



CITY OF MERRILL

CITY PLAN COMMISSION

AGENDA • TUESDAY DECEMBER 5, 2023

Regular Meeting

City Hall Council Chambers

6:00 PM

To attend remotely call 413-752-0465 PIN 960 847 879#

- I. Call to Order
- II. Minutes from previous meeting:
 1. Consider placing the minutes from the November 7, 2023 meeting on file
- III. Public Hearing:
 1. Public Hearing Notice
 2. 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.
- IV. Public Comment
- V. Adjournment

**CITY OF MERRILL
CITY PLAN COMMISSION
Tuesday, November 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, Melissa Schroeder, Alli Henkelman, Robert Reimann and Ralph Sturm. Kyle Gulke was excused.

Others Present: City Attorney Hayden, City Clerk Anderson-Malm, Building Inspector/Zoning Administrator Pagel, Public Works Director/City Engineer Akey, Leah VanSall from WPS, Aaron Kenealy from Edge Consulting and Merrill Community Media.

- II. **Minutes of previous meeting** – Melissa Schroeder made a motion to approve the minutes from the August 1st meeting. Alli Henkelman seconded and the motion carried.

III. **Public Hearing at 6:00 PM:**

City Attorney Hayden read the public hearing notice. Ralph Sturm made a motion to open the public hearing. Robert Reimann seconded and the motion carried. Building Inspector/Zoning Administrator Pagel gave a brief description about the request.

Leah VanSall from Wisconsin Public Service and Aaron Kenealy from Edge Consulting addressed the Commission and answered all questions.

Following discussion, Melissa Schroeder made a motion to close the public hearing. Robert Reimann seconded and the motion carried.

The Commission discussed the items that were addressed during the public hearing. Alderperson Sabatke made a motion to approve with the condition that Common Council approval is necessary prior to Wisconsin Public Service entering into a lease agreement with any third party for space on the tower. Alli Henkelman seconded and the motion carried. The request will be forwarded to the November 14th Common Council meeting.

IV. **Public Comment:**

There was no public comment

V. **Adjournment:**

Robert Reimann motioned to adjourn the meeting. Melissa Schroeder seconded and the motion carried. The meeting was adjourned at 6:07 PM.

Minutes prepared by Lori L. Anderson-Malm City Clerk

Attachment: 2023-11-07 City Plan Minutes (10612 : Consider placing the minutes from the November 7, 2023 meeting on file)

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 5, 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: November 16, 2023

CITY OF MERRILL, WISCONSIN

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

APPLICATION FOR ZONING AMENDMENT CITY OF MERRILL

NAME: Lee Brian Zi Ha STREET ADDRESS: _____

PROPERTY ADDRESS: 100 N. Polk Street TAX ROLL#: _____

LEGAL DESCRIPTION: Public-zoned property seeking to receive approval to be zoned Business

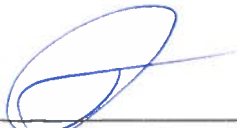
EXISTING USE: Public - Desert PROPOSED USE: Business

REASONS FOR REQUESTING A ZONE CHANGE: Desire to be a beacon of ART to the world-offering special events and ART showings for free, with fundraisers to fund artists and art museums. We may need extra parking up to 75 cars.

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 that 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

11-11-23

 Date

Brian Lee

Attachment: City Plan Agenda Item for packet (10614 : Brian Lee, 100 N Polk Street, requesting rezoning from Public to Business under M.M.C.



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RECEIVED

NOV 07 2023

INSPECTING DEPARTMENT



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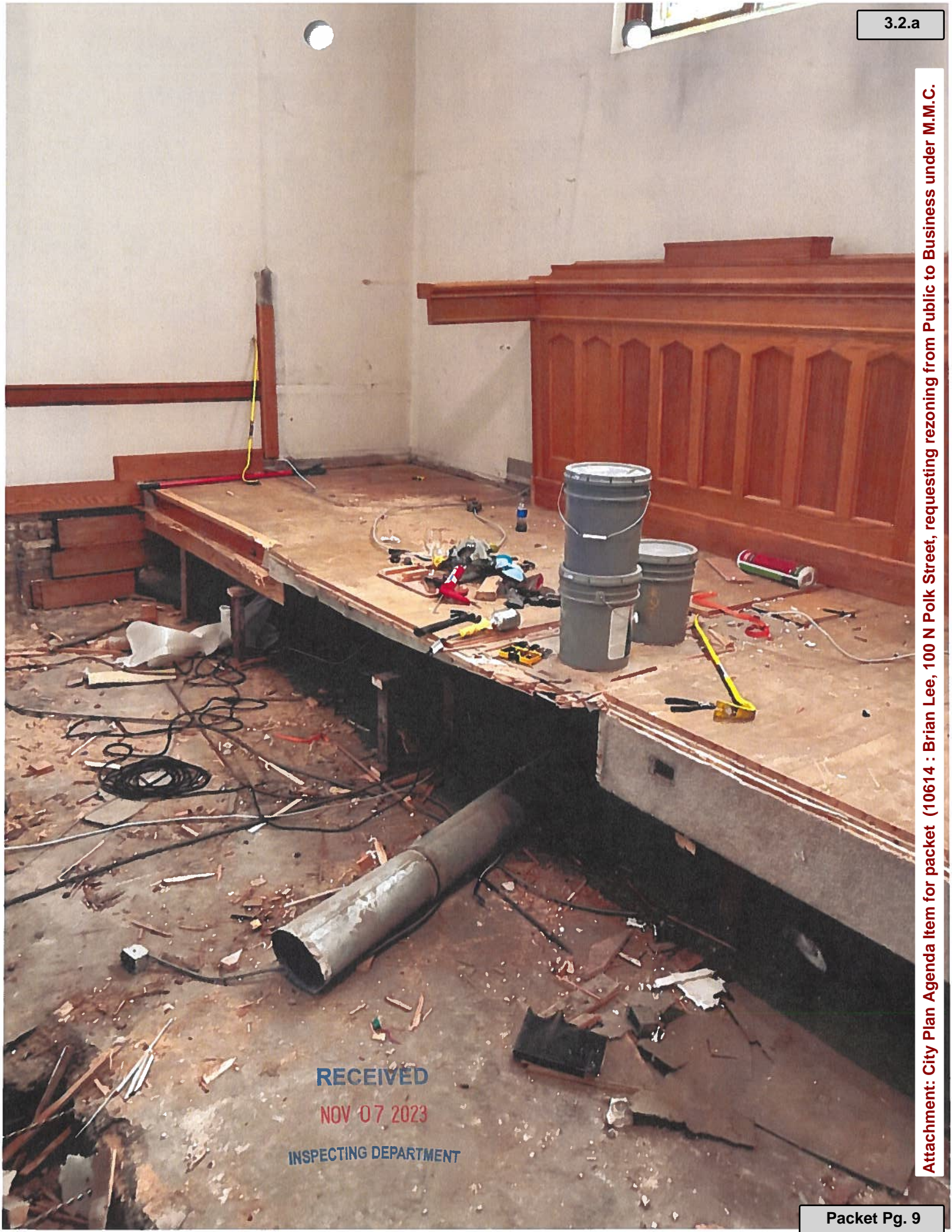
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Pagel, Darin

From: Pagel, Darin
Sent: Tuesday, November 7, 2023 1:38 PM
To: 'faithfulthomas3@gmail.com'; brianzh@yahoo.com
Cc: Akey, Rod; Bennett, Corey; Hass, Steve; Hayden, Tom
Subject: 100 N Polk

Mr. White, per our conversations today, there have been no approvals for rezoning or alterations at the property. All operations, including demolition must cease immediately. To this date, Mr. Lee has not submitted any application for rezoning. If the City does not receive the completed application by November 15, 2023, as stated in a previous email, I will start issuing daily citations until corrected. Also, please clean the public sidewalk that was covered in mud during moving operations.



Darin Pagel
 Building/Zoning Administrator
 City of Merrill
 (715) 536-4880
Darin.Pagel@ci.merrill.wi.us
 City Hall
 1004 E. First St., Merrill, WI 54452
www.ci.merrill.wi.us





Inspection Department

1004 East First Street • Merrill, Wisconsin • 54452
Phone: 715.536.4880 • Fax: 715.539.2668

10-26-23

Brian Zi Hua Lee
441 Beech Ave
San Bruno, CA 94066

RE: 100 N Polk St, Merrill, WI

Dear Mr. Lee,

It has come to my attention that you are in the process of moving items into the property at 100 N Polk Street in Merrill with the intention of displaying and eventually selling artifacts. The property is still currently zoned Public so any type of sales or display of private merchandise is not a permitted use. The property would need to be rezoned to Business for this type of use. The State of Wisconsin Department of Safety and Professional Services may also need to approve the proposed change of use. Please cease all operations and/or alterations until all approvals have been received. Any questions, you can contact me Monday thru Thursday at 715-536-4880.

Sincerely,

A handwritten signature in black ink that reads "D Pagel".

Darin Pagel
Building/Zoning Administrator

CC: Tom Hayden
City Attorney

Attachment: City Plan Agenda Item for packet (10614 : Brian Lee, 100 N Polk Street, requesting rezoning from Public to Business under M.M.C.

November 16, 2023

Brian Lee and Thomas (Project Manager) came to City Hall at 8:00am on Thursday, November 16th to pay the fee of \$175.00 for the Public Hearing on December 5, 2023. Mr. Lee explained that he will not be at that hearing. Darin Pagel expressed he should make arrangements to be there. Mr. Lee stated he will send his attorney or someone else to represent him. Darin also explained to Mr. Lee that we need in writing BEFORE the Hearing, a detailed project description of his business along with a parking plan.