

CITY OF MENASHA
Plan Commission
Menasha City Center, Room 133 – 100 Main Street
August 22, 2017
MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:36 PM by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Ald. Benner, EA Gordon, Commissioners Sturm, and Cruickshank.

PLAN COMMISSION MEMBERS EXCUSED: Commissioners Homan and Schmidt

OTHERS PRESENT: CDD Buck, PP Schroeder, Melanie Krause – Menasha Utilities, Tim Gosz – Menasha Utilities, and Sandra Dabill Taylor.

C. PUBLIC HEARING

1. Text Amendment to Title 13, Article C, Section 13-1-29(b) and (c)

Mayor Merkes opened the hearing at 3:36 PM.

Ms. Dabill Taylor spoke in favor of the proposed text amendment in order to restrict housing in commercial corridors, eliminate spot zoning, and protect commercial properties for commercial development. Ms. Dabill Taylor also suggested looking at similar language to restrict commercial zoning/uses in residential areas.

With no further comments, Mayor Merkes closed the hearing at 3:41 PM.

D. MINUTES TO APPROVE

1. Minutes of the July 11, 2017 Plan Commission Meeting

Motion by Comm. Cruickshank, seconded by Ald. Benner, to approve the July 11, 2017 Plan Commission meeting minutes as presented. The motion carried.

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

1. Ms. Dabill Taylor stated that she had no issues with declaring the two properties (Menasha Utilities and Old City Hall as surplus and placing them for sale; however, she did have some comments:

- Menasha Utilities lot – old water tower site: there should be or should have been requirements for the on-site generator to be screened in this residential area and buffered from the neighboring uses. She also questioned why the foundation wasn't removed with the demolition of the water tower itself.
- Old City Hall: what does the City intend to do to protect the Mural located on the eastern façade of the existing facility? Does the City want it, can it be protected, do we have an estimated cost to relocate it, etc.?
- General – the City should be setting an example for proper landscaping and the new City Hall signage should be at most a scrolling electronic message center versus a large led board with a variable message.

F. COMMUNICATION

1. None

G. DISCUSSION

1. None

H. ACTION ITEMS

With no objections the Mayor moved Action Item 2. Property Disposition – 745 Second Street – Parcel # 5-00159-00, on the Agenda to Action Item 1.

1. **Property Disposition – 745 Second St – Parcel #5-00159-00**

PP Schroeder introduced the request by Menasha Utilities to declare Lot 2 of the old water tower site located at 745 Second Street as surplus and available for disposition. The old water tower was removed from the overall property in 2013. Although combined as one parcel, this site is still legally Lot 1 and Lot 2 of Block 28 of the Original Plat of Menasha. At this time the Menasha Utilities Commission is only requesting Lot 2 to be deemed as surplus as Lot 1 still has an active generator on-site. Although the surrounding similar sized neighboring lots have an assessed land value of \$19,800, the Utility Commission has proposed a sale price of \$12,000 due to the foundation that remains underground on the property. This foundation will likely need be removed if the site could see redevelopment.

Ald. Benner concurred with Ms. Dabill Taylors public comment concern of why the generator was installed in the residential neighborhood without the addition of any screening. Staff responded that they were unaware of the history of the site plan approval for the generator placement and would need to look further into the history of its approval.

Comm. Cruickshank questioned if Lot 2 could be expanded to include a portion of Lot 1, making a larger and more desirable lot for sale. Staff explained that this would trigger the requirement of a CSM and would also require a variance as it would make Lot 1 a nonconforming lot with a lot width under the 60 feet minimum.

Mayor Merkes noted that this discussion stemmed from a neighbors request to purchase the westerly 10 feet of Lot 2 after the tower had been removed.

Motion by Comm. Strum, seconded by Comm. Cruickshank, to recommend approval of Menasha Utilities request to declare Lot 2 of Block 28 of the Original Plat of Menasha as surplus property and allow Menasha Utilities Commission to move forward with processing the disposition and sale of this property.

Discussion.

Ald. Benner made a motion to amend the original motion to add a condition that Menasha Utilities generator located on Lot 1 be screened and buffered to protect the residential character of Lot 2. Motion to amend seconded by EA Gordon.

The Commission discussed how and why the generator was installed in the first place without landscaping or screening. Staff was not familiar with the history of the site plan approval for the installation of the generator facility. With the understanding that staff would look into the history of approval of the generator prior to the Common Council meeting, Ald. Benner retracted his motion to amend the original motion, confirmed by EA Gordon.

Vote on the original motion - the motion carried.

2. **Text Amendment to Title 13, Article C, Section 13-1-29(b) and (c)**

CDD Buck introduced the proposed text amendment to revise the C-1 General Commercial district to require that “all permitted uses in the R-2 Two Family Residence District” be required to obtain a Special Use Permit approval instead of simply being a Permitted Use by right. CDD Buck explained that the existing language allows a property owner to construct a new single or two-family home in a general commercial area zoned C-1, which is generally located on an arterial corridor. While there are many existing homes that are currently located within the C-1 district, these homes would retain a legal conforming status at the time of the adoption of this amendment. Any major addition, expansion, or new construction would be reviewed on a case-by-case basis requiring approval through the Special Use Permit process.

Ald. Benner questioned whether a Special Use would be specific to a property or to an owner

and if that Special Use Permit would be revocable. Staff explained that a Special Use Permit is specific to the property of question and that the permit would be revocable if the conditions placed on the Special Use Permit were not followed through or if no permits were taken out within 12 months of Common Council approval.

Motion by Ald. Benner, seconded by Comm. Cruickshank, to recommend approval of the text amendment to Municipal Code Title 13, Article C, Section 13-1-29 to revise "All permitted uses in the R-2 Two Family Residence District" from being "Permitted Uses" under 13-1-29(b) to "Special Uses" under 13-1-29(c) within the C-1 General Commercial District.

The motion carried.

3. **Property Disposition – 140 Main St – Parcel #2-00060-00**

CDD Buck introduced the action item requesting the declaration of the old City Hall property located at 140 Main Street as surplus and available for disposition. As City hall has moved its operation to its new facility near the end of June, the old City Hall property and building are now vacant. CDD Buck explained that the process to move forward with marketing the site for sale is for the Plan Commission and the Common Council to first deem the property available for disposition. After this step is completed, the City can decide how they would like to proceed, whether that is to contract with a commercial real estate company to list the property or send out a request for proposals for redevelopment. CDD Buck also added that there are still some unknowns about the property including the fate of the large community mural adjacent or on the eastern façade of the building as well as the antennas placed atop the roof.

Comm. Strum recalled that he believed the mural, although potentially connected to the City Hall building, was designed and engineered to be a freestanding structure. Comm. Strum questioned whether or not the City should decide the future or at least review the options regarding the mural prior to declaring the property available for disposition. Discussion ensued about possibly making the mural an Outlot so the City would retain ownership at the current location, if it should be moved/relocated or if its retention at the current location should be incorporated as a condition of any sale agreement or request for proposals.

The Commission went into a depth discussion about the history, design, and possibly options for the mural moving forward. After some discussion, the Commission would like to pursue further options regarding the fate of the mural prior to declaring the old City Hall property as surplus and available for disposition. With that in mind, this action item has been tabled and the Commission requests that staff look into the history of the mural to confirm the construction to see if it could in fact be a standalone structure remaining in the same place without the building or if it would be feasible to relocate or if the old City Hall needs to remain in place to protect the future of this mural.

No motion taken.

I. ADJOURNMENT

Motion by EA Gordon, seconded by Comm. Cruickshank, to adjourn at 4:43 PM. The motion carried.

Minutes respectfully submitted by PP Schroeder.