

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, March 21, 2019

TIME: 5:30 P.M

PLACE: Washburn City Hall

AGENDA:

- Call to Order
- Roll Call
- Approval of Minutes – February 21, 2019
- Discussion & Action on Changes to the Façade Loan Policy
- Discussion on Potential Change to Allow Greenhouse in the Commercial Districts
- Discussion on Staff Involved with Zoning Matters

February 21, 2019
5:30pm Washburn City Hall

CITY OF WASHBURN PLAN COMMISSION MEETING

COMMISSION MEMBERS: Dave Anderson, Richard Avol, John Baregi, John Gray, Leo Ketchum-Fish, Jeremy Oswald (5:31), Adeline Swiston.

ABSENT:

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

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

Approval of Minutes – December 20, 2018 – Moved by Swiston to approve minutes of December 20, 2018 as presented, second by Gray. Motion carried with Ketchum-Fish abstaining as he was not at the last meeting.

Public Hearing – Moved by Swiston to open the floor for the Public Hearing, second by Gray. Motion carried unanimously. There was no public comment. Moved by Swiston to close the floor, 2nd by Oswald. Motion carried unanimously.

Discussion and Recommendation on Conditional Use Amendment Request for Contractor Yard and Personal Storage Facility for Alltemp Heating and Cooling. Amendment Will Address Exterior Façade and Architectural Changes from the Previously Approved Plan. – Property Located at 330 S. 1st Ave. East – Jeff Pipgras, Petitioner – Mr. Pipgras was present. Leo Ketchum-Fish recuses himself from this discussion do to conflict and moves to the audience. Mr. Pipgras is requesting to change the materials to be used on the exterior of the proposed structure. The ordinance was recently passed which changed the architectural and design standards that apply in the I-1 District. Pipgras requesting to change the siding to ABS Steel buckskin in color on the upper half and mocha brown on the lower half and a short panel steel overhead door in mocha brown with no window. Moved by Avol to approve the amend application for a Conditional Use Permit for Contractor Yard and Personal Storage Facility for Alltemp Heating and Cooling with the Façade changes as addressed above, second by Gray. Motion Carried unanimously.

Leo Ketchum-Fish re-joins the Commission as an active voting member.

Discussion & Recommendation on Conditional Use Request for a Home Occupation – To Operate a Private Practice Counseling/Mediation Service in Accordance with Regulations of 8-536 out of the Property Located at 877 Jackson Road – Carol Kouba, Petitioner – Ms. Kouba was present. She would like to start an at home business called Heavenly Healing Hands, to support individuals on their path to understanding their body, mind, and soul connection., her business plan was included in the packet. Ms. Kouba will be the sole employee and she will only have one client at a time. The Commission confirmed the size of the parcel was not an issue, the use is compatible, the location of the use on the property is not a concern, traffic safety should not be a problem, it is a suitable additional use, there are no negative impacts on the environment known of, concerns with impacts on the neighbors were discussed and hours of operations were agreed on, and it would not impede the normal development. Motion by Baregi to recommend approval of Carol Kouba Conditional Use Permit to operate an at Home Business out of 877 Jackson Road, with the Conditions as drafted by Zoning Administrator Kluver, second by Gray. Motion Carried Unanimously

Discussion & Action on Façade Loan Disbursement for Brownstone Pharmacy Project at 114 W. Bayfield St. – Nate Swiston, Petitioner - Swiston recuses herself from this item and leaves the table. The majority of the work has been completed, with expenses totaling \$3,800 of the \$5,151.00 allowed. There is still some trim and detail work that is unfinished and will be completed in the spring, but he is requesting reimbursement for the expenses for the part of the project completed, and he will come back for a final draw once the project is completed. Our current loan procedures do not address multiple draws, but whatever decision is made tonight we need to be consistent with all borrowers. Further discussion held to allow two draws on loans \$10,000.00 or less and up to three draws on loans over \$10,000.00, this will be discussed further at the next meeting. Moved by Anderson to approve the draw of \$3,800.00, second by Baregi. Motion carried unanimously.

Swiston returns to the table as an active voting member.

Discussion & Action on Façade Loan Disbursement for ABC Thrift Store Project at 118 W. Bayfield St. – Carol Lindsey, Petitioner – Ms. Lindsey is requesting reimbursement for \$9,455.08, of the \$10,000 that was approved. Other than the lighting all the work appears to be complete, she would like to submit for the balance once the lighting is completed. Motion by Swiston to approve payment of \$9,455.08 to Carol Lindsey, second by Anderson. Motion carried unanimously.

Adjourn - Moved by Swiston to adjourn @ 5:48pm, second by Avol. Motion carried unanimously.

Respectfully Submitted,
Tammy L. DeMars
Treasurer/Deputy Clerk

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To: Plan Commission Members
From: Scott J. Kluver, Administrator ^{SK}
Re: Façade Loan Policy
Date: March 13, 2019

Enclosed you will find a copy of the current Façade Loan policy with a proposed language change. The proposed change allows for two disbursements for loan amounts \$10,000 or less, and up to three disbursements if above \$10,000. If you have any questions about this, or if you have any other recommended changes while we are on this topic, please let me know.

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 1st 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.
- ML. 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)

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715-373-6160
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To: Honorable Mayor and Plan Commission Members
From: Bob Anderson, Deputy Zoning Administrator
Re: Potential Zoning Ordinance Amendment
Date: March 13, 2019

The current zoning code allows greenhouses in residential and commercial zoning districts but limits them to occur only with a residential use per Exhibit 8.1.17.15. The Land Use Matrix allows greenhouses under a zoning permit for applicable zoning districts but footnote 7 restricts this to only with a residential use. As written, this does not allow local businesses to operate a greenhouse.

This precludes any commercial greenhouses within the City and appears may be in error from the original intent of the code.

The Plan Commission will need to decide if this is the correct intent and if not recommend a change to the zoning ordinance.

Exhibit 8-1. Land-use matrix - continued

	Special Standards	Secondary Review	Zoning District											
			R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW	
15 Industrial and Manufacturing														
15.01 Artisan shop, Type I	8-471	AR,SP,PO,ZP	-	-	-	-	P	P	P	C	-	-	C	
15.02 Artisan shop, Type II	8-472	AR,SP,PO,ZP					C	C	C	C	-	-	C	
15.03 Construction equipment repair	8-473	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
15.04 Construction equipment sales and service	8-474	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
15.05 Contractor yard	8-475	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
15.06 Manufacturing	8-476	AR,SP,PO,ZP	-	-	-	-	-	-	C	P	-	-	-	
16 Solid Waste														
16.01 Composting facility	8-491	AR,SP,PO,ZP	C	-	-	-	-	-	-	C	-	-	-	
16.02 Recycling center	8-492	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
16.03 Solid waste transfer station	8-493	AR,SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
17 Accessory Uses														
17.01 Accessory dwelling unit (7)	8-521	SP,ZP	C	C	C	C	-	-	-	-	-	-	-	
17.02 Adult family home (7)	8-522	ZP	P	P	P	P	-	-	-	-	-	-	-	
17.03 Amateur radio and/or citizens band antenna (7)	8-523	ZP	P	P	P	P	P	P	P	P	P	P	P	
17.04 Bed and breakfast (7)	8-524	SP,PO,ZP	C	C	C	C	C	-	-	-	-	-	-	
17.05 Boat dock (7)	8-525	-	-	-	-	P	-	-	-	-	P	P	P	
17.06 Boathouse (7)	8-526	ZP	-	-	-	P	-	-	-	-	-	-	-	
17.07 Exterior communication device	8-527	-	P	P	P	P	P	P	P	P	P	P	P	
17.08 Family day care home (7)	8-528	ZP	P	P	P	P	P	-	-	-	-	-	-	
17.09 Farm building for non-farm storage	8-529	SP,PO,ZP	C	-	-	-	-	-	-	-	-	-	-	
17.10 Fence	8-530	-	P	P	P	P	P	P	P	P	P	P	P	
17.11 Firewood storage	8-531	-	P	P	P	P	P	P	P	P	P	P	P	
17.12 Foster home and treatment foster home (2,7)	8-532	ZP	P	P	P	P	P	P	C	-	-	-	-	
17.13 Garage, nonresidential	8-533	AR,ZP	C	C	C	-	P	P	P	P	P	P	P	
17.14 Garage, residential (7)	8-534	ZP	P	P	P	P	P	P	P	-	-	-	P	
17.15 Greenhouse (7)	8-535	ZP	P	P	P	P	P	P	P	-	-	-	-	
17.16 Home occupation, major (7)	8-536	SP,PO,ZP	C	C	C	C	P	P	P	-	-	-	-	
17.17 Home occupation, minor (7)	8-537	ZP	P	P	P	P	P	P	P	-	-	-	P	
17.18 Household livestock (7)	8-538	ZP	C	-	-	-	-	-	-	-	-	-	-	
17.19 Kennel, hobby (7)	8-539	SP,PO,ZP	C	C	-	C	-	-	-	-	-	-	-	
17.20 Light industrial use incidental to sales/service	8-540	SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
17.21 Outdoor food and beverage service	8-541	SP,PO,ZP	-	-	-	-	C	C	C	-	-	-	C	
17.22 Play structure (7)	8-542	-	P	P	P	P	P	-	-	-	-	-	-	
17.23 Pond	8-543	SP,ZP	P	P	P	P	C	-	-	-	P	-	-	
17.24 Rural accessory building	8-544	-	P	-	-	-	-	-	-	-	-	-	-	
17.25 Sales incidental to industrial use	8-545	SP,PO,ZP	-	-	-	-	-	-	-	C	-	-	-	
17.26 Service window, drive-up	8-546	SP,PO,ZP	-	-	-	-	C	C	C	-	-	-	C	
17.27 Service window, walk-up	8-547	SP,PO,ZP	-	-	-	-	C	C	C	-	-	-	C	

continued on next page

Exhibit 8-1. Land-use matrix - continued

17	Accessory Uses - continued	Special Standards	Secondary Review	Zoning District										
				R-1	R-2	R-6	R-7	C-1	C-2	C-3	I-1	L-1	M	MUW
17.25	Solar energy system, building-mounted	8-548	ZP	P	P	P	P	P	P	P	P	P	P	P
17.29	Solar energy system, free-standing	8-549	SP,ZP	P	P	P	P	P	P	P	P	P	P	P
17.30	Storage container	8-550	SP	-	-	-	-	-	C	-	-	-	-	-
17.31	Swimming pool (7)	8-551	ZP	P	P	P	P	-	-	-	-	-	-	-
17.32	Utility cabinet	8-552	ZP	P	P	P	P	P	P	P	P	P	P	P
17.33	Work/live dwelling unit (7)	8-553	SP,ZP	-	-	-	-	C	P	P	C	-	-	C
17.34	Yard shed	8-554	ZP	P	P	P	P	P	P	P	-	-	-	-
18 Temporary Uses														
18.01	Contractor's office	8-601	SP,ZP	-	-	P	-	P	P	P	P	-	P	P
18.02	Earth materials stockpile	8-602	SP,PO,ZP	P	P	P	P	P	P	P	P	-	-	C
18.03	Farmers market (8)	8-603	SP,PO,ZP	C	-	-	-	P	P	P	-	C	C	C
18.04	Farm stand, off-site	8-604	ZP	-	-	-	-	P	P	P	C	-	-	C
18.05	Farm stand, on-site (7)	8-605	ZP	P	P	P	-	P	P	-	-	-	-	-
18.06	Livestock for vegetation management	8-606	ZP	P	P	P	P	P	P	-	P	P	-	P
18.07	Model home	8-607	PO,ZP	C	C	C	C	-	-	-	-	-	-	-
18.08	Off-site construction yard	8-608	SP,PO,ZP	C	C	-	-	-	-	-	C	-	-	-
18.09	Party tent	8-609	-	P	P	P	P	P	P	P	P	P	P	P
18.10	Portable storage container	8-610	-	P	P	P	P	P	P	P	P	P	P	P
18.11	Seasonal product sales	8-611	ZP	C	-	-	-	C	C	-	C	-	C	C
18.12	Sidewalk café	8-612	ZP	-	-	-	-	P	P	P	-	-	-	P
18.13	Special event, major	8-613	SP,PO,ZP	C	C	C	C	C	C	C	C	C	C	C
18.14	Special event, minor	8-614	ZP	P	P	P	P	P	P	P	P	P	P	P
18.15	Wind test tower	8-615	ZP	P	P	P	P	P	P	P	P	P	P	P
18.16	Yard sale	8-616	-	P	P	P	P	P	P	P	-	-	-	-

Zoning Districts

R-1 Rural Residential, R-2 Single-Family Residential, R-6 Mixed Residential, R-7 Waterfront Residential, C-1 Cottage Commercial, C-2 General Commercial, C-3 Downtown Commercial, I-1 Industrial, L-1 Lakefront Corridor, M Marina, MUW Mixed-Use Waterfront

Key for Land Uses

"-" indicates that the use is not permitted in the zoning district

"C" indicates that the use is permitted in the zoning district as a conditional. In addition, secondary review procedures may apply as indicated in the matrix.

"P" indicates that the use is permitted in the zoning district by right subject to secondary review procedures as indicated in the matrix.

"W" indicates that the use is subject to the special review standards and procedures for Wireless Telecommunication Facilities

Key for Secondary Review

"AR" indicates a building plan is required

"PO" indicates a plan of operation is required

"SP" indicates a site plan is required

"ZP" indicates a zoning permit is required

When a use is allowed as a conditional use, the reviewing authority may require submission and approval of a building plan, site plan, and/or plan of operation even when not otherwise required

Notes:

1. An accessory dwelling unit is accessory to a residential use and is therefore listed in Series 17 (Accessory uses)
2. Refer to s. 8-46 that describes the extent to which the city may control the establishment of community living arrangements.
3. A foster home that is owned, operated, or contracted for by the state of Wisconsin or a county department, is not subject to this chapter pursuant to 63 Atty. Gen. 34. All other foster homes and treatment foster homes shall comply with this chapter.
4. A family day care home (4-8 children) is accessory to a residential use and is therefore listed in Series 17 (Accessory uses)
5. A bed and breakfast is accessory to a residential use and is therefore listed in Series 17 (Accessory uses)
6. An amateur radio and/or citizen band antenna is accessory to a residential use and is therefore listed in Series 17 (Accessory uses)
7. This use may only occur with a residential use