

PLAN COMMISSION

City of Kaukauna
Council Chambers
Municipal Services Building
144 W. Second Street, Kaukauna



Thursday, September 08, 2022 at 4:00 PM

AGENDA

1. Roll Call.
2. Approval of Minutes.
 - [a.](#) Approve Minutes from August 18, 2022 Meeting
3. New Business.
 - [a.](#) CSM Review for Parcel(s) 321086300, 321086301
 - [b.](#) Ordinance Update – Landscaping
 - [c.](#) Park Donation Application Review
4. Other Business.
5. Adjourn.

NOTICES

IF REQUESTED THREE (3) DAYS PRIOR TO THE MEETING, A SIGN LANGUAGE INTERPRETER WILL BE MADE AVAILABLE AT NO CHARGE.





PLAN COMMISSION MEETING

City of Kaukauna
Council Chambers
 Municipal Services Building
 144 W. Second Street, Kaukauna

Thursday, August 18, 2022 at 4:00 PM

MINUTES

1. Roll Call.

Members present: Mayor Penterman, Ald. Moore, Ald. Thiele, Commissioner Avanzi, Commissioner Feller, Commissioner Schoenike, DPW Neumeier

Others present: PCDD Stephenson, AP Paul, Alvin Johnson, President of Dreamville Kaukauna, LLC, Wendy Anderson with Dreamville Kaukauna LLC, Abacus Architects, Brian Roebke with the Times Villager.

2. Approval of Minutes.

a. Approve Minutes from July 21, 2022 Meeting

A motion was made by Moore to approve the July 21, 2022 minutes. DPW Neumeier seconded the motion. The motion passed.

3. New Business.

a. Rezoning Request for 705 Lawe St.

AP Paul presented an application for rezone for parcel 322025500, which is located at 705 Lawe Street. The owner of this property is GSD Petroleum, and the applicant is Armando Cruz. The current zoning of the property is Commercial Core District (CCD) and the new zoning would be Commercial Highway District (CHD). This zoning change is a contingency for the sale of this property from GSD Petroleum LLC to Armando Cruz. This rezone would allow Armando Cruz to operate a drive-through style restaurant. DPW Neumeier expressed concerns with traffic from a drive-through and noted that any site plans would be subject to review of the same.

Avanzi made a motion to approve Rezoning Request for parcel 322025500 from CCD to CHD and recommend the same to common council. Schoenike seconded the motion. The motion passed unanimously.

b. Certified Survey Map for Parcels 322032911, 322032912, and 322032913

PCDD Stephenson presented a combination CSM for parcels 322032911, 322032912, 322032913. These parcels are the location of the new Dreamville Kaukauna apartments. It is a total of 3.4 acres and the CSM meets all zoning requirements. The CSM shows the removal of the 15 foot easement from the old Kaukauna Bank lot (parcel 322032913), as the easement is no longer needed since

all parcels are owned by Dreamville Kaukauna LLC. The CSM will be recorded with Outagamie County Register of Deeds once site work begins.

A motion was made by Moore to approve the combination CSM for parcels 322032911, 322032912, and 322032913 and recommend the same to council. The motion was seconded by Feller. The motion passed unanimously.

c. Site Plan Review - Dreamville Kaukauna

AP Paul presented the site plan for the Dreamville Kaukauna downtown apartments. The site plan meets all setback requirements, parking requirements, lighting requirements, and the façade of the buildings received Certificate of Appropriateness. The engineering department will be working with the developers to obtain the proper permitting for storm water and erosion control. There was discussion on fire truck turn radius and emergency exits. There were no concerns from the Fire Department. There is an emergency exit that will double as a pedestrian/bike path as it will not be paved. The grass/gravel will deter any cars from using it on purpose or on accident.

A motion was made by DPW Neumeier to approve the site plan as presented. Mayor Penterman seconded the motion. The motion passed unanimously.

4. Other Business.

There was no other business.

5. Adjourn.

A motion was made by Moore to adjourn the meeting. Avanzi seconded the motion. The motion passed. Meeting adjourned at 4:24 PM.



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Plan Commission
From: Lily Paul, Associate Planner
Date: September 1, 2022
Re: CSM Review - Parcel(s) 321086300, 321086301

A CSM has been submitted for review by Harris & Associates, INC., agent, for owner, Tom Vanderloop. The purpose of this CSM is to combine the parcels into one. The business building and the parking lot are currently on separate parcels and combining the two into one would clean things up and make it more clear who the owner is. The total area of the final parcel would be 0.66 acres.

Staff Recommendation:

Staff recommends to approve the combination CSM for parcel(s) 321086300, 321086301 and recommends the same to council.

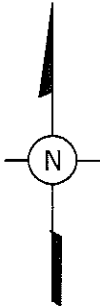


CERTIFIED SURVEY MAP

A Combination Certified Survey Map

All of Lots 1 and 2 of Certified Survey Map No. 432, being part of Lot 82, DSK Hyland Heights Subdivision, in Government Lot 4, Section 14, T21N, R18E, City of Kaukauna, Outagamie County, Wisconsin.

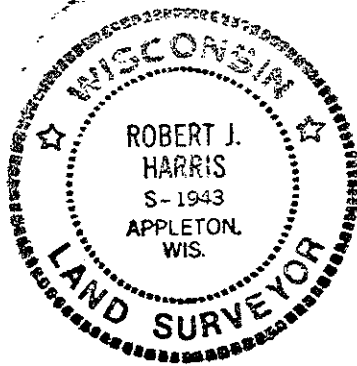
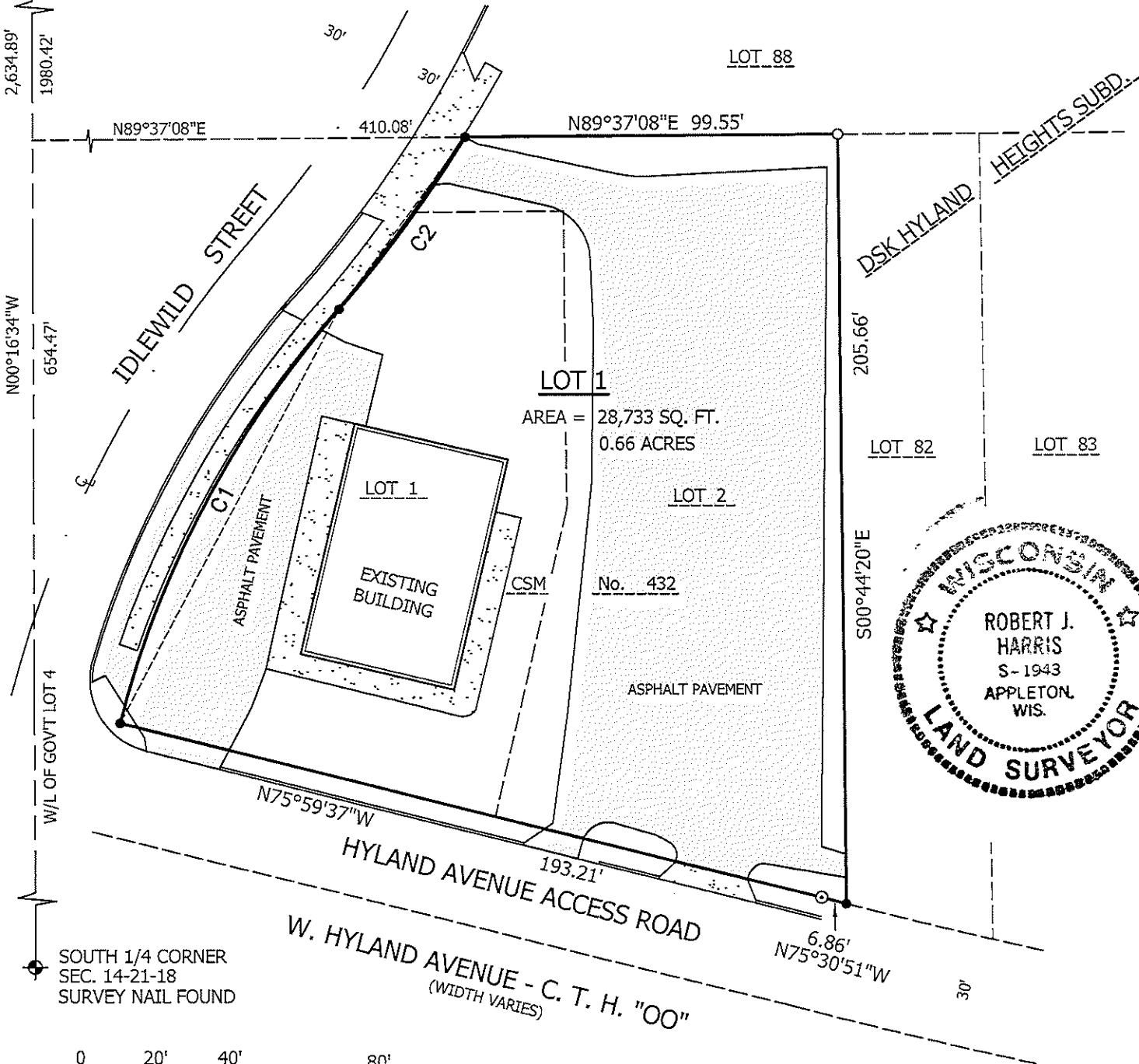
North is referenced to the West line of Government Lot 4, Section 14-22-18, recorded to bear N00°16'34"29"W per Wisconsin Coordinate System, Outagamie County.
Note: this current bearing system differs from the system used on DSK Hyland Heights Subdivision and CSM No. 432.



- LEGEND
- = 3/4" x 18" REBAR SET
WT. 1.502 LBS./LIN. FT.
 - ⊙ = 2" IRON PIPE FOUND
 - = 1" IRON PIPE FOUND

CENTER 1/4 CORNER
SEC. 14-21-18
CUT STONE FOUND

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	270.00'	126.07'	124.93'	N27°47'32"E	026°45'12"
C2	330.00'	57.06'	56.99'	N36°12'09"E	009°54'24"



Robert J. Harris 8-18-22

Robert J. Harris PLS 1943 Date



HARRIS & ASSOCIATES, INC.
CONSULTING ENGINEERS
AND LAND SURVEYORS

2718 NORTH MEADE ST.
APPLETON, WI 54911
TEL: (920) 733-8377
FAX: (920) 733-4731
www.harrisinc.net

CERTIFIED SURVEY MAP NO. _____

All of Lots 1 and 2 of Certified Survey Map No. 432, being part of Lot 82, DSK Hyland Heights Subdivision, in Government Lot 4, Section 14, T21N, R18E, City of Kaukauna, Outagamie County, Wisconsin

TREASURER'S CERTIFICATE

I do hereby certify that in accordance with the records in our office, there are no unpaid taxes or special assessments for the land included in this certified survey map.

County Treasurer
Date

City Treasurer _____ Date _____

COMMON COUNCIL RESOLUTION

Resolved by the Common Council of the City of Kaukauna, that this Certified Survey Map is hereby approved.

Passed and approved by resolution No. _____ on the _____ day of March, 2022.

Mayor _____ Date _____

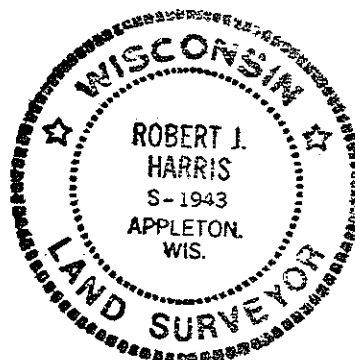
I certify that the above is a true and correct copy of the resolution adopted by the Common Council on the _____ day of _____, 2022.

City Clerk _____ Date _____

NOTES:

1. This Certified Survey Map is all of Tax Parcel Nos. 321086300 & 321086301.
2. This Certified Survey Map is wholly contained within the lands described in Document Nos. 2088486 and 2274423.
3. The property owner of record is Vanderloop Investment Properties, LLC.

Robert J. Harris 8-18-22
Robert J. Harris, PLS-1943 Date





MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Plan Commission
From: Lily Paul, Associate Planner
Date: August 31, 2022
Re: Landscape Ordinance

Staff has put together language for a landscape ordinance. The current Code of Ordinances does not specify a landscape ordinance. Many zoning districts like Industrial Park and Commerce Crossing have protective covenants that details some landscaping requirements, but is only exclusive to those areas. This new ordinance will omit confusion for new developers in the city when submitting site plans. Also, landscape ordinances will create a better environment for the city and add an element of beauty.

All surrounding communities have landscape ordinances. Information and research from those communities have aided staff in deciding what is adequate for the landscape requirements. Please note that there are three sub categories that group certain Zoning Districts/Uses together and specify reasonable requirements for each. Those sub categories are:

1. Commercial, Institutional, and Multifamily Use
2. Industrial Use
3. Commercial Core District

Additional language was added to require screening from dumpsters. This will encourage dumpster corrals which will be aesthetically pleasing and easier for garbage pick-up or maintenance.

Current Landscape Buffer Language, Section 17.32(10), will be moved to this Landscape ordinance and eliminated from Supplementary District Regulations.

17.52 Landscaping Requirements

1. *Intent.* This section is intended to establish landscaping requirements that promote compatible development; stabilized property values; foster the attractiveness and functional utility of the community as a place to live and work; preserve the character and quality of the built and natural environment by maintaining the integrity of those areas which have a discernible character; protect certain public and private investments in the area; and raise the level of community expectations for the quality of its environment.
 - a. *The following definitions shall apply to this section:*
 - i. Shrub: a woody perennial plant which produces several basal shoots at or near the ground.
 - ii. Tree: a tall woody perennial plant with a single trunk or stem at or near the base.
2. *Landscape Plan Requirements:*
 - a. *Landscape Plan Submittals.* A landscape plan (to scale) must be submitted. It shall include details of all proposed landscaping, buffering, and screening, including the estimated costs. The landscape plan shall show the location and dimensions of all existing and proposed structures, parking, drives, rights-of-way, and any other permanent features, and the following landscape information:
 - i. A plant list and a coverage chart showing the location, quantity, size (at time of planting), spacing, and common names of all landscape materials used.
 - b. *Applicability.* No structure and no building shall be erected, constructed, reconstructed, moved, enlarged, or more than 50 percent of façade is altered until a landscape plan is approved by the Director of Community Development, or designee.
 - c. *Application.* Landscaping is required in Commercial, Industrial, Institutional and Multi-family Uses. The area or length of each, as required in this Ordinance, shall be measured to determine the amount of landscaping required.
3. *Landscaping Maintenance*
 - a. All landscaping shall be maintained and in good order. Dead plantings shall be removed and replaced within 30 days. In cases where plantings can't be established in 30 days, an appropriate timeline shall be approved by the Community Development department designee.
4. *Commercial, Institutional and Multifamily Use Landscaping*
 - a. At least one canopy tree, not less than 1.5-inch caliper shall be provided for every 75 linear feet within the front yard setback adjacent to the street. Points of ingress and egress shall not be included in this calculation.
 - b. For every five (5) linear feet of building street frontage one (1) shrub shall be placed on the site. Every five (5) square feet of landscaped area that includes decorative grasses and/or flowers can be substituted for one (1) shrub.
5. *Industrial Use Landscaping*
 - a. At least one canopy tree, not less than 1.5-inch caliper shall be provided for every 100 linear feet of street frontage. 50 percent of the trees must be planted within

the front yard setback adjacent to the street. Point of ingress and egress shall not be included in this calculation.

6. Commercial Core District Landscaping
 - a. At least 1 planting shall be provided for every 75 linear feet within the front yard setback adjacent to the street. Planting can be any of the following:
 - i. Trees, shrubs, five square feet of landscaped area that includes decorative grasses or flowers, or decorative planter approved by the Community Development department designee.
 - ii. A minimum of two plantings shall be provided per site regardless of linear frontage.
 - iii. Plantings adjacent to the site within public right of way, maintained by the building owner or designee, shall count towards the requirement of this section.
7. Mechanical Equipment and Dumpster Screening
 - a. No dumpster or ground mounted mechanical equipment shall not be in the front yard setback.
 - b. All dumpsters shall be 100% screened on three sides with a fence, vegetation, or combination of the two.
 - c. All effort shall be made to screen ground mounted mechanical equipment from public right of ways.
8. *Landscaped buffer. The use of properly planted and maintained buffer areas may reduce and ease potential incompatibility between and among different uses of land in proximity to each other.* All commercial, institutional, industrial, and multi-family uses, adjacent to single or two-family residential uses, shall include a buffer yard on all sides that immediately abut the single or two-family residential use.
 - a. *Landscape Buffer Requirements.* Where these regulations require a landscaped buffer area, the following requirements shall be met:
 - i. The landscaped buffer area shall not be less than eight feet in width measured at right angles to property lines and shall be established along the entire length of and contiguous to the designated property line.
 - ii. The area shall be so designed, planted, and maintained as to be 75 percent or more opaque between two feet and six feet above average ground level when viewed horizontally.
 - iii. Types and numbers of plantings for landscaped buffers shall be submitted with application for a building permit or special exception, along with plans and statements demonstrating how the buffer will be maintained in the future.
 - iv. Plantings shall be of a size and type which will ensure the meeting of the 75 percent opacity requirement within no longer than 12 months of the date of the first planting.
 - v. Failure to maintain the landscaped buffer area as set out above shall be a violation of this chapter.
 - b. *Substitution for landscaped buffer area.* Except when otherwise specifically provided by this chapter, a six feet high opaque structure set in a six feet wide landscaped buffer area may be substituted for the six feet high planted buffer above. If such opaque structure is of nonliving material, for each ten feet thereof, an average of one shrub or vine shall be planted abutting such barrier but need not

be spaced ten feet apart. Such shrubs or vines shall be planted along the outside of such barrier unless they are of sufficient height at the time of planting to be readily visible over the top of such barrier. The remainder of the required landscaped areas shall be landscaped with grass, ground cover, or other landscaping.

- c. *Sight distance.* When an accessway intersects a public right-of-way, all landscaping or structures shall provide unobstructed cross-visibility at a level between 2 1/2 feet and six feet within the areas of property on both sides of the accessway formed by the intersection of each side of the accessway and public right-of-way lines with two sides of each triangle being ten feet in length from the point of intersection and the third side being a line connecting the ends of the two other sides. No structure of landscaping, except required grass or ground cover, shall be located closer than three feet from the edge of any accessway pavement.

NOTE: Remove all reference to Section 17.32 (10) within the zoning district sections.



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Plan Commission
From: Lily Paul, Associate Planner
Date: August 31, 2022
Re: Park Donation Application Review

Don Mohr has submitted an application for a park bench donation in memory of his late wife, Nancy Peters. He requests for the bench to be placed on the Konkapot Creek Trail, as that is where Nancy grew up.

The memorial plaque for the bench will say:

*Nancy Jean Peters
Live Love Laugh*

This bench will follow the new bench standard. There have been several park bench donations submitted for Konkapot trail this year. Donations are a first come first served basis. Installation of 3 benches on the Konkapot trail have begun, and staff will diligently work with the donor to pick a spot that is spread out from the others.

Staff Recommendation

Staff recommends to approve both park bench donations and grant staff to work with the families to install the bench in a more precise location in the general vicinity that was requested.