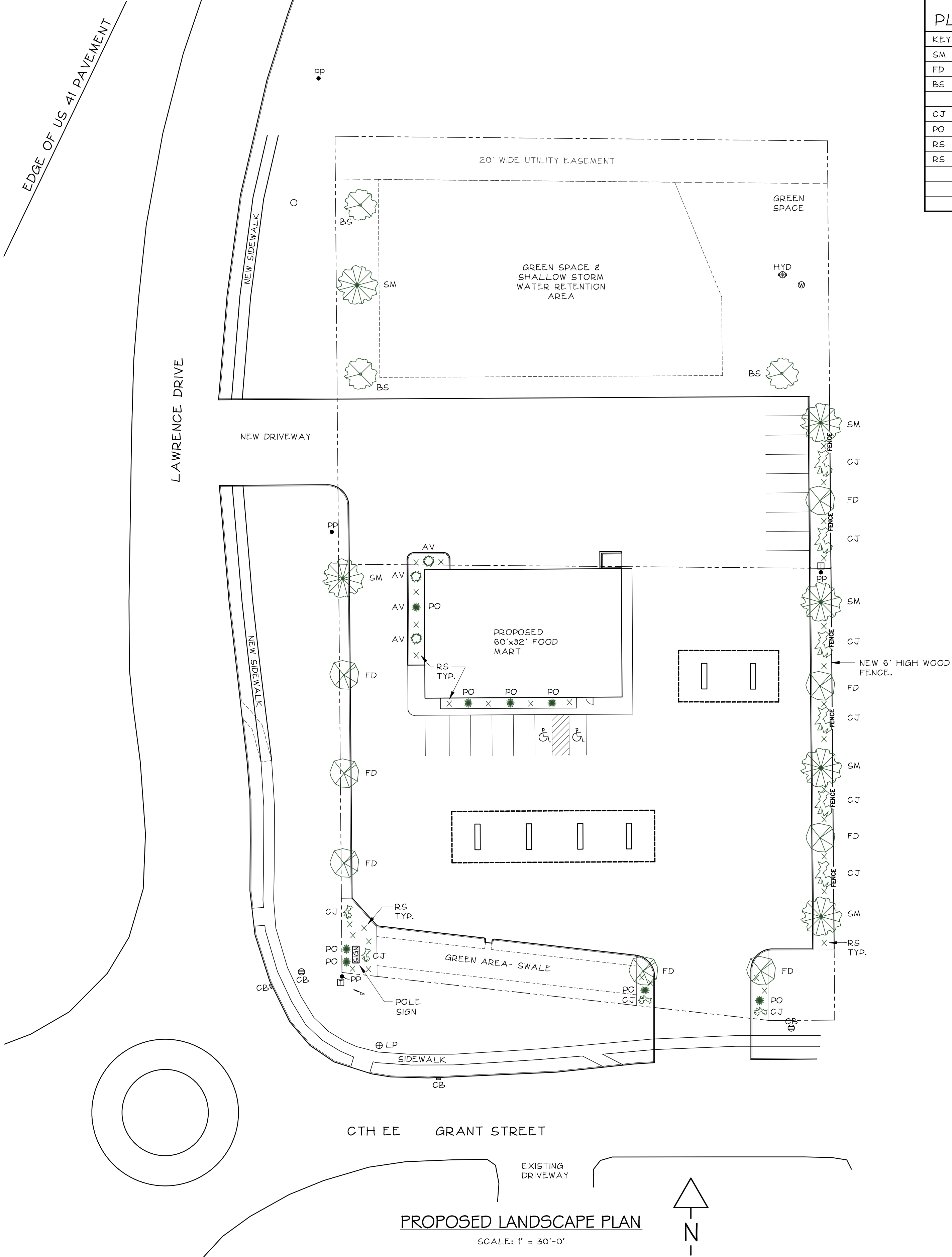


| SYMBOL KEY |                                                      |
|------------|------------------------------------------------------|
| • 00.00    | EXISTING SPOT ELEVATION                              |
| • 00.00    | PROPOSED SPOT ELEVATION                              |
| CB         | STORM WATER CATCH BASIN IN CURB                      |
| CB         | STORM WATER CATCH BASIN                              |
| O          | UTILITY MAN-HOLE                                     |
| LP         | STREET LIGHT POLE                                    |
| HYD        | FIRE HYDRANT                                         |
| W          | WELL                                                 |
| TP         | TELEPHONE PEDESTAL                                   |
| EP         | ELECTRICAL PANEL AND METER BASE FOR PUBLIC UTILITIES |

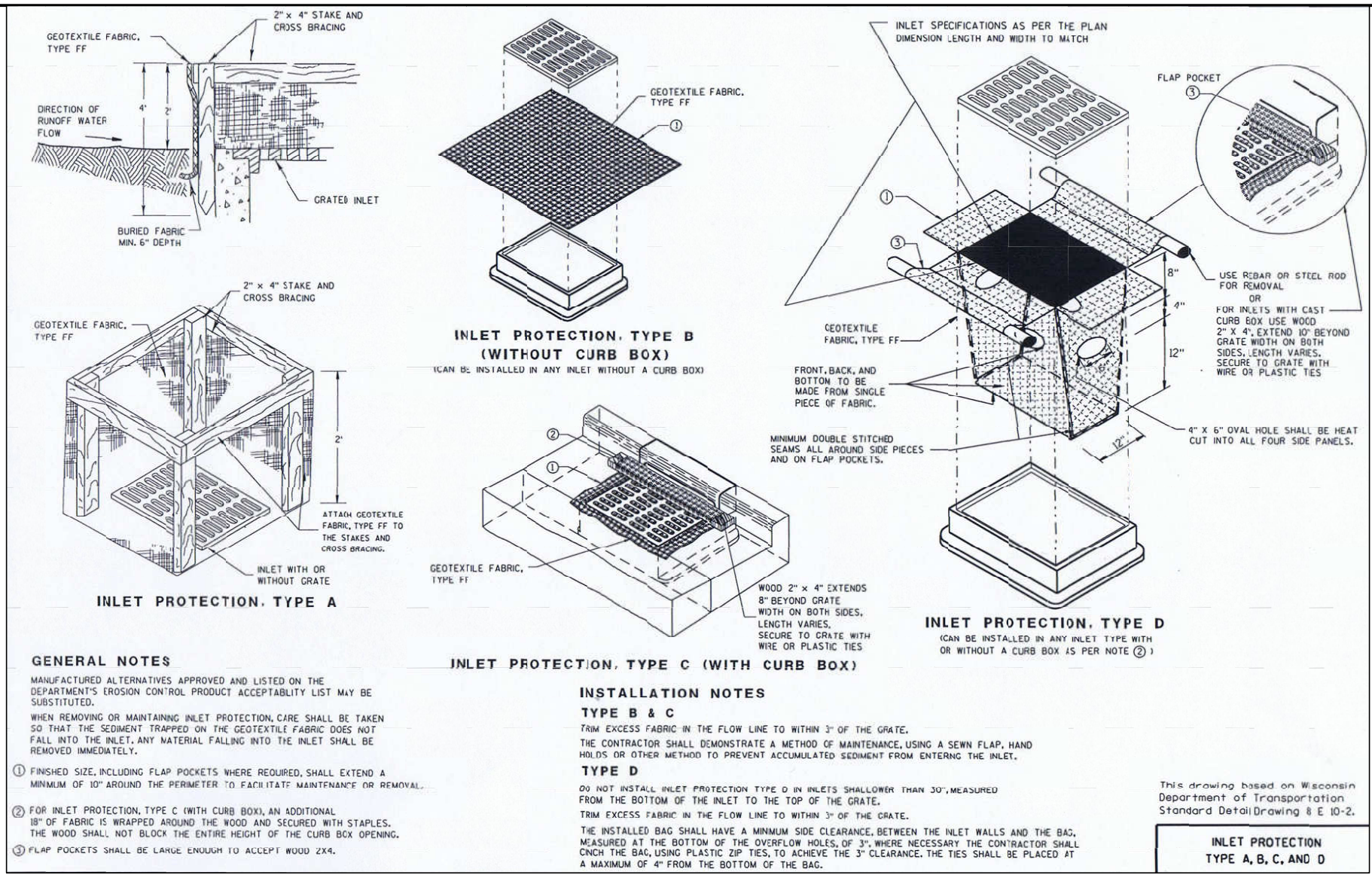
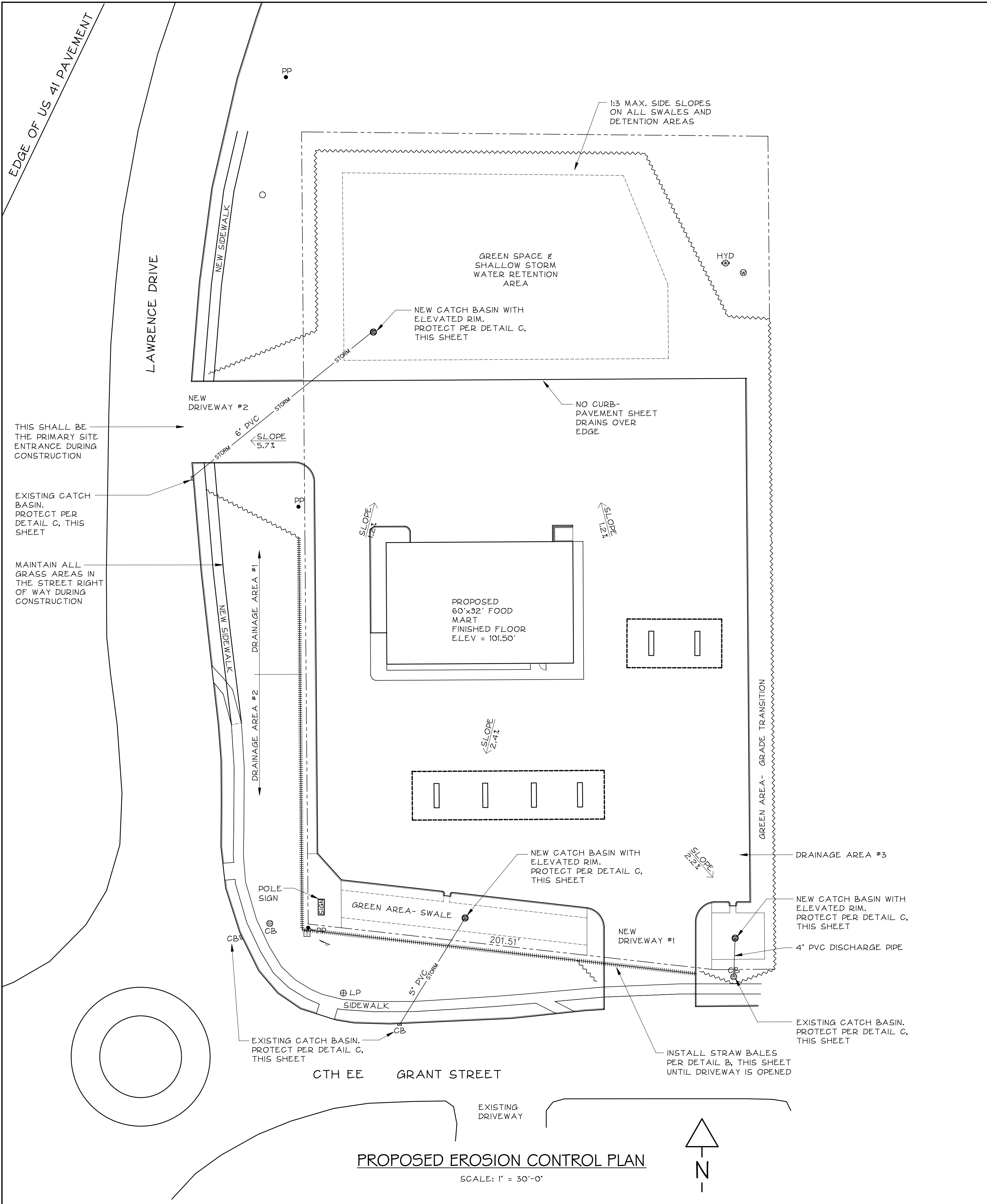


PLANT SCHEDULE

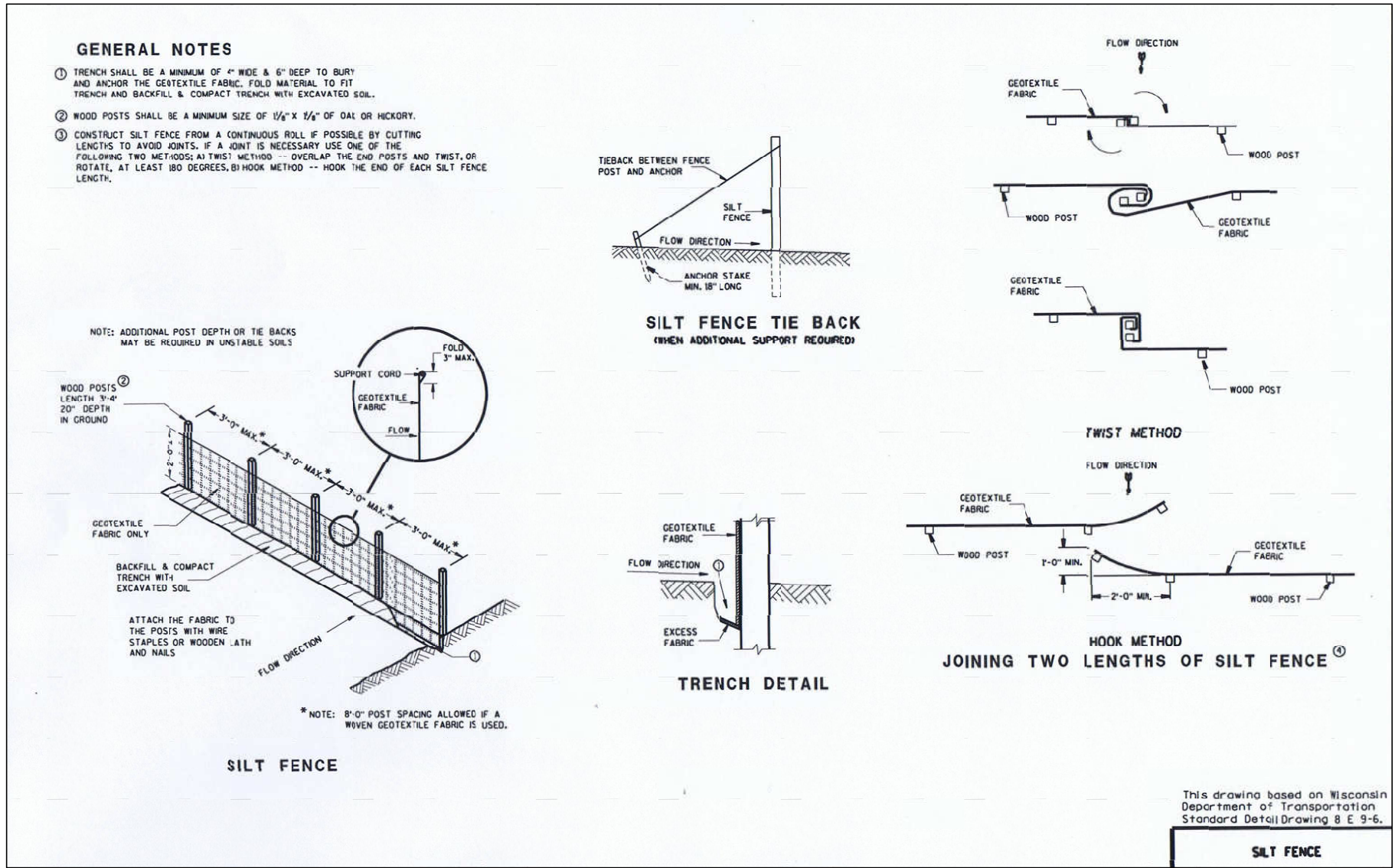
| KEY | QTY | COMMON NAME           | BOTANICAL NAME            | HEIGHT  | TRUNK     | NOTES   |
|-----|-----|-----------------------|---------------------------|---------|-----------|---------|
| SM  | 6   | SWARF SUGAR MAPLE     | ACER SACCHARUM            | 10'-12' | 2"        |         |
| FD  | 8   | FLOWERING DOGWOOD     | CORNUS FLORIDA            | 10'     | 2"        |         |
| BS  | 8   | BLACK HILLS SPRUCE    | PICEA GLAUGA VAR. DENSATA | 3'-5'   | 3/4" MIN. |         |
|     |     |                       |                           |         |           |         |
| CJ  | 10  | WILTON CARPET JUNIPER | JUNIPERUS HORIZONTALIS    | 8'-12'  | -         | 1 GAL   |
| PO  | 8   | POTENTILLA            | POTENTILLA NEUMANIANNA    | 8'      | -         | 1 GAL   |
| RS  | 31  | RED SWITCH GRASS      | PANICUM VIRGATUM          | 6'-8'   | -         | 1/2 GAL |
| RS  | 4   | FIRE CHIEF ARBORVITAE | THUJA OCCIDENTALIS        | 12'     | -         | 1 GAL   |
|     |     |                       |                           |         |           |         |
|     |     |                       |                           |         |           |         |







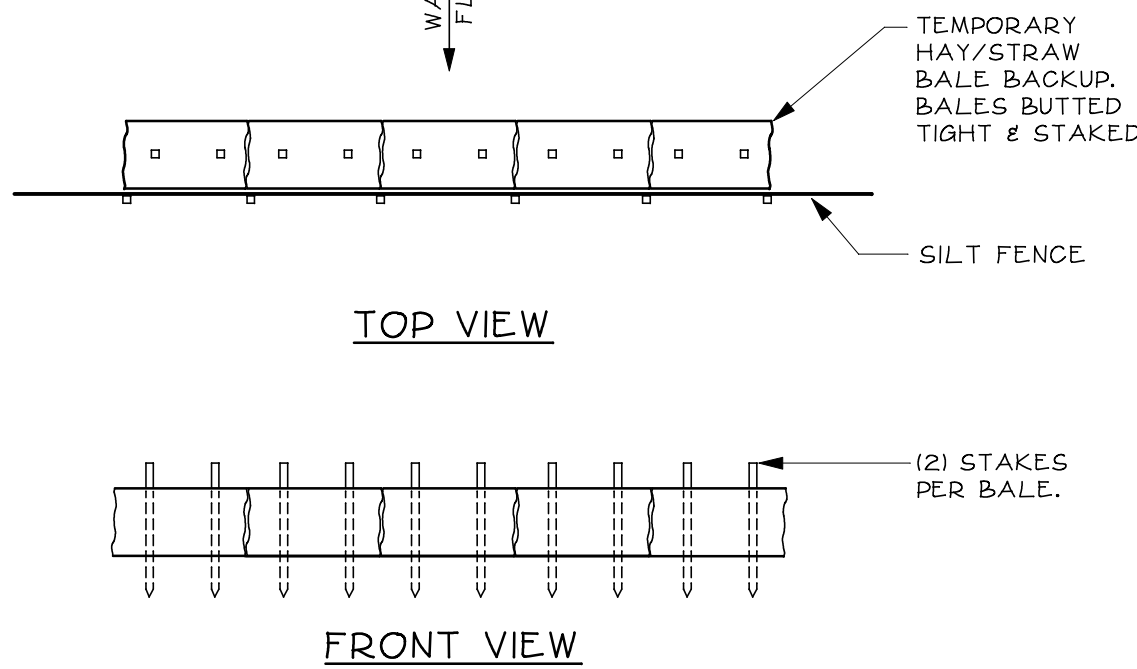
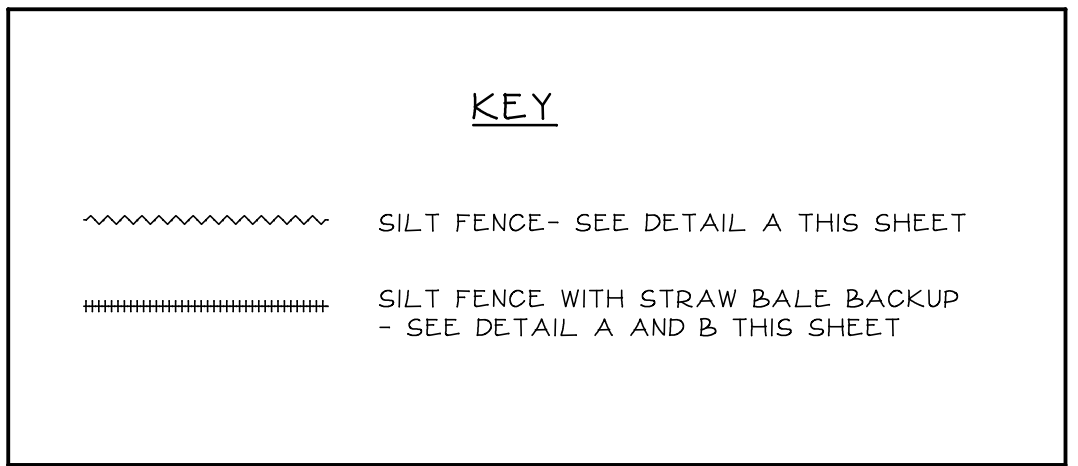
C  
C6  
NO SCALE



A  
C6  
NO SCALE

DURING CONSTRUCTION  
EROSION CONTROL  
PLAN

1. INSTALL ALL SILT FENCE AND STRAW BALE EROSION CONTROL BARRIERS SHOWN ON THE PLAN BEFORE SITE DEMOLITION WORK BEGINS.
2. ALL SILT FENCE AND OTHER EROSION DEVICES SHALL REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETE, ALL PARKING AREAS ARE PAVED & CURBED AND ALL GRASS AREAS ARE ESTABLISHED.
3. INSTALL CATCH BASIN SEDIMENT PROTECTION AT EXISTING STORM WATER CATCH BASIN INLETS ON SITE AND IN THE STREET AS INDICATED BEFORE SITE DEMOLITION BEGINS.
4. INSTALL DRIVEWAY #2 BEFORE SITE DEMOLITION BEGINS. THIS WILL BE THE MAIN DRIVEWAY DURING CONSTRUCTION. DURING CONSTRUCTION, THIS DRIVEWAY SHALL HAVE A GRAVEL SURFACE TO MINIMIZE TRANSFER OF SOIL FROM SITE ONTO ROADWAY FROM CONSTRUCTION VEHICLE TRAFFIC.
5. DRIVEWAY #1 SHALL NOT BE INSTALLED UNTIL FINAL SITE GRADING TAKES PLACE. DRIVEWAY #1 SHALL NOT BE USED BY CONSTRUCTION EQUIPMENT TO MINIMIZE SOIL TRANSFER FROM THE SITE ONTO THE STREET SINCE IT IS CLOSE TO STREET STORM INLETS.
6. NO SOIL OR WASTE STOCKPILING WILL BE ALLOWED ON SITE. ALL EXCESS SOILS OR WASTE SHALL BE REMOVED DAILY DURING DEMOLITION AND SITE GRADING.
7. THE CONTRACTOR SHALL ESTABLISH A MINIMUM 6' BED OF GRAVEL IN THE NEW PARKING/PAVED AREA AS SOON AS POSSIBLE TO MINIMIZE SOIL BEING TRACKED ONTO THE STREET BY VEHICLES DURING CONSTRUCTION.
8. CONTRACTORS SHALL MAKE EVERY EFFORT TO KEEP SITE SOILS OFF OF ADJACENT STREETS FROM CONSTRUCTION VEHICLE TRAFFIC. ANY SOILS THAT GET ON THE STREETS SHALL BE CLEANED UP DAILY OR MORE OFTEN IF NEEDED AND SHALL BE DONE BY MANUAL OR POWER SWEEPING.



B  
C6  
NO SCALE

SILT FENCE NOTES:  
EROSION CONTROL FENCE SHALL BE CONSTRUCTED OF SUPAC OR TYPAR FILTER FABRIC, A MINIMUM OF 2' IN HEIGHT, & SECURELY STAKED AT 4' INTERVALS. AREAS WITH GREATER THAN ORDINARY FLOW OR STEEP SLOPES SHALL HAVE BOTH BALES & FILTER FENCE AS SHOWN ABOVE. BOTTOM 3' SET SECURELY INTO GROUND.

POST CONSTRUCTION  
EROSION CONTROL  
PLAN

1. ALL SILT FENCE, STRAW BALE AND OTHER REQUIRED EROSION CONTROL BARRIERS SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION WORK IS COMPLETED AND ALL GRASS AREAS ARE COMPLETELY ESTABLISHED.
2. AFTER CONSTRUCTION IS COMPLETE AND ALL PAVING IS COMPLETED, REMOVE ALL STORM INLET PROTECTION AND CLEAN CATCH BASINS.
3. VERIFY GRADING IS MAINTAINED AROUND ALL ELEVATED RIM CATCH BASINS.
4. MAINTAIN GRASS IN ALL SWALES AND STORM WATER DETENTION AREAS. PERIODICALLY REMOVE SEDIMENT AND DEBRIS FROM THESE AREAS TO PREVENT BUILD-UP OR DISCHARGE INTO STORM WATER INLETS

DATE: 11-1-16  
REV. 1 MFD 11-14-16  
REV. 2.  
REV. 3.  
REV. 4.

BY: MFD  
CHK: MFD  
APPV: MFD

COPYRIGHT RIVERVIEW ARCHITECTURE LLC  
ALL RIGHTS RESERVED AND ENFORCED. THIS  
PRINT SHALL NOT BE COPIED OR REPRODUCED  
WITHOUT THE EXPRESSED WRITTEN PERMISSION  
OF RIVERVIEW ARCHITECTURE LLC



W2832 Ivy Lane  
Porterfield, WI 54159  
Phone: 715-732-9685  
Email: mfdarch@centurytel.net  
Fax: 866-896-2440

KRIST CONVENIENCE STORE  
DEPERE, WI

Project No.:  
2214  
2214C6.dwg

C6





**City of De Pere, Wisconsin****Request For Plan Commission Action**

---

**MEETING DATE:** November 26, 2018

**DEPARTMENT:** Planning

**FROM:** Peter Schleinz

**SUBJECT:** Status Report of City of De Pere Zoning Ordinance and Sign Ordinance Rewrite–November 2018.

---

**ATTACHMENTS:**

- Plan Commission Report - Zoning Code Update - October 2018 (PDF)



# City of De Pere MEMORANDUM



To: Plan Commission  
From: Peter Schleinz, Senior Planner | Zoning Administrator  
Date: November 26, 2018

RE: **Status Report of City of De Pere Zoning Ordinance and Sign Ordinance Rewrite–November 2018**

On March 16, 2018, the City of De Pere entered into an agreement with a consultant, Duncan Associates, in order to cooperatively take on the task of rewriting the City's Zoning Ordinance and Sign Ordinance. This task is expected to be completed by the end of 2019. The role of the Plan Commission is to act as the steering committee that reviews and edits the rewritten ordinances prior to final approval by the Common Council.

To keep the Plan Commission updated about the status of the rewrite, staff provides monthly status reports. Periodically, the consultant will attend Plan Commission meetings to gather information and to present the draft ordinance in smaller sections to allow for a thorough analysis of the rewritten ordinances.

## **October-November 2018 Summary Status of Ordinance Rewrite Activities:**

- In October 26, 2018 the Technical Advisory Group concluded a staff review of Module 1 of the new zoning code, which related mostly to project review and staff operation procedures. Staff concluded that, rather than codifying the procedures a separate document would be created to coincide with a summary chart (or list) of steps that are required when seeking a project review/approval. Staff and the consultant are working on the revised concept.

## **Upcoming November-December 2018 Activities:**

- On November 29, 2018 the consultant will present Module 2, which includes a proposed zoning map with proposed new zoning categories for the Technical Advisory Group to consider.
- The completion of Draft Module 3 and the draft zoning map is expected by the end of the year.
- It is expected that the draft of the modules will be ready for public review and input by early January 2019. There will be multiple opportunities for the public to share their opinions and suggest changes before any formal final zoning code approvals take place.

If the Plan Commission has questions of staff or the consultant, staff will gladly retrieve additional information from the consultant.

## **Staff Recommendation**

Receive the memo and place on file.

De Pere Zoning Ordinance Update  
Project Timeline

