NOTICE OF PUBLIC MEETING

Pursuant to Section 19.84, Wis. Stats., notice is hereby given to the public that the **Plan Commission** and the **Redevelopment Authority** of the City of De Pere will meet on October 22, 2012 at 7:00 p.m. in the City Hall Council Chambers, 2nd floor of City Hall, 335 South Broadway, De Pere, WI 54115. A portion of the Plan Commission meeting will be a joint meeting with the Redevelopment Authority as noted below.

**** Items with an asterisk require City Council Approval***

AGENDA FOR SAID MEETING:

Redevelopment Authority

1. Roll Call.

Plan Commission

2. Roll Call.

3. Approve the minutes of the regular meeting of the Plan Commission on September 24, 2012.

Joint Item

4. WI DOT disposal of surplus property (formerly known as the old Claude Allouez Bridge site). *

Redevelopment Authority

5. Adjournment.

Plan Commission

6. Review permanent zoning classification assignment to annexed Parcel ED-R27 to Single Family Residential (R-1). *

7. Review permanent zoning classification assignment to annexed Parcel ED-D29-1 to Industrial Park District (I-1). *

8. Review request by Board of Appeals to review the zoning code for driveway widths in residential districts.

9. Future agenda items.

10. Adjournment.

Ken Pabich
Director of Planning and Economic Development

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

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

AGENDA SENT TO:

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

ITEM 1-5: NONE

ITEM 6:

STEVE BIEDA	MAU & ASSOC	400 SECURITY BLVD	GREEN BAY, WI 54313
BRIAN & MARY DORN		2730 RYAN RD	DE PERE, WI 54115
MICHAEL L & LAURA J MUSHINSKI		2674 RYAN RD	DE PERE WI 54115-9634
JAMES E SCHLEICHER		728 S MELCORN CI	DE PERE WI 54115-7122
ROBERT J & NICHOLE KORTH		2194 RYAN RD	DE PERE WI 54115
TRAILSIDE DEVELOPMENT II LLC		320 MAIN AV STE 300	DE PERE WI 54115-2228
RENEE S GOEB		2201 RYAN RD	DE PERE WI 54115
DANIEL/JOAN VAN GRUNSEN		2200 RYAN RD	DE PERE WI 54115-7139
THOMAS E & LANE M NELSON		734 S MELCORN CI	DE PERE WI 54115-7122
KURT A & CATHY L GOEHRE		722 S MELCORN CI	DE PERE WI 54115-7122
WILLIAM F & ANTOINETTE J BAKER		714 S MELCORN CI	DE PERE WI 54115-7122
WILFORD M & JEANNE M LUND		1854 HORSESHOE CT	DE PERE WI 54115
COREY L STEVENS		700 KILLARNY TR	DE PERE WI 54115-7116
UNIFIED SCHOOL DISTRICT OF DE PERE		1700 CHICAGO ST	DE PERE WI 54115

ITEM 7: NONE

KARL SCHMIDT	BELMARK	600 HERITAGE RD	DE PERE, WI 54115
ALLEN J & PATRICIA A PELISHEK		1757 BRIARWOOD CT	DE PERE WI 54115-2460
ANN FRUZEN		1499 FOX RIVER DR	DE PERE WI 54115-2437
BC DEVELOPMENT LLC		958 HICKORY AV	DE PERE WI 54115-3016
CHARLES R BRONTE		1765 BRIARWOOD CT	DE PERE WI 54115-2460
DOLAN HOMES INC		4495 SCENIC WY	DE PERE WI 54115-9521
EDWARD G & JOAN M MATHEWS		1759 BRIARWOOD CT	DE PERE WI 54115-2460
INGRID E FISCHER		1774 BRIARWOOD CT	DE PERE WI 54115-2460
JANICE M CRESS		1772 BRIARWOOD CT	DE PERE WI 54115-2460
JILL E KIESLICH		1478 FOXBOROUGH CT	DE PERE WI 54115-2470
LONGHORN INVESTMENTS LLC		11603 VERSAILLES LAKE	HOUSTON TX 77082-6843
MARY B VAN DOMMELEN		305 FOX RIVER CT	DE PERE WI 54115
NICOLE M RABIDEAU		1167 BLUE RIDGE DR	GREEN BAY WI 54304-4172
RICHARD D BINISH		1201 WRIGHTSTOWN RD	DE PERE WI 54115
RONALD H & BONNIE L WILLEMS		250 FOX RIVER CT	DE PERE WI 54115-2443
SAUTER DEVELOPMENT LLC		255 TRADERS POINT LN	GREEN BAY WI 54302-5236
TODD A & NICOLE M GERBERS		1750 GREENLEAF RD	DE PERE WI 54115-8629

ITEM 8:

MICHAEL & PATTI MASON		1013 MEADOW VIEW LANE	DE PERE, WI 54115
BOARD OF APPEALS			

DRAFT

CITY PLAN COMMISSION
De Pere, Wisconsin – September 24, 2012

A meeting of the Plan Commission of the City of De Pere was held today at 7:00 p.m. in the Council Chambers of the De Pere City Hall.

Mayor Michael Walsh called the meeting to order at 7:00 p.m.

Roll call was taken and the following members were present: James Kalny, Derek Beiderwieden, Alderperson James Boyd, Mayor Walsh.

Member(s) excused: Elizabeth Runge, Alderperson Lawrence Lueck.

Also present: City Planning Director Kenneth Pabich, and members of the public.

1. Approve the minutes of the regular meeting of the Plan Commission on August 27, 2012.

James Kalny moved, seconded by James Boyd, to approve the minutes. Upon vote, motion carried unanimously.

2. Review the Site Plan Request for a 48,428 square foot building for the corporate headquarters for Washworld, Inc., located at 2222 American Boulevard, Parvel WD-1136-1. Agent: David O'Brien.

Mayor Walsh moved, seconded by Derek Beiderwieden, to approve the Site Plan Request as recommended by City staff. Upon vote, motion carried unanimously.

3. Review the CSM request for a single lot by 500 Main Avenue. Surveyor: Mike Soletski.

James Kalny moved, seconded by James Boyd, to approve the CSM Request as recommended by City staff. Upon vote, motion carried unanimously.

4. Future Agenda Items. There was no discussion.

5. Adjournment.

Mayor Walsh moved, seconded by Derek Beiderwieden, to adjourn the meeting at 7:45 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,
Lori Phillips, Recording Secretary

Item # 4: WI DOT Disposal of surplus property (formerly known as the old Claude Allouez bridge site).

The following information is included as background for this item:

1. Memo from our City Attorney which provides an overview of the site and its related history.
2. A map which shows the area in question.
3. Initial letter from WIDOT on site.
4. Appraisal.
5. Response from WI DOT on City comments on appraisal and new timeline.

For background, the City was working with WIDOT on a long term lease agreement for the site, until such time other alternatives were developed for the site. Based on a change in WIDOT policy, they were no longer interested in this option and provided the City with a letter of intent (#3 above). We are now at the point where we need to present the options that can be used to move forward and then the RDA and the Plan Commission must make a recommendation to the Common Council on which option to pursue.

Based on the options outline by our attorney, staff has provided some additional items to consider.

Option 1: Maintain site for transportation related use.

Staff would not recommend this option since the site does provide for 'only transportation related uses'. This option also places the restrictive covenant on the property which restricts any alternatives for future use.

Option 2: City to purchase at appraised price.

Under this option, the property can be secured by the City, but the entire area must be used for "public use" as identified by our attorney. If we refer back to the Master Plan, there are several alternatives that were presented in the plan. Most of these options included some type of mixed use where a partnership would be developed between the City and a potential developer to create a site that included both private and public uses. This type of partnership could not be developed under this option.

Another issue to consider is the appraisal price for the property. The City believes under this type of use, the property is overvalued by DOT. We have tried to work with DOT in re-addressing the appraisal; however at this time they believe the existing appraisal is valid.

Option 3: Allow the site to be sold or offered at bid.

Under this option, the property could be purchased out right by a private individual or the City. It could also be sold under a sealed bid process. Staff believes it will be sold by sealed bid since it will be sold as excess right of way (see #5 above). Under this option, it provides the most flexibility to either the City or private individual as the owner. A potential drawback of this option is that it could be perceived that the City is losing control of the site. However, this is not possible since the City still controls the future zoning of the site once parcels are established.

More detail will be provided at the meeting; however the information provided gives the RDA and Plan Commission with information to consider. WI DOT is looking for a response from the City by November 30, 2012.

Recommendation

Staff is recommending that Option 2 or 3 are the only options to be considered. Out of the two remaining alternatives, staff is recommending Option 3. It is the best option for the City to pursue and will allow the site to reach the optimum use defined by the City.

Exhibit 1

CITY OF DE PERE MEMO

To: Ken Pabich, Planning & Economic Development Director
From: Judith Schmidt-Lehman, City Attorney Judy
RE: Wisconsin Department of Transportation Disposal of Surplus Property
Date: October 15, 2012

I understand that the Plan Commission will be discussing the possible acquisition of the State of Wisconsin Department of Transportation (WisDOT) owned section of the former Claude Allouez Bridge approach property at its October 22, 2012 meeting. The purpose of this memo is to provide an overview of WisDOT's statutory requirements for disposition of its property.

During the property acquisition phase of the Claude Allouez Bridge reconstruction project, City officials were informed by the WisDOT's acquisition and relocation specialist that the WisDOT owned bridge approach property west of Broadway would simply be transferred to the City at the conclusion of the construction project. WisDOT representatives acknowledge that these representations were made to the City; however under Wis. Stats. §84.09(5), new transfer requirements (outlined below) now apply to projects completed after May 25, 2006. For purposes of Wis. Stats. §84.09(5), a project is "completed" when final payment is made under the project contract. While I do not know this exact date, actual construction of the new bridge began in 2006 and was completed in 2007, making the new transfer rules applicable to this WisDOT property.

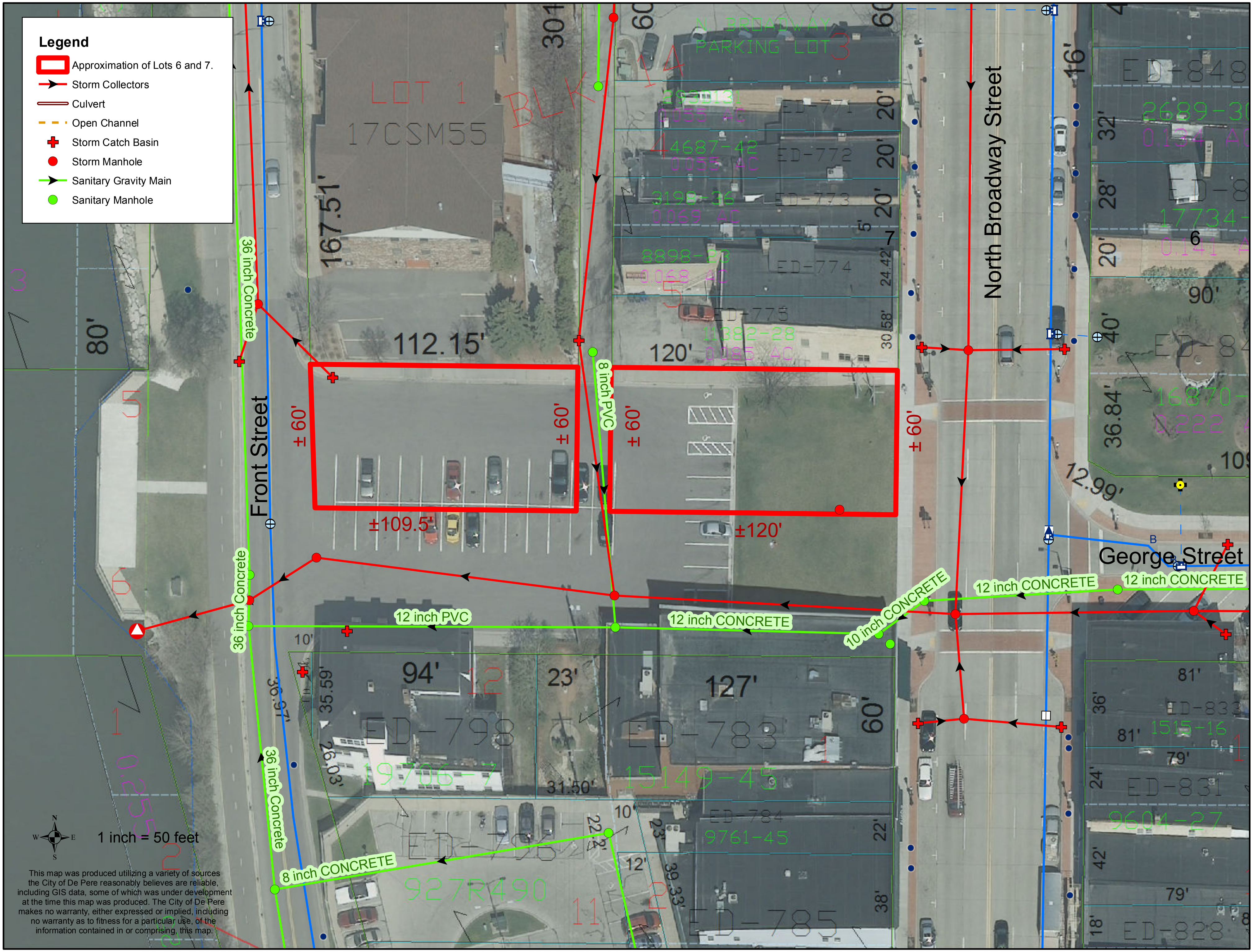
Under Wis. Stats. §84.09(5), WisDOT may (subject to approval of the Governor) transfer excess WisDOT property:

1. To a municipality, county or school district ("municipality") for less than the appraised value if the municipality has an identified proposed transportation use for the property and the municipality agrees to a restrictive covenant upon the property for transportation purposes; or
2. To a municipality, for the appraised value of the property if the municipality has a public use identified for the property, the public use would benefit a cross-section of the population and the sale of the property would not be used for the generation of profit through the sale price or through is long-term intended public use ("public use restriction"); or
3. Pursuant to public sale of the property, offered at appraised value. If the offered property does not sell at or above the appraised value, WisDOT can offer the property by means of sealed bids or by public auction (no restrictions on sale.)

Here, WisDOT sent to the City an appraisal of the bridge approach property, asking for a response from the City within 60 days. Transfer of this property by direct sale to the City for the appraised value would be a sale as identified in #2 above; including a public use restriction. Under Wis. Stats. §84.09(5)(c), failure of the City to respond in 60 days is deemed non-interest in the parcel for public use. WisDOT would then be free to transfer the property by sale, public bid or to some other municipality.

If you have any questions, please let me know.

JSL:jld
H:\jdupont\Memos\2012\Pabich-CAB approach-10-15-12-157-001-11.docx



Legend
Approximation of Lots 6 and 7.
Storm Collectors
Culvert
Open Channel
Storm Catch Basin
Storm Manhole
Sanitary Gravity Main
Sanitary Manhole
Front Street
North Broadway Street
George Street
36 inch Concrete
8 inch PVC
12 inch PVC
12 inch CONCRETE
10 inch CONCRETE
8 inch CONCRETE
± 60'
±109.5'
±120'
112.15'
120'
167.51'
17CSM55
LOT 1
BLK
N. BROADWAY PARKING LOT 3
ED-798
ED-783
ED-785
1 inch = 50 feet
This map was produced utilizing a variety of sources the City of De Pere reasonably believes are reliable, including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising, this map.

10/17/12

Division of Transportation
System Development
Northeast Regional Office
944 Vanderperren Way
Green Bay, WI 54304

Exhibit 3

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet web site: www.dot.wisconsin.gov

Telephone: (920)492-5643
Facsimile (FAX): (920)492-5640
E-mail: greenbay.dtd@dot.wi.gov

August 3, 2012

City Hall – Room 2nd Floor
Ken Pabich
335 South Broadway
De Pere, WI 54115

RE: Project 3390
USH 41
Brown County
Parcel 999

Subject: Former George Street Bridge Landing
60 day Notice

Dear Mr. Pabich,

The Department of Transportation is interested in selling the former George Street bridge landing. On July 1, 2012 I mailed you a copy of the apprasail report. I also contacted you by phone to see if the City of De Pere was interested in meeting to dicuss the appraisal and the sale of the parcel.

If the City of De Pere is interested in purchasing this parcel for public use, please send me a letter indicating your interest. Failure to respond within 60 days constitutes noninterest in the parcel at which time the Department of Transportation will put it out for public sale.

Call me at 920-492-7704 should you have any questions or concerns.

Sincerely,

Kristin Schrader

Kristin Schrader
Real Estate Specialist

CC: Judith Schmidt-Lehman – De Pere City Attorney

Exhibit 4

Steiro Appraisal Service, Inc.

Residential • Commercial • Government • Litigation

APPRAISAL REPORT OF

The State of Wisconsin
Property
Located west of North
Broadway Street,
Lot 6 (except the north 8
inches) and Lot 7
Block 14
Original Plat of De Pere
Brown County, Wisconsin

EFFECTIVE DATE OF THE APPRAISAL

April 23, 2012

CLIENT

Wisconsin Department of
Transportation
Northeast Region
944 Vanderperren Way
Green Bay, Wisconsin
54324-0080

APPRAISED BY

Abigail E. Ringel
Appraiser

David E. Steiro
Wisconsin Certified General
Appraiser #933
Michigan Certified General
Appraiser #1201073480
Supervisor Appraiser

Steiro Appraisal Service Inc.
2244 Fox Heights Lane,
Suite 101
Green Bay, WI 54304
Phone - (920) 497-1849
Fax – (920) 497-3550

cel # 999

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2244 Fox Heights Lane, Suite 101
Green Bay, WI 54304

(920) 497-1849 work
(920) 497-3550 fax

Steiro Appraisal Service, Inc.

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Appleton/Fox Cities
(920) 733-1444

www.steiroappraisal.com

LETTER OF TRANSMITTAL

April 27, 2012

Ms. Kristin Schrader
Wisconsin Department of Transportation
Northeast Region
P.O. Box 28080
Green Bay, Wisconsin 54324-0080

Reference: Appraisal of the State of Wisconsin property located west of North Broadway Street, Lot 6 (except the north 8 inches) and Lot 7 of Block 14, Original Plat of De Pere, Brown County, Wisconsin.

Dear Ms. Schrader:

As you requested, we have conducted a real estate appraisal of the above referenced property.

The attached appraisal report plus addenda, which defines market value, describes the property and contains the data and reasoning used in arriving at our value conclusion. In developing a real property appraisal, an appraiser must identify the problem to be solved, determine the scope of work necessary to solve the problem and correctly complete research and analyses necessary to produce a credible appraisal.

This appraisal report is a Summary Appraisal Report in accordance with Standards Rule 2-2(c) of the Uniform Standards of Professional Appraisal Practice. As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly.

The purpose of this appraisal is to establish a value for surplus land (s) being disposed of, and owned by, the Wisconsin Department of Transportation. The report is to be used by my client, the Wisconsin Department of Transportation, subject to the assumptions and limiting conditions contained in this report.

It should be noted that this appraisal report has been prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) and appraisal guidelines for the Wisconsin Department of Transportation. The report will also conform to the Code of Professional Ethics and Certification Standard of the Appraisal Institute, Farm Managers and Rural Appraisers and the International Right of Way Association.

Based on the information contained in the report and our analysis of this information we estimate the separate entity value of the approximately 13,770 square foot subject property is $79,000, as of April 23, 2012, subject to the assumptions and limiting conditions that are part of this report.

Thank you for giving us the opportunity to provide this service for you. If you have any questions about the appraisal please call us at 920-497-1849.

Sincerely,

Abigail E Ringel
Appraiser

David E. Steiro
Wisconsin Certified General Appraiser #933
Michigan Certified General Appraiser #1201073480

ASSUMPTIONS AND LIMITING CONDITIONS

1. The legal description is presumed to be correct. No responsibility for matters in legal character is assumed nor is any opinion rendered as to the title, which is assumed good and marketable. All existing liens and encumbrances, if any, will be discussed in the report and their impact, if any, will be addressed at that time. The property is appraised as though free and clear, under responsible ownership and competent management.

2. The appraiser assumes there are no hidden conditions of the property that would render it more or less valuable than otherwise comparable property. The appraiser assumes no responsibility for such conditions or engineering required for discovery of such things. The appraiser assumes no merchantable mineral deposits are present. Unless otherwise noted in this report, the existence of hazardous materials, which may or may not be present on the property, was not observed by the appraiser(s). The appraiser(s) has (have) no knowledge of the existence of such substances on or in the property. The appraiser(s), however, is (are) not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

3. Certain data in compiling this report was secured from sources that were considered reliable. The appraiser does not guarantee the correctness of such data, although as far as is reasonably possible, it has been checked and is believed to be correct.

4. It is assumed that surveys and/or plats furnished to or acquired by the appraiser and used in this report are correct. The appraiser has not made a land survey or caused one to be made and therefore assumes no responsibility for their accuracy. Any sketches included in this report are to assist the reader in visualizing the property and are not guaranteed to be to scale.

5. No soil analysis has been made by the appraiser, and any reference to the soil type or classification herein, is taken from U.S.D.A., Soil Conservation Service Maps and interpretive data, or was made by visual inspection and is believed by the appraiser to be correct. The appraiser did not carry out soil tests (H65 Wisconsin Administrative Code). Any reference to minimum lot area in relationship to soil conditions was based upon visual inspection, market information, and other sources, and not actual percolation tests or soil borings.

6. The appraiser has examined available flood maps that are provided by the Federal Emergency Management Agency (or other source data) and has noted in the appraisal report whether the subject site is located in an Identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding the determination.

7. I (We) am (are) not required to give testimony or appear in court because of having made this appraisal, with reference to the property in question, unless arrangements are previously agreed upon.

8. The appraiser will not disclose the contents of the appraisal report except as provided in the Uniform Standards of Professional Appraiser Practice. Neither all nor any part of the contents of this report shall be used for any purpose without the client's consent or conveyed to the public, through advertising, public relations, news, sales, or other media, without the written consent and approval of the author(s), particularly as to valuation conclusions, the identity of the appraiser(s), or a firm with which he/she (they) is (are) connected, or any reference to any professional society or any initial designations conferred upon the appraiser(s). Possession of this report or a copy hereof does not carry with it the right of publication.

9. The Americans with Disabilities Act (ADA) became effective January 26, 1992. I (We) have not made a specific compliance survey and the analysis of this property to determine whether it conforms to the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property does not comply with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.

10. This appraisal should not be considered a report on physical items that are a part of this property. Although the appraisal may contain information about the physical items being appraised (including their adequacy and/or condition), it should be clearly understood that this information is only to be used as a general guide for property valuation and not as a complete or detailed physical report. The appraisers are not construction, engineering, or legal experts, and any opinion given on these matters in this report should be considered preliminary in nature.

11. It is assumed that there are no hidden or unapparent conditions of the property, sub-soil, or structure that render it more or less valuable. No responsibility is assumed for such conditions or the engineering that may be required to discover such factors. Since no engineering or percolation tests were made, no liability is assumed for soil conditions. Sub-surface rights (mineral and oil) were not considered in making the appraisal.

12. Because no detailed inspection was made, and because such knowledge goes beyond the scope of this appraisal, any observed condition comments given in this appraisal should not be taken as a guarantee that a problem does not exist.

13. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless noncompliance is specified, defined and considered in this report;

14. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless non-conformity has been specified, defined and considered in this report;

15. The liability of the appraiser, employees and subcontractors is limited to the client only. There is no accountability, obligation or liability to a third party. If this report is placed in the hands of anyone other than the client, the client shall make such party aware of all limiting conditions and assumptions of the assignment and related discussions. The appraiser is in no way responsible for any costs incurred to discover or correct any deficiencies of the property;

16. Acceptance and/or use of this report constitutes acceptance of the foregoing assumptions and limiting conditions,

Abigail E Ringel
Appraiser

David E. Steiro
Wisconsin Certified General Appraiser #933
Michigan Certified General Appraiser #1201073480

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Property owner	State of Wisconsin
Location of subject property	Former George Street Bridge Landing
Size and Type of Property	The property is two lots separated by an alley. The western lot (Lot 7) is approximately 6,570 square feet in size. The eastern lot (Lot 6) is approximately 7,200 square feet in size. Their total combined size, not including the alley, is 13,770 square feet.
Appraisal problem	Separate Entity Surplus Land Appraisal
Zoning	Unzoned – properties directly to the north are zoned R-3 with a PDD overlay and B-1. The De Pere Downtown Master plan shows the property as the former George Street Bridge Landing as a strategic development site for either civic or private development.
Improvements/Other Items	The site is improved with asphalt paving for parking. The WisDOT did not improve the property and who paved the property is unknown.
Property Rights Appraised	Fee Simple
Highest and Best Use	Commercial building site
Project ID:	Project No: 3390

Valuation

Cost Approach	N/A
Income Approach	N/A
Market Approach	$79,000

SEPARATE ENTITY VALUE: **$79,000 as of April 23, 2012**

APPRAISAL REPORT

Size and Type of Property

The property is two lots separated by an alley. The western lot (Lot 7) is approximately 6,570 square feet in size. The eastern lot (Lot 6) is approximately 7,200 square feet in size. Their total combined size, not including the alley, is 13,770 square feet. The property is unzoned. The properties directly to the north are zoned R-3 with a PDD overlay and B-1. The De Pere Downtown Master plan shows the property, the former George Street Bridge Landing, as a strategic development site for either civic or private development. The site is of sufficient size and has adequate access to be a standalone or separate entity site.

Property Owner

Wisconsin Department of Transportation

Client

Wisconsin Department of Transportation

APPRAISAL TYPE

This appraisal report is a Summary Report in accordance with Standards Rule 2-2© of the Uniform Standards of Professional Appraisal Practice (USPAP). The intended use of the appraisal is for the client (WisDOT) to establish a market driven sale price for the subject surplus property.

INTENDED USE/INTENDED USER

The intended use of the appraisal is for the client (WisDOT) to establish a market driven sale price for the subject surplus property. The intended user is The Wisconsin Department of Transportation. This appraisal should not be utilized or relied upon by any other party without written consent. Should the client provide written authorization I will consult with others about the appraisal for a pre-arranged consultant fee to be paid at the time of the consultation.

Project

3390 Parcel 999
Former George Street Bridge Landing

Effective Date of the Appraisal

April 23, 2012, the date of inspection

Interest to be Appraised

Unless otherwise specified, the property rights being appraised constitute fee simple.

SCOPE OF THE APPRAISAL

The scope of this appraisal requires the appraiser's compliance with the Uniform Standards of Professional Appraisal Practice (USPAP), which were adopted by the Appraisal Standards Board. This is a Summary Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(c) of the Uniform Standards of Professional Appraisal Practice (USPAP). As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value.

The scope of this assignment begins with the inspection of the property in cooperation with the WisDOT property manager. Appropriate mapping or survey of the site provides indication as to the legal use(s) of the subject. The highest and best use of the property is established in the context of the subject's Separate Entity Value, Enhancement Value or Assemblage Value. Appraisals of real property are typically based upon the highest and best use of the property assuming a willing buyer and willing seller. The disposition of surplus property can be appraised under different concepts such as the three discussed above and defined below. The market approach is utilized to value the property unless otherwise specified and the most recent comparable sales are field reviewed and verified by the buyer, seller or broker/agent to the transaction. Comparable Sales sheets are provided with complete sale transaction data as well as a street view photo of the comparable properties.

Abigail Ringel has eight years of appraisal experience. Her areas of expertise include the valuation of unique appraisal assignments, residential appraisal valuations, client interaction, data collection, inspection, and research of the subject property as well as comparable sales, appraisal report editing and composition, and compiling various essential data, exhibits, and sketches. She has extensive experience in generating sales studies, including photographing, compiling, and verifying comparable sales. Ms. Ringel has assisted in the composition of various portions of the appraisal report including, but not limited to, the project description, subject property research and description, market research and analysis, area and neighborhood data, and highest and best use analysis. Ms. Ringel specializes in state and federal land acquisition and right-of-way appraisals. She has provided general and specific knowledge and support to aid the lead appraiser in the completion of this report.

This report is prepared for the Wisconsin Department of Transportation, who is the intended user. This report is intended for use only by the Wisconsin Department of Transportation. Use of this report by others is not intended by the appraiser and is not authorized. The intended use of the appraisal is for the client (WisDOT) to establish a market driven sale price for the subject surplus property.

The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated in the report. The appraiser is not responsible for unauthorized use of this report.

This appraisal assignment required the appraiser to estimate the separate entity value of the subject property which is a marketable remnant currently owned by the State of Wisconsin. The appraiser has physically inspected the subject site to note the characteristics of the property that are relevant to its valuation.

The appraisal will include photographs of the subject property, descriptions of the subject site, any improvements on the site, a description of the zoning, a highest and best use analysis, a summary of the most important sales used in the appraiser's valuation, a reconciliation and conclusion, a map illustrating the sales in relationship to the subject property, and other data deemed by the appraiser to be relevant to the assignment. Pertinent data and analyses not included in the report may be retained in the appraiser's files.

The appraiser will investigate available market data for use in a sales comparison approach to value. The cost and income approaches are not applicable for this appraisal assignment. In this market, vacant land is typically bought on its perceived market value rather than on cost or income. The appraiser's investigations will include research of public records using commercial sources of data such as printed and computerized MLS databases, the State of Wisconsin's supervisor of assessment records, local assessor's records, and information provided from other realtors, appraisers and from the appraiser's own records.

Search parameters such as dates of sales, leases, locations, sizes, types of properties, and distances from the subject will start with relatively narrow constraints and, if necessary, be expanded until the appraiser has either retrieved data sufficient (in the appraiser's opinion) to estimate market value, or until the appraiser believes that he has reasonably exhausted the available pool of data. Researched sales data will be viewed and efforts will be made to verify the data with persons directly involved in the transactions such as buyers, sellers, brokers or agents. At the appraiser's discretion, some data will be used without personal verification if, in the appraiser's opinion, the data appears to be correct. At times secondary sources such as assessors will be used to verify a particular sale when after all attempts failed at contacting persons directly involved in a transaction.

In addition, the appraiser will consider any appropriate listings or properties found through observation during the appraiser's data collection process. The appraiser will report only the data deemed pertinent to the valuation problem. After selecting the sales, a comparative analysis of relevant factors that influence value was undertaken to adjust the sales to the subject property based upon the actions and preferences demonstrated by the participants in the marketplace.

The subject property is currently owned by the State of Wisconsin, and is considered surplus land. The property is a marketable remnant that could be purchased and used by a member of the general public. The market approach is considered applicable to the assignment. The appraiser searched the available data sources over the past several years to find market data to compare to the subject property. The search included similar commercial tracts in the Green Bay Metro area.

The appraiser also researched available data from the Brown County Register of Deeds office along with the county treasurers and zoning offices to obtain sales history, tax information and zoning on the subject property. The physical and legal characteristics of the subject property will be evaluated in the highest and best use analysis found within the report.

The value conclusions found within this report are based upon a market analysis of the subject property based on comparisons with similar competing properties within the current market conditions. I analyzed the highest and best use of the subject property and gathered market sales with a similar highest and best use. I was able to use both qualitative and quantitative analysis techniques along with finding both superior and inferior market sales. By using a bracketing technique the market data accurately supports the conclusions found within the report. The sales were reconciled into a final conclusion of value for the subject property.

DEFINITION OF MARKET VALUE

Market value is the amount of cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at the time of the appraisal.

As defined by the Uniform Appraisal Standards for Federal Land Acquisitions (The Yellow Book), (2000), Appraisal Institute located in Section A-9 page 13 and Section B-2 page 30.

Market Value is typically defined as the amount in cash, which a well-informed buyer, willing but not obliged to buy the property would pay, and for which a well-informed seller, willing but not obligated to sell, would accept. This concept is only true when the value being achieved is Separate Entity Value. Enhancement and Assemblage Values typically do not meet the test for Market Value.

The subject property is of sufficient size having adequate access to be a standalone or separate entity site.

SEPARATE ENTITY VALUE

A surplus land parcel can qualify as a Separate Entity if it meets the highest and best use requirements to stand alone and be marketed as an economic unit of its own merit it would have to meet the tests of legal permissibility, physical possibility, financial feasibility and maximum profitability.

As defined by the Wisconsin Real Estate Program Manual provided as a service of the Bureau of Technical Services-Real Estate (BTS-RE), Wisconsin Department of Transportation (WisDOT).

The subject property is of sufficient size having adequate access to be a standalone or separate entity site.

ENHANCEMENT VALUE

A surplus land parcel can qualify as Enhancement Value. The test is to hypothetically assemble the surplus parcel with an abutter and measure the difference in value on a "before and after" basis it is the reverse of appraising a partial taking to a property. Enhancement value is particularly notable when it changes the highest and best use of the properties being assembled.

As defined by the Wisconsin Real Estate Program Manual provided as a service of the Bureau of Technical Services-Real Estate (BTS-RE), Wisconsin Department of Transportation (WisDOT).

The subject property is of sufficient size having adequate access to be a standalone or separate entity site. The highest and best use is as a standalone site. As such, it would not enhance any adjacent properties.

ASSEMBLAGE VALUE

A surplus land parcel can qualify as Assemblage value if it fails to meet the test of the two prior valuation principles. Assemblage value is commonly referred to as "across the fence" value. Typically, the surplus land when assembled to an abutter would have no greater unit value than that of the abutter.

As defined by the Wisconsin Real Estate Program Manual provided as a service of the Bureau of Technical Services-Real Estate (BTS-RE), Wisconsin Department of Transportation (WisDOT).

The subject property is of sufficient size having adequate access to be a standalone or separate entity site. As such, it is more valuable as a separate entity than it would be as assemblage to a neighboring site.

EXTRAORDINARY ASSUMPTIONS AND HYPOTHETICAL CONDITIONS

Extraordinary Assumptions: an assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary Assumptions presume as fact otherwise uncertain information about physical, legal, and economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis.

Hypothetical Conditions: that which is contrary to what exists but is supposed for the purpose of analysis. Hypothetical Conditions assume conditions contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis.

There are no extraordinary assumptions or hypothetical conditions reported in this appraisal report.

JURISDICTIONAL EXCEPTION

This appraisal is done under the Jurisdictional Exception Rule of USPAP. The appraiser must comply with the overriding authority of State and Federal laws, rules and regulations, including the Uniform Relocation and Real Property Acquisitions Policies Act of 1970, as amended, 49 Code of Federal Regulations (CFR) Part 24.103, Wisconsin Statute 32.09, and the Real Estate Program of the Wisconsin Department of Transportation. Only those valuation approaches that are applicable are included in this report. The elimination of approaches that are not applicable does not result in a departure from the Uniform Standards of Professional Appraisal Practice. The Jurisdictional Exception Rule allows law or public policy to supersede USPAP rules.

Based on a Wisconsin Supreme Court decision in Leathem Smith Lodge, Inc. vs. State of Wisconsin (1980), the Income Approach is considered inapplicable in Eminent Domain valuations (so long as sufficient market data is available). Therefore, the Income approach will not be developed in this appraisal report. The omission of the income approach is not considered misleading or inappropriate for this valuation assignment.

Market value estimates imply that an adequate marketing effort and reasonable time for exposure occurred prior to the effective date of the appraisal. Typically, when valuing a property the appraiser develops an opinion as to the estimated marketing and exposure time it will take to sell a given property once it has been exposed to the general real estate market. Marketing and exposure time is not to be included for the subject property based on UASFLA (Yellow Book) requirements. This is a Jurisdictional exception from USPAP.

Division of Transportation
System Development
Northeast Regional Office
944 Vanderperren Way
Green Bay, WI 54304

Exhibit 5

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet web site: www.dot.wisconsin.gov

Telephone: (920)492-5643
Facsimile (FAX): (920)492-5640
E-mail: greenbay.dtd@dot.wi.gov

September 19, 2012

Certified Mail

City of De Pere
Attn: Ken Pabich
335 South Broadway
De Pere WI 54115

Project: 3390/Former George Street Landing

Dear Mr Pabich:

Thank you for sharing your concerns on the appraisal completed by Steiro Appraisal for the *Former George Street Bridge Landing* that was provided to you. We met again with the appraiser and went over the report as a result of your concerns. It was determined that the appraisal was completed satisfactorily and we will not be requesting the appraisal to be revised.

Please contact me at (920) 471-7552 to set up a meeting to discuss the City's interest in purchasing the bridge landing.

Sincerely,

Kristin Schrader

Kristin Schrader
Real Estate Specialist
Property Management

From: Schrader, Kristin - DOT [mailto:Kristin.Schrader@dot.wi.gov]
Sent: Monday, October 01, 2012 8:42 AM
To: Ken Pabich
Subject: project# 3390 p999- City of De Pere Claude Allouez Bridge Approach

Good morning Ken-

The Department of Transportation was hoping to hear from the City By November 30, 2012.
We will be selling the right of way as two separate parcels.
The Department is selling the parcels "as surplus Right of way." We will not be getting a tax id number from the County.

Can you provide us with documentation of how much the City contributed to the paving of the parking lot? After I receive that I will contact Madison to see if the city will be reimbursed.

Kristin Schrader
The Department of Transportation
Northeast Region
944 Vanderperren Way
Green Bay WI 54304
(920)-492-7704

Item #6: Review permanent zoning classification assignment to annexed parcel ED-R27 to Single Family Residential (R-1).*

ED-R27 was annexed in August 2012 and as part of the process it was assigned a temporary zoning classification by the City Council. Now the annexation is completed, the Plan Commission must recommend a permanent zoning for the parcel. When annexed, the temporary zoning recommendation was Single Family Residential (R-1) which matches the uses in the surrounding area and the uses in our Comprehensive Plan. Staff is recommending that the permanent zoning for the parcel remain Single Family Residential (R-1). It is important to note that the owner of the property also supports this recommendation.

Recommendation:
Staff would recommend that the parcel be zoned Single Family Residential (R-1) and that the recommendation be forwarded to the City Council.

Item #7: **Review permanent zoning classification assignment to annexed parcel ED-D29-1 to Industrial Park District (I-1).***

ED-D29-1 was annexed in August 2012 and as part of the process it was assigned a temporary zoning classification by the City Council. Now the annexation is completed, the Plan Commission must recommend a permanent zoning for the parcel. When annexed, the temporary zoning recommendation was Industrial Park District (I-1) which is consistent with the uses in the area and the uses in our Comprehensive Plan. Staff is recommending that the permanent zoning for the parcel remain Industrial Park District (I-1). It is important to note that the owner of the property also supports this recommendation.

Recommendation:
Staff would recommend that the parcel be zoned Industrial Park District (I-1) and that the recommendation be forwarded to the City Council.

Item #8: Review request by Board of Appeals to review the zoning code for driveway widths in residential districts.

The Board of Appeals recently had a variance request for a driveway that was installed too wide at the property line. As part of the review, the owner request that the standard be reviewed and the Board asked that that staff and the Plan Commission review the code related to driveway widths in residential districts.

The code states the following for R-1 and R-2 zoning:

Zone	Maximum Width at Property Line	Maximum Flare	Maximum Opening
Residential Zones	25'	5'	35'
Residential Zones (Single Driveway Duplex) (Driveway width shall not exceed 50% of lot width)	40’	2.5’	45’

The standard for changing the code would usually fall under two primary circumstances. These are:

1. When the standard is no longer consistent with preferred practices or is dated based on various standards; or
2. When the Board of Appeals has been consistently approving variances exceeding the standard which shows the standard is out of date.

Based on staff research, neither of these criteria have been met. Based on a cursory review of our code with other communities, it is very consistent with existing standards. In fact, many communities are becoming more restrictive on the amount of impervious surface that can be installed due to the increased standards for storm water treatment. In reviewing, the Board of Appeals cases over the past five years, there is no evidence that supports that the standard needs to be changed.

<u>Recommendation:</u>

Staff would recommend that the standard not be changed at this time due to the factors defined above.