



## NEENAH PLAN COMMISSION

**June 23, 2020  
4:15 P.M.**

**Due to the Public Health Emergency caused by the COVID-19 Pandemic, this meeting will occur at a virtual location accessed by computer or conference call. Committee members and the public should use the following web link/call-in information:**

**Web Link:** <https://global.gotomeeting.com/join/471975597>  
**Conference Telephone Number:** [+1 \(312\) 757-3121](tel:+13127573121)  
**Access Code:** 471-975-597 #

City Council Chambers – For members of the public that are unable to access this meeting via web or conference call, the Council Chambers will be open in a limited capacity for those wishing to attend the meeting. Please note that social distancing measures will be in place to protect meeting participants.

---

1. Approval of Minutes: **May 12, 2020**
2. Public Appearances (Ten minutes divided among those wishing to speak on topics pertinent to the Plan Commission)
3. Public Hearings:
  - a. **Rezoning** – 324, 346 and 400 First Street – I2 to C2 District
4. Action Items:
  - a. **Rezoning** – 324, 346 and 400 First Street – I2 to C2 District (Ord. No. 2020-10)
  - b. **Land Donation** – 350 Byrd Avenue
5. Announcements and future agenda items:
  - a. **Next Meeting:** July 7, 2020

Neenah City Hall is accessible to the physically disadvantaged.  
If special accommodations are needed please contact the  
Department of Community Development Office  
at 886-6125 at least 24 hours in advance of the meeting.

**MINUTES OF THE NEENAH PLAN COMMISSION**  
**Tuesday, May 12, 2020**  
**4:15 p.m.**

**Present:**

Mayor Dean Kaufert, Chairman	PRESENT	Gerry Kaiser, Director of Public Works	PRESENT	Nick Piergrossi, Vice Chairman	PRESENT
Kate Hancock-Cooke	PRESENT	Karen Genett	ABSENT	Betsy Ellenberger	PRESENT
Gerry Andrews	PRESENT	Ald. Jane Lang	PRESENT		

**Also present:**

Brad Schmidt, Deputy Director of Community Development	Cassandra Kohls, Administrative Assistant Community Development	Scott Smith - Smith Automotive Inc. 2513 Bishops Ln
Ald. Cari Lendrum		

**Minutes:** MSC Ellenberger/Kaiser to approve the April 28, 2020 meeting minutes. All Aye. Motion passed.

**Public Appearances:** None.

**Public Hearings:** Mayor Kaufert opened the Public Hearing for the Special Use Permit for 521 S. Commercial Street – Truck and Trailer Rental and Special Use Permit for 112 Langley Boulevard. No one spoke on either items. The applicant, Scott Smith (Smith Automotive, Inc.) may have been experiencing technical issues. Mayor Kaufert recited the telephone call-in number for the applicant and encouraged him to call to connect to the meeting.

**Action Items:**

**1. Special Use Permit – 521 S. Commercial Street – Truck and Trailer Rental**

Deputy Director Schmidt displayed a site plan of the subject site. He explained the owner began renting U-Haul trucks and trailers in 2019, without obtaining appropriate approvals. Since 2018, City Zoning Code requires truck and trailer rental uses to obtain a special use permit in the C-1, General Commercial District.

The applicant is proposing to store and display 3 rental trucks on the north end of the site and 2 trailers along the south end of the site.

Deputy Director Schmidt explained U-Haul rental places have popped up at several locations around the city. The city would like control over where they are located. Plan Commission should consider the following findings when deciding on a special use: off street parking met on the site, storage won't cause on site traffic issues, and buffer the use from on street visibility. As the current landscaping on the site is not in conformance with the Zoning Code, Staff recommends installation of a 6-foot tall, sight-tight fence along the west property line and a 10-foot wide landscaping strip along S. Commercial Street.

Member Piergrossi raised concern about the truck and trailers taking up the parking on the site. Deputy Director Schmidt indicated if the applicant adheres to the location on the site plan, there will be more than enough parking on the site and minimal off street parking.

Member Andrews raised concern about the 6-foot fence as the residences would overlook the fence. He questioned whether the paved area on the site extended to the property line.

Deputy Director Schmidt indicated there is already a barrier (metal rope) in place which provides some buffer for residents. He explained that surrounding residents within 200-feet of the site were mailed a letter and no one responded.

Member Andrews expressed his desire for trees in the currently paved area.

Director Kaiser inquired about the number of units on the site plan. Is that number fixed or can it be adjusted?

Deputy Director responded that he will not measure the trucks that they proposed. U-Haul submitted the site plan. He wishes to be somewhat flexible. He advised that the Plan Commission can impose a limit on the number of trucks allowed on the site.

Ald. Lang expressed concern. She indicated the site does not appear to have space for more than three trucks.

Member Piergrossi inquired about the enforcement mechanism. Deputy Director Schmidt indicated staff would enforce based on the conditions of the Special Use Permit.

Member Hancock-Cooke inquired whether Plan Commission needed to limit the trucks at this point. Deputy Director Schmidt responded that limitations could be given for the number of trucks and trailers, as well as location, based on the submitted site plan.

Ald. Lang explained her concerns about the business model. She inquired whether three trucks were their optimal amount.

REPORT

Deputy Director Schmidt indicated he has not heard that they needed more than three trucks. He suggested citing a specific number and location.

**MSC Lang/Piergrossi, Plan Commission finds that the proposed use meets the findings of fact for a Special Use Permit (Sec. 26-48) and recommends Common Council approve a Special Use Permit for a truck and trailer rental sales business located at 521 S. Commercial Street subject to the conditions of the Approval Letter and based on the submitted site plan. The use shall have no more than 4 rental trucks on the north end of the site and 3 trailers along the south end of the site. All Aye. Motion passed.**

**2. Special Use Permit – 112 Langley Boulevard – Wholesale Vehicle Sales**

Deputy Director Schmidt explained the subject site was most recently used for overflow storage for Smith Automotive which is located at 1115 S. Commercial Street. The applicant still holds a retail license. The applicant is proposing to use the subject site primarily for wholesale used vehicle sales and service/detail of those vehicles. Retail vehicle sales use would be secondary to wholesale use. Auto repair would be specific to wholesale vehicles. The subject site was previously used for manufacturing. The applicant is proposing frontage landscaping. Two existing gravel driveways would be converted to asphalt.

Deputy Director Schmidt displayed the proposed site plan. Vehicles would park on the east property line and customers would park along the building. Landscape buffering would be on the east and north property lines. A fence would be on the remainder of the perimeter. The applicant will plant arborvitae on the southeast and northwest corners of the site.

Member Piergrossi asked about lighting and signage. Deputy Director Schmidt indicated the sign face would be replaced on the existing freestanding sign. The wall sign from their existing building will be relocated to the building on the subject site. Lighting for the site would remain the same.

Ald. Kaiser inquired about how the vehicles would be delivered to the site.

Applicant, Scott Smith (Smith Automotive Inc.) indicated a single car trailer would deliver vehicles to the site. In addition, drivers from the auto auction would drive vehicles to the site. No large car haulers would be used.

Mayor Kaufert indicated currently Smith Automotive is leasing to another car dealer. Mayor Kaufert expressed that he would like to see the subject site maintained. He complimented Mr. Smith on the appearance of his current property.

Scott Smith (Smith Automotive, Inc.) expressed that he would include a contingency in the lease agreement requiring property maintenance.

REPORT

**MSC Ellenberger/Andrews, Plan Commission finds that the proposed use meets the findings of fact for a Special Use Permit (Sec. 26-48) and recommends Common Council approve a Special Use Permit for a wholesale and retail used vehicle sales business located at 112 Langley Boulevard subject to the conditions of the Approval Letter. All Aye. Motion passed.**

**Discussion Items:** None.

**Announcements and Future Agenda Items:**

Next Plan Commission meeting is scheduled for May 26, 2020.

**Adjournment:** The Commission adjourned its meeting at 4:45 P.M. MSC Piergrossi/Ellenberger. All Aye. Motion passed.

Respectfully Submitted,




Cassandra Kohls  
Administrative Assistant, Community Development



---

## MEMORANDUM

---

**DATE:** June 18, 2020  
**TO:** Mayor Kaufert and Plan Commission  
**FROM:** Brad Schmidt, AICP, Deputy Director of Community Development   
**RE:** Rezoning I-2 to C-2 District – 324, 346 and 400 First Street and Parcel No. 03-0068-00-00 (Ord. No 2020-10)

---

### Request

The City of Neenah is requesting to rezone land located at 324, 346 and 400 First Street and parcel no. 03-0068-00-00 from the I-2, General Industrial District to the C-2, Central Business District..

### Background

All 4 parcels are currently vacant, undeveloped properties ranging in size from 0.25 acres to 1.70 acres. The area to be rezoned is located along the west side of First Street between Hewitt Avenue and Forest Avenue. Land north, east and south of the area to be rezoned is already zoned C-2, Central Business District while the land to the west, which includes a warehouse and the Canadian National rail line, is zoned I-2, General Industrial District. The I-2 District designation of these properties was to support the past uses on these properties which were generally industrial in nature.

### Consideration

The purpose of the proposed rezoning is to assist in the marketing and future development of these properties. Over the last several years, the City has received numerous requests for uses that would not be permitted in the I-2 District, but would be allowed in the C-2 District. In addition, the proposed rezoning of these properties better aligns with the City's Comprehensive Plan and vision for this area.

As will all rezoning requests, the proposed zoning classification must be consistent with the City's Comprehensive Plan 2040 Future land use designation. In this case, the future land use map identifies this area as the Doty Island District. This category allows for mixed and higher density uses and the C-2 District is an appropriate zoning district for this future land use category. The objectives of this District are to:

- maintain and redevelop properties in order to increase economic activity;
- intensify uses/activity into mixed used developments that incorporate recreation and entertainment and waterfront access;
- increase urban living opportunities with a variety of higher density housing styles;
- provide flexible work space which encourages entrepreneurship, innovation and job creation;
- maintain or create identity by preserving historic character where practicable; and
- increase connectivity within the District and between downtown Neenah and downtown Menasha by providing improved pedestrian, bicycle and transit accommodations.

**Recommendation**

An appropriate action at this time is for the Plan Commission to recommend Common Council approve Ordinance No. 2020-10 rezoning 324, 346 and 400 and parcel no. 03-0068-00-00 to the C-2, Central Business District.



AN ORDINANCE: By the Neenah Plan Commission  
Re: Rezoning land located at 324, 346 and 400  
First Street and Parcel No. 03-0068-00-00 from  
the I-2, General Industrial District to the C-2,  
Central Business District.

ORDINANCE NO. 2020-10

Introduced: \_\_\_\_\_

Committee/Commission Action: \_\_\_\_\_

## AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

**Section 1.** Section 26-123 of the Neenah Municipal Code pertaining to zoning districts, and the map therein described, is hereby amended by rezoning approximately 3.55 Acres of land located at 324, 346 and 400 First Street and Parcel No. 03-0068-00-00 from the I-2, General Industrial District to the C-2, Central Business District. The property is more particularly described as follows:

JONES PLAT OF THE ISLAND INCLUDING THE SOUTH 30 FT OF THE EAST 90 FT OF LOT 9 & THE EAST 90 FT OF LOTS 10 & 11 OF BLOCK 3 INCLUDING THE NORTH HALF OF THE HEWITT STREET RIGHT-OF-WAY AND THE WEST HALF OF THE FIRST STREET RIGHT-OF-WAY.

JONES PLAT OF THE ISLAND LOTS 1 2 & 3 OF BLOCK 7 INCLUDING LAND DESC IN DOC# 433395 INCLUDING THE SOUTH HALF OF THE HEWITT STREET RIGHT-OF-WAY AND THE WEST HALF OF THE FIRST STREET RIGHT-OF-WAY.

JONES PLAT OF THE ISLAND LOTS 4,5,6,7,8,9,10, LOT 11 EXCLUDING THE EASTERLY 42.9 FT OF SOUTHERLY 110.5 FT OF LOTS 12 & 13 ALSO PART OF GOVERNMENT LOT 6 AS DESCRIBED IN VOLUME 1356 PAGE 589 WINNEBAGO COUNTY REGISTER OF DEEDS INCLUDING THE WEST HALF OF THE FIRST STREET RIGHT-OF-WAY.

DESCRIBED IN DOCUMENT #1669454 0.6109 ACRE INCLUDING THE NORTH HALF OF THE FOREST AVENUE RIGHT-OF-WAY.

Parcel ID: 03-0010-00-00, 03-0063-00-00, 03-0067-01-00, and 03-0068-00-00

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of

competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Adopted: \_\_\_\_\_

Approved:

Published: \_\_\_\_\_

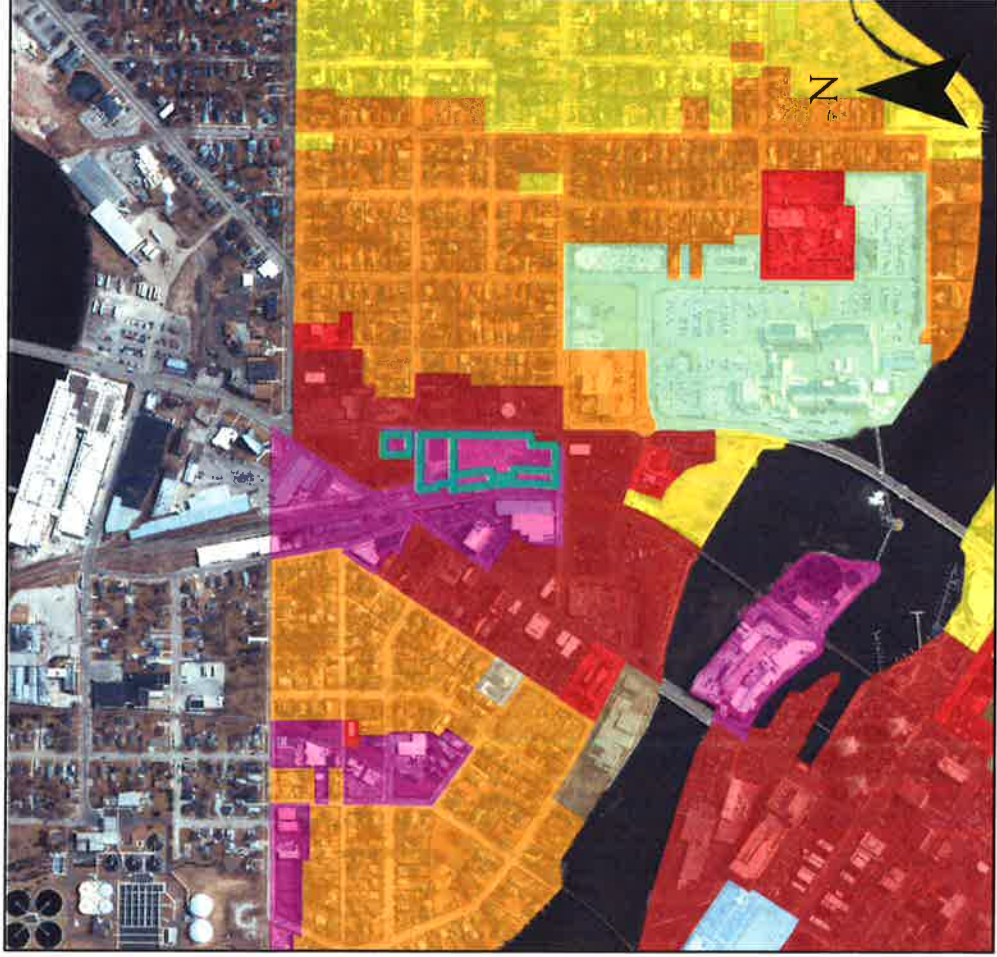
\_\_\_\_\_  
Dean R. Kaufert, Mayor

Attest:

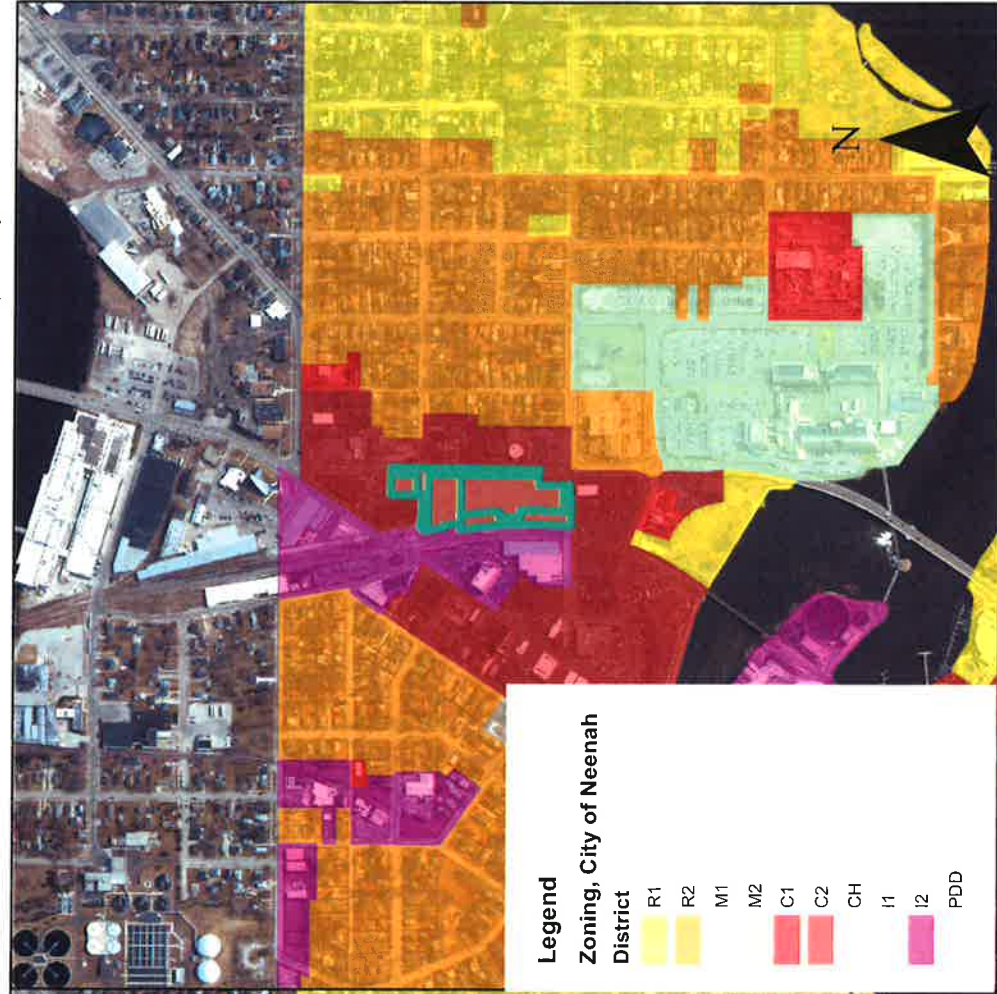
\_\_\_\_\_  
Stephanie Cheslock, City Clerk

# Transitioning from Industrial to Commercial Zone

## Industrial Zone (I2)



## Commercial Zone (C2)








---

## MEMORANDUM

---

**DATE:** June 18, 2020  
**TO:** Mayor Kaufert, Common Council and Plan Commission  
**FROM:** Brad Schmidt, AICP, Deputy Director   
**RE:** Land Donation – 350 Byrd Avenue

---

Kimberly Clark Corporation owns real estate on the southeast corner of Byrd Avenue and Brooks Avenue. The property has never been developed, but is currently used partially as a community garden and the balance is open space. Kimberly Clark Corporation has offered to donate the land to the City to be used for public park purposes.

The subject property is roughly 7.75 acres in size, of which approximately 2.5 acres is used as a community garden. The land is zoned R-1, Single-Family Residence District which is consistent with the land to the south and east. Land to the north and west is zoned industrial. Public Park uses in the R1 District require a special use permit. The City's police station is adjacent (east) of the subject property and a City-owned skate park is located south of the police station. The City's Comprehensive Plan identifies this area as Residential Neighborhood Investment Area. Parks and public uses are acceptable uses in this land use category.

### Recommendation

**Appropriate action at this time is for the Plan Commission to recommend Common Council accept the gift for land located at 350 Byrd Avenue and assign jurisdiction of the land to the Neenah Parks and Recreation Department.**

# 350 Byrd Avenue

