

CITY OF BERLIN PLAN COMMISSION MINUTES
January 21st, 2019
CITY OF BERLIN
BERLIN, WISCONSIN

The January 21st, 2019 City Plan Commission meeting was called to order at 1:00 p.m. by Mayor Schramer. Roll call present were: Mayor Schramer, Ed Marks, Justin Lindahl, Mary Kubiak, Bobbie Erdmann and Dave Secora. Also present were Lindsey Kemnitz and Attorney Chier.

First item on the agenda was approval of the December 18th, 2018 Plan Commission minutes. Marks moved to approve the December 18th, 2018 Plan Commission minutes as presented. Kubiak seconded the motion, which was carried by a voice vote.

The first discussion item was the agenda was the public hearing for amending the future land use map. Kemnitz provided a background stating the future land use map amendment was for the rezone which is the next item on the agenda for Majik Sweep. Schramer opened the public hearing at 1:05pm. Mayor Schramer asked if there were any questions. No questions were asked. Mayor Schramer asked for anyone to speak for. Dan Hertzburg the owner of Majik Sweep was present to speak for. He stated that he would like to build a warehouse for additional storage for related items to his business. Mayor Schramer asked for anyone speaking for two more times. No others spoke. Mayor Schramer asked for anyone to speak against. Gordon Johnson of 401 E. Park Ave was present to speak against. Johnson suggested the Plan Commission to have him apply for a use variance or conditional use permit rather than a rezone. He stated he owns two properties that are adjacent to the subject property. Johnson was worried about a potential gas station going there in the future if the property was rezoned to B-2. Johnson would like to keep a buffer between the residential and commercial properties. Mayor Schramer asked for anyone else to speak against two more times. No one spoke. The public hearing was closed at 1:13pm.

Mayor Schramer opened the discussion for the Plan Commission. Attorney Chier started the discussion, he mentioned that he spoke with Kemnitz about the potential use variance and Attorney Chier stated it would not pass the three part test. Also currently we do not allow businesses as a CUP in our residential district.

Erdmann mentioned that Johnson does not own any land directly abutting Majik Sweep. She also mentioned that Johnson's house is setback from the Majik Sweep. Since 1950 the property has been used for a business. Erdmann also mentioned there are a couple of businesses on that corridor such as auto repair, storage units, clinic, DK Trucking, Sadoff, and Hoppa Trucking.

Secora agreed with requiring some type of buffer between the residential and commercial properties. Secora asked if there is something in the zoning code that we can require it. Attorney Chier did not believe we do in the subdivision code. Secora recommended we postpone until the zoning code changes to require some type of buffer between the residential and commercial properties. Lindahl seconded the motion, which was carried by a voice vote.

Secora made a motion to postpone the public hearing for the rezone request until the buffer issue is resolved. Marks seconded the motion which was carried by a voice vote. Mayor Schramer asked for Kemnitz to send out updated notice when the rezone was going to be on the agenda again.

The next item on the agenda was a CUP request for 192 E. Huron Street. Mary Kubiak was there on behalf of the owner Jerry Plockelman. Plockelamn currently owns two buildings in the downtown, old church, and church in the community Kubiak provided the commission an overview of her request. She mentioned that vacant buildings deteriorate fast and can be costly to maintain. The building is on the historic register and is a landmark to the community. There would be community events such as concerts, recitals, educational classes. The sales would be one day events except in March.

Marks inquired the condition of Plockelman's current buildings. Kubiak mentioned that Kemntiz was just in the building this past week and she can give you her opinion of it. Kemntiz said the building is maintained. With older buildings there is always a large expense to maintain them and Plockelman is doing that. Erdmann mentioned that we need a place like this in our community.

The Commission request Kubiak provides them a list of all the potential events that could occur at the previous church. Erdmann made a motion to schedule the public hearing for the February Plan Commission meeting. Lindahl seconded the motion. There was a voice vote and Kubiak abstained from the vote and was passed.

The Commission continued to review the CUP ordinance.

The Commission did not discuss the accessory structure ordinance at all due to time.

There was no new or old business.

Secora moved to adjourn at 2:35 p.m. Lindahl seconded the motion, which carried by voice vote.

Lindsey Kemnitz, Community Development Director