



NEENAH PLAN COMMISSION

**February 8, 2022
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:

<https://global.gotomeeting.com/join/710548997>
[+1 \(408\) 650-3123](tel:+14086503123)

Access Code: 710-548-997

1. Approval of Minutes: **January 25, 2022**
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. **Westside Business District PPA #1-22** - 1161 Westowne Drive - Culver's Drive-Thru
 - b. **CSM** - 544 Jensen Road - 2 Lots
5. Announcements and future agenda items:
 - a. **Next Meeting: February 22, 2022**

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, January 25, 2022
4:15 p.m.

Present:

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

Also present:

| | | |
|---|--|--|
| Brad Schmidt, Deputy Director of Community Development | Rachael Eiting, Administrative Assistant, Department of Community Development | |
| | | |

Minutes: MSC Andrews/Kaiser the Plan Commission to approve the January 11, 2021 meeting minutes. Members Ellenberger and Hancock-Cooke Abstain. Motion passed.

Public Appearances:

Mayor Kaufert opened the public appearance section. No one from the public spoke.

Public Hearings: None.

Action Items:

A. CSM – 100 W. Wisconsin Avenue – 2 Lots

The CSM proposes to split off and recreate the original Lot 3 of the Plat of Winnebago Rapids. The property located at 100 W. Wisconsin Avenue includes the Associated Bank building, a parking lot south of the building, and another building attached to the main building. In the late 1980's Associated Bank purchased this attached building and renovated it for office space. In 2011, the parcel with the attached building was combined with the Associated Bank parcel. Lot 1 of the proposed CSM is approximately 2,900 square feet in size and includes the existing building and a portion of a shared sidewalk and parking lot in the rear of the building. Lot 2, the remaining portion of the Associated Bank parcel is approximately 19,250 square feet in size. The purpose of the CSM is to create a new parcel for in order to sell the property. Both parcels would maintain the C-2, Central Business District Zoning Designation.

Member Hancock-Cooke asked about the number of parking spaces that will be allocated to the new parcel raising concerns about regulations and providing adequate parking.

Deputy Director Schmidt answered there are no required off-street parking requirements for properties zoned C-2. It is his understanding that an agreement for shared parking is in negotiation between the two parcels.

Mayor Kaufert enquired regarding the shared heat and electric systems throughout the buildings.

Deputy Director Schmidt replied the two buildings would each require standalone heat and electric. These items are planned to be mitigated.

Member Genett asked if the Fire Department will need to approve as well.

Deputy Director Schmidt answered that the Fire Department will be included as final approval process progresses.

Member Genett asked about requirements to install fire sprinklers.

Deputy Director Schmidt replied although this is a unique situation all codes will need to be met to the Fire Department's satisfaction.

Mayor Kaufert asked about the aerial photo and visible discrepancy between the building image and parcel lines.

Deputy Director Schmidt answered the angle of the photo is misleading.

Alderman Lang added the Neenah Historical Society has artifacts from the old Elwer's Pharmacy which used to be located in that building.

MSC Lang/Genett, the Plan Commission approves the 2 lot CSM for the property located at 100 W. Wisconsin Avenue. All aye. Motion passed.

B. Annexation #225 - Woodenshoe Road – City of Neenah

The City of Neenah, under Wisconsin State Statute Sec. 66.0223, is proposing to annex land contiguous to the City for the Purpose of future single-family residential development. The proposed annexation area is part of the next phase of the residential development along County Highway G. Upon annexation, the property will be zoned R-1, Single-Family Residence District. The next development, The Homes at Freedom Acres, will consist of smaller residential lots with access along Woodenshoe Road and County Highway G via Honor Street.

The City's Comprehensive Plan Future Land Use Map (2017) currently identifies the annexation area as Residential Neighborhood Investment Area. The propose of the Residential Neighborhood Investment area future land use category is to protect and strengthen residential neighborhoods in the City. The proposed use is consistent with the City's Comprehensive Plan.

The Plan Commission's role in reviewing annexation requests is to determine whether the proposed annexation is consistent with established City Plans. The City's Finance and Personnel Committee reviews the financial impacts an annexation might have on City services.

MSC Genett/Kaiser, the Plan Commission recommends Common Council approve Annexation #225 (Ordinance #2022-03) and the property also receive an R-1, Single-Family District zoning classification. All aye. Motion Passed.

C. Annexation #226 – County Highway G – The Way to Succulents

The Way to Succulents Properties, LLC, under Wisconsin State Statute Sec. 66.0217(2) unanimous approval, is proposing to annex land contiguous to the City along County Highway G in the Town of Neenah. The petitioner is proposing to establish a business in the growing and selling of succulent plants on the northern portion of the subject property. The southern half would continue to be used for agricultural purposes in the short-term. Long-term, the land may be developed and used for light industrial purposes.

The proposed annexation includes one parcel which is 13.48 acres in size. The parcel, located along the south side of County Highway G and just east of Towerview Drive, is currently undeveloped and used primarily for agriculture purposes. Access to the property is via a driveway opening along the east side of the site. The land directly east, south and west include residential and agriculture uses, while land to the north include the City's Southpark Industrial Center and several residential uses. Water and sanitary sewer utilities will need to be extended to the site from Towerview Drive and Schultz Drive.

The City's Comprehensive Plan Future Land Use Map (2017) currently identifies the annexation area as the Neenah Industrial Corridor. As with all annexations, land is automatically placed in the zoning R-1, Single-Family Residence District or identified as a temporary district. Once the property has been annexed, the standard rezoning process is initiated to place the property in a permanent zoning district, if different than R-1. This process includes proper notifications to surrounding property owners and public notification in the newspaper. In this case, the appropriate zoning district for the intended use of the property is I-1, Planned Business Center District. The I-1 District is consistent with the Comprehensive Plan Future Land Use category.

The Plan Commission's role in reviewing annexation requests is to determine whether the proposed annexation is consistent with established City Plans. The City's Finance and Personnel Committee reviews the financial impacts an annexation has on City services. Finally, the proposed annexation area is located in the Town of Neenah and subject to the Town/City Boundary Agreement (2003). Per the agreement, this area is located within a City Growth Area, allowing for the annexation to the City.

Mayor Kaufert asked if this parcel touch the property that is already in the City on Dixie Road.

Plan Commission Minutes

January 25, 2022

Page 3

Deputy Director Schmidt answered no.

Member Hancock-Cooke asked what is east of the property in question.

Deputy Director Schmidt replied the Town of Neenah is east.

Mayor Kaufert clarified that the property owners would be responsible for the cost of extending city sewer and water to the property.

Deputy Director Schmidt answered yes, that is correct.

Mayor Kaufert asked if the city would be looking to oversize these services.

Deputy Director Schmidt answered not at this time.

Mayor Kaufert asked if annexing this property would increase our road maintenance and snow removal costs.

Director Kaiser answered no, this location is under the jurisdiction of the county.

Member Hancock-Cooke enquired about the piece of land not included in the annexation.

Deputy Director Schmidt confirmed it is a single family dwelling.

MSC Andrews/Hancock-Cooke, the Plan Commission recommends Common Council approve Annexation #226 (Ordinance #2022-04) and the property also receive a temporary I-1, Planned Business Center District zoning classification. All aye. Motion Passed.

D. Final Plat – Woodenshoe Road – The Homes at Freedom Meadows

The Department of Community Development has received a final plat from The Homes at Freedom Meadows subdivision. The preliminary plat was approved by Common Council in May 2021.

The final plat, 14 acres in size, includes 29 single-family residential lots and one outlier. The land is zoned R-1, Single-Family Residence District. The average lot size is approximately 12,800 square feet (0.30 acres) which exceeds the minimum lot size requirement for single-family residential lots (7,200 square feet). The lots in this phase of the development are smaller than the Freedom Acres development to the south (0.68 acre average size). This development is being marketed for smaller homes and is intended to be part of a home owners association (HOA) where the maintenance of grass, driveways and sidewalks would be centralized. The proposed outlier will include a storm water management pond that will be constructed to serve the development and land west of the development.

Honor Street is proposed to be extended north from the Freedom Acres subdivision through the proposed development and connecting to Liberty Avenue which will serve as the main east/west street through the development. Liberty Avenue will connect to Woodenshoe Road on the east side of the development. Finally, Founders Street will be dedicated as part of this plat and will provide access to future Phase III of the development to the west and future development to the east.

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 of the City and the developer will be negotiated. That agreement will be reviewed by the Finance Committee and the Board of Public Works and ultimately approved by Common Council.

The Homes at Freedom Meadows is the second of six phases within the larger development plan. The City is currently the owner of the subject land and the remaining 100 acres adjacent to this development.

Member Genett asked if the plans for the houses include two car garages.

Deputy Director Schmidt answered most likely yes, based on this developers previous projects.

ORD #2022-04

Plan Commission Minutes

January 25, 2022

Page 4

Member Genett voiced concerns about on-street parking.

Mayor Kaufert asked if the City is allowed to govern HOA covenants.

Deputy Director Schmidt answered no.

Member Ellenberger clarified the city does have minimum standards for those covenants.

Deputy Director Schmidt confirmed that was accurate.

Member Ellenberger asked what the city can do about areas that do not follow our recommendations.

Deputy Director Schmidt clarified in circumstances pertaining to site plans Community Development deals with enforcement action up to and including having special use permits revoked and ordering citations. However, it is more difficult for Plats. The city ordinances do not cover architecture.

CA

MSC Ellenberger/Lang, Plan Commission recommends Common Council approve the Final Plat for The Homes at Freedom Meadows Subject to the Comments on the plat review letter. All aye. Motion passed.

Discussion Items:

None.

Announcements and Future Agenda Items:

Next meeting: February 8, 2022.

Adjournment: The Commission adjourned its meeting at 4:45 PM MSC Kaiser/Andrews. All Aye. Motion passed.

Respectfully Submitted,



Rachael Eiting
Administrative Assistant, Community Development



DATE: February 8, 2022
TO: Mayor Kaufert and Plan Commission
FROM: Brad Schmidt, Deputy Director
RE: Project Plan Approval #1-22 – 1161 Westowne Drive – Drive-Thru Modifications

Request

S&L Properties Neenah, LLC, owner of 1161 Westowne Drive, submitted a project plan to construct an additional drive-thru and modify a parking lot for the Culver's Restaurant.

Background

The Culver's Restaurant was constructed in 2005. The subject property is located on the southwest corner of Winneconne Avenue and Westowne Place. The 1.4 acre property includes 68 off-street parking stalls and a drive-thru on the west and south portion of the building. The north driveway provides one-way ingress onto the property while the south driveway provides one-way egress off the property.

Consideration

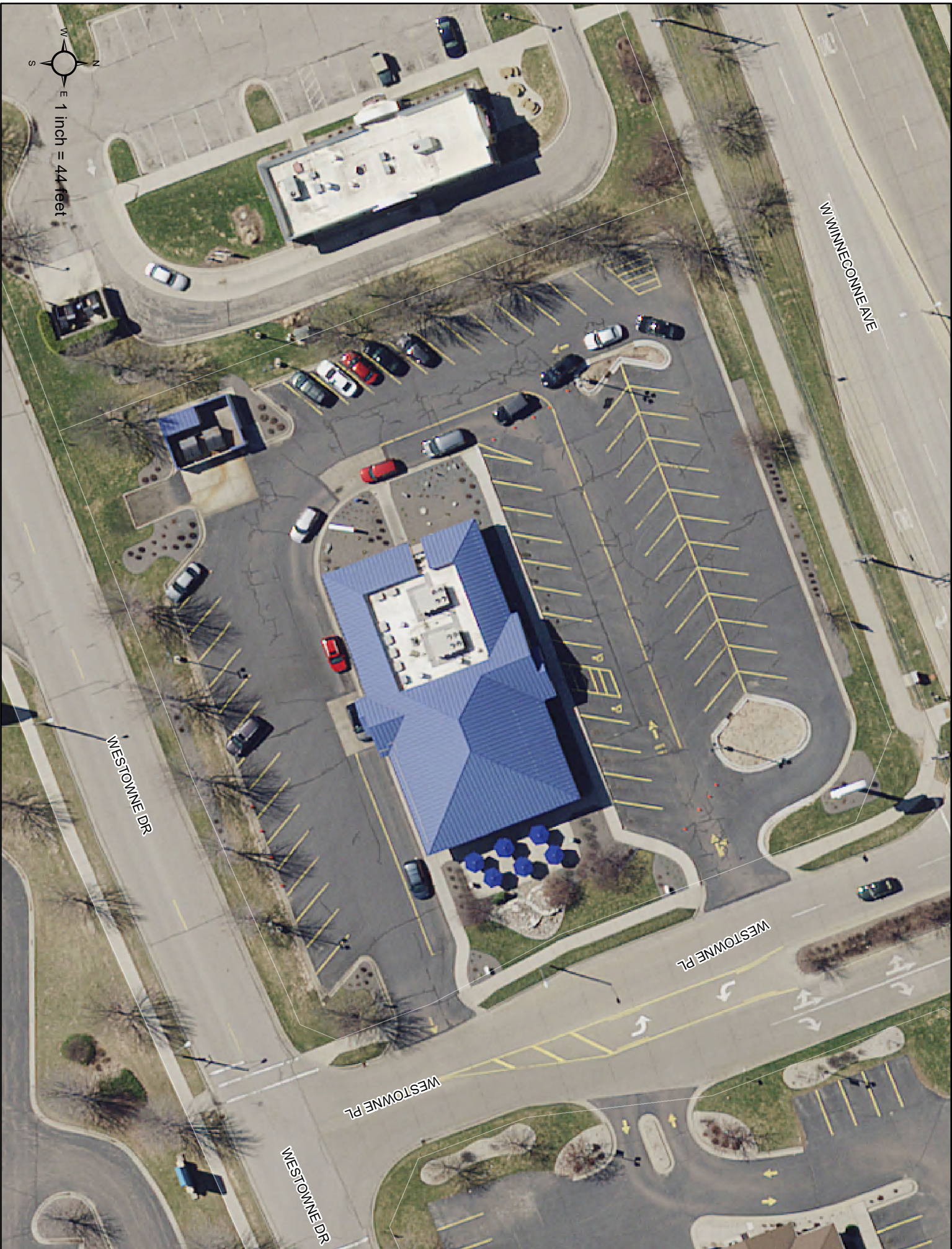
In 2021, Culver's Restaurants began modifying their existing locations to include two drive-thru lanes to improve the guest experience with faster and smoother flow. The proposed project plan includes an additional drive-thru lane directly west of the existing drive-thru lane. The additional drive-thru lane includes a second order board. Both drive-thru lanes converge back into the existing pick-up lane.

As a result of the additional drive-thru lane, nine parking stalls will be eliminated including one along the north side of the building and eight along the west property line. The north side of the parking lot will also be modified as the parking stalls will be re-stripped to allow one-way access from the west as opposed to the east. As a result of this proposed change, the two endcaps will be reconstructed. Both endcaps are required to include plantings per the City's landscaping standards. At a minimum one shade tree shall be planted in each endcap.

Access to the property via the north driveway has functioned well with the exception of customers trying to exit from that driveway. As part of the site work, the curb line on the north side of the north driveway should be extended to help direct vehicles traveling south from the north stalls to continue to the west around the building (See attached diagram). In addition, a sign directing customers away from exiting the north driveway should also be installed.

Recommendation

An appropriate action at this time is to recommend Council approve Ordinance No. 2022-05, approving Project Plan Approval #1-22 for the Westside Business District, allowing the construction of an additional drive-thru lane for property located at 1161 Westowne Drive.



W
N
S
E 1 inch = 44 feet

W WINNECOME AVE

WESTOWNE DR

WESTOWNE PL

WESTOWNE PL

WESTOWNE DR



211 Walnut Street
Neenah, WI 54956

AN ORDINANCE: By the Neenah Plan Commission
Re: Project Plan approval #1-22 for West Side
Business Development District construct an
additional drive-thru lane at 1161 Westowne
Drive.

ORDINANCE NO. 2022-05
Introduced: _____
Committee/Commission Action: _____

AN ORDINANCE

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

Section 1. That pursuant to Section 26-353 of the Neenah Municipal Code, the Common Council of the City of Neenah approves the following West Side Business Development Planned Development Project Plan.

Project Plan Approval 1-22, which is detailed in the attached Exhibit "A", which are incorporated herein by reference.

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.

Approved:

Adopted: _____

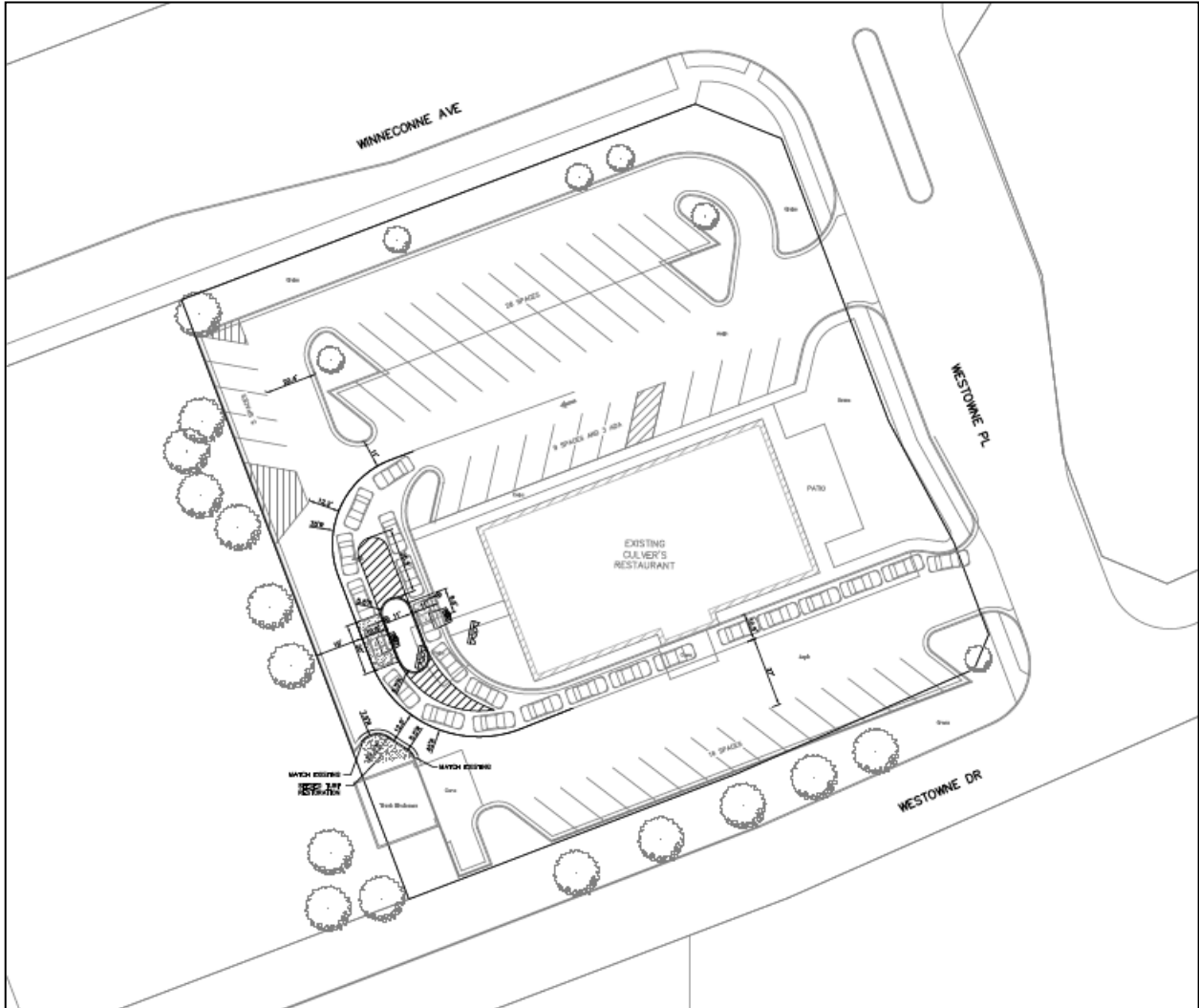
Published: _____

Dean R. Kaufert, Mayor

Attest:

Charlotte Nagel, City Clerk

EXHIBIT A



| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Jones Petrie Rafinski
 145 Westowne Pl
 Westowne, NJ 07093
 Phone: 908.222.1232
 Fax: 908.222.1233

PRELIMINARY
 FOR REVIEW
 PURPOSES
 ONLY

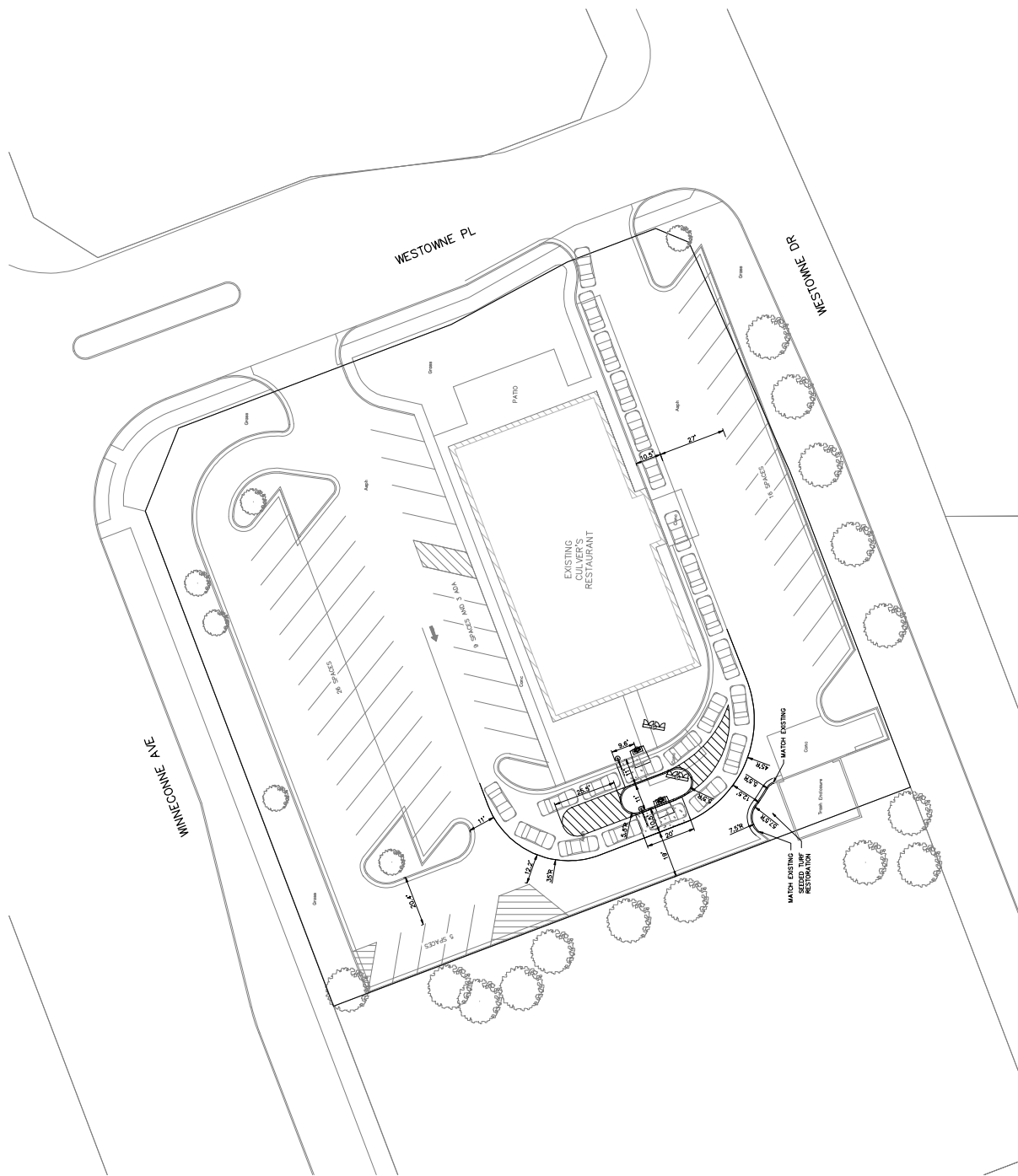
CULVER'S OF NEENAH DDT
 McCON BUILDING CORPORATION
 1599 CIRCLE DRIVE P.O. BOX 247
 HIGHLAND, WI 53129
 1181 WESTOWNE DRIVE
 NEENAH, WI 54956

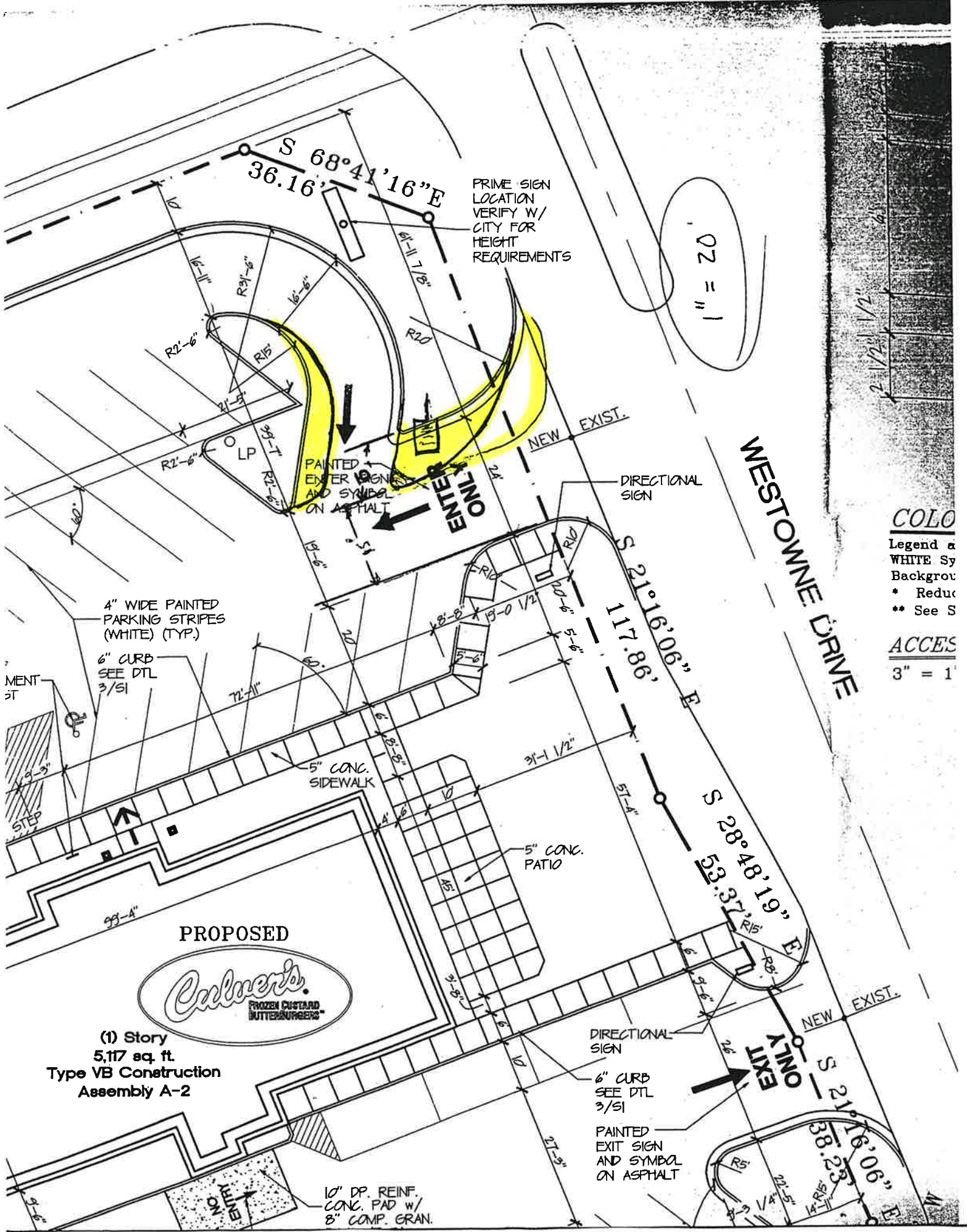
SHEET NO. 10201
 DATE: JANUARY 2002
 JOB NUMBER: 2001-0049



- TABULATED SITE DATA**
1. TOTAL SITE AREA: 1.38 AC
 2. LAND COVERAGE: 1.38 AC
 3. SITE PARKING: 1.38 AC
 4. TOTAL SPACES: 56 INCLUDING 3 ADA SPACES
 5. SURFACE RUN-OFF AND DRAINAGE TO CONTINUE TO BE COLLECTED IN-SITE IN THE SAME MANNER AS CURRENT.

- LEGEND**
- CONCRETE PAVING
 - ASPHALT PAVING
 - STONE WALKWAY
 - DIRECTION OF SURFACE FLOW





PRIME SIGN
LOCATION
VERIFY W/
CITY FOR
HEIGHT
REQUIREMENTS

1" = 1'

COLO
Legend &
WHITE Sy
Backgrou
• Reduc
•• See S

ACCES
3" = 1'

4" WIDE PAINTED
PARKING STRIPES
(WHITE) (TYP.)

6" CURB
SEE DTL
3/51

MENT
ST

STEP

5" CONG.
SIDEWALK

5" CONG.
PATIO

PROPOSED



(1) Story
5,117 sq. ft.
Type VB Construction
Assembly A-2

NON
FLEET

10' DP. REINF.
CONG. PAD W/
8" COMP. GRAN.

DIRECTIONAL
SIGN

6" CURB
SEE DTL
3/51

PAINTED
EXIT SIGN
AND SYMBOL
ON ASPHALT

WESTOWNE DRIVE

ONLY
EXIT



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

February 04, 2022

BROOKE OLESON
MCCON BUILDING CORPORATION
1059 CIRCLE DRIVE
HIGHLAND, WI 53543

RE: PPA #1-22 - 1161 Westowne Dr - Culvers Drive-Thru Project Plan Review () Status Approved

Dear BROOKE OLESON:

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. Prior to construction a parking lot permit is required. Please contact Kyle Pederson (920) 886-6125.
 2. The north driveway must be modified to prohibit internal traffic from exiting onto Westowne Place (See diagram).
 3. The parking endcaps on the north parking lot shall be landscape with at least one shade tree in each endcap.
-

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

Approved

Review Comments:

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

Approved

Review Comments:



M E M O R A N D U M

DATE: February 8, 2022
TO: Mayor Kaufert and Plan Commission
FROM: Brad Schmidt, AICP, Deputy Director
RE: 2 Lot CSM – 544 Jensen Road –Bergstrom Properties, LLC

Bergstrom Properties, LLC, owner of 544 Jensen Road, is proposing to divide the subject parcel into two lots. The parcel is currently 7.7 acres in size and includes a 16,000 square-foot building on the north portion of the parcel, a parking lot west of the building, and the remainder of the land is undeveloped. The proposed CSM creates a 4.2 acre parcel which includes the existing building and parking lot and another 3.5 acre parcel with access via Progress Court. Both properties will continue to be zoned I-1, Planned Business Center District. The minimum lot size and minimum frontage for the I-1 District is exceeded with both of these proposed lots. In addition, the creation of the north parcel will not create any non-conformities related to district setbacks.

Recommendation

Appropriate action at this time is for Plan Commission to approve the proposed 2 Lot CSM at 544 Jensen Road.



TOWERVIEW DR

JENSEN RD

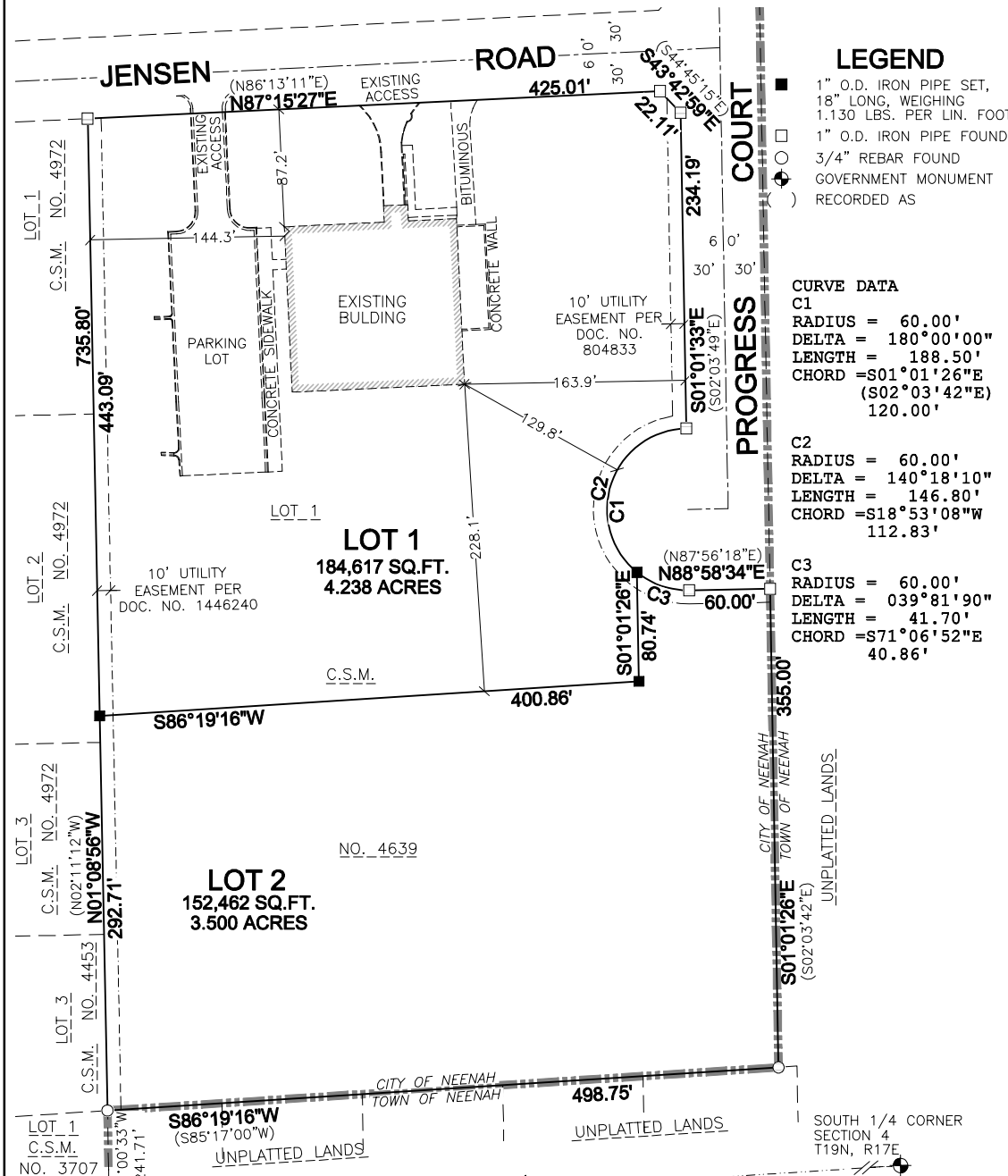
PROGRESS CT

PROGRESS CT



CERTIFIED SURVEY MAP NO. _____

LOT 1, CERTIFIED SURVEY MAP NO. 4639, RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 4639, AS DOCUMENT NO. 1107257, LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 4, TOWNSHIP 19 NORTH, RANGE 17 EAST, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN.



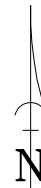
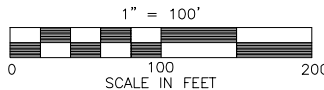
LEGEND

- 1" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
- 1" O.D. IRON PIPE FOUND
- 3/4" REBAR FOUND
- ⊕ GOVERNMENT MONUMENT
-) RECORDED AS

CURVE DATA

- C1**
 RADIUS = 60.00'
 DELTA = 180°00'00"
 LENGTH = 188.50'
 CHORD = S01°01'26"E
 (S02°03'42"E)
 120.00'
- C2**
 RADIUS = 60.00'
 DELTA = 140°18'10"
 LENGTH = 146.80'
 CHORD = S18°53'08"W
 112.83'
- C3**
 RADIUS = 60.00'
 DELTA = 039°81'90"
 LENGTH = 41.70'
 CHORD = S71°06'52"E
 40.86'

BEARINGS ARE REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM IN WHICH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 4 BEARS N 86°19'16" E



Martenson & Eisele, Inc.



1377 Midway Road
 Menasha, WI 54952
 www.martenson-eisele.com
 info@martenson-eisele.com
 920.731.0381 1.800.236.0381

Planning
 Environmental
 Surveying
 Engineering
 Architecture

SURVEY FOR
 BERGSTROM PROPERTIES, INC.
 1 NEENAH CENTER STE. 700
 NEENAH, WI 54956

PROJECT NO. 1-0017-017
 FILE 1-0017-017csm.dwg SHEET 1 OF 2
 THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar

