

**CITY OF WAUPACA
CITY PLAN COMMISSION**

**REGULAR MEETING
COUNCIL CHAMBERS, CITY HALL**

**WEDNESDAY OCTOBER 5, 2022
5:24 P.M.**

1. ROLL CALL

Present: Mayor Brian Smith, Chairperson, Commissioners Ivan Wayne, Ald. Eric Olson, Pat Phair, Ald. Henry Veleker and Justin Berrens, Public Works Director

Absent: Comm. Angela LeSage (excused)

Others Present: Jarod Rachu, Community & Economic Development Director and Aaron Jenson, City Administrator

2. APPROVAL OF AGENDA

MOVED by Ald. Olson **SECONDED** by Comm. Wayne to **APPROVE** the Agenda as presented. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote.

3. APPROVAL OF PLAN COMMISSION SEPTEMBER 7, 2022 PUBLIC HEARING AND MEETING MINUTES

MOVED by Comm. Wayne **SECONDED** by Comm. LeSage to **APPROVE** the Plan Commission September 7, 2022 Public Hearing and Meeting Minutes. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote.

4. ZONING CHANGE / TIMES SQUARE JOINT VENTURE, LLP, 800 W. FULTON STREET, PARCEL NO. 34-30-22-7, ORDINANCE NO. 20-2022

Jarod Rachu, Community and Economic Development Director explained that the current zoning on this property located at 800 W. Fulton Street is B-4 Strip Commercial District and R-1 Single-Family Residential District with a FSC Fulton Street Corridor Overlay District on the B-4 portion. Since this property is dual zoned it does not conform to the City's Zoning Code. Given the request to split the parcel, the City required the property owners to eliminate the dual zoning situation by rezoning the property. Mr. Rachu said staff is recommending approval subject to the condition that the property owner shall be required to obtain all other necessary zoning and building permits as required.

MOVED by Ald. Olson, **SECONDED** by Comm. Wayne to **APPROVE AND RECOMMEND TO COUNCIL** the Zoning Change for Times Square Joint Venture, LLP, 800 W. Fulton Street, Parcel No. 34-30-22-7 to B-4 Strip Commercial District, Ordinance No. 20-2022. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote.

5. CERTIFIED SURVEY MAP / TIMES SQUARE JOINT VENTURE, LLP, OWNER, AMERCO REAL ESTATE COMPANY, APPLICANT, 800 W. FULTON STREET

Community and Economic Development Director Jarod Rachu said Times Square Joint Venture, LLP owners of the property located at 800 W. Fulton Street have submitted a request for a Certified Survey Map to split this property into two smaller lots, one on the north and one on the south. Conditions of the Certified Survey map include:

- (1) All lot and site standards shall be met and maintained (on an individual basis) for Unit 1 and Unit 2.
- (2) Verification of condition 1 shall be produced and recorded through a site plan approval process.
- (3) All site plan permits and other zoning permits shall be required and produced as needed.

- (4) Utilities shall be evaluated and adjusted, as needed, to conform to all City and Utility requirements and regulations.
- (5) Traffic, landscaping, stormwater and other zoning and planning items shall be evaluated and adjusted as needed to accommodate this parcel division to maintain the purpose of the city code.

MOVED by Ald. Veleker, **SECONDED** by Comm. Wayne to **APPROVE AND RECOMMEND TO COUNCIL** the Certified Survey Map for Times Square Joint Venture, LLP, Owner, Amerco Real Estate Company, Applicant for property located at 800 W. Fulton Street, subject to the conditions as stated above. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote.

6. CONDOMINIUM PLAT / TIMES SQUARE CONDOMINIUMS, TIMES SQUARE JOINT VENTURE, LLP, OWNER, 800 W. FULTON STREET

Jarod Rachu, Community and Economic Development Director said Times Square Joint Venture, LLP is requesting approval of a Condominium Plat to split this parcel into two units, one on the west, the old Kmart and one to the east, Piggly Wiggly. Conditions of the Certified Survey map include:

- (1) All lot and site standards shall be met and maintained (on an individual basis) for Unit 1 and Unit 2.
- (2) Verification of condition 1 shall be produced and recorded through a site plan approval process.
- (3) All site plan permits and other zoning permits shall be required and produced as needed.
- (4) Utilities shall be evaluated and adjusted, as needed, to conform to all City and Utility requirements and regulations.
- (5) Traffic, landscaping, stormwater and other zoning and planning items shall be evaluated and adjusted as needed to accommodate this parcel division to maintain the purpose of the city code.

MOVED by Ald. Veleker, **SECONDED** by Comm. Wayne to **APPROVE AND RECOMMEND TO COUNCIL** the Condominium Plat for Times Square Condominiums, Times Square Joint Venture, LLP, Owner, 800 W. Fulton Street subject to the conditions as stated above. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote

7. ORDINANCE NO. 21-2022 / AMENDMENT TO CHAPTERS 17.121(3) R-1 DIMENSIONAL STANDARDS, 17.122(3) R-2 DIMENSIONAL STANDARDS, 17.123(3) R-3 DIMENSIONAL STANDARDS, 17.131(3) B-1 DIMENSIONAL STANDARDS, 17.141(3) I-1 DIMENSIONAL STANDARDS, 17.142(3) I-2 DIMENSIONAL STANDARDS

Jarod Rachu, Community and Economic Development Director described the proposed changes to amend Chapter 17, Zoning Ordinance, affecting R-1, R-2, R-3, B-1, I-1 and I-2 zoning districts.

MOVED by Comm. Phair, **SECONDED** by Ald. Olson to **APPROVE AND RECOMMEND TO COUNCIL** Ordinance No. 21-2022 / Amendment to Chapters 17.121(3) R-1 Dimensional Standards, 17.122(3) R-2 Dimensional Standards, 17.123(3), R-3 Dimensional Standards, 17.131(3) B-1 Dimensional Standards, 17.141(3) I-1 Dimensional Standards, 17.142(3) I-2 Dimensional Standards. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote

8. DISCUSSION ITEMS: ACCESSORY STRUCTURE DISCUSSION

Jarod Rachu, Community and Economic Development Director described the proposed changes to accessory structures saying he received calls from property owners interested in constructing a 10x20 accessory structure for extra storage. Per the city’s code, Mr. Rachu had to tell them they were not allowed to do this because it did not allow for any accessory structures in any street yard. He is proposing a change to say that an accessory structure is not allowed in the *primary* street yard. The Plan Commission suggested that Mr. Rachu draft an ordinance and bring forward at a future meeting.

MOVED by Comm. Phair, **SECONDED** by Comm. Wayne to **APPROVE** and bring forward a draft accessory structure Ordinance for Plan Commission to review. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote

9. REPORTS: INTERNAL SITE PLAN REVIEW REPORT / SEPTEMBER 2022 PERMIT REPORT / CODE ENFORCEMENT STATUS REPORTS / DEVELOPMENT UPDATES

- Internal Site Plan Review Report** – internal reviews have slowed.
- September 2022 Permit Report** – permit issuance is still high.
- Code Enforcement Status Reports** – a building inspector has been hired and will start on October 17, 2022.
- Development Updates** – Council approved a Development Agreement for a 120-unit apartment building in River North Subdivision.

10. ADJOURNMENT

MOVED by Ald. Olson, **SECONDED** by Comm. Wayne, to **ADJOURN** the October 5, 2022 Regular City Plan Commission Meeting. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote.

The meeting adjourned at 6:15 p.m.

Mayor Brian Smith, Chairperson

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