CITY PLAN COMMISSION MARSHFIELD, WISCONSIN MINUTES OF AUGUST 17, 2004

PUBLIC HEARING – 7:00 PM

1. Request to amend Section 18-63(5)(f) of the Municipal Zoning Code to provide exception to rear yard setbacks on corner lots in the 'B-4' General Commercial District.

FOR: John Kruse, attorney – 113 West 2nd Street, representing Great Northern Investments LLC, owner of building at 204 North Central Avenue in which Walgreen's is located. He stated that the reason for the text change request is due to the Zoning Board of Appeals denial of a variance for rear yard setback. Other corner lots in 'B-4' zoning have been similarly impacted by the 1997 zoning change. The building was in compliance in 1993 when it was constructed. The exception for corner lots was dropped in 1997. His client is seeking the text amendment so it will comply with the zoning that applied prior to 1997. He has contacted other owners of corner lots that could be in violation of the rear yard setback requirements. If the Plan Commission is not interested in a change affecting all corner lots, perhaps only lots abutting alleys could be considered since the alley does provide some separation. Mr. Kruse submitted copies of signed letters of support of the text amendment.

AGAINST: None

2. Conditional use request from Scott Kurzynski, owner of Elixer Lounge & Nite Club, for renewal of permit for exception to the off-street parking requirements of Section 18-89A, Schedule of Required Off-Street Parking Spaces, for the business located at 434 South Central Avenue.

FOR: Scott Kurzynski, owner of Elixer, stated that he has not had any problems with parking. They are busy at night after other businesses are closed. Garbage is picked up by staff on Thursday, Friday, Saturday and Sunday nights regardless of whose garbage it is. He is not sure why the Street Department is doing clean up on Mondays. The first he heard of the Street Department clean up was a few days ago when he received a letter from the City. He stated he is available if there are any questions.

AGAINST: None

3. Conditional use requests from Henry Zimmerman for approval of 'multifamily' use in the 'B-5' Central Business District and for exception to the off-street parking requirements of Section 18-89A, Schedule of Required Off-Street Parking Spaces, for an additional apartment unit to be located on the second story at 154 South Central Avenue.

FOR: Hank Zimmerman, owner of 154 South Central Avenue, read his letter dated July 26, 2004 to the Plan Commission.

AGAINST: None

4. Conditional use request from Alexander & Theresa Yakovlev for exception to height and front setback requirements of Section 18-04(11)(c), Limitation on residential fences, for a proposed fence at 1015 West 6th Street.

FOR: Victor Marinne, speaking on behalf of the Yakovlev family, wants to place a fence in back of sidewalk but trees near the sidewalk prevent the required setback.

AGAINST: None

MEETING

Meeting called to order by Chairman Meyers at 7:17 PM in the Council Chambers of City Hall Plaza.

PRESENT: Mayor Meyers, Dan Knoeck, Pete Lotzer, Dave LaFontaine, Sharon Witt, Dave

Korth, and Gerald Nelson

EXCUSED: None

ALSO PRESENT: Alderman Stauber; City Administrator Brehm; Director of Planning & Economic

Development Miller; Planner/Zoning Administrator Curtiss; the media and others

<u>PC04-61</u> Motion by LaFontaine, second by Korth to recommend approval of the revised conditional use request from Mark Hastreiter to construct a detached garage as part of a multi-family development approved on property at 316 West Ives Street in the 'R-6' Residential (Medium High Density) contingent upon the following:

- Subject to the approval of a variance by the zoning Board of Appeals for the accessory structure in the defined 'front yard area' of the lot.
- Providing screening at the north and west boundaries as originally required. Screening materials may either be 6' high wide-slat privacy fencing, or landscape berms with 4' to 6' tall evergreen trees planted on the berm at no more than 15' intervals.
- Providing a CSM to incorporate the 30' portion of Fig Avenue with the property in order to comply with the City's lot frontage requirement, pursuant to Section 18-04(5)(d).
- Providing a storm sewer along the east side of the property to discharge the runoff to the City detention basin.
- Add curb or berm along the east side of the parking area to prevent bypassing of inlets.

Motion Carried

<u>PC04-62</u> Motion by Nelson, second by Witt to recommend referring the request to amend Section 18-63(5)(f) of the Municipal Zoning Code to provide exception to rear yard setbacks on corner lots in the 'B-4' General Commercial District to a future meeting to allow staff to gather additional information.

Motion Carried

The Plan Commission discussed the conditional use request from Scott Kurzynski, owner of Elixir Lounge & Nite Club, for renewal of permit for exception to the off-street parking requirements of Section 18-89A Schedule of Required Off-Street Parking Spaces, for the business located at 434 South Central Avenue. Comments were heard from Plan Commission members and the following:

• Scott Kurzynski, owner of Elixir Lounge & Nite Club

<u>PC04-63</u> Motion by LaFontaine, second by Korth to recommend approval of the conditional use request from Scott Kurzynski, owner of Elixir Lounge & Nite Club, for renewal of permit for exception to the off-street parking requirements of Section 18-89A, Schedule of Required Off-Street Parking Spaces, for the business located at 434 South Central Avenue contingent upon the following:

- Owner of property will be responsible for picking up cans, bottles and debris associated with the patrons of the establishment.
- Request that the Street Department notify the business and meet with property owners for cleanup of any debris in the public parking lot that is clearly associated with the establishment.

Motion Carried

<u>PC04-64</u> Motion by Lotzer, second by LaFontaine to recommend approval of the requests from Henry Zimmerman for approval of 'multifamily' use in the 'B-5' Central Business District and for exception to the off-street parking requirements of Section 18-89A, Schedule of Required Off-Street Parking Spaces, for an additional apartment unit to be located on the second story at 154 South Central Avenue.

Motion Carried

<u>PC04-65</u> Motion by Lotzer, second by LaFontaine to recommend approval of the conditional use request from Alexander & Theresa Yakovlev for exception to height and front setback requirements of Section 18-04(11)(c), Limitation on residential fences, for a proposed fence at 1015 West 6th Street.

Motion Carried

<u>PC04-66</u> Motion by Korth, second by Nelson to recommend approval of the preliminary plat for Doneff's Peachtree Subdivision, located on the west side of Peach Avenue between 25th Street and 29th Street, as presented.

Motion Carried

<u>PC04-67</u> Motion by Nelson, second by Lotzer to receive the Zoning Administrator's Report (July 14 – August 12, 2004) and place it on file.

Motion Carried

Motion by Witt, second by LaFontaine that the meeting be adjourned at 8:01 PM. **Motion Carried**

Daniel G. Knoeck, Secretary CITY PLAN COMMISSION