

**MINUTES OF THE NEENAH PLAN COMMISSION**  
**Tuesday, March 12, 2019**  
**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	PRESENT	Ald. Christopher Kunz	PRESENT	Karen Genett	PRESENT
Gerry Andrews	PRESENT	Ald. Jane Lang	PRESENT		

**Also present:**

Brad Schmidt – Deputy Director of Community Development	Cassandra Kohls, Administrative Assistant Community Development	Jeff Welhouse - 1351 Hedgerow Dr.
Asher Jacobson – 120 N. Lake St.	Jay Baker – 120 N. Lake St.	Caylyn Schneider – 538 Cecelia St., Combined Locks
Kate Sehloff – 5519 N. Amethyst Dr., Appleton	Jim Sehloff – Davel Engineering 1811 Racine Rd., Menasha	Bernie Meyer – 116 Armstrong St., Town of Neenah
Paul Meyer – 116 Armstrong St., Town of Neenah		

**Minutes:**

**MSC Lang/Andrews to approve the February 26, 2019 meeting minutes. All Aye. Hancock-Cooke abstained. Motion passed.**

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

**Public Appearances:** None

**Public Hearings:** Mayor Kaufert opened the Public Hearing for the Rezoning of 140, 142 and 146 N. Lake Street from I-2, General Industrial District to C-1, General Commercial District (Ord. No. 2019-09). No one presented. Mayor Kaufert closed the Public Hearing at 4:20 p.m.

**Action Items:**

**1. Rezoning – I-2 District to C-1 District – 140, 142 and 146 N. Lake Street (Ord. No. 2019-09)**

Deputy Director Schmidt indicated the applicant, Coenen Properties, LLC, owns 142/146 Lake Street and is requesting to rezone the land located along the west side of N. Lake Street. The subject land is essentially two parcels. The property was used for manufacturing and includes several residential units on the second floor. Mill City Church is planning to lease the building for assembly use. A single-family residence located at 140 N. Lake Street will also be rezoned from I-2 to C-1 to avoid a spot zone situation. This does not impact the use and the owners of 140 N. Lake Street are in agreement with the rezoning of their property. Neighbors within 200 feet have been notified. A change of use is occurring and will require a site plan. Staff will provide a site plan to Plan Commission at a later date. The proposed zoning classification is consistent with the City's Comprehensive Plan 2040 Future land use designation.

Mayor Kaufert inquired whether the rezoning will cause a hardship for the single-family residence (140 N. Lake St.) should they need to refinance. He cited properties on Bond Street who had difficulties refinancing due to the zoning classification of their properties.

Deputy Director Schmidt indicated the current zoning is I-2, General Industrial District. Rezoning to C-1 will be more preferable as the use will be permitted in this district.

Member Hancock-Cooke asked for a definition of assembly. Deputy Director Schmidt indicated an assembly use would also open up to any commercial use.

Mr. Jay Baker (120 N. Lake St.) explained the anticipated use of the property at 142/146 Lake Street. He plans to lease the first floor which will be used mainly for youth and adult classrooms.

Ald. Kunz inquired about the necessity to change the zoning. Deputy Director Schmidt indicated this change will bring the zoning in line with the long term plan and brings the property into compliance. The 2000 Comprehensive Plan anticipated industrial use at this site, however, industrial land use is going away. We are planning for more Commercial use in this area.

Member Hancock-Cooke asked for a reason the property wasn't rezoned to single-family residential (R-1). Deputy Director Schmidt indicated this would not be consistent with the Comprehensive Plan due to inconsistent land use. He explained underwriters fear that if it is not a permitted use, the property could not be rebuilt.

Member Genett indicated the lending institutions are selling the loans on a secondary market. Due to this situation they must use in-house funds which require a higher down payment.

Mayor inquired whether parking will need to be increased.

Mr. Jay Baker (120 N. Lake St) indicated they are already using the space. No more parking spaces will be added.

Ald. Kunz asked if a school qualifies as a special use. Deputy Director Schmidt indicated C-1, General Commercial District is still the appropriate district.

**MSC Lang/Kaiser, Plan Commission recommends Common Council approve Ordinance No. 2019-09 rezoning 140, 142 and 146 N. Lake Street to the C-1 General Commercial District.**

**All Aye. Motion passed.**

Mayor Kaufert asked if the building could be used as a youth drop-in center or a shelter.

Mr. Jay Baker (120 N. Lake St.) stated they will not have youth space in their existing space. Potentially this space could be open to a youth group in the future.

Mayor Kaufert inquired on how it would be handled should the property owner want to revert back to industrial zoning. Deputy Director Schmidt indicated Staff would not recommend going back to industrial zoning.

Mayor Kaufert inquired about landscape standards/requirements. Deputy Director Schmidt indicated the applicant will need to submit a site plan which may be presented at the next Plan Commission meeting.

## 2. Preliminary Plat Review – Cardinal Plat Subdivision

Deputy Director Schmidt provided an overview of the submittal of the Preliminary Plat of Cardinal Subdivision which includes 14.51 acres, 17 single-family residential lots, and one outlot (which will be dedicated to the public for open space). The site is zoned R-1, Single-Family Residence District. Land to the north and west are located in the Town of Neenah and land to the south and east are in the City of Neenah. A new street, Cardinal Circle, will contain a 50-foot right-of-way which is sufficient for a residential street. Lone Oak will contain sidewalks on both sides of the street. Sidewalk will be extended west on the south side of Paintbrush Road and along lots 12 and 13 which would allow a connection to the public open space land. The city has required that lots 2, 3, 5, 12, and 13 must be sold together to ensure that if the developer cannot mitigate the wetland or the lots do not sell, the city will not end up receiving the land due to tax foreclosure.

Lone Oak will extend north and will dead-end until a point in the future when it will continue north and connect to Breezewood Lane. The city is requiring a temporary turnaround at the end of Lone Oak. Staff will work with the developer to determine what that will look like.

Outlot 1 is approximately 6 acres, primarily wetland. The Developer offered to dedicate the land to the public for public open space. The Parks and Recreation Department would identify the land as open space with the possibility of constructing a trail that would connect to the larger trail system around Nature Trail Subdivision and within Carpenter Preserve.

Ald. Kunz would like Paintbrush to extend east and west, connecting this development with land to the west.

Deputy Director Schmidt described the challenges associated with connecting Paintbrush to lands to the west. First, as you move west, you lose depth and run into sanitary sewer issues. Other development challenges include wetlands, a stream, and private property lying west of the subject site. The process to mitigate wetlands is costly and regulated.

Mr. Jim Sehloff (Davel Engineering) stated there is a north and south connection to go up to Armstrong to connect east to Paintbrush. Someone will have to pay for the road. The west connection of Paintbrush is not feasible.

Member Hancock-Cooke stated growth will be limited by the landscape.

Ald. Kunz commented that the cul-de-sac is more expensive to maintain.

Mrs. Bernice Meyer (116 Armstrong St., Town of Neenah) raised her concern regarding the maintenance of the creek that runs along Outlot 1. She indicated she removed the noxious weeds and trees from the creek and asked who will be responsible for that moving forward.

Deputy Director Schmidt indicated maintenance of invasive species on private property is the homeowner's responsibility. The Park and Recreation Department will maintain the open space of Outlot 1 when it becomes public open space.

Mrs. Bernice Meyer (116 Armstrong St., Town of Neenah) inquired about how this development will impact plans for Armstrong Street.

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Mayor Kaufert explained they are not connected. Lone Oak is going north. The process to annex Armstrong Street began years ago. There are still talks with the Town. The city is trying not to litigate however it is time to get this done.

Mr. Jim Sehloff (Davel Engineering) stated Lots 1 and 2 are being sold together until mitigation happens. Currently there is a dead end at Lone Oak.

Director Kaiser encouraged Mr. Sehloff to work with him to develop a plan as the Public Works department will need sufficient room to maneuver.

Mrs. Bernice Meyer (116 Armstrong St., Town of Neenah) inquired about the topography of the land to determine whether Cardinal Plat was a higher or lower elevation than Armstrong Plat.

Mr. Jim Sehloff (Davel Engineering) indicated the land drains toward the creek. He also indicated there is a deed restriction on the lots.

Mayor Kaufert raised concern about the tax base. He raised concern that someone could buy Lot 1 and Lot 2 and not build a house on both. He did not want to see that happen.

Deputy Director Schmidt indicated the city cannot restrict that.

Mr. Jeff Welhouse (1351 Hedgerow Drive) indicated that a new law passed which John Davel (Davel Engineering) helped write. In the past wetland needed to be mitigated first. The new law allows 10,000 square feet of wetland per lot. Therefore, now the lot has to be created before mitigation can occur.

Deputy Director Schmidt indicated the Parks and Recreation Department is trying to plan for a portion of the trail in their Capital Improvement Plan.

**MSC Lang/Genett, Plan Commission recommends Common Council approve the Preliminary Plat of the Cardinal Plat subject to comments on the Preliminary Plat Review Letter.**

**All Aye. Motion Passed.**

## Announcements and future agenda items:

Deputy Director Schmidt indicated the following future agenda items:

- 1) Site Plan for 142 N. Lake Street
- 2) Final Plat for Integrity Acres

Next Plan Commission meeting is scheduled for March 26, 2019.

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

Respectfully Submitted,



Cassandra Kohls  
Administrative Assistant, Community Development

REPORT