



**VILLAGE OF WESTON
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Village of Weston Plan Commission, on **Monday, January 11, 2016, at 6:00 p.m.**, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

CU-12-15-1560 Travis Novotny, of Statewide Development, Inc., W6483 Design Drive, Unit A, Greenville, WI 54942, requesting a Conditional Use Permit, on property addressed as 5302 Schofield Avenue (PIN 192-2808-164-0977), to allow for uses such as Indoor Storage or Wholesaling within the B-3 (General Business) zoning district, which are only allowed through a Conditional Use Permit. This parcel is described as Lot 1 of CSM #6381, Vol. 23, Pg., 209, Doc. #946406, and consists of 2.510 acres.

REZN-12-15-1558 Mark Thompson, of MTS LLC, 404 Franklin Street, Wausau, WI 54403 for Katie Ripp, 5410 Pine Park Street, Weston, requesting a rezoning from SF-S (Single-Family Residential – Small Lot) to B-3 (General Business), with D-CC (Commercial Corridor Overlay), on vacant land being split from 5410 Pine Park Street and proposed to be attached to 5403 Normandy Street for the purpose of an expanded parking lot. The land in question is described as the west 85 feet of Lot 4, Block 1, Pine Park Addition, and consists of 0.25 acres.

The hearing notice and applicable application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to vparker@westonwi.gov, by noon on the day of the hearing. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Administrative Specialist, Planning and Development Department, at 715-241-2607.

Dated this 22nd day of December, 2015

Valerie Parker
Plan Commission Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, December 28, 2015 and Monday, January 4, 2016.

**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **JENNIFER HIGGINS, DIRECTOR OF PLANNING AND DEVELOPMENT**

ITEM DESCRIPTION: **REZONE OF 0.025 ACRES AT 5410 PINE PARK STREET FROM SF-S WITH WHP-A TO B-3 WITH D-CC & WHP-A (REZN-12-15-1558)**

DATE/MTG: **PLAN COMMISSION, JANUARY 11, 2016**

POLICY QUESTION: Should the Plan Commission make the recommendation to the Village Board to rezone 0.025 Acres at 5410 Pine Park Street from SF-S with WHP-A to B-3 with D-CC & WHP-A.

RECOMMENDATION TO: I make a motion to endorse approval, and recommend to the Trustees the rezone of 0.025 Acres at 5410 Pine Park Street from SF-S with WHP-A to B-3 with D-CC & WHP-A.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|------|
| <input type="checkbox"/> Budget Line Item: | None |
| <input type="checkbox"/> Budget Line Item: | None |
| <input type="checkbox"/> Budgeted Expenditure: | None |
| <input type="checkbox"/> Budgeted Revenue: | None |
-
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|---------------------------|
| <input checked="" type="checkbox"/> WI Statute: | Wis. Stat. § 62.23 (7)(d) |
| <input type="checkbox"/> WI Administrative Code: | |
| <input type="checkbox"/> Case Law / Legal: | |
| <input checked="" type="checkbox"/> Municipal Code: | Sec. 94.16.03 |
| <input type="checkbox"/> Municipal Rules: | |
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-

PRIOR REVIEW: None.

BACKGROUND:

Family Foot and Ankle Clinic would like to purchase a small portion of the residence next door to construct a small addition to their parking lot. A site plan has been submitted and has been reviewed by staff. They do have a need for additional parking as their current parking lot only has 9 spaces and they also share an additional few spaces in the development to the north for staff parking. They are in need of additional patient and customer parking as there is plans for a future retail specialty shoe store in addition to the Clinic.

Supplemental Briefer for Agenda Items under Consideration?

Attachments?



Application for Rezone
**REZONE DETERMINATION BY THE VILLAGE OF WESTON
PLAN COMMISSION**

Application/Petition No.: **REZN-12-15-1558** Hearing Date: **January 11, 2016**
Applicant: **Mark Thompson, MTS LLC, 404 Franklin Street, Wausau, WI, 54403, on behalf of property owner Katie Ripp, 5410 Pine Park Street, Weston, WI 54476**
Location: **5410 Pine Park Street, Weston, WI 54476**
Description: **The west 85 feet of Lot 4, Block 1 of P. Wehrley's Pine Park Addition, located in the NW ¼ of the SE ¼ of Section 18, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin. More commonly known as 5410 Pine Park Street. This area to be rezoned consists of .025 acres.**

The Department of Planning and Development of the Village of Weston, pursuant to the Village of Weston Zoning Code, Article 16 Processes, Section 94.16.03 Amendments to the Official Zoning Map (Rezoning), hereby makes the following findings and evaluation to the Village of Weston Plan Commission:

GENERAL INFORMATION:

Current Zoning: **SF-S Single-Family Residential with WHP-A Wellhead Protection Zone A**
Definition: 94.2.02(2)(b) **SF-S Single Family Residential-Small Lot.** The SF-S district is intended for mainly single family detached residential development, along with compatible home occupations and small-scale institutional and recreational uses. Development within this district is served by public sanitary sewer and water services, and roadways with an urban cross section (e.g., curbs, storm sewer). The SF-S district enables smaller lot sizes than other single family residential districts. The SF-S district is intended for areas planned for single family residential development, or portions of those areas planned for neighborhood development, within the Comprehensive Plan. (Predecessor districts: R-1 Residential Single Family and R-2 Residential-Single Family).

Proposed Zoning **B-3 General Business with D-CC Commercial Corridor Overlay And WHP-A Wellhead Protection Zone A**
Definition: 94.2.02(3)(d) **B-3 General Business.** The B-3 district accommodates a wide range of commercial uses, along with compatible wholesale, light industrial, and outdoor storage and display uses. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping (i) along major highway corridors; (ii) outside of the Village's neighborhood areas; and (iii) in areas planned for commercial uses, and occasionally in areas planned for industrial uses, within the Comprehensive Plan. (Predecessor district B-3 General Commercial).

Future Land Use: **Single Family Residential—Sewered**
FLU Description: **Single family residences, home occupations, and small-scale institutional and recreational uses, all served by a public sanitary sewer system**

Development Policies:

- 1. Promote interconnection in road and trail networks within and among neighborhoods.**
- 2. Where smaller lots are permitted, pay careful attention to home quality, variety, design, setbacks, and garage placement through zoning, covenants, and development agreements.**
- 3. Pursue single family residential infill opportunities where feasible.**

Typical Implemented Zoning Districts: SF-S – Single Family Residential-Small Lot, SF-L – Single Family Residential-Large Lot and N – Neighborhood.

Please note the location is adjacent to commercial and the comprehensive plan future land use map is not parcel specific. Please see the note on the attached future land use map.

1. Is the proposed rezoning consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?
Yes. The property is located in a fringe area where either residential or commercial development would be consistent with the comprehensive plan.
2. Does the rezoning further the purpose and intent of this Chapter?
Yes.
3. Does rezoning address any of the following that are not properly addressed on the current Official Zoning Map?
No, this rezone is not addressing any mapping error, new or changed factors or growth patterns.
4. Does the proposed zoning district maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?
Yes. This rezone will allow a current business to expand by providing additional parking for customers.

BACKGROUND INFORMATION:

Family Foot and Ankle Clinic would like to purchase a small portion of the residence next door to construct a small addition to their parking lot. A site plan has been submitted and is being reviewed by staff. They do have a need for additional parking as their current parking lot only has 9 spaces and they also share an additional few spaces in the development to the north for staff parking. They are in need of additional patient and customer parking as there is plans for a future retail specialty shoe store in addition to the Clinic.

CURRENT PROPERTY CONDITIONS:

Currently the property to be rezoned is part of a residence. The current lot contains a home and a few accessory structures. The portion to be rezoned is currently vacant, unused space which the homeowner is willing to sell to the neighboring business to allow for the parking lot expansion.

PLAN COMMISSION ACTION OPTIONS: (Process is outlined in Sec. 94.16.03(6))

- 1) **Plan Commission recommends approval of the rezone request and forwards the recommendation on to the Village Board at their 1/18/16 meeting.**
- 2) **Plan Commission recommends denial of the rezone request and forwards the recommendation on to the Village Board at their 1/18/16 meeting.**
- 3) **Plan Commission takes no action and the request moves on to the Village Board at their 1/18/2016 meeting with no recommendation.**



Marathon Technical Services LLC
404 Franklin
Suite 1
Wausau, WI 54403

Consulting Engineers
Municipal Infrastructure, Site Design and Commercial Building Design

December 18, 2015

Ms. Jennifer Higgins
Village of Weston
5500 Schofield Ave.
Weston, WI 54476

RE: Family Foot & Ankle

Dear Ms. Higgins,

A growth in the numbers of doctors, staff and patients requires additional parking for the clinic at 5403 Normandy Street. The clinic proposes the purchase of a portion, approximately 0.25 acres, of the parcel immediately adjacent to the south of the clinic.

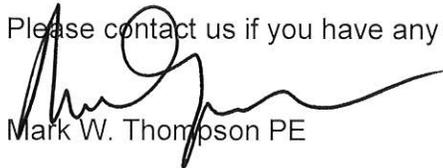
At the request of Dr. Joel Tikalski, DRJJT Properties LLC and as agents for the current property owner, Ms. Katie Ripp, we are submitting applications to rezone the proposed parcel, concurrently prepare a CSM and finally improve the site with additional parking.

The Ripp parcel is currently zoned SF-S, single family small lots, along with adjacent parcels to the north, east and south. The existing, adjacent clinic parcel is zoned B3-D-CC, business with a commercial corridor overlay. Vacant property to the northwest, across Normandy St., is also zoned B3-D-CC. To the west, southwest, across Normandy St., the parcel is zoned institutional and is developed with a post office. Parcels, beginning one lot south of Ripp, are zoned MF, multiple family and are developed as such.

The proposed project is to split off the west 85 feet of the Ripp parcel at 5410 Pine Park St. Rezone the approximately 0.25 acres from SF-S to B3-D-CC and adjoin same to the existing clinic via CSM. Following the approval of the proposed CSM and rezoning, approval of a site plan for a 16 car parking lot expansion will be sought.

We have included the proposed CSM and application form, re-zoning request application and site plan approval application (containing existing site conditions, proposed parking plan, grading plan, and erosion control plan). The landscape and lighting plans listed under the Civil Plan set will be submitted for insertion under a separate cover.

Please contact us if you have any questions.



Mark W. Thompson PE

CC: Joel Tikalski

Village of Weston

Marathon County, Wisconsin

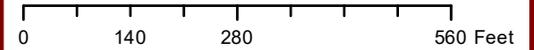


OFFICIAL ZONING MAPS

Map Date: 12/29/2015
 Adoption Date (Village): 3/18/2015
 Adoption Date (ETZ): 3/18/2015



Map by the Technology Services Department,
 Village of Weston



LEGEND

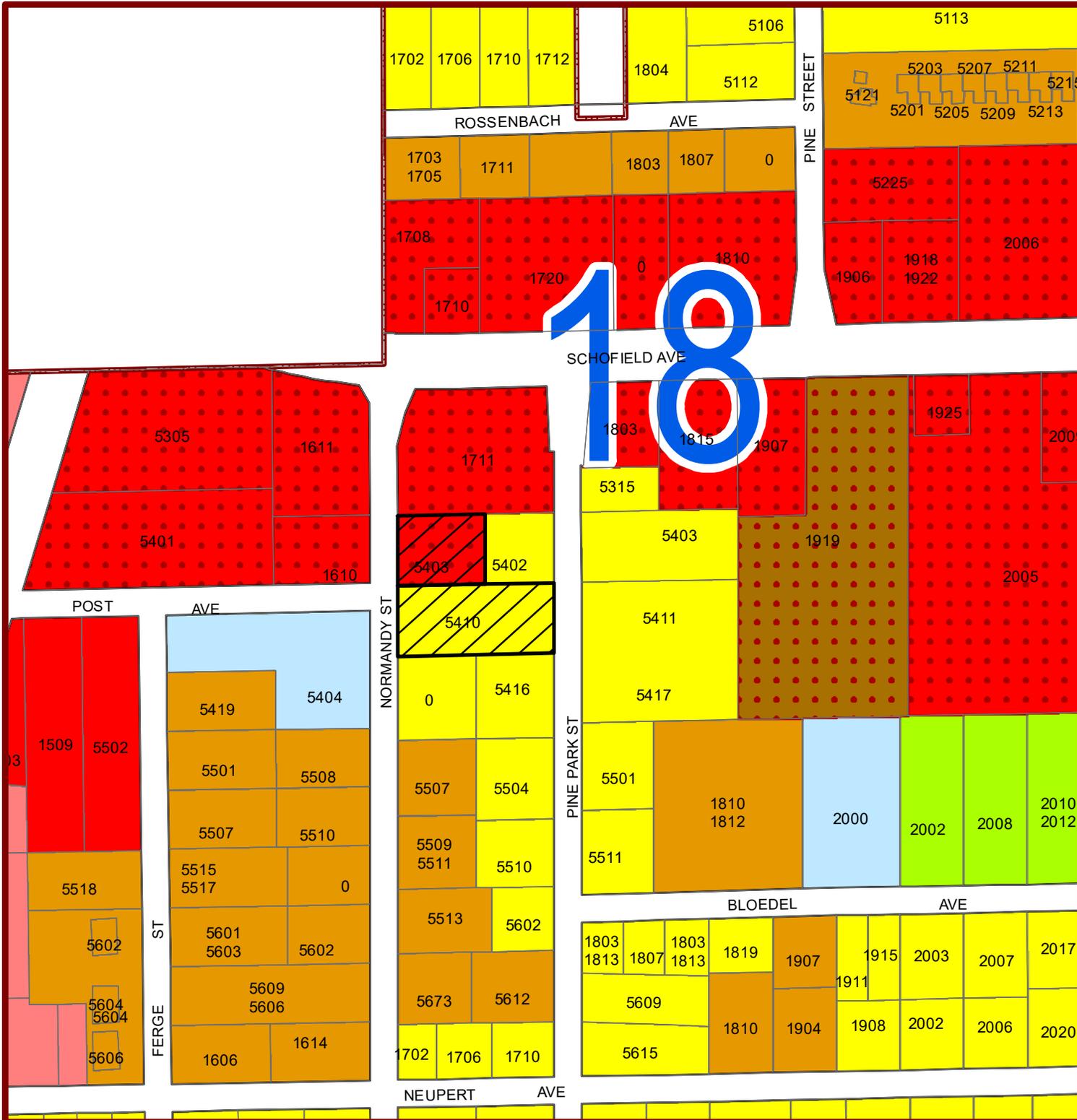
- 5403 Normandy Street
- Village of Weston
- Right-of-way
- Parcel Boundary
- Wetland
- Surface Water

ZONING DISTRICTS

- AR - Agriculture and Residential
- PR - Parks and Recreation
- RR-2 - Rural Residential-2 Acre
- RR-5 - Rural Residential-5 Acre
- SF-L - Single Family Residential-Large Lot
- SF-S - Single Family Residential-Small Lot
- 2F - Two Family Residential
- MF - Multiple Family Residential
- MH - Manufactured Home
- INT - Institutional
- B-1 - Neighborhood Business
- B-2 - Highway Business
- B-3 - General Business
- BP - Business Park
- LI - Limited Industrial
- GI - General Industrial

OVERLAY ZONING DISTRICTS

- Design - Commercial Corridor
- Design - Condominium
- Design - Renaissance
- Design - Rail-to-Trail
- Design - Weston Marketplace



Village of Weston

Marathon County, Wisconsin

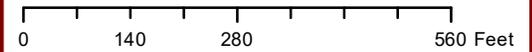


FUTURE LAND USE

Map Date: 12/29/2015
 Adoption Date (Village): 3/18/2015
 Adoption Date (ETZ): 3/18/2015



Map by the Technology Services Department,
 Village of Weston



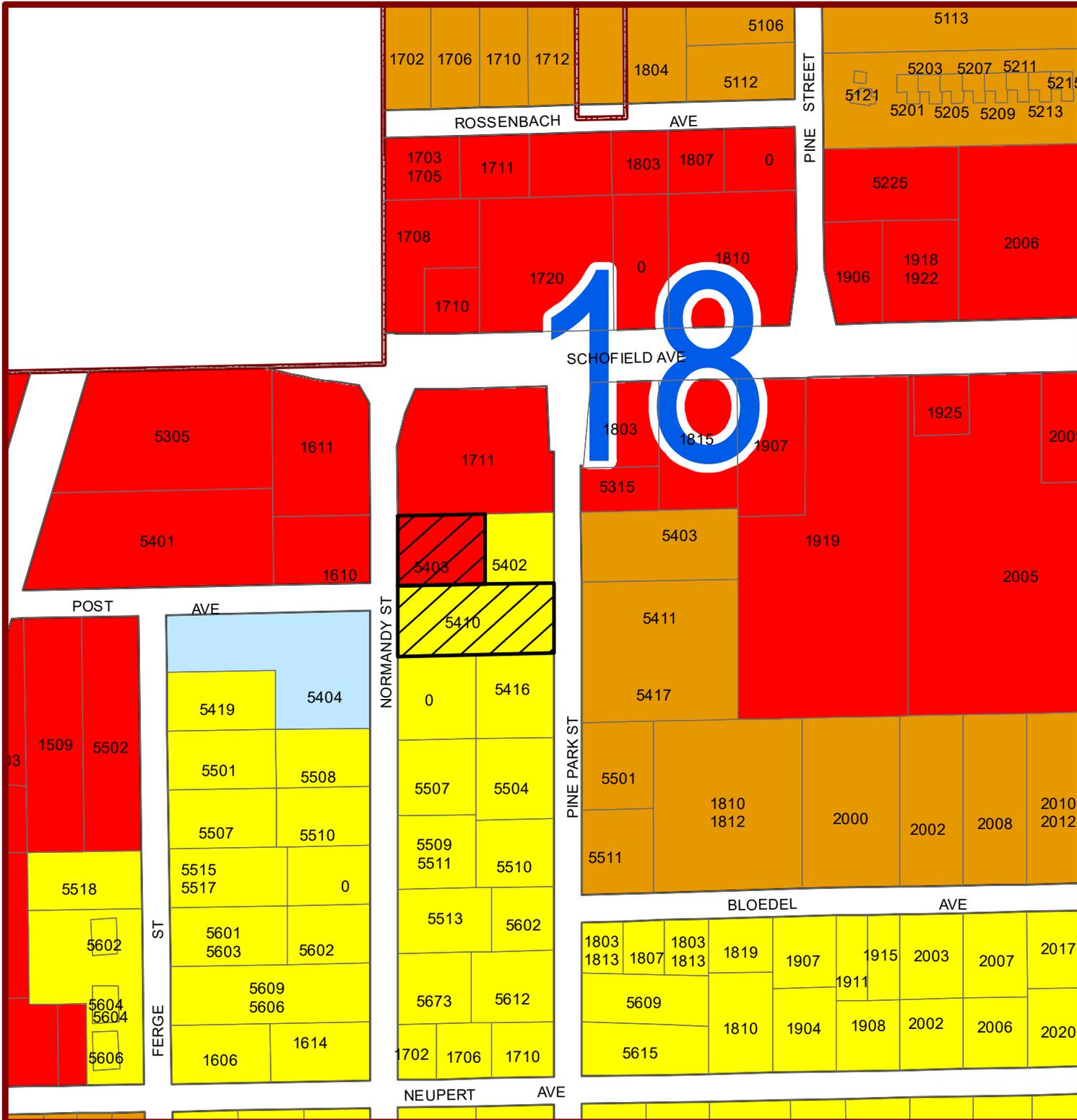
LEGEND

- 5403 Normandy Street
- Village of Weston
- Right-of-way
- Parcel Boundary
- Wetland
- Surface Water

FUTURE LAND USE

- Single Family Residential - Unsewered
- Single Family Residential - Sewered
- Two Family Residential
- Multiple Family Residential
- Planned Neighborhood
- Commercial
- Business/Office Park
- Mixed Use
- Industrial
- Institutional
- Parks and Recreation
- Agriculture
- Environmental Corridor

NOTE: The designations on this map are for general recommendations for the future land use. Actual boundaries between different land use types and associated zoning districts may vary from what is represented on this map. Designations shown on this map may not be immediately appropriate for development, rezoning, annexation, utility service expansion and/or subdivision.





VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-001

AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM SF-S SINGLE-FAMILY RESIDENTIAL WITH WHP-A WELLHEAD PROTECTION ZONE A TO B-3 GENERAL BUSINESS WITH D-CC COMMERCIAL CORRIDOR OVERLAY AND WHP-A WELLHEAD PROTECTION ZONE A, ON THE WEST 85 FEET OF LOT 4, BLOCK 1, PINE PARK ADDITION, 0.25 ACRES AT 5410 PINE PARK STREET, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

WHEREAS, Village Planning and Development Staff conditionally approved the Land for division via a certified survey map (hereafter the “associated CSM”, attached hereto as Exhibit A); and

WHEREAS, the Plan Commission of the Village of Weston having held a public hearing on the 11th day of January, 2016, to consider the rezoning of the Land, with proposed zoning districts indicated in Exhibit A; and

WHEREAS, the Plan Commission having thereafter filed its written recommendations and findings with the Village Board, and the said Board having received and approved the recommendation of said Committee;

NOW THEREFORE, the Village Board of the Village of Weston do ordain as follows:

SECTION 1: On the application (REZN-12-15-1558) of Mark Thompson, MTS LLC, 404 Franklin Street, Wausau, WI, 54403, on behalf of property owner Katie Ripp, 5410 Pine Park Street, Weston, WI 54476, for the following territory now comprising a part of the SF-S Single-Family Residential with WHP-A Wellhead Protection Zone A zoning districts, located in Section 18, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin, is hereby designated to be and become hereafter part of the following zoning district:

B-3 General Business with D-CC Commercial Corridor Overlay And WHP-A Wellhead

Protection Zone A – The west 85 feet of Lot 4, Block 1 of P. Wehrley’s Pine Park Addition, located in the NW ¼ of the SE ¼ of Section 18, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin. More commonly known as 5410 Pine Park Street. This area to be rezoned consists of .025 acres.

BE IT FURTHER RESOLVED that the foregoing amendment to the zoning district designations shall take effect only upon the recording of the associated CSM. If the rezoning of any lands by this Ordinance does not take effect within 180 days of the date hereof, this Ordinance shall become null and void and the zoning for such lands shall remain unchanged.

SECTION 2: The Clerk shall make necessary alterations upon the official map of the Village of Weston to reflect the changes in the zoning classifications of the property described herein.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged

unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of January, 2016.

VILLAGE BOARD OF WESTON

By: _____
Barbara Ermeling, its President

Attest: _____
Sherry Weinkauf, Village Clerk

APPROVED: _____

PUBLISHED: _____

DRAFT

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____ VOL. _____ PAGE _____

ALL OF LOT 1 OF CSM #16686 AND ALL OF LOTS 3 & 4 OF BLOCK 1 OF P. WEHRLEY'S PINE PARK ADDITION, LOCATED IN THE NW1/4 OF THE SE1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF MARK THOMPSON, I SURVEYED, MAPPED AND DIVIDED LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16686, RECORDED IN VOLUME 78 OF SURVEYS ON PAGE 35 AND ALL OF LOT 3 & 4 OF BLOCK 1 OF P. WEHRLEY'S PINE PARK ADDITION, LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 18; THENCE N 0°09'38" W ALONG THE NORTH - SOUTH QUARTER LINE 2120.42 FEET; THENCE N 89°02'05" E 18.92 FEET TO THE EAST LINE OF NORMANDY STREET AND TO THE POINT OF BEGINNING; THENCE N 0°24'49" W ALONG THE EAST LINE OF NORMANDY STREET 255.37 FEET; THENCE N 89°09'29" E ALONG THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16686, 160.06 FEET; THENCE S 0°25'47" E ALONG THE EAST LINE OF SAID LOT 1, 127.50 FEET; THENCE N 89°08'28" E ALONG THE SOUTH LINE OF LOT 2 OF CERTIFIED SURVEY MAP NUMBER 16686, 124.01 FEET TO THE WEST LINE OF PINE PARK STREET; THENCE S 0°11'50" W ALONG THE WEST LINE OF PINE PARK STREET 127.32 FEET; THENCE S 89°02'05" W ALONG THE SOUTH LINE OF LOT 4 OF BLOCK 1 OF P. WEHRLEY'S PINE PARK ADDITION 282.76 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF THE VILLAGE OF WESTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 10TH DAY OF DECEMBER, 2015

TIMOTHY G. VREELAND P.L.S. 2291

REVIEWED AND APPROVED FOR RECORDING BY THE VILLAGE OF WESTON.

DATE: _____

VILLAGE OF WESTON