

## Report to the Manitowoc Plan Commission

**Meeting Date:** August 26, 2020

**Request:** PC 27-2020: 3000 – 3400 Block of Menasha Avenue. City Plan Commission initiated rezone of residential properties from I-1 Light Industrial to R-4 Single and Two-Family Residential pursuant to MMC 15.530(2)c.

**Reason for Request:** Section 15.530(2)c in the Zoning Code details 3 methods to initiate an amendment to the Zoning Code; one of the methods states that the City Plan Commission can initiate an amendment. The other two methods are petition by the property owner or initiated by the Common Council.

*15.530 ..... “(2) Initiation of Amendment. Amendments of this chapter may be initiated by:*

- (a) The verified application of one or more owners of property requesting that the ordinance be amended to reclassify their property ownerships;*
- (b) The Common Council; and*
- (c) The City Plan Commission. ” ....*

**Existing Land Use for Subject Property:** Residential

**Existing Zoning for Subject Property:** I-1 Light Industrial

### Surrounding Property Land Uses and Zoning

Direction	Existing Land Use	Existing Zoning
North	Undeveloped, Vacant	P-1 Conservancy and I-2 Heavy Industrial
West	Business, Residential	B-1 Office Residential
South	Industrial, vacant, residential	I-1 Light Industrial
East	Retail	I-1 Light Industrial

**Comprehensive Plan:** See Future Land Use Map below. The Future Land Use Map shows all the current residential properties along the north side of Menasha Avenue as Single and Two Family Residential so the proposed rezoning would be consistent with the Future Land Use Map. One lot (3209 Menasha Ave) on the south side of Menasha is shown as General Business but the thought is to rezone this property to residential allowing the property owner to invest / improve their property and if in the future one of the adjacent commercial or industrial users purchased the property they could petition for a change in zoning at that time. The lot by itself is most likely too small to support an industrial or commercial use.

### Consistency Analysis

The proposed zoning map amendment is consistent with the future land use map.



Figure 1 Future Land Use Map



**Report:** Community Development staff is recommending the Plan Commission initiate the proposed zoning map amendment to rezone the properties from I-1 Light Industrial to R-4 Single and Two Family Residential. The property owner at 3004 Menasha Avenue proposed an addition to their residence and at that time they were notified that their residential use was zoned I-1 Light Industrial making their property a non-conforming use which then wouldn't allow the addition.

A nonconforming use is defined in Section 15.030 of the Zoning Code as: *“any active and actual use which was existing under ordinances or regulations preceding the ordinance codified in this chapter, which has continued as the same use to the present, and which does not conform to the regulations for the zoning district in which it is situated.”*

If a property is classified as a nonconforming use the owner may not expand that nonconforming use; see text from the code below.

*15.410(1) “(b) Modification of a Nonconforming Use. Except as permitted in this subsection, a nonconforming use shall not be: (1) expanded, enlarged, extended, reconstructed, moved or structurally altered unless the use is changed to a use permitted in the zoning district in which the use is located;...”*

If the property is rezoned to a residential zoning district the property owners will be allowed to invest and improve their residences.

There are 9 proposed properties to be rezoned; 8 are north of Menasha Avenue and 1 is south of Menasha Avenue. 7 are owner occupied, 1 is a rental and the last is a vacant parcel that provides access to property north of the lots along Menasha Avenue. The residences were constructed between 1900 and 1957. All of the lots to be rezoned are less than 1.5 acres in area and by themselves are most likely too small for any industrial uses.

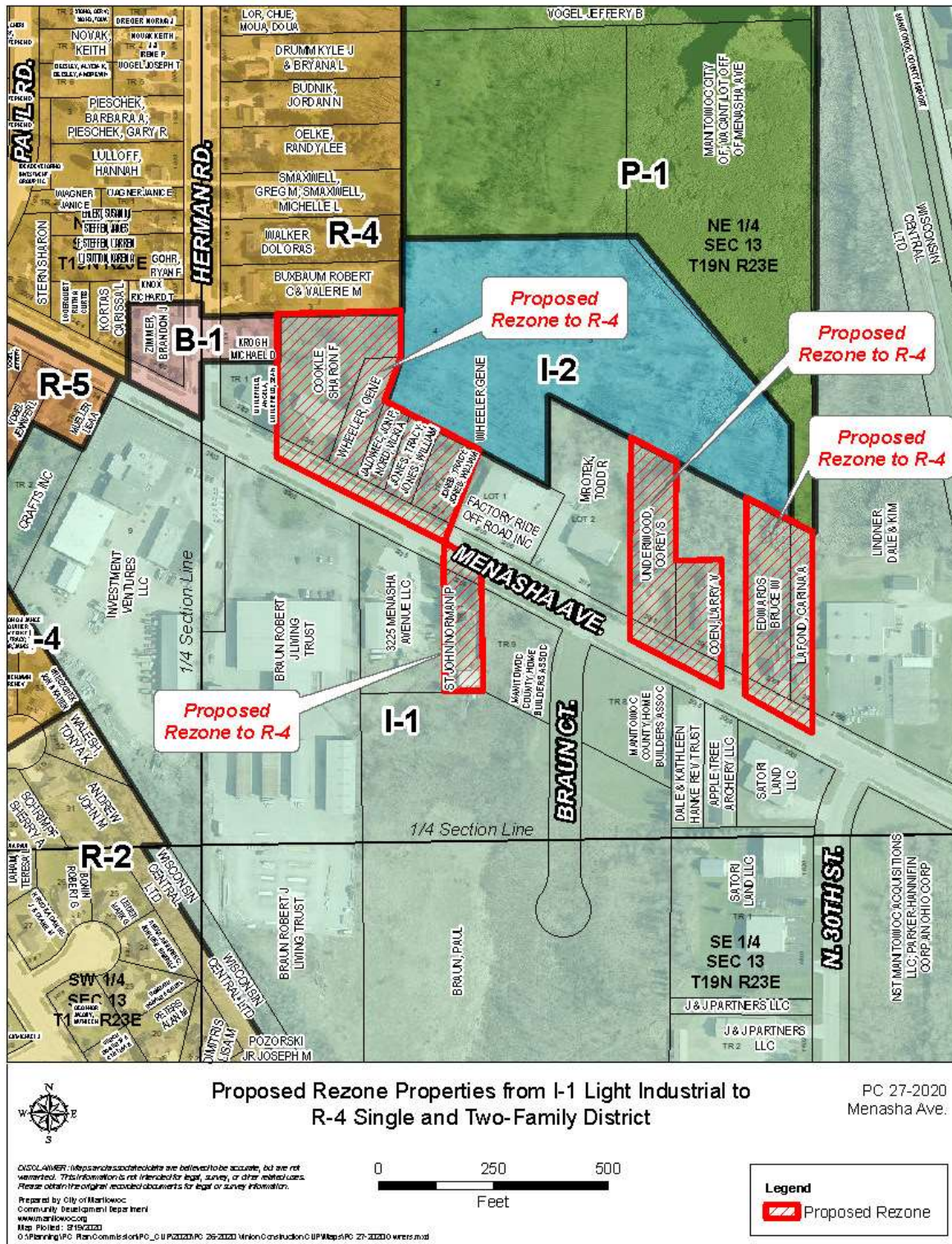
YEAR BUILT	Tax Parcel ID	Owner Name	Property Address
1947	718008010	NORMAN P ST JOHN	3209 MENASHA AVE
1957	718006010	LARRY V COEN	3020 MENASHA AVE
1945	718006020	BRUCE W EDWARDS	3008 MENASHA AVE
1945	718006030	CARINA A LAFOND	3004 MENASHA AVE
1953	718005020	COREY S UNDERWOOD	3028 MENASHA AVE
1900	718004020	WILLIAM JONES	3214 MENASHA AVE
1935	718004010	JON P JALOWIEC	3228 MENASHA AVE
	718003030	GENE WHEELER	Vacant
1945	718003031	SHARON F COOKLE	3308 MENASHA AVE

Public Comments On August 12<sup>th</sup> courtesy letters were mailed to the property owners that would be directly affected explaining the process and giving the owners information to contact Community Development staff if there are any further questions. The standard notification letter was mailed out to property owners and properties within 200 feet of the areas to be rezoned on August 19<sup>th</sup>.

Bob Wheeler the son of the property owner Gene Wheeler who recently passed away, called with some general questions. His parents own two vacant pieces of the land that provide access to a larger parcel which is north of the properties along Menasha Avenue. See ownership map below. His father used the property in the past as a salvage yard. The westerly



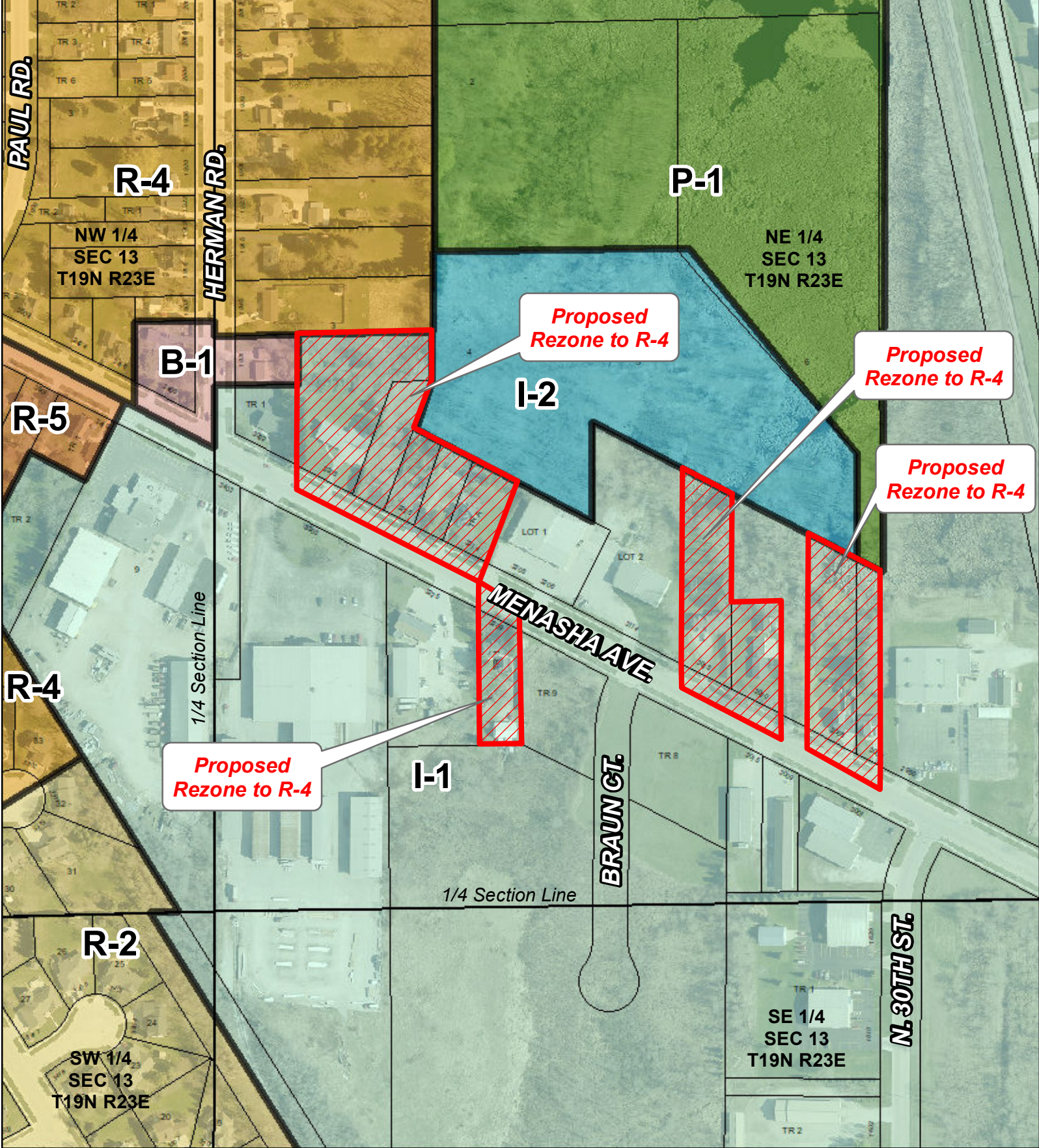
vacant lot is proposed to be zoned R-4 and he questioned if his taxes would change and would the rezone affect his access to their larger parcel to the north. He generally is supportive of the rezone but wants to verify with his other family members. He doesn't want the rezoning to create any road blocks to reselling their property.



- Application Received: Plan Commission initiated
- Notification Sent:
  - Courtesy Letter sent to property owners affected August 12<sup>th</sup>
  - Meeting Notice sent August 19<sup>th</sup>
- Neighborhood Informational Hearing Held: Plan Commission August 26<sup>th</sup>
- Common Council Public Hearing: September 21<sup>st</sup>.

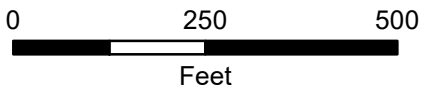
**Recommendation:** Approve the City Initiated Zoning Map Amendment from I-1 Light Industrial to R-4 Single and Two Family Residential.






Proposed Rezone Properties from I-1 Light Industrial to R-4 Single and Two-Family District

PC 27-2020  
Menasha Ave.



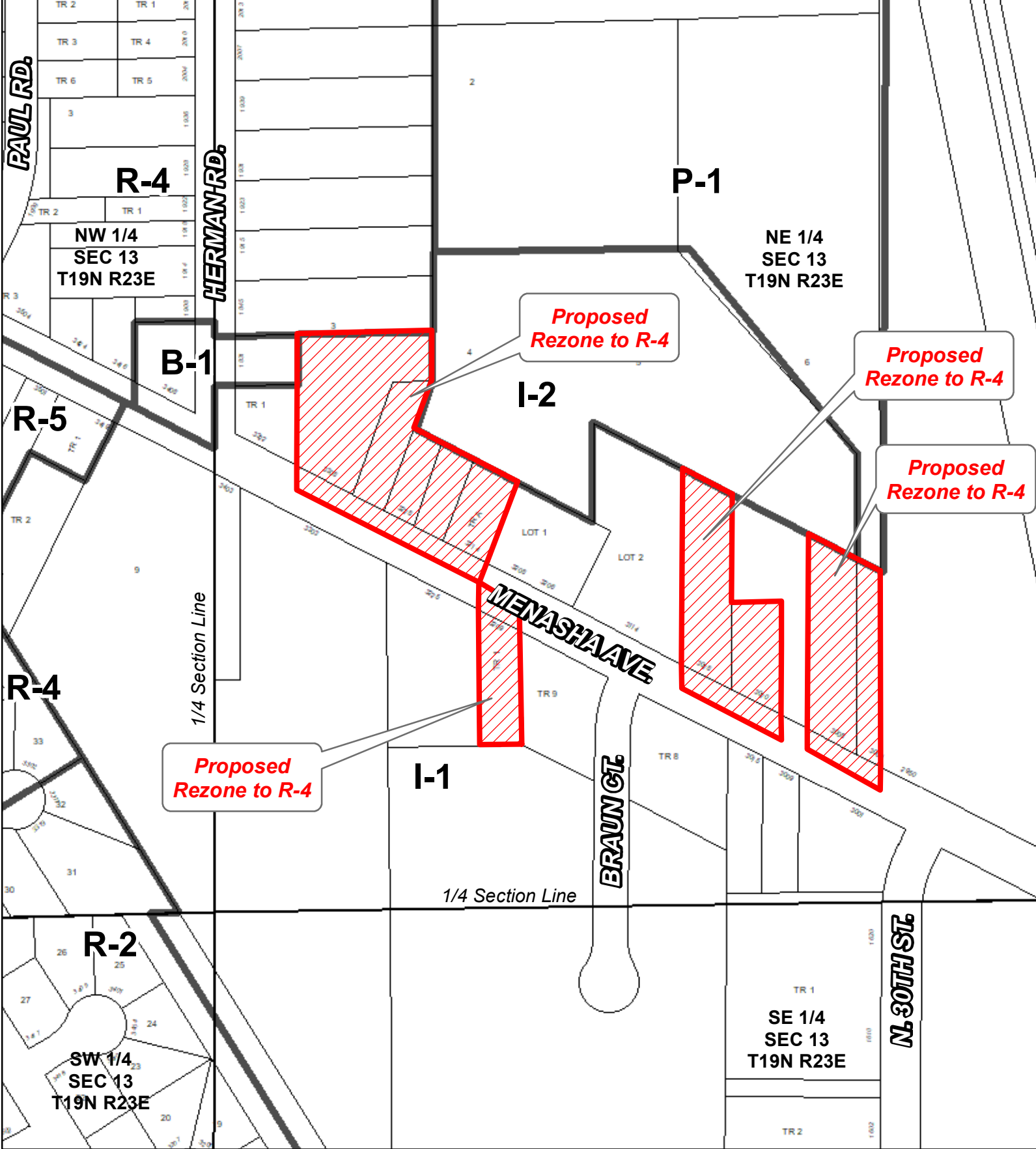
**Legend**

 Proposed Rezone

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

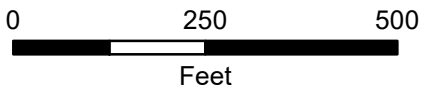
Prepared by City of Manitowoc  
Community Development Department  
www.manitowoc.org  
Map Plotted: 8/18/2020  
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Proposed Rezone Properties from I-1 Light Industrial to R-4 Single and Two-Family District

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Menasha Ave.



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