



Fox Crossing Community Development Department
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www.foxcrossingwi.gov

**VILLAGE OF FOX CROSSING
PLANNING COMMISSION MEETING
WEDNESDAY, May 13, 2020 @ 5:15 PM
MUNICIPAL COMPLEX - 2000 MUNICIPAL DRIVE**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. Zoning Ordinance Amendment -Senior Housing Definition
2. CUP CBRF West American & Irish

APPROVAL OF MINUTES – April 15, 2020

OLD BUSINESS

None

NEW BUSINESS

1. CUP 56 Unit Senior Care Facility
2. Chapter 31 Ordinance Amendment – M-1 CBRF Addition
3. CSM SunComfort
4. License Review Valley Inn
5. License Review Cobblestone

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, April 15, 2020 at 5:15 PM
MUNICIPAL COMPLEX - 2000 MUNICIPAL DRIVE**

CALL TO ORDER: Chairperson Jochman called the Planning Commission meeting of April 15, 2020 to order at 5:15 p.m.

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

Staff: Community Development Director George Dearborn
Associate Planner Farrah Yang

ALSO PRESENT: Nichole Barrett from Copperstone, Aaron Berek

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

Item 1 – CUP for 60 Unit Senior Housing Development for Copperstone Assisted Living

Mr. Jochman recused himself from the public hearing as he is involved with the projects on tonight's agenda.

Mr. Cox will be leading parts of the meeting when the CUP for the 60 Unit Senior Housing is being discussed.

A motion was made by Mr. Zielinski, seconded by Ms. Romzek, to open the public hearing for the CUP for the 60 unit Senior Housing Development for Copperstone Assisted Living.

The motion carried – 6-0

Mr. Cox asked Director Dearborn to explain more about the project.

Director Dearborn explained the reason for the public hearing, stating that this development would need a conditional use permit because it is placed in a mix-used zoning district. He said it is a proposed 60 unit with up to 64 residents. It's located in an Industrial Park area, north of County II. He said that proposal will estimate to have 45 employees. This area already has number of uses that are industrial use, medical facilities, and offices. This location will allow other uses. There will be a limited amount of vehicles. He mentions that there is an adjacent residential zone property that is buffered by Berm. The site plan review will address landscaping, required drainage that includes a retention pond. Concerns about drainage will also be addressed with the storm water review requirements, requiring any new developments to not increase storm water flow off the site and water quality to improve with retention ponds. The excess is on

Deerwood Avenue which connects with County CB and County II. With those being two major high ways, there will be no impact on adjacent residential areas.

Mr. Jochman, with Bouchard investments, of 517 Northwest Hill Boulevard and Appleton. He explained that he is there as a representative of the buyers and sellers. The seller is V2 properties. He said that this is a good fit with the office buildings and medical facilities that are on Deerwood. He mentions that the architectural committee for the Parkwood West Business Center has approved the plans for this Senior Housing. The buildings will be earth tone nature and have field stone veneer, brick veneer, asphalt shingles, cement siding, everything will be done in earth tones, and copper metal roofing accents on the building.

Mr. Cox reexplained why there has to be a public hearing. The project is a M1 or it's a mixed use zoning, but because it requires a conditional use permit, it needs a public hearing in order to establish the needs of any of the communities surrounding the development.

Director Dearborn mentions that notices were sent to property owners within 300 feet of the development and did receive a few responses back.

Mr. Cox asked if anyone wanted to speak for the public hearing 3 times.

Aaron Barrett said thank you for the opportunity to serve the community.

A motion was made by Mr. Scheibe, seconded by Ms. Romzek, to close the public hearing for the CUP for the 60 units Senior Housing.

The motion carried – 6-0.

APPROVAL OF MINUTES – March 18th, 2020

A motion was made by Mr. Cox, seconded by Mr. Zielinski, to approve the meeting minutes of Wednesday, March 18th, 2020 with corrections.

The motion carried – 7-0.

NEW BUSINESS

Item 1 – CUP 60 Unit Senior Housing Development for Assisted Living

Director Dearborn said the key issues are the findings.

- 1) CUP is compliance with the village comprehensive plan
- 2) Use is consistent with a CUP for the zoning district
- 3) There are no negative impacts on surrounding land uses
- 4) Traffic and safety will not be impacted negatively

Director Dearborn said that as staff, he is recommending various conditions.

- 1) A CSM combining two parcels
- 2) Site plan will be reviewed by site plan committee and storm water review
- 3) Any lighting would be direct cutoff not impacting adjacent residential neighborhood
- 4) No outside speakers, other than alarms and door communications, directed towards residential neighborhoods

Director Dearborn said with these conditions, he recommends this CUP.

Mr. Young asked about comments on the project from the community.

Director Dearborn explained that there was only one comment storm water. He advised them to attend the meeting. He explained the residents that the storm water review requires no increase of stormwater offsite and improved water quality. He will provide the residents, who made the comment, with more information when formal drainage plan is presented.

Mr. Cox said he thinks it is a needed use, a good property for this use and would support the project.

Mr. Stable said he thinks the finding for the CUP is met and is a wonderful opportunity and investment.

Mr. Zielinski asked if Copperstone was the management or the developer.

Director Dearborn said they were the owner and asked Nicole from Copperstone to chime in.

Nicole said they were the owner and operator of Copperstone. They partnered with investors that brought in additional private equity.

Mr. Zielinski asked if they applied for TIF.

Director Dearborn said they did not apply for a TIF.

Mr. Cox asked if we would have a copy of the purchase contract.

Director Dearborn explained that the Department of Community Development only gets an application with the fees. They do not investigate the company. We only look for funds of the viability of the project. They approve the owner and apply for the CSM. If they applied for a TIF, then that would be a different process, but this project is self-funded.

Mr. Cox asked if a pond would be designed before a Site Plan Review.

Director Dearborn explained that engineers will be designing the pond and the Site Plan Review Committee will look at the location of the pond.

A motion was made by Mr. Scheibe, seconded by Ms. Romzek to approve the CUP provided that the 4 conditions are met provided by staff.

The motion carried 6-0.

Item 2 – CSM Copperstone Senior Housing Development

Director Dearborn said the property consists of two parcels right now. That was one of the conditions for approval of the CUP where two parcels be combined to one. The building would bridge the two parcels. He recommends approval with two conditions. One is that all the taxes would be paid before recording and that the final recorded plat a copy of the CSM be provided to the community development department.

Mr. Sabel asked why the CSM states it is preliminary and what changes would the final CSM show.

Director Dearborn said it was for the agenda. The CSM will be the same, but the surveyor put preliminary because he has to finalize the lot setbacks and configurations.

Mr. Cox said they will suspend the rules for Mr. Jochman to give an explanation.

Mr. Jochman commented on the survey that the two lots have to be combined otherwise the building would be on two lots which is not allowed. He also said that when a CSM is preliminary, it has to go before the commission to review it in case of comments and changes. The CSM also has to go to Winnebago County to review and then the survey accumulates both for a final draft.

Director Dearborn clarified that the county portion is the register of deeds and has no authority to approve or deny plans. The Register of Deeds looks at the configuration to make sure it meets all the requirements.

A motion was made by Mr. Scheibe, seconded by Mr. Scheibe to approve the CSM of combining two parcels for the proposed 60 unit Senior Housing development on Deerwood Avenue following the two conditions that all taxes be paid before the recording and the final recorded copy of the CSM be provided to Community Development Department of Fox Crossing.

The motion carried 6-0.

OTHER BUSINESS

Development Activity Report

Director Dearborn reviewed the data on values and permit numbers from March 2020 compared to March 2019. He said that in March 2020 there were 5 single family home permits and 1 commercial building where as last year there were 12 single family home permits and no commercial. At the end of March there was \$11,564,488 in building permit value. Last year was \$5,437,754. Permits are still being processed despite the situation at hand.

COMMUNICATIONS

Sustainability Committee Report

Director Dearborn said that there have not been any meetings in the last two months because of the Covid-19 virus. He did mention how all the community garden beds have been given out.

He said that with the “Safer at Home”, a few events have been cancelled or postponed. The Electronic Recycling event has been cancelled, the river cleanup is postponed, and the Hazardous Recycling has been cancelled. He said he believe that when the “Safer at Home” is lifted, there will be more activity.

Mr. Jochman asked if there were any non-agenda related matters anyone would wish to speak about and second call, if anyone wanted to speak about the public forum.

Mr. Jochman thanked everyone for their participation.

ADJOURNMENT: A motion was made by Mr. Zielinski, seconded by Mr. Scheibe to adjourn. (35:24)

The motion carried – 7-0

5:51 p.m.

Plan Commission
April 15, 2020 Minutes

Farrah Yang,
Recording Secretary

MEMO

Date: May 7, 2020
To: Village Planning Commission Members
From: George Dearborn, AICP
RE: New Business Item – Care Properties, LLC, CBRF Senior Housing – Irish Road

Overview

Care Properties LLC are proposing a 56 Unit CBRF Senior Housing located at 1750 Irish Road. The property is zoned M-1 Mixed Use District and requires a conditional use permit for senior housing. The surrounding uses are residential. This parcel in 1997 shows a stream running through the property. In 2000, West American Drive was being constructed and the stream was redirected to a culvert at the intersection of Irish Road and West American Drive. The fill currently seen on the property appears to be fill from the construction of West American Drive. Flooding of West American Drive at this intersection and on the adjacent Neenah School property just south of this area is now a frequent event. The Village has been negotiating with the Neenah School District so that a detention pond can be installed on the south side of West American Drive. This is anticipated to limit the flooding in this area. A substantial amount of reworking of the parcel proposed for this senior housing project will be needed. Careful design of this proposed project will be needed including more detailed storm water review than typical with major emphasis on ensuring that this project will not further affect the major current drainage issues in this area.

A concept plan, location map and aerial photos are attached showing the history of this property and area. One of the interesting aspects of this property is the relocation of the drainage that originally ran thru this parcel prior to the construction of West American Drive.

As the Commission is aware, a CUP is the first step in a project. If this CUP is approved a site plan and drainage plan will be needed prior to any construction occurring.

Staff Recommendation

I feel that this project is appropriate for this area as long as the storm water and flooding issue are addressed appropriately. I suggest a two-step process for approval.

Step-one requires the applicant to conduct an analysis of the impact of development on this parcel to ensure that new development on this property will not have a negative impact on flooding of surrounding property and that any new buildings planned on this property will not be impacted as well.

Step-two required the application for a site plan and formal storm water plan as required under Village regulations.

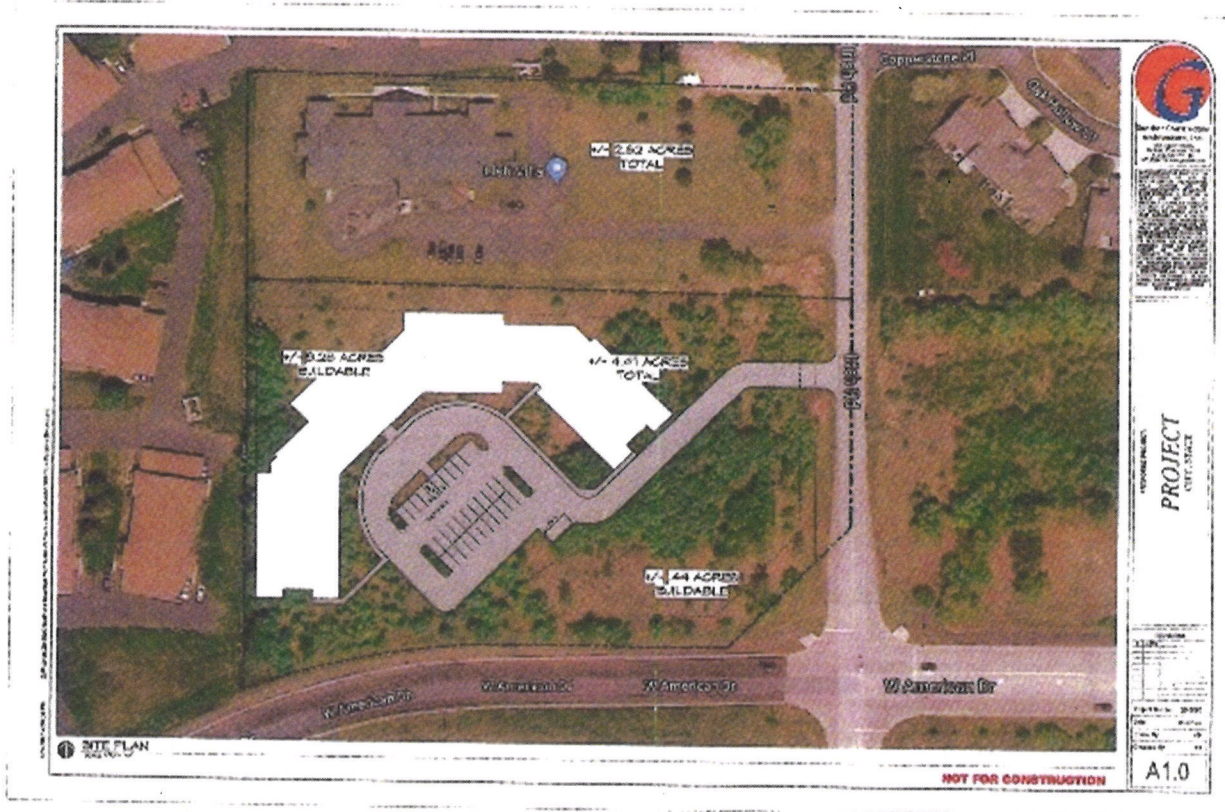
Therefore I am recommending approval of this CUP with the following conditions:

1. The applicant shall provide staff with a report showing how storm water for this site will be addressed including its impact on the surrounding property.
2. Following review and acceptance of how the storm water report the applicant shall apply for site plan review and provide a storm water plan to comply with Village Storm Water Regulations.
3. The application shall comply with all local and state regulations.

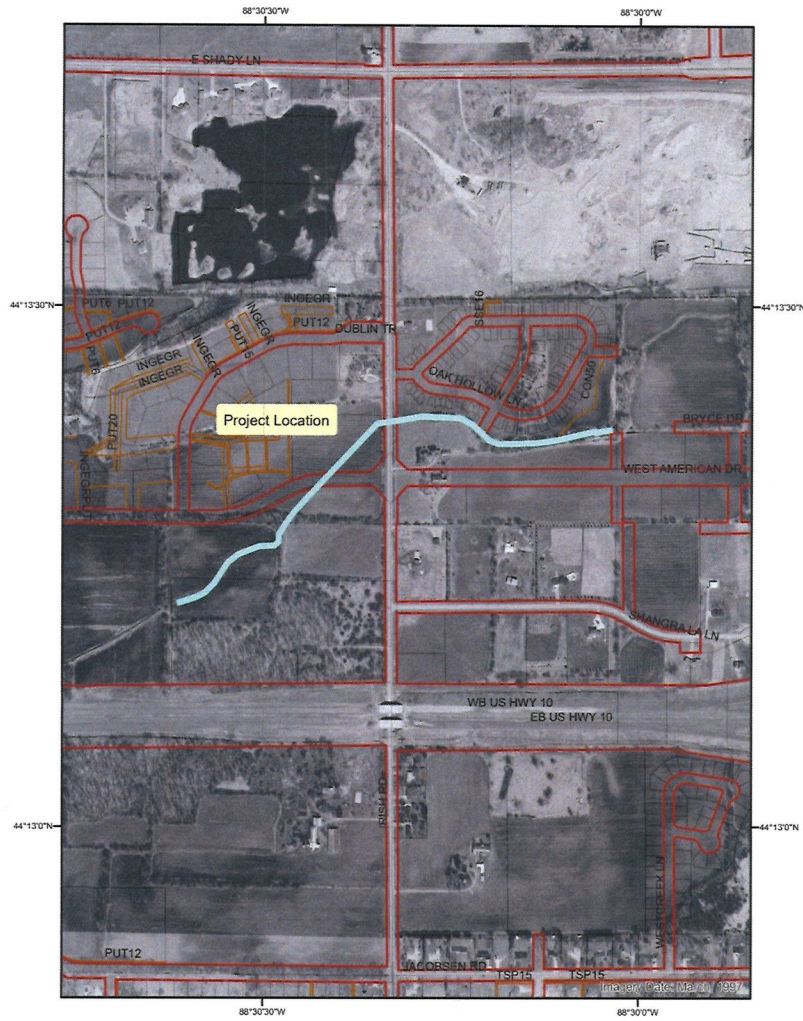
Location Map



Proposed Site Layout



Stream Location 1997
Shown in Blue



2015 Storm Water System
After West American Dri Construction



MEMO

Date: May 7, 2020
To: Village Planning Commission Members
From: Community Development Director, George Dearborn. AICP
RE: New Business Item –Zoning Ordinance Amendment – Allowing CBRFs in M-1

Overview

The current M-1 Mixed Use Zoning District does not allow as CUP a CBRF but it does allow senior housing and various other housing types. This district also allows medical facilities and commercial uses. There are clear similarities between the two and many senior housing developments incorporate special care facilities within them along with various commercial uses. Amending this zoning district will provide additional flexibility and promote uses that have increasing demands.

Staff Recommendation

Staff recommends the following change this zoning district. The current section 4.07 of chapter 31 of the Village of Fox Crossing Code of Ordinances reads as follows:

4.07 Retirement home A place where individuals, generally 62 years of age or older, may occupy independent dwelling units. The units may be rented or owned as in a condominium. This use may include limited on-site commercial and medical facilities for the exclusive use of residents.

This section is proposed to be amended to read as follows with the highlighted changed section underlined in bold:

4.07 Retirement home A place where individuals, generally 62 years of age or older, may occupy independent dwelling units, **Residential Care Apartment Complexes (RCAC) and Community Based Residential Facilities (CBRF)**. The units may be rented or owned as in a condominium. This use may include limited on-site commercial and medical facilities for the exclusive use of residents.

MEMO

Date: May 7, 2020
To: Village Planning Commission Members
From: George Dearborn AICP Director of Community Development,
RE: New Business Item – CSM Sun Comfort – American Drive and East Shady Lane

Overview

Sun Comfort is proposing to combine its two parcels to expand current business. A site plan and copy of the proposed CSM is attached.

Staff Recommendation

I recommend approval of this CSM with the following two conditions:

1. All taxes shall be paid before submittal for recording.
2. A copy of the recorded CSM shall be provided to the Village

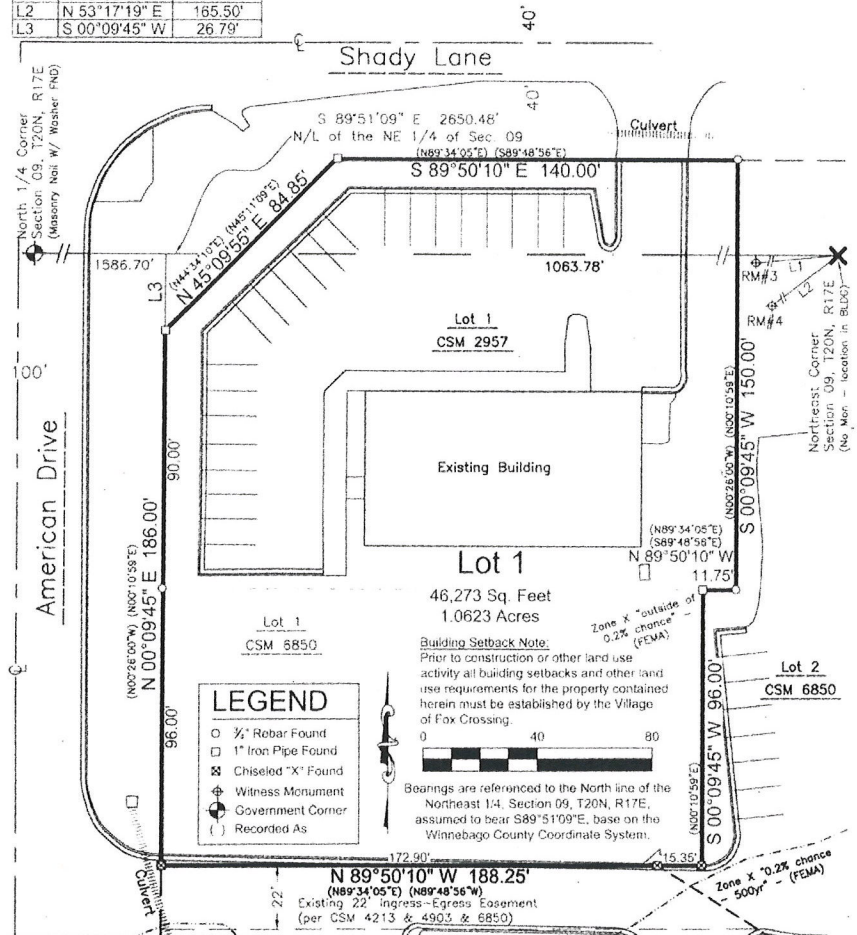
Location Map



Certified Survey Map No. _____

All of Lot 1 of Certified Survey Map No. 2957 and All of Lot 1 of Certified Survey Map No. 6850, Being Part of the Northeast 1/4 of the Northeast 1/4 of Section 09 and Part of the Southeast 1/4 of the Southeast 1/4 of Section 04, Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County, Wisconsin.

LINE	BEARING	DISTANCE
L1	N 85°05'25" E	107.08'
L2	N 53°17'19" E	165.50'
L3	S 00°09'45" W	26.79'



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 scott@davel.pro

Date

Drafted by: scott
 Sheet: 1 of 5

MEMO

Date: May 7, 2020
To: Village Planning Commission Members
From: Community Development Department Staff
RE: New Business Item – Hotel License Renewal – Valley Inn

Overview

An application for a Hotel/Motel License renewal has been submitted to the Village Clerk per Chapter 9.13 for the Valley Inn at 2000 Holly Rd. The owner is Mitul Patel (Om Sai LLC).

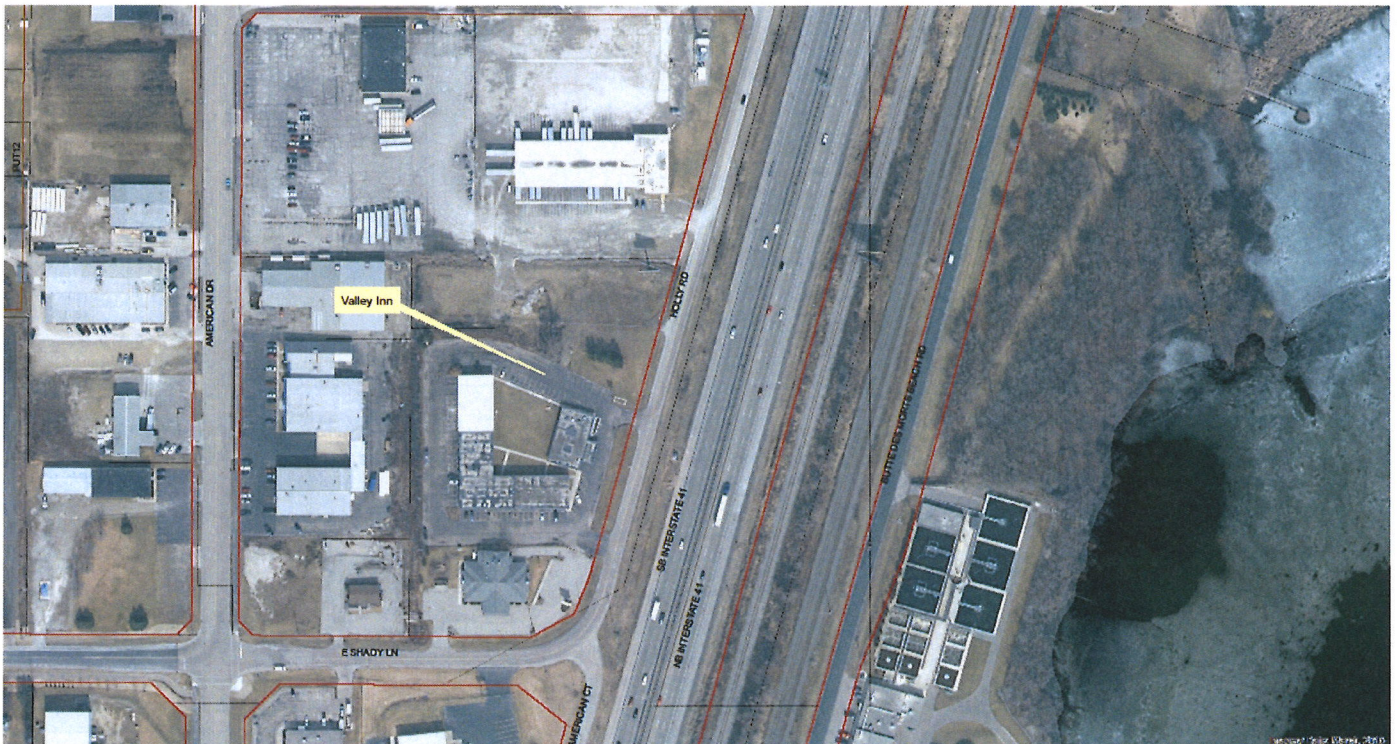
As per the application process, the Police, Fire, and Finance Departments have recommended approval of the new license. The Community Development department will be recommending approval with conditions. The Planning Commission has the authority to approve or deny the license as specified in Chapter 9.13.

The owners of the motel have been remodeling the motel. They anticipate obtaining a national brand in the near future. All the previous concerns have been addressed.

Staff Recommendation

Staff recommends approval of the renewal of the Hotel/Motel License for the Valley Inn, 2000 Holly Rd., for July 1, 2020 to June 30, 2021.

Valley Inn Location Map



MEMO

Date: May 7, 2020
To: Village Planning Commission Members
From: Community Development Department Staff
RE: New Business Item ----- Hotel License Renewal – Cobblestone Hotel & Suites - 1465 Bryce Dr.

Overview

As per Chapter 9.13 (8) an application for a Hotel/Motel License has been submitted to the Village Clerk. This renewal application is for the Cobblestone Hotel and Suites located on the corner of West American Drive and County Rd. CB. A location map is on the following page. As per the application process, the Police, Fire, Finance and Community Development departments must review the application. The Planning Commission has the authority to approve or deny and application.

Staff Recommendation

All departments have reviewed and recommended approval of the new license for the Cobblestone hotel. Therefore, staff recommends approval of the Motel/Hotel License for the Cobblestone Hotel and Suites at 1465 Bryce Dr. for July 1, 2020 to June 30, 2021. The Community Development Director will sign the license approval subject to approval of the license by the Planning Commission for the term shown above.

Cobblestone Motel Location

