



CITY OF MARSHFIELD
MEETING NOTICE

**PLAN COMMISSION
CITY OF MARSHFIELD, WISCONSIN
TUESDAY, AUGUST 19, 2014
Council Chambers Lower Level, City Hall Plaza
7:00 p.m.**

1. Call to Order. – Vice Chairman Wagner.
2. Roll Call. – Secretary Knoeck.
3. Approval of Minutes. – July 15, 2014 Meeting
4. **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.**
Presenter: Josh Miller – City Planner
Public Hearing Required
5. **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.**
Presenter: Josh Miller – City Planner
Public Hearing Required
6. **Conditional Use Request by the Marshfield Youth Hockey Association, for a small vestibule addition, located at 405 East 17th Street, zoned "CD" Campus District.**
Presenter: Josh Miller – City Planner
Public Hearing Required
7. **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.**
Presenter: Josh Miller – City Planner
Public Hearing Required
8. **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.**
Presenter: Josh Miller – City Planner
Public Hearing Required
9. **Alternative Sign Request by Stoney River, to allow a second freestanding sign facing McMillan Street, located at 1606 North St. Joseph Avenue, zoned "SR-2" Single Family Residential.**
Presenter: Sam Schroeder – Zoning Administrator
10. **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.**
Presenter: Sam Schroeder – Zoning Administrator

**PLAN COMMISSION
(Page 2)**

11. Planned Development-Specific Implementation Plan Amendment Request by Prairie Run, to vacate portions of Wildflower Drive and combine 4 lots into a 2 lot CSM, located north of 1920 Wildflower Drive, zoned "PD" Planned Development.
Presenter: Josh Miller – City Planner
12. Resolution 2014-39 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.
Presenter: Dan Knoeck, Director of Public Works
13. Resolution 2014-45 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.
Presenter: Dan Knoeck, Director of Public Works
14. 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.
Presenter: Sam Schroeder – Zoning Administrator
Public Hearing Required
15. 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.
Presenter: Josh Miller – City Planner
Public Hearing Required
16. Discussion on Garage Sale Uses
Presenter: Sam Schroeder – Zoning Administrator
17. Notice of Comprehensive Outdoor Recreation Plan Available and Presentation on Tuesday, September 16, 2014.
Presenter: Josh Miller – City Planner
18. Notice of Downtown Master Plan Public Meeting on Wednesday, September 17, 2014.
Presenter: Josh Miller – City Planner
19. Adjourn.

Posted this 13TH day of August, 2014 at 4:00 PM by Daniel G. Knoeck, Secretary, City Plan Commission

For additional information regarding items on the agenda, please contact Jason Angell, Director of Planning & Economic Development at 715.486.9139 or Josh Miller, City Planner at 715.486.2075 or Sam Schroeder, Zoning Administrator at 715.486.2077.

NOTE

It is possible that members of and possibly a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Mary Anderson, Public Works Department at 630 South Central Avenue or by calling (715) 387-8424.

**CITY PLAN COMMISSION
MARSHFIELD, WISCONSIN
MINUTES OF JULY 15, 2014**

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

PRESENT: Mayor Meyer; Ed Wagner, Laura Mazzini and Bill Penker

EXCUSED: John Beck

ABSENT: Ken Wood

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.

PC14-46 Motion by Wagner, second by Penker to recommend approval of the minutes of the June 17, 2014 City Plan Commission meeting.

Motion Carried

PUBLIC HEARING – Rezoning request by NFF LLC., to change the zoning from “SR-2” Single-Family Residential to “CMU” Community Mixed Use District, located on the west side of the street, on vacant land, including portions of the unopened right-of-way, within the 2100 and 2200 Block of North Peach Avenue (across from Aldi and the Menard’s parking lot).

COMMENTS:

- Dave Swenson, member of Zion United Methodist Church, stated that when they got the notice of the proposed zoning change, they initially had some concern about what would be going in. When they moved out there in 1991 they had the understanding it would be residential adjacent. After a conversation with Josh Miller, then feel they can live with what is being proposed.

PC14-47 Motion by Penker, second by Mazzini to accept the findings of staff and recommend approval of the rezoning request by NFF LLC., to change the zoning from “SR-2” Single-Family Residential to “CMU” Community Mixed Use District, located on the west side of the street, on vacant land, including portions of the unopened right-of-way, within the 2100 and 2200 Block of North Peach Avenue (across from Aldi and the Menard’s parking lot), based on findings that rezoning would be a logical extension of commercial property from the east and that the Comprehensive Plan should be amended to include this strip of land west Peach Avenue as future mixed use zoning, and request an ordinance be drafted for Common Council consideration with the following condition:

- A CSM is required for the southernmost lot if the plat and right-of-way not vacated.

Motion Carried

PUBLIC HEARING – Conditional Use Request by Dennis Immerfall, on behalf of Paget Equipment, to allow a 10 foot height exception, to construct a 60 foot tall addition to the existing building, including an exception to the landscape requirements along the South Vine Avenue street frontage, in the “LI” Light Industrial District, located at 417 East 29th Street.

COMMENTS: None

PC14-48 Motion Wagner, second by Penker to recommend approval of the Conditional Use Request by Dennis Immerfall, on behalf of Paget Equipment, to allow a 10 foot height exception, to construct a 60 foot tall addition to the existing building, in the “LI” Light Industrial District, located at 417 East 29th Street on the basis that the use is consistent with the Comprehensive Plan with no adverse impacts to the surrounding property owners, contingent on the following conditions:

1. Lighting meeting the requirements of the FAA shall be placed at the top of the new addition but must stay below an elevation of 1,284 feet AMSL.
2. No landscaping is required along Vine Avenue.

Motion Carried

PUBLIC HEARING – Conditional Use Request by George and Anne Lescynski to allow a detached “Residential Accessory Building” to exceed the maximum accessory structure allowance of 1,200 square feet and exceed the footprint of the ground floor area of the principal building located at 3013 West Veterans Parkway, zoned “SR-4” Single-Family Residential District:

COMMENTS: None

PC14-49 Motion by Mazzini, second by Penker to recommend approval of the Conditional Use Request by George and Anne Lescynski to allow a detached “Residential Accessory Building” to exceed the maximum accessory structure allowance of 1,200 square feet and exceed the footprint of the ground floor area of the principal building located at 3013 West Veterans Parkway, zoned “SR-4” Single-Family Residential District contingent on the following conditions.

1. Construction of the garage must commence within one year of approval.
2. The garage must be constructed of similar building materials and visual appearance as the principal structure located on premise.
3. Any expansion to the driveway must be hard-surfaced within one year of the completion of the garage.
4. Final approval shall be contingent on the approval of a building permit.

Motion Carried

PUBLIC HEARING – Conditional Use Request by TJ Esser, representing TJ Customs and Auto Repair LLC to allow a “Vehicle Service and Repair Commercial Land Use” in the “GI” General Industrial District, located at 1606 South Popple Avenue.

COMMENTS: None

PC14-50 Motion by Penker, second by Mazzini to recommend approval of the Conditional Use Request by TJ Esser, representing TJ Customs and Auto Repair LLC to allow a “Vehicle Service and Repair Commercial Land Use” in the “GI” General Industrial District, located at 1606 South Popple Avenue, contingent on the following conditions:

1. Except for semi-trailers, the property may not have any exterior storage pertaining to vehicle repair and service.
2. All vehicle repair and service work shall be by appointment only.

Motion Carried

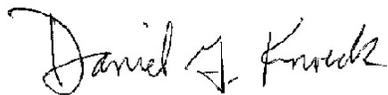
PC-14-51 Motion by Wagner, second by Mazzini to recommend approval of the Certificate of Appropriateness Request by the City of Marshfield for Cab Roof, Interior, and Window Restoration of the Soo Line Steam Locomotive No. 2442, located at 1800 South Roddis Avenue.

Motion Carried

Zoning Administrator Schroeder presented information on garage sale uses and reviewed the current requirements addressed in the Municipal Code. Penker looked at 15 cities to see how they handle garage sales. Merrill, Neillsville and Wausau had specific standards for sales. He also looked at News Herald and Buyers Guide adds to get average times and durations of advertised garage sale. He also suggested that Chapter 11 of the Municipal Code, dealing with public nuisance may be a basis for enforcement. Wagner sees enforcement as the biggest challenge and agrees that Chapter 11 may be useful. Wagner suggested a conversation with the City Attorney to see if we can work within existing codes or if we would need a new ordinance.

Motion by Penker, second by Mazzini that the meeting be adjourned at 7:56 PM.

Motion Carried

A handwritten signature in cursive script that reads "Daniel G. Knoeck".

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



City of Marshfield Memorandum

TO: Plan Commission
FROM: Josh Miller, Planning/Zoning Administrator
DATE: August 19, 2014

RE: 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.

Background

John Iwaszczenko III, is requesting to rezone two parcels in the 300 block of South Chestnut Avenue. The present zoning is “SR-6”, which would allow primarily single family two flat residential. The Applicant is requesting “UMU” zoning which would allow a range of commercial and residential uses. The Applicant has a desire to open a restaurant at 201 West 4th Street and included the neighboring property to the north in the rezoning request so as not to create a spot zoning situation of “SR-6”. The present use of both parcels is single family residential.

Analysis

According to the 2007 City of Marshfield 20 year Comprehensive Plan, this area is identified as “Downtown Mixed Use.” The Comprehensive Plan also states that any change in current uses in this district should be guided by the land use recommendations in the downtown plan. The proposed zoning district for the property is “UMU” Community Mixed Use, which is a mix of residential and commercial zoning, ideal for the fringe areas along the downtown commercial district that allow for a transition from the downtown to the neighborhood areas to the west. Because the homes are existing, changing the zoning to “DMU” Downtown Mixed Use would cause the homes to be nonconforming. The “UMU” district does allow single family homes, would not create a hardship for the existing property owners, and would still provide the flexibility of having service businesses. Staff feels this does not create a spot zoning situation as it is a transition between two zoning districts and the “UMU” district was created to act as a buffer between Downtown and residential uses.

The “UMU” district is intended to permit areas, generally on the fringe of Downtown, that are mixed use in character and establish standards that are

compatible with the existing mix of land uses and redevelopment objectives. This district is intended to provide for a variety of employment, retail and community service opportunities, while allowing some residential uses. Uses should be compatible, not only with other uses within the district, but land uses in abutting zoning districts as well.

The property to the north is a church (zoned "DMU" Downtown Mixed Use). The property to the east is an assisted living facility (zoned "DMU" Downtown Mixed Use). The property to the south is a bank (zoned "DMU" Downtown Mixed Use). And the property to the west is a single family residential home (zoned "SR-6" Single Family Residential) and a home that is owned by the church (zoned "DMU" Downtown Mixed Use).

Based on the neighborhood context and the surrounding land uses, it is reasonable to consider a rezoning of this property to Urban Mixed Use. If the Applicant does proceed with a restaurant, there will be a number of site considerations that will have to be reviewed by staff such as landscaping, lighting, and parking to make sure it would not be detrimental to the neighborhood.

The Zoning Code requires a review of any zoning map amendment with the following criteria:

1. Advances the purposes of this Chapter as outlined in Section 18-03 and the applicable rules of Wisconsin Department of Administration (WisDNR) and the Federal Emergency Management Agency (FEMA).

The request meets the purpose and intent of Section 18-03 of implementing the goals and objectives of the Comprehensive Plan as the rezoning would allow these parcels to be redeveloped as service businesses along Chestnut Avenue, as designated in the Downtown Master Plan.

2. Is in harmony with the recommendations of the Comprehensive Plan.

The request is consistent with the Future Land Use map and Downtown Master Plan as the proposed district allows a mix of businesses while not creating nonconforming situations for the existing property owners.

3. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.

The request allows for the transition of land uses from the Downtown to the neighborhood to the west. Chestnut Avenue was constructed as a commercial type of road and allowing the permitted uses listed in the "UMU" district would be fitting with the neighborhood and the subject properties.

4. Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:
 - a. The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.
 - b. A mapping mistake was made. If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the City may intend to stop an undesirable land use pattern from spreading.
 - c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
 - d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

The proposed rezoning to a mixed use district fits well with the reconstruction of Chestnut Avenue and the overall neighborhood context.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions or conditions the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

APPROVE the rezoning request by John Iwaszczenko III., to change the zoning from "SR-6" Single-Family Residential to "UMU" Urban Mixed Use District, 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 and the request is consistent with the Comprehensive Plan.

Attachments

1. Application
2. Rezoning Report
3. Location Map
4. List of Permitted Uses

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator



MARSHFIELD
The City in the Center

Revised: 04/25/14

Department of Planning & Economic Development

City of Marshfield

P.O. Box 727

630 S Central Ave, Marshfield, WI 54449-0727

Ph: 715-486-2077 Fax: 715-384-7631

Email: Sam.Schroeder@ci.marshfield.wi.us

**Zoning Map
Amendment
Application**

Fee: \$250.00 + \$10.00 per acre

Today's Date: 7/24/14

OFFICE USE ONLY

Date Received: <u>7-24-14</u>	Fee Receipt Number: <u>44890</u>	Zoning District: <u>SR-6</u>	Parcel #: <u>330-0990</u>
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SITE INFORMATION

Site Address: <u>201 W 4th St #306 S Chestnut Ave</u>	Lot #: <u>9, 10</u>	Block #: <u>81</u>	Subdivision: <u>Upham Mansion 039</u>
Section: <u>CITY MFLD</u>	Township: <u>CITY MFLD</u>	Range: <u>160</u>	Present Land Use: <u>Residential G1 ; R 1F 160</u>
Legal Description: <u>C-MFLD LOT 1, WOOD CO CSM #6408, BNG ALL OF LOTS 9 & 10 BLK 81</u>			

APPLICANT INFORMATION

Applicant Name: <u>John Iwaszczenko III</u>	Phone #: <u>715 384 6822</u>	Email Address: <u>johniwaszczenko@yahoo.com</u>
Address, City, State, Zip: <u>1102 Briarwood St Marshfield WI 54449</u>		
The Applicant is the <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Representative/Other (Describe): <u>prospective business owner</u>		

OWNER INFORMATION (IF DIFFERENT THAN APPLICANT INFORMATION)

Owner Name: <u>John Iwaszczenko Jr</u>	Owner Phone #: <u>715 207 0606</u>	Owner Email Address: <u>N/A</u>
Owner Address, City, State, Zip: <u>1117 W Adler Rd Marshfield WI 54449</u>		

LOT DETAILS

Street Frontage (Name and Distance): <u>4th Street (W) ; 88 ft.</u>	Depth: <u>154 ft.</u>	Area: <u>13,552 ft² ; 0.311 acre</u>
Public Utilities Available: <input checked="" type="checkbox"/> Sanitary <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Storm <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Other:		

DETAIL OF ZONING CHANGE REQUEST

Requested Zoning District: <u>Commercial</u>	Proposed Land Use: <u>restaurant</u>
Reason for Request: <u>John Iwaszczenko III believes the site offers a unique opportunity to create a restaurant that blends fresh fare with a beautiful and interesting historic setting. He believes this can be done while still respecting the Italianate architecture.</u>	

DOCUMENTATION SUBMITTED

Site Plan Proof of Ownership Area Map Survey Photographs Other:

Required documentation must be submitted to the Planning & Economic Development Department in order for the application to be placed on the Plan Commission meeting agenda. Although attendance by applicants at the Plan Commission meeting is optional, it is STRONGLY ADVISED that applicants make every effort to attend. Failure to attend can result in the denial or delay of an application due to incomplete information.

I hereby apply for a zoning change, and I acknowledge that the information above is complete and accurate; that the work will be in conformance with the ordinances and codes of the City of Marshfield and with Wisconsin Building Codes; that I understand this form is not in itself a zoning map amendment but only an application for a zoning map amendment and is valid only with procurement of applicable approvals.

Applicant Signature: John Iwaszczenko III Date: 7/15/14

John Iwaszczenko III
1102 Briarwood Street
Marshfield, WI 54449

July 14, 2014

Plan Commission
City of Marshfield
Marshfield, WI 54449

To Whom It May Concern:

As part of a rezoning application, I have spoken personally with the owner of the property north of the parcel for which I am requesting rezoning. I have made her aware of the intent for a restaurant at the location and she has no objections to the property being used that way.

I have asked her to sign the bottom of this letter acknowledging this conversation and outcome (as she suggested she was willing during our conversation). She is the resident at 306 South Chestnut Avenue. Her name is Kay Bryson.

With the combination of this resident's acceptance of the intended use, and considering that the surrounding area has a large amount of commercially zoned lots, I hope that the Plan Commission will find the rezoning request well within reason.

Sincerely,



John Iwaszczenko III
Prospective Business Owner

Enclosures: Zoning Map Amendment Application, accepted offer for purchase of property (cannot close until city engineers deliver street work assessment to current owner for settlement of that debt), photos of similar old houses which have been turned to quaint restaurants from across the country.

Signature: Kay Bryson (adjacent property to the north): Kathryn Bryson
Kathy
KB
date: July 14, 14



City of Marshfield Planning Commission Rezoning Report

Agenda Date: 08/19/14
Applicant: John Iwaszczenko III
Owner(s): John Iwaszczenko Jr. and Kathryn Bryson

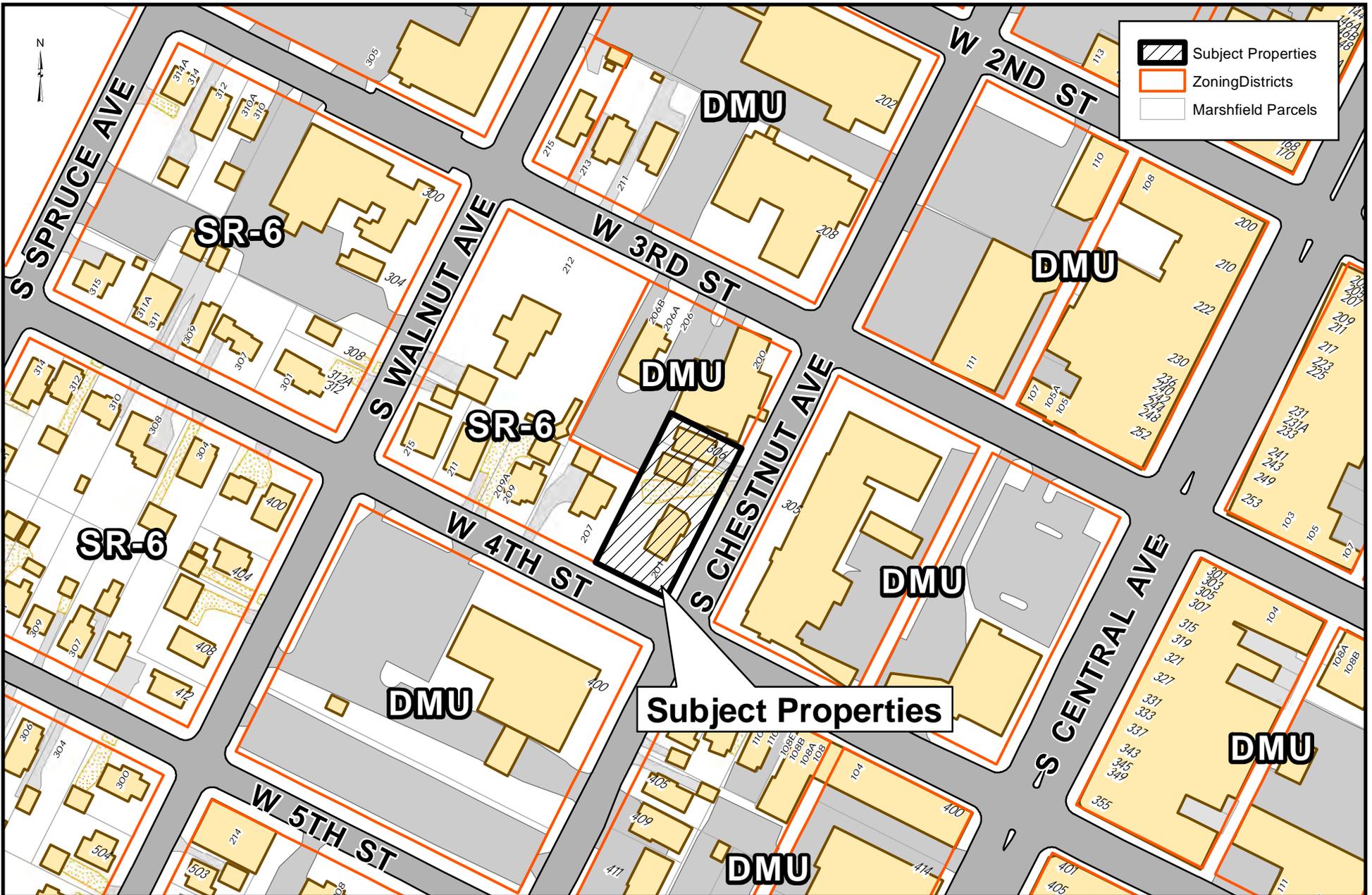
Parcel Number: 33-00996 and 33-00995
Jurisdiction: Aldermanic District 1
Location: 201 W 4th St and 306 S Chestnut Ave
Approx. Size of Tract: 16,377 Square Feet – 0.37 Acres
Land Use Plan: Downtown Mixed Use
Accessibility: Chestnut Avenue
Utilities: Yes

Present Zoning: “SR-6” Single Family Residential District
Zoning Requested: “UMU” Urban Mixed Use District
Existing Land Use: Developed – Single Family Residential
Proposed use: Restaurant and Single Family Residential
Extension of Zone: No, transition between zoning districts.

History of Zoning: The property was zoned “B-5” Downtown Commercial prior to 2013. It was then rezoned to “SR-6” Single Family Residential as part of the City-wide rezoning took place on January 1, 2013.

Surrounding Land Use and Zoning: North: “DMU” Downtown Mixed Use District
East: “DMU” Downtown Mixed Use District
South: “DMU” Downtown Mixed Use District
West: “SR-6” Single Family Residential District

Neighborhood Context: The area is a transitional area from downtown commercial uses to residential uses. To the north is a church, to the east is an assisted living facility, to the south is a bank, and to the west is a single family house.



Rezoning Request: 201 W 4th St & 306 S Chestnut Ave - "SR-6" to "UMU"
City of Marshfield - Plan Commission
Meeting Date: August 19, 2014

Map Not To Scale
 For Reference Only

ATTENTION: The representation of data presented herein is intended for reference purposes only; the City of Marshfield assumes no responsibility for the accuracy of the information provided. Any duplication without consent is prohibited.

Permitted Uses in SR-6	Permitted Uses in UMU
Single Family	Single family
Two Flat	Two Flat
Community Garden	Mixed Use Dwelling Unit(s)
Small Scale Indoor Institutional	Community Garden
Outdoor Open Space Institutional	Small Scale Indoor Institutional
Passive Outdoor Recreation	Outdoor Open Space Institutional
Active Outdoor Recreation	Passive Outdoor Recreation
Essential Services	Active Outdoor Recreation
Small Scale Public Services and Utilities	Essential Services
Community Living Arrangement (1-8 residents) meeting the requirements of Section 18-57(10)	Small Scale Public Services and Utilities
Communication Antenna	Community Living Arrangement (1-8 residents)
	Outdoor Display
	Indoor Commercial Entertainment
	Office
	Personal or Professional Service
	Artisan Studio
	Indoor Sales or Service
	Indoor Maintenance Service
	Communication Antenna



City of Marshfield Memorandum

TO: Plan Commission
FROM: Josh Miller, City Planner
DATE: August 19, 2014

RE: 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.

Background

Marshfield School District is proposing a canopy overhang to the existing east entrance of the administration office wing of the Marshfield Senior High School located at 1401 East Becker Road, zoned SR-3 Single Family Residential. The land use is categorized as a large scale indoor institutional having more than 10,000 gross square feet of indoor facility, requiring a Conditional Use Permit whenever the site plan is modified or the building is added to. Even though it's a canopy, it has posts and by code, anything with a post is considered a wall for setback purposes. Because the posts are considered walls, we have to view this as an addition. Any addition to the site plan of a Conditional Use must be reviewed and approved by the Plan Commission.

Analysis

Overall, the proposal is adding a very minimal amount to the building. The canopy will stick out approximately 12.1 feet beyond the existing overhang of the building and will be approximately 18.5 feet wide. The area of where the posts are is approximately 9.3 feet deep x 12.9 feet wide (total of 120.3 square feet) The addition to the entrance way is desired to provide a covering for those that are entering and exiting the administration offices. The new canopy does not trigger any need for additional parking or new landscaping.

Conditional Use Decision Criteria of 18-161(6)(c):

- (c) The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:
 1. Is in harmony with the recommendations of the Comprehensive Plan.

Staff does not find any conflict with the proposed use and the Comprehensive Plan.

2. Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.

The character of the neighborhood would not change as this is already an area where children currently get dropped off and picked up. If anything the neighborhood will be more esthetically pleasing and safer for the visitors to the administration offices.

3. Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

The consistency of the land use will not change.

4. The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

The subject property is already adequately served by public services, which supports no change.

5. The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

The purpose of the addition is for the benefit of visitors comfort, providing shelter, which outweighs all potential impacts of granting the proposed conditional use.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions, conditions, or modifications the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

APPROVE a Conditional Use Request by the Marshfield School District for the expansion of a "Large Scale Indoor Institutional Use," as presented for property located at 1401 East Becker Road, zoned "SR-3" Single Family Residential District.

Attachments

1. Application
2. Location Map
3. Elevations
4. Site Plan

Concurrence:



Jason Angell
Planning and Economic Development Director



MARSHFIELD

The City in the Center

Revised: 04/25/14

Department of Planning & Economic Development

City of Marshfield

P.O. Box 727

630 S Central Ave, Marshfield, WI 54449-0727

Ph: 715-486-2077 Fax: 715-384-7631

Email: Sam.Schroeder@ci.marshfield.wi.us

Conditional Use Permit Application

Fee: \$250.00

Today's Date: 7-25-2014

OFFICE USE ONLY

Date Received: 7/25/14	Fee Receipt Number:	Zoning District: SR-3	Parcel #: 330-3197
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SITE INFORMATION

Site Address: 1401 EAST Beckon Rd	Present LandUse: SCHOOL
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Legal Description: MARSHFIELD HIGH SCHOOL

APPLICANT INFORMATION

Applicant Name: SCHOOL DISTRICT OF MARSHFIELD	Phone #: 715-387-1101	Email Address:
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Address, City, State, Zip: 1010 EAST 4TH ST. MARSHFIELD, WI 54449

The Applicant is the Owner Authorized Representative/Other (Describe):

OWNER INFORMATION (IF DIFFERENT THAN APPLICANT INFORMATION)

Owner Name:	Owner Phone #:	Owner Email Address:
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Owner Address, City, State, Zip:

DETAIL OF CONDITIONAL USE REQUEST

Proposed Land Use: SCHOOL	Proposed # of Employees: 400	Proposed Hours of Operation:
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<input type="checkbox"/> Residential or <input checked="" type="checkbox"/> Nonresidential	Number of Buildings: 1	Number of Units:	Density (units per acre):
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Narrative of Conditional Use Request: Putting a canopy over the main entrance to the High School so that our visitors and guests feel welcome and protected from the elements of weather
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Future Plans/Modifications:	Time Needed to Finish Request:
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CODE REQUIREMENT REFERENCES (ZONING CODE - CHAPTER 18)

<input type="checkbox"/> Setback Requirements - Article II: Establishment of Zoning Districts
<input type="checkbox"/> Parking Requirements - Article III: Land Use Regulations
<input type="checkbox"/> Lighting, Storage, and Parking Standards - Article VII: Design and Performance Standards
<input type="checkbox"/> Landscape Requirements - Article VIII: Landscape Requirements

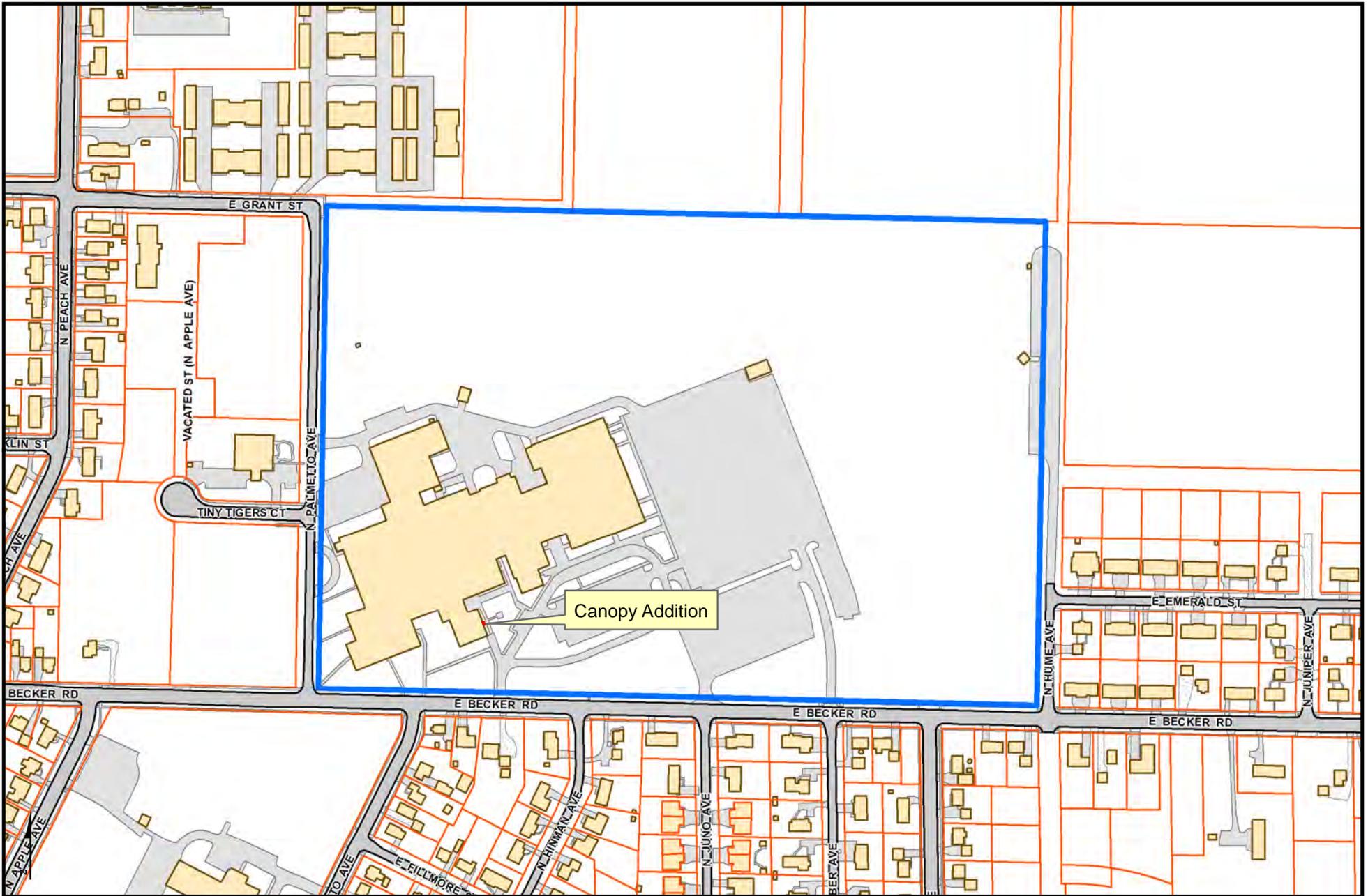
DOCUMENTATION SUBMITTED

Site Plan Landscape Plan Lighting Plan Survey Photographs Other:

Required documentation must be submitted to the Planning & Economic Development Department in order for the application to be placed on the Plan Commission meeting agenda. Although attendance by applicants at the Plan Commission meeting is optional, it is STRONGLY ADVISED that applicants make every effort to attend. Failure to attend can result in the denial or delay of an application due to incomplete information. Fees: the required fee of \$250 shall be submitted with this application, and shall not be refunded should this application be denied.

I hereby apply for a conditional use permit, and I acknowledge that the information above is complete and accurate; that the work will be in conformance with the ordinances and codes of the City of Marshfield and with Wisconsin Statutes and Building Codes; that the Plan Commission may recommend conditions not expressly stated, prior to the meeting, in documentation or by staff, or deny in part or in whole this request; that I understand this form is not in itself a conditional use permit but only an application for one and is valid only with procurement of applicable approvals. The Common Council shall be the final approval authority for the conditional use. In addition, as owner or authorized agent, my signature authorizes the City Staff or their representatives including members of the Plan Commission and Common Council to visit and inspect the property for which this application is being submitted.

Applicant Signature: [Signature] Date: 7-25-2014



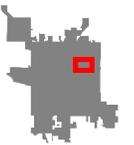
Canopy Addition

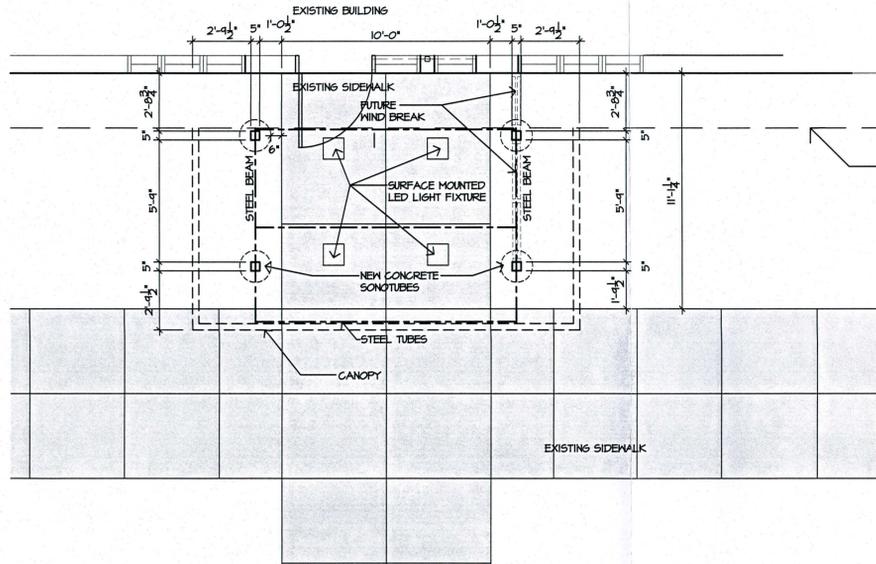


CUP - Site Plan Amendment - High School
City of Marshfield - Plan Commission
Meeting Date: August 19, 2014

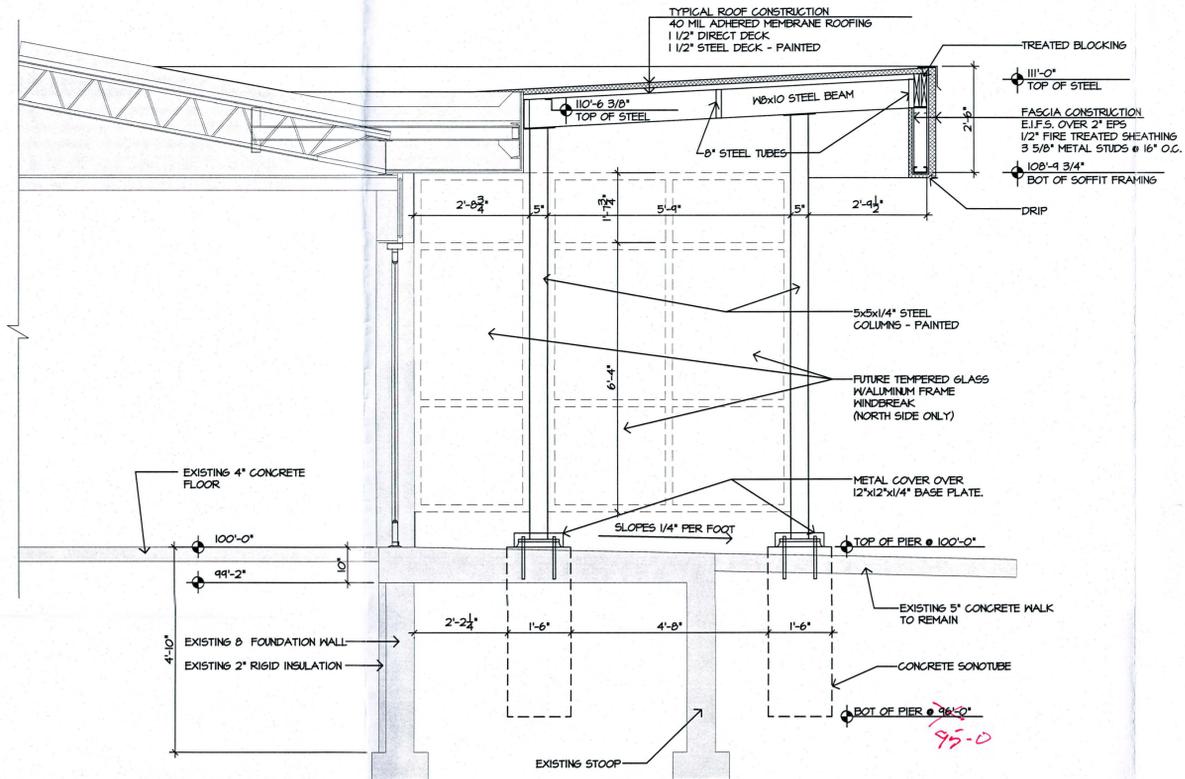
Map Not To Scale
 For Reference Only

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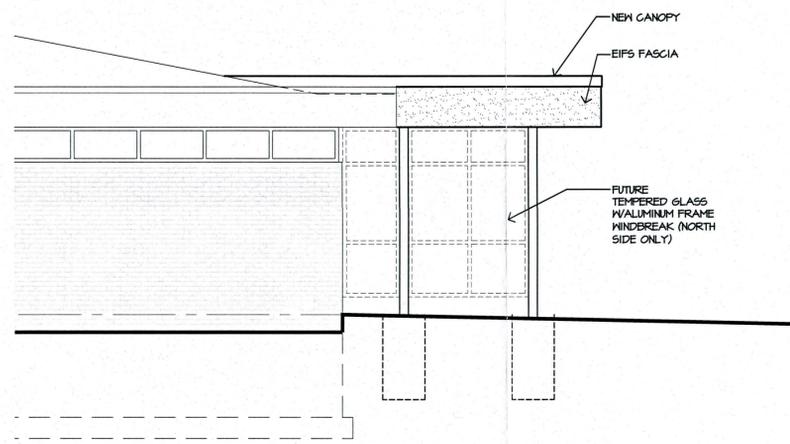


FLOOR PLAN
SCALE: 1/4"=1'-0"

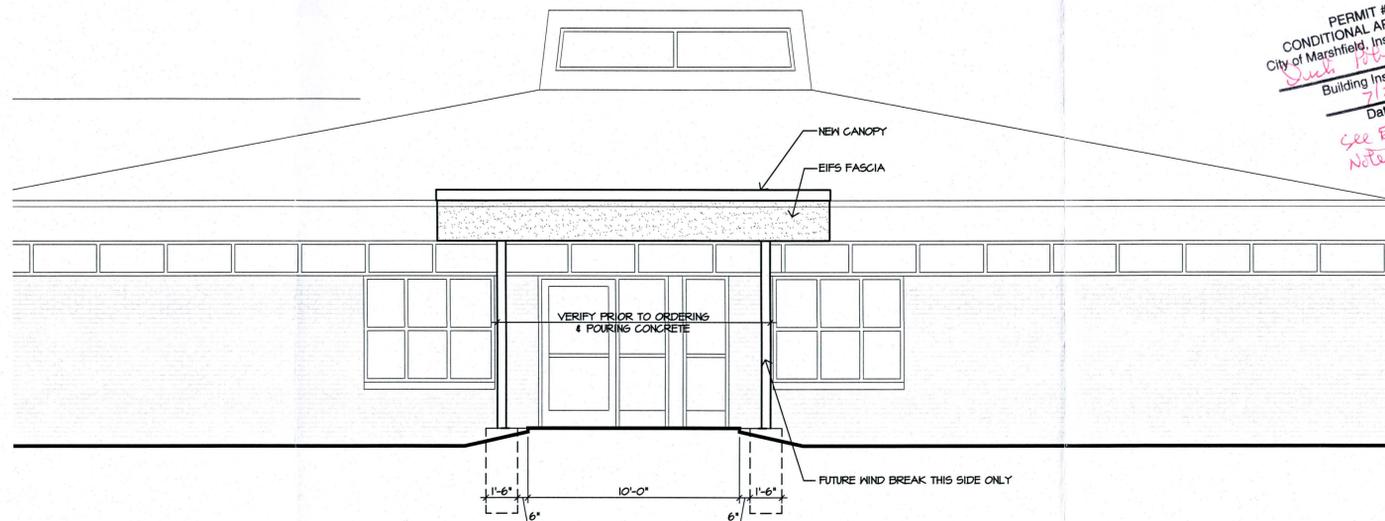


A CANOPY SECTION
SCALE: 1/2"=1'-0"

*Notes per design:
Anchor bolts for column
3/4" x 12" with 5" plates
5' long*



SOUTH ELEVATION
SCALE: 1/4"=1'-0"



EAST ELEVATION
SCALE: 1/4"=1'-0"

PERMIT # 20140778
CONDITIONAL APPROVAL
City of Marshfield, Inspection Dept.
Check P&E
Building Inspector
Date 3/23/14
*See Elevation Plan
Notes in Red ink*

REVISIONS	BY
4-24-14	KMN

MHS - CANOPY

DESIGN UNLIMITED

DAN HELWIG, ARCHITECT, AIA, 1024 WEST McMILLAN STREET, MARSHFIELD, WI 54449
www.designunlimited.com
(715) 384-3207 FAX (715) 384-9922

DRAWN BY KMN
CHECKED BY D.J.H.
DATE 3/6/14
SCALE AS NOTED
JOB NO.
SHEET A-1

Apr 24, 2014 - 12:03pm



City of Marshfield Memorandum

TO: Plan Commission
FROM: Josh Miller, City Planner
DATE: August 19, 2014

RE: Conditional Use Request by the Marshfield Youth Hockey Association, for a small vestibule addition, located at 405 East 17th Street, zoned "CD" Campus District.

Background

Marshfield Youth Hockey Association is proposing a new vestibule addition to the south façade of the existing hockey building, located at 405 East 17th Street, zoned "CD" Campus District. Campus Districts generally require a 5 Year Master Plan, but in situations where a plan has not yet been adopted, new development is approved through the Conditional Use Permit process.

Analysis

The proposal is for a small vestibule addition to the south side of the building. The vestibule will stick out approximately 10 feet beyond the existing building and will be approximately 12 feet wide. The area of where the posts are located is approximately 10 feet deep x 12 feet wide (total of 120 square feet). There will be a canopy that sticks out beyond the addition approximately 6 feet. The roof will have a 2 foot overhang beyond the post of the canopy to the south and beyond the walls of the canopy to the east and west. The addition to the entrance way is desired to provide an entryway to act as a buffer from the weather and to improve the aesthetics of the building. The new canopy does not trigger any need for additional parking or new landscaping.

Because the Master Campus Plan is not in place, there are no established setbacks for the district and they are defined when applying for a Conditional Use Permit. The proposed setback from the wall will be approximately 40 feet to the 17th Street right-of-way. The proposed setback to the west property line is 26 feet. Both proposed setbacks are reasonable for this type of use and staff would recommend a minimum front yard setback of 35 feet and minimum side yard setback of 15 feet for the addition.

Conditional Use Decision Criteria of 18-161(6)(c):

(c) The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:

1. Is in harmony with the recommendations of the Comprehensive Plan.

Staff does not find any conflict with the proposed use and the Comprehensive Plan.

2. Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.

The character of the neighborhood would not change. If anything the neighborhood will be more esthetically pleasing and safer for the visitors to the facility.

3. Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

The consistency of the land use will not change.

4. The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

The subject property is already adequately served by public services, which supports no change.

5. The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

The purpose of the addition is for the benefit of the uses of the facility and will improve the look of the building which outweighs all potential impacts of granting the proposed conditional use.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions, conditions, or modifications the Commission feels are justifiable and applicable to the request.

2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

APPROVE a Conditional Use Request by the Marshfield Youth Hockey Association for the vestibule addition as presented for property located at 405 East 14th Street, zoned "CD" Campus District with the following conditions:

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

Attachments

1. Application
2. Location Map
3. Elevations
4. Site Plan

Concurrence:



Jason Angell
Planning and Economic Development Director



MARSHFIELD

The City in the Center

Revised: 04/25/14

Department of Planning & Economic Development

City of Marshfield

P.O. Box 727

630 S Central Ave, Marshfield, WI 54449-0727

Ph: 715-486-2077 Fax: 715-384-7631

Email: Sam.Schroeder@ci.marshfield.wi.us

Conditional Use Permit Application

Fee: \$250.00

Today's Date: _____

OFFICE USE ONLY

Date Received: <i>7/24/14</i>	Fee Receipt Number: <i>44878</i>	Zoning District: <i>CD</i>	Parcel #: <i>330-346 AB</i>
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SITE INFORMATION

Site Address: <i>405 E. 17th St.</i>	Present Land Use: <i>Institutional / Hockey Arena</i>
Legal Description:	

APPLICANT INFORMATION

Applicant Name: <i>Allan Neinast</i>	Phone #: <i>715-305-6413</i>	Email Address: <i>myha.president@gmail.com</i>
Address, City, State, Zip: <i>1020 Tremmel Ct. Marshfield WI 54449</i>		
The Applicant is the <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Representative/Other (Describe): <i>Association President</i>		

OWNER INFORMATION (IF DIFFERENT THAN APPLICANT INFORMATION)

Owner Name: <i>Marshfield Youth Hockey Association</i>	Owner Phone #: <i>715-384-0025</i>	Owner Email Address: <i>[redacted]</i>
Owner Address, City, State, Zip: <i>405 E. 17th St. P.O. Box 943 Marshfield WI 54449</i>		

DETAIL OF CONDITIONAL USE REQUEST

Proposed Land Use:	Proposed # of Employees:	Proposed Hours of Operation:
<input type="checkbox"/> Residential or <input checked="" type="checkbox"/> Nonresidential	Number of Buildings: _____	Density (units per acre): _____
Narrative of Conditional Use Request: <i>10' x 12' addition = vestibule/Entry way for aesthetic purposes and to act as a buffer from the weather.</i>	Number of Units: _____	
Future Plans/Modifications: <i>N/A</i>	Time Needed to Finish Request:	

CODE REQUIREMENT REFERENCES (ZONING CODE - CHAPTER 18)

<input type="checkbox"/> Setback Requirements - Article II: Establishment of Zoning Districts
<input type="checkbox"/> Parking Requirements - Article III: Land Use Regulations
<input type="checkbox"/> Lighting, Storage, and Parking Standards - Article VII: Design and Performance Standards
<input type="checkbox"/> Landscape Requirements - Article VIII: Landscape Requirements

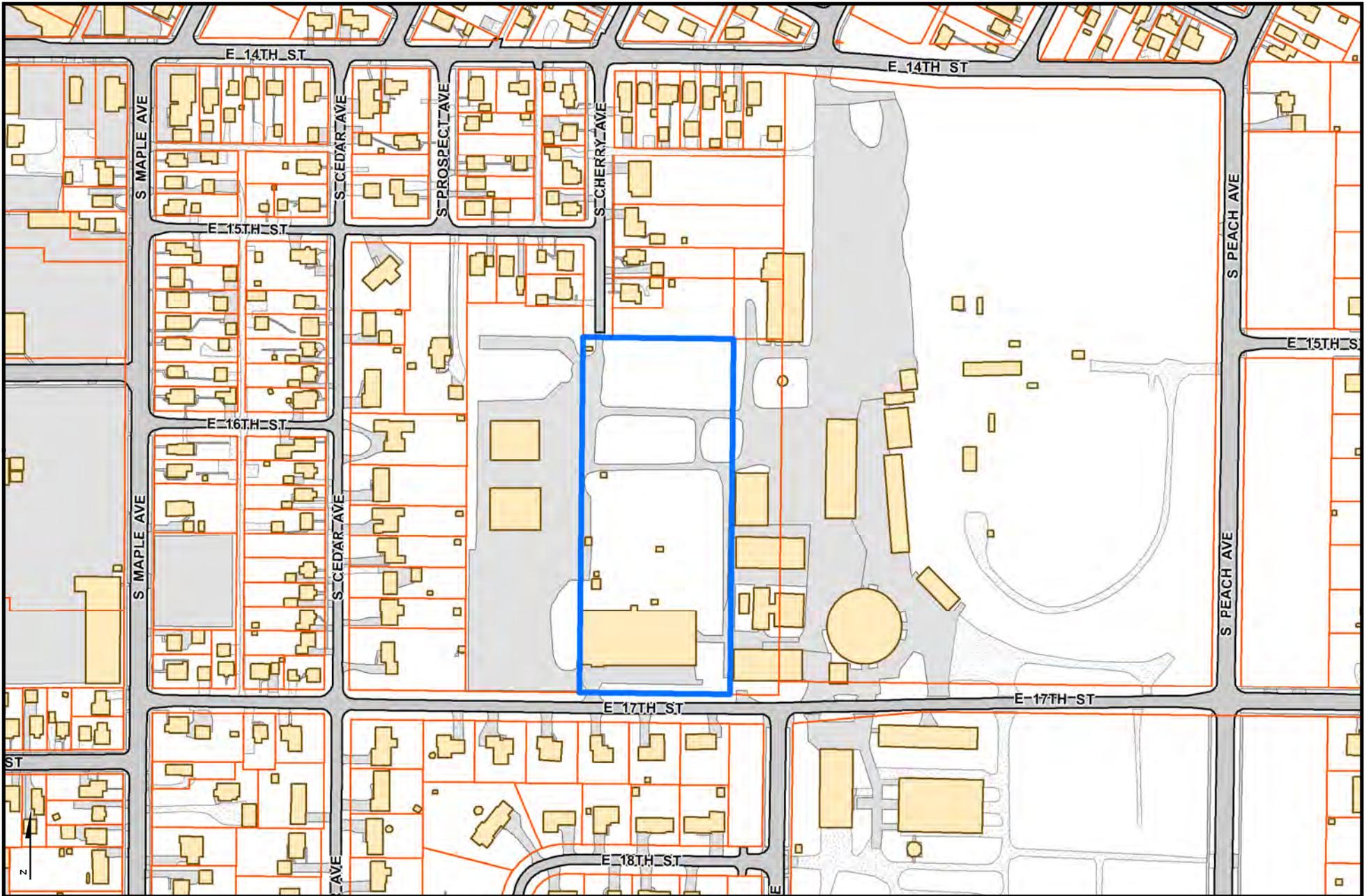
DOCUMENTATION SUBMITTED

<input type="checkbox"/> Site Plan	<input type="checkbox"/> Landscape Plan	<input type="checkbox"/> Lighting Plan	<input type="checkbox"/> Survey	<input type="checkbox"/> Photographs	<input type="checkbox"/> Other:
------------------------------------	---	--	---------------------------------	--------------------------------------	---------------------------------

Required documentation must be submitted to the Planning & Economic Development Department in order for the application to be placed on the Plan Commission meeting agenda. Although attendance by applicants at the Plan Commission meeting is optional, it is STRONGLY ADVISED that applicants make every effort to attend. Failure to attend can result in the denial or delay of an application due to incomplete information. Fees: the required fee of \$250 shall be submitted with this application, and shall not be refunded should this application be denied.

I hereby apply for a conditional use permit, and I acknowledge that the information above is complete and accurate; that the work will be in conformance with the ordinances and codes of the City of Marshfield and with Wisconsin Statutes and Building Codes; that the Plan Commission may recommend conditions not expressly stated, prior to the meeting, in documentation or by staff, or deny in part or in whole this request; that I understand this form is not in itself a conditional use permit but only an application for one and is valid only with procurement of applicable approvals. The Common Council shall be the final approval authority for the conditional use. In addition, as owner or authorized agent, my signature authorizes the City Staff or their representatives including members of the Plan Commission and Common Council to visit and inspect the property for which this application is being submitted.

Applicant Signature: *Allan P. Neinast* Date: *7-24-14*

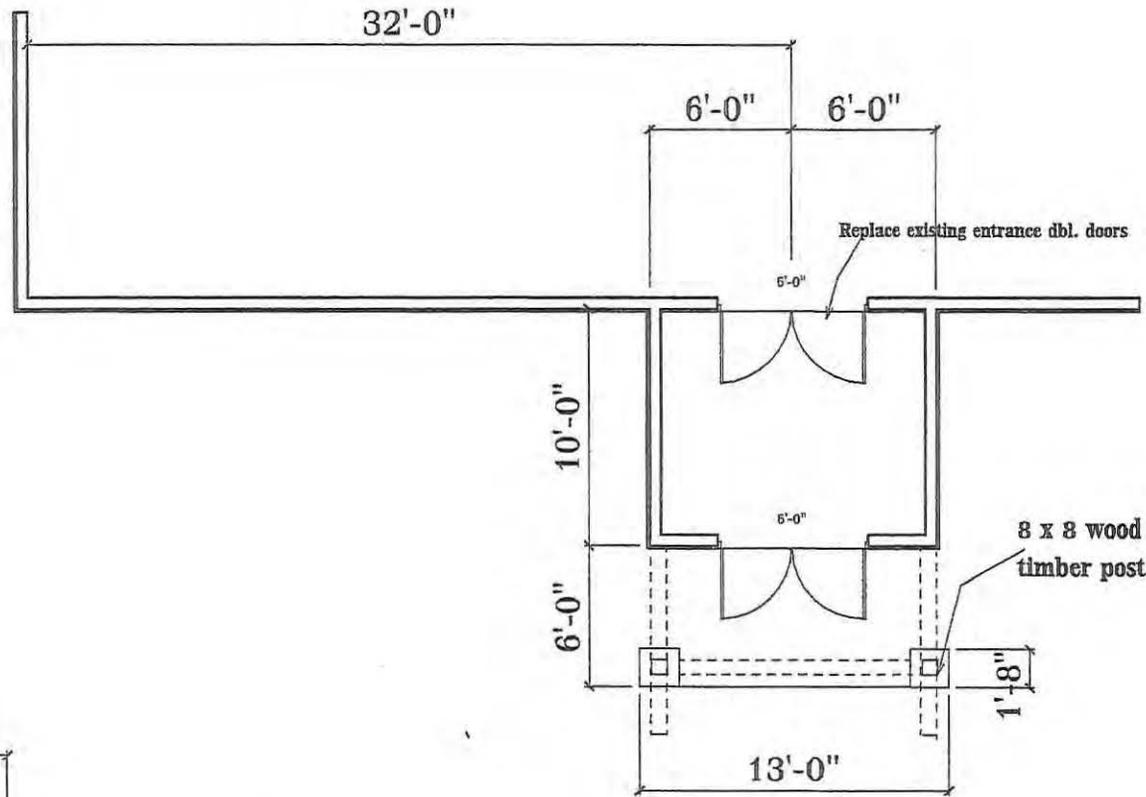


CUP - Site Plan Amendment - Fairgrounds
City of Marshfield - Plan Commission
Meeting Date: August 19, 2014

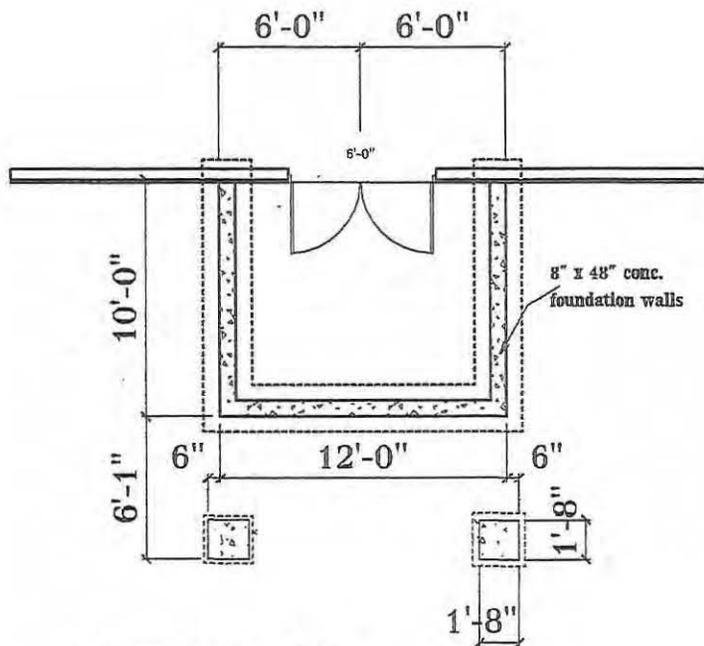
Map Not To Scale
 For Reference Only

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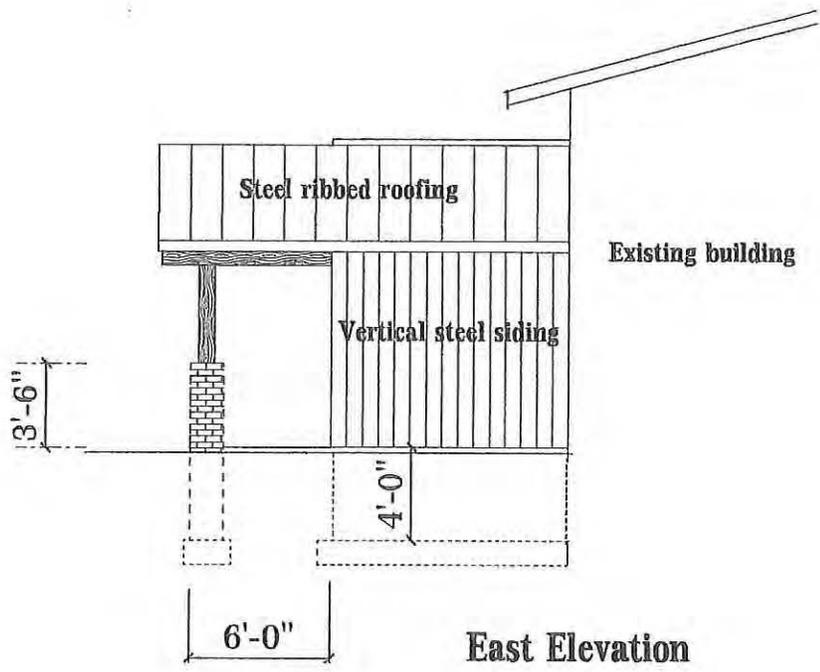
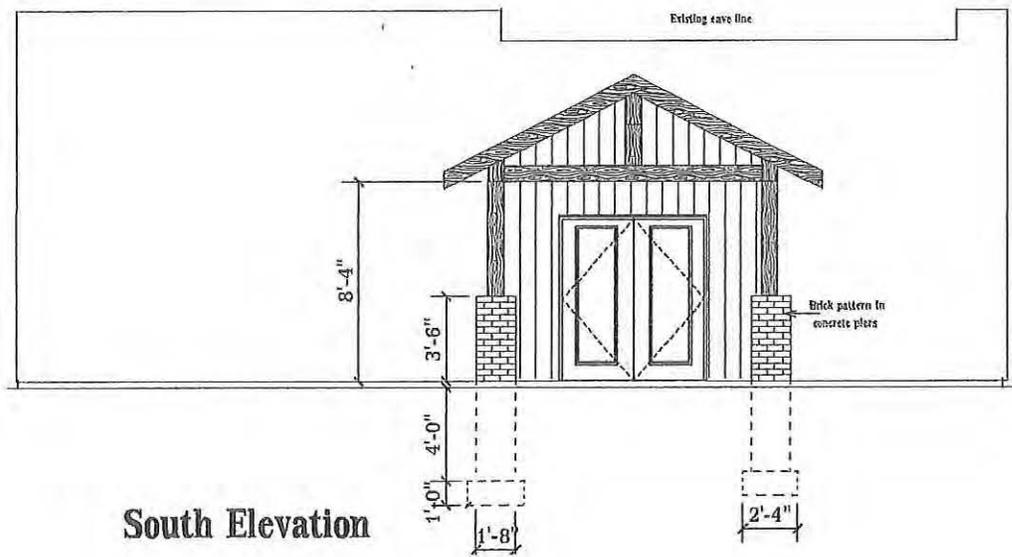


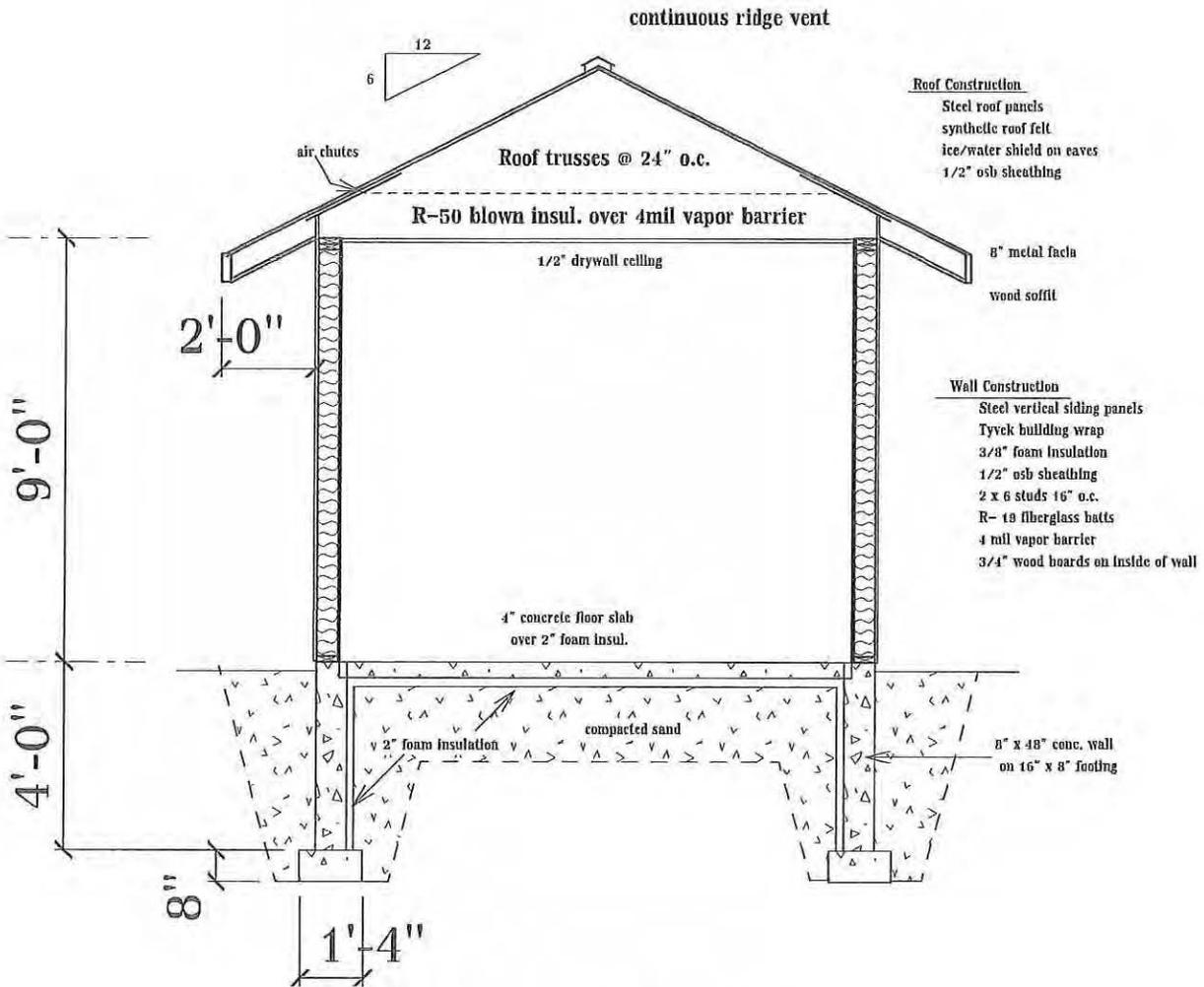
Floor Plan



Foundation Plan

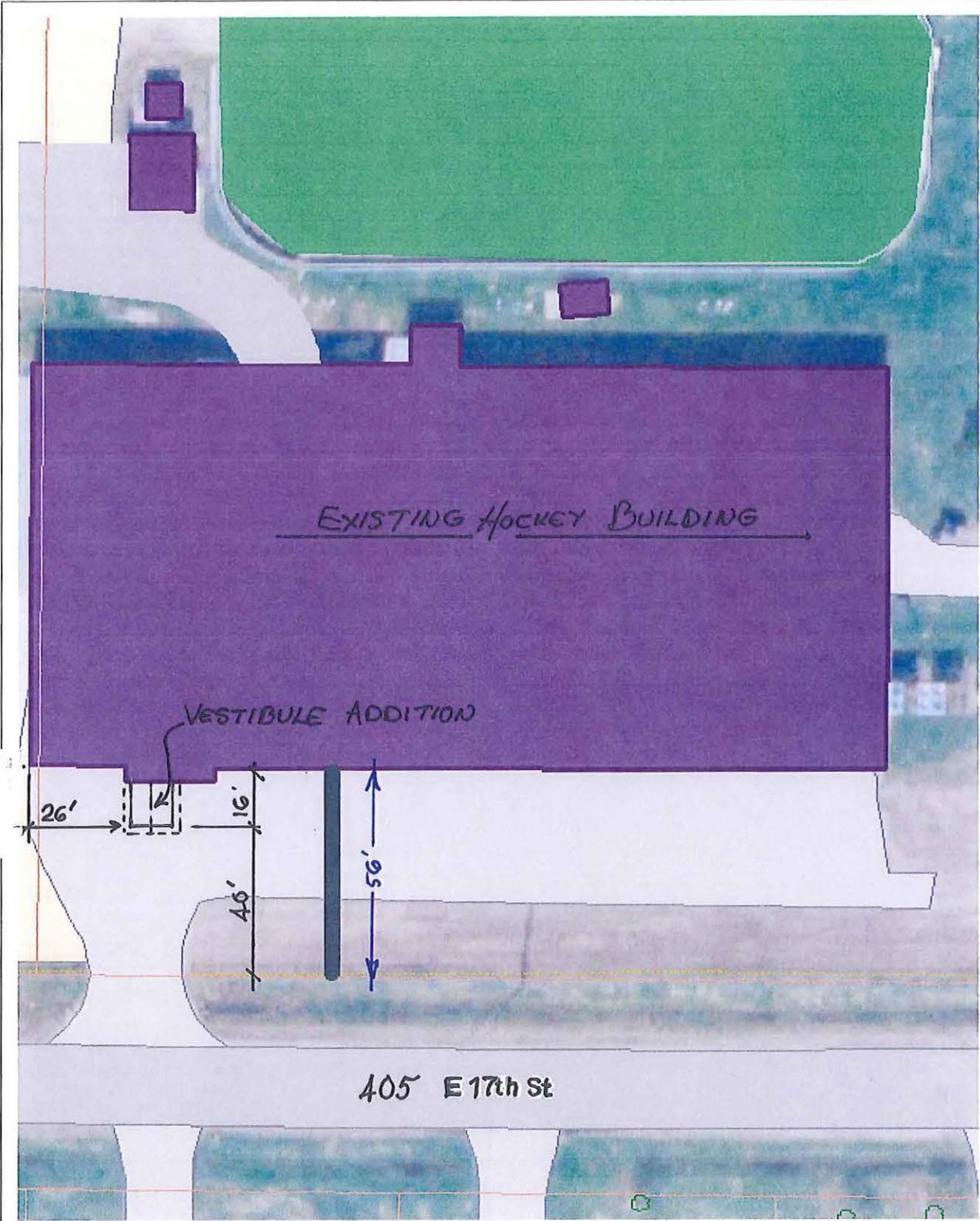
Vestibule addition to MYHA hocky building	
405 E 17th St. Marshfiels, Wisc.	
Trudeau Const. Marshfield, Wisc.	
Scale ... 1/8" = 1' - 0"	Date ... 7/3/2014





Cross Section

Scale ... 1/4" = 1' - 0"



Marshfield Interactive Mapping
City of Marshfield GIS

405 E. 17th St.



Printed: Jul 17, 2014

This is not a legal survey document. This map was compiled by the City of Marshfield's Geographic Information System for reference purposes only.



City of Marshfield Memorandum

TO: Plan Commission
FROM: Josh Miller, City Planner
DATE: August 19, 2014

RE: 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.

Background

Stoney River is requesting to have an outdoor patio area at their Community Based Residential Facility (CBRF), located at 1204 West McMillan Street, zoned "SR-4" Single Family Residential. The original Conditional Use Permit was approved in 2009. The facility was constructed in 2010. Since that time, there has been an interest in having an outdoor patio area for residents and guests for gatherings and events. Except for a few sidewalks, the outdoor space consists primarily of grassed lawn areas. This can be difficult to utilize for residents in walkers and wheelchairs.

The Zoning Code requires that any modification of the previously approved conditions of use or site plan shall require application and City consideration under Section 18-161, Conditional Use Permit Procedures.

Analysis

The overall patio space will be approximately 29 feet x 45 feet (1,305 square feet) which includes portions of the existing sidewalk. The proposed location for the new patio area is on the south side of the building and will be enclosed on three sides by the existing building. The open side of the patio (south) is already screened by landscaping.

Staff has been made aware of parking concerns by some of the neighboring property owners. During certain days of the month when they have events or nursing students on-site, the overflow parking often parks along Pheasant Run Drive. This situation created a visibility issue as vehicles were parked too close to the intersection of Pheasant Run Drive and McMillan Street. Due to this issue, the Board of Public Works restricted parking a distance of 50 feet from the intersection.

When the Conditional Use Permit was approved in 2009, the facility met the minimum parking requirements in place at the time. Under the current parking requirements for a CBRF, they do fall short of the minimum parking standard by 6 stalls. The current requirement is for one stall for every 3 beds and 1 stall for each employee of the largest shift. The facility has 60 beds and has 15 employees working on the largest shift. They provide 29 parking stalls (including a two car garage which accounts for two parking spaces), but would be required to provided 35 based on the current zoning code. At the time of approval in 2009, the zoning code required that off-street parking shall be provided for all employees. The City cannot retroactively require the facility to meet the current parking standards. However, given the existing parking situation, staff feels it is appropriate to consider addressing the parking situation as a condition of approval for an amendment to the site plan.

Because the facility is not meeting the current minimum parking requirements or demand for parking, staff feels that an additional 6 stalls should be provided, either on-site, or within a reasonable distance off-site. If property is not controlled or owned by Stoney River or its parent company, then an agreement with the property owner of the parking stalls shall be submitted to the City. Staff is aware that the existing site is pretty much built to capacity with no room for additional on-site parking and that past efforts to obtain additional parking with neighboring property owners have been unsuccessful. However, the Applicant should make every effort to meet the parking demand within a year of constructing the new patio area.

Conditional Use Decision Criteria of 18-161(6)(c):

(c) The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:

1. Is in harmony with the recommendations of the Comprehensive Plan.

Staff does not find any conflict with the proposed use and the Comprehensive Plan.

2. Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.

Although the outdoor patio area would not trigger additional parking needs, staff does have concerns with the current parking situation and feels that should be addressed prior to approval of an expansion to their site plan.

3. Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

The consistency of the land use will not change as the outdoor area will be well screened from any adjacent property owner.

4. The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

The subject property is already adequately served by public services, which supports no change.

5. The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

The purpose of the patio addition is for the benefit of the uses of the facility and will improve the look of the building which outweighs all potential impacts of granting the proposed conditional use.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions, conditions, or modifications the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

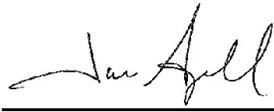
APPROVE a Conditional Use Request by Tiffany Hainz, on behalf of Stoney River, to amend the site plan of the Conditional Use Permit to allow an outdoor patio area, located at 1204 West McMillan Street, zoned "SR-4" Single Family Residential, subject to the following conditions:

1. An additional 6 parking stalls will be devoted to Stoney River either on-site, or off-site within a reasonable distance, within a year of constructing the outdoor patio area.

Attachments

1. Application
2. Location Map
3. Site Plan

Concurrence:

A handwritten signature in black ink, appearing to read "Jason Angell". The signature is written in a cursive style with a prominent initial "J".

Jason Angell
Planning and Economic Development Director



MARSHFIELD
The City in the Center

Revised: 04/25/14

Department of Planning & Economic Development

City of Marshfield

P.O. Box 727

630 S Central Ave, Marshfield, WI 54449-0727

Ph: 715-486-2077 Fax: 715-384-7631

Email: Sam.Schroeder@ci.marshfield.wi.us

**Conditional Use
Permit Application**

Fee: \$250.00

Today's Date: 7/23/14

Handwritten:
48
P.M.
7/23

OFFICE USE ONLY

Date Received: <u>7-23-14</u>	Fee Receipt Number: <u>44863</u>	Zoning District: <u>SR-4</u>	Parcel #: <u>830-3286A</u>
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SITE INFORMATION

Site Address: 1204 W McMillan Street Marshfield, WI 54449	Present Land Use: CBRF
--	---------------------------

Legal Description: CBRF

APPLICANT INFORMATION

Applicant Name: Tiffany Hainz	Phone #: 715-207-6423	Email Address: THainz@stoneyriverweb.com
----------------------------------	--------------------------	---

Address, City, State, Zip:
1204 W McMillan Street Marshfield, WI 54449

The Applicant is the Owner Authorized Representative/Other (Describe): Administrator

OWNER INFORMATION (IF DIFFERENT THAN APPLICANT INFORMATION)

Owner Name: Sabra Phoenix Holding LLC	Owner Phone #: 949-679-0398	Owner Email Address:
--	--------------------------------	----------------------

Owner Address, City, State, Zip:
18500 Von Karman Avenue Suite 550 Irvine, CA 92612

DETAIL OF CONDITIONAL USE REQUEST

Proposed Land Use: Patio	Proposed # of Employees: 16	Proposed Hours of Operation: 6:00 am - 10:00 pm
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<input checked="" type="checkbox"/> Residential or <input type="checkbox"/> Nonresidential	Number of Buildings: 1	Number of Units: 48	Density (units per acre): 16.57
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Narrative of Conditional Use Request: Outdoor patio for tenant's recreational use.

Future Plans/Modifications: None at this time	Time Needed to Finish Request: Est. Completion date: 9/2014
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CODE REQUIREMENT REFERENCES (ZONING CODE - CHAPTER 18)

<input checked="" type="checkbox"/> Setback Requirements - Article II: Establishment of Zoning Districts <input checked="" type="checkbox"/> Parking Requirements - Article III: Land Use Regulations <input checked="" type="checkbox"/> Lighting, Storage, and Parking Standards - Article VII: Design and Performance Standards <input checked="" type="checkbox"/> Landscape Requirements - Article VIII: Landscape Requirements

DOCUMENTATION SUBMITTED

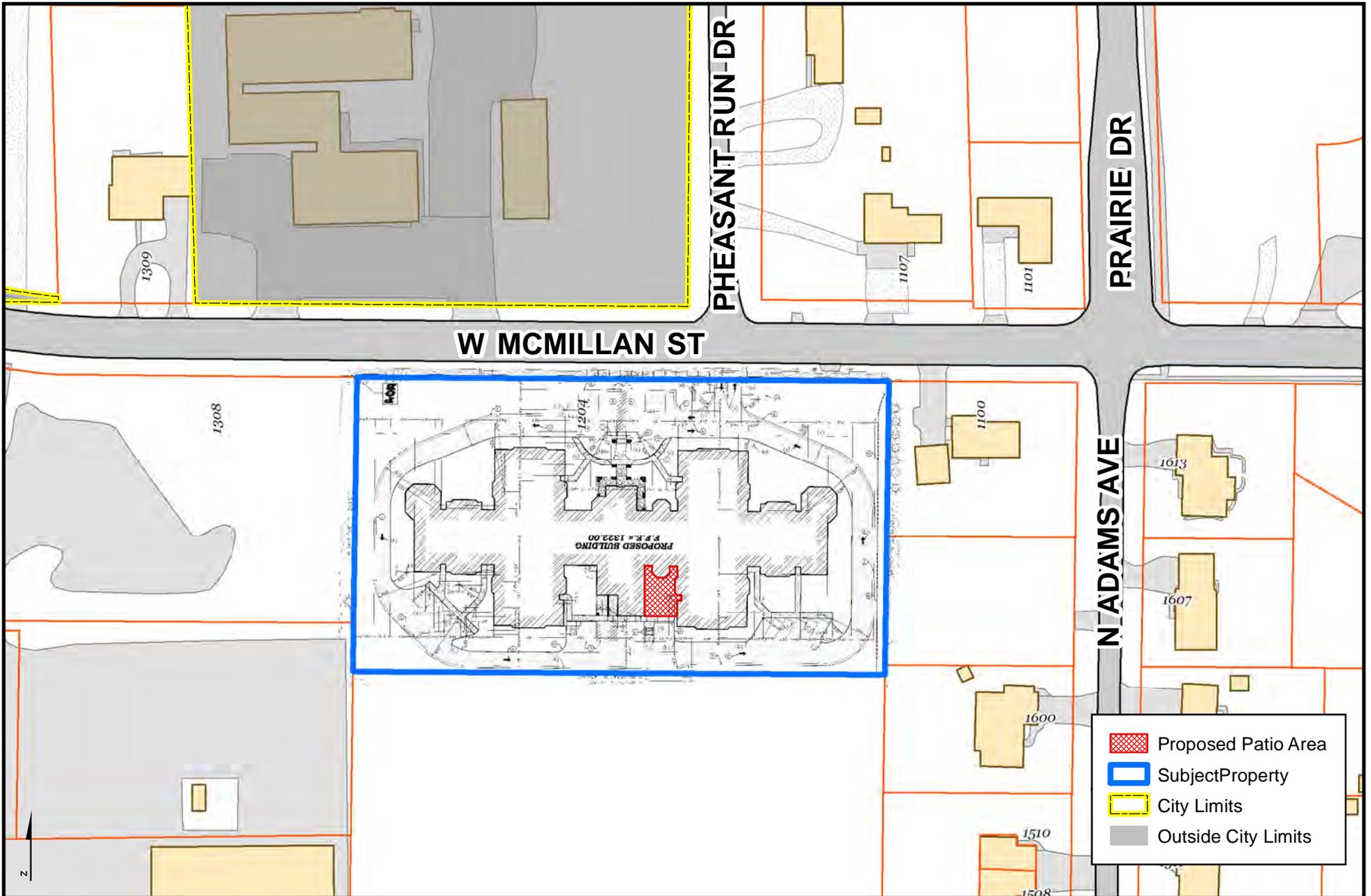
Site Plan Landscape Plan Lighting Plan Survey Photographs Other: See enclosed diagram

Required documentation must be submitted to the Planning & Economic Development Department in order for the application to be placed on the Plan Commission meeting agenda. Although attendance by applicants at the Plan Commission meeting is optional, it is STRONGLY ADVISED that applicants make every effort to attend. Failure to attend can result in the denial or delay of an application due to incomplete information. Fees: the required fee of \$250 shall be submitted with this application, and shall not be refunded should this application be denied.

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Applicant Signature: Tiffany Hainz

Date: 7-18-14



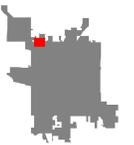
-  Proposed Patio Area
-  Subject Property
-  City Limits
-  Outside City Limits



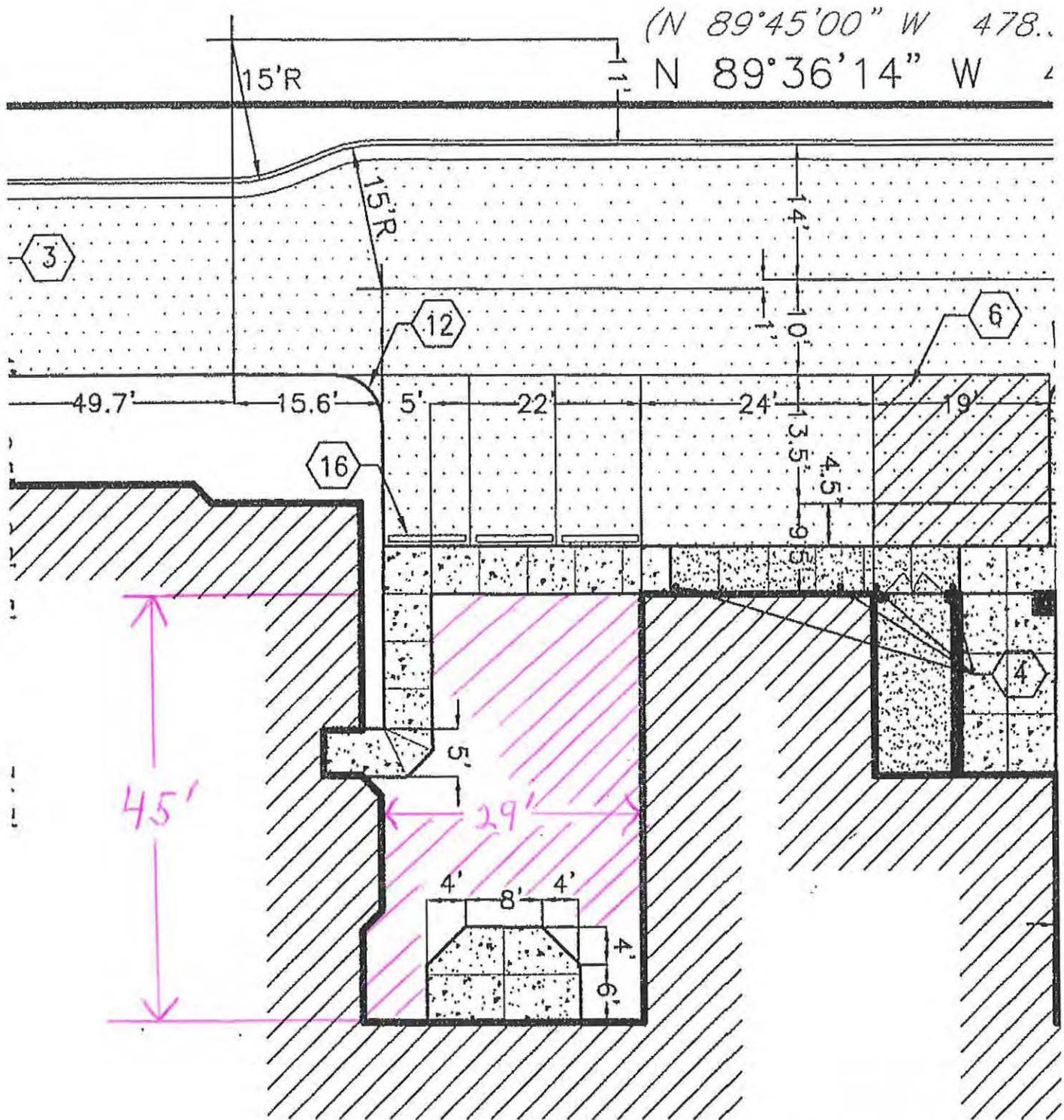
CUP - Site Plan Amendment - Stoney River
City of Marshfield - Plan Commission
Meeting Date: August 19, 2014

Map Not To Scale
 For Reference Only

ATTENTION: The representation of data presented herein is intended for reference purposes only; the City of Marshfield assumes no responsibility for the accuracy of the information provided. Any duplication without consent is prohibited.



SOUTH



PROPOSED BUILDING
F.F.E. = 1322.0

North



STONEY RIVER
ADMINISTRATOR
PARKING
ONLY



City of Marshfield Memorandum

TO: Plan Commission
FROM: Josh Miller, Planner/Zoning Administrator
DATE: August 19, 2014

RE: 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.

Background

Last year, Duane Schutz, owner of Nutz Deep II, applied for and received a Conditional Use Permit (CUP) for an exception to the parking standards to place an addition on the back of the building. The CUP was granted with a number of conditions, including requiring an agreement with a neighbor (Hiller's Hardware Store) to provide the overflow parking. The Applicant now has an offer to purchase the three adjacent properties to the south (817 and 823 South Central Avenue and a vacant parcel) and is requesting a review of the conditions so he can provide the parking on his own property, without needing the agreement with Hiller's Hardware Store.

Analysis

With the addition, the Nutz Deep II facility would be required to have 35 parking stalls on-site. They currently provide 15. With the purchase of the property to the south, they could provide up to an additional 37 stalls, depending on the layout and if the detached garage was torn down. Plus additional stalls can be provided in the building next door (3,700 square feet of warehouse space could be used for parking. The building space and parking breakdown is as follows:

- 4,525 square feet of restaurant space = 30 stalls (1 stall per 150 square feet)
- 4 apartment units = 4 stalls (1 stall per apartment unit)
- 5,208 square feet of office space next door = 15 stalls (1 stall per 350 square feet)
- Total required parking is 49 stalls for the two buildings.

All four parcels could accommodate up to 52 surface parking stalls, depending on the configuration. This would cover the parking for Nutz Deep II and the existing office building without needing the parking lot at Hiller's to account for

the minimum required parking. If the 3,700 square feet of warehouse space is factored in as accessory storage space, any space used for parking in the warehouse could be counted toward meeting the parking requirement. It is likely that some of the warehouse/garage space will be used by employees and refrigerated trailers they rent out.

In addition to the on-site parking, there are still approximately 62 on-street parking stalls within a block of the front entrance of the tavern, 30 parking stalls along both sides of 8th Street and 32 designated parking stalls along both sides of South Central Avenue. Section 18-103(14)(a)(c) and (f) gives the Plan Commission the right to waive the parking requirements as needed through the issuance of a Conditional Use Permit in the Downtown Mixed Use District.

Because of the popularity of the businesses vehicles are often parking on the street and in the Hiller's Hardware Store parking lot already. The Applicant has a rental agreement with Hiller's Hardware Store across 8th Street to allow for overflow parking when needed. This agreement is a year to year basis, but the Applicant would like the flexibility of meeting the parking requirements on his own property if the agreement were to lapse in the future.

Conditional Use Decision Criteria of 18-161(6)(c):

(a) The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:

1. Is in harmony with the recommendations of the Comprehensive Plan.

Yes, the comprehensive plan promotes providing rear parking and on- and off-street shared parking areas.

2. Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.

The new parking area should reduce the parking demand on the street and in the nearby Hiller's Hardware Parking lot.

3. Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

The parking lot will be hard surfaced and with the available indoor storage, the back area will be cleaned up as they can park the trailers inside.

4. The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

The building will not require any additional public services.

5. The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

If the conditions are met the public benefit will outweigh all possible negative impacts to the neighborhood.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions, conditions, or modifications the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

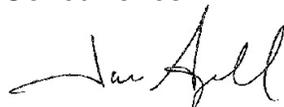
APPROVE a Conditional Use Permit request by Duane Schutz (Nutz Deep II) for an exception to the minimum parking requirements for a tavern (Indoor Commercial Entertainment) and to allow for off-site parking to accommodate a new addition, located at 809 South Central Avenue, zoned "DMU" Downtown Mixed Use District with the following conditions/exceptions:

1. The parking area at 809, 817, 823 South Central Avenue and Parcel No. 33-01911 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.

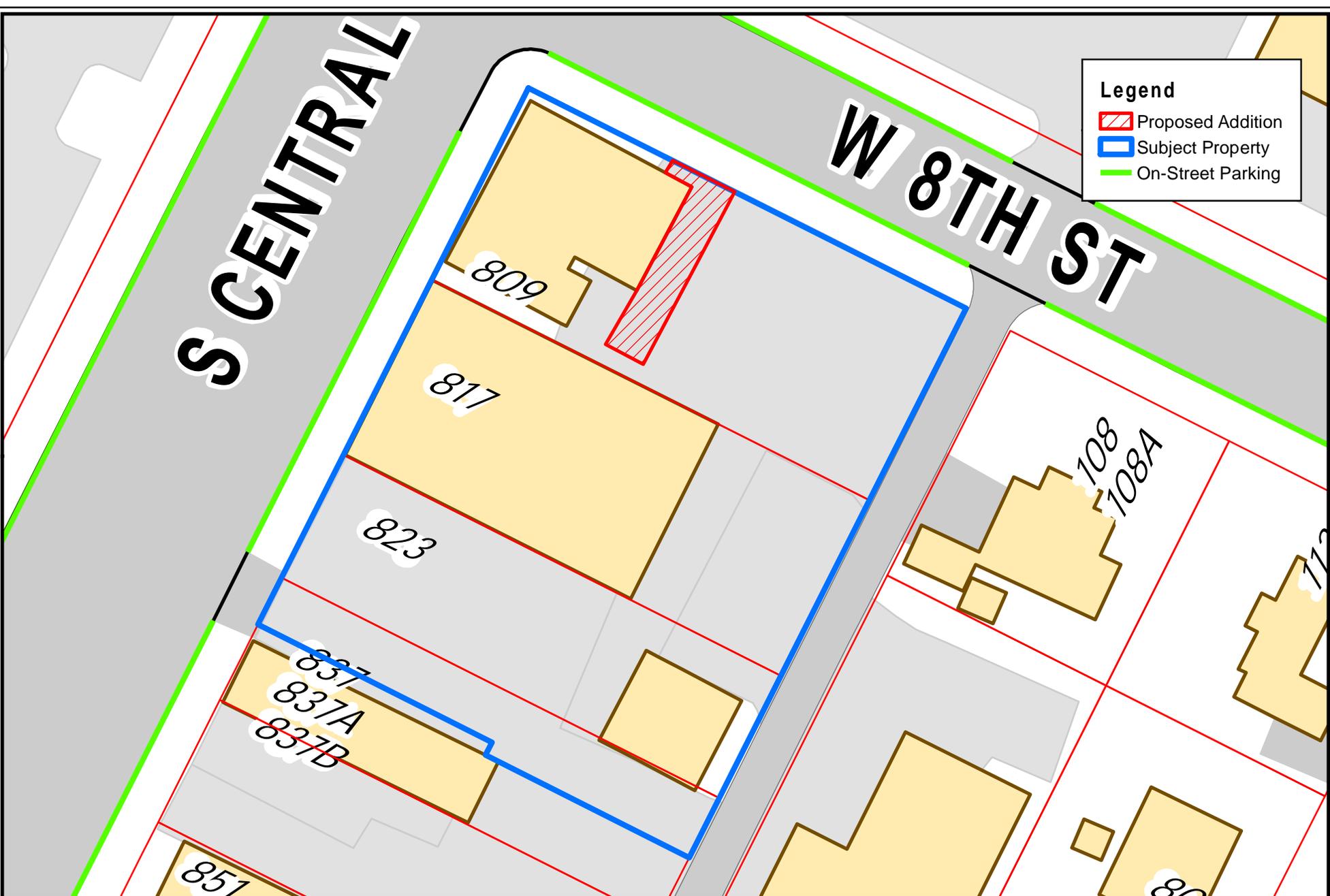
Attachments

1. Location Map
2. Parking Layout (concept for maximizing parking – actual layout may differ)

Concurrence:



Jason Angell
Planning and Economic Development Director



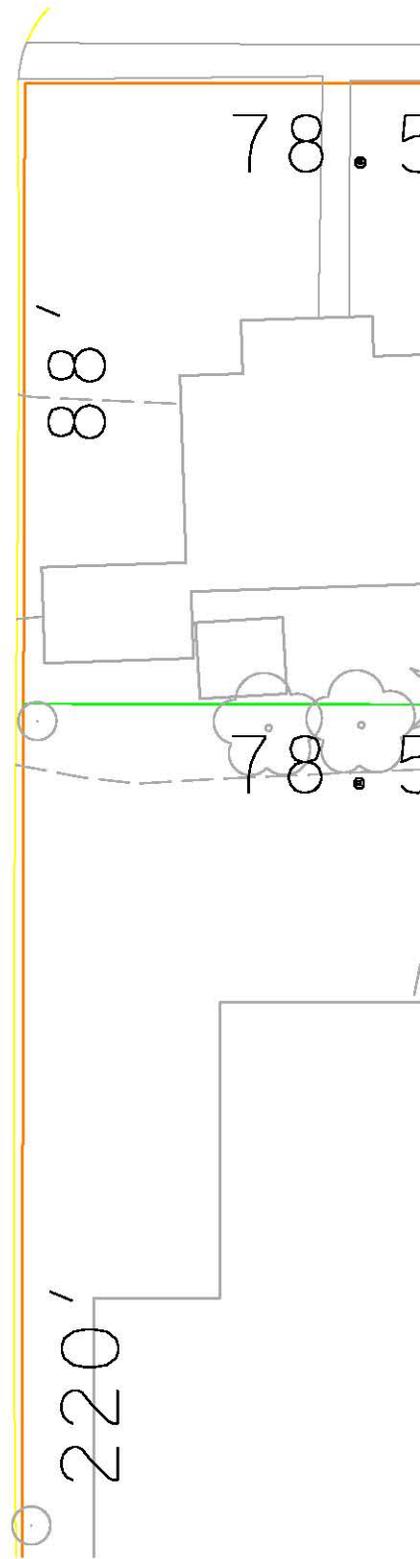
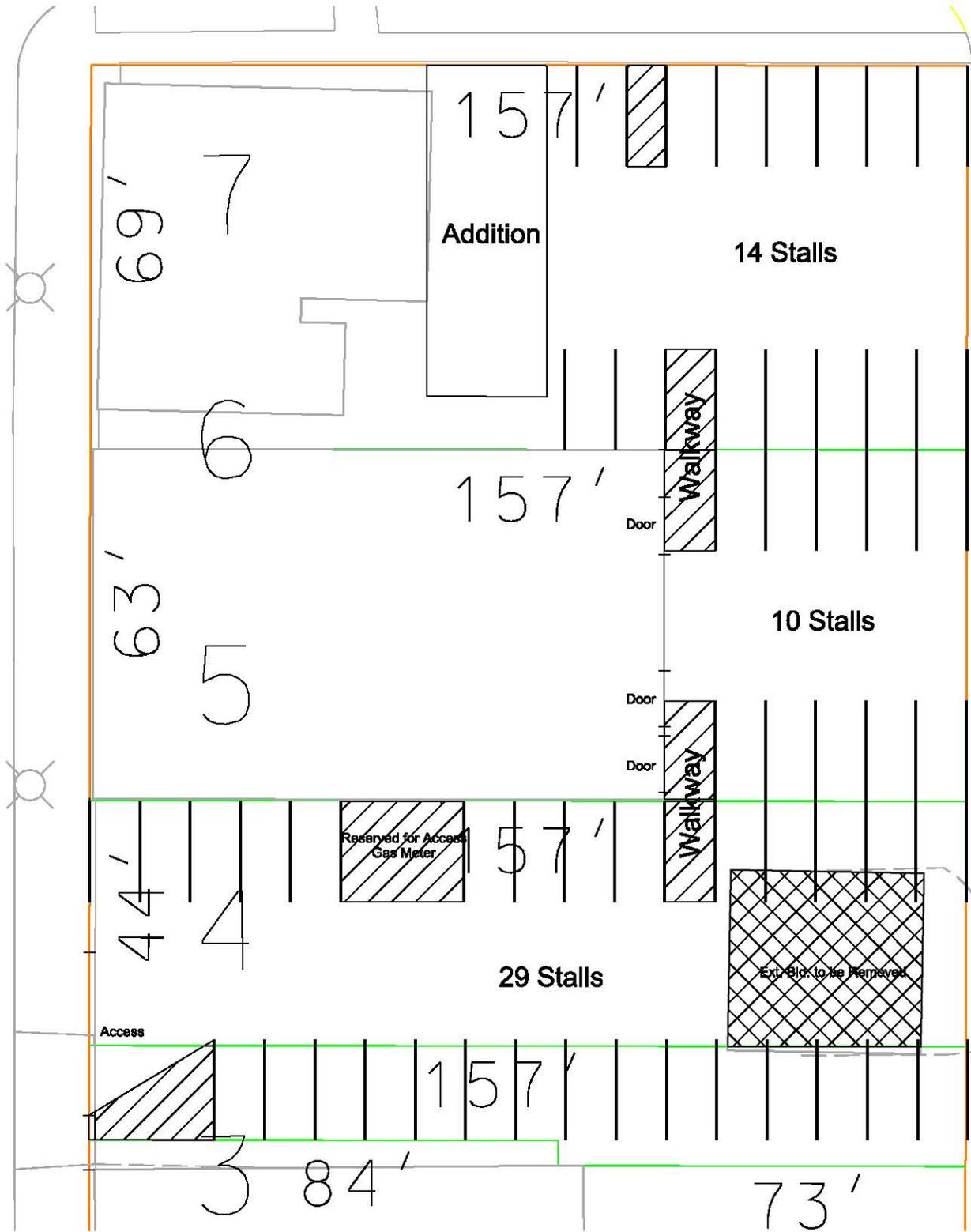
CUP - Nutz Deep II - 809 S Central Ave
City of Marshfield - Plan Commission
Meeting Date: August 19, 2014

Map Not to Scale
 Reference Only



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CENTRAL AVE





City of Marshfield Memorandum

TO: Plan Commission
FROM: Sam Schroeder, Zoning Administrator
DATE: August 19, 2014

RE: Alternative Sign Request by Stoney River Memory Care to allow a second freestanding sign facing McMillan Street, located at 1606 North Saint Joseph Avenue, zoned "SR-2" Single Family Residential.

Background

Stoney River Memory Care is currently in the process of constructing a 24 bed Community Based Residential Facility (CBRF). The building is located at 1606 North Saint Joseph Avenue, near the corner of West McMillan Street and North Saint Joseph Avenue, with street frontage also on North Shawano Drive. The facility has one primary access off of North Saint Joseph Avenue and one emergency access that will be chained or gated off on North Shawano Drive. The Applicant came forward with a concept for a sign plan to have the main monument sign near the primary entrance along North Saint Joseph Avenue and a second smaller, less intense, monument sign along West McMillan Street to help identify the building for people driving along West McMillan Street. Because Section 24-03 of the Municipal Sign Code only permits one freestanding sign per lot, staff could only administratively approved the primary monument sign for the site. Stoney River Memory Care is now requesting an alternative sign permit to allow a second freestanding sign the property so the site will have visible signage along West McMillan Street and North Saint Joseph Avenue.

Analysis

The existing lot is approximately 3.5 acres with 230' of frontage along West McMillan Street, 184' of frontage along North Saint Joseph Avenue, and 207' of frontage along North Shawano Drive. With frontage on three streets, this lot is actually not classified as a corner lot because the City of Marshfield owns a small, triangle shape piece of land that is located directly on the corner of West McMillan Street and North Saint Joseph Avenue. This small chunk of land, which is occupied by the water tower, also has 220' of frontage along both West McMillan Street and North Saint Joseph Avenue. These two properties have the appearance of one lot.

According to the Sign Code all signage for each lot is limited to 2 square feet per linear foot of street frontage. With this calculation, this lot (not including the water tower property) is permitted 1,242 square feet of signage. However, there are maximum size allowances per individual types of signs. A monument sign for an institutional use is allowed one freestanding sign up to 100 square feet in area. The monument sign that was approved administratively was 47 square feet. This sign will be internally illuminated and have an electronic message center. The proposed second freestanding monument sign is only 15 square feet and will not have any illumination. Combined this is still 38 square feet less than the maximum allowable signage for an individual freestanding sign.

The Sign Code states, if there are unusual site factors, which preclude an allowed sign from being visible to the street immediately in front of the site, an adjustment may be granted to achieve visibility standards. This adjustment is not intended to be used to make signs visible to other streets, but to address site difficulties of visibility to the street on which the sign has direct frontage. Site difficulties may include the sign face being blocked due to topography of the site, elevation of street, setback of the existing development, existing development or landscaping on the site, or from abutting development or landscaping. This set of adjustment criteria is generally intended to allow greater flexibility in placement and dimension requirements of the sign. The adjustment may be approved if the following criteria are found to be met:

1. There is no reasonable place on the site for an allowed sign without an adjustment to achieve visibility standards to the street immediately in front of the site.
2. If the proposed sign extends into the five-foot setback requirement, the sign will not create a traffic or safety hazard.
3. Of potential adjustments to meet the visibility standard, the request is the most consistent with the surrounding development and sign patterns.
4. The adjustment is the minimum needed for a sign to meet the visibility standards.
5. Additional signage may not constitute an over proliferation of signs on a property or cause needless repetition or redundancy of signage.
6. The sign would not be located so as to have a negative impact on adjacent property.
7. The size and height adjustment is the minimal to adhere visibility standards.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions or conditions the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

Staff recommends approval of the alternative sign request by Stoney River Memory Care to allow a second freestanding sign as presented located at 1606 North Saint Joseph Avenue, zoned "SR-2" Single Family Residential.

Attachments

1. Application
2. Location Map
3. Sign Rendering

Concurrence:



Jason Angell
Planning and Economic Development Director



Department of Planning & Economic Development

City of Marshfield
P.O. Box 727
630 South Central Avenue
Marshfield, WI 54449-0727
Telephone: 715-486-2075
Fax: 715-384-7631
Email: josh.miller@ci.marshfield.wi.us

Sign Permit Application

- Standard-Face Change \$25.00
Standard \$50.00
Alternative \$250.00

Date: Jun 25, 2014

Sign Location: 1606 St. Joseph Ave Business Name: Stoney River Memory Care

Business Contact Person: Brett or Mae

Mailing Address: 6409 West Main Street Arpin

Phone: 715-207-8893- B 715-406-4414-M Email: mjohnson@brownsliving.com

Sign Contractor: Stratford Sign Company Contact Person: Kristi or Dan

Mailing Address: PO Box 134 Stratford, WI 54484

Phone: 715-687-3250 Email: kristi@stratfordsign.com

Sign Company UL File Number: E206971

Electrical Signs (must be UL listed):

- New Electrical Installation
Extend Existing Electrical
No Alterations to Existing Electrical

(Licensed Electrician/ Electrical Permit Needed)

Electrical Contractor:

Address:
City:
State: Zip Code: Ph:

Office Use Only: Electrical Inspector Approval: Date:

SIGN NO. 1 (if applying for additional new signs at the same location, please fill out Attachment A)

- On-Building Sign
Freestanding Sign

Sub-type: Awning/Canopy Billboard Changeable Copy Community Information

- Direction (off-premise) Direction (on-premise) EMC Fuel Home Occupation Highway
Marquee Monument Multi-tenant Mural Off-Premise Post and Panel
Projecting, sign setback: Pylon Suspended Wall

Display message: Welcome To Stoney River Memory Care (McMillan Street Location)

Sign Dimensions: Height: 4 ft. 2.25 in. Width: 3 ft. 5.625 in. Total New Sign Area (sq. ft.): 14.53

Sign Cost (material + installation): \$ 3890.00 Illumination: No Yes If yes, Internal or External

If On-Building Sign:

Location of sign on facade (Direction/Street):

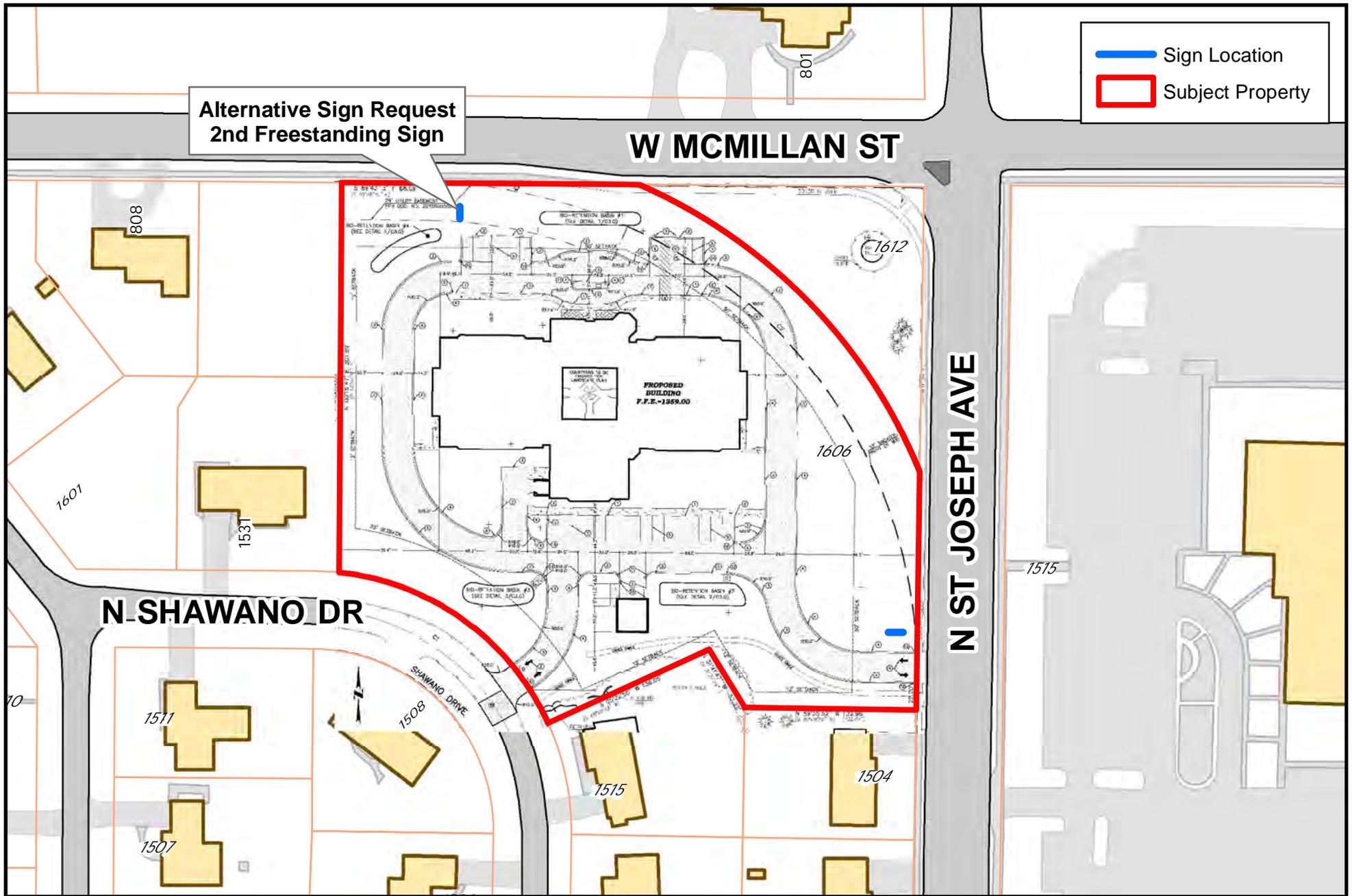
If Freestanding Sign:

Setback from the nearest property line: 5' off Overall Sign Height: 7' 3' Landscape Area: Yes No

Office Use Only: Use: Institutional Zoning District: SR-2 Permitted: Yes No
Adjacent to a Residential Zoning District: Yes No Which facades: North, South, West
Downtown Design Corridor: Yes No Facade Area (sq. ft.): N: E: S: W:
Total sq. ft.: 14.53 Corner lot: Yes No Lineal street frontage (ft.): N: 230 E: 184 S: 207 W:
Permit No.(s): #1 #5 #9
#2 #6 #10
#3 #7 #11
#4 #8 #12
Total Permit Fee: \$250 Zoning Administrator Approval: Date:

 Sign Location
 Subject Property

Alternative Sign Request
2nd Freestanding Sign

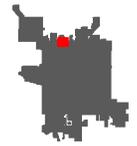


SGN - Stoney River - 1606 N St. Joseph Ave
 City of Marshfield - Plan Commission
 Meeting Date: August 19, 2014

Map Not to Scale
Reference Only

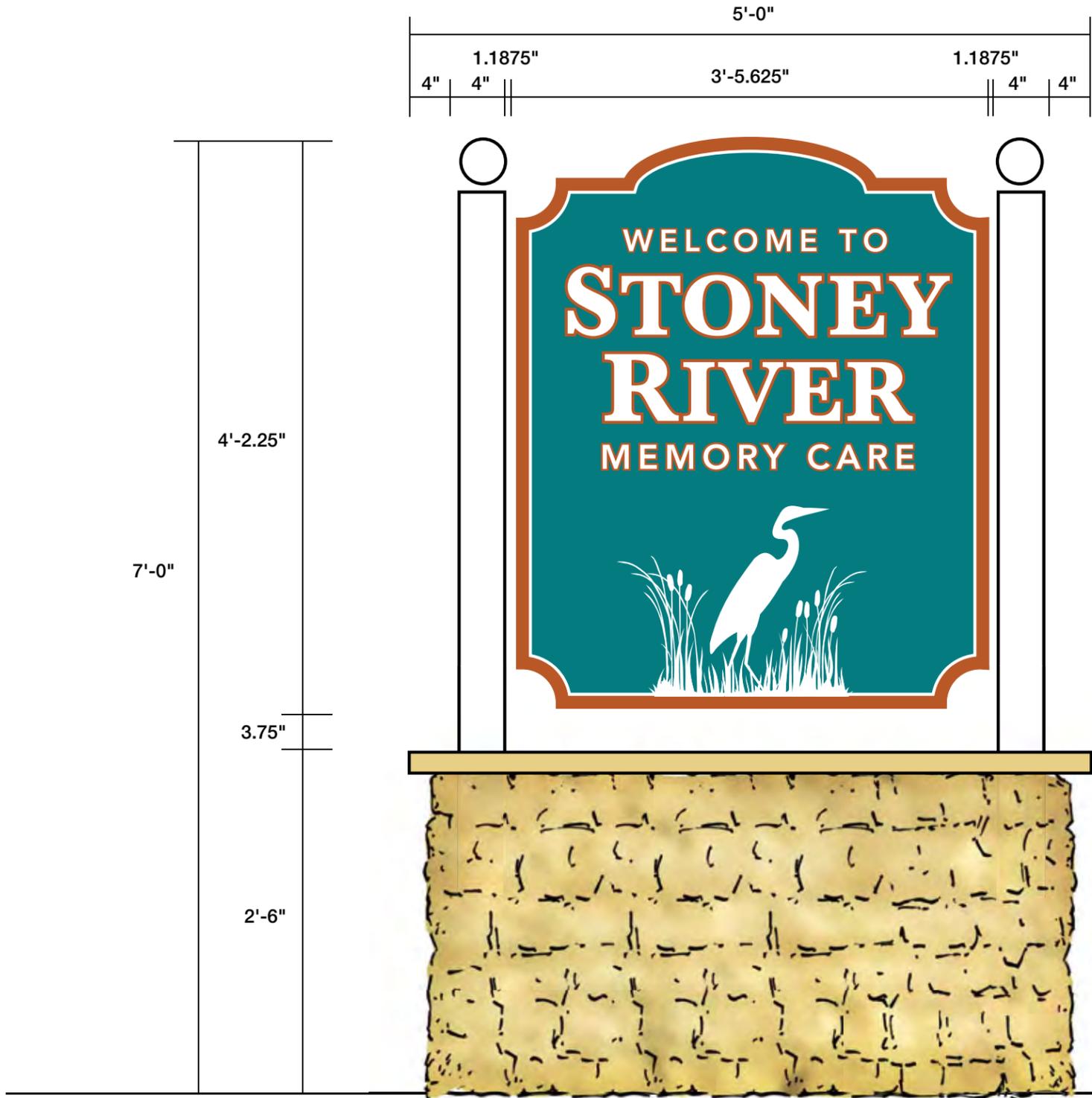


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SIGN TYPE 7

QUANTITY: 1



Two Sided Sign

Dimensional Letters, Art, and Border
Sign Face Painted Match PMS 322 with White and Match PMS 1675 Borders.
Dimensional White Letters with Match PMS 1675 Returns.

Note: Art will have a more realistic, natural appearance, rather than flat, with cattails layered and bird more rounded and detailed. Colors should mimic natural colors and blend/harmonize with the sign colors.

Note: Stonework will reflect the same style and material as the building foundation and monument sign.

Sign columns to reflect the same style, color and appearance as columns on the building.

2-SIDED MONUMENT SIGN

QUANTITY: 1



1" thick painted aluminum/steel art.
(Fabricator to select appropriate material
for art to withstand exterior conditions)

Painted aluminum cabinet.

1" thick dimensional letters.
Face and returns painted white.

Digital reader board. Two lines.

Daktronics AF-3200 Series
34 mm Outdoor Monochrome Message Display

Monument base constructed to
match stonework at facility entrance.

Monument face illuminated by ground
mounted spotlights.



City of Marshfield Memorandum

TO: Plan Commission
FROM: Sam Schroeder, Zoning Administrator
DATE: August 19, 2014

RE: Master Sign Plan Application - by Security Health to allow a new internally lit wall sign to face a residentially zoned property to the west and to exceed 50 square feet in area, located at 1515 North Saint Joseph Avenue, zoned "CD" Campus District.

Background

Security Health is proposing to add a new wall sign on the west façade of the building located at 1515 North Saint Joseph Avenue, zoned "CD" Campus District. The proposed sign is an existing wall sign that was removed from a different location. The two locations are consolidating at the Marshfield location and the Applicant is hoping to reuse this existing sign instead of placing it in storage. The sign is 104.5 square feet in area and internally illuminated. Currently there are a total of 3 signs on the property, a 55 square foot monument sign, and two 16.5 square feet directional signs for a total property signage of 88 square feet. On January 3, 2014, staff administratively approved face change sign permits for all three of the existing signs.

Analysis

According to our Municipal Sign Code, new individual signs less than 50 square feet in area for nonresidential uses may be approved administratively in the "CD" Campus District; all other signs must be approved through the master sign plan process. Staff did not see the need for a master sign plan when the Applicant requested the 3 face change sign permits because there was not an increase in signage. The proposed sign is a new sign that is greater than 50 square feet which triggered a master sign plan and the review and approval by the Plan Commission.

The Municipal Sign Code also states that internally illuminated wall signs are not permitted when facing residentially zoned property. Directly across the street from the proposed sign location are individual residential homes and the new Stoney River Memory Care facility. The existing Security Health building is setback from the public right-of-way about 215 feet, the public right-of-way is

about 65 feet right-of-way and the nearest residential building is setback an additional 30 feet from the other side of the right-of-way. Combined the proposed sign is setback to the nearest residential property about 310 feet.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions or conditions the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

Staff recommends approval of the Master Sign Plan request by Security Health to allow a new internally lit wall sign to face residentially zoned properties and to exceed 50 square feet in area, located at 1515 North Saint Joseph Avenue, zoned "CD" Campus District, with the following conditions:

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

Attachments

1. Application
2. Location Map
3. Renderings of Signs

Concurrence:



Jason Angell
Planning and Economic Development Director



Department of Planning & Economic Development
 City of Marshallfield
 P.O. Box 727
 630 South Central Avenue
 Marshallfield, WI 54449-0727
 Telephone: 715-486-2077
 Fax: 715-384-7631
 Email: Sam.Schroeder@ci.marshfield.wi.us

Master Sign Plan Application

- Master Sign Permit: \$150.00, plus \$50.00 for each individual sign permit
- Master Sign Permit w/ exception(s): \$300.00, plus \$50.00 for each individual sign permit

Date: 7/23/14

Sign Location: 1515 N Saint Joseph Avenue Business Name: Security Health Plan
 Business Contact Person: _____

Applicant/Owner: Security Health Plan
 Mailing Address: P.O. Box 8000 Marshallfield WI 54449
 Phone: (715) 221-9688 Email: _____

Sign Contractor: Graphic House Inc. Contact Person: Matthew Woller
 Mailing Address: 9204 Packer Drive Wausau WI 54401
 Phone: (715) 842-0402 Email: matthew.woller@graphichouseinc.com
 Sign Company UL File Number: _____

- Electrical Signs (must be UL listed):**
- New Electrical Installation
 - Extend Existing Electrical
 - No Alterations to Existing Electrical
- (Licensed Electrician/
Electrical Permit Needed)

Electrical Contractor: _____
 Address: _____
 City: _____
 State: _____ Zip Code: _____ Ph: _____

Office Use Only: Electrical Inspector Approval: _____ Date: _____

Allowable Signage:

Street Name	Direction (N, S, E, W)	Lot Frontage (feet)	Allowable Signage
<u>St. Joseph's</u>	<u>(W)</u>	<u>584.50</u>	* 2 sq. ft. = <u>1169</u>
<u>McMillen</u>	<u>(W)</u>	<u>439.50</u>	* 2 sq. ft. = <u>879</u>
_____	_____	_____	* 2 sq. ft. = _____
_____	_____	_____	* 2 sq. ft. = _____
Total Allowable Signage =			<u>2048</u>

Office Use Only:
 Use: Commercial Zoning District: CD Downtown Design Corridor: Yes No
 Adjacent to a Residential Zoning District: Yes No Which facades: West
 Meet the Max 10% per Facade: Yes No Corner lot: Yes No Permitted: Yes No
 Permit No.(s): #1 _____ #5 _____ #9 _____
 #2 _____ #6 _____ #10 _____
 #3 _____ #7 _____ #11 _____
 #4 _____ #8 _____ #12 _____
 Date Received: 7/23/14 Total Permit Fee: \$ 350.00 Fee Receipt No.: _____
 Zoning Administrator Approval: _____ Date: _____

Existing & Proposed Sign Information

Freestanding Sign(s):

A	Location (street / other)	Type (new / existing)	Style (pole / monument)	Area (sq. ft.)	Height (ft.) (to sign top)	Setback (ft.)	Display (message)
1	<u>St. Joseph's</u>	<u>existing</u>	<u>monument</u>	<u>55</u>	<u>6.7</u>	<u>existing</u>	<u>Security Health Plan</u>
2							

Electronic Message Center: Yes No Area (sq. ft.)= _____ Changeable Copy Sign Yes No Area (sq. ft.)= _____

Building Sign(s) Facade 1:

Facade Direction: west Facade Ht: _____ Facade W: _____ x 10 % = _____ sqft. Allowable Signage

B	Type (new / existing)	Style (Wall, Projecting, etc)	Sign Dimensions (Ht x W)	Area (sq. ft.)	Illuminated (Yes/No)	Sign Cost	Height (ft.) (to sign top)	Display (message)
1	<u>new</u>	<u>wall</u>	<u>43" x 29'-2"</u>	<u>104.5</u>	<u>yes</u>	<u>5000</u>	<u>35</u>	<u>Security Health Plan</u>
2								
3								
4								

TOTAL AREA FOR FACADE 1: _____

Building Sign(s) Facade 2:

Facade Direction: _____ Facade Ht: _____ Facade W: _____ x 10 % = _____ sqft. Allowable Signage

C	Type (new / existing)	Style (Wall, Projecting, etc)	Sign Dimensions (Ht x W)	Area (sq. ft.)	Illuminated (Yes/No)	Sign Cost	Height (ft.) (to sign top)	Display (message)
1								
2								
3								
4								

TOTAL AREA FOR FACADE 2: _____

Building Sign(s) Facade 3:

Facade Direction: _____ Facade Ht: _____ Facade W: _____ x 10 % = _____ sqft. Allowable Signage

D	Type (new / existing)	Style (Wall, Projecting, etc)	Sign Dimensions (Ht x W)	Area (sq. ft.)	Illuminated (Yes/No)	Sign Cost	Height (ft.) (to sign top)	Display (message)
1								
2								
3								
4								

TOTAL AREA FOR FACADE 3: _____

Building Sign(s) Facade 4:

Facade Direction: _____ Facade Ht: _____ Facade W: _____ x 10 % = _____ sqft. Allowable Signage

E	Type (new / existing)	Style (Wall, Projecting, etc)	Sign Dimensions (Ht x W)	Area (sq. ft.)	Illuminated (Yes/No)	Sign Cost	Height (ft.) (to sign top)	Display (message)
1								
2								
3								
4								

TOTAL AREA FOR FACADE 4: _____

Directional / Informational Sign(s)

F	Location (street / other)	Type (new / existing)	Style (pole / monument)	Area (sq. ft.)	Height (ft.) (to sign top)	Setback (ft.)	Display (message)
1	St. Joseph's	existy	directional	16.5	5.5 ft	noty	Main Entrance
2	McMillen	existy	directional	16.5	3.5 ft	existy	Service Entrance.
3							
TOTAL SIGN AREA:							

Value of New Sign(s)

Sign (A1,B1,etc.)	B1					
Value	3000. ⁰⁰					

Sign Summary

Sign Type:	<u>Freestanding</u>	<u>Building Sign</u>	<u>Directional / Info</u>	<u>Grand Total Sign Area</u>
Total Area (sq. ft.):	_____ +	_____ +	_____ =	_____

Sign Plan Submittal Requirements:

- SIGN PLANS with the following information:
 - Detailed, dimensioned color drawing(s) of all proposed signs including: height, sq. area, text/copy, materials & colors;
 - Photos & dimensions of existing signs on parcel including: height, dimensions, sq. area and note if existing sign to remain;
 - Illumination details including type, placement, intensity and hours of illumination, and area to be illuminated.
- BUILDING ELEVATION DRAWINGS:
 - All sides of buildings with proposed and existing attached signage including label of façade direction (north, south, east, west), height & dimensions of facade, colors and materials. (Color rendering of each façade with signage may be required.)
- SITE PLAN with the following information:
 - An accurate plot plan of the entire lot on which the use will be located at a scale of not less than one inch to 100 feet;
 - Location of buildings, parking lots, driveways, and landscaped areas on the lot;
 - An accurate, dimensioned location on the site plan of all freestanding (including directional) signs proposed and existing (indicate whether to be removed) showing compliance with required setbacks as measured from property line and any required vision triangles from street or driveway intersections;
 - Location of all attached signs, proposed and existing (indicate whether to be removed).

Authorization of Application

I hereby certify that I am the owner or authorized representative of the owner of the property described in this application; that this property constitutes the property for which a Master Sign Plan has been submitted; that the information submitted is complete and accurate to be best of my knowledge; that site visits to the property are necessary by City representatives in order to process this application and the owner authorizes City representatives to visit and photograph the property if necessary; that I understand this is not a permit but only an application for a permit and that work is not to start without a permit.

Applicant Signature:  Date: 7-23-14

***** IF REQUESTING AN EXCEPTION TO THE SIGN STANDARDS PLEASE INCLUDE ATTACHMENT A WITH YOUR APPLICATION.**

ATTACHMENT A

Written Submittal Requirements (See Section 24-11)

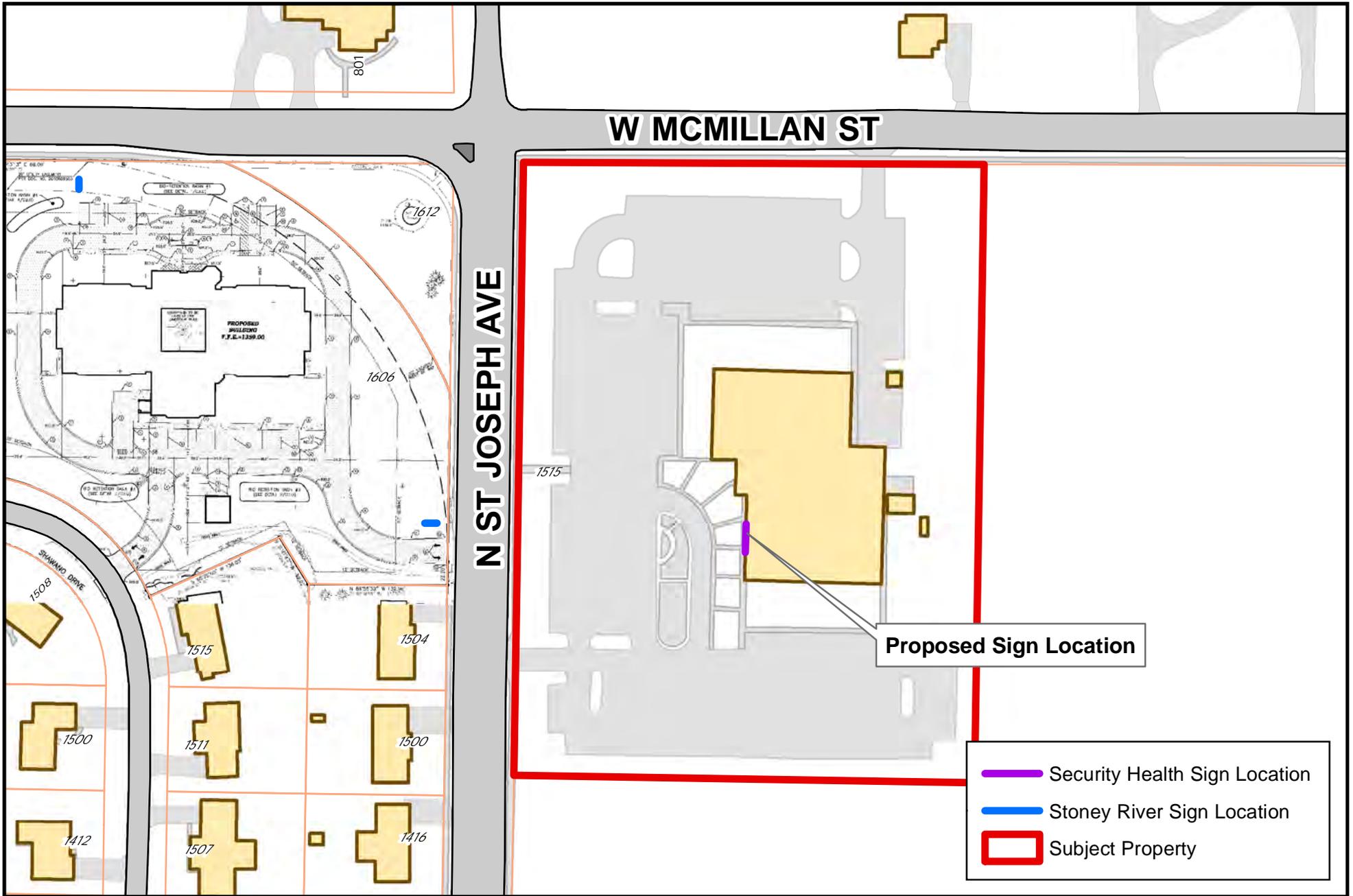
Signage proposed as part of a Master Sign Plan may deviate from the sign standards if there are unusual site factors, which preclude an allowed sign from being visible to the street immediately in front of the site, an adjustment may be granted to achieve visibility standards. Site difficulties may include the sign face being blocked due to topography of the site, elevation of the street, setback of existing development or landscaping. The adjustment must be minimal, have no negative impact on neighboring properties, will not lead to over proliferation of signs, and must not create any safety or traffic hazards.

Describe the requested exception(s).

Internally illuminated wall sign face residential zoned properties.

Is the sign prohibited at the proposed location, but permitted elsewhere in the community? (see sign allowance under the specific sign type in Section 24-03 of the Sign Code)

Other comments:



MSGN - Security Health - 1515 N St. Joseph Ave
City of Marshfield - Plan Commission
Meeting Date: August 19, 2014

Map Not to Scale
 Reference Only



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GRAPHIC HOUSE

CLIENT:
SECURITY HEALTH PLAN
MARSHFIELD, WI

SALES REP:
MATTHEW W

DATE:
6-20-2014

JOB NUMBER:
MW-6608

SIGN SPECIFICATIONS
INTERM. ILLUM. BUILDING LETTERS

9204 Packer Drive, Wausau, WI 54401 715-842-0402
www.graphichouseinc.com

SALES AUTHORIZATION: SECURITY HEALTH PLAN MARSHFIELD, WI 10000 WHITE EXISTING LETTERS
securityhealth-marshfield-6608-01-1.jpg

Security Health Plan



CLIENT HAS IDENTIFIED THE LOCATION IN WHICH THE SIGNAGE IS TO BE INSTALLED. THE CLIENT HAS THE SOLE RESPONSIBILITY FOR THE STRUCTURAL INTEGRITY OF ALL EXISTING STRUCTURES TO SUPPORT THE SIGNAGE.

ALL RIGHTS RESERVED

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RELEASE ADVICE:

DISCLAIMER: THE INK COLORS SHOWN IN THIS RENDERING PROVIDE CONCEPTUAL COLORS & GRAPHICS LOCATIONS ONLY. THE COLORS MAY NOT MATCH THE ACTUAL AUTOMOTIVE PAINTS OR THE VINYL COLORS THAT WILL BE USED ON OR IN THE SIGNS SHOWN. ALL SIZES, SHAPES, COLORS, ETC. ARE CONCEPTUAL & MAY VARY FROM ACTUAL PRODUCT.



City of Marshfield Memorandum

TO: Plan Commission
FROM: Josh Miller, Planning/Zoning Administrator
DATE: August 19, 2014

RE: Planned Development-Specific Implementation Plan Amendment Request by Prairie Run, to vacate portions of Wildflower Drive and combine 4 lots into a 2 lot CSM, located north of 1920 Wildflower Drive, zoned "PD" Planned Development.

Background

Planned unit development provisions are intended for application to large and/or unique sites where a flexible approach to zoning regulations would facilitate more efficient use of the site and protection of natural resources achieved through clustering development and other innovative site planning and design techniques.

Typically, PUDs enable development of portions of a site at either higher densities or with less restrictive lot provisions in exchange for preserving other portions of the site in open space or providing above-normal site amenities.

The Prairie Run Group is now interested in vacating a portion of Wildflower Drive and creating a cul-de-sac. Along with the cul-de-sac, they would take the four existing lots along the west side of the current Wildflower Drive and combine them into two lots (including portions of the vacated right-of-way). The lot to the south would have access to the Wildflower Drive cul-de-sac and the lot to the north would have access to a future street, currently platted as Sunflower Drive. The north lot would likely be split again at some point during a future amendment to the Planned Development.

Analysis

Last year, the developer applied for and received a variance to install a temporary cul-de-sac at a distance exceeding 500 feet (total length of 542 feet). The cul-de-sac has already been constructed, but was considered temporary until the right-of-way is vacated.

The Comprehensive Plan suggests future development minimize the use of cul-de-sacs as they restrict access for emergency services and create large

impervious surface area. However, emergency services would only need to use Wildflower to serve those properties on the cul-de-sac as nearby road network (Prairie Drive and Pheasant Run Drive) would provide a more direct route to future development to the north. In addition, vacating the street will reduce the amount of overall impervious surface of the development, negating any adverse impact of the cul-de-sac. Extending Wildflower Drive any further north would place the east side of the street along the back yards of residential properties in the Town of McMillan. It is unlikely that the east side of a future extension of Wildflower Drive would ever be developed. Because of the cost of extending infrastructure, having development on only one side of a street is not practical.

Vacating the street would also allow the developer to reconfigure the lots to the north. Their future plans will likely require vacating the plat for the north portion of the block. If they were to do that, they would have to amend the General Development Plan and Specific Development plan at a later date. They do have plans to do so, but not at this time. Their primary reason for this minor amendment is to have access to an additional lot on the north side of the cul-de-sac. This would not be feasible without vacating the north portion of Wildflower Drive.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions or conditions the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

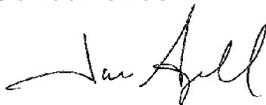
Recommendation

APPROVE the proposed Specific Implementation Plan Amendment by the 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 recommend staff draft an ordinance for Common Council consideration.

Attachments

1. Proposed Lot Layout

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator



**City of
Marshfield**
Memorandum

August 12, 2014

TO: Members of the Plan Commission

FROM: Dan Knoeck, Director of Public Works

SUBJECT: Vacation of Schueller's City Lights Subdivision Plat and Related Unopened Streets

BACKGROUND

The owners of the undeveloped Schueller's City Lights Subdivision have applied to the Circuit Court of Marathon County to vacate the subdivision plat. In addition to the plat vacation process, the City is being asked to vacate the streets within the subdivision.

ANALYSIS

Attached is a copy of Resolution 2014-39 and a map showing the proposed subdivision vacation and the unopened streets within the subdivision that will be vacated. The property owner intends to replat the subdivision at some point in the future. However for the time being, the owner is developing a model home site on the frontage along North Peach Avenue. A zoning change for that purpose recently came through the Plan Commission and was approved by the Common Council.

The street vacation process includes a draft resolution presented to the Common Council which is then referred to the Plan Commission for a recommendation. Once the Plan Commission makes a recommendation, a public hearing is held by the Council and final action is taken on the resolution. The public hearing and final action by the Council is scheduled for September 9, 2014.

RECOMMENDATION

I recommend approval of the request to vacated unopened streets in the Schueller's City Lights Subdivision Plat and that Resolution 2014-39 be referred to the Common Council for consideration.

RESOLUTION NO. 2014-39

Document Title

Document Number

A Resolution 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 adjacent to Lots 2 through 11, Lots 13 through 16, **Lots 18 through 33, and Outlot 1, Schueller's City Lights Plat**, all located in the NE ¼ of the SE ¼ and NW ¼ of the SE ¼ of Section 32, Township 26 North, Range 3 East, City of Marshfield, Marathon County, Wisconsin.

WHEREAS, it is deemed that the public interest requires the vacation and discontinuance of that portion of the above described public way in the City of Marshfield, Marathon County, Wisconsin; and

WHEREAS, the City Council has determined that said public streets should be vacated pursuant to Section 66.1003(4) Wis. Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Marshfield, Wisconsin, as follows:

SECTION 1. That since the public interest requires it; the following described streets are hereby vacated and discontinued, subject to the conditions listed below:

All 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.

SECTION 2. Vacation and discontinuance of said unopened public streets are subject to the following condition:

- None

SECTION 3. The title to those portions of the streets as so vacated and discontinued is vested in the abutting property owners.

SECTION 4. The City Clerk be and she hereby is directed to record a certified copy of this Resolution together with a map of that portion of the public streets hereinabove vacated in the office of the Register of Deeds of Marathon County, Wisconsin.

SECTION 5. This Resolution shall be further construed as meeting the requirements of § 236.43(4)(a) Wis. Stats. wherein the City of Marshfield, the governing body of the City in which said streets are located, has joined in the application for vacation of the **Schueller's City Lights Plat** now pending in Marathon County Circuit Court.

NOTE: This Resolution is recommended by the City Plan Commission.

ADOPTED _____
CHRIS L. MEYER, Mayor

ATTEST:

APPROVED _____
DEB M. HALL, City Clerk

STATE OF WISCONSIN COUNTY OF WOOD

Personally came before me, this _____ day of _____, 20 _____ the above named **CHRIS L. MEYER AND DEB M. HALL** to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, _____ County, Wisconsin
My Commission Expires: _____

THIS INSTRUMENT WAS DRAFTED BY:
Daniel G. Knoeck, Director of Public Works
City of Marshfield
P. O. Box 727
Marshfield, WI 54449

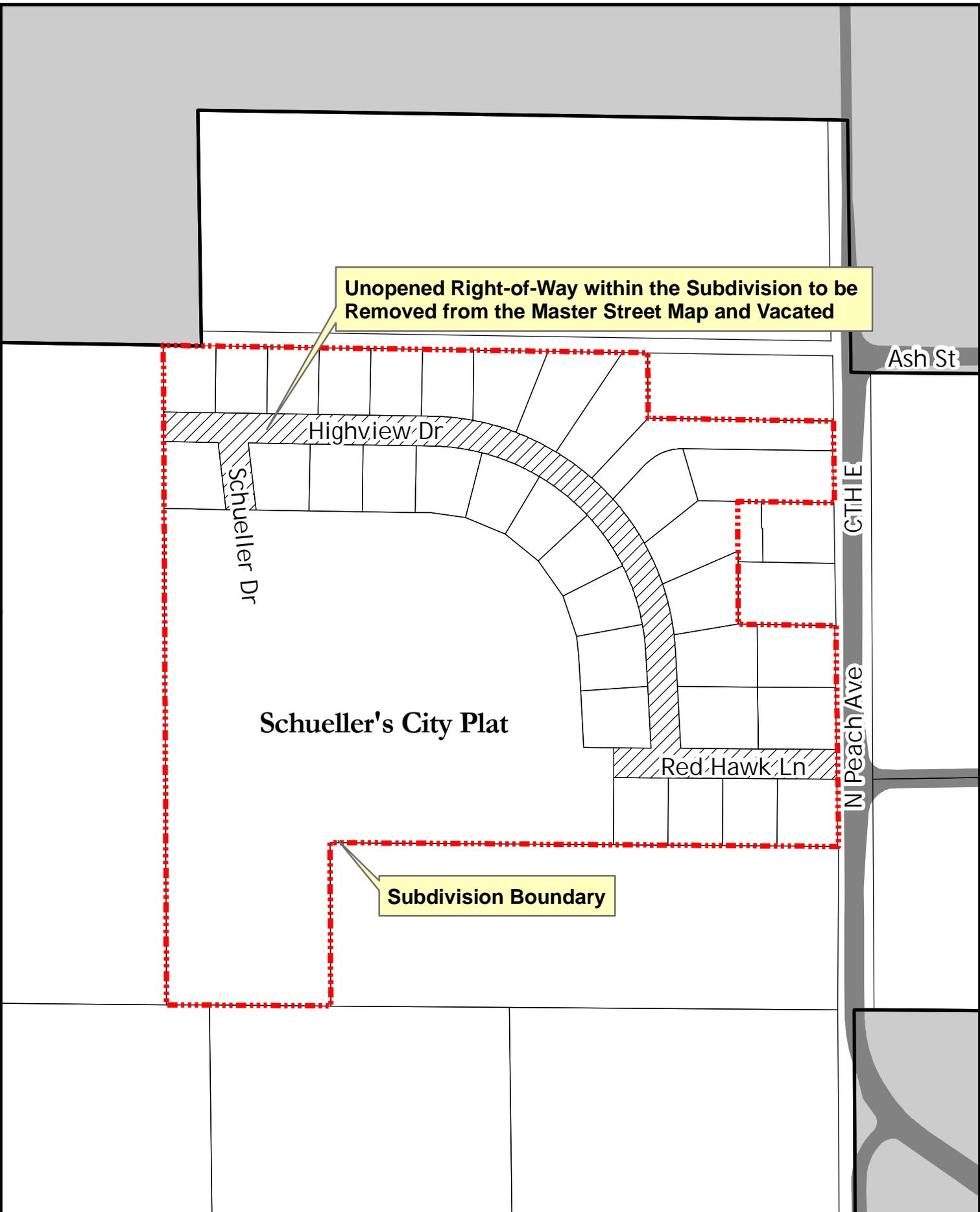
Recording Area

Name and Return Address

City of Marshfield, City Clerk
P. O. Box 727
Marshfield, WI 54449

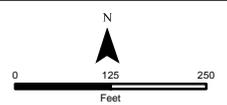
330MM033 to 330MM043 inclusive,
330MM045 to 330MM048 inclusive and
330MM050 to 330MM065 inclusive

Parcel Identification Number (PIN)



**Schueller's City Plat
Subdivision Vacation**
City of Marshfield
7/15/2014

- Subdivision Boundary
- Unopened Right-of-Way
- Parcels
- Roads
- City Limits



This is not a legal survey document. This map was compiled by the City of Marshfield's Geographic Information System based on interpretation of resources to the date printed herein, duplication without consent is prohibited.



**City of
Marshfield**
Memorandum

August 13, 2014

TO: City Plan Commission

FROM: Dan Knoeck, Director of Public Works

SUBJECT: Vacation of a portion of Unopened Wildflower Drive in the Prairie Run
Subdivision

BACKGROUND

The developers of Prairie Run are proposing some changes to lot configurations in a small portion of the development. They have asked that the City vacate a portion of Wildflower Drive as shown on the attached map.

ANALYSIS

In August of 2013, the Prairie Run Group was granted a variance by the Zoning Board of Appeals for a cul-de-sac length exceeding 500 feet. A copy of their minutes is attached. The approved length is 542 feet and the permanent cul-de-sac was constructed earlier this year. Vacating Wildflower Drive beyond the new cul-de-sac will allow for fewer but larger lots in this area. It will also avoid infrastructure costs on the vacated portion of Wildflower. Since the east side of Wildflower in this area is already developed in the Town of McMillan, it is not economically feasible to construct the necessary infrastructure to serve the originally proposed lots. Attached is a sketch that shows the existing lot configuration (in yellow) and the proposed lot configuration (in pink).

RECOMMENDATION

I recommend approval of the request of Prairie Run Group to vacate a portion of unopened Wildflower Drive in the Prairie Run Subdivision and that Resolution 2014-45 be referred to the Common Council for consideration.

RESOLUTION NO. 2014-45
Document Title

Document Number

A Resolution 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 adjacent to Lots 7 through 10 and Outlot 1, Prairie Run Subdivision, all located in the SW ¼ of the SE ¼ of Section 31, Township 26 North, Range 3 East, City of Marshfield, Marathon County, Wisconsin.

WHEREAS, it is deemed that the public interest requires the vacation and discontinuance of that portion of the above described public way in the City of Marshfield, Marathon County, Wisconsin; and

WHEREAS, the City Council has determined that said public streets should be vacated pursuant to Section 66.1003(4) Wis. Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Marshfield, Wisconsin, as follows:

SECTION 1. That since the public interest requires it; the following described streets are hereby vacated and discontinued, subject to the conditions listed below:

That portion of 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.

SECTION 2. Vacation and discontinuance of said unopened public street is subject to the following condition:

- None

SECTION 3. The land where said public street is located shall be annexed to the lots to which it originally belonged.

SECTION 4. The City Clerk be and she hereby is directed to record a certified copy of this Resolution together with a map of that portion of the public street hereinabove vacated in the office of the Register of Deeds of Marathon County, Wisconsin.

NOTE: This Resolution is recommended by the City Plan Commission.

ADOPTED _____
CHRIS L. MEYER, Mayor

ATTEST:

APPROVED _____
DEB M. HALL, City Clerk

STATE OF WISCONSIN COUNTY OF WOOD

Personally came before me, this _____ day of _____, 20 _____ the above named **CHRIS L. MEYER AND DEB M. HALL** to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, _____ County, Wisconsin
My Commission Expires: _____

THIS INSTRUMENT WAS DRAFTED BY:
Daniel G. Knoeck, Director of Public Works
City of Marshfield
P. O. Box 727
Marshfield, WI 54449

Recording Area

Name and Return Address

City of Marshfield, City Clerk
P. O. Box 727
Marshfield, WI 54449

330MM080G, 330MM080P,
330MM080Q, 330MM080R,
330MM080S

Parcel Identification Number (PIN)

Sunflower St

Unopened right-of-way to be removed from the Master Street Map and vacated

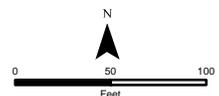
Prairie Run Subdivision

Prairie Dr

Wildflower Dr

Town of McMillan

-  Unopened Right-of-Way
-  Roads
-  Parcels
-  City Limits



Wildflower Dr
Right-of-Way Vacation
 City of Marshfield
 8/8/2014

ZONING BOARD OF APPEALS MINUTES OF AUGUST 13, 2013

Meeting called to order by Chairperson Gerl at 5:04 p.m. in the Executive Conference Room, Lower Level, City Hall Plaza.

PRESENT: Ken Bargender, Ed Gerl, Robert Lewerenz and Dean Markwardt

ABSENT: Richard Kenyon

ALSO PRESENT: Planner/Zoning Administrator Miller, Deputy Clerk Panzer and Aaron Staab

ZB13-011 Motion by Markwardt, second by Lewerenz to approve the minutes of May 28, 2013 as submitted.

Motion carried

Deputy Clerk read the variance request from Aaron Staab, on behalf of the Prairie Run Group, for a cul-de-sac street to exceed 500 feet in length measured from the right-of-way of Prairie Drive to the center point of the proposed cul-de-sac, located at 1919 Wildflower Drive, zoned "PD" Planned Development District. Sec. 19-64(j) of the Marshfield Municipal Code limits the length of a cul-de-sac to 500 feet. The Applicant requests a 42 foot variance to allow a 542 foot long cul-de-sac.

Background

In the original plans of the Prairie Run Subdivision, Wildflower Drive was intended to extend to the unopened Sunflower Street right-of-way in the future as demand was needed. Recently the Prairie Run Group (the developers) has determined this is not presently economically feasible, because the land to the east of the original proposed street is already developed through the Town of McMillan. In order to continue with development on Wildflower Drive the developer has proposed a cul-de-sac street with an exception to exceed the maximum length of a cul-de-sac street. A cul-de-sac will enable better access for normal traffic, snow plowing and access for fire and safety vehicles than what is currently there (gravel hammerhead turn around).

If the proposed cul-de-sac was constructed at the maximum distance of 500 feet, the cul-de-sac would consume almost the entire frontage for Lot 6 (New Lot 1), which would limit the building envelope on the property due to setbacks and driveway requirements making more of the lot unusable. Extending the cul-de-sac street an extra 42 feet, for a total street length of 542 feet measured for the public right-of-way line at the nearest intersection of Prairie Drive to the center of the cul-de-sac, would consume less of Lot 6 and distribute more of the turnaround to the City street right-of-way and an unusable outlot.

The continued right-of-way of Wildflower Drive will not be vacated at this time and will leave the developer an option to extend the road at a future date. So essentially, the cul-de-sac is considered temporary, but the Applicants wanted to make sure that if they do move forward with vacating the road, the location will be permitted by the City.

The Fire Department has been contacted for their take on the proposed length of the cul-de-sac. They would allow a 10% exception to the standard cul-de-sac length. Therefore, they do not see an issue extending the cul-de-sac street an additional 42 feet.

Planner/Zoning Administrator Miller said that the owner of Lot 6 (New Lot 1) was agreeable to limiting the building envelope of his lot for this proposed cul-de-sac and anticipates this for the future construction on that site.

Planner/Zoning Administrator's statement of facts regarding the variance request:

1. Section 19-64(1)(j) limits the length of a cul-de-sac to 500'.
2. The variance requested is for a 42' exception to the maximum cul-de-sac street length of 500'.
3. The proposed cul-de-sac right-of-way will be 120' in diameter.

Summary Responses from Applicant

(The variance will not be contrary to the public interest.) The proposed 120' diameter cul-de-sac area lies about 25% in a dedicated portion of unusable Outlot 1, about 25% in a dedicated portion of Lot 6 (New Lot 1) and about 50% in existing City street right-of-way. The current buyer of Lot 6 (New Lot 1) has agreed to the proposed cul-de-sac and dedication of portion of Lot 6 for it. The remnant of Outlot 1 will become another outlot.

(Substantial justice will be done by granting the variance.) The cul-de-sac will provide required turn-around at the north-east end of existing Wildflower Drive. The developer (Prairie Run Group) has determined it is not economically feasible to extend Wildflower Drive to Sunflower Street. The lands on the east side of that segment of Wildflower Drive are developed lots in the Town of McMillan. The proposed cul-de-sac enables the sale of Lot 6 at this time.

(The variance is needed so that the spirit of the ordinance is observed.) The proposed cul-de-sac provides a required turn-around at the end of a street in a substantially developed area of the subdivision. It will enable better access for normal traffic, snow plowing, and access for fire and safety vehicles.

(Due to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship.) The location of a cul-de-sac at the 500 feet maximum distance will almost take all of the frontage of Lot 6 (New Lot 1); thus, substantially limit the building envelop of the property due to setback and driveway requirements and making a larger portion of the lot unusable. Moving the cul-de-sac north (to the proposed location) would take up less of Lot 6.

Aaron Staab explained the old and new certified survey maps and the site plan for Lot 1 of Marathon County Certified Survey Map No. 15972 in detail and answered questions from the members of the Zoning Board.

ZB13-012 Motion by Lewerenz, second by Bargender to grant the variance request from Aaron Staab, on behalf of Prairie Run Group, for a 42 foot variance to allow a 542 foot long cul-de-sac measured from the right-of-way of Prairie Drive to the center point of the proposed cul-de-sac, located at 1919 Wildflower Drive.

Motion carried

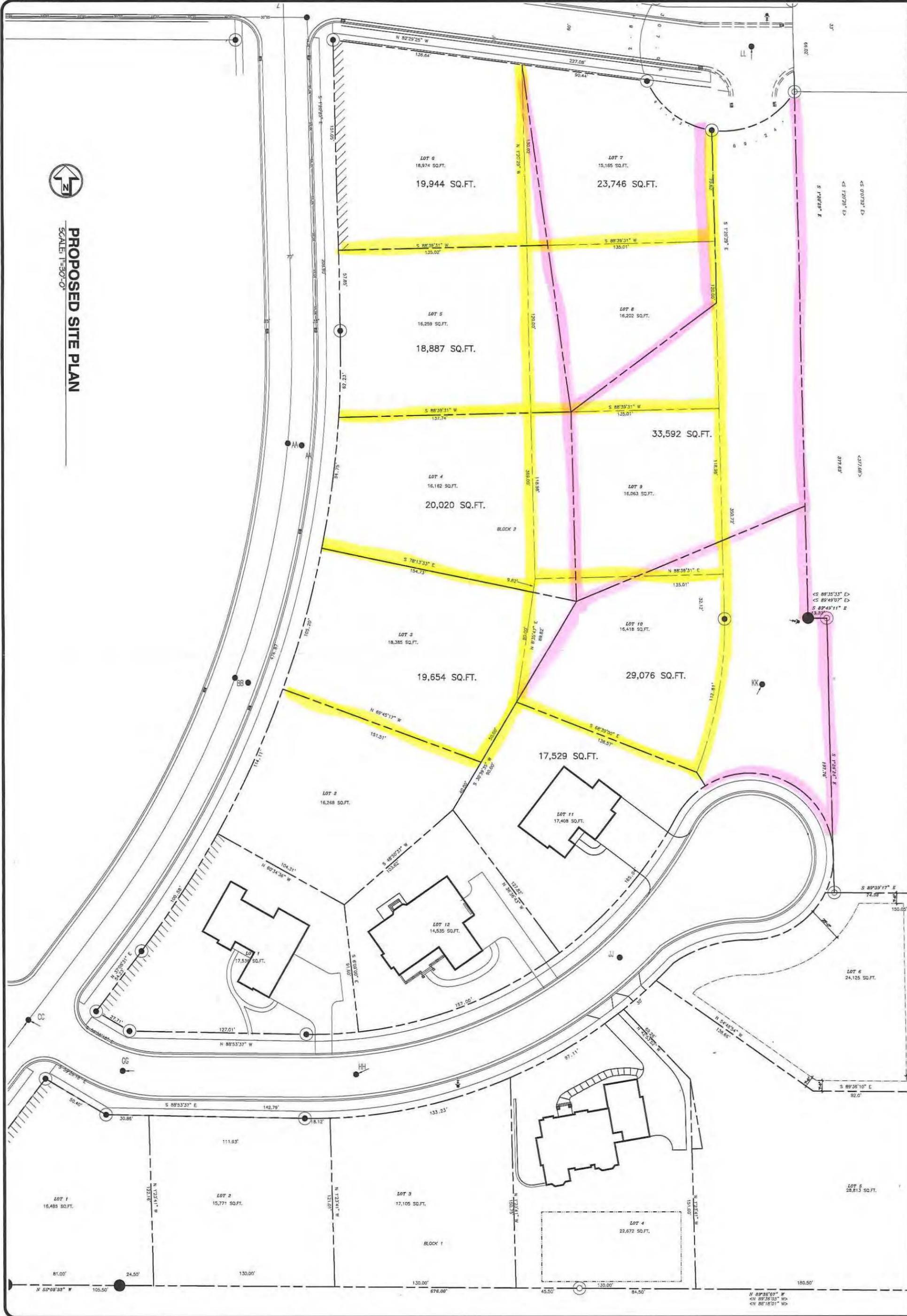
Motion by Bargender, second by Gerl to adjourn at 5:22 p.m.

Motion carried

Lori A. Panzer
Deputy City Clerk



PROPOSED SITE PLAN
SCALE: 1"=30'-0"





City of Marshfield Memorandum

TO: Plan Commission
FROM: Sam Schroeder, Zoning Administrator
DATE: August 19, 2014

RE: Municipal Code Amendment to Sections 18-26 and 18-27 of the City of Marshfield Municipal Code, to correct the minimum street setback in the "SR-2" Single Family Residential District and increase the height limitation in the "SR-3" Single Family Residential District to standardize the maximum height requirement in the Single Family Residential District.

Background

Staff is proposing an amendment to the City of Marshfield Municipal Zoning Code to standardize the maximum height allowance in the single family residential districts to 35 feet and remove an unneeded regulation in the "SR-2" single family district pertaining to street setbacks.

Analysis

Section 18-26: Correct the minimum street setback in the "SR-2" district.

Throughout the zoning code, minimum street setbacks are regulated with the following five categories:

- minimum front setback
- minimum street side setback
- minimum major street setback
- minimum rear setback - in the case of a double frontage
- minimum garage setback to alley

In addition to the setbacks listed above, the "SR-2" single family residential district mistakenly also requires a "minimum street setback". This minimum street setback is an unneeded regulation because the street setbacks are already regulated by the other five categories.

Section 18-27: Increase the height allowance in the "SR-3" district.

The Zoning Code breaks single family residential zoning districts into four separate districts: "SR-2", "SR-3", "SR-4", and "SR-6". The major difference

between these districts is the minimum lot size which directly correlates to residential density within an area. Other restrictions such as setbacks are fairly standard throughout each district. According to the Zoning Code, the maximum allowable principal building height in the “SR-2”, “SR-4”, and “SR-6” districts is 35 feet, whereas the maximum principal building height is 30 feet in the “SR-3” district. Because the “SR-3” district is between the lower density and a higher density residential districts which both have a 35 feet height allowance, staff is recommending the height allowance for the “SR-3” district to be increased to 35 feet to standardize the height allowance in all single family residential districts.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions or conditions the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

APPROVE the proposed Municipal Code Amendment to Sections 18-26 and 18-27 of the City of Marshfield Municipal Code, to remove the “minimum street setback” restriction in the “SR-2” Single Family Residential District and increase the maximum principal building height in the “SR-3” Single Family Residential District from 30 feet to 35 feet.

Attachments

1. Draft Redline Ordinance

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator

ORDINANCE NO. XXXX

An Ordinance amending Section 18-26 and 18-27 of the City of Marshfield Municipal Code pertaining to street setbacks in the SR-2 district and height allowances in the SR3 district.

The Common Council of the City of Marshfield do hereby ordain as follows:

SECTION 1. Section 18-26(7) of the Marshfield Municipal Code is hereby amended to read as follows:

	Residential Uses	Nonresidential Uses
Minimum Lot Area	14,000 square feet	20,000 square feet
Maximum Building Coverage of Lot	30 percent	
Minimum Lot Width	80 feet	100 feet
Minimum Front Setback	30 feet	30 feet
Minimum Street Side Setback	20 feet	30 feet
Minimum Street Setback	30 feet	35 feet
Minimum Side Setback	10 feet	12 feet
Minimum Rear Setback	25 feet	20 feet
Major Street Setback	Minimum of 50 feet or mean of adjoining lots (see Section 18-12 and 18-72)	
Maximum Principal Building Height	35 feet	35 feet
Minimum Pavement Setback (lot line to pavement; excludes driveway entrances and lots that are 50 feet wide or less)	3 feet from side or rear, or 0 feet for shared driveway; 10 feet from right of way	
Minimum Parking Required	See Article III	
Accessory Building Side Setback	3 feet	
Accessory Building Rear Setback	5 feet	
Maximum Detached Accessory Building Height	Lesser of 25 feet or principal building height	

SECTION 2. Section 18-27(7) of the Marshfield Municipal Code is hereby amended to read as follows:

	Residential Uses	Nonresidential Uses
Minimum Lot Area	10,000 square feet	12,000 square feet
Maximum Building Coverage of Lot	30 percent	
Minimum Lot Width	60 feet	80 feet
Minimum Front Setback	25 feet	35 feet
Minimum Street Side Setback	15 feet	17 feet
Minimum Side Setback	7 ½ feet	15 feet
Minimum Rear Setback	25 feet	20 feet
Major Street Setback	Minimum of 50 feet or mean of adjoining lots (see Section 18-12 and 18-72)	
Maximum Principal Building Height	30 35 feet	30 35 feet
Minimum Garage Setback to Alley (if applicable)	20 feet for doors parallel to alley; 8 feet for any other garage; Existing garages may be rebuilt on current footprint	
Minimum Pavement Setback (lot line to pavement; excludes driveway entrances and	3 feet from side or rear, or 0 feet for shared driveway; 10 feet from right of way	

	Residential Uses	Nonresidential Uses
lots that are 50 feet wide or less)		
Minimum Parking Required	See Article III	
Accessory Building Side Setback	3 feet	
Accessory Building Rear Setback	5 feet	
Maximum Detached Accessory Building Height	Lesser of 20 feet or principal building height	

SECTION 4. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 5. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 6. This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

ADOPTED: _____

Chris L. Meyer, Mayor

APPROVED: _____

ATTEST: _____

PUBLISHED: _____

Deb M. Hall, City Clerk



City of Marshfield Memorandum

TO: Plan Commission
FROM: Josh Miller, City Planner
DATE: August 19, 2014

RE: Municipal Code Amendment Request to Article VI: Overlay Zoning District, amending Sections 18-91, 18-92, and 18-95 of the City of Marshfield Municipal Code, pertaining to Shoreland Zoning regulations.

Background

In June, the Plan Commission recommended approval of a new overlay district pertaining to shoreland zoning based on the requirements passed by the Wisconsin Legislature (WI Act 80). The deadline to have the ordinance in place was July 1, 2014. Staff sent the ordinance to the Department of Natural Resources (DNR) for review, but comments were not received until after the Common Council approved the ordinance. Based on the comments received, Finding of Fact and Purpose and General Provisions sections need to be included in the ordinance to meet the requirements of the DNR.

Analysis

Most of the changes required by the DNR were aspects of the Zoning Code that were included elsewhere in Chapter 18 such as General Provisions, Compliance, and Interpretation. However, because those sections are not specific to shoreland zoning, the DNR wanted them included in this Section to avoid any uncertainties.

In addition to the DNR comments, staff felt the Shoreland Zoning district should be included in previous sections that reference the overlay districts and maps. Attached is a draft ordinance which highlights the changes.

Section 18-159(4) requires that the Zoning Administrator evaluate whether the proposed amendment meets the following:

1. Advances the purposes of this Chapter as outlined in Section 18-03.

The proposed amendment will help protect the surface water resources of the City and surrounding area.

2. Advances the purposes of the general Article in which the amendment is proposed to be located.

Article VI is an overlay district and is designed to allow the City to address regulations for natural resources, regardless of the underlying zoning regulations.

3. Advances the purposes of the specific Section in which the amendment is proposed to be located.

The proposed amendment is creating a new section to comply with new Statutory requirements.

4. Is in harmony with the recommendations of the Comprehensive Plan.

The Comprehensive Plan recommends avoiding development activity in sensitive “environmental corridors” as directed by the Land Use Plan and applicable statutes. The proposed amendment will make the regulations for the shoreland areas easier to understand and implement rather than following two different county ordinances.

5. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.

The proposed amendment will make regulations consistent for all regulated shoreland areas throughout the City.

6. Addresses any of the following factors that may not be addressed in the current zoning text:
 - a. A change in the land market, or other factors which require a new form of development, a new type of land use, or a new procedure to meet said change(s).
 - b. New methods of development or types of infrastructure.
 - c. Changing governmental finances to meet the needs of the government in terms of providing and affording public services.
 - d. Errors, omissions, corrections, and clarification of regulations.

The proposed amendment addresses an omission that is required by State Statute.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions or conditions the Commission feels are justifiable and applicable to the request.

2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

APPROVE the proposed amendment, creating a shoreland zoning district, with findings that it is in the City's interest to protect its sensitive water resources by developing and enforcing its own regulations pertaining to shorelands, and recommend staff draft an ordinance for Common Council consideration.

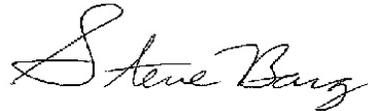
Attachments

1. Draft Ordinance
2. Map of "Shoreland Zoning: Lands Annexed After May 7, 1982"

Concurrence:



Jason Angell
Planning and Economic Development Director



Steve Barg
City Administrator

REDLINE ORDINANCE NO. 128x

An Ordinance creating Section 18-95 of the City of Marshfield Municipal Code pertaining to shoreline zoning regulations.

SECTION 1. Section 18-91 of the Marshfield Municipal Code is hereby amended read as follows:

Section 18-91: Overlay Zoning Districts

For the purpose of this Chapter, the following overlay zoning districts are hereby established.

- (a) Airport Overlay
- (b) Wellhead Protection Overlay
- (c) Shoreland Zoning Overlay
- (d) See also Chapter 20 Shorelands-Wetland Zoning and Chapter 26 Floodplain Zoning in the City of Marshfield Code of Ordinances.

SECTION 2. Section 18-92 of the Marshfield Municipal Code is hereby amended read as follows:

Section 18-92: Map of Overlay Zoning Districts

Except where otherwise indicated in this Article, the overlay zoning districts are represented on the “Airport Overlay & Height Limitation Zoning Map, Marshfield Municipal Airport, Marshfield, Wisconsin”, and the “City of Marshfield Well Head Protection Areas Map,” and the “Shoreland Zoning: Lands Annexed After May 7, 1982,” adopted and from time to time amended by the City of Marshfield.

SECTION 3. Section 18-95 of the Marshfield Municipal Code is hereby amended read as follows:

Section 18-95: Shoreland Zoning

- (2) Statutory Authorization. This ordinance is adopted pursuant to the authorization in Wis. Stats. 62.23 and 62.233.
- (3) Shorelands. In addition to any other applicable use, site, or sanitary restrictions and regulations, the following regulations shall apply to all shorelands, as defined in Section 18-95(35)(b) below.
- (4) Finding of Fact and Purpose. Uncontrolled use of shorelands and pollution of the navigable waters of the municipality would adversely affect public health, safety, convenience, and general welfare and impair the tax base. The Legislature of Wisconsin has delegated responsibility to all municipalities to:
 - (a) Promote the public health, safety, convenience and general welfare;
 - (b) Limit certain land use activities detrimental to shorelands; and
 - (c) Preserve shore cover and natural beauty by controlling the location of structures in shoreland areas and restricting the removal of natural shoreland vegetation.
- (5) General Provisions.
 - (a) Compliance. The use of shorelands within the shoreland area of the municipality shall be in full compliance with the terms of this ordinance and other applicable local, state or federal regulations. All permitted development shall require the issuance of a land use permit unless otherwise expressly excluded by a provision of this ordinance.
 - (b) Municipalities and State Agencies Regulated. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if Wis. Stat. Sec. 13.48(13) applies.
 - (c) Abrogation and Greater Restrictions.

1. This ordinance supersedes all the provisions of any other applicable municipal ordinance except that where another municipal ordinance is more restrictive than this ordinance, that ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

2. This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(d) Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the municipality and shall not be deemed a limitation or repeal of any other powers granted by the Wisconsin Statutes or Wisconsin Constitution.

(6) Definitions. For the purposes of this Chapter the following terms are defined as:

(a) Principal Building. The main building or structure on a single lot or parcel of land and includes any attached garage or attached porch.

(b) Shorelands. The area within the following distances from the ordinary high-water mark of navigable waters, as defined under Wis. Stats. 281.31 (2) (d):

1. One thousand feet from a lake, pond or flowage. If the navigable water is a glacial pothole lake, this distance shall be measured from the high-water mark of the lake.

2. Three hundred feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

(c) Shoreland setback area. An area in a shoreland that is within a certain distance of the ordinary high-water mark in which the construction or placement of principal buildings or structures has been limited or prohibited under an ordinance enacted under Wis. Stats 59.692.

(d) Vegetative buffer zone. The land that extends from the ordinary high-water mark to 35 feet inland, subject to the standards in Section 18-95(79) below.

(7) Applicability.

(a) The lands within the Shoreland District are subject to all applicable provisions of the City of Marshfield Municipal Code. Where the provisions of this Section are more restrictive than other regulations in the Municipal Code, the provisions of this Section shall apply.

(b) Any shoreland that was annexed by the City after May 7, 1982, and was subject to the Wood County or Marathon County Shoreland Zoning Ordinances under Wis. Stat. 59.692, prior to annexation, shall be subject to the requirements of this Chapter excluding the following:

1. Shoreland regulations do not apply to lands adjacent to an artificially constructed drainage ditch, pond, or storm water retention basin if the drainage ditch, pond, or retention basin is not hydrologically connected to a natural navigable water body.

(8) District Boundaries.

(a) The Shoreland District areas regulated by this ordinance shall include all the lands (referred to herein as shorelands) in the City that are:

1. Within 1,000 feet of the ordinary highwater mark of navigable lakes, ponds or flowages. Lakes, ponds or flowages shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources Surface Water Data viewer available on the DNR website, or are shown on United States Geological Survey quadrangle maps or other zoning base maps.

2. Within 300 feet of the ordinary highwater mark of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater. Rivers and streams shall be

presumed to be navigable if they are designated as continuous waterways or intermittent waterways on United States Geological Survey quadrangle maps. Flood hazard boundary maps, flood insurance rate maps, flood boundary-floodway maps, county soil survey maps or other existing county floodplain zoning maps shall be used to delineate floodplain areas.

- (b) Determinations of navigability and ordinary highwater mark location shall initially be made by the Zoning Administrator. When questions arise, the Zoning Administrator shall contact the appropriate district office of the Wisconsin Department of Natural Resources for a final determination of navigability or ordinary highwater mark.
- (9) Setbacks. Areas within shorelands as defined by this Chapter shall be subject to the following:
- (a) Principal Building Setbacks.
 - 1. All principal buildings shall be setback at least 50 feet from the ordinary high-water mark, except as provided in subsection (2) below.
 - 2. Construction or placement of a principal building within the shoreland setback area established under subsection (1) above shall be allowed if all of the following apply:
 - a. The principal building is constructed or placed on a lot or parcel of land that is immediately adjacent on each side to a lot or parcel of land containing a principal building.
 - b. The principal building is constructed or placed within a distance equal to the average setback of the principal building on the adjacent lots or 35 feet from the ordinary high-water mark, whichever distance is greater.
 - (b) Accessory Structures.
 - 1. Accessory structures and buildings accessory to permitted and conditional uses may be located within a shoreland, but:
 - a. Shall not be closer than 10 feet to the average annual high water mark; and shall meet the accessory structure requirements in Section 18-65.
 - b. Shall not be used for human habitation or animal shelter.
 - c. Shall not be placed in the vegetative buffer zone required in Section 18-95(72), unless placed in the allowed viewing or access corridor as defined in Section 18-95(72)(a)(2).
 - 2. Accessory structures meeting all applicable requirements of the underlying zoning district and the City Municipal Code may be placed in side and **street front or street side** yards for properties abutting navigable waterways.
- (10) Vegetative Buffer Zone. Areas within shorelands as defined by this Chapter shall be subject to the following:
- (a) Any person who owns shoreland property that contains vegetation shall maintain that vegetation in a vegetative buffer zone along the entire shoreline of the property and extending 35 feet inland from the ordinary high-water mark of the navigable water, except as provided in subsections (1) and (2) below.
 - 1. If the vegetation in a vegetative buffer zone contains invasive species or dead or diseased vegetation, the owner of the shoreland property may remove such vegetation, except that if the owner removes all of the vegetation as described herein within the vegetative buffer zone, the owner shall reestablish vegetation within the vegetative buffer zone.
 - 2. A person who is required to maintain or establish a vegetative buffer zone under this section shall be allowed to remove all of the vegetation in a part of that zone in order to establish a viewing or access corridor that is no greater than 30 feet wide for every 100 feet of shoreline frontage and that extends no more than 35 feet inland from the ordinary high-water mark.

SECTION 4. Savings Clause. If any provision of this Ordinance shall be less restrictive than applicable state statute or in conflict with such statutes, as they exist at passage hereof or as they may hereafter be amended, then, in such case, the state statute shall supersede the provision hereof to the extent applicable.

SECTION 5. Severability. If any provision of this Ordinance is found to be unconstitutional or otherwise contrary to law, then such provision shall be deemed void and severed from the Ordinance and the remainder of this Ordinance shall continue in full force and effect.

SECTION 6. This ordinance shall take effect and be in force from and after the day after its passage and publication as provided by law.

ADOPTED: _____

APPROVED: _____

PUBLISHED: _____

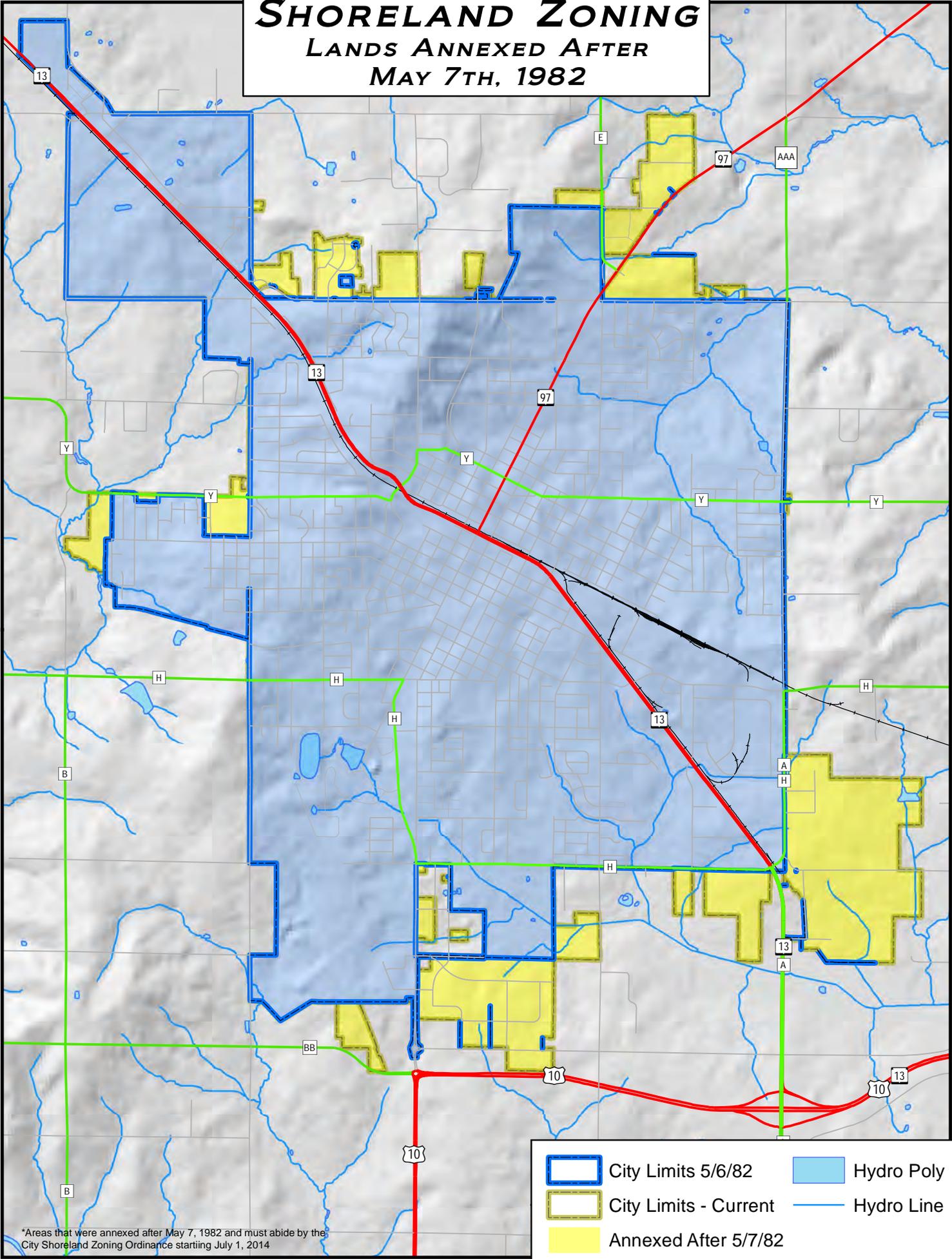
Chris L. Meyer, Mayor

ATTEST: _____

Deb M. Hall, City Clerk

SHORELAND ZONING

LANDS ANNEXED AFTER MAY 7TH, 1982



	City Limits 5/6/82		Hydro Poly
	City Limits - Current		Hydro Line
	Annexed After 5/7/82		

*Areas that were annexed after May 7, 1982 and must abide by the City Shoreland Zoning Ordinance starting July 1, 2014



City of Marshfield Memorandum

TO: Plan Commission
FROM: Sam Schroeder, Zoning Administrator
DATE: August 19, 2014

RE: Discussion on Garage Sale Uses

Background

The discussion of garage sale regulations first started earlier this summer when City Officials and Staff started to receive complaints of on-going sales. As these complaints were received, staff found that we do not have the regulations in place to enforce the issues that are occurring with this use. At the June 24, 2014 Common Council meeting, the Council requested the Plan Commission review the Municipal Code as it pertains to garage sales.

Last Plan Commission meeting, July 15, 2014, staff gave a short presentation of the City of Marshfield's current regulations and the regulations of other communities pertaining to garage sales. After a short discussion, the Plan Commission had more questions; how do other communities enforce these regulations pertaining to garage sales and can we solve the problem within our existing code either through the home occupation section or the public nuisance chapter?

Analysis

After the July 15th Plan Commission meeting, staff sat down with the City Attorney to discuss possible options of enforcing garage sales with the existing Municipal Zoning Code. Our legal counsel advised against trying to address this issue through the home occupation use, since we already have a section of code that governs garage sales and noted that the public nuisance section is borderline too vague to uphold in court. He then went on to say if this is something that the Plan Commission would like to pursue, the best option would be to add more restrictions to the garage sale use, but note that the restrictions should not be so restrictive as to take away from a residents rights to their property.

Staff also contacted representatives from Wausau and WI Rapids to see if they receive similar complaints and how they would go about enforcing their regulations.

- Adam Teegan explained that garage sales are not a huge issue in WI

Rapids. They normally receive two to three complaints a year. After a complaint is received, an inspector will monitor the sales for compliance with their ordinance. If the sale is in violation of the ordinance they will send a letter to the property owner, notifying them to discontinue the use. If the owner still does not comply, citation would be issued.

- Bill Sebert, Chief Inspector for Wausau, explained that he has been working with Wausau for 4.5 years and has never received a complaint pertaining to garage sales, but if they were ever to receive a complaint they would send notices and citations if needed, similar to WI Rapids. Bill further went on to explain their department has teamed with the Wausau Police Department to fund community serve officers. A community service officer is an intern position that proactively informs residents of city ordinances such as garage sale signs are not permitted in the public right-of-way.

The City Plan Commission has many options moving forward. Staff has summarized a few of the options in the following bullet points:

- OPTION #1: Continue moving forward with the current regulation with the understanding that this type of use is seasonal/temporary and most residence don't have a problem having a reasonable garage sale.
- OPTION #2: Regulate 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. If a complaint is received, staff can follow standard violation procedures to enforce the use.
- OPTION #3: Require every garage sale to receive a land use permit 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.

Reference

Summary of the City of Marshfield's existing regulations pertaining to garage sales:

- Section 18-66(10) defines garage or estate sales as "sales that include the sale or offering for sale of miscellaneous used items commonly associated with residential use."
 - a) Permits are not required for garage or estate sales
 - b) Sales shall occur only during daylight hours
- Section 24-05 does not require a sign permit for garage sale signs. They are permitted on- and off-premise on the day of the sale, but not in the public right-of-way and must be removed at the end of the sale.

Summary of local municipalities regulations pertaining to garage sales:

- Wausau Requirements
 - No sale shall exceed 4 days in duration
 - Not more than 4 sales may be held within a 12 month period
 - Not more than 2 sales shall be held within 30 days of each other
- Stevens Point – no regulations were found pertaining to garage sales in

Stevens Point

- WI Rapids
 - Limited to no more than 7 days of operations in any 1 month
 - No more than 14 total days in any one year

Recommendation

Provide staff with direction on regulating garage sale uses.

Memo

To: Plan Commission
From: Ed Englehart, Parks and Recreation Director
Date: August 13, 2014
Re: Comprehensive Outdoor Recreation Plan

Background

In late 2013, the City of Marshfield contracted with Rettler Corporation to complete a new Comprehensive Outdoor Recreation Plan (CORP). The last plan was developed in 2006 by Schrieber/Anderson Associates, Inc. for the period of 2006-2010. The CORP serves as one of the key planning documents for the Parks and Recreation Department, and provides a means of identifying, analyzing, promoting, and responding to changes in society, both present and future. The document is also needed as a prerequisite for participation in outdoor recreation grant programs.

Analysis

Over the past eight months, Rettler Corporation staff has worked closely with the Parks and Recreation Department staff, other city staff and the Parks, Recreation and Forestry Committee to inventory the existing Parks and Recreation facilities, update maps, and gain public input regarding public park and recreation facilities. A variety of methods were used to acquire public input. These included stakeholder surveys; discussions with Parks, Recreation and Forestry Committee members; public meeting/open house; on-line community survey; and questionnaires presented to middle school, high school and elementary school students.

In addition to the public input, Parks and Recreation Department staff members were interviewed by Rettler Corporation staff. The proposed document was recently reviewed by Wisconsin Department of Natural Resources Community Services Specialist, Beth Norquist, for compliance with WISDNR standards and she commented that "it looks really great".

The plan will be presented to the Parks, Recreation and Forestry Committee at their August 14th meeting. The document is available for viewing at the Marshfield Public Library, 7th floor City Hall, and in the Parks and Recreation Department office. It is also available on the city website. News releases have been sent informing the public that it can be viewed on-line.

Recommendation

No action is recommended at this time. Please review the proposed document and provide comments to me at ed@ci.marshfield.wi.us by the end of August. A brief presentation is scheduled to be made at the September Plan Commission with a recommendation to adopt the plan. The CORP can be viewed on the city website at:

http://ci.marshfield.wi.us/departments/parks_and_recreation/survey_results_-_comprehensive_outdoor_recreation_plan.php

If you would prefer a hard copy to review, please contact me and I will try to provide one. I look forward to hearing from you regarding your comments and questions.