



PLAN COMMISSION MEETING

FREEDOM TOWN HALL

W2004 COUNTY RD S

WEDNESDAY, MAY 14, 2025

5:30 p.m.

1. Call to order, roll call, pledge
2. Verification of posting & adopt agenda
3. Consideration of minutes from April 9, 2025
4. Discussion and possible action of preliminary plat – Chad & Mark Properties
5. Discussion and possible recommendation of rezoning application – Chad & Mark Properties
6. Discussion and possible action on Chapter 18 Ordinance, 18-073 Addressing
7. Building permits report
8. Sanitary District report
9. Town Planner report
10. Future meeting schedule = June 11, 2025 at 5:30pm
11. Adjourn

Posted on 2 Boards at the Freedom Town Hall and on the Town website on the 12th day of May 2025, by 9 AM by the Clerk's Office

Dana McHugh, Town Clerk/Treasurer

PLAN COMMISSION MEETING

FREEDOM TOWN HALL

W2004 COUNTY RD S

WEDNESDAY, APRIL 9, 2025

5:30 p.m.

1. CALL TO ORDER, ROLL CALL, PLEDGE

Chairperson Linda Borneman called the meeting to order at 5:30 p.m.

Chairperson Linda Borneman, Commissioner Henry McKenna, Commissioner Dan Reinke, Commissioner Ron Mashlan, Commission Darin Tiedt, Commissioner Mark Dollevoet, and Commissioner Sam VanHandel were all present. Also Present: Justin Carlson Town Administrator, Dana McHugh Clerk/Treasurer, Jeff Sanders Town Planner. Chairperson Borneman Led the Pledge of Allegiance.

2. VERIFICATION OF POSTING & ADOPT AGENDA

Agenda posted on the 2 board at the Town Hall and on the Town website on 8/11/25 by 1pm. Motion made by Commission Reinke with a second by Commissioner Dollevoet to adopt the agenda.

Vote: 7 Yes 0 No Motion Carried

3. CONSIDERATION OF MINUTES FOR MARCH 12, 2025

Motion made by Commissioner Reinke with a second by Commissioner Mashlan to approve March 12, 2025, meeting minutes.

Vote: 5 Yes 0 No Commissioner Dollevoet & Commissioner Tiedt abstain Motion Carried

4. DISCUSSION AND POSSIBLE RECOMMENDATION ON VARIANCE FOR DERCKS/FIELDS PROPERTY

Commissioner McKenna made a recommendation of denial of the Dercks/Fields variance to the Town Board, with a second by Commissioner Reinke.

Vote: 7 Yes 0 No Motion Carried

5. BUILDING PERMITS REPORT

6. SANITARY DISTRICT REPORT

7. TOWN PLANNER REPORT

8. FUTURE MEETING SCHEDULE – MAY 14th at 5:30 p.m.

9. ADJOURN

Motion made by Chairperson Borneman with a second by Commissioner Dollevoet to adjourn the meeting at 6:57 pm.

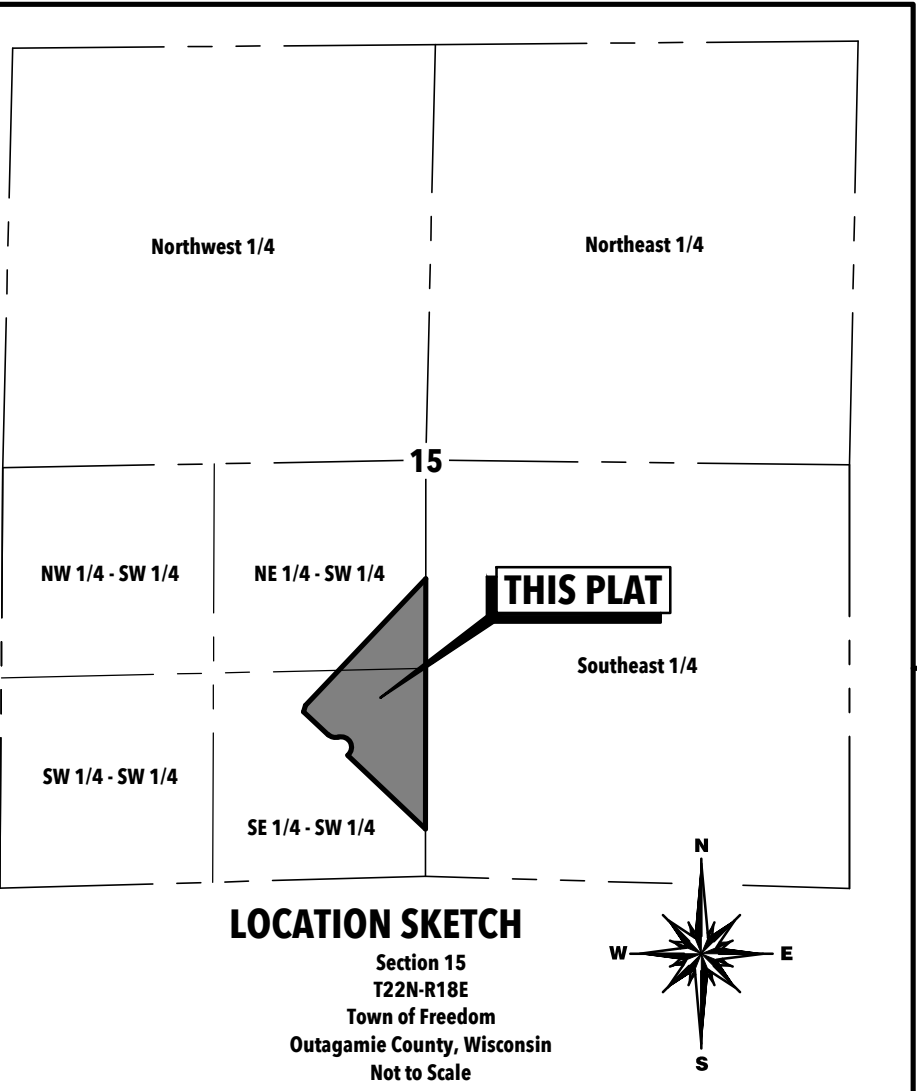
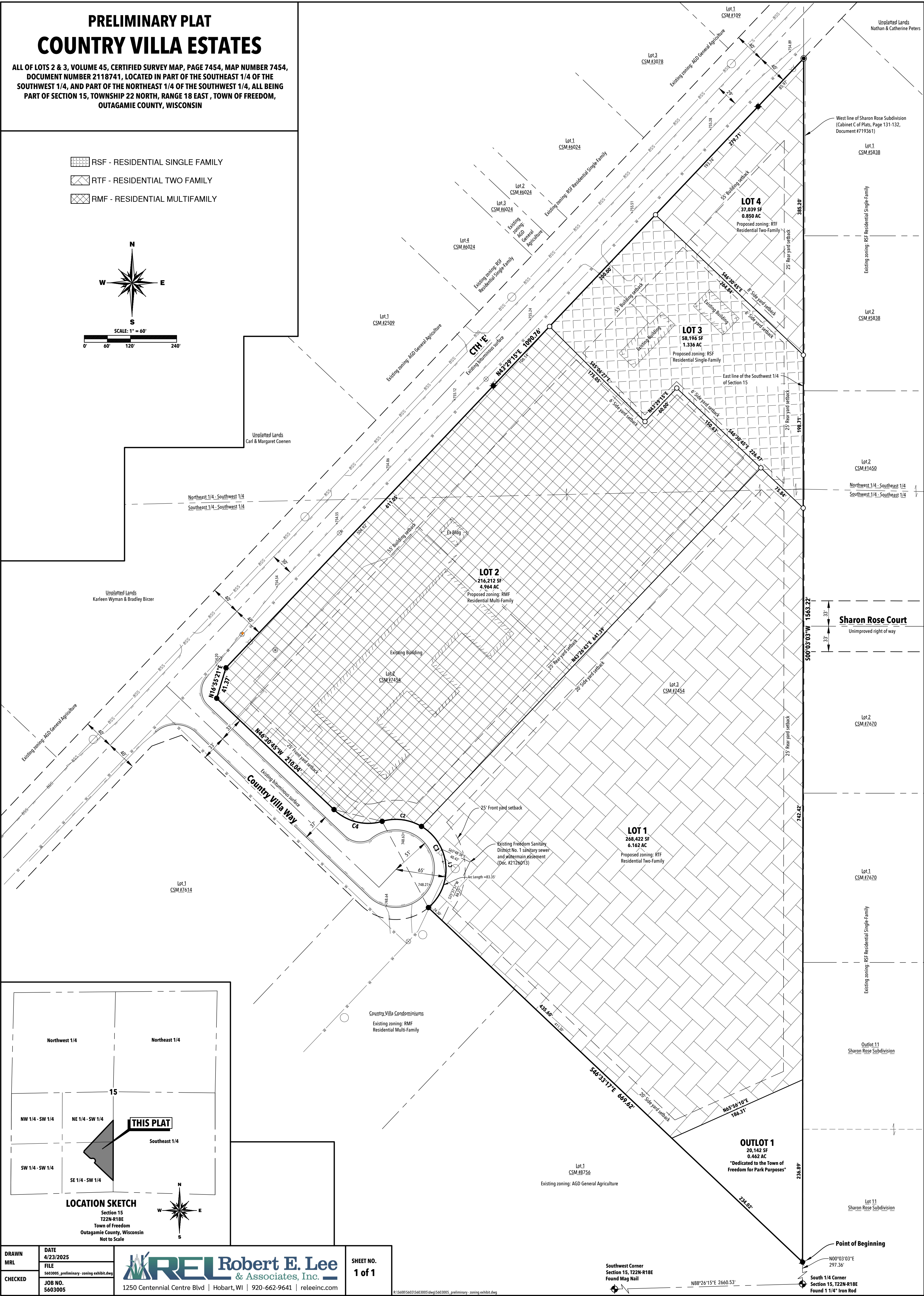
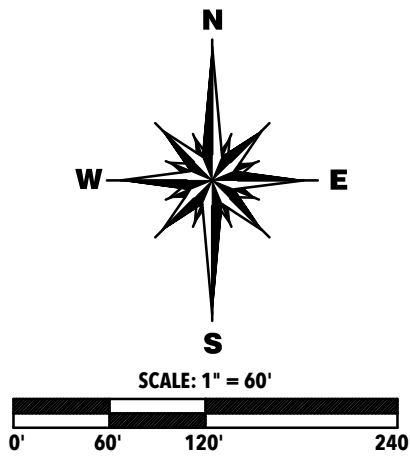
Vote: 7 Yes 0 No Motion Carried

Dana McHugh, Town Clerk/Treasurer

PRELIMINARY PLAT
COUNTRY VILLA ESTATES

ALL OF LOTS 2 & 3, VOLUME 45, CERTIFIED SURVEY MAP, PAGE 7454, MAP NUMBER 7454, DOCUMENT NUMBER 2118741, LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL BEING PART OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 18 EAST, TOWN OF FREEDOM, OUTAGAMIE COUNTY, WISCONSIN

- RSF - RESIDENTIAL SINGLE FAMILY
RTF - RESIDENTIAL TWO FAMILY
RMF - RESIDENTIAL MULTIFAMILY



DRAWN	DATE
	4/23/2025
MRL	FILE
	5603005_preliminary-zoning-exhibit.dwg
CHECKED	JOB NO.
	5603005

REL Robert E. Lee & Associates, Inc.
1250 Centennial Centre Blvd | Hobart, WI | 920-662-9641 | releinc.com

SHEET NO.
1 of 1

R:\56000\5603005\5603005.dwg 5603005_preliminary-zoning-exhibit.dwg

I. APPLICATION:

Title of Project: Country Villa Preliminary Plat

Name of Owner: Chad and Mark Properties LLC, rep. Chad Reader

Name of Surveyor/Engineer: Troy E. Hewitt, P.L.S, Robert E Lee & Associates; Michael Leidig, P.E.,
Robert E Lee & Associates.

II. BACKGROUND:

The Owner has submitted an 'Application for Preliminary Plat' (hereafter, Preliminary Plat) for three parcels on or adjacent to CTH E in the Town of Freedom including:

- Tax Parcel Number 090040300 (hereafter, TPN-090040300) located at N3818 CTH E. TPN-090040300 hosts a single-family dwelling
- TPN-090040701 located at N3782 Country Villa Way
- TPN-090040706 located abutting the previous parcels (see Exhibit 1); TPN-090040701 hosts a senior living community; TPN-090040706 is an undeveloped lot.

III. COMPREHENSIVE PLAN:

Wis. Stat. § 66.1001(3)(h) requires a town administering a local subdivision ordinance to do so consistent with an adopted comprehensive plan. As per Wis. Stat. 66.1001(1)(am), '*consistent with*' means: '*furtheres or does not contradict the objectives, goals, and policies contained in the comprehensive plan.*' The Town of Freedom Comprehensive Plan (hereafter, comprehensive plan) was adopted in October 2020 and classifies TPN 090040300, TPN-090040701, and TPN-090040706 as 'Multiple-Family' within a 'Low Density Commercial Corridor' (see Exhibit 2).

The Preliminary Plat is **consistent with** the comprehensive plan.

IV. ZONING ORDINANCE:

TPN 090040300 is 3.38 acres in size and is zoned AGD General Agricultural District, TPN-090040701 is 2.49 acres in size and is zoned RSF Single-Family Residential (hereafter, RSF District), and TPN-090040706 is 7.81 acres in size and is zoned RMF Multi-Family Residential (hereafter, RMF District). The Preliminary Plat, if approved, will result in the creation of:

- Lot 1 – 6.162-acre irregular lot zoned RTF Two-Family Residential District (hereafter, RTF District) intended for two-family development
- Lot 2 – 4.964-acre lot zoned RMF District hosting existing and expanded multi-family development
- Lot 3 – 1.336-acre lot zoned RSF District hosting the existing single-family dwelling
- Lot 4 – 0.850-acre irregular lot zoned RTF District for undetermined use.

Section 54-157(1)a of the Outagamie County Zoning Ordinance (hereafter, zoning ordinance) establishes the following 'Dimensional Requirements' for a RSF District lot 'within an approved and recorded subdivision plat served by public sewer':

1. *Lot area: 9,200 sf. per dwelling.*
2. *Lot width: 75 ft.*
3. *Front yard: 25 ft.*
4. *Side yards: six ft.*
5. *Rear yards: 25 ft.*
6. *Maximum lot coverage: 20 percent.*

Proposed Lot 3 appears to be compliant with the requirements of Section 54-157(1)a of the zoning ordinance.

Section 54-179 of the zoning ordinance establishes the following 'Dimensional Requirements' for RTF District lots hosting two-family dwellings served by public sewer and water:

1. *Lot Area – 9,000 sf. (4,500 sf. per family)*
2. *Lot Width – 75 ft.*
3. *Front yard: 25 ft.*
4. *Side yards: eight feet each.*
5. *Rear yard: 25 ft.*
6. *Maximum lot coverage: 30 percent.*

Proposed Lots 1 and 4 are compliant with the requirements of Section 54-179 of the zoning ordinance contingent upon type, size, density, and location of proposed dwelling units and maximum lot coverage.

Section 54-208 of the zoning ordinance establishes the following 'Dimensional Requirements' for RMF District lots hosting multi-family dwellings:

1. *Lot Area – 10,000 sf.*
2. *Lot Width – 90 ft.*
3. *Front yard: 25 ft.*
4. *Side yards: 20 ft. each.*
5. *Rear yard: 25 ft.*
6. *Maximum Density: 20 ft. dwelling units per net acre.*
7. *Maximum lot coverage: 30%*

Proposed Lot 2 is compliant with the requirements of Section 54-179 of the zoning ordinance contingent upon type, size, density, and location of proposed dwelling units and maximum lot coverage.

V. LAND DIVISION ORDINANCE:

Based on the Concept Plan submitted to and reviewed by the Town in 2024 (see Exhibit 3), it is CPC's understanding the Owner proposed 12 two-family condominium units for TPN-090040706. If that remains the intent, the appropriate application form would be the 'Application for Condominium Plat.' However, CPC will review the Preliminary Plat consistent with the requirements for a condominium plat.

Section 18-024 of the Town of Freedom Land Division Regulations (hereafter, land division ordinance) reads as follows:

'A condominium plat prepared under Wis. Stat. ch. 703, creating at least four units with a parent parcel size of five acres or more, shall be reviewed by the Town in the same manner as a conventional subdivision plat as set forth in this Chapter and shall comply with the applicable design standards and required improvements of this Chapter.'

Wis. Stat. § 703.11(2) reads as follows:

'A condominium plat may consist of one or more sheets, shall be produced on media that is acceptable to the register of deeds, and shall contain at least the following particulars:

- (a) The name of the condominium and county in which the property is located on each sheet of the plat. The name of the condominium must be unique in the county in which the condominium is located. If there is more than one sheet, each sheet shall be consecutively numbered and show the relation of that sheet number to the total number of sheets.*
- (am) A blank space at least 3 inches by 3 inches in size in the upper right corner on the first sheet for recording use by the register of deeds.*
- (b) A survey of the property described in the declaration that satisfies all of the following criteria:*
 - 1. The survey complies with minimum standards for property surveys adopted by the examining board of architects, landscape architects, professional engineers, designers, professional land surveyors, and registered interior designers.*
 - 2. The survey shows the location of any unit or building located or to be located on the property.*
 - 3. The survey includes a clear and concise description of the surveyed property, as described in s. 236.34 (1m) (d) 2.*
- (c) Plans that show the location of each building located or to be located on the property and, if there are units in a building, that show the perimeters, approximate dimensions, approximate square footage, and location of each unit in the building. Common elements shall be shown graphically to the extent feasible.*
- (d) All survey maps and floor plans submitted for recording shall be legibly prepared with a binding margin of 1.5 inches on the left side and a one-inch margin on all other sides on durable white media that is 14 inches long by 22 inches wide with*

a permanent nonfading black image. The maps and plans shall be drawn to a convenient scale.'

The proposed Preliminary Plat is **noncompliant** with Section 18-024 of the land division ordinance as it pertains to Wis. Stat. §§ 703.11(2)(am), (b)2, and (c).

Section 18-029 of the land division ordinance establishes requirements for 'Improvements'.

Improvements	
Requirement	Compliant
Bicycle circulation shall be accommodated on streets and/or on dedicated bicycle paths.	Undetermined [1]
Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles.	Undetermined [1]
The existing street grid should be maintained where present, and well-connected street patterns shall be established in new subdivisions to maximize connectivity and accessibility wherever feasible.	Undetermined [1]
The subdivider shall provide and install street, pedestrianway, and bikeway lighting systems, where appropriate, within the area being developed, upon consultation with the appropriate electric utility and as approved by the Town Engineer, prior to acceptance of the subdivision.	Undetermined [1]
The developer shall reimburse the Town for the installation of all street name signs, temporary dead-end barricades and signs, no parking signs, and traffic control signs as required by Town standards, prior to acceptance of the subdivision.	tbd [2]
Overall composition and location of landscaping shall complement the scale of the development and its surroundings and shall comply with the landscaping requirements of the zoning ordinance.	Undetermined [1]
Street terraces shall be a least four feet in width between the sidewalk and the curb and gutter to allow for planting of trees.	Undetermined [1]
In the development of new subdivisions, the developer shall work with Town staff to create a tree preservation plan that shows exactly which trees will be removed to install infrastructure for the development. The developer shall also provide a plan specifying methods of protecting trees not approved for removal. The developer shall ensure protective structures shall remain in place until construction on site is complete. Trees dead or in poor condition after one year as determined by Town staff shall be replaced by the subdivider.	Undetermined [1]
Stormwater management and erosion control facilities.	tbd [3]
[1] Required information not shown on Preliminary Plat. [2] To be determined by Town Engineer. [3] To be determined by Town Engineer and Outagamie County.	

The Preliminary Plat is **noncompliant** with Section 18-029 of the land division ordinance.

Article III of the land division ordinance establishes 'Design Standards' for land divisions.

Design Standards	
Standard	Compliant
Conformity with the Comprehensive Plan.	Yes
Relationship to Existing and Future Development.	
The arrangement of streets in new subdivisions shall make provision for the continuation of existing streets to adjoining areas.	Undetermined [1]
Where adjoining areas are not subdivided or developed and the Comprehensive Plan indicates development is desired, the arrangement of streets in the proposed development shall provide for proper projection of streets to the boundary of the proposed development.	n/a
Access to Public Roadway System.	
A subdivision comprised of 20 or fewer developable lots shall provide access to the existing or planned public roadway system via at least one access point.	Undetermined [1]
Subdivisions comprised of 21 or more developable lots shall provide access to the existing or planned public roadway system via no fewer than two access points.	Undetermined [1]
All Subdivisions.	
If construction of a subdivision is to be phased, the second point of access must be provided before the total number of issued building permits for new dwelling units in the subdivision exceeds 20.	Undetermined [1]
The Plan Commission and Town Board may require additional access points when deemed necessary to provide safe and efficient circulation, and connectivity to the existing or planned road system.	Undetermined [1]
Temporary Road Stubs. (a) The Plan Commission and Town Board may require subdivisions include outlots designated as a temporary road stub, when deemed necessary to provide safe and efficient circulation to potential future development adjoining or adjacent to the proposed subdivision. (b) Such outlots, when required, shall be wide enough to comply with Town road standards and accommodate two-way traffic. (c) Such outlots, when required, shall be maintained by the Homeowner Association until such time as may be dedicated to the Town. Street Design Standards.	Undetermined [1]
Cul-de-sac Streets.	
The use of cul-de-sac streets shall be limited to portions of developments which, due to unusual topographical, environmental, or other particular conditions, may better be served by culs-de-sac than by continuous streets.	Undetermined [1]
Every attempt shall be made to provide for pedestrian connections at the terminus of a cul-de-sac.	Undetermined [1]
All cul-de-sac streets shall terminate in a circular turnaround meeting the dimensional standards of this Chapter.	Undetermined [1]

Culs-de-sac shall not exceed 600 feet in length and shall be measured along the center line from the center of the turnaround to the edge of the right-of-way of the intersecting street.	Undetermined [1]
Sidewalks.	
Sidewalks, paths, trails, or other pedestrian facilities shall be provided for all new subdivisions located within or adjacent to the town core and elsewhere when necessary to complete missing links between, or extensions of, existing sidewalks, paths, trails, or other such facilities.	Undetermined [1]
The Town Board shall require the construction of sidewalks in locations other than required under the preceding provisions of this Chapter if such walks are necessary, in its opinion, for safe and adequate pedestrian circulation.	Undetermined [1]
The Town will consider the construction of a sidewalk on only one side of the street where the right-of-way has very severe topographic or environmental constraints or where there is existing development or mature landscaping.	Undetermined [1]
In the design of the plat, the developer shall make provisions for pedestrianways and bikeways for transport and recreation as required by the Town. Walks and paths away from streets in common areas shall be lighted for safety and to permit visual surveillance.	Undetermined [1]
Lots.	
Lot dimensions and setback lines shall conform to the requirements of the zoning ordinance.	Undetermined [1]
Side lot lines shall be right angles to straight lines or radial to curved street lines on which the lots face whenever possible.	No [2]
Corner lots shall have sufficient width to permit adequate building setbacks from side streets to conform to the zoning ordinance.	n/a
Every lot shall front or abut on a public street, not including alleys, freeways, or half streets.	Yes
Lot lines shall not cross municipal boundary lines.	n/a
Shape of lots shall generally be rectangular. Lots platted on cul-de-sacs will generally be narrower at the street than at the rear lot line. Flag lots or easements or other lot stacking techniques shall be prohibited, except where necessary to accommodate exceptional topography or to preserve natural resources.	No [3]
Excessive Depth of Lots in relation to width shall be avoided and a proportion of two to one (2:1) shall be considered a desirable depth-to-width ratio under normal conditions. Depth of lots or parcels designated for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated.	Yes
Double frontage and reverse frontage lots shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation.	n/a
Residential lots fronting or backing on arterial streets shall be platted with extra depth.	Undetermined [1]

Where possible, lots shall be created to avoid crossing navigable waterways. When this is required, it shall be approved at the discretion of Town of Freedom.	n/a
[1] Required information not shown on Preliminary Plat. [2] Boundary between proposed Lots 2 and 3 noncompliant with this requirement. [3] Lots 2 and 3 noncompliant with this requirement.	

The Preliminary Plat is **noncompliant** with Article III of the land division ordinance.

Section 18-071.B of the land division ordinance establishes submittal standards for a Preliminary Plat.

Preliminary Plat	
Standard	Compliant
Title of the proposed subdivision not duplicating an existing subdivision in Outagamie County.	Yes
Location of the proposed subdivision by government lot, quarter section, section, township, range, and county.	Yes
A small-scale drawing detailing the section or region in which the subdivision lies within the location of the subdivision located thereon.	Yes
Date, graphic scale, and North arrow.	Yes
Name and address of the owner, subdivider, authorized agent, and land surveyor preparing the plat.	Yes
Entire area contiguous to the proposed plat owned or controlled by the subdivider, even if only a portion of said area is proposed for immediate development. The Town may waive this requirement where it is unnecessary to fulfill the purposes and intent of this chapter and undue hardship would result from strict application thereof.	Yes
Exact length and bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in the Outagamie County Coordinate Monumentation System, and the total acreage encompassed.	Yes
Location and names of any adjacent subdivisions, parks and cemeteries, and owners of record of abutting unplatted lands.	Yes
Location, right-of-way width, and names of any existing or proposed streets, alleys, or other public ways, easements, railroad and utility rights-of-way, and all section or quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.	Undetermined [1]
Location of all permanent buildings and major structures.	Yes
Location of existing property lines, structures, drainage ditches, streams and watercourses, lakes, wetlands, rock outcrops, wooded areas, slopes 12% or greater, environmentally sensitive areas, and other similar significant features within the parcel being subdivided.	No [2]
Location of Secondary Conservation Areas, as defined in this Chapter.	n/a

Location and type of existing and proposed public easements.	Undetermined [1]
Water elevations of adjoining lakes, ponds, streams, and flowages at the date of the survey, and approximate high and low water elevations.	Undetermined [1]
Type, width, and elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto with any legally established center-line elevations.	Yes
Contours at vertical intervals of not more than two feet where the slope of the ground surface is less than 10 percent, and of not more than four feet where the slope of the ground surface is 10 percent or more. Elevations shall be marked on such contours based on National Geodetic Datum of 1929 (mean sea level).	Yes
Location and approximate dimensions of any sites to be dedicated or reserved for parks, open space, drainageways, schools, or other public uses as deemed necessary by the Town.	Undetermined [1]
Approximate dimensions of all lots, and proposed lot and block numbers.	Yes
Existing and proposed land use and zoning included within and immediately adjacent to the proposed subdivision.	Undetermined [1]
Floodplains, wetlands, and any proposed lake and stream access.	n/a
Surface drainage pattern mapping and indication of direction and established peak volume of soil drainage pattern as deemed necessary by the Town.	tbd [3]
Signature and seal of surveyor	Yes
[1] Required information not shown on Preliminary Plat. [2] WI DNR Wetland Indicators are present along southeast boundary of TPN-090040706 (see Exhibit 4). [3] To be determined by Town Engineer and Outagamie County.	

The Preliminary Plat is **noncompliant** with Section 18-070.B of the land division ordinance.

Section 18-120 of the land division ordinance reads as follows:

'Park Dedication Requirements.

- A. *Dedication of Sites. When feasible and compatible with the Comprehensive Plan and Comprehensive Outdoor Recreation Plan, the subdivider shall provide and dedicate to the public adequate land to provide for park, playground, trail, recreation, and open space needs of the land development within the Town of Freedom. The location of such land to be dedicated shall be determined by the Town Board. Where the dedication is not compatible with the Comprehensive Plan and Comprehensive Outdoor Recreation Plan, or for other reasons is not feasible as determined by the Town Board, the subdivider shall, in lieu thereof, pay to the Town a fee as established by the Town Board in the Town of Freedom Fee Schedule.*

- B. *Dedication of Parks, Playgrounds, Trails, Recreation and Open Spaces. The subdivider shall dedicate sufficient land area to provide adequate parks, playgrounds, trails, recreation, and open spaces to meet the needs to be created by and to be provided for the land division, subdivision, or comprehensive development. The minimum dedication shall be one acre for each 25 potential dwelling units or fractions thereof.*
- C. *Combination of Residential Uses. Where a combination of residential uses is intended, the minimum dedication shall be the sum obtained by adding the potential residential units intended for single-family and two-family dwellings, and the potential residential units intended for multi-family dwellings. Where a definite commitment is made to the Town by the developer with respect to those portions of the project intended for single family, duplex and multi-family dwellings, the dedication shall be based upon the maximum dedications which the zoning classification of the parcel will permit.*

Required information not shown on Preliminary Plat.

VI. RECOMMENDATION:¹

CPC recommends **denial** of the Preliminary Plat for the reasons cited in Section V of this Report.

¹ CPC recommendations are based upon professional staff review of application materials provided to CPC. This report provides information and professional opinion for consideration. CPC staff reports are authored by a municipal planner, not a licensed attorney, and do not constitute a legal opinion.

Exhibit 1



Exhibit 2



Prepared By Jeffrey Sanders
Community Planning & Consulting, LLC
For the Town of Freedom, Outagamie County, WI
7 May 25

[illegible]

Exhibit 4

- Purple lines w/purple dots - WI DNR Wetland Indicators





Town of Freedom

OUTAGAMIE COUNTY P.O. BOX 1007 FREEDOM, WI 54131

W2004 County Road S - PO Box 1007 - Freedom, WI 54131
920-788-4548 phone - 920-788-7550 fax
clerk@townoffreedom.org - www.townoffreedom.org

Rezoning Application – Page 1
(Submit 15 copies of Drawings)

Property Owner(s): CHAD AND MARK PROPERTIES LLC

Address/City/Zip: W2015 INDUSTRIAL DR KAUKAUNA, WI 54130

Phone: 920-788-2494 **Fax:** _____ **E-Mail:** chad@readerplumbing.com

Applicant (if other than Owner): Robert E. Lee and Associates

Check: Architect ☐ Engineer ☒ Surveyor ☐ Attorney ☐ Agent ☐

Address/City/Zip: 1250 Centennial Centre Blvd Hobart, WI 54155

Phone: 920-662-9641 **Fax:** _____ **E-Mail:** mleidig@releeinc.com

I/we certify the attached drawings are to the best of my/our knowledge complete and drawn in accordance with all codes.

Owner Signature: Chad Reader **Date:** 4-27-2025

Applicant Signature: Michael Leidig **Date:** 04/28/2025

Zoning Specifics:

Tax Key No.(s): 090040300, 090040701, and 090040706

Address of Property to be Rezoned: NA

Existing Zoning: SFR, MFR, GA **Proposed Zoning:** SFR, TFR, MFR

Current Land Use: RCAC, VACANT, **Proposed Land Use:** RCAC, Duplexes, single family
SINGLE FAMILY

Is the Proposed Zoning consistent with the Town's Comprehensive Plan: Yes ☒ No ☐

State the reasons for the rezoning.

To permit a RCAC expansion of an existing facility, to allow for a plat to be approved by
the County, and to allow for future duplex expansion

Would the rezoning endanger or create an adverse impact to the adjacent neighborhood?

No, there are existing duplexes of the same type proposed, and there is an existing RCAC
facility which would be expanded.

Would the rezoning provide a beneficial impact to the community at large?

Yes, this will provide an increase in tax base as well as needed living areas for community
members.

Are the soils and drainage conditions favorable for your intended use? If not, how will the existing hazards be overcome? During construction, what provisions will be made to prevent soil loss?

To our understanding, there are no hazardous soil conditions that need to be overcome.
Soil loss will be prevented and minimized by following WDNR, County, and Town erosion
control requirements.

Rezoning Application – Page 2

What types of public facilities are currently provided on the land? (e.g. sewer, water, utilities, etc.)

Do these facilities have the capability to support your intended use?

Sewer and water are present in the road outside these parcels and coordination has
already begun to bring these facilities to the new RCAC and possible duplex
development.

What type of community facilities and services will have to be provided resulting from your request?
(i.e., additional water/sewer lines, roads, etc.)

An additional private road may be constructed and two new water and sewer stubs may
be needed.

Are there any comments, information, special conditions related to the land that would be favorable
for granting your request?

The Town has already entered into a developers agreement for this development and
preliminary conversations have been positive.

For Town Use Only

Fee: _____ Acct No: _____ Receipt: _____ Date: _____

Date Rec'd Complete: _____ By: _____ Applic. No.: _____

Neighbors within 300 feet notified: _____

Review by Plan Commission: _____

Recommendation to: Approve _____ Deny _____

Review by Town Board: _____

Rezoning is: Approved _____ Denied _____

If denied, date resolution was filed with Outagamie County: _____

Comments: _____

I. APPLICATION

Title of Project: Country Villa Zoning Change

Name of Owner: Chad and Mark Properties LLC, rep. Chad Reader

Name of Surveyor/Engineer: Michel Leidig, P.E., Robert E Lee & Associates

II. BACKGROUND

The Applicant has submitted a 'Rezoning Application' (hereafter, Application) for three parcels on or adjacent to CTH E in the Town of Freedom: Tax Parcel Number 090040300 (hereafter, TPN 090040300 located at N3818 CTH E, TPN-090040701 located at N3782 Country Villa Way, and TPN-090040706 located abutting the previous parcels (see Exhibit 1). TPN 090040300 hosts a single-family dwelling; TPN-090040701 hosts a senior living community; TPN-090040706 is an undeveloped lot.

The proposed zoning change is necessary to accommodate a proposed four-lot Preliminary Plat (hereafter, Plat) and expansion of the senior living use. The entirety of the proposed development is located within the Sewer Service Area Boundary (see Exhibit 2).

III. ZONING ORDINANCE

TPN 090040300 is 3.38 acres in size and is zoned AGD General Agricultural District, TPN-090040701 is 2.49 acres in size and is zoned RSF Single-Family Residential (hereafter, RSF District), and TPN-090040706 is 7.81 acres in size and is zoned RMF Multi-Family Residential (hereafter, RMF District). The Plat, if approved, will result in the creation of:

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1. *Lot area: 9,200 sf. per dwelling.*
2. *Lot width: 75 ft.*
3. *Front yard: 25 ft.*
4. *Side yards: six ft.*
5. *Rear yards: 25 ft.*
6. *Maximum lot coverage: 20 percent.*

Proposed Lot 3 appears to be compliant with the requirements of Section 54-157(1)a of the zoning ordinance.

Section 54-179 of the zoning ordinance establishes the following 'Dimensional Requirements' for RTF District lots hosting two-family dwellings served by public sewer and water:

1. *Lot Area – 9,000 sf. (4,500 sf. per family)*
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Proposed Lots 1 and 4 are compliant with the requirements of Section 54-179 of the zoning ordinance contingent upon type, size, density, and location of proposed dwelling units and maximum lot coverage.

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6. *Maximum Density: 20 ft. dwelling units per net acre.*
7. *Maximum lot coverage: 30%*

Proposed Lot 2 is compliant with the requirements of Section 54-179 of the zoning ordinance contingent upon type, size, density, and location of proposed dwelling units and maximum lot coverage.

IV. COMPREHENSIVE PLAN

A. Zoning Ordinance

Wis. Stat. § 66.1001(3)(j) requires a county administering zoning regulations to do so consistent with an adopted comprehensive plan. As per Wis. Stat. § 66.1001(1)(am), 'consistent with' means: *'furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.'*

The Town of Freedom Comprehensive Plan (hereafter, comprehensive plan) was adopted in October 2020 and classifies TPN 090040300, TPN-090040701, and TPN-090040706 as 'Multiple-Family' within a 'Low Density Commercial Corridor' (see Exhibit 3).

The Plat is **consistent with** the Town of Freedom Comprehensive Plan.

The Outagamie County Comprehensive Plan was adopted in 2020 and classifies TPN 090040300, TPN-090040701, and TPN-090040706 as 'Community Mixed Use' and 'Town Center / Highway Mixed Use' (see Exhibit 4). The Plan describes the Community Mixed Use land use classification as:

'Consists of an array of land uses including residential, commercial, light manufacturing, industrial, institutional, recreational, governmental at lower densities than urban areas. Isolated remnants of agricultural/open land. New developments served by sanitary sewer; isolated, existing development served by POWTS.'

'Typical uses: Senior housing (including condominium and townhouse), multi-family apartment complexes, multi-generational housing, small scale commercial retail and office space; restaurants; service establishments.'

The Plat is **consistent with** the Outagamie County Comprehensive Plan.

V. LAND DIVISION ORDINANCE

Section 18-050.B of the Town of Freedom Land Division Regulations (hereafter, land division ordinance) reads as follows:

'Side lot lines shall be right angles to straight lines or radial to curved street lines on which the lots face whenever possible.'

The southern side yard lot line of proposed Lot 3 extends at a right angle from CTH E for 175 ft, takes a 90-degree turn to the northeast where it extends for 60 feet, then takes another 90-degree turn to the southeast where it extends 227 feet to the western boundary of TPN-090040706.

The Plat is **noncompliant** with Section 18-050.B of the land division ordinance.

Section 18-050.F of the land division ordinance reads as follows:

'Shape of lots shall generally be rectangular. Lots platted on cul-de-sacs will generally be narrower at the street than at the rear lot line. Flag lots or easements or other lot stacking techniques shall be prohibited, except where necessary to accommodate exceptional topography or to preserve natural resources.'

Proposed Lots 3 and 4 are **noncompliant** with Section 18-050.F of the land division ordinance.

VI. CPC RECOMMENDATION¹

CPC advises the Town Board recommend to Outagamie County **denial** of the requested zoning changes for the reasons cited in Section V of this Report.

¹ CPC recommendations are based upon professional staff review of application materials provided to CPC. CPC staff reports are authored by a municipal planner, not a licensed attorney, and do not constitute a legal opinion.

6 May 25

This aerial map displays the Country Villa Condominiums, with units and their respective acreages labeled. The map includes the following units and acreages:

- 040204: 1.77 A
- 040206: 41 A
- 0402: 1.18 A
- 0402-1: 1.72 A
- 040501: 2.47 A
- 040701: 2.49 A
- 040704: 2.38 A
- 040702: 18.81 A
- 040729: 2.38 A
- 040730: 2.38 A
- 040731: 2.38 A
- 040732: 2.38 A
- 040733: 2.38 A
- 040734: 2.38 A
- 040735: 2.38 A
- 040736: 2.38 A
- 040737: 2.38 A
- 040738: 2.38 A
- 040739: 2.38 A
- 040740: 2.38 A
- 040741: 2.38 A
- 040742: 2.38 A
- 040743: 2.38 A
- 040744: 2.38 A
- 040745: 2.38 A
- 040746: 2.38 A
- 040747: 2.38 A
- 040748: 2.38 A
- 040749: 2.38 A
- 040750: 2.38 A
- 040751: 2.38 A
- 040752: 2.38 A
- 040753: 2.38 A
- 040754: 2.38 A
- 040755: 2.38 A
- 040756: 2.38 A
- 040757: 2.38 A
- 040758: 2.38 A
- 040759: 2.38 A
- 040760: 2.38 A
- 040761: 2.38 A
- 040762: 2.38 A
- 040763: 2.38 A
- 040764: 2.38 A
- 040765: 2.38 A
- 040766: 2.38 A
- 040767: 2.38 A
- 040768: 2.38 A
- 040769: 2.38 A
- 040770: 2.38 A
- 040771: 2.38 A
- 040772: 2.38 A
- 040773: 2.38 A
- 040774: 2.38 A
- 040775: 2.38 A
- 040776: 2.38 A
- 040777: 2.38 A
- 040778: 2.38 A
- 040779: 2.38 A
- 040780: 2.38 A
- 040781: 2.38 A
- 040782: 2.38 A
- 040783: 2.38 A
- 040784: 2.38 A
- 040785: 2.38 A
- 040786: 2.38 A
- 040787: 2.38 A
- 040788: 2.38 A
- 040789: 2.38 A
- 040790: 2.38 A
- 040791: 2.38 A
- 040792: 2.38 A
- 040793: 2.38 A
- 040794: 2.38 A
- 040795: 2.38 A
- 040796: 2.38 A
- 040797: 2.38 A
- 040798: 2.38 A
- 040799: 2.38 A
- 040800: 2.38 A

The map also shows the following acreages for other units and areas:

- 1369: 1.17 A
- 136901: 1.53 A
- 138501: 2.78 A
- 138401: 2.4 A
- 1384: 1.01 A
- 1367: 1.1 A

Other labels on the map include "COUNTRY VILLA WAY", "WHEATFIELD LA", "CSM 1024", "CSM 2509", "CSM 1650", "CSM 7570", "O.L. 11", "15", "11", "1", "2", "3", "4", "5", "6", "7", "8", "9", "10", "11", "12", "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55", "56", "57", "58", "59", "60", "61", "62", "63", "64", "65", "66", "67", "68", "69", "70", "71", "72", "73", "74", "75", "76", "77", "78", "79", "80", "81", "82", "83", "84", "85", "86", "87", "88", "89", "90", "91", "92", "93", "94", "95", "96", "97", "98", "99", "100", "101", "102", "103", "104", "105", "106", "107", "108", "109", "110", "111", "112", "113", "114", "115", "116", "117", "118", "119", "120", "121", "122", "123", "124", "125", "126", "127", "128", "129", "130", "131", "132", "133", "134", "135", "136", "137", "138", "139", "140", "141", "142", "143", "144", "145", "146", "147", "148", "149", "150", "151", "152", "153", "154", "155", "156", "157", "158", "159", "160", "161", "162", "163", "164", "165", "166", "167", "168", "169", "170", "171", "172", "173", "174", "175", "176", "177", "178", "179", "180", "181", "182", "183", "184", "185", "186", "187", "188", "189", "190", "191", "192", "193", "194", "195", "196", "197", "198", "199", "200", "201", "202", "203", "204", "205", "206", "207", "208", "209", "210", "211", "212", "213", "214", "215", "216", "217", "218", "219", "220", "221", "222", "223", "224", "225", "226", "227", "228", "229", "230", "231", "232", "233", "234", "235", "236", "237", "238", "239", "240", "241", "242", "243", "244", "245", "246", "247", "248", "249", "250", "251", "252", "253", "254", "255", "256", "257", "258", "259", "260", "261", "262", "263", "264", "265", "266", "267", "268", "269", "270", "271", "272", "273", "274", "275", "276", "277", "278", "279", "280", "281", "282", "283", "284", "285", "286", "287", "288", "289", "290", "291", "292", "293", "294", "295", "296", "297", "298", "299", "300", "301", "302", "303", "304", "305", "306", "307", "308", "309", "310", "311", "312", "313", "314", "315", "316", "317", "318", "319", "320", "321", "322", "323", "324", "325", "326", "327", "328", "329", "330", "331", "332", "333", "334", "335", "336", "337", "338", "339", "340", "341", "342", "343", "344", "345", "346", "347", "348", "349", "350", "351", "352", "353", "354", "355", "356", "357", "358", "359", "360", "361", "362", "363", "364", "365", "366", "367", "368", "369", "370", "371", "372", "373", "374", "375", "376", "377", "378", "379", "380", "381", "382", "383", "384", "385", "386", "387", "388", "389", "390", "391", "392", "393", "394", "395", "396", "397", "398", "399", "400", "401", "402", "403", "404", "405", "406", "407", "408", "409", "410", "411", "412", "413", "414", "415", "416", "417", "418", "419", "420", "421", "422", "423", "424", "425", "426", "427", "428", "429", "430", "431", "432", "433", "434", "435", "436", "437", "438", "439", "440", "441", "442", "443", "444", "445", "446", "447", "448", "449", "450", "451", "452", "453", "454", "455", "456", "457", "458", "459", "460", "461", "462", "463", "464", "465", "466", "467", "468", "469", "470", "471", "472", "473", "474", "475", "476", "477", "478", "479", "480", "481", "482", "483", "484

Exhibit 2

- Light blue shading – Sewer Service Area Boundary

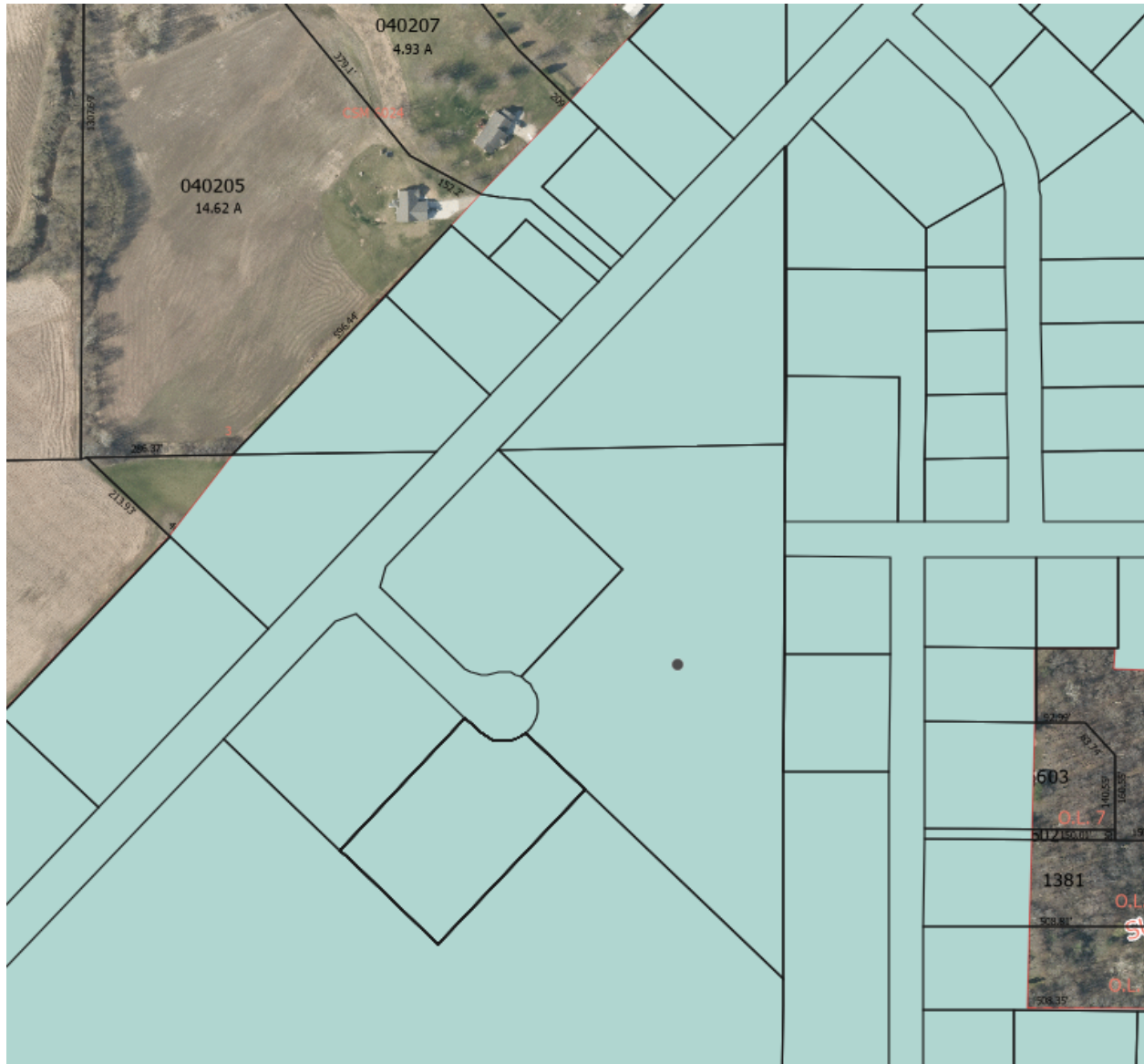


Exhibit 3

- Brown shading – Multi-Family
- Oval w/black vertical lines – Low Density Commercial Corridors

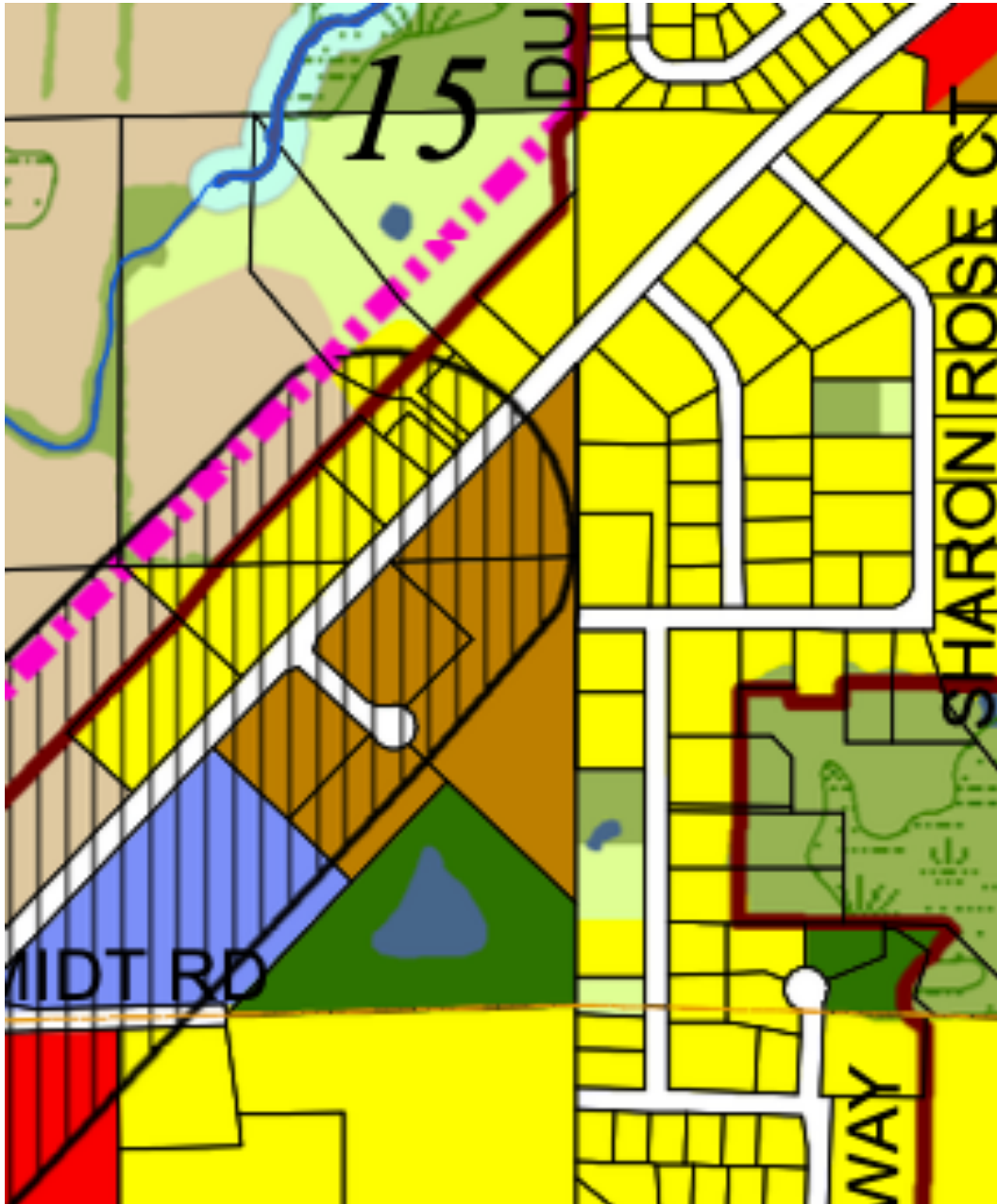


Exhibit 4

- Brown shading – Mixed Use
- Brown oval w/brown dots – Town Center / Highway Mixed Use



I. APPLICATION

Title of Project: Reader Residential Care Apartment Complex

Name of Owner(s): Chad and Mark Properties LLC, rep. Chad Reader

Name of Developer / Surveyor / Contractor: Robert E. Lee & Associates; Bayland Buildings

II. BACKGROUND

The Owner proposes a multi-phase senior housing development at Tax Parcel Numbers 090040300 and 090040706 (hereafter, TPN-090040300 and TPN-090040706) located at N3818 CTH E and on Country Village Way, respectively, in the Town of Freedom. Phase 1 entails 38 dwelling units, 25 single and 13 double, to the existing development at TPN-090040701 located at N3782 Country Village Way. Phase 2 would add an additional six single units and eight double units to Phase 1. A third phase would add 12 two-family condominium units.

TPN-090040706 is an undeveloped lot abutting an existing senior living development and Lions Park (see Exhibit 1). The parcel hosts WI DNR Maximum Extent Wetland Indicators in its southeast corner (see Exhibit 2).

III. ZONING ORDINANCE

A. Option 1: Base Zoning District

TPN-090040300 is 4.0 acres in size and is zoned AGD General Agricultural District (hereafter, AGD District). As per Section 54-128 of the Outagamie County Zoning Ordinance (hereafter, zoning ordinance), multi-family housing is not a listed use in the AGD District. As such, it is prohibited by omission.¹ A zoning change, from AGD District to RMF Multi-Family Residential District (hereafter, RMF District), will be required to proceed.

TPN-090040706 is 7.81 acres in size and is zoned RMF District. As per Section 54-205(4) of the zoning ordinance, *'Multifamily dwellings, provided the building does not exceed three stories in height'* is a Permitted Principal Use and Structure in the RMF District. Section 54-208(4) of the zoning ordinance establishes the following Dimensional Requirements for multi-family detached dwellings in the RMF District:

- (1) Lot area: 10,000 square feet.
- (2) Lot width: 90 feet.
- (3) Front and rear yard: 25 feet.
- (4) Side yards: 20 feet each.
- (5) Maximum density: 20 feet dwelling units per net acre.
- (6) Lot coverage: 30 percent.

¹ The general rule with respect to zoning ordinances is that because the ordinance explicitly enumerates uses permitted within each district, all other uses are necessarily prohibited. *Foresight, Inc. v. Babl*, No. 96-1964 (Wis. Ct. App. May 6, 1997.)

- (7) *Landscaping. Not less than 30 percent of the total site area shall be landscaped in lawns, gardens, decorative plantings or wooded areas. A site plan under division 5 of article XII of this chapter.*

The proposed development appears to be **compliant** with Section 54-208(4) of the zoning ordinance.

B. Option 2: Planned Unit Development

Article VI of the Zoning Ordinance establishes standards for 'Planned Unit Developments.' Section 54-4 of the zoning ordinance defines Planned Unit Development as:

'A residential or commercial land development comprehensively planned as an entity via a unitary plan which permits flexibility in building siting, mixtures of housing types, usable open spaces and the preservation of significant natural features.'

As per Section 54-178(3) of the zoning ordinance, 'Planned unit developments, subject to the provisions of article VI of this chapter' is a Special Exception in the RTF Residential Two-Family District. To proceed will require a zoning change for TPN-090040300 and TPN-090040706 from AGD District and RMF District, respectively, to RTF District.

Section 54-521 of the zoning ordinance establishes 'Permitted Uses' in a Planned Unit Development and reads as follows:

'Permitted uses within a planned unit development (PUD) are the same as any use permitted in the RMF multifamily residential district, CL local commercial, CR regional commercial and CP planned commercial districts.'

The proposed development appears to be **compliant** with Article VI of the zoning ordinance, contingent upon issuance of a Special Exception Permit and compliance with the terms establishes in Section 54-523 of the zoning ordinance.

IV. LAND DIVISION ORDINANCE

Land divisions will be required to proceed with the project as proposed. The Owner proposes to divide TPN-090040300 to accommodate Phases 1 and 2 and to create a separate lot for the existing single-family dwelling and detached accessory structures located at N3818 CTH E (see Exhibits 3a and 3b). A Certified Survey Map will be required (see attached 'Application for Minor Land Division').

A. Compliance with Zoning Ordinance

Section 18-023 of the Town of Freedom Land Division Regulations (hereafter, land division ordinance), reads as follows:

'No person, firm, or corporation shall divide any land located within the limits of the Town which results in a subdivision, minor land division or a replat as defined herein; no such subdivision, minor land division or replat shall be entitled to recording; and no street shall be laid out or improvements made to land without compliance with all requirements of this Chapter and the following documents:

G. The zoning ordinance and all other applicable local and county ordinances and state and federal laws.'

Section 54-9(5) of the zoning ordinance reads as follows:

'No accessory building shall be constructed upon a lot until the construction of the main building has actually commenced. No accessory building shall be used, unless the principal building on the lot is also being used. No cellar or basement shall be used as a dwelling prior to substantial completion of the dwelling of which it is part.'

The proposed lot encompassing the single-family dwelling appears to isolate a large (1,600 +/- sf.) detached Accessory Structure (see Exhibit 4). The approval of a land division resulting in a parcel hosting an accessory structure in the absence of a Principal Structure will likely be in violation of the zoning ordinance.

B. Condominium Plat

Section 18-024 of the land division ordinance reads as follows:

'A condominium plat prepared under Wis. Stat. ch. 703, creating at least four units with a parent parcel size of five acres or more, shall be reviewed by the Town in the same manner as a conventional subdivision plat as set forth in this Chapter and shall comply with the applicable design standards and required improvements of this Chapter.'

The proposed two-family dwellings comprising Phase 3 and the bulk of TPN-090040706 will require a Condominium Plat (see attached 'Application for Condominium Plat'). A Condominium Association agreement shall be prepared by Owner and approved by Town Board and Town Attorney.

C. Road Access & Culs-de-Sac

Section 18-029.F(2)(c) of the land division ordinance reads as follows:

'All streets shall terminate at other streets or at public land, except local streets may terminate in stub streets when such streets act as connections to future phases of the development. Local streets may terminate other than at other streets or public land when geographic conditions necessitate the creation of a cul-de-sac. Culs-de-sac should maintain a connection to the pedestrian and bicycle path network at the terminus in order to maintain an effective pedestrian and bicycle circulation network.'

Section 18-043.M(1) of the subdivision ordinance reads as follows:

'The use of cul-de-sac streets shall be limited to portions of developments which, due to unusual topographical, environmental, or other particular conditions, may better be served by culs-de-sac than by continuous streets.'

Phase 3 of the proposed development is drawn with a single access and two culs-de-sac, the northernmost of which terminates in close proximity to the western extent of Sharon Rose Court (see Exhibits 6a and 6b).

Section 18-042.B of the subdivision ordinance reads as follows:

'Subdivisions comprised of 21 or more developable lots shall provide access to the existing or planned public roadway system via no fewer than two access points.'

Phase 3 is a condominium development, not a conventional subdivision. However, the rationale for the requirement still applies. The Average Daily Traffic Load (i.e., the total number of daily vehicle trips to and from a dwelling unit) for 'Senior Adult Housing – Detached' is 3.71 (see Exhibit 7). At a total of 24 units, Phase 3 will be expected to generate no fewer than 89 ingress/egress events per day...each of which would be funneled through a single access to Country Village Way. The actual number will likely be higher due to the car-dependent nature of the proposed development.

D. Lots

Section 18-050.B of the land division ordinance reads as follows:

'Side lot lines shall be right angles to straight lines or radial to curved street lines on which the lots face whenever possible.'

The proposed lot line separating Phases 1 & 2 and the existing single-family dwelling extends from CTH E in a southwest direction 150 ft., then shifts southeast for approximately 25 ft. before resuming its southwesterly direction.

Section 18-050.F of the land division ordinance reads as follows:

'Shape of lots shall generally be rectangular. Lots platted on cul-de-sacs will generally be narrower at the street than at the rear lot line. Flag lots or easements or other lot stacking techniques shall be prohibited, except where necessary to accommodate exceptional topography or to preserve natural resources.'

The proposed division of TPN-090040300, as dawn, will create an irregular and potentially undevelopable remnant combined with TPN-090040706 (see Exhibit 5). Depending upon the intended purpose of this remnant, it should remain attached to the proposed lot hosting the single-family dwelling, be drawn as a stand-alone, unbuildable outlot, or be developed as a park (see Section IV.F of this Report, below).

E. Trails

Section 18-044.A of the subdivision ordinance reads as follows:

'Sidewalks, paths, trails, or other pedestrian facilities shall be provided for all new subdivisions located within or adjacent to the town core and elsewhere when necessary to complete missing links between, or extensions of, existing sidewalks, paths, trails, or other such facilities.'

Pedestrian facilities shall be provided along proposed roadways with potential connections to Country Villa Way, Sharon Rose Court, and Lions Park.

F. Parks

Section 18-120.A of the land division ordinance reads as follows:

'Dedication of Sites. When feasible and compatible with the Comprehensive Plan and Comprehensive Outdoor Recreation Plan, the subdivider shall provide and dedicate to the public adequate land to provide for park, playground, trail, recreation, and open space needs of the land development within the Town of Freedom. The location of such land to be dedicated shall be determined by the Town Board. Where the dedication is not compatible with the Comprehensive Plan and Comprehensive Outdoor Recreation Plan, or for other reasons is not feasible as determined by the Town Board, the subdivider shall, in lieu thereof, pay to the Town a fee as established by the Town Board in the Town of Freedom Fee Schedule.'

The remnant of TPN-090040300 is a potentially viable option for the required park (see Exhibit 5).

V. COMPREHENSIVE PLANNING LAW

The Town of Freedom Comprehensive Plan (hereafter, comprehensive plan) was adopted in October 2020. The comprehensive plan Future Land Use Map classifies TPN-090040300 and TPN-090040706 as *'Multi-family'* (see Exhibit 8).

A. Zoning Ordinance

Wis. Stat. § 66.1001(3)(j) requires a County administering zoning regulations to do so “consistent with” an adopted comprehensive plan. As per Wis. Stat. 66.1001(1)(am), ‘Consistent with’ means: *‘furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.’*

The required zoning change for TPN-090040300 is **consistent** with the comprehensive plan.

B. Subdivision Ordinance (i.e., land division ordinance)

Wis. Stat. § 66.1001(3)(h) requires a town administering subdivision regulations to do so “consistent with” an adopted comprehensive plan. As per Wis. Stat. 66.1001(1)(am), ‘Consistent with’ means: *‘furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.’*

The required land division(s) for TPN-090040300 and TPN-090040706 are **consistent** with the comprehensive plan.

VI. CPC COMMENTS & QUESTIONS²

- A. A Certified Survey Map will be required to divide TPN-090040300.
- B. A zoning change, from AGD District to RMF District, will be required for the portion of TPN-090040300 proposed for multi-family development.
- C. Consider redrawing proposed lot for single-family dwelling to include detached Accessory Structure; or raze said structure prior to final approval of land division.
- D. Boundary between Phases 1 & 2 and single-family dwelling shall be redrawn compliant with Section 18-050.B of the land division ordinance.
- E. What is intended purpose of remnant shown in Exhibit 5?
- F. Is remnant suitable/desirable for required park space?

² CPC recommendations are based upon professional staff review of application materials provided to CPC. CPC staff reports are authored by a municipal planner, not a licensed attorney, and do not constitute a legal opinion.

- G. The northernmost cul-de-sac serving Phase 3 shall be replaced by direct connection to Sharon Rose Court, thereby providing two ingress/egress points for the proposed condominium development.
- H. Recommend pedestrian/bicycle access to Lions Park.
- I. Park dedication shall be required.
- J. Pedestrian facilities shall be provided along proposed roadways with potential connections to Country Villa Way, Sharon Rose Court, and Lions Park.
- K. Discuss pros / cons of base zone vs. planned unit development.

Staff Report

Prepared By Jeffrey Sanders

Community Planning & Consulting, LLC

For the Town of Freedom, Outagamie County, WI

25 Sep 24

Exhibit 1

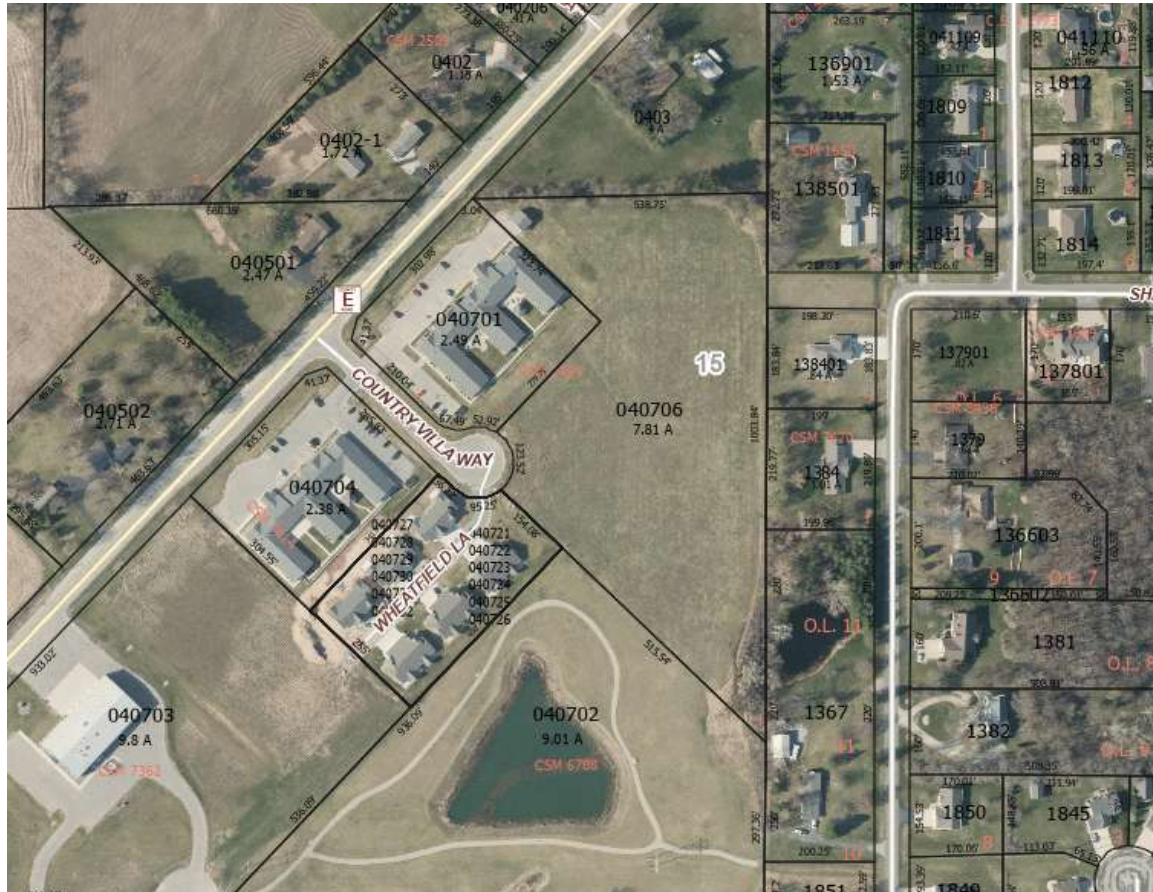


Exhibit 2

- Purple lines w/dots -

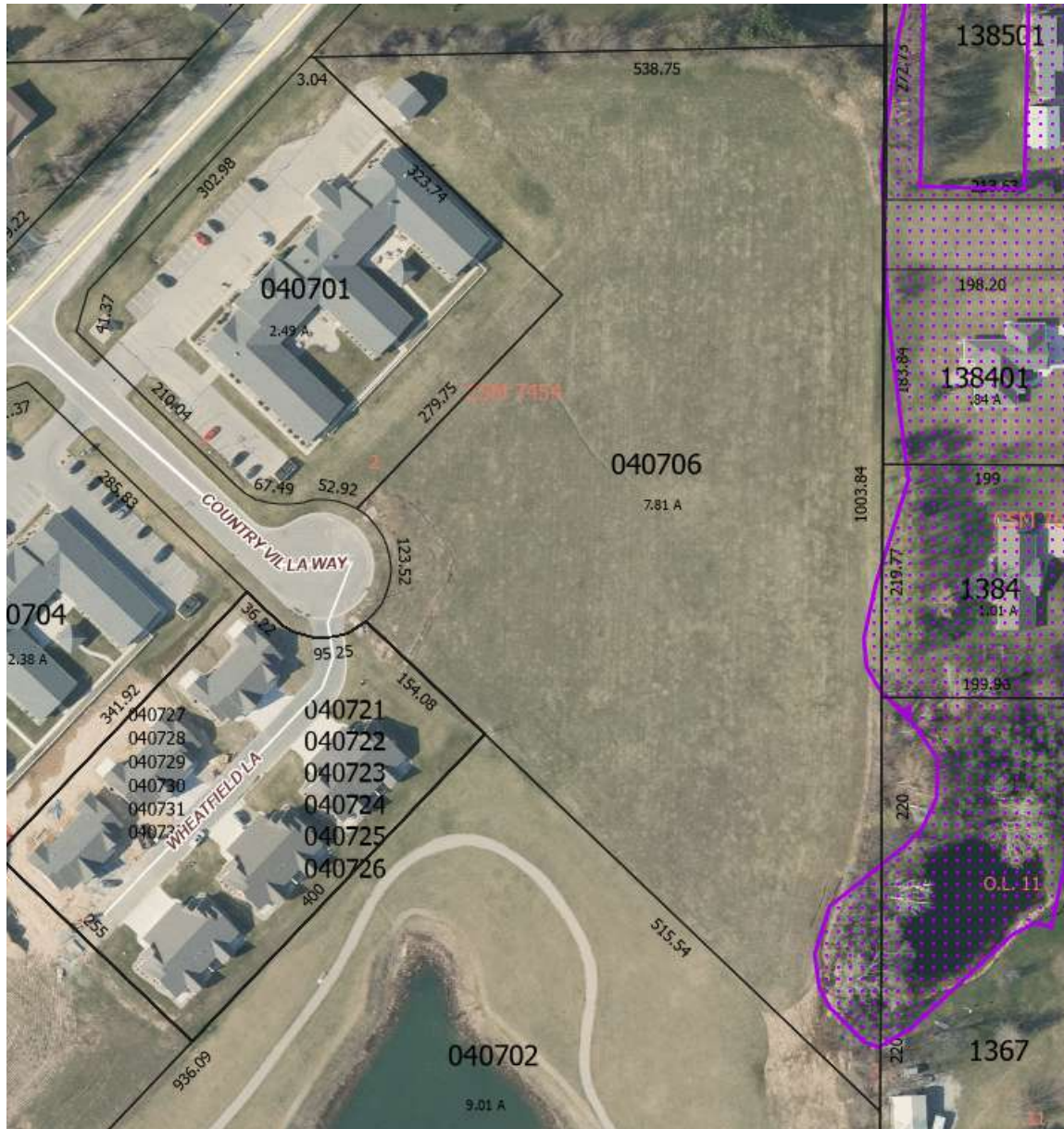


Exhibit 3a



Exhibit 3b



Exhibit 4



Exhibit 5



Exhibit 6b



Staff Report

Prepared By Jeffrey Sanders

Community Planning & Consulting, LLC

For the Town of Freedom, Outagamie County, WI

25 Sep 24

Exhibit 6b

Exhibit 8

- ADT associated with various uses

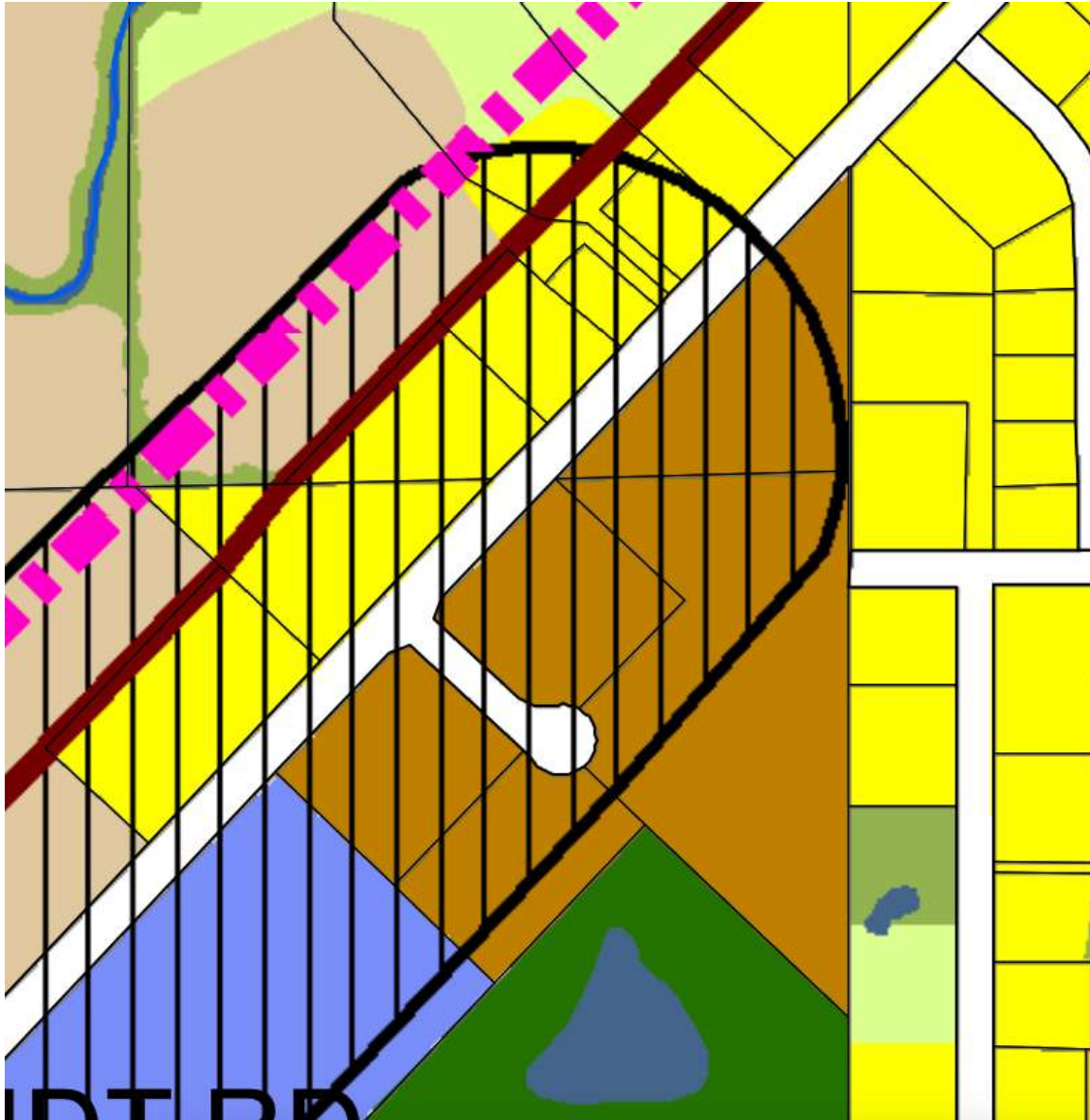
**Estimated Minimum Number of Units Needed to
 Meet or Exceed the Minimum AADT Applicability for Rule 8061 and Rule 8071**

Land Use	Units	Average Trip Generation Rate (Trips/unit)	Unpaved Roads Min. Number of Units Meeting 26 AADT	Unpaved Areas Min. Number of Units Meeting 50 AADT	Source
Single Family Housing	Dwelling	9.57	3 Dwellings	6 Dwellings	ITE (210)
Apartment, Low Rise	Dwelling	6.59	4 Dwellings	8 Dwellings	ITE (221)
Apartment, High Rise	Dwelling	4.20	7 Dwellings	12 Dwellings	ITE (222)
Condominium/Townhouse, General	Dwelling	5.86	5 Dwellings	9 Dwellings	ITE (230)
Condominium/Townhouse, High Rise	Dwelling	4.18	7 Dwellings	12 Dwellings	ITE (232)
Mobile Home Park	Dwelling	4.99	6 Dwellings	10 Dwellings	ITE (240)
Senior Adult Housing – Detached	Dwelling	3.71	7 Dwellings	15 Dwellings	ITE (251)
Senior Adult Housing – Attached	Dwelling	3.48	8 Dwellings	15 Dwellings	ITE (252)
Congregate Care Facility	Dwelling	2.02	13 Dwellings	25 Dwellings	ITE (253)
Recreational/Vacation Homes	Dwelling	3.16	9 Dwellings	16 Dwellings	ITE (260)
Hotel/Motel	Dwelling	8.92	3 Dwellings	6 Dwellings	ITE (310) & (320)
Campground/Recreational Vehicle Park	Site	0.52	50 Sites	97 Sites	ITE (416)
Truck Terminal	Acre	81.90	0.3 Acres	0.6 Acres	ITE (030)
Convenience Store (Open 16-hours)	Sq Ft Floor Area	31.02	838 Sq Ft	1,612 Sq Ft	ITE (852)
General Light Industry*	Employee	3.02	9 Employees	17 Employees	ITE (110)
	Sq Ft Floor Area	6.97	3,730 Sq Ft	7,174 Sq Ft	
	Acre	51.80	0.5 Acre	1.0 Acre	
General Heavy Industry*	Employee	0.82	32 Employees	61 Employees	ITE (120)
	Sq Ft Floor Area	1.50	17,333 Sq Ft	33,333 Sq Ft	
	Acre	6.75	3.9 Acres	7.4 Acres	
Industrial Park*	Employee	3.34	8 Employees	15 Employees	ITE (130)
	Sq Ft Floor Area	6.96	3,736 Sq Ft	7,184 Sq Ft	
	Acre	63.11	0.4 Acres	0.8 Acres	
Manufacturing*	Employee	2.13	13 Employees	24 Employees	ITE (140)
	Sq Ft Floor Area	3.82	6,807 Sq Ft	13,089 Sq Ft	
	Acre	38.88	0.7 Acres	1.3 Acres	
Day-Care Center	Sq Ft Floor Area	79.26	328 Sq Ft	631 Sq Ft	ITE (565)
High School	Sq Ft Floor Area	12.89	2,018 Sq Ft	3,879 Sq Ft	ITE (530)
Church/Place of Worship	Sq Ft Floor Area	9.11	2,854 Sq Ft	5,489 Sq Ft	ITE (560)

*Three options provided. Select one.

Exhibit 8

- Brown shading – Multi-family



- (1) 10 copies of the completed Application for Preliminary Plat.
 - (a) Two copies of the plat 22 inches by 30 inches.
 - (b) Eight copies of the plat 11 inches by 17 inches.
 - (2) Four copies of all other plans and specifications required in this Chapter.
 - (3) One copy of the Application for Preliminary Plat, the plat, and all other supporting information and documentation in PDF format, or an equivalent format acceptable to the Town.
- B. Within 90 days of the date of filing the plat, the Town, or its approving authority, shall take action to approve, approve conditionally, or reject the preliminary plat, unless the time is extended by agreement with the subdivider, based on its determination of conformance with the provisions of this Chapter and the comprehensive plan. One copy of the plat shall thereupon be returned to the subdivider with the date and action endorsed thereon; and, if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejection shall accompany the plat and shall be submitted to the subdivider.
- C. Failure of the Town, or its approving authority, or its agent, to act within 90 days of the date of filing, or agreed extension thereof, constitutes an approval of the preliminary plat.
- D. Approval or conditional approval of a preliminary plat shall not constitute automatic approval of the final plat, except that if the final plat is submitted within 36 months of the preliminary plat approval and conforms substantially to the preliminary plat as approved, including any conditions of that approval, and to any local plans and ordinances adopted as authorized by law, as indicated in Wis. Stat. § 236.11(1)(b), the final plat is entitled to approval.

18-073 Addressing.

In order to ensure timely emergency response, addresses shall be assigned as part of the final subdivision plat. Land divisions that create new streets shall also have addresses assigned whenever possible. Minor land divisions that create new streets shall also have an address range determined. The subdivider shall contact the agency responsible for assigning addresses in the Town to determine the address for each proposed lot.

18-074 Development Agreement.

As a condition of approval of a final plat, the subdivider shall enter into a development agreement per this Chapter. This agreement shall provide for time limits and security for performance and penalties for noncompliance. The agreement will not create or invoke special treatment for the developer, nor imply or create promises of approval.

18-075 Through 18-079 Reserved

2025 Building Permits

APP #	LAST NAME	FIRST NAME	PARCEL #	HOUSE #	STREET NAME	TYPE	EST. COST	TOTAL PAID	Park \$300	WI Seal Permit \$35	Engineer Fee \$220	Admin \$50	Address \$100	ROW \$50	BUILDING INSPECTOR	DATE ISSUED
FR-25-1	VANDEHEY		090027905	N4354	BELL CT	ELECTRICAL	\$150	\$150							SP	1/7/2025
FR-25-2	Hinz	Daniel	090017501	N4392	French Rd	SOLAR	\$250	\$250							SP	1/7/2025
FR-25-3	CCW Properties		090210800	W1944	Industrial Dr	ELECTRICAL	\$250.00	\$250.00							SP	1/9/2025
FR-25-4	Toyne	Don	090207800	N4344	Kylea Ct	FINISH LL	\$510	\$510							SP	1/21/2025
FR-25-5	Leduc	Leann	090076500	W2092	Mathison Rd	HVAC	\$125	\$125							SP	1/27/2025
FR-25-6	VanCamp	Gerald	090028502	W2029	Center Valley Rd	NEW HOME	\$4,440.00	\$4,040.00	\$300				\$100		SP	1/29/2025
FR-25-7	Cotton		090065200	N3574	State Hwy 55	ELECTRICAL	\$125	\$125							SP	2/5/2025
FR-25-8	Vandeloop	Tim	090094500	N2604	CW HWY N	RAZE	\$150.00	\$150							SP	2/4/2025
FR-25-9	Wolff	Dylan	090009602	N4681	CW Rd C	NEW HOME	\$2,665.00	\$2,265.00	\$300				\$100		SP	2/12/2025
FR-25-10	J&S		090061922	LOT 20	Warren Trl	NEW HOME	\$2,665.00	\$2,265.00	\$300				\$100		SP	2/21/2025
FR-25-11	Richeson	Shawn	090168300	N4295	Oak Ln	REMODEL/ADDIT	\$1,200.00	\$1,200.00							SP	2/20/2025
FR-25-12	J&S		090061933	LOT 31	Ethan Dr	NEW HOME	\$2,665.00	\$2,265.00	\$300				\$100		SP	3/11/2025
FR-25-13	Residential Solutions		090061940	LOT 38	Gavin Dr	NEW HOME	\$4,840	\$4,440	\$300				\$100		SP	2/26/2025
FR-25-14	Residential Solutions		090061970	LOT 68	Gavin Dr	NEW HOME	\$2,665	\$2,265	\$300				\$100		SP	2/26/2025
FR-25-15	Keller	Chuck	090090502	W3130	Broadway Lot 104	HVAC	\$125								SP	2/27/2025
FR-25-16	Great Value Homes		090090502	W3130	Broadway Lot 205	NEW TRAILER	\$300	\$300							SP	2/27/2025
FR-25-17	Great Value Homes		090090502	W3130	Broadway Lot 61	NEW TRAILER	\$300	\$300							SP	3/5/2025
FR-25-18	Matuszak	Mark	090205200	N4345	Panoramic Ave	REMODEL/ADDIT	\$875	\$875							SP	3/6/2025
FR-25-19	Prang	Tevor	090055906	W3332	Ash Lake Trl	PLUMBING	\$250	\$250							SP	3/10/2025
FR-25-20	Hartjes	David				NEW HOME	\$2,665	\$2,265	\$300				\$100		SP	3/17/2025
FR-25-21	Cismoski	John	090172400	N3921	Dublin Way	FENCE	\$100	\$100							SP	3/14/2025
FR-25-22	Vanasten	Adam	090032900	W1560	Vanasten Rd	POOL	\$300								SP	3/14/2025
FR-25-23	Keller	Chuck	090055906	W3130	Broadway Lot 104	HVAC	\$125	\$125							SP	3/17/2025
FR-25-24	Woods	Cole	090093400	W2299	Greiner Rd	ELECTRICAL	\$125	\$125							SP	3/17/2025
FR-25-25	Herbst	Jeff	090061973	N3668	Gavin Dr	FENCE	\$100	\$100							SP	3/19/2025
FR-25-26	Verkullen	Greg	090048402			NEW HOME	\$2,665	\$2,265	\$300				\$100		SP	3/19/2025
FR-25-27	Bigge	Steve	090061915	W2321	Schmidt Rd	FENCE	\$100	\$100							SP	3/24/2025
FR-25-28																
FR-25-29	Buss	Randy	090651942	W2375	Ethan Dr	NEW HOME	\$250	\$250							SP	3/28/2025
FR-25-30	Marnbach	Patrick	090193500	W5526	Equestrian Trl	ELECTRICAL	\$125	\$125							SP	3/31/2025
FR-25-31	Moua	Shoua	090010303	N4773	French Rd	HVAC	\$125	\$125							SP	4/4/2025
FR-25-32	Wessler	AJ	090028000	W1764	Elk Ln	EGRESS WINDOW	\$250								SP	4/8/2025
FR-25-33	Schuh	Rebecca	090151600	N3919	McHugh Rd	FENCE	\$100	\$100							SP	4/8/2025
FR-25-34	Calmes	Greg	090049302	N3919	Schroder Rd	NEW HOME	\$4,840	\$4,440	\$300				\$100		SP	4/14/2025
FR-25-35	Favour	Zach	090101900	N4114	Coffey St	ELECTRICAL	\$125								SP	4/15/2025
FR-25-36	Buss Electric Inc		090038800	N4021	County Rd E	TEMP ELECTRICAL	\$125	\$125							SP	4/15/2025
FR-25-37	Asimus	Cory	090166300	W2259	Chestnut Ln	GARAGE	\$400	\$400.00							SP	4/22/2025
FR-25-38	VanHandel	Daniel	090056800	N3790	County Rd C	AG BUILDING	\$87,000	\$652.50							SP	4/24/2025
FR-25-39	Eggert	Shaion	090040721	N3790	Wheatfield Ln	HVAC	\$4,000	\$125.00							SP	4/24/2025
FR-25-40	Reinke	Steve	090095505	N2519	State Hwy 55	ELECTRICAL	\$12,000	\$200							SP	4/14/2025
FR-25-41	Wehling	Steve	090010000	N3403	Krueger Rd	ELECTRICAL	\$2,000								SP	4/24/2025
FR-25-42	VanCamp	William	090026402	Parcel Only	RAZE	\$0.00									SP	4/30/2025
FR-25-43	Field	Richard	090124100	N4172	Gomering	HVAC	\$4,992								SP	5/6/2025
FR-25-44																
FR-25-45	Buss Electric Inc		090038800	N4021	County Rd E	ELECTRIC	\$8,000	\$125							SP	5/9/2025

I. POTENTIAL MATTERS REQUIRING TOWN ACTION

A. none

II. PENDING MATTERS REQUIRING PLAN COMMISSION ACTION

A. Bruce Gonnering CSM, CTH C – Submitted to Outagamie County; Concept review by Town Planner

III. PENDING MATTERS REQUIRING TOWN BOARD ACTION

A. Bruce Gonnering CSM, CTH C – Submitted to Outagamie County; Concept review by Town Planner

IV. OTHER PLANNING & ZONING MATTERS

none

V. ZONING RELATED LEGISLATION / COURT DECISIONS

none

I. APPLICATION

Title of Project: Gonnering Concept CSM

Name of Owner: Gonnering Real Estate LLC; rep. Bruce E. Gonnering

Name of Developer / Surveyor / Contractor: David Hebert, P.L.S., Hibert Land Surveying Associates Inc.

II. BACKGROUND

The Owner has submitted a Concept drawing (hereafter, Concept) to divide Tax Parcel Number 090006700 (hereafter, TPN-090006700) located on CTH C in the Town of Freedom. The Owner proposed to create Lot 1, an irregular lot of 6.067 acres in size.

TPN-090006700 hosts a WI DNR Wetland and WI DNR Wetland Indicators, including and encompassing the majority of the proposed lot (see Exhibit 1).

III. ZONING ORDINANCE

TPN-090006700 is 37.36 acres in size and is zoned AGD General Agricultural District (hereafter, AGD District). Lot 1, as proposed, would be within the RSF District portion of TPN-090000703. Section 54-131(1) of the Outagamie County Zoning Ordinance (hereafter, zoning ordinance) establishes 'Dimensional Requirements' for 'Principal Agricultural Uses' in the AGD District.

AGD District Dimensional Requirements			
	Requirements	TPN-090006700	Compliant
Lot			
Minimum Area	Two ac.	6.067 ac.	Yes
Minimum Width	100 ft.	Not provided, but in excess of 100 ft.	Yes

The Concept appears to be **compliant** with Section 54-131(1) of the zoning ordinance

IV. LAND DIVISION ORDINANCE

Section 18-050F of the Town of Freedom Land Division Regulations (hereafter, land division ordinance) reads as follows:

'Shape of lots shall generally be rectangular. Lots platted on cul-de-sacs will generally be narrower at the street than at the rear lot line. Flag lots or easements or other lot stacking techniques shall be prohibited, except where necessary to accommodate exceptional topography or to preserve natural resources.'

The Concept appears to be **noncompliant** with Section 18-050F of the land division ordinance.

V. CPC COMMENT¹

CPC recommends **denial** of the Concept.

¹ CPC recommendations are based upon professional staff review of application materials provided to CPC. CPC staff reports are authored by a municipal planner, not a licensed attorney, and do not constitute a legal opinion.

Staff Report

Prepared By Jeffrey Sanders

Community Planning & Consulting, LLC

For the Town of Freedom, Outagamie County, WI

9 Apr 25

Exhibit 1

- Orange lines w/dots – WI DNR Wetlands
- Purple lines w/dots – WI DNR Wetland Indicators

