

City of Menasha  
SPECIAL ZONING APPROVAL

Date 10/12/15

RECEIVED DEC 10 2015  
law

Owner Daniel Gueths

Case or Plan No. \_\_\_\_\_

Address 2035 Manitowoc Rd.

Fee \$350

Applicant (if different than Owner) Chuck Krause

Joint-w- Dan Gueths

Address 835 OUBORA ST. Menasha, WI 54952

Zoning C-1

Parcel Number(s) 7-00012-00

PLEASE INDICATE WHICH REQUEST IS BEING MADE

Rezoning

Special Use

Flood Plain Map Amendment

Appeal or Variance

PUD Plan Approval

Comprehensive Plan Amendment

Description of Request: Special use Permit to get used car license.

(If applicable)

Formal Hearing 1-4-2016

Informal Hearing 12-22-2015

Notice Mailed 12-15-2015

Notice Mailed 12-15-2015

Notice Mailed 12-15-2015

Action Taken: \_\_\_\_\_ 20

APPROVED

DENIED

Conditions (if any): \_\_\_\_\_

Owner/Agent Daniel A. Gueths  
Signature

10/12/15  
Date



December 15, 2015

RE: Special Use Permit Application for 2035 Manitowoc Road

Dear Property Owner:

Chuck Krause and Dan Gueths have applied for a Special Use Permit for Parcel Number 7-00012-00 located at 2035 Manitowoc Road. The property owner has requested the Special Use Permit in order to operate a used car lot. The subject site is zoned C-1 General Commercial District which requires a Special Use Permit for retail uses per Sec. 13-1-29(c)(3) of the City of Menasha Code of Ordinances.

The City of Menasha Plan Commission will hold a public hearing on the proposed Special Use Permit on Tuesday, December 22, 2015 at 3:30 p.m. or shortly thereafter in the City Hall Council Chambers located at 140 Main Street, Menasha.

The City of Menasha Common Council will hold a public hearing on the proposed Special Use Permit on Monday, January 4, 2016 at 6:00 p.m. or shortly thereafter in the City Hall Council Chambers, 140 Main Street, Menasha.

A copy of the Public Hearing Notice is attached along a map identifying the location of the property.

Persons interested in this matter will be given an opportunity to comment on the request; written comments will also be considered. You are receiving this notice because you own property within one hundred (100) feet of the proposed special use. If you have any questions, please contact me.

Sincerely,

Kristi Heim  
Community Development Coordinator

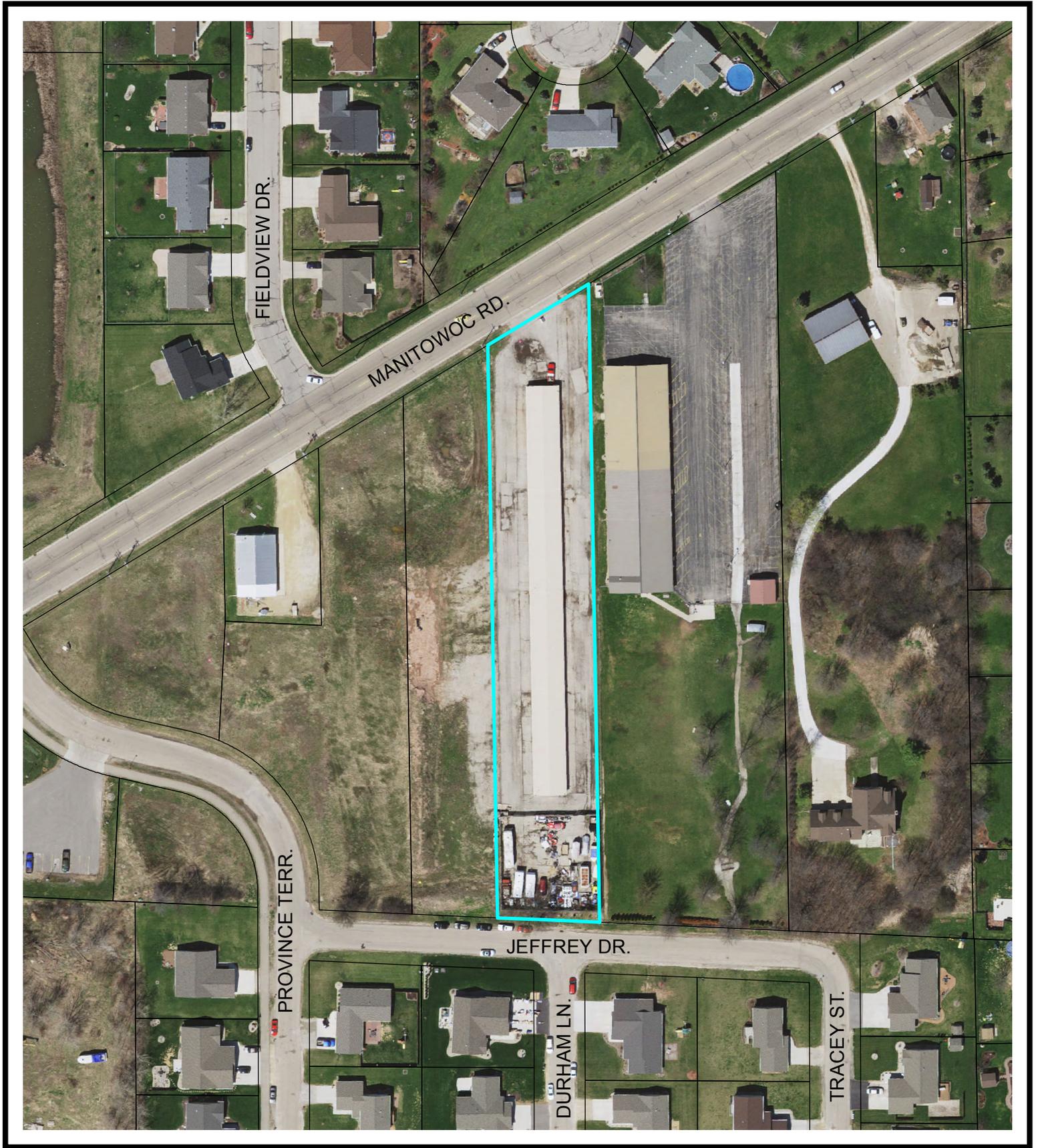
C: Plan Commission  
City Clerk Galeazzi

**City of Menasha  
Public Hearings**

NOTICE IS HEREBY GIVEN that public hearings will be held by the Menasha Plan Commission and Common Council on an application for a Special Use Permit jointly by Chuck Krause and Dan Gueths to operate a used car lot at 2035 Manitowoc Road, which includes Parcel Number 7-00012-00, City of Menasha, Calumet County, Wisconsin. The subject site is zoned C-1 General Business District and requires a Special Use Permit for automotive sales per Sec. 13-1-29(c)(3) of the City of Menasha Code of Ordinances. The Plan Commission will hold its public hearing on Tuesday, December 22, 2015 at 3:30 PM, or shortly thereafter, in the Council Chambers of Menasha City Hall located at 140 Main Street, Menasha, WI. The Common Council will hold its public hearing on this matter at 6:00 PM, or shortly thereafter, on Monday, January 4, 2016 at the same location. All persons interested in commenting on the application for this Special Use Permit are invited to attend.

Deborah A. Galeazzi, WCMC  
City Clerk

Run: December 18 and 28, 2015.



**Special Use Permit Location**  
**Proposed Used Car Lot**  
**Address: 2035 Maniwoc Road**



**Legend**

 Proposed Special Use Permit  
Parcel ID# 7-00012-00



To: Plan Commission

From: Kevin Englebert, Associate Planner *KPE*

Date: December 16, 2015

Re: **Special Use Permit - 2035 Manitowoc Road (#7-00012-00)**

**Overview**

**Address:** 2035 Manitowoc Road

**Property Owner:** Daniel Gueths

**Zoning Classification:** C-1 – General Commercial

**Adjacent Zoning Classifications:** C-1 General Commercial to the East (Winnegamie Dog Club), C-1 General Commercial to the West (City of Menasha), Manitowoc Road to the North, and Jeffery Drive to the South.

**Special Use Request:** Automotive Sales

Dan Gueths and Chuck Krause have submitted an application for a Special Use Permit application for his property at 2035 Manitowoc Road. The request was initiated for the purpose of using the property for automotive sales. When determining the approval of a Special Use Permit, the Plan Commission shall consider the following per Section 13-1-11(b) of the City of Menasha Code of Ordinances:

1. The use shall be compatible with adjacent land uses so that 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; and
5. The use shall have adequate utilities, access roads, drainage and other necessary facilities.

## Analysis

1. *The use shall be compatible with adjacent land uses so that existing uses will not be depreciated in value, and there will be no deterrents to development of vacant land.*

Staff has determined that the use of automotive sales on this parcel would be reasonably compatible with land uses in the surrounding corridor. There are two parcels adjacent to 2035 Manitowoc Road. One is the Winnegamie Dog Club and the other parcel is undeveloped and owned by the City of Menasha. Both have a commercial zoning classification. In the vicinity of the parcel there is a mix of commercial and residential properties. There is no foreseeable impact on the value of nearby properties or a foreseeable deterrent to the development of vacant land by granting a Special Use Permit for automotive sales.

2. *The use shall have an appearance that will not have an adverse effect upon adjacent properties;*

Currently, the parcel in question is legal non-conforming in terms of landscaping and parking. To address these concerns, the applicant has submitted a landscaping and parking plan. The landscaping plan calls for perimeter landscaping to be installed adjacent to Manitowoc Road. Additionally, a total of 11 parking stalls will be created on the property. Staff requests that a condition of the Special Use Permit be that the parking stalls are properly striped. It is the determination of the Community Development Department that these measures will help mitigate adverse effects upon adjacent properties.

3. *The use shall be reasonably related to the overall needs of the City and to existing land use patterns;*

The property in question, along with those adjacent to it, is designated as a commercial use in the City of Menasha Year 2030 Comprehensive Plan Future Land Use Map. In addition, the existing land uses in the surrounding area are commercial uses. It is staff's opinion that automotive sales is a reasonable use for this property.

4. *The use will not cause traffic hazards or congestion;*

Due to the limited size of the proposed used car lot, there are no predictable traffic hazards or congestion that will be caused. The property is located on Manitowoc Road and should have sufficient facilities to handle any generated traffic.

5. *The use shall have adequate utilities, access roads, drainage, and other necessary facilities.*

The site is currently developed and is being used for the purposes of storage facilities. The proposal for the parking lot includes maintaining two driveways for access to the property. The utilities serving the property are determined to be adequate.

### **Site Plan Compliance**

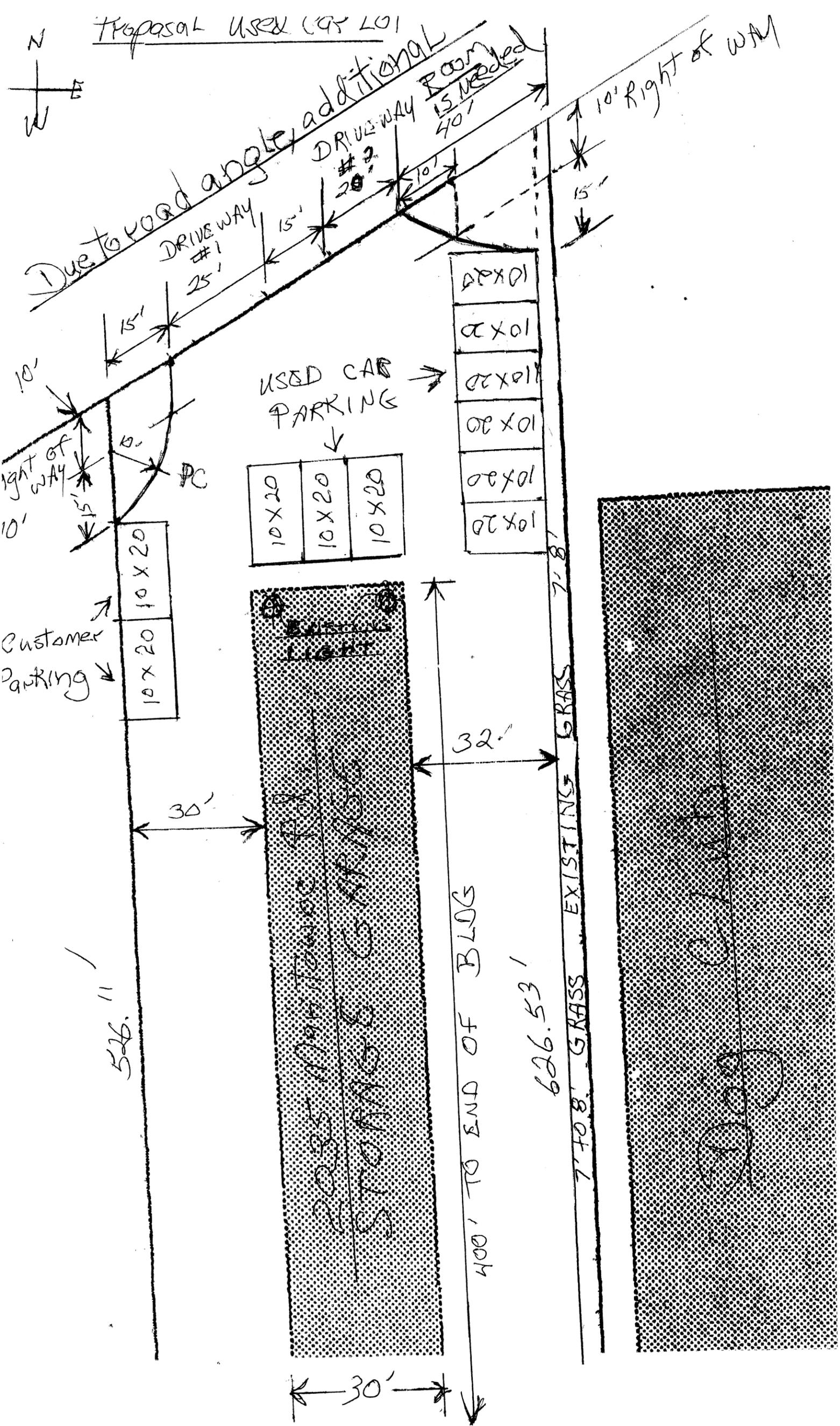
According to Section 13-1-18 of the City of Menasha Code of Ordinances Special Use Standards, "The Plan Commission and/or the Common Council may, however, amend or waive any of the (site plan) standards."

The landscaping plan as presented meets municipal standards for the required amount perimeter and interior landscaping. In the C-1 District, there is a requirement that 50 percent of the shrubs are evergreens. In this case, the applicant is seeking an exception and planting deciduous plants instead due to concerns about road salt destroying the evergreen plants. Additionally, we require curbing to surround each landscaping area. The applicant is requesting to use retaining block for that purpose.

The parking lot plan meets municipal requirements for the size of parking stalls and turning radius for customer parking. The number of parking stalls is sufficient for the property to be used for motor vehicle sales. At this time, the Community Development Department has not received a lighting plan for the property.

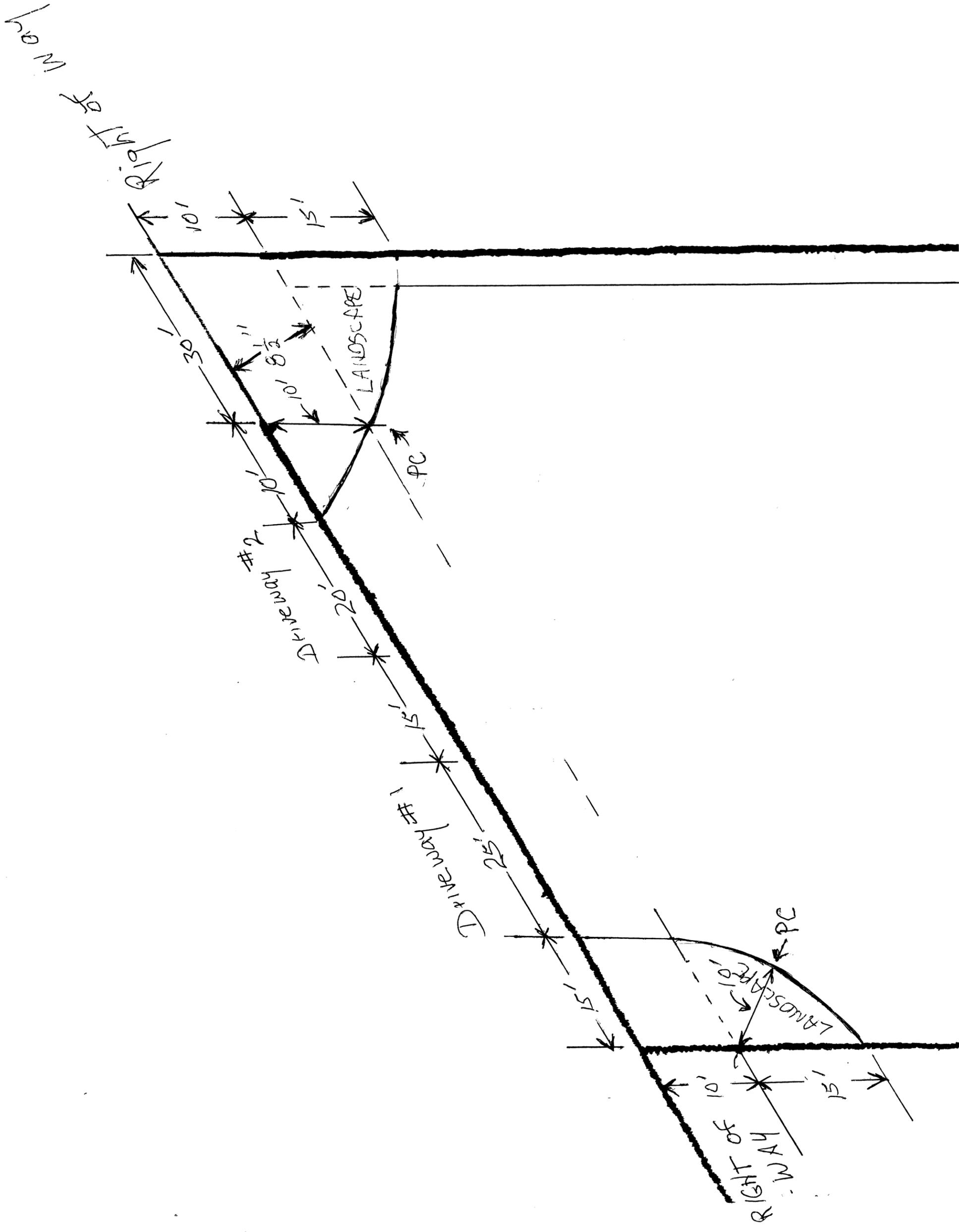
### **Staff Recommendation**

**Staff recommends the Special Use Permit, as requested, be recommended for approval by the Plan Commission.** Per the analysis above, staff believes that the impacts of granting a Special Use Permit are not substantial.

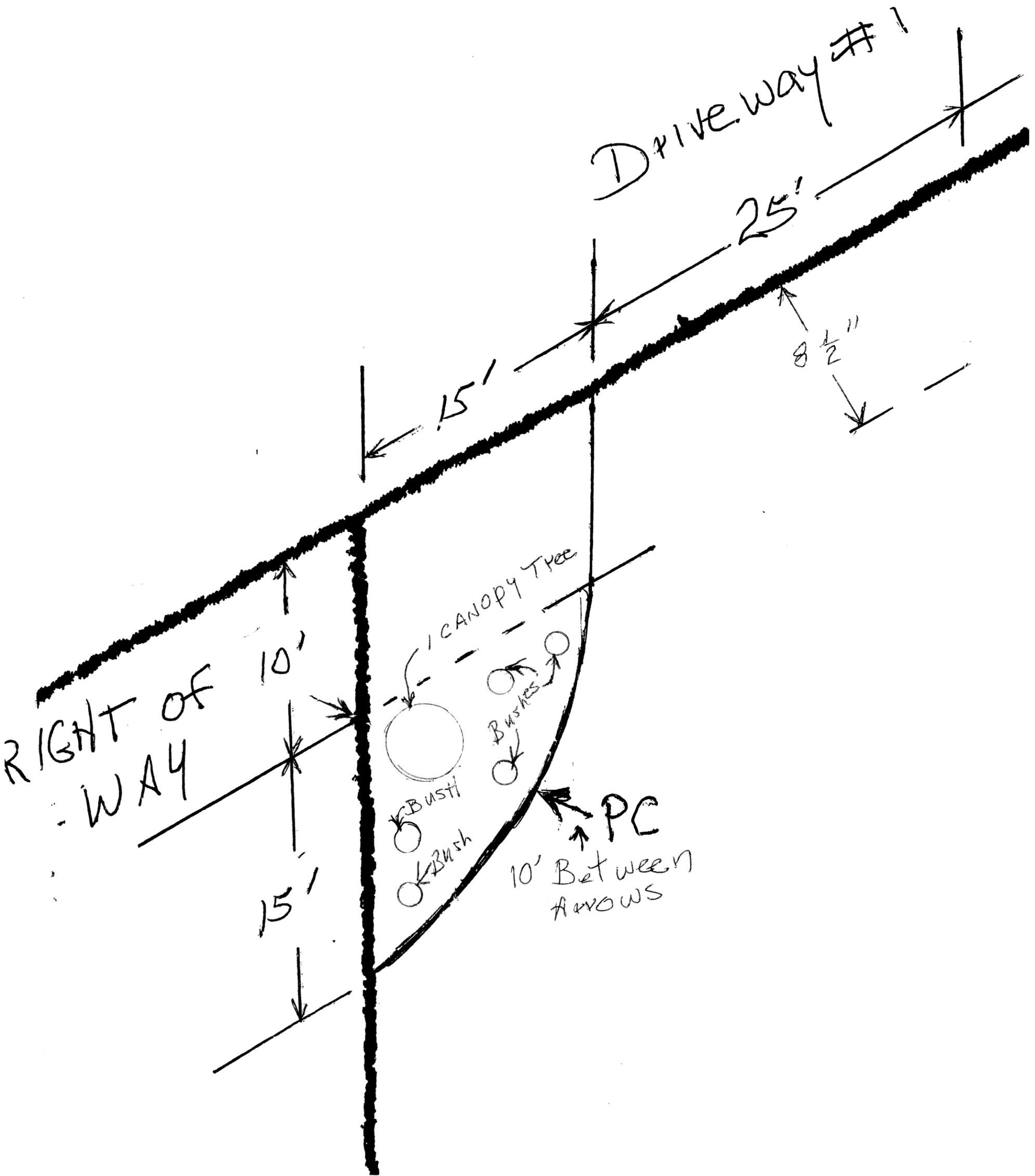
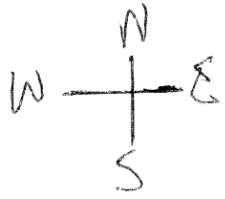


1" = 20'

Site Plan for 2035 Manitowac Rd. Menasha, WI 54952  
 Daniel Gueths owner 920-830-4994



1" = 10'



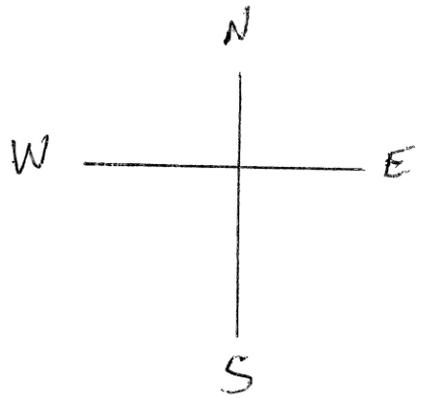
1 1/2" = 10'

# Schmalz Custom Landscaping, Inc.

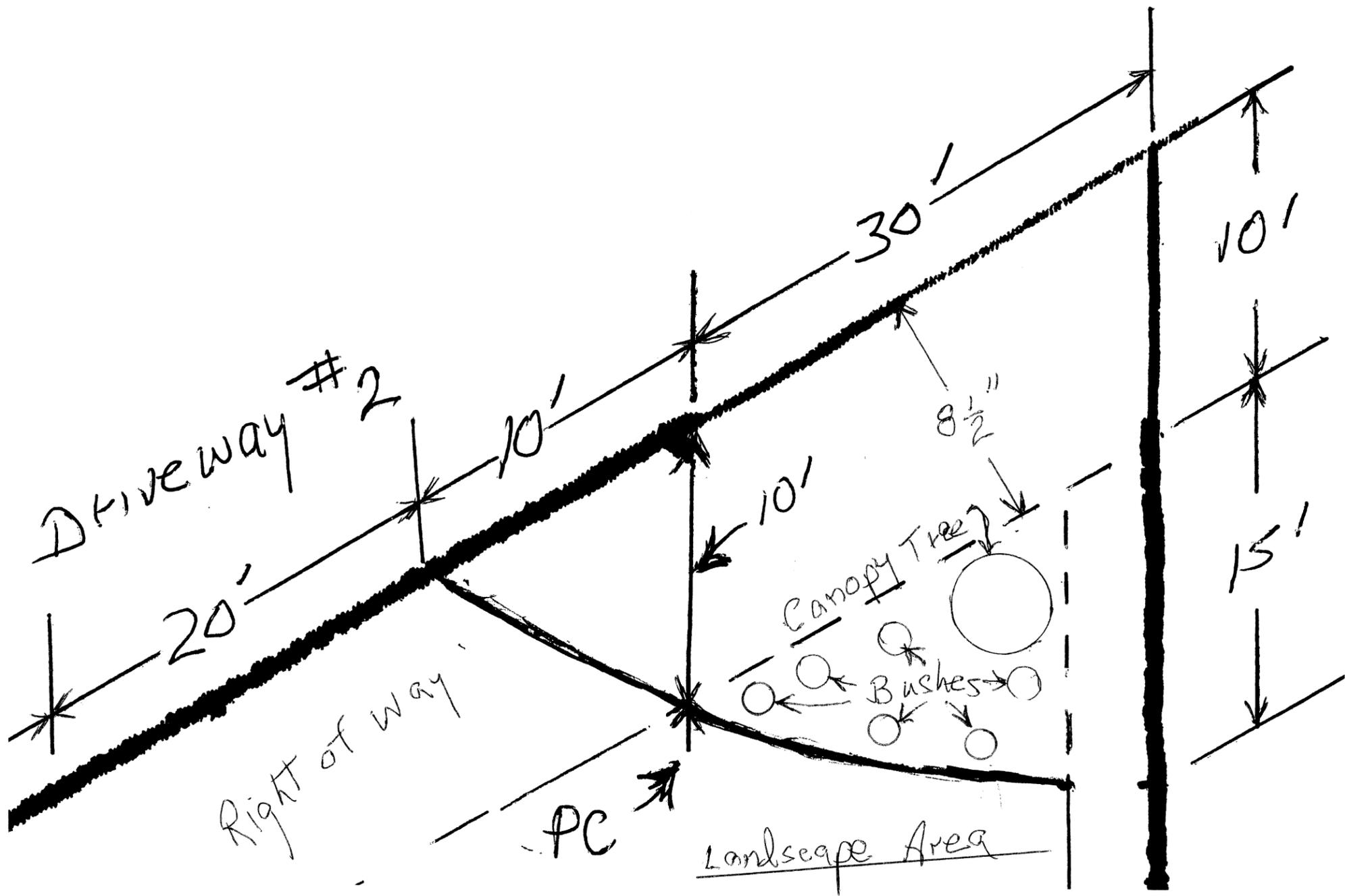
CREATIVE DESIGNS OF NATURAL BEAUTY SINCE 1949

W2484 County Road KK • Appleton, WI 54915-9462

Phone: (920) 733-8223



REFER TO GUARANTEE	RES. PHONE	BUS. PHONE	DATE
		920-830-4994	12/16/15
NAME		DELIVERY DATE	
Dan Gueths			
ADDRESS		NO GUARANTEE	TAKEN
2035 Manitowoc Rd		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Menasha, WI		CASH	CHECK #
			CHARGE
SOLD BY		EXP. DATE	
NS			
QTY.	DESCRIPTION	PRICE	AMOUNT
2	1.5" Autumn Blaze Maple	\$159. <sup>99</sup> /each	
11	26 Bloomstruck Hydrangea	\$34. <sup>99</sup> /each	
	Juniper, Hughes 26i	\$26. <sup>99</sup>	
* Not Recommended for snow load/salt *			



$1 \frac{1}{2}'' = 10'$



Sample - Retaining Block

