

TOWN OF CLAYTON
Town Plan Commission
Meeting Minutes
7:00 P.M. – on Wednesday, September 13th, 2017
Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order:

A. Notice Verification, Roll

1. Plan Commission Chairman Knapinski called the meeting to order at 7:00 P.M.
2. Pledge of Allegiance recited.
3. Meeting properly posted.
4. Roll

a. Plan Commission Members

Chair Knapinski	PRESENT
Commissioner Wisnefske	PRESENT
Commissioner Eckstein	ABSENT
Commissioner Linsmeier	PRESENT
Commissioner Dorow	ABSENT
Commissioner Haskell	PRESENT
Town Board Representative Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Deputy Clerk Stevens	PRESENT
Planner Ken Jaworski	PRESENT

II. Public Hearings:

A. NONE

III. Approval of Minutes:

A. Approval of the minutes of the Wednesday, July 12th, 2017 Plan Commission Meeting.

MOTION:

Motion by Commissioner Linsmeier

Second by Commissioner Reif

Motion to approve the minutes of the Wednesday, August 9th, 2017 Plan Commission Meeting.

Motion carried by unanimous voice vote

IV. Open Forum – Town-related Matters not on the Plan Commission’s Agenda:

A. None

V. Correspondence:

A. August CY 2017 Building Inspection Report.

VI. Business:

- A. Discussion/Recommendation: Plan Commission review and consideration of a Site Plan Application submitted by the petitioner(s): Jeff Howts, owner of Cruisin Safely Motorcycle & Driving Instruction, LLC, 2211 Oregon Street, Oshkosh, WI 54901 for a Home Occupation Major on property located at the north end of Black Top Way, Neenah, WI 54956 and specifically described as Lot 2 of the recently approved CSM 7052 and Tax ID # 006-0895-07, being part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of 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 north end of Black Top Way, Neenah, WI 54956 and specifically described as Lot 2 of the recently approved CSM 7052 and Tax ID # 006-0895-07, being part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Jeff Houts
2211 Oregon Street
Oshkosh, WI 54901

Property Owner(s): Jeff Houts
2211 Oregon Street
Oshkosh, WI 54901

Consultant: Harris & Associates
2718 North Meade Street
Appleton, WI 54911

Property Information:

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

Property Information Specific to Tax ID # 006-0895-07:

1. Jeffrey G. Houts 2211 Oregon Street, Oshkosh, WI 54901.
2. The Lot is 14.00 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 is currently zoned A-2 (General Agricultural District) by the County.
6. The property is currently zoned A-2 (General Agricultural District) by the Town.
7. The property is in the City of Neenah Extra-Territorial Zoning District.
8. The property is out of the County's Floodplain Zoning Area.
9. The property is not in the County's Wetland Identifier.
10. The land use on the property is consistent with the Town's adopted Comprehensive Plan.

Staff Comments:

1. The Applicant has requested a Site Plan Approval for an Approved Conditional Use Permit for the purposes of operating a motorcycle and automobile driver training school on property located on the north end of Black Top Way, Neenah, WI 54956.
2. The Site Plan as presented is consistent with the Approved Conditional Use Application.
3. The Site Plan as presented includes the first phase of the proposed development which includes the access to the site from Black Top Way, the parking area for clients, the office/workshop building and the paved area for on-site training.
4. Also included is the storm water management facility for the development
5. The single most important item missing from the Site Plan Document is the Landscaping Plan for the Development.
6. The Landscaping Plan should include at a minimum the parking lot islands with plantings and the barrier screening for the paved training area. Additionally, there should be some plantings in the area between the proposed building and storm water management device.
7. The barrier screening of the paved training area should be placed on the east frontage of the paved area and offset sufficiently to allow for snow storage in the event of plowing.
8. Also missing from the site plan are the elevations for the Office/Shop building, these elevations should provide elevations for all four façades and color palates for the building and the roofing materials.

Staff Recommendations:

Staff recommends approval of the Site Plan for the approved Conditional Use Application submitted by the Petitioner(s), Jeff Houts, owner of Cruisin Safely Motorcycle & Driving Instruction, LLC, 2211 Oregon Street, Oshkosh, WI 54901 subject to providing the additional items listed in the staff report and final approval by the Plan Commission and the Town Board.

- The Commission discussed the Home Occupation Major classification and its applicability if a residence is not built. It was determined the proposal is also an allowable use on an A-2 property.
- The Commission noted the incomplete landscaping plan included with the site plan documents.

MOTION:

Motion by Commissioner Reif

Second by Commissioner Eckstein

Motion to recommend approval to the Town Board for the Site Plan submitted by Cruisin' Safely Motorcycle & Driving Instruction, LLC for tax parcel #006-0895-07

Motion carried by unanimous voice vote

- B. Discussion/Recommendation: Plan Commission review and recommendation on a Site Plan Application for a Mini Storage Center submitted by 76 & Shady LLC, P.O. Box 626 Appleton, WI 54912 for property located on the southwest corner of the intersection of Shady Lane and STH “76” and specifically described as Tax ID# 006-0306-07 being described as Lot-1 of CSM 6989 in Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The site is located on the southwest corner of the intersection of Shady Lane and STH “76” and specifically described as Tax ID# 006-0306-07 being described as Lot-1 of CSM 6989 in Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant: 76 & Shady LLC
P.O. Box 626
Appleton, WI 54912

Property Owner: 76 & Shady LLC
P.O. Box 626
Appleton, WI 54912

Consultant: IBI Group
635 Brooksedge Boulevard
Westerville, OH 43081

Property Information:

- 1) The surrounding properties are zoned:
 - a) North:
R-1 (Rural Residential District), R-2 (Suburban Residential District) and A-2 (General Agricultural District)
 - b) South:
A-2 (General Agriculture District)
 - c) East:
R-1 (Rural Residential District) and A-2 (General Agriculture District)
 - d) West:
R-1 (Rural Residential District) and A-2 (General Agriculture District)

Property Information Specific to Tax ID# 006-0306-07:

1. 76 & Shady LLC, P.O. Box 626, Appleton, WI 54912
2. The Lot is 5.010 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 is currently zoned A-2 (General Agricultural District) in the Town.
6. The property is currently in the Outagamie County Airport Overlay Zoning District.
7. The property is currently in the Outagamie County Airport Height Zoning District.
8. The property is in the Village of Fox Crossing Extra Territorial Zoning District.
9. The property is out of the County’s Floodplain Zoning Area.

10. The property is not in the County's Wetland Identifier.
11. The land use is consistent with the Town's adopted Land Use Plan.

Application Details:

The Applicant has submitted a Site Plan Approval Application with the intent on starting work on the project once both the Site Plan and the required Conditional Use Permit are approved by the Town Board. Please be advised that the Public Hearing for the Conditional Use Permit and the Site Plan Approval were to be presented to the Plan Commission as a simultaneous process, however, as a result of an oversight by the Administration the required Class 1 Notice was not published in a timely manner. This error will require that the Conditional Use Application and Public Hearing will have to be considered at the Plan Commission's Wednesday, October 11th, 2017 meeting. The Site Plan as presented shows a finished development that includes five storage buildings ranging from 9,600 square feet to 12,840 square feet and outside parking storage on the south and west property lines. Phase one of the Site Plan for the project shows three storage buildings ranging from 10,000 square feet to 12,840 square feet and outside parking storage on the north and west side of the site. Staff has some issues with the outside parking storage on the west side of the site because it is on the reservation for the future road right-of-way. The storage area over the right-of-way is likely to become an issue when development occurs on the Sabee property.

Storm Water Management for the Site:

Storm Water Management for the site is under the control of Winnebago County Planning and Zoning and the Outagamie County Planning and Zoning Department, Airport Zoning Overlay. The Administration has reviewed the storm water management plan as provided, the system uses a combination of parking lot detention, biofilters to clean the water, and short-term storage in the case of rain events. The Administration is recommending that the Plan Commission and the Town Board accept the engineering opinion provided by both Winnebago County and Outagamie County.

Access to the Site:

Access to the site is from Shady Lane over the reservation for the road right-of-way. The Administration has no issues with the access as proposed, however, the Town will require the dedication of the right-of-way as a condition of approval of the Conditional Use for the facility. Once the road is constructed access for the facility will come from the un-named road.

Building Details:

The proposed building is a typical 300-foot +/- by 40-foot commercial building. Staff has yet to receive the elevations and color palettes for the buildings.

Parking:

Because of the proposed use there is limited customer parking on the site. However, the Town Zoning Code requires that the travel areas of the site be paved, the Administration is recommending that the Plan Commission give the Developer a timeline for completing the paving work on the site. Additionally, the Town's Zoning Code requires that the outside storage area be paved. Because of the limited vehicular travel on the outside storage area the Administration is going to recommend that the Plan Commission and the Town Board waive the paving of the specific area as part of the Conditional Use Approval process.

Site Landscaping:

The Administration has advised the Developer that the Town's Zoning Code requires landscaping

and/or fence screening on the site. It appears from the Site Plan that the Developer intends to fence the perimeter of the site and use a combination of vegetative barriers and fence screening to meet the requirements of the Town's Zoning Code. Specifically, since there is little interior room for landscaping both visual barriers and plantings are going to be used to screen the site.

Site Lighting:

Lighting for the site is to be limited to wall mounted lighting on the building and potentially using ground mounted lighting bollards in the parking lot area. The ground mounted lighting bollards will serve to provide a way-finding element for the parking area while using ambient and intersection lighting as a secondary overhead lighting function. Any lighting proposed is intended to minimize the offsite lighting pollution from the development and to take advantage of the overhead lighting at the intersection.

Site Signage:

The Plan Commission will need to identify the Zoning Classification for any signs on the site, the Administration is recommending that the Plan Commission use the I-1 (Light Industrial District) sign standards, this recommendation is based on the allowable use categories in the Zoning Code. Signs for the site are routinely approved by staff subject to compliance with Article 12 "Signs" of the Town Zoning Code of Ordinances for the I-1 (Light Industrial District).

Staff Comments:

The Administration is recommending that the Plan Commission recommend approval of the Site Plan as submitted subject to the following plus and recommendations provided by the Plan Commission as part of its review:

1. Documented approval of the storm water management device for the development by both the Winnebago County Planning and Zoning Department and the Outagamie County Planning and Zoning Department.
 2. Approval of a Conditional Use for the project by the Plan Commission and the Town Board.
 3. Dedication of the right-of-way reservation for the un-amend road on the western side of the site.
 4. Identification of the vehicular travel areas and an agreement with the Developer on the schedule for paving the vehicular travel areas for the project.
 5. Providing the Plan Commission with a landscaping/screening plan for the site.
 6. Providing the Plan Commission with Code compliant elevations of the proposed storage buildings.
- The Commission discussed the Storm Water Management (SWM) plan for the property which is unique because it is in the Airport Overlay, which disallows any wet ponds. The plan proposes using biofilters which would drain into retention pond.
 - The Commission noted the incomplete landscaping plan included with the site plan documents but noted the biofilters serve as a unique landscaping feature.
 - The Commission noted the proposed use is only a temporary use for the property.
 - It was also noted that because of the extra-governmental jurisdiction of Outagamie County and Winnebago County, Staff recommends have their engineers review the proposal, rather than incur the cost of a third engineering review.

- Town Planner Jaworski noted the use is quite a shift from the land use plan and suggested the need for a plan amendment to change the use. Administrator Johnston noted he would like to amend the plan to reflect the entire corridor change to commercial.

MOTION:

Motion by Commissioner Reif

Second by Commissioner Haskell

Motion to recommend approval to the Town Board of the Site Plan submitted for a Mini Storage Center submitted by 76 & Shady LLC for tax parcel #006-0306-07

- Commissioner Haskell noted two typographical errors within the Site Plan and requested they be corrected.

Motion carried by unanimous voice vote

- C. Discussion/Recommendation: Plan Commission review and recommendation on a Preliminary Site Plan submitted by Marty Nikodem for consolidated Lot-2 and Lot-3 of the Winncrest Commercial Subdivision, specifically identified as Tax ID# 006-1777, and Tax ID# 006-1778, both located in the Northwest ¼ of Section 24, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The site is located at the east terminus of Towne Court and specifically identified as Tax ID# 006-1777, and located in Section 24, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant: Marty J. Nikodem
4085 Winnegamie Drive
Neenah, WI 54956

Property Owner: Martin J. Nikodem and Scott H. Steenpoorte
W3614 Rock Road
Appleton, WI 54913

Consultant: Davel Engineering & Environmental, Inc.
1811 Racine Street
Menasha, WI 54952

Property Information:

- 2) The surrounding properties are zoned:
 - a) North:
I-2 (Heavy Industrial District) and R-1 (Rural Residential District)
 - b) South:
B-2 (Community Business District)
 - c) East:
A-2 (General Agriculture District)
 - d) West:
B-3 (General Business District), and I-2 (Heavy Industrial District)

Property Information Specific to Tax ID# 006-1777:

12. Martin J. Nikodem and Scott H. Steenpoorte, W3614 Rock Road, Appleton, WI 54913
13. The Lot is 0.870 Acres in size.
14. The property is in the Neenah School District (3892).
15. The property is in the Department of Natural Resources Special Well Casing area.
16. The property is currently zoned I-2 (Heavy Industrial District).
17. The property is in the City of Neenah Extra Territorial Zoning District.
18. The property is in the Village of Fox Crossing Extra Territorial Zoning District.
19. The property is out of the County's Floodplain Zoning Area.
20. The property is not in the County's Wetland Identifier.

Application Details:

The Applicant has submitted a preliminary Site Plan Approval Application with the intent on starting the construction of a structure for a tenant. The Applicant intends to consolidate the two adjoining Lots and to submit a completed Site Plan Application for the combined site prior to completing the proposed building.

Storm Water Management for the Site:

Storm Water Management for the site is provided by a regional pond on the adjacent property to the east. The regional pond was designed to service the Plat and should be sufficient to service any development proposed for the properties.

Access to the Site:

There are 2 Zoning Code compliant access points proposed for the site, both are available from a cul-de-sac at the east end of Towne Court.

Building Details:

The proposed building is a typical 100-foot by 60-foot commercial building. Staff has advised the Developer that for the purposes of this Site Plan Application the proposed building should match the external appearance of the Matrix Machine Facility.

Parking:

The access and parking areas for the project are outlined on the Site Plan Drawings provided by Davel Engineering & Environmental, Inc, however, the drawings do not show the required ADA Accessible Parking Stalls, the required parking islands or the island landscaping. These items should be included in the final Site Plan Approval Document. Additionally, the Administration has advised, and the Developer has agreed, that all buildings on the site shall have 360-degree access for fire protection purposes.

Site Landscaping:

The Administration has advised the Developer that in order to facilitate the project and its visual appeal he should include the adjoining storm water management pond in the Landscaping Plan for the site and that the Landscaping Plan shall meet the Town's Zoning Code requirements.

Site Lighting:

Lighting for the site is to be limited to wall mounted lighting on the building and potentially using ground mounted lighting bollards in the parking lot area. The ground mounted lighting bollards will serve to provide a way-finding element for the parking area while using ambient and intersection lighting as a secondary overhead lighting function. Any lighting proposed is intended

to minimize the offsite lighting pollution from the development and to take advantage of the overhead lighting at the intersection.

Site Signage:

Signs for the site are routinely approved by staff subject to compliance with Article 12 “Signs” of the Town Zoning Code of Ordinances for the I-2 (Heavy Industrial District).

Staff Comments:

The Administration has advised the Applicant that he will need to have a completed and approved Site Plan in place prior to the completion of the proposed building and that the proposed building shall resemble the Matrix Machine Facility in construction type and color palate. Failure to meet these requirements shall result in the denial of an occupancy permit for the facility.

- The Commission noted the incomplete landscaping plan included with the site plan documents. Staff noted the request for the landscaping plan to complement the Storm Water Management Pond.
- The Commissioners noted the site plan was incomplete at best, with far too many issues left unaddressed.

MOTION:

Motion by Commissioner Haskell
Second by Commissioner Wisnefske
Motion to table the Site Plan as incomplete
Motion carried by unanimous voice vote

VII. Upcoming Meeting Attendance:

Comprehensive Plan Amendments—Public Hearing, Plan Commission Review, and Town Board Review planned for November, 2017

VIII. Adjournment

MOTION:

Motion by: Commissioner Haskell
Second by: Commissioner Linsmeier
Motion made to Adjourn the Plan Commission meeting at 7:39 p.m.
Motion carried by unanimous voice vote

Respectfully submitted,
Holly Stevens, Deputy Clerk