



Fox Crossing Community Development Department
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www.foxcrossingwi.gov

**VILLAGE OF FOX CROSSING
PLANNING COMMISSION MEETING
WEDNESDAY, October 16, 2019 @ 5:15 PM
MUNICIPAL COMPLEX - 2000 MUNICIPAL DRIVE**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. Rezoning – Parcels 121470401 and 121052604 – County Rd. CB and County Rd. II (continued from September)
2. Rezoning – 600 Century Oaks Dr. – 1-1 to M-1
3. Conditional Use Permit – 600 Century Oaks Dr. – Duplex in M-1 Zoning District
4. Zoning Ordinance Text Amendments Regarding Personal Storage

APPROVAL OF MINUTES – September 18, 2019

NEW BUSINESS

1. Rezoning – Parcels 121470401 and 121052604 – County Rd. CB and County Rd. II
2. Rezoning – 600 Century Oaks Dr. – 1-1 to M-1
3. Conditional Use Permit – 600 Century Oaks Dr. – Duplex in M-1 Zoning District
4. Zero Lot Line Certified Survey Map – 1588 and 1586 Delta Dr.
5. Zoning Ordinance Text Amendments Regarding Personal Storage

OTHER BUSINESS

1. Development Activity Report

COMMUNICATIONS

1. Sustainability Committee Report

PUBLIC FORUM: Non-Agendized Village Related Matters

Pursuant to WI Statutes 19.83(2) & 19.84(2), the public may present matters; however, they cannot be discussed or acted upon. Limited to ten minutes - non-repetitive matters.

ADJOURNMENT

If you have any questions, please call (920) 720-7105 for information. You may also access the staff recommendations on the website, www.foxcrossingwi.gov. From the main page, click "Meetings," then "Agendas." The recommendation is posted on the website the Thursday or Friday preceding the Plan Commission meeting.

PLEASE NOTE: It is possible that members of and possibly a quorum of Village Board members or other governmental bodies may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body other than the governmental body specifically referred to on the agenda above.

The Commission reserves the right to take up any item on the agenda at any time after the meeting commences.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Village Administration Office at (920) 720-7101.

**VILLAGE OF FOX CROSSING
PLANNING COMMISSION MEETING
WEDNESDAY, SEPTEMBER 18, 2019 at 5:15 PM
MUNICIPAL COMPLEX - 2000 MUNICIPAL DRIVE**

CALL TO ORDER: Chairperson Jochman called the Planning Commission meeting of September 18, 2019 to order at 5:17 p.m.

PRESENT: Chairperson: Chair Dennis Jochman
Commissioners: Mr. Morris Cox, Mr. Michael Scheibe, Ms. Tracy Romzek, Mr. Aaron Sabel, Mr. Tom Young, Mr. James Zielinski

Staff: Community Development Director George Dearborn
Associate Planner Ria Hull

ALSO PRESENT: Village Manager Jeffrey Sturgell; Scott Blashka; Michelle and George Reckin; Bob Pheifer; Joan Michel; Tom and Jayne Adelman; Bob Birkholz; Dick Lanning; Gary and Pam Baumann

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - Rezoning – Parcels 121470401 and 121052604 – County Rd. CB and County Rd. II

Chair Jochman abstained from this item. Vice Chair Sabel asked for a motion to open the hearing.

A motion was made by Mr. Cox, seconded by Mr. Scheibe, to open the public hearing for the rezoning.

The motion carried 6-0-1 (Chair Jochman abstaining)

Director Dearborn said that the applicant requested the hearing, but then did not get staff the appropriate information or fee in time, so staff recommend adjourning the hearing and delaying action until the next meeting.

Ms. Hull reviewed the rezoning and conditional use permit processes and said there will also be hearings (in addition to this rezoning hearing) if the applicant does indeed apply for a CUP for personal storage, so that residents have additional opportunities to comment.

Bob Birkholz asked which parcels are currently zoned what and he also asked where the access to the property will be.

Ms. Hull said that one of the properties is currently zoned I-1 and one is currently zoned I-2.

Director Dearborn said that we will not allow access from the residential cul-de-sac on Oak View. He said access will have to be from County CB or II.

Mr. Jochman said that they have been in discussions with the County about access.

Scott Blashka expressed concern about providing access to the property across the County CB trail.

George Reckin, Gary Baumann, Tom Adelman and Michelle Reckin all said they are glad traffic for that development will not go down Oak View, but they also expressed concern about it crossing the trail.

Mr. Baumann also said he has drainage concerns that he hopes will be looked at.

Mrs. Reckin said that she is concerned about a storage development lowering property values and that she is concerned about the appearance.

Bob Pfeifer said he is the owner of the property and that he was put at a disadvantage by the County when they put County CB through, splitting his property. He said he appreciates all of the comments and he said he will be happy to accommodate requests for a barrier/buffer and landscaping.

Vice Chair Sabel thanked all of the residents for coming and for their input. He said the Commission will take all of their comments to heart.

A motion was made by Mr. Cox, seconded by Mr. Scheibe, to adjourn the public hearing for the rezoning until the October 16th meeting.

The motion carried 6-0-1 (Chair Jochman abstaining)

APPROVAL OF MINUTES – August 21, 2019

A motion was made by Mr. Cox, seconded by Mr. Scheibe, to approve the meeting minutes of August 21, 2019.

The motion carried – 7-0

NEW BUSINESS

Item 3 - Rezoning – Parcels 121470401 and 121052604 – County Rd. CB and County Rd. II

A motion was made by Mr. Scheibe, seconded by Mr. Cox, to table this item until October.

The motion carried 6-0-1 (Chair Jochman abstaining)

Item 2 - Certified Survey Map – 600 Century Oaks Dr.

Director Dearborn said that the property owner is splitting his parcel into two lots and that staff recommend approval.

Ms. Hull said that the building will maintain all the proper setbacks from the new property lines.

A motion was made by Mr. Cox, seconded by Mr. Scheibe, to approve the CSM for 600 Century Oaks Dr. with the following two conditions:

Plan Commission
September 18, 2019

1. All taxes and assessments shall be paid prior to the Village affixing signatures on the Certified Survey Map.
2. The applicant shall provide the Village with a final copy of the recorded Certified Survey Map.

The motion carried – 7-0

OTHER BUSINESS

Item 2 - Development Activity Report

Director Dearborn said that our number of single-family homes is up from last year and he said that are values continue to be good.

COMMUNICATIONS

Sustainability Committee Report

Director Dearborn said that electronics recycling is on October 5th from 8-noon. He said that the Sustainability Committee voted to fund an electric vehicle charger

PUBLIC FORUM

ADJOURNMENT:

A motion was made by Mr. Sabel, seconded by Mr. Scheibe, to adjourn.

The motion carried – 7-0

6:08 p.m.

Ria Hull,
Recording Secretary

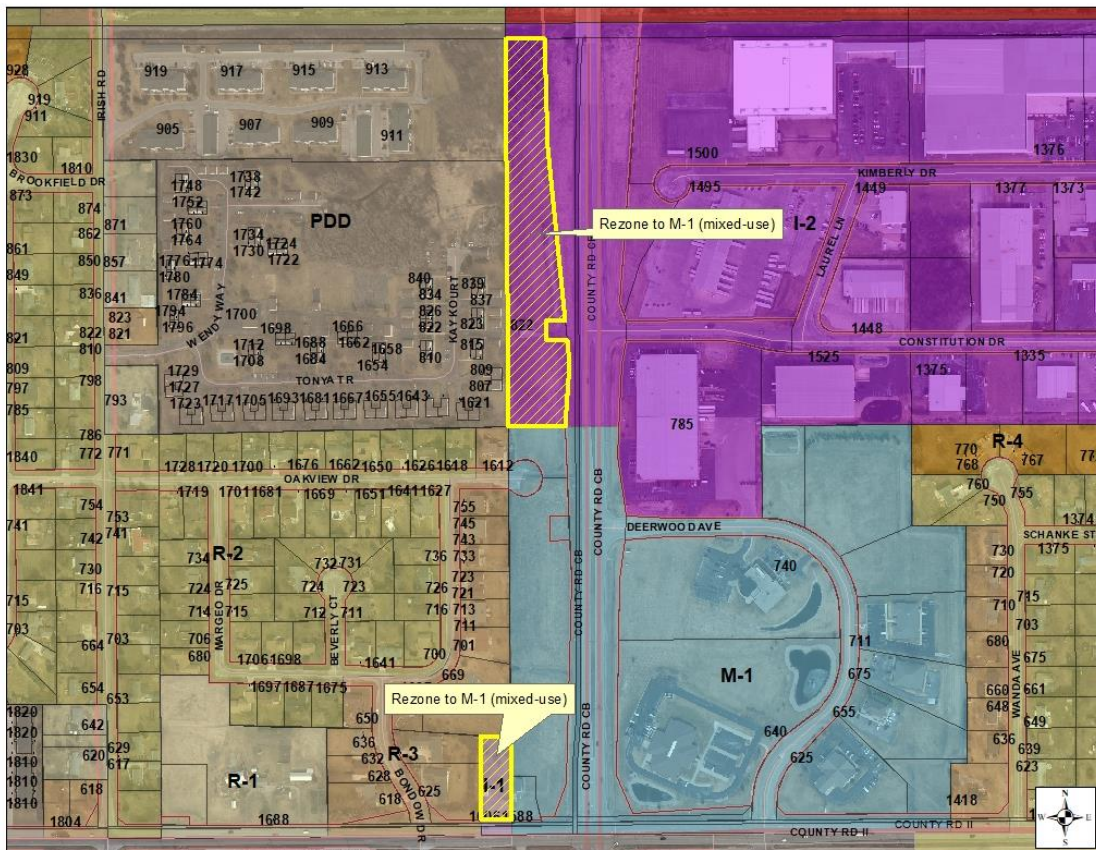
MEMO

Date: October 9, 2019
To: Village Planning Commission Members
From: Community Development Department Staff
RE: New Business Item 1 – Rezoning – Parcels 121470401 and 121052604 – County Rd. CB and County Rd. II

Overview

The applicant, Bob Pheifer, is requesting a rezoning for two parcels: parcel 121470401 on County Rd. CB and parcel 121052604 on County Rd. II. Both of these parcels are proposed to be rezoned to M-1 (Mixed Use). This item was on the September meeting agenda and the public hearing was held, but action was delayed because we did not have the proper application and fees. We have since received these materials, so it is now on this agenda for action.

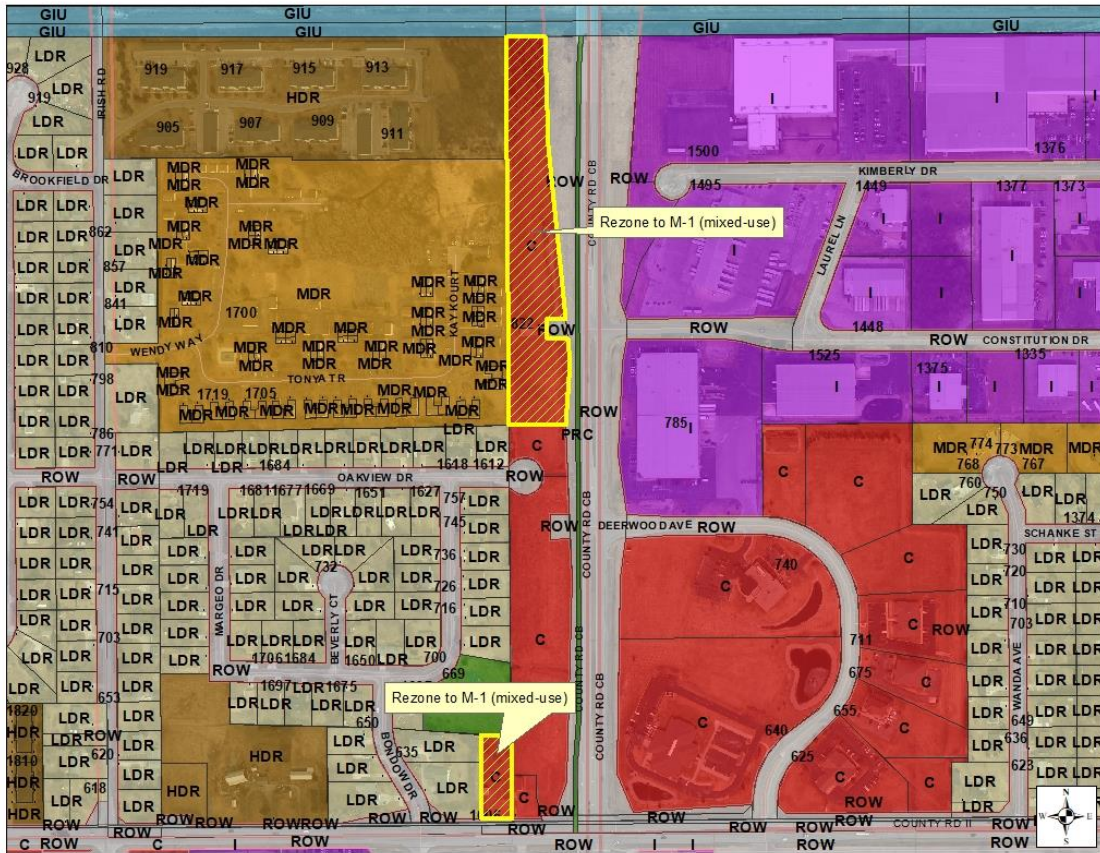
The current Village Zoning Map is below. Both of the parcels are currently industrially zoned – one is zoned I-1 (Light Industrial) and one is zoned I-2 (Heavy Industrial). The Future Land Use Map is on the following page and shows both of the parcels in question as future commercial. M-1 zoning complies with the future commercial designation.



Staff Recommendation

Staff see no issues with this rezoning. Mixed use is a downzoning and is more appropriate to have next to a residential subdivision than industrial.

Staff recommend approval of the rezoning of parcels 121470401 and 121052604 to M-1 (Mixed Use).

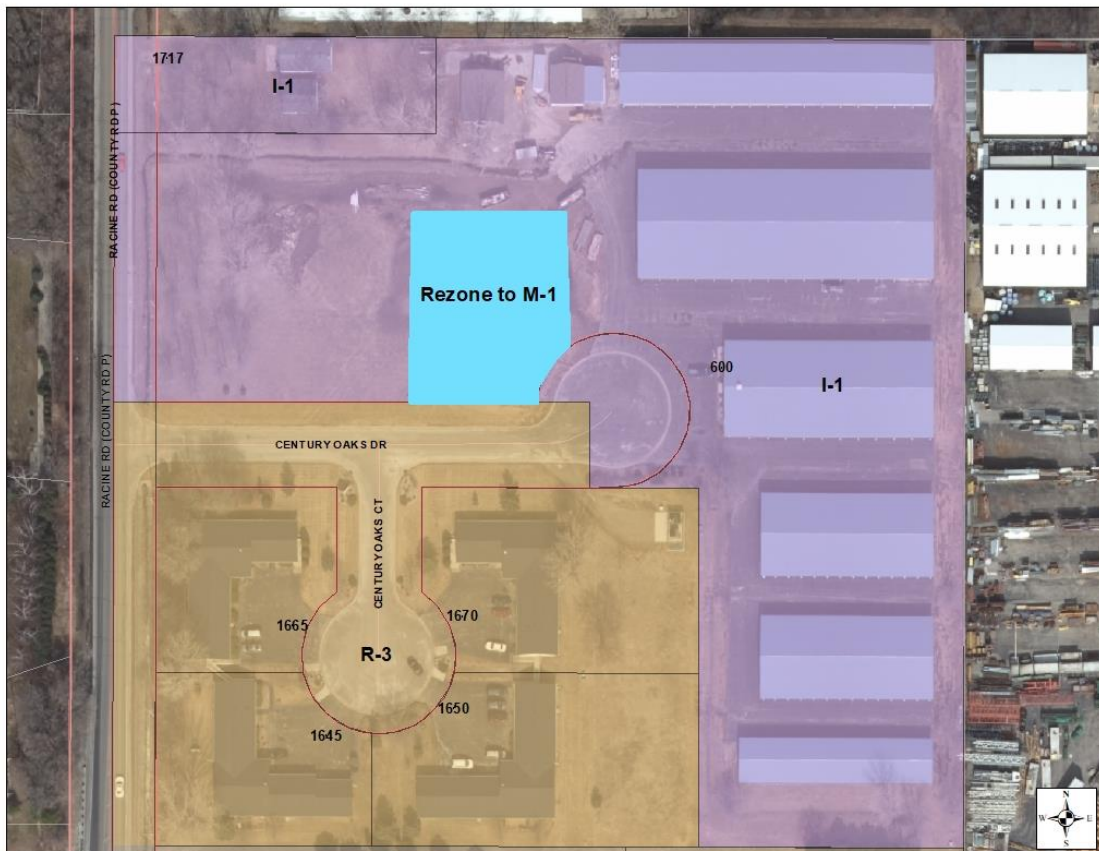


MEMO

Date: October 9, 2019
To: Village Planning Commission Members
From: Community Development Department Staff
RE: New Business Items 2 & 3 – 600 Century Oaks Dr. – Rezoning and Conditional Use Permit

Overview

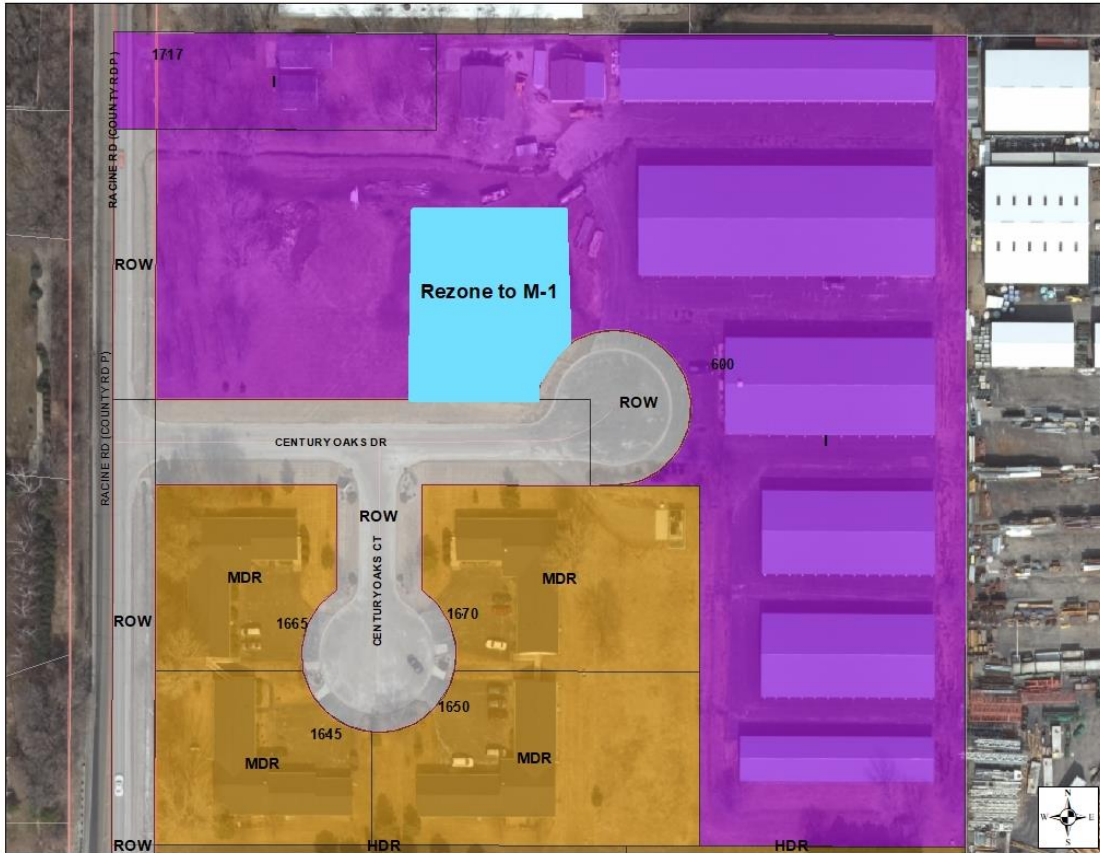
The applicant, Kelley Rousseau, is requesting approval of a rezoning and a conditional use permit for the newly created parcel at 600 Century Oaks Dr. This parcel was created by a CSM that was just approved at our September Planning Commission meeting. There is currently an office building on that parcel that Mr. Rousseau wants to convert into a duplex to rent out. Duplexes are not allowed on industrially zoned properties, but converting the property to M-1 (Mixed Use) would allow a duplex with a conditional use permit.



Staff Recommendation

Staff see no issues with either the rezoning or the conditional use permit. There are residential properties directly to the south across Century Oaks Dr., so a duplex would fit into this neighborhood just fine.

Staff recommend approval of the rezoning to M-1 (Mixed Use) and of the conditional use permit for a duplex in an M-1 zoning district.

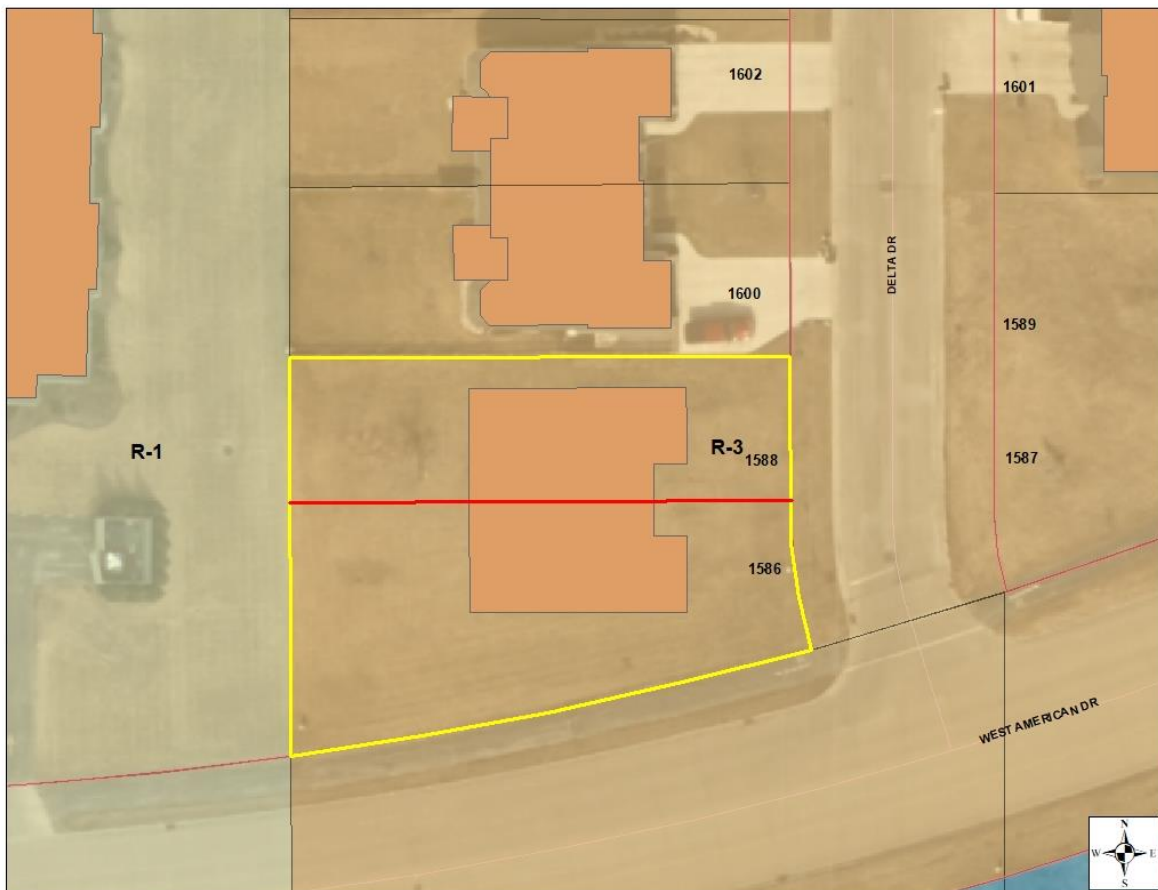


MEMO

Date: October 9, 2019
To: Village Planning Commission Members
From: Community Development Department Staff
RE: New Business Item 4 – Zero Lot Line Certified Survey Map – 1588 & 1586 Delta Dr.

Overview

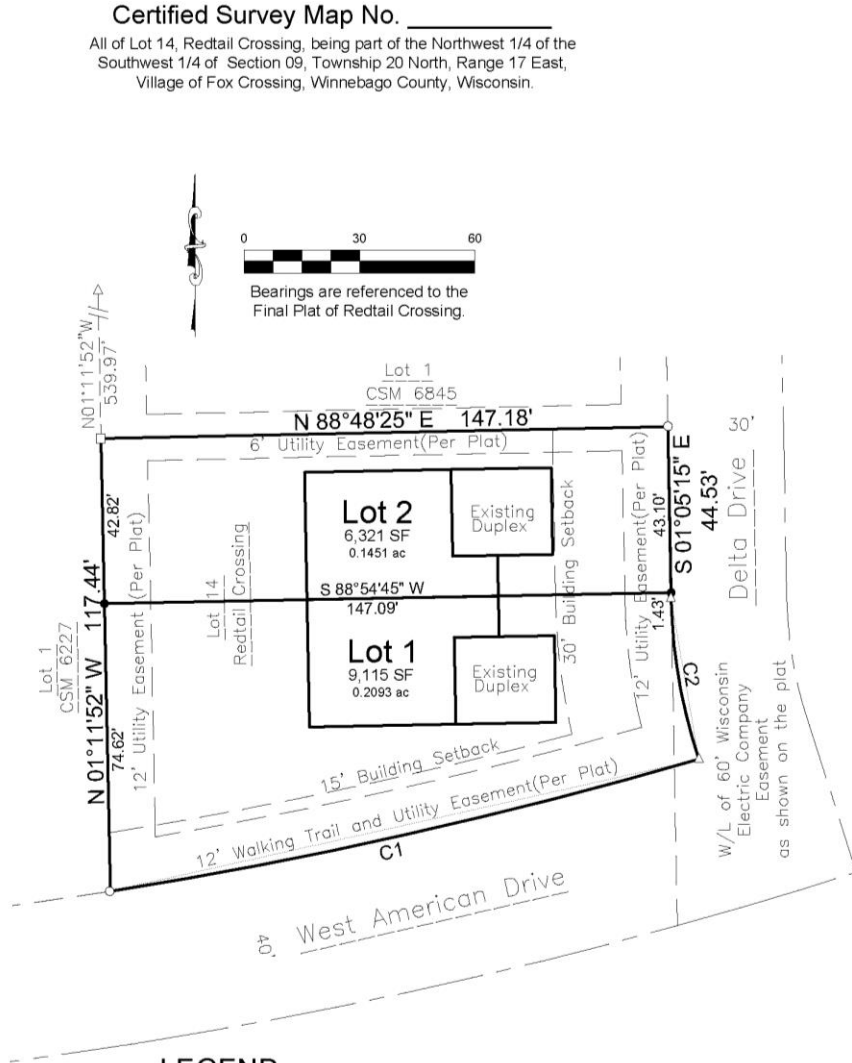
The applicant is requesting approval of a zero lot line certified survey map to split a duplex on Delta Drive so that both sides of the duplex are under separate ownership. This property is in the R-3 zoning district within which zero lot line twin homes are allowed. This also meets the twin home lot size requirement of at least 5,000 sq. ft. per lot. An aerial of the lots is below with the new lot split in red. The CSM is on the following page.



Staff Recommendation

Staff find that this CSM complies with the Village of Fox Crossing’s Chapter 6 Land Division Ordinance and Zoning Ordinance and recommend approval with the following conditions:

1. All taxes and assessments shall be paid prior to the Village affixing signatures on the Certified Survey Map.
2. The applicant shall provide the Village with a final copy of the recorded Certified Survey Map.



LEGEND

- 3/4" x 18" Steel Rebar @ 1.50lbs/LF SET
- △ 1 1/4" Rebar Found
- 3/4" Rebar Found
- 1" Iron Pipe Found

James R. Sehlhoff Professional Land Surveyor No. S-2692 Date



DAVEL ENGINEERING & ENVIRONMENTAL, INC.
 Civil Engineers and Land Surveyors
 1164 Province Terrace, Menasha, WI 54952
 Ph: 920-991-1886 Fax: 920-441-0804
 www.davel.pro

Survey for: Gloss Construction, Inc. File: 5693CSM.dwg
 1303 American Drive Date: 10/02/2019
 Neenah, WI 54956 Drafted By: jim
 Sheet: 1 of 3

MEMO

Date: October 10, 2019
To: Village Planning Commission Members
From: Community Development Department Staff
RE: New Business Item 5 - Zoning Ordinance Text Amendments – Article 7

Due to the proliferation of personal storage facilities in the Village, staff have been tasked by Village President Youngquist to review the current zoning regulations and propose amendments to tighten restrictions so as to ensure these facilities do not come into conflict with residential and business uses.

To this end, we are changing Table 7-1 so that personal storage facilities are only allowed conditionally in industrial zoning districts. They will no longer be allowed in agricultural, business or mixed-use districts.

We are also amending the standards for personal storage facilities within the text of Article 7:

- We are creating a maximum lot size of 4 acres;
- We are requiring that they pave all hard surface travelways within the development;
- We are creating stricter design and screening standards for any personal storage developments adjacent to residential zoning districts;
- We are creating a separation requirement of 1 mile between personal storage facilities.

I have highlighted the changes in yellow on the attached documents. Insertions are in red text. Deletions have been struck out.

classification as depicted on the zoning map or a supplemental map.

31.7-136 Railroad line

No special standards apply to railroad lines.

31.7-137 Street

No special standards apply to streets.

Series 14. General Storage

31.7-138 Boat yard

Outdoor storage areas and other activity areas shall not be located within a yard setback for the zoning district in which the use is located.

31.7-139 Bulk fuel storage

No special standards apply to bulk fuel storage.

31.7-140 Personal storage facility

- (a) **Minimum Lot size.** The lot on which a personal storage facility is located shall be at least one acre and no more than four acres in size.
- (b) **Access.** The access to a cubicle shall not open directly onto a public road right-of-way.
- (c) **Surfacing of travelways.** Driveways, interior aisles, and walkways shall be concrete or asphaltic concrete. ~~except as may be allowed in this subsection. Consistent with the procedures and requirements of article 6 of this chapter, the Planning Commission may allow gravel surfaces as a special exception and require, as a condition of approval, additional buffer yard and landscaping requirements deemed necessary to provide adequate screening between this use and adjoining properties.~~
- (d) **Storage of prohibited substances.** No cubicle shall be used to store explosives, toxic substances, hazardous materials, or radioactive materials.
- (e) **Uses.** Only uses that are accessory to storage shall occur. No portion of the site shall be used for fabrication, repair, or any similar use or for human habitation.
- (f) **Design.** The personal storage facility shall be designed so as to minimize adverse visual impacts on nearby properties. The color, exterior materials, and orientation of proposed buildings and structures shall complement existing and anticipated development in the surrounding area. ~~A personal storage facility in a commercial zoning district shall meet the special architectural requirements in division 6 of this article.~~ Any building within the facility which directly abuts a property in a residential ("R-") zoning district shall not face any unit doors toward said district, unless the doors are 100 feet or greater from said district and are screened with berms, landscaping and/or fencing.
- (g) **Fencing of outdoor storage area.** An area used for outdoor storage ~~of operational vehicles, watercraft, and the like~~ shall be enclosed by fencing. ~~Fencing abutting residential districts shall be of wood, masonry, wrought iron, or other decorative material. Required landscape buffers shall be on the exterior of the fence.~~
- (h) **Setback of outdoor storage area.** Outdoor storage areas shall comply with the building setback standards for the zoning district in which the use is located.
- (i) **Separation Requirement.** Any personal storage facility shall be a minimum distance of 1 mile from an established substantially similar business.

31.7-141 Truck terminal

- (a) **Setback of outdoor storage area.** Outdoor storage areas and other activity areas shall be located at least 100 feet from a property in a residential zoning district.
- (b) **Control of fugitive dust.** As part of the building, site, and operation plan review process, the control of fugitive dust generated by this use shall be addressed.

31.7-142 Warehouse

- (a) **Setback of outdoor storage area.** Outdoor storage areas and other activity areas shall be located at least 100 feet from a property in a residential zoning district.
- (b) **Control of fugitive dust.** As part of the building, site, and operation plan review process, the control of fugitive dust generated by this use shall be addressed.

Series 15. Industrial Uses