

VILLAGE OF FOX CROSSING  
PLANNING COMMISSION MEETING  
Municipal Complex – Arden Tews Assembly Room  
Wednesday, January 17, 2024 at 5:15 PM

Minutes

**CALL TO ORDER**

The Planning Commission meeting was called to order by Chairman Jochman at 5:15 p.m.

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

Staff: Community Development Director George Dearborn  
Associate Planner Dan Dieck  
Village Manager Jeffrey Sturgell  
Village President Dale Youngquist

Other: 11 others present

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES** – December 6, 2023

**MOTION:** Mr. Cox, seconded by Mr. Willecke to approve the meeting minutes of December 6, 2023.  
Motion carried 7-0-0.

**PUBLIC HEARING**

1. Rezoning from A-2 General Agriculture to Single Family PUD – Good Faith Funding, LLC – Jacobsen Road

**MOTION:** Mr. Willecke, seconded by Mr. Scheibe to open the Public Hearing. Motion carried 7-0-0.

Director Dearborn provided information on this rezoning stating that the property is owned by the Neenah school district and the applicant currently has a land purchase agreement that is contingent on the rezoning of the property. He advised that it is important to note that with this PUD rezoning it will restrict the use of this property to single-family residential with some reduced setbacks. The only thing that can go into this subdivision is single-family homes. He presented an overview of the surrounding land uses and zoning, and described what was being proposed for the PUD. For the PUD the applicant has requested the following allowances for his proposed development:

1. A fifty (50) foot road right-of-way
2. A twenty (20) foot setback from Jacobsen Road
3. A ten (10) foot setback from internal roads
4. A five (5) foot setback for side yards

5. A twenty (20) foot setback for rear yards
6. Minimum lot sizes of 6,220 square feet
7. Minimum lot depth of 93 feet

Director Dearborn said that after reviewing the request, staff found that numbers 3 through 7 were acceptable, yet staff has issues with numbers 1 and 2. The fifty foot right-of-way allowance is too narrow for the roads. He said the Village requires sixty feet right-of-ways for interior roads, yet has allowed fifty-five feet in the past, in some instances. He also said that staff felt the request for a twenty foot setback from Jacobson Road would not be safe for the homes fronting on Jacobson Road. Staff recommends the setback remain at thirty feet from Jacobson Road.

Staff recommends approval of the Planned Development District with the following allowances:

1. Any right-of way reductions shall not be incorporated into the PDD and shall be addressed under the platting process.
2. No setback reduction shall be allowed for those homes fronting on Jacobson Road.
3. All internal roads may have a setback of ten (10) feet.
4. Side yards may be five (5) feet.
5. Rear yards may be twenty (20) feet
6. Minimum lot size allowed is 6,220 square feet
7. Minimum lot depth allowed is 93 feet.

Commission Chair Jochman asked if there was anyone present that wanted to make public comments.

*Tammy Mackai – 1429 Prairie Lake Circle*

Ms. Mackai introduced herself as a resident and Board member of the neighboring Prairie Lake Condominiums. She stated that in a concept plan of this proposed development she viewed, there was a proposed road that connected the proposed development to Prairie Lake Circle. Ms. Mackai informed the Planning Commission that in her capacity as a Board member of the Prairie Lake Condominium Association, the Association had no desire to sell land, provide an easement, or conduct a land swap that would provide land to facilitate a connection between the two developments.

Director Dearborn explained the concept plan that Ms. Mackai was referring to is an early concept plan of the proposed development that staff had previously reviewed and rejected, and a revised concept was currently being developed. He said there would not be connection between the two developments if Prairie Lake Condominium Association was not interested in a connection.

*Deb Langacker - Fox Cities Housing Coalition*

Ms. Langacker introduced herself as a member of the Fox Cities Housing Coalition. She urged the Village and Planning Commission to support rezoning opportunities for medium and high density developments to provide affordable housing for residents of the Fox Cities. She stated that more and more people were being priced out of the housing market and by allowing resident developments with higher densities to bring down costs, people could better find affordable housing.

*Joe Nemecek – 1992 Susan Avenue*

Mr. Nemecek stated he was not objecting to the rezoning in any way, he said that he was primarily concerned about the potential traffic increase and direct access for homes that would front on Jacobsen Road. He suggested that if there was a way to have the homes not have direct access off of Jacobsen Road, that it would be the preferred way to lay out this development.

*Susan Garcia-Franz – 1790 Wendy Way*

Ms. Garcia-Franz stated that she works in the affordable housing industry and urged the Planning Commission to support this rezoning and any other future initiatives that support or encourage affordable housing. She said there is a huge deficit of housing that is affordable for working families in Winnebago County and throughout the Fox Cities area.

*John Davel – 1164 Province Terrace*

Mr. Davel introduced himself as the engineer for the proposed development. He commented on Ms. Mackai's earlier comment regarding the proposed road connection between the new development and the Prairie Lake Condominiums. Mr. Davel explained he was the original engineer for the Prairie Lake Condominium development, and he remembered that when the Prairie Lake Condominium development was first being developed, there was a desire by the developer to potentially place some homes on the east side of Prairie Lake Circle. He said that in his initial concept plan that Ms. Mackai was referring to, he placed a connection between the two developments to work toward potentially adding some homes on the east side of Prairie Lake Circle. Now that he understands the position of the Prairie Lake Condominium Association, the connection will be removed from the proposed development plan. Mr. Davel also addressed Mr. Nemecek's comments regarding homes having direct access off of Jacobsen Road. Mr. Davel stated he understands Mr. Nemecek's concerns, but from a development perspective, the utilities and road already exit along Jacobsen Road, so it lowers the cost for the developer to have homes directly access Jacobsen Road. Mr. Davel also stated that if you look up and down Jacobsen Road, there are already a significant number of homes directly accessing Jacobsen Road, so having homes in this development accessing Jacobsen Road would not be out of character for the road and the neighborhood.

*Mike Gibbons – 1359 Prairie Lake Circle*

Mr. Gibbons stated he had arrived late for the meeting asked for clarification on whether the development was going to be a single-family development or a multi-family housing development.

Director Dearborn clarified that the proposed rezoning was a PDD that would be a single-family development.

Mr. Gibbons stated that is all he wanted to know.

**MOTION:** Mr. Sabel, seconded by Mr. Scheibe to close the Public Hearing. Motion carried 7-0-0.

**PUBLIC HEARING**

2. Land use Amendment from Government Institutional and Utilities to Medium Density – Good Faith Funding, LLC – Jacobsen Road

**MOTION:** Mr. Willecke, seconded by Mr. Cox to open the Public Hearing. Motion carried 7-0-0.

Director Dearborn stated the applicant is requesting an amendment to the Village's Future Land Use Map to reclassify parcel # 121021901 along Jacobsen Road to medium density residential and this is in conjunction with the rezoning of the same parcel, as he had stated previously. He reminded the Commissioners that this had been brought to the Planning Commission at a meeting in August of 2023, but this item was rejected by the Village Board at the time because a resident from the neighboring Prairie Lake Condominiums expressed concerns about this amendment, and the fact that there was no accompanying plan with how the parcel would be developed.

*Tammy Mackai – 1429 Prairie Lake Circle*

Ms. Mackai stated that this land use amendment was rejected in August and wondered what had changed between then and now that the item was back before the Planning Commission.

Director Dearborn explained the amendment was not approved previously as there was not a proposed development plan accompanying the amendment request. Now there is a proposed single-family development plan that is driving this amendment request.

**MOTION:** Mr. Sabel, seconded by Mr. Scheibe to close the Public Hearing. Motion carried 7-0-0.

## OLD BUSINESS

None

## NEW BUSINESS

### **1. Rezoning from A-2 General Agriculture to Single-family PDD – Good Faith Funding, LLC – Jacobsen Road**

Chairman Jochman opened the discussion of the rezoning, and summarized the staff's proposed allowances for the PDD.

Commissioner Young asked some questions clarifying the allowances for the PDD.

Commissioner Willecke asked for clarification on the allowance addressing setbacks for the homes along Jacobsen Road and wondered if the language should be clarified to state that it is only the front setback that cannot be modified, and the other setbacks could be adjusted. There was some discussion regarding this item and it was agreed that the language should be clarified to state that only the front setback cannot be modified.

Commissioner Young commented that it would be his preference to add an eighth allowance that clearly stated the PDD is restricted to a single-family development. The other Commissioners agreed to add this as an eighth allowance.

**MOTION:** Mr. Young, seconded by Ms. Romzek to approve the rezoning from A-2 General Agriculture to Single-family PDD with the following allowances:

1. Any right-of-way reductions shall not be incorporated into the PDD and shall be addressed under the platting process.
2. No front setback reduction shall be allowed for those homes fronting on Jacobsen Road.
3. All internal roads may have a front yard setback of ten (10) feet.
4. Side yard setbacks may be five (5) feet.
5. Rear yard setbacks may be twenty (20) feet.
6. Minimum lot size allowed is 6,220 square feet.
7. Minimum lot depth is 93 feet.
8. Development is restricted to single-family homes.

Motion carried 7-0-0

### **2. Land Use Amendment from Government Institutional and Utilities to Medium Density – Good Faith Funding, LLC – Jacobsen Road**

Director Dearborn stated that staff is recommending approval of this amendment to the Future Land Use Map to Medium Density. He said this was discussed at length in the public hearing and asked if there was any more questions.

There was very little discussion regarding this item.

**MOTION:** Mr. Sabel, seconded by Mr. Willecke to approve the land use amendment as presented.  
Motion carried 7-0-0.

### **OTHER BUSINESS**

#### **1. Development Activity Report with 2023 Summary and Future Trends**

Director Dearborn reviewed the Annual Building Report for 2023. He compared the numbers for this year to last year and the effect on taxes to the Village. For development in 2024, he is currently aware of the project discussed tonight.

### **COMMUNICATIONS**

#### **1. Sustainability Committee**

Director Dearborn reported on the efforts of the Sustainability Committee.

### **PUBLIC FORUM**

No comments.

### **ADJOURN**

At 6:10 p.m., **MOTION:** Mr. Scheibe, seconded by Ms. Romzek to adjourn. Motion carried 7-0-0.

Respectfully submitted,

Daniel Dieck  
Associate Planner

**Note:** These minutes are not considered official until acted upon at an upcoming meeting; therefore, are subject to revision.