

**CITY PLAN COMMISSION  
MARSHFIELD, WISCONSIN  
MINUTES OF JULY 19, 2016**

Meeting called to order by Mayor Meyer at 7:00 PM in the Council Chambers of City Hall Plaza.

**PRESENT:** Mayor Meyer, Ed Wagner, John Kaprelian, Bill Penker & Ken Wood

**EXCUSED:** Joe Gustafson

**ABSENT:** None

**ALSO PRESENT:** City Administrator Barg; City Planner Miller; Zoning Administrator Schroeder; the media and others.

**PC16-32** Motion by Wood, second by Wagner to recommend approval of the minutes of the June 21, 2016 City Plan Commission meeting.

**Motion Carried**

**Citizen Comments:** Bill Schofield, representing the Marshfield Mall introduced himself and made it aware to the Plan Commission that he is available for questions if needed for items 10 and 11 of the PC agenda.

**PUBLIC HEARING** - Conditional Use Request by Shannon Schnitzler on behalf of Bradley and Connie Porter, to permit a 4-bed Adult Family Home, "Community Living Arrangement" use in the "SR-3" Single Family Residential district, with plans to construct an addition in the backyard and expand to an 8-bed Community Based Residential Facility in the future. The request includes an exception for the total "Community Living Arrangement" population to exceed 1% of the City population and 1% of the Aldermanic District population in addition to being located within 2,000 feet of another Community Living Arrangement, located at 414 East 19<sup>th</sup> Street (Parcel 33-06485).

**COMMENTS:**

- Richard Abel – residing at 1900 S Vine Ave – questioned the Plan Commission if this type of use would have direct impact on neighboring property values. Wagner responded that there is no empirical evidence that's happened in other CBRF locations. Mr. Abel also brought up traffic concerns, specifically the increase. Mr. Abel has resided at this home for 18 years and he believes this use will increase traffic. Mayor Meyer stated that we can't discriminate and prohibit cars from being there. Mr. Abel lastly brought up that the view from his property would greatly be reduced with this type of use and wondered whose responsibility it would be to install a fence.
- Tom Forbish – residing at 407 E 19<sup>th</sup> St – received the noticed and felt that the voice of the neighborhood was not heard after everyone in the surrounding area signed a petition stating they were not in favor of this proposed use. Mayor Meyer explained that it is very difficult by Statute, Americans with Disabilities Act, and the Fair Housing Act to deny a request similar as the request tonight. The Statute and exceptions in place are not there to protect the neighborhood from this use but rather to protect the residents of the use from being placed in an institutional neighborhood.
- Laura Abel – residing at 1900 S Vine Ave – the City has already exceeded the 1% aldermanic district population by approximately 4%. At what point is the community living arrangement population too high in the City and in the Aldermanic district? Mayor Meyer responded that the 1% is not a maximum allowable; the 1% is just a threshold to review these types of uses in front of the City Plan Commission to make sure we are not creating an institutional district. He added that these requests will continue to be made because we are a medical based community.

- Sheri Carlson – residing at 406 E 19<sup>th</sup> St – Do we have the right to request this property be a 4 bed ADF instead of an 8 bed CBRF? Mayor Meyer and Planner Miller believe Attorney Wolfram explained that a 4 bed ADF is not any different than an 8 CBRF from an allowable use standpoint. Wagner explained that we can only limit certain aspects including parking, screening to protect the living arrangement freedom, and possibly noise. He further explained the two regulations we can deny a request on is allowing this type of use in an industrial area or in an institutional area that was never clearly defined.
- Mr. Abel – came back to the podium, to state that if there is a problem with this use after it has been approved it will be too late.
- Dave Schraeder – residing at 411 E 19<sup>th</sup> St – There are a lot of children in the neighborhood where the traffic is a big concern. He believes that the property values will go down, however, this is just a guess and he does not have any supporting facts.

**PC16-33** Motion by Penker, second by Kaprelian to recommend approval of the Conditional Use Request by Shannon Schnitzler on behalf of Bradley and Connie Porter, to permit a 4-bed Adult Family Home, “Community Living Arrangement” use in the “SR-3” Single Family Residential district, with plans to construct an addition in the backyard and expand to an 8-bed Community Based Residential Facility in the future, and include an exception for the total “Community Living Arrangement” population to exceed 1% of the City population and 1% of the Aldermanic District population in addition to being located within 2,000 feet of another Community Living Arrangement, located at 414 East 19<sup>th</sup> Street (Parcel 33-06485), subject to the following conditions:

1. The Conditional Use Permit shall expire if the proper license to establish a 4-bed Adult Family Home is not obtained within 12 months of Common Council approval or if the license is not maintained for a period of 12 or more consecutive months.
2. The site plan for the ramps and addition are approved, allowing minor modifications to be approved administratively, including future driveway expansions needed to meet the parking requirements as long as the changes do not result in development becoming non-compliant with this conditional use permit or other zoning code requirements.
3. Applicant is responsible for applying for any building permits needed.
4. Any exterior changes or additions to the facility must be constructed of similar building materials and visual appearance as the house.
5. Construction for the addition for the 8-bed facility must be completed within 3 years of acquiring the property. Failure to complete the addition within the allotted timeframe shall trigger a Plan Commission review of the Conditional Use Permit prior to the issuance of a Certificate of Occupancy for the addition.

Motion by Wagner to recommend amending Motion PC16-33 to include the following conditions:

1. All staff parking must be provided on-site.
2. The property should be screened from the abutting residential neighbors.
3. The Conditional Use Permit shall be reviewed within one year of Common Council approval.

**Motion Fails for a Lack of Second**

**PC16-34** Motion by Wagner, second by Penker to recommend amending Motion PC16-33 to include the following conditions:

1. All staff parking must be provided on-site.
2. The Conditional Use Permit shall be reviewed within one year of Common Council approval.

**Motion Carried**

**Vote on Motion PC16-33 as amended**

**Motion Carried**

**PUBLIC HEARING** - Preliminary Plat Request by Tim Vreeland, representing Vern Berg to review the map and other materials for conformity with all ordinances, administrative rules and regulations located across Highway 13 from Berg Equipment (Parcel 33-0MS058C), currently zoned “CMU” Community Mixed Use.

**COMMENTS: None**

**PC16-35** Motion by Kaprelian, second by Wood to recommend approval of the Preliminary Plat of Popp Place, located across Highway 13 from Berg Equipment (Parcel 33-0MS058C), as presented.

**Motion Carried**

**PUBLIC HEARING** - Conditional Use Request by Midwest Auto Movers to allow an exception to the hard surfacing requirement to allow a large portion of the traffic circulation and parking areas to be gravel within property zoned “GI” General Industrial, located at the southeast corner of South Mallard Avenue and East Yellowstone Drive intersection with the preliminary address of 2909 South Mallard Avenue (part of Parcel 33-07091).

**COMMENTS:**

- Sam Reseburg – the applicant and owner of Midwest Auto Movers. Sam stated that he is available for questions and wants it to be on record that without this conditional use this project will not be built within the City of Marshfield city limits.

**PC16-36** Motion by Wagner, second by Kaprelian to approve the conditional use permit request by Midwest Auto Movers to allow an exception to the hard surfacing requirement to allow a large portion of the traffic circulation and parking areas to be gravel as presented, within property zoned “GI” General Industrial, located at the southeast corner of South Mallard Avenue and East Yellowstone Drive intersection with the preliminary address of 2909 South Mallard Avenue (part of Parcel 33-07091) with the following conditions:

1. In addition to the proposed hard surfaced staff parking area shown on the plan, an additional paved area shall be extended to include the driveway portion north of the proposed building apron, connecting to the north access point, within one year of Conditional Use approval.
2. Onsite truck traffic flow will be from the south to the north.
3. Minor site changes may be administratively approved.

**Motion Carried**

Mayor Meyer noted that this approval was made upon the assumption from the applicant that flow of truck traffic will enter the property at the southernmost access point on South Mallard Avenue and exit the northern access point on South Mallard Avenue and that staff could make administrative adjustments as needed.

**PUBLIC HEARING** - Conditional Use Request by Josh Gluege to exceed the maximum allowable accessory building area for a residential zoned property, exceeding 1,200 square feet and the footprint of the principal dwelling unit, zoned “SR-4” Single Family Residential, located at 2405 South Peach Avenue (Parcel 33-03469L).

**COMMENTS:**

- Josh Gluege – the applicant and owner of the subject property – Made one final plea to allow the 10’ x 10’ utility storage shed and said he was available for questions.
- Leon Knaak – owner of 615-617 E 25<sup>th</sup> St – Stated that he had a concern with the change in zoning and that he had to follow the zoning when he built his homes in the City. He said everyone would like a bigger garage, but it should be an even playing field for everyone.

**PC16-37** Motion by Penker, second by Wood to recommend approval of the Conditional Use Request by Josh Gluege, excluding the 10’ x 10’ utility shed, based on the information presented and the conditional use criteria being met, exceeding the maximum allowable accessory building area for a residential zoned property of 1,200 square feet, zoned “SR-4” Single Family Residential, located at 2405 South Peach Avenue (Parcel 33-03469L) with the following conditions:

1. The property may be developed as presented excluding the utility shed allowing up to 1,612 square feet of accessory space.
2. Minor site changes may be administratively approved.
3. The driveway apron measured at the sidewalk may not exceed 26 feet wide.

**Motion Carried**

**PUBLIC HEARING** - Conditional Use Request by Ric Kuse to exceed the maximum allowable accessory building area for a residential zoned property, exceeding the footprint of the principal dwelling unit, zoned “SR-4” Single Family Residential, located at 511 North Hinman Avenue (Parcel 33-02545BAB).

**COMMENTS: None**

**PC16-38** Motion by Wood, second by Kaprelian to recommend approval of the Conditional Use Request by Ric Kuse to exceed the maximum allowable accessory building area for a residential zoned property, exceeding the footprint of the principal dwelling unit, zoned “SR-4” Single Family Residential, located at 511 North Hinman Avenue (Parcel 33-02545BAB), subject to the following conditions:

1. The garage addition may be constructed as presented allowing minor site changes to be administratively approved.
2. The existing shed space must be removed as depicted on the plan prior to the completion of the garage addition.
3. The new garage addition shall match the existing garage with similar materials.

**Motion Carried**

**PC16-39** Motion by Wood, second by Penker to recommend approval of the Master Sign Plan Request by Malls4U representing the Marshfield Mall to amend the Master Sign Plan to allow for a new freestanding pylon sign, additional signage for a new tenant space and future wall signage within a large development, zoned “CMU” Community Mixed Use located at 503 East Ives Street (Parcels 33-03216BA and 33-03216) with the following signed permitted as presented:

1. Two new Kohl's signs
2. Three face changes to the existing JC Penny's signs
3. Relocation of one of the World Buffet signs
4. Relocation of the Community Care sign
5. Modification of the existing directional sign at the North Peach Avenue entrance
6. Modification to the existing freestanding monument sign – increasing the sign height to 25 feet and the sign size to 220 square feet.

**Motion Carried**

Mayor Meyer suggested that the representative for Malls4U look into having the Kohl's sign facing Ives Street turned off after the store closes or at 10:00 p.m.

**PC16-40** Motion by Wood, second by Kaprelian to recommend approval of the Alternative Sign Permit Request by Ross Ingman with D&L Signs to allow a 120 square foot temporary banner sign for the new Kohl's development exceeding the maximum size allowance of 50 square feet, zoned "CMU" Community Mixed Use zoning district, located at 503 East Ives Street (Parcels 33-03216).

**Motion Carried**

City Planner Miller presented information on allowing duplexes in the "SR-4" and "SR-6" Single Family zoning district as a conditional use. The Plan Commission asked staff to research this issue in more detail and come back with some options to address the demand for new duplexes.

**Items for Future Agendas:** Discussion of Highway Sign Regulations

**Staff Updates:**

- City Planner Miller gave an update on the Comprehensive Plan process.

There being no objections, Mayor Meyer adjourned the meeting at 9:18 PM



**Josh Miller, Acting Secretary**  
**CITY PLAN COMMISSION**