

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**

**September 13, 2016
3:30 PM**

AGENDA

- 3:30 PM – Informal Public Hearing Regarding the Proposed Rezoning of 500, 510, 520, 530 Valley Road and 2623 Palisades Drive – Parcel # 4-00919-03, 4-00919-02, 4-00919-06, 4-00919-05 and 4-00919-04*
- 3:35 PM – Proposed Amendment to Title 13 of the Menasha Code of Ordinances Pertaining to Storage and Parking of Recreational Vehicles - Definitions*

A. CALL TO ORDER

B. ROLL CALL/EXCUSED ABSENCES

C. MINUTES TO APPROVE

1. [Minutes of the August 16, 2016 Plan Commission Meeting](#)

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

Five (5) minute time limit for each person

E. CORRESPONDENCE

- 1.

F. DISCUSSION

- 1.

G. ACTION ITEMS

1. [Proposed Rezoning – 500, 510, 520, 530 Valley Road and 2623 Palisades Drive – Parcel # 4-00919-03, 4-00919-02, 4-00919-06, 4-00919-05 and 4-00919-04](#)
2. [Ordinance O-XX-16 Relating to Storage and Parking of Recreational Vehicles – Definitions](#)
3. [Certified Survey Map – River Lea Court](#)

H. ADJOURNMENT

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
August 16, 2016
DRAFT MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:30 PM by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

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

PLAN COMMISSION MEMBERS EXCUSED: Comm. Sturm.

OTHERS PRESENT: CDD Buck, CDC Heim, Dave Schmalz (McMahon), and Steve Grenell (Menasha Utilities).

C. MINUTES TO APPROVE

1. **Minutes of the August 2, 2016 Plan Commission Meeting**

Motion by Ald. Benner, seconded by Comm. DeCoster to approve the August 2, 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. **Certified Survey Map – Lake Cottage Estates, West**

CDD Buck explained that the CSM before the Plan Commission was the final CSM for the Lake Cottage Estates area. All lots meet zoning standards therefore staff recommends approval.

Dave Schmalz, McMahon, stated that the trail dedication on the CSM will remain on the CSM. The trail dedication does not impact the CSM before the Plan Commission.

Commissioners discussed the annexations by the Town/Village of Harrison and how it is no longer feasible for the city to extend the trail to Kernan Avenue and the expansion of the trail through the wetlands to the north of this development is proving challenging.

Motion by Ald. Benner, seconded by Comm. DeCoster to recommend approval of Certified Survey Map, Lake Cottage Estates, West. The motion carried.

2. **Certified Survey Map – Carpenter Street**

CDD Buck presented the CSM for the lot combination from two lots to one lot. The zoning and use of the property allow for the lot combination and therefore staff recommends approval.

Commissioners expressed concern that the use of the structure will go from single family residential, zero lot line to a duplex which in turns suggests possible non-owner occupied rental of the property. Currently the properties are owned by the same corporation.

CDC Heim offered the history of the parcel. Originally the parcel was one lot, zoned R-2, Two-Family Residence District with the use of the structure being a duplex. At some point, the subject parcel along with the other two on the street were rezoned to R-2A, Multi-Family, Zero Lot Line Residence District. This rezoning allowed the lot to be split into two separate parcels and the use of the structure changed to two, zero lot line single family residences. The CSM before the Commission is bringing the two parcels back to one single parcel and the use will be a duplex. CDD Buck again reiterated that the use and zoning of the parcel proposed in the CSM are allowable per the zoning code.

Motion by Comm. Cruickshank, seconded by Comm. DeCoster to recommend approval of Certified Survey Map, Carpenter Street. The motion carried.

H. ADJOURNMENT

Motion by Comm. Schmidt, seconded by Comm. DeCoster, to adjourn at 3:47 PM. The motion carried.

Minutes respectfully submitted by CDC Heim.



Memorandum

To: Plan Commission
From: Kevin Englebert, Associate Planner *KPE*
Date: September 7, 2016
RE: **Rezoning – 500, 510, 520, 530 Valley Road, and 2623 Palisades Drive (#4-00919-03, #4-00919-02, #4-00919-06, #4-00919-05, #4-00919-04)**

At the July 12th Plan Commission meeting, commissioners directed staff to research the possibility of rezoning six lots bordering Beck Street, Valley Road, and Palisades from R2 Two Family Residence District to R2-A Multi-Family, Zero Lot Line Residence District.

The City of Menasha subsequently rezoned one of the lots, 1861 Beck Street, from R-2 Two-Family Residence District to R-2A Multi-Family, Zero Lot Line Residence District following a petition from the owners. At this time, staff is bringing the remaining five lots to the commission for a consideration of a rezoning from R-2 to R-2A (see attached map).

The State of Wisconsin requires municipalities to make decisions regarding land use classifications that “further or do not contradict” the municipality’s comprehensive plan. The City of Menasha Comprehensive Plan classifies these properties as *Low-Density Residential*. In this case, rezoning the properties from the R-2 District to the R-2A District would not change the permitted uses of the property. It would allow the owners to subdivide their properties along a shared wall if desired and makes minor changes the density requirements of the properties. The proposed rezoning would not create any lot non-conformities.

Staff recommends approval of the rezoning of 500, 510, 520, 530 Valley Road, and 2623 Palisades Drive, based on the interpretation that the intended rezoning would not contradict the goals and objectives set forth in the City of Menasha Comprehensive Plan and would provide a consistent zoning classification for the neighborhood.



September 1, 2016

Dear Property Owner:

The City of Menasha Plan Commission and Common Council will hold public hearings regarding the proposed rezoning of properties on Valley Road and Palisades Drive. You are being notified in accordance with Section 13-1-142 of the Menasha Code of Ordinances, which requires notification of all property owners immediately adjacent and extending one hundred (100) feet from the properties. Please see the enclosed map and public notice for more information.

As part of the annual Comprehensive Plan Review, the City of Menasha Community Development Department is proposing to rezone the following properties from R-2 Two-Family District to R-2A Multi-Family, Zero Lot Line Residence District:

- 510-512 Valley Road (Parcel #4-00919-02)
- 500-502 Valley Road (Parcel #4-00919-03)
- 2623-2625 Palisades Drive (Parcel #4-00919-04)
- 530-532 Valley Road (Parcel #4-00919-05)
- 520-522 Valley Road (Parcel #4-00919-06)

The Plan Commission will be considering this rezoning at an informal public hearing on Tuesday, September 13, 2016 at 3:30 p.m. or shortly thereafter in the Third Floor Council Chambers of City Hall, 140 Main Street. Persons interested in this matter will be given an opportunity to comment and ask questions about the proposed rezoning. A second public hearing before the Common Council will be held Monday, September 19, 2016 at 6:00 p.m. or shortly thereafter in the Council Chambers of City Hall, 140 Main Street.

If you have any questions, please contact me at 920-967-3650 or by email at kheim@ci.menasha.wi.us.

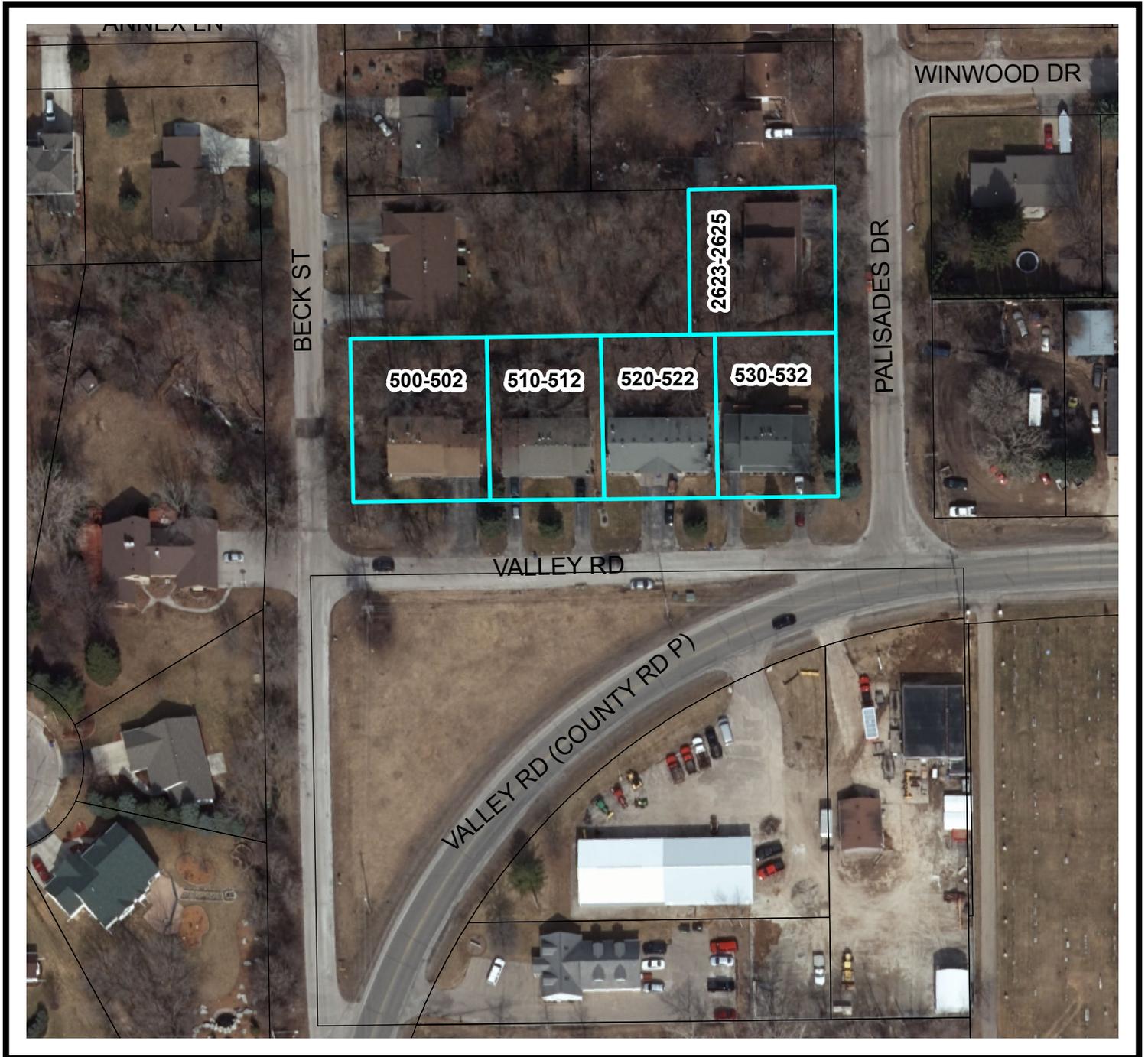
Sincerely,

Kristi Heim
Community Development Coordinator

Enclosures

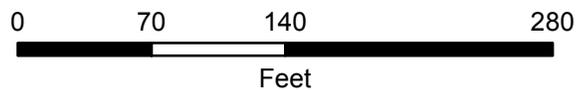
C: City of Menasha Plan Commission ✓
City Clerk Deborah Galeazzi

Proposed Rezoning from R-2 Two-Family Residence District to R-2A Multi-Family, Zero Lot Line Residence District



Legend

-  Parcels Proposed for Rezoning:
ID# 4-00919-02, 4-00919-03,
4-00919-04, 4-00919-05,
and 4-00919-06



CITY OF MENASHA
Public Hearing

NOTICE IS HEREBY GIVEN that the City of Menasha Plan Commission and Common Council will hold public hearings regarding the proposed rezoning of properties on Valley Road and Palisades Drive.

As part of the annual Comprehensive Plan Review, the City of Menasha Community Development Department is proposing to rezone the following properties from R-2 Two-Family District to R-2A Multi-Family, Zero Lot Line Residence District: 510-512 Valley Road (Parcel #4-00919-02), 500-502 Valley Road (Parcel #4-00919-03), 2623-2625 Palisades Drive (Parcel #4-00919-04), 530-532 Valley Road (Parcel #4-00919-05) and 520-522 Valley Road (Parcel #4-00919-06).

The Plan Commission will be considering this rezoning at an informal public hearing on Tuesday, September 13, 2016 at 3:30 p.m. or shortly thereafter in the Third Floor Council Chambers of City Hall, 140 Main Street. Persons interested in this matter will be given an opportunity to comment and ask questions about the proposed rezoning. A second public hearing before the Common Council will be held Monday, September 19, 2016 at 6:00 p.m. or shortly thereafter in the Council Chambers of City Hall, 140 Main Street.

Deborah A. Galeazzi
City Clerk

Publish: September 8 and 12, 2016.



MEMORANDUM

To: Plan Commission
From: Kristi Heim, ^{*KH*} Community Development Coordinator
Date: September 8, 2016
RE: Proposed Amendment to the Zoning Code to Expand the Definition of a Recreational Vehicle

Community Development staff was solicited to research and propose changes to Sec. 13-1-52 Storage and Parking of Recreational Vehicles, specifically to expand the definition of Recreational Vehicle to include all-terrain vehicles (ATV) and snowmobiles.

The proposed definitions were adopted from the Wisconsin Statutes, Chapter 340; Subchapter 340.01. The ordinance revision will give Community Development and Code Enforcement staff more specific language to use when enforcing the parking and storing of these types of vehicles.

Staff recommends approval of the ordinance revision to expand the definition of a Recreational Vehicle.

ORDINANCE O-XX-16

AN ORDINANCE AMENDING TITLE 13, CHAPTER 1 OF THE CODE OF ORDINANCES

(Zoning)

INTRODUCED BY _____ AT THE RECOMMENDATION OF THE PLAN COMMISSION.

The Common Council of the City of Menasha does hereby ordain as follows:

SECTION 1: Amend Title 13, Chapter 1, SEC 13-1-52 of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

Title 13 – Zoning

CHAPTER 1

Zoning Code

ARTICLE E

Traffic Visibility, Loading, Parking and Access

SEC. 13-1-52 STORAGE AND PARKING OF RECREATIONAL VEHICLES.

...

(2) Recreational Vehicle. Recreational vehicle means any of the following:

...

- h. All-terrain Vehicle (ATV) means a commercially designed and manufactured motor-driven device that has a weight, without fluids, of 900 pounds or less, has a width of 50 inches or less, is equipped with a seat designed to be straddled by the operator, and travels on 3 or more low-pressure tires or non-pneumatic tires.
- i. Snowmobile means an engine-driven vehicle that is manufactured solely for snowmobiling, that has an endless belt tread and sled-type runners, or skis, to be used in contact with snow .

...

SECTION 2: This amending Ordinance shall take effect upon passage and publication as provided by law.

Passed and approved this _____ day of _____, 2016.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk



MEMORANDUM

To: Plan Commission
From: David Buck, CDD

Date: September 7, 2016

RE: Certified Survey Map for River Lea Court – Lot line Adjustment

Martenson & Eisele, Inc. requests approval of a Certified Survey Map (CSM) adjusting property lines for existing single family residential lots on River Lea Court. The petitioner proposes to shift/move two side lot lines for established lots as follows:

1. Move the northwestern side lot line of proposed Lot 1 / 850 River Lea Court (Lot 1 CSM 6965) south transferring 953 square feet of property to proposed Lot 2 / 854 River Lea Court (Lot 2 CSM 6965) to match the location of a previously installed driveway at 854 River Lea Court.
2. Move the northern side lot line of proposed Lot 3 / 868 River Lea Court (Lot 1 CSM 6966) north transferring 318 square feet of property to proposed Lot 4 / 862 River Lea Court (Lot 4 CSM 6965) to “straighten out” the common property line removing “odd” and confusing angles associated with both parcels.

The proposed adjustments will not create any nonconformity with required lot widths, sizes, setbacks or other dimensional regulations associated with the R-1 Single Family Residence District nor will it be in conflict with the Comprehensive Plans future land-use designation of Low Density Residential.

Staff recommends approval of the CSM, as proposed.



Lot Line Adjustment of
953 sq ft from 850 to 854

Lot Line Adjustment of
318 sq ft from 868 to 862

**Certified Survey Map
River Lea Court**

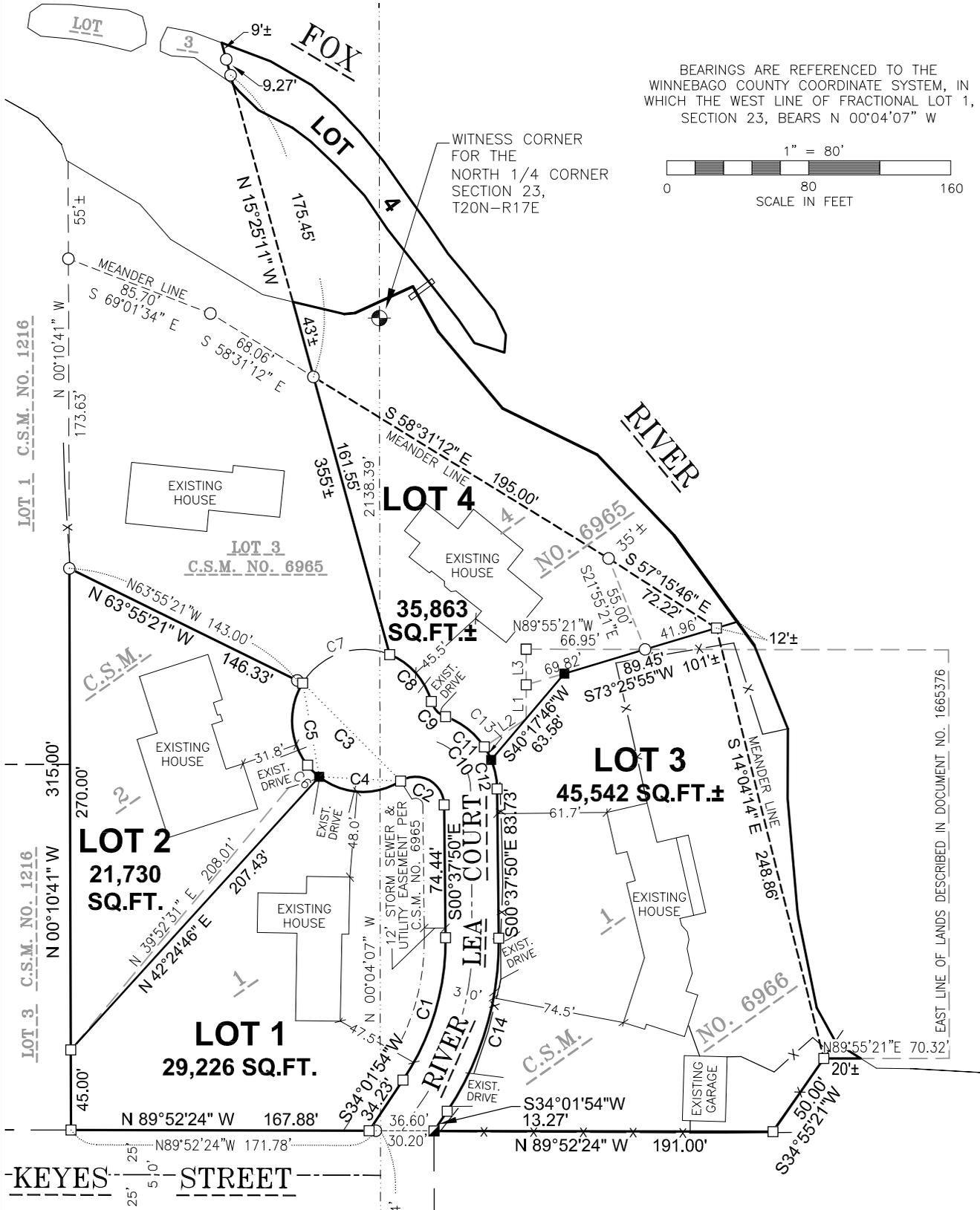
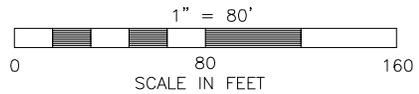


The City of Menasha creates and provides maps for INFORMATIONAL PURPOSES ONLY. The City makes no claims to accuracy or completeness, provides no warranties of any kind, and assumes no liability for their use.

CERTIFIED SURVEY MAP NO. _____

ALL OF LOTS 1, 2 AND 4 OF CERTIFIED SURVEY MAP NO. 6965 AND ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6966; ALL BEING PART OF FRACTIONAL GOVERNMENT LOT 1 AND 2, SECTION 23, TOWNSHIP 20 NORTH, RANGE 17 EAST, IN THE THIRD WARD, CITY OF MENASHA, WINNEBAGO COUNTY, WISCONSIN.

BEARINGS ARE REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM, IN WHICH THE WEST LINE OF FRACTIONAL LOT 1, SECTION 23, BEARS N 00°04'07" W



LINE TABLE

L1 =	S 00°05'01" E	19.00'
L2 =	S 56°28'23" W	28.44'
L3 =	S 00°05'01" E	20.00'

SEE SHEET 2 FOR CURVE TABLE, NOTES AND RESTRICTIONS.

WILLOW LN.

SOUTHWEST CORNER FRACTIONAL LOT 1 AND CENTER OF SECTION 23, T20N-R17E

LEGEND

- 1" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
- 1" O.D. IRON PIPE FOUND
- ▣ 2" O.D. IRON PIPE FOUND
- 3/4" O.D. REBAR FOUND
- ◆ GOVERNMENT CORNER ALUMINUM COUNTY MONUMENT FOUND

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

Planning
 Environmental
 Surveying
 Engineering
 Architecture

SURVEY FOR:
 SUE ERDMANN
 854 RIVER LEA COURT
 MENASHA, WI 54952
 AND
 THOMAS SCHEETZ
 862 RIVER LEA COURT
 MENASHA, WI 54952

PROJECT NO. 1-0842-001
 FILE 1-0842-001csm SHEET 1 OF 5
 THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar

CERTIFIED SURVEY MAP NO. _____

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
1	140.00'	034°39'44"	84.70'	N 16°42'02" E	83.41'
2	16.00'	121°25'52"	33.91'	N 61°20'46" W	27.91'
3	40.00'	153°50'13"	107.40'	S 45°08'35" E	77.92'
4	40.00'	070°11'14"	49.00'	S 86°58'05" E	45.99'
5	40.00'	083°38'59"	58.40'	S 10°02'58" E	53.35'
6	40.00'	013°13'54"	9.24'	S 45°15'31" E	9.22'
7	40.00'	080°18'54"	56.07'	S 71°55'58" W	51.59'
8	40.00'	052°19'59"	36.54'	N 41°44'35" W	35.28'
9	12.50'	055°21'06"	12.08'	S 43°05'17" E	11.61'
10	43.50'	070°08'00"	53.25'	N 35°41'50" W	49.98'
11	43.50'	048°09'12"	36.56'	N 46°41'14" W	35.49'
12	43.50'	021°58'48"	16.69'	N 11°37'14" W	16.59'
13	43.50'	011°05'38"	8.42'	N 28°09'27" W	8.41'
14	170.00'	034°39'44"	102.84'	N 16°42'02" E	101.28'

NOTES AND RESTRICTIONS:

ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF THE FOX RIVER, IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1 OF THE STATE CONSTITUTION.

ALL BUILDING SETBACKS AND OTHER LAND USE REQUIREMENTS SHOULD BE VERIFIED BY THE CITY OF MENASHA ZONING DEPARTMENT PRIOR TO ANY CONSTRUCTION OR OTHER LAND USE ACTIVITY.

SURVEYOR'S CERTIFICATE:

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

THAT I HAVE SURVEYED, MAPPED AND DIVIDED AT THE DIRECTION OF SUE ERDMANN AND THOMAS SCHEETZ,

ALL OF LOTS 1, 2 AND 4 OF CERTIFIED SURVEY MAP NO. 6965, FILED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 6965, AS DOCUMENT NO. 1690927; AND ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6966, FILED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 6966, AS DOCUMENT NO. 1690928; ALL BEING PART OF FRACTIONAL GOVERNMENT LOT 1 AND 2, SECTION 23, TOWNSHIP 20 NORTH, RANGE 17 EAST, IN THE THIRD WARD, CITY OF MENASHA, WINNEBAGO COUNTY, WISCONSIN. CONTAINING 132,361 SQUARE FEET MORE OR LESS [3.04 ACRES +/-], INCLUDING ALL LANDS LYING BETWEEN SAID MEANDER LINE AND THE WATERS' EDGE. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

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

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

GIVEN UNDER MY HAND THIS 15TH DAY OF AUGUST, 2016.

GARY A. ZHRINGER, PROFESSIONAL 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:
BARBARA J. BALLARD	DOCUMENT NO. 1598531	3-00105-05
DAVID L. ERDMANN TRUST	DOCUMENT NO. 688424	3-00105-04
SCHEETZ REVOCABLE TRUST	DOCUMENT NO. 783224	3-00105-02
JENSEN BUCHANAN	DOCUMENT NO. 1665376	3-00029-00

CERTIFIED SURVEY MAP NO. _____

COMMON COUNCIL RESOLUTION:

RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MENASHA, THAT THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED.

DATED THIS _____ DAY OF _____, 2016.

MAYOR

CITY CLERK

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

DATE

OWNERS CERTIFICATE:

AS OWNER, I, THE UNDERSIGNED, HEREBY CERTIFY THAT I CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED, DIVIDED AND MAPPED ALL AS SHOWN AND REPRESENTED ON THIS MAP.

DATED THIS _____ DAY OF _____, 2016.

BARBARA J. BALLARD

STATE OF WISCONSIN)
)SS
WINNEBAGO COUNTY)

PERSONALLY CAME BEFORE ME ON THE _____
DAY OF _____, 2016, THE ABOVE OWNER(S)
TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE
FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION (IS PERMANENT)
(EXPIRES: _____)

CERTIFIED SURVEY MAP NO. _____

SCHEETZ REVOCABLE TRUST OWNERS CERTIFICATE:

AS OWNER, I, THE UNDERSIGNED, HEREBY CERTIFY THAT I CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED, DIVIDED AND MAPPED ALL AS SHOWN AND REPRESENTED ON THIS MAP.

DATED THIS _____ DAY OF _____, 2016.

PRINT NAME AND TITLE

SIGNATURE

STATE OF WISCONSIN)
)SS
WINNEBAGO COUNTY)

PERSONALLY CAME BEFORE ME ON THE _____ DAY OF _____, 2016, THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION (IS PERMANENT)
(EXPIRES: _____)

OWNERS CERTIFICATE:

AS OWNER, I, THE UNDERSIGNED, HEREBY CERTIFY THAT I CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED, DIVIDED AND MAPPED ALL AS SHOWN AND REPRESENTED ON THIS MAP.

DATED THIS _____ DAY OF _____, 2016.

JENSEN BUCHANAN

STATE OF WISCONSIN)
)SS
WINNEBAGO COUNTY)

PERSONALLY CAME BEFORE ME ON THE _____ DAY OF _____, 2016, THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION (IS PERMANENT)
(EXPIRES: _____)

CERTIFIED SURVEY MAP NO. _____

ERDMANN TRUST OWNERS CERTIFICATE:

AS OWNER, I, THE UNDERSIGNED, HEREBY CERTIFY THAT I CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED, DIVIDED AND MAPPED ALL AS SHOWN AND REPRESENTED ON THIS MAP.

DATED THIS _____ DAY OF _____, 2016.

PRINT NAME AND TITLE

SIGNATURE

STATE OF WISCONSIN)
)SS
WINNEBAGO COUNTY)

PERSONALLY CAME BEFORE ME ON THE _____ DAY OF _____, 2016, THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION (IS PERMANENT)
(EXPIRES: _____)