

MINUTES OF THE NEENAH PLAN COMMISSION
Tuesday, March 28, 2017
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	Ald. Christopher Kunz	ABSENT	Karen Genett	PRESENT
Gerry Andrews	ABSENT	Ald. Jane Lang	PRESENT		

Also present:

Brad Schmidt, Deputy Director of Community Development	Katie Osthelder, Administrative Assistant of Community Development	Alderwoman, Cari Lendrum
James Thienel, 990 S. Lake Street, Neenah	Forrest Genett, 957 Betty Avenue, Neenah	Grant Birtch, 534 E. Peckham, Neenah

Minutes:

MSC Genett/Lang, to approve the Feb 21, 2017 meeting minutes. All aye. Piergrossi abstain.

Public Appearances:

Grant Birtch, 534 E Peckham, Neenah, introduced himself and provided follow-up on the discussion from past Plan Commission meetings about short term rentals. He indicated that he's reviewed the ordinances that Deputy Director Schmidt provided and believes the City should adopt an ordinance which regulates short term rentals. Mr. Birtch believes the Village of Ashwaubenon ordinance is pretty good and well put together since it uses specific standards to review these properties including licensure for health inspections and building inspections. It's a very comprehensive ordinance.

Public Hearings: NONE

Action Items:

1. Final Plat – Castle Oak V

Deputy Director Schmidt provided an overview of the final plat for the 5th phase of the Castle Oak subdivision. In addition, Deputy Director Schmidt indicated that the conditions of the final plat have been met. The only request from staff is that a 20-foot easement be added over the storm sewer between Lots 176 and 177.

Commission member Genett asked if the 1,500 foot Wallace Lane/Stout Drive is a culdasc. Deputy Director Schmidt indicated that the road is not intended to function as a permanent culdasc and is temporary until Cavalry Lane is extended south to Fort Drive. City Staff worked with the developer to put language in the development agreement that allows the City to construct the Cavalry Lane extension if it isn't completed within 36 months. In addition, the developer will dedicate the Cavalry Lane right-of-way to the City.

Commission member Piergrossi asked if the dedicated Cavalry Lane would be a temporary road. Director Kaiser said that the road right-of-way was being dedicated and that no improvements will be made at this time.

Mayor Kaufert thanked Staff for looking our for the City's future interests.

MSC Kaiser/Piergrossi to recommend Common Council approve the Final Plat of the Castle Oak V Subdivision subject to the inclusion of a storm sewer easement between Lots 176 and 177. All Aye.

2. Site Plan Review – 990 S Lake Street

Deputy Director Schmidt provided an overview of the proposed site plan at 990 S. Lake Street to construct a 1,600 square-foot storage building in the rear of the property. The building would be a wood-framed design with a metal exterior. The height of the building will be about 25 feet tall. The Zoning Code limits the lot coverage of buildings on a lot to no more than 30% in the C-1 District. However, Plan Commission has the ability to allow buildings to cover up to 40% of a lot. In this case the lot coverage would be 31.6%. The site plan also includes additional parking along the west property line.

Director Kaiser asked if the Plan Commission has increased the building lot coverage above 30% in the past. Deputy Director Schmidt indicated they have and that this does not result in a variance. Director Kaiser indicated that the area the building is proposed to be located is currently on an impervious area and therefore has no issues with increasing the lot coverage to 31.6%.

Commission member Piergrossi asked about the location of the existing ponds and the proposed stormwater ponds on the site plan. Deputy Director Schmidt said there are two existing stormwater ponds on the site along Lake Street. The two proposed ponds are preliminary and may change based on the alternatives to managing stormwater on the site. The challenge is that no stormsewer exists along Lake Street.

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MSC Kaiser/Genett for Plan Commission to approve the site plan for 990 S. Lake Street subject to the following conditions:

1. Obtain all necessary building permits prior to any construction, alteration, or sign installation.
2. Submit a detailed landscape plan identifying the type, size, and location of plantings along the west property line.

All Aye.

3. Excess Public Right-of-way – Harrison Street

Deputy Director Schmidt provided an overview of a request to declare City-owned land along Harrison Street as excess public right-of-way. The land is a remnant piece the City acquired as part of the Main Street overpass project. The land is too small to be used as a single-family residential lot.

Commission member Piergrossi asked if the land would be sold to one of the adjoining neighbors. Director Kaiser indicated that the property owner south of the subject land expressed interest in purchasing it.

Commission member Genett asked about the weird shape of the lot. Director Kaiser said it's a remnant piece from a service station that used to be there and the warehouse that is still used directly west of the land.

Commission member Piergrossi asked if the adjacent parcel with the warehouse on it was developable if the warehouse were removed. Deputy Director Schmidt said it appears it would meet our minimum lot size for residential lots.

Director Kaiser said the City currently maintains the subject land.

Mayor Kaufert expressed concerns about selling public land if it has development potentials in the future, specifically if the warehouse on the adjoining property was removed.

Director Kaiser indicated that regardless of the scenario there's no reason for the City to own and continue maintaining the subject land.

MSC Piergrossi/Kaiser for the Plan Commission to declare the remnant right-of-way piece of land along Harrison Street as excess property and recommend Council authorize the sale of the property. All Aye.

Zoning Code Review:

1. Short-Term Rentals

Deputy Director Schmidt provided an overview of short-term rentals and how the City currently deals with them. Unfortunately, the Zoning Code is not very clear on this use and the Plan Commission may want to further explore them. Attached in the memo are several ordinances which regulate short-term rentals in Wisconsin and a map of AirBnB properties currently listed in the City.

Director Kaiser asked what the difference between a short-term rental and a bed and breakfast is. Deputy Director Schmidt indicated that we regulate bed and breakfasts through a special use permit and they differ from short term rentals in that the property owners remain on the property and provide food for the guests.

Commission member Piergrossi asked if short-term rentals are required to pay Hotel Room Tax. Deputy Director Schmidt said that he believes they are responsible for the tax. Mayor Kaufert mentioned that the challenge is that it is a self-reporting tax.

Deputy Director Schmidt mentioned that the reason for bringing this to the Plan Commission is because the Community Development Department received a complaint from a neighbor. Commission member Piergrossi mentioned he is not in favor of regulating them.

Mayor Kaufert explained that the State has discussed preempting municipalities in regards to regulating short-term rentals. He also appreciates the background information but doesn't feel we would get far into this tonight since 3 commission members are absent.

2. Signs

Deputy Director Schmidt indicated that the sign code was attached to the Plan Commission packets and that a Supreme Court ruling impacted how the City regulates signage. Schmidt asked the Plan Commission to begin reviewing the sign code.

3. Accessory Structures

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Deputy Director Schmidt provided an image of a shed that was constructed in the City which found a loop-hole in the wall height requirement. The current requirement limits shed wall heights to no more than 10 feet and the total height of the shed to no more than 20 feet. Staff is proposing to reduce the maximum height for sheds to 14 feet to avoid similar type sheds.

Announcements and future agenda items:

Next meeting April 11, 2017

Comprehensive Plan Update- Deputy Director Schmidt indicated that the Steering Committee is reviewing each chapter separately and that the final chapter, Land Use, will be reviewed over the next several weeks.

Adjournment: The Commission adjourned its meeting at 4:58 P.M. MSC Genett/Lang. All Aye.

Respectfully Submitted,



Katie Osthelder
Administrative Assistant, Community Development