

Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: ACTION RE: APPROVAL OF CONDITIONAL USE PETITION FOR MAU & ASSOCIATES TO CONSTRUCT CONDOMINIUMS ON 3010 RIVERSIDE DRIVE (southwest of Green Bay Correctional Institution main entrance)

Date: 02 February 2018

A Conditional Use Permit (CUP) has been requested by Mau & Associates to allow for the construction of 15 condominiums on parcel AL-121, located at 3010 Riverside Drive. The parcel is currently zoned "'C' Professional Office and Residence District," which allows for multi-family use as a conditional use. A conditional use permit was granted to the same developer in September 2017 to construct a 36-unit apartment development.

Attached is a proposed site layout, as well as a project description of the proposed development. Any development on the site will have to go through the Site Plan and Design Review process and be consistent with the zoning requirements for "'C' Professional Office and Residence District." Use of the property for multi-family cannot proceed without being granted a conditional use permit.

Section 475-58 of the village ordinances requires standards for granting a Conditional Use Permit (see attached).

Staff has reviewed the proposed application and recommends approval, with the condition that the developer still provide a paved trail connection to the Fox River Trail to the standards and specifications of the Director of Public Works, Director of Parks, Recreation, and Forestry and to the satisfaction of the Wisconsin Department of Natural Resources and the Brown County Parks Department. Staff also notes that the intensity and parking demand for the new development is significantly less than the previously approved development. Trail parking may no longer be required, but trail access should still be provided. Other conditions required for the previous project, such as a fence around the north property line, should be evaluated.

At the January 22, 2018 meeting, the Plan Commission recommended approval of the Conditional Use Permit for the proposed multi-family use at 3010 Riverside Drive, with the same conditions that were previously approved for the first proposed rendition of the project – provide the proposed pedestrian connection to the Fox River Trail and install fencing along the north property line, should the adjoining property owner desire it. The Plan Commission also noted that the developer, Heritage Hill, and the Village of Allouez should work together to identify trail parking to the north.

Village Board is asked to whether or not to approve a Conditional Use Permit for the proposed multi-family use at 3010 Riverside Drive. The motion should specify the conditions, if any, of the Conditional Use Permit. Note that denial can only be based on failure to meet conditions listed in Section 475-58 of the village ordinances.

Village of Allouez, WI
Wednesday, August 23, 2017

Chapter 475. Zoning

Article VII. Conditional Uses

§ 475-56. Purpose.

In recognition that there are certain uses which because of their unique characteristics cannot be properly limited to any particular district or districts, there are hereby established conditional uses for all districts. Such conditional uses shall be either uses publicly operated or traditionally affected with a public interest or uses entirely private in character of such a nature that they are compatible as an accessory use with the designated premises and shall not present problems to neighboring property or public facilities.

§ 475-57. Petition.

- A. Any natural person or corporation having a freehold interest, or an exclusive possessory interest, or a contractual interest legally enforceable to become a freehold or exclusive possessory interest, may file a petition for one or more of the conditional uses of the land as herein provided. Such petition shall be made similar to a petition for a change of zoning and shall include a statement in writing together with adequate evidence to show that the proposed conditional use will conform to the standards hereinafter set forth.
- B. The Village may prescribe from time to time a form for such petition. A public hearing shall be held on the proposed conditional uses, similar to a hearing as held on a petition for change of zoning, and notice of the time and place of such hearing shall be published as a Class 2 notice.

§ 475-58. Standards.

No conditional use shall be granted unless it shall be found that:

- A. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
- B. The conditional use will not substantially reduce the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and shall not substantially diminish or impair property values within the neighborhood;
- C. Adequate facilities, access roads, drainage, parking, and any other necessities have been or are being provided;
- D. Adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestion in the public streets; and
- E. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

§ 475-59. Conditions and guarantees.

Prior to the granting of any conditional use, the Village may impose such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the conditional use as are deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above, and in all cases in which conditional uses are granted the Village shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

§ 475-60. Revocation.

In the event that the conditional use is not made of the premises within six months after the approval of the petition, there is a discontinuance of such conditional use for a period of six months, or there is a failure to comply with the conditions and guarantees of the grant of the conditional use, the Village may, after holding an appropriate hearing and giving notice of the same as required for a change of zoning, revoke the conditional use.

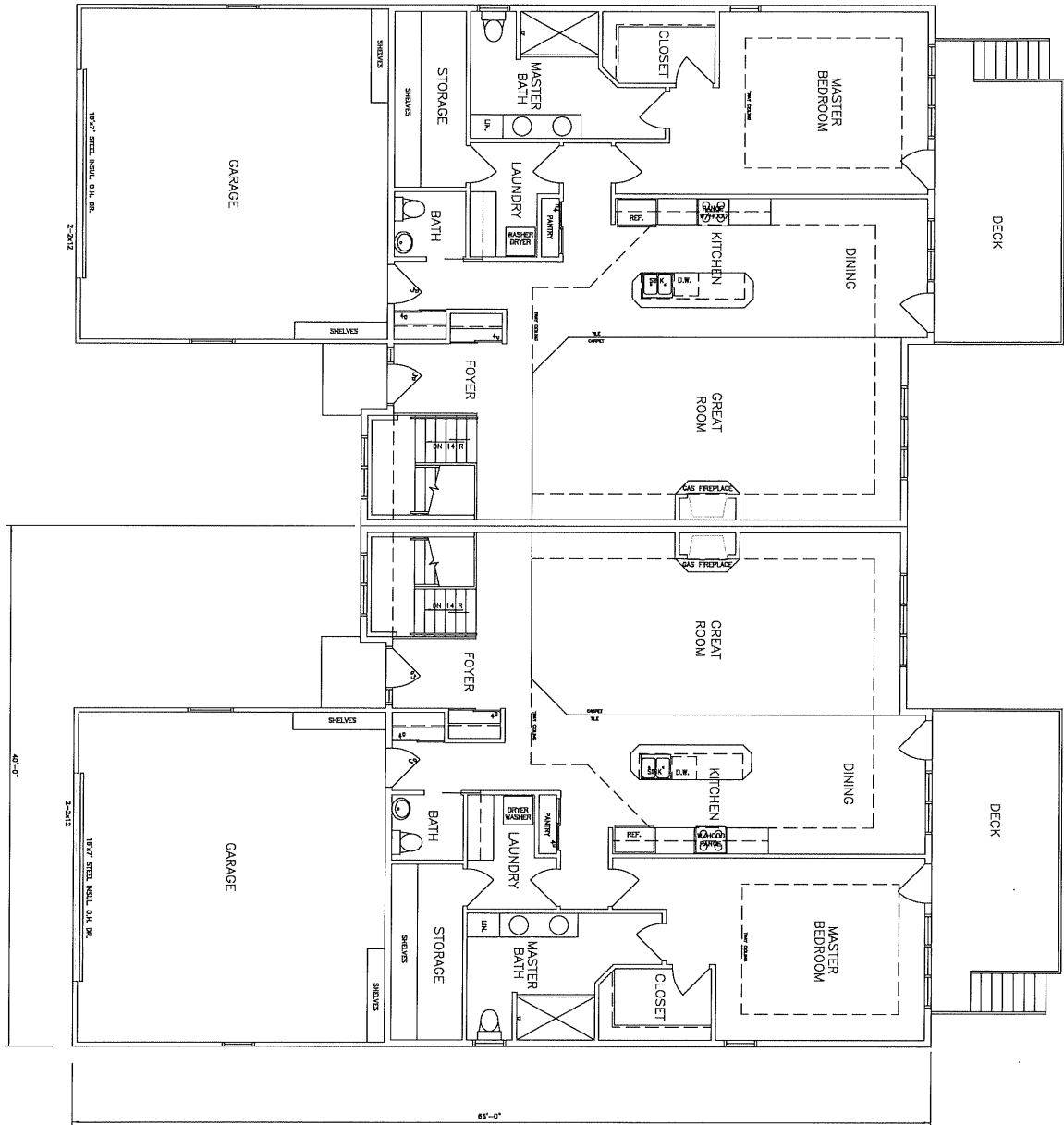
Conditional Use Description of Project

AGG, LLC seeks to develop the 3.94 acre parcel at 3010 Riverside Drive into a 15 unit residential condominium development. The property is currently zoned "C." The developer seeks a conditional use permit to develop the property with 7 'twindo' units and 1 single family unit.

15 high quality residential buildings are proposed for the site. A mixture of building designs are being formulated for the site. Individual units will include contemporary design features.

Access to the site will enter of a single, shared entry point off Riverside Drive. A single street facing twindo will front face Riverside Drive with access from a dedicated private driveway. The remaining buildings tucked away on site and will be designed with high quality materials and standards as well. All units will be apart of a formed condominium association to coordinate maintenance of shared areas, general landscaping, coordinated private refuse for the development. All buildings will have two interior parking stalls and two surface stalls for each individual unit, totaling four stalls per unit

The site will maintain large swaths of green space as the projected impervious surface is approximately 42% on the site. Storm water management will be needed and a storm water basins are planned near the northwestern boundary of the site and near the north central area of the parcel. Wetlands exist in the southeast corner of the site. A cell tower easement exists. The main drive of the site will be reconstructed to serve as access to the multi family units and existing cell tower infrastructure.



FIRST FLOOR PLAN

HOUSE: 1,870 S.F.
GARAGE: 820 S.F.

SCALE: 1/4" = 1'-0"

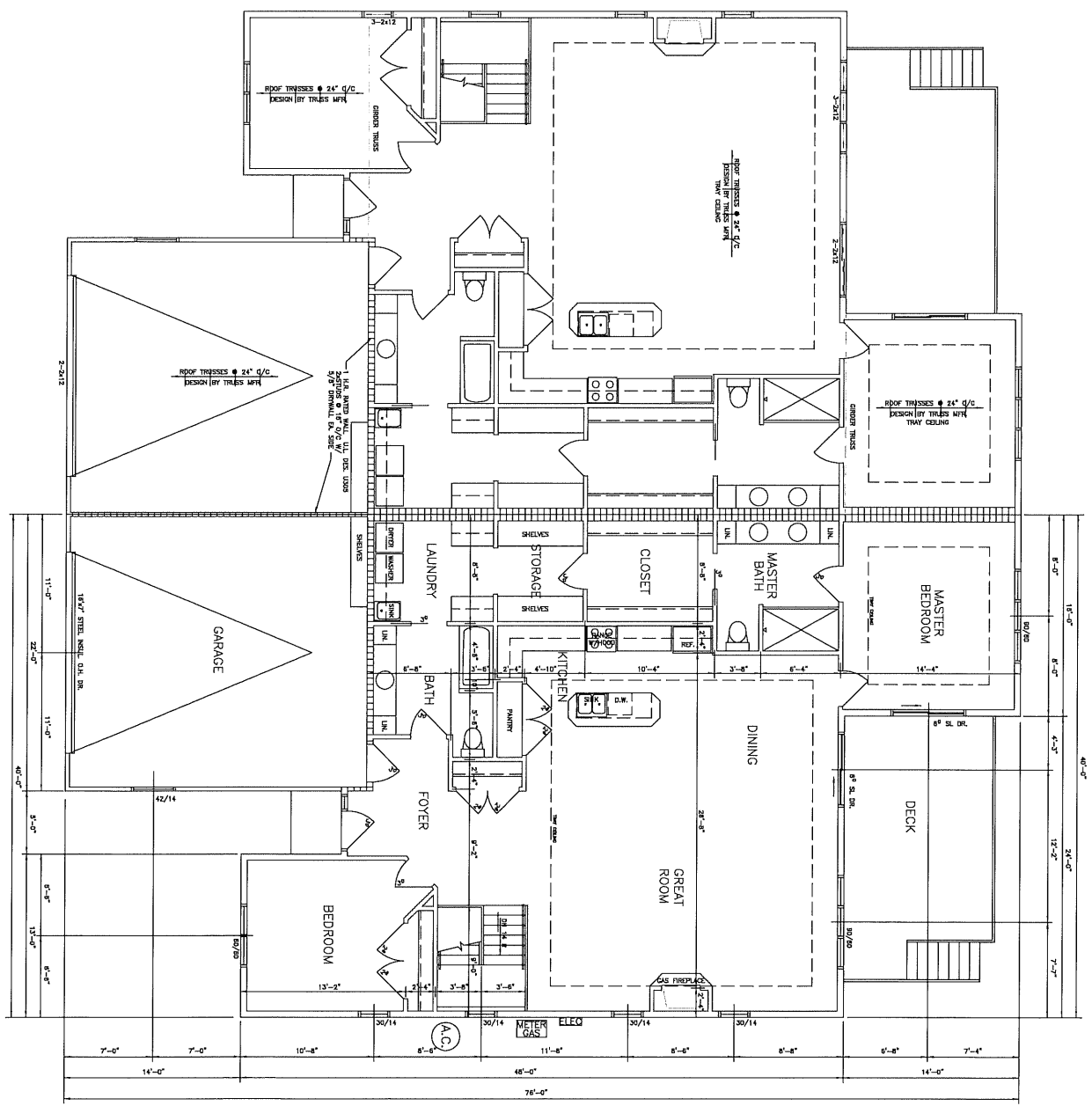
1 OF 1	REVISIONS ALTERED-1 NO. NO. 20184 DATE: 7/27/18
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2 UNIT CONDOMINIUM
 LANDMARK REAL ESTATE & DEVELOPMENT
 320 MAIN AVENUE, #300 DEPERE WISCONSIN 54115 (920) 337-9566

DONALD R. HAANEN
 ARCHITECT INC.
 5065 FLAT ROCK ROAD
 CECIL, WISCONSIN 54111
 (920) 497-5007

NOTE 1
 WINDOW / DOOR HEADERS TO BE
 2"x12" LAMINATED VENEER LVL

FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 HOUSE 1800 S.F. GARAGE 333 S.F.



REVISONS
 ALLIQUETZ-2
 PROJ. NO. 201833
 DATE: 1/11/18

2 UNIT CONDOMINIUM
 LANDMARK PEAL ESTATE & DEVELOPMENT
 320 MAIN AVENUE, #300 DEPERE WISCONSIN 54115 (920) 337-9566

DONALD R. HAAHEN
 ARCHITECT INC.
 5065 FLAT ROCK ROAD
 CECIL WISCONSIN 54111
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