



CITY OF MERRILL
CITY PLAN COMMISSION
AGENDA • TUESDAY MAY 2, 2023

Regular Meeting

City Hall Council Chambers

6:00 PM

To attend remotely call 929-324-2588 PIN 764 391 671 #

- I. Call to Order
- II. Minutes of previous meeting:
 1. Consider placing the minutes from the February 7, 2023 meeting on file
- III. Public Hearing at 6:00 PM
 1. Public Hearing Notice
 2. Brian Lee, 100 N Polk St, 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.
- IV. Discussion of Conditional Use Application Form
 1. Conditional Use Application Form
- V. Approval of Final Plat for CM's First Addition (aka Johnson Street)
 1. Johnson Street Plat
- VI. Public Comment
- VII. Adjournment

**CITY OF MERRILL
CITY PLAN COMMISSION
Tuesday, February 7, 2023**

Regular Meeting

City Hall Council Chambers

6:00 p.m.

- I. **The meeting was called to order** by Mayor Hass at 6:00 PM.
Members Present: Mayor Steve Hass, Alderperson Steve Sabatke, Kyle Gulke, Ralph Sturm, Melissa Schroeder, Ryan Schwartzman. Robert Reimann was excused.

Others Present: Public Works Director/City Engineer Akey, City Attorney Hayden, City Clerk Anderson-Malm, Building Inspector/Zoning Administrator Pagel, Alderperson Lupton and Merrill Productions video operator.

Residents in attendance: Val Mindak, Mike Ravn, Maria Zoa, Keith Swenson, Renee and Todd Frederick, Realtor Jackie Lenard.

- II. **Minutes of previous meeting** – Ryan Schwartzman made a motion to approve the minutes from the January 3rd meeting. Ralph Sturm seconded and the motion carried.

Mayor Hass changed the order of the meeting with Public Comment before the discussion regarding the Conditional Use Permit.

III. **Public Comment:**

Val Mindak – President Park City Credit Union – spoke in favor of approving the conditional use permit. She mentioned the developer provided what was asked by the committee at the last meeting. She provided information regarding the trend with storage units and the need for units.

David Morrison – 210 E Third St – He was remote and is against the plan for storage units. He lives across the street from the building and feels this would affect the price of his property. He is not against a business going in the space but does not want a storage facility.

Jackie Lenard – Northwood's Realty – She has the listing on the property and spoke in favor of approval of the conditional use permit.

Todd Frederick – 1600 Logan Ave – He gave a public comment at the last meeting and was against the proposal and is still against this proposal. He thinks this should be on the outside of town. He does not think this will enhance the beauty of the city and does not want storage downtown.

Keith Swenson – Developer – He spoke about storage units and compared them to gas stations stating people will use the facility closest to them. He provided examples of the proposal and asked to consider them to become part of the community. He has a vision for the property and asked to have the opportunity to move forward.

IV. **Reconsider a Conditional Use for Maria Zoa, for a storage facility at 300 E 2nd Street**

Additional information was handed out to the commission members prior to the meeting regarding the proposed building.

Attachment: 2023-02-07 City Plan Minutes (9921 : Consider placing the minutes from the February 7, 2023 meeting on file)

Alderson Sabatke applauded the developers in working with the city and changing their original plan. He spoke to the positive aspects of the proposal.

Alderson Sabatke made a motion to approve the permit and send it to Council. Melissa Schroeder seconded for discussion.

Building Inspector/Zoning Administrator Pagel asked questions regarding a café and additional interior storage in the existing building. Keith Swenson answered all questions and further discussion occurred.

BI/ZA Pagel mentioned the commission has the ability to tie down the developer with sizes and colors which can be included in the motion. He also stated this permit would be valid for 12 months and construction must start within that time and a sunset date for completion should be established.

Mayor Hass stated all conditions can be set for the property but would like to see a more detailed plan with drawings.

After further discussion, Alderson Sabatke rescinded his motion and Melissa Schroeder rescinded her second.

Continued discussion resulted in Alderson Sabatke making the following motion: A motion to approve the concept with renderings brought forward to the commission for final approval with the following conditions and forwarded to the Common Council:

- 60' x 120' building
- Maintenance Shop 48' x 36'
- Overhang from drive-thru removed
- Storage building with brick/wood and same materials for maintenance shop
- Colors need to match – earth tones
- 4' brick around new structure
- Landscaped with bushes/shrubs
- Construction start by June 2023 and finished June 2024 for the new building
- Rendering with 4 elevations
- Image of fence on East side of property

Ryan Schwartzman seconded and the motion carried on a 4-2 vote. Mayor Hass and Kyle Gulke voted no.

- V. **Adjournment** – Alderson Sabatke made a motion to adjourn. Ryan Schwartzman seconded and the motion carried. The meeting was adjourned at 6:59 PM.

Prepared by: Lori L. Anderson-Malm City Clerk

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, May 2, 2023**, in the City Hall Council Chambers, 1004 East First Street, Merrill, Wisconsin, on the following proposed matter, to wit;

- 1.) Brian Lee, 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: April 10, 2023

CITY OF MERRILL, WISCONSIN

By: Lori Anderson-Malm
Lori Anderson-Malm
City Clerk

Attachment: Public Hearing Notice (9922 : Public Hearing Notice)

APPLICATION FOR CONDITIONAL USE PERMIT CITY OF MERRILL

DATE _____

APPLICANT'S NAME: _____

BUSINESS NAME: _____

PHONE #: _____ EMAIL: _____

PROPERTY ADDRESS: _____

PROPERTY OWNER'S NAME: _____

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

EXISTING USE: _____

PROPOSED USE: _____

REASON FOR REQUESTING A USE PERMIT CHANGE: _____

**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 ZONING AMENDMENT

CITY OF MERRILL

(415) 889-3813
441 Beech Ave
San Bruno, CA 94066

NAME: Brian Lee STREET ADDRESS: ~~100~~ ~~Foot~~
PROPERTY ADDRESS: 100 N. Poplar TAX ROLL#: 251-3106-141-005
LEGAL DESCRIPTION: (MUST PROVIDE DEED) _____

EXISTING USE: Church PROPOSED USE: Museum
REASONS FOR REQUESTING A ZONE CHANGE: Public to Business Zone
Museum = 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 PETITION.
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.

Signature of Applicant

Date

415-601-2631

Son - Eric Lee

or

715-574-6401 Max

CM'S FIRST ADDITION

A SUBDIVISION PLAT BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND ALL OF LOT 4 OF CERTIFIED SURVEY MAP NUMBER 559835, RECORDED AS DOCUMENT NUMBER 559835, FILED IN THE LINCOLN COUNTY REGISTER OF DEEDS OFFICE; ALL LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 31 NORTH, RANGE 7 EAST IN THE CITY OF MERRILL, LINCOLN COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, JOSHUA W. PRENTICE, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2852, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF: THAT I HAVE SURVEYED, MAPPED, AND DIVIDED A PARCEL OF LAND BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND ALL OF LOT 4 OF CERTIFIED SURVEY MAP NUMBER 559835, RECORDED AS DOCUMENT NUMBER 559835, FILED IN THE LINCOLN COUNTY REGISTER OF DEEDS OFFICE; ALL LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 31 NORTH, RANGE 7 EAST IN THE CITY OF MERRILL, LINCOLN COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 7; THENCE SOUTH 00°25'37" WEST, COINCIDENT WITH THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 7, 1352.53 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID CERTIFIED SURVEY MAP NUMBER 559835 AND THE POINT OF BEGINNING; THENCE NORTH 89°15'24" EAST, 37.72 FEET TO THE NORTHWEST CORNER OF THE JOHNSON STREET DEDICATION AS SHOWN ON SAID CERTIFIED SURVEY MAP #559835; THENCE SOUTH 00°00'19" EAST, COINCIDENT WITH THE WEST LINE OF SAID JOHNSON STREET DEDICATION, 294.95 FEET TO THE SOUTHWEST CORNER OF SAID JOHNSON STREET DEDICATION AND THE NORTHWEST CORNER OF SAID LOT 4; THENCE NORTH 89°04'56" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT 4, 135.01 FEET TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 00°00'19" EAST, COINCIDENT WITH THE EAST LINE OF SAID LOT 4, 547.17 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 88°55'08" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT 4 AND THE WESTERLY EXTENSION THEREOF, 179.09 FEET TO SAID NORTH-SOUTH 1/4 LINE OF SECTION 7; THENCE NORTH 00°25'37" EAST, COINCIDENT WITH SAID NORTH-SOUTH 1/4 LINE 842.88 FEET TO SAID WESTERLY EXTENSION OF THE NORTH LINE OF SAID CERTIFIED SURVEY MAP NUMBER 559835 AND THE POINT OF BEGINNING.

THAT THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 108,349 SQUARE FEET, 2.487 ACRES, MORE OR LESS.

THAT I HAVE MADE THIS SURVEY, DIVISION, AND MAP THEREOF AT THE DIRECTION OF THE CITY OF MERRILL, AGENT OF SAID PARCEL.

THAT SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES, WISCONSIN ADMINISTRATIVE CODE A-E7, AND THE SUBDIVISION REGULATIONS OF THE CITY OF MERRILL AND THE WISCONSIN DEPARTMENT OF ADMINISTRATION.

THAT THIS MAP IS A CORRECT AND ACCURATE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF SAID PARCEL, AND OF THE DIVISION THEREOF MADE.

DATED THIS 3RD DAY OF APRIL, 2023

REI ENGINEERING, INC.
JOSHUA W. PRENTICE
WI P.L.S. S-2852

COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN)
SS
LINCOLN COUNTY)

I, ROBBIN GIGL, COUNTY TREASURER, BEING THE DULY ELECTED, QUALIFIED, AND ACTING TREASURER OF THE COUNTY OF LINCOLN, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF

2023
AFFECTING THE LANDS INCLUDED IN THE PLAT OF CM'S FIRST ADDITION.

DATED THIS DAY OF 2023

ROBBIN GIGL, TREASURER, LINCOLN COUNTY

CERTIFICATE OF THE CITY OF MERRILL TREASURER

STATE OF WISCONSIN)
SS
LINCOLN COUNTY)

I, KATHY UNERTL, BEING THE DULY APPOINTED, QUALIFIED AND ACTING TREASURER OF THE CITY OF MERRILL, WISCONSIN, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF

2023 AFFECTING THE LANDS INCLUDED IN THE PLAT OF CM'S FIRST ADDITION.

DATED THIS DAY OF 2023

KATHY UNERTL, FINANCE DIRECTOR

CITY OF MERRILL COMMON COUNCIL APPROVAL CERTIFICATE:
RESOLVED, THAT THE PLAT OF CM'S FIRST ADDITION, IN THE CITY OF MERRILL, CITY OF MERRILL, OWNER, IS HEREBY APPROVED BY THE CITY OF MERRILL COMMON COUNCIL.

DATE APPROVED MAYOR

DATE SIGNED MAYOR

I HEREBY CERTIFY THAT THE AFOREMENTIONED PLAT OF CM'S FIRST ADDITION HAS BEEN APPROVED BY THE CITY OF MERRILL COMMON COUNCIL.

CITY OF MERRILL CLERK

GENERAL NOTES:

- FIELD WORK WAS COMPLETE ON 1-17-2023.
- BEARINGS ARE BASED ON THE LINCOLN COUNTY COORDINATE SYSTEM, NAD83 (2011) DATUM, AND ARE REFERENCED TO THE NORTH-SOUTH 1/4 LINE OF SECTION 7, TOWNSHIP 31 NORTH, RANGE 7 EAST, MEASURED TO BEAR SOUTH 00°25'37" WEST.

SHEET 1 OF 1
REI PROJECT #10435

DATE	REVISION	BY	CHK'D
04/03/2023	PLAT REVIEW COMMENTS	AJB	JLR
REI ENGINEERING, INC. 1401 N. 10TH AVENUE WAUSAU, WISCONSIN 54981 PHONE: 715.875.0750 FAX: 715.875.0400 EMAIL: MAIL@REIENGINEERING.COM			



**CIVIL & ENVIRONMENTAL
ENGINEERING, SURVEYING**

OWNER'S CERTIFICATE OF DEDICATION

CHURCH MUTUAL INSURANCE COMPANY, AS OWNER, DOES HEREBY CERTIFY THAT THEY CAUSED THE LAND DESCRIBED ON THIS PLAT OF CM'S FIRST ADDITION TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED, AS REPRESENTED ON THIS PLAT. CHURCH MUTUAL INSURANCE COMPANY DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY S. 236.10 OR S. 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF MERRILL, AND THE WISCONSIN DEPARTMENT OF ADMINISTRATION.

IN WITNESS WHEREOF, CHURCH MUTUAL INSURANCE COMPANY, HAS CAUSED THESE PRESENTS

TO BE SIGNED BY (PRINT NAME) (TITLE)

AND COUNTERSIGNED BY (PRINT NAME) (TITLE)

AT WISCONSIN,

THIS DAY OF 2023.

IN THE PRESENCE OF: CHURCH MUTUAL INSURANCE COMPANY

(SIGNATURE)

(PRINT NAME)

SIGNATURE

(PRINT NAME)

STATE OF WISCONSIN)

SS

COUNTY)

PERSONALLY CAME BEFORE ME THIS DAY OF 2023,

THE ABOVE NAMED (PRINT NAME) (TITLE)

AND (PRINT NAME) (TITLE)

OF THE ABOVE NAMED TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND TO ME KNOWN TO BE SUCH OFFICERS OF SAID CHURCH MUTUAL INSURANCE COMPANY, AND ACKNOWLEDGE THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CHURCH MUTUAL INSURANCE COMPANY, BY ITS AUTHORITY.

NOTARY PUBLIC STATE OF WISCONSIN

MY COMMISSION EXPIRES

OWNER'S CERTIFICATE OF DEDICATION

CITY OF MERRILL, AS OWNER, DOES HEREBY CERTIFY THAT THEY CAUSED THE LAND DESCRIBED ON THIS PLAT OF CM'S FIRST ADDITION TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED, AS REPRESENTED ON THIS PLAT. CITY OF MERRILL DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY S. 236.10 OR S. 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF MERRILL, AND THE WISCONSIN DEPARTMENT OF ADMINISTRATION.

IN WITNESS WHEREOF, CITY OF MERRILL, HAS CAUSED THESE PRESENTS

TO BE SIGNED BY (PRINT NAME) (TITLE)

AND COUNTERSIGNED BY (PRINT NAME) (TITLE)

AT WISCONSIN,

THIS DAY OF 2023.

IN THE PRESENCE OF: CITY OF MERRILL

(SIGNATURE)

(PRINT NAME)

SIGNATURE

(PRINT NAME)

STATE OF WISCONSIN)

SS

COUNTY)

PERSONALLY CAME BEFORE ME THIS DAY OF 2023,

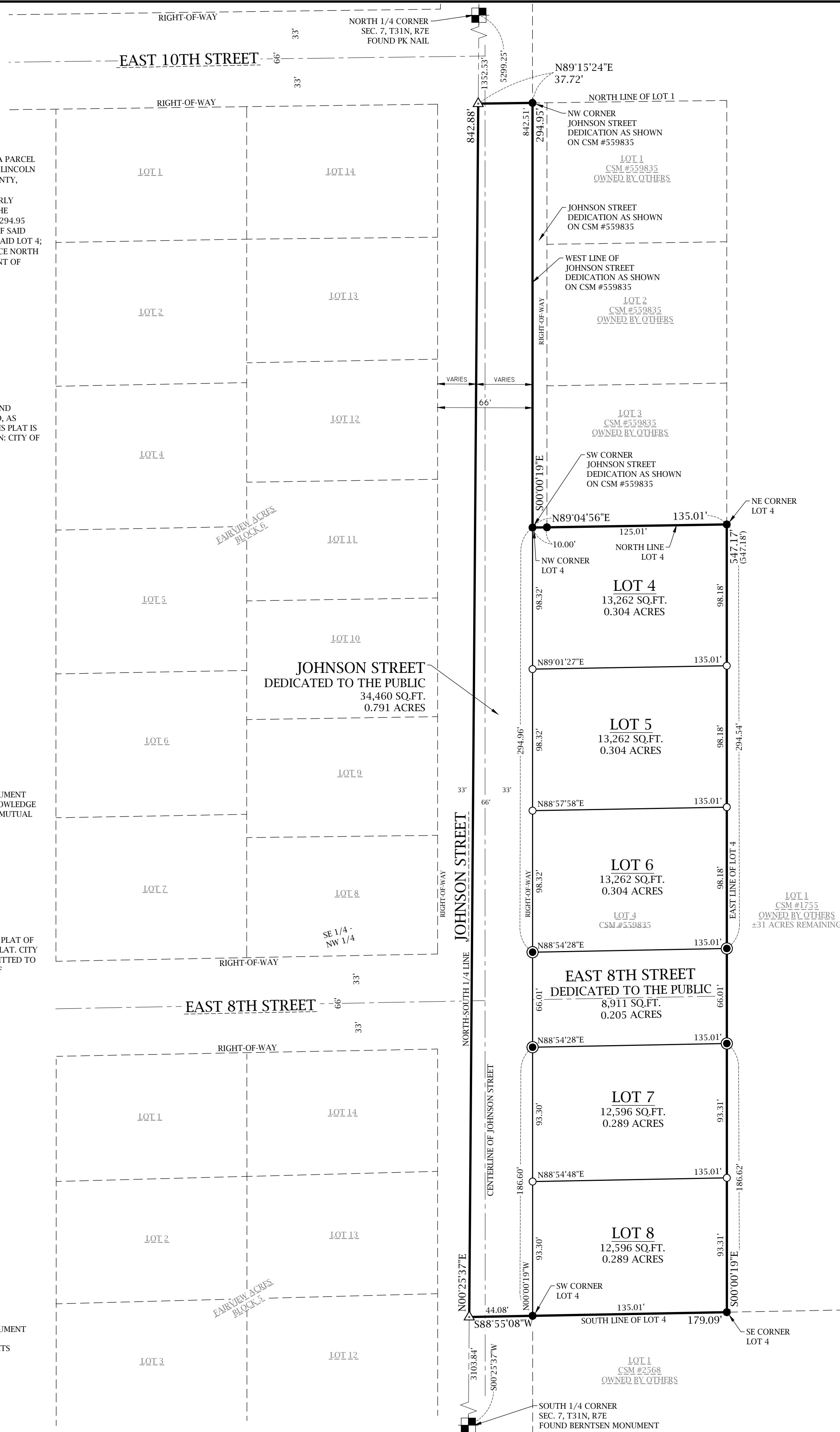
THE ABOVE NAMED (PRINT NAME) (TITLE)

AND (PRINT NAME) (TITLE)

OF THE ABOVE NAMED TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND TO ME KNOWN TO BE SUCH OFFICERS OF SAID CITY OF MERRILL, AND ACKNOWLEDGE THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CITY OF MERRILL, BY ITS AUTHORITY.

NOTARY PUBLIC STATE OF WISCONSIN

MY COMMISSION EXPIRES



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20

Department of Administration



Register of Deeds
Lincoln County, Wis.

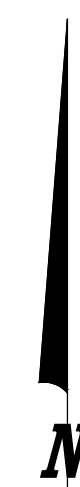
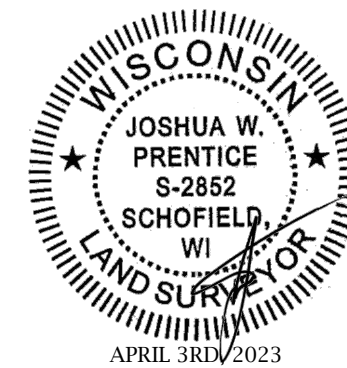
Received for Record this

day of A.D. 2023

at o'clock M. in Plat

Cabinet No. on page

REGISTRAR



1" = 50'

LEGEND	
○	1 1/4 IN. O.D. X 18 IN. IRON PIPE WEIGHING 1.68 LBS./LIN. FT. SET
●	#10X18" REBAR WEIGHING 4.303 LBS./LIN. FT. SET (UNLESS NOTED)
△	PK NAIL SET IN ASPHALT
● (126.00')	1-1/4 IN. O.D. IRON PIPE FOUND
● (126.00')	RECORDED BEARING/LENGTH MEASURED BEARING/LENGTH

VICINITY MAP
NOT TO SCALE

