

MINUTES OF THE PLAN COMMISSION MEETING – DECEMBER 12, 2011

Call to Order

The Plan Commission meeting was called to order at 6:00 p.m. by Village President, Michael Vanden Berg.

Roll Call

PRESENT: President Vanden Berg
John Elrick
Trustee Bill Peerenboom
Richard Schevers
Roy Van Gheem
Bill Van Berkel
Jerry Verstegen

ALSO PRESENT: Community Development Director Jim Moes, Village Administrator Charles Kell, Village Clerk Vicki Schneider, Chris Winter - Rollie Winter & Associates, Bonnie Bellehumeur - President of Feeding America Eastern WI, Greg Douglas- Miron Construction, Paul Phillips Engineer – DP Engineering, Inc., Jim Kratowicz - US Ventures Rep.

Public Appearance for Items Not on the Agenda

None

Moved by Commissioner Van Gheem, seconded by Commissioner Elrick to enter into the Public Hearing on the Conditional Use Permit Request for Feeding America Eastern WI.

Ayes 7, Nays 0 – Motion Carried Unanimously

Public Hearing – Conditional Use Permit Request – Feeding America Eastern WI – Food Pantry Distribution Warehouse Facility – W. Evergreen Dr.

J. Moes stated that the property is zoned Commercial Highway District so a conditional use is needed to allow for a warehouse facility. J. Moes stated that the current owners and neighbors were notified of tonight's public hearing. Chris Winter, Rollie Winter & Associates, stated he was representing the land owners, Evergreen Storage LLC and Koeller Roade Partners, LLC. Mr. Winter stated that they also own the Miller Electric and Marmon Keystone buildings and they believe this a good project that is consistent with the use of the neighboring properties and they are in favor of the project moving forward. Bonnie Bellehumeur, President and CEO of Feeding American Eastern WI, stated that they are part of a national organization that distributes 18 million pounds of food a year to food pantries, meal programs, and others serving the needy, noting that they do not serve the public directly. Ms. Bellehumeur stated the organization is serving 330,000 in eastern Wisconsin and they want to expand their serves and they need a larger facility in order to expand.

Moved by Commissioner Elrick, seconded by Commissioner Van Berkel to exit the Public Hearing.

Ayes 7, Nays 0 – Motion Carried Unanimously

Approve Minutes of the Plan Commission Meeting of November 14, 2011

Moved by Commissioner Schevers, seconded by Commissioner Verstegen to approve the minutes of November 14, 2011 as presented.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action on Conditional Use Permit Request – Feeding America Eastern WI – Food Pantry Distribution Warehouse Facility – W. Evergreen Drive

J. Moes stated that staff is recommending approval of the conditional use subject to the approval of the CSM for the lot. Commissioner Peerenboom questioned the issue of the lot being narrower than allowed by the Village Code. J. Moes stated it has nothing to do with the building site but it has to do with the access way and this can be discussed during the agenda item for the CSM. J. Moes noted that two-thirds approval of the CSM

is required by the Village Board because it doesn't meet the setback requirements of the Village Code. J. Moes noted that the Conditional Use only goes with this applicant but the CSM creating the lot will remain true. Commissioner Peerenboom asked about the building surface facing Hwy. 41. J. Moes stated that it is concrete and there are not any covenants on this land. Commissioner Peerenboom stated he brings this up because the Board has had discussion on trying to do something to bring up the appearance of the buildings in this area. Commissioner Elrick stated that this type of precast building painted a tan color will be a better looking building for the area.

Moved by Commissioner Elrick, seconded by Commissioner Peerenboom to approve the Conditional Use Permit for Feeding America Eastern WI. Ayes 7, Nays 0 - Motion Carried

Review/Recommendation – CSM – Lot 2 CSM 5440 – Parcel #260440504 – Owners – Evergreen Storage, LLC & Koeller Roade Partners LLP – Feeding America Warehouse Facility

J. Moes stated that as previously noted, the lot does not meet the minimum lot width of a 100 foot setback but it meets the Village Code in all other respects and staff is recommending that the Commission recommend approval of the CSM to the Village Board. Commissioner Van Gheem questioned why the utilities that serve the property are not shown on the CSM and why it doesn't show any easements. Paul Phillips, Engineer with DP Engineering, Inc. stated he is working with Feeding America and Chris Winter and the intent is as part of the Developers Agreement with Feeding America to have all of the utility easements in place in a separate document. Commissioner Van Gheem stated that he is fine with that and he noted that the storm water facility permits and other permits will not be approved until the permits are applied for and the requirements may be different than they are now. Commissioner Van Gheem commented that there is a property owner within the 100 foot setback and he doesn't see a hardship being presented and the 100 foot setback could be applied to the two lots to get the required width. J. Moes stated that the reasons the CSM is being recommended for approval even though it doesn't meet the minimum lot width is because by limiting the lot size this lowers the cost to Feeding America, which is a non-profit, tax exempt property and this also benefits the Village as there is more taxable land available for development and the driveway access serves the needs to get to the properties. Commissioner Van Gheem stated there could be a shared use agreement put in place for parking or access to meet the required width.

Moved by Commissioner Elrick, seconded by Commissioner Van Berkel to recommend to the Village Board approval of the CSM for Lot 2 CSM 5440, Parcel #260440504 – Owners Evergreen Storage, LLC & Koeller Roade Partners LLP.

Ayes 6, Nays 1(Van Gheem) – Motion Carried

Review/Action – Site Plan – Feeding America Eastern WI – Office and Warehouse Facility – W. Evergreen Dr.

J. Moes stated that staff is recommending approval of the Site Plan subject to final approval from the Public Works Department for any and all utility easements and requirements. J. Moes stated that the Conditional Use that was approved expires if they don't start construction in a certain amount of time but they wanted to run the site plan through for approval as there are purchase offers that are subject to the site plan approval. J. Moes stated that all rules and regulations that are in place when the permits are applied for will have to be followed.

Moved by Commissioner Elrick, seconded by Commissioner Verstegen to Approve the Site Plan for an Office and Warehouse Facility for Feeding America Eastern WI located on W. Evergreen Drive.

Further Discussion: Commissioner Van Gheem commented that he is ok with the site plan if the Board approves the CSM for the lot. J. Moes stated the Site Plan is not subject to an expiration date.

Ayes 7, Nays 0 – Motion Carried Unanimously

Review/Action – Variance Request – Appleton Signs – Temporary Sign for Greenstone Farm Credit Services – 340 Patriot Drive

J. Moes stated this is a temporary sign announcing the future construction of a property and advertising for Greenstone Farm Credit Services and it would replace the current sign on the property and the Plan Commission has the authority to grant an extended sign permit for up to two years. Jim, with Appleton Sign Co., clarified that they only want to put a new face on the existing sign and clean up the two signs that were blown over from the storm and they are potentially planning to build on the site in spring or summer so the sign would come down and a permanent sign would be constructed. J. Moes confirmed that the existing sign had been approved by the Village. J. Moes confirmed that the sign would need to come back to the Commission for approval every time it is modified.

Moved by Commissioner Elrick, seconded by Commissioner Verstegen to approve the variance for a temporary sign for Greenstone Farm Credit Services at 340 Patriot Drive and approve the temporary sign permit for a period not to exceed two years.

Ayes 6, Nays 1(Peerboom) – Motion Carried

Review/Action – Variance Request – Temporary Sign for Feeding America Eastern WI

Greg Douglas, Miron Construction, stated that the size of the sign is 8 ft. x 16 ft. and it is a one-sided sign. J. Moes stated staff's recommendation is to approve the temporary sign for up to two years. Ms. Bellehumeur stated that they are a non-profit organization and they are looking to generate awareness of their mission and presence through the use of the temporary sign.

Moved by Commissioner Elrick, seconded by Commissioner Van Berkel to approve the variance request for an 8 x 16 temporary sign for Feeding America Eastern WI and approve the temporary sign permit for a period not to exceed two years.

Further Discussion: Commissioner Peerboom commented that his concern is he doesn't want everyone that is building to think they can have future home of signs up and down the road and he thinks keeping it at one-year timeframe makes it easier for the Village to enforce.

Ayes 6, Nays 1(Peerboom) – Motion Carried

Review/Recommendation – CSM – Village of Little Chute – Polk Street Lots

Moved by Commissioner Van Berkel, seconded by Commissioner Schevers to recommend to the Village Board approval of the CSM for the Polk Street lots.

Ayes 7, Nays 0 – Motion Carried Unanimously

Review/Recommendation – CSM – Village of Little Chute – Polk Pond

Moved by Commissioner Elrick, seconded by Commissioner Schevers to recommend to the Village Board approval of the CSM for Polk Pond.

Ayes 7, Nays 0 – Motion Carried Unanimously

Discussion/Recommendation – Rezoning Request – US Venture, Inc. – Property Address 313 W. Main Street – Rezoning from Single Family Residential to Central Business

Jim Kratowicz, US Venture, stated he was available to answer any questions. J. Moes stated that property is located right next to the gas station and staff is recommending that the Plan Commission recommend to the Village Board to set a public hearing on the rezoning and approve the rezoning request.

Moved by Commissioner Van Berkel, seconded by Commissioner Elrick to recommend to the Village Board that they set a public hearing for the rezoning request and approve the rezoning for 313 W. Main St.

Ayes 7, Nays 0 – Motion Carried Unanimously

Review/Action/Recommendation – Electric Utility Location in Village North Subdivision

Public Works Director Van Gheem stated that the utility issues have been worked out and no action is needed on this agenda item.

Unfinished Business

None

Items for Future Agenda

Commissioner Peerenboom commented on the handout provided by C. Kell regarding digital LED billboards and he questioned if the Village should be looking at addressing the sign ordinance to further restrict these types of billboards. J. Moes noted that current ordinance does not allow them on Hwy. 41 but they are allowed inside the buildings on Hwy. 41 and in other areas of the Village. C. Kell commented on the pressure being put on the Village by sign companies and businesses to allow these types of signs because Hwy. 41 is being planned for designation as a Federal Highway and then they will not be allowed. Commissioners agreed to put this issue on a future agenda for discussion and J. Moes will bring forward examples of regulations from other communities for the Commission to consider.

Adjournment

Moved by Commissioner Peerenboom, seconded by Commissioner Elrick to adjourn the Plan Commission meeting at 6:42 p.m.

Ayes 7, Nays 0 - Motion Carried

VILLAGE OF LITTLE CHUTE

By: Michael R. Vanden Berg, Village President

Attest: Vicki Schneider, Village Clerk