CITY OF KEWAUNEE PLAN COMMISSION MEETING MINUTES MAY 23, 2024

1. Call to Order/Roll Call.

Chairperson Laura Gerold called the meeting to order at 6:30 pm. Members present, John Blaha, Claude Stangel, John Mastalir, Jeff Welhouse, Cindy Tang and Chris Holterman.

2. Approval of Minutes - April 25, 2024 meeting.

Claude Stangel motioned to approve the minutes as presented. Chris Holterman seconded the motion. Motion carried unanimously.

3. Public Comment/Communications.

Art Schiller, 220 Harrison Street, addressed the commissioners regarding a number of different topics on the agenda.

4. Public Hearing

None

5. Business Matters

a. Proposed Mural at 310 Milwaukee Street. Requestor: Erin LaBonte (Owner: John Lilligren)

Chris Holterman motioned to approve the mural at 310 Milwaukee Street. John Mastalir seconded the motion. Motion carried unanimously.

Chris Holterman motioned to amend the Zoning Code regarding "signage" (Sec. 94-358) to allow a business name in a mural with a limited area restriction. Cindy Tang seconded the motion. Motion carried unanimously.

b. Proposed Campground/Camper Parking at 1630 Milwaukee Street. Requestor: Jenny Obry (Owner: PDJ Properties LLC)

Cindy Tang motioned to amend zoning text to permit "Campground" as a conditional us in the B-3 district. John Blaha seconded the motion. Motion carried unanimously.

c. Floodplain Ordinance Update. As required by FEMA, the City must adopt a revised set of floodplain zoning, currently located in Chapter 34, Article II.

Cindy Tang motioned to accept the floodplain ordinance as rewritten and forward to Council for Public Hearing. Chris Holterman seconded the motion. Motion carried unanimously.

d. Proposed Planned Development District enabling amendment to Chapter 94 Zoning

A couple of changes to the PPD draft ordinance amendment to strike a section including "affordable housing" bonus for now and revisit at a later time, and to require sidewalks somewhere in a PDD. No motion taken but the Plan Commission suggested going forward with a Public Hearing on 6/27/2024.

e. Proposed Revisions to Sign Standards (Article VIII of Chapter 94 Zoning)

Deferred to the June 27, 2024 meeting.

f. Manufactured Homes in R-1 District. Discussion of possible changes to Section 94-44 of Municipal Code

General discussion was had about manufactured housing. No action was taken.

g. Other recent inquiries/updates

None

6. Adjournment

Cindy Tang motioned to adjourn the meeting. John Blaha seconded the motion. Motion carried unanimously. Meeting adjourned at 8:30.

Respectfully Submitted Karen Muchowski Administrative Assistant



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City of Kewaunee 401 Fifth Street Kewaunee, WI 54216 T: 920-388-5000 F: 920-388-5025

MEMORANDUM

TO: Plan Commission

FROM: Heath Eddy, AICP, City Administrator

RE: Plan Commission meeting of June 27, 2024

DATE: June 24, 2024

All Code Sections in this memo refer to the Kewaunee Municipal Code Chapter 94 version dated January 13, 2022, unless as specifically denoted below.

1. Call to Order/Roll Call.

2. Approve of Minutes.

a. Approval of meeting of May 23, 2024.

3. Public Comment.

4. Public Hearing

- **a.** City of Kewaunee, Various Zoning Text Amendments. The proposed amendments here are to three sections of Chapter 94 (Zoning) of the Municipal Code. These are as follows:
 - (A) An amendment to Sec. 94-16.(d) to add a new subsection (6) to authorize "campground" as a new conditional use allowed in the B-3 Highway Business District:
 - (B) An amendment repealing Sec. 94-317, which provides for Protest Petitions, which if submitted, would require a three-fourths vote requirement for rezoning applications protested by neighboring properties, a repeal in compliance with 2023 Wisconsin Act 16; and
 - (C) An amendment to Sec. 94-385.(c)(2) to permit murals to include limited identifying messaging for the business on which the mural is affixed.

The first and third proposed amendments are based on reviews by the Plan Commission at the May 23, 2024 meeting. The second proposed amendment is based on a law that requires compliance by January 1, 2025, which removed a section of State Statute requiring a procedure for "protest petitions", which required a certain percentage of property owner signatures within the notice area for public hearings to provide a list of

signatures, and if verified, would change a simple majority vote to a three-fourths vote of the Common Council in order to adopt. This applies primarily to rezoning applications, though it could also apply to conditional use applications. 2023 Wisconsin Act 16 removed this language, and required only a simply majority vote regardless of protests by neighbors.

The amendments as provided in the attached draft Ordinance can be modified following the public hearing, which is indicated in the published public notice. If recommended by the Plan Commission, this ordinance will be forwarded to the Common Council for action at their meeting on July 8, 2024.

Attachments: (1) Proposed Ordinance No. 651-2024

(2) Public Notice for Hearing, as published

b. City of Kewaunee, Planned Development District Zoning Text Amendment. This proposed amendment to Chapter 94 (Zoning) of the Municipal Code to create new Sec. 94-26, PDD planned development districts, which amendment specifies the terms of new PDD districts, such as purpose and intent, general provisions, minimum standards for creation of PDD district, modification standards, standards for review, procedures, and amendments.

The attached proposed ordinance is what Plan Commission reviewed May 23, 2024, with the modifications as requested. The section on Affordability was removed from the ordinance; a requirement for sidewalks was added to section (c)(4) as subpar d. Additional modifications can be made following the public hearing. If recommended by the Plan Commission, this ordinance will be forwarded to the Common Council for action at their meeting on July 8, 2024.

Attachments: (3) Proposed Ordinance No. 650-2024

(4) Public Notice for Hearing, as published

5. Business Matters

a. Proposed for Car Wash and Laundromat at TKN 31 241 NE24 31-12. The requestors are looking to the develop the property at the southwest corner of Center Street at Sixth Street as a combination car wash and laundromat, on property located in the B-3 Highway Business District. A "carwash" is a use requiring Conditional Use approval in the B-3 District; however, a "laundromat" is not a use authorized in the district. The requestors are looking for consideration from the Plan Commission on the possibility of adding this use to the B-3 District, which would require an ordinance amendment as with Item 4.a above.

Chapter 94 currently only permits a use called "Laundry and dry cleaning establishment employing not more than seven persons" as a Permitted Use in the B-2 Community Business District. Either this language or a variation would be useful, though the

requestors should clarify the type of laundry facility they are proposing (self-service, limited support, full support).



Proposed Car Wash/Laundromat Location - 1600 Block Center Street

Attachments: (5) Request for zoning text amendment consideration

b. Other recent inquiries/updates.

6. Adjournment.

ORDINANCE NO. 651-2024

AN ORDINANCE AMENDING CHAPTER 94 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF KEWAUNEE, KEWAUNEE COUNTY, WISCONSIN, TO ADDRESS SPECIFIC CHANGES TO VARIOUS SECTIONS.

WHEREAS, the City of Kewaunee Municipal Code requires updates from time to time to reflect changes in Wisconsin Statutes, and to reflect changes in approaches by the City; and

WHEREAS, the City Plan Commission of the City of Kewaunee considered the implementation of various amendments to Chapter 94 (Zoning) based on recent proposals as well as changes to State Statute; and

WHEREAS, the Common Council having considered the proposed amendments and found them to be appropriate.

NOW THEREFORE, the Common Council of the City of Kewaunee, Wisconsin, do ordain as follows:

- SECTION 1: Section 94-16.(d) shall be amended to add a new subsection (6) to permit the following use to be sought as a conditional use in the B-3 Highway Business District:
 - (6) Campground.
- SECTION 2: Section 94-317. Protests, shall be repealed.
- SECTION 3: Section 94-385.(c)(2) shall be amended as follows:
 - (2) A wall, façade or surface that is used for a mural may be used for any purpose relating to signage for the business or businesses located in the building, with a limit of no more than five (5) percent of the overall area of the mural.
- SECTION 4: Conflict and Severability. In any section, subsection, sentence, clause, paragraph or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or other applicable administrative or governing body, such decision shall not affect the validity of any other section, subsection, sentence, clause, paragraph, or phrase therefor irrespective of the fact that any one or more sections, subsections, sentences, clauses, paragraphs, or phrases may be declared invalid or unconstitutional.
- SECTION 5: Effective Date. This ordinance shall take effect upon passage and posting as provided by law.

ORDINANCE NO. 651-2024 Page 2	
Introduced at a regular meeting of the Commo day of, 2024, by	
Passed and adopted at a regular meeting of the Kewaunee this day of, 2024.	e Common Council of the City of
	APPROVED:
	Jeffrey L. Vollenweider Sr., Mayor
ATTEST:	
Jo Ann Lesser, CMC, WCMC Clerk/Treasurer	
AYES NOES ABSENT	

Please publish in the June 13 and 20 issues of the Green Bay Press-Gazette. An affidavit of publication is also required.

Jo Ann Lesser, CMC, WCMC City Clerk

CITY OF KEWAUNEE NOTICE OF PUBLIC HEARING CITY OF KEWAUNEE PLAN COMMISSION June 27, 2024 – 6:30 P.M.

NOTICE IS HEREBY GIVEN that the City of Kewaunee Plan Commission will hold a public hearing on Thursday, June 27, 2024, at 6:30 p.m., or as soon as possible thereafter, at the Kewaunee Municipal Building, 401 Fifth Street, Kewaunee, WI 54216, to take public comments regarding proposed amendments to Chapter 94 (Zoning) of the City of Kewaunee Municipal Code for the following:

- A. A proposed amendment to Section 94-16.(d) to add a new subsection (6) campground as a new conditional use allowed in the B-3 Highway Business District.
- B. A proposed amendment to repeal Section 94-317, which was intended to require a three-fourths vote for rezoning applications protested by neighboring properties, in compliance with 2023 Wisconsin Act 16.
- C. A proposed amendment to Section 94-385.(c)(2) to permit murals to include some identifying messaging for the business on which the mural is affixed.

This public hearing is being held pursuant to the requirements of §62.23(7)(d)2. of the Wisconsin Statutes and Sec. 94-313 of the City of Kewaunee Municipal Code. Copies of the Application and all supporting materials are available for review and may be obtained from the City Clerk at the Kewaunee Municipal Building, 401 Fifth Street, Kewaunee WI 54216 during normal business hours. The public is invited to attend the public hearing and to provide input. The proposed amendment is subject to revisions following public hearing and the further consideration by the Plan Commission and the City of Kewaunee Common Council.

Dated this 7th day of June 2024.

Jo Ann Lesser, CMC, WCMC City Clerk

ORDINANCE NO. 650-2024

AN ORDINANCE TO AMEND CHAPTER 94 (ZONING) OF THE CITY OF KEWAUNEE MUNICIPAL CODE TO ESTABLISH THE "PDD PLANNED DEVELOPMENT DISTRICT" AS AN ENABLING DISTRICT FOR FUTURE PDD DISTRICT ADOPTIONS

WHEREAS, the City of Kewaunee desires top provide an alternative procedure under which land can be developed or redeveloped with innovation or imagination and with creative design; and

WHEREAS, the Common Council of the City of Kewaunee considered the establishment of a new district to provide creative approaches to development and redevelopment within the context of each individual property or collection of properties; and

WHEREAS, the City of Kewaunee is adopting a change to Chapter 94 (Zoning) to provide for the initial enabling of such creative approaches within a creative framework; and

WHEREAS, the Common Council having considered the proposed amendments and found them to be appropriate.

NOW THEREFORE, the Common Council of the City of Kewaunee, Wisconsin, do ordain as follows:

SECTION 1: Chapter 94 (Zoning) shall be amended as follows:

(1) Sec. 94-7.(1) shall be amended to add the following zoning district to the list of "Use districts":

"PDD Planned Development District."

(2) Sec. 94-26. – "PDD planned development districts" shall be established and shall read as follows:

Sec. 94-26. – PDD planned development districts

(a) Purpose and Intent. The purpose of the regulations, standards, and criteria contained in this Section is to provide an alternative procedure under which land can be developed or redeveloped with innovation, imagination, and creative architectural design, when sufficiently justified under the provisions of this Section. The objective of the Planned Development District standards is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable zoning regulations. The end result should fulfill the objective of City plans and policies, including but not limited to the City of Kewaunee Comprehensive Plan, while departing from the strict applications of the regulations of this

Chapter. The planned development standards are intended to permit and encourage such flexibility and to accomplish the following purposes:

- (1) To stimulate creative approaches to the commercial, residential, and mixed-use development of land.
- (2) To provide for more efficient use of land.
- (3) To preserve natural features and provide open space areas and recreation areas in excess of that required under existing zoning regulations.
- (4) To develop new approaches to the living environment through variety in type, design and layout of buildings, transportation systems, and public facilities.
- (5) To unify buildings and structures through design.
- (6) To promote long term planning, pursuant to the City of Kewaunee Comprehensive Plan and other relevant plans and City policies, which will allow harmonious and compatible land uses or combination of uses with surrounding areas.

(b) General Provisions.

- (1) The following minimum standards are required for approval of a planned development in accordance with this Chapter:
 - a. Any development on a lot or lots with an area equal to or greater than twenty thousand (20,000) square feet.
 - b. Any development containing non-residential uses that would result in ten thousand (10,000) square feet or more of gross floor area.
- (2) Each Planned Development should be presented and judged on its own merits.
- (3) The burden of providing evidence and persuasion that any Planned Development is necessary and desirable shall rest with the applicant.
- (c) Minimum Standards Required for Creation of a PDD Planned Development District.
 - (1) Minimum Area. The minimum area will be determined on a case-bycase basis by the Plan Commission, while considering the types of uses allowed, and that sufficient area is provided to accommodate the proposed activities or operation, principal buildings and accessory

- structures, off-street parking and loading/unloading areas, and required open space or yards/setbacks.
- (2) Uses. Any use allowed as either permitted, conditional, or accessory may be allowed upon the determined as to their appropriateness within the context of the City of Kewaunee Comprehensive Plan or components thereof, and subject to such conditions as may be established as part of final plan approval.
- (3) Ownership. The areas of the proposed PDD Planned Development District shall be under single ownership.
- (4) Site development standards shall be recommended for approval by the Plan Commission. Such standards shall be proposed and demonstrate how each site development:
 - a. Would be compatible with surrounding development;
 - b. Is necessary for development of the site in accordance with the purposes of this section;
 - c. Incorporates a minimum of one (1) of the modification standards detailed below;
 - d. Provide for sidewalks and/or pedestrian facilities to connect offsite; and
 - e. All approved site development standards shall be delineated in the Ordinance approving the Planned Development and shall be considered the standards of the Planned Development district as it applies to the subject property.
- (d) *Modification Standards*. All applicant seeking a Planned Development approval shall be required to justify the request through the provision of tangible benefits to the City of Kewaunee by meeting a minimum of one (1) of the modification standards detailed below per requested site development allowance.
 - (1) Landscape Conservation and Enhancement. The Planned Development preserves, restores, or enhances landscape elements, trees, and natural features, such as the Kewaunee River, streams, ponds, groves and landforms.
 - (2) Sustainable Design. The Planned Development is designed with demonstrable reductions in energy consumption and/or stormwater management as a result of methods of site design and building

- location, architectural design of individual buildings, and landscaping design.
- (3) Public Gathering Spaces. The Planned Development includes public gathering space, the amount of which is proportional to the size of buildings or number of dwelling units. The public gathering space is activated through the use of elements or features such as moveable tables and chairs, a fountain or other water feature, a sculpture or other public art feature, benches, seat walls, raised landscape planters, or pedestrian scaled and celebratory lighting such as string or Tivoli lights. The public gathering space is integrated into the overall design of the Planned Development and has a direct functional or visual relationship to the main building(s) and is not an isolated or leftover character.
- (4) Mix of Uses. The Planned Development is comprised of a mix of non-residential uses and/or a mix of two (2) or more housing unit types.
- (5) Placemaking. The Planned Development has a distinctive identity and brand that is carried through design features in a manner that fosters a cohesive visual character for the public areas, incorporated in the design of features including but not limited to sign design, unique streetscape elements, architectural features, the creation of public gathering spaces, the incorporation of natural areas, parks, and trails, and other elements of site design.
- (6) Universal Design. The Planned Development includes buildings and site features designed with accessible features such as level access from the street and/or zero entry thresholds.
- (7) High-Quality Building Materials. The Planned Development uses time- and weather-tested building materials that are of a higher quality than what is otherwise required by this Chapter.
- (e) Standards of Review. The following standards for review shall be utilized in the review of a Planned Development District.
 - (1) Plan and Policy Alignment. The Planned Development is consistent with the goals, objectives, and policies set for in the City of Kewaunee Comprehensive Plan and other adopted plans and policy documents of the City.
 - (2) Placemaking. The planned development has a distinctive identity and brand that is carried through the streetscape features, architecture, public gathering places, open spaces, etc.

- (3) Integrated Design with Identifiable Centers and Edges. The Planned Development shall be laid out and developed as a unit in accordance with an integrated overall design, in which the various land uses included function as a cohesive whole and support one another.
- (4) Compatibility with Adjacent Land Uses. The Planned Development includes uses which are generally compatible and consistent with the uses of adjacent parcels. If the uses are not generally compatible, all adverse impacts have been mitigated through screening, landscaping, public open spaces, and other buffering features that protect uses within the development and surrounding properties.
- (5) Impacts on Public Facilities and Resources. The Planned Development is designed so that adequate utilities, road access, draining, and other necessary facilities will be provided to serve it.

(f) Procedures.

- (1) Prior to filing, the prospective applicant shall meet with the City for a pre-filing conference to discuss the City's adopted plans and policies, local regulations, site development requirements, the standards by which the application will be evaluated, and the application requirements.
- (2) Applications shall be filed as with any Zoning Map (rezoning) applications on forms provided by the City, and submitted to the Zoning Administrator.
- (3) The application and staff review shall be referred to the Plan Commission for its review and recommendation, including any additional conditions or restrictions which it may deem necessary or appropriate.
- (4) Hearing and Recommendation by the Plan Commission. Upon receipt of a completed application, the Zoning Administrator shall schedule a public hearing at the Plan Commission. The Plan Commission, before formulating its recommendations to the Common Council, shall hold a public hearing pursuant to the provisions of Sec. 94-281. Following the public hearing, the Plan Commission shall consider the proposed Planned Development, the staff report, and the public comment and make a recommendation to the Common Council to make one of the following recommendations base:
 - a. Recommend approval of the Planned Development,

- b. Recommend approval of the Planned Development with conditions, or
- c. Recommend denial of the Planned Development based on the applicable review standards.
- (5) Action by Common Council. The Zoning Administrator, on behalf of the Plan Commission, shall transmit a report containing the Plan Commission's recommendation to approve, approve with conditions, or deny the application to Common Council. Common Council shall consider the staff report, public comment received at the public hearing, and recommendation of the Plan Commission and shall take one of the following actions:
 - a. Approve the Planned Development,
 - b. Approve the Planned Development within conditions,
 - c. Deny the Planned Development,
 - d. Refer the Planned Development back to the Plan Commission for further review.
- (g) Amendments to Planned Developments.
 - (1) Determination. Upon receiving a Planned Development amendment application, including the information required by the Zoning Administrator, the Zoning Administrator shall determine whether the amendment is a major amendment, or a minor amendment based on the criteria detailed in subsections (2) and (3) below.
 - (2) Major Amendments. A major amendment is any proposed change to an adopted Planned Development that results in one (1) or more of the following changes:
 - a. Increase in density;
 - b. A five (5) percent increase in impervious surface or modification to the approved stormwater management plan;
 - c. Reduction of open space by more than five (5) percent;
 - d. Modification of the proportion of housing types;
 - e. Increase in the approved gross floor area by more than five hundred (500) square feet;

- f. Alteration of the alignment of roads, utilities, or drainage;
- g. Modification of any other site feature inconsistent with any standard or condition imposed by the Common Council in approved the Planned Development, as determined by the Zoning Administrator.
- (3) Minor Amendment. A minor amendment is any proposed changed to an approved Planned Development that is consistent with the standards and conditions upon which the Planned Development application was approved and Planned Development adopted, which does not alter the concept or intent of the Planned Development and is not considered a major amendment as detailed in subsection (2) above.
- (4) Approval Processes.
 - a. A major amendment to an adopted Planned Development shall follow the procedure set in Sec. 94-281.
 - b. A minor amendment to an approved Planned Development may be approved by the Zoning Administrator.
- SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.
- SECTION 3: This ordinance shall take effect and be in force from and after its passage and publication.

Introduce	d at a regular me	eeting of the Common Council	of the City of Kewaunee this
day of	, 2024, by	Alderperson	<u>·</u>
Passed an	d adopted at a re	egular meeting of the Common	Council of the City of
Kewaunee this _	day of	, 2024.	
		APPROVED:	
		Jeffrey Vollenweid	ler Sr., Mayor

ATTEST	•		
	esser, CMC, V k/Treasurer	VCMC	- g
AYES	NOES	ABSENT	

Please publish in the June 13 and 20 issues of the Green Bay Press-Gazette. An affidavit of publication is also required.

Jo Ann Lesser, CMC, WCMC City Clerk

CITY OF KEWAUNEE NOTICE OF PUBLIC HEARING CITY OF KEWAUNEE PLAN COMMISSION June 27, 2024 – 6:30 P.M.

NOTICE IS HEREBY GIVEN that the City of Kewaunee Plan Commission will hold a public hearing on Thursday, June 27, 2024, at 6:30 p.m., or as soon as possible thereafter, at the Kewaunee Municipal Building, 401 Fifth Street, Kewaunee, WI 54216, to take public comments regarding a proposed amendment to Chapter 94 (Zoning) of the City of Kewaunee Municipal Code to create a new Section 94-26, PDD planned development districts, including purpose and intent, general provisions, minimum standards for creation of PDD districts, modification standards, standards for review, procedures, and amendments.

This public hearing is being held pursuant to the requirements of §62.23(7)(d)2. of the Wisconsin Statutes and Sec. 94-313 of the City of Kewaunee Municipal Code. Copies of the proposed ordinance and all supporting materials are available for review and may be obtained from the City Clerk at the Kewaunee Municipal Building, 401 Fifth Street, Kewaunee WI 54216 during normal business hours. The public is invited to attend the public hearing and to provide input. The proposed amendment is subject to revisions following public hearing and the further consideration by the Plan Commission and the City of Kewaunee Common Council.

Dated this 7th day of June 2024.

Jo Ann Lesser, CMC, WCMC City Clerk



June 21, 2024

Ms. Laura Gerold, City of Kewaunee Plan Commission Chair c/o Heath Eddy, City of Kewaunee Administrator 401 Fifth Street Kewaunee, WI 54216

Re: Requested Text Amendment Change

B-3 Highway Business District

Dear Ms. Gerold and City of Kewaunee Plan Commission:

On behalf of Rae Rae Investments, LLC, owners of parcel 31 241 NE24 31-12 in the City of Kewaunee I am requesting a zoning text amendment to add laundromats to Sec. 94-16 B-3 Highway Business zoning. I am requesting that Sec. 94-16 (b) Permitted Uses be amended to include laundromats and laundry facilities. Please place this item on the June 27 Plan Commission meeting for consideration and action.

Currently laundromats are only allowed as a permitted use in B-2 Community Business which is located in the downtown area. We think that allowing laundromats in B-3 is a reasonable use because of the proximity of the B-3 zoning district to the R-3 Multiple Family Residential zoning districts. Allowing laundromats in B-3 would provide an opportunity for modern, more convenient services for the residents of the City of Kewaunee. Laundromats are currently listed under 94.15(b)(12) General business and commercial uses which do not generate noise, smoke or odors that would create a public or private nuisance. Therefore, including laundromats in the B-3 district should not harm public interest since the permitted uses in B-3 are typically larger and more intensive uses.

Please contact me if you have any questions regarding this request.

Sincerely,

Robert Mach, P.E.