

AGENDA
CITY OF BERLIN PLAN COMMISSION
MONDAY, JANUARY 21st, 2019 1:00 P.M.
CITY HALL COUNCIL CHAMBERS
CITY OF BERLIN, WI

- 1) Call meeting to order - Roll Call
- 2) Public Participation
- 3) Approval of Minutes –Plan Commission Meeting December 18th, 2018
- 4) Public Hearing for Amending Future Land Use for the parcels in rezone request below and to the east.
Recommendation: Discuss and recommend the amendments and resolution to Common Council
- 5) Public Hearing for Rezone for parcels 206-01178-0200, 206-01178-0100- and 206-01180-0000.
Recommendation: Discuss and recommend the rezone for 206-01178-0200, 206-01178-0100, and 206-01180-0000 from R-2 to B-2 to Common Council
- 6) Discuss and schedule public hearing for Conditional Use Permit Request at 192 E. Huron Street for adaptive reuse of church.
Recommendation: Schedule Public Hearing for the February meeting.
- 7) Review and Discuss Conditional Use Permit Ordinance
Recommendation: Action as Appropriate
- 8) Review and Discuss Temporary and Accessory Structure Ordinance
Recommendation: Action as Appropriate
- 9) Old Business
- 10) New Business
- 11) Next meeting date –February 26th, 2019
- 12) Adjourn

In adherence to the City of Berlin Public Meeting Participation Policy, public participation will be allowed under each agenda item at the discretion of the presiding officer. Attendees must register their intention to participate on either a general comments section or a specific agenda item prior to the meeting by filling out a Registration Card, which can be obtained from the Internet, City Clerk's office or in the City Hall Council Chambers at the podium. Registration Cards should be turned in prior to the meeting to either the presiding officer or City Clerk.

PLEASE CONTACT LINDSEY IF YOU CANNOT ATTEND - (920) 361-5156

CITY OF BERLIN PLAN COMMISSION MINUTES
December 18th, 2018
CITY OF BERLIN
BERLIN, WISCONSIN

The December 18th, 2018 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 and Dave Secora. Also present were Lindsey Kemnitz and Attorney Chier.

First item on the agenda was approval of the October 23rd, 2018 Plan Commission minutes. Secora moved to approve the October 23rd, 2018 Plan Commission minutes as presented. Lindahl seconded the motion, which was carried by a voice vote.

The first discussion item was the agenda was to schedule the public hearing for the rezone and amending the future land use map. Mayor Schramer asked this rezone would be considered a spot zoning. Attorney Chier stated it would not as there are three parcels requesting for rezone. Marks suggested if we are amending the future land use map to change the future land use map to the east to commercial. Kemnitz agreed with Mark's suggestions as this is more of a commercial corridor. Mayor asked if the residents would be in favor of the changes and Kemnitz suggested the owners would be notified. Secora made a motion to schedule the public hearing for 425, 435, 443 E. Huron Street from R-2 to B-2. Also schedule the public hearing for amending the future land use including the parcels located to the east. The motion was 2nd by Justin and carried by a voice vote.

Next on the agenda was update to the conditional use permit ordinance. The board continued to go through the conditional use permit ordinance sections. The changes will be presented after discussing the whole ordinance.

The second item to discuss was temporary and accessory structure ordinance. We did not discuss this due to some of the commission members leaving which caused the commission to not have a quorum.

There was no new or old business.

Kubiak moved to adjourn at 2:05 p.m. Secora seconded the motion, which carried by voice vote.

Lindsey Kemnitz, Community Development Director

DATE: January 11th, 2019

TO: Plan Commission

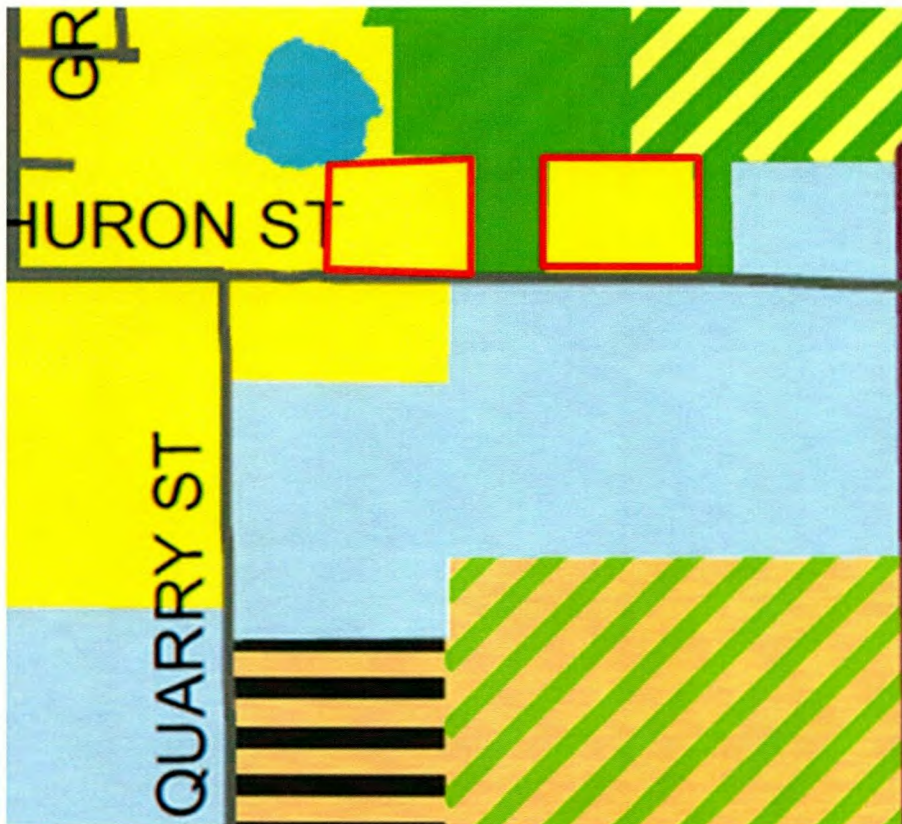
FROM: Lindsey Kemnitz

RE: Public Hearing for Amending Future Land use for the parcels in rezone request and surround parcels.

BACKGROUND:

Due to Daniel Hertzberg's request, the future land use map will have to be amended to approve the rezone request. The Commission suggested amending the future land use map for the properties to the east of Hertzberg's property due to the area being a commercial corridor. The left map has the zoning map and the right map is the future land use map. I have outlined the properties that would be switched to commercial use rather than residential.

RECOMMENDATION: Discuss and recommend the amendments of the future land use for the properties outlined in the map below to commercial use to Common Council



PLAN COMMISSION
RESOLUTION # _____

**A RESOLUTION BY THE PLAN COMMISSION TO RECOMMEND ADOPTION OF THE AMENDED
COMPREHENSIV PALN OF THE CITY OF BERLIN, WISCONSIN**

The Plan Commission of the City of Berlin, Wisconsin, do resolve as follows:

Section 1. Pursuant to section 62.23(2) and (3) of the Wisconsin Statutes, the City of Berlin, is authorized to amend its comprehensive plan as defined in section 66.10001(1)(a) and 66.100(2) of the Wisconsin Statutes.

Section 2. The City has held at least one public hearing on the subject matter of this Resolution on August 29, 2017, in compliance with the requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

Section 3. The Plan Commission of the City of Berlin, Wisconsin, does, by enactment of this Resolution, formally recommend adoption by the Common Council of the document entitled, "City of Berlin Comprehensive Plan, and Revised November 29, 2011 through January 21, 2019, Public Hearing January 21, 2019, City Council Approved February 12, 2019", pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

Section 4. This Resolution shall take effect upon passage by a majority vote of the members of the Plan Commission.

Passed, approved and adopted this 21st day of January, 2019.

ROLL CALL VOTE:

_____ AYES

_____ NAYS

_____ ABSENT

APPROVED AS TO FORM:

Matthew G. Chier
City Attorney

CITY OF BERLIN

BY: _____
Richard D. Schramer, Mayor

ATTEST: _____
Lindsey Kemnitz
Plan Commission Clerk

DATE: January 11th, 2019

TO: Plan Commission

FROM: Lindsey Kemnitz

RE: Public Hearing for Rezone request for 206-01178-0200 (425 E. Huron), 206-01178-0100 (435 E. Huron) and 206-01180-0000 (443 E. Huron)

BACKGROUND:

Daniel Hertzberg the owner of 425 and 435 E. Huron Street, currently operate Majik Sweep Chimney Services at those two locations. 443 E. Huron Street is to the east of his properties and is currently for sale. Daniel would like to purchase 443 E. Huron Street to expand his business Majik Sweep Chimney Services. 425 E. Huron Street has been used for a business since 1990 and each time the property transferred owners, the new owners has to reapply for a variance to operate their business. Daniel purchased 425 E. Huron Street in 1999 and received the proper approval to operate Majik Sweep Chimney Services. In 2012, Daniel purchased 435 E. Huron Street after a fire occurred at the house and it was demolished. Daniel now wants to expand to the east at 443 E. Huron Street. Daniel could go through a variance for 443 E. Huron Street, but if he would wish to sell the property in the future the new owner would have to reapply for a variance to operate a business on all three of these parcels. I recommended Daniel to apply for rezone rather than variance as it will make it easier for him to sell the property in the future and looking at the surrounding area, I feel that this area more of a mixed use corridor coming into Berlin on Highway 91/ E. Huron Street. See the attached map.

RECOMMENDATION: Discuss and recommend the rezone for 206-01178-0200, 206-01178-0100, and 206-01180-0000 from R-2 to B-2 to Common Council



CITY OF BERLIN
REQUEST FOR CONDITIONAL USE PERMIT

CITY OF BERLIN or EXTRATERRITORIAL ZONING JURISDICTION

I/We JERRY LOCKELMAN of 170 W. WISCONSIN
(name) (mailing address)

hereby request the Plan Commission to recommend to the Common Council of the City of Berlin the approval of a conditional use permit under the Zoning Code of the City of Berlin pursuant to Chapter 82 of the Municipal Code.

Current Zoning of property R2

Address of Property 192 EAST HURON

Legal Description FIRST EDITION, LOTS 445, BLOCK 9

Reason for request: SEE ATTACHED

Lot Size .4 ACRE

Parcel Number 200-00393-0000

Present Improvements (Structures etc.) on Lot:
CHURCH

Such proposed conditional use permit would be compatible with the character of the neighborhood because:

SEE ATTACHED

4/14/2019

Date Filed

Mary Kubiak for Jerry Lockelman
Petitioner/Agent

Conditional Use Permit Fee \$200.00 - Fee must accompany this appeal payable to the City of Berlin

FOR OFFICE USE ONLY

Meeting advertised _____ Date of Commission Meeting _____

Commission Recommendation Approve / Deny

Special Conditions:

Council Decision Approve / Deny Date _____

Special Conditions:

PROPOSED CONDITIONAL USE PERMIT

THE FEDERATED CHURCH OF BERLIN, U.C.C. was purchased in late August of 2018 when the existing Pastor retired and the building was no longer utilized as a church. It is my intention to utilize the building as an event location for periodic one day event vintage sales, community events, concerts, recitals, meetings, etc.

The building is now named The Union at Berlin to reflect the the name on the 1898 cornerstone of this historic building. I feel it is vital to preserve this building as an anchor to the Berlin historic home district, Nathan Strong Park, and a welcome beacon the visitors entering the city.

My representative has spoken to adjoining property owners and has received extremely positive feedback, as they are delighted this property will not be abandoned and left in disarray. Also, the fact that there will be occassionly activity in the building helps to eliminate the chance of vandalism.

I feel the precedent for this use is the utilization of the old St. Joseph's church now occupied by Saving Grace Salvage. My proposed use will not be set up as a retail location, but will be staged for the specific event sales. There will be no more than one sale a month, and will not be over the entire 12 month period as it takes time to set-up and take down these events.

In addition, the building will be available for meetings, concerts, recitals, etc. for the Berlin community at large. Avaiabilty for these functions will be determined by the event sales and type of proposed activity.

Conditional Use Permit & Temporary and Accessory Structure Ordinance Update

January 11th, 2019

TO: Plan Commission

FROM: Lindsey Kemnitz

SUBJECT: Ordinance Update

The commission will continue to review the ordinances. Please bring the ordinances with from the last packet.

Recommendation: Action as appropriate.