CITY OF MERRILL

CITY PLAN COMMISSION

AGENDA ● TUESDAY DECEMBER 7, 2021

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

I. To attend remotely, call 530-500-4157 and PIN 272 015 442 #.

II. Call to Order

III. Minutes of previous meeting(s):

1. Minutes of November 2, 2021 meeting

IV. Agenda items for consideration:

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

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

1. Public hearing on request for Conditional Use Permit amendment for placement of a Doublewide Housing Unit in Whispering Pines, 2801 Thielman Street.

VI. Public Comment Period

VII. Establish date, time and location of next meeting

VIII. Adjournment

CITY OF MERRILL

CITY PLAN COMMISSION

MINUTES ● TUESDAY NOVEMBER 2, 2021

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

I. Call to Order

Mayor Woellner called the meeting to order at 5:45 P.M.

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

Others in attendance (either in-person or remotely) included: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, 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 September 7, 2021 meeting

The minutes were in the meeting packet.

Motion (Schroeder/Hass) 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 has approved two Certified Survey Maps. One was in the City of Merrill and the other was in the Town of Merrill (extraterritorial).

IV. Recess:

At 5:47 P.M., Mayor Woellner announced that a recess would be held until 6:00 P.M., the scheduled start time for the public hearing. At 6:00 P.M., he called the meeting back to order.

V. Public Hearing:

1. Public hearing on placement of shipping containers at Walmart, 505 S. Pine Ridge Ave.

The hearing notice and related information were in the meeting packet.

Attachment: 2021-11-02 City Plan Commission Minutes (8465 : Minutes of November 2, 2021 meeting)

City Attorney Hayden read the public hearing notice.

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

Building Inspector/Zoning Administrator Pagel explained the application. He has no concerns with the application as submitted.

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

Motion (Hass/Schroeder) to recommend approving the Conditional Use Permit application. If this motion is approved, this recommendation will be considered as a resolution at the November 9th, 2021 Common Council meeting.

RESULT:	APPROVED & SENT TO COUNCIL	Next: 11/9/2021 6:00 PM

VI. Public Comment Period

None.

VII. Establish date, time and location of next meeting

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

VIII. Adjournment

Motion (Hass/Sturm) to adjourn. Carried. Adjourned at 6:05 P.M.

Attachment: 2021-11-02 City Plan Commission Minutes (8465 : Minutes of November 2, 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 Tuesday, December 7, 2021**, in the City Hall Council Chambers, 1004 East First Street, Merrill, Wisconsin, on the following proposed matter, to wit;

To attend remotely, Phone: 530-500-4157, PIN 272 015 442 #

1.) Public hearing on an amendment to a Conditional Use for placement of a Doublewide Housing Unit in Whispering Pines, 2801 Thielman Street per M.M.C. Sec. 113-100, in the City of Merrill, Lincoln County, Wisconsin. Legally described in tax# 251-3106-182-0112.

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

Dated: November 16, 2021

CITY OF MERRILL, WISCONSIN

By: _____
William N. Heideman
City Clerk

Attachment: 2021-12-07 City Plan Hearing-Doublewide Housing Unit Whispering Pines.docx (8467 : Public hearing on CUP amendment at

APPLICATION FOR CONDITIONAL USE PERMIT
CITY OF MERRILL

DATE 11/12/2021

APPLICANT'S NAME: Whispering Pines MHC WI, LLC by Allen Schmidt

BUSINESS NAME: Whispering Pines Manufactured Home Community

PHONE #: (608) 709-7115 EMAIL: kramer@kewlaw.com c/o Attorney Jessica M. Krame

PROPERTY ADDRESS: 2801 Thielman St., Merrill, WI 54452

PROPERTY OWNER'S NAME: Whispering Pines MHC WI, LLC

TAX ROLL#: 34- PIN #: 251- 3106-182-0112

EXISTING USE: Manufactured Home Community

PROPOSED USE: Manufactured Home Community - with the addition of one double-wide manufactured home at site #93.

REASON FOR REQUESTING A USE PERMIT CHANGE: To permit the installation of a double-wide home on Site #93 at the Whispering Pines community.

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: Conditional Use Permit Amendment Info (8467 : Public hearing on CUP amendment at Whispering Pines)

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 or 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

Attachment: Conditional Use Permit Amendment Info (8467 : Public hearing on CUP amendment at Whispering Pines)

Attachment to Application for Amended Conditional Use Permit

Applicant: Whispering Pines MHC WI, LLC

Date of Application: November 15, 2021

The following constitutes the Applicant's responses to the items listed in the Application for Conditional Use Permit, as required by section 113-100 of the City of Merrill 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.

Response: The granting of the conditional use to permit a double-wide home will in no way be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the City of Merrill or the Manufactured Home Community ("Community"). To the contrary, our goal is not to change the current use of the Community in any fashion, but rather to provide the most modern and beneficial amenities to our residents. We have found that our residents desire the most up-to-date and largest homes and strive to accommodate their needs wherever possible.

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 (described mitigating features to be part of the operations of the proposed use).

Response: The uses, values, and enjoyment of other property in the neighborhood will not be substantially impaired or diminished by allowing for the installation of larger homes at the Community. In addition, the proposed use remains consistent with our existing Conditional Use Permit. As stated above, our goal is to provide the best accommodations for our residents, and we believe that the installation of new and more modern homes will only serve to enhance the uses and enjoyment of our neighbors.

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.

Response: The establishment of this conditional use will not impede the normal and orderly development of the surrounding property. The home installation will in no way effect the overall operation of the Community, nor do we seek to amend the layout of the Community or engage in other activities that would be a detriment to our neighbors. The Community will continue to be operated in a first-class condition, as is our standard.

Attachment: Conditional Use Permit Amendment Info (8467 : Public hearing on CUP amendment at Whispering Pines)

d) Describe if adequate utilities, access roads, drainage, and other required site improvements have been or will be provided.

Response: Adequate site utilities, access roads, drainage, and other site improvements for the installation of the home are already in place at the Community. We do not seek to make any significant alterations other than installing the new double-wide home, with the proper foundation underneath.

e) Describe what adequate measures have been taken to provide ingress and egress and how designed as to minimize traffic congestion in public streets.

Response: The installation will be performed by a properly licensed vendor familiar with City of Merrill requirements. As neither the existing use of the Community nor its current layout will be changing, there will be no issues with access to public roads or traffic congestion while the work is completed.

f) Explain how the conditional use shall conform to all applicable regulations of the district in which it is located.

Response: The conditional use will otherwise comply with the zoning regulations applicable to the district in which the Community is located. The Community complies with the setback requirements of the City (see the enclosed previously completed Setback Study). As mentioned above, we do not seek to alter the layout or current use of the Community, but rather enhance the current use by providing more modern amenities and accommodations, consistent with and in compliance with City of Merrill requirements.

g) Explain how the conditional use will not violate flood plain regulations governing the site.

Response: There will be no impact on flood plain regulations in connection with the proposed conditional use. Proper site improvements are already in place for the installation of the new double-wide home.

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 or the Zoning District.

Response: Applicant states that the proposed double-wide home in no way defeats 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;

Attachment: Conditional Use Permit Amendment Info (8467 : Public hearing on CUP amendment at Whispering Pines)

Response: The addition of one double-wide home will have no impact on health or safety and will be maintained in the same way and under the same standards as the rest of the Community.

II) The prevention of water pollution including sedimentation;

Response: The addition of one double-wide home will have no impact on water pollution or sedimentation, as its water usage will be the same as the rest of the Community and will be negligible when added to the rest of the Community.

III) Existing topography, drainage features and vegetative cover on the site;

Response: No impact is expected.

IV) The location of the site with respect to floodplains and floodways of rivers and streams;

Response: No issue is expected.

V) The erosion potential of the site based upon the degree and direction of slope, soil type, and vegetative cover;

Response: No impact is expected.

VI) The location of the site with respect to existing or future access roads;

Response: No impact is expected.

VII) The need of the proposed use for a shoreline location;

Response: Not applicable.

VIII) The compatibility with uses on adjacent land;

Response: Not applicable, as the adjacent land is entirely within the Community.

IX) The amount of liquid waste to be generated and the adequacy of the proposed disposal system.

Response: The addition of one double-wide home will have no impact on the disposal system, as its amount of liquid waste will be negligible when added to the rest of the Community.

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.

Response: No architect or engineer is needed. Installation contactor information is below.

Attachment: Conditional Use Permit Amendment Info (8467 : Public hearing on CUP amendment at Whispering Pines)

Precision Home Builders Inc
12900 Binkwoods Dr
Grand Haven, MI 49417
Contact: Tim Julien
(614) 832-2127
modsquad@sbcglobal.net

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 or site; number of employees and the Zoning District within which the subject site lies.

Response: As the proposed use is one site within an existing parcel, with an existing conditional use permit, we do not believe this information is needed for this application.

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.

Response: As the proposed use is one site within an existing parcel, we do not believe this information is needed for this application. See attached map which shows all the sites within the Community, as well as a drawn site plan showing the proposed location of the double-wide home, including all setback distances.

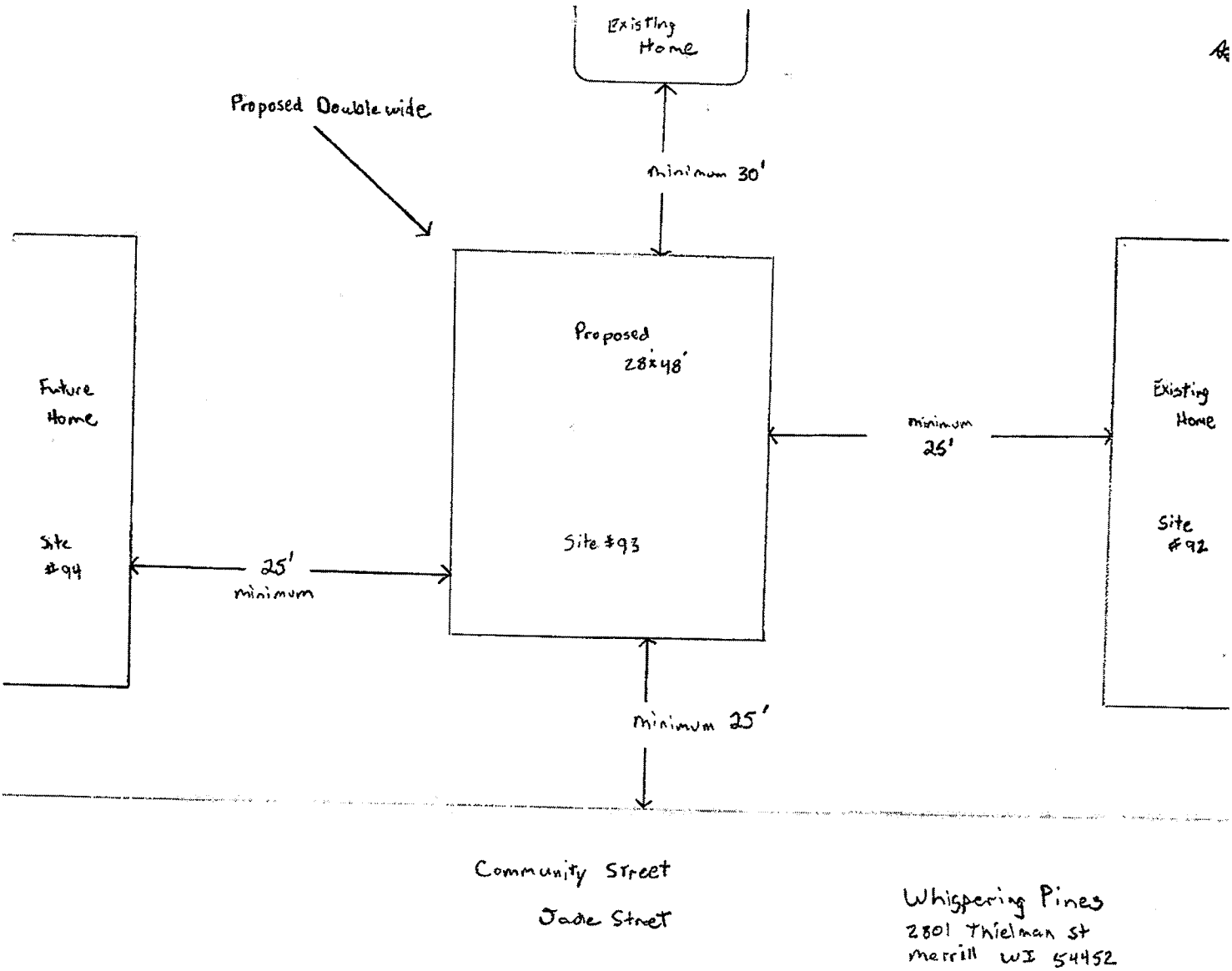
5. Additional information as may be required by the Plan Commission of Common Council, or Officers of the City.

Response: We are happy to provide any additional information requested.

6. A fee of $175.00 must accompany the application.

Response: See the enclosed check for the application fee.

Attachment: Conditional Use Permit Amendment Info (8467 : Public hearing on CUP amendment at Whispering Pines)



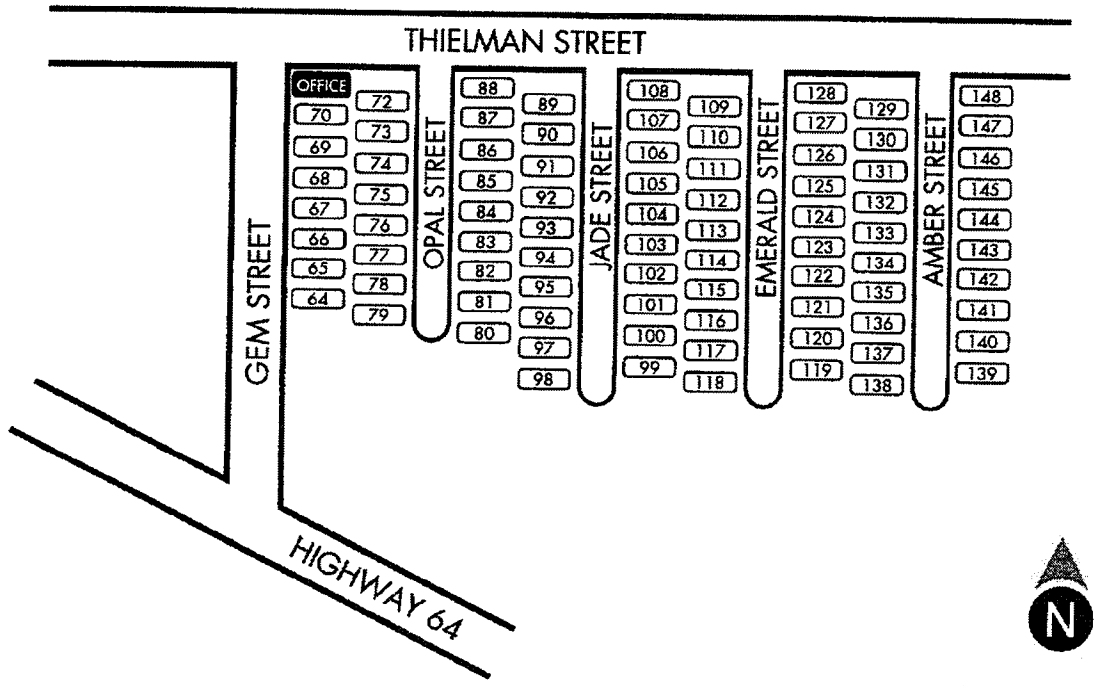
Whispering Pines
2801 Thielman St
Merrill WI 54452

Attachment: Conditional Use Permit Amendment Info (8467 : Public hearing on CUP amendment at Whispering Pines)

Whispering Pines

live life. live it here.®

2801 Thielman Street, Lot #71 • Merrill, WI 54452
(715) 536-2369 • whisperingpines@rhp-properties.com
bayshorehomesales.com
rhp PROPERTIES | america's home®



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