



VILLAGE OF KIMBERLY, WI
NOTICE OF VILLAGE PLAN COMMISSION MEETING

DATE: Tuesday, July 16, 2024
TIME: 6:00pm
LOCATION: Village Hall, Rick J. Hermus Council Chambers
515 W. Kimberly Ave.
Kimberly, WI 54136

Notice is hereby given that a Plan Commission meeting will be held on Tuesday, July 16, 2024, at the Village Hall. A Public Hearing will be held on the item listed below on the agenda. This meeting is open to the public.

- 1) Call to Order
- 2) Roll Call
- 3) Moment of Silent Reflection, Pledge of Allegiance
- 4) Approval of Minutes from the 04/16/2024 and 05/06/2024 Meetings
- 5) Unfinished Business
 - a) None
- 6) New Business for Consideration and Approval
 - a) Certified Survey Map, 424 S Washington St, Parcel 250172700
- 7) Adjournment

Plan Commission

Jul 16, 2024, 6:00 – 6:30 PM (America/Chicago)

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/609711557>

You can also dial in using your phone.

Access Code: 609-711-557

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**VILLAGE OF KIMBERLY
PLAN COMMISSION MINUTES
04/16/2024**

A meeting of the Village Kimberly Plan Commission was called to order on Tuesday, April 16, 2024 at 6:00pm in the Rick J. Hermus Council Chambers, 515 W. Kimberly Ave by Commissioner Norb Karner.

Commissioners Present: Commissioners: Norb Karner, Jeremy Freund, Dave Vander Velden and Dean Schiesl
Commissioners Excused: President Chuck Kuen, Commissioners: Dani Block and Todd Schneider
Staff Present: Deputy Clerk Erica Ziegert and Director of Public Works/Zoning Administrator Greg Ulman

Approval of Minutes from the 01-16-2024 Meeting

Commissioner Vander Velden moved, Commissioner Schiesl seconded the motion to approve the minutes from the 01-16-2024 Plan Commission meeting. Motion carried by unanimous vote.

Public Hearing for a Conditional Use Permit at 700 W Kimberly Ave

The public hearing opened at 6:01pm (motion D Vander Velden/second D Schiesl, carried 4-0) Director Ulman noted that there will be no action taken regarding the project as it was not properly noticed in the Times Villager due to an error. There will be an additional public hearing at a special Plan Commission meeting on May 6th, 2024 at 4:30pm to make a motion. Public comments were taken for and against the project.

The public hearing closed at 6:08pm and regular meeting reconvened (motion D Schiesl/second J Freund, carried 4-0)

Unfinished Business

None

New Business

Sign Variance for AIT Business Technologies LLC

Commissioner Vander Velden moved, Commissioner Karner seconded the motion to approve the sign variance. Currently the ordinance (§ 525-72 A (8)) states that the maximum a message center can be is 50 sq ft per side and a maximum of 100 sq ft on all sides of the sign. The new sign will be 89.5 sq ft per side with a total of 179 sq ft for all sides. The existing billboard will be replaced with an electronic sign in the same location. Motion carried by unanimous vote.

Certified Survey Map, 550 S Railroad St, Parcel 250095007

Commissioner Schiesl moved, Commissioner Vander Velden seconded the motion to approve the split of the parcel at 550 S Railroad St into two parcels with a shared driveway. The existing building on the north-east quadrant of the property and a portion of the driveway would be on Lot 2 and the other buildings and driveway area would be in Lot 1. Motion carried by unanimous vote.

Certified Survey Map, 1037 Truman St, Parcel 250191500

Commissioner Vander Velden moved, Commissioner Schiesl seconded the motion to approve the split of the parcel at 1037 Truman St into two parcels with a shared parking lot. Lot 1 would include the existing building and half of the parking lot. The other half of the parking lot plus the open area would be Lot 2. Motion carried by unanimous vote.

Adjournment

Commissioner Vander Velden moved, Commissioner Freund seconded the motion to adjourn. Motion carried by unanimous vote at 6:13pm.

Erica Ziegert
Deputy Clerk
Dated 04/17/2024

**VILLAGE OF KIMBERLY
SPECIAL PLAN COMMISSION MINUTES
05/06/2024**

A special meeting of the Village Kimberly Plan Commission was called to order on Monday, May 6, 2024 at 4:30pm in the Rick J. Hermus Council Chambers, 515 W. Kimberly Ave by President Chuck Kuen.

Commissioners Present: President Chuck Kuen, Commissioners: Norb Karner, Jeremy Freund, Dave Vander Velden and Dean Schiesl
Commissioners Excused: Commissioners: Dani Block and Todd Schneider
Staff Present: Deputy Clerk Erica Ziegert and Director of Public Works/Zoning Administrator Greg Ulman

Public Hearing for a Conditional Use Permit at 700 W Kimberly Ave

The public hearing opened at 4:31pm (motion D Schiesl/second J Freund, carried 5-0) Public comments were taken for and against the project.

The public hearing closed at 4:35pm and regular meeting reconvened (motion N Karner/second D Schiesl, carried 5-0)

Unfinished Business

Conditional Use Permit at 700 W Kimberly Ave

Commissioner Karner moved, Commissioner Schiesl seconded the motion to approve the conditional use permit with the following contingencies:

1. No noise between the hours of 10pm and 7am
2. No delivery of goods between the hours of 10pm and 7am, which would cause noise. Ex: trucks reversing, noisy machinery to unload goods, etc.
3. No glares, odors, fumes, or vibrations at any time from the property.
4. Approval of a full site plan from staff.

There was discussion that the Plan Commission would request a return visit for this property with a final building plan, site plan and drainage retention plan. To keep the project moving, they are acting on the Conditional Use Permit only. Motion carried by unanimous vote.

Adjournment

Commissioner Karner moved, Commissioner Freund seconded the motion to adjourn. Motion carried by unanimous vote at 4:43pm.

Erica Ziegert
Deputy Clerk
Dated 05/07/2024



**Village of Kimberly
Request for
Planning Commission Recommendation**

| |
|--|
| ITEM DESCRIPTION: Certified Survey Map, 424 S. Washington St. Parcel 250172700 |
| REPORT PREPARED BY: Greg Ulman |
| REPORT DATE: July 16, 2024 |
| EXPLANATION: Better Way Investments, owner, via Corey Kalkofen of McMahan Engineering is seeking approval of the proposed CSM redistributing the existing lands into two parcels. The property lies within the I-2 (General Industrial) zoning district. Presently there is an industrial warehouse style building on the west side of the property and a former convenience store on the northeast section of the property. The resulting CSM creates two parcels so the existing warehouse building, and majority of the parking lot would be on Lot 2 while the existing former convenience store and a section of the parking lot would be in Lot 1. Each property would have adequate access to Washington St for vehicle needs. The newly created parcel is within code of our Village ordinances regarding setbacks. |
| RECOMMENDED ACTION: Staff recommends approval of the CSM |

CERTIFIED SURVEY MAP

SHEET 1 OF 4

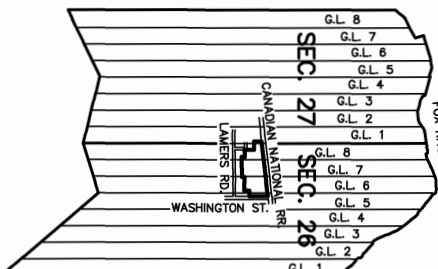
ALL OF LOT 1 OF CERTIFIED SURVEY MAP No. 8115 AS RECORDED IN DOCUMENT No. 2233390, LOCATED IN GOVERNMENT LOTS 5, 6, 7 & 8 OF SECTION 26 AND GOVERNMENT LOT 1 OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

FOR: -U.S. VENTURE, INC.
-425 BETTER WAY
-APPLETON, WI 54915

BEARINGS ARE REFERENCED TO THE SOUTH LINE OF SECTION 26, T21N, R18E, WHICH BEARS S40°21'08"E PER THE WISCONSIN COUNTY COORDINATE SYSTEM AS PUBLISHED FOR OUTAGAMIE COUNTY

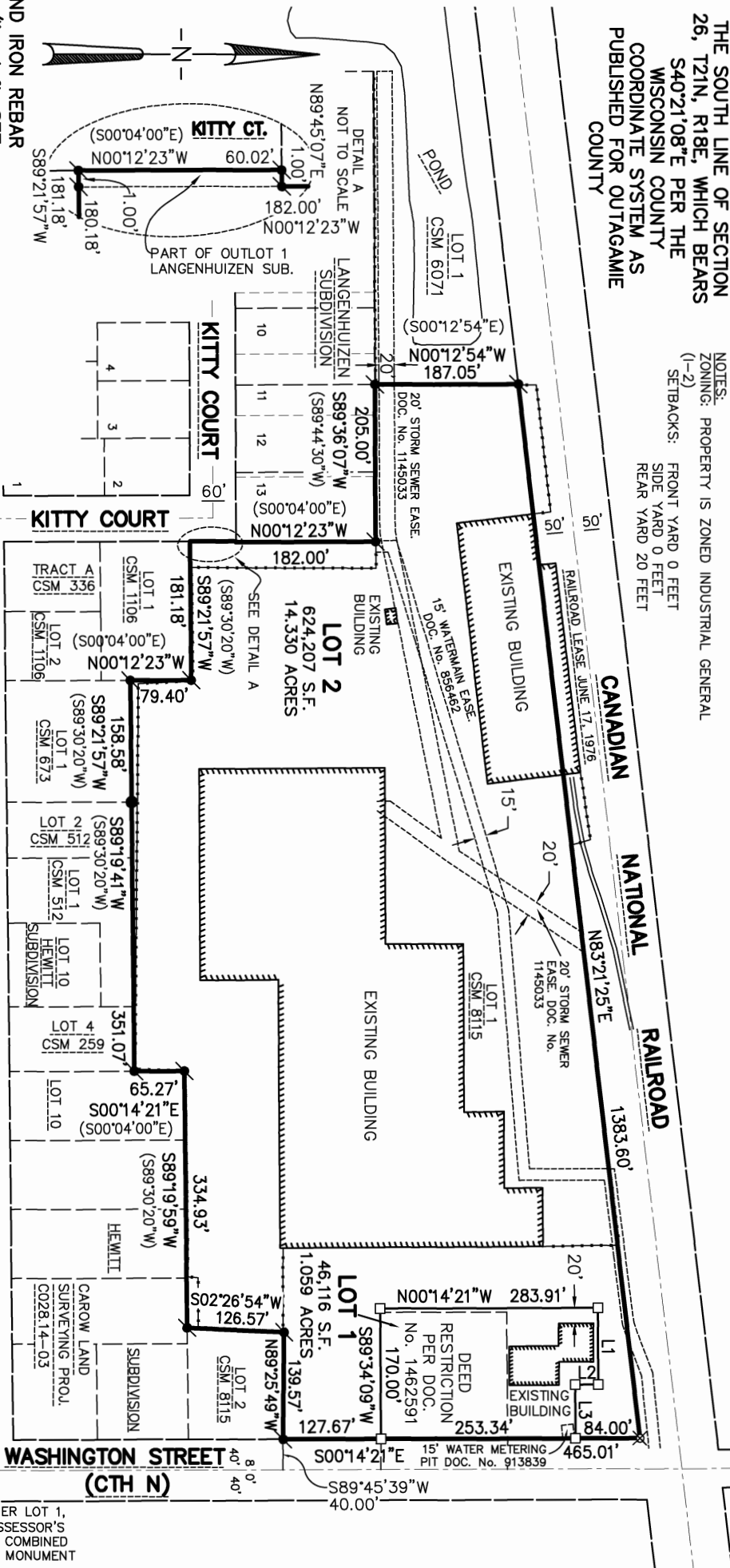
NOTES:
ZONING: PROPERTY IS ZONED INDUSTRIAL GENERAL (I-2)
SETBACKS: FRONT YARD 0 FEET
SIDE YARD 0 FEET
REAR YARD 20 FEET

LOCATION MAP

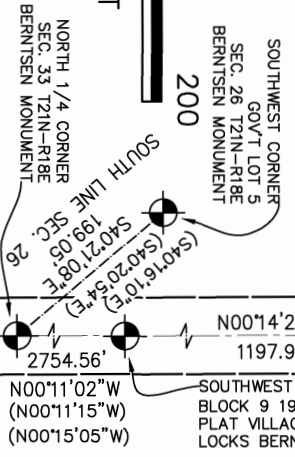
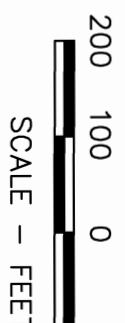


LEGEND

- - 3/4" x 18" ROUND IRON REBAR WEIGHING 1.5 lbs./lined ft. SET
- - MAG NAIL SET IN PAVEMENT
- ⊗ - CHISELED "X" FOUND IN CONCRETE
- ⊘ - 3/4" ROUND STEEL REBAR FOUND
- - 1" ROUND IRON PIPE FOUND
- ⊙ - CERTIFIED LAND CORNER
- - OUTAGAMIE COUNTY
- () - RECORDED BEARING AND/OR DISTANCE
- S.F. - SQUARE FEET
- - - EXISTING FENCE



| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | N89°45'39"E | 100.00' |
| L2 | S00°14'21"E | 30.00' |
| L3 | N89°45'39"E | 70.00' |



CERTIFIED SURVEY MAP

SHEET 2 OF 4

ALL OF LOT 1 OF CERTIFIED SURVEY MAP No. 8115 AS RECORDED IN DOCUMENT No. 2233390, LOCATED IN GOVERNMENT LOTS 5, 6, 7 & 8 OF SECTION 26 AND GOVERNMENT LOT 1 OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, Corey W. Kalkofen, Wisconsin Professional Land Surveyor S-2726, certify that I have surveyed, divided and mapped all of Lot 1 of Certified Survey Map No. 8115 as recorded in Document No. 2233390, located in Government Lots 5, 6, 7 & 8 of Section 26 and Government Lot 1 of Section 27, all in Township 21 North, Range 18 East, Village of Kimberly, Outagamie County, Wisconsin containing 670,323 square feet (15.388 acres) of land.

That I have made this survey by the direction of the Owners of said Land.

I further certify that this map is a correct representation of the exterior boundary lines of the land surveyed and the division of that land, and that I have complied with section 236.34 of the Wisconsin Statutes and the Village of Kimberly Subdivision Ordinance in surveying, dividing and mapping the same.

Given under my hand and seal this ____ day of _____, 20____.

Corey W. Kalkofen, WI Professional Land Surveyor S-2726



McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O.BOX 1025 NEENAH, WI 54957-1025
PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

CERTIFIED SURVEY MAP

SHEET 3 OF 4

ALL OF LOT 1 OF CERTIFIED SURVEY MAP No. 8115 AS RECORDED IN DOCUMENT No. 2233390, LOCATED IN GOVERNMENT LOTS 5, 6, 7 & 8 OF SECTION 26 AND GOVERNMENT LOT 1 OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

VILLAGE BOARD OF KIMBERLY CSM APPROVAL

Approved by the Village Board of Kimberly, Wisconsin on the _____ day of _____, 20____.

Village President
Charles A. Kuen

Date

Village Clerk
Jennifer Weyenberg

Date

CERTIFICATE OF TREASURERS

I, being the duly elected, qualified and acting Treasurer, do hereby certify that in accordance with the records in my office there are no un-paid taxes or un-paid special assessments on any of the lands included in this Certified Survey Map as of: _____ affecting the lands.

Village Treasurer
Jennifer Weyenberg

Date

County Treasurer

Date

Printed Name

NOTES

- THIS CSM IS ALL OF TAX PARCEL No. 25-0-1727-00.
- THE PROPERTY OWNER OF RECORD IS BETTER WAY INVESTMENTS-WASHINGTON STREET, LLC.
- THIS PROPERTY IS CONTAINED WITHIN LANDS DESCRIBED IN DOCUMENT No. 2243361.

CERTIFIED SURVEY MAP

SHEET 4 OF 4

ALL OF LOT 1 OF CERTIFIED SURVEY MAP No. 8115 AS RECORDED IN DOCUMENT No. 2233390, LOCATED IN GOVERNMENT LOTS 5, 6, 7 & 8 OF SECTION 26 AND GOVERNMENT LOT 1 OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

OWNER'S CERTIFICATE

Better Way Investments—Washington Street, LLC, a Wisconsin limited liability company, As Owners, We hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided and mapped. We also certify that this Certified Survey Map is required by s. 236.10 or 236.12 of the Wisconsin Statutes to be submitted to the following for approval.

Village of Kimberly

Dated this _____ day of _____, 20__.

Authorized Signature

Authorized Signature

Printed Name & Title

Printed Name & Title

State of Wisconsin)
)ss
_____ County)

Personally appeared before me on the _____ day of _____, 20__, the above named person(s) to me known to be the person(s) who executed the foregoing instrument, and acknowledged the same.

Notary Public

_____ County, _____

My commission expires _____