

**CITY OF MERRILL  
CITY PLAN COMMISSION  
Tuesday, December 2, 2014 at 5:45P.M.  
Public Hearings at 6:00P.M.  
City Hall Common Council  
1004 East First Street**

Voting members: Mayor William Bialecki, Chairperson, Alderperson Lokemoen, Steve Hass, Ken Maule, Melissa Schroeder, Ralph Sturm and Michael Willman.

**AGENDA**

1. Call to order
2. Public Comment
3. November 3, 2014 meeting minutes
4. Discuss the draft Comprehensive Plan proposal from NCWRPC.
5. **Public Hearing:** Application by Julie Weber, Our Way, Inc. for a Conditional Use Permit at 1104 Cottage Street, Merrill, WI. The proposal of the Conditional Use Permit is to operate as an Adult Family Home. Legally described as 34-0180.006.002.00.00. Ron Woller's 1<sup>st</sup> Addition Lot 2, Block 1 and thence North 95.80' of Lot 1, Block 1, City of Merrill, Lincoln County, Wisconsin.
6. **Public Hearing:** Application by Julie Weber, Our Way, Inc. for a Conditional Use Permit at 1305 Cedar Street, Merrill, WI. The proposal of the Conditional Use Permit is to operate as an Adult Family Home. Legally described as 34-0150.005.151.00.00. Natzke Addition Lots 1 & 2, Block 4 part Northeast ¼ Northwest ¼, City of Merrill, Lincoln County, Wisconsin.
7. Schedule date and time of next meeting
8. Adjourn

***NOTE: It is possible that a quorum of the Common Council will be present at this meeting. However, no Common Council action will be taken.***

Agenda prepared by Shari Wicke at the request of Mayor William Bialecki

The Merrill City Hall is accessible to the physically disadvantaged. If special accommodations are needed, please contact Merrill City Hall at 715-536-4880.

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**City of Merrill  
City Plan Commission  
Monday, November 3, 2014 at 6:00 P.M.  
City Hall Common Council Chambers, 1004 East First Street**

Voting members present: Mayor Bill Bialecki (Chairperson), Melissa Schroeder, Alderman Peter Lokemoen and Steve Hass. Ken Maule had an excused absence.

Other attendees included: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Alderman Dave Sukow, Alderwoman Kandy Peterson, Todd Knoblock, Gregory Sommer, David Jirovec, Dan Sukow, Jared Schmidt, Karen Karow, Brian Hoffman, Mollie Hartwig, Pastor Brad Main, Jeni Main, Jeannie Lokemoen, Alissa Brewer, Diane Rell, John Rell, Ken Sutton, Jonathan Harris, Scott Brandenburg, James Bartelt, Steve Silverman, Jolenda Westbrook, Christine Vorpapel and City Clerk Bill Heideman.

**Call to order**

Mayor Bialecki called the meeting to order at 6:00 P.M.

**Public Comment**

None.

**Minutes of October 7<sup>th</sup>, 2014 meeting**

The minutes were in the meeting packet.

Motion (Hass/Lokemoen) to approve, as presented, the minutes of the October 7<sup>th</sup>, 2014 City Plan Commission meeting. Carried.

**Hearing #1 – Rezoning request from Journey Church**

Journey Church (Pastor Brad Main) is requesting that the property at 1212 South Center Avenue be rezoned from Thoroughfare Commercial (T.C.) to Public District. A tavern is currently located there, but Journey Church is proposing that the property be used as a church.

City Attorney Hayden read the public hearing notice.

Motion (Hass/Schroeder) to open the public hearing. Carried.

Pastor Brad Main spoke in favor of the rezoning. He stated that the Journey Church congregation is now three years old, and this property would work well for their congregation.

Jolenda Westbrook stated that she is involved on the real estate portion of the pending property sale. She noted that the property has been on the market for the past 15 months, but that the offer from the church is the first bona fide purchase offer received since the property was put on the market.

Jared Schmidt currently leases the building on the property to house the 1212 Sports Lounge. He hopes to continue running that business, and added that the business is much more than just a bar, because other events are held there that bring people to Merrill. He is against the sale of the property to the church.

Gregory Sommer stated that the City recently sold property that will eventually be a tavern, so the closing of one tavern and the opening of another seems to be sensible trade-off.

Alderman Lokemoen reminded everyone that the purpose of the hearing was to gather information related to the rezoning request, not to consider one particular owner.

Scott Brandenburg stated that he appeared in order to support Jared Schmidt. Mr. Brandenburg stated that he holds a fundraiser at the 1212 Sports Lounge, and it would be fiscally impossible to hold it at another site, Therefore, he supports the continued operation of the 1212 Sports Lounge.

Jolenda Westbrook noted that the property was annexed to the City of Merrill several years ago.

Dave Jirovec stated that the amount of available parking makes the property attractive for use as a church.

Motion (Schroeder/Hass) to close the public hearing. Carried.

Building Inspector/Zoning Administrator Pagel reported that, if approved, the rezoning would remove a large parcel from the City tax roll. He added that a rezoning would be contrary to the guidelines in the City Comprehensive Plan.

Mayor Bialecki spoke against the rezoning.

City Administrator Johnson stated that, from a business standpoint, a church would not be the best use for the property.

Alderman Lokemoen stated that the property would work for either a church or for commercial use, but that the best use would be for commercial use.

Motion (Hass/Schroeder) to deny the application from Journey Church to rezone the property at 1212 South Center Avenue from Thoroughfare Commercial (T.C.) to Public District. Carried.

An ordinance on the rezoning will be on the November 11<sup>th</sup>, 2014 Common Council meeting agenda.

**Hearing #2 – Rezoning request from City for former Ranger Station property**

The City of Merrill is requesting that the property at 1100 East Tenth Street be rezoned from Public District to Thoroughfare Commercial (T.C.). This is the former Ranger Station property. This request is being made to facilitate commercial development of the property.

City Attorney Hayden read the public hearing notice.

Motion (Hass/Lokemoen) to open the public hearing. Carried.

Christine Vorpapel spoke in favor of the rezoning request.

Motion (Hass/Lokemoen) to close the public hearing. Carried.

Building Inspector/Zoning Administrator Pagel reported that a rezoning change to Thoroughfare Commercial would be in accordance with the guidelines of the City Comprehensive Plan.

Motion (Hass/Schroeder) to approve, as submitted, the application from the City of Merrill to rezone the property at 1100 East Tenth Street from Public District to Thoroughfare Commercial (T.C.). Carried.

An ordinance on the rezoning will be on the November 11<sup>th</sup>, 2014 Common Council meeting agenda.

**Next meeting**

Tuesday, December 2<sup>nd</sup>, 2014. The time of the meeting was tentatively set for 5:45 P.M.

**Adjournment**

Motion (Hass/Lokemoen) to adjourn. Carried. Adjourned at 6:28 P.M.

Minutes submitted by:

William N. Heideman, CMC, WCMC  
City Clerk

**CITY OF MERRILL  
COMPREHENSIVE PLAN UPDATE PROPOSAL  
DISCUSSION DRAFT 9-26-14**

1. Overview

This planning process has been developed by the NCWRPC for review and approval by the City Plan Commission. The following outlines the tasks needed to update the existing 2007 Comprehensive Plan. The primary function of a comprehensive plan is to establish a framework to influence decision making, maintain a desired community character, and set priorities for public expenditures.

2. Process

General Overview:

The planning process will involve the update of the comprehensive plan to meet the requirements of the comprehensive planning law and incorporate additional chapters based on the needs of the City. In addition the plan will examine the relationship between the City and surrounding communities as well as the County.

The plan process involves five primary tasks.

Task 1.0: Oversight

The planning process will require multiple meetings with the Plan Commission. We anticipate 6 - 8 meetings about an eighteen month period, meeting about quarterly.

The primary role of the Plan Commission will be to monitor the progress of the plan, review information, and establish overall goals, objectives, and policies.

NCWRPC will staff these meetings.

## Task 2.0: Plan Input

Input is critical to the planning process. The Plan Input process will incorporate two basic efforts. The first is internal, which will involve various City staff, departments and committees. The other will be external, working with the general public, local governments, and other organizations.

As part of this planning effort, a Public Participation Plan will be prepared and adopted.

- Internal:

This process will include meetings with various city departments. At these meetings we will collect information for the plan, identify issues and trends, and review department goals. There will also be some data needs from many of the City Departments.

- External:

We propose a variety of methods, including a community survey, key person interviews, and City official / staff meetings. These various methods will allow us to incorporate ideas and thoughts from many people and groups from throughout the City.

1. General Public

Efforts will include at minimum Public Meetings, Open House Meetings, and a Public Hearing.

This effort will also include some educational efforts and outreach, such as a series of articles in the City Newsletter and an online community survey.

2. Adjoining Governments and County

One of the meetings held will focus on working with adjoining local governments and Lincoln County. Local governments would provide input into the process, related to boundary issues, intergovernmental cooperation and regional issues.

### 3. Key Person Interviews/Meetings and Other Groups

Representatives of the various stakeholder groups will be interviewed to gain their perspectives on issues facing Merrill. Groups involved may include: Chamber of Commerce, Lincoln County Economic Development Corporation, NTC, and others.

### 4. Comprehensive Plan Website

A website will provide 24/7 access to information related to the plan. All information prepared as part of the planning process will be posted. A comment area will also be included to seek citizen input.

NCWRPC will create and manage a website throughout the planning process.

### Task 3.0: Plan Development

Plan Development is divided into two phases: Initial Draft Phase and the Final Draft Phase. Both of these phases are detailed below:

The plan will have an emphasis on economic development and downtown/river corridor revitalization. This plan update is an opportunity to not just update its current plan, but to advance the Plan's role in City functions.

- Initial Draft Phase

We will use the existing Plan as a starting point. Each chapter would be presented beginning with a background section, followed by an inventory section, an issues section, and finally the goals, objectives and policies section. New Census information and other sources would be used to update most of the tables. Program information would be reviewed and updated as needed. Maps will be revised as well.

We anticipate about a six to nine month timeframe for taking the existing plan and updating the needed base information to create the "Initial Draft." Additional information will be incorporated from some of the previous planning efforts and other changes since 2007. Once created these chapters would be provided to the appropriate departments for review, including examining the existing goals, objectives and policies.

- Final Draft Phase

Following the initial step, we would edit based on comments from staff and committee, as well as survey and other input. During this phase we would incorporate the input from Task 2.0. We would also incorporate data, maps, goals or other information from other plans or efforts the City has completed. All input and revisions are made based on all the interviews, focus groups and meetings and from Task 3.0. Together these changes will create the “Final Draft”.

We anticipate about a six to nine month timeframe preparing the “Final Plan” chapters. Again these chapters would be reviewed by various individuals, groups, committees and staff. An Open House meeting would likely be held at this point to solicit public comment.

The final plan will meet the needs and desires of the county, but also incorporate the requirements identified in the comprehensive planning law - 66.1001. NCWRPC will lead this effort.

#### Task 4.0: Mapping

Over the course of the planning process we will be creating, editing and modifying the maps. Two major mapping efforts will be completed as part of this process: The first is the creation of a new detailed 2010 Existing Land Use coverage, which we would complete using the existing coverage, 2010 air photos, and other information. The second is a generalized Future Land Use coverage for both the city and the area surrounding the city, based on official maps and growth trends.

NCWRPC will lead this effort, with city and adjoining local government assistance.

### 3. Staffing

The primary staff will be the NCWRPC. Various city staff and departments will be involved as well.

#### NCWRPC

Staff will reformat, update and develop the overall plan, including mapping. A variety of information will be provided to NCWRPC from City staff.

#### Others

City Departments will be required to dedicate some time and resources to the effort. At minimum there will be meetings with select department heads. In other cases there will be data needs and document review.

### 4. Timeline

NCWRPC will have a completed Comprehensive Plan delivered to the Plan Commission in DATE if the project starts DATE. The timeline is broken into two phases of about 9 months each beginning with the Initial Draft and followed by the Final Draft.

To meet this timeline a variety of input activities need to be completed over the 18 month period. Delays in Task 2.0 will create delays in the overall process. The final months would focus on refining goals, objectives and policies, and overall review of the Plan.

State law requires that a Resolution be passed by a committee of authority – usually the Plan Commission, followed by a public hearing, and finally adoption by Ordinance at the City Council. The adoption process could take multiple months to complete.

## 5. Budget

An overall budget of \$20,000 is anticipated to complete the Comprehensive Plan Update.

This planning process will be completed over an 18-month period.

Planning	200 hours @ \$65	\$13,000
Mapping	60 hours @ \$55	\$ 3,300
Meetings	48 hours @ \$65	\$ 3,120
Travel	Mileage & related	\$ 280
Other Expenses	Copy, Printing & other	\$ 300
Total Cost:		<u>\$20,000</u>

### Deliverables:

10 Draft Plans/w maps

10 Final Plan/w maps

Various Meeting Handouts

(There is a charge for additional copies)

**CITY OF MERRILL**  
1004 EAST FIRST STREET  
MERRILL, WI 54452

**NOTICE OF PUBLIC HEARINGS**

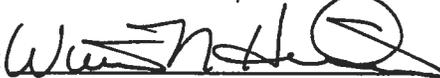
All persons interested will be given an opportunity to be heard at a public hearing to be held by and before the City Plan Commission of the City of Merrill, Wisconsin, commencing at **6:00 p.m., on Tuesday, December 2, 2014**, in the City Hall Council Chambers, 1004 East First Street, Merrill, Wisconsin, on the following proposed matters, to wit;

1. Application by Julie Weber, Our Way, Inc. for a Conditional Use Permit at 1104 Cottage Street, Merrill, WI. The proposal of the Conditional Use Permit is to operate as an Adult Family Home. Legally described as 34-0180.006.002.00.00. Ron Woller's 1<sup>st</sup> Addition Lot 2, Block 1 and thence North 95.80' of Lot 1, Block 1, City of Merrill, Lincoln County, Wisconsin.
2. Application by Julie Weber, Our Way, Inc. for a Conditional Use Permit at 1305 Cedar Street, Merrill, WI. The proposal of the Conditional Use Permit is to operate as an Adult Family Home. Legally described as 34-0150.005.151.00.00. Natzke Addition Lots 1 & 2, Block 4 part Northeast  $\frac{1}{4}$  Northwest  $\frac{1}{4}$ , City of Merrill, Lincoln County, Wisconsin.

Anyone having any questions regarding the hearing should contact Zoning Administrator, Darin Pagel at 536-4880.

Dated: November 17, 2014

CITY OF MERRILL, WISCONSIN

By: 

William N. Heideman  
City Clerk

APPLICATION FOR CONDITIONAL USE PERMIT  
CITY OF MERRILL

DATE 11-17-14

APPLICANT'S NAME: Julie Weber

BUSINESS NAME: Our Way, Inc

PHONE #: 715-453-7555 EMAIL: JWeber@Ourwayinc.org

PROPERTY ADDRESS: 1104 Cottage St. Merrill, WI

PROPERTY OWNER'S NAME: Our Way, Inc

TAX ROLL#: 34- PIN #: 251-

EXISTING USE: Single Family Dwelling

PROPOSED USE: Adult family home / Developmentally Disabled

REASON FOR REQUESTING A USE PERMIT CHANGE: N/A

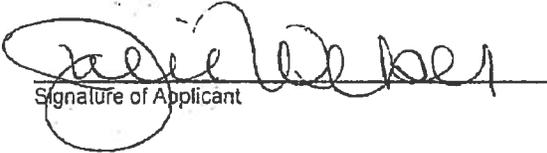
**PLEASE PROVIDE A SEPARATE ATTACHMENT WITH A RESPONSE  
TO EACH OF THE FOLLOWING ITEMS**

(Required per Section 113-100 of the Zoning Code)

1. A statement, in writing by applicant, that describes how the proposed conditional use(s) shall conform to the standards set forth in Section 113-103 hereinafter.
  - a) The establishment, maintenance or operation of the conditional use will not be detrimental or endanger public health, safety, morals, comfort or general welfare.
  - b) That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use and the proposed use is compatible with use of adjacent land (describe mitigating features to be part of the operations of the proposed use).
  - c) Describe how the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the Zoning District.
  - d) Describe if adequate utilities, access roads, drainage, and other required site improvements have been or will be provided.
  - e) Describe what adequate measures have been taken to provide ingress and egress and how designed as to minimize traffic congestion in public streets.

- f) Explain how the conditional use shall conform to all applicable regulations of the district in which it is located.
- g) Explain how the conditional use will not violate flood plain regulations governing the site.
- h) That when applying the above standards to any new construction or placing an addition on an existing building, the Plan Commission and Common Council shall bear in mind the statement of purposes for the zoning district such that the proposed building or addition at the proposed location, does not defeat the purpose and objective of the Zoning District.
- i) In addition to passing the Conditional use Permit, the Plan Commission and Common Council shall also evaluate the effect of the proposed use upon:
  - I) The maintenance of safe and healthful conditions;
  - II) The prevention of water pollution including sedimentation;
  - III) Existing topography, drainage features and vegetative cover on the site;
  - IV) The location of the site with respect to floodplains and floodways of rivers and streams;
  - V) The erosion potential of the site based upon the degree and direction of slope, soil type, and vegetative cover;
  - VI) The location of the site with respect to existing or future access roads;
  - VII) The need of the proposed use for a shoreline location;
  - VIII) The compatibility with uses on adjacent land;
  - IX) The amount of liquid waste to be generated and the adequacy of the proposed disposal system.
2. Include the Names and Addresses of the architect, professional engineer, and contractor (if appropriate), and all property owners of record within 100 feet of the applicant. Note: Zoning Administrator will provide list of property owners to be included in the submittal.
3. Description of the subject site by lot, block, and recorded subdivision or by metes and bounds description address of the subject site; type of structure; proposed operation or use of the structure of site; number of employees and the Zoning District within which the subject site lies.
4. Plat of Survey prepared by a registered land surveyor showing property lines, buildings, improvements, landscaping, and all of the information required for a building permit.
5. Additional information as may be required by the Plan Commission of Common Council, or Officers of the City.
6. A fee of \$175.00 must accompany the application.

The information submitted with this application is true and accurate to the best of my knowledge and belief.

  
Signature of Applicant

\_\_\_\_\_  
Signature of Applicant

APPLICATION FOR CONDITIONAL USE PERMIT  
CITY OF MERRILL

DATE Nov. 17, 2014

APPLICANT'S NAME: Julie Weber

BUSINESS NAME: Our Way, Inc

PHONE #: 715-453-7555 EMAIL: JulieWeber@ourwayinc.org

PROPERTY ADDRESS: 1305 Cedar Street, Merrill

PROPERTY OWNER'S NAME: Our Way, Inc

TAX ROLL#: 34- PIN #: 251-

EXISTING USE: Single family Dwelling

PROPOSED USE: Adult Family Home/Developmentally Disabled

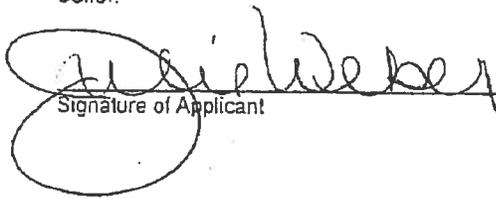
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  - v) The erosion potential of the site based upon the degree and direction of slope, soil type, and vegetative cover;
  - vi) The location of the site with respect to existing or future access roads;
  - vii) The need of the proposed use for a shoreline location;
  - viii) The compatibility with uses on adjacent land;
  - ix) The amount of liquid waste to be generated and the adequacy of the proposed disposal system.
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- 5. Additional information as may be required by the Plan Commission of Common Council, or Officers of the City.
- 6. A fee of \$175.00 must accompany the application.

The information submitted with this application is true and accurate to the best of my knowledge and belief.

  
 \_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
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