CITY OF KEWAUNEE PLAN COMMISSION MEETING MINUTES July 25, 2024

1. Call to Order/Roll Call.

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

2. Approval of Minutes – June 27, 2024 meeting.

Commissioner Stangel wanted the hours of operation discussed for the proposed laundromat added to the minutes.

Claude Stangel motioned to approve the June 27, 2024 meeting minutes with the noted changes. Chris Holterman seconded the motion. Motion carried unanimously.

3. Public Comment/Communications.

None

4. Public Hearing

Public Hearing called to order at 6:32 pm.

a. City of Kewaunee, Various Zoning Text Amendments. The City of Kewaunee is requesting review and a recommendation on a set of three amendments to Chapter 94 (Zoning) of the City of Kewaunee Municipal Code for the following: (A) Proposed additional definitions for "brewery" and "brewpub" in Sec. 94-6; (B) A proposed amendment to Sec. 94-15.(b)(12) to replace "Tavern" with "Tavern, brewery, or brewpub" as a permitted use in the B-2 Community Business District; and (C) A proposed amendment to Sec. 94-16.(d) to add new subsection (7) Laundromat as a conditional use in the B-3 Highway Business District.

John Mastalir motioned to (A) amendment for additional definitions for "brewery" and "brewpub" in Sec. 94-6; (B) amendment to Sec. 94-15.(b)(12) to replace "Tavern" with "Tavern, brewery, or brewpub" as a permitted use in the B-2 Community Business District; and (C) amendment to Sec. 94-16.(d) to add new subsection (7) Laundromat as a conditional use in the B-3 Highway Business District and send to Council for approval. Chris Holterman seconded the motion. Motion carried unanimously.

Public Hearing adjourned at 6:34 pm.

- 5. Business Matters
 - a. Proposed Parking Area Landscaping Plan for Dollar Tree/Family Dollar. Official review and approval of the landscaping plan for the under-development Dollar Tree/Family Dollar project located at 930 Marquette Drive (Parcel # 31 241 NE24 34-3).

Claude Stangel motioned to approve the proposed parking area landscaping plan for Dollar Tree/Family Dollar as presented. Cindy Tang seconded the motion. Motion carried unanimously.

b. Other items/inquiries.

None

6. Adjournment

Chris Holterman motioned to adjourn the meeting. Claude Stangel seconded the motion. Motion carried unanimously. Meeting adjourned at 6:58 pm.

Respectfully Submitted Karen Muchowski Administrative Assistant City of Kewaunee 401 Fifth Street Kewaunee, WI 54216 T: 920-388-5000

F: 920-388-5000 F: 920-388-5025

MEMORANDUM

TO: Plan Commission

FROM: Heath Eddy, AICP, City Administrator

RE: Plan Commission meeting of September 26, 2024

DATE: September 20, 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 July 25, 2024.

3. Public Comment.

4. Public Hearing

a. Alex Yanik, d/b/a D Kayseri, LLC, and Mark Stevens. Application to amend the Zoning Map to rezone properties located at 118 Kilbourn Street (Parcel Number 241-00010-3820) and 614 Main Street (Parcel Number 241-00010-3840) from I-1 Light Industrial and R-1 Single-Family Residential to PDD-1 Planned Development District.

The public notice on this application was published in the Green Bay *Press-Gazette* on September 12 and 19, 2024, and notices were mailed to adjacent property owners in compliance with Sec. 94-281 of Municipal Code on September 13, 2024.

The applicants are represented by Alliance Construction & Design of Wrightstown, WI, which will be the General Contractor for the project. Alliance is a design-build firm that does all the entitlement and construction for a development project on behalf of a property owner, but does not own the property itself.

The proposed development would be for a 4-story, 42-unit multi-family development of condominium units consisting of 6 studio units, 21 1-bedroom units, 12 2-bedroom units, and 3 3-bedroom units. These units would vary in size from 610 square feet up to 1,206 square feet in size. The total footprint of the structure is 25,137 square feet on a property

of 29,315.88 square feet in total, for a lot coverage of 85.74%. The height of the proposed building would be up to 45.9 feet at its tallest, at the northwest corner of the property (the intersection of Kilbourn Street and Main Street). The building height elsewhere will be 43.9 feet along Kilbourn Street and Lake Street, and will taper moving south. The construction is designed to be built into the site and will reduce in façade height going south along Main Street.

The project is designed with 72 parking spaces all enclosed within the first floor of the building, with separated dedicated entrances and exits from Kilbourn Street.

For amenities, the builder proposes 8,600 square feet of green roof/courtyard facing toward Lake Street, with adjacent access to Selner Park/Pioneer Park and the City's beach area. In addition, all units within the building are oriented with access to outside balconies all facing east toward the lake or north toward the eastern downtown area.

In order to maximize the use of the site, the applicants are requesting building setbacks of 0 feet along all frontages and 10 feet on the south side adjacent to 622 Main Street. At that location the building height will be 31.4 feet.

Requirements for Planned Development Districts

I have attached the adopted Ordinance No. 650-2024, which created the PDD Planned Development Districts to be added to Chapter 94. Please note in particular the Minimum Standards (94-26.(c)) and Modification Standards (94-26.(d)) sections of the Ordinance.

The following standards for review should be determined for compliance as part of your evaluation:

- 1. <u>Plan and Policy Alignment</u>. Is this project consistent with the goals, objectives and policies of the *City of Kewaunee 20-Year Comprehensive Plan* and with any other relevant plans/policies of the City?
- 2. <u>Placemaking</u>. Does the proposal have "a distinctive identity and brand that is carried through the streetscape features, architecture, public gathering places, open spaces, etc.?
- 3. <u>Integrated Design with Identifiable Centers and Edges</u>. Is the proposal laid out and developed with an integrated overall design, as a cohesive whole?
- 4. <u>Compatibility with Adjacent Land Uses</u>. Does the proposal include uses that are generally compatible and consistent with adjacent uses? If not, have all adverse impacts been mitigated through screening, landscaping, open spaces or other buffering features?
- 5. <u>Impacts on Public Facilities and Resources</u>. Is the proposal designed so that adequate utilities, road access, drainage, and other necessary facilities are provided to serve?

NOTE: Staff has received several inquiries regarding this application. The City Attorney will be in attendance to provide legal guidance on what is required.

Attached is the application materials submitted by the applicants' agent; proposed Ordinance No. 653-2024, with room for edits to address any issues that might come up during the public hearing; and the copy of the public notice.

Attachments: (1) Applicant's submission

- (2) Proposed Ordinance No. 653-2024
- (3) Public Notice for Hearing, as published
- (4) Copy of Ordinance No. 650-2024 as adopted (PDD enabling)

5. Business Matters

a. Other recent inquiries/updates.

6. Adjournment.

City of Kewaunee 401 Fifth Street Kewaunee, Wisconsin 54126 (920) 388-5000 cityofkewaunee.org

ADDI	ICATION	DATE.	0	a	2024	i
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Take note						
COMMON COUNCIL	REVIEW APPLICATION					
PROJECT INFORMA	ATION [print legibly]					
APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]					
NAME: Alex Yanik	NAME: Mark Rukamp					
COMPANY: D Kayseri, LLC	COMPANY: Alliance Construction & Design					
MAILING ADDRESS: 122 Ellis Street	MAILING ADDRESS: 1050 Broadway Street					
CITY/STATE: Kewaunee, WI ZIP: 54216	CITY/STATE: Wrightstown ZIP: 54180					
PHONE: 818-619-1073	PHONE: 920-336-3400					
EMAIL ADDRESS: kinavinternational@valtoo.com	EMAIL ADDRESS: mark.rukamp@alliancebuilds.com					
PROJECT PROPER	TY INFORMATION					
PROPERTY ADDRESS: 118 Kilbourn Street & 614 Main Street W Kewaunee, WI 54216	TAX KEY NUMBER: 31 241 OTP 190					
PROPERTY OWNER: D Kayseri, LLC	PHONE: 818-619-1073					
MAILING ADDRESS: 122 Ellis Street	EMAIL ADDRESS: kinavinternational@yahoo.com					
CITY/STATE: Kewaunee, WI ZIP: 54216	DATE OF COMPLETION:					
APPLICAT	TION TYPE					
Please check the application type that you are applying for						
☐ Comprehensive Plan Amendment ☐ Rezoning ☐ Conditional Use ☒ Zoning Text Amendment						
These requests require Plan Commission review and Common Council approval. Applicant is responsible for providing Plan Commission resubmittal materials up to 8 copies pending staff request and comments.						
SIGNATURES						
The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Kewaunee and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.						
(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature(s) below. If more than one, all of the owners of the property must sign this Application).						
(i), the applicant, certify that I have read the following page detailing the requirements for plan commission and common council approval and submittals cannot be reviewed.						
PROPERTY OWNER, SIGNATURE:	APPLICANT SIGNATURE: Mark J. Pulkerry Mark J.					
NAME & TITLE: Mex Yanik, Gwner DATE: 1/3/2	NAME & TITLE: DATE: Mark Rukamp - Project Manager 6/19/2024					
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE;					
NAME & TITLE: DATE:	NAME & TITLE: DATE: 6/19/2024 Mark Rukamp - Project Manager					



City of Kewaunee 401 Fifth Street Kewaunee, Wisconsin 54126 (920) 388-5000 cityofkewaunee.org

APPLICATION	DATE:	

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COMMON COUNCIL	REVIEW APPLICATION				
PROJECT INFORM/	ATION [print legibly]				
APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]				
MARK WARREN STEVENS	NAME: Mark Rukamp				
COMPANY: BASYSET, LICEUR NIA	COMPANY: Alliance Construction & Design				
MAILING ADDRESS; 122 EHIS Street UK	MAILING ADDRESS: 1050 Broadway Street				
CITY/STATE: Kewaunee, WI ZIP: 54216	CITY/STATE: Wrightstown ZIP: 54180				
PHONE: 818-619-1075 MR 920-255- 6144	PHONE: 920-336-3400				
EMAIL ADDRESS: Minavinternational Grand water com	EMAIL ADDRESS: mark.rukamp@ailiancebuilds.com				
A STATE OF THE STA	RTY INFORMATION				
PROPERTY ADDRESS: 118 Kilbourn Street 6 614 Main Street	THE RESERVED PROPERTY CONTROL OF THE PROPERTY				
Kewaunee, WI 54216 PROPERTY OWNER: B Kayser, UCM 12					
MARK WARREN STEVENS					
MAILING ADDRESS: 122 Ellis Street MC	BMAIL ADDRESS: timeninternational Cychocom MC				
CITY/STATE: Kewaunee, WI ZIP: 54216	DATE OF COMPLETION:				
APPLICAT	TION TYPE				
Please check the application	type that you are applying for				
☐ Comprehensive Plan Amendment ☐ Rezoning ☐ Conditional Use ☒ Zoning Text Amendment					
These requests require Plan Commission	n review and Common Council approval.				
Applicant is responsible for providing Plan Commission resubmit	tal materials up to 8 copies pending staff request and comments.				
SIGNA	TURES				
The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Kewaunee and/or its agents to enter upon the subject property(les) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.					
(The applicant's signature must be from a Managing Member if the business is an Li applicant's authorization letter may be provided in lieu of the applicant's signature of the property owner's signature[s] below. If more than one, all of the owners of t	below, and a signed property owner's authorization letter may be provided in lieu				
I the applicant certify that I have read the following page detailing th					

PROPERTY OWNER SIGNATURE:

NAME & TITLE: Mark J Roberty

DATE: Mark Rukamp - Project Manager

NAME & TITLE: Mark Rukamp - Project Manager

DATE: Mark Rukamp - Project Manager

DATE: Mark Rukamp - Project Manager

submittals and understand that incomplete applications and submittals cannot be reviewed.



Preliminary Plan Review

Site Information

Project Name	Kewaunee Condominiums		
Property Address(es)	118 Kilbourn Street Kewaunee, WI 54216	ewaunee, WI 54216 Kewaunee, WI 54216	
Parcel ID(s)	31 241 OTP 190	31 241 OTP 191	
Total Acreage	0.673 acres (0.465 & 0.208 acres)		
Current Zoning	Light Industrial (I-1) & Single-Family Residential (R-1)		
Proposed Zoning	Planned Unit Development (PUD), Multifamily Residential		
Proposed Setbacks	Front: 0' Side: 10' Rear: N/A		

Site Utilities

Electric Provider	Wisconsin Public Service Corporation (WPS)
Gas Provider	Wisconsin Public Service Corporation (WPS)

Building Information

Square Footage	72,012 ft² total 24,441 ft² parking 47,571 ft² residential
Number of Stories	4 total ((1) parking, (3) residential)
Scope of Project	42 multifamily residential unit development above 72-stall parking garage.
Occupancy Classification	S-2 & R-2
Fire Protection and/or Alarm Systems	Fully sprinklered per NFPA 13 Fire alarm system
Parking Count	72 total stalls within parking garage (1.7 stalls average per unit) 1 per Studio (6 stalls) 1.75 per 1-Bed (36 stalls) 2 per 2-Bed (24 stalls) 2 per 3-Bed (6 stalls)



Unit Information

Total Units	42		
	Quantity	6 (14%)	
Studio Units	Square Feet (per unit)	610 ft²	
	Est. Cost (per unit)	\$183,000	
	Quantity		
1-Bedroom Units	Square Feet (per unit)	780 ft ²	
	Est. Cost (per unit)	\$234,000	
	Quantity	12 (29%)	
2-Bedroom Units	Square Feet (per unit)	1,056 ft²	
	Est. Cost (per unit)	\$316,800	
	Quantity	3 (7%)	
3-Bedroom Units	Square Feet (per unit)	1,208 ft ²	
	Est. Cost (per unit)	\$362,400	

Amenities

Exterior	8,800 ft ² courtyard with accessible access to Selner Park
Units	Lake-facing balconies In-unit laundry Individual air handling

KEWAUNEE CONDOMINIUMS

CONSTRUCTION & DESIGN
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PROJECT NUMBER: 23-033

SCHEMATIC DESIGN

STATUS:







SCHEMATIC DESIGN

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118 KILBOURN STREET KEWAUNEE, WI 54216

		CONTACT INFORMATION	KMAIION	
	OWNER / DEVELOPER CONTACT	GENERAL CONTRACTOR	RACTOR	ARCHITECT OF RECORD
	OWNER / CONTACT	ALLIANCE CONSTRUCTION & DESIGN	TION & DESIGN	T.B.D.
	ALEX YANIK	PROJECT MANAGER	4GER	CONTACT NAME
	123 BLES STREET. KENNINGE, WISCHIE	1059 BROADWRY 8T. WRICHTSTOWN WI SKIRD	988	ADDRESS, COTY, STATE, 20-
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ARCHITECTURAL SITE PLAN

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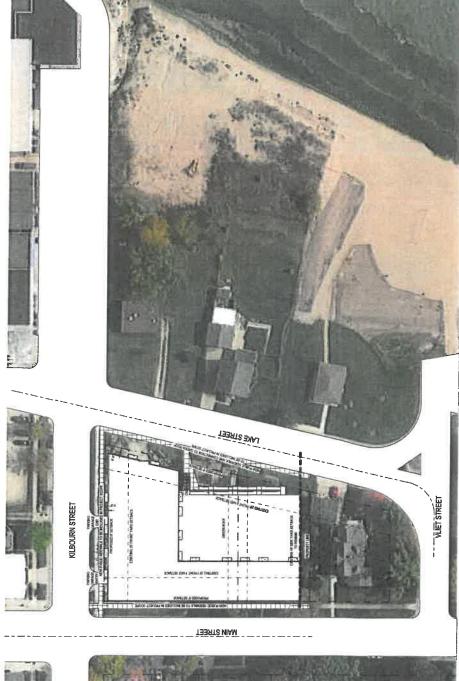
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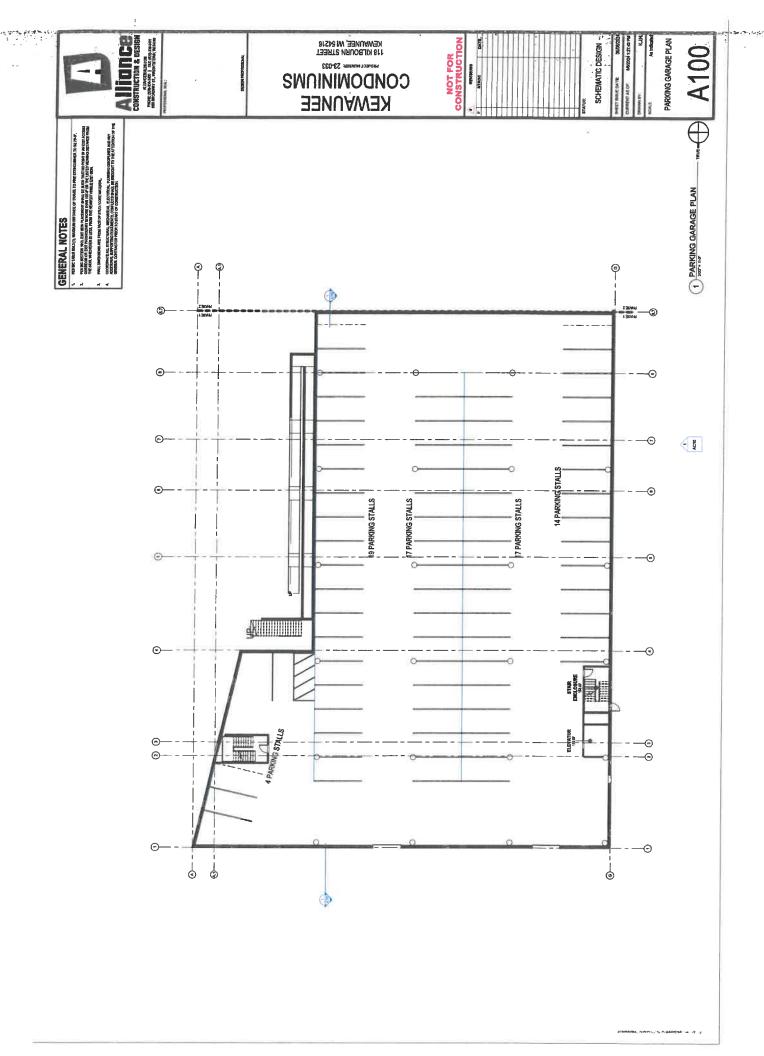
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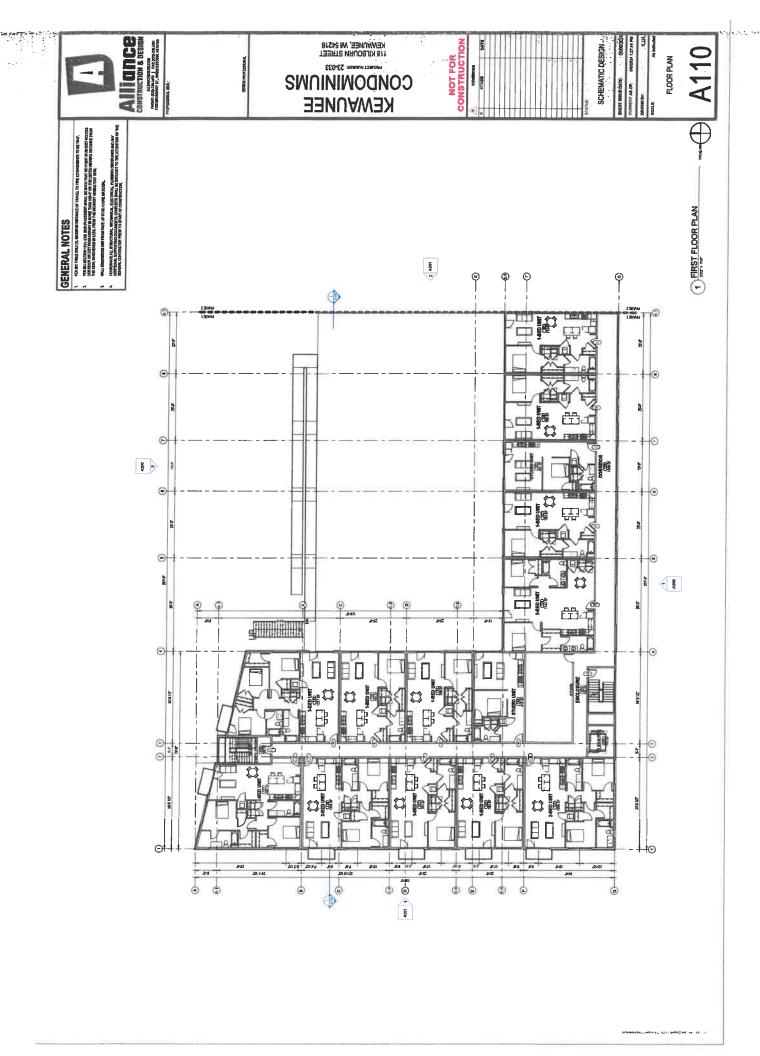
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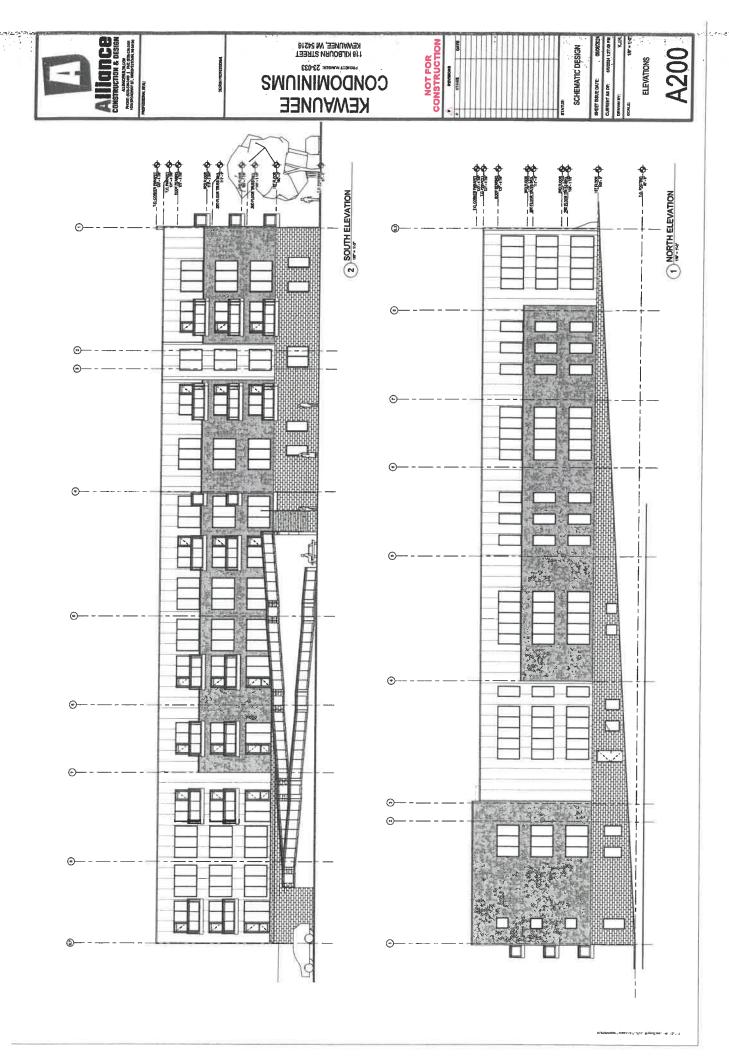
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GENERAL NOTES









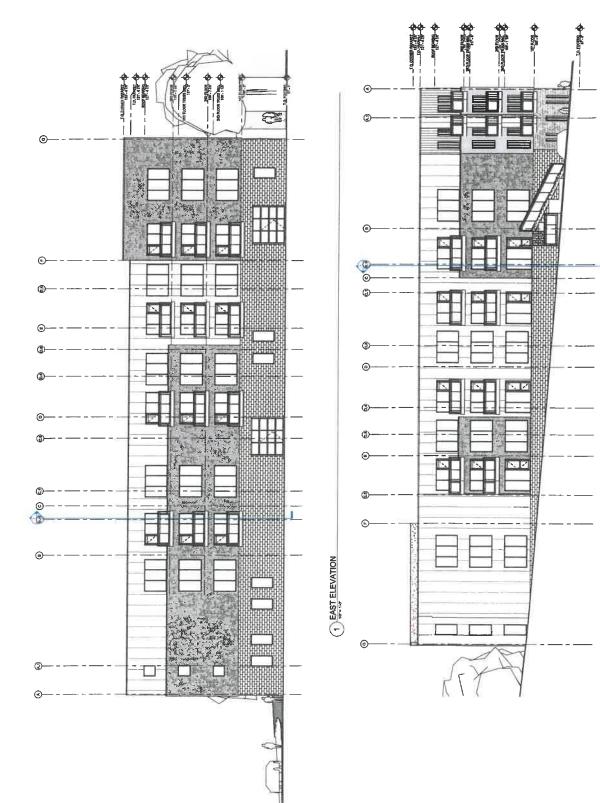
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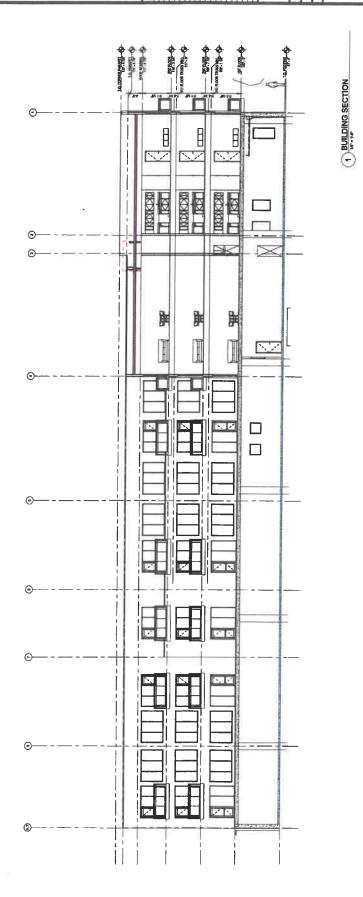
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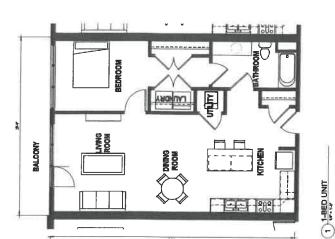
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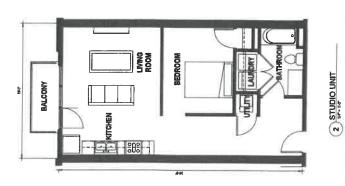
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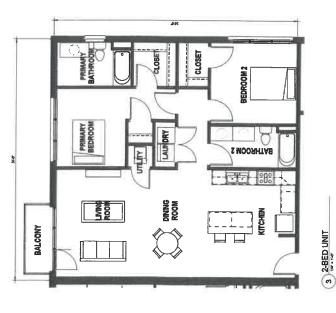
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48190

ALLIANCE CONSTRUCTION AND DESIGN, INC.

City of Kewaunee 401 Fifth Street Kewaunee, WI 54216

Check: 48190 Date: 8/29/2024

Vendor: CTYKEW

Yanik Cond	P.O. Num. ondos public hearing ominiums DA on Street Kewaunee, WI 54	<u>Invoice Amt</u> 600.00	Prior <u>Balance</u> 600.00	Retention 0.00	<u>Discount</u> 0.00	Amt. Paid 600.00
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STATE OF WISCONSIN

CITY OF KEWAUNEE

KEWAUNEE COUNTY

ORDINANCE NO. 653-2024

AN ORDINANCE TO CREATE SECTION 94-26.1. OF THE CITY OF KEWAUNEE MUNICIPAL CODE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 1 (KEWAUNEE CONDOMINIUMS) AND TO AMEND SECTION 94-8. OF THE CITY OF KEWAUNEE MUNICIPAL CODE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM I-1 LIGHT INDUSTRIAL AND R-1 SINGLE-FAMILY RESIDENTIAL TO PDD-1 PLANNED RESIDENTIAL DISTRICT (LOCATED AT 118 KILBOURN STREET AND 614 MAIN STREET)

(APPROXIMATELY 0.673 ACRES)

(ALEX YANIK, D/B/A D KAYSERI, LLC, AND MARK STEVENS, APPLICANTS)

WHEREAS, Alex Yanik, d/b/a D Kayseri, LLC, and Mark Stevens, property owners, having petitioned for the rezoning of approximately 0.673 acres of land, from I-1 Light Industrial District and R-1 Single-Family Residential District, such land located at 118 Kilbourn Street and 614 Main Street, bearing Parcel Numbers 241-00010-3820 and 241-00010-3840), and which are more particularly described below; and

WHEREAS, the City of Kewaunee Plan Commission having determined that the proposed Planned Development District No. 1 (*Kewaunee Condominiums*) is in conformance with the *City of Kewaunee 20-Year Comprehensive Plan* and contains more than 20,000 square feet; and

WHEREAS, a Public Hearing was held before the Plan Commission on the 26th day of September, 2024, and the Plan Commission having reviewed the Planned Development District No. 1 petition and having found that the proposed Planned Development District conforms to the standards of adoption of a Planned Development District, and having recommended to the Common Council that the creation of Planned Development District No. 1 be approved; and

WHEREAS, the Common Council having reviewed the petition and recommendation following the Public Hearing and having determined that the adoption of an ordinance to create Planned Development District No. 1 will promote the health, safety and welfare of the Community.

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

SECTION 1: Section 94-8. (Zoning Map) of the City of Kewaunee Municipal Code is hereby amended to provide that the zoning district designation for land located at 118 Kilbourn Street and 614 Main Street, as described below, be changed from I-1 Industrial District and R-1 Single-Family Residential District to PDD-1 Planned Development District No. 1 (*Kewaunee Condominiums*) as is created under SECTION 2 of this ordinance:

ORDINANCE NO. 653-2024 Page 2

LEGAL DESCRIPTION: Lots 1 & 2, and the northern 40 feet of Lot 3, all in Block 180 of the Original Town Plat of the City of Kewaunee.

ALSO

The southern 10 feet of Lot 3, all of Lot 4, and the northern 15 feet of Lot 5, all in Block 180 of the Original Town Plat of the City of Kewaunee.

SECTION 2: Section 94-26.1 of the City of Kewaunee Municipal Code is hereby created to read as follows:

Sec. 94-26.1. – planned development district no. 1 (Kewaunee condominiums)

- (a) Exhibits. This Planned Development District shall be constructed, operated, and maintained in conformance with the following listed Exhibits, all containing matters approved hereunder or by the separate approval of the Common Council as set forth below, and all applicable terms and provisions of the Municipal Code not enumerated herein and not contrary to the terms or provisions of this Chapter, as well as the Development Agreement required as a condition of approval of Exhibit A, below. The plans contained in the following listed Exhibits may be adjusted in minor detail and so noted prior to construction upon the written approval of the City Engineer or City Administrator in order to comply with all of the conditions of this Chapter.
 - 1. **Exhibit A:** Schematic Design entitled "Kewaunee Condominiums" prepared by Kevin Havlovitz, Alliance Construction & Design, dated June 6, 2024.
 - 2. **Developer:** The applicant, Alex Yanik d/b/a D Kayseri, LLC, and Mark Stevens
 - 3. Contractor: Alliance Construction & Design, Wrightstown, WI
- (b) District Intent. It is the intent of the Planned Development District No. 1 (Kewaunee Condominiums) to allow for multi-famil residential development with increased residential density, increased lot coverage, and reduced setback requirements over what is normally permitted under Municipal Code. The District is intended to be a single building.
- (c) General Requirements. The site shall be developed in substantial compliance with the district standards and specific development standards as shown in Exhibit A, and in compliance with the requirements of Sec. 94-26.
- (d) *District Standards*. Planned Development District No. 1 is further intended to have the following development standards:

- a. Permitted uses: Multi-family residential, structured parking, courtyard and amenity areas depicted in Exhibit A.
- b. Total units: 42 units, maximum
- c. Maximum gross density: 62.41 dwelling units/acre
- d. Maximum net density: 62.41 dwelling units/acre
- e. Minimum open space area: 8,600 square feet

(e) Plan Review.

- 1. The applicant shall be responsible for filling a Certified Survey Map to combine the parcels included in this project area consistent with all the requirements of Municipal Code, specifically Chapters 66 (Subdivision and Platting) and 94 (Zoning), as well as the requirements under State Statute.
- 2. The applicant shall submit a Site Plan, including demolition, construction design, stormwater management, utilities construction, landscape, and lighting, for review and approval by the Plan Commission.
- 3. The applicant shall be responsible for filing a Developer's Agreement to verify public coordination with improvements related to this project.
- 4. The applicant shall be responsible for filing a Condominium Plan in compliance with State Statute, for review by the Plan Commission and approval by the Common Council.
- 5. A Condominium Association document shall accompany the Condominium Plat including deed restrictions specifying maintenance of common areas. Said document shall be recorded after approval by the City Attorney of the City of Kewaunee.
- 6. Grading, stormwater management, erosion control and utility plans shall be subject to review by the City Engineer.

(f) Conditions of Approval.

The development PDD No. 1 upon the adoption of Sec. 94-26.1 shall occur and be in compliance with the Exhibit A Schematic Design (including the conditions of approval below, which are to be completed prior to the approval of the Condominium Plat).

1. Pending Plan Commission consideration

SECTION 3:	Conflict and Severability. In any section, subsection, sentence, clause, paragraph or phrase of this ordinance is for any reason held to be invalid or unconstitutiona 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.
	nced at a regular meeting of the Common Council of the City of Kewaunee this, 2024, by Alderperson
	and adopted at a regular meeting of the Common Council of the City of day of, 2024.
	APPROVED:
	Jeffrey L. Vollenweider Sr., Mayor
ATTEST;	
Karen Muchov Interim Clerk	vski
AYESN	OES ABSENT

Please publish in the September 12 and 19 issues of the Green Bay Press-Gazette. An affidavit of publication is also required.

Heath Eddy, AICP City Administrator

CITY OF KEWAUNEE NOTICE OF PUBLIC HEARING CITY OF KEWAUNEE PLAN COMMISSION September 26, 2024 – 6:30 P.M.

NOTICE IS HEREBY GIVEN that the City of Kewaunee Plan Commission will hold a public hearing on Thursday, September 26, 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 an Application by Alex Yanik, d/b/a D Kayseri, LLC, applicant and owner, and Mark Stevens, owner, to amend the Zoning Map to rezone their properties located at 118 Kilbourn Street (Parcel Number 241-00010-3820) and 614 Main Street (Parcel Number 241-00010-3840) from I-1 Light Industrial and R-1 Single-Family Residential, respectively, to PDD-1 Planned Development District.

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 4th day of September 2024.

Heath Eddy, AICP City Administrator

CITY OF KEWAUNEE

KEWAUNEE COUNTY

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 to 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.
 - 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;
 - 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.

Introduced at a regular meeting of the Common Council of the City of Kewaunee this 15th day of July, 2024, by Alderperson Blaha.

Passed and adopted at a regular meeting of the Common Council of the City of Kewaunee this 15th day of July, 2024.

APPROVED:

Jeffrey Vollenweider Sr., Mayor

ATTEST:

Jo Ann Lesser, CMC, WCMC City Clerk/Treasurer

AYES 5 NOES 6 ABSENT 2