

It is expected that a Quorum of the Board of Public Works, Park Board, Administration Committee, and/or Common Council may attend this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA  
PLAN COMMISSION  
Council Chambers  
140 Main Street, Menasha**

**January 19, 2010  
3:30 PM**

**AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
  - 1. [Minutes of the January 5, 2010 Plan Commission Meeting](#)
- D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA  
Five (5) minute time limit for each person
- E. DISCUSSION
  - 1. [Mixed Use Zoning Districts and Form-Based Codes](#)
  - 2. [Comprehensive Plan Review – Issues, Identification and Comments](#)
  - 3. [Abby Street Substation](#)
  - 4. [Natures Way Easement](#)
  - 5. [Dedication of Access Easements as Public Streets – Midway Crossings Development – Bob Drifka](#)
- F. ACTION ITEMS
  - 1. [Certified Survey Map – Midway Road](#)
- G. ADJOURNMENT

**CITY OF MENASHA**  
**Plan Commission**  
**Council Chambers, City Hall – 140 Main Street**  
**January 5, 2010**  
**DRAFT MINUTES**

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**A. CALL TO ORDER**

The meeting was called was called to order at 3:35p.m. by Mayor Donald Merkes.

**B. ROLL CALL/EXCUSED ABSENCES**

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Ald. Benner, DPW Radtke and Commissioners Schmidt and Homan

PLAN COMMISSION MEMBERS EXCUSED: Commissioners Cruickshank and Sturm

OTHERS PRESENT: CDD Keil and Bob Drifka

**C. MINTUES TO APPROVE**

1. **Minutes of the December 22, 2009 Plan Commission Meeting**

Moved by Comm. Schmidt, seconded by Ald. Benner to approve the December 22, 2009 Plan Commission meeting minutes.

The motion carried.

**D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA**

1. No one spoke.

**E. DISCUSSION**

1. **Annual Comprehensive Plan Review – Identification of Issues/Opportunities to be Considered and Comprehensive Plan Sustainability Assessment**

Commissioners reviewed the comprehensive plan sustainability assessment first prepared by ECOS-Fox Valley committee members and recently updated by Roger Kanitz. The Sustainability Board will be advancing its comments on the assessment after its next meeting. Mayor Merkes requested that a listing of the Comprehensive Plan issues identified to date be compiled for the next Plan Commission meeting.

2. **Dedication of Access Easements as Public Streets – Midway Crossings Development – Bob Drifka**

Bob Drifka, developer of the Midway Crossing commercial center at Midway Road and Oneida Street, requested that the Plan Commission consider dedication of the existing driveway access easements as public streets.

Plan Commissioners discussed:

- DOT and Calumet County driveway/street access requirements
- ROW and driveway/street width
- Additional costs to the city for maintaining more public streets
- Timing and coordination of city plowing with private snow removal
- Potential for enhancing lot marketability with public streets
- Pedestrian Access

CDD Keil is to contact Calumet County and DOT to inquire about permitting for converting the existing driveway access to public streets. DPW Radtke is to check on minimum ROW standards for inclusion of street mileage in road aids.

**G. ACTION ITEMS**

1. **Driveway Easement Release – Natures Way**

CDD Keil reported that he had contacted the developer regarding his progress in obtaining easement releases and that contact had been made with Outagamie County concerning their portion of the easement. Progress will be reported at the next Plan Commission meeting.

2. **Extraterritorial CSM – Town of Menasha – Appleton Road**

Commissioners discussed utility easements.

Moved by DPW Radtke, seconded by Comm. Homan to approve the extraterritorial CSM, Town of Menasha - Appleton Road with the understanding that CDD Keil is to make inquiry with Menasha Utilities concerning the easement and whether splitting the parcel would impact their facilities.

The motion carried.

**H. ADJOURNMENT**

Moved by Ald. Benner, seconded by Comm. Homan to adjourn at 4:25 p.m.

The motion carried.

*Minutes respectfully submitted by Greg Keil, Community Development Director*

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### Definition of a Form-Based Code

Draft Date: February 17, 2009

Form-based codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. These codes are adopted into city or county law as regulations, not mere guidelines. Form-based codes are an alternative to conventional zoning.

Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in Form-based codes, presented in both diagrams and words, are keyed to a *regulating plan* that designates the appropriate form and scale (and therefore, character) of development rather than only distinctions in land-use types. This is in contrast to conventional zoning's focus on the micromanagement and segregation of land uses, and the control of development intensity through abstract and uncoordinated parameters (e.g., FAR, dwellings per acre, setbacks, parking ratios, traffic LOS) to the neglect of an integrated built form. Not to be confused with design guidelines or general statements of policy, Form-based codes are regulatory, not advisory.

Form-based codes are drafted to achieve a community vision based on time-tested forms of urbanism. Ultimately, a Form-based code is a tool; the quality of development outcomes is dependent on the quality and objectives of the community plan that a code implements.

Form-based codes commonly include the following elements:

- *Regulating Plan.* A plan or map of the regulated area designating the locations where different building form standards apply, based on clear community intentions regarding the physical character of the area being code.
- *Public Space Standards.* Specifications for the elements within the public realm (e.g., sidewalks, travel lanes, on-street parking, street trees, street furniture, etc.).
- *Building Form Standards.* Regulations controlling the configuration, features, and functions of buildings that define and shape the public realm.
- *Administration.* A clearly defined application and project review process.
- *Definitions.* A glossary to ensure the precise use of technical terms.

Form-based codes also sometimes include:

- *Architectural Standards.* Regulations controlling external architectural materials and quality.
- *Landscaping Standards.* Regulations controlling landscape design and plant materials on private property as they impact public spaces (e.g. regulations about parking lot screening and shading, maintaining sight lines, insuring unobstructed pedestrian movements, etc.).
- *Signage Standards.* Regulations controlling allowable signage sizes, materials, illumination, and placement.
- *Environmental Resource Standards.* Regulations controlling issues such as storm water drainage and infiltration, development on slopes, tree protection, solar access, etc.
- *Annotation.* Text and illustrations explaining the intentions of specific code provisions.

### Related Resources:

- [Checklist for Identifying and Evaluating Form-Based Codes](#)
- [Eight Advantages to Form-Based Codes](#)
- [More...](#)

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Web Site by [Opticos Design, Inc.](#)

# FBCI

Form-Based Codes Institute

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## Eight Advantages to Form-Based Codes

1. Because they are prescriptive (they state what you want), rather than proscriptive (what you don't want), form-based codes (FBCs) can achieve a more predictable physical result. The elements controlled by FBCs are those that are most important to the shaping of a high quality built environment.
2. FBCs encourage public participation because they allow citizens to see what will happen where—leading to a higher comfort level about greater density, for instance.
3. Because they can regulate development at the scale of an individual building or lot, FBCs encourage independent development by multiple property owners. This obviates the need for large land assemblies and the megaprojects that are frequently proposed for such parcels.
4. The built results of FBCs often reflect a diversity of architecture, materials, uses, and ownership that can only come from the actions of many independent players operating within a communally agreed-upon vision and legal framework.
5. FBCs work well in established communities because they effectively define and codify a neighborhood's existing "DNA." Vernacular building types can be easily replicated, promoting infill that is compatible with surrounding structures.
6. Non-professionals find FBCs easier to use than conventional zoning documents because they are much shorter, more concise, and organized for visual access and readability. This feature makes it easier for nonplanners to determine whether compliance has been achieved.
7. FBCs obviate the need for design guidelines, which are difficult to apply consistently, offer too much room for subjective interpretation, and can be difficult to enforce. They also require less oversight by discretionary review bodies, fostering a less politicized planning process that could deliver huge savings in time and money and reduce the risk of takings challenges.
8. FBCs may prove to be more enforceable than design guidelines. The stated purpose of FBCs is the shaping of a high quality public realm, a presumed public good that promotes healthy civic interaction. For that reason compliance with the codes can be enforced, not on the basis of aesthetics but because a failure to comply would diminish the good that is sought. While enforceability of development regulations has not been a problem in new growth areas controlled by private covenants, such matters can be problematic in already-urbanized areas due to legal conflicts with first amendment rights.

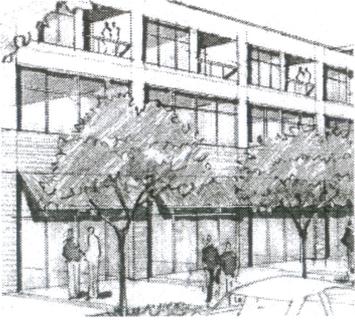
~ Peter Katz, President, Form-Based Codes Institute

### Related Resources:

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## ## Commercial and Mixed Use Districts

## Introduction

The new zoning code will be structured so that each group of districts is organized in a separate chapter. Each of these chapters will include a common list of uses, other common standards, and a series of districts, each with its own dimensional standards. This draft also contains related elements that will end up in other sections, such as new definitions and standards for various uses.

Please note that:

- Material in italics (like this introduction) is not part of the Code text; these are annotations.
- Sidebars are also used for longer comments.
- Highlights in the text or sidebars indicate changes or questions.
- Illustrations depict minimum or typical dimensional standards but if there is a conflict with the text, the text governs. Some illustrations are regulatory, where others are “illustrative.”

Please also note that the format of this chapter is not the final format of the Code. All sections will be numbered and titled in a consistent manner, with input from the City Attorney. Also be aware that this is a first draft, and many additions and changes are likely following Committee review and public input.

## General Provisions for Mixed Use and Commercial Districts

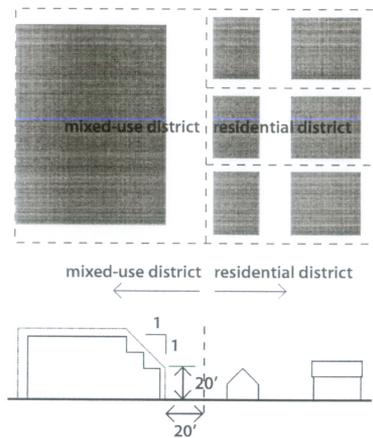
Yard encroachments and accessory building placement will likely be very similar to those established for residential districts, and are therefore not included in this draft. [Are there specific accessory uses that are specific to this group of districts?]

- A. Rear yard height transitions to adjacent residential districts. Where mixed use and commercial districts abut residential districts at the rear lot line, building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height.

## Design Standards

The following standards seem to be broadly applicable to most if not all the zoning districts within this category, although sometimes standards of this type are associated with “pedestrian-oriented districts.” We could use a matrix to show which standards apply where.

- A. **Compatibility with Traditional Buildings** (see figure): New development shall relate to the design of identified traditional or historic buildings adjacent to the site, where present, in scale and character. This can be achieved by maintaining similar setbacks, facade divisions, roof lines, rhythm and proportions of openings, building materials and colors. Historic architectural styles need not be replicated.
- B. **Building Placement** (see figure): Buildings shall be placed at or close to the sidewalk to the extent practical. At intersections, buildings shall “hold the corner,” that is, have front and side facades aligned at or near the sidewalks of both streets.



Rear Yard Height Transitions



A. Compatibility with Traditional Buildings



B. Building Placement

1. Front yard setback areas, where provided, should be designed to provide amenities such as outdoor seating and landscaping that will enhance the visual and pedestrian character of the street.
2. Buildings shall be aligned with facades parallel with the street to create a well-defined street edge.
3. Additions to existing buildings should bring the building closer to the street, to the extent practical.



C. Entrance Orientation

**C. Entrance Orientation** (*see figure*). Primary building entrances on all new buildings shall be oriented to the primary abutting public street. Additional secondary entrances may be oriented to a secondary street or parking area. Entries shall be clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features.

**D. Façade articulation.**

1. Consistent with most traditional storefront buildings, a building width of 40 feet or less is encouraged. New buildings of more than 40 feet in width shall be divided into smaller increments, between 20 and 40 feet in width, through articulation of the facade. This can be achieved through combinations of the following techniques, and others that may meet the intent of this section.
  - a. Façade modulation (*see figure*) - stepping back or extending forward a portion of the facade.
  - b. Vertical divisions using different textures or materials (although materials should be drawn from a common palette).
  - c. Division into storefronts, with separate display windows and entrances.
  - d. Variation in roof lines by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval (*see figure*).
  - e. Arcades, awnings, window bays, arched windows and balconies at intervals equal to the articulation interval.
2. No blank walls shall be permitted to face the public street, sidewalks, or other public spaces such as plazas. Elements such as windows, doors, columns, changes in material, and similar details should be used to add visual interest.
3. Buildings shall be designed with a base, a middle and a top, created by variations in detailing, color and materials.
  - a. Articulated tops shall be considered in the design of all new buildings. This articulation might consist of pitched roofs, dormers, gable ends, cornice detailing, etc.
  - b. The base of the building shall include elements that relate to



D1a. Façade modulation



D1d. Variation in roof lines



D3. Base, middle, top

the human scale. These should include doors and windows, texture, projections, awnings and canopies, ornament, etc.

- E. **Door and window openings.** Windows and doors or openings shall comprise at least fifty (50) percent of the length and at least thirty (30) percent of the area of the ground floor of the primary street facade. Window openings shall be located between two and 8 feet from ground level.

A minimum of 20% of the ground level of side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of 20% of the upper-story wall area.

1. Windows shall be designed with punched and recessed openings, in order to create a strong rhythm of light and shadow.
2. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior.
3. Window shape, size and patterns shall emphasize the intended organization of the facade and the definition of the building.

- F. **Ground-floor residential uses.** Ground-floor residential uses fronting a public street or walkway, where present, shall generally be separated from the street by landscaping, steps, porches, grade changes, and low ornamental fences or walls in order to create a private yard area between the sidewalk and the front door.

- G. **Equipment and service area screening.** If an outdoor storage, service or loading area is visible from adjacent residential uses or a public street or walkway, it shall be screened by a decorative fence, wall or screen of plant material at least six (6) feet in height. Fences and walls shall be architecturally compatible with the primary structure.

- H. **Screening of rooftop equipment.** All rooftop equipment shall be screened from view from adjacent streets, public rights-of-way and adjacent properties. Rooftop equipment shall be screened by the building parapet, or shall be located out of view from the ground. If this is infeasible, the equipment shall be grouped within a single enclosure. This structure shall be set back a distance of one and one-half (1½) times its height from any primary facade fronting a public street. Screens shall be of durable, permanent materials (not including wood) that are compatible with the primary building materials. Exterior mechanical equipment such as ductwork shall not be located on primary building facades.

- I. **Materials** [optional standard]. Nonresidential or mixed use buildings shall be constructed of high-quality materials such as brick, stone, textured cast stone, or tinted masonry units. The following materials are generally not acceptable:

1. Unadorned plain or painted concrete block;
2. Tilt-up concrete panels;
3. Pre-fabricated steel or sheet metal panels;



F. Ground floor residential uses

4. Reflective glass; and
5. Aluminum, vinyl, fiberglass, asphalt or fiberboard siding.

All building facades visible from a public street or walkway shall employ materials and design features similar to or complementary to those of the front facade.

K. **Parking structure design.** The ground floor of any parking structure abutting a public street or walkway shall be designed and architecturally detailed in a manner consistent with new commercial or mixed-use buildings.

1. Upper floors shall be designed so that sloped floors typical of parking structures do not dominate the appearance of the façade.
2. Windows or openings shall be provided that echo those of surrounding buildings.
3. Entrance drives to structured or underground parking shall be located and designed to minimize interference with pedestrian movement. Entrances should be on secondary streets where feasible.

*[Standards for landscaping of surface parking will be included in "General Regulations"]*



K. Parking Structure

## Mixed Use and Commercial District Uses

Table \_\_.1 lists all permitted and conditional uses in the residential districts.

- A. Uses marked as “P” are permitted in the districts where designated.
- B. Uses marked with a “C” are allowed as conditional uses in the districts where designated, in compliance with all applicable standards.
- C. Uses indicated as “P/C” may be permitted or conditional, depending on their size and scale, as specified.
- D. A “Y” in the “Standards” column means that specific standards must be complied with, whether the use is permitted or conditional. Standards are included in Subchapter \_\_, Supplemental Regulations.

| Mixed Use and Commercial Districts                      |     |     |     |      |    |
|---|-----|-----|-----|------|----|
|   | NMX | TSS | MXC | CC-T | CC |
| <b>Offices</b>  |     |     |     |      |    |
| Artist, photographer studio, etc.                       | P   | P   | P   | P    | P  |
| Insurance office, real estate office, sales office      | P   | P   | P   | P    | P  |
| Professional office                                     | P   | P   | P   | P    | P  |
| <b>Medical Facilities</b>                               |     |     |     |      |    |
| Clinic, medical, dental or optical                      | P   | P   | P   | P    | P  |
| Hospital  |     |     | C   | C    | C  |
| Medical laboratory                                      |     |     | P   | C    | C  |
| Physical, occupational or massage therapy               | P   | P   | P   | P    | P  |
| Veterinary clinic                                       | P   | P   | P   | P    | P  |
| <b>Retail Sales and Services</b>                        |     |     |     |      |    |
| General retail <sup>a</sup>                             | P   | P   | P   | P    | P  |
| Auction rooms   |     | P   | P   | P    | P  |
| Bank, financial institution                             | P   | P   | P   | P    | P  |
| Business sales and services                             | P   | P   | P   | P    | P  |
| Drive-through sales and services, primary and accessory |     |     | C   | C    | C  |
| Dry cleaning, commercial laundry                        |     |     |     | P    | P  |
| Farmers' market   | C   | P   | P   | P    | P  |
| Food and related goods sales <sup>b</sup>               | P   | P   | P   | P    | P  |
| Furniture and household goods sales                     | C   | P   | P   | P    | P  |
| Garden center, outdoor                                  |     |     |     | P    | P  |
| Greenhouse, nursery                                     |     |     | P   | P    | P  |
| Laundromat, self-service                                | P   | P   | P   | P    | P  |
| Liquor store  | P   | P   | P   | P    | P  |
| Mortuary, funeral home                                  | C   | P   | P   | P    | P  |
| Outdoor uses, commercial                                |     |     |     | C    | C  |
| Package delivery service                                |     |     |     | P    | P  |
| Pawn shop??   |     |     |     | C    | C  |
| Payday loan business                                    |     |     |     | C    | C  |
| Photocopying  | P   | P   | P   | P    | P  |
| Post office   | P   | P   | P   | P    | P  |
| Service business <sup>c</sup>                           | P   | P   | P   | P    | P  |
| Service business with showroom or workshop              |     | C   | C   | P    | P  |
| Small appliance repair                                  | C   | C   | P   | P    | P  |
| Small engine repair, automotive bench work              | C   | C   |     |      |    |
| Sporting goods store, bait shop                         |     | C   | P   | C    | P  |
| Tattoo shop   |     |     |     | P    | P  |

| Mixed Use and Commercial Districts  |     |     |     |      |    |
|---|-----|-----|-----|------|----|
|   | NMX | TSS | MXC | CC-T | CC |
| Tobacco shop  |     | P   | P   | P    | P  |
| <b>Food and Beverages</b>   |     |     |     |      |    |
| Catering  |     | P   | P   | P    | P  |
| Coffee shop, tea house  | P   | P   | P   | P    | P  |
| Restaurant (include restaurant-taverns with liquor sales <50% gross receipts) | P   | P   | P   | P    | P  |
| Restaurant, carry-out, deli   | P   | P   | P   | P    | P  |
| Restaurant, outdoor eating areas  | C   | C   | P   | P    |    |
| Tavern (liquor sales >50% gross receipts), brewpub                            |     | P   | P   | P    | P  |
| <b>Commercial Recreation, Entertainment and Lodging</b>                       |     |     |     |      |    |
| Bed and breakfast establishment   | P   | P   | P   | P    | P  |
| Golf course?  |     |     |     |      |    |
| Health/sports club  | P   | P   | P   | P    | P  |
| Hotel, inn, motel   | C   | P   | P   | P    | P  |
| Indoor recreation   | C   | C   | C   | P    | P  |
| Lodge, private club, reception hall   | P   | P   | P   | P    | P  |
| Outdoor recreation (i.e., mini-golf, driving range, etc.)                     |     |     |     | C    | C  |
| Theater, assembly hall, concert hall  |     | P   | P   | P    | P  |
| <b>Adult Entertainment</b>  |     |     |     |      |    |
| Adult entertainment tavern  |     |     |     | C    |    |
| Adult use   |     |     |     |      |    |
| <b>Automobile Services</b>  |     |     |     |      |    |
| Auto body shop  | C   | C   | C   | C    | C  |
| Auto convenience market   | C   | C   | C   | C    | C  |
| Auto service station  | C   | C   | C   | C    | C  |
| Auto repair station   | C   | C   | C   | C    | C  |
| Auto sales, indoor?????   |     |     | P   | P    | P  |
| Auto sales and rental, outdoor  |     |     |     | C    | C  |
| Car wash  | C   | C   | C   | C    | C  |
| <b>Parking Facilities</b>   |     |     |     |      |    |
| Parking facility, public  | P   | P   | P   | P    | P  |
| Parking facility, commercial  | C   | C   | C   | C    | C  |
| <b>Transportation</b>   |     |     |     |      |    |
| Bus or railroad passenger depot   |     | C   | P   | P    | P  |
| Railroad right-of-way   | P   | P   | P   | P    | P  |
| Transit stop or station   | P   | P   | P   | P    | P  |

| Mixed Use and Commercial Districts                    |                  |     |     |      |    |
|---|------------------|-----|-----|------|----|
|   | NMX              | TSS | MXC | CC-T | CC |
| <b>Limited Production, Processing and Storage</b>     |                  |     |     |      |    |
| Bakery, wholesale                                     |                  |     |     | C    | C  |
| Limited production and processing <sup>d</sup>        |                  |     |     | C    | C  |
| Mail order house                                      |                  |     |     | C    | C  |
| Printing and publishing                               | C                | P   | P   | P    | P  |
| Warehousing and storage                               |                  |     |     |      | C  |
| Wholesale establishment                               |                  |     | C   | C    | C  |
| <b>Residential - Family Living</b>                    |                  |     |     |      |    |
| Single-family detached dwellings <sup>e</sup>         | P                | P   |     | P    |    |
| Two-family dwelling – two-flat <sup>e</sup>           | P                | P   |     | P    |    |
| Two-family dwelling - twin <sup>e</sup>               | P                | P   |     | P    |    |
| Three-family dwelling                                 | C                | P   |     | P    |    |
| Single-family attached dwelling (3-8 dwelling units)  | C                | P   | P   | P    | C  |
| Single-family attached dwelling (> 8 dwelling units)  | C                | C   | P   | P    | C  |
| Multi-family dwelling (3-4 dwelling units)            | P                | P   | P   | P    | C  |
| Multi-family dwelling (3-8 dwelling units)            | C                | P   | P   | P    | C  |
| Multi-family dwelling (> 8 dwelling units)            |                  | C   | C   | C    | C  |
| Multi-family building complex                         |                  |     |     | C    | C  |
| Accessory dwelling unit, attached or detached         | To be determined |     |     |      |    |
| <b>Residential - Group Living</b>                     |                  |     |     |      |    |
| Adult family home meeting separation requirements     | P                | P   |     | P    |    |
| Adult family home not meeting separation requirements | C                | C   |     | C    |    |
| Cohousing community                                   | To be determined |     |     |      |    |
| Community living arrangement (up to 8 residents)      | P                | P   |     | P    |    |
| Community living arrangement (> 8 residents)          | C                | C   |     | C    |    |
| Co-operative housing                                  | To be determined |     |     |      |    |
| Dormitory   |                  |     |     | C    |    |
| Lodging house, fraternity or sorority                 |                  |     |     | C    |    |
| Elderly housing: assisted living, congregate care     |                  |     | C   | C    | C  |
| Hostel  |                  |     | C   | C    |    |
| Religious community                                   | P                | P   |     | P    |    |

| Mixed Use and Commercial Districts  |     |     |     |      |     |
|---|-----|-----|-----|------|-----|
|   | NMX | TSS | MXC | CC-T | CC  |
| <b>Civic and Institutional</b>  |     |     |     |      |     |
| Cemetery  | C   | C   | C   | C    | C   |
| Day care center in school or religious inst.  | P   | P   | P   | P    | P   |
| Day care center, nursery school   | P   | P   | P   | P    | P   |
| Educational, office and recreational uses in former public school buildings   | P   | P   | P   | P    | P   |
| Library, museum   | P   | P   | P   | P    | P   |
| Mission house in conjunction with religious institution   | P   | P   | P   | P    | P   |
| Parks and playgrounds   | P   | P   | P   | P    | P   |
| Place of worship  | P   | P   | P   | P    | P   |
| Public safety facilities (fire, police stations, etc.)  | P   | P   | P   | P    | P   |
| Schools, public and private   | P   | P   | P   | P    | P   |
| Schools, music, dance or trade  | C   | P   | P   | P    | P   |
| <b>Accessory Uses</b>   |     |     |     |      |     |
| Day care home, children or adults   | P   | P   | P   | P    |     |
| Dwelling units or lodging rooms for persons employed on the premises as night watchmen, etc. (nonresidential uses only) | P   | P   | P   | P    | P   |
| Emergency electric generator  | P   | P   | P   | P    | P   |
| Home occupation   | P/C | P/C | P/C | P/C  | P/C |
| Garage, workshop, not exceeding maximum size  | P   | P   | P   | P    | P   |
| Garage, workshop, exceeding maximum size  | C   | C   | C   | C    | C   |
| Keeping of up to 4 chickens   | P   | P   | P   | P    |     |
| Lease of off-street parking space(s)  | P   | P   | P   | P    | P   |
| Management office for multi-family building or complex  | P   | P   | P   | P    | P   |
| Outdoor display   |     |     |     |      |     |
| Outdoor storage   |     |     |     |      |     |
| Parking lot accessory to a nonresidential use   | P   | P   | P   | P    | P   |
| Parking lot exceeding ____% above minimum required parking  | C   | C   | C   | C    | C   |
| Recreational facilities for multi-family building or complex  | P   | P   | P   | P    | P   |
| Restaurant within multi-family building   | P   | P   | P   | P    | P   |
| Limited retail within multi-family building   | P   | P   | P   | P    | P   |
| Towing and wrecker services for auto service businesses   |     | C   | C   | C    | P   |
| <b>Temporary Uses</b>   |     |     |     |      |     |
| Dependency living arrangements  | P   | P   | P   | P    | P   |
| Real estate sales office  | P   | P   | P   | P    | P   |
| Temporary buildings for storage of materials and equipment  | P   | P   | P   | P    | P   |
| Yard sales (max. 4 per year)  | P   | P   | P   | P    | P   |
| <b>Public Utility and Public Service Uses</b>   |     |     |     |      |     |
| Electric substations  | C   | C   | C   | C    | C   |

| Mixed Use and Commercial Districts                             |     |     |     |      |    |
|--|-----|-----|-----|------|----|
|  | NMX | TSS | MXC | CC-T | CC |
| Gas regulator stations, mixing and gate stations               | C   | C   | C   | C    | C  |
| Telecommunications towers and transmission equipment buildings | C   | C   | C   | C    | C  |
| Sewerage system lift stations                                  | C   | C   | C   | C    | C  |
| Water pumping stations, water reservoirs                       | C   | C   | C   | C    | C  |

- a. See list of general retail uses, Section \_\_\_.
- b. See list of food and related goods sales, Section \_\_\_.
- c. See list of service uses, Section \_\_\_.
- d. See list of limited production uses, Section \_\_\_.
- e. Single-family and two-family dwellings existing as of the date of adoption of this ordinance shall be considered as permitted uses.

## Proposal to Incorporate Mixed-use into Residential Districts

- Mixed-use buildings would be a Conditional Use in Residential Districts at certain locations.
- Mixed-use buildings would be Conditional Uses only on corner lots, with any or all of the four lots at the intersection being possible locations. They would not be Permitted Uses anywhere in the residential districts, and would not be Conditional Uses at other locations other than the corner lots. There would be a distance requirement, possibly one-half mile, between these nodes of mixed-use. The distance requirement could sunset after 20 years. The idea is to create limited, well designed nodes of mixed use within residential districts, which would provide amenities for neighborhoods, increase density, and allow people to walk to shops or offices in their neighborhoods. Ideally, these mixed-use nodes would be located at a bus stop.
- As part of the Conditional Use process, Plan Commission could set standards regarding hours of operation and other matters, and would have continuing jurisdiction. As with Conditional Use review presently, Plan Commission could refer the application to the Urban Design Commission.
- There would be very specific bulk and design standards required. Minimum of 2 stories. Limit of 2 stories, with a 1-story bonus to increase building size to 3 stories for underground parking, outstanding design features, or green features. Buildings placed close to sidewalk. Main entrances must be from the sidewalk. A minimum of 65% of the ground floor along the sidewalk would have to be glass. No parking allowed between the building and the sidewalk. Parking located at the rear of the lot. Low or no parking minimum, low parking maximum, and bike parking required. Limit building footprint and size of retail establishments.
- Uses allowed would include retail or office on the ground floor, and residential above. A list of uses would have to be developed. Gas stations and other uses (to be determined) would not be allowed.

## Neighborhood Mixed-Use District

### Statement of Purpose

The NMX District is established to encourage and sustain the viability of small commercial nodes that serve the shopping needs of residents in adjacent neighborhoods. The district is also intended to:

- A. Encourage pedestrian, bicycle and transit use as a means of accessing these commercial areas.
- B. Encourage diversification of uses, including residential and civic uses, in order to enhance the vitality and appeal of these areas.
- C. Facilitate the development or redevelopment goals of adopted neighborhood, corridor or special area plans.

### Relationship to Comprehensive Plan

The NMX District is intended to implement the objectives and policies of the Comprehensive Plan, including, but not limited to, the Objectives and Policies for Mixed-Use, Employment and Commercial Activity Centers: Objectives 59-60, and Objectives and Policies for Land Use/Transportation Linkages: Objective 68.

### Building Standards

The following standards shall apply to new buildings and additions exceeding 50% of original building's floor area.

- A. Maximum size: Buildings shall not exceed 5,000 square feet of gross floor area for an individual establishment or 10,000 square feet gross floor area for a building containing two or more uses. Buildings exceeding this size may be allowed as conditional uses.
- B. Parking shall not be placed between the front façade of a building and the abutting street. Parking shall be located to rear or side of principal building; parking abutting the primary street frontage is limited to 70 feet in width or 50% of lot frontage, whichever is less.
- C. No outdoor storage or display of goods shall be allowed except for outdoor dining accessory to restaurants and coffee shops. Periodic "sidewalk sales" may be allowed as a temporary use.
- D. No drive-through uses are allowed.

### Specific Building Types

The following building types are considered appropriate for the NMX District. Other building types may be acceptable provided that they meet the lot, height, frontage requirements and design standards of this Section.

- Storefront/Commercial Block Building
- Residential – Commercial Conversion
- Live-Work Building
- Single-family Attached Building
- Small Apartment Building

- Courtyard Apartment Building
- Large Apartment Building, Stacked Flats
- Civic or Institutional Building

**Frontage Requirements**

*For areas where frontage types have been defined:*

- A. **Fixed Frontage.** Within the “fixed frontage” areas shown on the zoning map, buildings shall be placed between 0 and 5 feet from the edge of sidewalk (see illustration).
- B. **Flexible Frontage.** Within the “flexible frontage” areas shown on the zoning map, buildings shall be placed between 0 and 25 feet from the edge of sidewalk. In general, nonresidential and mixed use buildings will typically be placed close to the street, while residential buildings will be placed farther back (see illustration).

*For areas where frontage types have not been defined:*

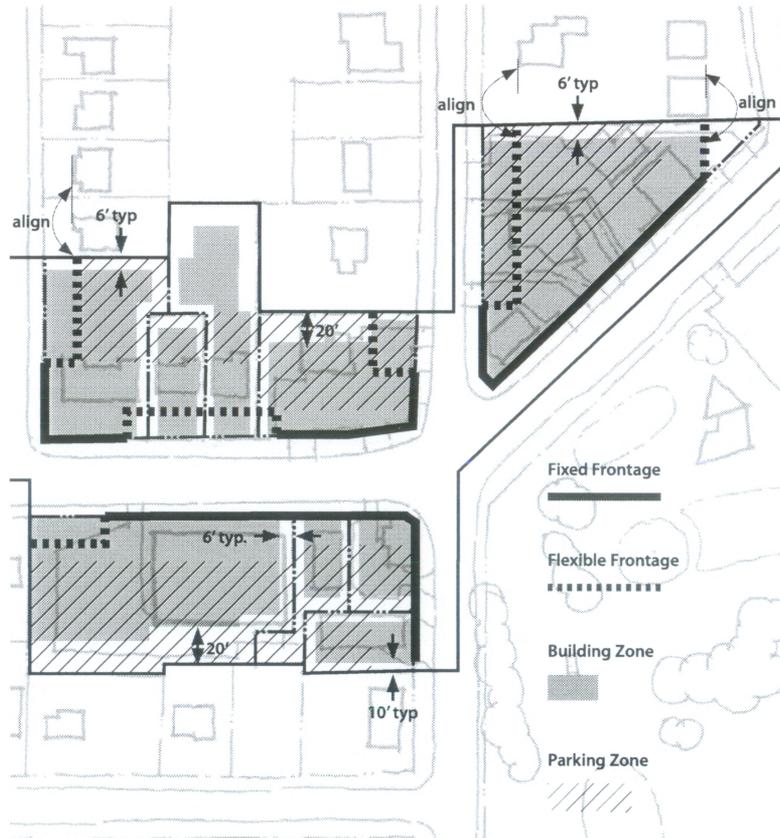
- C. **Frontage Not Defined.** In locations where frontages have not been defined on the zoning map, buildings at corner locations shall be located within 5 feet of the front lot line on either street for a distance of at least 30 feet from the corner. Buildings in other locations on the block shall be placed between 0 and 25 feet from the edge of sidewalk.

**Dimensional Standards**

| Neighborhood Mixed Use District  |   |
|--|---|
| Side yard setback :<br>Where buildings abut residentially-zoned lots at side lot line.   | Minimum side yard required in the adjacent residential district   |
| Side yard setback :<br>Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line | One-story: 5',<br>Two-story: 6',<br>Lot width <40': 10% lot width |
| Other cases [ <i>i.e., infill between party wall storefront buildings</i> ]  | None, unless needed for access                                    |
| Rear yard setback  | 20% of lot depth, but no less than 20 feet                        |
| Maximum lot coverage   | 75%   |
| Maximum height   | 3 stories / 40 feet (see below)                                   |
| Usable open space – residential only   | 400 sq. ft./unit  |

- A. **Structured parking height bonus.** If more than 60% of all off-street parking provided is structured or underground, maximum building height shall be increased to 4 stories/ 45 feet. The fourth story shall be stepped back a minimum of 20 feet behind the plane of the building’s front façade.

# Zoning Plate: Midvale Speedway Neighborhood Mixed Use



Sample Zoning Map For Typical Neighborhood Mixed Use District

|                          | Non Residential Building Types      | Residential Building Types               |  |
|--------------------------|-------------------------------------|--|--|
| <b>FIXED FRONTAGE</b>    | <p>storefront</p> <p>0-5'</p>       | <p>stoop or common entry</p> <p>0-5'</p> | <p><b>BUILDING ZONE</b><br/>Buildings are placed within shaded areas</p> |
| <b>FLEXIBLE FRONTAGE</b> | <p>plaza or patio</p> <p>5'-25'</p> | <p>porch</p> <p>5'-25'</p>               |  |



## Traditional Shopping Street District

### Statement of Purpose

The TSS District is established to encourage and sustain the viability of Madison's mixed-use corridors, which sustain many of the City's traditional neighborhoods. The district is also intended to:

- A. Encourage pedestrian, bicycle and transit use as a means of accessing and moving through these corridors.
- B. Encourage diversification of uses, including residential and civic uses, in order to enhance the vitality and appeal of these areas.
- C. Maintain the viability of existing residential buildings located within or adjacent to these corridors.
- D. Encourage appropriate transitions between higher-intensity uses within TSS districts and adjacent lower-density residential districts.
- E. Facilitate the development or redevelopment goals of adopted neighborhood, corridor or special area plans.

### Relationship to Comprehensive Plan

The TSS District is intended to implement the objectives and policies of the Comprehensive Plan, including, but not limited to, the Objectives and Policies for Mixed-Use, Employment and Commercial Activity Centers: Objectives 59-60, and Objectives and Policies for Land Use/Transportation Linkages: Objective 68.

### Building Standards

The following standards are applicable to new buildings and additions exceeding 50% of original building's floor area.

- A. **Maximum size:** Buildings shall not exceed 10,000 square feet gross floor area for an individual establishment or 25,000 square feet gross floor area for a mixed-use or multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards of Section \_\_.
- B. Parking shall not be placed between the front façade of a building and the abutting street. Parking shall be located to rear or side of principal building; parking abutting primary street frontage is limited to 40% of lot frontage.
- C. No outdoor storage or display of goods shall be allowed except for outdoor dining accessory to restaurants and coffee shops. Periodic "sidewalk sales" may be allowed as a temporary use.
- D. No drive-through uses are allowed.
- E. Parking buildings shall be designed with ground-floor retail or office uses fronting primary streets. Upper floors devoted solely to parking shall be stepped back from the principal façade and designed with materials and proportions similar to new commercial or mixed-use buildings.

### **Specific Building Types.**

The following building types are considered appropriate for the TSS District. Other building types may be acceptable provided that they meet the lot, height, frontage requirements and design standards of this Section.

- Storefront/Commercial Block Building
- Parking / Liner Buildings
- Residential – Commercial Conversion
- Live-Work Building
- Single-family Attached Building
- Small Apartment Building
- Courtyard Apartment Building
- Large Apartment Building, Stacked Flats
- Civic or Institutional Building

### **Frontage Requirements**

*For areas where frontage types have been defined:*

- A. Fixed Frontage. Within the “fixed frontage” areas shown on the zoning map, buildings shall be placed within 5 feet of the edge of sidewalk.
- B. Flexible Frontage. Within the “flexible frontage” areas shown on the zoning map, buildings shall be placed between 0 and 25 feet from the edge of sidewalk. In general, nonresidential and mixed use buildings will typically be placed close to the street, while residential buildings will be placed farther back.

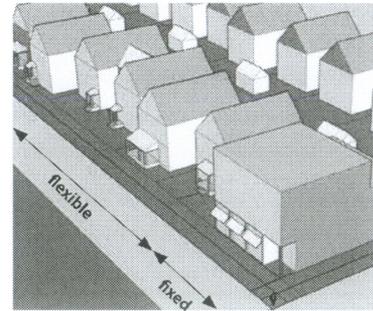
*For areas where frontage types have not been defined:*

- C. Frontage Not Defined. In locations where frontages have not been defined on the zoning map, buildings at corner locations shall be located within 5 feet of the edge of sidewalk for a distance of at least 30 feet from the corner. Buildings in other locations on the block

shall be placed between 0 and 25 feet from the edge of sidewalk.

**Dimensional Standards**

| Traditional Shopping Street District  |  |
|---|--|
| Side Yard Setback: Where buildings abut residentially-zoned lots at side lot line.  | Minimum side yard required in the adjacent residential district                  |
| Side Yard Setback : Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line | One-story: 5',<br>Two-story: 6',<br>Lot width <40': 10% lot width                |
| Other cases [i.e., infill between party wall storefront buildings]  | None, unless needed for access   |
| Rear yard setback   | 20% of lot depth, but no less than 20 feet                                       |
| Maximum lot coverage  | 85%  |
| Maximum height  | 3 stories / 40 feet (see below)  |
| Usable open space – residential only  | 160 sq. ft. per lodging room or 1-bedroom unit, 320 sq. ft. for >1-bedroom units |

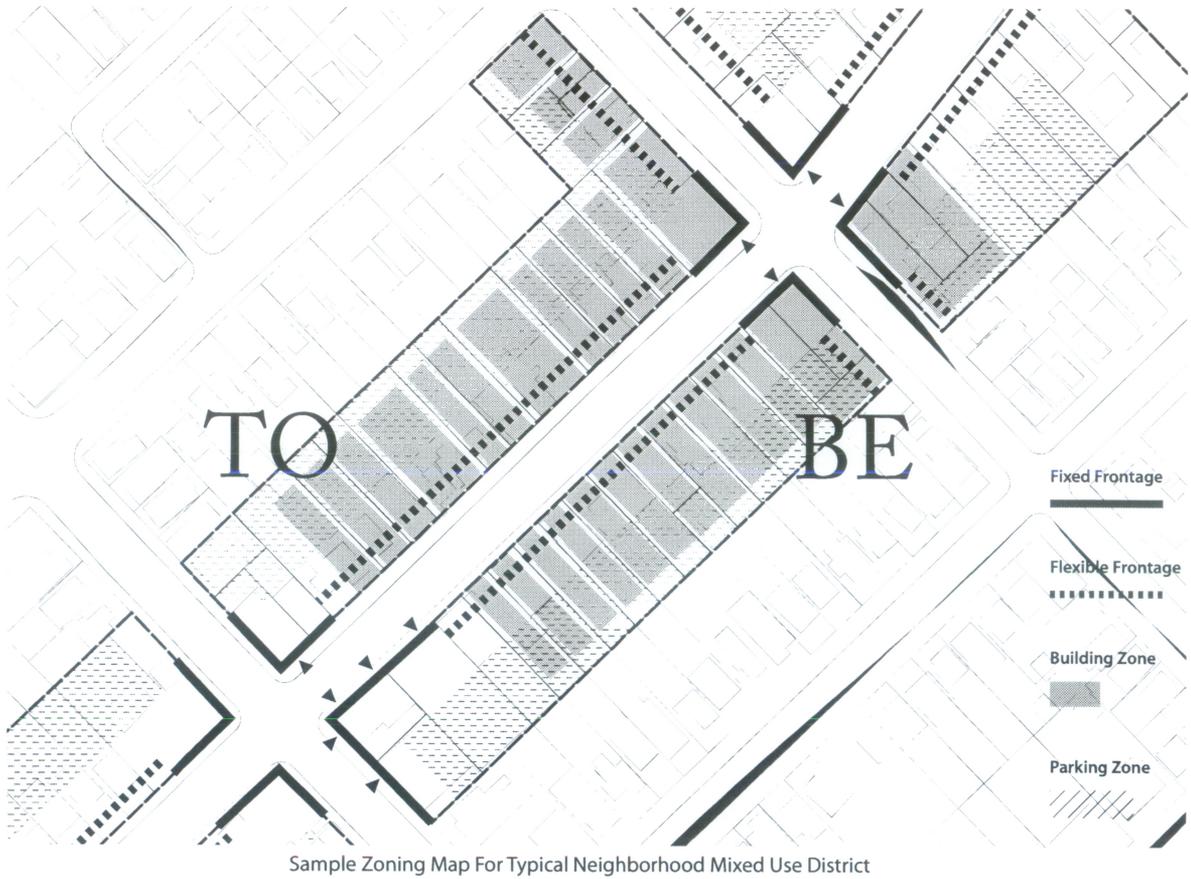


Example of Fixed and Flexible Frontage

- A. Structured parking height bonus. If more than \_\_\_% of all off-street parking is structured or underground, maximum building height shall be increased to 4 stories/ 45 feet. The fourth story shall be stepped back a minimum of 20 feet behind the plane of the building’s front façade.
- B. Bonus story. An additional story above the specified height limit, up to a maximum height of 5 stories/54 feet (if combined with the structured parking height), may be allowed as a conditional use if either of the following bonus provisions are met:
  - [affordable housing?]
  - [historic preservation – building within 200 feet?]

Stories above 3 shall be stepped back a minimum of 20 feet behind the plane of the building’s front façade.
- C. Rear yard height transitions to adjacent residential districts. Building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height.

## Zoning Plate: Williamson Street Traditional Shopping Street District



|                          | Non Residential Building Types   | Residential Building Types            |   |
|--------------------------|----------------------------------|---------------------------------------|---|
| <b>FIXED FRONTAGE</b>    | <p>storefront<br/>0-5'</p>       | <p>stoop or common entry<br/>0-5'</p> | <p><b>BUILDING ZONE</b><br/>Buildings are placed within shaded areas.</p> |
| <b>FLEXIBLE FRONTAGE</b> | <p>plaza or patio<br/>5'-25'</p> | <p>porch<br/>5'-25'</p>               |   |

## Mixed Use Center District

### Statement of Purpose

The MXC District is established to encourage the development or redevelopment of mixed use centers that combine new or existing retail development with a variety of housing, offices, studios, live-work space, civic buildings, and other complementary uses which combine to create a lively pedestrian-oriented environment. Typically, the MXC District would be established through a rezoning of an existing commercial or industrial area. The district is also intended to:

- A. Encourage pedestrian, bicycle and transit use as a means of accessing and moving through mixed use centers.
- B. Encourage appropriate transitions between higher-intensity uses within mixed use centers and adjacent lower-density residential districts.
- C. Facilitate the development or redevelopment goals of adopted neighborhood, corridor or special area plans.

### Relationship to Comprehensive Plan

The MXC District is intended to implement the objectives and policies of the Comprehensive Plan, including, but not limited to, the Objectives and Policies for Conventional Suburban-Style Commercial Development: Objective 65, and Objectives and Policies for Land Use/Transportation Linkages: Objective 68.

### Required Mix of Uses

On any development site [zoning lot?] larger than one acre, new development must include uses from at least two of the following categories:

- Commercial uses, including retail, service and office uses
- Residential – family and group living categories
- Civic and institutional uses
- Any development site greater than 5 acres in size must also include common open space designed and improved as a plaza, square or green, comprising a minimum of 5 percent of the development site.

### Building Standards

The following standards are applicable to new buildings and additions exceeding 50% of original building's floor area.

- A. Maximum size: Buildings shall not exceed 25,000 square feet gross floor area for an individual establishment or 40,000 square feet gross floor area for a mixed-use or multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards of Section \_\_\_\_.
- B. Buildings shall be oriented to the primary abutting street or to an internal street, court, walkway or plaza.

- C. All building facades visible from a public street or walkway shall employ materials and design features similar to or complementary to those of the front facade.
- D. Structured parking is encouraged. Surface parking shall not be placed between the front or side façade of a building and the primary abutting street.
- E. Surface parking shall be divided into separate modules no greater in size than 100 spaces; modules shall be separated by buildings, landscaped open space areas, internal streets or landscaped pedestrian pathways at least 20 feet in width.
- F. Parking abutting the primary street frontage shall be limited to 40% of the total lot frontage.
- G. Parking buildings shall be designed with ground-floor retail or office uses fronting primary streets. Upper floors devoted solely to parking shall be stepped back from the principal façade and designed with materials and proportions similar to new commercial or mixed-use buildings
- H. No outdoor storage or display of goods shall be allowed except for outdoor dining accessory to restaurants and coffee shops. Periodic “sidewalk sales” may be allowed as a temporary use.
- I. Drive-through uses may be allowed as conditional uses meeting the standards in Section \_\_.

### **Internal Streets and Blocks**

An internal system of streets, walkways, lanes and blocks is strongly encouraged on large sites, and may be required as a condition of approval for conditional uses. Street standards should be consistent with those of the Traditional Neighborhood Development District. *[to be determined]*

### **Specific Building Types**

The following building types are considered appropriate for the MXC District. Other building types may be acceptable provided that they meet the lot, height, frontage requirements and design standards of this Section.

- Storefront/Commercial Block Building
- Parking / Liner Buildings
- Residential – Commercial Conversion
- Live-Work Building
- Single-family Attached Building
- Small Apartment Building
- Courtyard Apartment Building
- Large Apartment Building, Stacked Flats
- Podium Building
- Flex Building
- Civic or Institutional Building

## Frontage Requirements

Frontage areas shall include both existing perimeter streets and new or existing internal streets.

- A. Perimeter streets. A minimum of 50% of the lot frontage on the primary abutting street shall be occupied by buildings placed within 30 feet of the street right-of-way and with front or side facades oriented to the street.
- B. Internal streets. A minimum of 50% of the lot frontage on internal streets shall be occupied by buildings placed within 25 feet of the street right-of-way or sidewalk edge, and with front or side facades oriented to the street.

## Dimensional Standards

| Mixed Use Center District   |  |
|---|--|
| Front yard setback  | See above (0 to 25 or 30 feet)   |
| Side yard setback: Where buildings abut residentially-zoned lots at side lot line.  | Minimum side yard required in the adjacent residential district                  |
| Side yard setback : Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line | One-story: 5',<br>Two-story: 6',<br>Lot width <40': 10% lot width                |
| Other cases [ <i>i.e., infill between party wall storefront buildings</i> ]   | None, unless needed for access   |
| Rear yard setback   | 20% of lot depth, but no less than 20 feet                                       |
| Maximum lot coverage  | 85%  |
| Maximum height  | 4 stories / 45 feet (see below)  |
| Usable open space – residential only  | 160 sq. ft. per lodging room or 1-bedroom unit, 320 sq. ft. for >1-bedroom units |

- A. Structured parking height bonus. If more than 60% of all off-street parking is structured or underground, maximum building height shall be increased to 5 stories/ 54 feet.
- B. Rear yard height transitions to adjacent residential districts. Where the MXC District abuts a residential district, building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height.

## Commercial Corridor - Transitional District

### Statement of Purpose

The CC-T District is established to recognize the many commercial corridors within the City that remain largely auto-oriented, and to encourage their transformation into mixed use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. The district is also intended to:

- A. Improve the quality of landscaping, site design and urban design along these corridors.
- B. Maintain the viability of existing residential uses located along predominantly commercial corridors.
- C. Encourage appropriate transitions between higher-intensity uses along commercial corridors and adjacent lower-density residential districts.
- D. Facilitate the development or redevelopment goals of adopted neighborhood, corridor or special area plans.

### Relationship to Comprehensive Plan

The CC-T District is intended to implement the objectives and policies of the Comprehensive Plan, including, but not limited to, the Objectives and Policies for Conventional Suburban-Style Commercial Development: Objective 65, and Objectives and Policies for Land Use/Transportation Linkages: Objective 68.

### Building Standards

The following standards are applicable to new buildings and additions exceeding 50% of original building's floor area.

- A. Maximum size: Buildings shall not exceed 25,000 square feet gross floor area for an individual establishment or 40,000 square feet gross floor area for a multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards of Section —.
- B. Buildings shall be oriented to the primary abutting street or to an internal street, court, walkway or plaza.
- C. All building facades visible from a public street or walkway shall employ materials and design features similar to or complementary to those of the front facade.
- D. Structured parking is encouraged. Surface parking shall not be placed between the front or side façade of a building and the primary abutting street.
- E. Surface parking shall be divided into separate modules no greater in size than 100 spaces; modules shall be separated by buildings, landscaped open space areas, internal streets or landscaped pedestrian pathways at least 20 feet in width.

- F. Parking abutting the primary street frontage shall be limited to 50% of the total lot frontage.

### **Specific Building Types**

The following building types are considered appropriate for the CC-T District. Other building types may be acceptable provided that they meet the lot, height, frontage requirements and design standards of this Section.

- Storefront/Commercial Block Building
- Parking / Liner Buildings
- Residential – Commercial Conversion
- Live-Work Building
- Podium Building
- Flex Building
- Single-family Attached Building
- Small Apartment Building
- Courtyard Apartment Building
- Large Apartment Building, Stacked Flats
- Civic or Institutional Building

### **Frontage Requirements**

A minimum of 50% of the lot frontage on the primary abutting street shall be occupied by buildings placed within 25 feet of the street right-of-way and with front or side facades oriented to the street.

- A. Fixed Frontage. Within the “fixed frontage” areas shown on the zoning map, buildings shall be placed within 5 feet of the edge of sidewalk.
- B. Flexible Frontage. Within the “flexible frontage” areas shown on the zoning map, a minimum of 50% of the lot frontage on the primary abutting street shall be occupied by buildings placed within 30 feet of the street right-of-way and with front or side facades oriented to the street. In general, nonresidential and mixed use buildings will typically be placed close to the street, while residential buildings will be placed farther back.
- C. Frontage Not Defined. In locations where frontages have not been defined on the zoning map, buildings at corner locations shall be located within 5 feet of the edge of sidewalk for a distance of at least 30 feet from the corner. Buildings in other locations on the block shall meet the “Flexible Frontage” standard of item B above.

## Dimensional Standards

| Commercial Corridor - Transitional District  |  |
|--|--|
| Side yard setback: Where buildings abut residentially-zoned lots at side lot line.   | Minimum side yard required in the adjacent residential district                  |
| Side yard setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line | One-story: 5',<br>Two-story: 6',<br>Lot width <40': 10% lot width                |
| Other cases [ <i>i.e., infill between party wall storefront buildings</i> ]  | None, unless needed for access   |
| Rear yard setback  | 20% of lot depth, but no less than 20 feet                                       |
| Maximum lot coverage   | 85%  |
| Maximum height   | 3 stories / 35 feet (see below)  |
| Usable open space – residential only   | 160 sq. ft. per lodging room or 1-bedroom unit, 320 sq. ft. for >1-bedroom units |

- A. Structured parking height bonus. If more than 60% of all off-street parking provided for a building or group of buildings is structured or underground, maximum building height shall be increased to 4 stories/ 45 feet.
- B. Rear yard height transitions to adjacent residential districts. Where the CC-T District abuts a residential district, building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height.

## Commercial Center District

### Statement of Purpose

The CC District is established to recognize the existing large-format retail and office sites within the City that remain largely auto-oriented, and to encourage their transformation into mixed use centers that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. The district is also intended to:

- A. Improve the quality of landscaping, site design and urban design within commercial centers.
- B. Encourage diversification of land use in commercial centers.
- C. Encourage appropriate transitions between higher-intensity uses and adjacent lower-density residential districts.
- D. Facilitate the development or redevelopment goals of adopted neighborhood, corridor or special area plans.

### Relationship to Comprehensive Plan

The CC District is intended to implement the objectives and policies of the Comprehensive Plan, including, but not limited to, the Objectives and Policies for Conventional Suburban-Style Commercial Development: Objective 65, and Objectives and Policies for Land Use/Transportation Linkages: Objective 68.

### Building Standards

The following standards are applicable to new buildings and additions exceeding 50% of original building's floor area.

- A. Maximum size: Buildings shall not exceed 25,000 square feet gross floor area for an individual establishment or 40,000 square feet gross floor area for a multi-tenant building. Buildings exceeding this size may be allowed as conditional uses, meeting the standards of Section —.
- B. Buildings shall be oriented to the primary abutting street or to an internal street, court, walkway or plaza.
- C. All building facades visible from a public street or walkway shall employ materials and design features similar to or complementary to those of the front facade.
- D. Surface parking shall be divided into separate modules no greater in size than 100 spaces; modules shall be separated by buildings, landscaped open space areas, internal streets or landscaped pedestrian pathways at least 20 feet in width.

### Specific Building Types

The following building types are considered appropriate for the CC District. Other building types may be acceptable provided that they meet the lot,

height, frontage requirements and design standards of this Section.

- Storefront/Commercial Block Building
- Parking / Liner Buildings
- Live-Work Building
- Podium Building
- Flex Building
- Single-family Attached Building
- Small Apartment Building
- Courtyard Apartment Building
- Large Apartment Building, Stacked Flats
- Civic or Institutional Building

**Frontage Requirements**

Buildings are encouraged to be located with a direct relationship to primary abutting streets or to new internal streets. New buildings shall be placed with front or side facades oriented to and within 30 feet of an external or internal street.

**Dimensional Standards**

| Commercial Center District  |  |
|---|--|
| Side yard setback Where buildings abut residentially-zoned lots at side lot line. | Minimum side yard required in the adjacent residential district                  |
| Side yard setback : Other cases   | One-story: 5'<br>Two-story: 6'   |
| Rear yard setback   | 20% of lot depth, but no less than 20 feet                                       |
| Maximum lot coverage  | 85%  |
| Maximum height  | 3 stories / 35 feet (see below)  |
| Usable open space – residential only  | 160 sq. ft. per lodging room or 1-bedroom unit, 320 sq. ft. for >1-bedroom units |

- A. Structured parking height bonus. If more than 60% of all off-street parking provided for a building or group of buildings is structured or underground, maximum building height shall be increased to 4 stories/ 45 feet.
- B. Rear yard height transitions to adjacent residential districts. Where the CC District abuts a residential district, building height at the rear yard setback line shall not exceed 2 stories/25 feet. From this point, building height may increase at a ratio of 1 foot of rise to 1 foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height.

## Comprehensive Plan Issues and Comments to Date

10-20-09

### Trails:

- Public participation in plan development
- Dealing with public concerns about trails
- Friendship Trail – STH 47
- Trail timing/installation
- Developing a communication plan for introducing trail planning/routes
- Conducting a trail planning workshop
- Revisiting ordinances for sidewalks and trails
- Trail map revisions
- Trail connections to the Island, routes over bridges
- Trail needs/options for Manitowoc Road and Street

### Public Input:

- Issues Identification
- Neighborhood vs. community planning
- Compatibility of housing stock
- Investing in place

### Future Growth Areas/Redevelopment:

- Need to shift focus from new development to redevelopment

### Stormwater Options:

- Need to explore options for small scale/on-site stormwater management

### Renewable Resources:

- Need to explore partnering with Menasha Utilities to promote utilization of renewable resources

11-3-09

- Targeting redevelopment area
- Elimination of incompatible uses
- Buffering
- Jeff Reidl, critique of LU plan as status quo
- Rate of change
- Complete streets
- Public hearing notices
- Potential rezonings in the Province Terrace corridor
- Uniform application of the Government Use zoning designation to government facilities/site
- Future park locations
- Defining neighborhoods
- Retirement of non-viable uses

11-17-09

Commissioners discussed the Economic Development Element of the plan with respect to future commercial development and redevelopment opportunities. Ald. Benner spoke to the importance of rail transportation as related to economic development.

Commissioners also discussed the impacts of rising fuel costs and the need for closer linkages with places to work/places to live.

12-22-09

CDD Keil distributed a draft Comprehensive Plan Sustainability Assessment worksheet prepared by Roger Kanitz from the Sustainability Board, and asked Commissioners to review its content and provide comments at the next Plan Commission meeting.

1-5-10

Commissioners reviewed the comprehensive plan sustainability assessment first prepared by ECOS-Fox Valley committee members and recently updated by Roger Kanitz. The Sustainability Board will be advancing its comments on the assessment after its next meeting.

Mayor Merkes requested that a listing of the Comprehensive Plan issues identified to date be compiled for the next Plan Commission meeting.

**Kristi Heim**

---

**From:** Jeff Riedl [jeffriedl@gmail.com]  
**Sent:** Saturday, December 26, 2009 1:49 PM  
**To:** Kristi Heim  
**Subject:** 2030 Comprehensive Plan comments

Kristi,

I have maintained from before the council's acceptance of this plan that there is no "planning" in the Future Land Use map. I objected to the approval of the plan based on the fact that this document is NOT planning, but it sailed through the council as "let's get this over with" and have pretty much dismissed it from their collective memory. The Future Land Use Map of the Comprehensive Plan is simply a reflection of past mistakes (conflicting uses of adjacent properties, continuation of spot zoning which has been 'grandfathered' for several generations now, etc.) with no vision for what the City should look like, how it should be laid out, or what we want the city to be. The Future Land Use map is nearly identical to the Existing Land Use map with almost no proposed changes for the areas which are in need of change or improvement.

Is it possible in these few short years to entirely change the city to an ideal model? No. But without a vision for what the ideal may be (and the Future Land Use Map as it is included in this plan is far from ideal), we will never make significant progress in the areas of increasing property values, community safety, or general image / livability of the city.

With such a poor excuse for planning as a part of our Comprehensive "Plan" it seems logical that most objective individuals looking at this plan would come to the conclusion that the entire Future Land Use map for the city needs to be revisited, revised to show an actual IMPROVEMENT in the way our city is zoned and utilized, then re-adopted by our city leadership so when properties come up for sale they can actually be directed to appropriate usage.

I have tried to make these points at both Council meetings and before the Planning Commission. I don't really believe either body has adopted a sense of urgency to actually undertake the project of developing a strategy for our future nor do they seem interested in even exploring how this process may be undertaken, so as a property owner / taxpayer / citizen I am writing to have my comments simply on file "for the record". Based on the tone-deaf behavior of the city's leadership, I doubt I could expect much more.

Thanks for your time and attention to this message.

Jeff Riedl  
408 Appleton Street  
Menasha, WI

--

Using Opera's revolutionary e-mail client: <http://www.opera.com/mail/>



SUBSTATION  
SITE

ABBY AVE

MATHEWSON ST.

Mr. Greg Keil  
Community Development Director  
City of Menasha  
140 Main Street  
Menasha, WI 54952

December 10, 2009

RE: Old 66' Road Easement

To: City of Menasha,

I am hereby requesting that the City of Menasha releases its interest in the old 66' private road easement now occupied by Natures Way and continuing east of there as shown on Certified Survey Map No. 1815 and on the recorded plat of Southfield West.

Thank you,



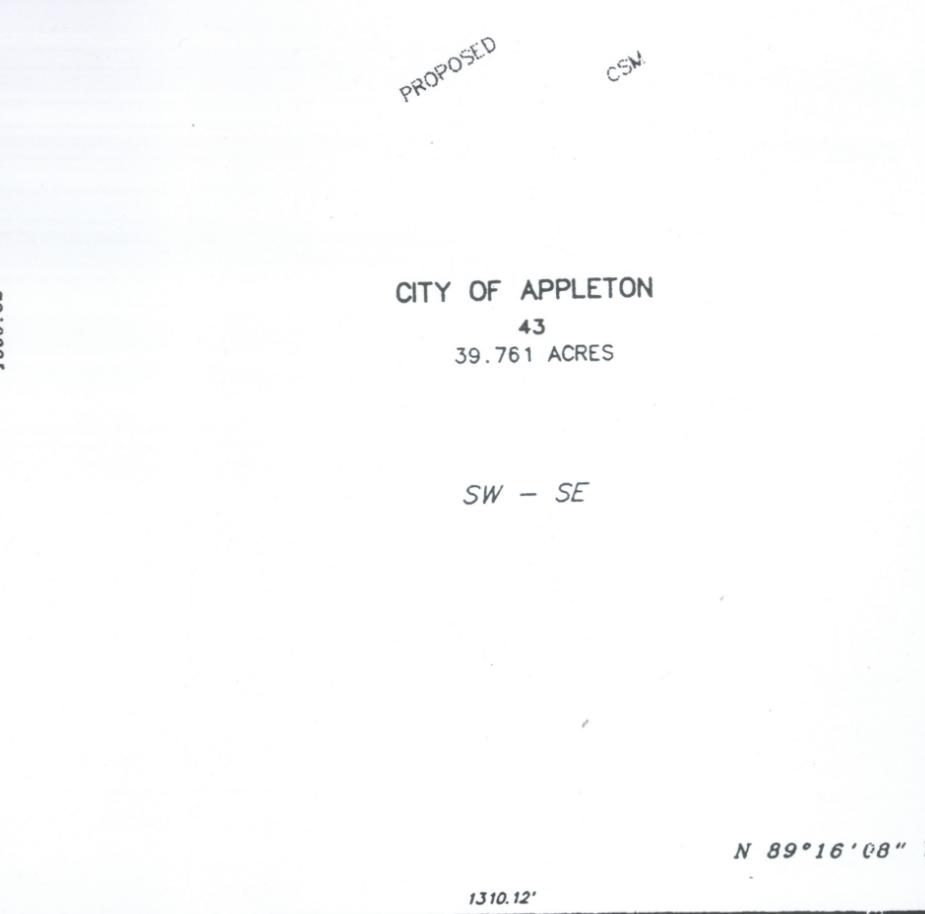
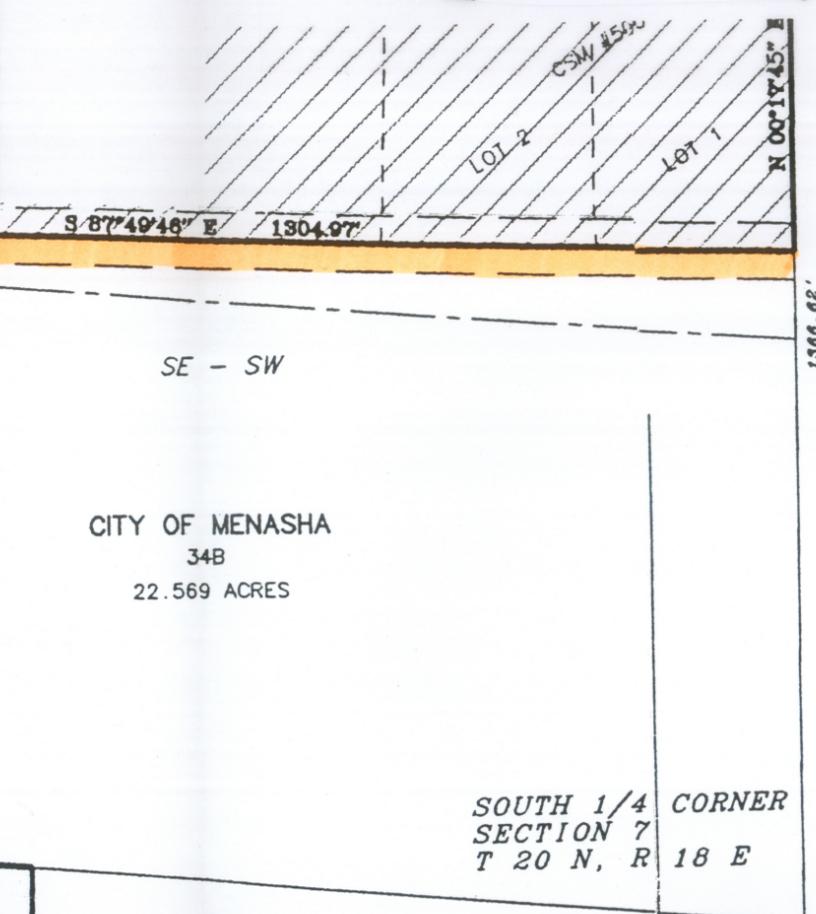
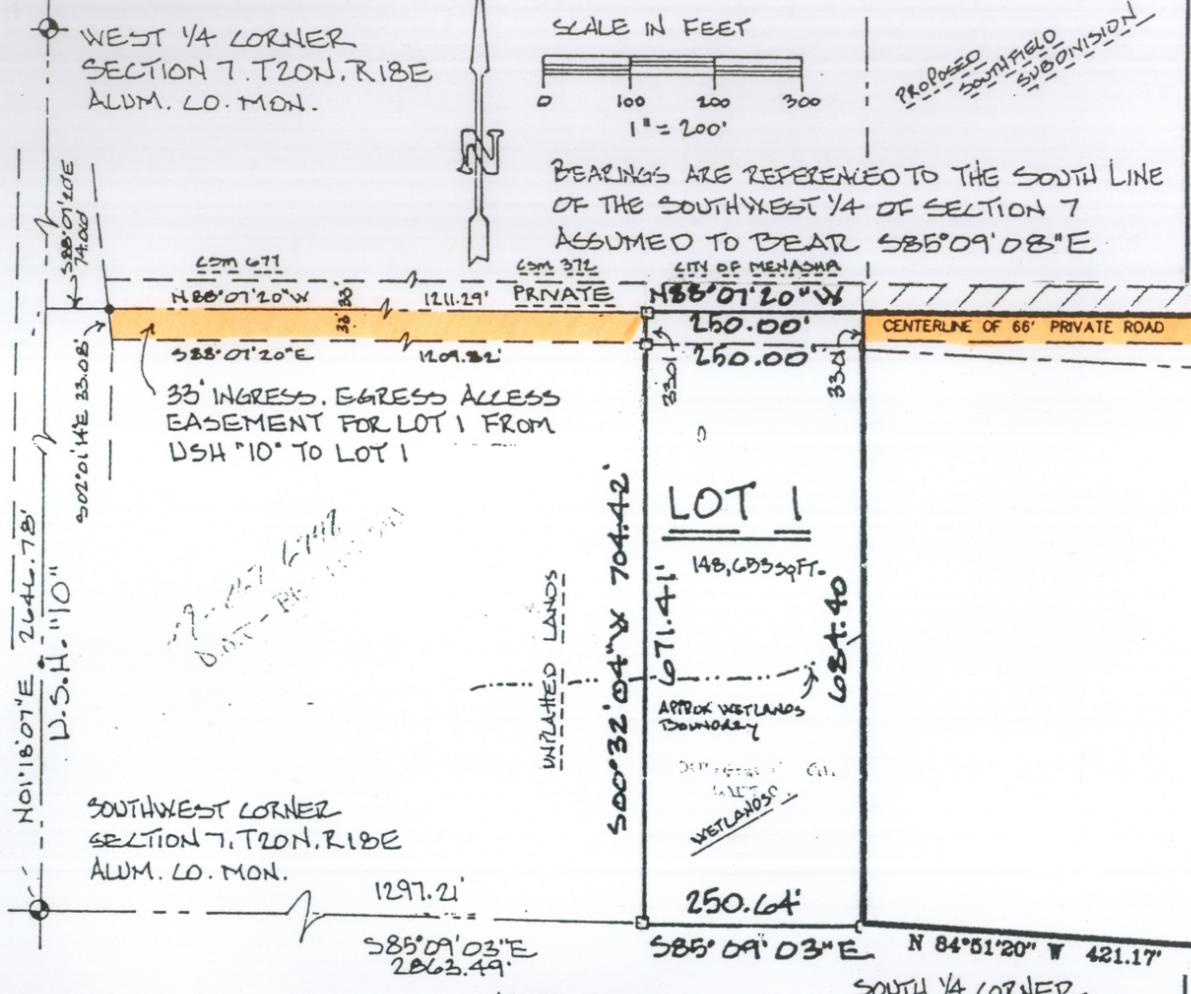
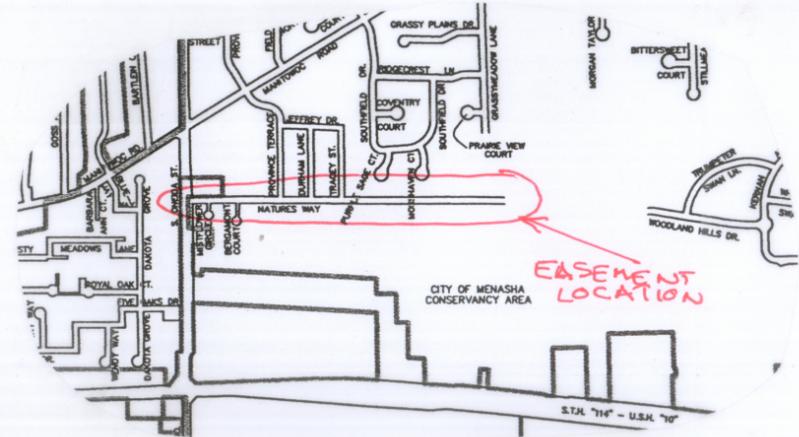
Doug Gunderson  
920-450-4624

Doc. # 221918  
 Rec. July 30 1992  
 10:20 A.M.

Vol. 11 Pg. 11

**CERTIFIED SURVEY MAP NO. 1573**

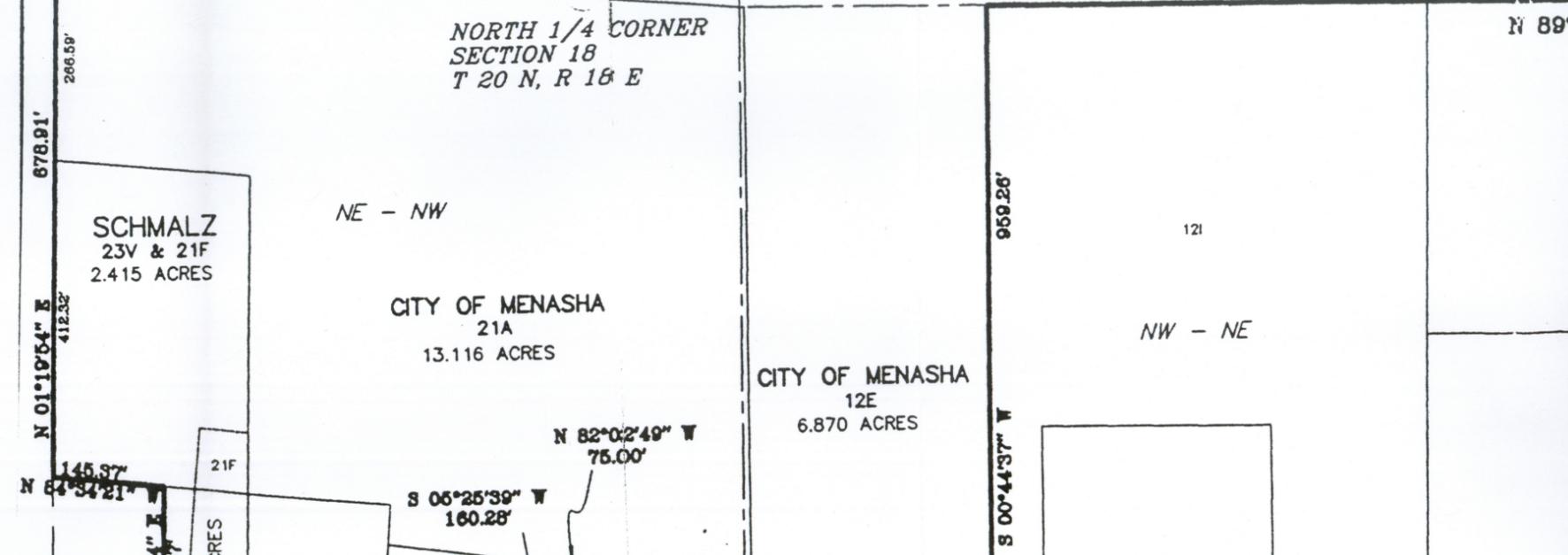
PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 7, T20N, R18E, TOWN OF HARRISON, CALUMET COUNTY, WISCONSIN.



PREPARED FOR:  
 BUREAU OF AERONAUTICS  
 MADISON, WI.

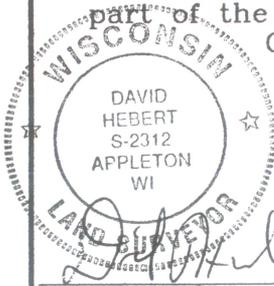
NOTE: ANY CHANGE OF USE OF LOT 1 FROM A NAVIGATION AIDS FACILITY MUST BE APPROVED BY CALUMET COUNTY UNLESS PRIVATE ROAD BECOMES PUBLIC

- LEGEND
- 3/4" STEEL REINFORCING BAR SET, 24" LONG WEIGHING 1.502 LBS. PER LIN. FOOT
  - 1" IRON PIPE SET, 24" LONG WEIGHING 1.130 LBS. PER LIN. FOOT
  - △ 1-1/4" STEEL REINFORCING BAR SET, 24" LONG WEIGHING 4.303 LBS. PER LIN. FOOT
  - x CHISELED "X" SET
  - 3/4" REBAR FOUND
  - 1" IRON PIPE FOUND
  - 1-1/4" REBAR FOUND
  - 2" IRON PIPE FOUND
  - CHISELED "X" FOUND
  - GOVERNMENT PROPERTY



# Certified Survey Map

All of Lot 2 of Certified Survey Map 1939, part of Lot 1 of Certified Survey Map 1872, all of Lot 1 of Certified Survey Map 1692, all of Lot 1 of Certified Survey Map 486, all of Outlot 1 of Certified Survey Map 1620, part of Lot 1 of Certified Survey Map 1123 and part of the West 1/2 of the Northwest 1/4 of Section 7, T20N, R18E, City of Menasha, Calumet County, Wisconsin



Northwest Corner Section 7-20-18 Survey spike

North 1/4 Corner 2751.06' Section 7-20-18

David Hebert RLS

Date

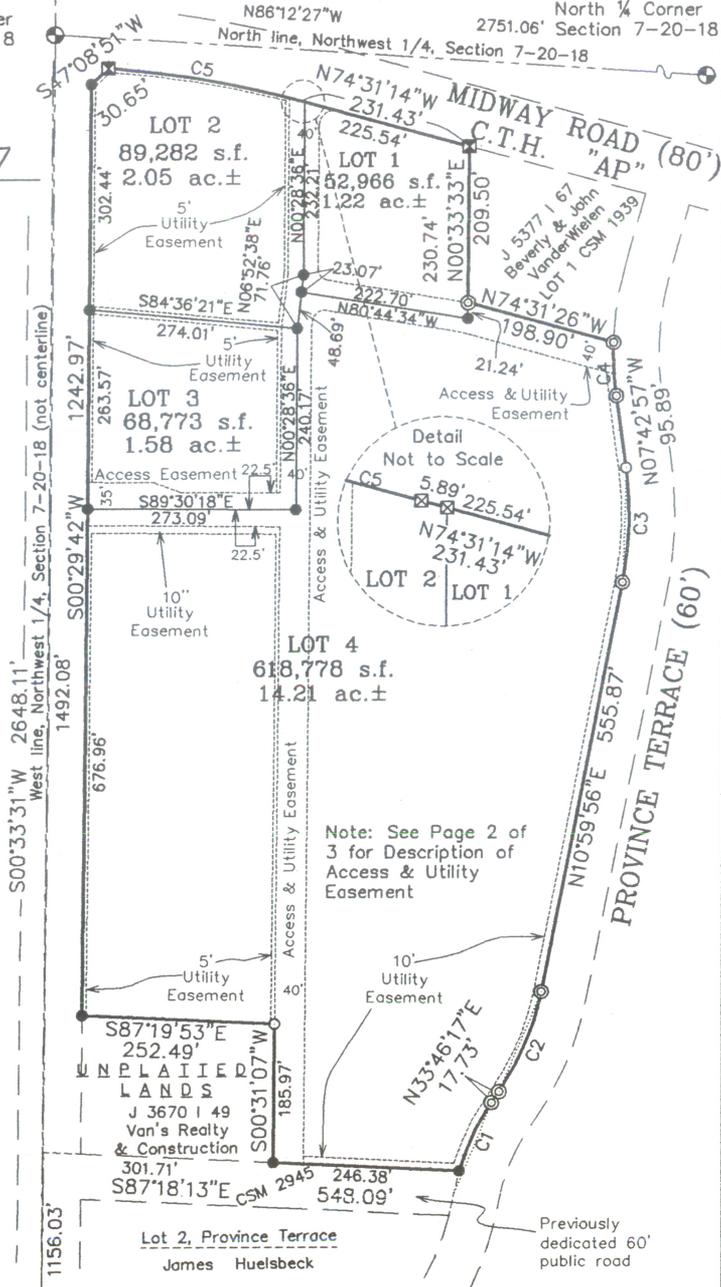
2-21-07

| CURVE | RADIUS   | ARC LENGTH | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|-------------|---------------|--------------|
| C1    | 330.00'  | 100.79'    | 17°30'00"   | N25°01'17"E   | 100.40'      |
| C2    | 370.00'  | 147.06'    | 22°46'21"   | N22°23'07"E   | 146.09'      |
| C3    | 470.00'  | 153.52'    | 18°42'53"   | N01°38'30"E   | 152.83'      |
| C4    | 430.00'  | 70.65'     | 09°24'49"   | N03°00'30"W   | 70.57'       |
| C5    | 1315.01' | 256.78'    | 11°11'17"   | N80°06'52"W   | 256.37'      |

North is referenced to the West line of the Northwest 1/4, Section 7, T20N, R18E, and is assumed to bear S00°33'31"W



ONEIDA STREET / U.S.H. "10" (width varies)

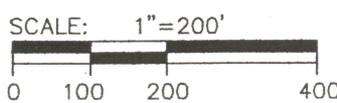


Note: See Page 2 of 3 for Description of Access & Utility Easement

## LEGEND

- ⊙ = Government corner
- = Set 3/4" x 18" iron rebar Wt. = 1.502 lbs/lf
- ⊠ = Set chisel X
- = Found 3/4" iron rod
- ⊙ = Found 1" iron pipe
- ⊠ = Found chisel X

West 1/4 Corner Section 7-20-18 Berntsen monument

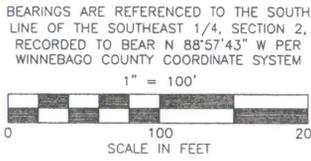


DRAFTED BY:  
**HAI Hebert Associates, Inc.**  
 Land Surveying • Soil Testing • Engineering Systems

1110 W. Wisconsin Ave. 920-734-8373  
 Appleton, WI 54914 Fax: 920-734-3968

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

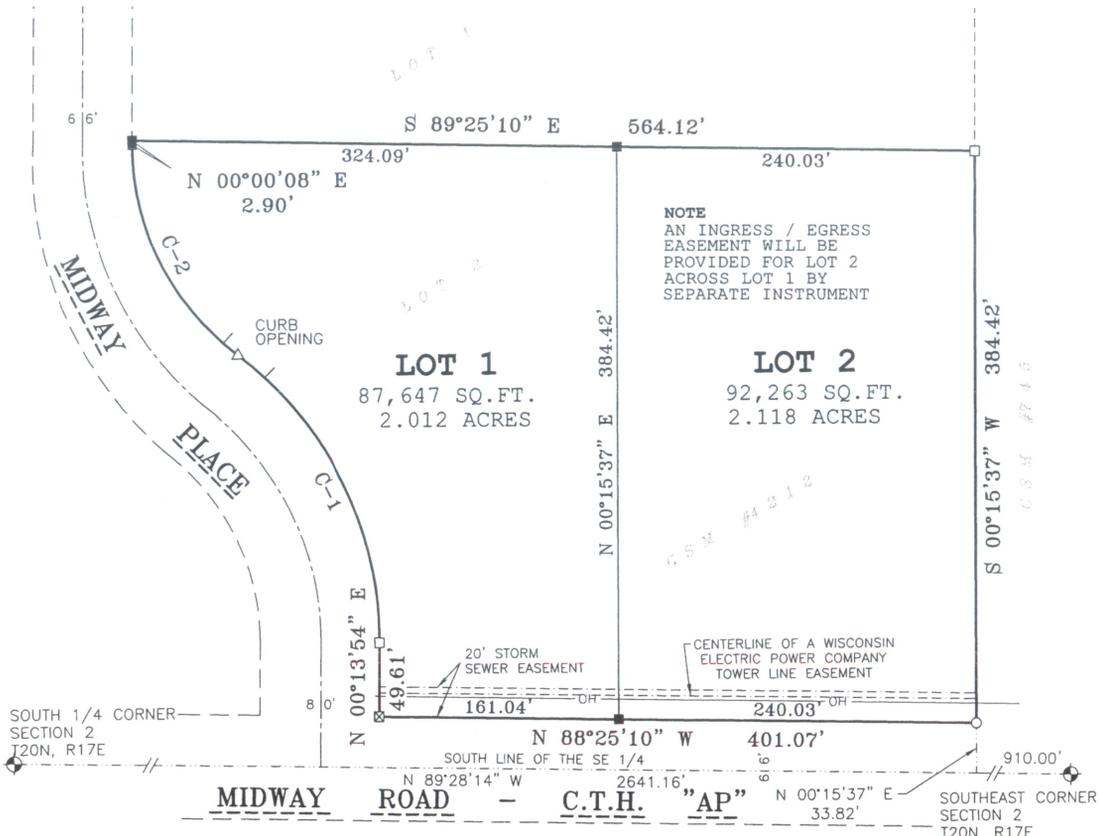
ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4212 AS DOCUMENT #1053755 LOCATED IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4, SECTION 2, TOWNSHIP 20 NORTH, RANGE 17 EAST, CITY OF MENASHA, WINNEBAGO COUNTY, WISCONSIN



LEGEND

- 1" IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
- ☒ CHISELED "X" SET
- 1" IRON PIPE FOUND
- △ P.K. NAIL FOUND
- 3/4" REBAR FOUND
- ◆ GOVERNMENT CORNER
- OH— OVERHEAD ELECTRIC LINE

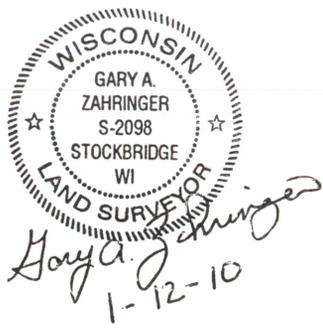
SURVEY FOR:  
MENN LAW FIRM  
ATTN: STEVE FRASSETTO  
P.O. BOX 785  
APPLETON, WI 54912-0785



**NOTE**  
AN INGRESS / EGRESS EASEMENT WILL BE PROVIDED FOR LOT 2 ACROSS LOT 1 BY SEPARATE INSTRUMENT

CURVE TABLE

| CURVE | RADIUS  | LENGTH  | CHORD BEARING   | CHORD   |
|-------|---------|---------|-----------------|---------|
| 1     | 240.00' | 222.01' | N 26°16'09.5" W | 214.18' |
| 2     | 177.72' | 163.68' | N 26°23'02.5" W | 157.96' |



**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

PROJECT NO. 264-362  
FILE 264362csm.dwg SHEET 1 OF 3  
THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I, GARY A. ZHRINGER, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED, AT THE DIRECTION OF CAPITAL CREDIT UNION, ALL OF LOT 2 OF CERTIFIED SURVEY MAP #4212 AS DOCUMENT #1053755 LOCATED IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWN 20 NORTH, RANGE 17 EAST, CITY OF MENASHA, WINNEBAGO COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE NORTH 89 DEGREES 28 MINUTES 14 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 910.00 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 37 SECONDS EAST, 33.82 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 25 MINUTES 10 SECONDS WEST, ALONG THE NORTH RIGHT OF WAY LINE OF MIDWAY ROAD / C.T.H. "AP", 401.07 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 54 SECONDS EAST, ALONG THE EAST RIGHT OF WAY LINE OF MIDWAY PLACE, 49.61 FEET; THENCE, ALONG SAID EAST RIGHT OF WAY LINE, 222.01 FEET ALONG AN ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 240.00 FEET WITH A CHORD WHICH BEARS NORTH 26 DEGREES 16 MINUTES 09.5 SECONDS WEST, 214.18 FEET; THENCE, ALONG SAID EAST RIGHT OF WAY LINE, 163.68 FEET ALONG AN ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 177.72 FEET WITH A CHORD WHICH BEARS NORTH 26 DEGREES 23 MINUTES 02.5 SECONDS WEST, 157.96 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE, 2.90 FEET; THENCE SOUTH 89 DEGREES 25 MINUTES 10 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 564.12 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 37 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 384.42 FEET TO THE POINT OF BEGINNING, CONTAINING 179,910 SQUARE FEET (4.130 ACRES) AND SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, DIVIDING, AND MAPPING THE SAME, AND THE CITY OF MENASHA AND WINNEBAGO COUNTY SUBDIVISION ORDINANCES.

THIS MAP IS A CORRECT REPRESENTATION OF ALL OF THE EXTERIOR BOUNDARIES OF LAND SURVEYED AND THE DIVISION THEREOF.

GIVEN UNDER MY HAND THIS 12<sup>th</sup> DAY OF January, 2010.

  
GARY A. ZHRINGER REG. WI LAND SURVEYOR S-2098



**THIS CERTIFIED SURVEY MAP IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENTS**

| OWNERS OF RECORD     | RECORDING INFORMATION | PARCEL NUMBER |
|----------------------|-----------------------|---------------|
| CAPITAL CREDIT UNION | DOC #1053755          | 74-0-0776-05  |

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

**CORPORATE OWNER'S CERTIFICATE**

CAPITAL CREDIT UNION, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, HEREBY CERTIFY THAT WE CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED, DIVIDED AND MAPPED ALL AS SHOWN AND REPRESENTED ON THIS MAP.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

PRESIDENT \_\_\_\_\_ SECRETARY \_\_\_\_\_

STATE OF WISCONSIN )  
 ) SS  
WINNEBAGO COUNTY )

PERSONALLY CAME BEFORE ME ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010,  
THE ABOVE OWNERS TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING  
INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

**COMMON COUNCIL RESOLUTION**

RESOLVED, THIS MINOR SUBDIVISION IN THE CITY OF MENASHA, IS HEREBY APPROVED BY  
THE COMMON COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_ CLERK \_\_\_\_\_ DATE \_\_\_\_\_

**TREASURER'S CERTIFICATE**

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL  
ASSESSMENTS ON ANY OF THE LANDS SHOWN HEREON.

CITY TREASURER \_\_\_\_\_ COUNTY TREASURER \_\_\_\_\_

DATE \_\_\_\_\_ DATE \_\_\_\_\_



*Gary A. Zahringer*  
1-12-10