

LEGISLATIVE COMMITTEE MEETING

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



Monday, January 05, 2026 at 6:10 PM

AGENDA

In-Person and Remote Teleconference via ZOOM

1. Correspondence.
2. Discussion Topics.
 - [a.](#) 17.25 Ordinance Amendment - Data Centers.
 - [b.](#) Extraterritorial CSM Review – Parcels 200021800, 200021801, 200021802, and 200021803.
3. Adjourn.

NOTICES

Legislative Committee - Notice is hereby given this is a public meeting of the Legislative Committee. As such, all members or a majority of the City's Common Council and Standing Committees will likely be in attendance. While members of the Common Council or any Standing Committees may participate in discussions, only the Legislative Committee will take formal action.

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



MEETING ACCESS INFORMATION:

You can access this meeting by one of three methods: from your telephone, computer, or by an app. Instructions are below.

To access the meeting by telephone:

1. Dial 1-312-626-6799
2. When prompted, enter Meeting ID 234 605 4161 followed by #
3. When prompted, enter Password 54130 followed by #

To access the meeting by computer:

1. Go to <http://www.zoom.us>
2. Click the blue link in the upper right hand side that says Join a Meeting
3. Enter Meeting ID 234 605 4161
4. Enter Password 54130
5. Allow Zoom to access your microphone or camera if you wish to speak during the meeting

To access the meeting by smartphone or tablet:

1. Download the free Zoom app to your device
2. Click the blue button that says Join a Meeting
3. Enter Meeting ID 234 605 4161
4. Enter Password 54130
5. Allow the app to access your microphone or camera if you wish to speak during the meeting

Members of the public will be muted unless there is an agenda item that allows for public comment or if a motion is made to open the floor to public comment.



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Legislative Committee
From: Adrienne Nelson, Associate Planner
Date: December 23, 2025
Re: 17.25 Ordinance Amendment – Data Centers

Background Information:

Per discussion with the Common Council and the Plan Commission, staff are proposing an update to section 17.25 of the Municipal Code to allow for data centers in the City's Industrial District as a special exception. This would allow the City to accommodate a growing industry while maintaining local control to ensure that existing infrastructure and the community are not negatively impacted by a data center development.

Section 17.47 of the Municipal Code, which covers special exceptions, states that the Plan Commission may recommend to the Common Council appropriate additional conditions as deemed necessary for a special exception to be approved. Per the Common Council's request, a list of possible conditions and safeguards are listed below:

- No off-site parking is to be used for the day-to-day operations of the business.
- Yearly inspection is to be done by the Planning and Community Development Department or other designee to ensure compliance. If the ownership or proposed use changes, the applicant/property owner must go through the special exception process again.
- Electrical usage must not exceed a certain amount without prior approval from the Common Council with recommendation from Kaukauna Utilities.
- Water usage must not exceed a certain amount without prior approval from the Common Council with recommendation from Kaukauna Utilities.
- Any additions, new buildings, and changes in use must be reviewed and approved by the Common Council.

Staff Recommendation

Review and recommend approval to Common Council.

CITY OF KAUKAUNA
ORDINANCE NO. xxxx-2025

ORDINANCE AMENDING SECTION 17.25

WHEREAS, updates were needed to address the emergence of new industries and their land use needs; and,

WHEREAS, the City recognizes the importance of proactively updating our zoning regulations to attract future opportunities; and,

WHEREAS, the City recognizes the importance of preserving local control to ensure data center developments do not tax existing infrastructure or negatively impact the local community; and,

WHEREAS, the Plan Commission has recommended the following ordinance changes; and,

WHEREAS, the Legislative Committee has recommended the following ordinance changes; and,

WHEREAS, the Common Council finds the following ordinance changes to be in the public interest;

NOW THEREFORE, it is ordained by the Common Council of the City of Kaukauna, Wisconsin, that Ordinance Section 17.25 of the Kaukauna Municipal Code be amended as follows:

BEFORE AMENDMENT

17.25 IND Industrial District

1. *Purpose.* This district is intended to provide for industrial, warehousing and wholesaling, and certain service and commercial activities in areas already established for such uses.
2. *Permitted principal uses and structures.*
 - a. Supply establishments, wholesale, warehouse, and building equipment.
 - b. Automobile, boat, construction and farm implement sales, service, and repair.
 - c. Agricultural related uses, including feedmills and co-ops.
 - d. Printing and publishing.
 - e. Service establishments catering to commercial and industrial uses, including business machine services, linen supply, freight movers, communication services, canteen services, and uses of a similar nature
 - f. Transportation terminals.

- g. Light manufacturing uses, including bottling, packaging, laboratories, and uses of a similar nature.
 - h. Manufacturing uses, including production, cleaning, processing, testing, and the distribution of materials and goods, except wrecking yards, fertilizer, and chemical manufacture, cement manufacture, explosive storage or manufacture smelting, tanneries and slaughterhouse. All manufacturing subject to the provisions of 17.38.
 - i. Municipal parks.
3. *Permitted accessory uses and structures.*
- a. Uses and structures customarily accessory and clearly incidental to permissible principal uses and structures.
 - b. Outside storage of equipment and materials shall be located behind the building setback line and screened from view of any public street or residential district boundary by a fence, wall, or shrubs. All outside areas shall be clean and orderly.
 - c. Railroad spurs and service rails with side or rear yards only.
4. *Special exception uses and structures.*
- a. Salvage or wrecking yards.
5. *Dimensional requirements.* For all permissible principal uses and structures, the following shall apply:
- a. *Minimum dimensions.*
 - 1) Lot area: 9,000 square feet.
 - 2) Lot width: 90 feet.
 - 3) Front yard: 25 feet.
 - 4) Side yards: 15 feet each; provided, however, that side yards shall be increased one foot in width for every three feet in building height above 35 feet.
 - 5) Rear yard: 30 feet.
 - b. *Railroad right-of-way.* There are no side or rear yard requirements when a railroad right-of-way abuts at the side or rear property line.
 - c. *Required side or rear yard adjacent to residential district boundary.* Any required side or rear yard adjacent to a residential district boundary shall be subject to the landscape buffer requirements of section 17.32(10).
6. *Permitted accessory signs.* For each principal structure, the following shall apply:
- a. *Flat signs.* Flat signs limited in aggregate area to 25 percent of the wall area fronting on a street.

- b. *Detached signs.* For every 90 feet of lot frontage, one detached sign limited in area to 200 square feet on each side (limit of two sides and 400 square feet) and 30 feet in height.
 - c. *Temporary signs.* Temporary signs as provided in section 17.16(5)(b).
7. *Off-street parking requirements.*
- a. *Applicable parking requirements as specified in the CH district.* See section 17.22(7).
 - b. *Manufacturing and service uses.* One per employee on maximum shift.
 - c. *Other uses.* Sufficient off-street parking such that no public street shall be used for parking.

AFTER AMENDMENT

17.25 IND Industrial District

1. *Purpose.* This district is intended to provide for industrial, warehousing and wholesaling, and certain service and commercial activities in areas already established for such uses.
2. *Permitted principal uses and structures.*
 - a. Supply establishments, wholesale, warehouse, and building equipment.
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 - c. Agricultural related uses, including feedmills and co-ops.
 - d. Printing and publishing.
 - e. Service establishments catering to commercial and industrial uses, including business machine services, linen supply, freight movers, communication services, canteen services, and uses of a similar nature
 - f. Transportation terminals.
 - g. Light manufacturing uses, including bottling, packaging, laboratories, and uses of a similar nature.
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 - c. Railroad spurs and service rails with side or rear yards only.
- 4. *Special exception uses and structures.*
 - a. Salvage or wrecking yards.
 - b. **Data centers.**
- 5. *Dimensional requirements.* For all permissible principal uses and structures, the following shall apply:
 - a. *Minimum dimensions.*
 - 1) Lot area: 9,000 square feet.
 - 2) Lot width: 90 feet.
 - 3) Front yard: 25 feet.
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 - b. *Railroad right-of-way.* There are no side or rear yard requirements when a railroad right-of-way abuts at the side or rear property line.
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- 7. *Off-street parking requirements.*
 - a. *Applicable parking requirements as specified in the CH district.* See section 17.22(7).
 - b. *Manufacturing and service uses.* One per employee on maximum shift.

- c. *Other uses.* Sufficient off-street parking such that no public street shall be used for parking.

Introduced and adopted by Common Council on the 20th day of January, 2026.

APPROVED: _____

Anthony J. Penterman, Mayor

ATTEST: _____

Kayla Nessmann, Clerk



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Legislative Committee
From: Adrienne Nelson, Associate Planner
Date: December 29, 2025
Re: Extraterritorial CSM Review – Parcels 200021800, 200021801, 200021802, and 200021803

Troy Hewitt, agent, has submitted a certified survey map on behalf of North Kaukauna Storage Units LLC, owner, to create two lots from parcels 200021800, 200021801, 200021802, and 200021803 in the Town of Vandebroek. This request to combine four parcels into two parcels is for the facilitation of a storage unit development.

These parcels fall within the extraterritorial review area of the City of Kaukauna, which is why the CSM is being brought before the Legislative Committee. They are located just to the west of Commerce Crossing, the City's professional business park, on Evergreen Drive. Per the City's future land use map, this area was planned to be used as public land, but there are no plans for annexation in the near future. Additionally, although the parcels are close to the City, they are not contiguous with any property within the city at this time.

The application and a draft of the CSM are attached to this report.

Recommendation:

To recommend approval of this CSM to the Common Council.

**APPLICATION: CERTIFIED SURVEY MAP REVIEW FORM**

To: Planning Commission, City of Kaukauna, Outagamie County, WI

Petitioner Information:

Name: TROY HEWITT

Mailing Address: 1250 CENTENNIAL CENTRE BLVD, HOBART WI 54155

Phone Number:

Email:

Property Owner Information (If Not Petitioner):

Name: NORTH KAUKAUNA STORAGE UNITS LLC

Mailing Address: 3323 BAY RIDGE CT, HOBART WI 54155

Phone Number:

Email:

Property Information:

Site Address/Location: E. EVERGREEN DRIVE, TOWN OF VANDENBROEK

Lot Dimensions and Area: 648' X 1323'

Current Zoning: INDUSTRIAL DISTRICT

Number of Lots to be Created: 2

If multiple owners are involved, please add all additional owner information on an attached document.

Please State Reason(s) for Certified Survey Map Review Request:

Combining 4 parcels to create a 2 lot CSM to facilitate a storage unit development.

Additional Requirements: For Certified Survey Map review, professionally drawn maps are required to be submitted. These maps must include all structures, lot lines, and streets with distances to each. Maps should be drawn to a scale of not less than 1":1,000'. Additional information may also be requested as may be appropriate per the proposal being made.

Lot Division by Certified Survey Map (1-4 lots) Fee Schedule: \$10.00/lot based on total lots

Please Note: Certified survey map reviews often require action by multiple governmental bodies. Between multiple meetings and statutory requirements for public hearings and noticing of meetings, sometimes reviews and authorizations can take more than 30 days. Please let staff know of your request as early as possible if you have a specific deadline that you need Plan Commission authorization by.

Signature of Petitioner:



Signature of Owner (If Not Petitioner):



Date Submitted to City of Kaukauna:

Please submit by email to planning@kaukauna.gov or by mail to:

City of Kaukauna

Attn: Plan Commission

P.O. Box 890

Kaukauna, WI 54130

FOR DEPARTMENT USE ONLY:

Date Application Received:

Payment Received:

Payment Receipt #:

Site Plan Reviewed:

1st Notice Sent:

2nd Notice Sent:

Plan Commission Approval:

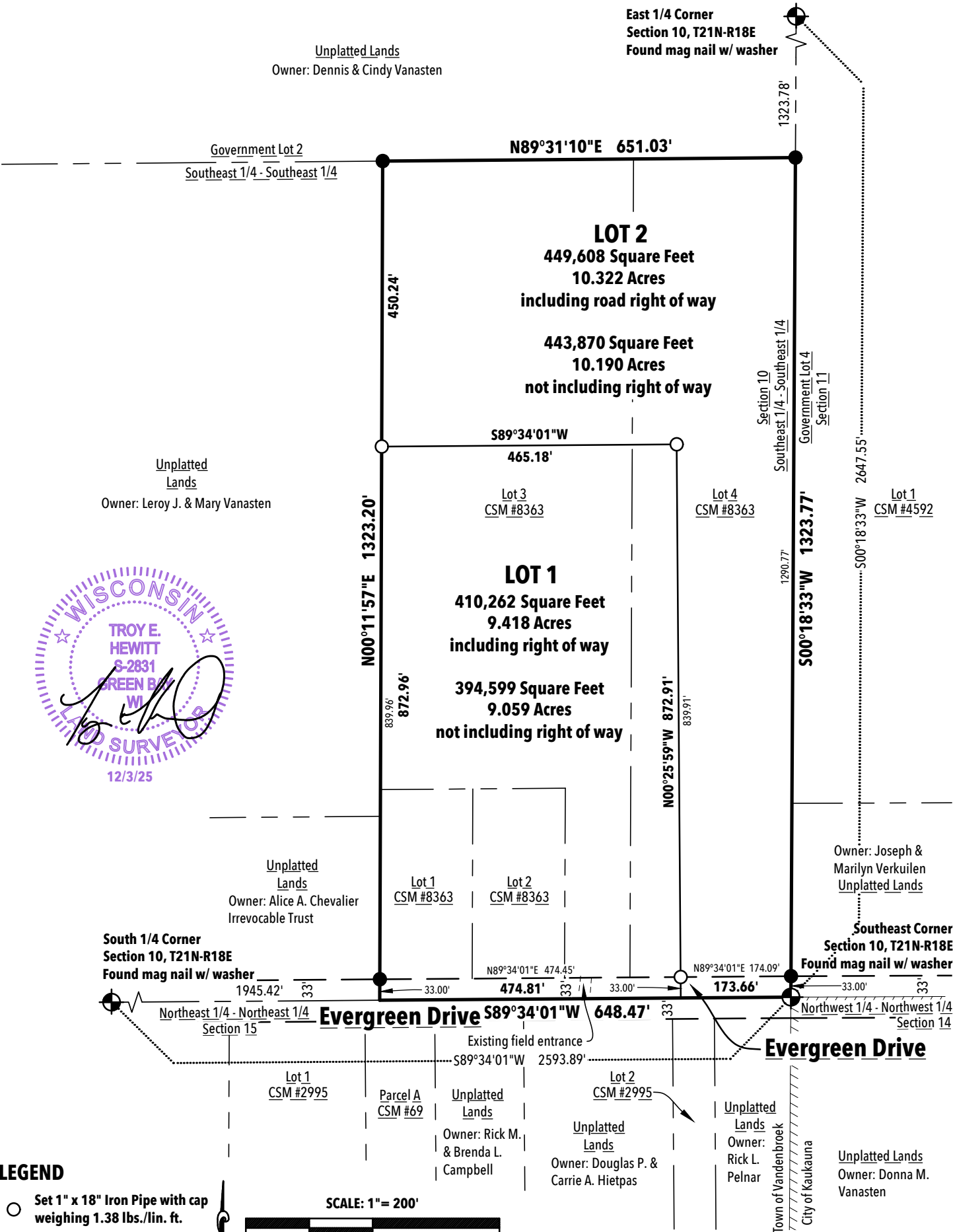
Common Council Approval:

Signature of Planning & Community Dev. Staff:



DRAFT CERTIFIED SURVEY MAP

ALL OF LOTS 1, 2, 3 AND 4, CERTIFIED SURVEY MAP NUMBER #8363,
DOCUMENT NUMBER #2273868, SAID MAP LOCATED IN PART OF THE
SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 21 NORTH,
RANGE 18 EAST, TOWN OF VANDENBROEK, OUTAGAMIE COUNTY, WISCONSIN



CERTIFIED SURVEY MAP

ALL OF LOTS 1, 2, 3 AND 4, CERTIFIED SURVEY MAP NUMBER #8363, DOCUMENT NUMBER #2273868, SAID MAP LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 21 NORTH, RANGE 18 EAST , TOWN OF VANDENBROEK, OUTAGAMIE COUNTY, WISCONSIN

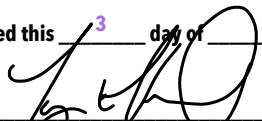
SURVEYOR'S CERTIFICATE:

I, Troy E. Hewitt, Professional Land Surveyor, do hereby certify that by the order and under the direction of the owners listed hereon, I have surveyed, mapped and divided all of Lots 1, 2, 3 and 4, Certified Survey Map Number #8363, Document Number #2273868, said map located in part of the Southeast 1/4 of the Southeast 1/4 of Section 10, Township 21 North, Range 18 East , Town of Vandebroek, Outagamie County, Wisconsin.

Said parcel contains 265,608 Square Feet (6.098 Acres) of land more or less. Subject to easements and restrictions of record.

That the within map is a true and correct representation of the exterior boundaries of the land surveyed and the division of that land and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes in the surveying, mapping and dividing of the same.

Dated this 3 day of December, 2025.


Troy E. Hewitt PLS #2831
ROBERT E. LEE & ASSOCIATES, INC.
Original: 12/3/2025



This CSM is all of tax parcel numbers 200021800, 200021801, 200021802 & 200021803. The property owner of record is North Kaukauna Storage Units, LLC. The CSM is contained wholly within the property described in the following recorded instrument(s) Document Number 2338279.

SURVEY NOTES:

This Certified Survey Map is located in the Vandebroek Drainage District and is subject to assessment.

UTILITY EASEMENT PROVISIONS:

A non-exclusive easement granted to public utilities including but not limited to electric, natural gas, communications, water distribution, sewer collection, drainage, etc., is hereby granted by

NORTH KAUKAUNA STORAGE UNITS, LLC, Grantor(s),

WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, a Wisconsin corporations doing business as WE Energies and other Public Utilities, Grantee(s), their respective successors and assigns, to construct, install, operate, repair, maintain, and replace from time to time, facilities used in connection with underground public utilities for such purposes as the same is now or may hereafter be used, all in, under, across, along, and upon the property shown within those areas designated on the plat, together with the right to install service connections upon, across, within, and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush, and/or roots as may be reasonably required incidental to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The grantee may remove obstructions, including structures such as sheds, raised garden beds, play sets, etc. The grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. Structures shall not be placed over Grantee's facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of the Grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors, and assigns of all parties hereto.

No utility transformers or pedestals are to be set within 2 feet of a lot corner monument.

No conductors are to be buried within 1 foot of a lot corner monument.

CERTIFIED SURVEY MAP

**ALL OF LOTS 1, 2, 3 AND 4, CERTIFIED SURVEY MAP NUMBER #8363, DOCUMENT NUMBER #2273868, SAID MAP LOCATED
IN PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 21 NORTH, RANGE 18 EAST, TOWN OF
VANDENBROEK, OUTAGAMIE COUNTY, WISCONSIN**

OWNER'S CERTIFICATE:

As owners, we do hereby certify that we caused the land described on this Certified Survey Map to be surveyed, mapped and divided as represented on this map. We also do further certify that this Certified Survey Map is required by s-236.34 to be submitted to the following for approval or objection: TOWN OF VANDENBROEK, OUTAGAMIE COUNTY, CITY OF KAUKAUNA

Chad Reader, Managing Member	Date
North Kaukauna Storage Units LLC, a Wisconsin limited liability company	

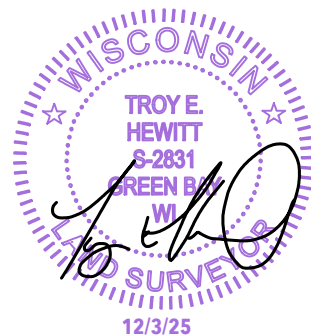
STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2025, the above named to me known to be the same person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

(print name)_____

My commission expires:_____



1250 Centennial Centre Blvd | Hobart, WI | 920-662-9641 | releecinc.com

CERTIFIED SURVEY MAP

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CERTIFICATE OF ACCEPTANCE BY THE TOWN BOARD

This Certified Survey Map has been approved and accepted by the Town of Vandenbroek Board.

Jason Wegand
Town Board Chairperson

Date

Cory Swedberg
Town Clerk

Date

CERTIFICATE OF DEPARTMENT OF DEVELOPMENT & LAND SERVICES

This Certified Survey Map has been reviewed and hereby approved by Outagamie County on this the _____ day of _____, 2025.

Austin Dyb
Outagamie County Land Use Specialist

Date

CERTIFICATE OF COUNTY TREASURER

I, Rochelle Oskey, being the duly elected, qualified and acting treasurer of the county of Outagamie, do hereby certify records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of the date listed below affecting the lands included in this Certified Survey Map.

Rochelle Oskey
Outagamie County Treasurer

Date

CITY OF KAUKAUNA EXTRA TERRITORIAL APPROVAL:

Approved by the City of Kaukauna this _____ day of _____, 2025.

Kayla Nessmann, City Clerk



RESOLUTION 2025-_____**RESOLUTION APPROVING A CERTIFIED SURVEY MAP TO COMBINE FOUR LOTS INTO TWO LOTS FOR PARCELS 200021800, 200021801, 200021802, AND 200021803**

WHEREAS, North Kaukauna Storage Units LLC, as owner of Parcels 200021800, 200021801, 200021802, and 200021803, has presented a Certified Survey Map to the City of Kaukauna Common Council as prepared by Troy E. Hewitt, a registered Land Surveyor; and

WHEREAS, a Certified Survey Map of the following described parcel of land has been presented to and recommended for approval by the Plan Commission:

All of Lots 1, 2, 3, and 4, Certified Survey Map Number #8363, Document Number #2273868, said map located in part of the Southeast 1/4 of the Southeast 1/4 of Section 10, Township 21 North, Range 18 East, Town of Vandebroek, Outagamie County, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin that the said Certified Survey Map attached and made a part hereof is hereby accepted and approved.

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 20 day of January, 2026.

APPROVED: _____
Anthony J. Penterman, Mayor

ATTEST: _____
Kayla Nessman, City Clerk