

**PLAN COMMISSION MINUTES  
SEPTEMBER 26, 2017  
CITY OF BERLIN  
BERLIN, WISCONSIN**

The September 26, 2017 Plan Commission meeting was called to order at 6:00 p.m. by Mayor Schramer. Roll call present were: Mayor Schramer, Bobbie Erdmann, Dave Secora, Mary Kubiak, Charlie Beard, Justin Lindahl and Ed Marks. Also present were Lindsey Kemnitz and Attorney Chier.

First item on the agenda was approval of the August 29<sup>th</sup>, 2017 Plan Commission minutes. Erdmann moved to approve the August 29<sup>th</sup>, 2017 Plan Commission minutes. Secora seconded the motion, which carried by voice vote.

There was a public participation from Pat Bartol from 115 N. State Street that was relating to the Comprehensive Plan and wanted to express her concern of including her property in the amendment in the future land use map to commercial.

Next item was the agenda was the amendment of the future land use map for comprehensive plan update. Kemnitz said she provided the Commission a list of six properties that she felt should be changed. Attached was a map identifying the location of the six properties. Secora asked if the future land use map was changed to the recommendation, could the owners rebuild with the same use. Kemnitz answered and stated yes as the properties were not officially rezoned to a different use. After the Commission reviewing the six different properties, they did not see a reason to change the future land use map. Bobbie mentioned that St. Stanislaus is currently being used for storage and did not see it being an issue. Kemnitz mentioned that the public, govt, and parks properties are currently being used for residential and are currently zoned residential.

Another public comment was submitted by Brian Kivi of 180 E. Huron Street. Brian had a concern that a bar could be located across the street and asked what other uses could go there. Attorney Chier read the list of permitted uses. Attorney Chier clarified that the rezone and Comprehensive Plan are two different items and can express more concern when discussing the rezone. Brian stated he would rather see a dog park or green space in that area.

Erdmann reminded the citizen that the amendment to the future land use map does not affect the current zoning. Erdmann recommended postponing for another month.

Ed Marks mentioned that the EMS house should be included in the amendment to the future land use map, but not include the three residential homes on North State Street.

Kubiak mentioned that Dan Hoppa has come before the Commission prior to have his property rezoned to business; maybe we should review his property as well.

Beard stated that the amendment should include the NW corner and the previous Juliette Manor site to commercial.

Kubiak had concerns that we are not following the concerns from the neighbors. Attorney Chier stated that the site plan will come before Plan Commission and that is when the neighbors can suggest ideas.

The Mayor suggested including Pat's property for the change in the future land use map. Ed Marks stated he did not feel commercial should be across from a park. The Mayor then restated to have the NW corner and previous Juliette Manor site to be included in the changes for the future land use map.

Erdmann asked if the map was changed, could ThedaCare try and sell the property for residential, Kemnitz stated it could still be used for residential.

Kubiak stated she would be in favor, if the Commission would keep reviewing the rest of the City.

Erdmann accepted the resolution including 1-6 and northwest corner on the Juliette Manor block and the previous Juliette Manor Site. A voice vote was taken and there were 4 ayes and 2 nays, the vote was carried.

Next item on the agenda was the public hearing for the rezone for parcels 206-00321-0000, 206-00320-0000, 206-00315-0000, 206-00314-0000, 206-00326-0000, 206-00325-0000, and 206-00323-0000. The Mayor opened the public hearing at 6:36pm.

Jeff Mathis of 110 Spring Street asked the Commission if the City has considered extending Oak Street. He also asked if this rezone was for a specific project?

Richard Gubitza of 181 Park Avenue wanted clarification what uses is being considered? Why would we extend the commercial zoning when there are many vacant buildings within the downtown?

The Mayor called to speak for the rezone three times.

The Mayor called to speak against three times. The public hearing was closed at 6:43pm.

The Mayor opened the discussion for the Plan Commission. Beard said he has a concern of a hotel. Redgranite hotel sits less than half way full most of the time. The space is very underutilized.

The Mayor stated that if a hotel does not go in, something commercial will.

Beard knew the individual that use to own a hotel in Berlin and it was never above 50% occupancy. The City has not changed much since then. He doesn't believe if we build it, they will come.

The Mayor stated that no hotel will come without a hotel study.

Beard said he did 5 hours of independent survey and no one had any hope for the hotel. Talked to over 150 people and no one were positive.

Erdmann stated 322 people visited the museum and 19 of them were from out of state. Two people were in town for family reunions. She stated she heard from people that stopped in at the hotel on highway 49 and they told potential customers they were closed. The Mayor had relatives staying there and had to leave the next night because of a family emergency.

Justin asked who does the study and it is an independent. Kemnitz stated it is a private company and it is independent. He stated I do not believe residential will go in that location. It is a large lot and most marketable for commercial.

Ed reaffirmed that this rezone is not specific for a hotel project. He does not see it being residential in the future.

Beard stated he is not against rezoning it to the business zoning, it is the hotel.

Attorney Chier stated that the Commission cannot just say no to the project if it is a hotel at site plan review, they can require extra requirements.

Kubiak asked if a hotel would not go in, what could happen? Attorney Chier read through the list of permitted uses in B-1 district.

Secora stated that we are not tailoring the rezone for the hotel, just making it available for other business uses. He does not see someone building homes in the area.

Kubiak had a concern that it turns into business in that area, people will be racing down her street.

Attorney Chier stated if this rezone would go through, I would limit the time to one year.

Erdmann made a recommendation to Common Council from R-2 to B-1 one year from October 10<sup>th</sup>. Seconded by Lindahl. Roll call vote resulted in 5 ayes, 2 nays, and zero absent. Motion carried.

The next item on the agenda was the site plan review for BRC Properties LLC at 133 Enterprise Drive. Sarah Lachapell represented Aurora Manufacturing for the expansion. Recently they received a 17 year contract with Oshkosh Corporation. With the new contract, they needed additional space and bought 133 Enterprise from the BCDC in the North Industrial Park. Some of the property was considered wetlands once the surveyor came out. A letter was sent September 15<sup>th</sup> and within 30 days should get a response from the DNR.

Secora asked if any materials will be shipped back and forth between the two locations and Sarah stated there would not be as they are completely different products being made.

Secora made a motion to approve the site plan with the three recommendations Kunkel provided:

1. That the applicant procures all necessary permits to facilitate grading and construction with the State of Wisconsin delineated wetland. It is assumed that same will be provided by the U.S. Army Corps of Engineers and the Wisconsin Department of Natural Resources.

2. That all erosion control BMP's be installed and maintained throughout grading and construction activities in conformance with WDNR requirements until the site is stabilized.
3. That building plans be received and reviewed by the city building inspector and that permits be cured prior to initiation of construction.

Marks seconded the motion and it was carried by a voice vote.

The last item on the agenda was the accessory structure ordinance. Kemnitz stated that as Officer Krause and she have been working on the public nuisance cases, there have been many accessory structures that have come in question. Kemnitz was told that previous a permit was not required for small temporary structures. Kemnitz wants to regulate more of the temporary structures; many of the tarp like structures becomes a negative impact on surround neighbors.

Lindahl stated there should be size requirements and a small fee for the smaller sheds. The Mayor stated he has a concern of some of the building materials that people are using.

Attorney Chier stated it will start with a better definition of accessory structure and temporary structure.

Marks asked if Lindsey has looked into other communities and she states she did a little bit.

Attorney Chier stated we will need to add the chicken coops into the definition.

Erdmann made a motion to have staff investigate accessory structure ordinances. Seconded by Marks and was carried by a voice vote.

Under old business Kemnitz stated that the sign code will be ready for next month.

There was no new business.

Kubiak moved to adjourn at 7:27 p.m. Secora seconded the motion, which carried by voice vote.

*Lindsey Kemnitz, Community Development Director*