CITY OF MERRILL

CITY PLAN COMMISSION

AGENDA ● MONDAY JULY 12, 2021

Regular Meeting | **City Hall Council Chambers** | **5:45 PM**

I. To attend remotely, cal 417-647-1267 and PIN 721 730 725 #.

II. Call to Order

III. Minutes of previous meeting(s):

1. Minutes of May 4, 2021 meeting

IV. Agenda items for consideration:

1. Oral report from Building Inspector/Zoning Administrator Pagel on Certified Survey Maps

V. Public Hearings (will begin at 6:00 P.M.)

1. Rezoning request (Rural Development to R-4 Residential) for parcel between Alexander Street and Eugene Street, north of Heldt Street.
2. Conditional Use Permit application from Pine Crest Nursing Home, 2100 East Sixth Street, to keep chickens at 2100 East Sixth Street.
3. Planned Unit Development application from the City of Merrill for apartment development west of Eugene Street.
4. Rezoning request (Public to Business) from Christian Men's Dicipleship [sic] Inc., 100 N. Polk Street, to rezone 100 N. Polk Street.

VI. Public Comment Period

VII. Establish date, time and location of next meeting

VIII. Adjournment

CITY OF MERRILL

CITY PLAN COMMISSION

MINUTES ● TUESDAY MAY 4, 2021

Regular Meeting | **City Hall Council Chambers** | **5:30 PM**

I. Call to Order

Mayor Woellner called the meeting to order at 5:30 P.M.

Attendee Name	Title	Status	Arrived
Ryan Schwartzman		Present	
Ralph Sturm		Excused	
Melissa Schroeder		Present	
Robert Reimann		Excused	
Derek Woellner	Mayor	Present	
Steve Hass	Alderperson - Second District	Present	
Kyle Gulke		Present	

Other attendees (either in-person or remotely) included: City Administrator Dave Johnson, City Attorney Tom Hayden, Public Works Director/City Engineer Rod Akey, Building Inspector/Zoning Administrator Darin Pagel, I/T Manager Dustin Brown, Alderman Rick Blake, Alderman Mark Weix and City Clerk Bill Heideman. Merrill Productions was present to videotape the meeting.

II. Minutes of previous meeting(s):

1. Minutes of March 11, 2021 meeting

Motion (Hass/Schroeder) to approve.

RESULT: **APPROVED**

III. Agenda items for consideration:

1. Oral report from Building Inspector/Zoning Administrator Pagel on Certified Survey Maps

Building Inspector/Zoning Administrator Pagel reported that, in the last month, he approved one Certified Survey Map. It was for an extraterritorial survey in the Town of Merrill.

2. Consider recommendation(s) from April 28th Board Of Public Works meeting related to application from Brent Scantlin for partial alley vacation in the 1400 block of West Main Street.

Information was in the meeting packet.

At a meeting on April 28th, 2021, the Board of Public Works recommended approval of this partial alley vacation application.

Motion (Hass/Schwartzman) to approve.

Attachment: 2021-05-04 City Plan Commission Minutes (6071 : Minutes of May 4, 2021 meeting)

RESULT:	APPROVED & SENT TO COUNCIL	Next: 7/13/2021 6:00 PM

3. Final Plat of Rock Ridge Park

Information was in the meeting packet.

Motion (Hass/Schroeder) to approve, contingent upon final approval by the State of Wisconsin.

RESULT:	APPROVED & SENT TO COUNCIL	Next: 5/11/2021 6:00 PM

IV. Public Comment Period

None.

V. Establish date, time and location of next meeting

The next meeting will be at the call of the Chairperson.

VI. Adjournment

Motion (Hass/Schwartzman) to adjourn. Carried. Adjourned at 5:34 P.M.

Attachment: 2021-05-04 City Plan Commission Minutes (6071 : Minutes of May 4, 2021 meeting)

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 Monday July 12, 2021**, in the City Hall Council Chambers, 1004 East First Street, Merrill, Wisconsin, on the following proposed matter, to wit;

1.) Rezoning of a parcel of land from Rural Development to R-4 Residential under M.M.C. Sec. 113.428, located between Alexander and Eugene Streets and north of Heldt Street in the City of Merrill, Lincoln County, Wisconsin. Legally described in pin# 251-3106-152-0228.
2.) Pine Crest Nursing Home, 2100 E 6th Street, requesting a Conditional Use Permit for the keeping of chickens per M.M.C. Sec. 113.97-113.106 in the City of Merrill, Lincoln County, Wisconsin. Legally described in pin# 251-3106-182-0100.
3.) City of Merrill requesting a Planned Unit Development per M.M.C. Sec.113-66 to 113-69 in the City of Merrill, Lincoln County, Wisconsin, at a location west of Eugene Street, for an apartment development. Legally described in pin# 251-3106-182-0090.
4.) Christian Men's Dicipleship Inc, 100 N Polk Street, requesting rezoning from Public to Business under M.M.C. Sec. 113.428 for 100 N Polk Street in the City of Merrill, Lincoln County, Wisconsin. Legally described in pin# 251-3106-141-0050.

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

Dated: June 21, 2021

CITY OF MERRILL, WISCONSIN

By: _____
William N. Heideman
City Clerk

Attachment: Public Hearings Notice (7070 : Hearing: Rezoning land between Alexander and Eugene Streets)

CITY OF MERRILL

1004 EAST FIRST STREET
MERRILL, WI 54452-2586

AN ORDINANCE: City Plan Commission
Re: Amending the District Zoning Map of the City of Merrill, Wisconsin for a parcel of land located between Alexander and Eugene Streets and north of Heldt Street.

ORDINANCE NO. 2021-
Introduced: _____
1st Reading: _____
2nd Reading: _____
3rd Reading: _____
Committee/Commission Action: _____

AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

Section 1. The District Zoning Map of the City of Merrill, Wisconsin is hereby amended by changing the zoning of the following described parcel of land located between Alexander and Eugene Streets and north of Heldt Street in the City of Merrill from Rural Development to R-4 (Residential), said parcel more particularly described as follows:

Assessor's Plat No. 617, City of Merrill, Lincoln County, Wisconsin, EXCEPT Lot One (1) of Certified Survey Map No. 648, recorded June 2, 1992, in Volume 3 of Certified Surveys, page 169, as Document No. 319881, in the Office of the Register of Deeds for Lincoln County, Wisconsin, being a part of the SW ¼ of the NW ¼ of Section 15, Township 31 North, Range 6 East, City of Merrill, Lincoln County, Wisconsin, AND FURTHER EXCEPTING, Certified Survey Map No. 1753, recorded March 4, 2010, in Volume 9 of Certified Surveys, page 5, as Document No. 430724, being a part of the SW ¼ of the NW ¼ of Section 15, Township 31 North, Range 6 East, City of Merrill, Lincoln County, Wisconsin, AND FURTHER EXCEPTING, The Plat of Sunset Estates.

Section 2. **Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 3. **Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Attachment: Ordinance on rezoning on Alexander and Eugene Streets (7070 : Hearing: Rezoning land between Alexander and Eugene Streets)

Moved by: _____

Adopted: _____

Approved: _____

Published: _____

Approved:

_____

Derek Woellner, Mayor

Attest:

_____

William N. Heideman, City Clerk

Attachment: Ordinance on rezoning on Alexander and Eugene Streets (7070 : Hearing: Rezoning land between Alexander and Eugene Streets)

Lincoln County, WI

Author: Public

Date Printed: 5/13/2021

DISCLAIMER: The information depicted on this map is a compilation of public record information including aerial photography and other base maps. No warranty is made, express or implied, as to the accuracy of the information used. The data layers are a representation of current data to the best of our knowledge and may contain errors. It is not a legally recorded map and can not be substituted for field-verified information. Errors should be reported to Land Services Department, 801 North Sales St, Merrill, WI, 54452. Phone (715) 539-1087.

Attachment: Rezoning Between Alexander and Eugene Streets (7070 : Hearing: Rezoning land between Alexander and Eugene Streets)

RESOLUTION NO. _____

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR THE KEEPING OF CHICKENS AT PINE CREST NURSING HOME, LOCATED AT 2100 E 6th STREET, MERRILL

WHEREAS, Pine Crest Nursing Home has requested a conditional use permit pursuant to the Merrill Zoning Code Chapter 113, Section 113-97 through 113-106, for the purpose of the keeping of chickens at the following described property:

The SW ¼ of the NW ¼, Section 7, Township 31 North, Range 7 East, City of Merrill, Lincoln County, Wisconsin, Except the North 200 feet of the East 360 feet described in Volume 307/286.

Commonly known as Pine Crest Nursing Home, herein referred to as the "Premises"; and,

WHEREAS, the City Plan Commission scheduled a hearing on the application on July 12, 2021, due public notice having been given and opportunity given to those interested to speak on the application; and,

WHEREAS, the City Plan Commission has reviewed the Application, found that it does meet the requirements of Merrill Zoning Code, Chapter 113, Section 113-97 through 113-106, and has recommended approval of said application;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of July, 2021, that a conditional use permit shall be issued to Pine Crest Nursing Home for the purpose of the keeping of up to 3 chickens, no roosters, on the aforesaid described premises.

Recommended by: City Plan Commission

CITY OF MERRILL, WISCONSIN

_____
Derek Woellner
Mayor

Moved: _____

Passed: _____

_____
William N. Heideman
City Clerk

Attachment: Resolution on CUP to keep chickens at Pine Crest (7071 : C.U.P. application from Pine Crest for chickens)

APPLICATION FOR CONDITIONAL USE PERMIT
CITY OF MERRILL

DATE May 27, 2021

APPLICANT'S NAME: Zach Ziesemer

BUSINESS NAME: Pine Crest Nursing Home

PHONE #: 715-536-0355 EMAIL: zziesemer@norcen.org

PROPERTY ADDRESS: 2100 E 6th Street, Merrill, WI 54452

PROPERTY OWNER'S NAME: Lincoln County (North Central Health Care manages)

TAX ROLL#: 34- PIN #: 251- 31061820100

EXISTING USE: _____

PROPOSED USE: _____

REASON FOR REQUESTING A USE PERMIT CHANGE: Allow for the nursing home to have a chicken coop, with a max of three hens, be located in a designated outdoor space. Reference map in regards to the coops proposed location

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).

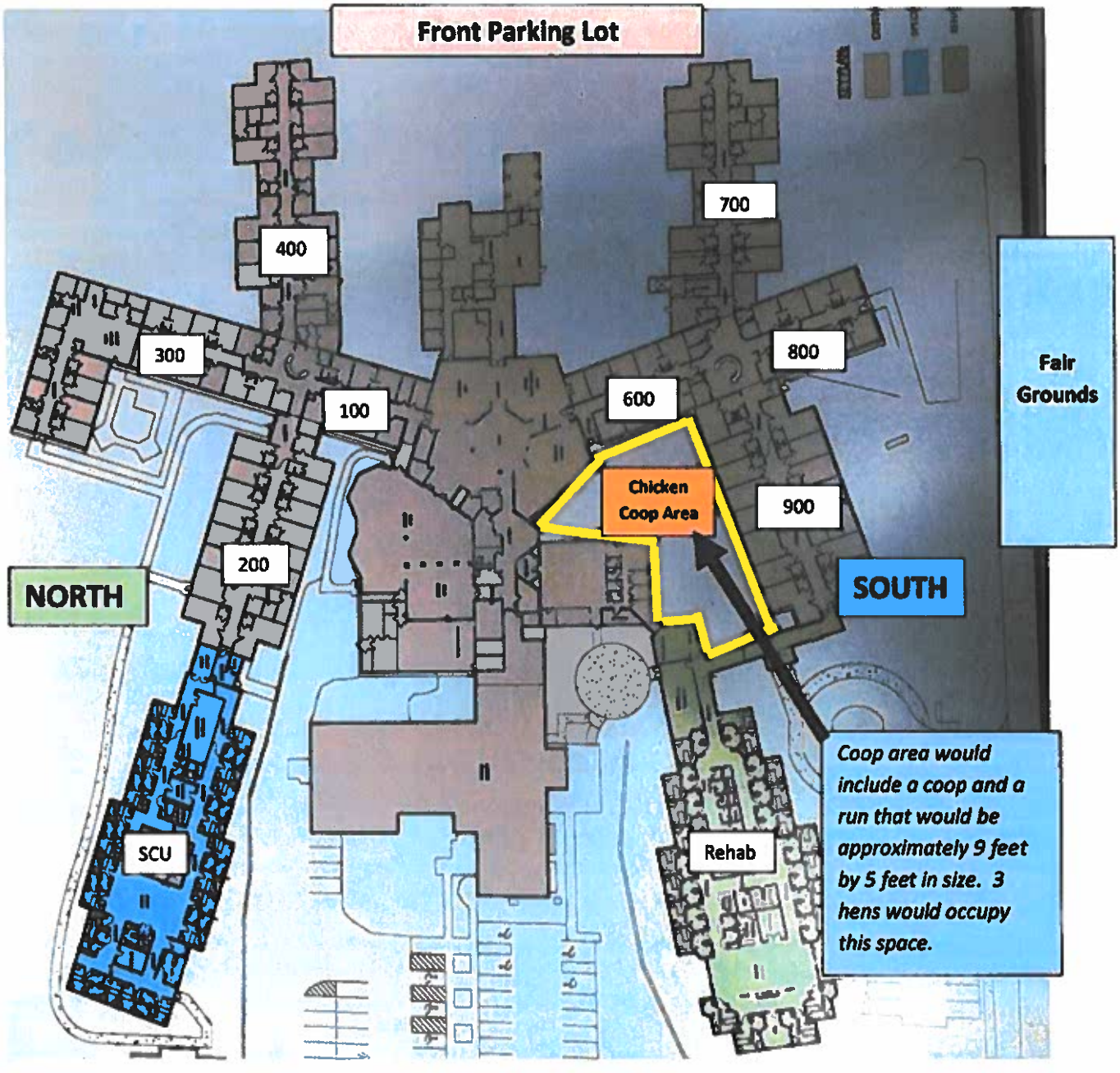
   c) Describe how the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the Zoning District.

   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.

Attachment: Pine Crest - Chickens (7071 : C.U.P. application from Pine Crest for chickens)

Pine Crest Map



Attachment: Pine Crest - Chickens (7071 : C.U.P. application from Pine Crest for chickens)

RESOLUTION NO. _____

A RESOLUTION APPROVING A PLANNED UNIT DEVELOPMENT AND CONSTRUCTION OF AN APARTMENT DEVELOPMENT AT A LOCATION WEST OF EUGENE STREET, MERRILL

WHEREAS, the City of Merrill has requested a Planned Unit Development pursuant to the Merrill Zoning Code Chapter 113, Article III, Section 113 for the purpose constructing an apartment development on the following described property:

> Lot One (1) and Two (2) of Certified Survey Map No. 426 recorded in the Office of the Register of Deeds for Lincoln County, Wisconsin, on March 21, 1985 in Volume 2 of Certified Survey Maps on page 210, as Document No. 281397; being a part of the NE ¼ of the NE 1/4, Section 12, Township 31 North, Range 6 East, City of Merrill, Lincoln County, Wisconsin.

Commonly known as a location west of Eugene Street herein referred to as the "Premises"; and,

WHEREAS, the City Plan Commission scheduled a hearing on the application on July 12, 2021, due public notice having been given and opportunity given to those interested to speak on the application; and,

WHEREAS, the City Plan Commission has reviewed the Application, found that it does meet the requirements of Merrill Zoning Code, Chapter 113, Article III, Section 113 and has recommended approval of said application;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 13th day of July, 2021, that a Planned Unit Development consisting of an apartment development on the above described premises is approved.

Recommended by: City Plan Commission

CITY OF MERRILL, WISCONSIN

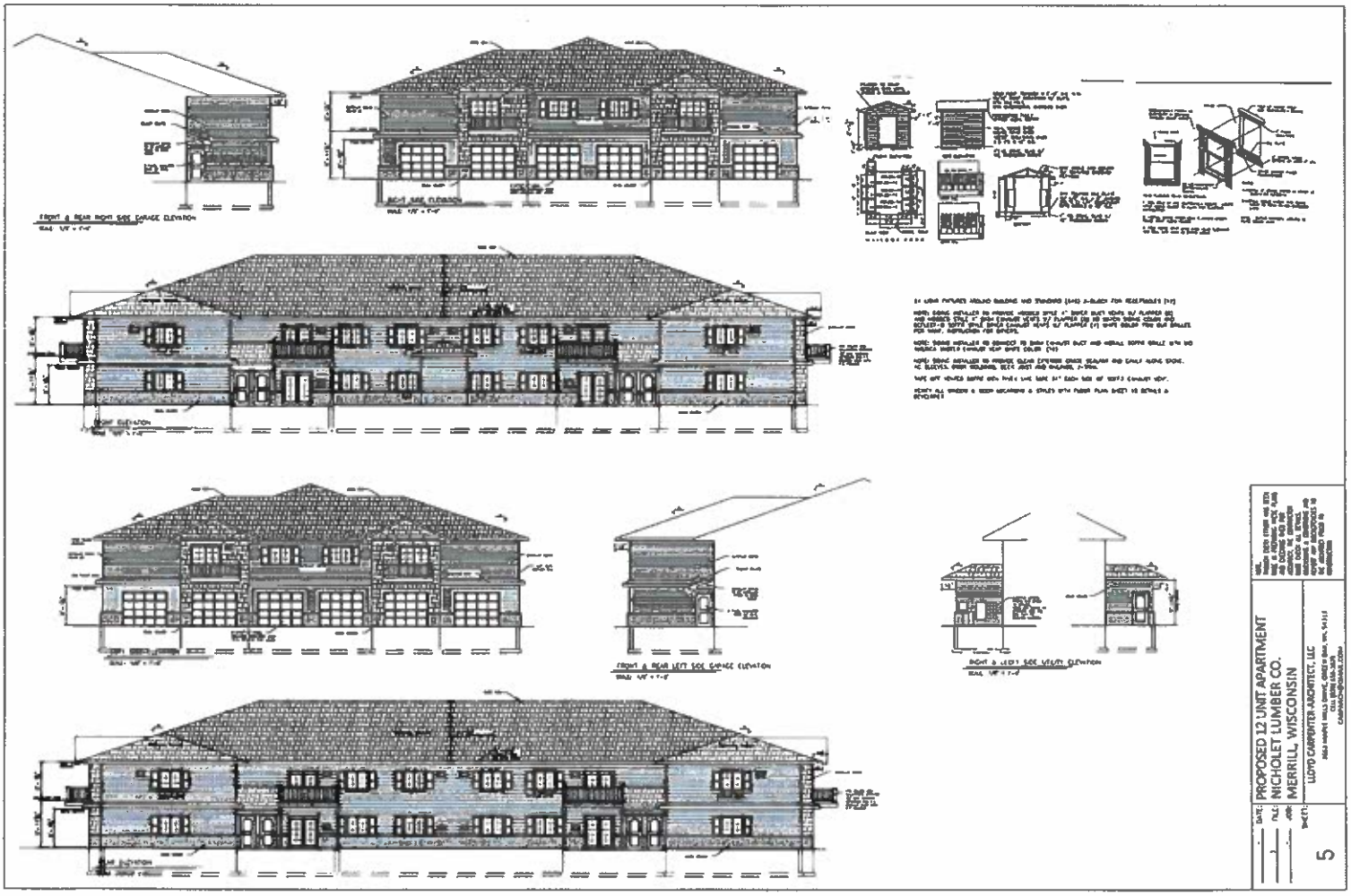
_____
Derek Woellner
Mayor

Moved: _____

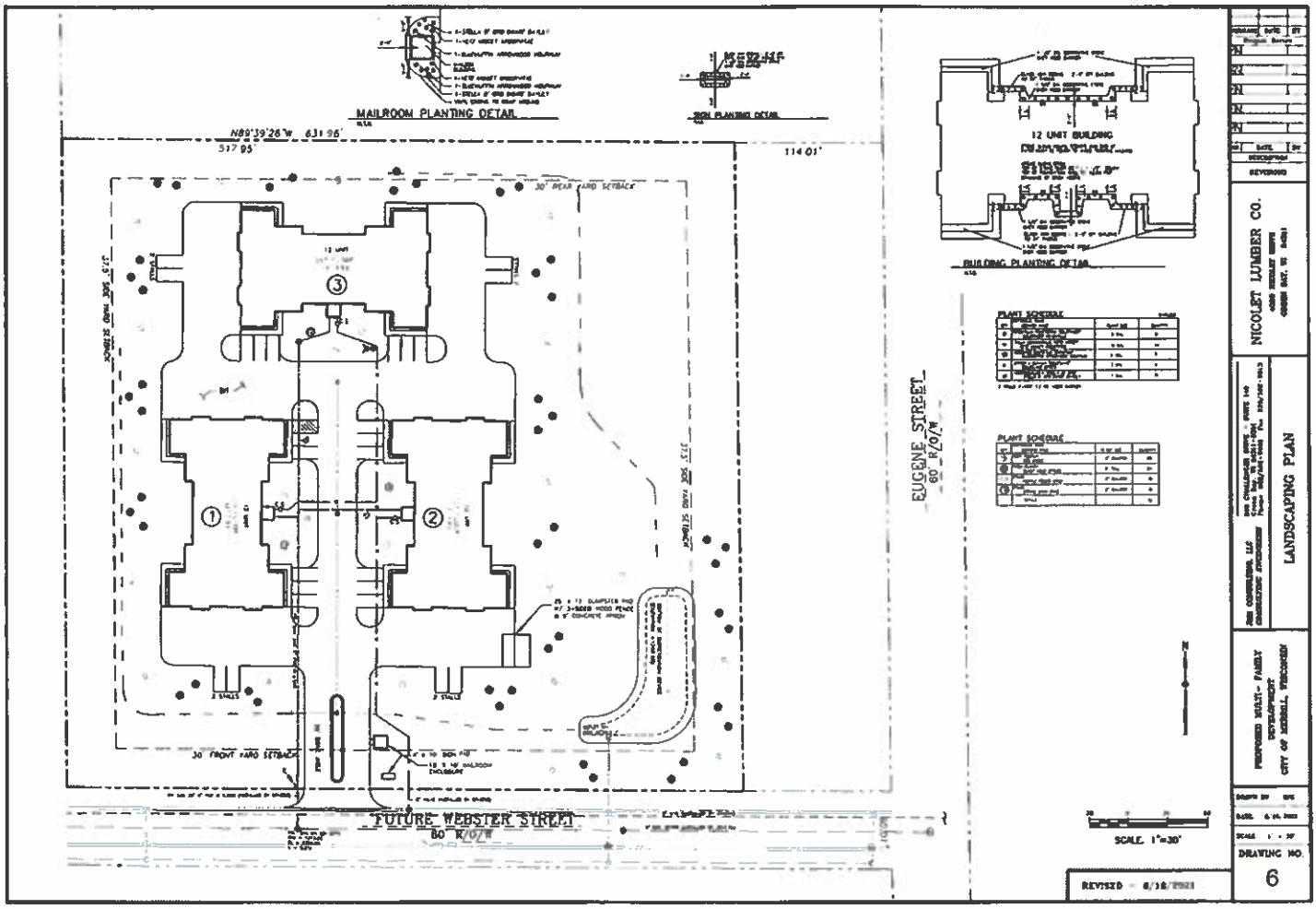
Passed: _____

_____
William N. Heideman
City Clerk

Attachment: Resolution on PUD West of Eugene Street (7072 : PUD application from City for apartments west of Eugene Street)



Attachment: PUD West of Eugene St (7072 : PUD application from City for apartments west of Eugene Street)



Attachment: PUD West of Eugene St (7072 : PUD application from City for apartments west of Eugene Street)

CITY OF MERRILL

1004 EAST FIRST STREET
MERRILL, WI 54452-2586

AN ORDINANCE: City Plan Commission
Re: Amending the District Zoning Map of the City of Merrill, Wisconsin for property located at 100 N Polk Street.

ORDINANCE NO. 2021-
Introduced: _____
1st Reading: _____
2nd Reading: _____
3rd Reading: _____
Committee/Commission Action: _____

AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

Section 1. The District Zoning Map of the City of Merrill, Wisconsin is hereby amended by changing the zoning of the following described property at 100 N Polk Street in the City of Merrill from Public to Business, said parcels more particularly described as follows:

Lot 370 and a part of Lot 371.1 of the Assessor's Plat of the City of Merrill, except that part described in Volume 195-33, subject to that Line by Agreement in Volume 587-469, Lincoln County, Wisconsin.

Section 2. **Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 3. **Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Attachment: Ordinance on rezoning of 100 N Polk Street (7073 : Rezoning request from Christian Men's Dicipleship)

Moved by: _____

Adopted: _____

Approved: _____

Published: _____

Approved:

_____
Derek Woellner, Mayor

Attest:

_____
William N. Heideman, City Clerk

Attachment: Ordinance on rezoning of 100 N Polk Street (7073 : Rezoning request from Christian Men's Dicipleship)

APPLICATION FOR ZONING AMENDMENT

CITY OF MERRILL

NAME: Christian mens Discipleship STREET ADDRESS: 100 Polk st.

PROPERTY ADDRESS: 100 Polk St. TAX ROLL#: _____

LEGAL DESCRIPTION: **(MUST PROVIDE DEED)** _____

EXISTING USE: Public PROPOSED USE: Commercial

REASONS FOR REQUESTING A ZONE CHANGE: _____

Change to "B" Zoning.

Additional Requirements

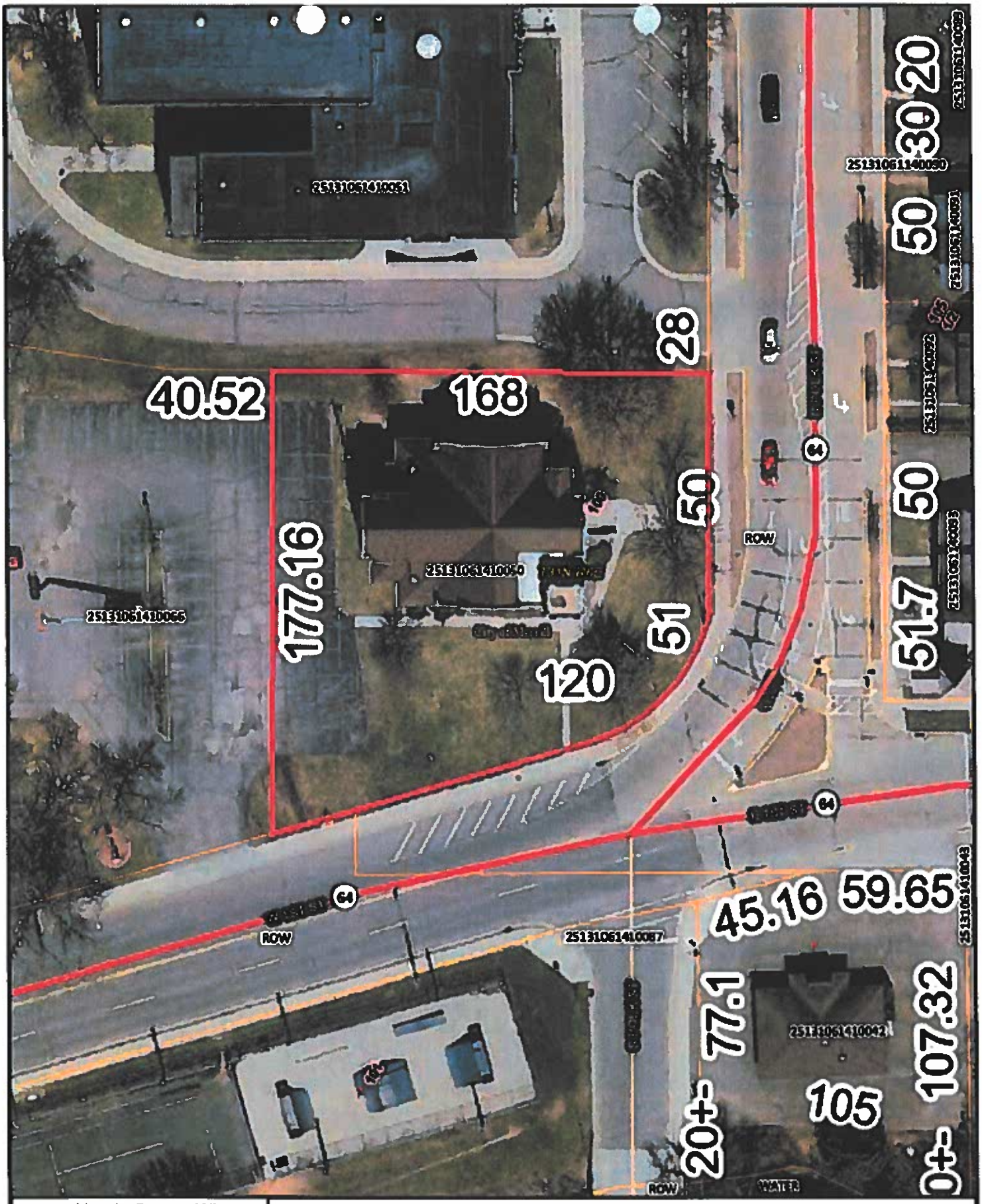
1. Names and addresses of all abutting and opposite property owners within 300 feet of the property to be altered.
2. Principal use of all properties within 300 feet of the property to be altered.
3. A plot plan or survey plat, drawn to scale, showing the property to be rezoned, location of structures, and property lines within 300 feet of the parcel.
4. Any further information with at may be pertinent in considering the application.
5. FAILURE TO SUPPLY SUCH INFORMATION SHALL BE GROUNDS FOR DISMISSAL OF PETEITION.
6. A fee of $175.00 shall be paid to the Clerk-Treasurer at time of application.

All information submitted is accurate to the best of my knowledge.

President 6/18/2021.

Signature of Applicant Manuel Rolon Date

Attachment: 100 N Polk Street Rezoning (7073 : Rezoning request from Christian Men's Dicipleship)



Lincoln County, WI

Author: Public

Date Printed: 6/8/2021

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Attachment: 100 N Polk Street Rezoning (7073 : Rezoning request from Christian Men's Dicipleship)