



NEENAH PLAN COMMISSION - SPECIAL MEETING

March 18, 2020

4:15 P.M.

HAUSER ROOM, City Administration Building

1. Approval of Minutes: **February 11, 2020 and February 25, 2020**
2. Public Appearances (Ten minutes divided among those wishing to speak on topics pertinent to the Plan Commission)
3. Public Hearings: None
4. Action Items:
 - a. **Special Use Permit** - 349 S. Green Bay Road - Commercial Kennel
5. Announcements and future agenda items:
 - a. Next Meeting: April 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, February 11, 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	ABSENT	Karen Genett	PRESENT	Betsy Ellenberger	ABSENT
Gerry Andrews	PRESENT	Ald. Jane Lang	PRESENT		

Also present:

Brad Schmidt, Deputy Director of Community Development	Cassandra Kohls, Administrative Assistant Community Development	Jaime Thienel – 990 S. Lake St.
Philip Popour – 308 Division St.		

Minutes: MSC Kaiser/Genett to approve the December 10, 2019 meeting minutes. All Aye. Piergrossi abstained. Motion passed.

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

Public Hearings: Mayor Kaufert opened the Public Hearing for a Special Use Permit to establish an Urban Farm located at 410 Walnut Street.

Philip Popour (308 Division St.) indicated his intent to turn the vacant lot into a small urban farm. The proposed site was previously owned by Wisconsin Electric Power Company and utilized as a power station. Mr. Popour intends to lease the lot from the current owner (Jaime Thienel Properties, LLC). He indicated a small greenhouse and small shed would be constructed on the site. Mr. Popour stated he plans to use organic practices and work with the neighbors to address any concerns.

Mayor Kaufert asked if the surrounding neighbors were notified of the Public Hearing. Deputy Director Schmidt indicated all neighbors within 200 feet of the site received a letter. He has not been contacted by any of the owners who were notified.

Mayor Kaufert closed the Public Hearing.

Action Items:

1. Special Use Permit – 410 Walnut Street – Urban Farm

Deputy Director Schmidt provided an overview. The proposed use is not consistent with the M-2, Multi-Family Residence District as a permitted use. The proposal includes a large off-site, non-connected garden. The process provides an opportunity for neighbors to provide their input. WE Energies has owned the subject property since 1970 and operated a substation on this site. The current owner purchased the property last year. The subject site is fenced on 3 sides. The proposal includes a greenhouse on the north and a 200-square foot shed. The code would limit to one accessory structure. The proposal included a gravel driveway, however, Staff would recommend eliminating the driveway and utilizing on-street parking. A fence along the front property line shall not exceed 3 feet in height or 4 feet if chain-link. No outdoor lighting is permitted. All structures, compost bins, water collection systems, and solar array shall meet the minimum setbacks as identified in the Zoning Code. There shall be no signage on this property.

Member Piergrossi inquired whether the intent was to create a market. Mr. Popour indicated that there would not be transactions on the site. The produce would be sold to consumers off-site at the farmer's market.

Deputy Director Schmidt clarified that the proposed use would not be a community garden.

Member Piergrossi inquired about storage on the site. Mr. Popour indicated storage would be located at the rear of the property. He proposed a 10'x10' or 12'x12' shed. A solar ray would be roof-mounted on the shed to integrate it into one space.

Mayor Kaufert inquired about the size limitations for a shed. Deputy Director Schmidt explained 200-feet is the maximum size for a shed.

Member Genett inquired about the types of plants that will be grown on the site. Mr. Popour indicated spring lettuce, broccoli, cauliflower and other fruits/vegetables typically grown in our region. He intends to grow produce from April through October/November with plants growing constantly. Member Genett asked if hemp would be grown. Mr. Popour indicated he would not grow hemp.

Ald. Lang inquired about the water collection and watering system. Mr. Popour explained the water will collect in totes from rain running off the shed roof. There will be an irrigation pump to water the plants which will be powered off of the solar panel mounted on the roof of the shed. He plans for the site to be self-sustaining. He would like to see this model reproduced at other locations.

Ald. Lang inquired about how this plan would handle a drought. Mr. Popour indicated he has additional water collection totes at his residence and could bring water to the site if necessary.

Ald. Lang raised concern regarding fruit trees located along the sidewalk. Her concern was in regards to debris from the trees and attraction of bees to the area. Mr. Popour indicated the fruit trees would not be located in the terrace. The trees would be dwarf or semi-dwarf varieties. His goal would be to harvest the fruit and create the least amount of debris/wasted fruit.

Member Andrews indicated the fruit trees would add visual appeal to the site.

Ald. Kaiser raised questions about the type of equipment used in the garden. Mr. Popour explained he intends to use a soil cultivator initially, and the remainder of the work would be done by hand. He indicated he would also use a weed-eater and lawn mower.

Member Andrews asked if manure would be used. Mr. Popour stated that composted manure would be used, not raw manure. Member Andrews sited a similar concept used at ThedaCare. He spoke in favor of the use.

Ald. Kaiser asked for clarification regarding the shed. Deputy Director Schmidt indicated the code allows for one accessory structure. Plan Commission could approve two accessory structures (shed and greenhouse). Staff would ask for an updated site plan to include the shed.

Mr. Popour explained the greenhouse would be situated on landscape fabric and would be anchored to the grass. The shed would sit on a 4'x4' timber platform.

Ald. Kaiser asked whether the use was tied to the owner or the land. Deputy Director Schmidt indicated the use goes with the property. If the use is abandoned for a 12-month period, the special use permit would become null and void.

Ald. Lang spoke in favor of the idea and inquired about the history of the property. Deputy Director Schmidt indicated prior to WE Energies purchasing the property around 1970, a home built around 1870 was located there.

Mayor Kaufert asked about security on the site. Mr. Popour expressed that he has concern about security. However, he indicated if necessary he could monitor the site from his residence. Due to the site's close proximity to City Hall and Fire Department he feels the site will be watched over.

Member Piergrossi stated that the site is a hangout for children.

Jaime Thienel (990 S. Lake Street), introduced himself to Plan Commission as the owner of the subject property. He explained his intent to construct a residence of the property in the future. He inquired whether a waiting period of 12 months would be required before building a home. Deputy Director Schmidt explained that a waiting period would not be required. The normal process would apply and the special use would no longer exist.

Plan Commission discussed whether agricultural use would apply to the site.

MSC Andrews/Genett, 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 an urban farm located at 410 Walnut Street subject to the conditions of the Approval Letter. All Aye. Motion passed.

2. Final Plat – Castle Oak VI Subdivision

Deputy Director Schmidt provided an overview explaining this is the final phase of the Castle Oak development. The proposed plat is 9.53 acres in size and includes 33 single-family residential lots. The average lot size is 9,750-square feet; smaller than lots in Castle Oak V. The plan includes connecting Cavalry Lane on the north and south end of the development. There are no proposed sidewalks within the plat except for a mid-block sidewalk which allows access to Lakeview School via Olde School Road.

Member Genett stated she thought there was opposition to mid-block sidewalks.

Ald. Kaiser explained the mid-block sidewalk serves as a cut-through to Wallace Avenue. Otherwise pedestrians would be using Marathon Avenue and crossing to get to Olde School Road. The City maintains the mid-block sidewalk as it is designated as an outlet.

CA

Deputy Director Schmidt indicated that lots in Castle Oak V have sold faster than the developer anticipated; approximately three-quarters of the lots have been sold.

MSC Kaiser/Andrews, Plan Commission recommends Common Council approve the Final Plat of the Castle Oak VI Subdivision. All Aye. Motion passed.

Announcements and future agenda items:

Deputy Director Schmidt indicated the following future agenda items:

- 1) Public Hearing for Special Use – 349 S. Green Bay Road - Commercial Kennel
- 2) Rezoning – 125 Byrd Avenue

Adjournment: The Commission adjourned its meeting at 4:50 P.M. MSC Kaiser/Piergrossi. All Aye.

Respectfully Submitted,



Cassandra Kohls
Administrative Assistant, Community Development

MINUTES OF THE NEENAH PLAN COMMISSION
Tuesday, February 25, 2020
4:15 p.m.

Present:

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

Also present:

Brad Schmidt, Deputy Director of Community Development	Cassandra Kohls, Administrative Assistant Community Development	Mike Schwab – 126 W. Peckham St.
Michael & Micaela Macdonald – 725 Manchester Rd.	Terry Tuttle – 2010 Henry St.	Beverly & Dave Winger – 2024 Henry St.
Bob & Melanie Nault – 2047 Henry St.	Jean Miller – 2014 Henry St.	David & Valerie Finch – 2052 Henry St.

As a quorum was not present, no action by Plan Commission was able to be made at this meeting. Action items will be postponed until the next Plan Commission meeting.

Minutes: No action taken.

Public Appearances: None. Mayor Kaufert closed Public Appearances.

Public Hearings:

1. Special Use Permit – 349 S. Green Bay Road – Commercial Kennel

Mayor Kaufert opened the Public Hearing.

Michael Macdonald (725 Manchester Rd) addressed the Plan Commission as the owner and operator of the commercial kennel. His business is currently operates in the Village of Fox Crossing but will be relocating to this site and expanding services.

Mayor Kaufert inquired if notice was given to surrounding property owners. Deputy Director Schmidt confirmed that property owners within 200 feet of the subject (including Town properties) were mailed a notice. Mayor Kaufert closed the Public Hearing.

2. Rezoning – Part of 1313 S. Commercial St. and Parcel No. 02-0618 – Rezone to M-1, Multi-Family Residence District.

Mayor Kaufert opened the Public Hearing.

David Finch (2052 Henry St.) addressed the Commission. He questioned the necessity to rezone with the lack of plans for the site. He raised concerns about a multi-family use located in the middle of a residential area. He expressed his concerns regarding traffic, noise, criminal activity and water runoff.

Jean Miller (2014 Henry St.) indicated the neighborhood has changed since multi-family dwellings have come to the neighborhood. She cited multi-family dwellings in areas surrounding the subject site including Peckham Street, Clairmont Court, Joseph Court, Bell Street, and Marathon Avenue. She raised concern regarding the building maintenance and multiple families living in each unit. She does not want to see low-income housing located in her backyard. She also raised concern regarding traffic, safety, and decline in property values.

Mayor Kaufert noted the close proximity of the police station to the site. Several residents in the audience indicated that the location of the Police Station did not deter crime in the area.

Jean Miller (2014 Henry St.) described people in the area as “transient”.

David Finch (2052 Henry St.) raised concerns regarding excessive traffic. He described the neighborhood as a “rocky ledge” and raised further concern about heavy equipment operation and construction on the subject site.

Bob Nault (2047 Henry St.) raised concern about the saturation of apartments in the neighborhood. He indicated that this neighborhood has more than their fair share. He would like consideration for the number of existing apartments. He indicated the proximity to the police station does not deter crime in the neighborhood.

Jean Miller (2014 Henry St.) voiced her concern that a new multi-family dwelling on the subject site will result in a development such as on Apple Blossom and Primrose Lane. She indicated the neighborhood deserves more than low-income apartments.

Michael Schwab (126 W Peckham St.) indicated he has concern about development of government assisted housing.

Dave Winger (2024 Henry St.) stated he grew up in this area. He raised concerns about property value. He expressed concern about foundation movement due to construction and the costs neighbors will have to pay to repair foundations. He indicated this space is the appeal to the neighborhood.

Jean Miller (2014 Henry St.) asked if the new development will be low-income housing.

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Mayor Kaufert closed the Public Hearing.

Action Items:

1. **Special Use Permit – 349 S. Green Bay Road – Commercial Kennel**

Deputy Director Schmidt provided an overview indicating the location of the subject as the west side of Green Bay Road, between Main Street and Winneconne Avenue. The site is zoned, C-1, General Commercial District. A special use was required for this site as Staff determines if the use fits and meshes with the existing neighborhood. The use was determined to be compatible. The site will include a kennel, retail, training and outdoor areas. Staff does not have noise concerns. A notice was sent to surrounding neighbors within 200 feet of the site including those lying in the Town of Neenah. Staff has not heard any concerns from neighbors. Staff will be requiring the applicant to submit a site plan for approval at a later date. The applicant needs confirmation that the use is approved in order to purchase the property.

Mayor Kaufert described the lot as long and narrow. He would like to see the building layout. He inquired whether he will receive a site plan before action is taken. Deputy Director Schmidt indicated the applicant will need to come back before Plan Commission for site plan approval. Mayor Kaufert indicated if the Plan Commission doesn't approve the site plan, this will create a problem for the applicant.

Deputy Director Schmidt indicate there is flexibility in the review of site plans.

Mayor Kaufert stated he feels this is a good use; however, he worries about the impact to neighbors and that makes this site attractive.

Deputy Director Schmidt indicated that there could be a condition of approval added requiring a notice to be sent to the surrounding neighbors at site plan review.

Mayor Kaufert inquired about the lot width. Director Kaiser indicated the lot is 135-feet wide.

Mayor Kaufert addressed the applicant to discuss the timing of the next Plan Commission meeting as it relates to their purchase plans.

Michael Macdonald (725 Manchester Rd) addressed the Commission as the applicant and indicated the purchase of the property is contingent on the ability to receive approval for the proposed use by April 4, 2020.

2. **Rezoning – Part of 1313 S. Commercial St. and Parcel No. 02-0618 – Rezone to M-1, Multi-Family Residence District (Ord. No. 2020-01)**

Deputy Director Schmidt indicated that there have been no proposals for the site. The site has been used as a nursing facility and included 4 parcels. The property was listed for sale last year. This property and 3 others went for sale as a package. It is staff's understanding that the current owner does not wish to retain the property. The owner wishes to consolidate the lots into one parcel so it is easier to sell. This would require rezoning part of the C-1 and R-1, single family residence. Current zoning allows for a variety of uses. Staff is not aware whether government assisted housing will be planned for this site. The next buyer could decide what happens with the wooded area. Buffer standards would require a 10-foot buffer. It may be unlikely that anyone would build in the land-locked, wooded area, however, nothing prohibits construction in that area.

Mike Schwab (126 W. Peckham St.) inquired about the owner of the middle lot. Deputy Director Schmidt indicated that the City purchased that lot at sheriff sale. The City purchased that parcel to remove blight from the Harn's site and intends to develop a stormwater pond at this location.

David Finch (2052 Henry St.) stated the Commission could deny the rezoning of the other 3 smaller parcels and neighbors could draft a petition to fight the sale of bigger parcel.

Deputy Director Schmidt stated the City would want a larger storm water pond. The City did not finalize a sale for the other parcel as the seller was only willing to sell the lot on the north and east.

Jean Miller (2014 Henry St.) indicated she does not want people building on the strip of land to the west. She would rather see a storm water pond than a building.

David Finch (2052 Henry St.) stated if you leave the zoning as residential, that doesn't allow anyone to build on the site.

Terry Tuttle (2010 Henry St.) asked what would stop someone from extending parking on the exiting site northward onto the wooded parcel?

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Deputy Director Schmidt indicated it would not be likely that that would happen but is not possible to say that it couldn't happen. The lot is a little peninsula and that restricts what could be built there. Mayor Kaufert inquired the age of the existing building.

David Finch (2052 Henry St.) indicated it was built in 1962. An addition was added in 1996. He indicated the building is obsolete. He stated it is not ADA complaint, it has galvanized pipe, and is full of mold. He stated the building will be destroyed.

Deputy Director Schmidt indicated he will inquire with the owner as to why the land-locked parcel will need to be included in their plans.

Mayor Kaufert stated that the revitalization of S. Commercial Street is important. The City has an interest in some of this to alleviate drainage concerns.

Deputy Director Schmidt provided examples of other multi-family development sites; stating Pendleton Park and Coral Court as examples. With these projects the City took into account the applicant's site plans. The City has an interest in improving S. Commercial Street and would like to see value added to the district.

Mayor Kaufert indicated the project would improve the city's tax base. The neighbors near Coral Court were able to see the developer's other projects near Hwy CB and Winneconne Avenue and were then accepting of the new townhomes.

David Finch (2052 Henry St.) asked if the apartments were market rate apartments. He indicated that the subject site was not conducive to market-rate apartments.

Deputy Director Schmidt indicated the City would review all options if presented.

David Finch (2052 Henry St.) asked if the City was leaning toward combining parcels into one multi-family parcel.

Deputy Director Schmidt indicated that the Staff supports consolidation of the lots into one lot.

Mayor Kaufert explained he called the State as the previous owner, Atrium, didn't give proper notice. The business lacked funds so they couldn't provide services. He described it as an unfortunate situation. Mayor Kaufert apologized for the lack of quorum.

3. Certified Survey Map – 3 Lots – S. Commercial Street/Byrd Avenue

No discussion was held. Item will be postponed until the next Plan Commission meeting.

Discussion Items: None.

Announcements and Future Agenda Items:

Next Plan Commission meeting is scheduled for March 10, 2020.

Adjournment: The Commission adjourned its meeting at 5:15 P.M.

Respectfully Submitted,



Cassandra Kohls
Administrative Assistant, Community Development



CITY OF NEENAH ZONING APPROVAL REQUEST

Department of Community Development
211 Walnut St. P.O. Box 426
Neenah WI 54957-0426
Phone 920-886-6125 Fax 920-886-6129
Website: www.ci.neenah.wi.us

Office Use Only	
Date:	<u>2-5-2020</u>
Case No:	<u>#2-20</u>
Fee:	<u>\$400.⁰⁰</u>
Check No:	<u>21472</u>
Receipt No:	<u>3639</u>

Subject Address: 349 South Green Bay Road - Neenah

Applicant's Name: Micaela Macdonald on behalf of The Ruff House

Mailing Address: 1301 Kimberly Drive Neenah, WI 54956

PLEASE INDICATE WHICH REQUEST IS BEING MADE

- | | | |
|--|--|---|
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Future Land Use Map Amendment | <input type="checkbox"/> PDD Project Approval |
| <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> CH Project Plan Approval | <input type="checkbox"/> TND Project Approval |
| | | <input type="checkbox"/> Appeal or Variance |

Description of Request:

Please see attached.

Owner/Agent:

ANDY GRAHAM

Signature AGENT OF SEEL

Phone:

CELL: 920 284 9955

Parcel Number(s): 07-0588-06-00

Current Zoning: C - 1 General Commercial

Informal Hearing: -

Formal Hearing: -

Notice Mailed: -

Notice Mailed: -

Notice Publishe -

Neenah Plan Commission Action: Approval Denial

Date: 2-25-20

Board of Appeals Action: Approval Denial

Date: N/A

Common Council Action: Approval Denial

Date: 3-4-20

Conditions (If Any):

Empty box for conditions.



DATE: February 21, 2020
TO: Mayor Kaufert and Plan Commission
FROM: Brad Schmidt, AICP, Deputy Director 
RE: Special Use Permit – 349 S. Green Bay Road – Commercial Kennel

Request - Michael Macdonald (725 Manchester Rd, Neenah WI)

Micaela Macdonald, on behalf of The Ruff House, is requesting a Special Use Permit to establish a commercial kennel and retail business located at 349 S. Green Bay Road.

Consideration

The subject site is approximately 1.75 acres in size and currently includes a single-family residence. This proposal would include demolishing the residence and building a new commercial facility. The property is zoned C -1, General Commercial District.

Land north and south of the subject property is also zoned C-1 and includes a variety of commercial and industrial uses. Land to the east of the site includes single-family neighborhoods and the subject abuts Interstate 41 to the west. This particular business district has seen very minimal investment over that 10 years, but offers opportunity due to its proximity to the Winneconne Avenue shopping district and the visibility to Interstate 41.

The C-1 zoning district requires this use to obtain a special use permit. Each zoning district includes a list of Permitted Uses or uses allowed by right and Special Uses or uses that possess special characteristics or uniqueness which require thorough review of their location and configuration relative to the surrounding neighborhood. Specifically, the City's Zoning Code requires that the Plan Commission consider the following findings when deciding on a Special Use:

1. The use shall be compatible with the adjacent land uses so that the existing uses will not be depreciated in value and there will be no deterrents to development of vacant land.
2. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
3. The use shall be reasonably related to the overall needs of the City and to existing land use patterns.
4. The use will not cause traffic hazards or congestion.
5. The use shall have adequate utilities, access roads, drainage, and other necessary facilities.

The details of the actual development will come at a later date as the applicant is seeking the special use permit to actually use the property as a commercial kennel prior to purchasing it. The applicant has provided a detailed summary of how the business will operate. In addition to the kennel operations, the business will also include a retail component, a swimming pool for dogs in need of therapy or for recreation purposes, dog training and sports classes, and a self-service dog washing service. The applicant has an existing location in the Village of Fox Crossing. If approved, this location would replace the existing business.

As with most commercial kennels, there will be an outdoor play area for the dogs. This area will be located in the rear of the property and away from the residences along the east side of Green Bay Road. Special consideration will be made during the site plan review to ensure property fencing and screening is installed to ensure noise from the facility is limited and not impactful to the surrounding residential neighborhoods.

Recommendation

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 commercial kennel located at 349 S. Green Bay Road subject to the conditions of the Approval Letter.

Micaela Macdonald, on behalf of The Ruff House, is applying for a Special Use Permit to operate a Commercial Kennel at 349 South Green Bay Road.

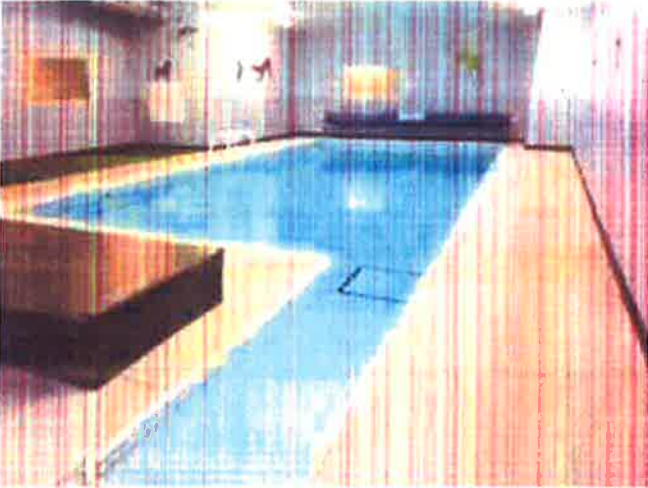
The Ruff House has operated in the Village of Fox Crossings industrial park between County Road CB and Hwy 41 off of the Winchester exit since 2007. Currently The Ruff House offers dog daycare, overnight care, and grooming services to the greater Neenah area and has recently outgrown its present location.

The property at 349 South Green Bay Road is approximately 1.8 acres in size. The site is zoned C-1 General Commercial, and the proposed use, commercial kennel, is permitted with a special use permit in this district.

The proposed site will allow The Ruff House to add additional service offerings to the Neenah community. These additional offerings include: a full service pet retail product store, swimming pool for dogs to use for recreation and therapy, an indoor splash park for dogs for people to take their dogs to, a self service dog wash, and dog training and sport classes. The Ruff House will continue to offer dog daycare, overnight care and dog grooming services as well. Photos are attached to assist the Planning Commissions understanding that this site will operate as a full service Pet Resort and not just a dog daycare.

The Ruff House will obtain all necessary permits and follow required site plan approval processes and comply with all building codes, landscaping requirements, and setbacks per code.







349 S Green Bay Road

