

TOWN OF CLAYTON
Town Plan Commission
Meeting Minutes
7:00 P.M. – on Wednesday, March 13, 2019
Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order:

A. Notice Verification, Roll

- 1. Pledge of Allegiance
- 2. Verification of Meeting Notice
- 3. Roll

a. Plan Commission Members

Chair Knapinski	PRESENT
Commissioner Wisnefske	PRESENT
Commissioner Nemecek	PRESENT
Commissioner Linsmeier	PRESENT
Commissioner Dorow	EXCUSED
Commissioner Haskell	PRESENT
Town Board Representative Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Asst Admin/Treas Straw	PRESENT
Clerk Stevens	PRESENT
Planner Ken Jaworski	PRESENT

II. Public Hearings:

A. NO PUBLIC HEARINGS

III. Approval of Minutes:

A. Approval of the minutes of the Wednesday, February 13th, 2019 Plan Commission Meeting.

MOTION:

Motion by Commissioner Nemecek

Second by Commissioner Linsmeier

Motion to approve the Wednesday, February 13th, 2019 Plan Commission Meeting Minutes

Motion carried by unanimous voice vote

IV. Open Forum

Town-related Matters not on the Plan Commission’s Agenda:

Pursuant to WI Statutes 19.83(2) and 19.84(2), the public may present a question or issue; however, only limited discussion may occur and no action may be taken until specific notice of the subject matter of the proposed action can be given. If you wish to speak during the Open Forum portion of the meeting, please complete “Request to Speak at Meeting” form and give the form to the Town Staff.

- NO Open Forum items presented

V. Correspondence:

- A. February CY 2019 Building Inspection Report
- B. Distribution of a copy of the approved CSM for the Town owned property on the south frontage of USH “10” between Clayton Avenue and STH “76.”

VI. Business:

- A. Discussion/Recommendation: Plan Commission review and recommendation on a Site Plan Approval Application submitted By Craig Locy, CRL Surveying LLC, N1674 Medina Drive, Greenville for property located at the northern termini of Black Top Way, Neenah and specifically described as Tax ID# 006-0895-06, being a part Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at the northern termini of Black Top Way, Neenah and specifically described as Tax ID# 006-0895-06, being a part Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Craig Locy
CRL Surveying LLC
N1674 Medina Drive
Greenville, WI 54942

Property Owner(s): JJJ2 LLC
1991 West Wisconsin Avenue
Appleton, WI 54913

Consultant: Craig Locy (S2940)
CRL Surveying LLC
N1674 Medina Drive
Greenville, WI 54942

Property Information:

- 1) The surrounding properties are zoned:
 - a) North: A-2 (General Agriculture District), R-1 (Rural Residential District), and R-2 (Suburban Residential District).
 - b) South: B-2 (Community Business District), B-3 (General Business District), and A-2 (General Agricultural District)
 - c) East: A-2 (General Agriculture District) and A-2 (General Agricultural District with a Conditional Use)
 - d) West: A-2 (General Agriculture District), and R-1 (Rural Residential District)

Property Information Specific to Tax ID# 006-0895-06:

1. The property is owned by JJJ2 LLC, 1991 West Wisconsin Avenue, Appleton, WI 54913.
2. The Lot is 18.040 Acres in size.
3. The property is in the Neenah School District (3892).
4. The property is in the Department of Natural Resources Special Well Casing area.
5. The property has a 50-foot DOT setback from the Right-Of-Way.
6. The property has Officially Mapped Roads shown on it.
7. The property is currently zoned I-1 (Light Industrial District) by the Town.
8. The property is in the City of Neenah Extra Territorial Zoning District.
9. The property is out of the County's Floodplain Zoning Area.
10. The property is in the County Shoreland Zoning 300-foot buffer.
11. The property is not in the County's Wetland Identifier.
12. The current land use is consistent with the Town's adopted Land Use Plan.
13. The proposed land use is consistent with the Future Land Use Plan.

Application Details:

The petitioner has provided the attached material. Staff has reviewed the Application material and believes that the Application continues to be incomplete. However, the concept of the plan is compliant with the Town's Zoning Code of Ordinances. The Town's Site Plan Ordinance sets the standards for review by development area. The proposed site is in the Town's Business Fringe Zone. The proposed Site Plan Application divides the project into a number of phases. The proposed Site Plan Application covers the first phase of the Development in detail and the other phases in concept.

Stormwater Management for the First Phase of the Site Development:

The stormwater management function for the first phase of the proposed development will come from a private on-site stormwater management ditch system and a new stormwater management pond created as part of the Development. Conceptually, the stormwater from the project area flows south to the storm water management pond and then east to a navigable water way that runs east into the Town of Neenah. Staff has recommended that the Applicant try to make use of the existing stormwater management system as much as possible to deliver the water to the navigable waterway running to the east.

Access to the Site:

Access to the site comes from a new driveway on the public road known as Block Top Way. As part of the construction project, the Town will require that the Applicant install mountable curb returns on the proposed driveway apron accessing Black Top Way. As shown, the Developer intends to share access to the site with the adjoining property owner to the east. Staff recommends that the Plan Commission require recorded cross easements for the shared access, the shared driveway and recorded maintenance agreements for the shared facilities.

Building Details:

Phase-1 of the proposed project consists of 12, 40X40 condo workshops using a common driveway and individual access points. The proposed buildings are typical commercial buildings consisting of a steel structure with prefinished metal siding with a 3-foot

wainscot, a portico roof over the main entrance door, and metal roofing, the elevations and amenities required by the Town's Site Plan Ordinance are provided. The interior layout of the structures shows restroom facilities and well as a slop sink, both requiring water and sanitary facilities. The proposed buildings qualify as commercial structures and will require State approved plans. Staff is recommending that the Plan Commission require that Knox Box security system that will give the Fire Department restricted access to the building at all times. The Commission may wish to consider requiring that the building have a decorative change in color for the wainscoting, and roof overhangs on the front and back of the structures to enhance the aesthetic appeal of the buildings.

Parking:

The parking plan for phase-1 of the facility is fully developed asphalt surface and compliant with the Town Zoning Code requirements. Specifically, access to each Condo Unit will have asphalt driveways and parking areas.

Site Landscaping:

The lack of a landscaping plan limits staffs' ability to comment of those amenities. However, the Administration is recommending that Plan Commission only require a code compliant landscaping plan for the storm water management pond for phase-1 of the development prior to approval of the Site Plan Application. Any other landscaping for the site would be unsustainable and become a detriment to the project.

Staff Comments:

The Site Plan Application, as presented, is incomplete and not compliant with the Town's Zoning Code.

Staff Recommendation:

Staff respectfully asks the Plan Commission to recommend a conditional approval to the project that would require that the Applicant provide the needed material before staff would take the Site Plan approval to the Board or refer the Site Plan to the Wednesday, April 10th, 2019 Plan Commission Meeting for further review. Staff is making the following recommendations relative to the Site Plan Application:

1. That the Applicant provide the Commission with a Zoning Code compliant Landscaping Plan for the storm water management pond in phase-1 of the development and a concept Landscaping Plan for the balance of the development.
2. That the Site Plan show a dry hydrant on all proposed storm water management ponds.
3. That the Applicant show visual barriers on the east and north sides of the open storage area in the future phases of the project.
4. That the Applicant provide the Plan Commission with Draft copies of recordable cross easements for the proposed shared access, the proposed shared driveway and draft copies of a recordable maintenance agreement for the shared facilities
5. That the Applicant install mountable curb returns on the proposed driveway apron accessing Black Top Way.
6. That the Commission recommend roof overhangs on all four of the building facades to enhance the esthetic appeal of the structure.

7. That a Knox Box security system be installed on each building to give the Fire Department restricted access to the building.
8. That the Site Plan show the location of the storm water management pond for the northern phases of the project
9. That the Site Plan show the location of both sanitary and water facilities
10. Staff recommends for Fire Protection Services, that a cross road be placed between every 7th condo unit
11. That the Site Plan show the NFPA required break in the storage units in the future phases of the project every 150-feet in order to allow the Fire Department access to the rear of the buildings.
12. That the Site Plan and the building elevations show a consistent location for the garage doors.
13. That the Plan Commission recommend and Town Board approve the steel building materials.
14. That the Plan Commission agree that the only public frontage to the site is on the Black Top Way Cul-de-Sac.
15. That the Plan Commission agree that the STH “76” frontage has a change in elevation that mitigates the landscaping of the frontage, additionally, the bulk of the property does not technically front on STH “76”.
16. Any additional Site Plan requirements the Plan Commission may wish to recommend to the Town Board.

MOTION:

Motion by unanimous consent to table the matter to the April 10, 2019 Plan Commission meeting.

- B. Discussion/Recommendation: Plan Commission review and consideration of proposed Amendments to the Town of Clayton Zoning Code of Ordinances relating to Short Term Lodging Rentals.

The Commission reviewed copies of material provided by the Town’s Planner. Staff had reviewed the material provided and respectfully asked the Commission for direction on amending the Town’s Ordinances as they relate to short term lodging and rentals.

DIRECTION TO STAFF

The Commission directed staff to schedule the requisite public hearing for the code amendments related to Short Term Lodging Rentals.

- C. Discussion/Recommendation: Plan Commission review and consideration of proposed Amendments to the Town of Clayton Zoning Code of Ordinances relating to Signs.

The Commission reviewed copies of material provided by the Town’s Planner. Staff had reviewed the material provided and respectfully asked the Commission for direction on amending the Town’s Ordinances as they relate to signs of the USH “10” frontage in the Town of Clayton, and electronic display signs in the Town’s Zoning Code of Ordinances. The Commission discussed the size limitations of signs on the north/south building facades, and the east/west building facades. The Commission determined that 20 percent coverage of the total façade area was visually proportionate and pleasing to the eye while

also providing a significant signage allowance. They also discussed the elimination of pylon signs from the USH “10” corridor.

DIRECTION TO STAFF

The Commission directed staff to schedule the requisite public hearing for the code amendments related to Signs

- D. Discussion/Recommendation: Plan Commission review, consideration and direction to staff relative to the creation of the project plan for Tax Incremental District #1 in the Town of Clayton.

The Commission reviewed information relating to the development of Tax Incremental Finance Districts (TID), including a copy of a report from the Wisconsin Policy Forum relative to the use of TIF (TID) Districts to finance development projects within the TID. Towns may create a conventional TIDs once the value of the Town exceeds \$500,000,000.00 and the population of the Town exceeds 3,500 persons. Both of these criteria have been met as indicated on the 2018 Final Statement of Assessment from the DOR and the 2018 Final Population Estimate from the Wisconsin Demographic Services Department. Also included was a memorandum from the Town’s Treasurer demonstrating the financial process used in a TIF to generate revenue; as well as a revised draft map for a proposed TID area, a list of the properties in the proposed TID, and a schedule of events for creating the Town’s TID. Because the Town meets the requirements in WI Stat § 60.23(32), the final map will be modified during the development process, however, it is likely to be very close to the area identified on the draft map provided to the Commission. The Town has contracted with GWB Professional Services, specifically, Gary Becker, as consultant to the process. Mr. Becker will be assisting with the TID process as it progresses.

- Commissioner Linsmeier requested clarification of who is responsible for managing the use of the TID revenue.
- Administrator Johnston explained that the Town’s Treasurer is responsible for the fund, but the revenue expenditures are limited to expenditures as they are defined in the TID plan.
- Commissioner Linsmeier asked if the TID Plan is able to be modified.
- Administrator Johnston explained that it is very cumbersome to amend a TID Plan and he would not recommend doing so. He explained that the Joint Review Board will analyze everything that goes into the Plan so that amending it should not be necessary.

DIRECTION TO STAFF

The Commission directed Staff to continue to develop documents required to complete the process for Plan Commission consideration.

VII. Upcoming Meeting Attendance:

- Wisconsin Towns Association Winnebago County Unit Meeting, April 4, 2019 at 6:00 p.m. at the Town of Clayton Municipal Meeting Room, 8348 County Road T, Larsen
- Town of Clayton Annual Meeting, April 16, 2019 at the Town of Clayton Municipal Meeting Room, 8348 County Road T, Larsen

VIII. Adjournment

MOTION:

Motion by: Commissioner Haskell

Second by: Commissioner Linsmeier

Motion made to Adjourn the meeting at 8:05 p.m.

Motion carried by unanimous voice vote

Respectfully submitted,
Holly Stevens, Deputy Clerk