

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
August 2, 2016
MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:31 PM by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Ald. Benner and Commissioners Sturm, Schmidt, and DeCoster.

PLAN COMMISSION MEMBERS EXCUSED: Comm. Cruickshank.

OTHERS PRESENT: AP Englebert, CDC Heim, Ald. Arnie Collier, Thomas Almendarez (418 Broad St.), Ashley Breyer and Bill Blair (412 Broad St.), Chris Bratz (Century 21 Acre Realty), and Steve Grenell (Menasha Utilities).

C. MINUTES TO APPROVE

1. **Minutes of the July 12, 2016 Plan Commission Meeting**

Motion by Comm. Schmidt, seconded by Comm. DeCoster to approve the July 12, 2016 Plan Commission meeting minutes. The motion carried.

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

1. No one spoke.

E. CORRESPONDENCE

1. None.

F. DISCUSSION

1. None.

G. ACTION ITEMS

1. **Proposed Rezoning – 412 Broad Street – Parcel #1-00041-00**

AP Englebert delivered an overview of the rezoning request. Plan Commission had requested staff to look at potential for rezoning a larger area within the neighborhood. Staff review indicated that within the neighborhood the following uses were found: single family, two-family, three-family, four-family and commercial. If the direction would be to rezone a larger area within the neighborhood, staff would recommend multi-family zoning to accommodate the varying uses currently in existence. Staff also recommended the Comprehensive Plan be amended prior to the rezoning taking place.

Chris Bratz, realtor with Century 21 Acre Realty, shared statements made in an email by the current owner of the property at 412 Broad Street. The email indicates the difficulty in selling the house with the current Central Business District zoning classification.

Ashley Breyer and Bill Blair, applicants of the rezoning request, both spoke in favor of the property being rezoned to Single Family Residential. The rezoning would allow financing for them to purchase the home and continue to restore the home with period appropriate indoor lighting and paint.

Thomas Almendarez, adjoining property owner, indicated he purchased his property seven years ago and has been working on converting the house back to a single family residence. He

would prefer to have the area rezoned as well as his property to Single Family Residential.

Commissioners discussed the following:

- Rezoning procedures
- Review of Comprehensive Plan as a whole and focus on neighborhoods with similar issues
- Use of “transitional zoning” which would leave the current zoning as outlined in the Comprehensive Plan but allow for single family use for a period of time
- Comprehensive Plan amendment which would allow for rezoning of the parcels to multi-family and concerns with the multi-family classification
- Rezoning neighborhood as single family; however creates legal non-conforming parcels for many parcels
- Rezoning area to Single Family could stiffen the vision the Comprehensive Plan
- Viability of neighborhood if single family use is not allowed
- Possibility of opening neighborhood to blight if homes have been converted and not able to be used as single family.

Motion by Mayor Merkes, seconded by Comm. Sturm to recommend approval of the rezoning at 412 Broad Street to R-1 Single Family to the Common Council based on the following findings:

- rezoning preserves historic structure
- the structure was built as a single family home
- the existing use of the structure is single family home
- the current zoning is not consistent with the current use of the property
- the parcels surrounding the property have residential uses
- rezoning the parcel to its current use will not detrimentally effect the future use of the area as commercial if that use is desired in the future as envisioned in the comprehensive plan

Further discussion ensued to include: what is best for the community and the neighborhood, the use as a single family is not be prohibited by the city; the bank is not financing due to the current zoning, historic significance/preservation, intent of comprehensive plan to what the future of Menasha will look like, not following the comprehensive plan just to get financing approved, and continue use until comprehensive plan catches up. Motion carried on voice vote 3-2. Ald. Benner and Comm. Schmidt voted no.

2. **Proposed Rezoning – 1861-1863 Beck Street – Parcel #4-00919-01**

AP Englebert presented information regarding the proposed rezoning. Staff had been directed to review the property stated above along with five other properties in the neighborhood and that all six meet the zoning requirements to be zoned R2-A. Staff requested the commission approve the request before them and the other five properties would be brought back a future date.

Motion by Comm. Schmidt, seconded by Ald. Benner to recommend approval of the proposed rezoning of 1861-1863 Beck Street to the Common Council. The motion carried.

3. **Certified Survey Map – North Ridge Court**

AP Englebert explained the sixty (60) feet by one hundred twenty (120) feet section of Lot 1 had at one point been split off from the lot to the south by Warranty Deed and an official CSM had not been brought forward for review. The current owner of Lot 1 is proposing to build a new single family residence on the proposed Lot 1. Because the two lots have not yet been combined via a CSM, the owner would not be allowed to build a house as they are proposing as the house would cross over the property lines. All existing lots currently meet zoning standards.

Motion by Comm. Schmidt, seconded by Comm. DeCoster to recommend approval of the Certified Survey Map, North Ridge Court. The motion carried.

4. **Easement Agreement – Outlot 1 Second Addition Woodland Hills**

AP Englebert described that a plat was approved by the Plan Commission late 2015/early 2016 which a 15'x30' outlot was deeded to the City. Waverly Sanitary District was under the understanding that an easement was in place for the deeded property. Waverly Sanitary is not allowing hook up to new single family construction within the development. AP Englebert

stressed the importance to move this agreement forward which will allow current and future construction of new single family homes. This easement also allows the city to maintain a good faith relationship with the developer.

Motion by Mayor Merkes, seconded by Ald. Benner to recommend the easement, Outlot 1 Second Addition to Woodland Hills subdivision to the Common Council. The motion carried.

H. ADJOURNMENT

Motion by Comm. DeCoster, seconded by Ald. Benner, to adjourn at 4:31 PM. The motion carried.

Minutes respectfully submitted by CDC Heim.