



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Common Council
From: Joe Stephenson
Date: 01-04-22
Re: Inside the Park Lot Sales

Inside the Park is a residential/recreational endeavor that the City of Kaukauna has undertaken. Located south of CE along State Highway 55, Inside the Park has 21.46 acres of recreational use and 17.4 acres of residential use. The Common Council recently denied an offer to purchase a handful of the lots to build smaller single-family homes. Staff and the Common Council felt that the Inside the Park Place development should match existing neighborhoods in the area. To the west are large single-family homes and to the north are a number of high-end side by side duplexes. It is the vision of this development to continue these two growth patterns and allow for people and families of all ages to grow with their neighborhood.

Before the Common Council is a request to rezone Lots 1 - 2 and 30 – 26 from Residential Single Family (RSF) to Residential Two Family (RFT). Once these lots are rezoned high-end duplexes, that match the character of the existing neighborhood, can be built. Duplexes mixed within neighborhoods bring more diversified housing options to the area. It also allows for younger families to afford homes in the neighborhood or allow aging families to downsize and remain in the same community. Attractive single family attached dwellings are lacking in the region and this type of housing is in very high demand right now.



Example of RFT Neighborhood home to the north.



Example of Neighborhood home to the west.

At the December 2nd, 2021 Plan Commission meeting the Plan Commission recommended approval of the rezoning to the Common Council.

Recommendation:

Approval of Ordinance - 1853- 2022 an ordinance rezoning Lots 1, 2, 26, 27, 28, 29 and 30 of Inside the Park Place Subdivision from Residential Single Family to Residential Two Family.



ORDINANCE NO. 1853 - 2022

AN ORDINANCE REZONING LOTS 1, 2, 26, 27, 28, 29, AND 30 OF INSIDE THE PARK PLACE SUBDIVISION

WHEREAS, the Common Council of the City of Kaukauna, having reviewed the recommendation of the City Plan Commission regarding the proposed change in zoning classification for the property described below and having scheduled a public hearing then to be decided by the Common Council; and

WHEREAS, a Class 2 Notice of Public Hearing regarding such proposed zoning change and, pursuant thereto, a public hearing having been held on the **4th day of January, 2022** at 7:00 p.m., and the Common Council having heard all interested parties or their agents and attorneys;

NOW, THEREFORE, the Common Council of the City of Kaukauna, Wisconsin, do ordain as follows:

SECTION 1: That the following described property:

ALL OF LOTS 1, TWO, THIRTY, 29, 28, 27 AND 26 OF INSIDE THE PARK PLACE, PART OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$, SECTION 35, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF SAID CITY, RECORDED IN DOCUMENT #2243700.

Shall be and the same is hereby rezoned from the present zoning classification of Residential Single Family District to Residential Two Family District, as set forth in and regulated by the provisions of §17.18 of the Kaukauna Zoning Code, conditioned upon compliance with the approval conditions of the Plan Commission, if any, and the provisions of Chapter 17, Kaukauna Municipal Code.

SECTION 2: That the Clerk is directed to amend the City of Kaukauna Zoning Map in conformity with the provisions of this ordinance.

SECTION 3: That all other ordinances in conflict herewith are hereby repealed.

SECTION 4: That this ordinance shall take effect upon its passage and publication according to law.

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 4th day of January 2022.

APPROVED:

Anthony J. Penterman, Mayor

ATTEST:

Sally A. Kenney, City Clerk

INSIDE THE PARK PLACE

PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 35, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN

There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified July 30, 2021

Rene M. Dowey
Department of Administration



Document #: 2243708

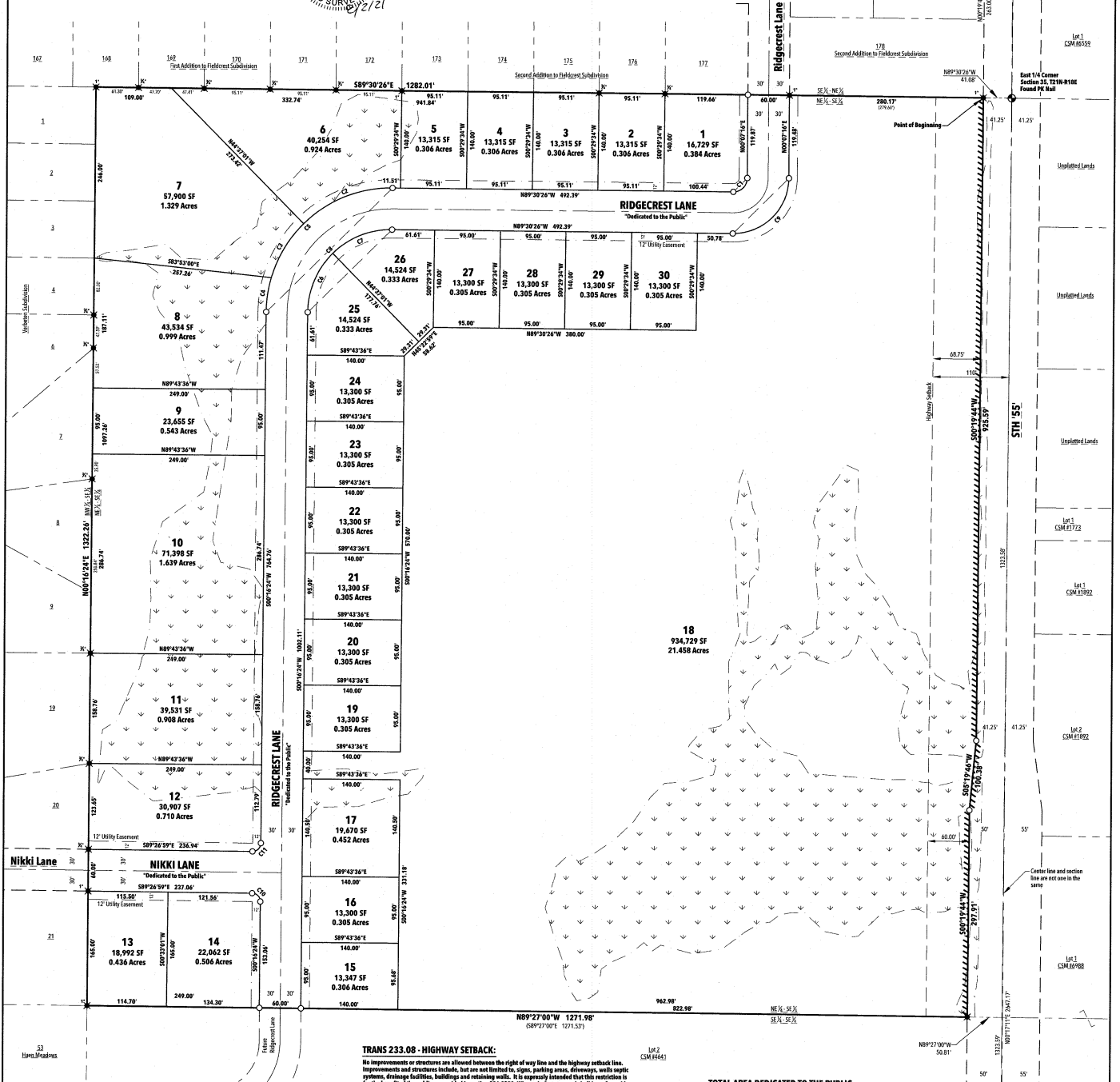
Date: 08-09-2022 Time: 10:33 AM

Pages: 2 Fee: \$50.00

County: OUTAGAMIE COUNTY State: WI

Frank A. Lee
SARAH R VAN CAMP, REGISTERED SURVEYOR
Return via RETURN TO FILE

Cabinet N Pages 128+129



TRANS 233.08 - HIGHWAY SETBACK:

No improvements or structures are allowed between the right of way line and the highway setback line. Improvements and structures include, but are not limited to, signs, parking areas, driveways, walkways, systems, drainage facilities, buildings and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in section 236.29(2), Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or its assignee. Contact the Wisconsin Department of Transportation for more information. The phone number may be obtained by contacting the County Highway Department.

TRANS 233.04 - ACCESS RESTRICTION:

As owner I hereby restrict all lots and blocks in that no owner, possessor, user, nor licensee, nor other person shall have any right of direct vehicular ingress or egress with 5TH ST as shown on this plat. It being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to s. 236.29(2), Stats., and shall be enforceable by the Wisconsin Department of Transportation.

NOTES

Sidewalks will be required adjoining all street frontages

WETLAND INFORMATION

Wetlands delineated by Travis A. Dink, David Engineering & Environmental on May 9, 2019.

A portion of the wetlands has been approved to be impacted for municipal activities by Wisconsin Department of Natural Resources General Permit Docket GP-MS-2017-45-00718.

Curve #	Delta	Radius	Length	Chord	Chord Length	Tangent	Second Bearing
C1	90°22'18"	20.00'	31.55'	N45°18'25"E	28.38'	S89°30'24"W	N00°07'16"E
C2	45°04'35"	180.00'	147.71'	S67°56'16.5"W	138.00'	N09°30'24"W	S45°22'59"W
C3	29°09'42"	180.00'	91.60'	S39°48'05.5"W	90.83'	S40°22'59"W	S16°13'12"W
C4	15°54'48"	180.00'	50.10'	S08°14'48"W	49.94'	S16°13'12"W	S00°16'24"W
C5	90°13'10"	180.00'	282.43'	S45°22'59"W	255.00'	N09°30'24"W	S00°16'24"W
C6	45°04'35"	120.00'	94.48'	S22°49'41.5"W	92.66'	S45°22'59"W	S00°16'24"W
C7	45°04'35"	120.00'	94.48'	S67°56'16.5"W	92.66'	N09°30'24"W	S45°22'59"W
C8	90°13'10"	120.00'	188.86'	S45°22'59"W	170.83'	N09°30'24"W	S00°16'24"W
C9	90°22'18"	80.00'	126.18'	N49°18'25"E	113.50'	S09°30'24"W	N00°07'16"E
C10	89°43'23"	12.00'	18.79'	S44°35'17.5"E	16.93'	S09°26'59"E	N00°16'24"E
C11	90°16'33"	12.00'	16.91'	N45°24'42.5"E	17.01'	S09°26'59"E	N00°16'24"E

TOTAL AREA DEDICATED TO THE PUBLIC FOR RIGHT OF WAY PURPOSES

130,747 Square Feet
3.002 Acres

LEGEND

Found 1" Iron Pipe

Found Iron Rod (Size as noted)

County PLSS Monument

Set 2.373" Outside Dia. x 20" Iron Pipe

min. use 3.63 lb./in. ft.

Wetlands

5TH ST Access Restriction

All other lot corners marked with a 1.125" outside dia x 16" iron pipe weighing 1.38 lbs./in. ft.

SCALE: 1" = 80'

0' 40' 80' 160'

Bearings are based on the Outagamie County

Coordinate System. The east line of the

Southeast 1/4 of Section 35 bears N00°17'11"E.

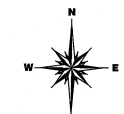
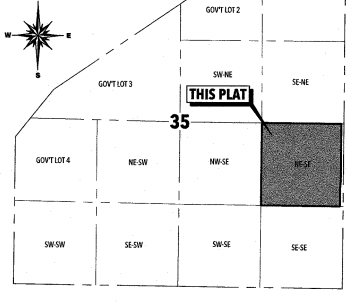
All linear measurements have been made to the nearest hundredth of a foot and computed to the nearest hundredth of a foot.

All angular measurements have been made to the nearest three seconds and computed to the nearest half second.

LOCATION SKETCH

Not to Scale

Section 35, T21N-R18E



Drafted By: Troy E. Hewitt
Original Date: 5/9/21
Revised: 7/14/21 Access Restriction Note
Revised: 7/26/21 Legal Description Revised

SHEET 1 OF 2



Robert E. Lee & Associates, Inc.
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
1500 CENTRAL AVENUE BOULVARD
HUNTER, WI 54955
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E:\Projects\2243708\2243708.dwg

INSIDE THE PARK PLACE

PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 35, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN

GRADING AND GRADES:

All grading and final grades for the construction of any public improvements, including landscaping, shall conform to the surface water drainage plan as approved and on file with the City of Kaukauna

UTILITY EASEMENT PROVISIONS:

An easement for electric, natural gas and communications service is hereby granted by the City of Kaukauna, to

Kaukauna Utilities
WE Energies
AT&T
and
Time Warner

Grantees, their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within these areas on the plat designated as "Utility Easement" and the property designated on the plat for streets and alleys, whether public or private, 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 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 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. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. 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 Grantee. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of Grantee. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

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

OWNER'S CERTIFICATE OF DEDICATION:

City of Kaukauna, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as the property owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

City of Kaukauna does further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

CITY OF KAUKAUNA
DEPARTMENT OF ADMINISTRATION

Dated this 3rd day of August, 2021.

In the presence of the City of Kaukauna

Anthony J. Pefferman
City of Kaukauna Mayor

Sally Kenney
City of Kaukauna Clerk

STATE OF WISCONSIN

Outagamie COUNTY) SS

Personally came before me this 3rd day of August, 2021, the above named property owner(s) to me known to be the person who executed the foregoing instrument and acknowledged the same.

My commission expires 10-7-2024
Notary Public, Wisconsin



CITY OF KAUKAUNA COMMON COUNCIL APPROVAL CERTIFICATE

Resolved, that the plat of Inside the Park Place in the City of Kaukauna, City of Kaukauna owner, is hereby approved by the Common Council.

Anthony J. Pefferman
City of Kaukauna Mayor

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the City of Kaukauna.

Sally Kenney
City of Kaukauna Clerk

TREASURER'S CERTIFICATE:

We, being the duly elected, qualified and acting Treasurers of the City of Kaukauna and Outagamie County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on any of the land included in this plat.

William Van Rossum
City of Kaukauna Treasurer

Trenten Woolf
Outagamie County Treasurer

SURVEYOR'S CERTIFICATE:

I, Troy E. Hewitt, Professional Land Surveyor, hereby certify that by the order and under the direction of the City of Kaukauna, I have surveyed, divided and mapped a parcel of land being part of the Northeast 1/4 of the Southeast 1/4, Section 35, T21N-R18E, City of Kaukauna, Outagamie County, Wisconsin more fully described as follows:

Commencing at the Southeast corner of said Section 35; thence N00°17'11"E, 2647.17 feet on the east line of said Southeast 1/4 to the East 1/4 corner of said Section 35; thence N89°30'26"W, 41.08 feet on the east-west 1/2 line to the west right of way of State Trunk Highway "SS"; the POINT OF BEGINNING; thence S00°19'04"W, 925.59 feet on the said west right of way; thence S05°19'46"W, 100.38 feet on said west right of way; thence S00°19'44"W, 297.91 feet on said west right of way to the south line of said Northeast 1/4 of the Southeast 1/4; thence N89°27'00"W, 1271.98 feet on said south line to the southwest corner of said Northeast 1/4 of the Southeast 1/4; thence N00°16'24"E, 1322.26 feet on the west line of said Northeast 1/4 of the Southeast 1/4 to the northwest corner thereof; thence S89°30'26"E, 1282.01 feet on said east-west 1/2 line to the Point of Beginning.

Said parcel contains 1,492,065 Square Feet (38.844 Acres) of land more or less.

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 of the Wisconsin Statutes in the surveying, dividing and mapping of the same.

Troy E. Hewitt
PLS #2831
ROBERT E. LEE & ASSOCIATES, INC.

This Final Plat is contained wholly within the property described in the following recorded instruments.

Property Owner of Record
City of Kaukauna

Recording Information
Doc. No. 2180395

Parcel Numbers
232222101



There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified July 30, 2021

Rene M. Power
Department of Administration

