

October 24, 2022

CITY OF WASHBURN PLAN COMMISSION MEETING

5:30PM Washburn City Hall

COMMISSION MEMBERS: Dave Anderson, Leo Ketchum-Fish(5:31pm), Felix Kalinowski, Mary Motiff, Michael Malcheski(5:33pm), Matt Simoneau, Nicolas Suminski

ABSENT:

MUNICIPAL PERSONNEL: Scott Kliver-City Administrator, Tammy DeMars-Treasurer/Deputy Clerk, Max Lindsey-City Attorney

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

**Approval of Minutes – September 19 and October 13, 2022, Minutes – Motion by Anderson to approve the minutes of September 19 and October 13, 2022, second by Kalinowski. Motion carried 6-0.**

**Discussion & Action on Special Exception Request to Expand a Non-Conforming Structure, 320 W. Pine Street-Matt Schwantes Petitioner** – Mr. Schwantes property does not meet current setback requirements, he is requesting a special exception to complete his three-season porch. Motion by Ketchum-Fish to approve the special exception request to enlarge the building, second by Anderson. Article 21-4 reviewed; 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 approved 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 were 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 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 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. Motion carries 7 to 0*

**Discussion & Action on Architectural and Downtown Design Review, for AC Unit, 3 W. Bayfield Street, Historic Civic Center Foundation** – Applicant is placing an AC Unit on the lower roof of the west side of the building and would enclose it with a 4'x4'x3' tall box and cover with siding to match the building. Moved by Ketchum-Fish to approve, second by Anderson. Ketchum-Fish asked to skip the review of items that don't apply to this project, and skip to number 6 of the of the General Architectural standards; 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. *The commission finds that the proposed enclosure covered in the same material as the existing siding meets this requirement.* 10) HVAC equipment shall be screened from view. No HVAC shall create a noise level of more than 50 decibels as measured on a decibel scale at the nearest existing adjacent residence. *Commission finds the AC Unit will be covered from view and noise will not be an issue.* Of the Downtown Design Standards only 7 would apply; 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. *Commission finds the materials used shall be wood and is acceptable. Motion carries 7 to 0.*

**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** -Review of site plan; 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/seating 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- S – *The outdoor service area is in the required setback area and will require a special exception, the rest of the area does not appear to be in conflict.* 5) Compliance with the design principles for parking lots enumerated in s. 17-3 – *The code requires space for each 3 patron seats or 1 space for each 300 square feet of area devoted to patron service, whichever is greater. The Plan Commission can consider the issuance of a special exception of this matter as allowed in s. 17-3(r)(3). Mr. Belanger is requesting this exception.* 6) Compliance with other applicable requirements contained in this chapter – *No other known.* 7) Any other factor that relates to the purposes of this chapter set forth in s.1-5- *No other known factors.* Review of Plan of Operation; 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 – *Plan Commission finds the viewing of the exterior is adequate.* 2) The nature and extent of anticipated positive and negative effects – *No known negative effects.* 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 allowed by state law – *No other known factors.*

**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** – Request is for parking and setback requirements. 1) The size of the property in comparison to other properties in the area – *property 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. The setback encroachment is for a specialized overall use of the property.* 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 and on nice days there may be more people outside than inside, so the interior space is not utilized to full capacity on many occasions. Do to the limited open space on the property encroaching in the setback is needed to give overall use of the property and the planters are easily movable if needed.* 4) The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exceptions are granted – *No notable impacts on the natural environment if special exceptions are granted.* 5) The nature and extent of anticipated positive and negative effects on properties in the area – *No negatives as there are 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 when conditions allow. The setback will not hinder any City operations.* 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 factors known. Motion by Ketchum-Fish to approve the site plan, plan of operation for outdoor service area and Special Exceptions for parking and setback requirements, second by Anderson. Motion carried 7 to 0.*

**Discussion & Action on Architectural and Downtown Design Review of Canopy at 328 W. Bayfield St., Superior Shores Properties (Patsy's) – Robert Stadler, Petitioner - Proposed Project:** To install a 16 x 59 canopy attached to the building made of rough-cut timber and asphalt shingle roofing, and to have an addition of a cooler sided like the building with an additional canopy in the rear. 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 must be hidden behind the façade facing Bayfield Street. *Main entrance does face Bayfield Street. As this is a canopy attached to the building, the Plan Commission determined that it would not need to be covered with a façade.*

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.* 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 the project to have acceptable 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 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 project to have acceptable 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. *The roof will be visible from the main street as it is on a corner lot. The Plan Commission finds the slope of the roof to be acceptable.* 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. Anderson moves to approve the Architectural and downtown design for canopy attached to building and addition of cooler with canopy on rear of building, second by Malcheski. Motion carried 7 to 0.*

**Discussion & Action on Site Plan Review and Plan of Operation for Outdoor Food and Beverage Service 328 W. Bayfield St., Superior Shores Properties (Patsy's) – Robert Stadler, Petitioner** – Site plan reviewed 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 know 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 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 know 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 know factors.* Plan of operation review; 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 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 – *No know negative effects.* 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.* Motion by Ketchum-Fish to approve the site plan and plan of operations for outdoor service area, second by Anderson. Motion carried 7 to 0.

**Discussion & Action on Reimbursement of Façade Loan Expenses at 328 W. Bayfield St., Superior Shores Properties (Patsy's) – Robert Stadler, Petitioner** – Mr. Stadler was not ready to submit for reimbursement yet. Motiff questioned the use of corrugated metal he installed in the entryway. Their response was that they were having a difficult time finding any other material that would adhere to that area. Commission discussed changing the ordinance to allow for a limited use of corrugated metal as accent pieces and told Mr. Stadler he could leave it up until we are able to come to a decision on how to handle the zoning change that would be discussed on another agenda item.

**Conceptual Presentation and Discussion of Proposed Planned Development District - Lake Superior View Gulf Course, 950 County Hwy C – Derek and Dale Brevak, Petitioners** – Derek Brevak gave a draft overview of what they are proposing, this would include a 42 to 66 Room Hotel/Lodge, 12 condo sites, 78 RV campsites and 5 cabins. Currently they are working on the Business Plan and utilities. Commission members saw no issues with any of this and were enthusiastic to see the project go forward.

**Discussion on Conceptual Ordinance to Apply Current Downtown Design Standards to all Applicable Development in the City Where Architectural Review is Required** – City Attorney Lindsey, reviewed various areas of the code that would be affected by the requested change, and asked the Commission to give him direction as to what they would like to see. The consensus was to merge the general architectural standard with downtown design standards, extend the downtown design standards to all properties on Bayfield Street, with some various changes to be made for what changes will require architectural review. They also reviewed the use of corrugated metal and decided no to make any change. From this discussion he will do a draft ordinance change for the next meeting.

**Continued Discussion and Action on Comprehensive Plan Re-Write Project –Review of Land Use Maps and Policies** – This was table for the next meeting.

Anderson moves to adjourn the meeting at 8: 31p.m, seconded by Ketchum-Fish. Motion carried.

Respectfully Submitted,  
Tammy DeMars  
City Treasurer/Deputy Clerk