



# MEMO

## PLANNING & COMMUNITY DEVELOPMENT

To: Plan Commission  
From: Associate Planner Lily Paul  
Date: February 6, 2023  
Re: Special Exception Request – Legacy Creekside Apartments

Keith Duquaine has submitted an application for a Special Exception Permit for parcel 322095500, located at 950 E Evergreen Drive in Commerce Crossing. The parcel is zoned Commercial Highway District (CHD). The parcel is owned by Duquaine Development.

The applicant is proposing to construct a multi-family complex on the vacant lot. The new development will include 175 living units and over 368 combined indoor and outdoor parking. There will be five buildings, for a proposed total of 2.17 acres of roof area, which is about 18.47% of the lot area. The buildings will be 41 feet 2 1/8 inches tall.

The City of Kaukauna Code of Ordinances, Section 17.22 (4)(e) allows multi-family within the CHD:

**17.22 CHD Commercial Highway District**

**4. Special exception uses and structures.**

*e. Uses permitted in Residential Multifamily Zoning (RMF). If RMF is the primary use of the site, all applicable standards and requirements from section 17.19 shall apply.*

**Recommendation:**

Finding the special exception to meet all the criteria set forth in Section 17.47 (4) of the City Municipal Code, staff recommends the approval of the special exception to the Plan Commission and same to the Common Council.