

# **\*AMENDED PLAN COMMISSION**

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



Thursday, February 9, 2023 at 4:00 PM

## **MINUTES**

### **1. Roll Call.**

Members present: John Moore, Michael Avanzi, Pennie Thiele, Kenneth Schoenike, DPW John Neumeier, Mayor Tony Penterman

A motion was made to excuse the absent member by Thiele seconded by Moore, all members voted aye.

Other(s) present: Planning Director Stephenson; Planning/Engineering Tech. Holmes; Brian Roebke, Times Villager; Steve Bieda Mau and Associates

### **2. Approval of Minutes.**

#### **a. Approve Minutes from January 19, 2023 meeting**

Motion was made by Avanzi to approve the minutes from January 19, 2023 meeting. Moore seconded the motion. All members voted aye.

### **3. New Business.**

#### **a. CSM Review Lot Split - Parcel 322095500; Commerce Crossing**

Mr. Holmes explained the CSM was for the creation of lots for sale in Commerce Crossing Business Park. The westerly lot is for Legacy Creekside apartments, the easterly lot is for a future sale. Mr. Neumeier stated the 75-foot stream set-back may be reduced to City set-back requirements of 50 feet, if approved by the Outagamie County Drainage Board.

A motion was made to approve the CSM by Schoenike seconded by Thiele, all members voted aye.

#### **b. CSM Review Lot Split - Parcel 322095603; Commerce Crossing**

Mr. Holmes explained the CSM was for the creation of a lot for sale in Commerce Crossing Business Park. Mr. Neumeier asked if this lot creation was necessary as the sale was declined by Council. Mr. Stephenson stated that the lot will be easier to market and sell once the CSM is approved.

A motion was made to approve the CSM by Avanzi seconded by Moore, all members voted aye.

c. Special Exception Request – The Legacy Creekside Apartments

Mr. Stephenson explained the Legacy Creekside Apartments was listed as a special exception in the Commercial Highway Zoning District and the use needs approval by the Planning Commission. Mr. Schoenike asked if the apartments are market rate? Mr. Stephenson replied that they are. Mr. Moore asked if adjacent property owners need to be notified of this use of the property. Mr. Stephenson replied it is not necessary for a special exception.

A motion was made by Neumeier seconded by Thiele to approve the special exception request and forward to Common Council; all member voted aye.

\*Minutes approved by the Plan Commission on February 23, 2023, with the following amendment: Neumeier made a motion to rescind his motion on item 3 c. Thiele seconded the motion. All voted aye, 5-0 vote. Thiele made a motion to approve the minutes as amended, Neumeier seconded the motion. Motion passed.

d. Site Plan Review – The Legacy Creekside Apartments

Mr. Stephenson explained the site plan and noted he had no concerns with it. He then stated that a variance for the front yard setback will be needed, the hearing before the Zoning Board of Appeals is scheduled for February 15, 2023. Alternately, a reduction of the stream setback from the Outagamie County Drainage Board could be approved. Sidewalks are to be extended to the west lot line. Mr. Avanzi explained the lead time for meters is one year out and urged the developer to contact the Utility soon to get what they will need ordered. He also asked if we could require EV charging on this site plan review. Mr. Stephenson replied we can suggest but have no ordinance to affect that request. Mr. Neumeier added it had been discussed in correspondence with the developer.

A motion was made by Thiel approving the site plan with the following conditions: A variance must be obtained from the City of Kaukauna or the Outagamie Drainage Board; with the reduction of the 75-foot stream setback being preferred. Stormwater and erosion control permits must be obtained from the Engineering Department. Developer to provide documentation of wetland permitting. The sidewalk will be extended to the westerly lot line. And the developer must obtain approval from Outagamie County Drainage Board for a connection to the legal drain(stream). Seconded by Neumeier; all members voted aye.

e. Storm Sewer Easement Request – U-Haul, 1550 Arbor Way

Mr. Neumeier explained the site in Commerce Crossing where the U-Haul store will be built requires 3 easements granted from the City to the owner. The City will draft the language and the owner complete the survey and provide the exhibits.

A motion was made by Schoenike to approve the easement seconded by Avanzi; all members voted aye.

4. Other Business.

*There was no other business.*

5. Adjourn.

A motion was made by Moore to adjourn the meeting. Thiele seconded the motion. Meeting adjourned at 4:32 PM.

Respectfully submitted by Jason Holmes