



Meeting Date: 8/27/12
Agenda Item: #5n

Mission Statement
Delivering quality services in a courteous,
cost-effective and efficient manner

VILLAGE BOARD STAFF REPORT

REPORT TO: President Burt McIntyre and Village Board Members

REPORT FROM: Dave Wiese, Executive Director of Community Development

AGENDA ITEM: **Approve the request from Golden Arch LTD Partnership to rezone Parcel VH-306-3, located at 2420 Velp Ave., from Business (B-1) to Highway Commercial (B-2)**

POLICY ISSUE

Should the Village rezone VH-306-3 from Business (B-1) to Highway Commercial (B-2)?

RECOMMENDED ACTION BY PLAN COMMISSION

The Village of Howard Plan Commission unanimously recommended approval of the rezoning. The Plan Commission also approved a site plan for the proposed remodeling. The site plan is attached. The Plan Commission approved the site plan with the following conditions:

1. All new lighting it shall be 90 degree cut off.
2. A parking plan shall be submitted to the Director of Code Administration.
3. A sidewalk link to the existing sidewalk should be installed along with a designated area for pedestrians through the parking lot.
4. A new bike rack should be installed that meets today's standards for bicycles.
5. Staff would recommend stone on the arcade and entrance areas to break up the building from being entirely E.I.F.S.
6. Additional shrubs/landscaping to the south property line adjacent to the CVS parking lot in order to buffer the new drive-thru lane

BACKGROUND

The applicant is requesting to rezone the existing property from (B-1) to Highway Commercial (B-2). The applicant is requesting the rezoning in order to remodel the existing McDonalds restaurant at that location.

REZONING CRITERIA

The Zoning Ordinance requires that "Where the purpose and effect of the proposed ordinance amendment is to change the zoning district classification of a particular property, the Plan Commission shall make findings based upon evidence presented to it in each specific case with respect to the following matters:

1. Existing land uses within the general area of the property in question.
2. The zoning district classification of land within the general area of the property in question.
3. The suitability of the property in question to uses permitted under the existing zoning district classification.

4. The trend of development in the general area of the property in question, including recent changes, if any, in zoning district classification.”

POLICY ALTERNATIVE(S)

The Plan Commission could take the following action:

- Approve the request
- Deny the request
- Table the request until a later meeting date

ATTACHMENT

- I **Re-zoning Application**
- II **Location and Zoning Map**
- III **Approved Site Plan**

Attachment I



2456 Glendale Ave
Green Bay, WI 54313

REZONING APPLICATION

See Next Page
for Materials to be Submitted
with This Application

Application Fee: \$250.00
Date: _____
Initials: _____
Application #: _____

Applicant

Name: McDONALD'S CORPORATION (DALE SHIMEK)

Address: 1650 WEST 82ND ST. SUITE 900, BLOOMINGTON, MN 55431

Phone: (952)-486-4155

Email: dale.shimek@us.mcd.com

Business Name: McDONALD'S RESTAURANT

Conditional Use Site Address: QUICK SERVICE RESTAURANT

Landowner of Record: GOLDEN ARCH LTD PARTNERSHIP

Address: SILHANDUK INVESTMENTS, 1728 INDUSTRIAL DRIVE, GREEN BAY, WI 54302-2106

Phone: () - - Email: _____

Consultant(s)

Architect

Name: HAAG MULLER, INC.
Address: 101 EAST GRAND AVE, SUITE 1, PORT WASHINGTON, WI 53074
Phone: (22) - 268-1200 Email: sjeske@haagmuller.com

Contractor/Engineer

Name: _____
Address: _____
Phone: () - - Email: _____

Parcel/Building Information

Lot Size: 3.560 Acres/6 Sq. Ft. Current Zoning: B-1 Requested _____

Zoning: B-2

Lot Dimensions: 200' x 217.8' Does Current Zoning Permit Intended _____

Use: QUICK SERVICE RESTAURANT

Bldg. Sq. Footage: 4,042 S.F. Street Frontage: 200'

Describe Specifically the Nature of the Request:

Request to have zoning changed from B-1 to B-2.
There are businesses across the street (Velp Fre.)
and a short way up the street that are zoned B-2.
We are looking to match that zoning and have
the required street frontage and lot area.

REQUIRED

- ✓ A plat of survey or the equivalent thereof depicting the location, dimensions, boundaries, uses and size of the parcel.

Please Note the Following:

- Incomplete applications will not be accepted and/or processed.
- All applications shall be submitted in accordance with the schedule on page three (3) of this application.
- Processing an application may take up to sixty (60) days due to legal notices mandated by State law.
- The Plan Commission meets on the third Monday of every month at 6:30 p.m. at 2456 Glendale Avenue.
- The Plan Commission will make a recommendation to the Village Board (often with conditions) to approve or deny the rezoning request. The Village Board will typically take action on the recommendation from the Plan Commission at the next scheduled Board meeting (typically the fourth Monday of the month). The Village Board is required to take action on the Plan Commission recommendation within 90 days.
- In order to qualify for rezoning, a lot or parcel of land must:
 - 1) Possess at least two-hundred (200) feet of frontage on a public street or right-of-way; or
 - 2) Parcel must be at least twenty-five thousand (25,000) square feet in area; or
 - 3) Parcel must adjoin a lot or parcel of land which bears the same zoning district classification as proposed.

Standards Used by Plan Commission When Ruling on a Rezoning Request

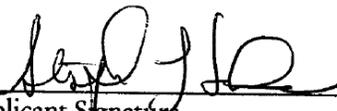
- Effect on existing land uses within the general area of the property in question.
- The zoning district classification of land within the general area of the property.
- The suitability of the property in question to uses permitted under the existing zoning district classification.
- The trend of development in the general area, including recent changes (if any) in zoning district classification.
- Whether the proposed rezoning is in the public interest or solely for the interest of the applicant

Can a proposed rezoning be contested?

If a written protest against a proposed rezoning is filed prior to final action on the request, the rezoning cannot be approved except by a favorable vote of three fourths (3/4) of all the members of the Village Board. The protest must be signed and acknowledged by the owners of twenty (20) percent or more of; the land included in the proposed rezoning; or the property immediately adjacent to and extending one hundred (100) feet from the land included in the proposed rezoning; or the property directly opposite to and extending one hundred (100) feet from the street frontage of the land included in the proposed rezoning.

I, the undersigned, do hereby certify that all information provided on this application is true and correct and I understand that the granting of approval creates no legal liability, expressed or implied, on the Village of Howard or on any of its employees. I further understand and agree that I will be bounded by and submit to all statutes of the State of Wisconsin,

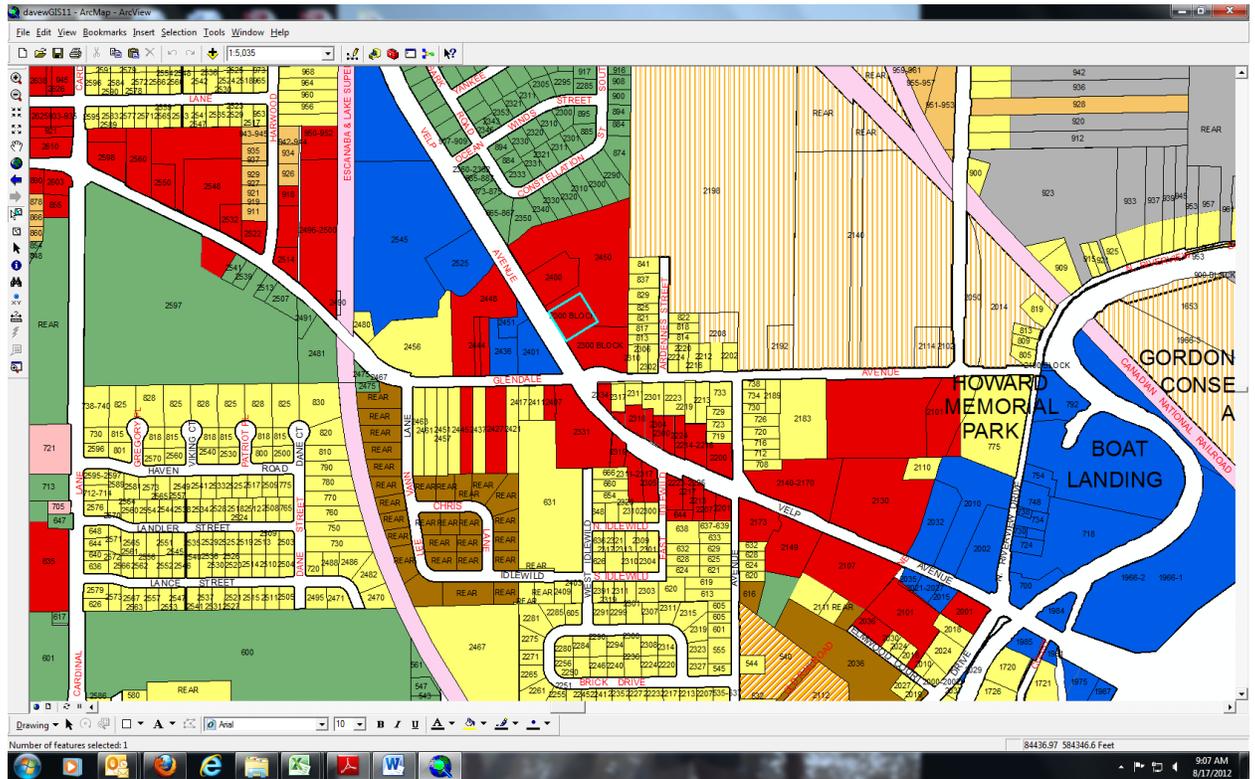
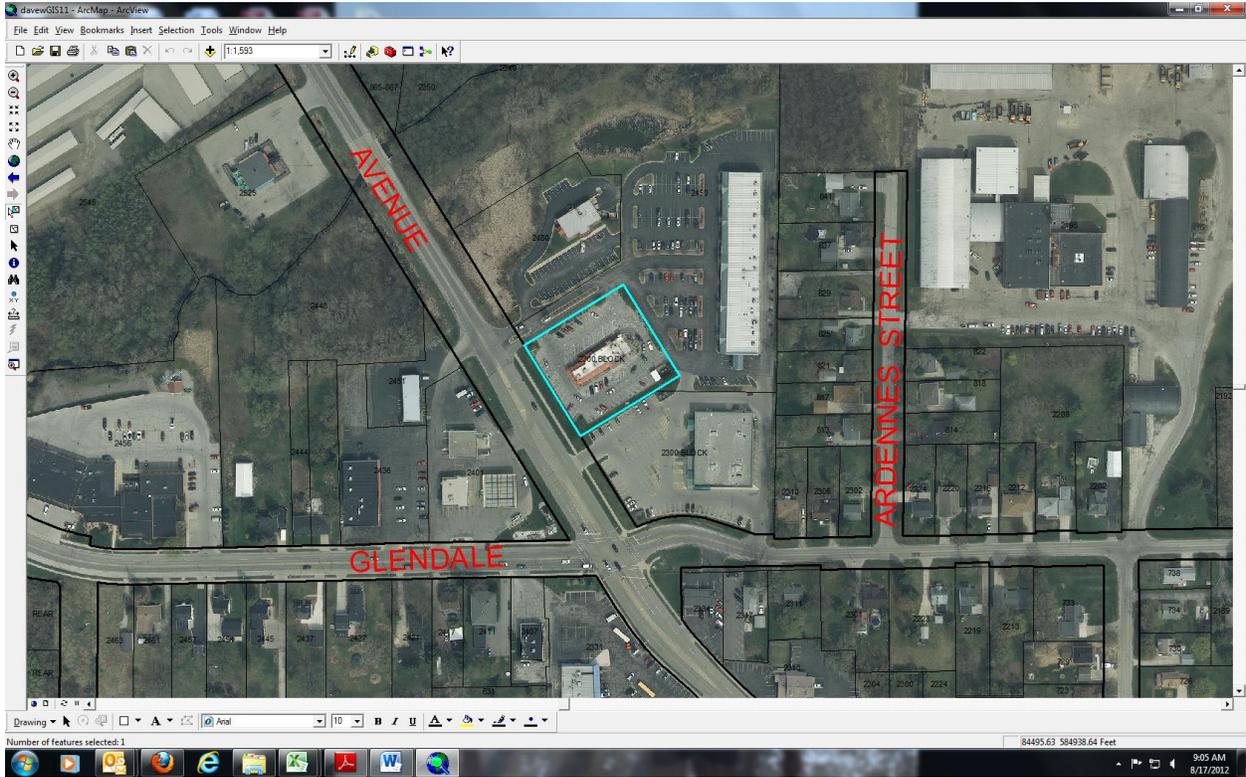
conform to all applicable codes and ordinances of the Village of Howard and abide by all rules and regulations prescribed by the department of code administration.

X. 
Applicant Signature

7-24-12
Date

Please direct all questions to Jim Korotev at 434-4640 or jkorotev@villageofhoward.com

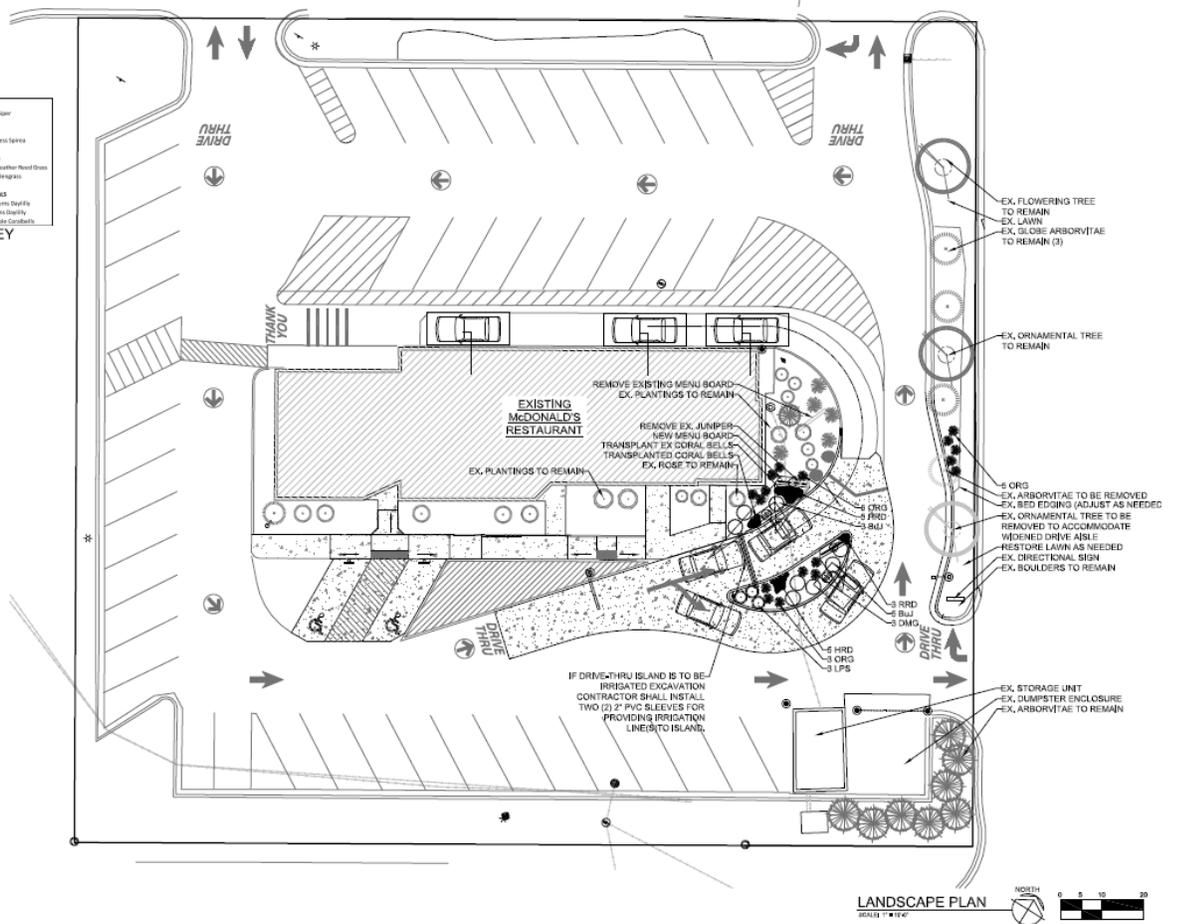
ATTACHMENT II



ATTACHMENT III

FURNISHING SYMBOLS	
BJ	Burford Juniper
DECIDUOUS SHRUBS	
LP5	Little Princess Spirea
ORNAMENTAL GRASSES	
ORNG	Oversize Feather Reed Grass
ORNC </td <td>Round Top Cynopsis</td>	Round Top Cynopsis
PERENNIALS/BIENNIALS	
HRD	Hesperis Matrona Daylily
RRD	Royal Hortensia Daylily
PTC	Purple Top Cypripedium

PLANT KEY



LANDSCAPE PLAN
SCALE: 1" = 10'



