

**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

This meeting may have members participating via tele or web conferencing. Public participants can listen to the proceedings by utilizing a computer or smart phone and using the link <https://us02web.zoom.us/j/88467375779?pwd=UVEzS0tDWnltNFIsWVZSQUo4VmhCdZ09> or by calling 1 (877) 853-5247 (Toll Free) and entering Webinar ID: 884 6737 5779 and entering passcode 714217 as opposed to being present for the meeting.

#### **NOTICE OF PLAN COMMISSION MEETING**

DATE: Monday, October 24, 2022  
TIME: 5:30 PM  
PLACE: Washburn City Hall – 119 Washington Ave

#### **AGENDA:**

- Call to Order/Roll Call
- Approval of Minutes September 19, 2022 and October 13, 2022
- Discussion & Action on Special Exception Request to Expand a Non-Conforming Structure, 320 W. Pine Street-Matt Schwantes Petitioner.
- Discussion & Action on Architectural and Downtown Design Review, for AC Unit, 3 W. Bayfield Street, Historic Civic Center Foundation
- Discussion & Action on Site Plan Review and Plan of Operation for Outdoor Food and Beverage Service at 532 W. Bayfield Street, Crash & Burn LLC (South Shore Brewery) - Bo Belanger, Petitioner
- Discussion & Action on Special Exception on Parking Operation for Outdoor Food and Beverage Service at 532 W. Bayfield Street, Crash & Burn LLC (South Shore Brewery) - Bo Belanger, Petitioner
- Discussion & Action on Architectural and Downtown Design Review of Canopy at 328 W. Bayfield St., Superior Shores Properties (Patsys) – Robert Stadler, Petitioner
- Discussion & Action on Site Plan Review and Plan of Operation for Outdoor Food and Beverage Service 328 W. Bayfield St., Superior Shores Properties (Patsys) – Robert Stadler, Petitioner
- Discussion & Action on Reimbursement of Façade Loan Expenses at 328 W. Bayfield St., Superior Shores Properties (Patsys) – Robert Stadler, Petitioner
- Conceptual Presentation and Discussion of Proposed Planned Development District - Lake Superior View Golf Course, 950 County Hwy C – Derek and Dale Brevak, Petitioners
- Discussion on Conceptual Ordinance to Apply Current Downtown Design Standards to all Applicable Development in the City Where Architectural Review is Required
- Continued Discussion and Action on Comprehensive Plan Re-Write Project –Review of Land Use Maps and Policies
- Adjourn

October 13, 2022

CITY OF WASHBURN SPECIAL PLAN COMMISSION MEETING

5:30PM Washburn City Hall

COMMISSION MEMBERS: Dave Anderson, Felix Kalinowski, Leo Ketchum-Fish, Mary Motiff,  
Michael Malcheski, Matt Simoneau

ABSENT: Nicolas Suminski

MUNICIPAL PERSONNEL: Scott Kløver-City Administrator, Tammy DeMars-Treasurer/Deputy Clerk

Meeting called to order at 5:30 pm by Motiff, attendance as recorded above.

**Discussion & Action on Site Plan Approval to Install Free Standing Solar System, Request for Special Exception(s) to Adjust Setback Pursuant to 8-549(d), and Allow Front Yard Placement Pursuant to 8-549(e) - Northern Lights Services 706 Bratley Drive-Next Energy System Petitioner** – Northern Lights Health Center, would like to place a free standing solar system on their property, this requires site plan approval, the standards outlined in article 8-549 have been met in all but 8-549(d) Setback and 8-549(e) Placement in yard. Solar systems are not allowed in the front yard, without a special exception from Plan Commission and if exception is granted Appendix B-Dimensional Standards require a 30' front yard setback, unless a special exception is granted from Plan Commission.

Site plan review, Section 7-75 Basis of decision reviewed: 1 -Effects of the project on traffic safety and efficiency and pedestrian circulation, both on -site- and off-site. *None Found*; 2-Effects of the project on the natural environment – *None* 3-Effects of the project on surrounding properties *None* 4-Compliance with the general site design principles enumerated in s. 8-163 – *Complies if special exception is granted*. 5- Compliance with the design principles for parking lots enumerated in s. 127-3 *Not applicable, not a parking lot*. 6-Compliance with other applicable requirements contained in this chapter; and 7-Any other factor that relates to the purposes of the chapter set forth in s. 1-5 or as allowed by state law.

Special Exception request to allow placement in the front yard and adjustment of setback requirements; Article 7, Section 7-154 Basis of decision was reviewed – (1) Size of the property in comparison to other properties in the area; *property is comparable to adjoining which is primarily wooded*. (2) The extent to which the issuance of the special exception permit would be in keeping with the overall intent of this chapter; *the issuance of this exception would be neutral*. (3) Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception; *the shape and location of the existing structure on the property limits the potential placement of panels on the property in relationship to cost and productivity with the sun angles*. (4) The nature and extend of anticipated impacts to the natural environment that could potentially occur if the special exception were granted; *There are no negative impacts. Clean energy will be a benefit to the environment*. (5) The nature and extent of anticipated positive and negative effects on properties in the area; *The positives out weight the negatives. The property does not have a visually discernable rear or side yard available, and the setback is still 10 feet from the property line which will not interfere with plowing*. (6) Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception, *No negative effects*. (7) A factor specifically listed under a section of this chapter authorizing the issuance of a special exception; *It is specifically stated that the Plan Commission may, on a case-by-case basis grant a special exception as outlined in Article 8-549*. (8) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law. *n/a*

Motion by Ketchum-Fish to approve the site plan and special exception request to allow solar panels in the front yard, and to be allowed a 10' setback, second by Anderson. Motion carried unanimously.

Motiff adjourned meeting at 6:52pm.

Respectfully Submitted,  
Tammy DeMars  
City Treasurer/Deputy Clerk

September 19, 2022

CITY OF WASHBURN PLAN COMMISSION MEETING

5:30PM Washburn City Hall

COMMISSION MEMBERS: Dave Anderson, Leo Ketchum-Fish, Mary Motiff, Michael Malcheski, Matt Simoneau, Nicolas Suminski

ABSENT: Felix Kalinowski

MUNICIPAL PERSONNEL: Scott Kluver-City Administrator, Tammy DeMars-Treasurer/Deputy Clerk

Meeting called to order at 5:30 pm by Motiff, attendance as recorded above.

**Approval of Minutes – August 31, 2022, Minutes –** Motion by Anderson to approve the minutes of August 31, 2022, second by Malcheski. Motion carried 6-0.

**Discussion & Action on Application for Sign Permit, Thrivent, 123 W. Bayfield Street, C-3 District – Ashley Moore, Petitioner –** Moved by Suminski, seconded by Anderson to approve the sign for 123 W. Bayfield Street. Discussion on the number of signs and square footage allowed, DeMars stated they are within the allowable number and size. Motion carried 6-0.

**Discussion on Conceptual Ordinance to Apply Current Downtown Design Standards to all Applicable Development in the City Where Architectural Review is Currently Required –** Ketchum-Fish and Anderson request that the Downtown Design Standards and the General Architectural Standards be combined and use these standards for any use that requires Architectural review in all districts. Discussion included requiring it to only effect business on Bayfield Street, complete the land matrix before going ahead with an ordinance change. In the end they decided not to wait, and have it cover all uses and areas that currently require architectural review. Ketchum-Fish moves, to take steps necessary to change current ordinance in place, to require any uses currently requiring architecture review to adhere to both standards listed in article 8 and 14, seconded by Malcheski. Motion carried 6-0.

Next meeting date was rescheduled to Monday, October 24, 2022.

**Continued Discussion and Action on Comprehensive Plan Re-Write Project – Review of Policy –** Planning Commission continue reviewing the land use policies. Discussion started with objective 9.2; changes in text were made to 9.2.a, 9.2.c, 9.2.d, 9.2.e, 9.2.f, 9.2.h, 9.2.j, 9.2.k, 9.2.l, 9.2.m, 9.2.9, 9.3.a. Objectives 10.1 & 10.2 were combined and changed to; Communicate & partner with neighboring and overlapping jurisdictions to provide efficient, cost-effective, high-quality services, where practical or mutually beneficial. Eliminated policy no. 10.1.a, 10.1.b, 10.1.d, 10.1.e, change wording in 10.2.a, 10.2.c. Remove 10.3a. change wording in 1.3.c and 10.3.d. Change the dates to 2022 and under responsible entities, eliminate any committees that are no longer in existence.

Motiff adjourned meeting at 7:38p.m

Respectfully Submitted,  
Tammy DeMars  
City Treasurer/Deputy Clerk

**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Honorable Mayor and Plan Commission Members

From: Tammy DeMars, Deputy Zoning Administrator

Re: Special Exception/Enlargement of a Non-Conforming Structure

Date: October 13, 2022

Matthew Schwantes has applied for a permit to enclose the rear deck and stairs going to the upstairs apartment on his existing rental. This property is in the R-2 Zoning District, located at 320 W. Pine Street. His original permit was approved, but when he put the roof over the porch it was brought to our attention by the neighboring property owner that the house does not meet setback requirements. Since the overhang on the new roof was greater than the existing, he was required to cut it back, and has since corrected the overhang to match with the existing roof to the satisfaction of that homeowner. But since the house does not meet current side yard setbacks, it is considered a non-conforming structure. Although he is not enlarging the footprint, he would be enlarging the living space with the enclosed 3 season porch and has request the special exception so he may complete his project.

Article 21-4 Non-conforming structures (b) Enlargement. "A nonconforming structure that is used for a conforming use may be enlarged provided the Plan Commission authorizes such enlargement pursuant to the requirements in Article 7."

7-154 Outlines the factors that the Plan Commission should consider when making their decision.

- 1) The size of the property in comparison to other properties in the area; *Property is residential property is of comparison size of the other properties in the area.*
- 2) The extent to which the issuance of the special exception permit would be in keeping with the overall intent of this chapter; *This exception has been approved by Plan Commission in the past, and it will not make the setback any worse.*
- 3) Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception; *The house is already existing, and the footprint of the building will not be changed*

- 4) The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception was granted, *No known impact on the natural environment.*
- 5) The nature and extent of anticipated positive and negative effects on properties in the area; *no negative affects known. Once the project is completed it should improve the looks of the property.*
- 6) Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception; *Applicant is not requesting to change the footprint of the building, so he will not exacerbate the setback.*
- 7) A factor specifically listed under a section of this chapter authorizing the issuance of a special exception; *Article 8, Section 8-75 allows for Plan Commission to grant request.*
- 8) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law.



City of Washburn Plan Commission

SPECIAL EXCEPTION DECISION

Enlargement of Non-Conforming Structure

Filing Date: October 10, 2022

Proper notice of hearing provided: Yes

Hearing Date: October 24, 2022

Applicant Name and Address: Mathew Schwantes  
320 W. Pine St.  
Washburn, WI 54891  
Tax ID 33135

1. **Decision:** The application for Special Exception is **????**.

2. **Description of the Proposed Project:** The proposed project is to enlarge a non-conforming structure. The property is zoned R-6, and in accordance with Article 21-4(b) special exception is needed to enlarge a non-conforming structure.

3. **Reasons for the Decision:** The Plan Commission must consider the following factors:

- (1) The size of the property in comparison to other properties in the area. **The Commission finds that the property is residential property and is of comparable size of other residential properties in the area.**
- (2) The extent to which the issuance of the special exception permit would be in keeping with the overall intent of this chapter. **The Commission finds that this exception has been approve in the past, and it will not make the setback violation any worse.**
- (3) Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception. **The Commission finds that house is already existing, and the footprint of the building will not be changed.**
- (4) The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception was granted. **The Commission finds that there would be no negative impacts to the natural environment.**
- (5) The nature and extent of anticipated positive and negative effects on properties in the area. **The Commission finds that the there are no known negative effects. Once the project is completed it should be an improvement.**
- (6) Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception. **The Commission finds the since the applicant is not changing the footprint of the building, he will not exacerbate the setback.**
- (7) A factor specifically listed under a section of this chapter authorizing the issuance of a special exception. **No factors other than listed.**
- (8) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law. N/A

**City of Washburn Plan Commission**

- 4. List of Conditions Imposed: No conditions were imposed.
- 5. If one or more conditions of approval are imposed, the property owner must sign this decision document and return it to the Zoning Administrator for his signature and as acceptance of the conditions of this decision.

Dated: October 24, 2022

By: \_\_\_\_\_  
Scott J. Kluver, Zoning Administrator  
On behalf of the City of Washburn Plan Commission

**If Conditions Are Imposed:**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Property Owner

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**Matthew Schwantes**

74700 Lake Shore Dr  
Washburn Wi 54891  
(715)-209-2263  
Mlswashburn@yahoo.com

10 October 2022

**Washburn Planning Commission**

Washburn City Council  
119 Washington Avenue  
Washburn Wi. 54891

To the Washburn Planning Commission,

I, Matthew Schwantes, was asked by Tammy L. DeMars to address the Washburn Planning Commission regarding my application for a building permit for 320 West Pine St. She wanted me to assure the commission that while completing the finish work that I will not encroach boarding properties. The property, 320 West Pine St is considered non-conforming so any construction cannot encroach the current setback ordinances. I ask special exception from the commission to complete a covered entryway that will not exacerbate the the property setback but will follow the current building footprint. The covered entryway is proposed to be 4x4 to meet building codes regarding staircase landing, and door opening standards. The remaining permit requests are for finish work like siding, and roofing.

Thanks for your consideration, Matt Schwantes.





Recd 9/27

CITY OF WASHBURN WISCONSIN

# CONSTRUCTION PERMIT APPLICATION

Permit Request:  Remodeling  Windows  Doors  Roofing  Siding  Plumbing/HVAC

New Construction  Deck  Flat Work  Electrical  Other

Complete the following with name, address, (house # and mailing address) & telephone

Owner Matt Schwantes E-Mail mlschwantes@washburn.com  
 Construction Contractor \_\_\_\_\_ Phone 715-209-2263  
 Address \_\_\_\_\_ License # \_\_\_\_\_  
 Excavation Contractor \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address \_\_\_\_\_ License # \_\_\_\_\_

Owner is ultimately responsible for all code compliance related to the work for which this permit is issued.

### PROJECT INFORMATION

Site Address 320 W Pine St Pin # 04291248040520031221800  
 RE Tax ID # 33135 Zoning District G2 Lot Area 4, 5, 6

Description of work Roofing, Siding & Finish entryway steps & Doors

\*West Side has been cut to meet Setback Code. Estimated Project Cost 2k-3k included in previous permits

NEW CONSTRUCTION		Area Involved	Water & Sewer:
Building Height <u>28</u>		Basement _____ sq ft	Water Municipal or Private Well
1-story Other _____		Living Area _____ sq ft	Sewer Municipal or Septic
2-story Basement _____		Garage _____ sq ft	Permit Numbers _____
		<b>Total</b> _____ sq ft	

Additional permits that may **not be** covered by this application: Driveways; Sewer; Water, Demolition, Sidewalks

I agree to comply with all applicable codes, statutes and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. If I am an owner applying for an erosion control or construction permit, I have read the cautionary statement regarding contractor financial responsibility on the reverse side of this application form.

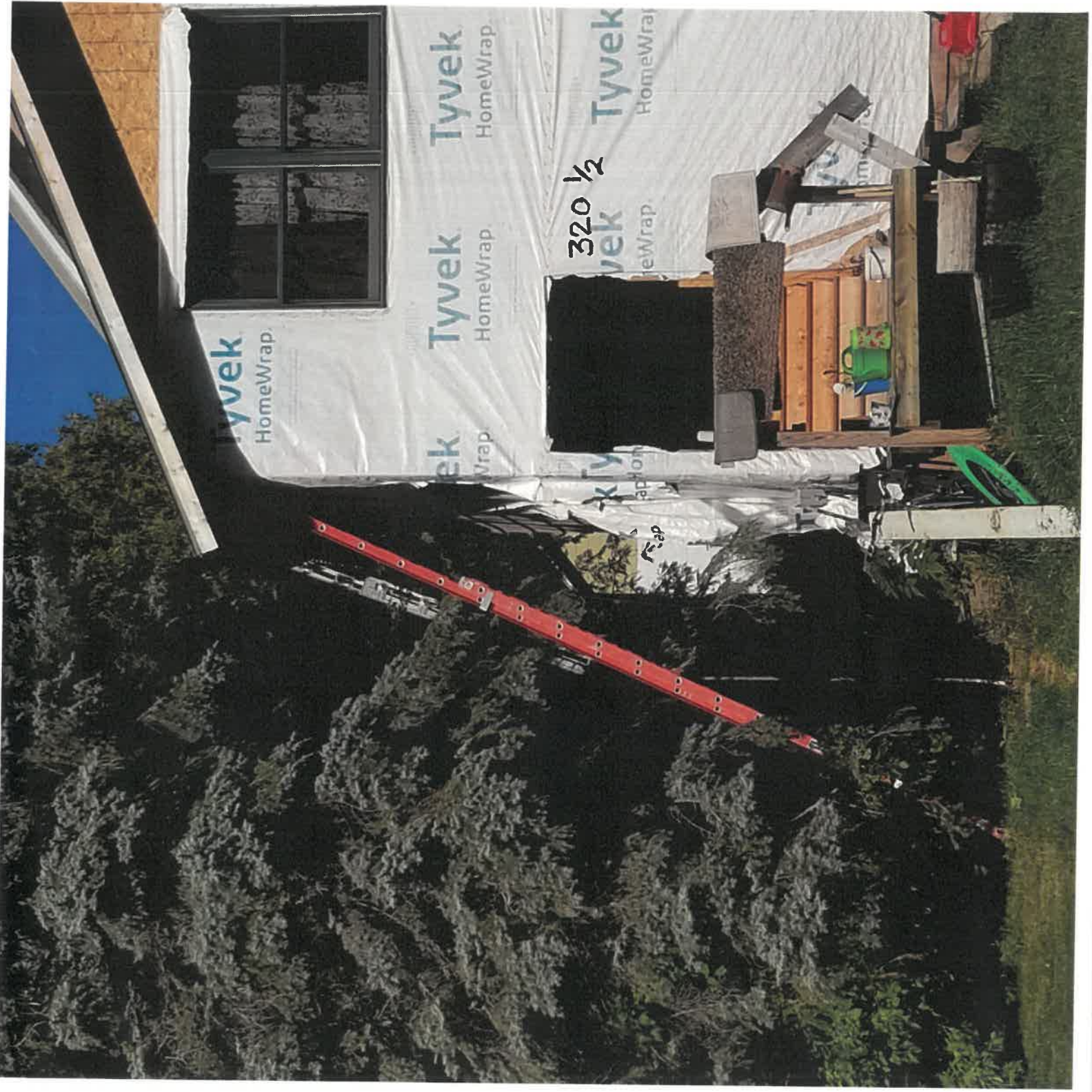
[Signature] Applicant Signature 9.27.2022 Date

CONDITIONS OF APPROVAL This permit is issued pursuant to the following conditions. Failure to comply with these conditions may result in suspension or revocation of this permit or other penalty.

See Attached Condition Letter

NOTES	FEES (per Title 15 Municipal Code)		PERMIT ISSUED BY:
	<input type="checkbox"/> Remodeling <input type="checkbox"/> New Construction <input type="checkbox"/> Fence <input type="checkbox"/> Flat Work <input checked="" type="checkbox"/> Siding <input checked="" type="checkbox"/> Roofing <input type="checkbox"/> Driveway	<input type="checkbox"/> Demolition <input type="checkbox"/> Deck <input type="checkbox"/> Shelter <input checked="" type="checkbox"/> <u>Complete Steps</u> <input type="checkbox"/> Early Start TOTAL _____	_____ DATE ISSUED _____ PERMIT NO. _____

9/29/22  
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Stokend  
S.K.



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**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Honorable Mayor and Plan Commission Members

From: Tammy DeMars, Deputy Zoning Administrator

Re: AC Unit

Date: October 13, 2022

The Historic Civic Center has placed an AC Unit on the lower roof on the west side of their building. This property is in the C-3, Downtown Commercial District.

They are requesting to keep the unit in that location, but to build a box around the unit and covered with siding to match the existing siding of the building. Since this is in the C 3 District it requires Architectural Review.



**City of Washburn Plan Commission**

**ARCHITECTURAL REVIEW & DOWNTOWN DESIGN DECISION**

**Historic Civic Center Foundation**

Filing Date: October 10, 2022

Proper notice of hearing provided: Yes

Hearing Date: October 24, 2022

Applicant Name and Address: Historic Civic Center Foundation  
3 W. Bayfield Street  
Washburn, WI 54891  
Tax ID 33270

1. **Decision:** The application for architectural review is ???

2. **Description of the Proposed Project:** The proposed project is to place a AC Unit on the lower roof of the west side of building and enclose it in a 4' x 4' x 3' tall box and cover with siding to match the existing siding on the building.

3. **Reasons for the Decision:** The Plan Commission must determine whether the project complies with all applicable design principles and standards:

General Architectural Standards:

- (1) Excluding residential buildings and Industrial Zoning Districts, all building exteriors facing a street, not including an alleyway, shall have at least 50 percent of the street face constructed with brick, decorative masonry, glass panel, or other appropriate similar finished façade as may be approved by the Plan Commission. Such brick, masonry, glass, or other decorative facing shall extend for a distance of at least 25 feet along the sides of the structure that do not face a street or at least 25 percent of the that side wall distance, whichever is greater. **Box will be sided to match the existing building.**
- (2) Outside of Industrial Zoning Districts, the appearance of any buildings with a front elevation or any building elevation facing Bayfield Street of more than 750 square feet in area shall be divided into distinct planes of 500 square feet or less. The following design features can be used to meet this provision (1) canopies or awnings; (2) arcades; (3) porches; (4) vertical wall offsets having a minimum depth of 8 inches and a minimum width of 10 feet; (5) horizontal offsets having a minimum depth of 2 feet; (6) pilasters having a minimum depth of 8 inches, a minimum width of 12 inches, and a minimum height of 80 percent of the wall height; (7) recessed areas for entryways and the like having a minimum depth of 8 inches; and (8) other suitable multidimensional design features. **N/A.**
- (3) On any building on Bayfield Street, the front entrance of a building shall be encouraged to face Bayfield Street. When that does not occur, the Bayfield Street Elevation shall have the same, or similar, materials and designs as the front entrance of the building. Except for one or two-family residential buildings, when a building rake elevation faces Bayfield Street the roof line must be hidden behind the façade facing Bayfield Street. **This is not a building.**

## City of Washburn Plan Commission

- (4) Oversized fenestration elements which tend to create a monumental scale shall not be used unless specifically required by the type of building or relationship to its surroundings. **N/A.**
- (5) Building entrances must be clearly recognizable from parking lots and pedestrian circulation routes. **N/A.**
- (6) Rooftop mechanical equipment shall be positioned so it is not readily visible from a public street or an abutting property in a residential zoning district or in a planned development district that allows residential uses. Rooftop mechanical equipment may be placed in an enclosure or screened from view provided such enclosure or screening is used as an element of the building's architecture. **Equipment will be enclosed in a 4'x 4' x 3' box covered with siding to match existing building.**
- (7) Fencing shall complement the appearance of buildings onsite. **N/A**
- (8) The exterior building materials of an accessory building shall be the same as or similar to those used on the principal building. **The materials used shall be wood, similar to main structure.**
- (9) Overhead doors shall not face a public street. The Plan Commission may permit overhead doors to face a public street, but only when it has made a finding that there is no feasible alternative location for such doors. Consistent with the requirements in Article 7, the Plan Commission may approve a special exception to allow an overhead door to face a public street when there is no feasible alternative. **N/A.**
- (10) HVAC (heating, ventilating, air conditioning) equipment shall be screened from view. No HVAC shall create a noise level of more than 50 decibels as measured on a dB(A) scale at the nearest existing adjacent residence. **AC Unit will be enclosed in box.**
- (11) When trash, garbage and recyclable materials are stored out-of-doors, such materials shall be concealed or suitably screened from public view. A brick or stone wall, wood fence, chain-link fence with slats, and/or landscaping shall be used to totally obstruct vision into the storage areas. Any wall, fence, and gate, and/or vegetative screening shall be installed or erected to a height at least 1'- 6" above the highest point of the dumpster as generally depicted below. **N/A.**

### Downtown Standards:

- (1) **Building height.** The height of a building shall not be more than one story taller or shorter than the height of the adjoining building. In no event, shall the height of a building exceed the maximum building height established for the base zoning district. **N/A.**
- (2) **Special requirements for large buildings.** A building façade fronting on a public street with a frontage of 75 feet or more shall be designed to look like two or more individual building fronts. This may be achieved by using different building materials, facade articulations, or other design approach that gives the appearance of separate but attached buildings. **N/A.**
- (3) **Horizontal rhythms.** The horizontal pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as piers and columns shall be spaced at regular intervals across all visible façades of the building. **No change in horizontal rhythms.**
- (4) **Vertical rhythms.** The floor heights on main façades shall complement those of adjoining buildings. The rhythm of the ground floor shall harmonize with the rhythm of upper floors. The

**City of Washburn Plan Commission**

windows and doors, and related elements such as sills, headers, transoms, cornices, and sign bands shall be compatible in design and elevation with adjoining buildings in immediate area. **No change to vertical rhythms.**

- (5) **Roof forms.** Flat or gently sloping roofs which are not visible from the street grade shall generally be used. Mansards or other exotic roof shapes are not characteristic of the district's character and are prohibited. **No change to roof.**
- (6) **Awnings.** The size, color, placement, and design of an awning should complement the architectural character of the building on which it is located. Soft, weather-treated canvas or vinyl materials which allow for flexible or fixed installation shall be used. Awnings covered with shingles, metal roofing, or the like are prohibited. Backlit awnings are prohibited. **N/A – No awning proposed.**
- (7) **Building materials.** Selected building materials shall be compatible with those of existing buildings in the immediate area which generally consist of natural materials such as stone, brick, and wood. Concrete masonry units, corrugated metal, half-log siding, and vinyl siding are prohibited. **The materials used shall be wood.**

- 4. List of Conditions Imposed: No other conditions are imposed.
- 5. If one or more conditions of approval are imposed, the property owner must sign this decision document and return it to the Zoning Administrator for his signature and as acceptance of the conditions of this decision.
- 6. This decision may be appealed to the Common Council of the City of Washburn within 30 days of receipt of this decision by filing a written statement of appeal stating the grounds for such appeal.
- 7. Any person aggrieved by this decision may also appeal this decision and any work done by the Applicant as authorized by this approval is done at the applicant's own risk.

Dated: October 24, 2022

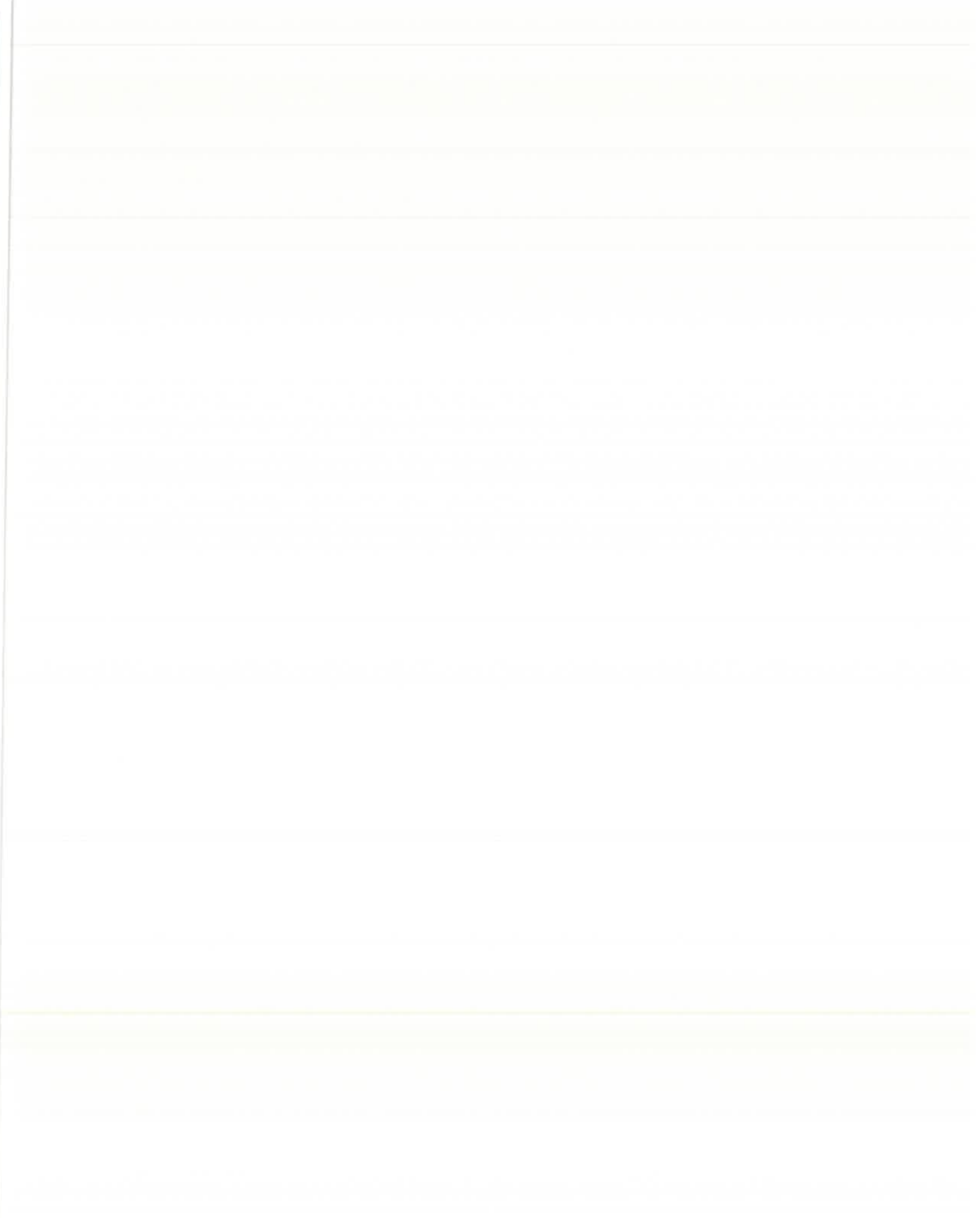
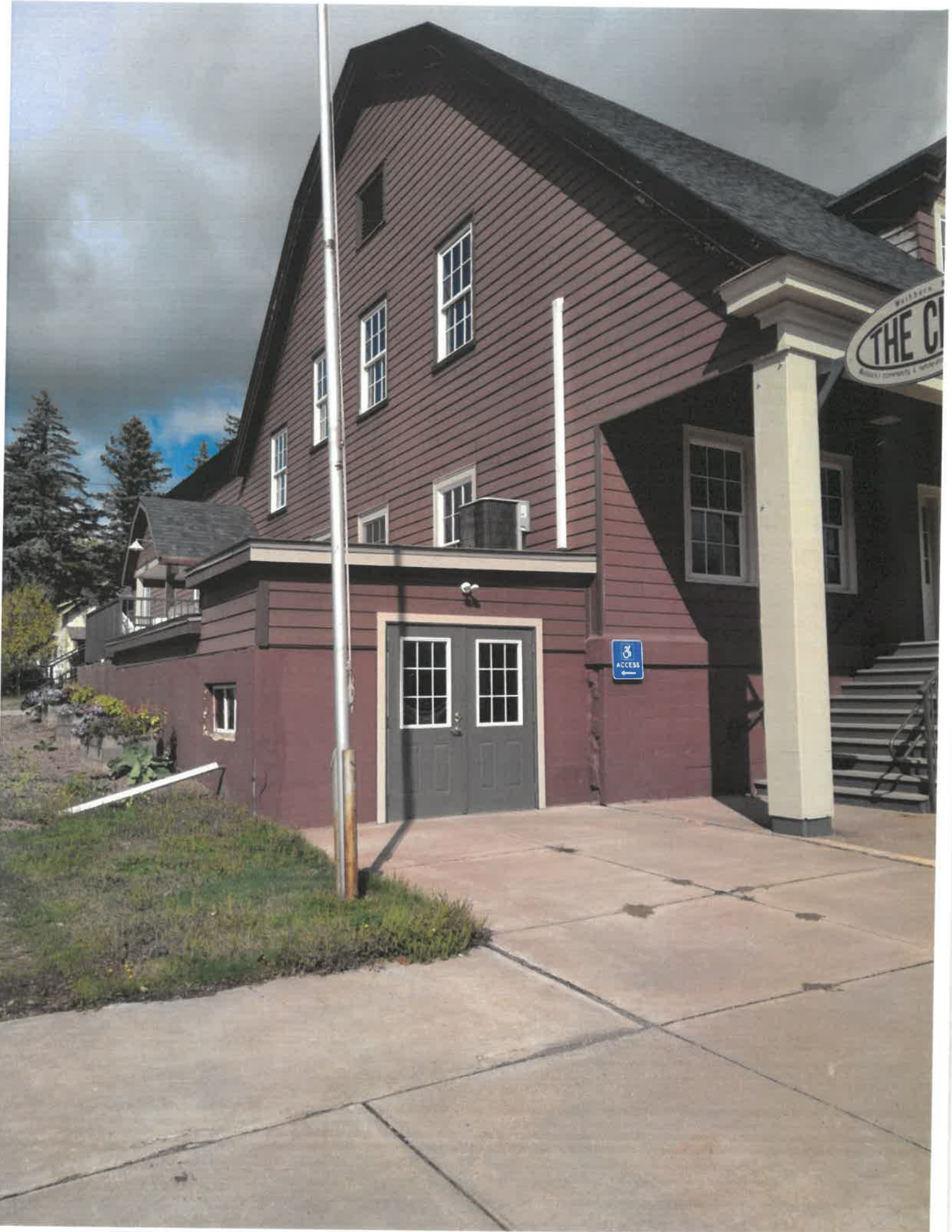
By: \_\_\_\_\_  
Scott J. Kluver, Zoning Administrator  
On behalf of the City of Washburn Plan  
Commission

**If Conditions Are Imposed:**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Property Owner





# CONSTRUCTION PERMIT APPLICATION

Permit Request:  Remodeling  Windows  Doors  Roofing  Siding  Plumbing/HVAC  
 New Construction  Deck  Flat Work  Electrical  Other

**Complete the following with name, address, (house # and mailing address) & telephone**

Owner Historic Civic Center Foundation E-Mail washburnclub@gmail.com  
 Construction Contractor Paul's Mechanical Phone 715-209-0088  
 Address 716 West 6th St, Washburn, WI 54891 License # 14130  
 Excavation Contractor \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address \_\_\_\_\_ License # \_\_\_\_\_

Owner is ultimately responsible for all code compliance related to the work for which this permit is issued.

**PROJECT INFORMATION**

Site Address 3 West Bayfield St Pin # 04-291-2-48-04-05-1 00-312-35400  
 RE Tax ID # 33270 Zoning District \_\_\_\_\_ Lot Area \_\_\_\_\_

Description of work Install a 4 feet by 4 feet by 3 feet tall box around the AC unit. Box will be covered with siding to match the existing siding on the building.

Estimated Project Cost \$4000.00

<b>NEW CONSTRUCTION</b>	Area Involved	Water & Sewer:
Building Height _____	Basement <u>0</u> sq ft	Water <input type="checkbox"/> Municipal or <input type="checkbox"/> Private Well
<input type="checkbox"/> 1-story <input type="checkbox"/> Other _____	Living Area <u>0</u> sq ft	Sewer <input type="checkbox"/> Municipal or <input type="checkbox"/> Septic
<input checked="" type="checkbox"/> 2-story <input type="checkbox"/> Basement	Garage <u>NA</u> sq ft	Permit Numbers _____
	<b>Total</b> _____ sq ft	

*Additional permits that may **not be** covered by this application: Driveways; Sewer; Water, Demolition, Sidewalks*

I agree to comply with all applicable codes, statutes and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. If I am an owner applying for an erosion control or construction permit, I have read the cautionary statement regarding contractor financial responsibility on the reverse side of this application form.

CL Applicant Signature October 10, 2022  
 \_\_\_\_\_ Date

**CONDITIONS OF APPROVAL** This permit is issued pursuant to the following conditions. Failure to comply with these conditions may result in suspension or revocation of this permit or other penalty.

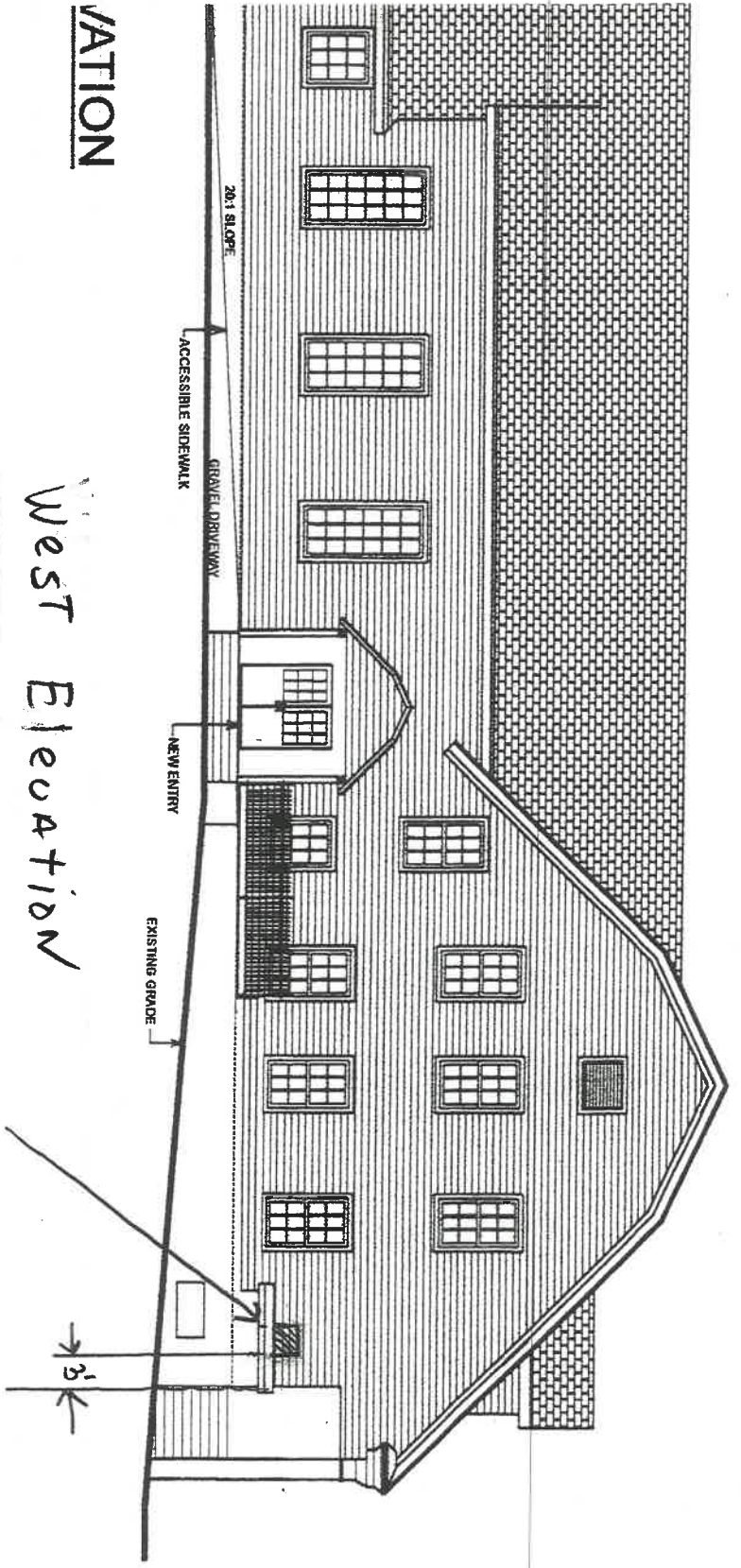
See Attached Condition Letter

NOTES	<u>FEEES (per Title 15 Municipal Code)</u>		PERMIT ISSUED BY: _____
	<input type="checkbox"/> Remodeling <input type="checkbox"/> New Construction <input type="checkbox"/> Fence <input type="checkbox"/> Flat Work <input type="checkbox"/> Siding <input type="checkbox"/> Roofing <input type="checkbox"/> Driveway	<input type="checkbox"/> Demolition <input type="checkbox"/> Deck <input type="checkbox"/> Shelter <input checked="" type="checkbox"/> HVAC <input type="checkbox"/> _____ <input type="checkbox"/> Early Start  TOTAL _____	DATE ISSUED _____  <b>PERMIT NO.</b> _____



SECTION

West Elevation



AC UNIT

28" x 28" x 28"

Covered with Siding  
to match existing  
Siding

PROPOSED RENOVATION FOR:  
**DUPONT BUILDING**  
3 WEST BAYFIELD STREET, WASHBURN, WI 54891

**ELEVATIONS**

DESIGN &  
ENGINEERING  
with framework design inc  
152 Ashland, WI 54806  
36 www.cdseengineering.com

**CITY OF WASHBURN**

PO BOX 638  
WASHBURN, WI 54891

Receipt Nbr: 33436  
Date: 10/13/2022  
Check

RECEIVED FROM CIVIC CENTER FOUNDATION

\$50.00

<u>Type of Payment</u>	<u>Description</u>	<u>Amount</u>
Accounting	ZONING PERMITS ARCHITECTURAL REVIEW CIVIC CENTER	50.00
<b>TOTAL RECEIVED</b>		<b>50.00</b>

- (4) A docking or loading area for a commercial, institutional, or industrial building shall be easily accessible to service vehicles, partitioned from the on-site parking area, and designed to serve multiple establishments and tenants, when possible. Partitioning from view may be accomplished by (a) integrating such area into the overall design of the building (e.g., inside of the building or use of architectural extension of a building wall), (b) using a fence; a berm; landscaping, above what is otherwise required in this chapter; other suitable feature; or (c) any combination thereof.
- (5) Existing natural resources and topographic features on the site shall be preserved to the greatest extent possible while affording a reasonable use of the property.
- (6) The project shall not create any hazard.
- (7) The project shall be designed to avoid existing hazards, whether manmade or natural, and if avoidance is not possible, to mitigate the effects of the hazard to a satisfactory level necessary to protect the public health, safety, and welfare.
- (8) Parking areas and pedestrian routes located on the site shall be designed to promote safety and efficient traffic flow.

Amendment(s):

- 1. Ordinance 18-006, adopted October 8, 2018

**8-164 Specific design requirements**

In addition to the principles enumerated in this division, projects shall be designed to comply with all other development standards in this chapter that may apply.

**8-165 to 8-180 Reserved**

**DIVISION 9  
GENERAL ARCHITECTURAL STANDARDS**

**Sections**

8-181 Legislative findings	8-183 Architectural standards
8-182 Applicability	8-184 Additional standards in the Downtown Design Overlay district

**8-181 Legislative findings**

The Common Council makes the following legislative findings regarding the architectural requirements in this article:

- (1) The outward design appearance of a building can have a substantial and long-lasting effect on surrounding properties and the overall character of a community.
- (2) Buildings and especially those within a largely developed area should fit into the context in which they occur.
- (3) Architectural design standards should allow for a variety architectural styles and be flexible to the greatest extent possible.
- (4) The standards in this section are intended to provide meaningful guidance to applicants, design professionals, and public officials.
- (5) This section is not intended to limit or infringe upon reasonable accommodations to afford a person with disabilities equal opportunity to use and enjoy a building.
- (6) The standards in this section are intended to promote the public health, safety, and welfare and are reasonably related to the public purpose of achieving an attractive, functional, and prosperous community.

**8-182 Applicability**

Those land uses designated as requiring architectural review in the land-use matrix (Exhibit 8-1) must comply with the requirements in this division.

**8-183 Architectural standards**

Buildings subject to review under this division shall comply with the following architectural standards:

- (1) Excluding residential buildings and Industrial Zoning Districts, all building exteriors facing a street, not including an alleyway, shall have at least 50 percent of the street face constructed with brick, decorative masonry, glass panel, or other appropriate similar finished façade as may be approved by the Plan Commission. Such brick, masonry, glass, or other decorative facing shall extend for a distance of at least 25 feet along the sides of the structure that do not face a street or at least 25 percent of the that side wall distance, whichever is greater.
- (2) Outside of Industrial Zoning Districts, the appearance of any buildings with a front elevation or any building elevation facing Bayfield Street of more than 750 square feet in area shall be divided into distinct planes of 500 square feet or less. The following design features can be used to meet this provision (1) canopies or awnings; (2) arcades; (3) porches; (4) vertical wall offsets having a minimum depth of 8 inches and a minimum width of 10 feet; (5) horizontal offsets having a minimum depth of 2 feet; (6) pilasters having a minimum depth of 8 inches, a minimum width of 12 inches, and a minimum height of 80 percent of the wall height; (7) recessed areas for entryways and the like having a minimum depth of 8 inches; and (8) other suitable multidimensional design features.
- (3) On any building on Bayfield Street, the front entrance of a building shall be encouraged to face Bayfield Street. When that does not occur, the Bayfield Street Elevation shall have the same, or similar, materials and designs as the front entrance of the building. Except for one or two-family residential buildings, when a building rake elevation faces Bayfield Street the roof line must be hidden behind the façade facing Bayfield Street.
- (4) Oversized fenestration elements which tend to create a monumental scale shall not be used unless specifically required by the type of building or relationship to its surroundings.
- (5) Building entrances must be clearly recognizable from parking lots and pedestrian circulation routes.
- (6) Rooftop mechanical equipment shall be positioned so it is not readily visible from a public street or an abutting property in a residential zoning district or in a planned development district that allows residential uses. Rooftop mechanical equipment may be placed in an enclosure or screened from view provided such enclosure or screening is used as an element of the building's architecture.
- (7) Fencing shall complement the appearance of buildings onsite.
- (8) The exterior building materials of an accessory building shall be the same as or similar to those used on the principal building.
- (9) Overhead doors shall not face a public street. The Plan Commission may permit overhead doors to face a public street, but only when it has made a finding that there is no feasible alternative location for such doors. Consistent with the requirements in Article 7, the Plan Commission may approve a special exception to allow an overhead door to face a public street when there is no feasible alternative.
- (10) HVAC (heating, ventilating, air conditioning) equipment shall be screened from view. No HVAC shall create a noise level of more than 50 decibels as measured on a dB(A) scale at the nearest existing adjacent residence.
- (11) When trash, garbage and recyclable materials are stored out-of-doors, such materials shall be concealed or suitably screened from public view. A brick or stone wall, wood fence, chain-link fence with slats, and/or landscaping shall be used to totally obstruct vision into the storage areas. Any wall, fence and gate, and/or vegetative screening shall be installed or erected to a height at least 1'- 6" above the highest point of the dumpster as generally depicted below.

Amendment(s):

1. Ordinance 18-006, adopted October 8, 2018



(b) **Major work.** Any work not classified as minor work in this section shall be reviewed using the procedures specified below.

- (1) buildings - architectural review
- (2) site work - site plan
- (3) signs - sign permit

Examples of major work includes relocation of an existing building, construction of a new building, addition to an existing building, alteration of a building elevation, alterations to windows, siding, entries, and trim, erection of new signs or modification of existing signs, changes to the site including parking, pedestrian circulation, and the like.

#### 14-6 Building setbacks

The setback of buildings from street-yard and side-yard lot lines shall be compatible with existing buildings in the immediate area.

#### 14-7 Building design

In addition to meeting the standards in Division 9 of Article 8, buildings shall comply with each of the following:

- (1) **Building height.** The height of a building shall not be more than one story taller or shorter than the height of the adjoining building. In no event, shall the height of a building exceed the maximum building height established for the base zoning district.
- (2) **Special requirements for large buildings.** A building façade fronting on a public street with a frontage of 75 feet or more shall be designed to look like two or more individual building fronts. This may be achieved by using different building materials, facade articulations, or other design approach that gives the appearance of separate, but attached buildings.
- (3) **Horizontal rhythms.** The horizontal pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as piers and columns shall be spaced at regular intervals across all visible façades of the building.
- (4) **Vertical rhythms.** The floor heights on main façades shall complement those of adjoining buildings. The rhythm of the ground floor shall harmonize with the rhythm of upper floors. The vertical pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as sills, headers, transoms, cornices, and sign bands shall be compatible in design and elevation with adjoining buildings in immediate area.
- (5) **Roof forms.** Flat or gently sloping roofs which are not visible from the street grade shall generally be used. Mansards or other exotic roof shapes are not characteristic of the district's character and are prohibited.
- (6) **Awnings.** The size, color, placement, and design of an awning should complement the architectural character of the building on which it is located. Soft, weather-treated canvas or vinyl materials which allow for flexible or fixed installation shall be used. Awnings covered with shingles, metal roofing, or the like are prohibited. Backlit awnings are prohibited.
- (7) **Building materials.** Selected building materials shall be compatible with those of existing buildings in the immediate area which generally consist of natural materials such as stone, brick, and wood. Concrete masonry units, corrugated metal, half-log siding, and vinyl siding are prohibited.

Amendment(s):

1. Ordinance 18-006, adopted October 8, 2018

#### 14-8 Off-street parking and access

(a) **Placement.** Off-street parking should be located to the rear of the principal building, or on the side as a less preferable alternative.

(b) **Paving.** New parking lots that are located to the side of a building shall be hard surfaced (e.g., interlocking pavers, asphalt, or concrete).

(c) **New curb-cuts.** New curb-cuts shall occur on the side streets rather than on Bayfield Street.

(d) **Screening.** Parking lots that are located on the side of a building should incorporate a screen to block the view of parked cars as generally depicted in Exhibit 14-1.

**14-9 Landscaping**

Landscaping as described in Article 16 is not required. If provided, landscaping should complement street trees and other streetscape elements in the public right-of-way.

**14-10 Service areas and similar**

Service areas, refuse collection areas, storage areas, and loading areas shall be located away from or screened from public view, especially from Bayfield Street.

**Exhibit 14-1. An example of a parking lot screen**



**14-11 Signs**

(a) **Generally.** Signs should enhance the visual appeal of the district and its ability to attract the traveling public.

(b) **Wall signs.** Wall signs should be designed to fit within the architectural space intended for signage.

(c) **Compatibility.** Signs should be compatible with signs on adjoining buildings with respect to location, shape, style, graphics, size, material, illumination, and color, while allowing individual expression and identification.

**14-12 Utilities**

Utility lines, such as telephone, electric, and cable, shall be installed underground, where feasible. Ground-mounted utility components, such as switch boxes and transformers, shall be screened by landscaping or a decorative wall and/or be located away from public view, especially from Bayfield Street.

**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Plan Commission Members  
From: Scott J. Kluver, <sup>SK</sup>Administrator  
Re: Site Plan and Plan of Operation Review of Outdoor Food and Beverage Service Area; Special Exception for Parking  
Date: October 17, 2022

Enclosed you will find the request from Bo Belanger for an outdoor food and beverage service area. The area is defined as the building on the north and east, the stage and silo pad on the south, and the flower planters on the west. It has been verified to my satisfaction that the existing planters are at the edge of the property line, and not on the right-of-way. Allowing the service area to extend into the right-of-way is not allowed by the ordinance. As far as being able to view the exterior service area, Mr. Belanger has indicated that there is a window in the door that leads to the exterior area, and there is a window in the office that would be accessible to staff.

My review of the site plan is as follows:

- 1) Effects of the project on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;  
- The open area will allow patrons to come and go freely through the service area. Patrons will undoubtedly be parking next to the service area.
- 2) Effects of the project on the natural environment – No known detrimental effects.
- 3) Effects of the project on surrounding properties – Anticipate and increase in parking/traffic in the summer season but nothing beyond reason.
- 4) Compliance with the site design principles enumerated in s. 8-163 – Project does not appear to be in conflict.
- 5) Compliance with the design principles for parking lots enumerated in s. 17-3 – One space for each 3 patron seats or 1 space for each 300 square feet of area devoted to patron service, whichever is greater. Based on the submitted drawing and photos that I took, 10 additional spaces would be needed (assumes three people for each side of a picnic table). Nine new sites would be required by measuring the area. According to Mr. Belanger there are 28 regular seats, which is not enough to lessen the expansion area to be less than 125 percent of the required number of off-street parking stalls. While I know there are more seats for large events, the Plan Commission should consider the issuance of a special exception for this matter as allowed in s. 17-3(r)(3) provided there is sufficient evidence that shows actual off-street parking demand for that use is less than the standard set forth in Exhibit 17-3. Exhibit 17-3 would require 12 spaces without the additional accessory use. At this time, I count 13 off-street parking spaces

- available.
- 6) Compliance with other applicable requirements contained in this chapter – **No other known requirements.**
  - 7) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law – **No other known factors.**

My review of the plan of operation is as follows:

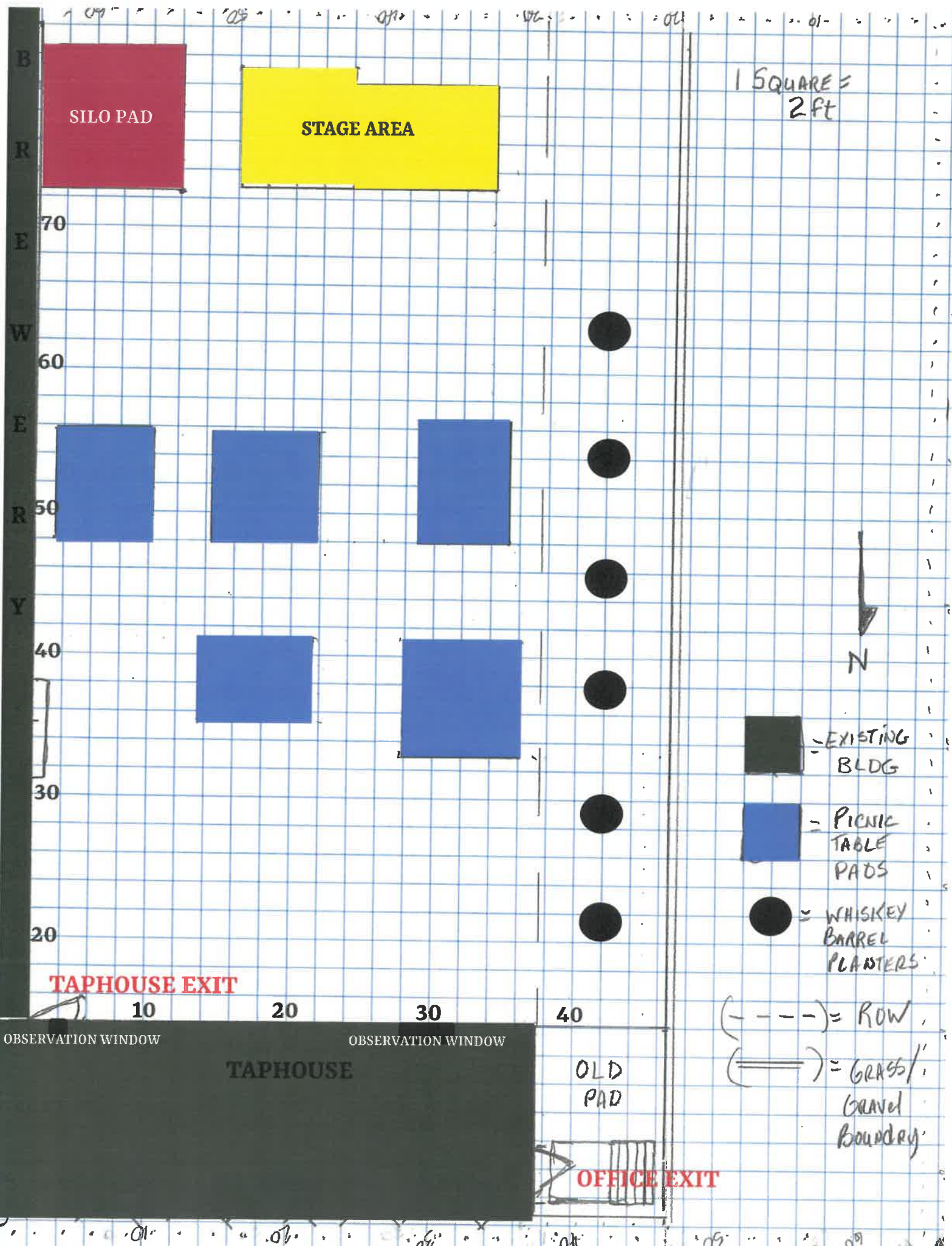
- 1) The nature of the land use with regard to the number of employees, nature and extent of truck shipments to and from the site, hours of operation, use of hazardous substances, and other operational characteristics – **The Plan Commission should determine if the viewing of the exterior area is adequate. No other changes are anticipated with this additional accessory use.**
- 2) The nature and extent of anticipated positive and negative effects on properties in the area – **Unknown.**
- 3) Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed land use – **None.**
- 4) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law – **No other known factors.**

My Review of a special exception for parking:

- 1) The size of the property in comparison to other properties in the area – **The size of the parcel is comparable to other properties in the area.**
- 2) The extent to which the issuance of the special exception permit would be in keeping with the overall intent of this chapter – **The property is a block away from the downtown parking district where on-street parking is common.**
- 3) Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception – **The property does not have the space to add more impervious surface. In addition, the outdoor area is seasonal. On nice days, there may be more people outside than inside so the interior space is not utilized to its maximum capacity on many occasions.**
- 4) The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exceptions was granted – **There are no notable impacts on the natural environment if the special exception would be granted.**
- 5) The nature and extent of anticipated positive and negative effects on properties in the area – **There is a fair amount of on-street parking available in the area. The current hours of operation do not lend to any known negative impacts to other properties.**
- 6) Action the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception – **No known negative impacts.**
- 7) A factor specifically listed under a section of this chapter authorizing the issuance of a special exception – **The demand for parking is generally less than what is required because of the seasonal nature of the use, and the general desire to be outside as opposed to inside when conditions allow.**
- 8) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law – **No other known factors.**

Please let me know if you have any questions related to this review.

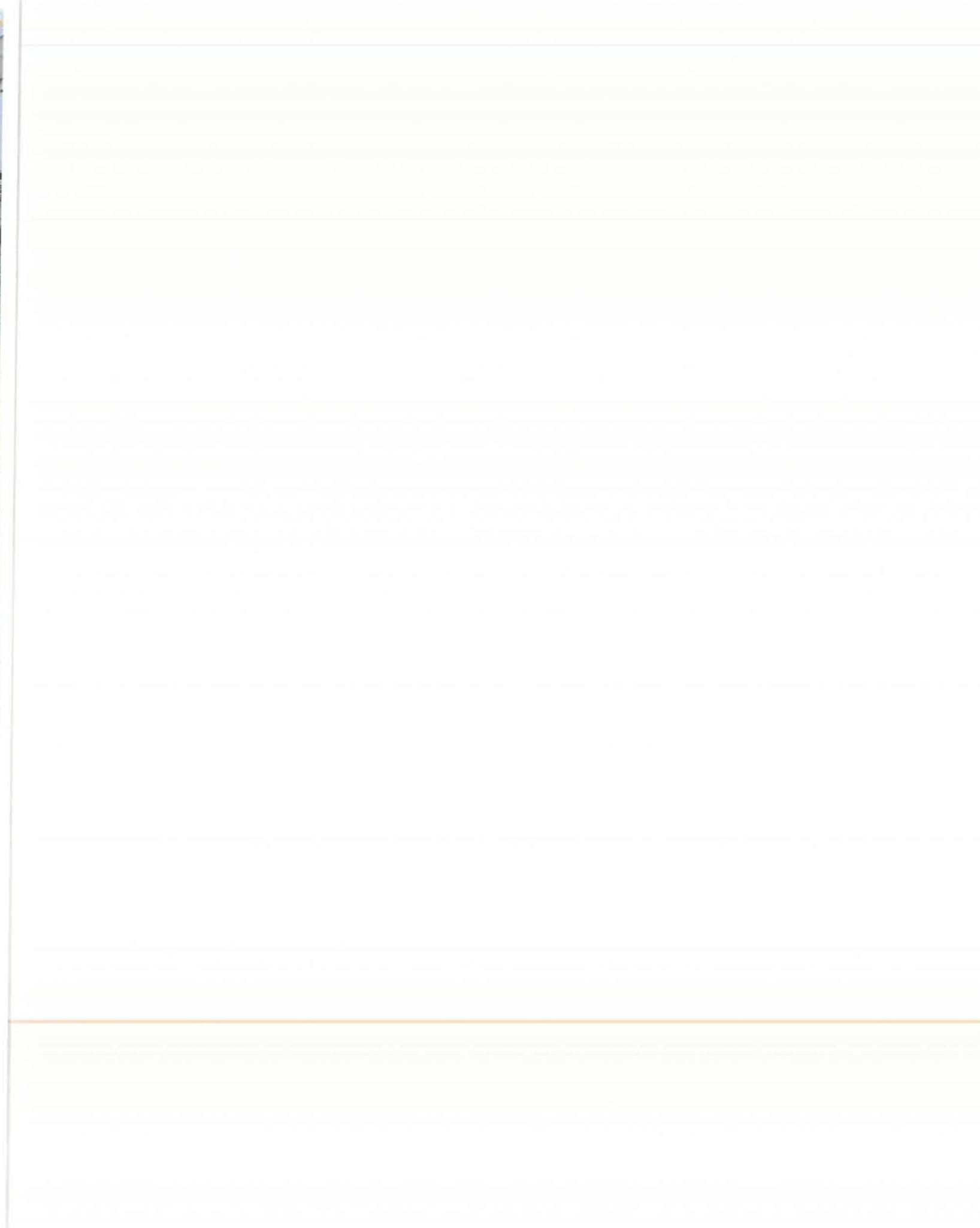




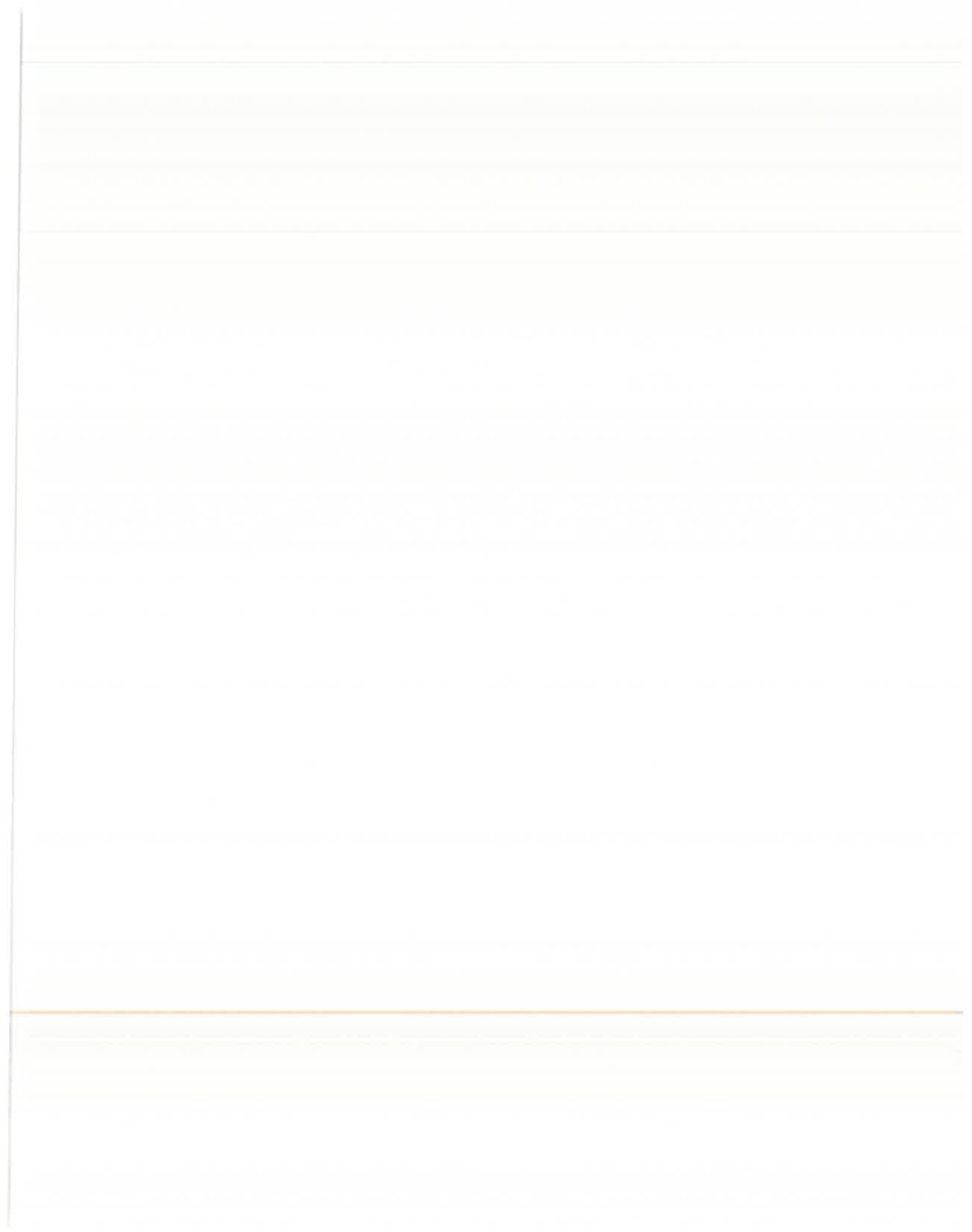
















**CITY OF WASHBURN**  
**Ordinance No. 22-006**

An ordinance adopted by the Common Council for the City of Washburn at its special meeting of August 18, 2022, for the purpose of amending Title 13, Chapter 1, Article 8 of the City's Ordinances to update the regulation of outdoor food and beverage service areas. Additions are in *red italics*, deletions are in ~~strikeout~~.

*1. Amend Title 13, Chapter 1 as follows:*

**Article 8, Section 8-541 Outdoor food and beverage service**

- (a) ~~Maximum size of service area.~~ The size of the outdoor service area shall not be more than 50 percent of the floor area of the brewpub, restaurant, or tavern.
- (b) **Location of service area.** The outdoor service area shall be located on the same parcel of land as the brewpub, restaurant, or tavern or on an adjoining parcel. The outdoor service area shall not be located in a public right-of-way, a required landscape area, *any required off-street parking space*, or the ~~required~~ setback of a front yard, side yard, shore yard, or rear yard, *unless otherwise allowed by special exception consistent with the requirements of Article 7, Division 8.*
- (c) **Consistency with state liquor license.** No alcohol beverages shall be served or consumed within the outdoor service area unless the liquor, beer, or wine license, whichever is applicable, as issued by the City, explicitly *includes states that consumption is permitted within the outdoor service area as a part of the licensed premises.*
- (d) ~~Entrance to service area if alcohol beverages are served.~~ If alcohol beverages are served, the entrance or entrances to the outdoor service area shall be exclusively through the brewpub, restaurant, or tavern, and a barrier such as a rope or fence shall be erected to prevent entry to the outdoor service area by any other means.  
**Conditions to include outdoor area in Licensed Premises for alcohol service and/or consumption.** The following conditions are required for any outdoor service area to be included in the licensed premises for service and/or consumption of alcoholic beverages:
  - a. The outdoor service area must be accurately described in the permit application and shall be visibly demarcated in a sufficient manner for patrons and the general public to identify the boundaries of the outdoor service area. The use of traffic control devices such as cones and snow fences are not permitted for the purpose of demarcating the outdoor service area.
  - b. The outdoor service area must be visible from the interior bar and/or service area.
- (e) **Restroom requirements.** The restroom facilities in the brewpub, restaurant, or tavern shall be of sufficient capacity to serve both the indoor and outdoor patrons *available*

for use by customers of the outdoor service and seating area. Temporary toilet facilities are not permitted.

**Article 8, Exhibit 8-1 Land Use Matrix**

		Special Standards	Secondary Review	R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW
17.21	Outdoor food and beverage service	8-541	SP, PO, ZP	-	-	-	-	€ P	€ P	€ P	-	-	-	€ P

6. Effective Date of Ordinance. This ordinance shall take effect upon passage and publication.

Attest:

\_\_\_\_\_  
Mary D. Motiff  
Mayor

\_\_\_\_\_  
Scott J. Kluver  
City Clerk

Adopted: August 18, 2022

Published: September 27, 2022

**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Plan Commission Members  
From: Scott J. Kluver, <sup>SK</sup>Administrator  
Re: Various Requests – Superior Shores Properties LLC (Patsys)  
Date: October 18, 2022

Enclosed you will find the request from Robert Stadler for architectural and downtown design review for a canopy, and for an outdoor food and beverage service area. There is a request for additional decking for a walk-in cooler/freezer. I am not understanding that portion of this request, and further information is required before any approvals are given for that. Although I do not have receipts at this time, it is also on the agenda to approve reimbursement for expenses related to the façade loan that was approved last May.

For the canopy, please review the draft Downtown Design and Architectural Review decision documents. Please note the highlighted areas that will need to be reviewed and discussed. The issue that I believe you need to discuss and address is whether or not the canopy should have an additional façade.

In regard to the outdoor food and beverage service, the area is defined is 105 feet by 36 feet that would be bounded by the building on the east, and future flower planters on all other sides. It does fit within the allowable setbacks for the C-3 District. As far as being able to view the exterior service area, there are windows from the bar service area that can view most of the exterior area.

My review of the site plan is as follows:

- 1) Effects of the project on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;  
- The open area will allow patrons to come and go freely through the service area. Patrons will be parking next to the service area.
- 2) Effects of the project on the natural environment – No known detrimental effects.
- 3) Effects of the project on surrounding properties – No known new impacts.
- 4) Compliance with the site design principles enumerated in s. 8-163 – Project does not appear to be in conflict.
- 5) Compliance with the design principles for parking lots enumerated in s. 17-3 – This property is located in the downtown parking district and off-street parking requirements do not apply.
- 6) Compliance with other applicable requirements contained in this chapter – No other known requirements.
- 7) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law –



No other known factors.

My review of the plan of operation is as follows:

- 1) The nature of the land use with regard to the number of employees, nature and extent of truck shipments to and from the site, hours of operation, use of hazardous substances, and other operational characteristics – The Plan Commission should determine if the viewing of the exterior area is adequate. No other changes are anticipated with this additional accessory use.
- 2) The nature and extent of anticipated positive and negative effects on properties in the area – Unknown.
- 3) Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed land use – None.
- 4) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law – No other known factors.

As for the façade loan, it is noted that corrugated metal was used in the main entryway facing Bayfield Street. Mr. Stadler stated that this was because he did not have any other material options that would work for this location. Corrugated metal is a prohibited material based on the Downtown Design Standards in section 14-7 (7) of the zoning code, and it is my intention to send Mr. Stadler a violation notice for that section. Know that it was also specifically stated when the façade loan was approved that corrugated metal was not to be used. As the façade loan recipients are required to follow all provisions of the program, I ask the Plan Commission to rule as to whether or not it will cancel the loan based on this issue. A copy of the loan policies are included for your reference.

Please let me know if you have any questions related to these matters.

City of Washburn Plan Commission

ARCHITECTURAL REVIEW DECISION

Superior Shores Properties LLC

Filing Date: October 18, 2022

Proper notice of hearing provided: Yes

Hearing Date: October 24, 2022

Applicant Name and Address: Robert Stadler  
328 W. Bayfield Street  
Washburn, WI 54891  
Tax ID 33121

1. **Decision:** The application for architectural review is ???.
2. **Description of the Proposed Project:** To install a 16 x 59 canopy attached to the building made of rough-cut timber and asphalt shingle roofing.
3. **Reasons for the Decision:** The Plan Commission must determine whether the project complies with all applicable design principles and standards:

General Architectural Standards:

- (1) Excluding residential buildings and Industrial Zoning Districts, all building exteriors facing a street, not including an alleyway, shall have at least 50 percent of the street face constructed with brick, decorative masonry, glass panel, or other appropriate similar finished façade as may be approved by the Plan Commission. Such brick, masonry, glass, or other decorative facing shall extend for a distance of at least 25 feet along the sides of the structure that do not face a street or at least 25 percent of the that side wall distance, whichever is greater. **The siding was previously approved to be LP smart siding with a decorative brick facade. The canopy will be supported by posts.**
- (2) Outside of Industrial Zoning Districts, the appearance of any buildings with a front elevation or any building elevation facing Bayfield Street of more than 750 square feet in area shall be divided into distinct planes of 500 square feet or less. The following design features can be used to meet this provision (1) canopies or awnings; (2) arcades; (3) porches; (4) vertical wall offsets having a minimum depth of 8 inches and a minimum width of 10 feet; (5) horizontal offsets having a minimum depth of 2 feet; (6) pilasters having a minimum depth of 8 inches, a minimum width of 12 inches, and a minimum height of 80 percent of the wall height; (7) recessed areas for entryways and the like having a minimum depth of 8 inches; and (8) other suitable multidimensional design features. **The canopy will be on the side, not the front of the building.**
- (3) On any building on Bayfield Street, the front entrance of a building shall be encouraged to face Bayfield Street. When that does not occur, the Bayfield Street Elevation shall have the same, or similar, materials and designs as the front entrance of the building. Except for one or two-family residential buildings, when a building rake elevation faces Bayfield Street the roof line

## City of Washburn Plan Commission

must be hidden behind the façade facing Bayfield Street. **Main entrance does face Bayfield Street. There is no façade planned on the Bayfield Street side of the canopy at this time.**

- (4) Oversized fenestration elements which tend to create a monumental scale shall not be used unless specifically required by the type of building or relationship to its surroundings. **N/A.**
  - (5) Building entrances must be clearly recognizable from parking lots and pedestrian circulation routes. **Entrances are clearly recognizable.**
  - (6) Rooftop mechanical equipment shall be positioned so it is not readily visible from a public street or an abutting property in a residential zoning district or in a planned development district that allows residential uses. Rooftop mechanical equipment may be placed in an enclosure or screened from view provided such enclosure or screening is used as an element of the building's architecture. **There is no rooftop equipment.**
  - (7) Fencing shall complement the appearance of buildings onsite. **No fencing proposed.**
  - (8) The exterior building materials of an accessory building shall be the same as or similar to those used on the principal building. **No accessory building proposed.**
  - (9) Overhead doors shall not face a public street. The Plan Commission may permit overhead doors to face a public street, but only when it has made a finding that there is no feasible alternative location for such doors. Consistent with the requirements in Article 7, the Plan Commission may approve a special exception to allow an overhead door to face a public street when there is no feasible alternative. **No overhead doors involved.**
  - (10) HVAC (heating, ventilating, air conditioning) equipment shall be screened from view. No HVAC shall create a noise level of more than 50 decibels as measured on a dB(A) scale at the nearest existing adjacent residence. **No HVAC equipment proposed, but if added would need to screen from view.**
  - (11) When trash, garbage and recyclable materials are stored out-of-doors, such materials shall be concealed or suitably screened from public view. A brick or stone wall, wood fence, chain-link fence with slats, and/or landscaping shall be used to totally obstruct vision into the storage areas. Any wall, fence and gate, and/or vegetative screening shall be installed or erected to a height at least 1'- 6" above the highest point of the dumpster as generally depicted below. **Complies.**
4. List of Conditions Imposed: **None.**
  5. If one or more conditions of approval are imposed, the property owner must sign this decision document and return it to the Zoning Administrator for his signature and as acceptance of the conditions of this decision.
  6. This decision may be appealed to the Common Council of the City of Washburn within 30 days of receipt of this decision by filing a written statement of appeal stating the grounds for such appeal.
  7. Any person aggrieved by this decision may also appeal this decision and any work done by the Applicant as authorized by this approval is done at the applicant's own risk.

**City of Washburn Plan Commission**

Dated: October 18, 2022

By: \_\_\_\_\_  
Scott J. Kluver, Zoning Administrator  
On behalf of the City of Washburn Plan  
Commission

**If Conditions Are Imposed:**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Property Owner

Blank lined area for notes or conditions.

**City of Washburn Plan Commission**

**DOWNTOWN DESIGN DECISION**

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**Superior Shores Properties LLC**

Filing Date: October 18, 2022

Proper notice of hearing provided: Yes

Hearing Date: October 24, 2022

Applicant Name and Address: Robert Stadler  
328 W. Bayfield Street  
Washburn, WI 54891  
Tax ID 33121

1. **Decision:** The application for downtown design review is **???**.
2. **Description of the Proposed Project:** To install a canopy attached to the building made of rough-cut timber and asphalt shingle roofing.
3. **Reasons for the Decision:** The Plan Commission must determine whether the project complies with all applicable design principles and standards:

Downtown Standards:

- (1) **Building height.** The height of a building shall not be more than one story taller or shorter than the height of the adjoining building. In no event, shall the height of a building exceed the maximum building height established for the base zoning district. **No change to the main structure is occurring.**
- (2) **Special requirements for large buildings.** A building façade fronting on a public street with a frontage of 75 feet or more shall be designed to look like two or more individual building fronts. This may be achieved by using different building materials, facade articulations, or other design approach that gives the appearance of separate, but attached buildings. **N/A.**
- (3) **Horizontal rhythms.** The horizontal pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as piers and columns shall be spaced at regular intervals across all visible façades of the building. **Plan Commission finds ???**
- (4) **Vertical rhythms.** The floor heights on main façades shall complement those of adjoining buildings. The rhythm of the ground floor shall harmonize with the rhythm of upper floors. The vertical pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as sills, headers, transoms, cornices, and sign bands shall be compatible in design and elevation with adjoining buildings in immediate area. **The Plan Commission finds that the canopy will ???**
- (5) **Roof forms.** Flat or gently sloping roofs which are not visible from the street grade shall generally be used. Mansards or other exotic roof shapes are not characteristic of the district's character and are prohibited. **The roof will be visible from the main street as it is on a corner lot. The Plan Commission finds ???**



**City of Washburn Plan Commission**

- (6) **Awnings.** The size, color, placement, and design of an awning should be complementing the architectural character of the building on which it is located. Soft, weather-treated canvas or vinyl materials which allow for flexible or fixed installation shall be used. Awnings covered with shingles, metal roofing, or the like are prohibited. Backlit awnings are prohibited. **No awning proposed, this would be a canopy by definition.**
- (7) **Building materials.** Selected building materials shall be compatible with those of existing buildings in the immediate area which generally consist of natural materials such as stone, brick, and wood. Concrete masonry units, corrugated metal, half-log siding, and vinyl siding are prohibited. **The canopy would be a wood frame with and asphalt roof.**

- 4. List of Conditions Imposed: **The Commission imposes the following conditions: ???**
- 5. If one or more conditions of approval are imposed, the property owner must sign this decision document and return it to the Zoning Administrator for his signature and as acceptance of the conditions of this decision.
- 6. This decision may be appealed to the Common Council of the City of Washburn within 30 days of receipt of this decision by filing a written statement of appeal stating the grounds for such appeal.
- 7. Any person aggrieved by this decision may also appeal this decision and any work done by the Applicant as authorized by this approval is done at the applicant's own risk.

Dated: October 24, 2022

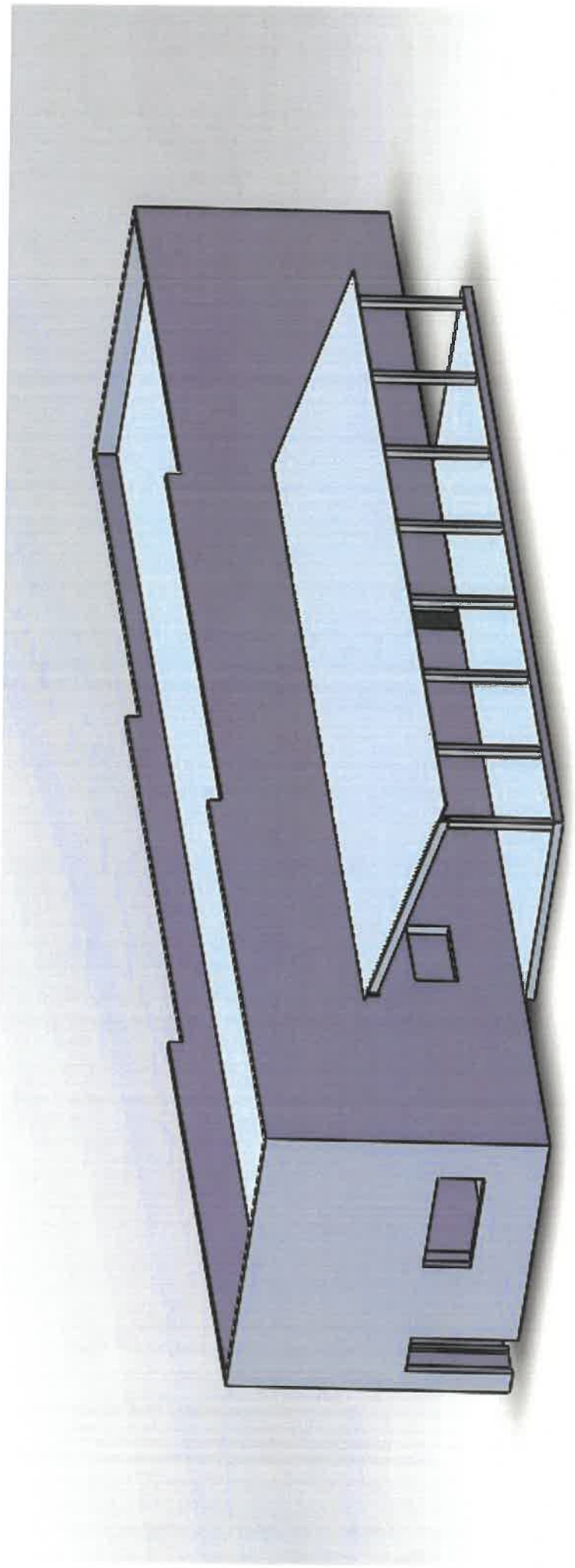
By: \_\_\_\_\_  
Scott J. Kluver, Zoning Administrator  
On behalf of the City of Washburn Plan  
Commission

**If Conditions Are Imposed:**

Dated: \_\_\_\_\_

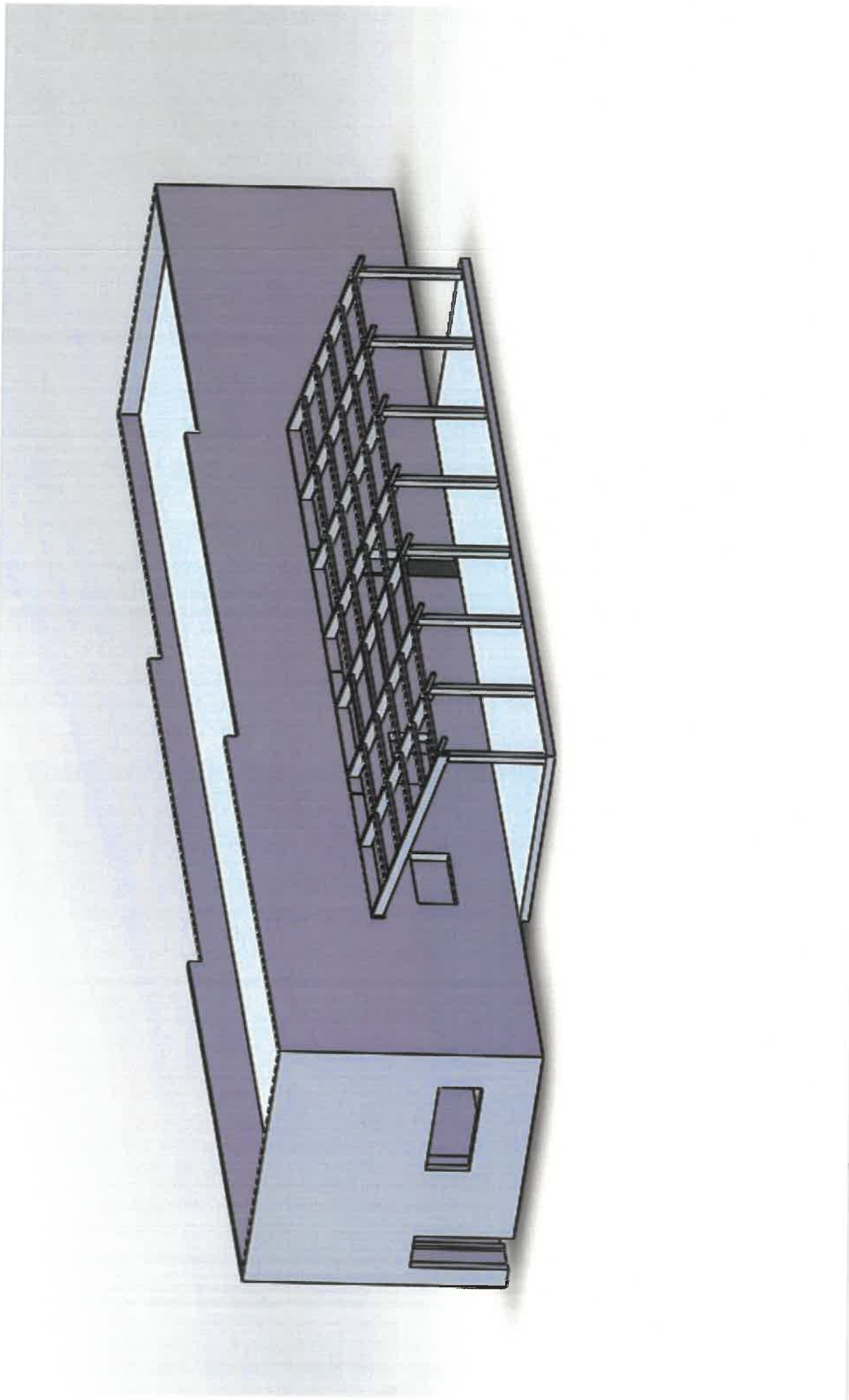
By: \_\_\_\_\_  
Property Owner





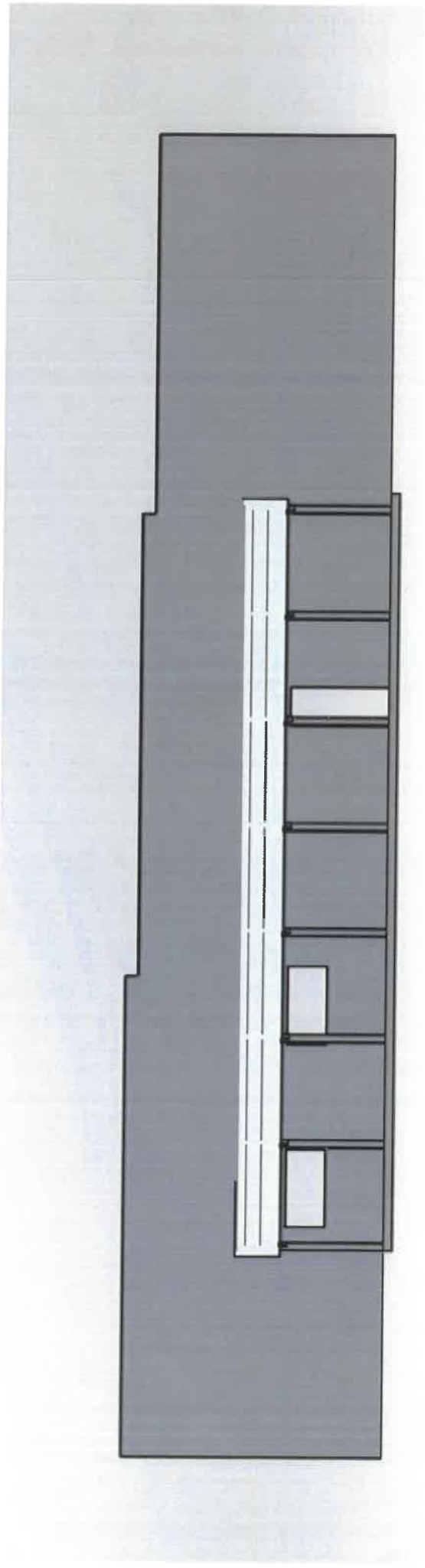
A series of horizontal lines for writing, consisting of a solid top line, a dashed midline, and a solid bottom line. A vertical line on the left side of the page separates the drawing area from the writing area.



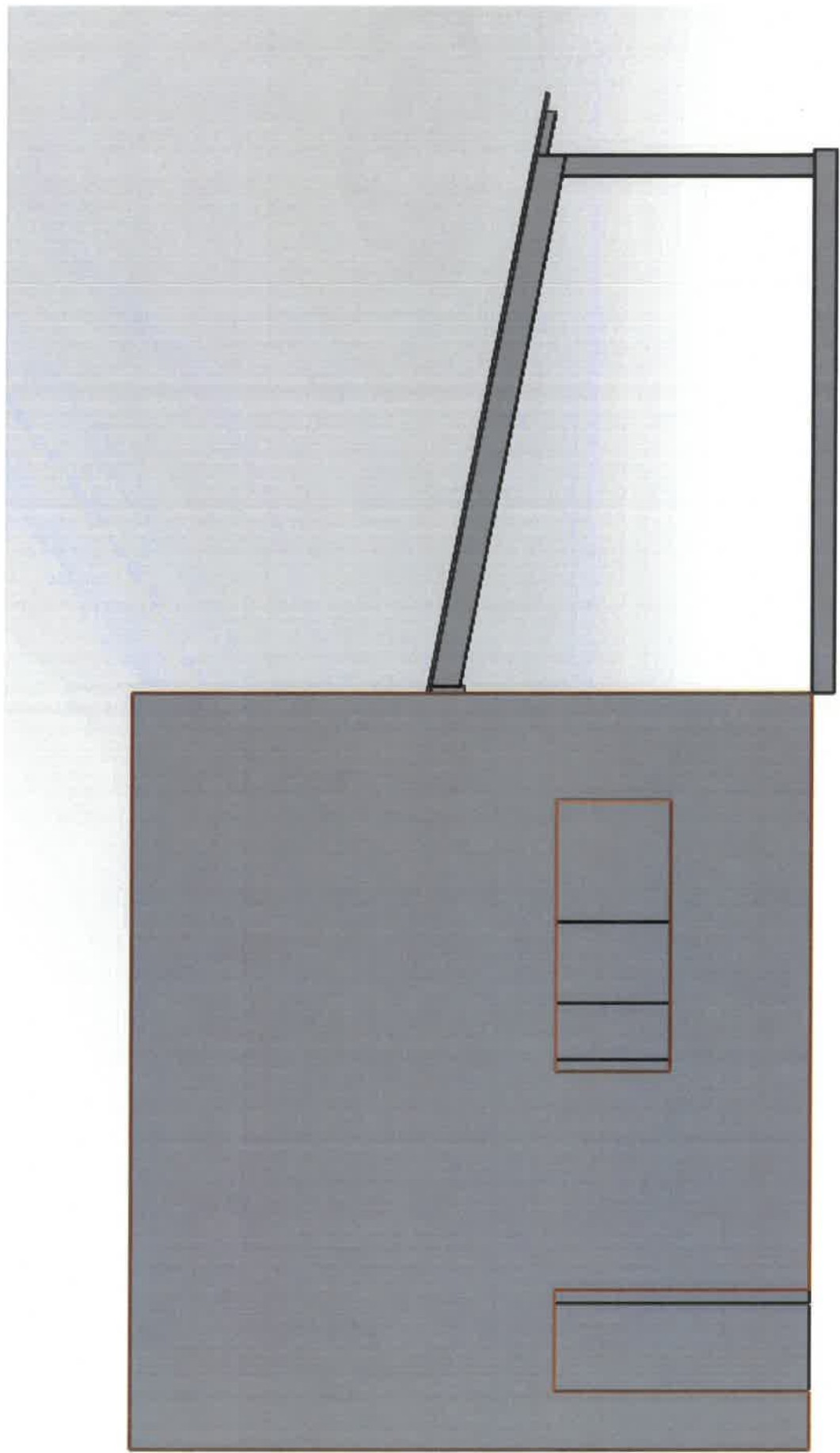


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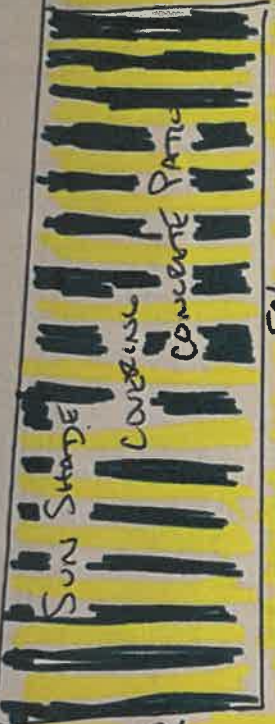
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Patsy's Building

Additional  
Pencil  
for white-in  
color

Back  
Deck



DUMPSTERS

D  
A  
R  
K  
1  
N  
36'

DEMARCATING  
FLOWER  
BARRIERS

105'

P  
A  
R  
K  
I  
N  
G  
S  
P  
A  
C  
E  
S

4TH AVE

Bayfield St

Sidewalk







## City of Washburn

### Downtown Building Facade Renovation Loan Program Policy Guidelines

- I. **PURPOSE:** The City's intent in establishing this loan fund is to encourage downtown business owners to undertake business facade improvements. Physical improvements to structures downtown will assist in spurring economic vitality downtown. By improving the exteriors of commercial buildings downtown, the City will enhance the appearance of the downtown and the community as a whole overall. The resulting effect will be the attraction of new businesses to downtown and to the community as well as the retention and expansion of existing businesses.
- II. **OBJECTIVES:** The Building Facade Renovation Loan Program has the following objectives.
- A. To renovate or rehabilitate commercial properties so as to prevent or eliminate deteriorating conditions.
  - B. To attract and retain businesses downtown.
  - C. To retain jobs and bring additional employment opportunities to the City.
  - D. To make use of funds the City has set aside for the enhancement of the City's downtown, which is deemed an asset of the City.
  - E. To spur activity which will provide return to the City by way of physical improvements accomplished which may not otherwise have occurred.
- III. **PROJECT & APPLICANT ELIGIBILITY:**
- A. General and Designated Area:  
The Façade Renovation Loan Program only applies to the exterior facades, signs and architectural features for properties on Bayfield Street between Fur Farm Road and 1<sup>st</sup> Avenue East that are 50 percent or more commercial and only to those exterior facades, signs and architectural features of such buildings that are visible from Bayfield Street.
  - B. Minimum Requirements:
    1. Projects shall occur within the established designated area.
    2. Projects must commence within six (6) months of approval and shall be completed within one (1) year of the grant approval date. In rare cases, likely due to extenuating circumstances, the Plan Commission may allow completion extensions upon request of the applicant. The Plan Commission/City of Washburn reserves the right to eliminate project funding if not completed within the specified time period and is not obligated to granting time extensions.
    3. Projects shall comply with all applicable City building and zoning standards and requirements.
    4. Concurrent applications from the same applicant, unless for separate properties, shall not be allowed. An applicant may apply for another

project after any existing project by the same applicant is completed to the satisfaction of the Plan Commission.

C. Eligible Activities Included but not limited to:

1. Repair/replacement of the original building's materials and decorative details.
2. Cleaning of exterior building surfaces.
3. Tuck pointing and masonry repair.
4. Painting of exterior building surfaces.
5. Repair/replacement or addition of entrances, doors, display windows, transoms, or windows.
6. Removal, repair/replacement of existing signs and awnings.
7. New signage and awnings.
8. Landscaping improvements.
9. Permanent exterior lighting.
10. Qualified professional design services.
11. Other activities as designated by the Plan Commission/City of Washburn.

D. Non-Eligible Activities Included but not limited to:

1. Interior improvements.
2. Purchase of property.
3. Construction of a new building.
4. Fixtures and equipment.
5. Removal without replacement of architecturally significant features and design elements.
6. Sidewalk repairs.
7. Correction of code violations.
8. Any roof repair or replacements, except in cases where a new roof "style" is a critical component of the façade restoration or replacement project.
9. Compensation for time and labor spent by applicant or members of applicant's immediate family. *(Note that one needn't be the building owner to apply.)*
10. Other activities as designated by the Plan Commission/City of Washburn.

IV. **PROGRAM TERMS & CONDITIONS:**

A. General Requirements

1. Applicants must include detailed drawings and specifications with application. Eight (8) copies of drawings/design plans must be submitted. The Plan Commission may require drawings to be submitted by an architect. The plans must include:
  - a. Detailed site plan using adequate scale to be easily and clearly understood. Ideally, said plan shall be drawn to a minimum scale of 1"= 100'.

- b. Elevations of any façade proposed to be altered, ideally drawn to scale at least 1/8"=1'; each elevation drawing should include notations of proposed materials, color, finishes and details. The drawing should clearly show proposed signage (if any). Perspective renderings of the proposed project and / or photos of similar structures may be submitted, but not in lieu of adequate drawings showing the actual intended appearance of the buildings.
  - c. Current condition photos to provide adequate "before and after" shots.
  - d. Construction / reconstruction time schedule, noting start and completion date.
2. Applicants must submit at least one contractor proposal or estimate from supplier; however, it is suggested that the applicant pursue multiple proposals for their own protection and peace of mind. The Plan Commission retains the right to request additional proposals. The property owner is not required to utilize a contractor to have the work completed. The Plan Commission/City of Washburn does not assume any liability to the work of any contractor that is chosen by the property owner.
  3. Applicants, if tenants, must have the written permission and approval from the respective property owner.
  4. Applicants must take out the appropriate building or sign permits. Fee waivers shall not be allowed, unless approved by the Common Council. Loan funds cannot be used to pay for permit fees.
  5. Applicants who are delinquent with their property or personal tax, utility payments, or have outstanding municipal code violations are not eligible until said issues are resolved.
  6. Payment shall be made on a reimbursement basis upon completion of construction/installation.
  7. Minor changes to the project will require submittal and approval by the City Administrator. Significant project changes, as determined by City Administrator, will require approval of the Plan Commission.
  8. The Plan Commission/City of Washburn reserves the right to cancel any loan agreement if any of the conditions of the program guidelines and agreement are not met.
  9. Applicants shall provide a Certificate of Insurance with their application showing proof of property insurance for fire and all hazards. The City shall be designated a loss payee up to the amount of the loan.

B. Approval Authority

1. The Plan Commission will have the ultimate authority to approve or deny applications on a case-by-case basis and may impose certain design conditions on approved projects.



C. Expiration

The façade loan improvement program will expire if one of the following occurs:

1. When the funds have been spent, unless additional funding has been authorized by the City Council.
2. When the Plan Commission and/or City Council chooses to eliminate or amend the program.

V. **LOAN TERMS:** All loans granted under this program shall be subject to the following terms and conditions:

- A. The minimum loan granted under this program shall be \$2,000 and the maximum loan shall be \$10,000 per building.
  1. The Plan Commission reserves the right under this program to exceed the maximum loan amount of \$10,000 per building on a case by case basis when: the size of the building coupled with the proposed project would result in a significant impact on the downtown that would exceed the typical project under the program, and the project proposed goes beyond maintenance to improving the architectural value of the building to the downtown as determined by the Plan Commission.
- C. The loan shall be at 0% interest.
- D. The full balance of the loan shall be due immediately upon sale of the property or within seven (7) years of the approval date, whichever event happens first. The loan may not be assigned without the express written consent of both parties. The loan may be prepaid in whole or in part at any time.
- E. Loan approval shall expire six months following the date the Plan Commission approves the loan unless the project has commenced.
- F. Projects must be completed within one year of Plan Commission approval.
- G. Project participation may be limited based on the availability of program funds.
- H. Applicants will be required to sign a note and a mortgage as a condition for receiving loan funds. The mortgage will be recorded against the property at the Office of the Register of Deeds.

VI. **FACADE RENOVATION LOAN PROGRAM PROCEDURES:**

- A. Applicant meets with City staff for initial project discussion.
- B. Applicant submits grant application to Plan Commission, and required contractor proposal/quote to staff (according to Sec. IV.A.2. in these guidelines), containing all of the requirements specified in these guidelines. Applications must include detailed drawings and specifications. Eight (8) copies of drawings and specifications must be submitted. The Plan Commission may require drawings to be prepared by an architect.

- C. Plan Commission reviews plans and approves or denies loan request. If approved, the Plan Commission may place conditions on the proposed project.
- D. If denied, applicant may submit a revised application and repeat process.
- E. Applicant submits building and/or sign permit with final design plans as required by City code.
- F. Building Inspector reviews and approves any required permits.
- G. A "loan document" is drafted by City staff that identifies the terms of the agreement. All parties execute said letter. A note and mortgage are drafted which the applicant signs.
- H. Construction/Installation begins. Applicant has six (6) months from the execution date of the loan to begin implementation of approved improvements. Any plan changes would require approval according to Sec. IV.A.8 in these guidelines.
- I. Construction/Installation is completed within one (1) year of loan agreement signed.
- J. Applicant contacts Building Inspector to request project review to see if all code requirements have been met.
- K. Applicant provides itemized paid invoices for the project, and any outstanding bills which are also eligible for payment under the loan agreement, to City staff, along with the completed "Project Close-Out" section on the application form. While a construction lien waiver is not required, it is recommended that the applicant consider obtaining appropriate construction lien waiver(s) from the contractor(s) for the project.
- L. Applicants are allowed one partial payment for loans \$10,000 or less, and up to two partial payments for any loan above \$10,000. Plan Commission shall review the first partial payment and decide if subsequent payments shall also be reviewed by the Plan Commission or by staff.
- M. After Plan Commission approves reimbursement claim, the City Clerk forwards payment directly to the applicant.

Approved 102109

Revised 03/12/2014 (Extended western eligibility boundary).

Revised 08/17/2016 (Change Terms of Loan)

Revised 09/13/2017 (Delete WDA and Change to Plan Commission)

Revised 03/21/2019 (Allow for partial payments)

**CITY OF WASHBURN**  
119 Washington Avenue  
P.O. Box 638  
Washburn, WI 54891



715-373-6160  
715-373-6161  
FAX 715-373-6148

To: Plan Commission Members  
From: Scott J. Kluver, Administrator  
Re: Presentation of Proposed Development for a Planned Development District  
Date: October 17, 2022

At this meeting, Dale and Derek Brevak, and their engineer Randy Land, will present their proposal to you for an informal discussion. Enclosed you will find some preliminary drafts of their plans as well as the process for the approvals that they are seeking. In the Planned Development District process, we are at point number 2 in the first step.

I encourage the Plan Commission to be prepared with questions. This will be the first Planned Development District request under this code.



**DIVISION 2  
PLANNED DEVELOPMENT DISTRICT**

**Sections**

7-21	Generally	7-31	Application form and content
7-22	Initiation	7-32	Staff report content
7-23	Where allowed	7-33	Effect of approval
7-24	Ownership	7-34	Effect of approved planned development district on land division standards
7-25	Minimum size	7-35	Review of actual development within an approved planned development district
7-26	Development agreement	7-36	Amendment of an approved planned development district
7-27	Allowable uses	7-37	Expiration of an approval
7-28	Review procedure		
7-29	Basis of decision		
7-30	Imposition of conditions		

**7-21 Generally**

A planned development district allows for more flexibility in the development of land while ensuring substantial compliance with the intent of this chapter and the City's comprehensive plan.

**7-22 Initiation**

The owner of the subject property may submit an application for the establishment of a planned development district.

**7-23 Where allowed**

A planned development district may be established in any zoning district.

**7-24 Ownership**

At the time of establishment, all land within a planned development district shall be under single ownership or control.

**7-25 Minimum size**

To qualify for consideration as a planned development district, the area shall be of sufficient size in relation to the proposed uses.

**7-26 Development agreement**

If a planned development district is established pursuant to this division, the City and developer may enter into a development agreement that specifies the duties and obligations of both parties with respect to the development project.

**7-27 Allowable uses**

Land uses allowed in the underlying zoning district(s) may be allowed in a planned development district as specified in a general development plan. When the underlying zoning district is a residential or commercial district, a combination of residential, recreational, and/or commercial uses may be allowed. When the underlying zoning is an industrial district, a combination of commercial and industrial uses may be allowed. A planned development district with a mix of residential and industrial uses is prohibited.

**7-28 Review procedure**

Establishment of a planned development district involves a two-step process. The review of a proposed project begins with a general development plan. If the general development plan is approved, a precise implementation plan for all or a part of the project is reviewed. If the precise implementation plan is approved, the project is

officially approved. The general steps outlined below shall be used in the review of an application for the establishment of a planned development district.

**Step One – General Development Plan**

- (1) **Pre-submittal meeting with zoning administrator.** The applicant or the applicant's agent shall meet with the zoning administrator to review (i) applicable regulations and procedures, (ii) applicable sections of the City's comprehensive plan, and (iii) the proposal. Upon request, the zoning administrator may waive the requirement to hold a pre-submittal meeting when he or she determines such meeting is not necessary given the nature of the project and/or the extent to which the applicant understands the City's zoning requirements.
- (2) **Pre-application conference with Plan Commission.** The applicant shall meet with the Plan Commission for an informal discussion relating to the proposed project. At that meeting, the applicant shall provide the Plan Commission with materials that describe the proposed project in sufficient detail for a preliminary, non-binding review.
- (3) **Submittal of application materials.** The applicant shall submit a completed application and other required materials to the zoning administrator along with the application fee as may be established by the Common Council.
- (4) **Staff review.** Within 30 calendar days of submittal, the zoning administrator shall either schedule a date for the public hearing allowing for proper public notice or make a determination that the application is incomplete and notify the applicant of any deficiencies. If the application is incomplete, the applicant has 3 months to resubmit the application or forfeit the application fee. The zoning administrator shall take no further steps to process the application until the deficiencies are remedied. The incomplete application shall be retained as a public record.
- (5) **General notice.** Consistent with Division 2 of Article 6, the zoning administrator shall provide for class 2 public notice, property owner notice, and meeting agenda notice.
- (6) **Staff report preparation and distribution.** The zoning administrator shall prepare a written staff report as described in this division and provide a copy of it to each member of the Plan Commission and Common Council, the applicant, and any other interested person upon request.
- (7) **Public hearing.** Allowing for proper notice, the Plan Commission shall conduct a public hearing to review the application consistent with Division 3 of Article 6. Prior to the close of the public hearing, the applicant or the Plan Commission may request a continuance consistent with Division 3 of Article 6. If a continuance is granted, the Plan Commission may direct the zoning administrator to conduct additional research related to the proposed district.
- (8) **Staff follow-up.** After the close of the public hearing, the Plan Commission may direct the zoning administrator, city engineer, and/or the city attorney to submit a follow-up report to the commission and/or direct the zoning administrator to prepare such documents it deems necessary, including a preliminary decision document.
- (9) **Recommendation.** At a subsequent meeting of the Plan Commission, but no more than 60 calendar days after the public hearing, the Plan Commission shall make a recommendation to the Common Council based on the decision criteria contained in this division to (i) approve the general development plan, subject to approval of a precise implementation plan; (ii) approve the general development plan with conditions, subject to approval of a precise implementation plan; or (iii) deny the general development plan.
- (10) **General notice.** Consistent with Division 2 of Article 6, the zoning administrator shall place the matter on the meeting agenda of the Common Council.
- (11) **Common Council meeting.** Allowing for proper notice, the Common Council shall consider the application at a regular or special meeting.
- (12) **Decision.** The Common Council after considering the Plan Commission's recommendation shall make a decision based on the decision criteria contained in this division to (i) approve the general development plan, subject to approval of a precise implementation plan; (ii) approve the general development plan with conditions, subject to approval of a precise implementation plan; or (iii) deny the general development plan.
- (13) **Preparation of decision document.** Based on the action of the Common Council, the zoning administrator shall prepare a decision document consistent with this division.

- (14) **Applicant notification.** Within a reasonable time following the Common Council's decision, the zoning administrator shall mail the decision document to the applicant by regular mail.
- (15) **Acceptance by property owner.** If the general development plan is approved, the property owner shall sign the decision document to acknowledge the terms of the approval and return the same to the zoning administrator within 2 months of the decision. Prior to the expiration of the previously specified time period, the property owner may submit a petition to the City Clerk requesting an extension and the Common Council may, with cause, extend the period within which the decision document must be signed. If the signed decision document is not returned within the initial or extended time period, if any, the decision shall become null and void without any further action by the City. The decision document shall only become effective when all of the property owner signatures have been obtained and the original signature copy is returned to the zoning administrator.

**Step Two – Precise implementation plan**

- (1) **Submittal of precise implementation plan.** The applicant shall submit a precise implementation plan and other required materials to the zoning administrator along with the application fee as may be established by the Common Council. At the discretion of the applicant, such materials may be submitted concurrently with the review of the general development plan.
- (2) **Staff review.** Within 30 calendar days of submittal, the zoning administrator shall either schedule a date for review by the Plan Commission or make a determination that the application is incomplete and notify the applicant of any deficiencies. If the application is incomplete, the applicant has 3 months to resubmit the application or forfeit the application fee. The zoning administrator shall take no further steps to process the application until the deficiencies are remedied. The incomplete application shall be retained as a public record.
- (3) **General notice.** Consistent with Division 2 of Article 6, the zoning administrator shall provide for a meeting agenda notice.
- (4) **Staff report preparation and distribution.** The zoning administrator shall prepare a staff report that evaluates whether the precise implementation plan is consistent with the approved general development plan and the suitability of the proposed plan given the additional information provided in the plan and supplemental materials. The zoning administrator shall provide a copy of it to each member of the Plan Commission and Common Council, the applicant, and any other interested person upon request.
- (5) **Meeting.** Allowing for proper notice, the Plan Commission and the Common Council shall jointly review the precise implementation plan and the staff report.
- (6) **Determination of consistency.** The Plan Commission shall determine whether the precise implementation plan is generally consistent with the approved general development plan with respect to density/intensity and permissible land uses. If the Plan Commission determines that the precise implementation plan is not generally consistent, the Plan Commission shall render that decision in writing and take no further action on the precise implementation plan.
- (7) **Recommendation.** If the precise implementation plan is deemed to be consistent with the general development plan, the Plan Commission shall make a recommendation to the Common Council based on the decision criteria contained in this division to (i) approve the precise implementation plan, (ii) approve the precise implementation plan with conditions, or (iii) deny the precise implementation plan.
- (8) **General notice.** Consistent with Division 2 of Article 6, the zoning administrator shall place the matter on the meeting agenda of the Common Council.
- (9) **Common Council meeting.** Allowing for proper notice, the Common Council shall consider the application at a regular or special meeting.
- (10) **Decision.** The Common Council after considering the Plan Commission's recommendation shall make a decision based on the decision criteria contained in this division to (i) approve the precise implementation plan, (ii) approve the precise implementation plan with conditions, or (iii) deny the precise implementation plan.
- (11) **Preparation of decision document.** Based on the action of the Common Council, the zoning administrator shall prepare a decision document consistent with this division.
- (12) **Applicant notification.** Within a reasonable time following the Common Council's decision, the zoning administrator shall mail the decision document to the applicant by regular mail.



- (13) **Acceptance by property owner.** If an approval includes one or more conditions of approval, the property owner shall sign the decision document to acknowledge the imposition of such condition or conditions and return the same to the zoning administrator within 2 months of the decision. Prior to the expiration of the previously specified time period, the property owner may submit a petition to the City Clerk requesting an extension and the Common Council may, with cause, extend the period within which the decision document must be signed. If the signed decision document is not returned within the initial or extended time period, if any, the decision shall become null and void without any further action by the City. The decision document shall only become effective when all required signatures have been obtained and the original signature copy is returned to the zoning administrator.

#### 7-29 Basis of decision

In the review of a general development plan and the precise implementation plan, the Plan Commission in making its recommendation and the Common Council in making its decision shall consider the following factors:

- (1) whether development in the proposed project is in keeping with the spirit and intent of this chapter;
- (2) whether development in the proposed project is consistent with the City's comprehensive plan;
- (3) the effects of development in the proposed project on traffic safety and efficiency, both within and outside of the district;
- (4) whether the proposed plan for development in the proposed project is properly planned and is properly coordinated with the existing and anticipated land uses on properties in the immediate and surrounding area;
- (5) the extent to which the natural features, open space, and/or farmland on the site are preserved;
- (6) whether development in the proposed project complies with provisions of this chapter and other land development regulations of the City that may apply;
- (7) the effects of development in the proposed project on public services and facilities;
- (8) whether adequate water and sanitary sewer facilities can be provided to development in the proposed project;
- (9) the proposed means of maintaining any undeveloped areas of the proposed project for the purpose for which it was set aside;
- (10) effects of the proposed use on surrounding properties, including existing and anticipated uses;
- (11) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts;
- (12) whether the plan for development is clearly superior to development that is permitted based on the design and development standards of the underlying zoning district; and
- (13) any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law.

#### 7-30 Imposition of conditions

(a) **Generally.** The Plan Commission may recommend and the Common Council may impose conditions as may be necessary to grant approval. Such conditions may relate to any of the factors it considered in reaching its decision. In addition, the Plan Commission may recommend and the Common Council may require the provision of off-site improvements that may be necessary to approve the establishment of the planned development district project.

(b) **Effect on contracts with another party.** The Common Council shall not condition or withhold approval based upon the property owner entering into a contract or discontinuing, modifying, extending, or renewing any contract, with a third party under which the third party is engaging in a lawful use of the property.<sup>5</sup>

#### 7-31 Application form and content

(a) **General development plan.** The application submittal for a general development plan shall include the following:

<sup>5</sup> Commentary: See s. 62.23(7)(gm), Wis. Stats. The City, for example, could not require an applicant to terminate an existing contract with another party that is engaged in a lawful use of the property.

- (1) an application form as may be used by the City;
  - (2) a general development plan prepared at an appropriate scale depicting the information listed in Appendix A;
  - (3) a preliminary draft of covenants if any are to be imposed; and
  - (4) a development schedule, if the project is to be constructed in phases, which includes the anticipated beginning date and ending date of each phase and a description of those project-related elements to be completed in each phase.
- (b) **Precise implementation plan.** The application submittal for a precise implementation plan shall include the following:
- (1) an application form as may be used by the City;
  - (2) a precise implementation plan prepared at an appropriate scale depicting the information listed in Appendix A;
  - (3) a final draft of covenants if any are to be imposed;
  - (4) homeowners association documents, if required;
  - (5) a development agreement, if required; and
  - (6) a development schedule, if the project is to be constructed in phases, which includes the anticipated beginning date and ending date of each phase and a description of those project-related elements to be completed in each phase.

**7-32 Staff report content**

The staff report shall contain the following:

- (1) preliminary findings for the decision criteria listed in this division;
- (2) a preliminary list of recommended conditions of approval; and
- (3) other information deemed necessary.

**7-33 Effect of approval**

If the Common Council approves a planned development district, the approval shall run with the land and is binding on all subsequent property owners.

**7-34 Effect of approved planned development district on land division standards**

Development in a planned development district is subject to the City's land division regulations to the extent applicable, except that the Plan Commission or Common Council may waive a development standard in the land division regulations as provided therein.

**7-35 Review of actual development within an approved planned development district**

If the Common Council approves a planned development district, proposed development in the district shall be reviewed consistent with the requirements of this article as may apply (e.g., building, site, and plan of operation).

**7-36 Amendment of an approved planned development district**

If the Common Council approves a planned development district, the Plan Commission and Common Council shall review all proposed changes to the project plan that was approved at the time of approval. If in the opinion of the Common Council, the proposed change constitutes a minor alteration, the Common Council may approve the requested change at a regular or special meeting of the Common Council. If the proposed change constitutes a major alteration, the review procedure in this division shall be followed.

**7-37 Expiration of an approval**

If any portion of a planned development district that can be developed remains substantially undeveloped 3 years after final approval, the Common Council may rescind the approval, in whole or in part, following a public hearing. Upon written petition, the Common Council may with good cause grant a one-time extension not to

exceed 4 years. In the event the Common Council rescinds an approval, the Common Council shall at that time reclassify undeveloped lands in the district based on the zoning regulations in effect at that time. Developed portions of the planned development district may either be allowed to retain the planned development district designation or reclassified based on the zoning regulations in effect at that time.

**7-38 to 7-50 Reserved**

**DIVISION 3  
CONDITIONAL USE**

**Sections**

7-51	Generally	7-58	Staff report content
7-52	Applicability	7-59	Content of decision document
7-53	Initiation	7-60	Effect of approval
7-54	Review procedure	7-61	Expiration of an approval
7-55	Basis of decision	7-62	Amendment of an approved conditional use
7-56	Imposition of conditions		
7-57	Application form and content		

**7-51 Generally**

Although each zoning district is primarily intended for a predominant type of land use, there are a number of uses that may be appropriate under certain conditions. These are referred to as conditional uses. This division describes the requirements and procedures for reviewing a conditional use, including an amendment of an approved conditional use.

**7-52 Applicability**

Those land uses designated as conditional uses in the land-use matrix (Exhibit 8-1) must comply with the requirements in this division.

**7-53 Initiation**

The owner of the subject property may submit an application for the establishment of a conditional use.

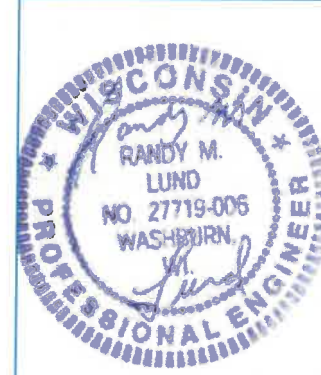
**7-54 Review procedure**

The general steps outlined below shall be used in the review of an application for a conditional use.

- (1) **Pre-submittal meeting.** Before submitting an application, the applicant or the applicant's agent shall meet with the zoning administrator to review (i) applicable regulations and procedures, (ii) applicable sections of the City's comprehensive plan, and (iii) the proposal. Upon request, the zoning administrator may waive the requirement to hold a pre-submittal meeting when he or she determines such meeting is not necessary given the nature of the project and/or the extent to which the applicant understands the City's zoning requirements.
- (2) **Submittal of application materials.** The applicant shall submit a completed application and other required materials to the zoning administrator along with the application fee as may be established by the Common Council.
- (3) **Staff review.** Within 30 calendar days of submittal, the zoning administrator shall either schedule a date for the public hearing with the Plan Commission allowing for proper public notice or make a determination that the application is incomplete and notify the applicant of any deficiencies. If the application is incomplete, the applicant has 3 months to complete the application or forfeit the application fee. The zoning administrator shall take no further steps to process the application until the deficiencies are remedied. The incomplete application shall be retained as a public record.

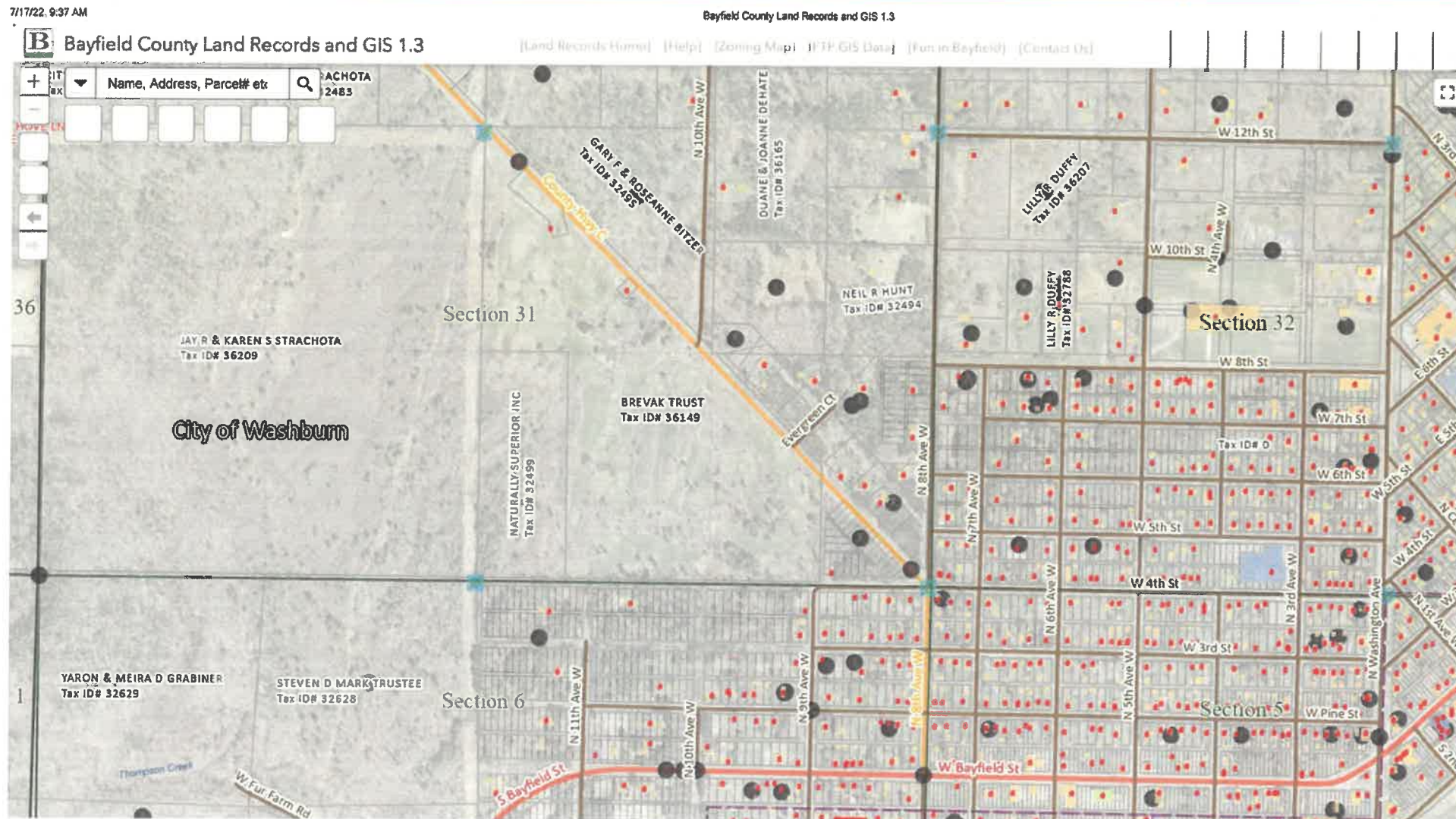


# NATURALLY SUPERIOR INC. RV & CONDO / GOLF HOTEL DEVELOPMENT PROJECT 2022



## PLAN INDEX

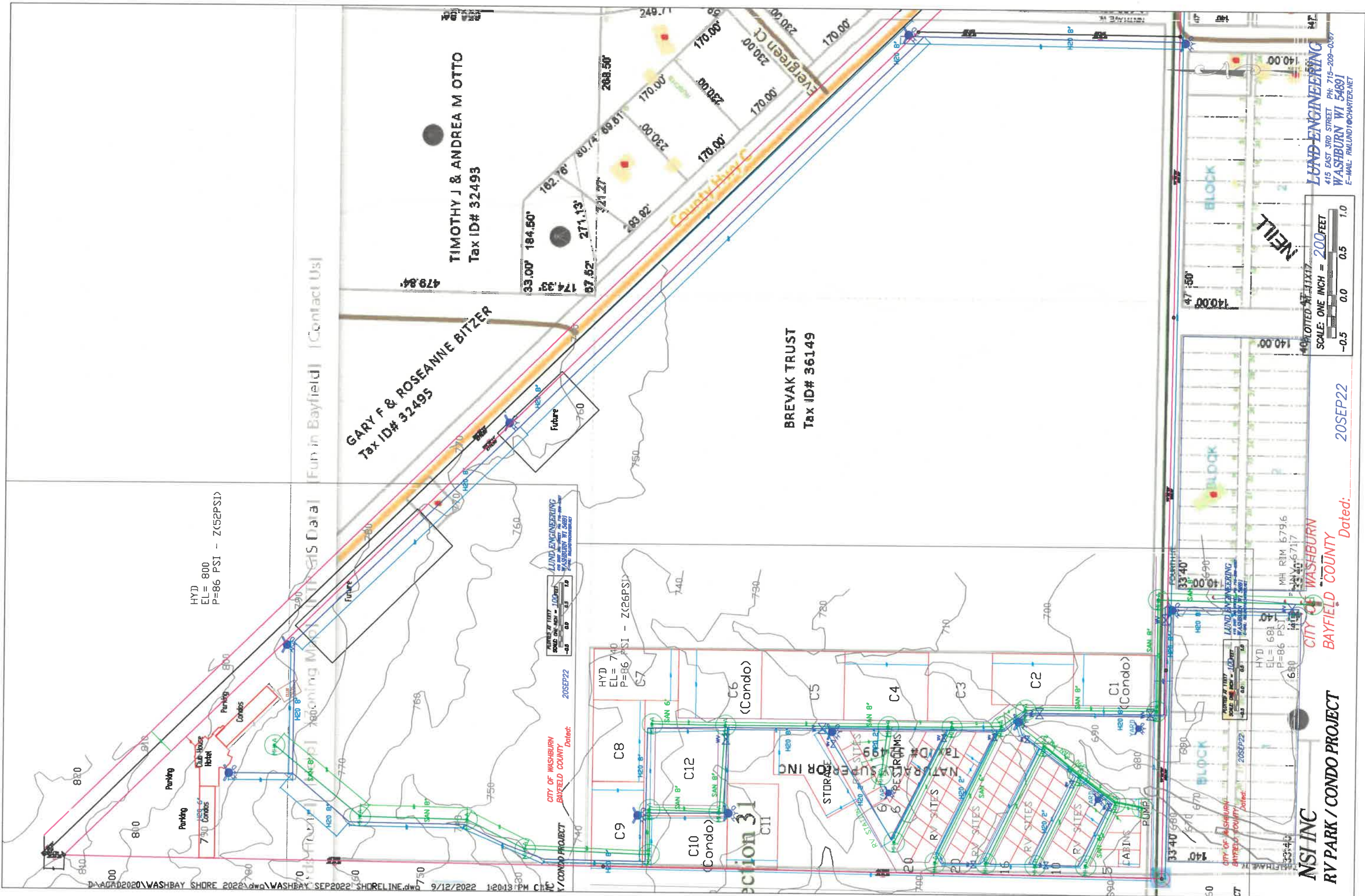
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- D1 - GENERAL NOTES
- D2 - TYPICALS
- D3 - DETAILS
- E1 - PLAN 200 SCALE
- E2 - PLAN AIR 200 SCALE
- E3 - HOTEL PLAN 100 SCALE
- E4 - HOTEL PLAN AIR 100 SCALE
- E5 - RV PLAN 100 SCALE
- E6 - RV PLAN AIR 100 SCALE



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WASHBAY SEP22 DRAWN BY RML 20SEP22	PROJ. NO. SHORELINE CHECKED BY RML REVISIONS	PROJECT CITY OF WASHBURN - BAYFIELD COUNTY NSI RV / CONDO / GOLF HOTEL	LUND ENGINEERING WASHBURN WI 54891	SHEET DESCRIPTION TITLE SHEET / NOTES / LOCATION	SHEET NUMBER 1
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**NSI INC**  
 RV PARK / CONDO PROJECT

**CITY OF WASHBURN**  
 BAYFIELD COUNTY

Dated: 20SEP22

**LUND-ENGINEERING**  
 415 EAST 3RD STREET  
 WASHBURN WI 54891  
 E-MAIL: RMLUNDI@CHARTER.NET  
 PH: 715-208-0077





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NSI INC  
 RV PARK / CONDO PROJECT  
 CITY OF WASHBURN  
 BAYFIELD COUNTY  
 20SEP22  
 Dated

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NSI INC  
 RV PARK / CONDO PROJECT  
 CITY OF WASHBURN  
 BAYFIELD COUNTY  
 20SEP22  
 Dated

LUND ENGINEERING  
 415 EAST 3RD STREET PH. 715-208-0387  
 WASHBURN WI 54891  
 E-MAIL: LUND@LUNDENGINEERING.NET

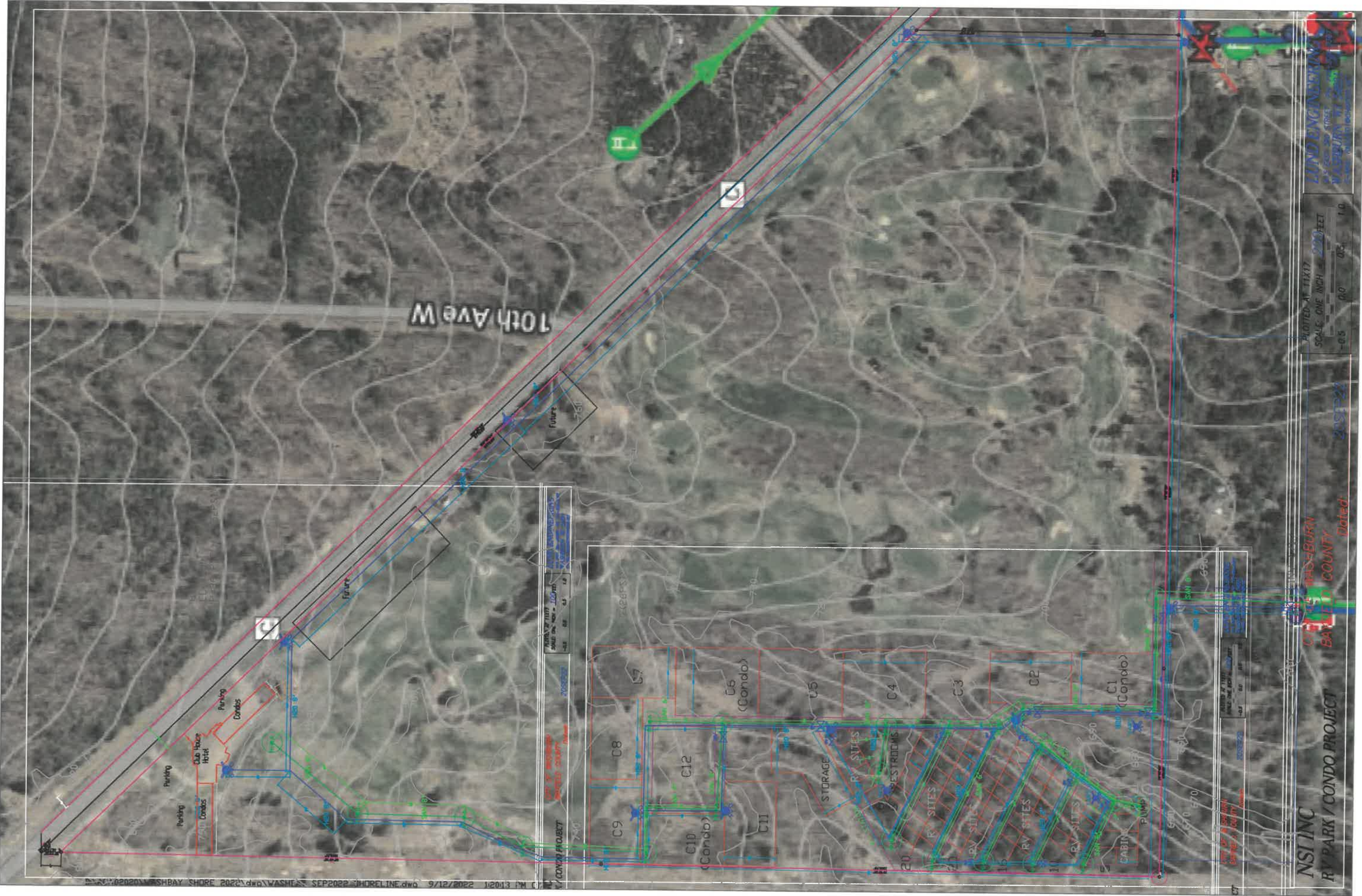
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20SEP22

CITY OF WASHBURN  
 BAYFIELD COUNTY  
 Dated

NSI INC  
 RV PARK / CONDO PROJECT  
 CITY OF WASHBURN  
 BAYFIELD COUNTY  
 20SEP22  
 Dated





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NSI INC  
 RV PARK / CONDO PROJECT  
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 CHECKED BY: [Name]



NSI INC  
 DATE: 09/12/2022  
 SCALE: 1/8" = 1'-0"  
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 CHECKED BY: [Name]

10th Ave W

NSI INC  
 RV PARK / CONDO PROJECT

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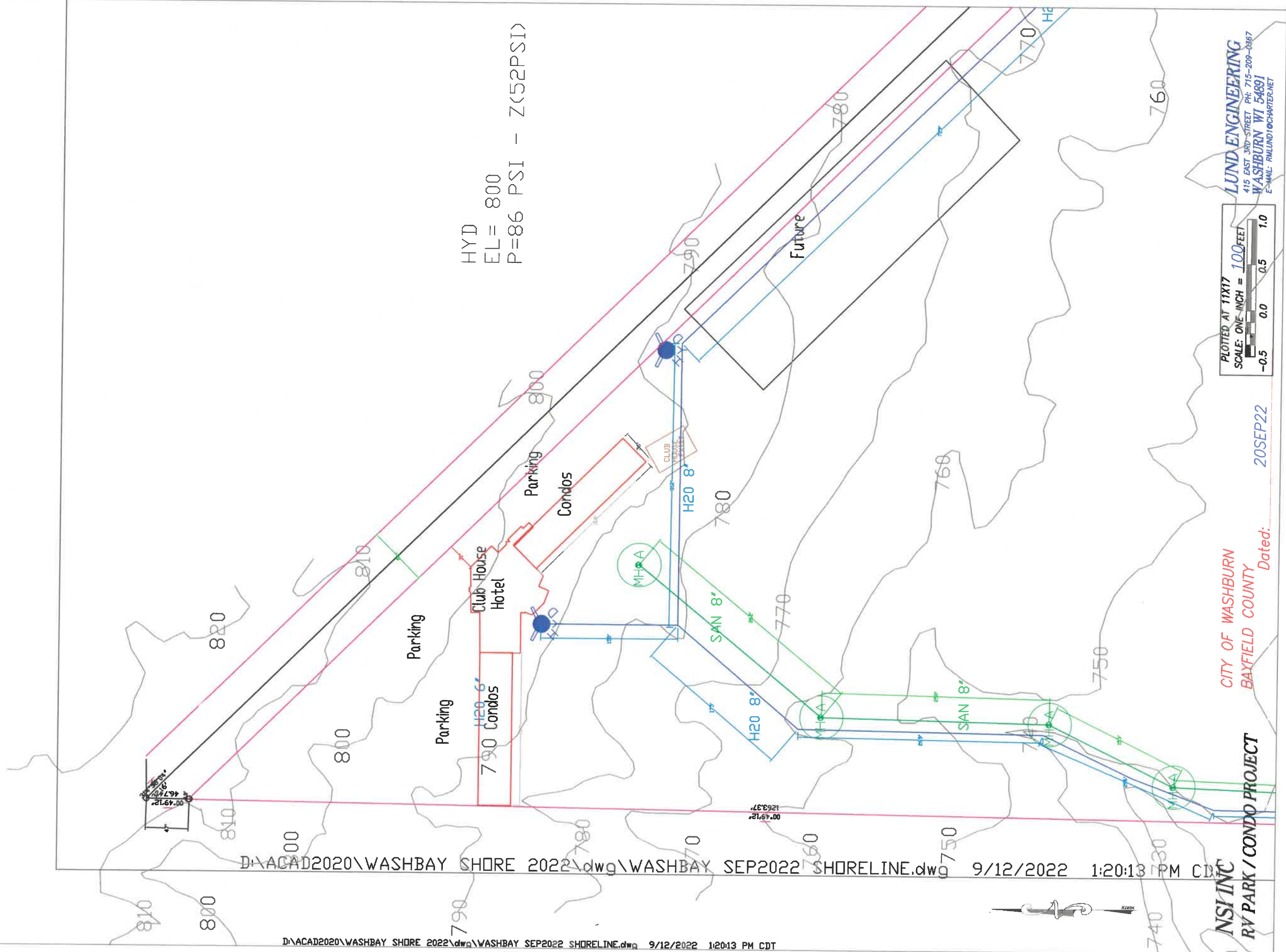
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LUND ENGINEERING  
 1000 2ND STREET  
 WASHBURN, WI 53090  
 TEL: 262.781.1234  
 FAX: 262.781.1235  
 WWW.LUNDENGINEERING.COM



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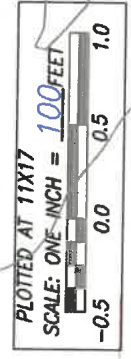
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NSI INC  
RV PARK / CONDO PROJECT

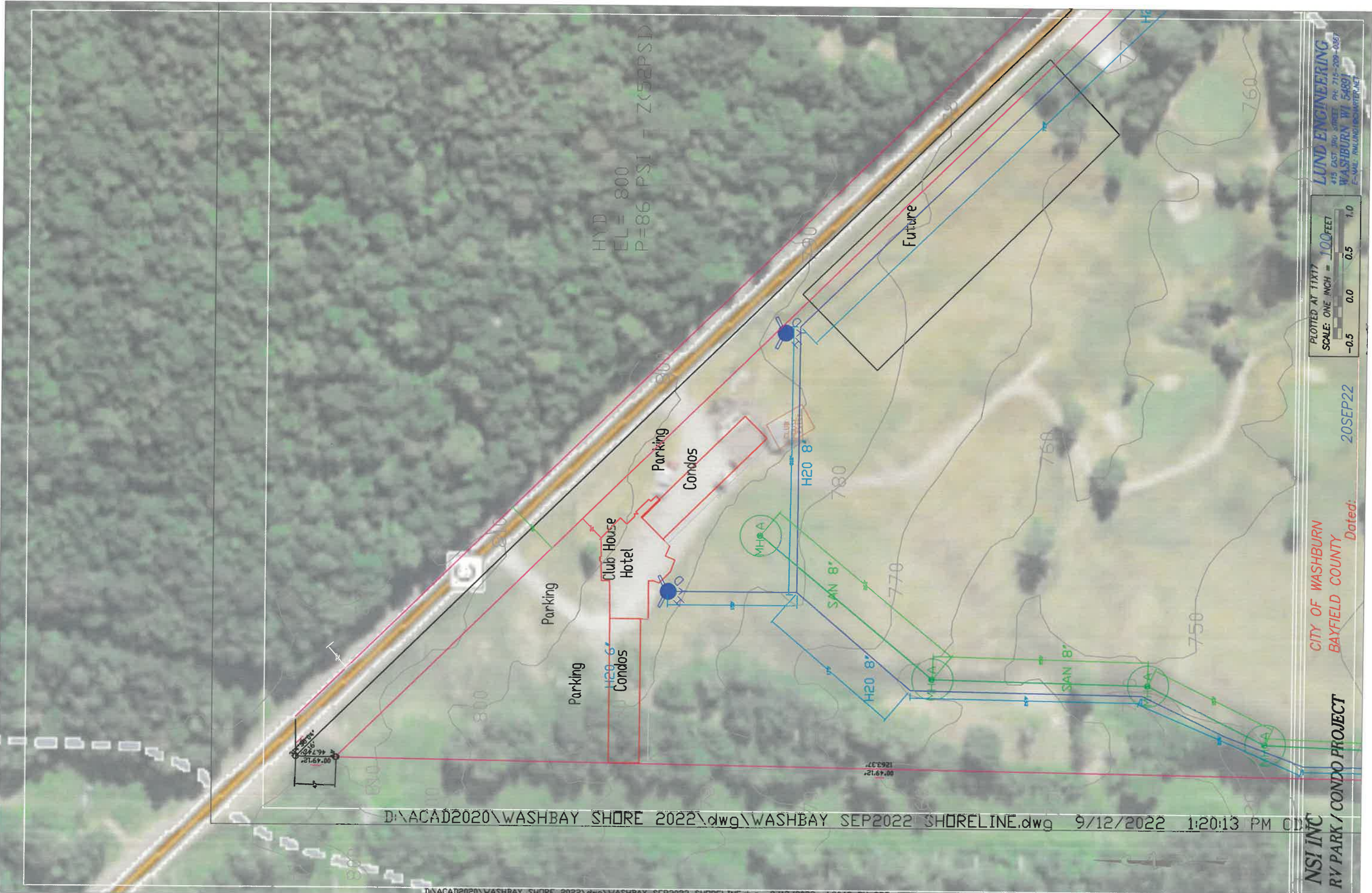
CITY OF WASHBURN  
BAYFIELD COUNTY

Dated: 20SEP22



**LUND ENGINEERING**  
 415 EAST 3RD STREET PH: 715-209-0867  
 WASHBURN WI 54891  
 E-MAIL: RMLUND1@CHARTER.NET





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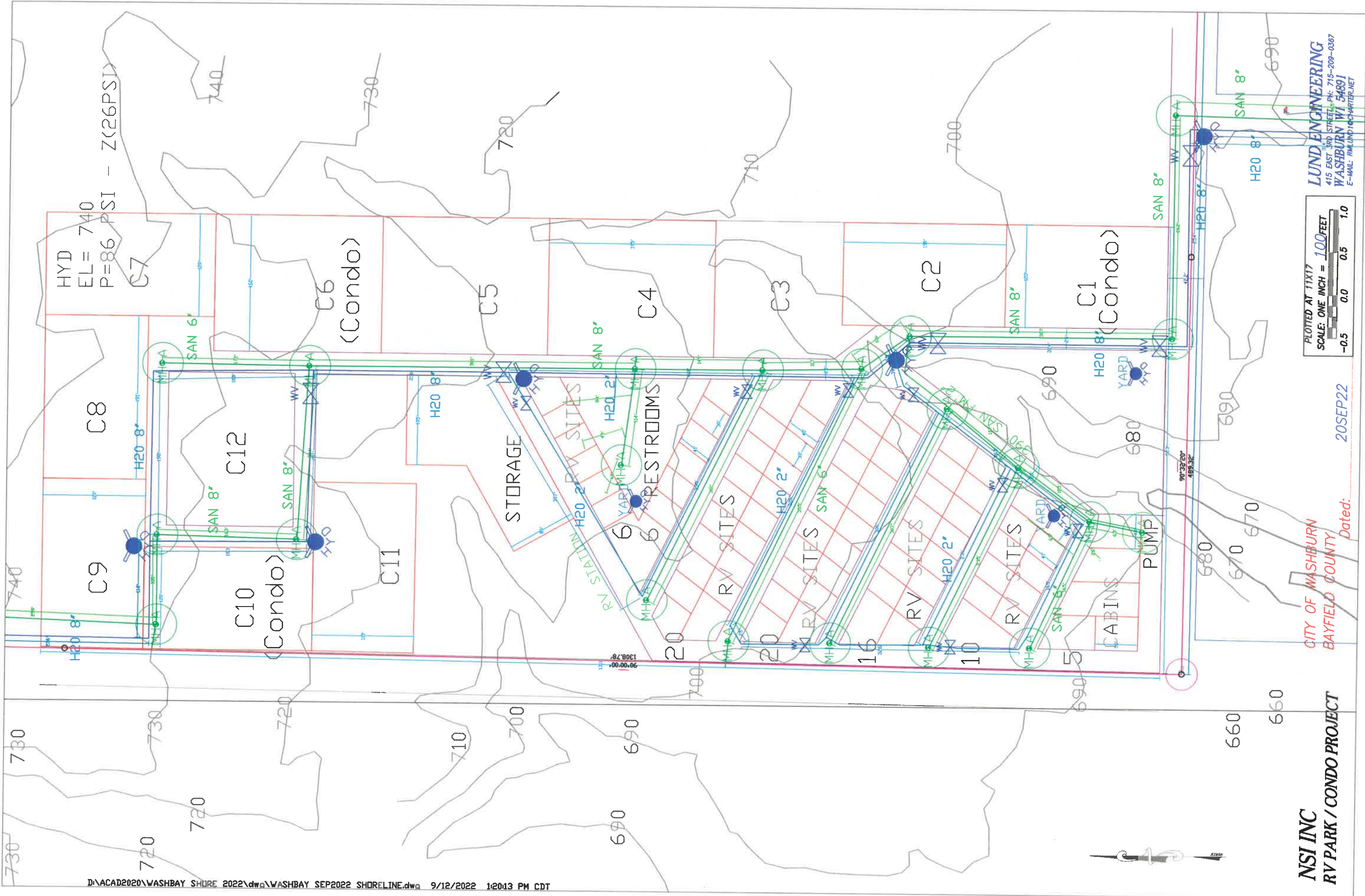
**LUND ENGINEERING**  
 415 EAST 3RD STREET PH. 715-209-0357  
 WASHBURN WI 54891  
 E-MAIL: RWLUND@ROCKARTER.NET



CITY OF WASHBURN  
 BAYFIELD COUNTY  
 Dated: 20SEP22

**NSI INC**  
 RV PARK / CONDO PROJECT











**Scott Kluver**

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**From:** mlindsey@ncis.net  
**Sent:** Wednesday, September 28, 2022 6:44 AM  
**To:** 'Scott Kluver'  
**Cc:** 'Mary Motiff'  
**Subject:** Requested Zoning Change - Downtown Design

Good Morning Scott and Mary,

This email is in response to your request to draft a proposed ordinance incorporating the "Downtown Design District" restrictions into the universal architectural review general standards. After working at this for some time, I have discovered several internal inconsistencies within the zoning code that this amendment would create. I also think that there may be other, more efficient routes to accomplishing the intended outcome of this zoning change. Ultimately, I could put together a zoning change that would incorporate the downtown standards, but that would require me to make several judgment decisions as to whether certain standards would supercede other existing standards of the zoning code. I think that the Plan Commission should weigh in on those issues rather than myself.

I think that the best route to accomplish this revision is for me to attend the next plan commission meeting so that I can ask some clarifying questions and identify some of the legal and enforcement issues this could create so that we are truly getting the intended outcome from this zoning revision and are not making more of a headache for the City without the desired result.

Let me know if this will work or if you need anything more from me at this time.

Thanks,  
Max

Max T. Lindsey  
Anich, Wickman & Lindsey, S.C.  
220 6th Ave. W.  
P.O. Box 677  
Ashland, WI 54806  
Phone: (715) 682-9114  
Fax: (715) 682-9504

Please bring your code books  
so you can follow along.