

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



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

NOTICE OF PLAN COMMISSION MEETING

DATE: Thursday, February 20, 2020

TIME: 5:30 P.M

PLACE: Washburn City Hall

AGENDA:

- Call to Order
- Roll Call
- Approval of Minutes – November 21, 2019
- Discussion and Action on Architectural Review for Mural/Wall Art at Artists Squared Gallery-631 W. Bayfield Street, Country Care Pet Hospital-939 W. Bayfield Street, and North Coast Coffee-509 W. Bayfield Street, Susan Lince Petitioner
- Discussion and Action on Resolution 20-001 to Amend the Comprehensive Plan Land Use Map to Change Three Parcels from Moderate Density Residential to Highway Commercial/Residential – Dale Kelm, Petitioner
- Discussion on Concept of Potential Amendment to the Zoning Code Related to Accessory Structures
- Adjourn

November 21, 2019
5:30pm Washburn City Hall

CITY OF WASHBURN PLAN COMMISSION MEETING

COMMISSION MEMBERS: Richard Avol, Dave Anderson, John Baregi, John Gray, Adeline Swiston, Laura Tulowitzky

ABSENT: Leo Ketchum-Fish

MUNICIPAL PERSONNEL: Robert Anderson-DPW/Deputy Zoning Administrator, Tammy DeMars City Treasurer/Deputy Clerk, Scott Kluver City Administrator

Meeting called to order at 5:30PM by Avol attendance as recorded.

Approval of Minutes – September 19, 2019 - Moved by Swiston to approve the minutes of September 19, 2019 as presented, second by Tulowitzky. Motion carried unanimously.

Discussion and Action on Architectural Review for Façade Renovations at 431 W. Bayfield St, C1 Zoning District, Chris Bandy Petitioner – Petitioner is requesting to construct an arbor and install an additional awning on the West garage door. The awning would match the existing awning on the East garage door made from marine grade canvas and colored burgundy. **Moved by Gray to approve the Façade renovations, second by Swiston. Motion carried unanimously.**

Discussion and Possible Action to Correct R-7 Waterfront Residential Zoning District, Accessory Structure Side Yard Setback Requirements – When looking at the dimensional standard for side yard setback in the Zoning Code in the R-7 for accessory structure it is showing 30 ft. Since this is considerable different from the other zoning districts, staff is wondering if this was possible a typo and would like Plan Commission to determine if it should be corrected or if they feel it is correct. **Moved by Tulowitzky to change Accessory Structure side yard setback to 3ft side in the R-7 Waterfront Residential Zoning District, 2nd by Gray.** After some discussion, the majority of Commission felt the 30' was more than likely a typo. **Motion carried unanimously.**

Adjourn – Swiston moves to adjourn @ 5:38pm, second by Avol. Motion carried unanimously.

Respectfully Submitted,
Tammy L. DeMars
Treasure/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:  Bob Anderson, Deputy Zoning Administrator
Re: Artists Squared Gallery, Various Locations, Architectural Review
Date: February 13, 2020

Ms. Susan Lince, with Artists Squared Gallery, has submitted an application to install Murals at three locations in west Washburn.

- The first location is at 631 W Bayfield Street at the Artists Squared Gallery.
- The second proposed location is at 939 W Bayfield Street at Country Care Pet Hospital
- The third proposed location is 509 W Bayfield Street at North Coast Coffee.

Ms. Lince has submitted a grant proposal to use various artist's work and requires Plan Commission approval.

Article 18 of the Zoning Code requires;

18-44 Design, installation, and maintenance

- (1) Prior to painting or affixing a mural to the building, the surface of the building must be fully repaired and/or deemed suitable for the proposed mural. The City building inspector shall check the surface of the structure for general suitability. However, the City of Washburn and/or the building inspector shall not be responsible for any potential future failures associated with the structure or the mural.
- (2) A clear sealer shall be applied to the surface of the mural to extend the life of the mural and to make it easier to clean and maintain. *The proposed Murals will be printed on vinyl sheeting.*
- (3) Exterior lighting may be allowed depending on location and potential off-site impacts on residential properties. *No lighting is being proposed.*
- (4) The property owner is responsible for ongoing maintenance and cleaning of the mural.
- (5) If any work related to the installation, cleaning, or maintenance of the mural occurs on public property, the property owner shall provide evidence of adequate liability insurance in an amount and of a type acceptable to the city administrator and the city may require measures to address parking impacts, if any, and to protect pedestrians and the public infrastructure.

To: Architectural Review Committee

From: Susan Lince, CBAC Grant Applicant

Date: Feb. 3, 2020

Re: Explanation of material submitted with permit applications to place art reproductions on buildings

Enclosed with these three permit applications for "signs" on three buildings are;

- 1. photos of the building walls where art will be placed**
- 2. the pages that illustrated this that were included in the original grant application**
- 3. letters of permission by the building owners, and**
- 4. letters of support for the grant that were written by the Washburn Chamber Director, and by a member of the Washburn Business Alliance.**

Thank you for your consideration. Please contact me if you have any questions that affect your decision.


Susan Lince

Artists Squared Gallery

952-923-5222

SIGN PERMIT APPLICATION

Date Received _____



No sign shall be erected, relocated, remodeled, enlarged or repaired until this Permit Application has been approved by the Zoning Administrator.

The erection, relocation, remodeling, enlargement, and repair of signs must conform to the provisions of the City of Washburn Zoning Code. Certain signs are exempt from the provisions of the Sign Ordinance. See Article 18-15, Signs Not Requiring a Permit, if you think a sign might be exempt.

PROJECT INFORMATION

Applicant's Name and Mailing Address SUSAN LINCE

817 Vaughn Ave., Ashland WI 54806 Phone # 952-923-5222

Site Address 631 W. Bayfield St. Parcel # 04-05-7 00312-06410
TAX ID # 04-291-2-48-

Subdivision "Original Townsite of Washburn" Block No. 11 Lot(s) 23 and 24

Property Owner Name, Address & Phone # (if different from applicant) Susan Lince & John Hopkins

same as above. Susan 952-923-5222 John: 952-923-5218
Artists Squared Gallery

Written Permission: Yes No (Please attach to application.)

The project, for which a grant was written and applied for to CBAC, is to add art images by local artists on 3 building exteriors on businesses in the western end of Washburn on Bayfield Street. The images are enlargements of original art work reproduced on vinyl and adhered to aluminum, then mounted on top of a supporting wooden framework. The images contain no words, but underneath each image will be the artist's name on a small lettered sign. At this site, an image by artist Nyle Eichorst will be enlarged to 4x2 and placed as shown on the building's photograph. It is expected that, if funded, art would be in completed and in place during April and May.

Estimated
Cost:
\$233⁰⁰

In the space provided on the back, please describe the overall dimensions of the sign and indicate unique characteristics of the sign. A photo, drawing, or sketch may be provided here. Be sure to include dimensions in the drawing as well as the location of the sign on, or in relation to the building. If more space is needed, please attach another sheet.

I am familiar with the Washburn Sign Ordinance and the regulations contained therein. I understand that if this permit request is granted, I am responsible to see that the sign is in conformance with the requirements of the Sign Ordinance and that such sign conforms to the standards set in this application.

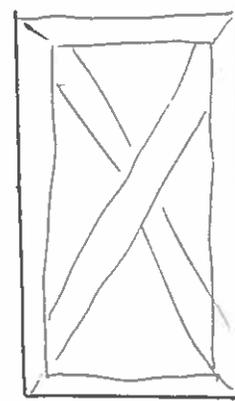
I agree to comply with all applicable codes, statues and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. 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.

Applicant Signature Susan Lince Date 2-3-2020

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

Artists Squared Gallery

Mounting (underframe) = cedar, and stands out from building wall 1 3/4 inches. Sign completely conceals frame, which is screwed to building wall.



material = cedar 2x4's

4x2
Nyle
Eichorst
art

Sign Type wall # Signs 1 # Faces 1

Lighting Type none Sign Dimensions 4x2 Total Sq Ft 8

Location of Sign East side of building exterior, to R of double glass door Height to Top of Sign from Ground aprox. 8 ft.

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.

1. _____
2. _____
3. _____

Fees: Section 13-1-106 The minimum fee for a sign permit shall not be less than \$15.00 for any sign or for an amount based on the sign area as follows: On-premise signs visible from a public right-of-way shall be calculated on the basis of \$2.00 per square foot in addition to the base fee of \$15.00. The calculation of the area of a ground sign or projection sign shall be the gross area of one face of the sign. The area of the sign shall be the gross area as calculated in this article.

PERMIT DENIAL:

Your request for a sign permit is denied. The reasons for the denial are specified Below. If you wish to appeal this finding, please contact the Zoning Administrator at City Hall.

PERMIT DENIED BY _____

DATE DENIED _____

REASONS FOR DENIAL _____

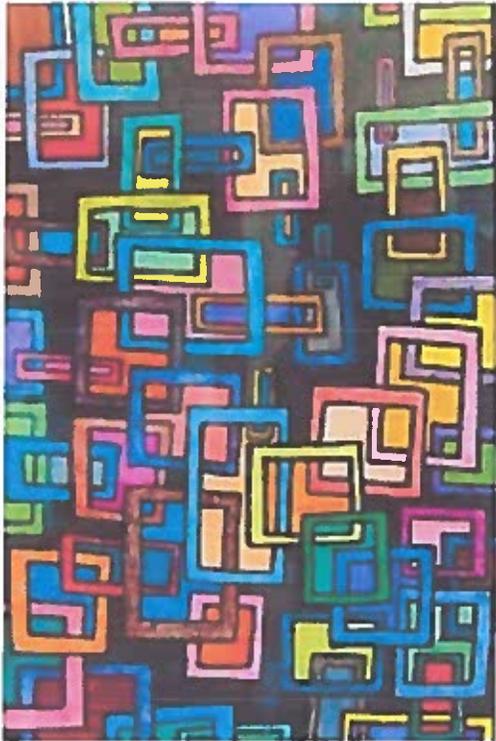
PERMIT APPROVAL:

The sign(s) described in this application meet the provisions of the Sign Ordinance as described in this application.

PERMIT ISSUED BY _____

DATE ISSUED _____

PERMIT # _____



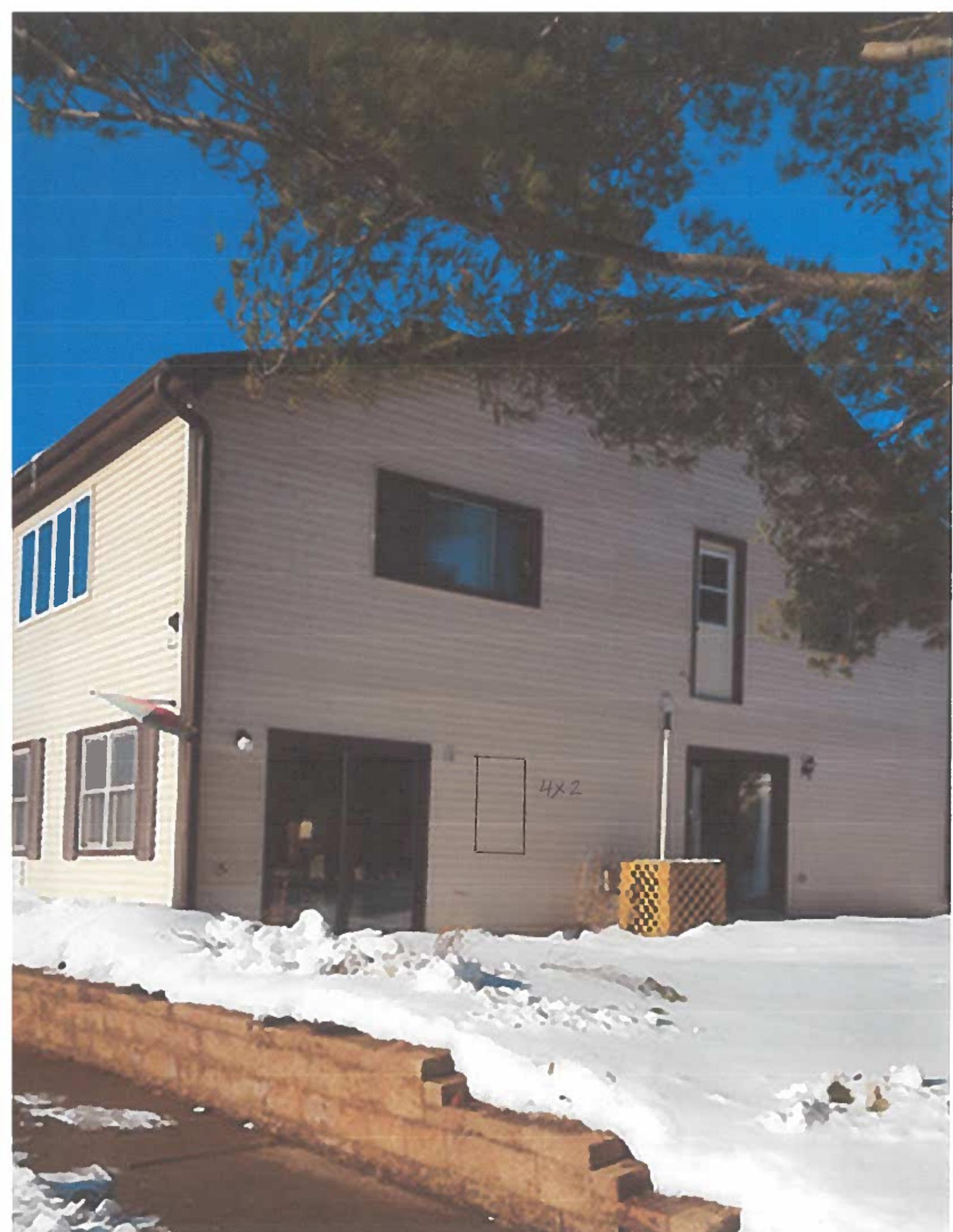
Art proposed for Artists Squared Gallery

Artist: Nyle Eichorst

Work will be reproduced and enlarged
to 4 x 2

It will be mounted on north wall of the gallery building
between the two large glass doors, and visible to passers-by on
Bayfield St./ Highway 13.





4x2

SIGN PERMIT APPLICATION



Date Received _____

No sign shall be erected, relocated, remodeled, enlarged or repaired until this Permit Application has been approved by the Zoning Administrator.

The erection, relocation, remodeling, enlargement, and repair of signs must conform to the provisions of the City of Washburn Zoning Code. Certain signs are exempt from the provisions of the Sign Ordinance. See Article 18-15, Signs Not Requiring a Permit, if you think a sign might be exempt.

PROJECT INFORMATION

Applicant's Name and Mailing Address SUSAN LINCE

817 Vaughn Ave., Ashland WI 54806 Phone # 952-923-5222

Site Address 939 W. Bayfield St., Washburn Parcel # _____

Subdivision Neill and Pratt's addition Block No. 6 Lot(s) 15 + 16

Property Owner Name, Address & Phone # (if different from applicant) Gretchen Gerber

Country Care Pet Hospital, 939 W. Bayfield St., Washburn, 715-373-2222
Business Tax ID: 32856

Written Permission: Yes No (Please attach to application.)

The project, for which a grant was written and applied for to CBAC, is to add art images by local artists on 3 building exteriors on businesses in the western end of Washburn on Bayfield Street. The images are enlargements of original art work reproduced on vinyl and adhered to aluminum, then mounted on top of a supporting wooden framework. The images contain no words, but underneath each image will be the artist's name on a small lettered sign. At this site, two images by artist Betty Sitbon will be enlarged to 6x4 and 4x3 and placed as shown on the building's photograph. It is expected that, if funded, art would be in completed by April or May.

Estimated Cost: 49100

In the space provided on the back, please describe the overall dimensions of the sign and indicate unique characteristics of the sign. A photo, drawing, or sketch may be provided here. Be sure to include dimensions in the drawing as well as the location of the sign on, or in relation to the building. If more space is needed, please attach another sheet.

I am familiar with the Washburn Sign Ordinance and the regulations contained therein. I understand that if this permit request is granted, I am responsible to see that the sign is in conformance with the requirements of the Sign Ordinance and that such sign conforms to the standards set in this application.

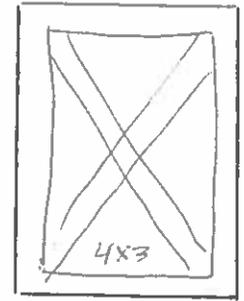
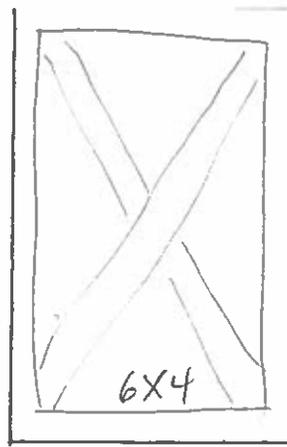
I agree to comply with all applicable codes, statues and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. 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.

Applicant Signature Susan Lince Date 2-3-2020

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

Country Care Pet Hospital

Mountings (underframes) = cedar, and stand out from building wall 13/4 inches. Signs completely conceal the frames, which are screwed to the building wall,



material = cedar 2x4's

Sign Type Wall # Signs 2 # Faces 1 each
 Lighting Type none Sign Dimensions 6x4 ① Total Sq Ft ① 24 sq ft
4x3 ② Total Sq Ft ② 12 sq ft
 Location of Sign west wall of building Height to Top of Sign from Ground ① between 8 and 10 ft
between windows and under business sign ② between 6 and 7 ft.

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.

1. _____
2. _____
3. _____

Fees: Section 13-1-106 The minimum fee for a sign permit shall not be less than \$15.00 for any sign or for an amount based on the sign area as follows: On-premise signs visible from a public right-of-way shall be calculated on the basis of \$2.00 per square foot in addition to the base fee of \$15.00. The calculation of the area of a ground sign or projection sign shall be the gross area of one face of the sign. The area of the sign shall be the gross area as calculated in this article.

PERMIT DENIAL:

Your request for a sign permit is denied. The reasons for the denial are specified Below. If you wish to appeal this finding, please contact the Zoning Administrator at City Hall.

PERMIT DENIED BY _____
 DATE DENIED _____
 REASONS FOR DENIAL _____

PERMIT APPROVAL:

The sign(s) described in this application meet the provisions of the Sign Ordinance as described in this application.

PERMIT ISSUED BY _____
 DATE ISSUED _____
 PERMIT # _____

Art proposed for Country Care Pet Hospital

Artist: Betty Sitbon



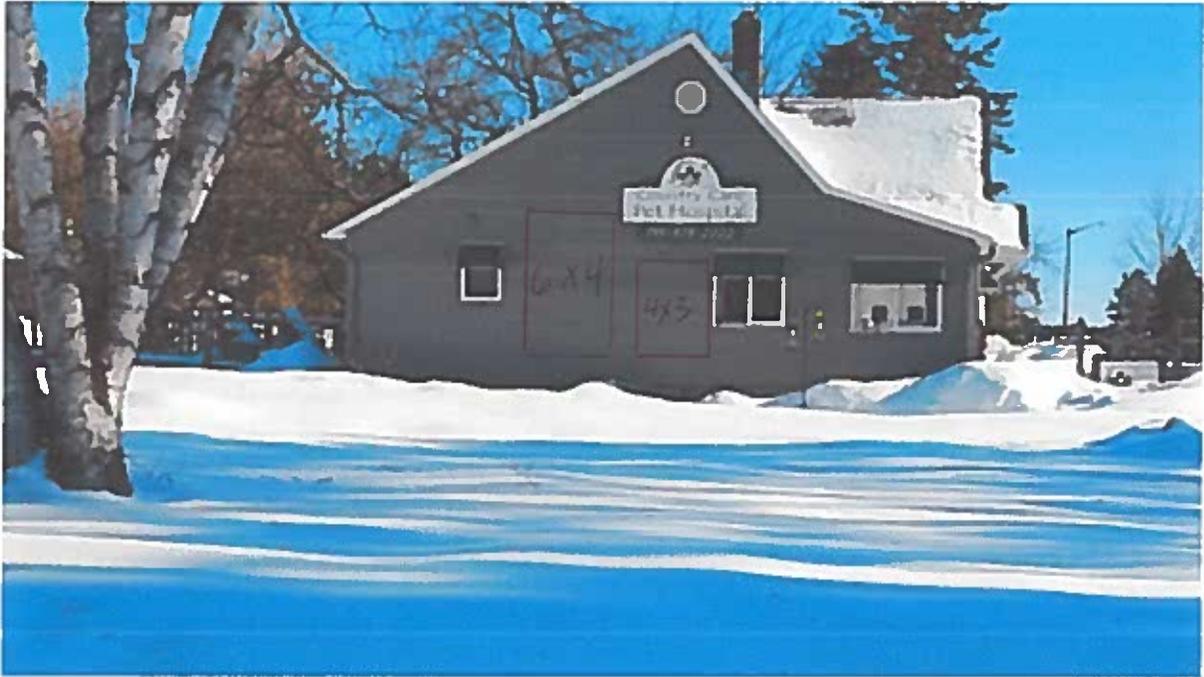
The dog painting will be reproduced and enlarged to 6 x 4

The cat painting will be reproduced and enlarged to 4 x 3



They will be mounted on west wall of the Country Care building between the window on the left and the middle window, and visible to passers-by going northeast of Bayfield St./ Highway 13.

Country Care Pet Hospital



The placement of these two images mounted between the small window on the left and the middle double window will be determined in the end by building owner, in terms of optimum mounting frame positions. This diagram is an aesthetic approximation, better spaced to fit the space when able to have the actual images present.

SIGN PERMIT APPLICATION

Date Received _____



No sign shall be erected, relocated, remodeled, enlarged or repaired until this Permit Application has been approved by the Zoning Administrator.

The erection, relocation, remodeling, enlargement, and repair of signs must conform to the provisions of the City of Washburn Zoning Code. Certain signs are exempt from the provisions of the Sign Ordinance. See Article 18-15, Signs Not Requiring a Permit, if you think a sign might be exempt.

PROJECT INFORMATION

Applicant's Name and Mailing Address SUSAN LUCE

817 Vaughn Ave., Ashland WI 54806 Phone # 952-923-5222

Site Address 509 W. Bayfield St. Washburn Parcel # P. 921 (? provided by owner)

Subdivision _____ Block No. 22 Lot(s) 9-13

Property Owner Name, Address & Phone # (if different from applicant) Deanna Yost,

North Coast Coffee, 509 W. Bayfield St., Washburn
715-373-0241

Written Permission: Yes No (Please attach to application.)

The project, for which a grant was written and applied for to CBAC, is to add art images by local artists on 3 building exteriors on businesses in the western end of Washburn on Bayfield Street. The images are enlargements of original art work reproduced on vinyl and adhered to aluminum, then mounted on top of a supporting wooden framework. The images contain no words, but underneath each image will be the artist's name on a small lettered sign. At this site, an image by artist Karen Maki will be enlarged to 3' x 4' and placed as shown on the building's photograph. It is expected that, if funded, art would be in completed and in place during April and May.

Estimated Cost:
\$363⁰⁰

In the space provided on the back, please describe the overall dimensions of the sign and indicate unique characteristics of the sign. A photo, drawing, or sketch may be provided here. Be sure to include dimensions in the drawing as well as the location of the sign on, or in relation to the building. If more space is needed, please attach another sheet.

I am familiar with the Washburn Sign Ordinance and the regulations contained therein. I understand that if this permit request is granted, I am responsible to see that the sign is in conformance with the requirements of the Sign Ordinance and that such sign conforms to the standards set in this application.

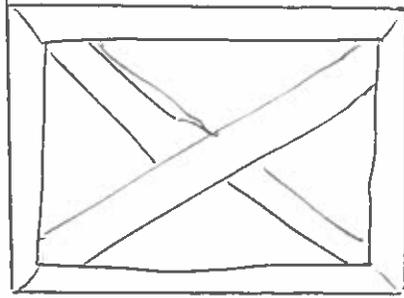
I agree to comply with all applicable codes, statues and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. 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.

Applicant Signature Susan Luce Date 2-3-20

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

North Coast Coffee

3x4
Karen Maki
art



material = cedar 2x4's

← Mounting (underframe) = cedar, stands out from building wall 1 3/4 inches. Sign completely conceals frame, which is screwed to building wall.

Sign Type Wall # Signs 1 # Faces 1

Lighting Type none Sign Dimensions 3x4 Total Sq Ft 12 sq. ft.

Location of Sign West side of building exterior, under window Height to Top of Sign from Ground approx. 3 ft.

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.

1. _____
2. _____
3. _____

Fees: Section 13-1-106 The minimum fee for a sign permit shall not be less than \$15.00 for any sign or for an amount based on the sign area as follows: On-premise signs visible from a public right-of-way shall be calculated on the basis of \$2.00 per square foot in addition to the base fee of \$15.00. The calculation of the area of a ground sign or projection sign shall be the gross area of one face of the sign. The area of the sign shall be the gross area as calculated in this article.

PERMIT DENIAL:

Your request for a sign permit is denied. The reasons for the denial are specified Below. If you wish to appeal this finding, please contact the Zoning Administrator at City Hall.

PERMIT DENIED BY _____

DATE DENIED _____

REASONS FOR DENIAL _____

PERMIT APPROVAL:

The sign(s) described in this application meet the provisions of the Sign Ordinance as described in this application.

PERMIT ISSUED BY _____

DATE ISSUED _____

PERMIT # _____

Art proposed for North Coast Coffee

Artist: Karen Maki



3 x 4



This will be mounted on the west wall of the building under the window and near the drive through window, and easily visible to passers-by on Bayfield St./Highway 13 going north.

North Coast Coffee



The "coffee shop hours" sign will be removed. Karen Maki's painting will be placed under the window, approximately 3ft tall by 4ft wide. Image size will be adjusted to this space.

Dear Susan,

We are excited to be a part of bringing art to the Washburn's "west side." North Coast Coffee would like to mount a photographic enlargement of Karen Maki art. Our financial commitment (cash match) will be up to \$200 and our in-kind match will include carrying Maki art, promoting the artist and taking part in advertisement of this effort.

Thank you,
Deanna Yost, Owner North Coast Coffee

To Whom It May Concern,

It is my pleasure to inform you of my contribution totaling \$125 to the Washburn Building Art Project.

Public Art on the outside of several buildings on the West side of Washburn will have positive effect on the entire community.

Sincerely,
John R. Hopkins (J. R. Lince-Hopkins)
Artists Squared Gallery
Lynx North Studio@yahoo.com

Dear Susan,

I am excited to be a participant in the proposed project of promoting Washburn as an art community by displaying public art!

I am entirely committed to an ongoing partnership with the artist, Betty Sitbon, by displaying her reproduced art on my building and by promoting her and her work within my office with contact information, and other forms of advertising.

My husband, Fred Brocker, and I are also committed to the in-kind donation discussed which includes cedar lumber for a mounting frame as well as Fred's labor creating the frame and mounting the artwork, a value of about \$177.

Thank you for this unique opportunity to promote the town we love!

Gretchen

Gretchen Gerber, DVM
Country Care Pet Hospital, LLC
Helping PAWS Pet Rescue, Inc.
939 W. Bayfield St.
Washburn, WI 54891
715-373-2222
1-877-408-PETS (7387)

January 7, 2020

To whom it may concern,

As president and owner of the StageNorth theater in Washburn, Wisconsin it is my wish to support wholeheartedly the efforts of the Artist Squared Gallery to beautify the city of Washburn through public, outdoor art.

Washburn needs more thinking like this as we struggle to attract visitors to our community. Tourism is an undiscovered and un-mined diamond in the rough that could help secure Washburn's financial security.

Public artwork can only serve to beautify and invigorate a downtown Washburn area that is presently dying a slow death as business after business closes their doors. In order to rejuvenate the city, it is projects like this that can make Washburn a more energetic, prosperous and healthy place to live, work in and visit.

Sincerely,

John Weinel

StageNorth Theater
123 West Omaha Street
Washburn, Wisconsin 54891

JTW Associates
21025 Heron Way
Lakeville, Minnesota 55044
john_w@nebulusflotation.com
Ph: 1-800-682-8039
Fax: (952) 985-7641



January 8, 2020

To whom it may concern,

My name is Melissa Martinez and I am the director of the Washburn Area Chamber of Commerce. I am writing to you today to show my support of Susan Lince and her Washburn Building Art Project.

I remember the day I drove into town when the very first piece of art was installed on the side of her gallery building. I was in awe of the beauty of the art as well as the idea. For a while, we at the chamber had been discussing ways to incorporate public art into the city, specifically in the downtown area, as a way to promote tourists to stop in Washburn instead of just pass through the city on their way to another destination. When Susan later approached me to discuss her idea of adding more art pieces to the buildings of Washburn, I jumped at the chance to hear her ideas.

The Washburn Building Art Project is extremely beneficial to the community as a whole. From the aesthetics of the art itself, to the recognition created for the participating artists and building/business owners. There are so many ways the locals can enjoy this amazing installation. From a chamber standpoint, I also see the benefit this has in attracting visitors and tourists. At the chamber, I love to promote the vibrant arts community we have. However, there are set hours and days when shows and galleries are open or productions are being performed. Having outside community art installations like this would make our art scene a 24/7 experience and available when the viewer is ready and not the other way around. Public art also adds a unique experience that we can market in many ways and to many different groups of people. Younger generations are looking for the perfect place to take a selfie and will travel to get the picture. Older generations enjoy touring art as we have seen with Ashland's Mural tours.

This project provides a lot of bang for its buck, as far as I am concerned, and I am happy to support Susan and this project any way I can. Thank you for your consideration in providing funds through your generous grants and I look forward to promoting the success, art and buzz this project is sure to create.

Sincerely,

Melissa Martinez

Director – Washburn Area Chamber of Commerce

Director@washburnchamber.com

715-373-5017

WASHBURN AREA CHAMBER OF COMMERCE

P.O. Box 74 - 126 W. Bayfield St Washburn, WI 54891

E-Mail: info@washburnchamber.com

www.washburnchamber.com

715-373-5017

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, ^{SK} Administrator
Re: Resolution 20-001 To Amend the Comprehensive Plan Land Use Map
Date: February 10, 2020

Enclosed you will find a resolution to amend the Comprehensive Plan Land Use Map. This proposed amendment is requested as several businesses have sprung up in the former hospital/nursing home complex. At this time, the businesses include the Birch Haven North assisted living apartments, Live Oak Martial Arts and Healing Studio, Kreuser Clinic, Chequamegon Counseling, and the Go Figure Women's Health Fitness Center. There is also an existing vacant space formerly occupied by New Horizons North.

The issue at hand is some of the newer businesses do not comply with the land use district for the area as the property is currently zoned R-6 Mixed Residential. In reviewing this issue, I have no desire to cause issues for some of these businesses and instead have been looking for solutions that would work for everyone, especially given the nature of the parcels involved. The available options are as follows: 1) enforce the zoning code as it is which would force the closure of three of the existing businesses, 2) amend the existing residential district to allow for all of the above uses, 3) amend the zoning map to change the area to a different district where all of the above uses are allowable, or 4) create a new zoning district with whatever uses we would want. Of the four options, option three was the most desirable to me. Option one is not good for the businesses or community as a whole, option two would allow a variety of commercial uses anywhere in a residential area which I do not think would sit well, and option four seems like a lot of work that is unnecessary to me. All of the existing uses could be accommodated if the property were rezoned to C-2 General Commercial.

In order to consider a rezone, the first thing that needs to occur is an amendment to the comprehensive plan land use map. That map has these properties currently listed for moderate density residential use, and that would need to be changed to Highway Commercial/Residential use. To be clear, I am recommending this change for three parcels which contain the Norther Lights Nursing Home/Oaks Assisted Living, for former hospital property which contains the businesses listed above, and a currently vacant parcel of about nine acres between the nursing home and STH 13. Not having all of the properties involved puts the City at risk of spot zoning violations in my opinion.

Before I brought this plan forward, I discussed it with the parties involved. Everyone was agreeable, except there are some concerns on the potential limitations of the vacant nine-acre parcel that is owned by Bayfield County. Those concerns (with my responses) are:

1. Assisted living / Retirement Home in C is a conditional use, can new zoning stipulate it is an approved use? *Under the current code, these facilities are conditional in both the existing residential zone and the proposed General Commercial zone. In my opinion, given the restrictions on denying conditional use permits, I believe they are a lot of work and we should work towards reducing the number of conditional allowances that we have in our code. I do not have an objection to this request, but it would have to be presented as part of a separate code change.*
2. Can 10 acre parcel remain a residential zone, allowing for
 - a. Adult Family Home
 - b. Community Living Arrangement, less than 9
 - c. Community Living Arrangement, over 8*In my opinion, I do not believe that the parcel should be left in a residential zone to just allow for these uses as it could lead to a spot zone challenge. However, I believe that the Plan Commission and the Council should consider if any of these uses are appropriate for the commercial districts as well. If so, those changes should be made as part of a separate code change.*
3. Concern about no Play Structure allowed in Commercial, Northern Lights has discussed a future day care at the facility, on the CURRENT PARCEL. *This is a misinterpretation of the current code. Group Day Care Centers (nine or more children) are permitted in the Commercial zones and include outdoor play areas as required under state law. They are currently conditional in residential areas. I see no issue with the current code here.*
4. Concern about no pond allowed in Commercial district on the 10 acre parcel. The idea is potentially to have a small fishing pond for a future community living facility. Keeping 10 acre as residential would address this. It is correct that ponds are currently not allowed in the C-2 zone. *I certainly have no objection to the Council and Plan Commission looking at making an adjustment to allowing ponds in a C-2 zone. In my opinion, this is an obscure provision that rarely gets looked at. In 13 years, I can only recall a request for a pond one other time.*
5. Concern about no swimming pool allowed in Commercial district, potential for a therapy pool idea in the future. If the 10 acre parcel remained residential would not be as much of an issue. As long as a pool could be placed at one of the properties. *The only way this would be an issue is if the pool would be outside. Indoor pools as part of a larger facility are not an issue under the zoning code. If there would be a desire for an outdoor pool, I would have no objection to recommend making a modification to allow under the commercial zone.*
6. Concern about no model home allowed on Commercial zoning, potential for a sample independent home display, might be considered, not a huge issue but a topic of concern. *In my opinion, a model home should be allowed wherever a single-family subdivision can be approved. Single family homes are conditional in C-2, so model homes should be the same. No objection to this modification, I believe the Plan Commission and Council should consider it as a separate code change.*

Under the assumption that most of these concerns can be addressed, I would recommend proceeding with the amendment of the land use map of the Comprehensive Plan. Once the land use amendment is approved, we can proceed with the actual re-zoning and any additional zoning amendments that would be appropriate related to this request. Please let me know if you have any questions related to this request.

PLAN COMMISSION FOR THE CITY OF WASHBURN, WISCONSIN

Resolution No. 20-001

Request to Amend Washburn's Comprehensive Plan

WHEREAS, the Common Council for the City of Washburn adopted a comprehensive plan on April 9, 2007, pursuant to the requirements set forth in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

WHEREAS, the Common Council has the authority to amend the adopted comprehensive plan and has done so on various occasions; and

WHEREAS, the City of Washburn Plan Commission agrees with the requested changes to the land use map by the petitioner Dale Kelm; and

WHEREAS, the City of Washburn Plan Commission considered this resolution at their meeting on February 20, 2020; and

NOW THEREFORE, by a majority vote of the entire commission recorded in its official minutes, the Plan Commission recommends to the Common Council the following:

Section 1: Amend the Chapter 3 Land Use Plan as shown in Exhibit A.

BE IT FURTHER RESOLVED, the City Clerk is directed to send a copy of this resolution to each of the following:

- a. the clerk for Bayfield County;
- b. the clerk of every local government unit that is adjacent to the City;
- c. Wisconsin Land Council;
- d. State of Wisconsin Department of Administration;
- e. Northwest Regional Planning Commission; and
- f. those public libraries that serve the City.

Passed and adopted this 20th day of February, 2020

Richard Avol, Plan Commission Chair

STATE OF WISCONSIN)
)
COUNTY OF BAYFIELD)

I hereby certify that the foregoing resolution is a true, correct and complete copy of Plan Commission Resolution #20-001 duly and regularly adopted by the Plan Commission for the City of Washburn on the 20th day of February, 2020.

Scott J. Kluver, City Clerk



Zoning Code Amendment
City of Washburn

Version: May 25, 2017

WASHBURN CITY HALL
119 Washington Avenue
Washburn, WI 54891

Overview: The Common Council adopted the City's zoning code, which consists of text and a zoning map. Both of these can be amended using this application form.

Governing regulations: The procedures and standards governing the review of this application are found in Article 7 of the City's zoning code.

General instructions: Complete this application and submit one copy to the City Clerk at the mailing address shown above. Before you formally submit your application, you may meet with the City Administrator who can answer any questions you may have.

Office Use Only
Date Received: 012020
Received By: SSJ
Fee Paid: 012020

1. Applicant and agent information Include the names of the agent, if any, that helped prepare this application including the supplemental information. Examples include surveyors, engineers, landscape architects, architects, planners, and attorneys.

Table with 2 columns: Applicant and Agent. Applicant: Name Birch Haven North LLC, Street address 320 Superior Ave, City, state, zip code Washburn, WI 54891, Daytime telephone 715-682-2414, E-mail address dalekelm@hotmail.com. Agent: Dale Kelm CEO.

2. Type of proposed amendment (check one or both)

- X Map amendment Complete Part A and C
Text amendment Complete Part B and C

Part A. Questions Related to Map Amendment

3. Subject property information

Physical address 320 Superior Ave Washburn, WI 54891
Tax key number(s) Tax ID 32579

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the City Clerk.

Is the subject property currently in violation of the City's Zoning Code as determined by the zoning administrator?

- No
XX Yes

If yes, please explain.

Current business' located in building do not conform to current zoning.

Comment: Pursuant to Section 6-10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, or other required payment that are specifically related to the subject property?

- XX No
Yes

If yes, please explain.

Comment: Pursuant to Section 6-11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, assessments, or other required payments are delinquent and due.

4. Zoning information

The subject property is located in the following zoning district(s). (check all that apply)

- | | | |
|---|--|---|
| <input type="checkbox"/> R-1 Rural residential | <input type="checkbox"/> C-1 Cottage commercial | <input type="checkbox"/> MUW Mixed-use waterfront |
| <input type="checkbox"/> R-2 Suburban residential | <input checked="" type="checkbox"/> C-2 General commercial | <input type="checkbox"/> L-1 Lakefront |
| <input type="checkbox"/> R-6 Mixed residential | <input type="checkbox"/> C-3 Downtown commercial | <input type="checkbox"/> M Marina |
| <input type="checkbox"/> R-7 Waterfront residential | | <input type="checkbox"/> I Industrial |

Proposed zoning classification(s) C-2

Comment: If the proposed amendment includes more than one parcel of land or if the parcel is to have more than one zoning classification, attach a map (8½ x 11) that shows the location of the proposed zoning classifications.

5. Proposed map amendment. Select the general reason(s) why you believe the zoning classification should be changed and provide additional details.

- The zoning designation should be brought into conformity with the City's comprehensive plan.

- A mapping error was made on the official zoning map.

- Other

XX

It would be in the best interests of both the City and the current businesses to make this change which will allow them to remain in operation and allow the expansion of future businesses on the same premises.

6. Consistency with zoning requirements

Are there any buildings on the subject property?

- No
- Yes

If yes, please describe each and state whether it is consistent with the proposed zoning classification.

1. Two story former hospital building. Located in this building are an RCAC (Senior apartments), a Medical Clinic, a Martial arts studio, a Women's fitness center, a Mental Health Counselor. These would all fit within the proposed zoning classification.
- 2.
- 3.
- 4.

Are there any existing land uses on the subject property?

- No – Land is vacant / undeveloped
- Yes

If yes, please describe each, including conditional uses, and state whether it is consistent with the proposed zoning classification.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Does the size of the subject property comply with the minimum lot size of the proposed zoning district?

- No
- Yes

If no, describe why you believe the map amendment should be made in spite of this.

Has the City approved a variance or special exception for the subject property?

- No
- Yes

If yes, provide the year of issuance and a short description of each one.

- 1.
- 2.
- 3.
- 4.

Part B. Questions Related to Text Amendment

7. **Proposed text amendment.** For each proposed text amendment, identify the section number (e.g., 7-444) to be revised and describe the proposed change and the reason(s) why you believe the change should be made.

Section number	Proposed change	Justification
1.		
2.		
3.		
4.		

Part C.

8. **Attachments.** List any attachments included with your application.

--

9. **Other information.** You may provide any other information you feel is relevant to the review of your application.

We are looking at the future possibility of adding Senior Housing on the vacant land still available with this property. Changing the zoning to C-2 would allow that to happen if that endeavor is pursued
--

10. Applicant certification

- I certify that all of the information in this application, along with any attachments, are true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes city officials, Plan Commission members, Common Council members, employees, and other designated agents to enter the subject property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of such written materials or view it online.
- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.
- I certify that I am the person identified below OR I am submitting this application on behalf the entity identified below.

XX property owner

Plan Commission

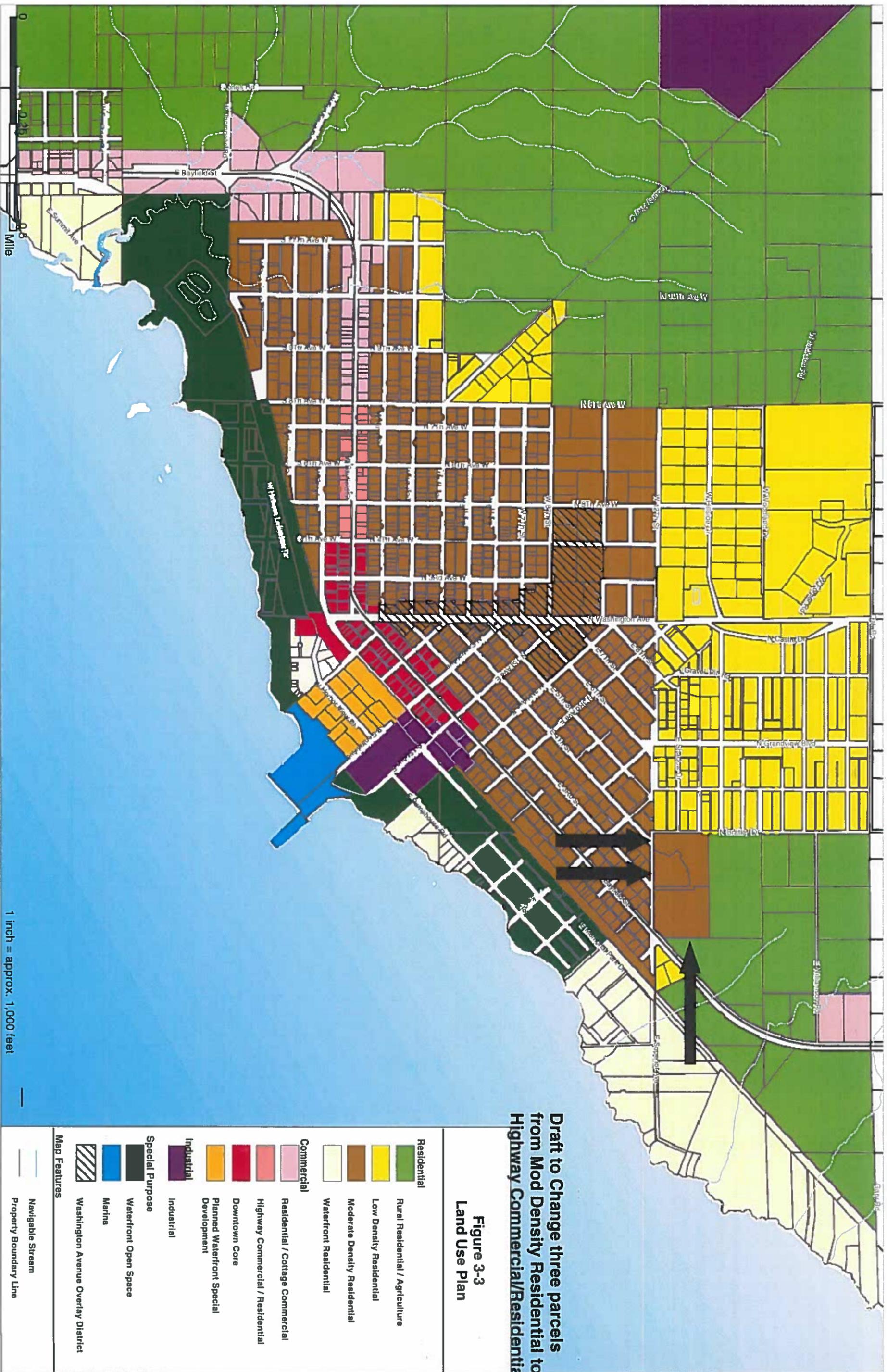
Common Council

Applicant:



Date:

15 JUN 20



CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 29231

Date: 1/27/2020

Check

RECEIVED
FROM

BIRCH HAVEN NORTH LLC

\$400.00

Type of Payment

Description

Amount

Accounting

ZONING PERMITS

400.00

ZONING MAP AMENDMENT BIRCH HAVEN

TOTAL RECEIVED

400.00

washburnadmin@cityofwashburn.org

From: Tim Schwecke <tim.schwecke@civitekconsulting.com>
Sent: Monday, December 2, 2019 8:22 AM
To: 'Tammy Demars'; washburnadmin@cityofwashburn.org
Cc: 'Bob Anderson'
Subject: RE: Yard Shed/Minor Shed

Hi Scott,

(I did lose the earlier email in the shuffle – my apologies.)

I did a word search for shed in the old code (pdf version) and didn't find any reference to a minor shed.

As I recall, we made a number of revisions to the maximum number of accessory buildings and also the maximum garage sizes (Appendix B) toward the end of the project.

To avoid any ambiguity, here are some options:

1. Remove the reference to minor shed in Appendix B. One yard shed not exceeding 240 sf would still be allowed.
2. Remove the reference to minor shed in Appendix B and allow 2 yard sheds, aggregate not exceeding 240 sf. (Revise App. B and s. 8-554.)
3. Remove the reference to minor shed in Appendix B and allow 2 yard sheds, not exceeding 240 sf each. (Revise App. B and s. 8-554.)

Let me know if you have any other comments/questions in this regard.

Tim
M: 920-728-2814

From: Tammy Demars
Sent: Thursday, November 21, 2019 11:08 AM
To: washburnadmin@cityofwashburn.org; 'Tim Schwecke' <tim.schwecke@civitekconsulting.com>
Cc: 'Bob Anderson' <dpw@cityofwashburn.org>
Subject: RE: Yard Shed/Minor Shed

Scott,

Did Tim ever reply to this?

Tammy

From: washburnadmin@cityofwashburn.org <washburnadmin@cityofwashburn.org>
Sent: Monday, May 06, 2019 11:51 AM
To: 'Tim Schwecke' <tim.schwecke@civitekconsulting.com>
Cc: Bob Anderson <dpw@cityofwashburn.org>; Tammy Demars <tdemars@cityofwashburn.org>
Subject: Yard Shed/Minor Shed

Tim,

In our dimensional standards, we reference a yard shed which is defined and a minor shed which is not defined. The maximum shed area is 240 square feet. We need to clarify what a minor shed is and also if the 240 square feet is the aggregate shed area or if it is 240 square feet for each shed.

Do you have thoughts on this matter?

Scott J. Kluver, Administrator

City of Washburn

P.O. Box 638

119 Washington Ave.

Washburn, WI 54891

Phone – 715-373-6160 Ext. 4

Fax – 715-373-6148

<http://www.cityofwashburn.org/>

The City of Washburn is an equal opportunity provider, employer, and lender.