Plan Commission

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

Regular Meeting

Agenda

Monday, October 22, 2018 **7:00 PM** **De Pere City Hall Council Chambers**

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 **October 22, 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. 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.

Call to Order

1. Roll Call

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

3. 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.*

4. 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.

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.

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.

7. Status Report of City of De Pere Zoning Ordinance and Sign Ordinance Rewrite–October 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:
Alderpersons
City Administrator
Mayor

Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce
Randall Oettinger
NAZCR TRAC LL
Rev. Cindy Warmbier-Meyer
Nick Lison, Jones Sign Co.
Expera Nicolet, LLC
Patricia Kaster, TLKM Development LLC
R&M Garrity Farm LLC ETAL

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**October 22, 2018**
DEPARTMENT:	**Planning**
FROM:	**Kelly Barker**
SUBJECT:	**Approval of the minutes of the August 27, 2018 Plan Commission meeting.**

ATTACHMENTS:

- PC_Aug2018_Minutes_Draft (PDF)

Plan Commission

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

Regular Meeting

Draft Minutes

Monday, August 27, 2018 **7:00 PM** **De Pere City Hall Council Chambers**

Call to Order

The meeting was called to order at 7:00 PM by Alderperson James Boyd

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

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

2. Approval of the minutes of the July 23, 2018 Plan Commission meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Steve Taylor, Commissioner
SECONDER:	Derek Beiderwieden, Commissioner
AYES:	Boyd, Lueck, Beiderwieden, Taylor, Schilling
EXCUSED:	Michael J. Walsh, Amy Kundinger

3. A Public Hearing on the proposed project plan to Tax Increment Financing District #14 is scheduled for 7:00 PM, or as soon thereafter as can be heard.

A. Notice of Public Hearing

Kelly Barker read the notice of public hearing, stating that it was published in the Green Bay Press Gazette on August 13 and August 20, 2018.

RESULT:	**DISCUSSED**

B. Review of Project Plan for Tax Increment Financing District #14. *

Development Services Director Kim Flom reviewed the project plan for TID #14, which is being proposed to facilitate the redevelopment of the historic Irwin School at 428 S Superior Street. It is a single property TID and is considered a blight TID due to the fact that at least 50% or more of the property within the boundaries of the TID is considered blight by state standards. Kim clarified that just because the school property is blighted, in no way does this mean that the neighborhood is blighted in any way. The cost of renovating and converting the school is very expensive and a developer, Milwaukee View, approached the City to help fund the project. The developer is asking for $1.5 million in funds to help fund the project. Kim reported that the existing building will be converted into 8 condominiums with an additional 12 townhomes built on the site. The project itself still has to go through it's own set of reviews and it is likely that development will start either this winter or next spring. Kim noted that the consultant, Baird was in attendance to answer any questions regarding the TID

Attachment: PC_Aug2018_Minutes_Draft (7557 : Approval of the minutes of the August 27, 2018 Plan Commission meeting.)

project plan. James Boyd declared the public hearing open at 7:07 PM. He called three times for anyone to speak. No one wished to speak and the public hearing was called to a close at 7:08 PM. Larry Lueck moved, seconded by Derek Beiderwieden, to approve the project plan. Upon vote, motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Derek Beiderwieden, Commissioner
AYES:	Boyd, Lueck, Beiderwieden, Taylor, Schilling
EXCUSED:	Michael J. Walsh, Amy Kundinger

C. Resolution PC18- 01, Recommending adoption of the Project Plan for the creation of Tax Increment Financing District #14.

Development Services Director Kim Flom noted that the resolution is scheduled to go before the Council on September 18, 2018, with final approval at the Joint Review Board meeting on September 19, 2018. Larry Lueck moved, seconded by Derek Beiderwieden, to approve the resolution. Upon vote, motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Derek Beiderwieden, Commissioner
AYES:	Boyd, Lueck, Beiderwieden, Taylor, Schilling
EXCUSED:	Michael J. Walsh, Amy Kundinger

4. Recommendation regarding a Proposed Two Lot Certified Survey Map at 749 Main Avenue (Parcels WD-80, WD-80-1, WD-81, & WD-84-1). Submitted by Brian Sandberg, PLS, authorized representative for Associated Bank.

City Planner Peter Schleinz reviewed the CSM at the site of the new Associated Bank. Staff recommended approval subject to six conditions outlined in the staff report. Grant Schilling asked if the landscaping has been addressed. Peter replied that there will be increased landscaping along Eighth Street and Main Avenue which will meet the landscaping requirements. Derek Beiderwieden moved, seconded by Steve Taylor, to approve the CSM. Upon vote, motion carried by a vote of 4-0, with Grant Schilling abstaining.

RESULT:	**ADOPTED [4 TO 0]**
MOVER:	Derek Beiderwieden, Commissioner
SECONDER:	Steve Taylor, Commissioner
AYES:	James Boyd, Larry Lueck, Derek Beiderwieden, Steve Taylor
ABSTAIN:	Grant Schilling
EXCUSED:	Michael J. Walsh, Amy Kundinger

5. Recommendation regarding a Proposed Two Lot Certified Survey Map at 825 East River Drive (Parcel ED-1128-E-1-3). Submitted by Michael D. Vande Hei, PLS, authorized representative for CP Legacy LLC & Harold Macco Trust #2, property owner.*

City Planner Peter Schleinz reviewed the CSM at 825 East River Drive. He explained that the proposal includes the addition of right-of-way for a future cul-de-sac extenstion on Lebrun Street. Due to dedication of right-of-way, this item also has to be reviewed by

Attachment: PC_Aug2018_Minutes_Draft (7557 : Approval of the minutes of the August 27, 2018 Plan Commission meeting.)

the Common Council at their September 4, 2018 meeting. Staff recommended approval subject to one condition and four recommendations for future development. Peter noted that the Village of Allouez also has to approve the CSM since Lebrun Street lies along the city limits between De Pere and Allouez. James Boyd moved, seconded by Larry Lueck, to approve the CSM. Upon vote, motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Boyd, Lueck, Beiderwieden, Taylor, Schilling
EXCUSED:	Michael J. Walsh, Amy Kundinger

6. Recommendation regarding a rezoning request from Temporary R-1 (Single Family Residence District) to R-1, R-2 (Single and Two-Family Residence District), R-3 (Multiple Family Residence District) and Conservancy District, at 2674 Ryan Road (Parcels ED-R27-1 & ED-R27-2). Submitted by Steven M. Bieda, PLS, Mau & Associates LLP, authorized representative for Basig Investors LLC, property owner.*

City Planner Peter Schleinz reviewed the rezoning request for the Pine Trail Crossing subdivision. Staff recommended approval of the rezoning, subject to one condition outlined in the staff report. Staff did receive comments from two property owners who voiced their objections to the proposed rezoning. James Boyd asked how many more steps were remaining with this project. Peter replied that Council review is the final step of the rezoning, but the plat still needs to be recorded with the County. James Boyd asked if anyone wished to speak on this item. James Boyd moved, seconded by Larry Lueck, to open the meeting. Upon vote, motion carried unanimously. Dan VanGrunsven questioned why Lot 22 is zoned R2 when it is surrounded by all R1 lots. Steve Bieda, the surveyor with Mau & Associates, addressed the question. He stated that the developer chose Lot 22 to be zoned R2 since it is a larger lot, which allows a wider building to be built on it. Peter Schleinz added that mixed uses in a subdivision are quite common. James Boyd moved, seconded by Steve Taylor, to back to regular order. Upon vote, motion carried unanimously. James Boyd moved, seconded by Grant Schilling, to approve the rezoning request. Upon vote, motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Alderperson
SECONDER:	Grant Schilling, Commissioner
AYES:	Boyd, Lueck, Beiderwieden, Taylor, Schilling
EXCUSED:	Michael J. Walsh, Amy Kundinger

7. Recommendation regarding a rezoning request from B-3 (Motor Vehicle Dependent Business District) to B-2 (General Business District) at 1081 N. Broadway Street (Parcel ED-1128-E-1-3). Submitted by David Hongisto, SISU Properties LLC, authorized representative for Nulund Group II LLC, property owner.*

City Planner Peter Schleinz reviewed the rezoning request. The developer is proposing to build a two story mixed use building behind the Dairy Queen on Broadway Street. Staff recommended approval of the rezoning request, subject to two conditions outlined in the staff report. James Boyd moved, seconded by Derek Beiderwieden, to open the meeting. Upon vote, motion carried unanimously. Dave Hongisto, the authorized representative for Nulund Group LLC, addressed the board. He stated that the main goals of this project are to design a building with office space on the first floor and four apartments on the second

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floor and to capitalize on the views of the Fox River. He added that there will be landscaping added to break up the parking lot and in front of the building. James Boyd moved, seconded by Steve Taylor, to back to regular order. Upon vote, motion carried unanimously. Steve Taylor moved, seconded by James Boyd, to approve the rezoning request. Upon vote, motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Steve Taylor, Commissioner
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Lueck, Beiderwieden, Taylor, Schilling
EXCUSED:	Michael J. Walsh, Amy Kundinger

8. Review and recommendation for a Conditional Use Permit application for a proposed new commercial building to have four residential units on the second floor and for an existing restaurant to continue to use a drive-in window at 1081 N. Broadway Street (Parcel ED-1128-E-1-3) where the zoning district that is proposed to be rezoned from B-3 to B-2. Submitted by David Hongisto, SISU Properties LLC, authorized representative for Nulund Group II LLC, property owner.*

City Planner Peter Schleinz reviewed the conditional use request, which is also related to the previous agenda item. He reported that there are two parts to the conditional use: residential use on the second floor of the proposed new building, with the second part relating to the driveway lane for the DQ drive-thru window, which will allow the drive thru use to continue. Peter explained that a new drive-thru window would not be allowed with the rezoning; however the existing drive-thru lane can remain as a non-conforming use in the B-2 district. Staff recommended approval to the two part conditional use request, subject to the conditions outlined in the staff report. James Boyd moved seconded by Derek Beiderwieden, to open the meeting. Dave Hongisto addressed the board, explaining that the conditional use request for the drive-thru was requested in the event that there is was a sale of the property, then the drive-thru lane would be allowed to remain. James Boyd moved, seconded by Derek Beiderwieden, to go back to regular order. Upon vote, motion carried unanimously. Derek Beiderwieden moved, seconded by James Boyd, to approve the conditional use request. Upon vote, motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Derek Beiderwieden, Commissioner
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Lueck, Beiderwieden, Taylor, Schilling
EXCUSED:	Michael J. Walsh, Amy Kundinger

9. The consultant, Graef USA, Inc. will provide a presentation of the three conceptual alternatives for the redesign of the streetscape on James Street.

Bill Boyle reviewed the redesign project for James Street. The consultant, Graef, provided a presentation of the three conceptual alternatives for the redesign of the streetscape. Kristan Sanchez from Graef explained that there are three phases of the redesign project, and currently the project is in Phase 2. The project will move into the refinement stage after all public comments are reviewed. Comments that were highlighted at the stakeholder meeting which took place last month indicated that the space should be "green" and a smaller, secondary space in the City. The three alternatives were identified as:

Attachment: PC_Aug2018_Minutes_Draft (7557 : Approval of the minutes of the August 27, 2018 Plan Commission meeting.)

A: Green Pathway and Follies (sunshades, pergolas), new pedestrian lighting
Improvements limited to north side of the street, enhanced green gardens, smaller water feature
Targeted budget: $300,000-$350,000

B: The Green Room
Improvements focused on stretching across both sides of James Street, vertical water wall feature, wind wall, new pedestrian lighting, traditional benches, softer paving treatment under the trees, with fun seating on both ends of the site under the trees
Targeted budget: $500,000

C: The Green Room Deluxe
Improvements on both sides of the street, specialty pavers throughout, space for sculptures, larger public art pieces
Targeted budget: $850,000

After the presentation, Plan Commission members were asked to provide their feedback and comments on the three alternatives. James Boyd indicated that he preferred alternative A. He questioned if the trees would be saved or removed. Kristin from Graef replied that the intent is to keep as many trees as possible; however during the demolition of the fountain, some tree roots may be damaged. James also noted that some types of shrubbery require a lot of maintenance, which may become an issue. Derek Beiderwieden commented on the pavers which were part of alternative C, which he is not in favor of due to their maintenance and upkeep. He did like the idea of expanding the streetscape across to the other side of the street, but wasn't sure about the separate "rooms" in alternative B and C. He added that he liked the winding pathway of alternative A. Steve Taylor asked about parking spaces. Kristin replied that no parking spaces will be lost in any of the alternatives. Grant Schilling asked about the depth of the path in front of the hotel and that it would be too narrow. Kristin replied that it is about 30 feet wide, which is quite wide. James Boyd noted that this item will go to the Board of Public Works as one preferred alternative, who will then make a recommendation to the Council for final approval.

RESULT:	**DISCUSSED**

10. Status Report and Presentation for the City of De Pere Zoning Ordinance and Sign Ordinance Rewrite - August 2018.

Development Services Director Kim Flom reported that the zoning code rewrite project is a huge undertaking and the Plan Commission will be involved along the way. The consultant, Duncan Associates, is now in the public engagement phase of the project. She turned the meeting over to Kirk Bishop from Duncan Associates to provide a review. Kirk reported that this is the City's first comprehensive zoning code update in almost 50 years. The overall project is set up in five stages and it is currently at the end of the first stage. He outlined some of the objectives of the project, which are:
-To align ordinance with comprehensive plan
-Include updated design standards and new tools
-Promote walkable mixed-use development patterns
-Protect stable residential neighborhoods
-Offer a variety of housing choices and lifestyle options

Attachment: PC_Aug2018_Minutes_Draft (7557 : Approval of the minutes of the August 27, 2018 Plan Commission meeting.)

-Rely on predictable and efficient approval procedures
-Include illustrations, graphics, and navigational features
-Make regulations easy to use and understand

Kirk reported that he has been conducting interviews with several stakeholder groups, including members of City boards and commissions, as well as downtown business owners. He noted that the Plan Commission has been assigned as the steering committee for the project. Throughout the project, the Plan Commission will be provided monthly updates of the rewrite. Kirk reported that the entire project will be completed about a year from now, in late July 2019. The "Concepts and Directions Report" will be posted on the home page of the City's website for public viewing.

RESULT:	**NO ACTION**

Adjournment

James Boyd moved, seconded by Derek Beiderwieden, to adjourn the meeting at 8:37 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker

Attachment: PC_Aug2018_Minutes_Draft (7557 : Approval of the minutes of the August 27, 2018 Plan Commission meeting.)

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**October 22, 2018**
DEPARTMENT:	**Planning**
FROM:	**Peter Schleinz**
SUBJECT:	**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.***

ATTACHMENTS:

- Extraterritorial Final Plat - Hidden Ackers - Plan Commission Report (DOCX)
- Application Form (PDF)
- Final Plat (PDF)

ITEM 3: **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.***

SITE MAP

Attachment: Extraterritorial Final Plat - Hidden Ackers - Plan Commission Report (7560 : Recommendation regarding a Proposed

PROPOSED FINAL PLAT AREA

REQUESTED ACTION: Extraterritorial Final Plat Approval.

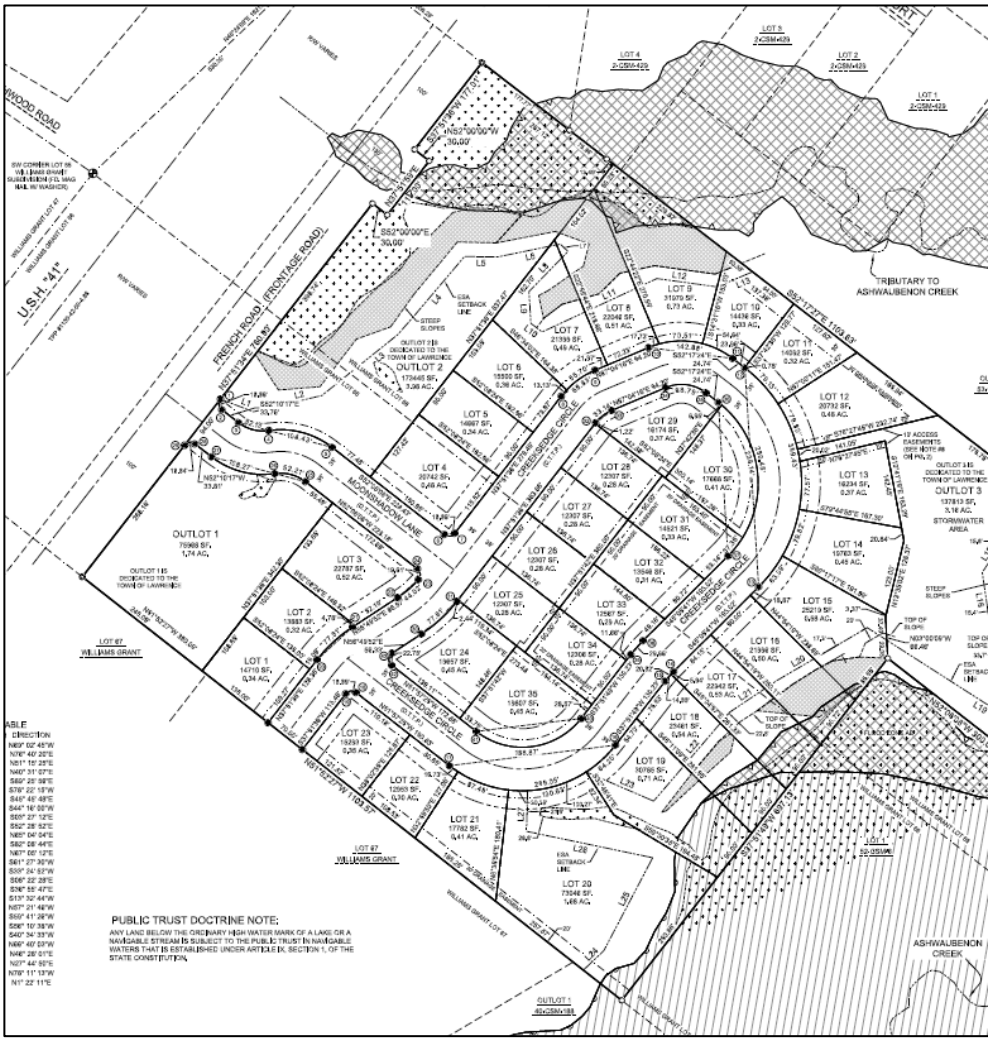
COMMON DESCRIPTION: 2200 BLK French Road in the Town of Lawrence, generally located south from French Court and north from Larry Lane.

PARCEL NUMBER(S): L-444 & L-446

EXISTING ZONING: Located in Town of Lawrence. Zoned R-1 with a PDD overlay by the Town.

PROPOSED ZONING: None.

SURROUNDING LAND USES: Wooded and environmentally sensitive area to the north and east.
Interstate to the west.
Agricultural and wooded to the south.



Attachment: Extraterritorial Final Plat - Hidden Ackers - Plan Commission Report (7560 : Recommendation regarding a Proposed

COMPREHENSIVE PLAN: Not in the city of De Pere, however identified as "Mixed Uses" in the Lawrence Comprehensive Plan.

APPLICANT/OWNER NAME:

Randall J. Oettinger, PLS Authorized Representative Mach IV Engineering 2260 Salscheider Court Green Bay, WI 54313	NAZCR TRC LLC Property Owner ATTN: Pat Kaster 2170 Velp Avenue Green Bay, WI 54303

SITE HISTORY: After a review of air photographs, it was evident that the property has been used for agricultural purposes with wooded areas since 1938. The property is on French Road, which is a frontage road to I-41. The property is part of the original "Subdivision of Williams Grant."

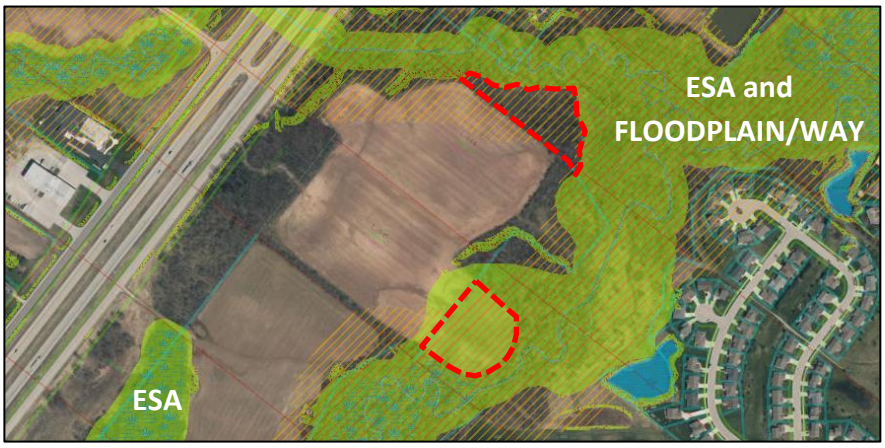
The proposed land division falls entirely within the Town of Lawrence sewer service area. The site has environmentally significant areas (ESA), including steep slopes, a non-navigable waterway, floodway, floodplain, wetlands and related ESA setbacks. The ESA concerns on the plat will be addressed by the Brown County Planning Commission.

STAFF REVIEW: When reviewing a final plat, staff considers State Statutes 236 Sections 46-3 through 46-7 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 property has three outlots that are being dedicated to the Town of Lawrence
  - Outlots 1 & 2 are for vegetative buffers between the development and I-41
  - Outlot 3 is for storm water management
- The 35 lots are intended for single family residential development
- The street pattern provides a connection to French Road and a future connection to City owned land to the south
- Because the City of De Pere owned land to the south does not have direct access to French Road, the City of De Pere and the Town of Lawrence are working together regarding shared sewer, water, and other utility connections, as well as street connections, in order to accommodate the subject land division and future land divisions located to the south
- The plat limits access for two pieces of adjacent City owned land that appear developable. However, the ability to develop is severely limited due to ESA's, floodplains and municipal property lines

Attachment: Extraterritorial Final Plat - Hidden Ackers - Plan Commission Report (7560 : Recommendation regarding a Proposed

ADJACENT CITY OWNED AREAS WHERE DEVELOPMENT IS LIMITED



The original parcels are 28.8 acres in size. All of the proposed developable lots exceed the minimum 75 feet of street frontage and minimum 8,000 square feet of lot area that is required by the City of De Pere. The street frontage and lot size have already been approved by the Town of Lawrence.

In summary, the final extraterritorial plat meets the criteria of State Statutes 236 and Sections 46-3 through 46-7 of the De Pere Platting and Division of Land Code. The proposed land division does not impact the Comprehensive Plan negatively. The proposed lot size, street frontage, and setbacks meet acceptable City requirements. The plat also resembles the preliminary plat that the Plan Commission reviewed on July 23, 2018.

REVIEW PROCESS: For extraterritorial final plat petitions, the Plan Commission provides either an approval, rejection with reason, or approval with conditions decision. The Common Council also reviews final extraterritorial plats. The Common Council is expected to review the City plat on Wednesday, November 7, 2018.

STAFF RECOMMENDATION: Staff recommends APPROVAL of the final extraterritorial plat and forwarding the plat to the Common Council for final approval, subject to:

1. Meeting all other state and local regulations, including the Town of Lawrence, City of De Pere, and Brown County Planning Commission.

Attachment: Extraterritorial Final Plat - Hidden Ackers - Plan Commission Report (7560 : Recommendation regarding a Proposed

CITY OF DE PERE RECEIVED AUG 21 2018 PLANNING

	CITY OF DE PERE **APPLICATION FOR PLAT REVIEW**	**Fee:** $ 195.00 **Receipt #:** 135654 **Date:** 8-21-18

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) Mach IV Engineering & Surv	Authorized Representative Randy Oettinger	Title Land Surveyor	
Mailing Address 2260 Salsche	City Green Bay	State WI	ZIP Code 54313
Email Address roettinger@ma	Phone Number (incl. area code) 920 569-5765	Fax Number (incl. area code) 920 569-5767	

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

Name (Ind. Org. or Entity) NAZCR TRAC LLC	Contact Person Pat Kaster	Title Owner	
Mailing Address 2170 Velp Av	City Green Bay	State WI	ZIP Code 54303
Email Address patkaster@rive	Phone Number (incl. area code) 920 497-5090	Fax Number (incl. area code)	

SECTION 3: Project or Site Location

Project Address/Description French Road	Parcel No. L-444 & L-446

SECTION 4: Plat Review

Review Type:	☐ Preliminary Plat ☑ Final Plat	
Fee:	Preliminary Plat Fee: $278 + (____# of lots x $68) Final Plat Fee: $195	$195
Present Use of Parcel:	Agriculture	
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.

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) Randall J. Oettinger	Title Land Surveyor	Phone Number 920 712-2324
Signature of Applicant		Date Signed August 20, 2018

TO BE COMPLETED BY CITY STAFF

Plat Review authorized by the De Pere Municipal Code, Chapter 46.	OCT RC ✓

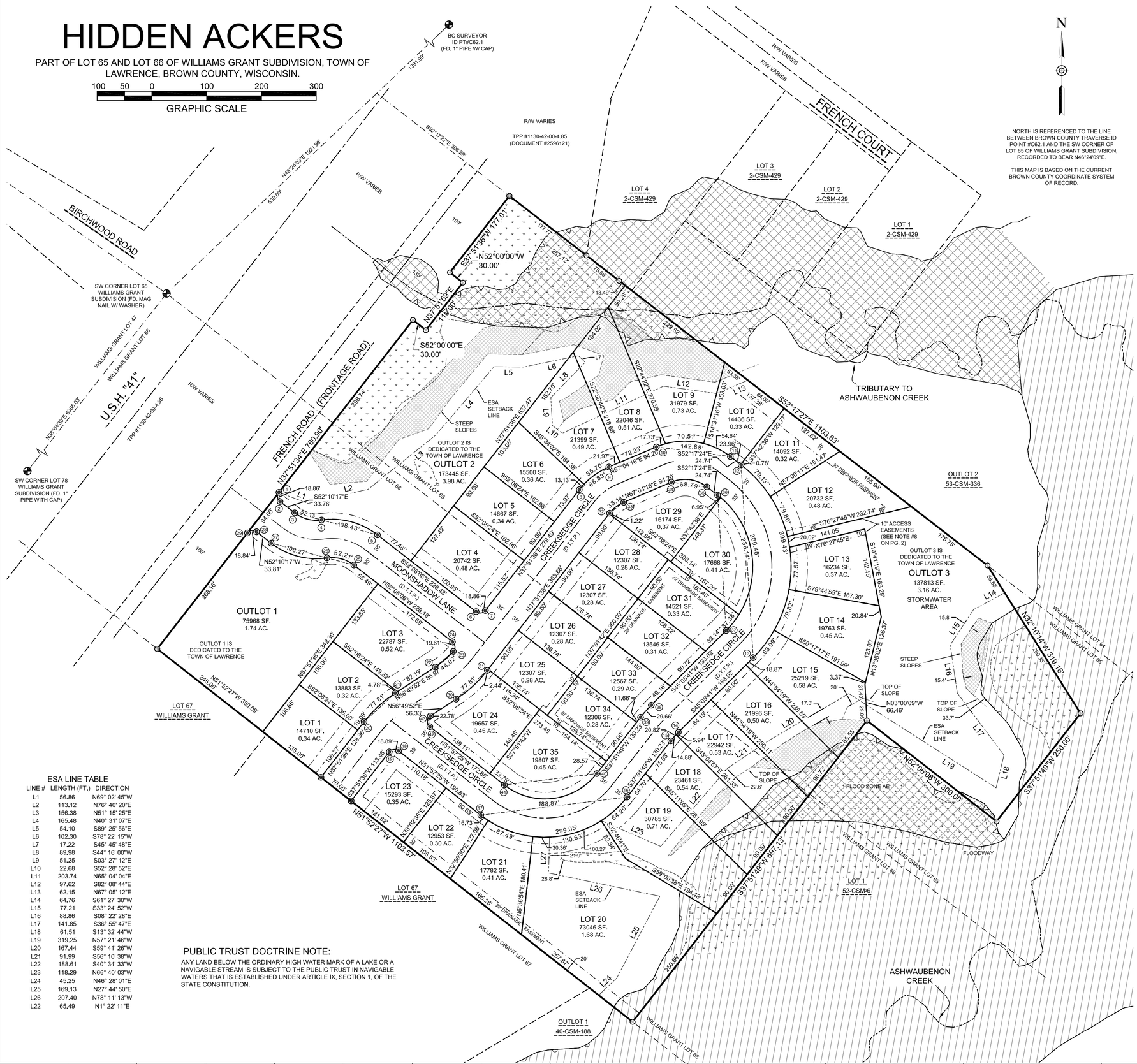
Attachment: Application Form (7560 : Recommendation regarding a Proposed Extraterritorial 35 Lot and 3 Outlot final plat of Hidden Ackers)

HIDDEN ACKERS

PART OF LOT 65 AND LOT 66 OF WILLIAMS GRANT SUBDIVISION, TOWN OF LAWRENCE, BROWN COUNTY, WISCONSIN.

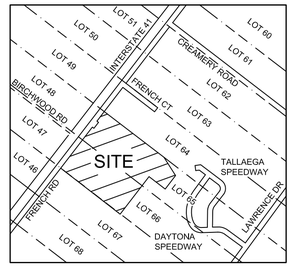
100 50 0 100 200 300

GRAPHIC SCALE



NORTH IS REFERENCED TO THE LINE BETWEEN BROWN COUNTY TRAVERSE ID POINT #C62.1 AND THE SW CORNER OF LOT 65 OF WILLIAMS GRANT SUBDIVISION, RECORDED TO BEAR N46°24'09"E.

THIS MAP IS BASED ON THE CURRENT BROWN COUNTY COORDINATE SYSTEM OF RECORD.



LOCATION MAP

WILLIAMS GRANT LOTS 65 & 66
TOWN OF LAWRENCE-BROWN COUNTY, WI

NOT TO SCALE

NOTES:

1) FRONT YARD SETBACK IS 30' FOR ALL LOTS.
2) REAR YARD SETBACK IS 25' FOR LOTS NOT INCLUDED WITHIN AN ESA.
3) SIDEYARD SETBACK IS 10' FOR ALL LOTS.
4) OUTLOT 3 IS RESERVED FOR STORMWATER PURPOSES.
5) FLOODPLAIN MAPPING BASED OF FEMA FIRM MAP #55009C0242F.
6) ASSURED WETLAND DELINEATION BY CHAD FRADETTE-MACH IV ENGINEERING & SURVEYING, DATED OCTOBER 17, 2017.

LEGEND

- 2.38" (O.D.) X 18" IRON PIPE WEIGHING 3.65 LBS/LIN. FOOT SET
- 1" IRON PIPE W/ CAP FOUND
- 1" IRON PIPE FOUND
- R/W CURVE NUMBER
- BROWN COUNTY MONUMENT - TYPE NOTED
- ALL OTHER LOT CORNERS MARKED WITH A 1.13" (O.D.) X 18" IRON PIPEW/ CAP WEIGHING 1.68 LBS\LIN. FOOT.
- ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST HUNDREDTH OF A FOOT.
- ALL DISTANCES ON CURVES ARE ARC LENGTHS.
- 30' BUILDING SETBACK (UNLESS NOTED)
- 12' UTILITY EASEMENT (UNLESS NOTED)
- CONTOUR LINE
- ( ) RECORDED AS
- D.T.T.P. DEDICATED TO THE PUBLIC (SEE NOTE 1, ON PAGE 2)
- WETLANDS AS DELINEATED BY MACH IV ENGINEERING & SURVEYING, DATED . WETLAND CONCURRENCE LETTER DATED
- FLOODPLAIN
- FLOODWAY
- AREAS OF STEEP SLOPES (SEE RESTRICTIVE COVENANTS #4 ON PAGE 2)

ESA LINE TABLE

LINE #	LENGTH (FT.)	DIRECTION
L1	56.86	N69° 02' 45"W
L2	113.12	N76° 40' 20"E
L3	156.38	N51° 15' 25"E
L4	165.48	N40° 31' 07"E
L5	54.10	S89° 25' 56"E
L6	102.30	S78° 22' 15"W
L7	17.22	S45° 45' 48"E
L8	89.98	S44° 16' 00"W
L9	51.25	S03° 27' 12"E
L10	22.68	S52° 28' 52"E
L11	203.74	N65° 04' 04"E
L12	97.62	S82° 08' 44"E
L13	62.15	N67° 05' 12"E
L14	64.76	S61° 27' 30"W
L15	77.21	S33° 24' 52"W
L16	88.86	S08° 22' 28"E
L17	141.85	S36° 55' 47"E
L18	61.51	S13° 32' 44"W
L19	319.25	N57° 21' 46"W
L20	167.44	S59° 41' 26"W
L21	91.99	S56° 10' 38"W
L22	188.61	S40° 34' 33"W
L23	118.29	N66° 40' 03"W
L24	45.25	N46° 28' 01"E
L25	169.13	N27° 44' 50"E
L26	207.40	N78° 11' 13"W
L22	65.49	N1° 22' 11"E

PUBLIC TRUST DOCTRINE NOTE:

ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

MACH IV
ENGINEERING • SURVEYING • ENVIRONMENTAL
2260 Salscheider Court Green Bay, WI 54313
PH:920-569-5765; Fax: 920-569-5767
www.mach-iv.com

NAZCR TRAC LLC

HIDDEN ACKERS

FINAL PLAT

NO.	REVISION DESCRIPTION

DATE: MAY 07, 2018
DRAFTED BY: RJO
CHECKED BY: ASC
PROJECT NO.: 1101-01-16
DRAWING NUMBER 1384
SHEET NUMBER 1 OF 2

Attachment: Final Plat (7560 : Recommendation regarding a Proposed Extraterritorial 35 Lot and 3 Outlot final plat of Hidden Ackers)

HIDDEN ACKERS

PART OF LOT 65 AND LOT 66 OF WILLIAMS GRANT SUBDIVISION, TOWN OF LAWRENCE, BROWN COUNTY, WISCONSIN.

CERTIFICATE FOR THE TOWN OF LAWRENCE

APPROVED FOR THE TOWN OF LAWRENCE THIS _____ DAY OF _____, 20_____.

_____

TOWN OF LAWRENCE ADMINISTRATOR

CERTIFICATE FOR THE CITY OF DEPERE

APPROVED FOR THE CITY OF DEPERE THIS _____ DAY OF _____, 20_____.

_____

SHANA DEFNET
CITY CLERK-TREASURER

BROWN COUNTY PLANNING COMMISSION

APPROVED FOR THE BROWN COUNTY PLAN COMMISSION THIS ____ DAY OF _____, 20__.

_____

DAN TEATERS
SENIOR PLANNER

TOWN OF LAWRENCE TREASURER'S CERTIFICATE

AS DULY ELECTED TOWN TREASURER, I HEREBY CERTIFY THAT THE RECORDS IN OUR OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESSMENTS AFFECTING ANY OF THE LANDS INCLUDED IN THIS PLAT AS OF THE DATES LISTED BELOW.

_____

JENNIFER MESSERSCHMIDT DATE
TOWN TREASURER

BROWN COUNTY TREASURER'S CERTIFICATE

AS DULY ELECTED BROWN COUNTY TREASURER, I HEREBY CERTIFY THAT THE RECORDS IN OUR OFFICE SHOW NO UNREDEEMED TAXES AND NO UNPAID OR SPECIAL ASSESSMENTS AFFECTING ANY OF THE LANDS INCLUDED IN THIS PLAT AS OF THE DATE LISTED BELOW.

_____

PAUL ZELLER DATE
BROWN COUNTY TREASURER

SURVEYOR'S CERTIFICATE

I, RANDALL J. OETTINGER, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236, WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF THE TOWN OF LAWRENCE AND THE BROWN COUNTY PLANNING COMMISSION AND UNDER THE DIRECTION OF THE OWNERS LISTED HEREON, I HAVE SURVEYED, DIVIDED AND MAPPED "HIDDEN ACKERS", AND THAT SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES AND THE SUBDIVISION OF THE LAND SURVEYED AND IS PART OF LOT 65 AND LOT 66 OF WILLIAMS GRANT SUBDIVISION, TOWN OF LAWRENCE, BROWN COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 65 OF WILLIAMS GRANT SUBDIVISION; THENCE N46°24'09"E, 530.00 FEET ALONG THE LINE BETWEEN SAID SOUTHWEST CORNER OF LOT 65 AND BROWN COUNTY SURVEY ID POINT #C62.1; THENCE S52°17'27"E, 306.29 FEET ALONG THE NORTH LINE OF SAID LOT 65 TO THE SOUTH RIGHT OF WAY LINE OF THE U.S. HIGHWAY 41 FRONTAGE ROAD (A.K.A. FRENCH ROAD) AND THE POINT OF BEGINNING; THENCE CONTINUING S52°17'27"E, 1103.63 FEET ALONG SAID LINE; THENCE S32°10'14"E, 319.18 FEET ALONG A WEST LINE OF LOT 1 OF VOLUME 52, CERTIFIED SURVEY MAPS, PAGE 6 (DOCUMENT #2277866-MAP #7562), BROWN COUNTY RECORDS; THENCE S37°51'49"W, 250.00 ALONG SAID MAP; THENCE N52°06'08"W, 300.00 FEET ALONG SAID MAP; THENCE S37°51'49"W, 697.13 FEET ALONG SAID MAP; THENCE N51°52'27"W, 1103.57 FEET ALONG THE SOUTH LINE OF LOT 66 OF WILLIAMS GRANT SUBDIVISION, SAID LINE ALSO BEING THE NORTH LINE OF OUTLOT 1 OF VOLUME 40, CERTIFIED SURVEY MAPS, PAGE 188 (DOCUMENT #1742175-MAP #6094), BROWN COUNTY RECORDS; THENCE N37°51'34"E, 760.90 FEET ALONG THE SOUTH LINE OF SAID FRONTAGE ROAD RIGHT OF WAY; THENCE S52°00'00"E, 30.00 FEET ALONG SAID RIGHT OF WAY; THENCE N37°51'59"E, 110.00 ALONG SAID RIGHT OF WAY; THENCE N52°00'00"W, 30.00 FEET ALONG SAID RIGHT OF WAY; THENCE N37°51'36"E, 177.01 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1,248,927 S.F. \ 28.67 AC., MORE OR LESS.
ROAD DEDICATION CONTAINS 179,780 SQUARE FEET/ 4.13 ACRES, MORE OR LESS.
PARCEL SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

_____

RANDALL J. OETTINGER PLS-2349
DATE: MAY 07, 2018
REVISED JUNE 05, 2018 (ROAD ENTRANCE)
REVISED AUGUST 09, 2018 (CURVE DATA AND ESA TABLE)

WDNR NOTES:

* THE PARCEL HAS MAPPED WETLANDS AND/OR WETLAND INDICATOR SOILS PRESENT, IF THE CURRENT OR FUTURE LANDOWNER HAS PLANS FOR LAND DISTURBANCE, CONSTRUCTION WORK, GRADING/FILLING, ETC. THE FIRST STEP IS FOR THE LANDOWNER TO HIRE A WETLAND PROFESSIONAL TO REVIEW THE AREA FOR THE PRESENCE OF WETLANDS. A PROJECT THAT RESULTS IN FILLING OF WETLANDS (THROUGH LAND DISTURBING ACTIVITIES) WILL NEED TO COMPLY WITH WETLAND REGULATIONS. FOR MORE INFORMATION ON WETLANDS, PLEASE VISIT HTTP://DNR.WI.GOV/TOPIC/WATERWAYS/CONSTRUCTION/WETLANDS.HTML.
* A PUBLIC (NAVIGABLE) WATERWAY IS LOCATED WEST OF/ON THE PROPERTY. THIS WATERWAY ALSO CARRIES THE ASNRI DESIGNATION (AREA OF SPECIAL NATURAL RESOURCE INTEREST). SPECIFICALLY, THIS DESIGNATION WOULD MEAN THAT ANY REGULATED WATERWAY (CH. 30) ACTIVITIES ARE NOT ELIGIBLE FOR AN EXEMPTION – A PERMIT IS REQUIRED IF THE PROPOSED WORK INCLUDES REGULATED WATERWAY ACTIVITIES. PERMITS MAY BE REQUIRED FOR PROPOSED PROJECTS IN/AROUND A PUBLIC WATERWAY. FOR MORE INFORMATION ON WATERWAY ACTIVITIES, PLEASE VISIT THE DEPARTMENT'S HOMEPAGE O WETLAND/WATERWAY ACTIVITIES AT HTTP://DNR.WI.GOV/TOPIC/WATERWAYS/.
* FOR PLANNED LAND DISTURBANCES OVER 1 ACRE, PLEASE VISIT HTTP://DNR.WI.GOV/TOPIC/STORMWATER/ TO LEARN IF YOU NEED A STORM WATER CONSTRUCTION SITE PERMIT.
* FOR FEDERAL WETLAND REGULATIONS, PLEASE CONTACT THE ARMY CORPS OF ENGINEERS AT 920-448-2824 TO LEARN IF A FEDERAL WETLAND APPROVAL IS REQUIRED FOR SITE DEVELOPMENT.

LIMITED LIABILITY COMPANY OWNER'S CERTIFICATE

NAZCR TRAC LLC, A LIMITED LIABILITY COMPANY DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, DOES HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON HIDDEN ACKERS TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. NAZCR TRAC LLC ALSO CERTIFIES THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

TOWN OF LAWRENCE
CITY OF DEPERE
BROWN COUNTY PLANNING COMMISSION
DEPT. OF ADMINISTRATION

IN WITNESS WHEREOF, THE SAID NAZCR TRAC LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY PATRICIA A. KASTER AND DENNIS P. LAYDEN, ITS MANAGING MEMBERS, ON THIS _____ DAY OF _____, 20___.

_____ _____

PATRICIA A. KASTER DENNIS P. LAYDEN
MANAGING MEMBER - NAZCR TRAC LLC MANAGING MEMBER - NAZCR TRAC LLC

PERSONALLY CAME BEFORE ME THIS ____ DAY OF _____, 20____, THE ABOVE NAMED MANAGERS OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH MANAGER AS THE DEED OF SAID LIMITED LIABILITY COMPANY, BY ITS AUTHORITY.

_____

NOTARY PUBLIC MY COMMISSION EXPIRES _____

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

NOTES:

1) ALL ROADS WITHIN THE PLAT BOUNDARY ARE DEDICATED TO THE PUBLIC (D.T.T.P.).

2) SIDE YARD SETBACK IS 10 FEET FOR ALL LOTS.

3) REAR YARD SETBACK IS 25 FEET FOR LOTS.

4) THE PROPERTY OWNERS, AT THE TIME OF CONSTRUCTION, SHALL IMPLEMENT THE APPROPRIATE SOIL EROSION CONTROL METHODS OUTLINED IN THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, "WISCONSIN CONSTRUCTION SITE BEST MANAGEMENT PRACTICE HANDBOOK" TO PREVENT SOIL EROSION. HOWEVER, IF AT THE TIME OF CONSTRUCTION THE VILLAGE HAS AN ADOPTED SOIL EROSION CONTROL ORDINANCE, IT SHALL GOVERN OVER THIS REQUIREMENT. THIS PROVISION APPLIES TO ANY GRADING, CONSTRUCTION, OR INSTALLATION-RELATED ACTIVITIES.

5) LOTS 8, 9, 15, 16, 17, 18, 19, 20, OUTLOT 1, OUTLOT 2 AND OUTLOT 3 INCLUDE WETLAND AREAS THAT MAY REQUIRE PERMITS FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, ARMY CORPS OF ENGINEERS, BROWN COUNTY PLANNING COMMISSION, OR THE LOCAL MUNICIPALITY'S ZONING ADMINISTRATOR'S OFFICE PRIOR TO ANY DEVELOPMENT ACTIVITY.

6) FLOOD INFORMATION FROM FEMA FLOOD PANEL #55009C0242F.

7) WETLANDS DELINEATED BY MACH IV ENGINEERING & SURVEYING, REPORT DATED OCTOBER 17, 2017.

8) THE 10' ACCESS EASEMENTS ON LOTS 12 AND 13, ADJACENT TO OUTLOT 3, ARE TO REMAIN CLEAR OF OBSTRUCTIONS AND VEGETATION IN ORDER TO ALLOW A CLEAR AND UNOBSTRUCTED ROUTE FOR STORMWATER MAINTENANCE ACCESS.

9) A SHORELAND PERMIT FROM THE BROWN COUNTY ZONING ADMINISTRATOR'S OFFICE IS REQUIRED FOR LOTS 5, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, OUTLOT 2 AND OUTLOT 3 PRIOR TO ANY CONSTRUCTION, FILL, OR GRADING ACTIVITY WITHIN 300 FEET OF A STREAM.

RESTRICTIVE COVENANTS:

1) OUTLOT 3 IS DEDICATED TO THE TOWN OF LAWRENCE FOR STORM WATER SEWER AND DRAINAGE.

2) OUTLOT 1 AND 2 ARE DEDICATED TO THE TOWN OF LAWRENCE.

3) THE LAND ON ALL SIDE AND REAR LOT LINES OF ALL LOTS SHALL BE GRADED BY THE LOT OWNER AND MAINTAINED BY THE ABUTTING PROPERTY OWNERS TO PROVIDE FOR ADEQUATE DRAINAGE OF SURFACE WATER.

4) LOTS 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, OUTLOT 1, OUTLOT 2 AND OUTLOT 3 CONTAIN AN ENVIRONMENTALLY SENSITIVE AREA (ESA) AS DEFINED IN THE BROWN COUNTY SEWAGE PLAN. THE ESA INCLUDES WETLANDS, ALL LAND WITHIN 35 FEET OF WETLANDS 2 ACRES OR GREATER, NAVIGABLE WATERWAYS, ALL LAND WITHIN 75 FEET OF THE ORDINARY HIGH WATER MARK OF NAVIGABLE WATERWAYS, AND STEEP SLOPES OF 20% OR GREATER ASSOCIATED WITH ANY AFOREMENTIONED WATER OR NATURAL RESOURCE FEATURES AND A 20- FOOT SETBACK FROM TOP AND BOTTOM OF STEEP SLOPES. DEVELOPMENT AND LAND DISTURBING ACTIVITIES ARE RESTRICTED IN THE ESA UNLESS AMENDMENTS ARE APPROVED BY THE BROWN COUNTY PLANNING COMMISSION AND THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES.

UTILITY EASEMENT PROVISIONS (ELECTRIC, NATURAL GAS, AND COMMUNICATIONS)

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY:

NAZCR TRAC LLC, A LIMITED LIABILITY COMPANY, GRANTOR, TO:

THE TOWN OF LAWRENCE, GRANTEE;
WISCONSIN PUBLIC SERVICE CORPORATION, A WISCONSIN CORPORATION, GRANTEE;
NORTHEAST TELEPHONE COMPANY, LLC, GRANTEE;
WISCONSIN BELL INC., D/B/A AT&T WISCONSIN, A WISCONSIN CORPORATION, GRANTEE;
BROWN COUNTY C-LEC, LLC, GRANTEE;
TIME WARNER CABLE, INC., GRANTEE:

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO CONSTRUCT, INSTALL, OPERATE, REPAIR, MAINTAIN AND REPLACE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND ELECTRIC ENERGY, NATURAL GAS, TELEPHONE AND CABLE TV FACILITIES FOR SUCH PURPOSES AS THE SAME IS NOW OR MAY HEREAFTER BE USED, ALL IN, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY SHOWN WITHIN THOSE AREAS ON THE PLAT DESIGNATED AS "UTILITY EASEMENT AREAS" AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL SERVICE CONNECTIONS UPON, ACROSS WITHIN AND BENEATH THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS, THERON, OR ON ADJACENT LOTS; ALSO THE RIGHT TO TRIM OR CUT DOWN TREES, BRUSH AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. THE GRANTEES AGREE TO RESTORE OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEES OR THEIR AGENTS. THIS RESTORATION, HOWEVER, DOES NOT APPLY TO THE INITIAL INSTALLATION OF SAID UNDERGROUND AND/OR ABOVE GROUND ELECTRIC FACILITIES, NATURAL GAS FACILITIES, OR TELEPHONE AND CABLE TV FACILITIES OR TO ANY TREES, BRUSH OR ROOTS WHICH MAY BE REMOVED AT ANY TIME PURSUANT TO THE RIGHTS HEREIN GRANTED. STRUCTURES SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT AREAS" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED BY MORE THAN SIX INCHES WITHOUT WRITTEN CONSENT OF GRANTEES.

THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

CURVE TABLE:

CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BEARING	TANGENTS
1-2	90°01'54"	12.00'	18.86'	16.98'	S07°09'21.5"E	N81°52'38"E
3-4	45°57'05"	65.00'	52.13'	50.74'	S75°08'49.5"E	N81°52'38"E
4-5	46°01'16"	135.00'	108.43'	105.54'	S75°06'44"E	
6-7	90°02'18"	12.00'	18.86'	16.98'	N82°52'45"E	
8-9	29°12'40"	135.00'	68.83'	68.08'	N52°27'56"E	
LOT 6	5°34'22"	135.00'	13.13'	13.13'	N40°38'47"E	
LOT 7	23°38'18"	135.00'	55.70'	55.30'	N55°15'07"E	
10-11	60°38'20"	135.00'	142.88'	136.30'	S82°36'34"E	
LOT 8	7°31'30"	135.00'	17.73'	17.72'	N70°50'01"E	
LOT 9	29°55'30"	135.00'	70.51'	69.71'	N89°33'31"E	
LOT 10	23°11'20"	135.00'	54.64'	54.27'	S63°53'04"E	
12-13	97°23'05"	235.00'	399.43'	353.05'	S03°35'51.5"E	
LOT 11	19°17'34"	235.00'	79.13'	78.76'	S42°38'36"E	
LOT 12	19°27'34"	235.00'	79.80'	79.43'	S23°16'02"E	
O.L.3	4°52'56"	235.00'	20.02'	20.02'	S11°05'47"E	
LOT 13	18°54'24"	235.00'	77.57'	77.20'	S00°47'53"W	
LOT 14	19°27'38"	235.00'	79.82'	79.43'	S19°58'54"W	
LOT 15	15°22'59"	235.00'	63.09'	62.90'	S37°24'11.5"W	
14-15	7°13'52"	165.00'	20.82'	20.81'	S41°28'45"W	
LOT 17	2°03'45"	165.00'	5.94'	5.94'	N44°03'48" E	
LOT 18	5°10'08"	165.00'	14.89'	14.88'	N40°26'52"E	
16-17	90°10'46"	190.00'	299.05'	269.12'	S82°57'12"W	
LOT 19	19°21'30"	190.00'	64.20'	63.89'	S47°32'34"W	
LOT 20	39°23'35"	190.00'	130.63'	128.07'	S76°55'06.5"W	
LOT 21	26°22'57"	190.00'	87.49'	86.72'	N70°11'37.5"W	
LOT 22	5°02'44"	190.00'	16.73'	16.73'	N54°28'48"W	
18-19	90°10'59"	12.00'	18.89'	17.00'	S82°57'05.5"W	
20-21	18°58'16"	235.00'	77.81'	77.46'	N47°20'44"E	
22-23	15°17'09"	165.00'	44.02'	43.89'	N49°11'17.5"E	N41°32'43"E
23-24	93°38'49"	12.00'	19.61'	17.50'	N05°16'41.5"W	N41°32'43"E
25-26	46°01'16"	65.00'	52.21'	50.82'	N75°06'44"W	S81°52'38"W
26-27	45°57'05"	135.00'	108.27'	105.39'	N75°08'49.5"W	S81°52'38"W
28-29	89°58'09"	12.00'	18.84'	16.97'	S82°50'38.5"W	
30-31	18°58'16"	235.00'	77.81'	77.46'	N47°20'44"E	
32-33	29°12'40"	65.00'	33.14'	32.78'	N52°27'56"E	
34-35	60°38'20"	65.00'	68.79'	65.63'	S82°36'34"E	
36-37	97°23'05"	165.00'	280.45'	247.89'	S03°35'51.5"E	
LOT 29	2°24'51"	165.00'	6.95'	6.95'	S51°04'59"E	
LOT 30	81°59'45"	165.00'	236.13'	216.49'	S08°52'41"E	
LOT 31	12°58'29"	165.00'	37.36'	37.29'	S38°36'26.5"W	
38-39	7°13'52"	235.00'	29.66'	29.64'	S41°28'45"W	
40-41	90°10'46"	120.00'	188.87'	169.97'	S82°57'12"W	
42-43	108°47'18"	12.00'	22.78'	19.51'	N02°26'14"E	

OFFICE OF THE REGISTER OF DEEDS
BROWN COUNTY, WISCONSIN

RECEIVED FOR RECORD _____, 20__

AT _____O'CLOCK ___M AND RECORDED AS

DOCUMENT # _____ IN

VOLUME _____ OF _____ ON PAGE ____

CHERYL BERKEN, REGISTER OF DEEDS

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

MACH IV
ENGINEERING • SURVEYING • ENVIRONMENTAL
2260 Salscheider Court Green Bay, WI 54313
PH:920-569-5765; Fax: 920-569-5767
www.mach-iv.com

NAZCR TRAC LLC

HIDDEN ACKERS

FINAL PLAT

NO.	REVISION DESCRIPTION

DATE: MAY 07, 2018
DRAFTED BY: RJO
CHECKED BY: ASC
PROJECT NO.: 1101-01-16
DRAWING NUMBER 1384
SHEET NUMBER
2 OF 2

Attachment: Final Plat (7560 : Recommendation regarding a Proposed Extraterritorial 35 Lot and 3 Outlot final plat of Hidden Ackers)

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**October 22, 2018**
DEPARTMENT:	**Planning**
FROM:	**Peter Schleinz**
SUBJECT:	**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.**

ATTACHMENTS:

- Report to Plan Commission - St John Sign Variance (DOCX)
- Application Form with Supplements (PDF)
- Inspection Denied Permit Application (PDF)

Item 4: **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.**

SITE MAP

REQUESTED ACTION: Sign Variance Request.

Variance to allow a replacement sign to remain located at current location, which is three feet away from a property line, rather than at the required 15 feet.

COMMON DESCRIPTION: 1700 Lost Dauphin Road, located on the Scheuring Road side (600 block) of the Lost Dauphin Road and Scheuring Road intersection.

PARCEL NUMBER(S): WD-208

EXISTING ZONING: R-2 (Single and Two-Family Residence District)

PROPOSED ZONING: None Proposed

SURROUNDING LAND USES: Residential to north, south, and east.
Educational (Syble Hopp School) to the west.

Attachment: Report to Plan Commission - St John Sign Variance (7562 : Recommendation regarding a sign variance request to allow a

COMPREHENSIVE PLAN: Institutional/Governmental Facilities

APPLICANT / OWNER:

Rev. Cindy Warmbier-Meyer	St. John Lutheran Church
Authorized Representative	Property Owner
1700 Lost Dauphin Road	1700 Lost Dauphin Road
De Pere, WI 54115-1700	De Pere, WI 54115-1700

SITE HISTORY: The subject property is part of the "Plat of L.C. Smith" & "Assessors Plat of West De Pere." Year 1938-2017 air photographs identify that the property was developed as a church in the 1960s-1970s with a building addition occurring in the 1990's.

The curve at the east end of Scheuring Road was established at the time the area was developed. The subject property line bumps approximately seven feet further to the south than property to the west. Also, the sidewalk bumps approximately 5 feet further to the north than property to the west.

On May 12, 2005, city staff approved a monument sign at the subject location, located three feet away from the property line. A variance was not needed at the time as the sign met the setback criteria established in 2004. Setback regulations changed after the sign was installed.

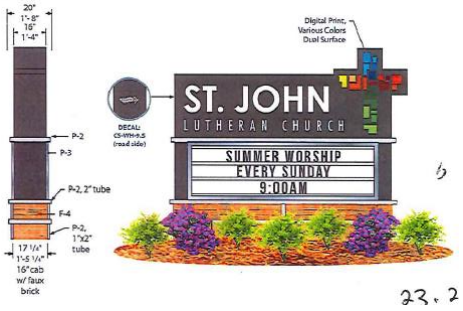
On September 26, 2018, City staff denied a request for the pre-existing non-conforming monument sign to be replaced at a distance of 3 feet away from the property line because the most recent sign ordinance, approved in 2014, requires a 15 foot setback, per Municipal Code 98-13(c)(6).

STAFF REVIEW: The applicant proposes a new monument sign to replace an existing monument sign on Scheuring Road, located north from the parking lot and northwest from the church). The new 58 square foot sign is located in the same location as the current sign and would stand eight feet tall, 9 feet wide, have two manual reader board faces along with permanent print, and have external illumination. The sign design meets all of the minimum criteria for a monument sign in the R-2 zoning district. However, the sign location does not meet the minimum setback criteria of 15 feet. If the proposed sign was moved back 15 feet to meet the minimum setback criteria, the sign would end up being located within the existing parking lot pavement.

The proposed new sign has a brick base that is surrounded by landscaping. The sign has two faces, which are externally illuminated. The lower portion of the sign has a manual reader board and the upper portion has permanent lettering.

Existing Sign

Proposed Sign



Attachment: Report to Plan Commission - St John Sign Variance (7562 : Recommendation regarding a sign variance request to allow a

When reviewing a sign variance, the following five hardship criteria must adequately be addressed, per Municipal Code 14-27(3). The petitioner response to each criteria is listed in italics:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.

   - *Because of the unique public right of way affecting only the property on the south side of the street, following the strict letter of the regulation would force the church to keep an outdated, non-energy efficient sign in place and representing the congregation. This hardship is caused by the ordinance and the public right of way which affects the property line.*

2. The conditions upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classifications.

   - *This hardship is caused by the ordinance and the public right of way which affects the property line. Because of the public right-of-way the property line is 29 feet in from the actual street and just over 13 feet in from the sidewalk.*

Attachment: Report to Plan Commission - St John Sign Variance (7562 : Recommendation regarding a sign variance request to allow a

3. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person having an interest in the property.

   - *Changes in Municipal Code requirements, since the last sign was approved in 2005, led to a hardship which would require a new sign to be placed within the pavement of an existing parking lot.*

4. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

   - *Granting the variance will not in any way be detrimental to the public welfare or injurious to other property or improvements in the neighborhood as the new sign will be in the very same location (approximately 3 feet from the property line) and the same size as the existing sign.*

5. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

   - *Granting the variance will not impair an adequate supply of light and air to adjacent property or have any effect on congestion of the street, an increase danger of fire or endanger the public safety. The new sign will enhance and aesthetically add to the neighborhood having the potential of increasing property value.*

Staff notified property owners within 100 feet of the of the variance request site. No public comments were received at the time this report was written.

All criteria for the monument sign have been met, less the 15 foot property line setback. Staff supports a reduction to the property line setback as a hardship.

REVIEW PROCESS: For sign variance applications, the Plan Commission reviews the variance and makes a final decision. Sign variances are not reviewed by the Common Council. Project notification letters, with a web link to the Plan Commission agenda, were sent to property owners within 100 feet of the site boundary.

STAFF RECOMMENDATION: Staff recommends APPROVAL of the sign variance request to allow for a replacement monument sign to be located 3 feet away from the property line, rather than behind the 15 foot setback, subject to the following condition.

1. A sign permit must be obtained and development must begin within 6 months of Plan Commission approval or the variance is no longer valid.

Attachment: Report to Plan Commission - St John Sign Variance (7562 : Recommendation regarding a sign variance request to allow a

CITY OF DE PERE RECEIVED OCT - 1 2018 PLANNING DEPT.

	CITY OF DE PERE **APPLICATION FOR VARIANCE**	**Fee:** $ 168.00 **Receipt #:** 136672 **Date:** 10-1-18

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) St. John Lutheran Church	Authorized Representative Rev Cindy Wambiss-Meyer	Title Pastor	
Mailing Address 1700 Lost Dauphin Rd	City De Pere	State WI	ZIP Code 54115
Email Address pastorcindy@stjohndepere.org	Phone Number (incl. area code) 920 · 336 · 1082	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)	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: 1700 Lost Dauphin Rd De Pere WI 54115 Legal Description:	Parcel Number(s): WD-208-1

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	98-13(e)(6) Monument signs shall be set back not less than 15 feet from any property line.
Ordinance Provision:	See above.
Project Description:	Replace existing sign w/in setback with new sign.
Variance Requested:	Variance to corner side yard setback for monument sign (special sign
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	See attached narration.
Describe the hardship(s) that would result if the variance is not granted:	" " "
Describe how the variance would not have adverse effects on surrounding properties:	" " "

Attachment: Application Form with Supplements (7562 : Recommendation regarding a sign variance request to allow a replacement monument

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 Variance 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.

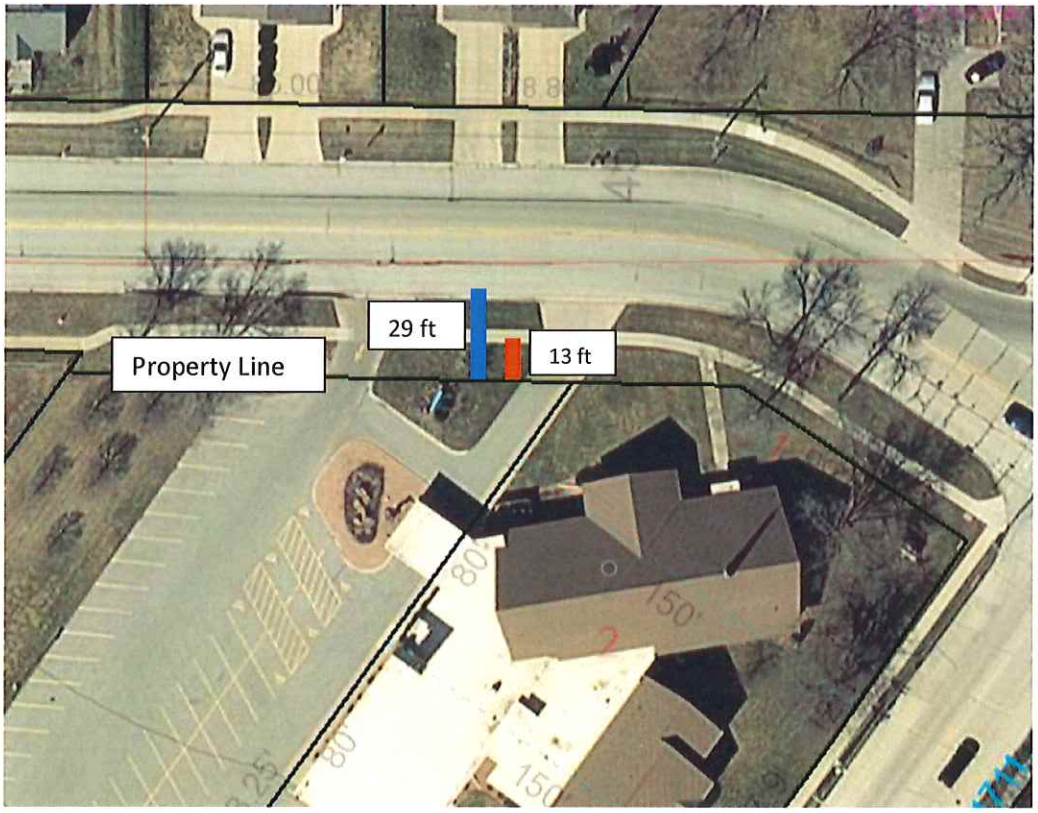
Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print)	Title	Phone Number
Cindy Waombia-Meyer	Pastor ~~President~~	920-336-1082
Signature of Applicant		**Date Signed**
Cindy Waombia-Meyer		10/1/18

Maps and scaled drawings which help explain the request are strongly encouraged. Attach additional sheets if necessary.

Supplement to Monument sign Variance application for St. John Lutheran Church

Because of the unique public right of way effecting only this property on our side of the street, following the strict letter of the regulation would force us to keep an outdated, non-energy efficient sign in place and representing our congregation. This hardship is caused by the ordinance and the public right of way which effect our property line. Because of the public right of way our property line is 29 feet in from the road and just over 13 feet in from the sidewalk.



Granting the variance will not in any way be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. As the new sign would be in the very same location (approximately 3 feet from the property line) and the same size as the current sign, granting the variance will not impair an adequate supply of light and air to adjacent property or have any effect on congestion of the street, an increase danger of fire or endanger the public safety. The new sign will enhance and aesthetically add to the neighborhood having the potential of increasing property value.

Attachment: Application Form with Supplements (7562 : Recommendation regarding a sign variance request to allow a replacement monument

Ordinance Provision: Monument Sign shall be set back not less than 15 feet to the property line.
Project Description: Replace/update existing sign to compliment sign on the other side of our property and enhance the over all look of the property.
Variance Requested: To allow placement of a new sign using the same foundation and sleeving a new sign on to the existing sign which is less than the required 15 feet from our property line.
Exceptional circumstances: Due to the public right of way on our side of the street, which effects only our property, our property line is exceptionally far from the sidewalk (13-1/2 feet) causing a unique challenge for us in meeting the required setback. We currently have a sign in place that is a legal non-conforming sign. Our proposed new sign would be located in the same spot. (approximately 3 feet from the property line.)
Hardship: We are unable to update and enhance the look and appeal of our property due to the setback ordinance.
Effects: We are forced to keep an outdated sign in order to have identification on Schuering road which negatively impacts the aesthetics of our property.

SCANNED

CITY OF DE PERE

335 South Broadway
De Pere, WI 54115
Fax No.: 920/339-4049
Web: http://www.de-pere.org

Dennis T. Jensen
Senior Building Inspector
335 S Broadway St
De Pere, WI 54115
djensen@mail.de-pere.org

September 26, 2018

Reverend Cindy Warmbier-Meyer
St. John Lutheran Church
1700 Lost Dauphin Road
De Pere, WI 54115

Re: Sign Application 1700 Lost Dauphin Road

To Whom It May Concern,

Upon reviewing the submitted sign application, documents and plans, the City of De Pere Sign Inspector has determined that the sign does not meet the minimum code standards to the City of De Pere Chapter 98 Sign Ordinance. The determining criteria listed below are not in accordance with the minimum standards of the sign ordinance:

1. 98-13 (c) (13). *Monument sign in allowed R-1 district (c) public/private schools or colleges and religious institutions or places of worship:* Monument sign shall be set back not less than 15 feet to the property line. The proposed monument sign does not meet the 15-foot setback from the property line.
2. (i) *Sign permit variance*. (1) In the event of a sign permit denial due to the requirements in this section contained causing undue or unnecessary hardship on any person, firm or corporation, a variance from requirements may be applied for to the plan commission under subsection 14-27(6) of this code, accompanied with such fee as determined by

resolution of the common council. Such fee may include late fees or fees for expedited process. The plan commission shall take action on any variance request within 60 days of receipt of the variance application or the same shall be deemed denied. The sign inspector shall comply with and enforce the plan commission's decision.

As per our meeting at my office with Senior Planner/Zoning Administrator, Peter Schleinz, we had discussed the options of keeping the proposed new monument sign in its present location. Unfortunately, the way our sign ordinance is constructed it would not meet the eligibility to be defined as a legal nonconforming sign. However; we can provide the information and application for a sign variance, if you so choose to pursue this option. We understand and recognize the unique challenge that the setback is causing for the new sign in its proposed location. The variance application should be provided to the department no later than October 8. If you have any concerns or questions regarding the process, you may call me at 920-339-4053, or Peter at 920-339-4043.

Sincerely;

Dennis T. Jensen, City Sign Inspector

CC: Peter Schleinz, Senior Planner/Zoning Administrator
Kimberly Flom, Economic Development Services Director
Teri Moen, Creative Signs

Building Inspection Department
City of De Pere
335 S. Broadway, De Pere, WI 54115
Phone: (920) 339-4053 FAX: (920) 330-9491
E-Mail: dpbldg@mail.de-pere.org

SIGN PERMIT APPLICATION
Permit #: _____
Fee: _____
Receipt #: _____
Date: _____

Property Owner: St. John Luthren Church
Address: 1700 Lost Dauphin Rd
De Pere WI 54115
Phone 920-530-7710 E-Mail Andy@InFormed-insurance.com

Business Owner/Lessee: N/A
Address: _____
Phone E-Mail

Contractor: Creative Sign CO.
Address: 505 Lawrence DR
DePere, WI 54115
Phone 920 336-8900 E-Mail Teri@GreenBaySigns.com

Address of Sign Location:
1700 Lost Dauphin Rd.

Sign Copy:
St. John LutHERN Church
w/ Manual Reader board

Square Footage of Sign: 58 ☐.
Height Above Grade: 96"
Height of Sign: 60"
Width of Sign: 9'
Number of Faces: 2
Sign Voltage: N/A
Amps: N/A
U.L. #: N/A
(required)

Setbacks:
Front: _____
Right: _____
Left: _____

Type of Sign:
- ☐ Erect
- ☐ Remodel
- ☐ Repair
- ☐ Relocate
- ☐ Enlarge
- ☒ Other: Replace existing

DENIED

Illumination:
- ☐ Internally Illuminated
- ☒ Externally Illuminated
- ☐ Non-illuminated
- ☐ Halo lit/back lit

Location of Sign:
- ☐ Fascia/Wall
- ☒ Ground
- ☐ Projecting
- ☐ Off-Premise
- ☐ Temporary
- ☐ Banner
- ☐ Downtown Sign District
- ☐ Right-of-Way Encroachment
- ☐ Awning

Sign Manufacturer & Address:
Creative Sign CO.
505 Lawrence DR.
DePere, WI. 54115

Insurance Company Name & Address:
NorthEast. Ins.
1345 North Rd.
Green Bay, WI. 54313

☐ Electric Permit Required N/A

Attachment: Inspection Denied Permit Application (7562 : Recommendation regarding a sign variance request to allow a replacement

Electrician Name & Address:
N/A.

ESTIMATED COST OF SIGN:
$6800.00

Approval Conditions:

Permit Application Conditions:

The undersigned hereby applies for a permit to do work according to the above description and the plans and specifications submitted herewith. The undersigned agrees that such work will be done as described and that they will comply with all applicable statutes of the State of Wisconsin and Ordinances of the City of De Pere, Wisconsin.

Signs Encroaching on Right-of-Way:

1. Property owner/lessee agrees to save and hold the City of De Pere harmless from any and all injury that may occur to any party as the result of the requested sign encroachment upon the right-of-way referenced hereunder. This provision is intended to indemnify and hold harmless the City of De Pere to the fullest extent permitted by law and includes the payment of reasonable attorney fees for the defense of any claims brought which can fairly be said to be under the intent and purpose of this hold harmless agreement. To secure such hold harmless agreement, property owner/lessee shall maintain a general liability insurance policy on its business operations in an amount of not less than One Million Dollars per occurrence and has produced a Certificate of Insurance that the City is named as an additional insured and is entitled to coverage thereunder under the terms and conditions of this permit.

2. If the City right-of-way is required for another use deemed by the City of De Pere to be inconsistent with continued encroachment under this permit or if the City determines that the sign installation creates conditions adverse to the best interests of right-of-way users, the general public, or presents a threat to street safety, then property owner/lessee, upon notification by the Building Inspector, shall promptly remove the encroaching sign from the right-of-way upon ten (10) day written notice to property owner/lessee. The sign shall be removed by property owner/lessee at property owner/lessee's sole cost and in accordance with all rules and regulations then applicable.

3. The authority to encroach upon right-of-way shall not transfer to any new business or property owner. A new permit is required.

Signature of Property Owner Date

Signature of Lessee Date

Contractor: Creative Sign Co
De Pere License Number: S19-01
Application Date: 9/18/18

Building Inspector:

Approval Date:

1/1/18

Attachment: Inspection Denied Permit Application (7562 : Recommendation regarding a sign variance request to allow a replacement

creative Sign company inc

305 Lawrence Dr. De Pere, WI 54115
920-336-0900 greenbaysigns.com

CLIENT: ST JOHN LUTHERAN
LOCATION: DE PERE
DRAWN BY: CHINOY X
SALESPERSON: TERI M
DATE: 08/15/18
DESIGN #: D14217
PAGE: 1

REVISION LOG: INTL DATE DESCRIPTION

MONUMENT SIGN

QUANTITY: 1
SIDES: D/F
CABINET: FABRICATED ALUM (16")
LIGHTING: NON LIT
FACES: .125" ROUTED AND BACKED ALUMINUM
BACKER 1: WHITE TRANS ACRYLIC
GRAPHICS: DIGITAL PRINT, DUAL SURFACE
VINYL: PREMIUM CLEAR W/ GLOSS LAM
FONT: LOGO

READER BOARD: 6" LETTERS W/ 3 LINES
VANDAL COVER: YES

POLE COVER: FABRICATED ALUMINUM (16") W/ TEXTURE PLUS FAUX BRICK (CONTEMP. BRICK - COLONIAL TAN

MOUNTING: DIRECT EMBEDMENT

INSTRUCTION: CSC TO REMOVE EXISTING MONUMENT THEN FABRICATE AND INSTALL NEW NON-ILLUMINATED MONUMENT W/ READER BOARD AS SHOWN.

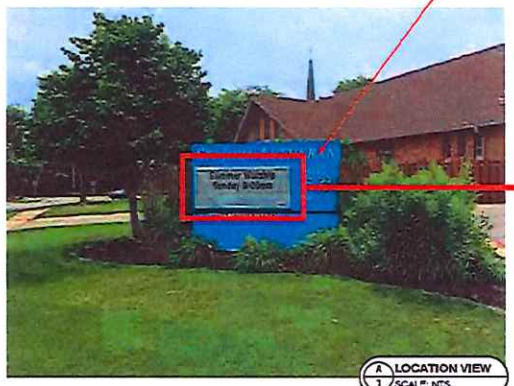
COLORS:
- P-1 DURANOTIC MP 04418 SP
- P-2 PMS 2330C
- P-3 BLACK
- F-4 TEXTURE PLUS CONTEMPORARY BRICK, COLONIAL TAN
- C-5 WHITE

CUSTOMER SIGNATURE FOR DESIGN APPROVAL:

DATE

DENIED

REMOVE SIGN



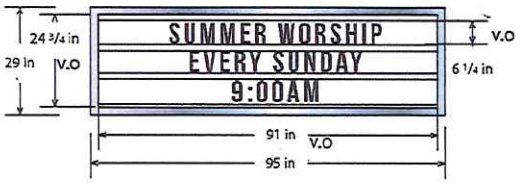
TO HAVE SIMILAR VANDAL COVER

A LOCATION VIEW 1 SCALE: NTS

MONUMENT: OPT 1

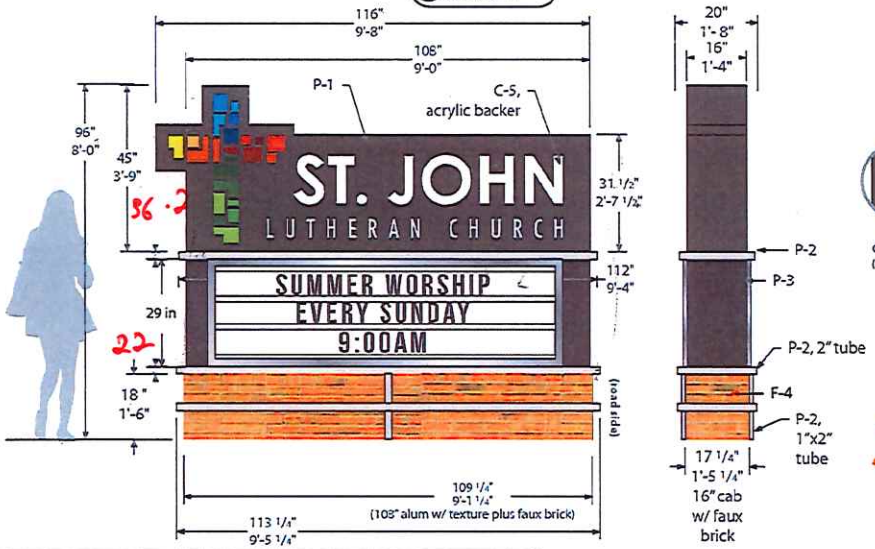
A DETAIL VIEW 3 SCALE: 3/8" = 1'

15.8 sq ft



3 LINES OF 6" COPY

A DETAIL VIEW 3 SCALE: 3/8" = 1'



6

23.25
16.0

CONCEPTUAL DRAWING ONLY - NOT FOR FABRICATION PURPOSES (SIZES ARE APROX.)

This is an original, unpublished drawing by Creative Sign Co, Inc. It is for your personal use, in conjunction with a project being planned for you by Creative Sign Co, Inc. It is not to be shown to anyone outside of your organization nor is it to be used, reproduced, copied or exhibited in any fashion. Use of this design or the salient elements of this design in any sign done by any other company, without the expressed written permission of Creative Sign Co, Inc., is forbidden by law and carries a civil forfeiture of up to 25% of the purchase price of the sign. Creative Sign will endeavor to closely match colors, including PMS, where specified. We cannot guarantee exact matches due to varying compatibility of surface materials and paints used. All sizes and dimensions are illustrated for clients conception of the project and are not to be understood as being exact size or exact scale.

Google Maps 1700 Lost Dauphin Rd

existing sign location replacing with new sign

*Edge of Sign To back of Sidewalk

Map data ©2018 Google 20 ft

*Existing Removed & New Sign Replace

1700 Lost Dauphin Rd

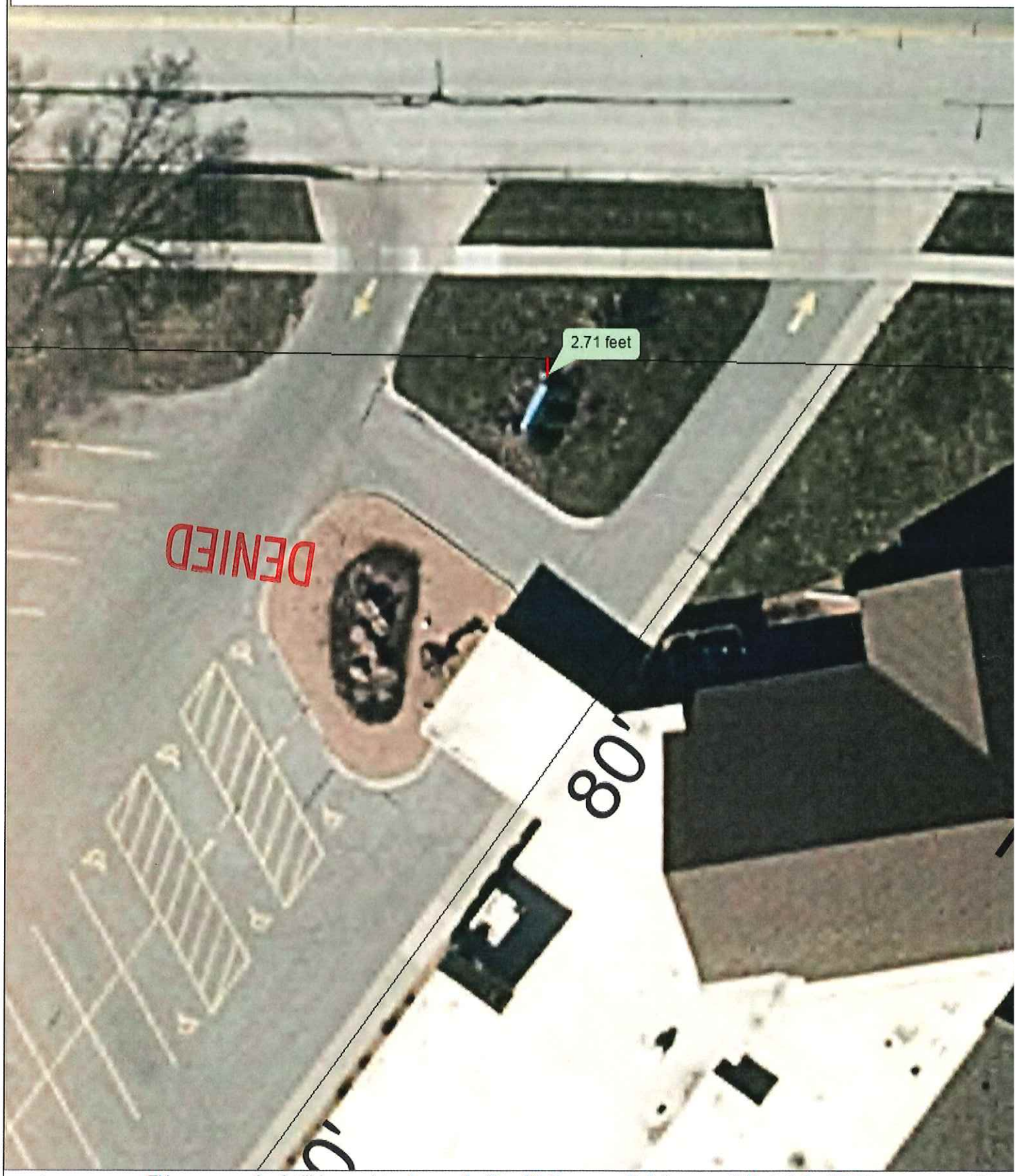
De Pere, WI 54115

* 20' Visual Triangl

At this location

Attachment: Inspection Denied Permit Application (7562 : Recommendation regarding a sign variance request to allow a replacement

<Title>



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.

N
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Map of De Pere, WI Provided By The De Pere Planning/GIS Department 2010

09/19/2018

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**October 22, 2018**
DEPARTMENT:	**Planning**
FROM:	**Peter Schleinz**
SUBJECT:	**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.**

ATTACHMENTS:

- Report to Plan Commission - Ahlstrom Munksjo Sign Variance(DOCX)
- Application Form with Supplements (PDF)
- Permit Form with Inspection Denial Letter (PDF)

Item 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.**

SITE MAP

REQUESTED ACTION: Sign Variance Request.

Variance to allow a 424 square foot replacement wall sign to exceed the required maximum size of 50 square feet.

COMMON DESCRIPTION: 200 Main Avenue, located at the west end of the Claude Allouez Bridge, northeast from the Main Avenue and 3rd Street intersection.

PARCEL NUMBER(S): WD-365

EXISTING ZONING: I-3 (General Industrial District)

PROPOSED ZONING: None Proposed

SURROUNDING LAND USES: Fox River, Commercial, and Recreational to north and east.
St. Norbert College and Commercial to the south.
Residential to far west, but not in view of the subject area.

COMPREHENSIVE PLAN: Industrial Park and Natural Areas

Attachment: Report to Plan Commission - Ahlstrom Munksjo Sign Variance (7563 : Recommendation regarding a sign variance request to allow

APPLICANT / OWNER:

Nick Lison, Jones Sign Company
Authorized Representative
1711 Scheuring Road
De Pere, WI 54115

Expera Nicolet LLC (Ahlstrom Munksjo)
Property Owner
600 Thilmany RD
Kaukauna, WI 54130-2164

SITE HISTORY:

The subject paper making property is part of the "United States Works of Improvement" platting for the 'De Pere Lock & Dam' from years 1899-1900. Year 1938-2017 air photographs identify that the property was already developed with the platting, and multiple expansions occurred over the years. The area where the subject wall sign is proposed was expanded in the 1960s-1970s.

The name of the company changed several times over the years. Recently the name changed to Thillmany in 2005, to Expera in 2013, and in July 2018 Expera announced that it would be bought out by Ahlstrom-Munksjo. The ownership of the property was still under Expera at the time this report was written.

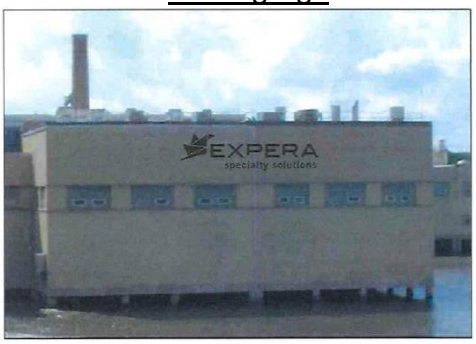
On September 24, 2018, City staff denied a request for a 464 square foot existing wall sign, on the east side of the building facing the Fox River, to be replaced with a new 424 square foot wall sign. Denial occurred because the maximum wall sign square footage is 50 square feet in the Main Street Overlay District, per Municipal Code 98-15(e).

STAFF REVIEW:

The applicant proposes a new wall sign to replace an existing wall sign facing the Fox River and the Claude Allouez Bridge, located at the east end of the building. The new 424 square foot wall sign is located in the same location as the current sign and would be approximately 10'1" tall by 40' long. The sign would utilize the existing external illumination on the east façade of the building. The sign design meets all of the minimum criteria for a wall sign in the Main Street Overlay District, however, the size of the sign exceeds the 50 square foot maximum by approximately 374 square feet. If the proposed sign was reduced to be 50 square feet the public may find it difficult to read the sign from the curve in the Claude Allouez Bridge (approximately 360 linear feet away) or from across the river (approximately 1,425 linear feet away).

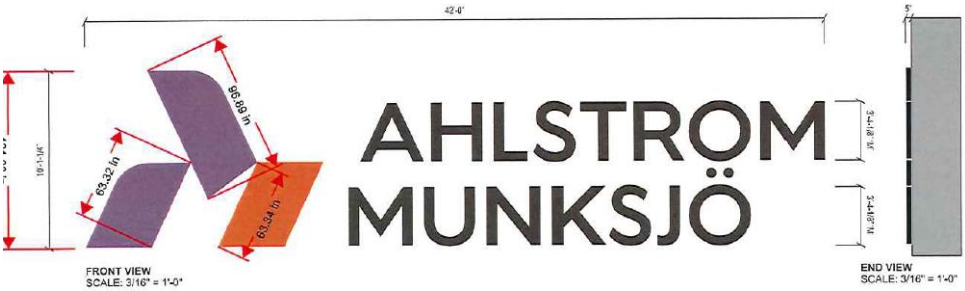
The proposed new wall sign is 40 square feet smaller than the existing "Expera" wall sign on the building today. The petitioner noted that a variance was obtained for the sign in 2013.

Existing Sign



Proposed Sign

Proposed Sign with Dimensions and Colors



When reviewing a sign variance, the following five hardship criteria must adequately be addressed, per Municipal Code 14-27(3). The petitioner response to each criteria is listed in italics:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.

   - *Because of the Fox River, the nearest practicable reading distance, aside from being in a boat, is the curve of the Claude Allouez Bridge (approximately 360 linear feet away) or Front Street across the river (approximately 1,425 linear feet away).*

2. The conditions upon which a petition for a variance are based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classifications.

   - *The hardship is unique to the property due to the excessive width of a natural water feature, the Fox River, which has a location that cannot be changed.*

Attachment: Report to Plan Commission - Ahlstrom Munksjo Sign Variance (7563 : Recommendation regarding a sign variance request to allow

3. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person having an interest in the property.

   - *The hardship ties to the Municipal Code requiring a sign that is no larger than 50 square feet and the inability to read such sign from across the river. The building configuration did not change since the sign ordinance was written.*

4. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

   - *No complaints have been received since the Expera sign was erected in 2013. The proposed new Ahlstrom Munksjo sign is 40 square feet smaller than the Expera sign. The same sign illumination will continue to be used.*

5. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

   - *The proposed sign lettering stick out only five inches from the building façade, similar to the existing sign. No changes to the above-referenced are expected.*

Staff did not notify any other property owners regarding this request as there were none within 100 feet of the of the variance request site, nor were there any when the distance was increased to 300 feet. No public comments were received at the time this report was written.

All criteria for the ground mounted sign have been met, less the 50 foot maximum sign size. Staff supports a 424 square foot sign as a hardship due to the distance needed to read the sign and the Fox River making it difficult to bring the public closer to the building.

REVIEW PROCESS: For sign variance applications, the Plan Commission reviews the variance and makes a final decision. Sign variances are not reviewed by the Common Council. Project notification letters, with a web link to the Plan Commission agenda, would have typically have been sent to property owners within 100 feet of the site boundary; however, there were no nearby properties.

STAFF RECOMMENDATION: Staff recommends APPROVAL of the sign variance request to allow for a replacement wall sign to be 424 square feet, rather than a maximum of 50 square feet in the Downtown Main Street Overlay District, subject to the following condition.

1. A sign permit must be obtained and development must begin within 6 months of Plan Commission approval or the variance is no longer valid.

Attachment: Report to Plan Commission - Ahlstrom Munksjo Sign Variance (7563 : Recommendation regarding a sign variance request to allow

CITY OF DE PERE
RECEIVED
SEP 2 7 2018
PLANNING DEPT

CITY OF DE PERE

APPLICATION FOR VARIANCE

Fee:	$ 168.00
Receipt #:	136585
Date:	9-27-18

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) Jones Sign Company	Authorized Representative Nick Lison	Title Senior Sign Consultant	
Mailing Address 1711 Scheuring Rd	City DePere	State WI	ZIP Code 54115
Email Address nlison@jonessign.com	Phone Number (incl. area code) 920-425-9856	Fax Number (incl. area code) 920-983-9145	

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

Name (Ind. Org. or Entity) Ahlstrom Munksjo	Contact Person Matthew Christman	Title Purchasing Buyer	
Mailing Address 200 Main Ave	City DePere	State WI	ZIP Code 54115
Email Address	Phone Number (incl. area code) 920-766-8424	Fax Number (incl. area code) 920-766-8711	

SECTION 3: Project or Site Location

Project Address: Legal Description: 200 Main Ave DePere	Parcel Number(s): WD-365

SECTION 4: Variance Information

Section of De Pere Code which creates need for Variance:	Code 98-15
Ordinance Provision:	Wall signs shall not exceed 50 square feet in sign area.
Project Description:	See attachment
Variance Requested:	See attachment
Describe the exceptional circumstances or conditions that apply to your property and not to surrounding properties:	See attachment
Describe the hardship(s) that would result if the variance is not granted:	See attachment
Describe how the variance would not have adverse effects on surrounding properties:	See attachment

Attachment: Application Form with Supplements (7563 : Recommendation regarding a sign variance request to allow a replacement wall sign to

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 Variance 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)	Title	Phone Number
Nick Lison - Jones Sign	Senior Sign Consultant	920-425-9856
Signature of Applicant		Date Signed

Maps and scaled drawings which help explain the request are strongly encouraged. Attach additional sheets if necessary.

Attachment: Application Form with Supplements (7563 : Recommendation regarding a sign variance request to allow a replacement wall sign to

De Pere Variance Application:

Jones Sign Co. 1711 Scheuring Rd. De Pere, WI 54115 Nick Lison Senior Sign Consultant nlison@jonessign.com 920-425-9856 920-983-9145

Ahlstrom Munksjo 200 Main Avenue De Père WI 54115 Matthew Christman 920-766-8424 920-766-8711 Purchasing Buyer

200 Main Avenue De Pere

Code 98-15

Ordinance provision: Wall signs shall not exceed 50 square feet in sign area

Project description: Install (1) 10' X 42' set of non-illuminated aluminum letters AHLSTROM MUNKSJO" with logo.

We request a variance in wall sign area of 370 square feet for a total of 420 square feet.

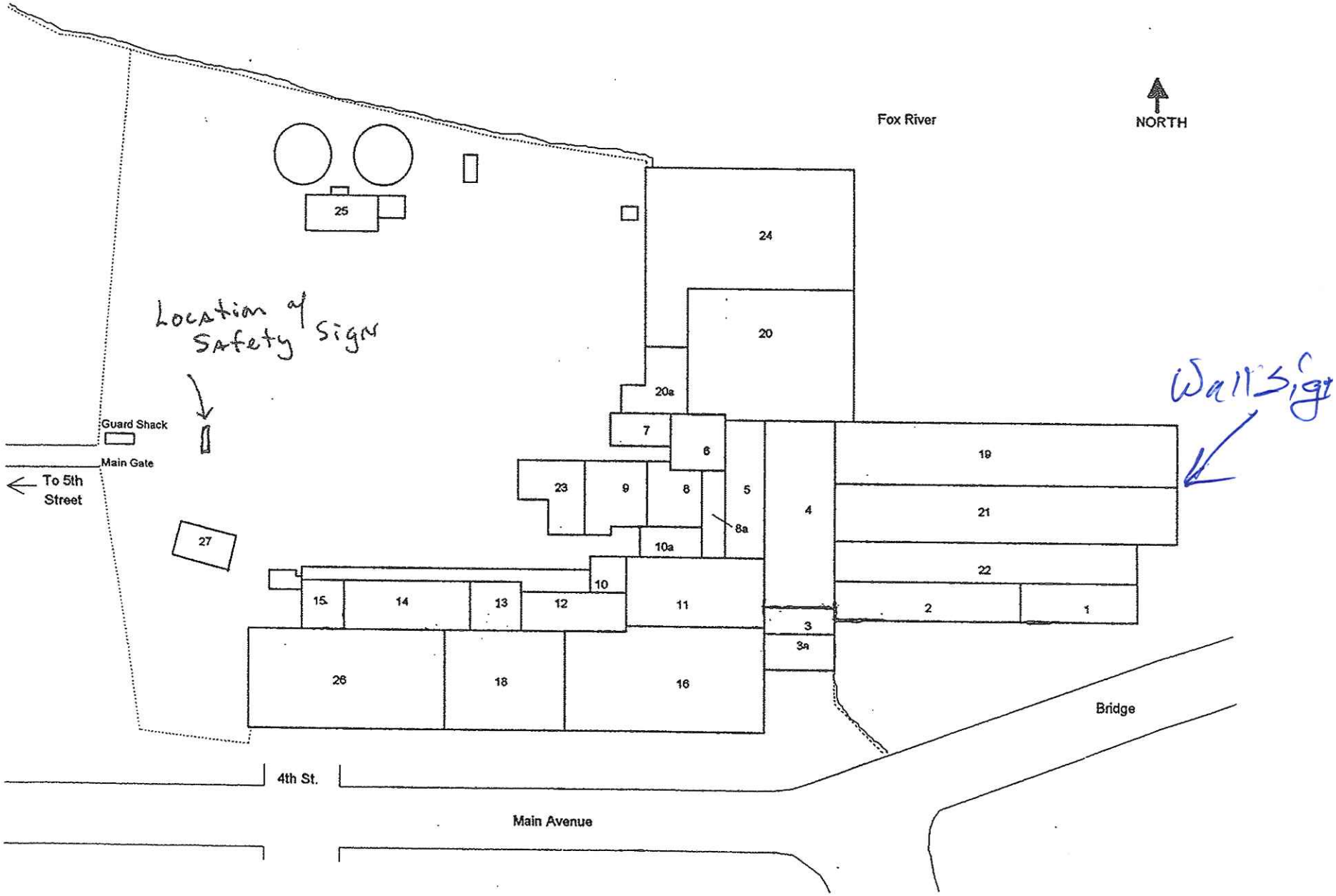
Exceptional circumstances: The size of the building wall approximately 1,200 square feet exceeds the size of other buildings in the area and the buildings location creates special circumstances.

Describe hardship: A smaller size sign would not be legible from the East facing West due to the buildings size and location.

Describe no adverse effects: Five years ago we requested and were granted a variance for the EXPERA Specialty Solutions wall sign which is 40 square feet larger. We have received no complaints from surrounding property or business owners. We feel there would be no adverse effect on surrounding properties.

Authorized rep. Nick Lison Jones Sign Senior sign Consultant 920-425-9856

Nicolet Paper Company Site Map



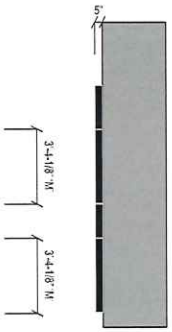
Not To Scale

Attachment: Application Form with Supplements (7563 : Recommendation regarding a sign variance

CL.1 EXTERNALLY ILLUMINATED CHANNEL LETTERS - COLORED OPTION - QTY 1

SQUARE FOOTAGE: 424.37

FRONT VIEW
SCALE: 3/16" = 1'-0"



END VIEW
SCALE: 3/16" = 1'-0"

EXISTING
SCALE: N.T.S.

PROPOSED
SCALE: N.T.S.

SPECIFICATIONS

1. 4" DEEP FABRICATED NON-ILLUM. ALUMINUM LETTERS
2. FACES PAINTED P-1 / P-2 / P-3
3. RETURNS PAINTED P-4
4. STUD MOUNTED FLUSH TO BUILDING
5. EXTERNALLY LIT WITH EXISTING DOWNLIGHTING

COLORS/FINISHES

- P-1 MP TO MATCH PMS 7677 C
- P-2 MP TO MATCH PMS 7417 C
- P-3 MP TO MATCH PMS BLACK 7 C
- P-4 MP BLACK

JONES SIGN
Your Vision. Accomplished.
WWW.JONESSIGN.COM

EST #: 5335-R0
DATE: 08.13.18
DESIGNER: Taylor Dekker
SALES REP: Nick Lison
PROJ MGR: Kristi Frank

REV.	DATE	BY	DESCRIPTION
1	00.00.00	XX	XXXX
2	00.00.00	XX	XXXX
3	00.00.00	XX	XXXX
4	00.00.00	XX	XXXX
5	00.00.00	XX	XXXX
6	00.00.00	XX	XXXX
7	00.00.00	XX	XXXX
8	00.00.00	XX	XXXX
9	00.00.00	XX	XXXX
10	00.00.00	XX	XXXX

CLIENT APPROVAL DATE
LANDLORD APPROVAL DATE
QC APPROVED

AHLSTROM MUNKSJÖ

AHLSTROM MUNKSJO
200 MAIN AVE
DEPERE, WI 54115

DESIGN PHASE: CONCEPTUAL

SHEET NUMBER
1.0

This is an original, unpublished drawing by Jones Sign Co., Inc. It is for your personal use in conjunction with a project being planned for you by JONES SIGN. It is not to be shown to anyone outside of your organization, nor is it to be used, reproduced, copied or exhibited in any fashion. Use of this design or the salient elements of this design in any sign done by any other company, without the express written permission of JONES SIGN, is forbidden by law and carries a civil forfeiture of up to 25% of the purchase price of the sign. JONES SIGN will endeavor to closely match colors, including PMS, where specified. We cannot guarantee exact matches due to varying compatibility of surface materials and paints used. All sizes and dimensions are illustrated for clients consideration of project and are not to be understood as being exact size or exact sc

Attachment: Application Form with Supplements (7563 : Recommendation regarding a sign variance

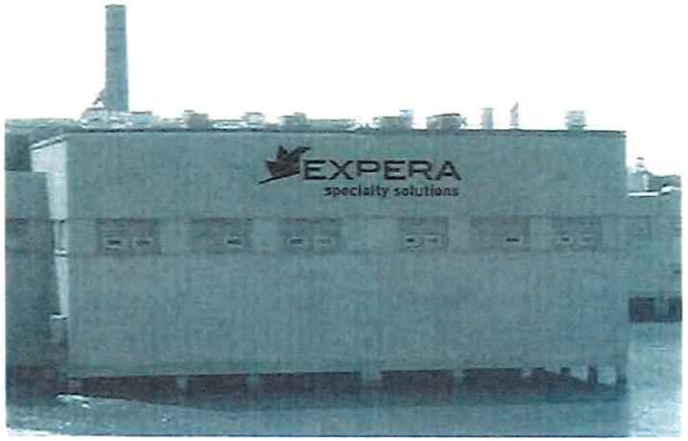
NON-LIT STUD MOUNTED ALUMINUM LETTERS QTY:[1]

EXTERNALLY LIT WITH BILLBOARD FIXTURES

4" DEEP ALUMINUM LETTERS BLACK FACES AND RETURNS STUD MOUNTED TO BUILDING

Fonts: News Gothic BT (Bold)

EXISTING – NOT TO SCALE



PROPOSED – NOT TO SCALE

DRAWING FOR DESIGN INTENT ONLY. NOT FOR PRODUCTION.

JONES SIGN

PROJECT

EXPERA specialty solutions

200 Main Ave.
De Pere, WI 54115

CUSTOMER APPROVAL

Authorized Signature

Date: 9/16/13

REVISIONS

1.
2. 8/7/13 JP
3. 8/9/13 JP
4. 8/12/13 JP
5. 8/13/13 JP
6. 9/13/13 JP
7.

REPRESENTATIVE

Nick Lison

DRAWN BY

Jim Pogo

DATE

7/2/13

SCALE

As Noted

SHEET

1 of 10

DRAWING #

21207_r6

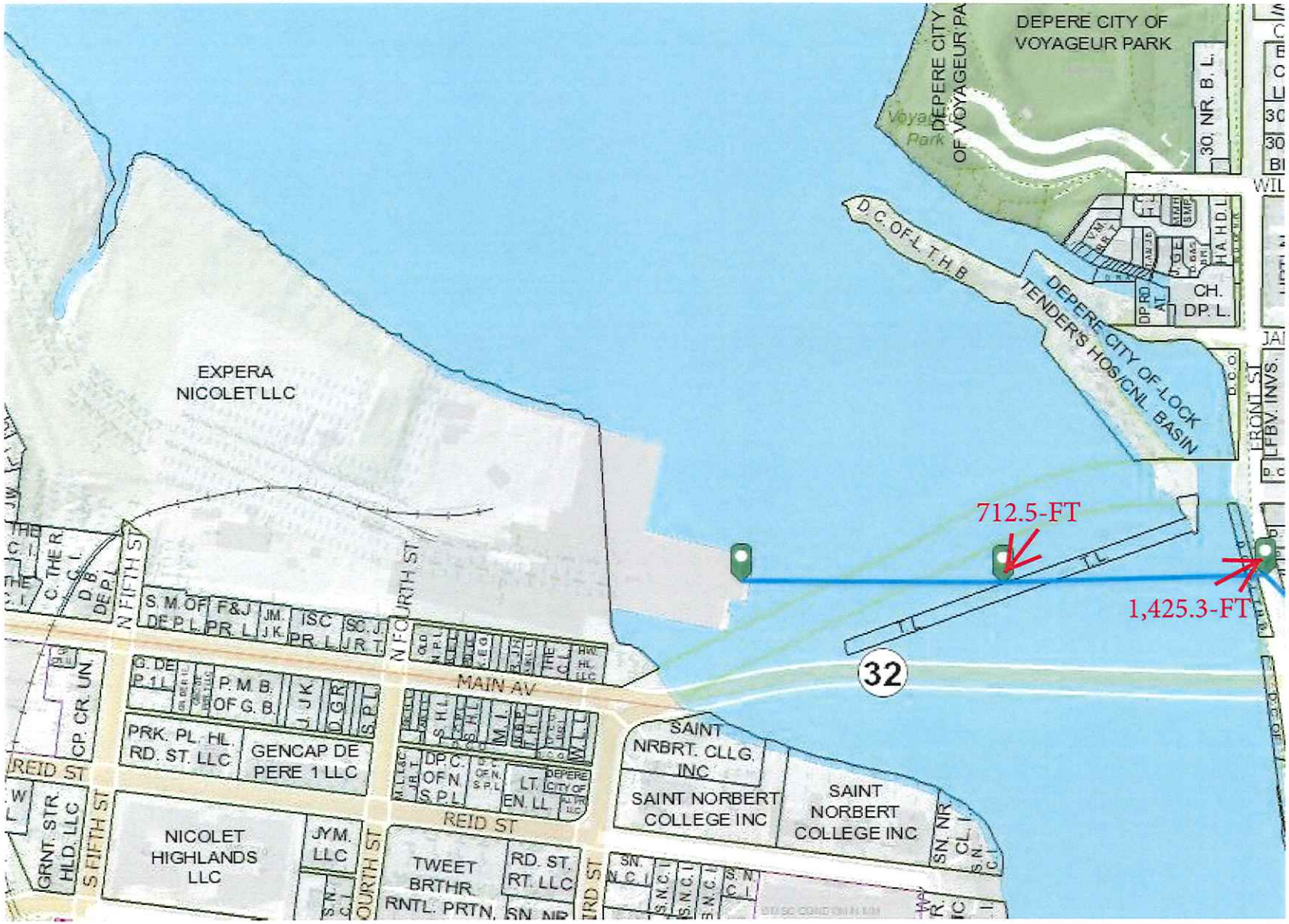
Attachment: Application Form with Supplements (7563 : Recommendation regarding a sign variance

JONES SIGN

Your Vision. Accomplished.

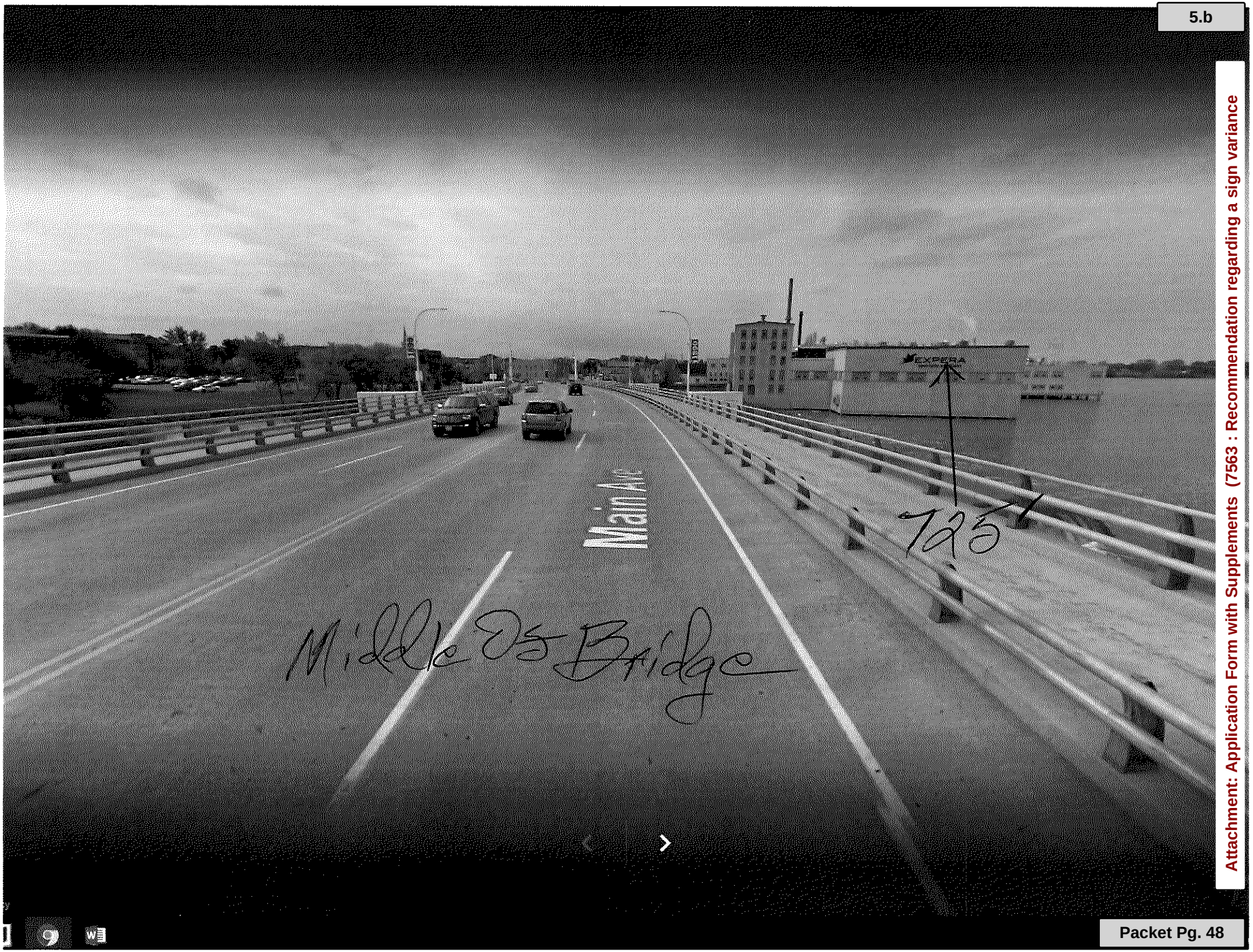
LETTER HEIGHT	READABLE DISTANCE FOR MAXIMUM impact
3"	30'
4"	40'
6"	60'
8"	80'
9"	90'
10"	100'
12"	120'
15"	150'
18"	180'
24"	240'
30"	300'
36"	360'
42"	420'
48"	480'
54"	540'
60"	600'

NOTE: The distances will vary approximately 10% with various color combinations. Maximum distance is in color with RED or BLACK on a white background. 5,280 feet equals one (1) mile.



Attachment: Application Form with Supplements (7563 : Recommendation regarding a sign variance

Voyageur Park
6336
Reservoir
Fox River
St. Norbert College
Google


Main Ave
EXPERA
725'
Middle 25 Bridge

CITY OF DE PERE

335 South Broadway
De Pere, WI 54115
Phone: 920/339-4050
Fax No.: 920/330-9491
Web: http://de-pere.org

Dennis T. Jensen
Senior Building Inspector
335 S Broadway St
De Pere, WI 54115
djensen@mail.de-pere.org

September 24, 2018

SCANNED

Jones Sign
Nick Lison
1711 Scheuring Road
De Pere, WI 54115

Re: Sign Application 200 Main AV

Dear Nick,

Upon reviewing the submitted sign application, documents and plans, the City of De Pere Sign Inspector has determined that the sign does not meet the minimum code standards to the City of De Pere Chapter 98 Sign Ordinance. The determining criteria listed below are not in accordance with the minimum standards of the sign ordinance:

1. 98-15. The new sign exceeds the allowable 50 square feet of maximum area.
2. (i) *Sign permit variance* .

(1) In the event of a sign permit denial due to the requirements in this section contained causing undue or unnecessary hardship on any person, firm or corporation, a variance from requirements may be applied for to the plan commission under subsection 14-27(6) of this code, accompanied with such fee as determined by resolution of the common council. Such fee may include late fees or fees for expedited process. The plan commission shall take action on any variance request within 60 days of receipt of the variance application or the same shall be deemed denied. The sign inspector shall comply with and enforce the plan commission's decision.

To continue with the process of review and permitting, please address the aforementioned non-compliances and return revised application and plans. If a variance is requested, following a similar procedure for past requests, you may complete the variance application and return it no later than

October 8 If an October Plan Commission review is desired. We appreciate your business and timely cooperation to resolve this matter. If you have any questions, feel free to contact me at 920-339-4053.

Sincerely,

Dennis T. Jensen, City Sign Inspector

CC: Peter Schleinz, Senior Planner/Zoning Administrator

Building Inspection Department
City of De Pere
335 S. Broadway, De Pere, WI 54115
Phone: (920) 339-4053 FAX: (920) 330-9491
E-Mail: dpbldg@mail.de-pere.org

SIGN PERMIT APPLICATION
Permit #:
Fee:
Receipt #:
Date:

Property Owner: Ahlstrom Munksjo
Address: 200 Main Ave.
Phone E-Mail

Business Owner/Lessee: SAME
Address:
Phone E-Mail

Contractor: Jones Sign Co.
Address: 1711 Scheuring Rd.
425-9550 nick@jonessign.com
Phone E-Mail

Address of Sign Location: 200 Main Avenue
Sign Copy: AHLSTROM MUNKSJO

Square Footage of Sign: 424
Height Above Grade: Wall Mount
Height of Sign: 10'-1 1/4"
Width of Sign: 42'-0"
Number of Faces: 1
Sign Voltage: N/A
Amps: N/A
U.L. #: N/A
(required)

Setbacks:
Front:
Right: N/A
Left:

Type of Sign:
- ☐ Erect
- ☐ Remodel
- ☐ Repair
- ☐ Relocate
- ☐ Enlarge
- ☒ Other:

DENIED

Illumination:
- ☐ Internally Illuminated
- ☒ Externally Illuminated Existing
- ☐ Non-illuminated
- ☐ Halo lit/back lit

Location of Sign:
- ☒ Fascia/Wall
- ☐ Ground
- ☐ Projecting
- ☐ Off-Premise
- ☐ Temporary
- ☐ Banner
- ☐ Downtown Sign District
- ☐ Right-of-Way Encroachment
- ☐ Awning

Sign Manufacturer & Address:
Jones Sign Co
1711 Scheuring Rd.
De Pere, WI 54115
Nick Lisan 425-9550

Insurance Company Name & Address:

☐ Electric Permit Required

Attachment: Permit Form with Inspection Denial Letter (7563 : Recommendation regarding a sign variance request to allow a replacement wall

Electrician Name & Address:

N/A

ESTIMATED COST OF SIGN:

$100,000.00

Approval Conditions:

Permit Application Conditions:

The undersigned hereby applies for a permit to do work according to the above description and the plans and specifications submitted herewith. The undersigned agrees that such work will be done as described and that they will comply with all applicable statutes of the State of Wisconsin and Ordinances of the City of De Pere, Wisconsin.

Signs Encroaching on Right-of-Way:

1. Property owner/lessee agrees to save and hold the City of De Pere harmless from any and all injury that may occur to any party as the result of the requested sign encroachment upon the right-of-way referenced hereunder. This provision is intended to indemnify and hold harmless the City of De Pere to the fullest extent permitted by law and includes the payment of reasonable attorney fees for the defense of any claims brought which can fairly be said to be under the intent and purpose of this hold harmless agreement. To secure such hold harmless agreement, property owner/lessee shall maintain a general liability insurance policy on its business operations in an amount of not less than One Million Dollars per occurrence and has produced a Certificate of Insurance that the City is named as an additional insured and is entitled to coverage thereunder under the terms and conditions of this permit.

2. If the City right-of-way is required for another use deemed by the City of De Pere to be inconsistent with continued encroachment under this permit or if the City determines that the sign installation creates conditions adverse to the best interests of right-of-way users, the general public, or presents a threat to street safety, then property owner/lessee, upon notification by the Building Inspector, shall promptly remove the encroaching sign from the right-of-way upon ten (10) day written notice to property owner/lessee. The sign shall be removed by property owner/lessee at property owner/lessee's sole cost and in accordance with all rules and regulations then applicable.

3. The authority to encroach upon right-of-way shall not transfer to any new business or property owner. A new permit is required.

Signature of Property Owner Date

Signature of Lessee Date

Contractor: Nick Yost Sons Sign

De Pere License Number:

Application Date: 9/20/18

Building Inspector:

Approval Date:

1/1/18

City of De Pere, Wisconsin

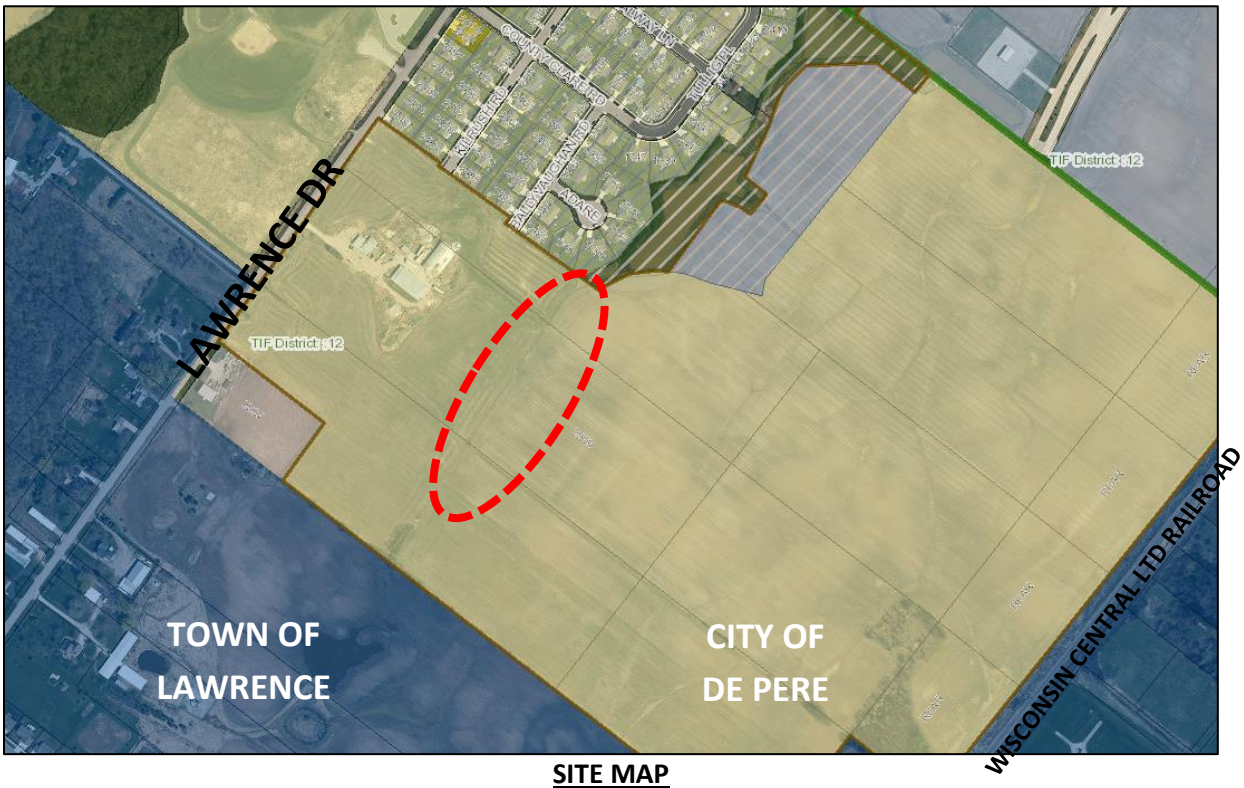
Request For Plan Commission Action

MEETING DATE:	**October 22, 2018**
DEPARTMENT:	**Planning**
FROM:	**Peter Schleinz**
SUBJECT:	**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.**

ATTACHMENTS:

- Plan Commission Report - PDD Preapplication for Garrity's Glen South (DOCX)
- Application Form and Support Documentation (PDF)

ITEM 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.**



SITE MAP

REQUESTED ACTION: Planned Development District Pre Application Discussion

Allow for an R-1 zoned PDD with reduced street frontages of 70-feet and reduced side yard setbacks of eight feet.

COMMON DESCRIPTION: 2500 Block Lawrence Drive, southeast from Lawrence Drive and County Clare Road intersection, at the City of De Pere and Town of Lawrence limits.

PARCEL NUMBER(S): WD-L482, WD-L483, WD-L484

EXISTING ZONING: R-1 (Single Family Residence District)

PROPOSED ZONING: R-1 with a PDD Overlay.
Also, areas to the west and south are to be rezoned R-2 & R-3 without a PDD Overlay.

SURROUNDING LAND USES: Single family residential to the north.
Agricultural to the south, east, and west.
Some businesses to the south along Lawrence Drive.

Attachment: Plan Commission Report - PDD Preapplication for Garrity's Glen South (7564 : Planned Development District Pre Application

COMPREHENSIVE PLAN: Neighborhood Residential (Including Multi-Family)

APPLICANT/OWNER NAME:

Patricia Kaster, Managing Member
TLKM Development LLC
2710 Velp Avenue
Green Bay, WI 54303

R&M Garrity Farm LLC ETAL
Property Owner
3173 Trenton LN
Green Bay, WI 54313-4025

SITE HISTORY: The subject site is part of the original "Subdivision of Williams Grant." Air photos from years 1938-2017 indicate agricultural uses on the property. The entire subject area was annexed into the City of De Pere from the Town of Lawrence and zoned R-1.

In 2018, the petitioner established a contract with the property owner to acquire and develop the property for single family residential, two-family residential, and multi-family residential uses. Part of the single family area was proposed to have narrow lots, with a homeowner's association. Thus, the petitioner is requesting a PDD overlay for part of the property.

PROJECT SUMMARY: TLKM Development has the property under contract and proposes to develop an 80 lot and 2 outlot subdivision called Garrity's Glen South. The proposed subdivision will have single family, two-family, and multi-family residential housing available. In order for the land division to occur as proposed, the following Plan Commission reviews have to occur:

- Plan Commission review of a **concept PDD** for lots 48-71 of the Garrity's Glen South plat (this report reflects this step)
- Plan Commission and Council review of a **preliminary and final plat** (to begin in November)
- Plan Commission and Council review of a **rezoning and a PDD Overlay with a General Development Plan** for Lots 11-17 & 78 to become R-2, Lots 79-80 to become R-3, and Lots 48-71 to have a PDD Overlay (to begin in November)
- Plan Commission and Council review of a **Precise Implementation Plan** for Lots 48-71 to have a PDD Overlay (to begin AFTER the General Development Plan is approved, potentially in January or February)

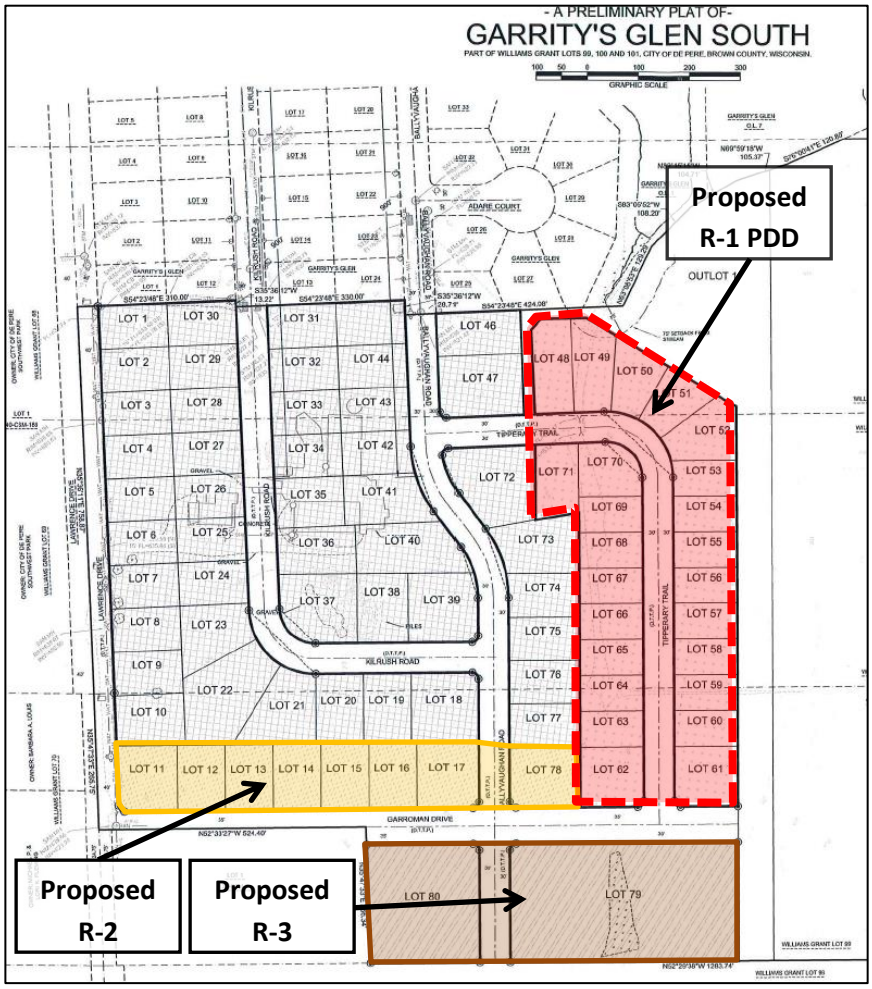
This planned development project must begin with a pre application meeting at the Plan Commission level.

Prior to official submittal of a petition for consideration of a Planned Development District, the petitioner (owner, agent, or proponent) shall meet with the Plan Commission and its technical advisory staff, as may be provided by the Common Council, for a preliminary discussion as to the scope and nature of the proposed development and to consider alternate solutions to the development of a given area. In the event that the scope and nature of the proposed development is disapproved by the Plan Commission, the petitioner may present alternate proposals to the Plan

Commission or may appeal such matter to the Common Council. (Section 14-59)

The proposed changes that are triggering the need for a PDD overlay are twofold. First, the petitioner is requesting that single family lots along the proposed Tipperary Trail (Lots 48-71) be allowed to have a street frontage of no less than 70 feet, rather than the standard of 85 feet. Second, the petitioner is requesting that all of the lots with reduced frontage be allowed to have side yard setbacks of 8 feet, rather than the standard of 10 feet. Both are being proposed with the awareness that a homeowners association will be created for this portion of the subdivision to self-patrol design and private maintenance needs.

Proposed R-1 PDD Area is highlighted red on map.



The PDD process could be bypassed with a condominium plat, which would eliminate Plan Commission and Council review. However, the condominium plat review process is more cumbersome in the long run than simply establishing a PDD overlay in this case.

A copy of the draft General Development Plan and a draft of the Precise Implementation Plan, with detailed information that addresses how the land will be used, are attached to this report. Neither of the plans are required to be submitted at this time, but are available due to the simplicity of the PDD request.

REVIEW PROCESS

Planned Development District Rezoning projects undergo a multiphase review process as follows.

Plan Commission Pre Application Review
Plan Commission Rezoning & General Plan Review *
Class II Public Hearing Notice
Common Council Public Hearing and Ordinance Review
Plan Commission Precise Implementation Plan (PIP) Review *
Common Council Precise Implementation Plan (PIP) Review

**These reviews may run concurrent as long as the General Plan and Rezoning approval at the Council level occurs before the PIP approval.*

STAFF RECOMMENDATION:

Staff recommends that the Plan Commission approve the concept of rezoning part of the 2500 Block of Lawrence Drive (Part of Parcels WD-L482, WD-L483, WD-L484) to R-1 Planned Development District in order to accommodate a single family residential development with lots having a street frontage of no less than 70 feet, rather than the standard of 85 feet, and side yard setbacks of 8 feet, rather than the standard of 10 feet. Specifically, the subject area is Lots 48-71 of the proposed Garrity's Glen South plat.

Attachment: Plan Commission Report - PDD Preapplication for Garrity's Glen South (7564 : Planned Development District Pre Application

MACH IV
ENGINEERING • SURVEYING • ENVIRONMENTAL

LETTER OF TRANSMITTAL

TO: CITY OF DE PERE	DATE: 10/8/18	JOB NO: 0336-10-18TM
335 S BROADWAY	RE: GARRITY'S GLEN SOUTH	
DE PERE, WI 54115		
ATTENTION:		

WE ARE SENDING YOU:

COPIES	DESCRIPTION
1	REZONING APPLICATION
1	REVIEW CHECK $305
1	GENERAL DEVELOPMENT & PIP
1	PLAT REVIEW APPLICATION
1	CHECK $5,854
1	PRELIMINARY PLAT

NOTES:

THANK YOU,

JOEL EHRFURTH, P.E.

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

2260 Salscheider Court
Green Bay, WI 54313

MACH IV
ENGINEERING • SURVEYING • ENVIRONMENTAL

Phone: 920-569-5765
Fax: 920-569-5767
www.mach-iv.com

	CITY OF DE PERE **APPLICATION FOR PLAT REVIEW**	**Fee:** $ **Receipt #:** **Date:**

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) TLKM DEVELOPMENT, LL	Authorized Representative PATRICIA KASTER	Title MANAGING MEMBER	
Mailing Address 2710 VELP S	City GREEN BAY	State WI	ZIP Code 54303
Email Address PKASTER@R	Phone Number (incl. area code) 920.497.5090	Fax Number (incl. area code) 920.497.4881	

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

Name (Ind. Org. or Entity) R&M GARRITY FARM. LLC	Contact Person JOSEPH G/	Title MANAGING MEMBER	
Mailing Address 4030 BOY S(	City TAMPA	State FL	ZIP Code 33607
Email Address JOSEPH.GAR	Phone Number (incl. area code) 813.281.8242	Fax Number (incl. area code) NA	

SECTION 3: Project or Site Location

Project Address/Description GARRITY GLEN SOUTH	Parcel No. L-482, L-483, L-484

SECTION 4: Plat Review

Review Type:	☑ Preliminary Plat ☐ Final Plat	
Fee:	Preliminary Plat Fee: $278 + (82 # of lots x $68) 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.

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)	Title MANAGING MI	Phone Number 920.497.5090
Signature of Applicant Patricia Kaster		Date Signed 10/5/2018

TO BE COMPLETED BY CITY STAFF

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

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

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

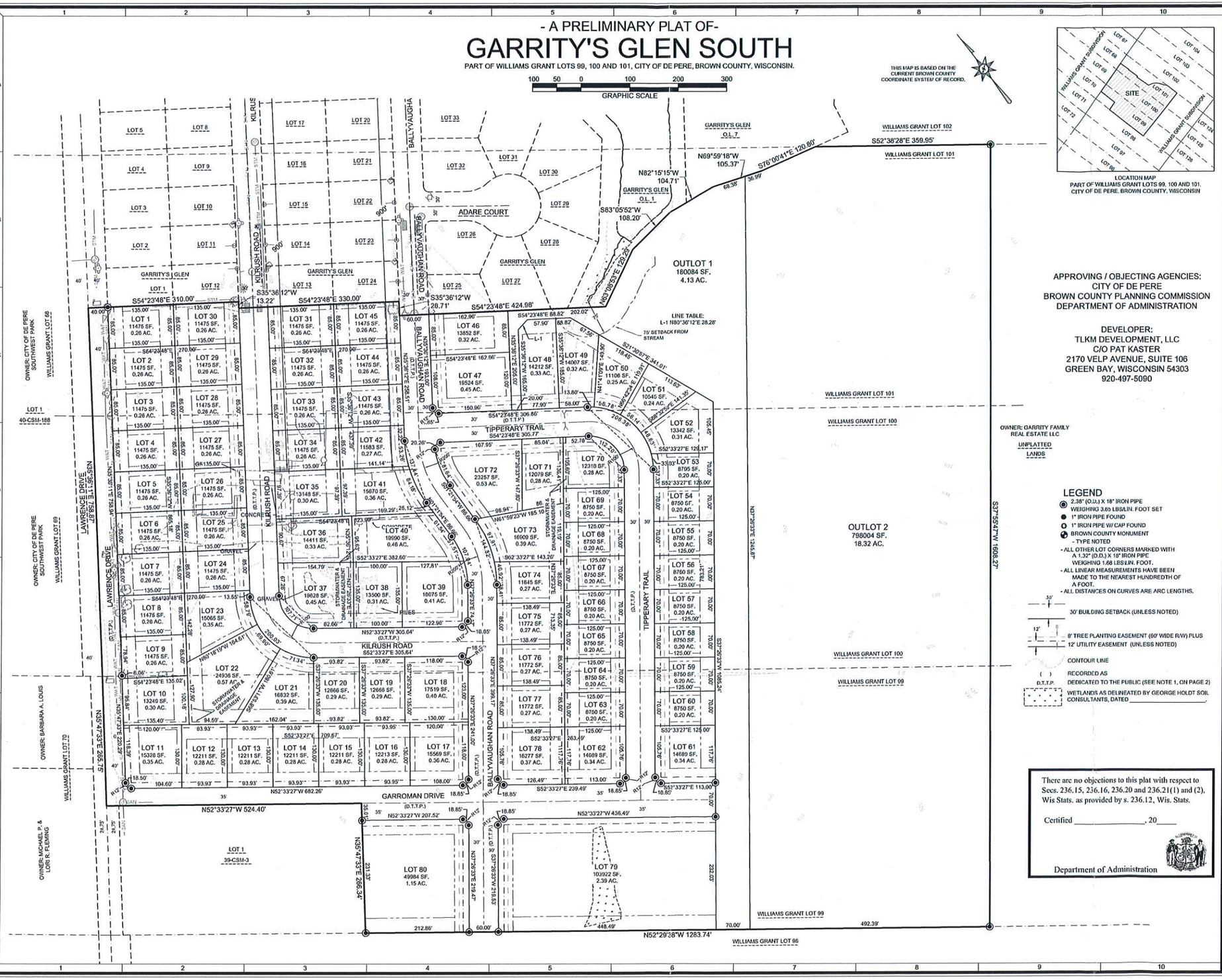
- A PRELIMINARY PLAT OF-

GARRITY'S GLEN SOUTH

PART OF WILLIAMS GRANT LOTS 99, 100 AND 101, CITY OF DE PERE, BROWN COUNTY, WISCONSIN.

100 50 0 100 200 300
GRAPHIC SCALE

THIS MAP IS BASED ON THE CURRENT BROWN COUNTY COORDINATE SYSTEM OF RECORD.


ADARE COURT
TIPPERARY TRAIL
KILRUSH ROAD
BALLYVAUGHAN ROAD
GARROMAN DRIVE
LAWRENCE DRIVE
GARRITY'S GLEN
OUTLOT 1
180084 SF.
4.13 AC.
OUTLOT 2
798004 SF.
18.32 AC.
WILLIAMS GRANT LOT 102
WILLIAMS GRANT LOT 101
WILLIAMS GRANT LOT 100
WILLIAMS GRANT LOT 99
WILLIAMS GRANT LOT 96
OWNER: GARRITY FAMILY REAL ESTATE LLC
UNPLATTED LANDS
OWNER: CITY OF DE PERE SOUTHWEST PARK
WILLIAMS GRANT LOT 69
OWNER: BARBARA A. LOUIS
WILLIAMS GRANT LOT 70
OWNER: MICHAEL P. & LORI R. FLEMING
LOT 1
40-CSM-188
LOT 1
39-CSM-3
S52°38'28"E 359.95'
S76°00'41"E 129.80'
N69°59'18"W 105.37'
N82°15'15"W 104.71'
S83°05'52"W 108.20'
N83°00'53"E 129.28'
S54°23'48"E 310.00'
S54°23'48"E 330.00'
S54°23'48"E 424.98'
S35°36'12"W 13.22'
S35°36'12"W 28.71'
N52°33'27"W 524.40'
N52°29'38"W 1283.74'
S37°59'47"W 1608.27'
N37°26'33"E 1249.8'
N52°33'27"W 682.26'
N52°33'27"W 436.49'
N52°33'27"W 207.52'
S52°33'27"E 239.49'
S52°33'27"E 113.00'
S52°33'27"E 125.17'
S52°33'27"E 125.00'
N52°33'27"W 305.64'
S52°33'27"E 305.64'
S52°33'27"E 382.60'
S52°33'27"E 143.20'
S52°33'27"E 306.77'
S54°23'48"E 306.86'
S54°23'48"E 162.66'
S54°23'48"E 88.82'
S54°23'48"E 135.02'
S54°23'48"E 270.00'
S54°23'48"E 135.00'
N61°59'23"W 185.10'
N61°18'10"W 164.61'
N37°26'33"E 219.47'
N37°26'33"E 396.34'
N37°26'33"E 210.00

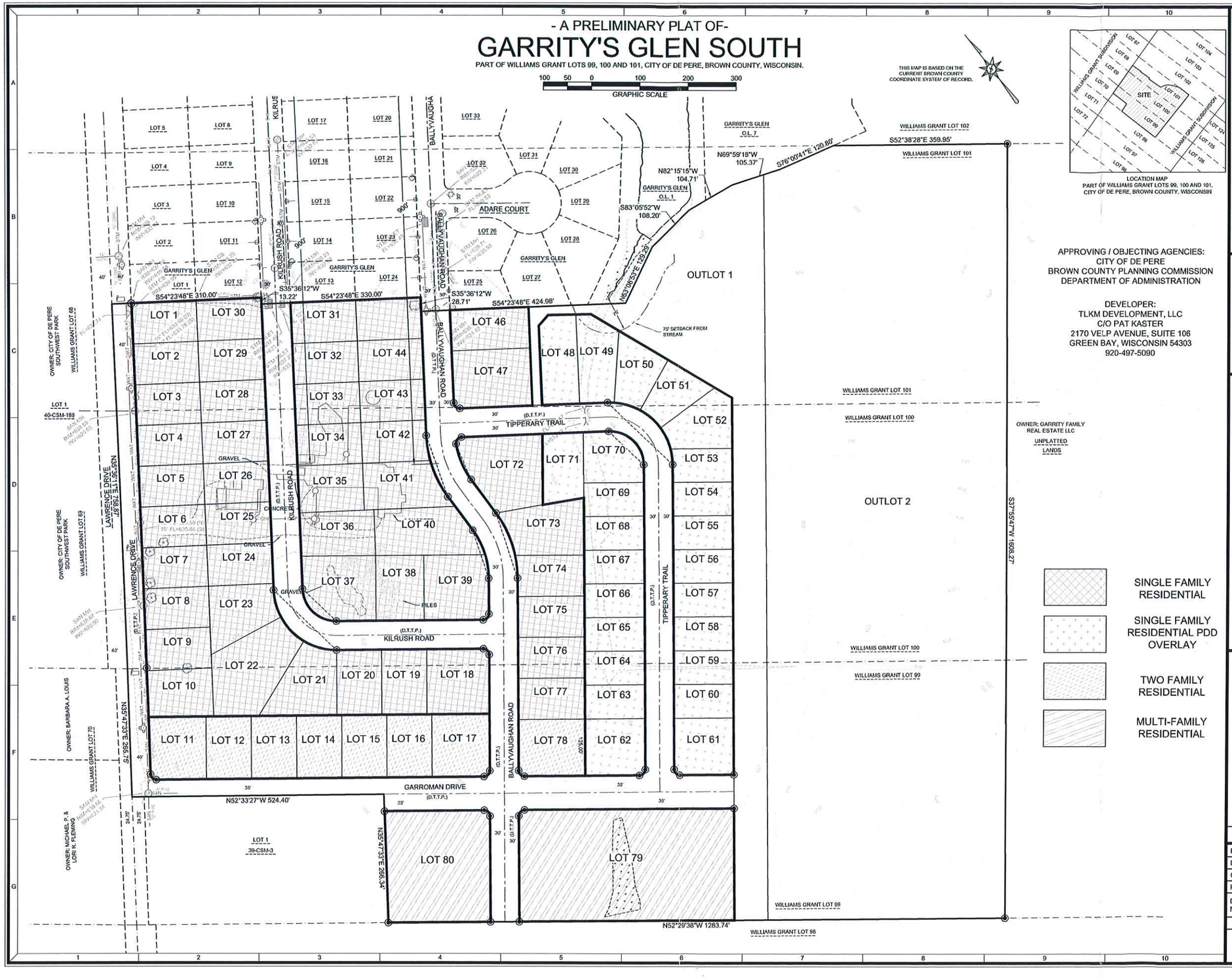
- A PRELIMINARY PLAT OF-

GARRITY'S GLEN SOUTH

PART OF WILLIAMS GRANT LOTS 99, 100 AND 101, CITY OF DE PERE, BROWN COUNTY, WISCONSIN.

100 50 0 100 200 300
GRAPHIC SCALE

THIS MAP IS BASED ON THE CURRENT BROWN COUNTY COORDINATE SYSTEM OF RECORD.



APPROVING / OBJECTING AGENCIES:
CITY OF DE PERE
BROWN COUNTY PLANNING COMMISSION
DEPARTMENT OF ADMINISTRATION

DEVELOPER:
TLKM DEVELOPMENT, LLC
C/O PAT KASTER
2170 VELP AVENUE, SUITE 106
GREEN BAY, WISCONSIN 54303
920-497-5090

SINGLE FAMILY RESIDENTIAL
SINGLE FAMILY RESIDENTIAL PDD OVERLAY
TWO FAMILY RESIDENTIAL
MULTI-FAMILY RESIDENTIAL

MACH IV
ENGINEERING • SURVEYING • ENVIRONMENTAL
2260 Salscheider Court Green Bay, WI 54313
PH:920-569-5765; Fax: 920-569-5767
www.mach-iv.com

TLKM DEVELOPMENT, LLC

GARRITY'S GLEN SOUTH

GENERAL DEVELOPMENT PLAN

NO.	REVISION DESCRIPTION

DATE: OCTOBER 05, 2018
DRAFTED BY: RJO
CHECKED BY:
PROJECT NO.: 0336-10-18
DRAWING NUMBER 1429
SHEET NUMBER
2 OF 4

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

- A PRELIMINARY PLAT OF-

GARRITY'S GLEN SOUTH

PART OF WILLIAMS GRANT LOTS 99, 100 AND 101, CITY OF DE PERE, BROWN COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, RANDALL J. OETTINGER, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236, WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF THE CITY OF DE PERE AND THE BROWN COUNTY PLANNING COMMISSION AND UNDER THE DIRECTION OF THE OWNERS LISTED HEREON, I HAVE SURVEYED, DIVIDED AND MAPPED "GARRITY'S GLEN SOUTH", AND THAT SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES AND THE SUBDIVISION OF THE LAND SURVEYED AND IS PART OF WILLIAMS GRANT LOTS 99, 100 AND 101, CITY OF DE PERE, BROWN COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE

SAID PARCEL CONTAINS _____ SQ. FT./ _____ ACRES OF LAND, MORE OR LESS.
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
ROAD DEDICATION CONTAINS _____ SQ. FT. \ _____ ACRES OF LAND, MORE OR LESS.

_____
RANDALL J. OETTINGER PLS-2349
DATE: OCTOBER 01, 2018

CERTIFICATE FOR THE CITY OF DEPERE

APPROVED FOR THE CITY OF DE PERE THIS _____ DAY OF _____, 20____.

_____
KIM FLOMM
CITY OF DE PERE DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT

BROWN COUNTY PLANNING COMMISSION

APPROVED FOR THE BROWN COUNTY PLAN COMMISSION THIS ____ DAY OF _____, 20__.

_____
DAN TEATERS
SENIOR PLANNER

CITY OF DE PERE TREASURER'S CERTIFICATE

AS DULY ELECTED VILLAGE TREASURER, I HEREBY CERTIFY THAT THE RECORDS IN OUR OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESSMENTS AFFECTING ANY OF THE LANDS INCLUDED IN THIS PLAT AS OF THE DATES LISTED BELOW.

_____
SHANA LEDVINA DATE
VILLAGE TREASURER

BROWN COUNTY TREASURER'S CERTIFICATE

AS DULY ELECTED BROWN COUNTY TREASURER, I HEREBY CERTIFY THAT THE RECORDS IN OUR OFFICE SHOW NO UNREDEEMED TAXES AND NO UNPAID OR SPECIAL ASSESSMENTS AFFECTING ANY OF THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP AS OF THE DATE LISTED BELOW.

_____
PAUL ZELLER DATE
BROWN COUNTY TREASURER

LIMITED LIABILITY COMPANY OWNER'S CERTIFICATE

TLKM DEVELOPMENT, LLC, A LIMITED LIABILITY COMPANY DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, DOES HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON GARRITY'S GLEN SOUTH TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. TLKM DEVELOPMENT, LLC ALSO CERTIFIES THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

CITY OF DE PERE
BROWN COUNTY PLANNING COMMISSION
DEPT. OF ADMINISTRATION

IN WITNESS WHEREOF, THE SAID TLKM DEVELOPMENT, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY PATRICIA A. KASTER, ITS MANAGER, ON THIS _____ DAY OF _____, 20__.

_____
PATRICIA A. KASTER
MANAGER - TLKM DEVELOPMENT, LLC

PERSONALLY CAME BEFORE ME THIS ____ DAY OF _____, 20____, THE ABOVE NAMED MANAGER OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED THAT HE EXECUTED THE FOREGOING INSTRUMENT AS SUCH MANAGER AS THE DEED OF SAID LIMITED LIABILITY COMPANY, BY ITS AUTHORITY.

_____
NOTARY PUBLIC MY COMMISSION EXPIRES _____

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

CONSENT OF CORPORATE MORTGAGEE

COMMUNITY FIRST CREDIT UNION, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF KHM DEVELOPMENT, LLC, OWNER.

IN WITNESS WHEREOF, COMMUNITY FIRST CREDIT UNION HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____ (print name #1 above), ITS _____ (print title #1 above) AND COUNTERSIGNED BY _____ (print name #2 above),
Its _____ (print title #2 above), at _____ (city), ____ (state), this ___ (day) day of _____ (month), ____ (year).

(signature #1) _____ (signature #2) _____
(print name #1) _____ (print name #2) _____
(print title #1) _____ (print title #2) _____

PERSONALLY CAME BEFORE ME THIS __ (day) DAY OF _____ (month), ____ (year), THE ABOVE NAMED OFFICERS OF SAID CORPORATION TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND TO ME KNOWN TO BE SUCH OFFICERS OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

_____
NOTARY PUBLIC MY COMMISSION EXPIRES _____

STATE OF WISCONSIN]
] ss
COUNTY OF _____]

NOTES:

1) ALL ROADS WITHIN THE PLAT BOUNDARY ARE DEDICATED TO THE PUBLIC (D.T.T.P.).

2) SIDE YARD SETBACK IS 10 FEET FOR LOTS 1-47, 72-80. SIDE YARD SETBACK IS 8 FEET FOR LOTS 48-71.

3) REAR YARD SETBACK IS 30 FEET FOR LOTS.

4) THROUGH SECTION 823.08 OF WISCONSIN STATUTES, THE WISCONSIN LEGISLATURE HAS ADOPTED A RIGHT TO FARM LAW. THIS STATUTE LIMITS THE REMEDIES OF OWNERS OF LATER ESTABLISHED RESIDENTIAL PROPERTY TO SEEK CHANGES TO PRE-EXISTING AGRICULTURAL PRACTICES IN THE VICINITY OF THE AGRICULTURAL PROPERTY. ACTIVE AGRICULTURAL OPERATIONS ARE NOW TAKING PLACE AND MAY CONTINUE TO TAKE PLACE IN THE VICINITY OF THESE NEW RESIDENTIAL LOTS. THESE ACTIVE AGRICULTURAL OPERATIONS MAY PRODUCE NOISES, ODORS, DUST, MACHINERY TRAFFIC, OR OTHER CONDITIONS DURING DAYTIME AND EVENING HOURS.

5) PURSUANT TO SECTION 45.6. DE PERE MUNICIPAL CODE, PUBLIC SITES AND OPEN SPACES, THE CITY OF DE PERE REQUIRES THE PAYMENT OF A FEE IN LIEU OF PARK DEDICATION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ALL LOTS IN THIS SUBDIVISION.

6) SIDEWALKS ARE REQUIRED ON ALL STREETS. SIDEWALK INSTALLATION SHALL BE COMPLETED PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT BY THE CITY OF DE PERE

7) THE PROPERTY OWNERS, AT THE TIME OF CONSTRUCTION, SHALL IMPLEMENT THE APPROPRIATE SOIL EROSION CONTROL METHODS OUTLINED IN THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, "WISCONSIN CONSTRUCTION SITE BEST MANAGEMENT PRACTICE HANDBOOK" TO PREVENT SOIL EROSION. HOWEVER, IF AT THE TIME OF CONSTRUCTION THE VILLAGE HAS AN ADOPTED SOIL EROSION CONTROL ORDINANCE, IT SHALL GOVERN OVER THIS REQUIREMENT. THIS PROVISION APPLIES TO ANY GRADING, CONSTRUCTION, OR INSTALLATION-RELATED ACTIVITIES.

8) LOT 79 INCLUDES WETLAND AREAS THAT MAY REQUIRE PERMITS FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, ARMY CORPS OF ENGINEERS, BROWN COUNTY PLANNING COMMISSION, OR THE LOCAL MUNICIPALITY'S ZONING ADMINISTRATOR'S OFFICE PRIOR TO ANY DEVELOPMENT ACTIVITY.

RESTRICTIVE COVENANTS

1) OUTLOT 1 IS DEDICATED TO THE CITY OF DE PERE FOR STORM WATER DRAINAGE AND SEWER.

2) THE LAND ON ALL SIDE AND REAR LOT LINES OF ALL LOTS SHALL BE GRADED BY THE LOT OWNER AND MAINTAINED BY THE ABUTTING PROPERTY OWNERS TO PROVIDE FOR ADEQUATE DRAINAGE OF SURFACE WATER.

3) LOTS 49, 79 AND OUTLOT 1 CONTAIN AN ENVIRONMENTALLY SENSITIVE AREA (ESA) AS DEFINED IN THE BROWN COUNTY SEWAGE PLAN. THE ESA INCLUDES WETLANDS, NAVIGABLE WATERWAYS, ALL LAND WITHIN 75 FEET OF THE ORDINARY HIGH WATER MARK OF NAVIGABLE WATERWAYS. DEVELOPMENT AND LAND DISTURBING ACTIVITIES ARE RESTRICTED IN THE ESA UNLESS AMENDMENTS ARE APPROVED BY THE BROWN COUNTY PLANNING COMMISSION AND THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES.

UTILITY EASEMENT PROVISIONS (ELECTRIC, NATURAL GAS, AND COMMUNICATIONS)

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY:

TLKM DEVELOPMENT, LLC, A LIMITED LIABILITY COMPANY, GRANTOR, TO

WISCONSIN PUBLIC SERVICE CORPORATION, A WISCONSIN CORPORATION, GRANTEE;
NORTHEAST TELEPHONE COMPANY, LLC, GRANTEE;
WISCONSIN BELL INC.. D/B/A AT&T WISCONSIN, A WISCONSIN CORPORATION, GRANTEE:
BROWN COUNTY C-LEC, LLC, GRANTEE;
TIME WARNER CABLE, INC., GRANTEE:

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO CONSTRUCT, INSTALL, OPERATE, REPAIR, MAINTAIN AND REPLACE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND ELECTRIC ENERGY, NATURAL GAS, TELEPHONE AND CABLE TV FACILITIES FOR SUCH PURPOSES AS THE SAME IS NOW OR MAY HEREAFTER BE USED, ALL IN, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY SHOWN WITHIN THOSE AREAS ON THE PLAT DESIGNATED AS "UTILITY EASEMENT AREAS" AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL SERVICE CONNECTIONS UPON, ACROSS WITHIN AND BENEATH THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS, THERON, OR ON ADJACENT LOTS; ALSO THE RIGHT TO TRIM OR CUT DOWN TREES, BRUSH AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. THE GRANTEES AGREE TO RESTORE OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEES OR THEIR AGENTS. THIS RESTORATION, HOWEVER, DOES NOT APPLY TO THE INITIAL INSTALLATION OF SAID UNDERGROUND AND/OR ABOVE GROUND ELECTRIC FACILITIES, NATURAL GAS FACILITIES, OR TELEPHONE AND CABLE TV FACILITIES OR TO ANY TREES, BRUSH OR ROOTS WHICH MAY BE REMOVED AT ANY TIME PURSUANT TO THE RIGHTS HEREIN GRANTED. STRUCTURES SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT AREAS" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED BY MORE THAN SIX INCHES WITHOUT WRITTEN CONSENT OF GRANTEES.

THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

OFFICE OF THE REGISTER OF DEEDS
BROWN COUNTY, WISCONSIN

RECEIVED FOR RECORD _____, 20__
AT _____ O'CLOCK ___ M AND RECORDED AS
DOCUMENT # _____ IN
VOLUME ____ OF _____ ON PAGE ____.

CHERYL BERKEN, REGISTER OF DEEDS

MACH IV
ENGINEERING • SURVEYING • ENVIRONMENTAL
2260 Salscheider Court Green Bay, WI 54313
PH:920-569-5765; Fax: 920-569-5767
www.mach-iv.com

TLKM DEVELOPMENT, LLC

GARRITY'S GLEN SOUTH

PRELIMINARY PLAT

NO.	REVISION DESCRIPTION

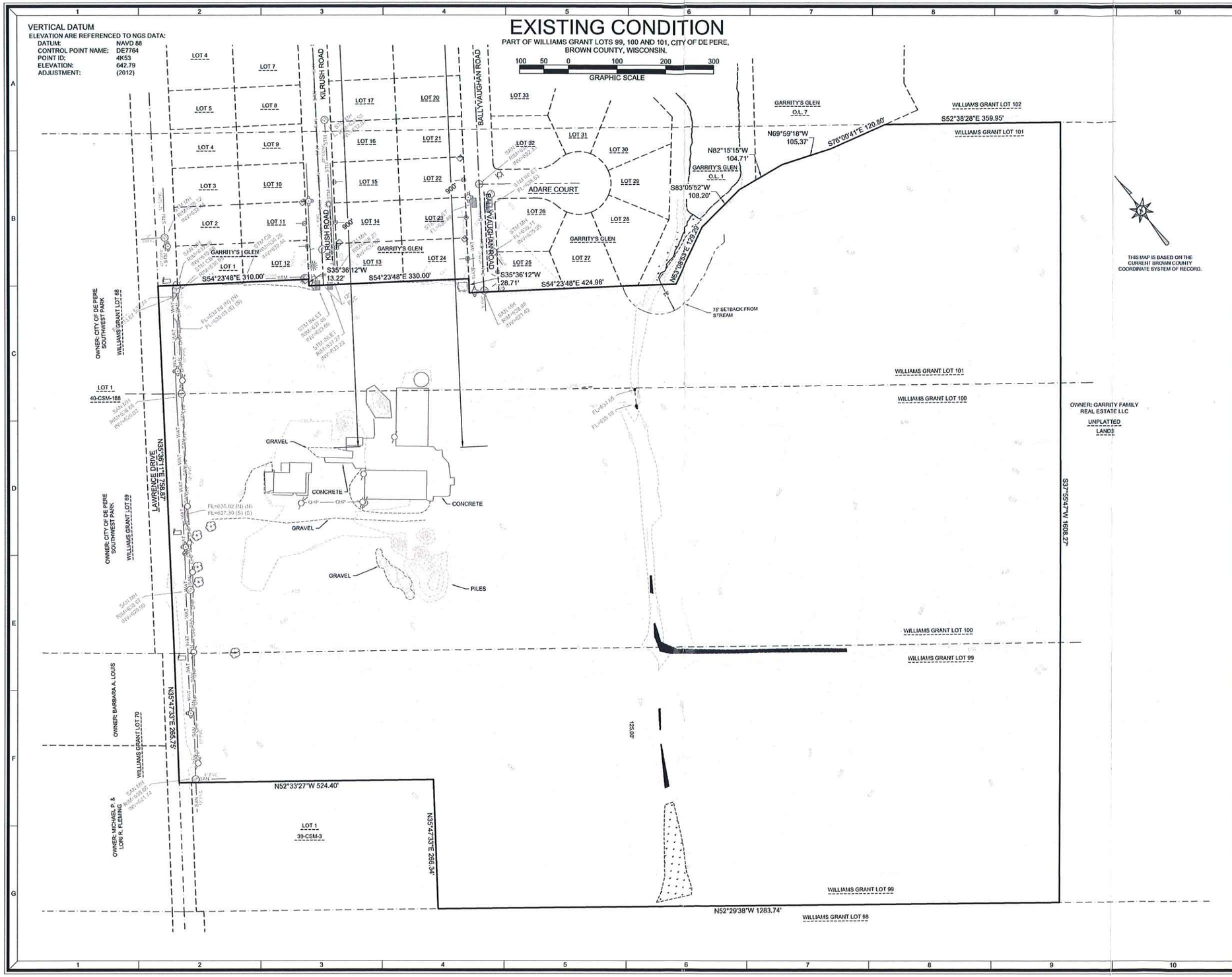
DATE: OCTOBER 05, 2018
DRAFTED BY: RJO
CHECKED BY:
PROJECT NO.: 0336-10-18
DRAWING NUMBER 1429
SHEET NUMBER
3 OF 4

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

EXISTING CONDITION

PART OF WILLIAMS GRANT LOTS 99, 100 AND 101, CITY OF DE PERE, BROWN COUNTY, WISCONSIN.

VERTICAL DATUM
ELEVATION ARE REFERENCED TO NGS DATA:
DATUM: NAVD 88
CONTROL POINT NAME: DE7764
POINT ID: 4K53
ELEVATION: 642.79
ADJUSTMENT: (2012)



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GARRITY'S GLEN SOUTH LLC

GARRITY'S GLEN SOUTH

EXISTING CONDITION

NO.	REVISION DESCRIPTION

DATE: OCTOBER 05, 2018
DRAFTED BY: RJO
CHECKED BY:
PROJECT NO.: 0336-10-18
DRAWING NUMBER 1429
SHEET NUMBER
4 OF 4

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

	CITY OF DE PERE **APPLICATION FOR REZONING**	**Fee:** $ 305.00 **Receipt #:** **Date:**

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)	Authorized Representative	Title	
TLKM DEVELOPMENT, LLC	PATRICIA KASTER	MANAGING MEMBER	
Mailing Address	**City**	**State**	**ZIP Code**
2170 VELP AVE STE 106	GREEN BAY	WI	54303
Email Address	**Phone Number (incl. area code)**	**Fax Number (incl. area code)**	
PKASTER@RIVERCITYREALTORS.COM	920.497.5090	920.497.4881	

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

Name (Ind. Org. or Entity)	Contact Person	Title	
R&M GARRITY FARM, LLC	JOSEPH GARRITY	MANAGING MEMBER	
Mailing Address	**City**	**State**	**ZIP Code**
4030 BOY SCOUT BLVD STE 700	TAMPA	FL	33607
Email Address	**Phone Number (incl. area code)**	**Fax Number (incl. area code)**	
JOSEPH.GARRITY@ATKINSGLOBAL.COM	813.281.8242	NA	

SECTION 3: Project or Site Location

Project Address/Description	Parcel Number(s):
GARRITY GLEN SOUTH	L-482, L-483, L-484

SECTION 4: Proposed Rezoning Use

Existing Zoning:	R1		
Proposed Zoning:	R1/R1 WITH PDD OVERLAY, R2, & R3		
Adjacent Zoning: North R-1	Adjacent Zoning: South I-1/R-1	Adjacent Zoning: West R-1	Adjacent Zoning: East R-1
Present Use of Parcel	AGRICULTURAL		
Proposed Use of Parcel	R1/R2/R3		

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)	Title	Phone Number
Patricia A Kaster	MANAGING MEMBER	920.497.5090
Signature of Applicant		**Date Signed**
Patricia A Kaster		10/5/2018

Attached additional sheets if necessary.

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 GLEN SOUTH
GENERAL DEVELOPMENT AND PRECISE IMPLEMENTATION PLAN

MACH IV
ENGINEERING • SURVEYING • ENVIRONMENTAL

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.

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

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 is 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:

a) An accurate identification of the area of the Precise Implementation Plan as it relates to the General Development Plan.
Refer to Figure 1.
b) 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.

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

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.

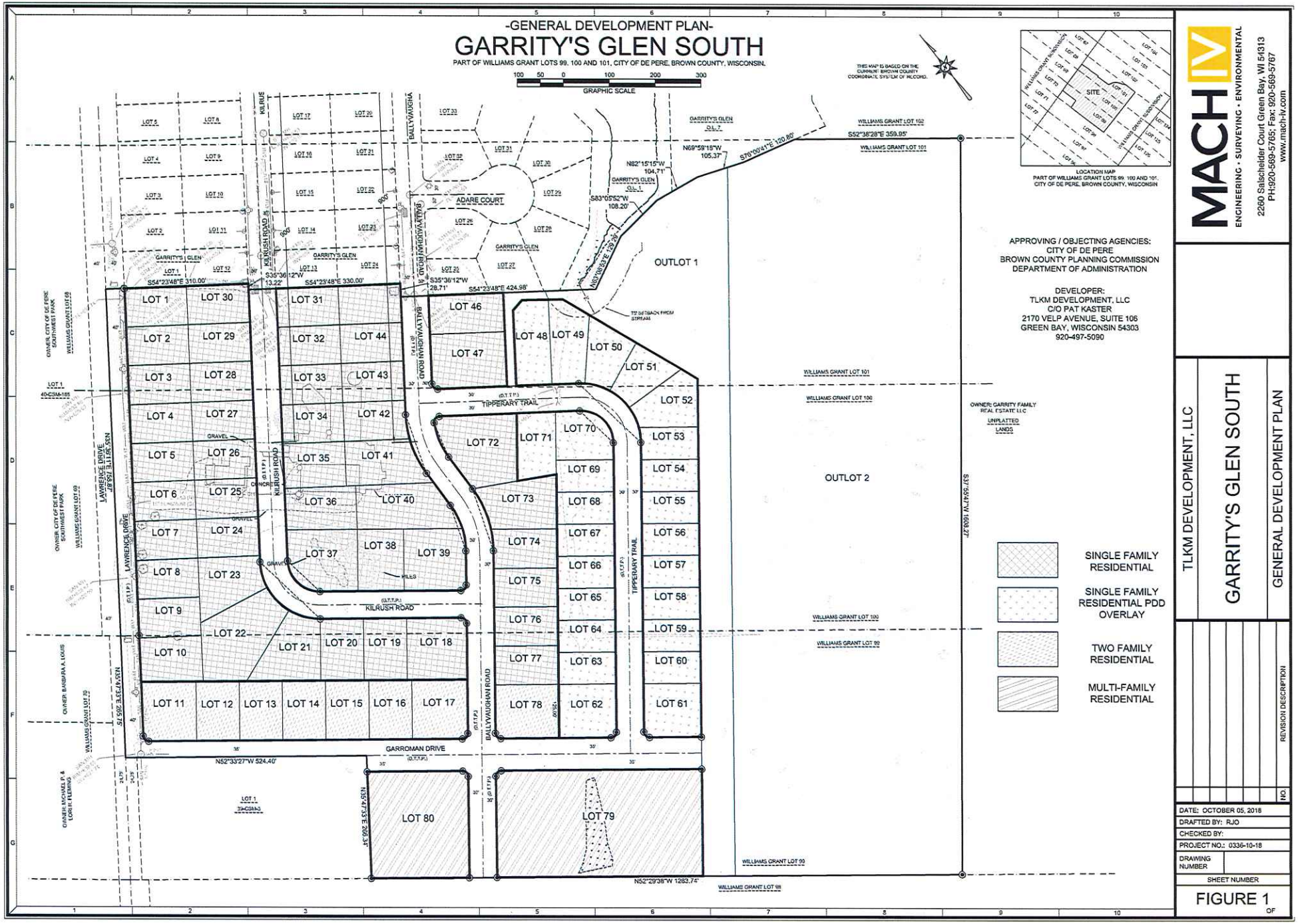
i) Proposed engineering standards for all roads, parking areas, and walkways.
The roads and walkways are proposed as public facilities and as such, would be designed in accordance with application City standards. No deviations from City design standards are proposed. The R-3 multifamily sites will be 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.

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

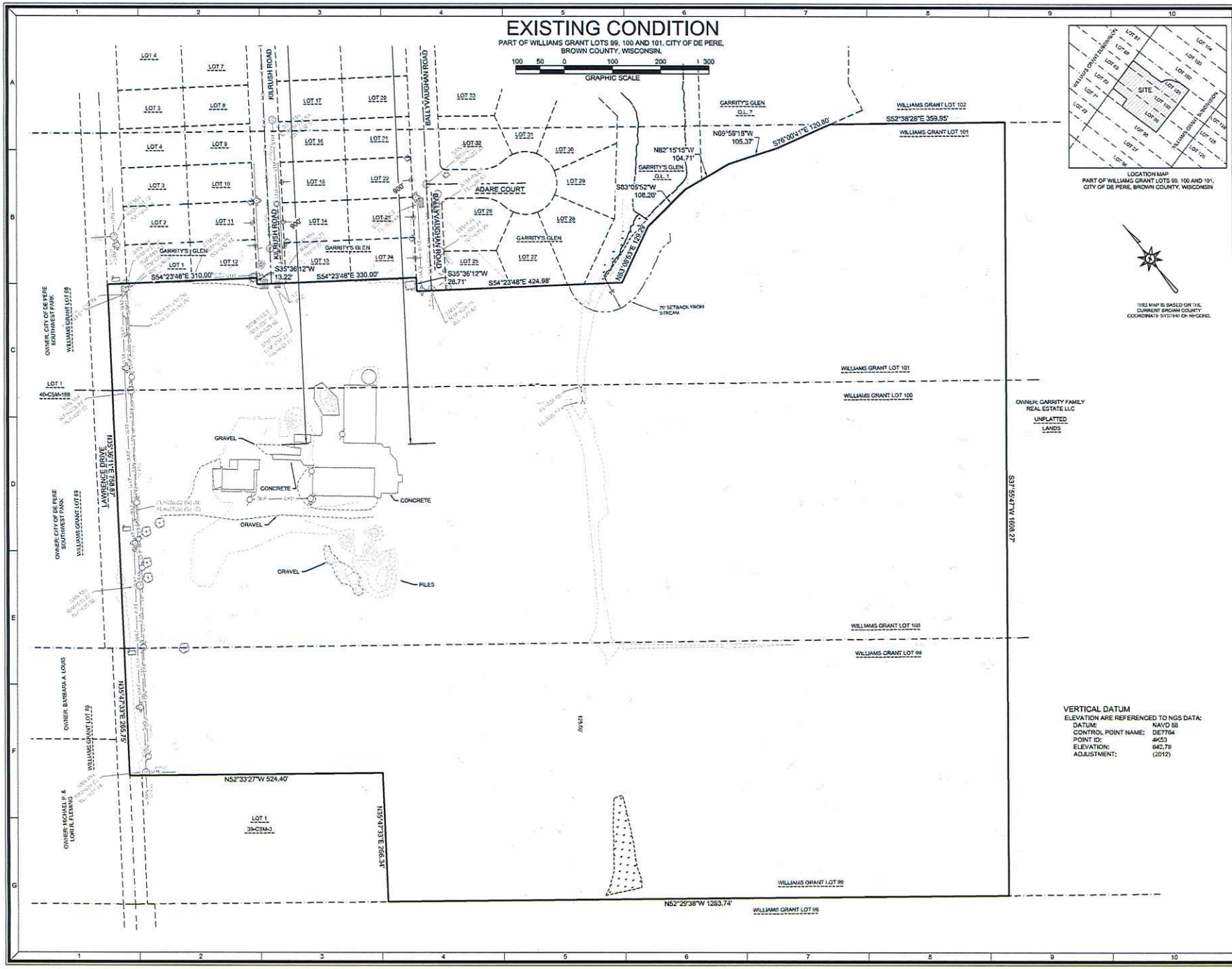


Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre

EXISTING CONDITION

PART OF WILLIAMS GRANT LOTS 99, 100 AND 101, CITY OF DE PERE, BROWN COUNTY, WISCONSIN.

GRAPHIC SCALE: 100 50 0 100 200 300



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www.mach-iv.com

TLKM DEVELOPMENT, LLC

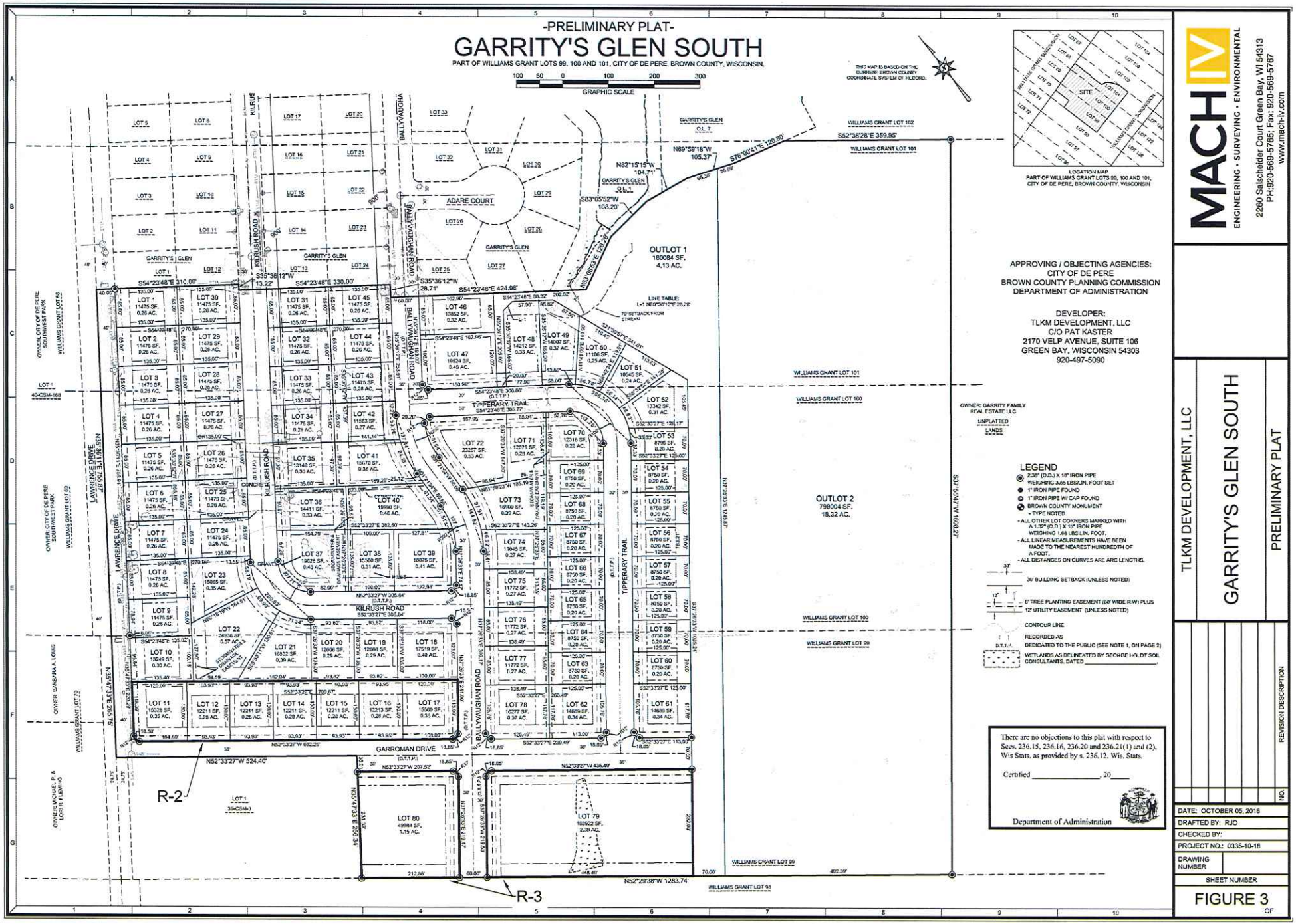
GARRITY'S GLEN SOUTH

EXISTING CONDITION

NO.	REVISION DESCRIPTION

DATE: OCTOBER 05, 2018
DRAFTED BY: RJO
CHECKED BY:
PROJECT NO.: 0336-10-18
DRAWING NUMBER
SHEET NUMBER
FIGURE 2 OF

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre



Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre

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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: Application Form and Support Documentation (7564 : Planned Development District Pre

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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 5 OF

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre

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PROFESSIONAL SEAL

TLKM DEVELOPMENT, LLC

GARRITY'S GLEN SOUTH

R-3 CONCEPT PHOTOS

NO.	REVISION DESCRIPTION

DATE: OCTOBER 05, 2018
DRAFTED BY: RJO
CHECKED BY:
PROJECT NO.: 0336-10-18
DRAWING NUMBER
SHEET NUMBER
FIGURE 6 OF

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre

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PROFESSIONAL SEAL

TLKM DEVELOPMENT, LLC

GARRITY'S GLEN SOUTH

R-3 CONCEPT PHOTOS

NO.	REVISION DESCRIPTION

DATE: OCTOBER 05, 2018
DRAFTED BY: RJO
CHECKED BY:
PROJECT NO.: 0336-10-18
DRAWING NUMBER
SHEET NUMBER
FIGURE 7 OF

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre

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.

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

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 permant 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.

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

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

Attachment: Application Form and Support Documentation (7564 : Planned Development District Pre Application Concept Meeting for part of

City of De Pere, Wisconsin

Request For Plan Commission Action

MEETING DATE:	**October 22, 2018**
DEPARTMENT:	**Planning**
FROM:	**Peter Schleinz**
SUBJECT:	**Status Report of City of De Pere Zoning Ordinance and Sign Ordinance Rewrite–October 2018.**

ATTACHMENTS:

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

City of De Pere MEMORANDUM

To: Plan Commission

From: Peter Schleinz, Senior Planner | Zoning Administrator

Date: October 22, 2018

RE: **Status Report of City of De Pere Zoning Ordinance and Sign Ordinance Rewrite–October 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.

September-October 2018 Summary Status of Ordiance Rewrite Activities:

- At the end of August 2018 the consultant and city staff concluded a short series of topic specific interviews with small focus groups. The groups consisted mostly of individuals that utilize the zoning code and city review procedures on a regular basis. Topics focused on development and redevelopment within the historic residential areas, the downtown district, and the business-industrial parks. The consultant used interview information to begin writing zoning code Module 1. Future focus groups are expected.
- In September 2018 the consultant completed the first draft of the zoning code Module 1, related to provisions and procedures. The draft Module 1 is under review by the Technical Advisory Group (city staff) who will meet on October 23 to discuss revisions to address prior to Module 1 being presented to the Plan Commission and public.
- In September 2018 the consultant began writing the first draft of the zoning code Module 2 and began creating the first draft of the new zoning map. This work is in progress and likely will not be forwarded to the Technical Advisory Group until October or November.

Upcoming October-November 2018 Activities:

- The completion of Draft Module 2 and the draft zoning map is expected. Likewise the first draft of Module 3 will begin.
- 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.

Attachment: Plan Commission Report - Zoning Code Update - October 2018 (7565 : Status Report of City of De Pere Zoning Ordinance and Sign

De Pere Zoning Ordinance Update

Project Timeline

Duncan Associates | 4/5/18

Packet Pg. 83

Attachment: Plan Commission Report - Zoning Code Update - October 2018 (7565 : Status Report of City of De Pere Zoning Ordinance and Sign

7.a