

MEMORANDUM

Business Item D

From: Administrator/Staff
To: Plan Commission
Re: Plan Commission review & recommendation on a Site Plan Review Application submitted by Excel Engineering Inc on behalf of Spark Development, LLC for a proposed multi-family residential development located on Tax ID #006-0328-02-02 (Eagle Heights Dr).

Please see the comments below from Code Administrator Kamke:

Site details:

Parcel ID: 006-03280202 with zoning of R-4 multi-family residential district. The use of a multi-family residential building of more than 9 units is a conditional use in this district and also requires the submission of a site plan application. This property was the subject of a Conditional Use Permit request and approval in April 2025. Per 9.07-60, an approved Conditional Use Permit runs with the land and is binding on all subsequent property owners. However, Site Plan approvals are specific to the applicant.

The Site Plan review process looks at the effects of the proposal on traffic safety, the natural environment, and on surrounding properties relative to creation of potential nuisances from the proposal. Compliance with the ordinance design standards and other applicable requirements is also required.

The subject property is within the Clayton Sanitary District #1 area, and so a suggested condition of approval is requiring the connection to these utilities. The site is within the Town's Tax Increment District #1, but any residential development done without new platting of land does not count towards the maximums set forth in the TID document and Wisconsin Statutes. The site is within the jurisdiction of the East Central Wisconsin Regional Planning Commission for their review of the project against all documents contributing to the Areawide Water Quality Management Plan. A determination letter of conformity with those plans and regulations for this project was obtained from ECWRPC on September 30, 2025. The site has an intermittent stream along the northwest property line, and therefore the Winnebago County Shoreland ordinance may apply. The applicant had a public hearing with the County Planning & Zoning Committee on this request on September 30, 2025.

This proposal is for six new 12-unit buildings (72 units), each with one garage space and a second dedicated parking space in front of each garage door (144 spaces). Plans indicate an additional 74 standard parking spaces, and 5 accessible parking spaces for a total of 223 spaces. Ordinance standards require 2 spaces per unit (144), one additional space for every six units (+12=156), plus a sliding scale for accessible spaces, with at least one being van accessible. For standard space requirements of 151-200, 6 accessible spaces are required, making the total spaces 161. The proposed parking exceeds the overall minimums, but a suggested condition of approval is conversion of stalls to meet the minimum accessibility standard.

The site is within the Tier 1 Development Zone. Tier 1 requires at least 75% or more of the exterior wall surfaces to be covered by acceptable exterior building materials as defined Attachment C. The proposed plans for fiber cement siding and shakes does meet this requirement, and plans should be updated to reflect a change to this acceptable material from previous plans for vinyl siding. Roofing materials must be of acceptable materials and have a Solar Reflective Index number of 29 or higher (per the plans with pitch of 5:12).

The grounds landscaping plans meet the minimum requirements in both point totals as they relate to the impervious surface standards, and in the type percentage ratios (deciduous to evergreen to smaller shrub type landscaping).

Building landscaping has plans for both sides of the buildings that do not have paved parking spaces/garage access. The ordinance standard is for 75% of all building sides to be landscaped with appropriate materials. However, since there is no soil or landscape areas available where there are garage accesses, the submitted plans may be considered to meet the intent of the ordinance. Section F. of Attachment E gives the Town Board the authority to modify the requirements of the landscape design standards.

A lighting plan for the site was not submitted; all exterior lighting must be Dark Sky Certified as required by 9.08-210.

Suggested conditions of approval:

1. A site plan agreement shall be entered into between the landowner and the Town, per 9.07-182.
2. Stormwater and erosion control plans must meet the requirements set forth by Winnebago County and the State of Wisconsin, as applicable.
3. The project must connect to the available utilities, including sewer and water lines.
4. Convert some of the standard spaces to accessible space size to meet the minimum of 6 accessible spaces required.
5. Solar Reflective Index values for roofing materials must be submitted prior to building permit issuance. SRI values must be at least 29 or higher.
6. Landscaping must be installed within six (6) months of the building occupancy.
7. Lighting plan meeting the Dark Sky Certification standards must be submitted and reviewed for compliance before building permit issuance.

SUGGESTED MOTION(S):

Motion to recommend approval of the site plan review application submitted by Excel Engineering.

Motion to recommend denial of the site plan review application submitted by Excel Engineering.

Motion to recommend approval with conditions the site plan review application submitted by Excel Engineering.

Respectfully Submitted,
Kelsey