



CITY OF MERRILL
CITY PLAN COMMISSION
AGENDA • TUESDAY JULY 5, 2016

Regular Meeting

City Hall Council Chambers

5:30 PM

- I. Call to Order
- II. Minutes of previous meeting(s):
 1. Minutes of June 7, 2016 City Plan Commission meeting
- III. Agenda items related to update of City Comprehensive Plan:
 1. Final Survey Results
 2. Intergovernmental Cooperation Chapter
 3. Implementation Chapter
- IV. Public Hearing (will begin at 6:00 P.M.)
 1. Public Hearing on City of Merrill request to rezone a parcel of land at 1905 East 14th Street (former Fox Point site) from Thoroughfare Commercial (TC) to Planned Unit Development (PUD), for the purpose of constructing a multifamily housing development.
- V. Public Comment Period
- VI. Establish date, time and location of next meeting
- VII. Adjournment



CITY OF MERRILL
CITY PLAN COMMISSION
MINUTES • TUESDAY JUNE 7, 2016

Regular Meeting City Hall Council Chambers 5:00 PM

I. Call to Order

Mayor Bialecki called the meeting to order at 5:00 P.M.

Table with 4 columns: Attendee Name, Title, Status, Arrived. Rows include Tim Meehean, Bill Bialecki, Mike Willman, Ralph Sturm, Melissa Schroeder, Ken Maule, and Robert Reimann.

Other attendees included: City Administrator Dave Johnson, City Attorney Tom Hayden, Public Works Director/City Engineer Rod Akey, Building Inspector/Zoning Administrator Darin Pagel, Alderwoman Kandy Peterson, Paul Proulx, Lori Weyers, Rob Elliot, Shelly Mondeik, Lisa Gervais, Sean Bohan, David Kimball, Dave Sukow, Duane Pfister and City Clerk Bill Heideman. A representative from the Cable Access Channel was present to videotape the meeting.

II. Minutes of previous meeting(s):

- 1. Minutes of May 3, 2016 meeting
Motion (Meehean/Sturm) to approve.

RESULT: APPROVED

III. Public Comment Period

None.

IV. Agenda items for consideration:

- 1. Site Plan for expansion at Pine Crest Nursing Home, 2100 East Sixth Street.
Information was in the meeting packet.

Building Inspector/Zoning Administrator Pagel reported that the proposed expansion will be on the northwest and southwest sides of the existing facility. He has no concerns with the plan as submitted.

Alderman Meehean stated that he had provided assistance on this project. Therefore, to avoid any potential conflict of interest, he will be abstaining on all votes related to the project.

Motion (Willman/Schroeder) to approve.

Attachment: 2016-06-07 City Plan Commission Minutes (1763 : Minutes of June 7, 2016 City Plan Commission meeting)

RESULT:	APPROVED & SENT TO COUNCIL	Next: 6/14/2016 7:00 PM
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2. Site Plan for Northcentral Technical College (NTC) range on Champagne Street.

Information was in the meeting packet.

Building Inspector/Zoning Administrator Pagel has no zoning-related or other concerns with the plan as submitted.

Representing Northcentral Technical College, Rob Elliot answered questions related to the plan.

Motion (Maule/Meehean) to approve.

RESULT:	APPROVED & SENT TO COUNCIL	Next: 6/14/2016 7:00 PM
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V. Establish date, time and location of next meeting

Tuesday, July 5th, 2016 in the City Hall Common Council Chambers. The starting time of the meeting will be announced later, but the meeting will definitely include a public hearing. The public hearing will begin at 6:00 P.M.

VI. Adjournment

Motion (Meehean/Schroeder) to adjourn. Carried. Adjourned at 5:05 P.M.

CHAPTER 8: INTERGOVERNMENTAL COOPERATION - DRAFT

Background

A. Overview

Intergovernmental Cooperation is important because many issues including economic development, housing, natural resources, and transportation cross political boundaries. Communities are interdependent for many reasons, and the effects of growth, change, and activities spill over and impact the entire region.

Typically, intergovernmental cooperation and coordination refers to any arrangement by which officials of two or more government jurisdictions coordinate plans, policies, and programs to address and resolve issues of mutual interest. It is also dependent upon a defined geographic area within which cooperation and coordination may be feasible. Intergovernmental cooperation can be as simple as communication and information sharing, or it can involve entering into formal intergovernmental agreements and sharing resources such as equipment, buildings, staff, and revenue. Wisconsin Statute s.66.30, entitled "Intergovernmental Cooperation", does enable local governments to jointly do together whatever one can do alone.

Relationships between governments can best be described as “vertical” relationships, such as between federal, state and local units (county/city/town). These relationships are relatively well established in law. Unfortunately, there is little public policy in Wisconsin law that encourages, let alone requires, horizontal governmental relationships such as town to town and municipality to county or town. The result is that towns, municipalities, and counties often act more as adversaries than as partners.

(Graphic of various government levels)

State-wide, Wisconsin has over twenty five hundred units of government and special purpose districts. Having so many governmental units allows for local representation, but also adds more players to the decision making process. As governments communicate and collaborate on issues of mutual interest, they become more aware of one another’s needs and priorities. They can better anticipate problems and work to avoid them. Intergovernmental cooperation makes sense for many reasons including trust, cost savings, consistency, and ability to address regional issues. Cooperation can lead to positive experiences and results

that build trust between jurisdictions. It can save money by increasing efficiency and avoiding unnecessary duplication. It can lead to consistency of goals, objectives, plans, policies, and actions of neighboring communities. Finally, by communicating and coordinating their actions and working with regional and state jurisdictions, local communities are able to address and resolve issues that are regional in nature.

A variety of other factors, some long-standing and some of fairly recent origin, are combining to force citizens and local governments in both urban and rural area to confer, cooperate, and in some cases, to join together in a search for better ways to deliver public services in their respective areas. These factors include:

- Local governments financial situation;
- Opportunity to reduce costs by working together;
- Elimination of duplication of services;
- Population settlement patterns and population mobility;
- Economic and environmental interdependence; and
High-cost, capital-intensive functions.

The major beneficiary of intergovernmental cooperation is the local resident. They may not understand, or even care about the details of a particular intergovernmental issue, but residents can appreciate their benefits, such as cost savings, provision of needed services, a healthy environment, and a strong economy. Communication and joint planning can reduce or minimize potential conflicts.

B. Merrill Area

The City of Merrill is located entirely within Lincoln County, and generally the City and County provide different services to residents. The City provides basic services such as police and fire, sewer and water, plowing streets, and maintaining parks and public facilities. While the County offers health, social services, the criminal justice system, and other services to all county residents including those who live in the city. Education is provided by the Merrill School District. Local higher learning is provided by the Northcentral Technical College. Cooperation between these separate levels of government can both increase efficiency and reduce the cost of providing these services to citizens.

The City of Merrill is surrounded by the Towns of Merrill, Pine River and Scott. The City has an interdependent relationship with the surrounding towns. Many workers in the City live in surrounding towns, and the

development patterns and infrastructure in the Towns affect the operations of the City. Merrill has extraterritorial subdivision review within a one and a half mile area around the city and under state law has the ability to have some extraterritorial zoning authority.

(Graphic/map of surrounding towns)

Efforts should be made to maintain good working relationships with the surrounding Towns. Potential conflicts can occur when development in an adjacent town conflicts with the long term plan for the City, or when annexation of land to the City from the surrounding towns occurs. In 1999 the county led a comprehensive planning effort, which included all three of these towns. Lincoln County updated portions of the plan, but did not update individual towns. Therefore those town plans are outdated.

Inventory & Trends

Existing Relationships & Agreements

Currently there are numerous relationships and several general agreements in place. The following is a summary of these cooperative efforts:

1. Local Government

Protective Services:

Ambulance, fire and law enforcement all have standing relationships. Currently, the Merrill Fire Department has contracts to provide fire service to three of the surrounding towns (Merrill, Scott, and Rock Falls). They also provide EMS service to about two-thirds of the County. The Lincoln County Sherriff's Office also provides dispatching services for the City of Merrill.

County Government:

As the county seat, the city is the hub of county government. The Courthouse, Annex and a variety of other assets are located in the city. These all require on going communication between the city and county to provide residents of the city and county the best service. Merrill has relationships with Lincoln County for several other services, including recycling and landfill use.

Library District:

The library is operated by the City of Merrill with contributions from several area governments and organizations. The library provides a valuable service to the community, improving self-education opportunities and life-long learning, as well as provided community space for children and adults to gather, hold events, and recreate. The library can also serve as an important business incubator through public internet access and technology such as a 3D printer available for use.

Merrill Area School District:

The city and the planning area are within the Merrill School District. The school district operates multiple facilities in the city. There is constant communication between the school district and the city.

Lincoln County Economic Development Corporation:

The city is a financially contributing member of the Lincoln County Economic Development Corporation. This organization provides business assistance, economic development and marketing duties for the city.

North Central Wisconsin Regional Planning Commission:

The city, as a local unit of government within Lincoln County, is a member of the North Central Wisconsin Regional Planning Commission. The NCWRPC provides assistance related to economic development, geographic information systems (GIS), intergovernmental cooperation, land use planning, and transportation to local governments within a ten-county region. The NCWRPC also prepares regional plans that address issues that cross jurisdictional and political boundaries.

2. State & Federal Government

As a local unit of government the city has formal relationships with the state and federal government. The city frequently works with the various state departments, such as the Department of Transportation, the Department of Natural Resources and the Department of Revenue. Meanwhile, some of the federal agencies that the city works with include the U.S. Army Corps of Engineers and the Environmental Protection Agency. The State and Federal government also have funding assistance available for local governments for housing, community development, rural development, economic development, community arts, transportation, environmental remediation, and many other areas.

Goals, Objectives & Policies

Goal 1:

Maintain a positive relationship and open communication with other government entities in the area, including surrounding towns, special districts, the county, the state, and the federal government.

Objectives:

1. Maintain current agreements and explore additional opportunities with adjacent communities for services, such as fire and ambulance service.
2. Work cooperatively with neighboring townships to update land use plans to guide development in the area under extra-territorial jurisdiction.
3. Encourage local officials to participate in county and state government activities and organizations.
4. Strengthen lines of communication with the county and neighboring towns regarding potential growth and annexations.
5. Develop cooperative boundary agreements by working with the county and surrounding townships.

Policies:

1. Communicate with surrounding communities when proposed development is near a boundary or could have impacts on the adjacent community.
2. Work cooperatively with county and adjacent towns to jointly review and coordinate development under the City's extra-territorial zoning and subdivision review authority, and to review projects under county zoning.
3. Establish and maintain a list of contacts for adjacent towns and routinely meet to discuss common issues
4. Regularly meet with surrounding towns and Lincoln County to review service agreements and identify opportunities to improve efficiency and cost-effectiveness.

5. Reference the Future Land Use Map when reviewing extraterritorial subdivision proposals.

Goal 2:

Encourage and facilitate participation by the public in government

Objective:

1. Encourage regular participation and feedback from residents through surveys, informational public meetings, newsletters or other activities.

Policies:

1. Continue to post and maintain meeting agendas and minutes.
2. Continue to utilize website and public access recording of public meetings to allow more residents to be involved.
3. Conduct regular community meetings and/or surveys to solicit public input on various issues and concerns affecting the City.
4. Accommodate disadvantaged and underrepresented groups by occasionally holding public meetings at locations, times, and with accommodations that are more inviting to those groups.

CHAPTER 9: IMPLEMENTATION - DRAFT

Background

A. Overview

The implementation chapter is intended to provide a summary of actions necessary to carry out the goals and objectives determined through the planning process. Beginning on January 1, 2010, any program or action of a local governmental unit that affects land use is required to be consistent with that local governmental unit's comprehensive plan, this includes:

- official mapping established or amended under s. 62.23;
- local subdivision regulation under s. 236.45 or 236.46;
- zoning ordinances enacted or amended under s. 62.23;
- zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231;

Other actions that may use the comprehensive plan for general guidance include:

- annexation procedures under s. 66.0217, 66.0219, or 66.0223;
- cooperative boundary agreements entered into under s. 66.0307;
- municipal boundary agreements fixed by judgment under s. 66.0225;
- extraterritorial plat review within the City's extraterritorial plat approval jurisdiction, as is defined in s. 236.02 (5);
- an improvement of a transportation facility that is undertaken under s. 84.185;
- impact fee ordinances that are enacted or amended under s. 66.0617; land acquisition for recreational lands and parks under s. 23.09 (20);
- construction site erosion control and storm water management zoning under s. 59.693, 61.354 or 62.234; and
- any other ordinance, plan or regulation of a local governmental unit that relates to land use, except conditional use permits.

B. Consistency Review

There are no known inconsistencies among the planning chapters. This Plan, having been prepared as a single unit, is consistent in its parts and there is no inconsistency between them.

In the future, as plan text and map amendments occur, it is important that city staff and the plan commission conduct consistency reviews. These reviews will ensure that changes do not conflict with other sections of the plan.

C. Implementation Tools

Having the appropriate tools to implement the recommendations in this comprehensive plan is critical. The most common implementation tools are ordinances. In particular, the zoning ordinance and subdivision (or land division) regulations are the primary regulatory devices used to protect existing development and guide future growth and development as identified in this comprehensive plan. There are also non-regulatory approaches to implementing the comprehensive plan; including decisions about how the community will utilize its financial resources.

- **Zoning Ordinance and Map:** Zoning is used to manage and control how land is used and developed. Zoning ordinances typically establish detailed regulations concerning how land may be developed, including setbacks, the density or intensity of development, the height and bulk of buildings and other structures, and parking requirements. The general purpose of zoning is to minimize undesirable side effects resulting from development by segregating and/or buffering incompatible uses and by maintaining standards that ensure development will not negatively impact the community's character or environment.

The establishment of zoning districts and the zoning map indicates where development can and should be located. Zoning districts shown on the zoning map should be coordinated with the land use plan and map. While the zoning map and land use map do not need to directly match at the time the land use map is adopted, the intent is that the land use map will serve as a guide indicating how the property should eventually be zoned.

However, there may be situations where changing the zoning district boundary is in the best interest of the community. If changing the zoning would result in a conflict with the future land use map, the land use map should also be changed. However, the future land use map should only be changed if it does not accurately reflect the community's desired land use pattern.

- **Subdivision (Land Division) Ordinance:** Subdivision regulations serve as an important function by ensuring the orderly development of

unplatted and/or undeveloped land. These regulations may set forth reasonable regulations for lot sizes, road access, street design, public utilities, storm water drainage, parks and open space, and other improvements necessary to ensure that new development will be an asset.

- **Capital Improvement Plan (CIP):** This is an ongoing financial planning program that allows local communities to plan ahead for capital expenditures and minimize unplanned expenses. A CIP prioritizes expenditures in a way that can influence where and when development or redevelopment occurs, and can be a powerful tool in implementing the goals of the comprehensive plan.
- **Annual Operating Budget:** The City prepares a budget each year. It is a statement of the prioritization and allocation of financial resources to achieve certain objectives over a specific time period. The budget is based on the needs of city residents, priorities set by the city council, and the related work plans identified by each department. The budget and the services provided by that budget are instrumental in achieving the goals and objectives of the plan.
- **Other Tools:** Other tools that can implement the comprehensive plan and influence development in Merrill include: fee simple land acquisition, purchasing or acquiring easements, transfer or purchase of development rights, deed restrictions, land dedication, impact fees, utility districts and fees (such as stormwater) building permits, and other ordinances that include stormwater and erosion control requirements.

D. Plan Amendments & Updates

The Merrill Comprehensive Plan is intended to be a “living” document. While the plan is intended to provide a long-term framework for the community, it must also be responsive to change. As things change so should the plan. Over time it is expected that numerous things, from the economic climate to social demands will create a need for change. As such, the comprehensive plan should be reviewed periodically.

Amendments:

Amendments are minor changes to the plan. Periodically, development proposals or changing circumstances within the City may trigger consideration of an amendment. Examples may include requests to change the zoning of a parcel to a use that is inconsistent with the future land use map in the Comprehensive Plan, changes recommended

through a detailed planning effort conducted by the City, or a simple error in the document. The City will address these issues on an as-needed basis, rather than waiting for a scheduled review of the plan.

The following criteria should be considered when reviewing plan amendments:

- The change is consistent with the overall goals and objectives of the Comprehensive Plan.
- The change does not create an adverse impact on public facilities and services that cannot be mitigated.
- Development resulting from the change does not create an undue impact on surrounding properties. Such development should be consistent with the physical character of the surrounding neighborhood or would upgrade and improve its viability.
- The change allows a more viable transition to the planned uses on adjacent properties than the current land use.
- The change does not have a significant adverse impact on the natural environment including trees, slopes and groundwater, or the impact could be mitigated by improvements on the site or in the same vicinity.
- There is a community or regional need identified in the comprehensive plan for the proposed land use or service.
- The change corrects an error made in the original plan.

Upon Plan Commission review and resolution to make recommended changes to the plan, the City Council shall call a public hearing to allow citizens time to review and comment on the recommended plan changes. The public hearing shall be advertised using a Class I notice. Based on public input, staff and plan commission recommendations, as well as other facts, the council will then formally act on the recommended amendment(s).

Updates

Under current law, it is required that an update of the comprehensive plan be undertaken once every ten (10) years. See State Statute 66.1001. Updates will ensure that not only the data and other information is current, but also the plan's goals, objectives, and policies reflect the desires and needs of the city. An update will also include a review of all planning maps. However, it is recommended the plan be reviewed at least once every five years. Some critical parts of the plan, such as the Future Land Use Plan Map, might warrant annual review.

It is important that all segments of the public are involved in the update process. Thus, a Public Participation Plan is required to ensure that the public is engaged in the planning process.

Comprehensive Plan Goals

Below is a review of the plan goals identified in each chapter of the Comprehensive Plan. These serve as an overall policy guide for the City of Merrill.

Chapter 2 – Natural Resources

- Goal 1: Provide a safe, clean and orderly natural environment for residents.
- Goal 2: Future non-metallic mining sites will not negatively impact the planning area (3 mile area surrounding the city) or its residents.
- Goal 3: Maintain the area's diverse wildlife habitat.

Chapter 2 – Agricultural Resources

- Goal 1: Provide for the future viability of the agricultural resources within the planning area (3 miles surrounding the city) until a time it can be converted to a higher best use.

Chapter 2 – Cultural Resources

- Goal 1: The city's historic, archeological and cultural locations and structures will remain preserved for the city residents.

Chapter 3 – Housing

- Goal 1: Supply an affordable mixture of housing options that meet the needs of all community members.
- Goal 2: Improve the housing stock, developing new housing that is in walking distance to food and entertainment options, to accommodate and attract new households.
- Goal 3: Eliminate dilapidated and tax delinquent housing units, especially in downtown areas, maximizing property values.

Chapter 4 – Utilities and Community Facilities

- Goal 1: Promote an effective and efficient supply of utilities, facilities and services that meet the needs and expectations of residents

Chapter 5 - Transportation

- Goal 1: Provide an integrated, efficient, balanced, equitable and economical transportation system that provides mobility, convenience, and safety and that meets the needs of all citizens, including young, elderly, transit-dependent and disabled citizens. This includes providing choices in the mode of transportation (car, transit, bicycle, walking, etc.), easy transfer between modes, and accessible, safe, and convenient opportunities for those without the use of a motor vehicle.

Chapter 6 – Economic Development

- Goal 1: To improve the economic well-being of Merrill through efforts that involve job creation, job retention, tax base enhancements, and other quality of life initiatives.

Chapter 7 – Land Use

- Goal 1: Create an economically efficient and environmentally sustainable development pattern.

Chapter 8 – Intergovernmental Cooperation

- Goal 1: Maintain a positive relationship with open communication with other government entities in the area, including surrounding

towns, special districts, the county, the state, and the federal government.

- Goal 2: Encourage and facilitate participation by the public in government

Measuring Plan Progress

To implement the goals of the comprehensive plan, various objectives and policies that relate to each chapter of the plan were developed. These are intended to provide direction to local leaders and staff, as well as citizens of the City of Merrill for the implementation of the Comprehensive Plan.

To measure progress towards meeting these goals, objectives, and policies, a variety of actions need to take place. Therefore, the task to measure plan progress, is as simple as determining if any action was taken or not, and if that action was taken according to the timeline. These “targets” will provide guidance to the city when specific actions are to be initiated. Based on the targets, measures of progress in achieving implementation of the comprehensive plan can be examined.

It should be noted that many of the policies identified in the plan are continuous or on-going and should also be monitored to measure the plan’s overall success. Objectives can be categorized by the time it may take to accomplish them, generally short-term, or 1 to 5 years, mid-term, or 6 to 10 years, and long-term or 10 years or more.

It is recommended that a periodic “Plan Status” report be prepared to summarize the progress toward implementation. This report might be jointly developed by various city departments, as related to their involvement in the implementation of the goals, objectives, and policies developed within this plan. Ultimately, the success of the planning process will be measured by the future quality of life and prosperity experienced by both residents and visitors to Merrill.

Recommendations

Implementation of this plan depends on the willingness of local officials, to use it as a guide when making decisions that affect growth and development in the City. This section outlines some recommendations to implement the goals, objectives, and policies that are contained in the previous chapters of this plan.

These recommendations are:

1. The City Council should adopt the plan and use it as a guide for decision making.
2. The Plan Commission should become knowledgeable of the plan and use it to justify recommendations to the City Council on development issues.
3. The City should encourage citizen awareness of the Comprehensive Plan. It is also important that developers are aware of the plan.
4. City staff should incorporate the goals, objectives and policies of the plan into annual work plans and budgets.
5. The City should review its Zoning Ordinance to establish consistency between the two documents and incorporate any needed changes.
6. The City should periodically review the Comprehensive Plan and update the document in ten years.

CITY OF MERRILL
1004 EAST FIRST STREET
MERRILL, WI 54452

NOTICE OF PUBLIC HEARING

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, July 5, 2016**, in the City Hall Council Chambers, 1004 East First Street, Merrill, Wisconsin, on the following proposed matter to wit;

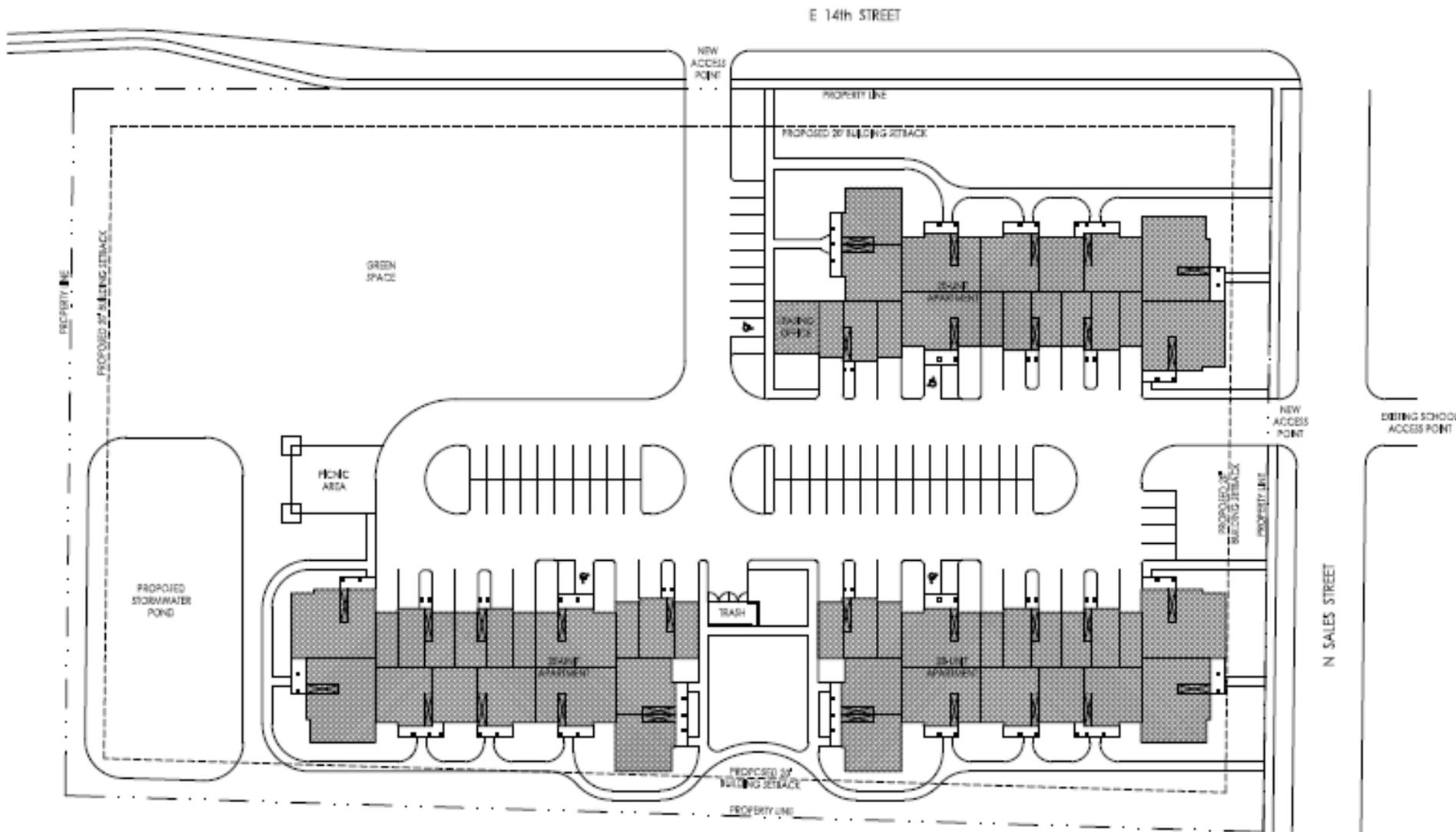
1. Request by the City of Merrill to rezone a parcel of land at 1905 East 14th Street from Thoroughfare Commercial (TC) to Planned Unit Development (PUD) for the purposes of constructing a multifamily housing development. Legally described as: Part of AP 193 in the NE ¼ of the NE ¼ known as lots 1 and 2 of CSM 426. Parcel #34.0001.000.079.01.00.

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

Dated: June 6, 2016

CITY OF MERRILL, WISCONSIN

By: _____
William N. Heideman
City Clerk



① SITE PLAN
 SCALE: 1" = 30'-0"
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FOX POINT DEVELOPMENT

This site plan is indicative of the type of development that is sought for this site under Planned Unit Development zoning. This plan, or a similar plan which meets all set back, parking and similar density requirements, would be considered by the City.

Attachment: FOX POINT Site Plan (1786 : Public Hearing on rezoning Fox Point site)