

**CITY PLAN COMMISSION  
MARSHFIELD, WISCONSIN  
MINUTES OF AUGUST 19, 2014**

Meeting called to order by Vice-Chairman Wagner at 7:00 PM in the Council Chambers of City Hall Plaza.

**PRESENT:** Ed Wagner, Ken Wood, Laura Mazzini, Rich Reinart, John Beck and Bill Penker

**EXCUSED:** Mayor Meyer

**ABSENT:** None

**ALSO PRESENT:** Alderman Earll, City Administrator Barg; Director of Public Works Knoeck; Planning & Economic Development Director Angell; City Planner Miller; Zoning Administrator Schroeder; the media; and others.

**PC14-52** Motion by Wood, second by Penker to recommend approval of the minutes of the July 15, 2014 City Plan Commission meeting.

**Motion Carried**

**PUBLIC HEARING** – Rezoning request by John Iwaszczenko III to change the zoning from “SR-6” Single-Family Residential to “UMU” Urban Mixed Use District, for two parcels located at 201 West 4th Street and 306 South Chestnut Avenue.

**COMMENTS:**

- John Iwaszczenko stated that his father owns the property and he is looking at option of converting the property to a restaurant. They would keep the outside very similar to what it is today. It would be a small scale operation; it would have a clean food menu, mainly non-processed, homemade. He is available for questions.

**PC14-53** Motion by Beck, second by Reinart to recommend approval of the rezoning request by John Iwaszczenko III to change the zoning from “SR-6” Single-Family Residential to “UMU” Urban Mixed Use District, for two parcels located at 201 West 4th Street and 306 South Chestnut Avenue, based on findings that rezoning would be a logical transition between commercial property from the downtown and the neighboring properties to the west, the request is consistent with the Comprehensive Plan and request an ordinance be drafted for Common Council consideration.

**Motion Carried**

**PUBLIC HEARING** – Conditional Use Request by the School District of Marshfield, to amend the site plan of a Conditional Use Permit to allow a canopy addition of a Large Scale Indoor Institutional Use, located at 1401 East Becker Road, zoned “SR-3” Single Family Residential.

**COMMENTS:** None

**PC14-54** Motion Penker, second by Wood to recommend approval of the Conditional Use Request by the School District of Marshfield, to amend the site plan of a Conditional Use Permit to allow a canopy addition of a Large Scale Indoor Institutional Use, located at 1401 East Becker Road, zoned “SR-3” Single Family Residential, as presented.

**Motion Carried**

**PUBLIC HEARING** – Conditional Use Request by the Marshfield Youth Hockey Association, for a small vestibule addition, located at 405 East 17<sup>th</sup> Street, zoned “CD” Campus District.

**COMMENTS: None**

**PC14-55** Motion by Beck, second by Mazzini to recommend approval of the Conditional Use Request by the Marshfield Youth Hockey Association, for a small vestibule addition, located at 405 East 17<sup>th</sup> Street, zoned “CD” Campus District, subject to the following conditions:

1. Front yard setback may not be less than 35 feet along 17<sup>th</sup> Street.
2. Side yard setback may not be less than 15 feet.

**Motion Carried**

**PUBLIC HEARING** – Conditional Use Request by Tiffany Hainz, on behalf of Stoney River, to amend the site plan of the Conditional Use Permit to allow an outdoor patio area, located at 1204 West McMillan Street, zoned “SR-4” Single Family Residential.

**COMMENTS:**

- Tiffany Hainz and Terry Howard, 1204 West McMillan Street, both of Stoney River, stated they understand the current parking issues and are working very hard to come up with a solution, however this patio is strictly for residents. This is not for events or staff. The patio will give residents an opportunity to be outside. As far as parking goes, when Stoney River 1 was first constructed, they did not envision working with the technical college on training students so on those days they do have some overflow. Also they did not envision how much support their residents would get from their families. People love to visit the facilities. There are special event situations that lead to overflow parking but it’s not a daily issue.

**PC14-56** Motion by Wood, second by Beck to recommend approval of the Conditional Use Request by Tiffany Hainz, on behalf of Stoney River, to amend the site plan of the Conditional Use Permit to allow an outdoor patio area, located at 1204 West McMillan Street, zoned “SR-4” Single Family Residential, subject to the following condition:

1. An additional eight parking stalls will be devoted to Stoney River either on-site or off-site within a reasonable distance, within one year of constructing the outdoor patio area.

**PC14-57** Motion by Penker, to amend Motion PC14-56 to hold approval of the Conditional Use Request by Tiffany Hainz, on behalf of Stoney River, to amend the site plan to allow an outdoor patio area, located at 1204 West McMillan Street, zoned “SR-4” Single Family Residential, contingent upon developing a parking plan within six months.

**Motion Fails for Lack of Second**

**Vote on Motion PC14-56**

**Wagner, Wood, Mazzini, Reinart & Beck voted ‘Aye’, Penker voted ‘No’ Motion Carried**

**PUBLIC HEARING** – Conditional Use Review Request by Duane Schutz, on behalf of Nutz Deep II, to amend the Conditional Use Permit to address off-site parking requirements, located at 809 South Central Avenue, zoned “DMU” Downtown Mixed Use.

**COMMENTS:**

- Phil Hiller, owner of Hiller's Hardware, 751 South Central Avenue, requests that the Plan Commission deny the request to amend the current Conditional Use Permit based on the following; we currently have, after 17 years, a long overdue agreement between Mr. Schutz and himself. It provides for very modest payment for usage of the property but much more importantly, it requires additional insurance coverages by Schutz for his customers parking on the Hiller property. Without an agreement, Hiller stands the loss of anybody coming out of Nutz Deep and falling on Hillers property. Also, Hiller feels it will be unlikely that Nutz Deep patrons will change their habits and park farther away when Hiller's is closer and available. Also, he feels the current code for parking requirements are not sufficient for that type of business and that the ordinance for properties like Nutz Deep needs to be reviewed and a new classification other than sitting restaurant needs to be established.
- Duane Schutz, Nutz Deep, thanks the Hiller's for the opportunity for his customers to park there for the 17 years. He feels he has been a good neighbor over the years by picking up the garbage and sending a check without an agreement but the opportunity to purchase the property next door has come up, the parking is there and he sees this as an opportunity to provide his own parking without having to rely on Hiller's lot. He is willing to keep an insurance policy in effect that if parking is overflowing into Hiller's lot that he would be fair and be willing to send a check for payment.

**PC14-58** Motion by Wood, second by Beck to recommend approval of the Conditional Use Review Request by Duane Schutz, on behalf of Nutz Deep II, to amend the Conditional Use Permit to address off-site parking requirements, located at 809 South Central Avenue, zoned "DMU" Downtown Mixed Use, subject to the following conditions:

1. The parking area at 809 South Central Avenue and adjoining lots controlled by the Applicant must collectively meet the minimum parking requirements for the land use(s) and shall be hard surfaced by October 31, 2015.
2. Once the parking lot is hard surfaced, signage must be installed directing customers to available parking.

**PC14-59** Motion by Penker, second by Reinart to call the question.

**Motion Carried**

Vote on Motion PC14-58

**Motion Carried**

**PC14-60** Motion by Wood, second by Penker to recommend approval of the Alternative Sign Request by Stoney River Memory Care, to allow a second freestanding sign facing McMillan Street, located at 1606 North St. Joseph Avenue, zoned "SR-2" Single Family Residential, as presented.

**Motion Carried**

**PC14-61** Motion by Wood, second by Mazzini to recommend approval of the Master Sign Plan Request by Security Health, to allow a new internally lit wall sign to face residentially zoned property to the west and to exceed 50 square feet, located at 1515 North St. Joseph Avenue, zoned "CD" Campus District, subject to the following conditions:

1. All proposed signage is allowed as presented.
2. The proposed wall sign must be turned off by 8:00 PM every day.

**Wagner, Wood, Mazzini, Reinart & Beck voted 'Aye', Penker voted 'No' Motion Carried**

**PC14-62** Motion by Penker, second by Beck to recommend approval of the Planned Development-Specific Implementation Plan Amendment Request by Prairie Run Group, allowing approximately the north 460 feet of Wildflower Drive to be vacated and allowing the affected lots to become a 2-lot Certified Survey Map, and request an ordinance be drafted for Common Council consideration.

**Motion Carried**

**PC14-63** Motion by Wood, second by Mazzini to recommend approval of removing from the Master Street Map, vacating and discontinuing those portions of Red Hawk Lane, Highview Drive and Schueller Drive lying within the Schueller's City Lights Plat, located in the NE ¼ of the SE ¼ and the NW ¼ of the SE ¼ of Section 32, Township 26 North, Range 3 East, City of Marshfield, Marathon County, Wisconsin, and refer Resolution 2014-39 to the Common Council for consideration.

**Motion Carried**

**PC14-64** Motion by Beck, second by Wood to recommend approval of removing from the Master Street Map, vacating and discontinuing that portion of unopened Wildflower Drive from the end of the existing cul-de-sac to the unopened cul-de-sac on Sunflower Street, lying within the Prairie Run Subdivision, located in the SW ¼ of the SE ¼ of Section 31, Township 26 North, Range 3 East, City of Marshfield, Marathon County, Wisconsin, and refer Resolution 2014-45 to the Common Council for consideration.

**Motion Carried**

**PUBLIC HEARING** – Municipal Code Amendment Request to Sections 18-26 and 18-27 of the City of Marshfield Municipal Code, correcting the minimum street setback in the “SR-2” Single Family Residential District and increasing the height limitation of the “SR-3” Single Family Residential district to 35 feet.

**COMMENTS: None**

**PC14-65** Motion by Reinart, second by Wood to recommend approval of the Municipal Code Amendment Request to Sections 18-26 and 18-27 of the City of Marshfield Municipal Code, removing the “minimum street setback” restriction in the “SR-2” Single Family Residential District and increasing the height limitation of the “SR-3” Single Family Residential district to 35 feet, and request an ordinance be drafted for Common Council consideration.

**Motion Carried**

**PUBLIC HEARING** – Municipal Code Amendment to Sections 18-91, 18-92, and 18-95 of the City of Marshfield Municipal Code, Shoreline Zoning Regulations, adding general provisions to the ordinance per the Department of Natural Resources requirements.

**COMMENTS: None**

**PC14-66** Motion by Penker, second by Beck to recommend approval of the Municipal Code Amendment to Sections 18-91, 18-92, and 18-95 of the City of Marshfield Municipal Code, Shoreline Zoning Regulations, adding general provisions to the ordinance per the Department of Natural Resources requirements, and request an ordinance be drafted for Common Council consideration.

**Motion Carried**

Zoning Administrator Schroeder discussed garage sale uses. Penker stated that garage sales tend to be self-limiting overall and not really too many problems, but would like to see a firm time line set – say 7:00 AM to 7:00 PM for example and three consecutive day limit with 20 days minimum between sales. Beck thinks we have enough regulations. Wood has not noticed many continuous garage sales and doesn't see a big problem now, but could create enforcement issues for the future. Wagner suggests staff draft an ordinance based on Penker's proposal.

**PC14-67** Motion by Beck, second by Wood to recommend moving forward with the current regulations regarding garage sales with the understanding that this type of use is seasonal/temporary.

**Beck & Wood voted 'Aye', Wagner, Mazzini, Reinart & Penker voted 'No' Motion Failed**

**PC14-68** Motion by Penker, second by Reinart to recommend regulating garage sales on a complaint basis and add additional regulations to temporary garage sale uses in the City of Marshfield Municipal Zoning Code pertaining to a specific duration and/or a specific limit in a given timeframe, with staff following standard violation procedures to enforce the use based on complaints received.

**Wagner, Penker & Reinart voted 'Aye', Mazzini, Beck & Wood voted 'No' Motion Failed**

Planning & Economic Development Director Angell suggested that staff could work on a draft ordinance change to add some small regulations to garage sales and bring back to the City Plan Commission at the next meeting.

**PC14-69** Motion by Penker, second by Beck to recommend tabling Garage Sale Uses pending development of an ordinance change by staff.

**Motion Carried**

City Planner Miller informed the City Plan Commission of the Notice of Comprehensive Outdoor Recreation Plan available and a presentation on Tuesday, September 16, 2014.

City Planner Miller informed the City Plan Commission of the Downtown Master Plan Public Meeting on Wednesday, September 17, 2014.

Motion by Mazzini, second by Reinart that the meeting be adjourned at 9:00 PM.

**Motion Carried**

**Daniel G. Knoeck, Secretary  
CITY PLAN COMMISSION**