



NEENAH PLAN COMMISSION

October 13, 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/353213581>
Conference Telephone Number: +1 (646) 749-3122
Access Code: 353-213-581 #

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 face masks and social distancing measures will be in place to protect meeting participants.

1. Approval of Minutes: **September 29, 2020**
2. Public Appearances (Ten minutes divided among those wishing to speak on topics pertinent to the Plan Commission)
3. Public Hearings:
 - a. **Special Use Permit** - 912 S. Commercial Street - Tow Truck Business
4. Action Items:
 - a. **Special Use Permit** - 912 S. Commercial Street - Tow Truck
 - b. **Annexation No. 220** - 1261 W. Winneconne Avenue (Ord. 2020-15)
5. Announcements and future agenda items:
 - a. Next Meeting: October 27, 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, September 29, 2020
4:15 p.m.

Due to the Public Health Emergency caused by the COVID-19 Pandemic, this meeting occurred at a virtual location accessed by conference call on www.gotomeeting.com

Present:

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

Also present:

| | | |
|---|---|---|
| Brad Schmidt, Deputy Director of Community Development | Chris Haese, Director of Community Development | Dave Gliniecki, Applicant, 125 Byrd Avenue |
| | | |
| | | |

Minutes: MSC Andrews/Ellenberger, the Plan Commission to approve the August 25, 2020 meeting minutes. All aye. Motion passed.

Public Appearances: None.

Public Hearings: None.

Action Items:

1. Site Plan Review – 510 Discovery Drive – Change of Use

Deputy Director Schmidt explained why the Plan Commission would review this site plan. Due to the proposed change in use, the Plan Commission must review the application.

The building at 510 Discovery Drive (approximately 4,000 square feet) was previously used as a printing company and has been vacant for approximately 12 months. TD Supply (currently located on Cecil Street) purchased the building and is planning to relocate their business there. They exist as a tool and equipment distributor. They will be utilizing the site for mainly warehouse space but there will be some trucks that may travel to and from the site. This use is permitted in the I-1 district.

Mayor Kaufert asked if the application is allowed to leave equipment outdoors for any length of time. No personal items should be stored outside of the building and outdoor storage of material, equipment or products for a period longer than 24 hours is prohibited unless the site is screen with a six-foot tall sight tight fence. The applicant plans to extend the parking lot slightly and is being asked to stripe parking spaces and add a handicap stall.

MSC Lang/Andrews, the Plan Commission to approve the site plan for a change of use to establish a tool and equipment distribution business at 510 Discovery Drive subject to the following conditions:

- 1. Obtain all necessary building permits prior to any construction, alteration, parking lot expansion or sign installation.**
- 2. Stripe parking spaces and add a handicap accessible stall.**

2. Site Plan Review – 125 Byrd Avenue – Change of Use

A site plan has been submitted for a change of use at 125 Byrd Avenue. The property was previously used as an assisted living facility and the applicant is proposing to reconfigure the existing rooms inside the building into 58, 1 bedroom and studio apartments. The reconfiguration also includes tenant amenity areas and offices for staff. Due to the proposed change of use and because it has been vacant for over 12 months, a site plan review is required.

This size of the site is 4.15 acres which would allow for 75 apartment units – the applicant is planning for 58 units. Deputy Director Schmidt’s memo says that the property contains 82 off-street parking stalls but the Zoning Code requires a minimum of 1.5 off-street parking stalls for each bedroom unit therefore they are required to have 87 off-street parking stalls. The applicant has since shown that the site has all of the required parking. The applicant will indicate the location of handicap accessible parking stalls.

All refuse disposal areas shall be screened from adjacent properties and public right-of-way with a 6-foot tall sight tight fence or an evergreen screen approved by the Community Development Department. The Zoning Code requires that landscaping be maintained. The applicant will submit a lighting plan and is encouraged to construct a sight tight, 6-foot fence along the west property line to buffer noise and light from vehicles in the parking lot.

Plan Commission Minutes

September 29, 2020

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Mayor Kaufert commented that the site is currently in rough shape and would like to see it fixed up. The Mayor strongly suggests the six-foot fence on the west side of the property to shield the homes from car lights. He felt that there is a market for this type of housing for individuals or couples. He also asked if there would be an onsite manager for this facility. Mr. Gliniecki was not certain but will ask the owner and report back to Deputy Director Schmidt.

Member Hancock-Cooke asked what the timeline is for construction and residency. Mr. Gliniecki explained that they are hoping for residency by next spring.

Director Kaiser asked if the site tight fence that is being suggested will be just along the parking lot. Deputy Director Schmidt indicated that this is the intent but it may extend a bit further.

Member Ellenberger asked what the typical rent will be expected to be. Mr. Gliniecki did not know as he is working on the construction and not management.

Member Hancock-Cooke asked how it would occur if the city wanted to have low-income housing. Deputy Director Schmidt explained that a developer would approach the city proposing to develop these to receive tax credits.

MSC Kaiser/Andrews, the Plan Commission to approve the site plan for a change of use to establish a multi-family residence at 125 Byrd Avenue subject to the following conditions:

- 1. Obtain all necessary building permits prior to any construction, alteration, parking lot expansion or sign installation.**
- 2. Submit a landscape plan if any landscaping is proposed to be removed or added.**
- 3. Provide details for screening or refuse collection area.**
- 4. Provide a detailed parking lot layout to show the location of handicap accessible stalls.**
- 5. Consider installing a 6-foot tall sight tight fence along the west property line.**
- 6. Submit a lighting plan showing the location, lighting levels and light fixture details prior to installation of any exterior lighting.**

All aye. Motion passed.

3. Excess Public Land – Mayer Street/Harrison Street

During the construction of the Main Street Overpass, several properties were acquired to provide enough room for the project. For some of this land, small pieces of the previous parcels were not needed and now exist as an unbuildable piece of land. This exists in the case of a piece of land that exists along Mayer Street and Harrison Street. It is about 7,700 square feet in size and abuts three properties. Staff will suggest that this land be sold to adjoining property owners but it must be declared excess public property by the Plan Commission.

MSC Andrews/Genett, the Plan Commission declares the remnant land along Mayer Street and Harrison Street as excess public property and recommend the Common Council authorize the sale of the property. All aye. Motion passed.

Discussion Items: None.

Announcements and Future Agenda Items: Deputy Director Schmidt hopes to have the consultant who is working on S. Commercial Street Corridor Plan present the plan to the Plan Commission within the next month.

Next meeting: October 14, 2020

Adjournment: The Commission adjourned its meeting at 4:54 P.M. MSC Ellenberger/Kaiser. All Aye. Motion passed.

Respectfully Submitted,



Samantha Jefferson
Office Manager, Community Development

REPORT



DATE: October 8, 2020
TO: Mayor Kaufert and Plan Commission
FROM: Brad Schmidt, AICP, Deputy Director
RE: Special Use Permit – 912 S Commercial Street – Tow Truck Business

Request

Courtney Ramsey, on behalf of Easy Towing Fox Valley, is requesting a special use permit to operate a tow truck business located at 912 S Commercial Street.

Consideration

The subject site is currently vacant, but was most recently used as a used car sales and repair business. The subject site is about 1.1 acres in size and includes a small building on the west side of the property. The applicant has submitted a site plan detailing where tow trucks are proposed be stored. While their business model does not include the impounding of vehicles, up to 10 vehicles may be stored on the site. Minor repair to those vehicles may also occur on the site. The property is zoned C-1, General Commercial District.

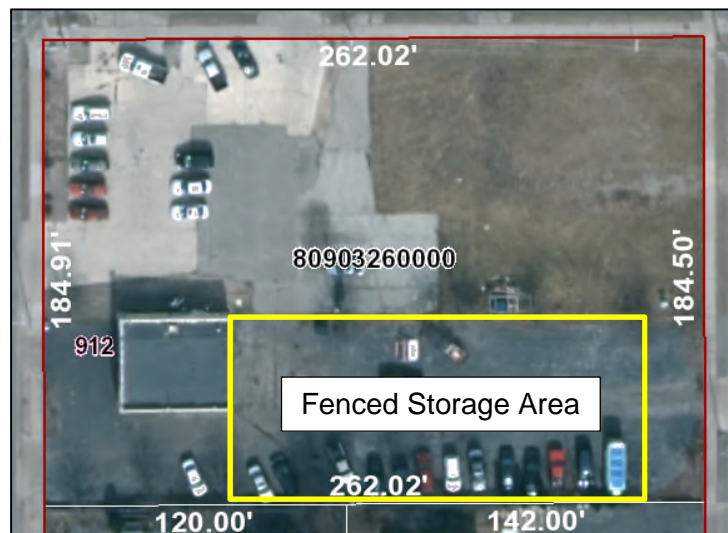
Land north, south and west of the subject property is also zoned C-1 and includes a vacant vehicle repair building, a restaurant, and a retail strip center. Land to the east of the site includes two-family and multi-family residences.

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.

As described earlier, this property has been used as a used car sales and/or auto repair business on and off for at least the last 20 years. The proposed use of a tow truck business is similar to the past uses. The applicant indicates that initially, two tow trucks would be located on the property with the possibility of more in the future. The applicant also stated that normally, around 4-6 vehicles related to the tow truck business would be stored on the site with the possibility of up to 10. Finally, the applicant indicated that an additional business would operate from this site. That business rents inflatable items like kid bounce houses. That business would store around 4-6 trailers on the site as well.

The applicant's site plan indicates the location and storage of the aforementioned vehicles and trailers. Due to the size of this site and the amount of available hard-surface parking area, this business and past businesses take advantage of the space. Unfortunately, the storage of vehicles, trucks, boats, and trailers has created an unwanted nuisance and blight in the commercial district with high visibility and traffic volume. To alleviate these concerns, Staff is recommending that all vehicles, tow trucks and trailers be parked/stored behind a minimum 6-foot tall sight tight wood fence. While the applicant may want to display the tow trucks closer to S. Commercial Street or Cecil Street, the Municipal Code prohibits vehicles to be located in a manner which provides for advertising. The City required 101 N. Lake Street to park their tow trucks behind a sight tight fence as well. Similarly, the storage of vehicles that are towed to the site and trailers that are stored on the property shall also be located behind a sight tight wood fence. Staff is also recommending that the fenced storage area be located in the area identified below.



Frontage landscaping on the property was recently brought into compliance. However, the maintenance of the landscaping has been an on-going problem. Particularly as it relates to weeds. The Municipal Code requires that landscaping be free of weeds.

The applicant did not submit any plans for exterior lighting. If the applicant does intend to install any exterior lighting, a lighting plan must be submitted to the Community Development Department for review prior to installation.

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 tow truck business located at 912 S Commercial Street subject to the conditions of the Approval Letter.

CITY OF NEENAH PLANNING/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: | _____ |
| Case No: | _____ |
| Fee: | _____ |
| Check No: | _____ |
| Receipt No: | _____ |

Subject Address: 912 S Commerical St Neenah, WI 54956

Applicant's Name: Courtney Ramsey

Mailing Address: 1038 Babcock St 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"/> Official Street Map Amendment | <input type="checkbox"/> Appeal or Variance | |

Description of Request:

Requesting approval to operate a towing business at 912 S Commercial St. Neenah. The building will be used primarily as office space, break room, and a location to store our tow trucks. Tow trucks will be kept in the north lot near the building, away from the street or in the east parking lot behind the building also away from the street. We do not plan to have an impound on the property; however, the east parking lot will be used for some seasonal trailer or vehicle storage.

Owner/Agent: Nicole Lemens Phone: 920-422-1471
Signature

| | |
|-------------------------|-----------------------|
| Parcel Number(s): _____ | Current Zoning: _____ |
| Informal Hearing: _____ | Formal Hearing: _____ |
| Notice Mailed: _____ | Notice Mailed: _____ |
| Notice Published: _____ | |

| | |
|---|-------------|
| Neenah Plan Commission Action: <input type="checkbox"/> Approval <input type="checkbox"/> Denial | Date: _____ |
| Board of Appeals Action: <input type="checkbox"/> Approval <input type="checkbox"/> Denial | Date: _____ |
| Common Council Action: <input type="checkbox"/> Approval <input type="checkbox"/> Denial | Date: _____ |

Conditions (If Any):

Cecil st.

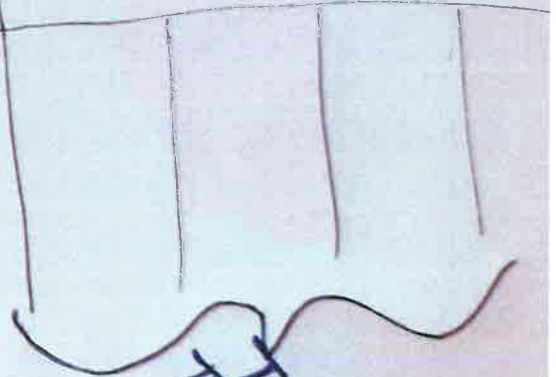
Sidewalk

Side walk

Grass

Commercial St.

Tow Truck
Parking



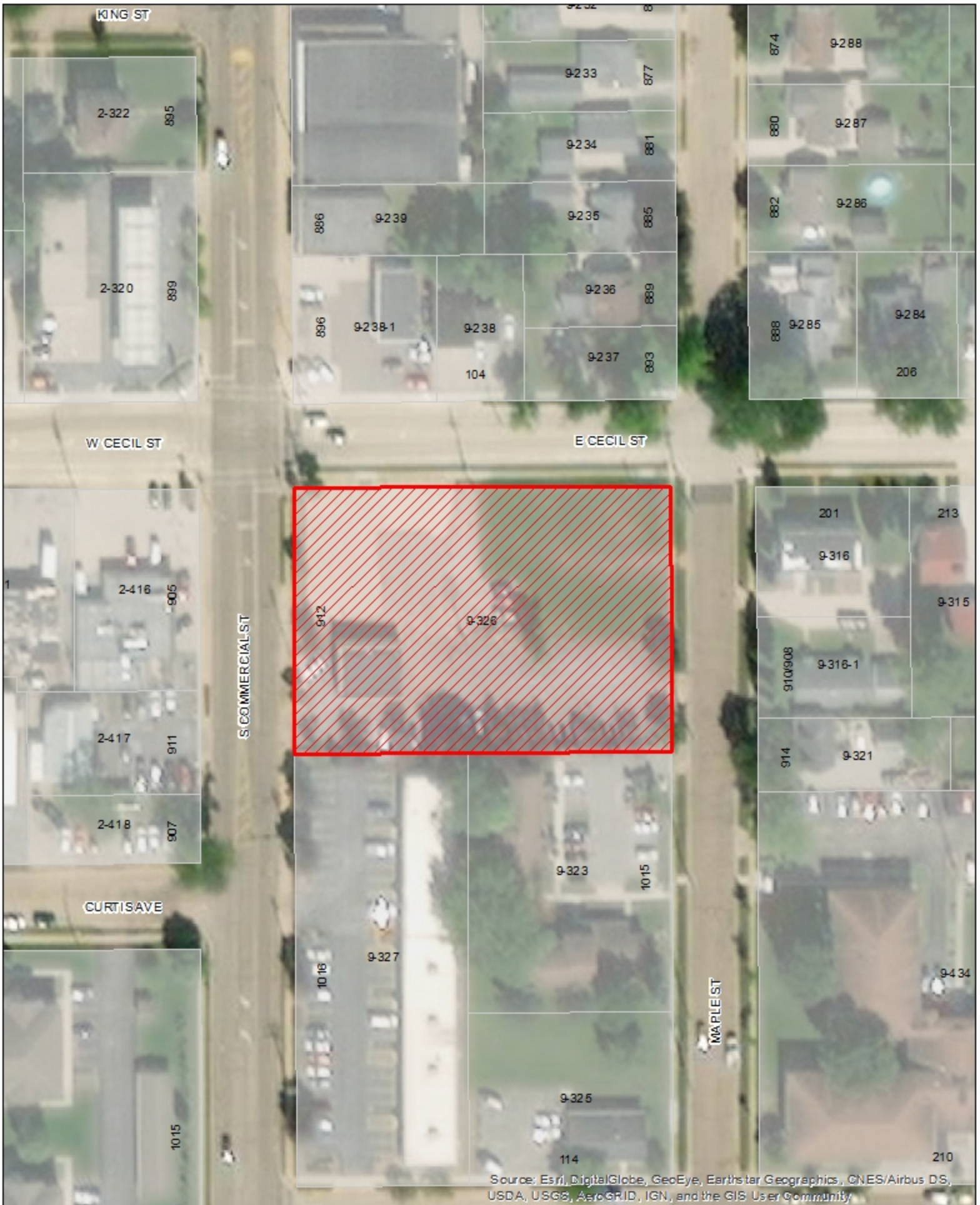
Tow
Truck
parking

Trailer/vehicle
Storage

Tow
truck
parking



912 S Commercial Street



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



City of Neenah Community Development
211 Walnut Street
Neenah WI 54956
Ph 920.886.6130

October 08, 2020

COURTNEY RAMSEY
EASY TOWING FOX VALLEY LLC
1038 BABCOCK ST
NEENAH, WI 54956

RE: Special Use Permit - Towing Business Special Use Review () Status Approved

Dear COURTNEY RAMSEY:

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. Tow Trucks must be stored/parked behind a sight tight fence a minimum of 6 feet tall constructed of wood privacy fence.
2. Vehicles brought to the property relating to the towing business shall be stored behind a sight tight fence a minimum of 6 feet tall constructed of wood privacy fence.
3. Storage of trailers or any other vehicles shall be stored behind a sight tight fence a minimum of 6 feet tall constructed of wood privacy fence.
4. Submit a site plan detailing the location and fence height of the area where vehicles, tow trucks and trailers will be stored.
5. Landscape areas shall be maintained free of weeds.
6. No exterior lighting is permitted without first submitting a lighting plan to the Community Development Department.
7. Prior to installation of any building signage or free standing signage, please obtain a sign permi from the Community Development Department.
8. Prior to any additional exterior site work or interior building work, please contact the Community Development Department.
9. Failure to adhere to these conditions may result in the revocation of your special use permit.

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

Not Applicable

Review Comments:

**Inspections - Building Commercial - Kyle Pederson - 920-886-6131
kpederson@ci.neenah.wi.us**

Approved

Review Comments:

**PETITION FOR DIRECT ANNEXATION
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES**

We, the undersigned, constituting the assignee of the annexation rights of all owners and the owners' assignees of the real property in the following territory of the Town of Neenah, Winnebago County, Wisconsin, petition the Honorable Mayor and Common Council of the City of Neenah to annex the territory described below and shown on the attached scaled map (Exhibit A) to the City of Neenah, Winnebago County, Wisconsin.

Part of the Southeast ¼ of the Southwest ¼ of Section 29, Town 20 North, Range 17 East, Town of Neenah, Winnebago County, State of Wisconsin, being bounded and described as follows:

Beginning at the Northeast corner of the Southeast ¼ thence 874.0 feet West, thence 225.0 feet South 0°27'0"E, and thence 133.90 feet West to the point of beginning.

From the point of beginning North 90°0'0"W, 138.0 feet, thence South 6°50'0"E a distance of 265.9 feet to the centerline of State Trunk Highway "114" otherwise known as W. Winneconne Avenue, thence North 70°13'00"E a distance of 137.2 feet along said centerline, thence South 6°32'0"W a distance of 218.0 feet to the point of beginning.

Containing 0.74 acres, more or less.

Parcel Number - 010028401

The current population of such territory is 0.

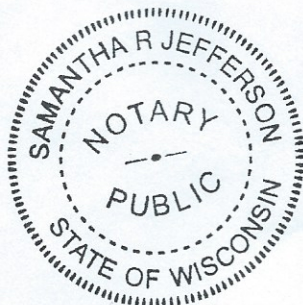
We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporations, or consolidations proceedings, if any.

| Signature of Petitioner | Date of Signing | Trustees | Petitioner Address |
|-------------------------|------------------|---------------|--|
| <u>Russel Detra</u> | <u>9-19-2020</u> | Russel Detra | <u>9675 River Pines La FREMONT WI 54990</u> |
| <u>Carla Steward</u> | <u>9-14-2020</u> | Carla Steward | <u>343 5TH ST. NEENAH, WI 54956</u> |

~~Stephanie Cheslock, Clerk~~

STATE OF WISCONSIN)
) SS.
COUNTY OF WINNEBAGO)

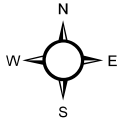
This Instrument was signed and sealed before me this 14 day of September, 2020.



Samantha R. Jefferson
_____, Notary Public
Winnebago County, Wisconsin.
My Commission Expires: 5/10/2021

MAP OF PROPOSED ANNEXATION

MAP OF THE SE 1/4 OF THE SW 1/4 OF SEC. 29, T. 20N, R.17E, TOWN OF NEENAH, WINNEBAGO COUNTY



1 inch = 56 feet

874.0' West

NE Corner of the SE 1/4 of the
SW 1/4 Sec. 29, T. 20N, R.17E

225.0'
S0°27'0"E

138.0'
N90°0'0"W

POINT OF BEGINNING

133.90' West

218.0'
N6°32'0"W

265.9'
S6°50'0"E

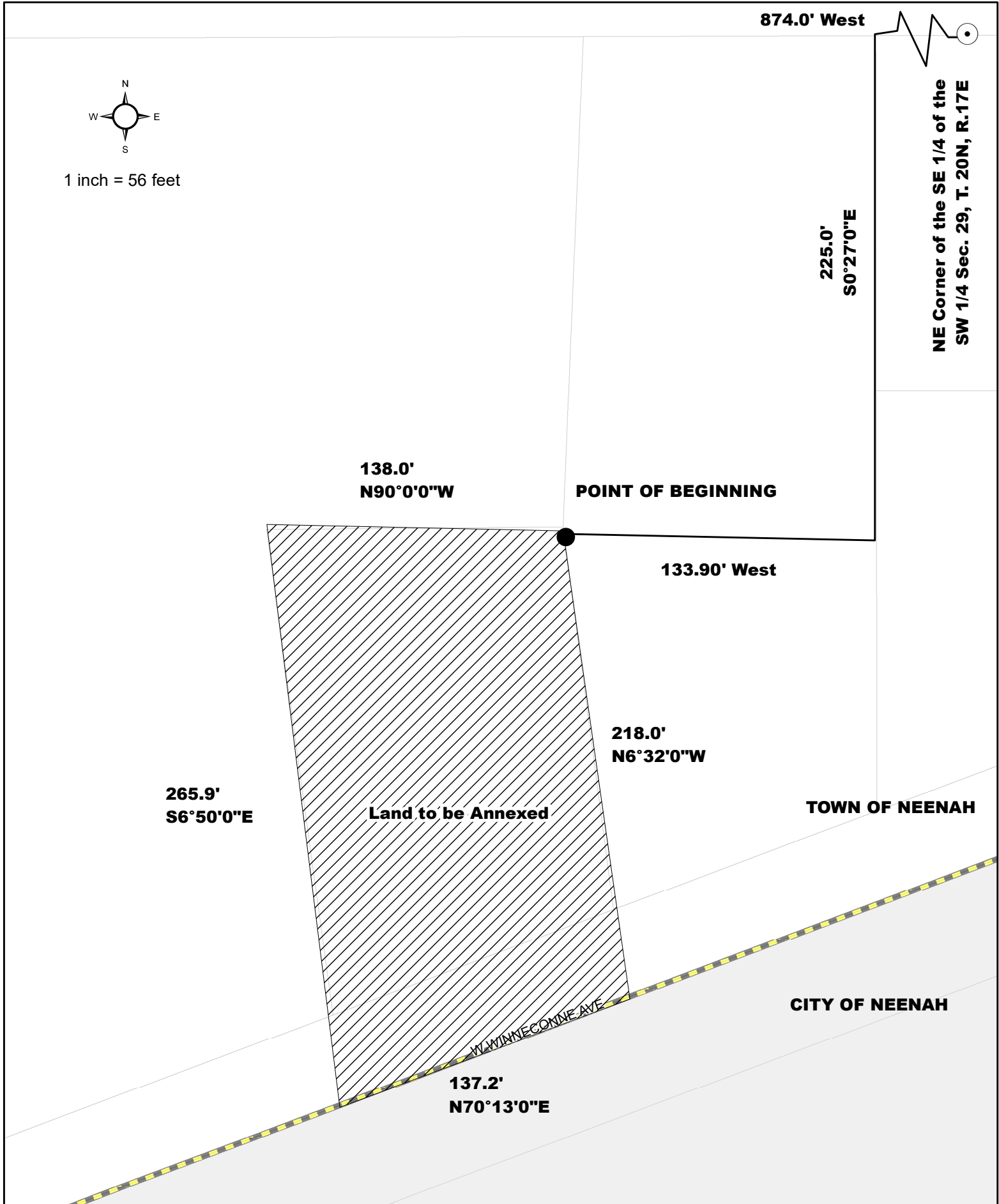
Land to be Annexed

TOWN OF NEENAH

CITY OF NEENAH

137.2'
N70°13'0"E

W. WIANNECONNE AVE





MEMORANDUM

DATE: September 28, 2020
TO: Mayor Kaufert, and Members of Plan Commission
FROM: Brad Schmidt, AICP, Deputy Director
RE: Annexation #220 (1261 W. Winneconne Avenue) – 0.74 Acres

Russel Detra and Carla Steward (Detra Family Trust), have submitted a petition for direct annexation to the City of Neenah for property located along W. Winneconne Avenue in the Town of Neenah. The annexation area is approximately 0.74 acres and includes a portion of the W. Winneconne Avenue right-of-way. The parcel is currently developed and includes a single-family residence. The intent of the annexation is to connect to City water and sewer services. Upon annexation, the property will be zoned R-1, Single-Family Residence District.

The City's Comprehensive Plan Future Land Use Map (2017) currently identifies the annexation area as Mixed Use. The objectives of the District are to identify those undeveloped areas which have the potential to become different uses including commercial, high-density residential, or low-density residential. The use of these districts will really be determined by the surrounding, more dominant land uses. The proposed use is consistent with the City's Comprehensive Plan.

The subject land is located within the Town of Neenah and is subject to the City of Neenah/Town of Neenah Boundary Agreement (2003). The land is identified as City Growth Area, which allows the City to annex the property.

The annexation request was also sent to the Town of Neenah's Clerk, Neenah Joint School District, and the Wisconsin Department of Administration per State Statutes. The Plan Commission's role in reviewing annexation requests is to determine whether the proposed annexation is consistent with established City Plans. In addition to Plan Commission review, the City's Finance and Personnel Committee reviews the financial impacts an annexation might have on City services. The Wisconsin Department of Administration also reviews the annexation for consistency with State Statutes.

Recommendation

Appropriate action at this time is for Plan Commission to recommend Council approve Annexation #220 (Ordinance #2020-15) and the property also receive an R-1, Single-Family Residence District zoning classification.

1261 W Winneconne Ave

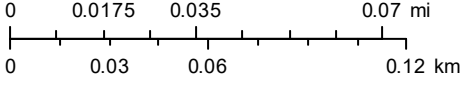


September 22, 2020

1:2,286

- Physical Addresses
- Municipal Boundary
- Street Centerline
- Road ROW
- Tax Parcel Boundary (white)
- Tax Parcel Boundary
- Road ROW area

- Navigable Waterways**
- Navigable - Permanent (unchecked)
 - - - Navigable - Intermittent (unchecked)
 - · - · - Navigable - Stream (unchecked)
 - Navigable - Permanent (checked)
 - - - Navigable - Intermittent (checked)
 - · - · - Navigable - Stream (checked)



Winnebago County GIS
Imagery Date: March, 2015



AN ORDINANCE: By the Neenah Plan Commission
Re: Annexing – 0.74 Acres of land – 1261 W. Winneconne Avenue – to the City of Neenah.

ORDINANCE NO. 2020-15
Introduced: _____
Committee/Commission Action: _____

AN ORDINANCE

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

Section 1. Pursuant to Section 66.0217(3), Wis. Stats., the following described territory contiguous to the City of Neenah and presently in the Town of Neenah, be and the same hereby is, annexed to the City of Neenah, and the corporate limits of said City are hereby extended so as to include the following described property and shown on the attached Exhibit 1:

Part of the Southeast ¼ of the Southwest ¼ of the Southwest ¼ of Section 29, Town 20 North, Range 17 East, Town of Neenah, Winnebago County, State of Wisconsin, being bounded and described as follows:

Beginning at the Northeast corner of the Southeast ¼ thence 874.0 feet West, thence 225.0 feet South 0°27'0"E, and thence 133.90 feet West to the point of beginning.

From the point of beginning North 90°0'0"W, 138.0 feet, thence South 6°50'0"E a distance of 265.9 feet to the centerline of State Trunk Highway "114" otherwise known as W. Winneconne Avenue, thence North 70°13'00"E a distance of 137.2 feet along said centerline, thence North 6°32'0"W a distance of 218.0 feet to the point of beginning.

That said territory shall be zoned R-1, Single-Family Residence District.

Section 2. The petition for annexation is conducted under one-half approval (Wisconsin State Statute Sec. 66.0217(3)). The Wisconsin Department of Administration issued this annexation petition Municipal Boundary Review number 14339. The annexation area is 0.74 acres in size and is wholly located in the Town of Neenah, Winnebago County. The parcel number of the land being annexed is 010028401 and part of 01002830101 and the population of all people living on the transferred land is 0.

Section 3. That the limits of the Third Aldermanic District in the City of Neenah are hereby extended in such manner as to include said territory.

Section 4. 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 5. 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: _____

Published: _____

Approved:

Dean R. Kaufert, Mayor

Attest:

Stephanie Cheslock, City Clerk

Exhibit 1

MAP OF PROPOSED ANNEXATION

MAP OF THE SE 1/4 OF THE SW 1/4 OF SEC. 29, T. 20N, R.17E, TOWN OF NEENAH, WINNEBAGO COUNTY

