

NEENAH PLAN COMMISSION

Tuesday, November 12, 2019 4:15 P.M. HAUSER ROOM, City Administration Building

- 1. Approval of Minutes: October 8, 2019
- 2. Public Appearances (Ten minutes divided among those wishing to speak on topics pertinent to the Plan Commission)
- 3. Public Hearings:
 - a. Rezoning 708 Monroe Street R-2 to R-1 District
 - b. Rezoning 1515 S. Commercial Street R-1 to C-1 District
- 4. Action Items:
 - a. Rezoning Rezoning 708 Monroe Street R-2 to R-1 District (Ord. No. 2019-27)
 - b. Rezoning Rezoning 1515 S. Commercial Street R-1 to C-1 District (Ord. No. 2019-28)
 - c. Preliminary Plat Castle Oak VI
- 5. Announcements and future agenda items:
 - a. Next Meeting: November 26, 2019

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, October 8, 2019 4:15 p.m.

Present:

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

Also present:

Brad Schmidt, Deputy Director of Community Development	Cassandra Kohls, Administrative Assistant Community Development	Ald. Cari Lendrum
Melvin Timm		
7065 Woodenshoe Rd, Neenah		

Mayor Kaufert called the meeting to order at 4:15 p.m.

Minutes:

MSC Kaiser/Genett to approve the August 27, 2019 meeting minutes. All Aye. Motion passed.

Public Appearances: Mayor Kaufert opened for Public Appearances. No one commented. Mayor Kaufert closed Public Appearances.

<u>Public Hearings:</u> Mayor Kaufert opened the Public Hearing for the Rezoning – Southeast Corner of Abby Avenue and W. North Water Street from I-2 to R-2 District. Melvin Timm (7065 Woodenshoe Road) addressed the Plan Commission as the Applicant. He indicated this previously was one large lot. His goal was to make this property useable. There is 1-2, General Industrial District to the east. Rezoning the lot to R2, Two-Family Residence District would allow for single-family or two-family residential. The subject is next to an existing R-2 District property which he also owns. He feels the change of zoning will fit in well with the neighborhood. He indicated the steel fence that was on the subject site has been removed.

Mayor Kaufert closed the Public Hearing.

Action Items:

1. Rezoning - Southeast Corner of Abby Avenue and W. North Water Street - I-2 to R-2 District (Ord. No. 2019-23)

Deputy Director Schmidt presented a zoning district map of the subject site and provided a summary of the rezoning request. The applicant is proposing to rezone the subject site to R-2, Two Family Residence District from I-2, General Industrial District. The applicant owns the land to the south and east of the subject property. Land to the east is undeveloped and zoned I-2 District. All land south of the subject property is zoned R-2 District. A small portion (.36 acres) will remain I-2, General Industrial District. The proposed rezoning classification is consistent with the City's Comprehensive Plan 2040 Future land use designation.

Member Piergrossi inquired about the egress and whether gravel was an allowed material for a driveway. Deputy Director Schmidt indicated that at this point, the code allows gravel driveways in residential districts. Council may change this in the future. Deputy Director Schmidt confirmed that the egress/ingress continues south to Lot 1. He explained that the garage for the existing house (519 W. North Water Street) faces Abby Avenue. Staff worked with the applicant as the applicant's original request was for a flag lot that would not have met code.

Member Hancock-Cooke asked for confirmation of Industrial zoning across the street and around the corner of Abby Ave. Deputy Director Schmidt confirmed and further described the two properties to the east are storage with industrial property further east. To the north is the waste water treatment plant, as well as property owned by WE Power Company.

Member Hancock-Cooke inquired about why all of the subject was not rezoned to R-2 District.

Melvin Timm indicated the land to the north of the subject is "ugly". Leaving a portion of land in industrial zoning would allow for a commercial use at some point in the future. He described the easterly land as a buffer to the industrial zoned properties.

Mayor Kaufert addressed the applicant, Melvin Timm, inquiring why he no longer wishes to sell the subject property to the City. Melvin Timm indicated he did not receive a response from the City.

Mayor asked whether the Neenah-Menasha Sewerage Commission would have an interest to expand south (to this subject site). Deputy Director Schmidt indicated the subject land has been listed on the market. The waste water treatment plant would be aware. He is not aware of their needs.

Melvin Timm indicated that he would entertain an offer if the City wishes to purchase this site for a parking lot. Mayor Kaufert indicated he has had Staff review this and there is no interest at this time.

Mayor Kaufert explained he did not want to create a double standard and wanted this rezoning to be consistently handled. He referenced residential homes on Bond Street which are zoned C-2. He indicated some residences were having difficulty refinancing.

Member Piergrossi indicated this situation is no change from current standards but is an adjustment to the zoning boundary line.

Deputy Director Schmidt clarified that there was some speculation with the properties zoned C-2 on Bond Street. He explained that the owners were notified to let Staff know if they were running into any problems. As the old comprehensive plan was not consistent with the future land use, an amendment the comprehensive plan would be required.

MSC Piergrossi/Kaiser, Plan Commission recommends Common Council approve Ordinance No. 2019-23 rezoning southeast corner of Abby Avenue and W. North Water Street to the R-2, Two-Family Residence District.

All Aye. Motion passed.

2. Certified Survey Map - Southeast Corner of Abby Avenue and W. North Water Street - 3 Lot CSM

Deputy Director Schmidt explained the driveway for Lot 1 is planned to go through the easement over Lot 2. The proposed CSM meets the minimum for lot size. A drainage plan was attached in Deputy Director Schmidt's memo to Plan Commission dated October 2, 2019. Lot 2 and Lot 3 must meet drainage standards.

Member Hancock-Cooke expressed concern that the buyer of Lot 2 may not want the driveway.

Deputy Director Schmidt explained that there are challenges to install a driveway off of W. North Water Street. A legal document (shared driveway agreement) could be recorded to ensure that the property owners would work together.

Melvin Timm (applicant) indicated he intends to retain the ownership of the lots within his family. He intends to have a shared driveway agreement.

Member Genett inquired about the width of the proposed driveway. Deputy Director Schmidt indicated it would be 25 feet wide.

Ald. Kaiser indicated the ingress/egress to Lot 1 would be a benefit to Lot 1 and not a requirement of Lot 2. As Lot 2 could not restrict access for Lot 1.

Melvin Timm addressed Plan Commission and explained the location of curb cuts to access the proposed lots.

Mayor Kaufert stated the less shared driveways the better.

MSC Kaiser/Hancock-Cooke, Plan Commission approves the 3 lot CSM for the property located along Abby Avenue and W. North Water Street.

All Aye. Motion passed.

3. Informational - Trails Task Force

Deputy Director Schmidt gave a summary of the background of the Trails Task Force. The Trails Task Force was developed in 1997 and included a 10 member steering committee. At this point, Staff would like to reestablish the Trails Task Force with the focus on updating the plan to identify gaps and prioritize trail locations. A survey was conducted by the Trails Task Force which showed that the public sees value in trails. The East Central Regional Planning Commission studied the economic impact of trails as well. Their findings were that people want to be close to trails.

Deputy Director Schmidt presented a Strava Global Heatmap. This data identified the trails that are being utilized within the city. Staff would like to bring back more detailed information to ultimately obtain Plan Commission authority to reestablish the Trails Task Force.

Member Genett inquired about the timeline for the Lakeshore Drive project. Mayor Kaufert indicated that it will be included in his budget proposal. Director Kaiser indicated the Public Services and Safety Agenda for October 29, 2019 will include an informational item regarding the proposed layout of Lakeshore Drive.

Member Hancock-Cooke indicated most citizens would want to see the data (referring to the Strava Global Heatmap) and requested a copy of the map from Deputy Director Schmidt.

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Announcements and future agenda items:

Next Plan Commission meeting is scheduled for October 29, 2019.

Adjournment: The Commission adjourned its meeting at 4:55 P.M. MSC Kaiser/Piergrossi. All Aye.

Respectfully Submitted,

Cassandra Kohls

Administrative Assistant, Community Development

Cassandraf Kohls



Department of Community Development and Assessment
211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426
Phone 920-886-6126 • e-mail: bschmidt@ci_neenah.wi.us
BRAD R. SCHMIDT, AICP
DEPUTY DIRECTOR OF COMMUNITY DEVELOPMENT

MEMORANDUM

DATE:

November 4, 2019

TO:

Mayor Kaufert and Plan Commission

FROM:

Brad Schmidt, AICP, Deputy Director

RE:

Rezoning R2 to R1 District - 708 Monroe Street (Ord. No 2019-27)

Request

Steve Mayo is requesting to rezone land located at 708 Monroe Street. The subject land is currently zoned R-2, Two-Family Residence District. The applicant is proposing to rezone the subject land to R-1, Single-Family Residence District.

Background

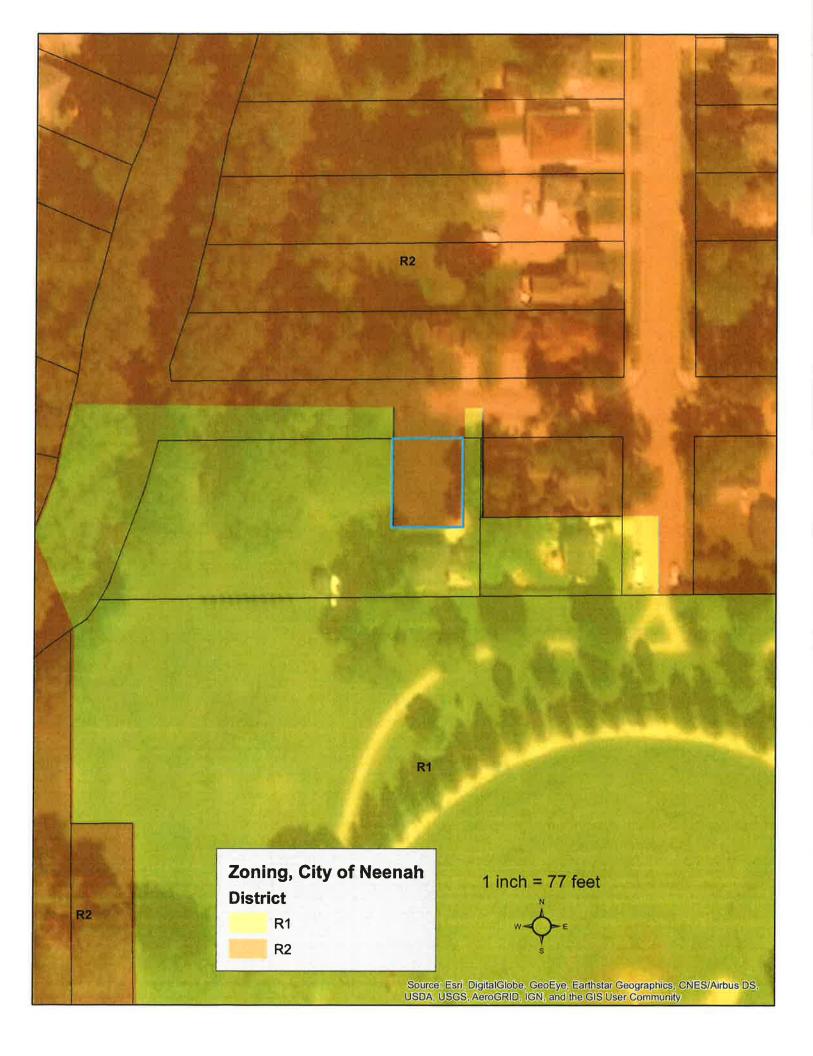
The applicant is proposing to consolidate two existing lots of record, 708 Monroe Street and 704 Monroe Street. While 708 Monroe Street is zoned R2, 704 Monroe Street is zoned R1. A parcel cannot have two zoning districts. The property at 704 Monroe Street contains a single-family residence while 708 Monroe Street is currently a vacant lot.

Consideration

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 Residential Neighborhood. This category allows for single and two-family residences and R-1 is an appropriate zoning district.

Recommendation

Appropriate action at this time is for the Plan Commission to recommend Common Council approve Ordinance No. 2019-27 rezoning 708 Monroe Street to the R-1, Single-Family Residence District.





AN ORDINANCE: By the Neenah Plan Commission Re: Rezoning 0.10 Acres of land located 708

Monroe Street from R-2, Two-Family Residence District to R-1, Single-Family

Residence District.

DRDINANCE NO. 2019-27	
ntroduced:	
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 0.10 Acres of land located 708 Monroe Street from R-2, Two-Family Residence District to R-1, Single-Family Residence District. The property is more particularly described as follows:

NEENAH SLOUGH ASSESSORS PLAT #4 LOT 7, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN INCLUDING TO THE CENTERLINE OF MONROE STREET.

Parcel ID: 80403480000

- **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:	
	Patricia Sturn, City Clerk	



Department of Community Development and Assessment
211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426
Phone 920-886-6126 • e-mail: bschmidt@ci.neenah.wi.us
BRAD R. SCHMIDT, AICP
DEPUTY DIRECTOR OF COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: November 4, 2019

TO: Mayor Kaufert and Plan Commission

FROM: Brad Schmidt, AICP, Deputy Director

RE: Rezoning R-1 to C-1 District – 1515 S. Commercial Street (Ord. No 2019-28)

Request

Jacob Lamb is requesting to rezone land located at 1515 S. Commercial Street. The subject land is currently zoned R-1, Single-Family Residence District. The applicant is proposing to rezone the subject land to C-1, General Commercial District.

Background

The applicant has an offer to purchase the subject property pending the rezoning of the property to the C-1 District. At this time there are no proposed development plans for the property. The parcel currently contains an existing single-family residence and is about 1.50 acres in size. Land west and south of the subject property contains single-family residential and multi-family residential uses, while land to the north and east contains commercial uses. If the property is rezoned to the C-1 District, a variety of commercial and retail uses would be permitted, however, any development of the property would require site plan review by the Plan Commission.

Consideration

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 Neighborhood Commercial. This category allows for commercial and retail uses and the C-1 District is an appropriate zoning district.

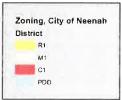
Recommendation

Appropriate action at this time is for the Plan Commission to recommend Common Council approve Ordinance No. 2019-28 rezoning 1515 S. Commercial Street to the C-1, General Commercial District.





1515 S. Commercial Street Rezone from R1 to C1





AN ORDINANCE: By the Neenah Plan Commission
Re: Rezoning 1.50 Acres of land located 1515 S.
Commercial Street from R-1, Single-Family
Residence District to C-1, General Commercial
District.

ORDINANCE NO. 2019-28	
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 1.50 Acres of land located 1515 S. Commercial Street from R-1, Single-Family Residence District to C-1, General Commercial District. The property is more particularly described as follows:

LAND LOCATED IN THE CITY OF NEENAH, WINNEBAGO COUNTY, STATE OF WISCONSIN, DESCRIBED AS A PARCEL OF LAND IN TOWNSHIP 19 NORTH, RANGE 17 EAST, SECTION 4, THE NE ¼ - NE ¼ THEREOF.

COMMENCING AT THE NORTHEAST CORNER OF SECTION 4; THENCE S89°12'09" W, 112.90 FEET ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 4; THENCE S00°47'52" EAST, 38.81 FEET; THENCE S47°08'25" EAST, 14.43 FEET; THENCE N88°58'56" EAST, 10.28 FEET TO THE EXISTING WEST LINE OF COMMERCIAL STREET; THENCE SOUTHERLY ALONG THE EXISTING WEST LINE OF COMMERCIAL STREET, BEING AN ARC OF A CURVE TO THE RIGHT HAVING RADIUS OF 1870.08 FEET AND A CHORD OF 171.58 FEET BEARING S11°37'56"E, A DISTANCE OF 171.64 FEET; THENCE CONTINUING SOUTHERLY ALONG THE EXISTING WEST LINE OF COMMERCIAL STREET ON AN ARC OF A CURVE TO THE RIGHT HAVING RADIUS OF 1870.08 FEET AND A CHORD OF 120.36 FEET BEARING S07°09'32" EAST A DISTANCE OF 120.38 FEET OT THE POINT OF BEGINNING: THENCE CONTINUING SOUTHERLY ALONG THE EXISTING WEST LINE OF COMMERCIAL STREET ON AN ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1870.08 FEET AND A CHROD OF 152.88 FEET BEARING S02°58'26" EAST, A DISTANCE OF 152.81 FEET: THENCE, CONTINUING ALONG THE EXISTING WEST LINE OF COMMERCIAL STREET S89°22;18" WEST, 0.65 FEET; THENCE, CONTINUING ALONG THE WEST LINE OF COMMERCIAL STREET S00°38'08" EAST, 162.95 FEET; THENCE S88°47'16" WEST, 1.11 FEET; THENCE N07°00'38" WEST, 57.95 FEET; THENCE N00°49'16" WEST, 149.24 FEET; THENCE N00°10'26" EAST, 70.67 FEET; THENCE N01°29'50" EAST, 38.16 FEET TO THE POINT OF BEGINNING INCLUDING TO THE CENTERLINE OF COMMERCIAL STREET.

Parcel ID: 80207030400

- **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:	
	Patricia Sturn, City Clerk	



Dept. of Community Development & Assessment
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Phone 920-886-6126 • e-mail: bschmidt@ci.neenah.wi.us
BRAD R. SCHMIDT, AICP
DEPUTY DIRECTOR

MEMORANDUM

DATE:

November 7, 2019

TO:

Mayor Kaufert and Members of Plan Commission

FROM:

Brad Schmidt, AICP, Deputy Director

RE:

Preliminary Plat Review, Castle Oak VI

Request/Background

The Department of Community Development and Assessment has received a preliminary plat for the Castle Oak Subdivision Phase 6 (Castle Oak VI). The first phase of the Castle Oak subdivision was platted in 2004, while the second and third phases were platted in 2007 and 2009 respectively. The fourth phase was platted at the end of 2014, while the fifth phase was platted in 2017. The proposed plat conforms to the original concept plan for the Castle Oak Subdivision in regards to lot layout and street alignment and is the final phase of the development.

Consideration

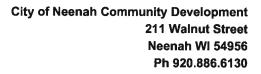
The proposed plat, 9.53 acres in size, includes 33 single-family residential lots located south of Castle Oak Drive and west of Marathon Avenue. The land is currently zoned R-1, Single-Family Residence District. The average lot size is approximately 9,750 square feet which exceeds the minimum lot size for single-family residential lots. Southpark Industrial Center is located west of the proposed development, while land north, south and east include residences in the Castle Oak subdivision.

The developer will be responsible for installing all public utilities (water, sanitary sewer, and storm sewer) as well as constructing all roads within the plat. As with all subdivisions in the City, an agreement outlining the fees and responsibilities between the City and the developer will be drafted. That agreement will be reviewed by the Finance Committee and the Board of Public Works and ultimately approved by Common Council.

Stormwater will be managed through rear yard drainage swales, storm sewers and ultimately stormwater from this plat will be diverted to an existing stormwater retention pond east of Marathon Avenue and south of Castle Oak Drive. This pond was designed to manage all stormwater within the entire Castle Oak subdivision.

Recommendation

Appropriate action at this time is to recommend Common Council approve the Preliminary Plat of the Castle Oak VI Subdivision.





November 07, 2019

JIM SEHLOFF DAVEL ENGINEERING 1811 RACINE STREET MENASHA, WI 54952

RE: Castle Oak VI - Subdivision Preliminary Plat Review (Cavalry Lane) Status Approved

Dear JIM SEHLOFF:

We have completed our review of the plan identified above. The plan was approved per attached comments, if any. This letter is not to be construed as a zoning compliance, grading, building permit, certificate of occupancy, or a substitute for any permit or certificate required by any state or federal government entity.

Sincerely,

Brad Schmidt
Deputy Director of Community Development and Assessment bschmidt@ci.neenah.wi.us
920-886-6126

Plan Review Comments

Planning - Brad Schmidt - bschmidt@ci.neenah.wi.us

Approved

Review Comments:

- 1. Change name street to Cavalry Lane
- 2. Add a note on the face of the final plat west of Lots 204-209 stating "Future Industrial Land Use Neenah Comprehensive Plan 2040"
- 3. Outlot 6 should include a note stating that it's "Dedicated to the Public".

Community Development - Chris Haese - chaese@ci.neenah.wi.us

Approved

Review Comments:

Engineering - Heath Kummerow - 920-886-6245 hkummerow@ci.neenah.wi.us

Approved

Review Comments:

Utility Plans: Sanitary sewer and storm sewer mains are accepted. Updated plat has changed lot sizes and lot quantities, lateral locations and drainage plan need to be updated to reflect changes. Yard drain information not shown. Plat map: Show dimensions of drainage/utility easement on side lot lines.

Fire Department - Vern Green - 920-886-6200 vgreen@nmfire.org

Approved

Review Comments:

Public Works - Gerry Kaiser - gkaiser@ci.neenah.wi.us

Not Applicable

Review Comments:

Traffic - James Merten - 920-886-6243 jmerten@ci.neenah.wi.us

Approved

Review Comments:

Water Utility - Anthony Mach - 920-886-6180 amach@ci.neenah.wi.us

Approved

Review Comments:

Advisory Comments:

All water main and related appurtenances shall be installed to Neenah Water Utility specifications.

Any required permits or approvals are the responsibility of the engineer.

A Water Utility inspector will be on site during installation. Please notify us at least three days in advance of construction so that we may schedule our staff.

Addressing - Brian Walter - 920-886-6131 bwalter@ci.neenah.wi.us

Approved

Review Comments:

City Attorney - Jim Godlewski - jgodlewski@ci.neenah.wi.us

Not Applicable

Review Comments:

Inspections - Building Residential Major - Brian Walter - 920-886-6131 bwalter@ci.neenah.wi.us

Approved

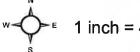
Review Comments:

Finance - Judy Christnovich - jchristnovich@ci.neenah.wi.us

Not Applicable

Review Comments:

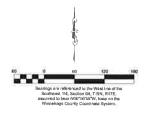




NBS'11'00'E 2643.87 test (At Corns & Co. 1 Unit 403) From Of 1111 R17E N 89'09'05' E Ist Add Necnah Ind Park Lot 1 N 89*09'05" E 130.40 SSW 10.227 SF tar OL 6 N 89*09*05* E 130.40 CEIVERY N 00°50'55" W 518.41 ior CSV /263 N89'09'05' E 131.11' C N89'09'05' E 13 And 1/4 Carrel 1/19N #17C

Prelimiary Plat of Castle Oak VI

All of Oullols 1, 2 and 3, of CSM 7263 being part of the Southeast 1/4 of the Southwest 1/4 and the Southeast of the North Section 04, Township 19 North, Range 17 East, City of Neenah, Winnebago County, Wisconsin





RENGHMARKS_CHAYOM)

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SURVEYOR'S CERTIFICATE

James R. Selvoff, P.L.S. No. S 2692



