

AGENDA

Eau Claire County

• PLANNING & DEVELOPMENT COMMITTEE •

Date: Tuesday, January 28, 2020

Time: 7:00 p.m.

Location: *Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703*

1. Call to Order and confirmation of meeting notice
2. Public Comment **(15 minute maximum)**
3. Public Hearings
 - a. **Proposed Ordinance: File No. 19-20/080** “Amending the 1982 Zoning District Boundary Map for the Town of Union” (Jean Amundson/Real Land Surveying) / Discussion – Action **PAGES 2 - 20**
 - b. **Proposed Ordinance: File No. 19-20/083** “Amending the 1982 Zoning District Boundary Map for the Town of Brunswick “ (Daniel & Lisa Sommerfeld) / Discussion – Action **PAGES 21 - 38**
 - c. **Proposed Ordinance: File No. 19-20/088** “Amending the 1982 Zoning District Boundary Map for the Town of Washington” (Kyle Brown-Kullman) / Discussion – Action **PAGES 39 - 57**
 - d. A conditional use permit request for an amendment of the existing Planned Unit Development (CUP-0002-17) to change the site plan to accommodate and expansion in the C-2 General Business District. (John Menard & Nick Brenner) Town of Union / Discussion – Action **PAGES 58 - 79**
4. Register of Deeds Update by Cappy Christenson / Discussion
5. Title 18 Zoning update / Discussion
6. Broadband Forward Ordinance / Discussion - Action **PAGES 80 - 81**
7. Review of December bills / Discussion **PAGES 82 - 83**
8. 2020 Meeting Schedule Change / Discussion – Action **PAGE 84**
9. Review/Approval of December 17, 2019 Minutes / Discussion – Action **PAGE 85**
10. Proposed Future Agenda Items / Discussion
 - a. Next scheduled meeting – February 25, 2020
11. Adjourn



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0023-19 **COMPUTER NUMBER:** 022101603000

PUBLIC HEARING DATE: January 28, 2020

STAFF CONTACT: Matt Michels, Senior Planner

OWNER: Jean Amundson, 2018 30th St, Elk Mound, WI 54739

AGENT: Real Land Surveying, 1360 International Dr, Eau Claire, WI 54701

REQUEST: Rezone 44.15 acres +/- of land from A-2 (Agriculture-Residential) District to I-1 (Non-sewered Industrial) District to allow for development of industrial uses.

LOCATION: South side of U.S. Highway 12 approximately one-half mile west of Texaco Drive

LEGAL DESCRIPTION: Lot 1 and Lot 2, Certified Survey Map #3527, Volume 20, Page 41 in Section 5, Township 27 North, Range 10 West, Town of Union, Eau Claire County, Wisconsin.

RECOMMENDATION Approval of request based on findings outlined on Pages 4 of this report

BACKGROUND

SITE CHARACTERISTICS:

- The majority is currently cultivated for agriculture
- The property is generally flat
- The property does not contain floodplains or mapped wetlands.

EXISTING ZONING DISTRICT:

A-2 Agriculture-Residential District. The purpose of the A-2 District is to "Provide areas for limited residential and hobby farm development in a rural atmosphere" and to "preserve the county's natural resources and open space." The aggregate mining and processing operation on the property were established prior to the adoption of zoning by the Town of Union.

REQUESTED ZONING DISTRICT:

The petition is to rezone the property described above from the A-2 Agriculture-Residential District to the I-1 Non-Sewered Industrial District. The purpose of the I-1 District is to "provide for industrial development which does not require municipal sewer and water services, is relatively compatible with nearby nonindustrial uses, and is located in close proximity to transportation networks suitable to serve industrial activity, or requires location in a rural setting".

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-2	Agricultural fields
North	C-2 A-2 (north of USH 12)	Single-family residence and outbuilding Agricultural fields
East	I-1	North Central Utility trailer sales, parts, and service
South	(south of I-94) C-3	Fabick Cat construction equipment sales
West	A-P	Agricultural fields

COMPREHENSIVE PLAN:

The County and Town of Union Comprehensive Plan Future Land Use Maps both include this property in the Commercial Industrial (CI) planning area, consistent with this rezone request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use category and applicable policies:

Eau Claire County:

- Commercial Industrial Comprehensive Plan Intent and Description: The intent of this classification is to identify areas for a mix of commercial or industrial development that enhances the tax base, creates employment and provides needed goods and services to residents. The CI areas include land along major transportation corridors or near existing commercial or industrial development. At the time of original adoption of this Plan, this classification was only in use within the Town of Union; however, CI might be appropriate in other portions of the County, contingent upon County and local approval.
- Applicable Policies:
 1. The County or local community might require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.
 2. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within CI areas: C-1 Neighborhood Business District, C-2 General Business District, C-3 Highway Business District, I-1 Non-sewered Industrial District, and the I-2 Sewered Industrial District

Town of Union:

- Commercial Industrial Comprehensive Plan Intent and Description: The Town of Union recognizes the importance of commercial and industrial development for enhancing its tax base, creating employment and providing needed goods and services to Town residents. Hence, commercial and industrial development is appropriate for areas designated for those uses, such as on major transportation corridors or near existing commercial or industrial development. This includes areas within the City of Eau Claire’s Extraterritorial Plat Review Jurisdiction Area. Urban sewer service is required for new commercial and industrial uses within the Urban Sewer Service Area if such service is available.

FARMLAND PRESERVATION PLAN:

The property is not included in the Farmland Preservation Plan Map as A-2 is not a certified farmland preservation zoning district.

Comprehensive Plan Summary

The proposed I-1 zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

As noted above, the purpose of the I-1 District is to "provide for industrial development which does not require municipal sewer and water services, is relatively compatible with nearby nonindustrial uses, and is located in close proximity to transportation networks suitable to serve industrial activity, or requires location in a rural setting". The primary purpose of the zoning ordinance is to:

- Separate incompatible land uses from one another
- Maintain public health and safety
- Protect and conserve natural resources
- Prevent overcrowding
- Preserve property values
- Maintain the general welfare of the citizens

The rezoning petition has been evaluated for consistency with the purpose of the I-1 zoning district and the uses allowed in the district. The request is substantially consistent with the purpose of the zoning ordinance based on the following findings:

Findings For:

- The property is planned for commercial/industrial development and the existing context is industrial to the south, east and southwest
- The majority of the subject property has been previously disturbed with aggregate mining activities.
- Appropriate screening and buffering will reduce negative impacts of the proposed land use on nearby residential uses
- The property has access to roadways with adequate capacity to accommodate truck traffic associated with the proposed development

Finding Against:

- Although the property is planned for commercial/industrial uses and the overall context and character of the area is industrial, there are still residences to the west and east of the subject property that could be adversely impacted. Therefore, staff recommends that appropriate screening be provided along the western boundary of the property to mitigate adverse impacts, including visual impacts, noise, and dust.

Town Board Action: The Union Town Board considered the rezoning petition on Tuesday, December 10, 2019 and recommended approval.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the I-1 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposed to the proposed rezoning has been received, to date.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the petition to rezone 44.15 acres +/- of land from A-2 (Agriculture-Residential) District to I-1 (Non-sewered Industrial) District to allow for development of industrial uses.

1 **Enrolled No.**

2 **ORDINANCE**

3 **File No. 19-20/080**

4 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
5 TOWN OF UNION-

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1.** That the 1982 Official Zoning District Boundary Map for the Town of
9 Union, described as follows:

10
11 A parcel of land being Lot 1 and Lot 2 Certified Survey Map #3527,
12 Volume 20, Page 41 in Section 5, Township 27 North, Range 10 West,
13 Town of Union, Eau Claire County, Wisconsin.

14
15 Said described parcel of land containing 44.15acres +/-, of land and is
16 subject to the easements and restrictions of record to be reclassified from
17 the A-P Agricultural Preservation District to the I-1 Nonsewered Industrial
18 District.

19
20 **SECTION 2.** Where a certified survey map is required and may alter the above
21 described property description, the official zoning district map for the
22 town shall be automatically amended to reflect the property description of
23 the certified survey map.

24
25
26 **ENACTED:** I hereby certify that the foregoing correctly represents the
27 action taken by the undersigned Committee on January 28,
28 2020 by a vote of for, against.

29
30
31 _____
32 Planning & Development Committee, Chairperson

33
34 CC

35
36 Dated this 28th day of January 2020

37
38 ORDINANCE 19-20/080
39

Sup. Dist. 12 - Colleen Bates

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

RECEIVED

19-201090

NOV 07 2019

COUNTY CLERK

Rezoning - County

Application Accepted:	11/7/2019
Accepted By:	Matt Michels
Receipt Number:	62264
Town Hearing Date:	11/12/2019
Scheduled Hearing Date:	12/10/2019
Application No:	RZN-0023-19
Appl Status:	Pending

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **A2** Proposed Zoning District(s): **H** Acres to be Rezoned: **44.15**

Ne1/4 Se1/4 And Se1/4 Se1/4 Of Section 5, T27N, R10W, Town Of Union, Eau Claire County, Wi

Owner/Applicant Name(s):	Address:	Telephone:
Gail M Amundson (ow)		
Jean A Amundson (ow)	2018 30TH ST ELK MOUND	
Mary Amundson-Miller (ow)		
Real Land Surveying (appl)	1360 INTERNATIONAL DR EAU CLAIRE	715-514-4116(W)
Betty A White (ow)		

Site Address(es):

Property Description: Sec 05 Twn 27 Rge 10 Town of Union Lot Area: 31.910 ACRES
12.240 ACRES

Zoning District(s): A2

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining
Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1802222710054100002	022101603000	27.10.5.4-1-B	PRT NE-SE LYG SW OF USH 12 R/W & EX THE E 36' & EX THAT
1802222710054400002	022101701000	27.10.5.4-4-B	PRT SE-SE LYG N OF I-94 R/W EX E 36' OWNERS OF V.1340

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature _____ Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
 Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	11/6/19
Accepted By:	JMM
Receipt Number:	062264
Town Hearing Date:	11/12/19
Scheduled Hearing Date:	12/10/19

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: A-2	Proposed Zoning District(s): L-1
Acres to be rezoned: 44.76	

Property Owner Name: Jean Amundson	Phone# 456-4090
Mailing Address: 2018 30th St Elk Mound WI 54739	
Email Address: amundson.jean@gmail.com	

Agent Name: Peter Gartmann	Phone# (715) 514-4116
Mailing Address: 1360 International Drive Eau Claire WI 54701	
Email Address: pgartmann@rls-aec.com	

SITE INFORMATION

Site Address: Hwy 12

Property Description: NE-SE ¼ SE-SE ¼ Sec. 5, T 27 N, R 10 W, Town of Union

Zoning District: _____ Code Section(s): _____

Overlay District:
 Check Applicable Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining

Computer #(s):
 0221 - 0170 - 01 - 000
 -0221 - 0120 - 10 - 030

022-1016-03-000 JMM
 GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input checked="" type="checkbox"/> Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Jean Amundson Date 11.5.19

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
 - Describe the reason for the request
 - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
 - Explain and justify why this particular property is under consideration for rezoning
 - For rezoning requests from A-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
 - For rezoning requests from the A-P to the AR zoning district must consider the factors in Section 18.06.050 A. – D.
 - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

■ Describe the reason(s) for your rezoning request:

The property is under contract for the sale of lots 1 and 2 of this application.
Lot 1 will be sold to Eau Claire Co-op who is presently located across the highway at 6600W. Highway 12, Eau Claire. They are purchasing the property for future growth of the company but with no immediate plans to build.

Lot 2 will be sold to Elk Mound Seed Company who is located in the Village of Elk Mound. They are planning on expanding their operation in the next 2-3 year but they also have no immediate plans to build.

Both sales are pending on the re-zoning the property to I-1.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

Both the Town of Union and Eau Claire County comprehensive plans show this area to be zoned I-1. The existing use to the east is I-1 and to the North is C-2.

The Wisconsin D.O.T. has approved the access to the property from highway "12". The property also has access from Margaret Lane.

The corridor from Interstate Highway I-94 lies directly South of the Subject property giving these properties great visibility from the Highway.

The Lands to the west are Zoned AP and being farmed at this time. The potential for that property would also be I-1.

This re-zone of this property will not directly affect the adjacent properties, will only increase the values of this and adjacent properties and the use is appropriate for this area.

LAND LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 4, AND PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST ¼ OF THE SOUTHEAST 1/4, SECTION 5, TOWNSHIP 27 NORTH, RANGE 10 WEST, TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE SOUTHEAST CORNER, SECTION 5, THENCE N00°30'32"E, ALONG THE EAST LINE OF THE SOUTHEAST 1/4, A DISTANCE OF 599.49 FEET, TO THE NORTH RIGHT OF WAY OF INTERSTATE HIGHWAY "94";
- THENCE N70°35'06"W, ALONG SAID RIGHT OF WAY, A DISTANCE OF 38.29 FEET, TO THE POINT OF BEGINNING;
- THENCE N70°35'06"W, ALONG SAID RIGHT OF WAY, A DISTANCE OF 595.92 FEET;
- THENCE 775.37 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, ALSO BEING SAID NORTH RIGHT OF WAY, RADIUS OF 23,087.73 FEET, CENTRAL ANGLE 01°55'27", AND A CHORD BEARING AND DISTANCE N70°02'43"W, 775.33 FEET, TO THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4;
- THENCE N00°38'45"E, ALONG SAID WEST LINE, A DISTANCE OF 1308.93 FEET, TO THE SOUTH LINE OF LOT 1, CERTIFIED SURVEY MAP NUMBER 355 OF CERTIFIED SURVEY MAPS, VOLUME 2, PAGE 143;
- THENCE S89°21'03"E, ALONG SAID SOUTH LINE, A DISTANCE OF 927.48 FEET, TO THE SOUTH RIGHT OF WAY OF US HIGHWAY "12";
- THENCE S62°26'29"E, ALONG SAID SOUTH RIGHT OF WAY, A DISTANCE OF 409.39 FEET;
- THENCE S62°30'59"W SOUTH RIGHT OF WAY, A DISTANCE OF 65.99 FEET
- THENCE ALONG SAID SOUTH RIGHT OF WAY, 323.78 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, RADIUS OF 1,382.69 FEET, CENTRAL ANGLE 13°25'04", AND A CHORD BEARING AND DISTANCE S55°48'27"E, 320.67 FEET;
- THENCE S49°07'25"E, ALONG SAID RIGHT OF WAY, A DISTANCE OF 11.18 FEET;
- THENCE S40°56'05"W, A DISTANCE OF 241.17 FEET, TO THE NORTH LINE OF LOT 2, CERTIFIED SURVEY MAP NUMBER 1664, OF CERTIFIED SURVEY MAPS, VOLUME 9, PAGES 73-75;
- THENCE N89°31'01"W, ALONG SAID NORTH LINE, A DISTANCE OF 179.65 FEET, TO THE WEST LINE OF SAID CERTIFIED SUREVY MAP;
- THENCE S00°31'16"W, ALONG THE WEST LINE OF SAID CERTIFIED SURVEY MAP, A DISTANCE OF 1171.82 FEET, TO THE POINT OF BEGINNING.

EXPECT ALL OF LOT 1, CERTIFIED SURVEY MAP NUMBER 1094, VOLUME 6, PAGES 13-14.



2018 Property Record | Eau Claire County, WI

Assessed values not finalized until after Board of Review
Property search information is updated nightly.
Parcel and address geometry is updated monthly or as needed.

OWNERS

JEAN AMUNDSON
GAIL AMUNDSON
BETTY WHITE
MARY AMUNDSON-MILLER

PROPERTY INFORMATION

Computer No: 022101701000
PIN: 1802222710054400002
Historical Map ID: 27.10.5.4-4-B
School District: Eau Claire

Section	Town	Range
05	27N	10W

Property Address:
Municipality: Town Of Union
Document History:
1340/373 P934/411 605/671

TAX INFORMATION

Gross Tax: 38.98
School Credit: 3.85
Lottery Credit: .00
First Dollar Credit: .00
Net Tax: 35.13

	Amt Due	Amt Paid	Balance
RE Net Tax	35.13	35.13	.00
Special Assmnt	.00	.00	.00
Special Chrg	.00	.00	.00
Delq Utility	.00	.00	.00
MFL	.00	.00	.00
RE Interest	.00	.00	.00
Other Interest	.00	.00	.00
Penalty	.00	.00	.00
TOTAL	35.13	35.13	.00

IN CARE OF

MAILING ADDRESS

JEAN AMUNDSON
2018 30TH ST
ELK MOUND WI
54739-2001

PROPERTY DESCRIPTION

PRT SE-SE LYG N OF I-94 R/W EX E 36' OWNERS OF V.1340 PG.373
ARE JEAN A AMUNDSON, GAIL M AMUNDSON, MARY AMUNDSON-
MILLER & BETTY A WHITE

ZONING

Zoning Code	Description
A2	Agriculture/Residential

LAND USE

Land Use Code	Description
AA	Agriculture-General

LAND VALUATION

	Acres	Land	Improve	Total
G4	11.240	2,100.00	.00	2,100.00
G5	1.000	100.00	.00	100.00
	12.240	2,200.00	.00	2,200.00

Total Acres: 12.240
Mill Rate: 0.015966842
Fair Market Value: 2,400.00
Assessment Ratio: .9200

INSTALLMENTS

Period	End Date	Amount
1	1/31/2019	35.13
2	7/31/2019	.00

PAYMENT HISTORY (POSTED PAYMENTS)

Please allow up to 7 days for your payments to display.

Date	Receipt #	RE Tax	Other Tax	RE Int	Other Int	Penalty	Total
12/31/2018	022016735-19	35.13	.00	.00	.00	.00	35.13



2018 Property Record | Eau Claire County, WI

Assessed values not finalized until after Board of Review
Property search information is updated nightly.
Parcel and address geometry is updated monthly or as needed.

OWNERS

BETTY WHITE
GAIL AMUNDSON
JEAN AMUNDSON
MARY AMUNDSON-MILLER

IN CARE OF

MAILING ADDRESS

JEAN AMUNDSON
2018 30TH ST
ELK MOUND WI
54739-2001

PROPERTY INFORMATION

Computer No: 022101603000
PIN: 1802222710054100002
Historical Map ID: 27.10.5.4-1-B
School District: Eau Claire

PROPERTY DESCRIPTION

PRT NE-SE LYG SW OF USH 12 R/W & EX THE E 36' & EX THAT PRT OF LOT 1 OF CSM VOL 2 PG 143 LYG IN THE NE-SE OWNERS OF 1340/373 ARE JEAN A AMUNDSON, GAIL M AMUNDSON, MARY AMUNDSON-MILLER & BETTY A WHITE

Section	Town	Range
05	27N	10W

Property Address:
Municipality: Town Of Union

ZONING

Document History:
1340/373 P934/411 605/671

Zoning Code	Description
A2	Agriculture/Residential

TAX INFORMATION

Gross Tax: 100.99
School Credit: 9.98
Lottery Credit: .00
First Dollar Credit: .00
Net Tax: 91.01

LAND USE

Land Use Code	Description
AA	Agriculture-General

	Amt Due	Amt Paid	Balance
RE Net Tax	91.01	91.01	.00
Special Assmnt	.00	.00	.00
Special Chrg	.00	.00	.00
Delq Utility	.00	.00	.00
MFL	.00	.00	.00
RE Interest	.00	.00	.00
Other Interest	.00	.00	.00
Penalty	.00	.00	.00
TOTAL	91.01	91.01	.00

LAND VALUATION

	Acres	Land	Improve	Total
G4	31.910	5,700.00	.00	5,700.00
	31.910	5,700.00	.00	5,700.00

Total Acres: 31.910
Mill Rate: 0.015966842
Fair Market Value: 6,300.00
Assessment Ratio: .9000

INSTALLMENTS

Period	End Date	Amount
1	1/31/2019	91.01
2	7/31/2019	.00

PAYMENT HISTORY (POSTED PAYMENTS)

Please allow up to 7 days for your payments to display.

Date	Receipt #	RE Tax	Other Tax	RE Int	Other Int	Penalty	Total
12/31/2018	022016734-19	91.01	.00	.00	.00	.00	91.01

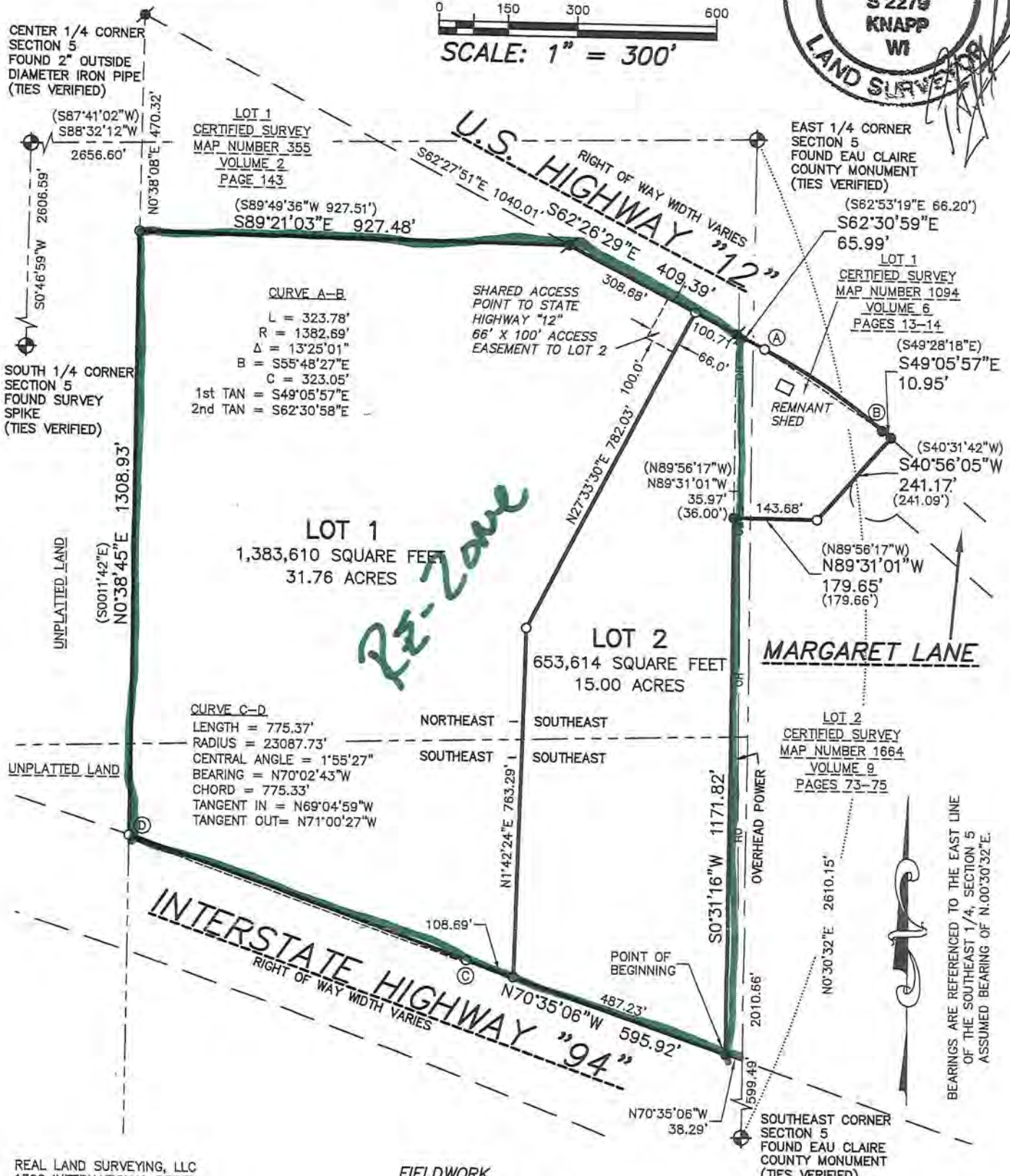
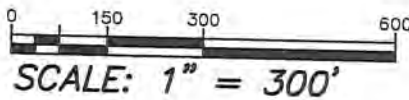
CERTIFIED SURVEY MAP, NUMBER _____

IN PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4,
SECTION 4,
AND PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4
AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4,
SECTION 5
TOWNSHIP 27 NORTH, RANGE 10 WEST,
TOWN OF UNION, EAU CLAIRE COUNTY, WISCONSIN

INCLUDING ALL OF LOT 1, CERTIFIED SURVEY MAP
NUMBER 1094, VOLUME 6, PAGES 13-14

LEGEND

- ⊙ --- FOUND 1-1/4" OUTSIDE DIAMETER IRON PIPE
- --- FOUND 1" OUTSIDE DIAMETER IRON PIPE
- --- SET 1" OUTSIDE DIAMETER x 18" IRON PIPE
WEIGHING 1.13 POUNDS PER LINEAR FOOT
- () --- RECORDED AS



REAL LAND SURVEYING, LLC
1360 INTERNATIONAL DRIVE
EAU CLAIRE, WI 54701
(715)514-4116
CADD NUMBER: 19210

FIELDWORK
COMPLETION
DATE: OCTOBER 4, 2019

STATE BAR OF WISCONSIN FORM 5 - 1998
**PERSONAL REPRESENTATIVE'S
DEED**

Document Number

815612

VOL 1340 PAGE 373

Mary L. Kaiser

*01 OCT 10 PM 1 34

EAU CLAIRE COUNTY
REGISTER OF DEEDS

Jean A. Amundson, as Personal Representative of the Estate of Natalie E. Amundson ("Decedent"), for a valuable consideration conveys, without warranty, to Gall M. Amundson, Mary Amundson-Miller, Betty Ann White and Jean A. Amundson to each an undivided one-fourth interest as tenants in common. Grantee, the following described real estate in Eau Claire County, State of Wisconsin (the "Property"):

Parcel No. 1: Part of the Southeast Quarter of the Southeast Quarter (SE ¼ of SE ¼) of Section Five (5), Township Twenty-seven (27) North, Range Ten (10) West, lying North of I-94 right of way EXCEPT the East 36 feet.

Parcel No. 2: Part of the Northeast Quarter of the Southeast Quarter (NE ¼ of SE ¼) of Section Five (5), Township Twenty-seven (27) North, Range Ten (10) West, lying Southwest of U.S. Highway 12 right of way EXCEPT the East 36 feet; and EXCEPT that part of Lot One (1) of Certified Survey Map recorded in Vol. 2, at page 143, lying in the NE ¼ of SE ¼ of Section 5, Township 27 North, Range 10 West.

Recording Area

Name and Return Address
Robert J. Richardson
Richardson Law Office
Box 399
Spring Valley, WI 54767

Pd 1100 # 25581

18022-2-271005-440-0002; 18022-2-271005-410-0002
Parcel Identification Number (PIN)

This deed is given pursuant to the terms of the Will of Natalie E. Amundson EXEMPT 77.25 (11) Paragraph IV stating the above described property shall be rented to Jean Amundson for an amount equal to the real estate taxes assessed against the premises on an annual basis. Further, that she be allowed to rent the premises for as long as she farms. When she terminates farming, the parcel shall be sold and the proceeds divided equally among the grantees.

FEE
#11
EXEMPT

Personal Representative by this deed does convey to Grantee all of the estate and interest in the Property which the Decedent had immediately prior to Decedent's death, and all of the estate and interest in the Property which the Personal Representative has since acquired.

Dated this 16th day of August, 2001

* //
Personal Representative

Jean A. Amundson
* Jean A. Amundson
Personal Representative

AUTHENTICATION

ACKNOWLEDGMENT

Signature(Jean A. Amundson)

STATE OF //)
) ss.
// County)

authenticated 16th day August, 2001

Personally came before // day of
// the above

* Robert J. Richardson
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, //
authorized by § 706.06, Wis. Stats.)

//
to me known to be the person(s) who executed the
instrument and acknowledged the same.

THIS INSTRUMENT WAS DRAFTED BY
Robert J. Richardson, Attorney at Law
Spring Valley, WI 54767

//
* //
Notary Public, State //
My Commission is permanent. (If not, state expiration
//)

* Names of persons signing in any capacity must be typed or printed below their signature.
STATE BAR OF WISCONSIN
FORM No. 5 - 1998

Information Professionals Co., Fond du Lac, WI
800-655-2021

PERSONAL REPRESENTATIVE'S DEED

AMUNDSON REZONE AERIAL MAP



Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

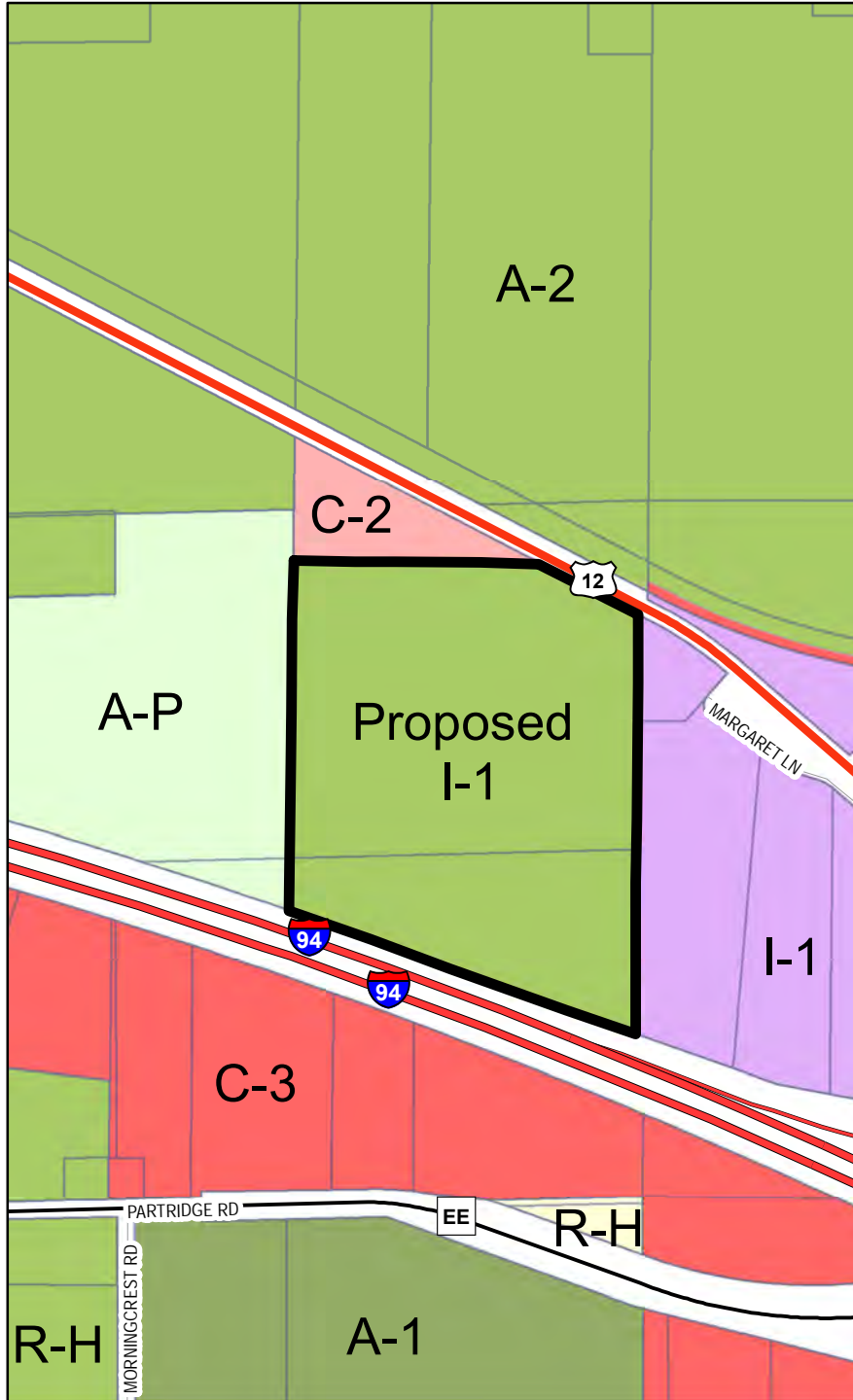




Amundson Rezoning: RZN-0023-19

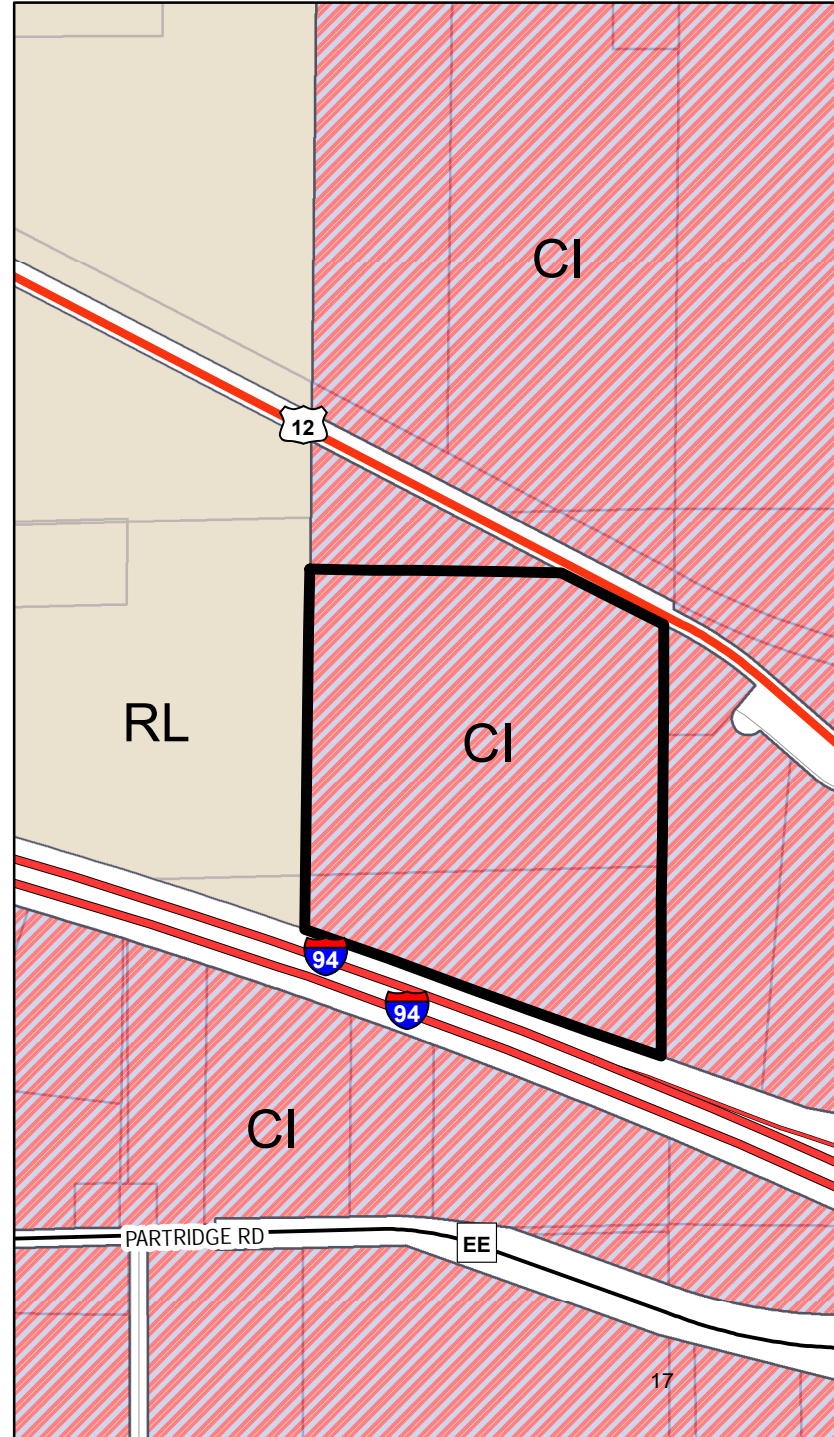
Existing Zoning

1 inch = 700 feet



Future Land Use

1 inch = 700 feet



- A1 - Exclusive Agricultural District
- A2 - Agriculture-Residential District
- A3 - Agricultural District
- AP - Agricultural Preservation
- AR - Floating Agricultural-Residential District
- C1 - Neighborhood Business District
- C2 - General Business District
- C3 - Highway Business District
- F1 - Exclusive Forestry District
- F2 - Forestry District
- I1 - Nonsewered Industrial District
- I2 - Sewered Industrial District
- R1L - Single-Family Residential District, Large Lot
- R1M - Single-Family Residential District
- R2 - Two-Family Residential District
- R3 - Multiple-Family Residential District
- RH - Rural Homes District

- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



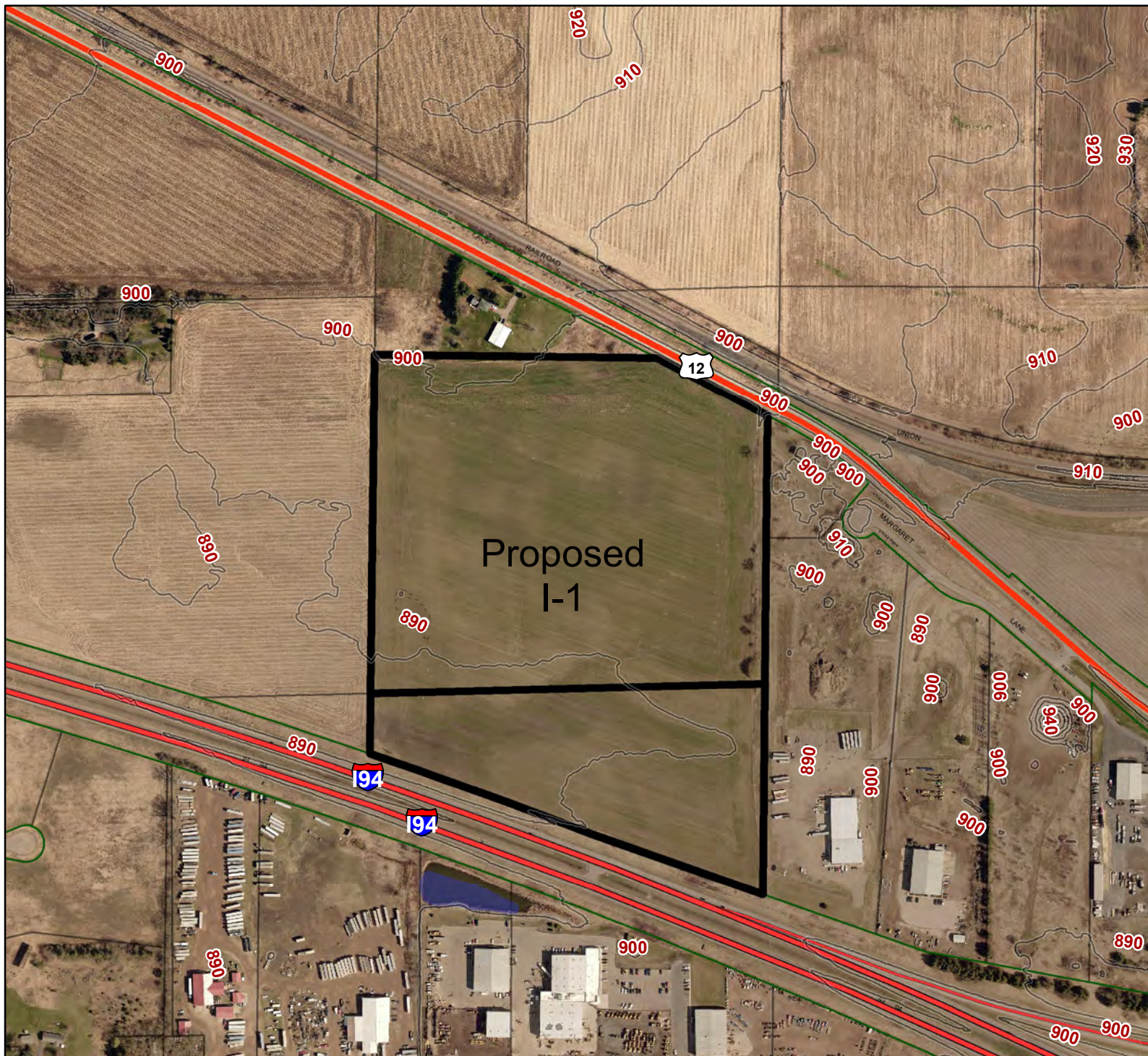
Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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AMUNDSON REZONE WETLAND-FLOODPLAIN-TOPO MAP



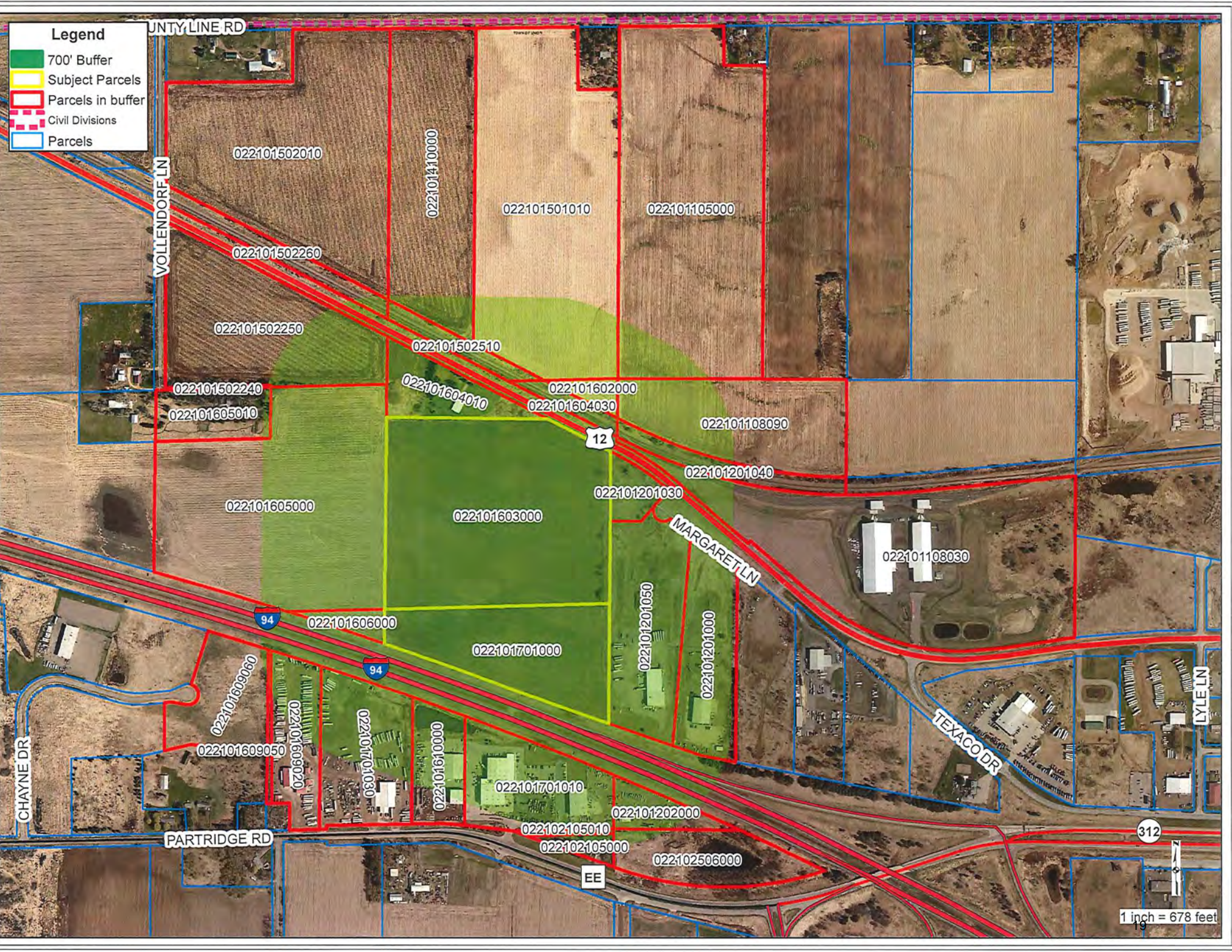
Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

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Legend

- 700' Buffer
- Subject Parcels
- Parcels in buffer
- Civil Divisions
- Parcels

COUNTY LINE RD

VOLLENDORF LN

CHAYNE DR

PARTRIDGE RD

12

022101502010

022101410000

022101501010

022101105000

022101502260

022101502250

022101502510

022101502240

022101605010

022101604010

022101602000

022101604030

022101108090

022101605000

022101603000

022101201030

022101201040

022101606000

022101701000

022101201050

022101201000

022101609050

022101609060

022101609020

022101701030

022101610000

022101701010

022101202000

022102105010

022102105000

022102506000

EE

MARGARET LN

TEXAGO DR

LYLE LN

312

1 inch = 678 feet

ComputerNu	FirstName	LastName	Address	City	State
22101701000	JEAN	AMUNDSON	2018 30TH ST	ELK MOUND	WI
22101201050		BUI PROPERTIES LLC	PO BOX 8487	MADISON	WI
22101604010	KOU	CHANG	7205 US HIGHWAY 12 W	EAU CLAIRE	WI
22101108030		EAU CLAIRE COOPERATIVE OIL COMPANY	PO BOX 837	EAU CLAIRE	WI
22101501010	DARRELL A & DONNA J	FLATLAND	6735 COUNTY LINE RD	EAU CLAIRE	WI
22101202000		JFTCO INC	1 FABICK DR	FENTON	MO
22101609050		K & P ENTERPRISES	7918 PARTRIDGE RD	EAU CLAIRE	WI
22101108090	ROSALIE	KRUEGER	3584 10TH AVE	EAU CLAIRE	WI
22102105000	ALVIN C & MARY E	LEHMANN	7810 PARTRIDGE RD	EAU CLAIRE	WI
22101410000	KRYSTLE	MAYER	10212 COUNTY HIGHWAY Q	CHIPPEWA FALLS	WI
22101609020	JAMES	PERNER	W 3224 MITCHELL RD	EAU CLAIRE	WI
22101701030	JAMES	PERNER	7918 PARTRIDGE RD	EAU CLAIRE	WI
22101201000		RR FAMILY LLC	816 N DIRKSEN PKWY	SPRINGFIELD	IL
22101502240	RONALD G & BONNIE M	SATHER	5302 VOLLENDORF LN	EAU CLAIRE	WI
22101609060	DEBRA	SPICKLER	1500 BIRCH HILLS DR	EAU CLAIRE	WI
22101201040	ATTN: PROPERTY TAX	UNION PACIFIC RR CO	1400 DOUGLAS ST STOP 1640	OMAHA	NE
22101605000		W HARRISON & ASSOC LLC	1695 20TH AVE	ELK MOUND	WI
22101201030		XCEL ENERGY	PO BOX 8	EAU CLAIRE	WI



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0024-19 **COMPUTER NUMBERS:** 004106209000

PUBLIC HEARING DATE: January 28, 2020

STAFF CONTACT: Matt Michels, Senior Planner
Orion Allgaier, Planning Intern

OWNER/AGENT: Daniel L & Lisa M. Sommerfeld, S 6470 Jene Rd., Eau Claire 54701

REQUEST: Rezone 5 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agriculture-Residential) District to allow the applicant's son to develop a residence and outbuilding on the 5-acre lot.

LOCATION: S 6470 Jene Rd.

LEGAL DESCRIPTION: Portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 26 North, Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin (complete legal description attached).

RECOMMENDATION Approval of request based on findings outlined on Pages 5 of this report

BACKGROUND

SITE CHARACTERISTICS:

- Majority of the property is developed for agriculture.
- The property generally slopes from west to east, with 10 feet of topographic relief.
- The property does not contain floodplains or mapped wetlands.
- The remaining 35 +/- acres will remain zoned A-P.

EXISTING ZONING DISTRICT:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*
- Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*

- G. *Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and*
- H. *Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County’s permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.*

REQUESTED ZONING DISTRICT:

A-2 Agriculture-Residential District. *This district is established to “provide an area for limited residential and hobby farm development in a rural atmosphere.”*

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Agricultural Fields
North	A-P	Farmstead; Single-Family Residence; Woodland
East	A-P	Woodland; Farmstead; Single-Family Residence
South	A-P	Agricultural Field; Woodlands
West	A-2	Single-Family Residences, Woodland, Agricultural Fields

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Brunswick Future Land Use Map includes the property in the Rural Preservation (RP) planning area. Following are descriptions of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies.

Eau Claire County:

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
 2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
 3. *The following Eau Claire County Zoning Districts will be considered for approval within RL areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
 - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere*

with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.

Town of Brunswick:

- Rural Preservation Comprehensive Plan Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, farmsteads, and limited low density single-family residential development. Future development in the RP area is expected to be consistent with the existing pattern of development, and the policies specified below for RP areas and other policies included in this Plan. Any new development shall be located in order to minimize the fragmentation of productive agricultural or forest land and to minimize any disruption to existing uses.*

- Applicable Policies:
 - a. *Non-farm residential lots shall be a minimum of two (2) acres per unit, with the number of lots allowed being based upon a gross density of one (1) residential dwelling unit per five (5) acres held in single ownership. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.*
 - b. *Any new non-farm residential lot shall have a "Right to Farm" disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin "Right to Farm" statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
 - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot shall not contain Class I, II, or III soils. In addition, it is the preference of the Town of Brunswick that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.*

The application has been found to be generally consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands Future Land Use and the Town of Brunswick Rural Preservation Future Land Use.

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The proposed A-2 District is not a certified farmland preservation district and the proposed lots would not qualify for Farmland Preservation tax credits.

Comprehensive Plan Summary

The proposed A-2 zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan Rural Lands Planning Area.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County’s Comprehensive Plan.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

Standard 1 - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – There are four (4) different soil types on the property to be divided, only one of which is considered prime agriculture soils. The majority of the soils (3 of 4) are not highly productive due to soil type.

Soil Type	Description	Capability Class
GsB	Gotham loamy sand, sandstone substratum, 2 to 6 percent slopes	4
EmB	Elk mound loam, 2 to 6 percent slopes	3
PdB	Plainbo loamy sand, 2 to 6 percent slopes	4
PfC2	Plainfield loamy sand, 6 to 12 percent slopes, eroded	6

- **Historical Productivity** – The parcel is currently being used for agricultural purposes.
- **Site Location** – The property is located on S Jene Rd., just north of Town Hall Rd.
- **Adjacent Land Uses** – Uses in the area include a mixture of farmlands, woodlands, and single-family residences.

Standard 2 - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Eau Claire County Comprehensive Plan, including policies related to limiting residential density in rural areas of the County and limiting conversion of productive farmland.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.* Although the proposed rezoning would remove land from cultivation, only a small amount of prime soils may be impacted, and the Farmland Preservation Plan allows limited conversion of farmland.

Standard 4 - *The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

The proposed rezoning will not likely impair or limit current or future agricultural use, although non-farm residential development is discouraged in the Rural Lands (RL) Planning Area.

Town Board Action: The Brunswick Town Board considered the rezoning petition on Tuesday, December 10th, 2019 and recommended approval (3-0 vote).

The rezoning petition has been evaluated for consistency with the purpose of the A-2 District and the uses allowed in the district. The request is generally consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include agricultural fields, farmsteads, scattered single-family residences, and scattered woodlands.
- Zoning in the area is predominantly A-P, with some A-2 zoning to the north and west of the subject property.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposed to the proposed rezoning has been received, to date.

FINDINGS

Findings in Favor:

1. The request is generally consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County Comprehensive Plan.
2. The majority of the property to be rezoned contains non-prime soils and has limited agricultural potential.
3. Adjacent zoning to the west is A-2.
4. The proposed rezoning will allow a family member to construct a home on family property.
5. The remainder of the property will remain A-P.

Finding Against:

1. The property to be rezoned is currently cultivated for agriculture.

4 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
5 TOWN OF BRUNSWICK -

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1.** That the 1982 Official Zoning District Boundary Map for the Town of
9 Brunswick, described as follows:

10
11 A parcel of land being the west 300 feet of the south 726 feet of the
12 southeast ¼ of the northwest ¼ of Section 16, Township 26, North, Range
13 10 West, Eau Claire, Wisconsin.

14
15 Said described parcel of land containing 5 acres +/-, of land and is subject
16 to the easements and restrictions of record to be reclassified from the A-P
17 Agricultural Preservation District to the A-2 Agriculture-Residential
18 District.

19
20 **SECTION 2.** Where a certified survey map is required and may alter the above
21 described property description, the official zoning district map for the
22 town shall be automatically amended to reflect the property description of
23 the certified survey map.

24
25
26 **ENACTED:** I hereby certify that the foregoing correctly represents the
27 action taken by the undersigned Committee on January 28,
28 2020 by a vote of for, against.

29
30 _____
31 Planning & Development Committee, Chairperson

32
33
34
35 CC

36
37 Dated this 28th day of January 2020

38
39 ORDINANCE 19-20/083
40

19.20/083

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted: 11/8/2019
Accepted By: Matt Michels
Receipt Number: 62277
Town Hearing Date: 12/10/2019
Scheduled Hearing Date: 1/28/2020
Application No: RZN-0024-19
Appl Status: Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **AP** Proposed Zoning District(s): **A2** Acres to be Rezoned: **5**

Part Of The Se1/4 Nw1/4 Of Section 16, T26N, R10W, Town Of Brunswick, Eau Claire County, Wi

Owner/Applicant Name(s): Daniel L & Lisa M Sommerfeld	Address: (ow) S 6470 JENE RD EAU CLAIRE	Telephone:
---	---	-------------------

Site Address(es):

Property Description: Sec 16 Twn 26 Rge 10 **Town of Brunswick** **Lot Area:** 40.000 ACRES

Zoning District(s): AP

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining

Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1800422610162400001	004106209000	26.10.16.2-4	SE-NW

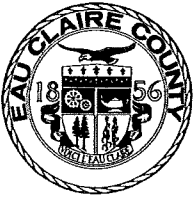
I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature _____ Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	11/8/19
Accepted By:	mm
Receipt Number:	62277
Town Hearing Date:	
Scheduled Hearing Date:	

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: A-P	Proposed Zoning District(s): A-2
Acres to be rezoned: 5 acres	

Property Owner Name: Lisa and Dan Sommerfeld	Phone# 7152147641
Mailing Address: S6470 Jene Rd	
Email Address: Sommerfeld.lisa@gmail.com	

Agent Name:	Phone#
Mailing Address:	
Email Address:	

SITE INFORMATION

Site Address: S6470 Jene Rd, Eau Claire WI 54701	
Property Description: SE ¼ NW ¼ Sec. 16, T26 N, R10 W, Town of Brunswick	
Zoning District: A-2	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s):	004 - 106 - 209 - 000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input type="checkbox"/> Complete attached information sheet	<input type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input type="checkbox"/> Provide legal description of property to be rezoned	<input type="checkbox"/> Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature *Lisa M Sommerfeld* Date 11-7-2019
Daniel Sommerfeld

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
 - Describe the reason for the request
 - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
 - Explain and justify why this particular property is under consideration for rezoning
 - For rezoning requests from A-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
 - For rezoning requests from the A-P to the AR zoning district must consider the factors in Section 18.06.050 A. – D.
 - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

■ Describe the reason(s) for your rezoning request:

Jesse Sommerfeld, son of Lisa and Dan Sommerfeld, would like to purchase 5 acres to build a shop with living quarters. The farm is currently zoned A-P and the 5 acres would need to be rezoned to sell it to him.

■ When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

The section of land we are looking to rezone is away from other houses and buildings in the area. It should not be easily seen by the current neighbors. It also borders Town Hall Rd so it would not need an easement for the driveway so it will not disturb more land than needed. It is adjacent to a 40 acre parcel of land which is currently zoned A-2 and is located in an area where it does not interfere with the main farm as a whole.

■ Rezoning petitions to change the zoning of a parcel from the A-P Agricultural Preservation District to any other District must be based upon findings that consider the following factors:

- 1) The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses;
- 2) The rezoning is consistent with any applicable comprehensive plans;
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

If you are petitioning to rezone land from an A-P District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

While some of the 5 acres we are looking to rezone is soil type Elkmound loam much of that 5 acres would consist of Cotham loamy sand and Plambo loamy sand preserving most of the Elkmound loam for agricultural use on that 40 acre parcel.

By rezoning and selling him 5 acres this request maintains the Town of Brunswick's 5 acre minimum standard for a building site.

This request maintains most of the better agricultural use soil type on the 40 acres for ag use and incorporates the less desirable agricultural soil types into the 5 acre parcel.

The location of this parcel is in one corner of the 40 acres and will not impair agricultural use of the other 35 acres and does not interfere with the connectivity of the remaining 35 acres on this parcel to the rest of the main farm.

Matt Michels

From: Lisa Sommerfeld <sommerfeld.lisa@gmail.com>
Sent: Monday, November 11, 2019 6:30 PM
To: Matt Michels
Subject: Re: Rezoning application legal description
Attachments: image002.png

WARNING!! This email originated outside Eau Claire County. Do not click any links or attachments unless you know the sender.

Hi Matt

Here is the legal description to go with the rezone application I turned in last Friday for the 5 acre parcel in the Town of Brunswick.

W 300 feet of the S 726 feet of the SE 1/4 NW 1/4 Sec 16, T26N, R10W, Eau Claire County, WI

Let me know if you need anything else.

Thank you,
Lisa Sommerfeld

On Thu, Oct 24, 2019, 1:55 PM Matt Michels <Matt.Michels@co.eau-claire.wi.us> wrote:

Hi Lisa,

Hi Dana,

Per our conversation, here is a link to the rezoning application: <http://www.co.eau-claire.wi.us/home/showdocument?id=4044>. As we discussed, the proposed 5+ acre lot would be rezoned from A-P (Agricultural Preservation) to A-2 (Agriculture-Residential; 5 acre minimum lot size) and the remainder of the property would remain zoned A-P.

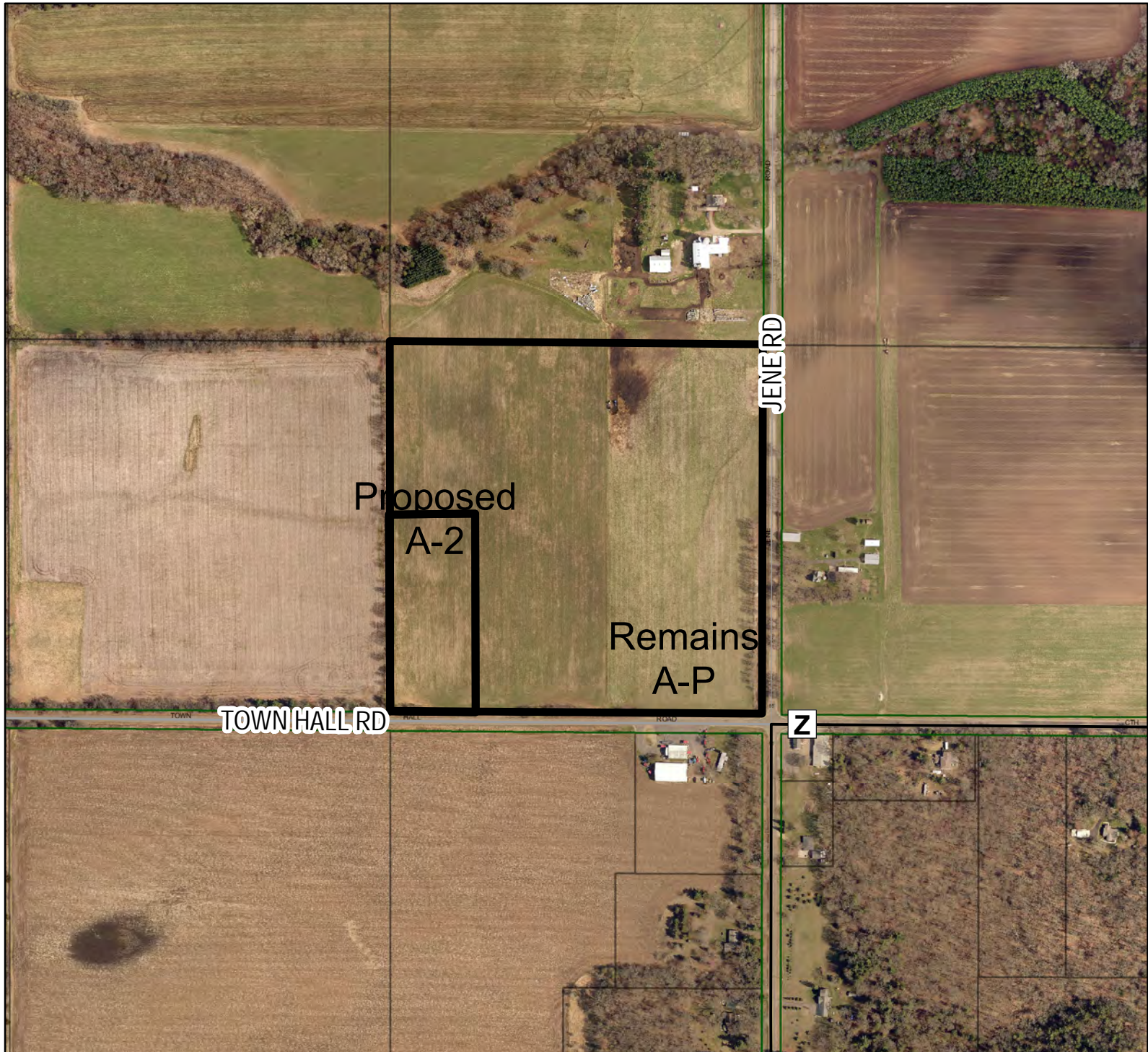
The application deadline for the County Planning & Development Committee is always three (3) weeks prior to the County Planning & Development Committee meeting at noon, with the next three meeting dates being November 19th, December 10th, and January 28th, 2020, so the next application deadline is next Tuesday, October 29th at noon. The meetings are held at 7pm in the County Board Room at the courthouse. As we discussed, you will need to coordinate a meeting date with the Town of Brunswick that occurs prior to the County P&D hearing.

Also, as mentioned, I have attached a soil map for your property depicting the location of prime soils (Type 1, 2, and 3), which should be avoided for development as much as possible.

Please feel free to contact me with any questions.

Thanks,

SOMMERFELD REZONE AERIAL MAP



Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.





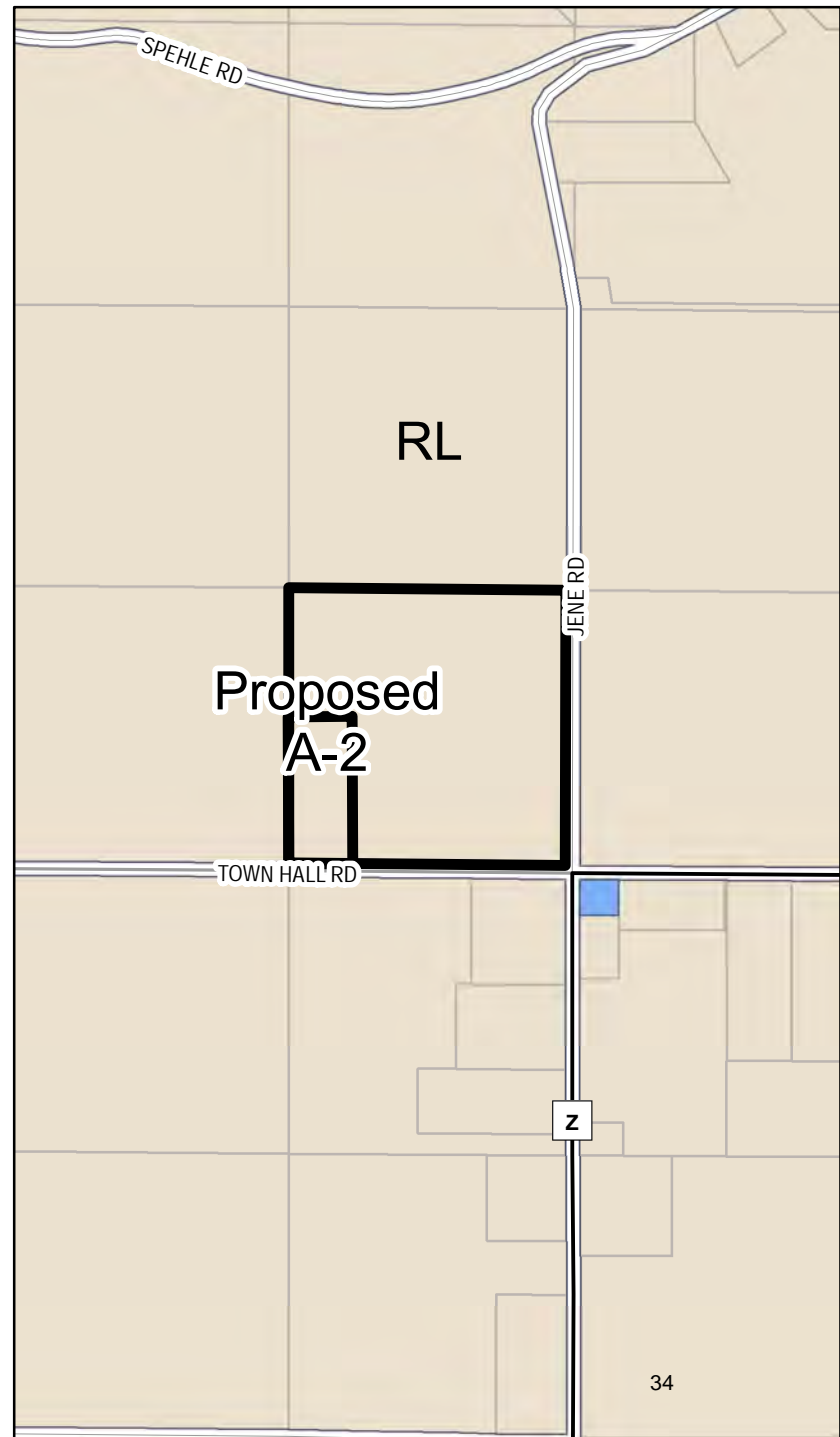
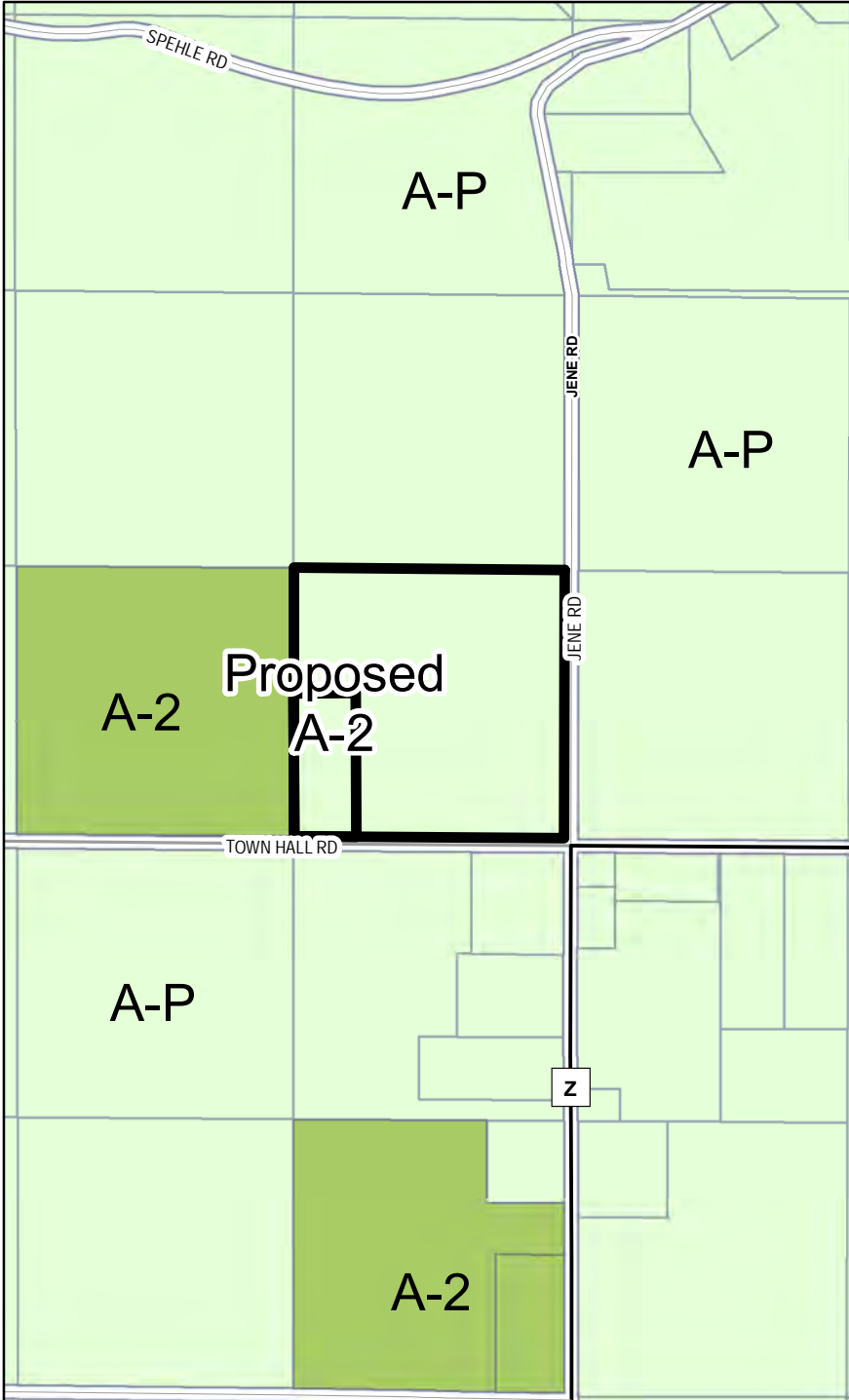
Sommerfeld Rezoning: RZN-0024-19

Existing Zoning

1 inch = 900 feet

Future Land Use

1 inch = 900 feet



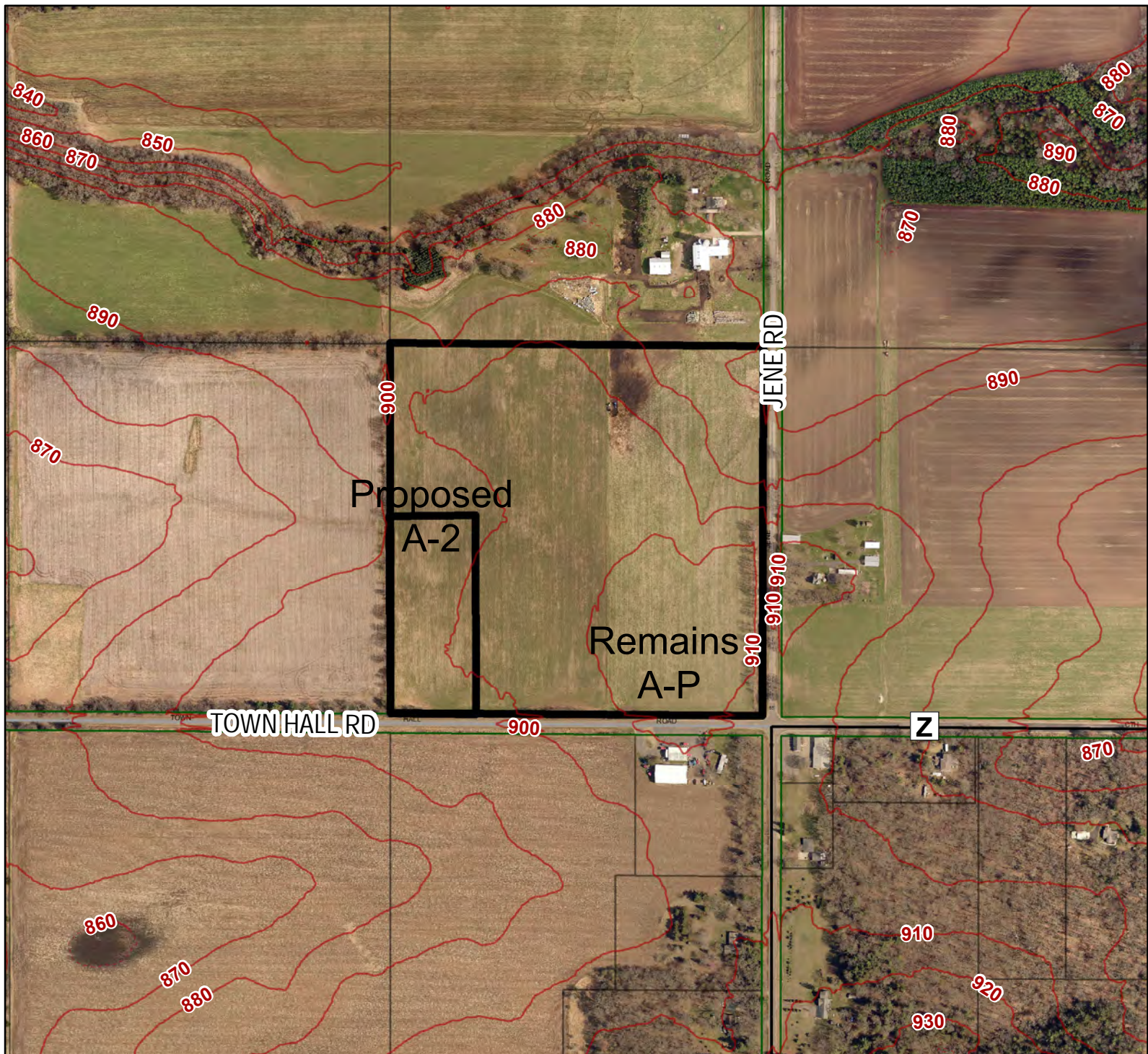
- A1 - Exclusive Agricultural District
- A2 - Agriculture-Residential District
- A3 - Agricultural District
- AP - Agricultural Preservation
- AR - Floating Agricultural-Residential District
- C1 - Neighborhood Business District
- C2 - General Business District
- C3 - Highway Business District
- F1 - Exclusive Forestry District
- F2 - Forestry District
- I1 - Nonsewered Industrial District
- I2 - Sewered Industrial District
- R1L - Single-Family Residential District, Large Lot
- R1M - Single-Family Residential District
- R2 - Two-Family Residential District
- R3 - Multiple-Family Residential District
- RH - Rural Homes District

- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



Parcel Mapping Notes:
 The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet
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SOMMERFELD REZONE TOPOGRAPHY MAP



Parcel Mapping Notes:

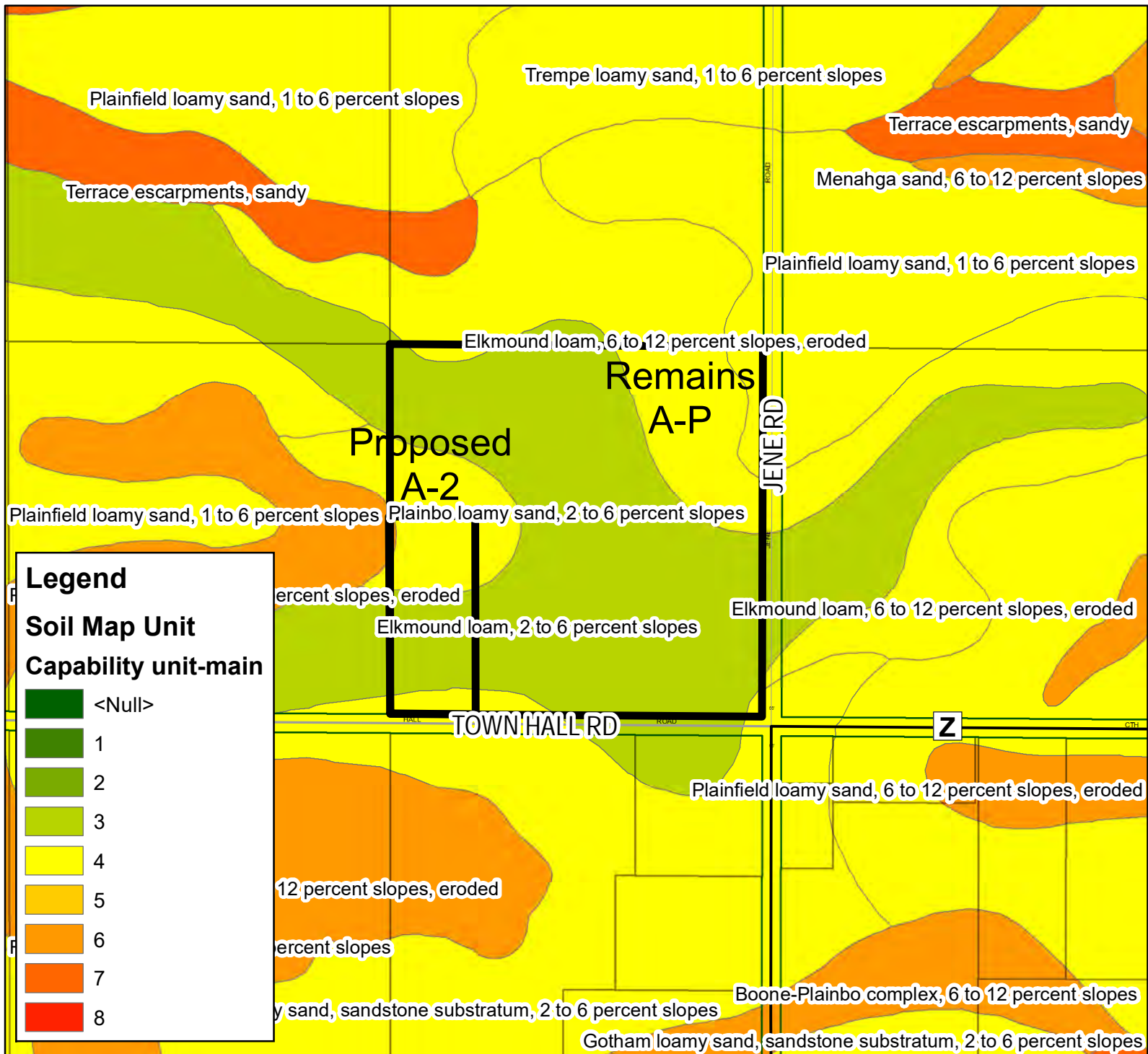
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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SOMMERFELD REZONE SOILS MAP



Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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Legend

- 700' Buffer
- Subject Parcel
- Parcels in buffer
- Civil Divisions
- Parcels



FirstName	LastName	Address	City	State	Zip
NANCY	(HAYDEN) SPEHLE	W 6000 SPEHLE RD	EAU CLAIRE	WI	54701-9551
ANDREW N & AMANDA B	JEPSEN	S 6995 COUNTY ROAD Z	EAU CLAIRE	WI	54701-9562
JOSHUA W & ANGELA R	LILJANDER	S 6901 COUNTY ROAD Z	EAU CLAIRE	WI	54701-9562
ALVIN	PETERSON	W 5545 TOWN HALL RD	EAU CLAIRE	WI	54701-9550
ALVIN O & BONITA Y	PETERSON	S 6275 JENE RD	EAU CLAIRE	WI	54701-8620
KIPPY	RUHE-PARRONI	W 5405 COUNTY ROAD Z	EAU CLAIRE	WI	54701-8680
CAROL	RYAN	S 6950 COUNTY ROAD Z	EAU CLAIRE	WI	54701-9562
DANIEL L & LISA M	SOMMERFELD	S 6470 JENE RD	EAU CLAIRE	WI	54701-8619
FIRE STATION #5-TWN HALL	TOWN OF BRUNSWICK	W 5465 COUNTY ROAD Z	EAU CLAIRE	WI	54703
MARTIN R & DONNA M	TULLAR	S 6687 JENE RD	EAU CLAIRE	WI	54701-8620



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0001-20 **COMPUTER NUMBERS:** 024100803000

PUBLIC HEARING DATE: January 28, 2020

STAFF CONTACT: Matt Michels, Senior Planner
Orion Allgaier, Planning Intern

OWNER: Thomas E. Brown, 9248 Nine Mile Creek Rd., Fall Creek 54742

AGENT: Kyle Brown-Kullman, 322 90th St., Clear Lake, WI 54005

REQUEST: Rezone 5.21 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agriculture-Residential) District to allow the applicant's grandson to build a single-family residence on the 5-acre lot.

LOCATION: 6902 Schumacher Rd.

LEGAL DESCRIPTION: Portion of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 06, Township 26 North, Range 08 West, Town of Washington, Eau Claire County, Wisconsin.

RECOMMENDATION Approval of request based on findings outlined on Pages 5 & 6 of this report

BACKGROUND

SITE CHARACTERISTICS:

- The majority of the parent parcel is developed for agriculture.
- The majority of the property to be rezoned contains woodlands and 20%+ slopes
- The property generally slopes from southeast to northwest, with approximately 140 feet of topographic relief.
- The property does not contain floodplains or mapped wetlands.
- The remaining 40 +/- acres will remain zoned A-P.

EXISTING ZONING DISTRICT:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*

- E. *Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*
- F. *Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*
- G. *Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and*
- H. *Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County’s permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.*

REQUESTED ZONING DISTRICT:

A-2 Agriculture-Residential District. *This district is established to “provide an area for limited residential and hobby farm development in a rural atmosphere.”*

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Agricultural Field; Single-Family Residence; Woodlot; Farmstead
North	A-P	Farmstead; Single-Family Residence; Woodland; Agricultural Field
East	A-P	Agricultural Field; Woodland
South	A-P	Agricultural Field; Woodlands
West	A-P	Single-Family Residences; Agricultural Field; Farmstead

COMPREHENSIVE PLANS:

The Eau Claire County and The Town of Washington Future Land Use Maps both include the properties in the Rural Lands (RL) planning area. Following are descriptions of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies.

Eau Claire County:

- **Rural Lands Intent and Description:** *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- **Applicable Policies:**
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
 2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
 3. *The following Eau Claire County Zoning Districts will be considered for approval within RL areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry*

District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:

- a. Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

Town of Washington:

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
 1. *Farming and agricultural uses shall be established as the primary land uses within these areas. Non-farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production.*
 2. *Agriculturally related businesses, cottage industries, utility, recreation, mineral extraction, religious and government uses may be permitted based on the conditional use requirements of the appropriate Eau Claire County base zoning districts for RP areas.*
 3. *Proposals for any new non-farm residential development shall be consistent with the following policies:*
 - a. Non-farm residential lots shall be a minimum of five (5) acres per unit, except as provided below for conservation subdivisions.*
 - b. Any new non-farm residential lot shall have a "Right to Farm" disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin "Right to Farm" statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
 - c. Non-farm residential development shall only occur on land that is marginal for agricultural productivity. No more than 20% of any proposed new lot should contain Class I, II, or III soil, or the owner must demonstrate that the land with prime agricultural soils are marginal for agriculture due to other factors.*
 4. *The following Eau Claire County zoning districts will be considered for approval within RL areas: A-P, Agricultural Preservation District, A-1 Exclusive Agricultural District, A-2 Agricultural-residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential, F-2 Forestry District, and F-1 Forestry District. The following additional policies shall apply to zoning petitions:*
 - a. Policies for the rural preservation area only apply to rezoning, land division, or subdivision petitions.*
 - b. Rezoning land to the A-2 Agricultural-residential District or the A-3 Agricultural District is discouraged for new non-farm residential development, unless findings can be made that rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

The application has been found to be generally consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands Future Land Use and the Town of Washington Rural Lands Future Land Use.

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. However, no agricultural uses are present on the subject property and no productive farmland would be removed from cultivation. The proposed A-2 District is not a certified farmland preservation district and the proposed lot would not qualify for Farmland Preservation tax credits.

Comprehensive Plan Summary

The proposed A-2 zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan Rural Lands Planning Area.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County’s Comprehensive Plan.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

Standard 1 - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – There are six (6) different soil types on the property to be divided, three (3) of which are considered prime agriculture soils. The other half (3) are not highly productive due to soil type and topography.

Soil Type	Description	Capability Class
MeB	Meridian loam, 2 to 6 percent slopes	2
BIB	Billett sandy loam, 1 to 6 percent	3
EIC2	Eleva sandy loam, 6 to 12 percent slopes, eroded	3
PfC2	Plainfield loamy sand, 6 to 12 percent slopes, eroded	6
BoE	Boone-Plainbo complex, 12 to 45 percent slope	7
EmE	Elkmound loam, 20 to 45 percent slopes	7

- **Historical Productivity** – A portion of the property to be rezoned is currently being used for agricultural purposes.
- **Site Location** – The property is located on Schumacher Road, east of Country Road AA.
- **Adjacent Land Uses** – Uses in the area include a mixture of farmlands, woodlands, and single-family residences.

Standard 2 - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Eau Claire County Comprehensive Plan, including policies related to limiting residential density in rural areas of the County and limiting conversion of productive farmland.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.* The proposed rezoning would have limited impact on agricultural land.

Standard 4 - *The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

The proposed rezoning will not likely impair or limit current or future agricultural use, although non-farm residential development is discouraged in the Rural Lands (RL) Planning Area.

Town Board Action: The Washington Town Board will consider the rezoning petition on Thursday, January 16, 2020.

The rezoning petition has been evaluated for consistency with the purpose of the A-2 District and the uses allowed in the district. The request is generally consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include agricultural fields, farmsteads, scattered single-family residences, and scattered woodlands.
- Zoning in the area is predominantly A-P, with some A-2 zoning to the North and West of the subject property.

CONCLUSION

The rezoning petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposed to the proposed rezoning has been received, to date.

FINDINGS

Findings in Favor:

1. The request is generally consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County Comprehensive Plan.
2. The majority of the property to be rezoned contains non-prime soils and has limited agricultural potential due to topography.
3. The property has existing road frontage on Schumacher Road.
4. The remainder of the property will remain A-P.

Findings Against:

1. The proposed rezoning would allow for an additional non-farm residence in a predominantly agricultural area.
2. A small amount of productive farmland will likely be removed from cultivation.
3. There are no other A-2 zoned lots immediately adjacent to the subject property. However, there are several existing 5+ acre lots in the immediate vicinity.

4 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
5 TOWN OF WASHINGTON-

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1.** That the 1982 Official Zoning District Boundary Map for the Town of
9 Washington, described as follows:

10
11 A parcel of land being part of the fractional northwest ¼ of the northeast
12 ¼ beginning at the northeast corner and then extending south along the
13 east property line 792 feet, then west parallel to Schumacher Road 275,
14 feet from the east property line, then north 792 feet, then east to the point
15 of beginning in Section 06, Township 26N, Range 08W, Town of
16 Washington, Eau Claire County

17
18 Said described parcel of land containing 5.0 acres +/-, of land and is
19 subject to the easements and restrictions of record to be reclassified from
20 the A-P Agricultural Preservation District to the A-2 Agriculture-
21 Residential District.

22
23 **SECTION 2.** Where a certified survey map is required and may alter the above
24 described property description, the official zoning district map for the
25 town shall be automatically amended to reflect the property description of
26 the certified survey map.

27
28
29 **ENACTED:** I hereby certify that the foregoing correctly represents the
30 action taken by the undersigned Committee on January 28,
31 2020 by a vote of for, against.

32
33
34 _____
35 Planning & Development Committee, Chairperson

36
37 CC

38
39 Dated this 28th day of January 2020

40
41 ORDINANCE 19-20/088
42

Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

RECEIVED

JAN 02 2020

COUNTY CLERK

Application Accepted:	1/2/2020
Accepted By:	Matt Michels
Receipt Number:	62664
Town Hearing Date:	01/16/2020
Scheduled Hearing Date:	1/28/2020
Application No:	RZN-0001-20
Appl Status:	Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **AP** Proposed Zoning District(s): **A2** Acres to be Rezoned: **5.21**

Portion Of The Nw1/4 Ne1/4 Of Section 6, T26N, R8W, Town Of Washington, Eau Claire County, Wi

Owner/Applicant Name(s):	Address:	Telephone:
Thomas E Brown	(ow) 9248 NINE MILE CREEK RD FALL CREEK	715-832-4537(H)
Kyle Brown-Kullman	(appl) 322 90TH ST CLEAR LAKE	715-563-0241(H)

Site Address(es):
 6902 SCHUMACHER RD FALL CREEK

Property Description: Sec 06 Twn 26 Rge 08 **Town of Washington** **Lot Area:** 45.100 ACRES

Zoning District(s): AP

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1802422608061200001	024100803000	26.8.6.1-2	FRAC NW-NE CONT 45.10 AC M/L

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature _____ Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	1/2/20
Accepted By:	mm
Receipt Number:	62664
Town Hearing Date:	1/16/20
Scheduled Hearing Date:	1/28/20

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: AP Proposed Zoning District(s): A2
 Acres to be rezoned: 5 without right of way (R.O.W) ± 5.21 w/ R.O.W

RECEIVED

Property Owner Name: Thomas E. Brown Phone# (715) 832-4537
 Mailing Address: 9248 Nine Mile Creek Rd. Fall Creek, WI 54742
 Email Address: _____

JAN 02 2020
 COUNTY CLERK

Agent Name: Kyle Brown-Kullman Phone# 715 563 0241
 Mailing Address: 322 90th St Clear Lake WI 54005
 Email Address: kbrownkullman@gmail.com

SITE INFORMATION

Site Address: 6902 Schumacher Rd
 Property Description: _____ ¼ _____ ¼ Sec. 06, T 26 N, R 08 W, Town of Washington
 Zoning District: AP Code Section(s): 18.32.055
 Overlay District:
 Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining
 Computer #(s): 024-100-803-000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input type="checkbox"/> Complete attached information sheet	<input type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input type="checkbox"/> Provide legal description of property to be rezoned	<input type="checkbox"/> Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Thomas E Brown Date Dec 30-2019
Ty B 12/30/2019

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason(s) for your rezoning request:

The reason for the rezoning request is to parcel off 5 acres of land for my grandson, Kyle Brown, so that he can build a single family residence.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

Though a single family residence will be built on the property, it is the family's intention to maintain the long-term, agricultural integrity of the surrounding land, and ensure the continued agricultural growth of the community.

Rezoning petitions to change the zoning of a parcel from the A-P Agricultural Preservation District to any other District must be based upon findings that consider the following factors:

- 1) The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses;
- 2) The rezoning is consistent with any applicable comprehensive plans;
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

If you are petitioning to rezone land from an A-P District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

1. The land in question for this rezoning is not a high productivity location. With over half of the parcel as a wooded lot, the proposed rezoning for a residence will not greatly decrease any tillable land. Other residences in the area that also follow wooded lots similar to this proposed lot structure have been built and found beneficial to the community.
2. In accordance with the comprehensive plan for the town of Washington, it is the family's intention to adhere to the preferred building layout, and have the residence follow the wooded area on the 5 acre property. It is also the family's intention to maintain and cooperate with the current farming community. The values of land stewardship and agricultural preservation are very high priorities to the family and as such they intend to pass these values onto future generations. Community and safety are also very important to this young family and they have a long-term dream for this residence that is structured around supporting the already thriving community.
3. It is the family's intention to remain as consistent as possible with the Eau Claire County Farmland Preservation Plan, in that there is little disruption of tillable land with the rezoning of this 5 acre parcel. This consistency can also be reiterated in the family's desire to structure the location of their residence closer to the wood line and therefore minimizing current crop locations.
4. It is the family's understanding that the rezoning of this 5 acre parcel will not have a significant impact to current crop location and that the single family residence will not alter the future agricultural use of the surrounding land.

Legal Description

Town of Washington, Eau Claire County, State of Wisconsin

Section 06, Township 26 N, Range 08 W

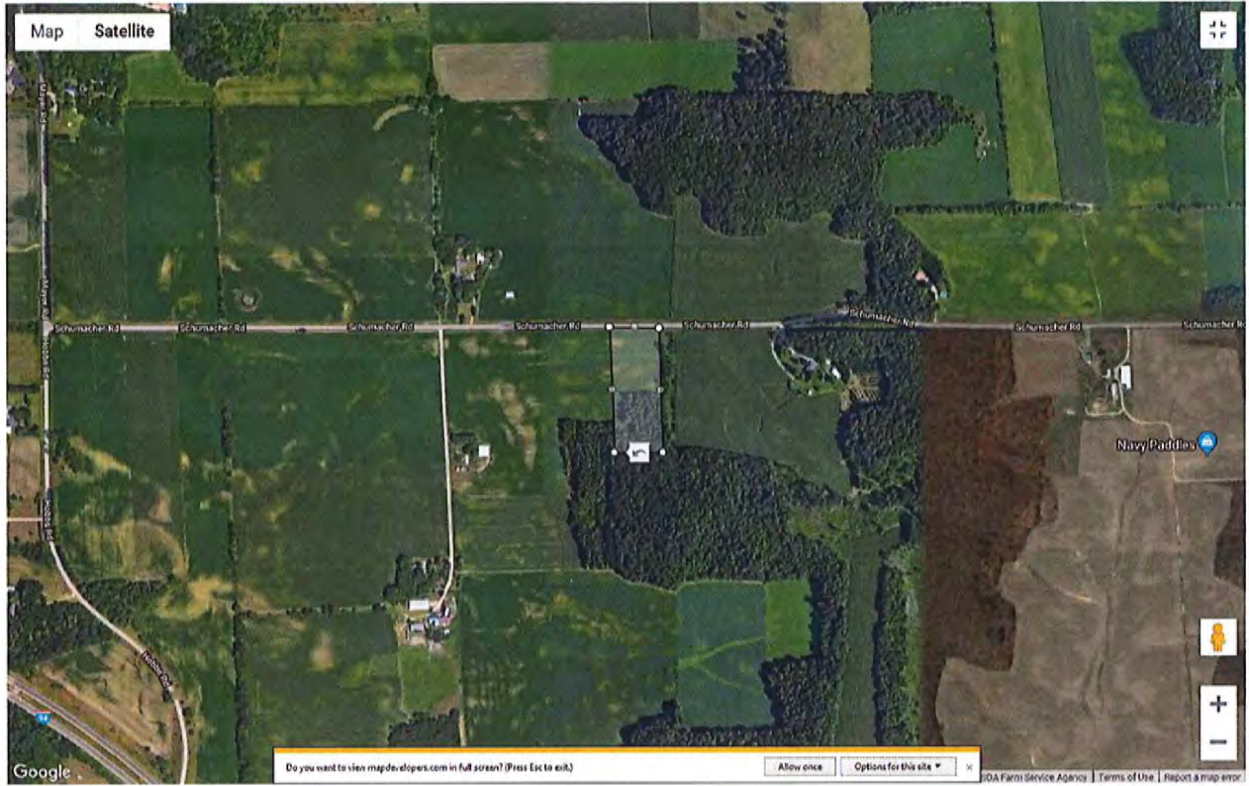
Property Address:

6902 Schumacher Rd

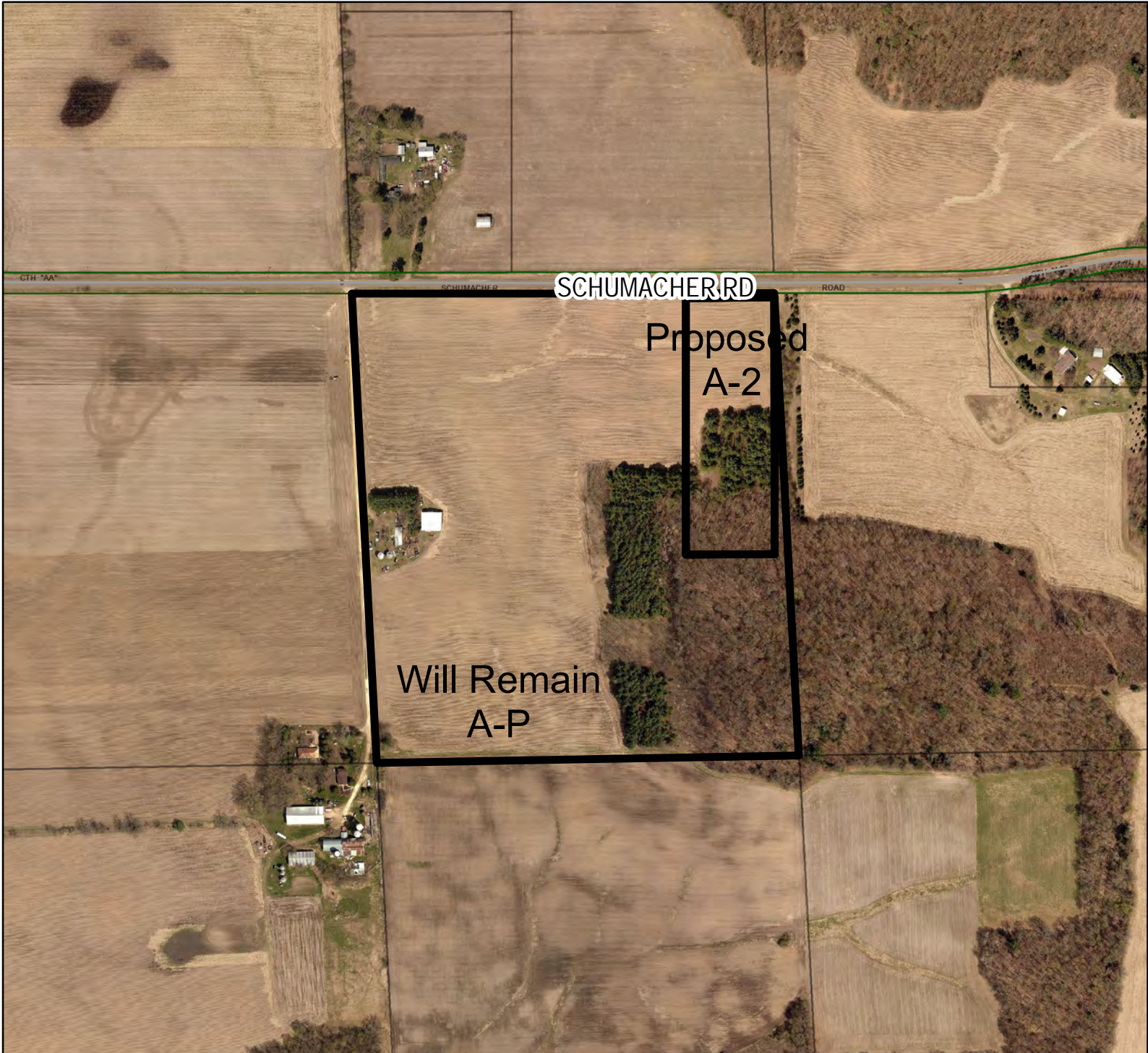
Fall Creek, Wi 54742

Northeast corner of the NW¼ NE¼ extending south along property line 792 feet, then west parallel to Schumacher Road 275 feet from the east property line, then north 792 feet, then east to the point of beginning.

Picture provided show general intent, not actual boundary lines.



BROWN-KULLMAN REZONE AERIAL MAP



Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.





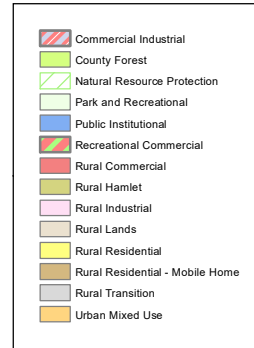
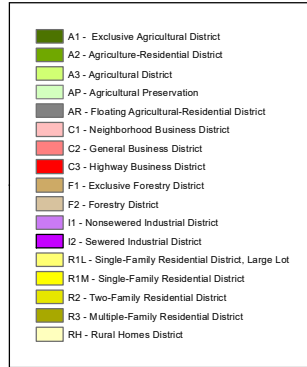
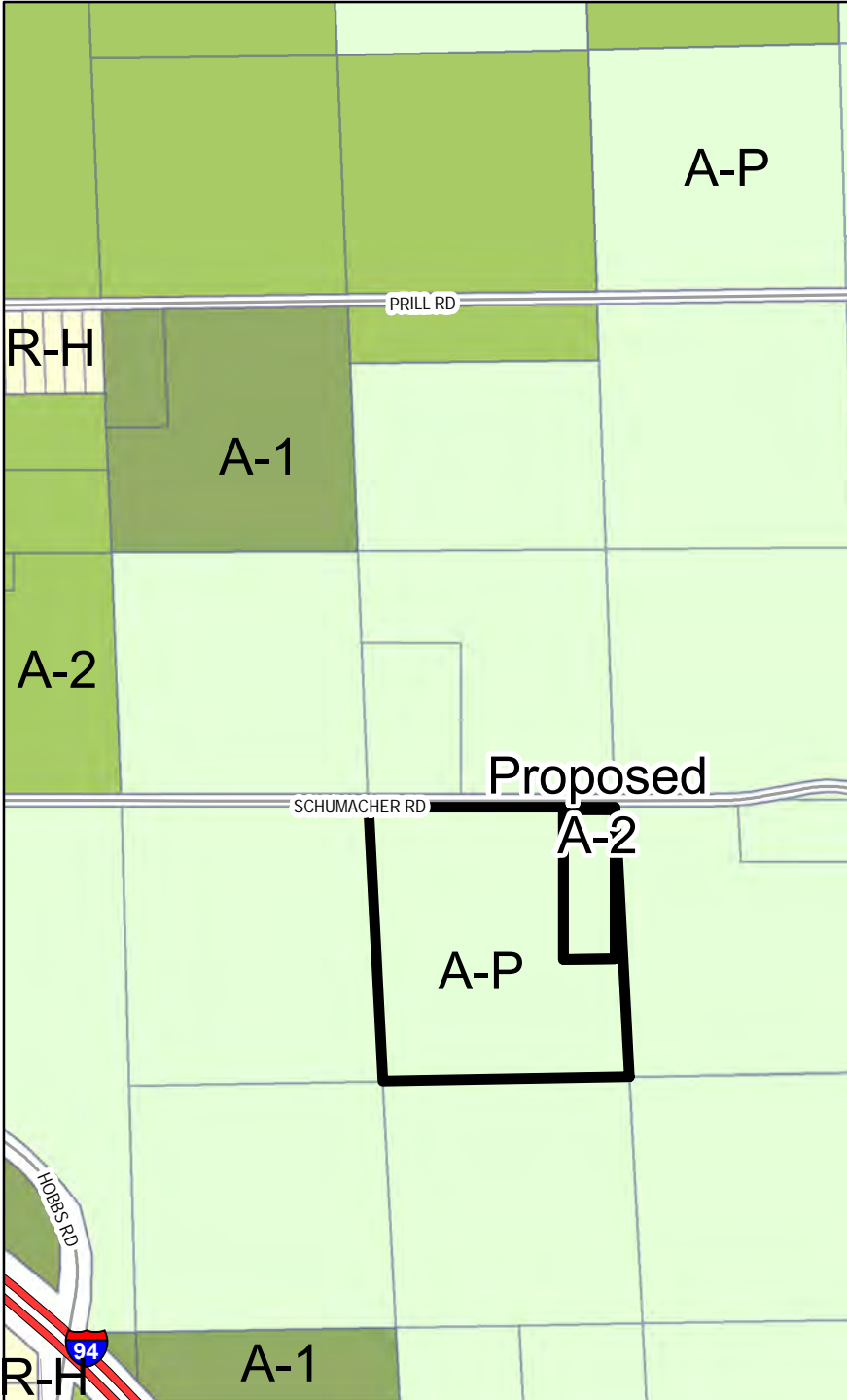
Brown-Kullman Rezoning: RZN-0001-20

Existing Zoning

1 inch = 1,000 feet

Future Land Use

1 inch = 1,000 feet

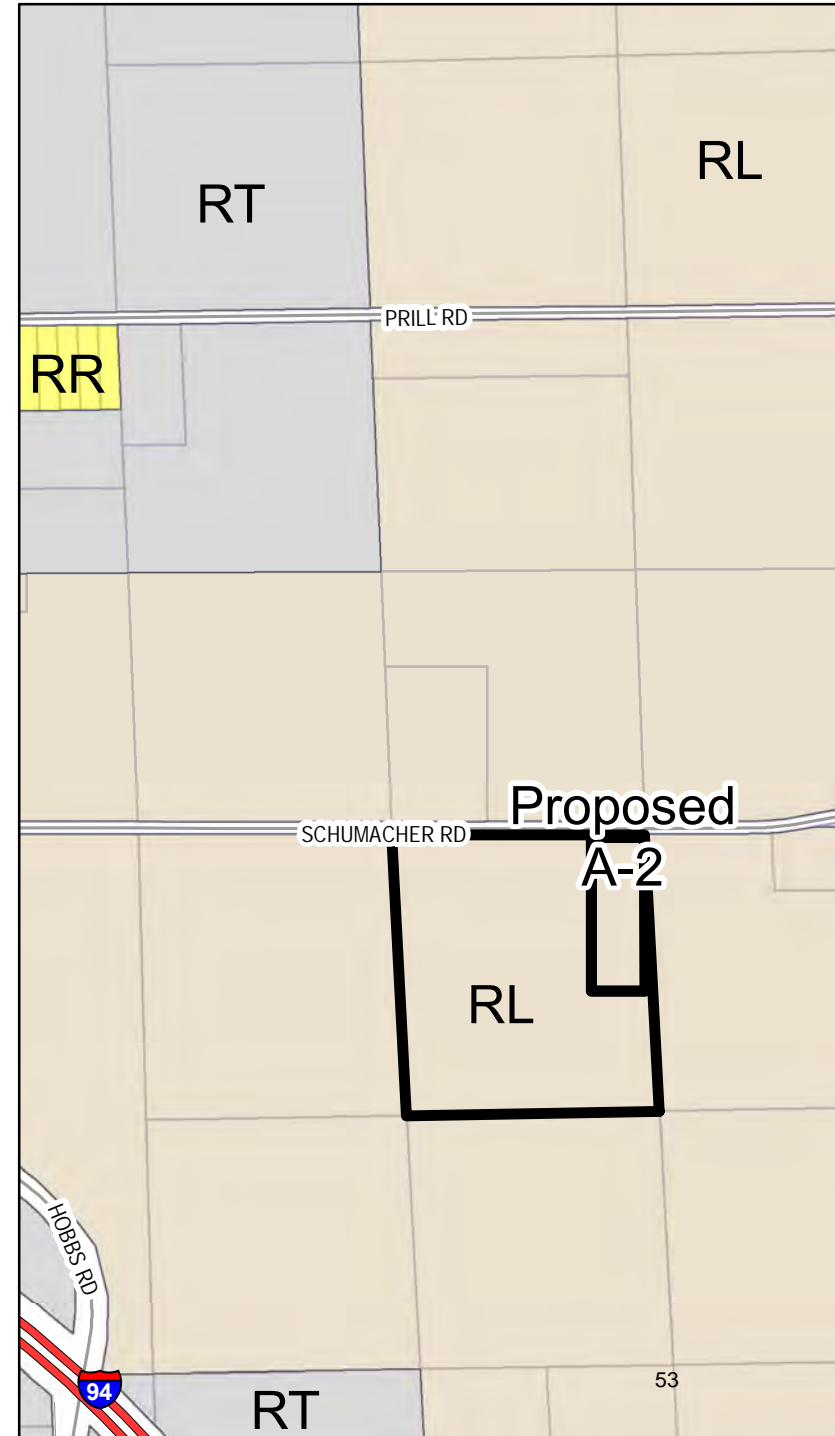


Parcel Mapping Notes:

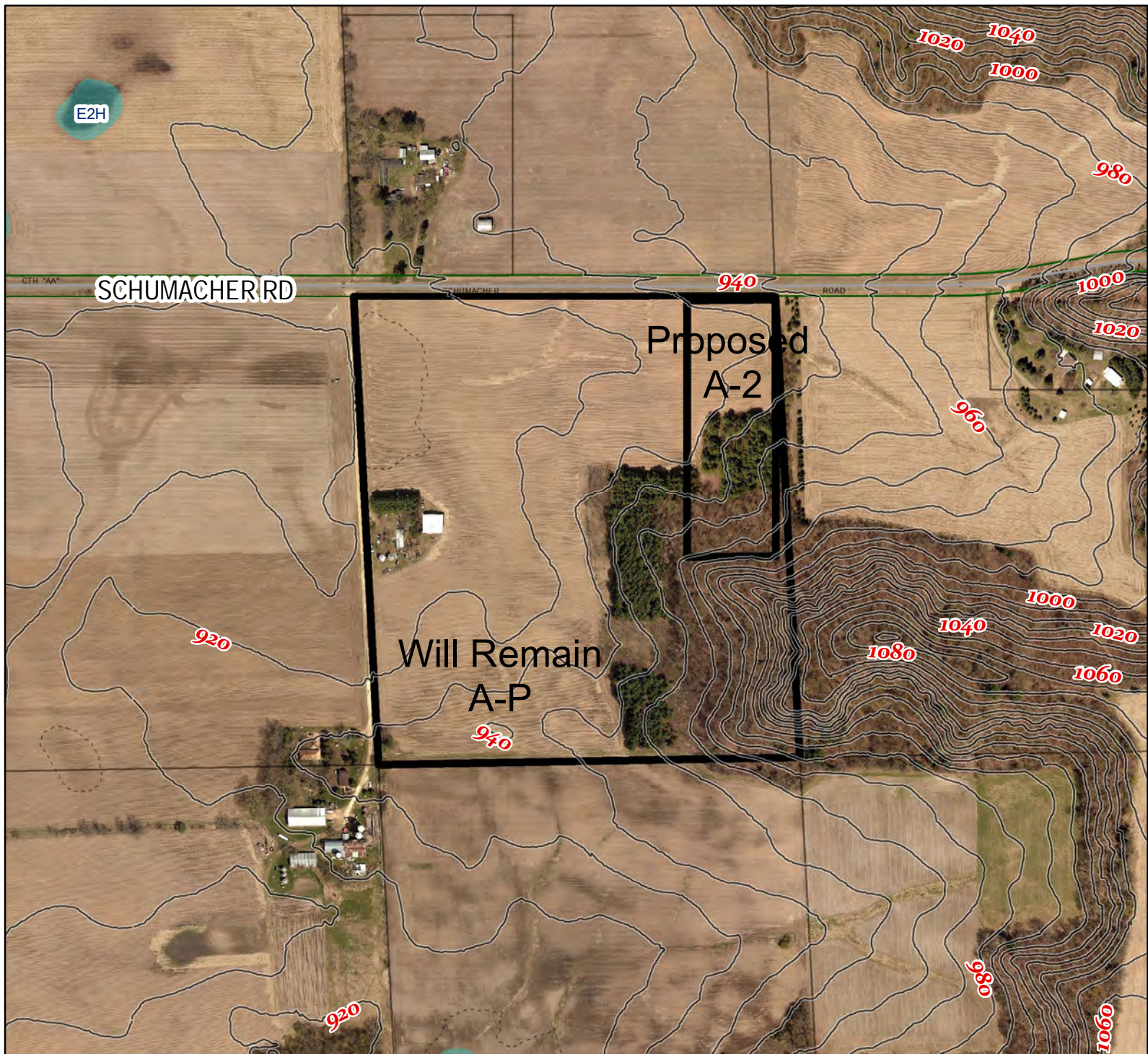
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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BROWN-KULLMAN REZONE WETLAND - TOPO - AERIAL MAP



Parcel Mapping Notes:

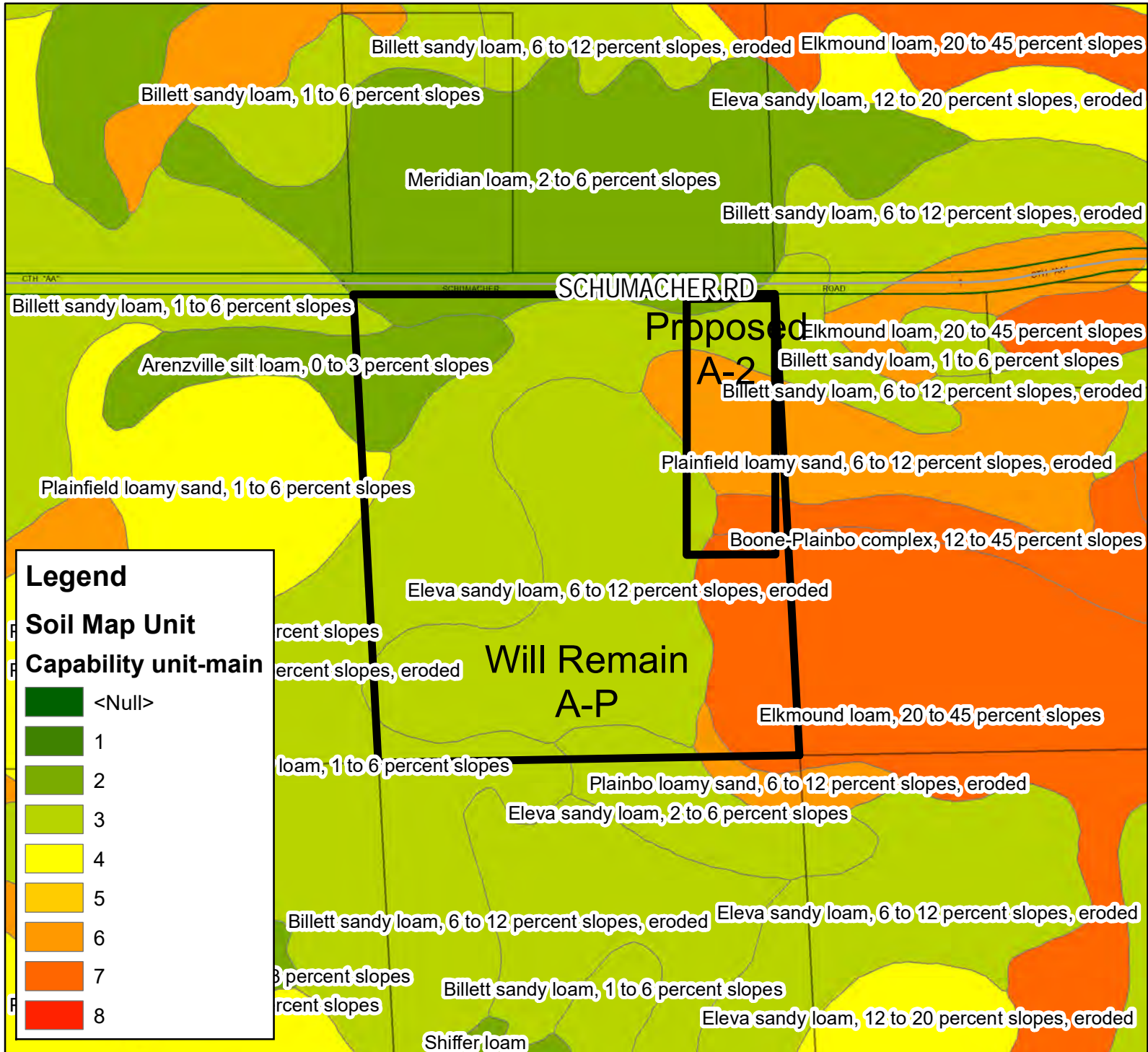
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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BROWN-KULLMAN REZONE SOILS MAP



Legend

Soil Map Unit

Capability unit-main

	<Null>
	1
	2
	3
	4
	5
	6
	7
	8

Parcel Mapping Notes:





The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

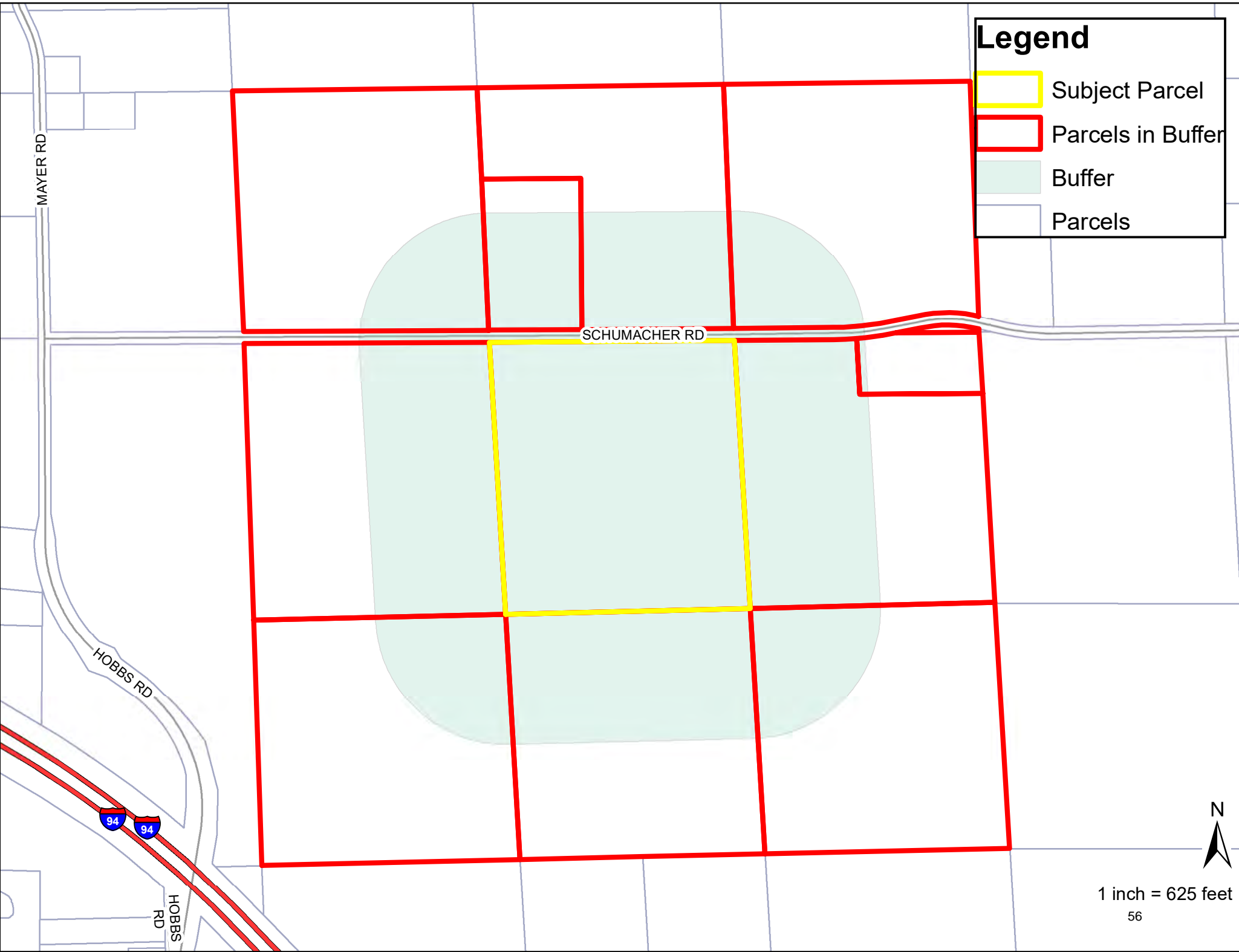
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Legend

-  Subject Parcel
-  Parcels in Buffer
-  Buffer
-  Parcels



1 inch = 625 feet

FirstName	LastName	Address	City	State	Zip
DAVID	BROWN	6910 SCHUMACHER RD	FALL CREEK	WI	54742-9352
THOMAS	BROWN	9248 NINE MILE CREEK RD	FALL CREEK	WI	54742-9332
GARY D & BEVERLY J	NYSETH	7289 SCHUMACHER RD	FALL CREEK	WI	54742-9352
JEFFREY	SCHUMACHER	6903 SCHUMACHER RD	FALL CREEK	WI	54742-9352



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

CONDITIONAL USE PERMIT NUMBER: CUP-0019-19
COMPUTER NUMBER(S): 022-1009-06-010
PUBLIC HEARING DATE: January 28, 2019

STAFF CONTACT: Jared Grande, Land Use Manager
Orion Allgaier, Planning Intern

OWNER: John Menard Jr.

APPLICANT: Nick Brenner, Real Estate Representative for Menards.

REQUEST: Amendment to CUP-0002-17 changing the site plan to accommodate a proposed expansion to the Menards corporate offices, related parking lots, and facilities.

LOCATION: 5101-5650 Old Mill Plaza and 5101-5115 Menard Drive, Eau Claire, WI 54703

LEGAL DESCRIPTION: SW ¼ of the SW ¼, Section 3, T27N, R10W, Town of Union.

SUMMARY

Request to amend the existing Planned Unit Development. The proposed conditional use seeks to alter the site plan in order to accommodate an expansion to the corporate offices, related parking lots, and facilities. Previously approved, the Planned Unit Development currently operates multiple uses on the property, including Menards corporate offices, product review offices, a training center, office equipment, record storage warehouses, wood pallet repair area, small multi-tenant retail building, compressed natural gas fueling area, a recreational go-kart track, and for third party expositions and events.

The application includes a request to remove the recreational go-kart track as part of the expansion. In its place, the applicant is requesting to expand existing parking lots (402 stalls) to accommodate the corporate expansion. As shown in the application, the request also includes: a detention pond and green area to the north of the office addition, retention pond to the west of parking lot G and an addition to existing septic capacity to support the additional workforce.

BACKGROUND

SITE CHARACTERISTICS:

- The site is located to the east of the intersection of Town Hall Road and Highway 312.
- Lot size is 61.27 +/- acres.
- The site has been a multiple use property before the Town adopted zoning in January of 1998.
- Existing parking serves all the businesses onsite, including the training center.
- 1,324 parking spaces was noted in previous staff report. 1,716 parking spaces are indicated on proposed plan.
- The site is mostly flat.
- Two storm water basins currently serve the property.

- The existing buildings are served by several commercial on-site septic systems and wells.
- Approximately 1,000 employees work onsite.
- Site has been used to host the Wisconsin Sport Show and other various events.

CURRENT ZONING:

C-2 General Business District. The purpose of the C-2 District is “to provide an area for retail Businesses of a community-wide range.”

ADJACENT ZONING & LAND USES:

DIRECTION	ZONING	LAND USE
North	I-1	Menards complex
West	C-3 and R-H	Businesses and Residences
South	City Zoning	Residential subdivision
East	I-1	Menards complex

LAND USE PLANS

The County Land Use Plan, adopted in 2010, includes this property in a Rural Commercial/Industrial planning area; the Town of Union’s Comprehensive Plan also places this property in a Rural Commercial/Industrial planning area.

Eau Claire County - Rural Commercial/Industrial (CI)

Intent and Description: The intent of this classification is to identify areas for a mix of commercial or industrial development that enhances the tax base, creates employment and provides needed goods and services to residents. The CI areas include land along major transportation corridors or near existing commercial or industrial development. At the time of original adoption of this Plan, this classification was only in use within the Town of Union; however, CI might be appropriate in other portions of the County, contingent upon County and local approval.

APPLICABLE ZONING REGULATIONS

Section 18.01.010 Purpose. This section describes the purpose of the zoning code. Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens.

Section 18.14.030 A Planned Commercial Developments as conditional uses in the C-2 District – A planned commercial development is listed as a conditional use in the C-2 District.

Chapter 18.21 Conditional Uses. Standards for approval of conditional uses: 1) the use must be in conformance with the purpose of the zoning district it is located in; 2) the use will not be injurious to the use and enjoyment of other property in the immediate vicinity; 3) adequate utilities, access, drainage and other necessary facilities have been or are provided; 4) adequate off-street parking is provided; 5) adequate measures have been taken to prevent or control offensive odors, fumes, dust, noise and vibration so these will not constitute a nuisance, and lighting is controlled so that it does not result in disturbance to neighboring properties; 6) soil conditions are adequate to support the use; 7) access does not pose traffic congestion or hazards.

Chapter 18.27 Planned Unit Developments - This chapter of the code establishes requirements for planned unit developments including, but not limited to, the following: the minimum size of a planned unit development is two acres; the number of principal structures must be equivalent to the density allowed in

the district; that the committee may grant up to a 25% increase in density; provisions must be set up to maintain land set aside as common open space; where a planned unit development involves the creation of more than one lot, a subdivision plat must be submitted simultaneously with the planned unit development application.

Chapter 18.27.060 Control of Planned Unit Development Following Acceptance - All changes in use or rearrangement of lots, blocks and building sites, and any changes in the approved plans, must be made by the committee under the conditional use permit process.

ANALYSIS: It appears that findings can be made that the proposed request meets the standards for commercial planned unit development in C-2 district, and that it will meet the standards for conditional use permits. This request does not appear to be injurious to the use and enjoyment of other properties in the immediate vicinity. It does not appear that the use of the property as a commercial planned unit development will result in any nuisance factors such as noise, dust, or fumes. The property contains a commercial/industrial use that was established prior to the Town adopting zoning. The site also appears to conform to the county parking requirements. By approving the request, the applicant would be allowed to expand their corporate offices, related parking lots, and facilities.

TOWN BOARD ACTION: The Town of Union Town Board met on January 14, 2020 to discuss this request. The board approved the request 5-0 as presented. There were notes provided by the Chair:

1. Jeff Whyte, Town Supervisor, wanted to know the footage from the new west detention pond to the nearest resident on North Town Hall Rd. Nick Brenner will follow up with us.
2. Spring 2020 construction may be affected with ease of traffic flow due to WisDOT updates to the 312/N. Town Hall Rd updates.
3. WisDOT contact Information will be sent to Nick to further assist in planning.

STAFF CONCLUSIONS AND RECOMMENDATION: Staff concludes that the proposed amendment to an existing commercial planned unit development meets the standards for conditional use permit and is consistent with the purpose of the zoning ordinance.

Staff recommends approval of the conditional use permit with the following conditions:

1. The amendment is approved as submitted by the applicant.
2. All conditions from CUP-0002-17 are part of this permit and shall be followed.
3. All development on the site shall be done in accord with the site plan that was submitted with the application, and the site plan shall be attached to and made a part of the permit.
4. The applicant shall obtain all necessary permits and approvals including, but not limited to: land use permit, state approved plans, erosion control and stormwater permit, and City-County Health Department.
5. The applicant shall maintain internal driving areas so the fire and rescue operations can access the current buildings and have access to the exposition center.
6. Access for parking lot H off Old Mill Plaza shall be reviewed and approved by the Town of Union.
7. All lighting fixtures shall be shielded lighting to direct light downward and away from residential areas and public right-of-ways.
8. All parking shall comply with the parking regulations in Chapter 18.25 of the County Code.
9. All signage shall comply with the sign regulations in Chapter 18.26 of the County Code.
10. Outside storage areas shall be effectively screened along all lot line adjoining residential districts and highways and be maintained by the permit holder.
11. The applicant shall notify the Land Use Control Manager upon completion of the site plan so that staff can verify compliance with the terms of this approval.
12. The Land Use Manager can approve minor alterations from the terms of the permit. A major change does require the approval of the committee at a public hearing.

13. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
14. The permit is subject to Sections 18.21.080 to 18.21.100 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.

Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	12/18/2019
Accepted By:	Jared Grande
Receipt Number:	022100906010
Town Hearing Date:	1/14/2020
Scheduled Hearing Date:	1/28/2020
Application No:	CUP-0019-19
Appl Status:	Pending

Conditional Use Permit - County

Owner/Applicant Name(s):	Address:	Telephone:
Nick Brenner, Real Estate Represe (appl)	5101 MENARD DR EAU CLAIRE	715-876-2177(W)
John Menard	(ow) 4777 MENARD DR EAU CLAIRE	715-876-5911(W)

Site Address(es):	
5101 MENARD DR EAU CLAIRE	5106 OLD MILL PLZ EAU CLAIRE
5114 OLD MILL PLZ EAU CLAIRE	5115 MENARD DR EAU CLAIRE
5124 OLD MILL PLZ EAU CLAIRE	5126 OLD MILL PLZ EAU CLAIRE
5130 OLD MILL PLZ EAU CLAIRE	5132 OLD MILL PLZ EAU CLAIRE
5136 OLD MILL PLZ EAU CLAIRE	5138 OLD MILL PLZ EAU CLAIRE
5149 OLD MILL PLZ EAU CLAIRE	5150 OLD MILL PLZ EAU CLAIRE
5650 OLD MILL PLZ EAU CLAIRE	

Property Description: Sec 03 Twn 27 Rge 10 **Town of Union** **Lot Area:** 61.270 ACRES

Zoning District(s): C2

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1802222710033400002	022100906010	27.10.3.3-4-B 8	MAP# 27.10.3.3-4-B AS AS FOL: SE-SW, EX PCL# 3-4-A DESC IN

General Description: **Conditional Use Contract:** No
Type: Planned unit development **Structure Check:** Yes
Description of Proposed Use: AMENDMENT TO CUP-0002-17 CHANGING THE SITE PLAN TO ACCOMODATE AN EXPANSION TO THE CORPORATE GENERAL OFFICE AND RELATED PARKING LOT AND FACILITIES.

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature See Original Application Date 12/18/19
 Check if DATCAP must be notified _____ Check if DNR to Receive Copy _____



Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	12/10/19
Accepted By:	Ben
Receipt Number:	062520
Town Hearing Date:	1/2/20
Scheduled Hearing Date:	1/28/20

CONDITIONAL USE PERMIT APPLICATION

Property Owner Name: John Menard, Jr.	Phone# (715) 876-2532
Mailing Address: 5101 Menard Drive, Eau Claire, WI 54703	
Email Address: properties@menard-inc.com	

Agent Name: Nick Brenner, Real Estate Representative	Phone# (715) 876-2177
Mailing Address: 5101 Menard Drive, Eau Claire, WI 54703	
Email Address: nbrenner@menard-inc.com	

SITE INFORMATION

Site Address: 5101-5156 Old Mill Plaza & 5101-5115 Menard Drive, Eau Claire, WI 54703	
Property Description: SW ¼ SW ¼ Sec. 3, T27 N, R 10 W, Town of Union	
Zoning District: C-2 - Commercial Business/PUD Code Section(s): Chapters 18.13, 18.27	
Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining	
Computer #(s): 022 - 1009 - 06 - 010	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. Applications are due by 12:00 PM of the Tuesday three weeks prior to the Planning and Development Committee meeting. All information from the checklist below must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Site Plan Drawn to Scale	<input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application	<input checked="" type="checkbox"/> Provide \$500.00 application fee (non-refundable), payable to the Eau Claire County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Nick Brenner Date 12/10/19
 Nick Brenner, Real Estate Representative, Menard, Inc.

NOTICE: PERMIT FEES DOUBLE WHEN WORK BEGINS PRIOR TO ISSUANCE OF PERMITS & APPROVALS.

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

Continue to next page

Updated 12/10/2015

T:\Forms\Applications\Conditional Use\ConditionalUseApplication.docx

STANDARDS FOR CONDITIONAL USE PERMITS

The Committee on Planning and Development has the authority to grant conditional use permit only when the standards are met. The conditional use permit standards are located in Section 18.21.060 of the Eau Claire County Code. Those standards are as follows:

- A. The proposed use is in conformance with the purpose of the zoning district in which it is located;
- B. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted;
- C. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;
- D. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use;
- E. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result;
- F. Soil conditions are adequate to accommodate the proposed use;
- G. Proper facilities and access points are provided which would eliminate any traffic congestion or hazard which may result from the proposed use.

SUPPLEMENTAL INFORMATION FOR A CONDITIONAL USE PERMIT

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

■ WRITTEN DESCRIPTION OF THE PROPOSED USE:

General description of the use (home occupation, accessory structure in excess of 1,200 square feet, filling in a floodplain, non-metallic mining, or any other listed conditional use in zoning districts).

Applicant is requesting approval of an amendment to the existing Planned Unit Development to change the site plan in order to accommodate an expansion to the corporate general office and related parking lot and facilities. The recreational go-kart track will be removed as part of this expansion.

☐ IF THE PROPOSED USE INVOLVED A BUSINESS ACTIVITY, DESCRIBE THE PROPERTY

Description of the type of business activity:

Please see above.

Equipment used in the business activity:

No change from current

Days and hours of operation: No change from current

Number of employees: Approximately 1,000 on this Parcel

Nuisance abatement measures that will be implemented: N/A

Noise abatement measures: N/A

Vibration abatement measures: N/A

Dust control measures: All new parking areas will be paved

Measures to control fumes or odors: N/A

Visual screening measures (plants, fences, walls, etc.)

Landscaping as shown on site plan

DESCRIPTION OF ANY OTHER FEATURES OR CHARACTERISTICS THAT MAY BE SUBJECT TO ZONING REGULATIONS

Exterior appearance of any structure, including a description of the building materials used, the height of eaves, the color of the structure, etc. (required for conditional use permit applications for accessory structures in excess of 1,200 square feet)

Exterior appearance of the new structure will match the exterior of the existing building that is being attached to. See attached elevation.

Any proposed excavation or fill, the amount of material that will be mined in a non-metallic mining operation, the amount of material that will be stockpiled, etc.

N/A

Other features or characteristics (signs, fences, outdoor display areas, etc.)

N/A

SCALED SITE PLAN

<input checked="" type="checkbox"/> Show parcel and building dimensions of all existing and proposed structures	<input checked="" type="checkbox"/> Landscape and screening plans
<input checked="" type="checkbox"/> Show all signs, fences and other features that may be regulated by zoning	<input checked="" type="checkbox"/> Show the well and septic system
<input checked="" type="checkbox"/> Site access, driveway, and nearest road (labeled)	<input checked="" type="checkbox"/> Parking areas with spaces
<input type="checkbox"/> Drainage plans including the erosion control plan	<input checked="" type="checkbox"/> Show all navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property
<input checked="" type="checkbox"/> The layout of the use within the structure; if the use only occupies part of the structure, the floor plan should illustrate only the layout of that part of the structure occupied by the use and any access to the use through halls, doorways, etc.	
<input checked="" type="checkbox"/> The location of any equipment that will be used	

FOR ALL NON-AGRICULTURAL ACCESSORY STRUCTURES

- Show floor plan, including attics
- Show scaled building elevations
- Show color scheme

The proposed use is in conformance with the purpose of the zoning district in which it is located.

Property is zoned C-2 however a planned commercial development was approved for this property to cover the variety of uses on the property including the general office. The proposed use is an expansion of the general office which is a use already covered, so the proposed use is in conformance with the zoning district.

The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.

The vast majority of the property surrounding the area of the expansion is owned by Menards. The few properties that are not owned by Menards are located along the western property line. The building expansion is located towards the middle a significant distance from the western property line. The go-kart track will be removed and replaced with parking for the new facility, a detention pond and green area which will actually be an added benefit to the western neighbors.

That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Additional septic capacity is being added to the property in order to support the additional work force. All other utilities are available in needed capacities and the expanded building will tie into those. Access will remain as-is and will be sufficient for this addition.

Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

A large parking lot is being added to the site to accommodate the expansion. Loading spaces will be added in sufficient quantities to adequately serve the use.

Adequate measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

The proposed project is an expansion of the corporate office. No odors, fumes, dust, noise or vibrations are anticipated to occur. Lights will follow code to ensure that neighboring properties are not affected.

Soil conditions are adequate to accommodate the proposed use.

Soils are adequate for the use. There are already existing structures on the property that are of similar construction.

Proper facilities and access points are provided which would eliminate any traffic congestion or hazard which may result from the proposed use.

Access points and driveways to those access points are already constructed on or near the property in sufficient quantities to prevent traffic congestion.

Jared Grande

From: meyerjennifer@wwt.net
Sent: Wednesday, January 15, 2020 9:01 AM
To: Jared Grande
Subject: Menards CUP Amendment

WARNING!! This email originated outside Eau Claire County. Do not click any links or attachments unless you know the sender.

Hello Jared,

Last night at our Town meeting the Town Board Voted , 5-0, to approve the Menards CUP.

Jeff Whyte, Town Supervisor, wanted to know the footage from the new west detention pond

To the nearest resident on North Town Hall Rd. Nick Brenner will follow up with us.

Spring 2020 construction may be affected with ease of traffic flow do to WisDOT updates to the 312/N. Town Hall Rd updates.

WisDOT contact Information will be sent to Nick to further assist in planning.

Thank you,

Jennifer Meyer

Town of Union Chair
1506 N.Town Hall Rd
Eau Claire, WI 54703
meyerjennifer@wwt.net
(715)456-5903



**Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT**
Eau Claire County Courthouse - Room 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5212
(715) 839-4741

Building Inspection
839-2944
Emergency Management
839-4736
Geographical Information Systems
839-4730
Land Conservation
839-6226
Land Records
839-4742
Land Use Management
839-4743
Planning
839-5055
Recycling
839-2756

March 7, 2017

**MENARD, INC.
5101 MENARD DR
EAU CLAIRE WI 54703**

RE: CUP-0002-17

Dear Property Owner(s):

The Eau Claire County Committee on Planning and Development held a public hearing on Tuesday, February 28, 2017, concerning a conditional use permit request for a planned commercial development in the C-2 District pursuant to Section(s) 18.27 of the Eau Claire County Code.

Property Owner: John Menard
Applicant: Scott Nuttelman
Zoning District: C-2 General Business

The committee after receiving staff analysis and recommendations, and after considering the testimony given at the hearing, has approved the conditional use permit with conditions (see attached conditions). **The permit is not valid until such time as all conditions are met and approval granted by the Eau Claire County Planning and Development Department.**

In the event that the petitioner, the county, or an aggrieved person objects to the decision of the committee, they have 30 days from the date the decision is written and filed to appeal the decision to the Eau Claire County Board of Land Use Appeals. Administrative appeal applications can be obtained from the Eau Claire County Planning and Development Department, or from the Eau Claire County website. <<http://www.co.eau-claire.wi.us>> Select *Departments>> Planning & Development>> Applications, Forms, and Guides.*

3-7-2017

Date


Clerk, Committee on Planning and Development

Copy: Property owners within 660 feet of request.

CONDITIONAL USE PERMIT # CUP-0002-17

On Tuesday, February 28, 2017, the Eau Claire County Committee on Planning and Development approved the issuance of a conditional use permit for a planned commercial development in the C-2 District in the Town of Union, Eau Claire County, Wisconsin, and subject to the following conditions.

1. The planned commercial development is approved as submitted by the applicant.
2. All development on the site shall be done in accord with the site plan that was submitted with the application, and the site plan shall be attached to and made a part of the permit.
3. The applicant shall maintain internal driving areas so the fire and rescue operations can access the current buildings and have access to the exposition center.
4. The monument sign shall not exceed thirty feet in height, 400 square feet in size, the electronic message center shall conform to the standards of 18.26.026 C. of the County Code. The applicant shall secure a land use permit prior to construction of the sign from the department.
5. All lighting fixtures shall be shielded lighting to direct light downward and away from residential areas and public right-of-ways.
6. All parking shall comply with the parking regulations in Chapter 18.25 of the County Code.
7. All signage shall comply with the sign regulations in Chapter 18.26 of the County Code.
8. Outside storage areas shall be effectively screened along all lot line adjoining residential districts and highways and be maintained by the permit holder.
9. The applicant shall notify the Land Use Control Manager upon completion of the site plan so that staff can verify compliance with the terms of this approval.
10. The Land Use Manager can approve minor alterations from the terms of the permit. A major change does require the approval of the committee at a public hearing.
11. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
12. The permit is subject to Sections 18.21.080 to 18.21.100 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.

Under Section 18.21.080 of the county zoning code, a conditional use permit shall lapse and become void one year after the approval of the committee unless a certificate of occupancy has been issued or a land use permit has been issued.

Under Section 18.21.090, this permit is subject to revocation, modification, or further conditions by the committee if:

- A. The committee finds that there has been noncompliance with any of the conditions established above.
- B. The committee finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the use. Any such revocation shall be preceded by a public hearing, and heard in the manner described below.

Whenever, in the opinion of the Land Use Supervisor, or the committee, the conditions required of this conditional use permit have been violated, the Land Use Supervisor shall call a hearing to be held on the matter of revocation of said permit by providing notice of a hearing as described in the Eau Claire County Zoning Code. In addition, the owner of the property, as described by the most current tax rolls of Eau Claire County, shall be served by mail with an order to show cause.

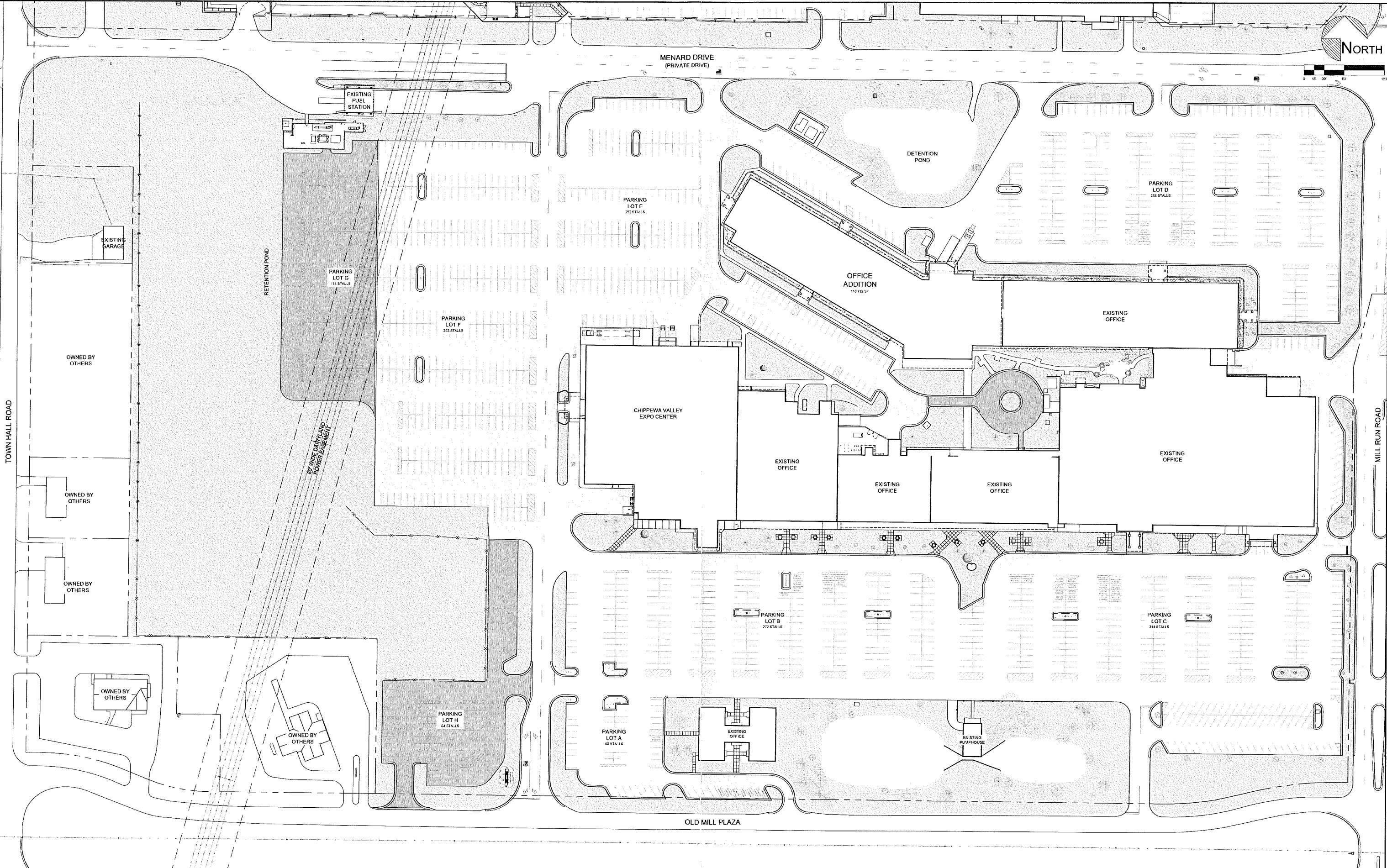
After the revocation hearing has been conducted, the committee may revoke or modify the original permit, or deny the revocation.

NORTH

MENARD DRIVE
(PRIVATE DRIVE)

TOWN HALL ROAD

MILL RUN ROAD



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MENARD, INC.
E.C. FACILITIES
EAU CLAIRE, WISCONSIN

PROJECT TITLE
GENERAL OFFICE ADDITION
5101 MENARD DRIVE
SHEET TITLE
SITE PLAN

REVISIONS		BY	SCALE 1"=60'
NO.	DATE		

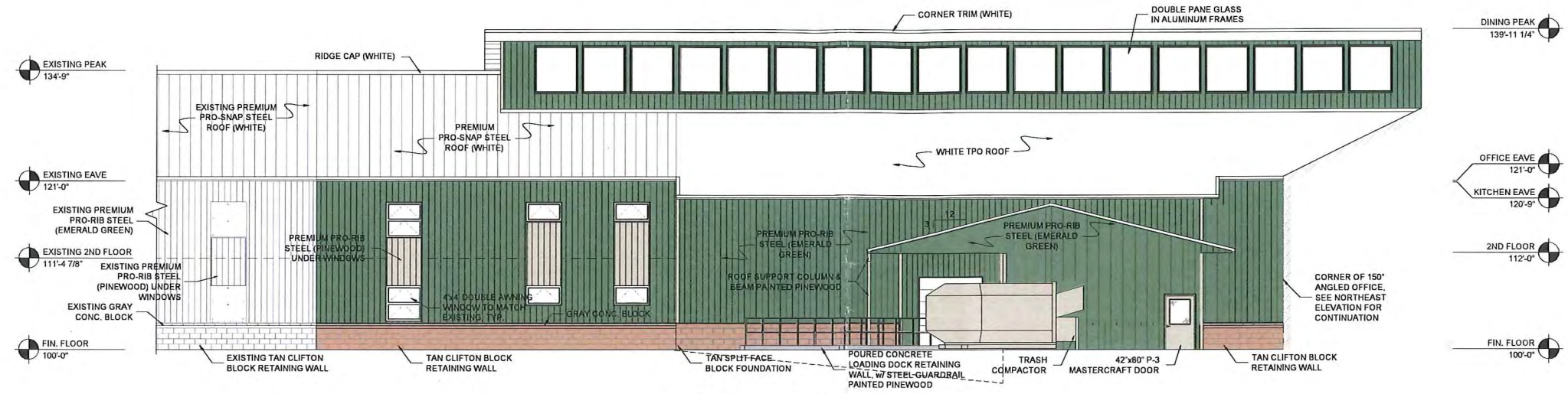
CAD DWG NAME
GENERAL OFFICE ADDITION SITE PLAN - COUNTY PERMIT.dwg
SHEET NO.
L1041

HWY 312

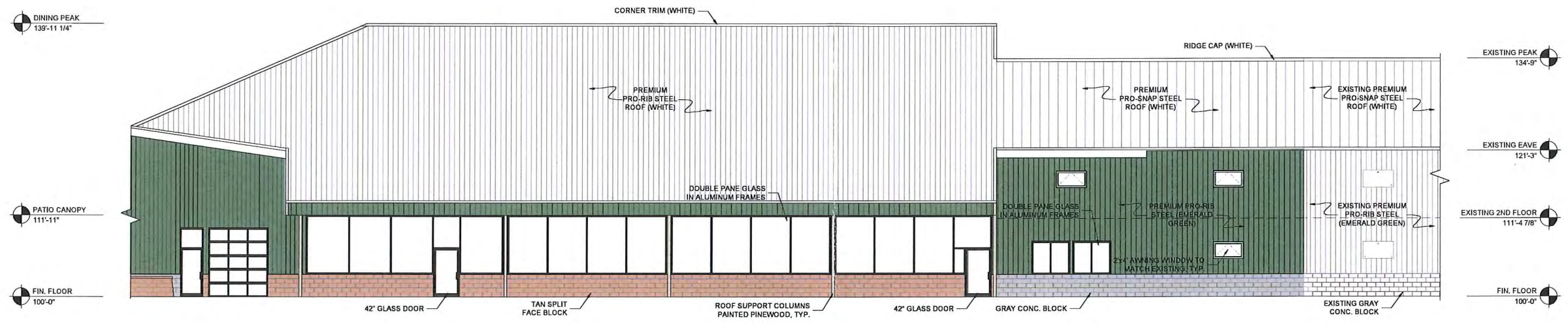
OLD MILL PLAZA

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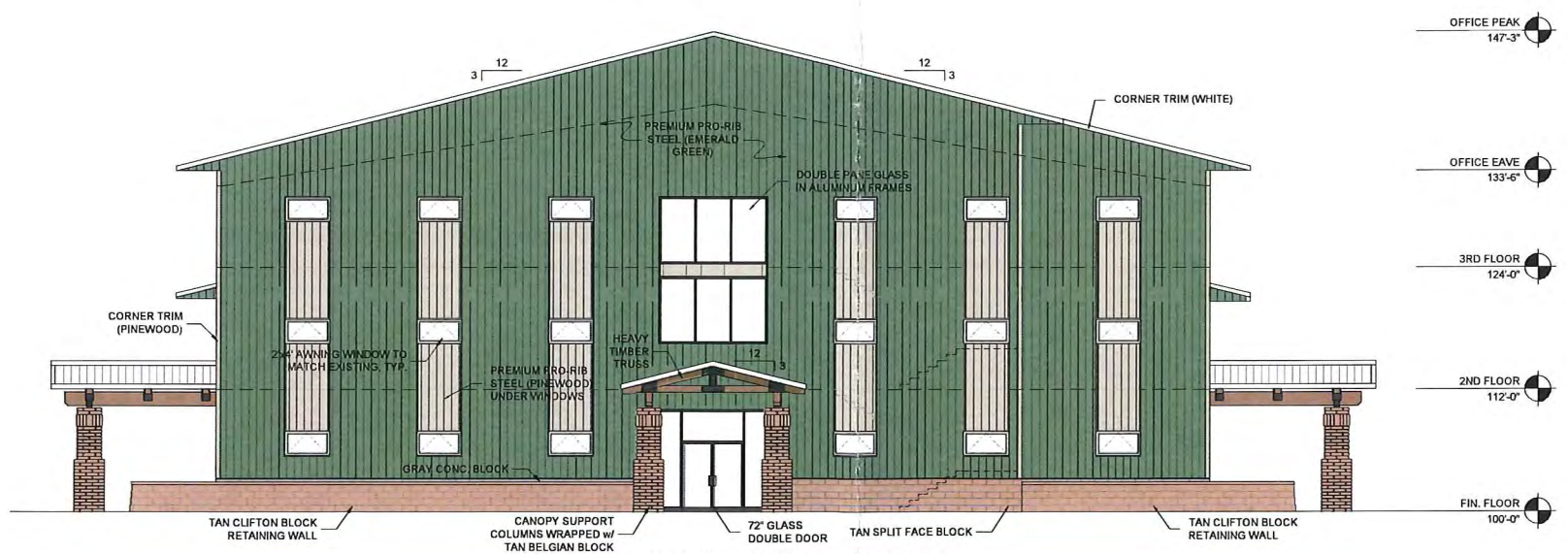
MENARD, INC.
 E.C. FACILITIES PLANNING



A NORTH ELEVATION
 SCALE: 1/8"=1'-0"



B SOUTH ELEVATION
 SCALE: 1/8"=1'-0"



C NORTHWEST ELEVATION
 SCALE: 1/8"=1'-0"

PROJECT TITLE
GENERAL OFFICE ADDITION
5101 MENARD DRIVE
 SHEET TITLE
 ELEVATIONS

REVISIONS	NO.	DATE	DESCRIPTION

BY: _____

SUPERVISING PROFESSIONAL
 NATE PELESCHAK

PLAN DESIGNER
 LOUISE EWALD

CAD DWG NAME
 5101-20-00-00-00-00-00.dwg

CAD LAYOUT TAB NAME
 A201 - ELEVATIONS

SCALE
 AS NOTED

DRAWN BY
 DAM

DATE
 12/3/19

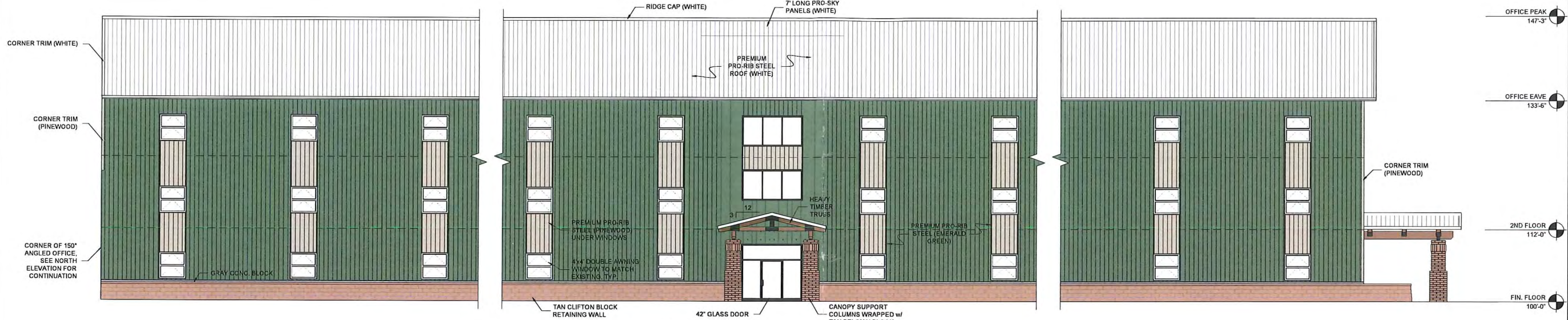
SHEET NO.
A201

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MENARD, INC.
 E.C. FACILITIES PLANNING



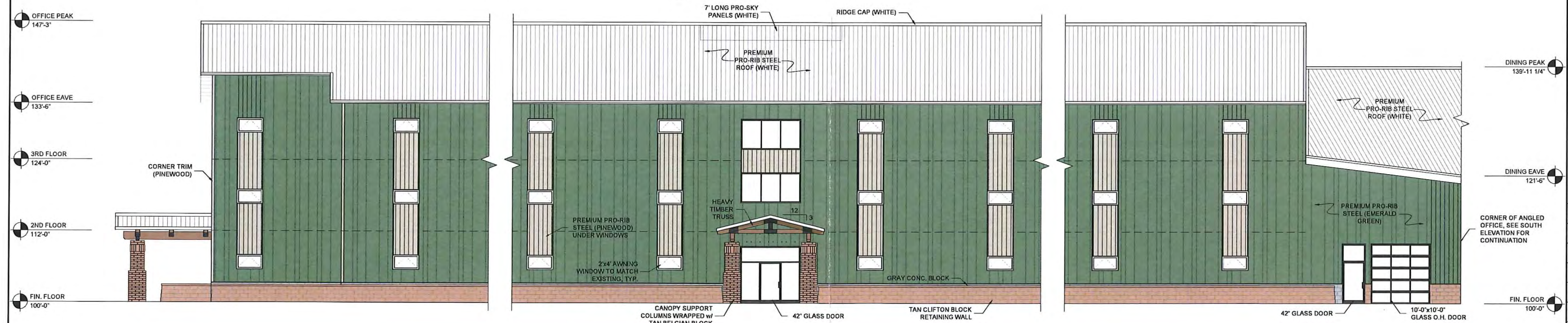
A NORTHEAST ELEVATION
 A202 SCALE: 1"=20'-0"



B NORTHEAST ELEVATION
 A202 SCALE: 1/8"=1'-0"



C SOUTHWEST ELEVATION
 A202 SCALE: 1"=20'-0"



D SOUTHWEST ELEVATION
 A202 SCALE: 1/8"=1'-0"

PROJECT TITLE
GENERAL OFFICE ADDITION
5101 MENARD DRIVE
 SHEET TITLE
 ELEVATIONS

NO.	DATE	DESCRIPTION

SUPERVISING PROFESSIONAL
 NATE PELESCHAK
 PLAN DESIGNER
 LOUISE EWALD

CAD DWG NAME
 5101-20-CLAY-FRM.dwg

CAD LAYOUT TAB NAME
 A202 - ELEVATIONS

SCALE
 AS NOTED

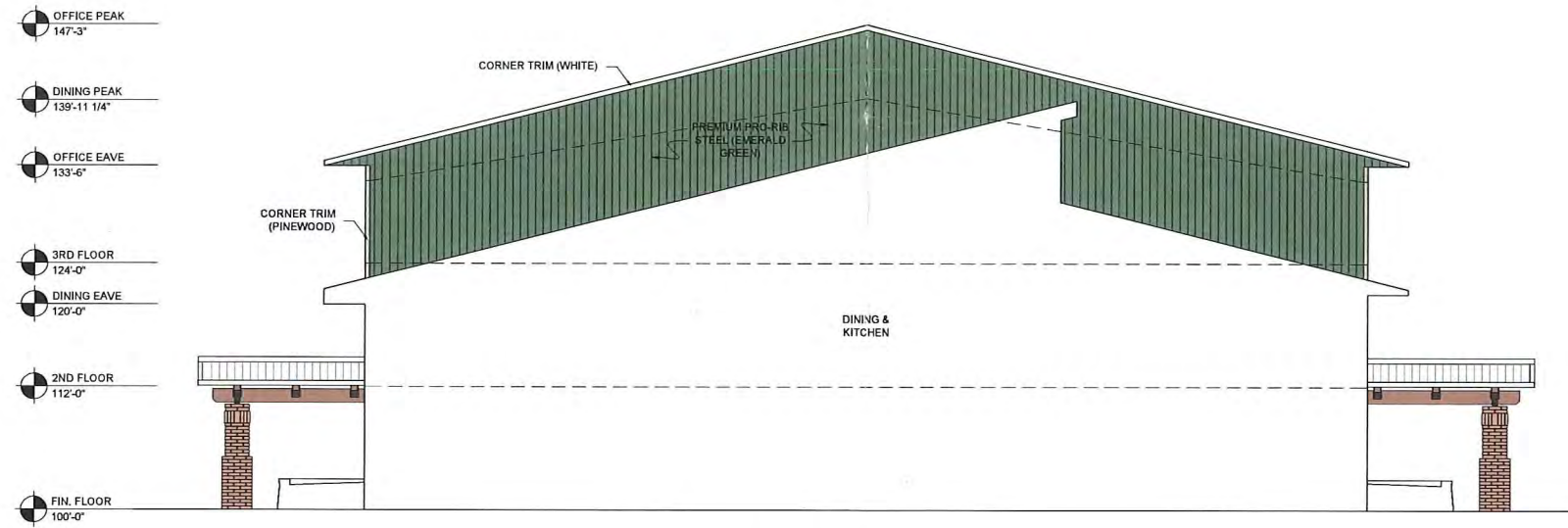
DRAWN BY
 DAM

DATE
 12/31/19

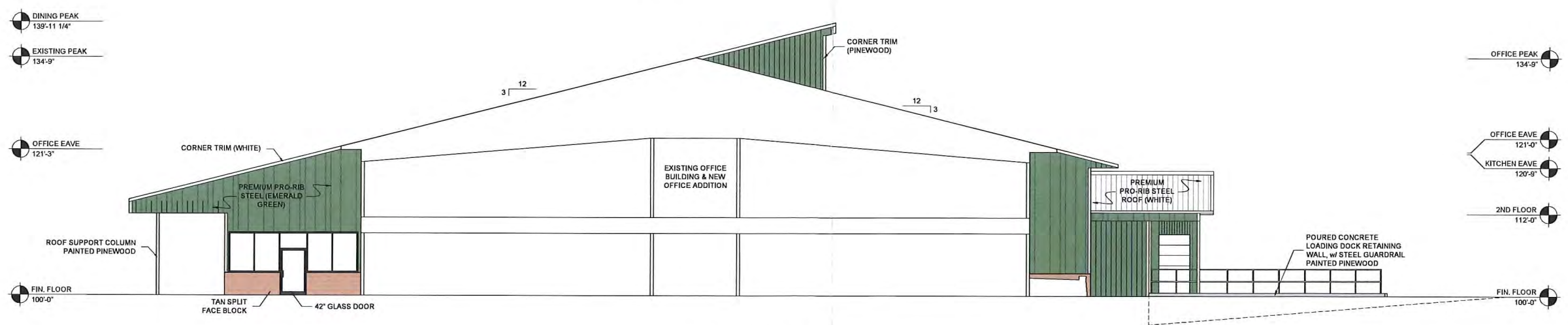
SHEET NO.
A202

NOTICE
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MENARD, INC.
 E.C. FACILITIES PLANNING



A SOUTHEAST ELEVATION
 A203 SCALE: 1/8"=1'-0"



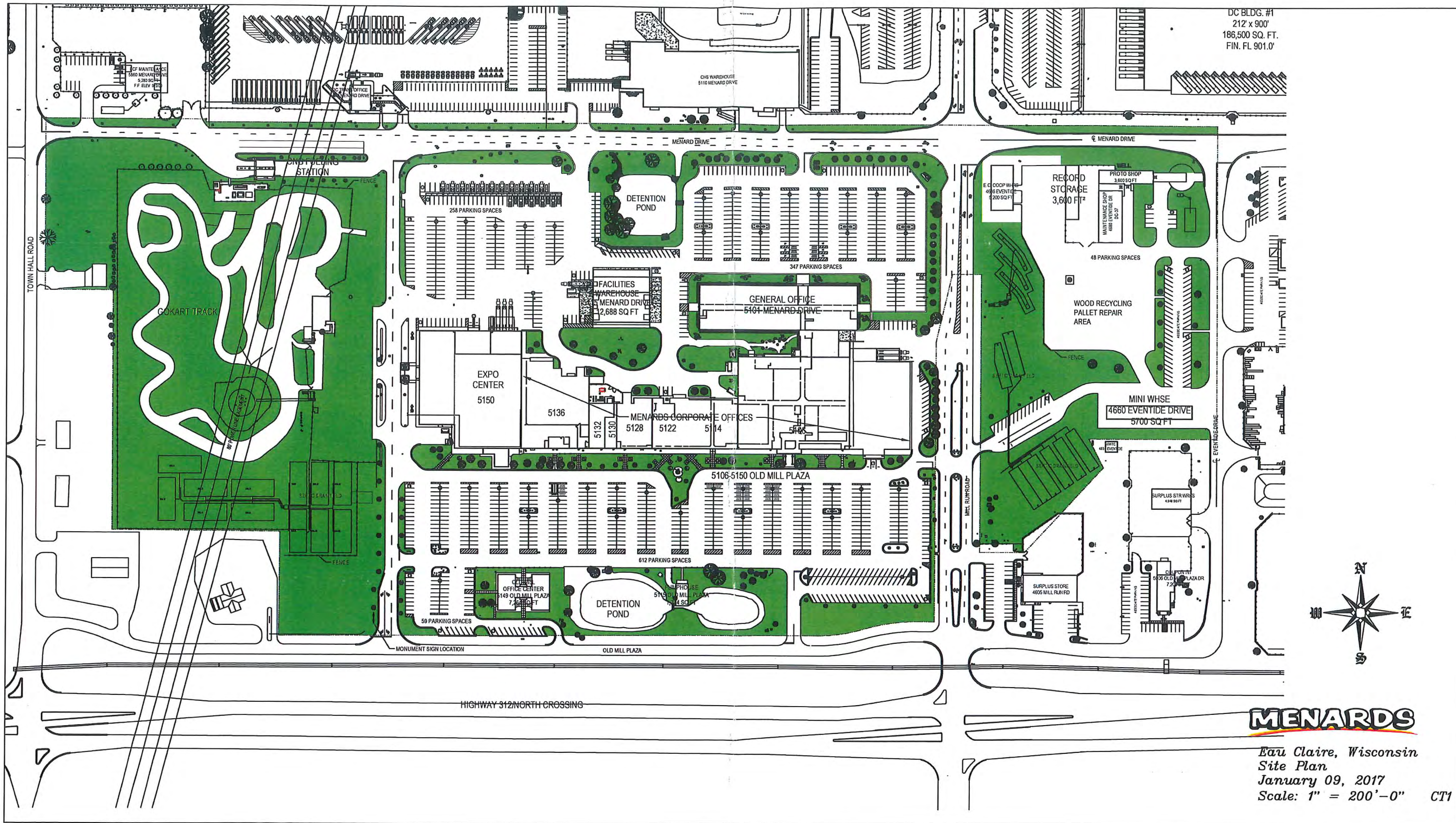
B EAST ELEVATION
 A203 SCALE: 1/8"=1'-0"

PROJECT TITLE
GENERAL OFFICE ADDITION
5101 MENARD DRIVE
 SHEET TITLE
 ELEVATIONS

REVISIONS	NO.	DATE	DESCRIPTION

SUPERVISING PROFESSIONAL
 NATE PELESCHAK
 PLAN DESIGNER
 LOUISE EWALD
 CAD DWG NAME
 65432 Rev. ELEVATIONS COUNTY PERMIT.dwg
 CAD LAYOUT TAB NAME
 A203 - ELEVATIONS
 SCALE
 AS NOTED
 DRAWN BY
 DAM
 DATE
 12/3/19
 SHEET NO.
A203

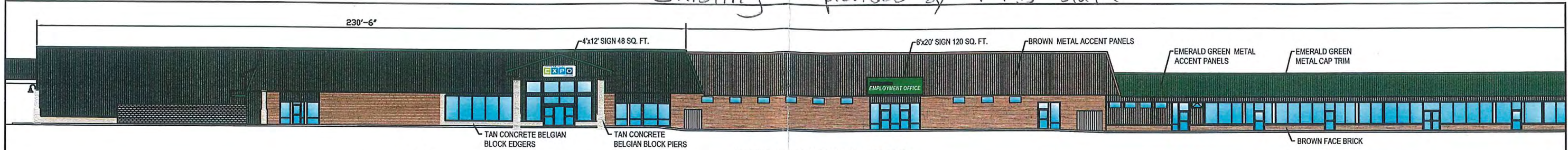
Existing - provided by P+D staff



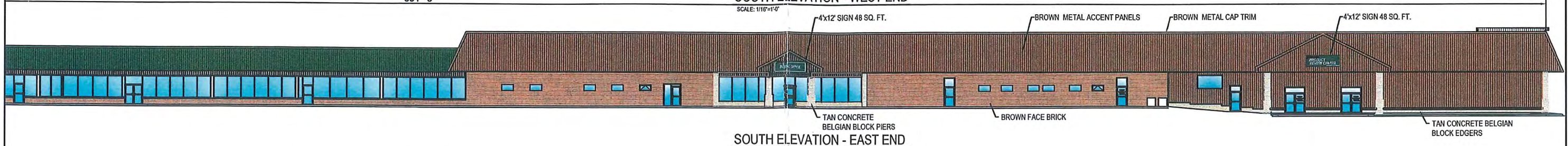
MENARDS

Eau Claire, Wisconsin
 Site Plan
 January 09, 2017
 Scale: 1" = 200'-0" CT1

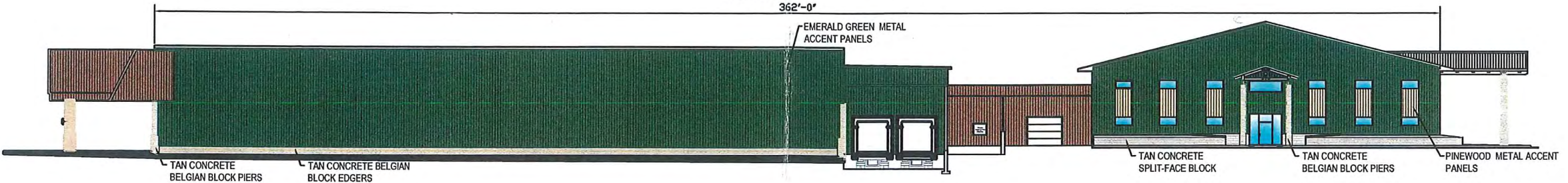
Existing - provided by P+D staff



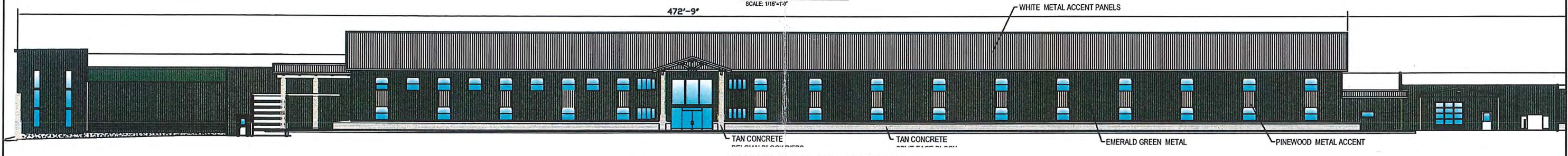
SOUTH ELEVATION - WEST END
SCALE: 1/16"=1'-0"



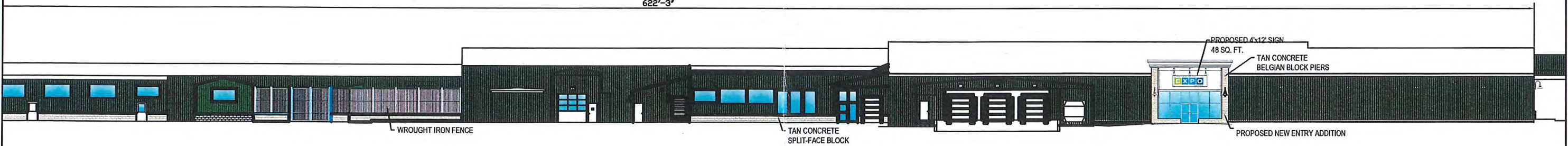
SOUTH ELEVATION - EAST END
SCALE: 1/16"=1'-0"



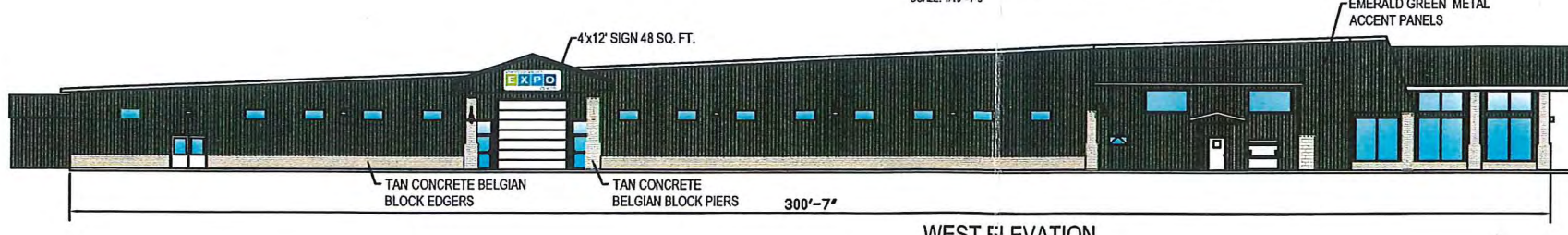
EAST ELEVATION
SCALE: 1/16"=1'-0"



NORTH ELEVATION - EAST END
SCALE: 1/16"=1'-0"



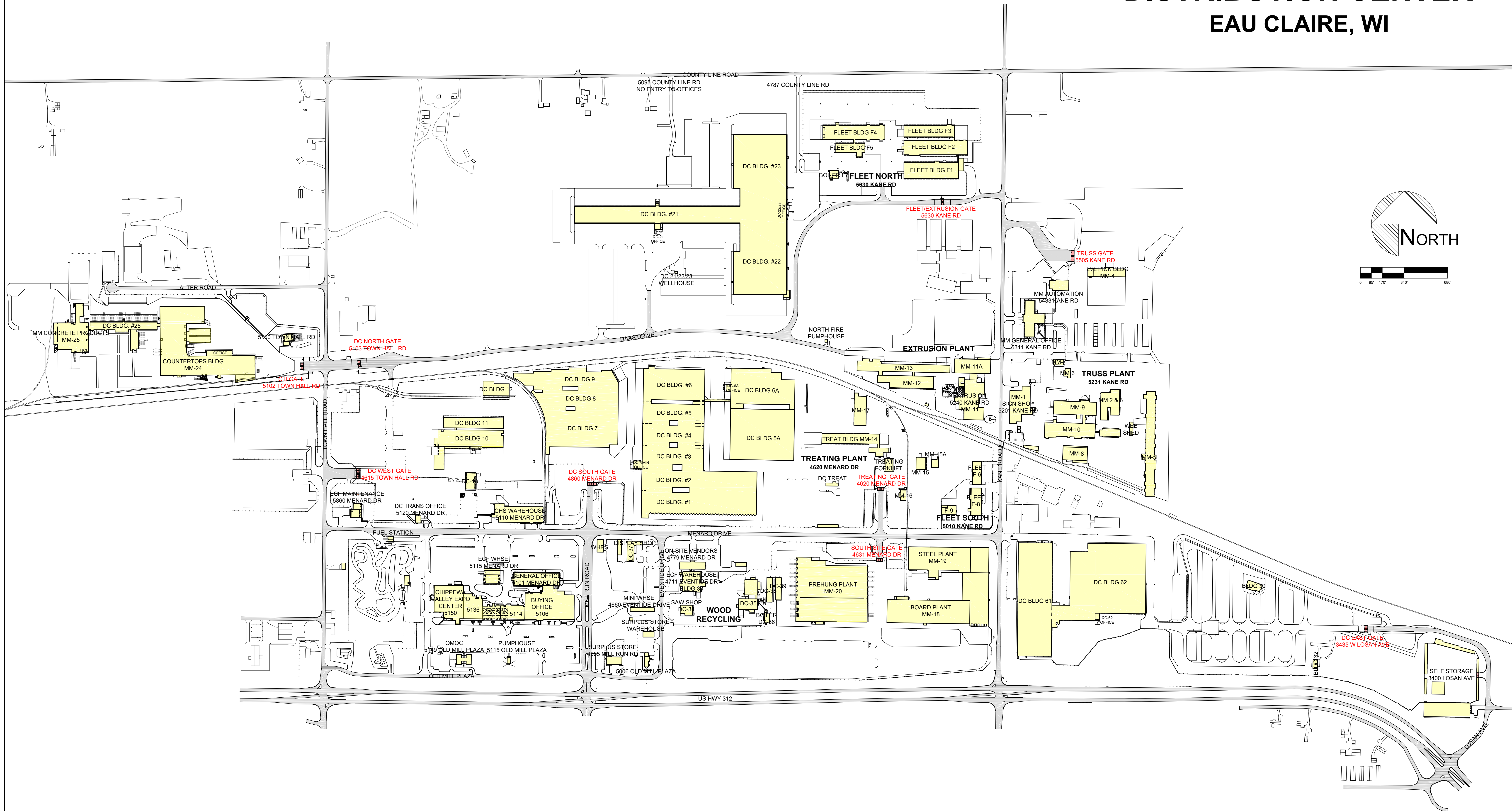
NORTH ELEVATION - WEST END
SCALE: 1/16"=1'-0"



WEST ELEVATION
SCALE: 1/16"=1'-0"

MENARD, INC. E.C. FACILITIES EAU CLAIRE, WISCONSIN		PROJECT TITLE MENARD GENERAL OFFICES EAU CLAIRE, WI	REVISIONS		SCALE AS NOTED	CAD DWG NAME 04CELEVATIONS 1.26.17.dwg
NO.	DATE	DESCRIPTION	BY		DRAWN BY DAM	SHEET NO.
1					DATE 1/26/17	1
2						76
3						

MENARDS GENERAL OFFICE & DISTRIBUTION CENTER EAU CLAIRE, WI



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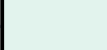

MENARD, INC.
E.C. FACILITIES
EAU CLAIRE, WISCONSIN

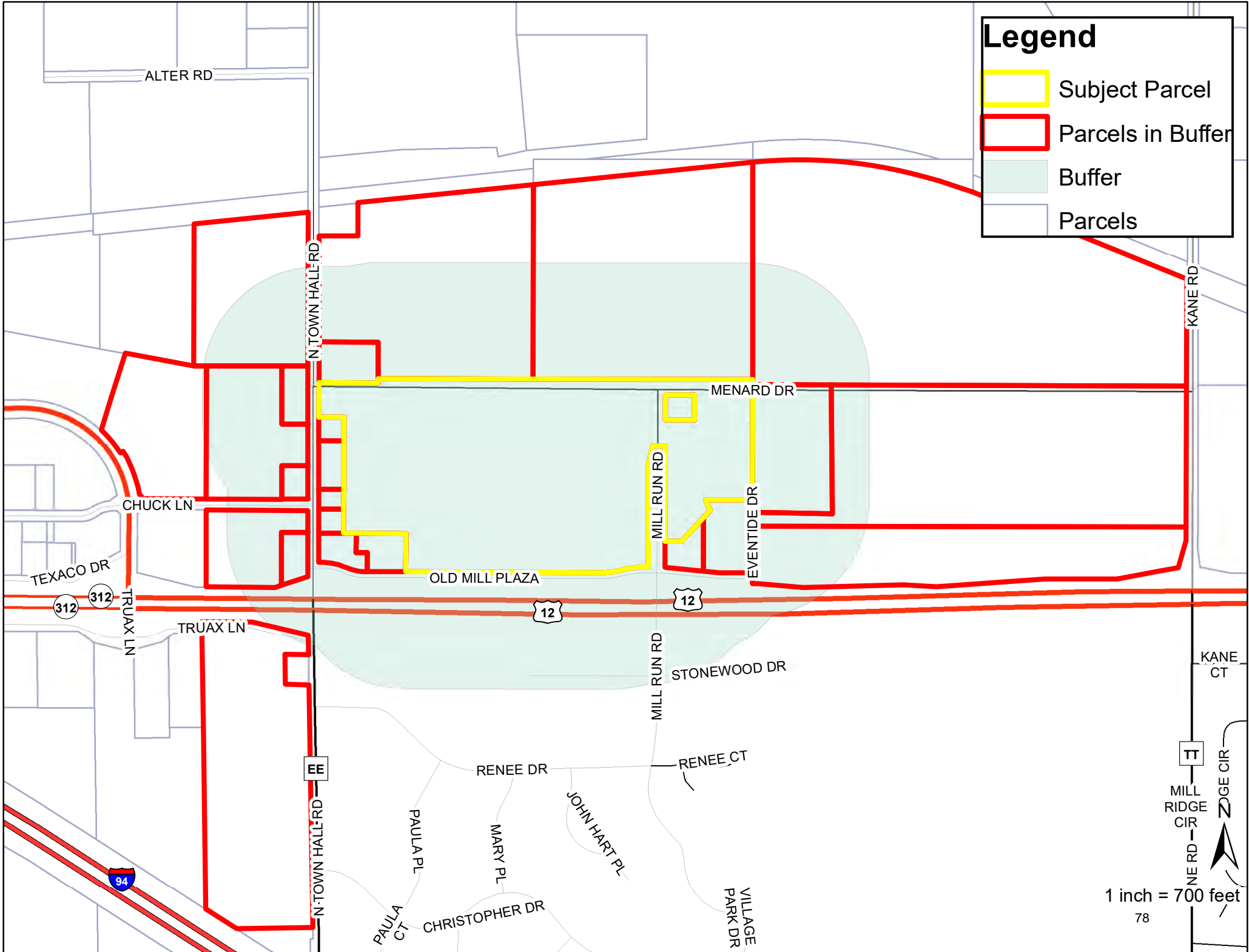
PROJECT TITLE
**MENARDS GENERAL OFFICE & DISTRIBUTION CENTER
EAU CLAIRE, WI**

SHEET TITLE
OVERALL SITE PLAN

REVISIONS		BY	SCALE	CAD DWG NAME
NO.	DATE			
1			1"=340'	EAU CLAIRE SITE PLAN FOR EC EMERGENCY COMM CENTER
2			DRAWN BY	SHEET NO.
3			DAM	1
			DATE	
			5/3/19	

Legend

-  Subject Parcel
-  Parcels in Buffer
-  Buffer
-  Parcels



1 inch = 700 feet
78

FirstName	LastName	Address	City	State	Zip
	MOOSE & BILL DEVELOPMENT	6111 CHUCK LN	EAU CLAIRE	WI	54703-9626
HERBERT E & IRENE V	HORLACHER	4606 N TOWN HALL RD	EAU CLAIRE	WI	54703-9453
	CORPORATE ACCOUNTING	4777 MENARD DR	EAU CLAIRE	WI	54703-9604
ROBERT	BAXTER	4838 N TOWN HALL RD	EAU CLAIRE	WI	54703-9600
	RIVER STATES TRUCK & TRAILER INC	PO BOX 1176	LA CROSSE	WI	54602-1176
	SPRINGBROOK TOWING INC	E 9601 COUNTY ROAD C	ELK MOUND	WI	54739-9237
	WEST WISCONSIN COMMUNICATIONS	PO BOX 115	DOWNSVILLE	WI	54735-0115
BRIAN K & SARA L	BUSHENDORF	3924 SPORTSMAN DR	EAU CLAIRE	WI	54703-9152
JOHN	MENARD	4777 MENARD DR	EAU CLAIRE	WI	54703-9604
ATTN: TAX DEPT -	US BANK CORPORATE PROPERTIES	2800 E LAKE ST	MINNEAPOLIS	MN	55406-1930
	RN EAU CLAIRE LLC	PO BOX 6699	ROCHESTER	MN	55903-6699

2
3 -CREATE CHAPTER 12.74; RELATING TO APPROVAL OF BROADBAND NETWORK
4 PROJECTS

5
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 Chapter 12.74. Broadband Network Project Applications

9
10 **SECTION 1. GENERAL PROVISIONS**

11
12 **1.1 Purpose and policy.** The purpose of this chapter is to encourage the
13 development of broadband access in Eau Claire County (County) by reducing
14 administrative obstacles to broadband service providers and coordinating the review of
15 applications to ensure such applications are timely processed. This chapter shall at all
16 times be construed consistent with the forestated purpose.

17
18 **1.2 Definitions. In this chapter:**

19 (1) "Applicant" means a person applying for a permit for a broadband
20 network project.

21 (2) "Broadband network project" means the construction or deployment of
22 wireline or wireless communications facilities to provide broadband communication
23 services in the County.

24 (3) "Permit" means any local permit, license, certificate, approval,
25 registration, or similar form of approval required by policy, administrative rule,
26 regulation, ordinance, or resolution with respect to a broadband network project.

27 (4) "Written" or "in writing" means information that is inscribed on a
28 tangible medium or that is stored in an electronic or other intangible medium and is
29 retrievable in perceivable form.

30
31 **1.3 Point of contact.** The County shall appoint a single point of contact for all
32 matters related to a broadband network project. The County shall provide on its public
33 website the contact information, including the e-mail address, for the point of contact
34 authorized to receive a broadband network project application.

35
36 **SECTION 2. ELECTRONIC SUBMISSION OF APPLICATIONS.** An applicant
37 may sign and file all forms, applications, and documentation related to a broadband
38 network project electronically. Due to the large size of maps, the applicant shall also
39 submit one hard copy of the application.

40
41 **SECTION 3. REVIEW OF APPLICATIONS.** Notwithstanding any other provision in
42 the County's ordinances, resolutions, regulations, policies, or practices to the contrary,
43 the following process shall apply exclusively upon receiving a broadband network project
44 application. Unless noted in this Ordinance, all existing regulatory review and approval
45 processes set forth in County Ordinances, are not amended, repealed or otherwise
46 modified. The County shall continue to adhere to all other regulatory requirements set
47 forth in the County Ordinances, the Wisconsin Statutes, the Wisconsin Administrative
48 Codes, or other applicable statutes, codes or laws.

1 **3.1 Completeness review.** Upon receiving a broadband network project application
2 the County shall:

3 (1) Determine whether an application is complete and notify the applicant
4 of the determination by the County in writing within 10 calendar days of receiving an
5 application. If the County does not notify the applicant in writing of its completeness
6 determination within 10 calendar days of receiving the application, the application shall
7 be considered complete.

8 (2) If the County determines that an application is not complete, the
9 written notification to the applicant shall specify in detail the required information that is
10 not complete. The applicant may resubmit an application as often as necessary until the
11 application is complete.

12
13 **3.2 Approval or denial of complete applications.**

14 (1) Within 60 calendar days of receiving an application that is complete,
15 or considered complete under sub. (1), the County shall approve or deny the application
16 and provide the applicant written notification of the approval or denial. If the County
17 does not notify the applicant of its approval or denial within 60 calendar days of
18 receiving a complete application, the application shall be considered approved and any
19 required permit shall be considered issued.

20 (2) If the County denies an application, the written notification of the
21 denial under sub. (1) shall include evidence that the denial is not arbitrary and capricious.

22
23 **SECTION 4. FEES.** Any fee imposed by the County to review an application, issue a
24 permit, or perform any other activity related to a broadband network project shall be
25 reasonable. An application fee that exceeds \$100.00 is unreasonable.

26
27 **SECTION 5. INITIAL APPLICABILITY.** The treatment of this ordinance first
28 applies to applications received by the County on or after the effective date of this
29 ordinance.

30
31 **SECTION 6. EFFECTIVE DATE.** This ordinance takes effect on the day after
32 publication.

33
34 ENACTED:

35 _____
36 _____
37 _____
38 _____
39 _____
40 _____
41 _____
42 _____
43 _____
44 _____
45 _____
46 _____
47 _____
48 _____
Committee on Planning and Development

44 FD/sc

46 Dated this _____ day of _____, 2020.

**Planning and Development
December 2019**

Planning

Vendor	Amount	Description	Line Item#
Verizon	274.42	Cell phone	56920-226-000
APG	200.44	Legal Notice	56920-321-000
Verizon	331.30	Cell phone	56920-226-000
Insty Print	72.00	Printing	56920-313-000
Office Depot	216.89	Supplies	56920-310-000
Voyager	81.38	Fuel	56920-330-000
APG Pcard	315.00	subscripton	56920-320-000
Amazon Pcard	21.98	supplies	56920-310-000
Amazon Pcard	27.98	supplies	56920-310-000
ICLEI Pcard	1,750.00	Carbon Nu members	56923-390-746
APG Media	162.32	Legal Notice	56920-321-000
Office Depot	33.43	Office Supplies	56920-310-000
Insty Print	56.00	Business Cards	56920-313-000
Voyager	31.45	Fuel	56920-330-000
MSA	7,228.30	Contract Services	56920-200-000

Resurvey

Vendor	Amount	Description	Line Item#
Verizon	47.15	Cell phone	51740-226-200
WI Society of Land Surveyor	360.00	Dues	56920-324-000
Verizon	47.17	Cell phone	51740-226-200
UWStevens Point- Pcard	295.00	Registration	51740-340-200
All Season Tire-Pcard	30.11	Veh Maint	51740-241-200
WCTC Pcard	297.50	Conference	51740-340-200
UWStevens Point- Pcard	295.00	registration	51740-340-200
Kalahari-Pcard	119.00	Conference	51740-340-000
Amazon Pcard	182.50	supplies	56920-310-000
Amazon Pcard	102.24	supplies	56920-310-000
WI Land Info Pcard	1,250.00	Registration	51740-340-743
Amazon Pcard	43.49	supplies	56920-310-000
Amazon Pcard	59.90	supplies	56920-310-000
Kalahari-Pcard	99.00	Conference	51740-340-000

Emergency Management

Vendor	Amount	Description	Line Item#
Verizon	79.93	Cell phone	52924-226-000
Samuel Simmons	142.62	Mileage	52924-340-000
Verizon	38.01	Cell phone	52924-226-000

Recycling

Vendor	Amount	Description	Line Item#
Meghan Burkett	68.79	Mileage	53635-370-000
Town of Wilson	102.60	Recycling attendant	53635-208-000
Village of Fairchild	129.61	Dropbox	53635-208-000
Express Disposal	1,670.48	Curbside	53635-201-000
Waste Mgmt	11,972.82	Curbside	53635-201-000
Earthbound	1,413.00	Curbside	53635-201-000
Boxx Sanitation	42,022.62	Curbside	53635-201-000
Advanced Disposal	38,590.60	Dropbox	53635-201-000
Express Disposal	558.92	Curbside	53635-201-000

**Planning and Development
December 2019**

Earthbound	1,425.56	Curbside	53635-201-000
Waste Mgmt	11,935.14	Curbside	53635-201-000
Town of Wilson	82.08	Dropbox	53635-208-000
Boxx Sanitation	42,000.64	Curbside	53635-201-000
Advanced Disposal	38,505.82	Curbside	53635-201-000
Advanced Disposal	4,688.87	Dropbox	53635-208-000
Advanced Disposal	4,695.60	Dropbox	53635-208-000

Land Conservation

Vendor	Amount	Description	Line Item#
Voyager	37.42	Fuel	56922-330-000
Holiday In Hotel - PCard	82.00	GL Training	56922-340-000
Menards	(7.67)	refund	56922-200-719
Lampert	77.28	Supplies	56929-200-719
Lampert	10.68	Supplies	56929-200-719
Kalahari - Pcard	29.99	ApTraining	56922-340-000
Kalahari - Pcard	(29.99)	Refund	56922-340-000
Karow Farms	\$ 14,920.00	2019 Seg	56924-200-707
Mayer, Travis	\$ 4,200.00	2019 Seg	56924-200-707
Peters, Amanda	\$ 22.95	December	56922-340-000
Wathke, Larry	\$ 4,480.00	2019 Seg	56924-200-707
Wathke, Larry	\$ 3,920.00	2019 Seg	56924-200-707
Wathke, Larry	\$ 960.00	2019 Seg	56924-200-707
Wathke, Wyatt	\$ 1,400.00	2019 Seg	56924-200-707

Division	Totals
Planning	10,802.89
Resurvey	3,228.06
Emergency Management	260.56
Recycling	199,863.15
Land Conservation	30,102.66
Total	244,257.32



2020 Committee on Planning and Development Meeting Schedule

January 28

February 25

March 24

April 14

April 28

May 12

May 26

June 9

June 23

July 14

July 28

August 11

August 25

September 8

September 22

October 27

November 17

December 8

MINUTES

Eau Claire County

• PLANNING & DEVELOPMENT COMMITTEE •

Date: Tuesday, December 17, 2019

Time: 6:15 p.m.

Location: *Eau Claire County Courthouse, 721 Oxford Ave, Room 1278, Eau Claire, Wisconsin 54703*

Members Present: Gary Gibson, Nancy Coffey, James A. Dunning, Joe Knight, Robin Leary

Members Absent:

Staff Present: Rodney Eslinger, Dean Roth

1. Call to Order and confirmation of meeting notice
Chairperson Gibson called the meeting to order at 6:15 PM and confirmed compliance with the Open Meeting Law.
2. Public Comment (**15-minute maximum**)
None
3. Final Plat for Trilogy / Discussion – Action
Dean Roth, County Surveyor, presented the staff report for the Plat of Trilogy. He gave the committee background information about the final plat. A brief discussion was held.

Action: Motion by Nancy Coffey to approve the Final Plat for Trilogy as presented and with the conditions outlined in the staff report. Motion carried: 4-0-0.

4. Review/Approval of December 10, 2019 Meeting Minutes / Discussion – Action
The committee reviewed and discussed the December 10, 2019 meeting minutes.

Action: Motion by James A. Dunning to approve the December 10, 2019 the Meeting Minutes as presented. Motion carried: 4-0-0.

Supervisor Leary arrived at 6:23 p.m.

5. Proposed Future Agenda Items / Discussion
 - a. Next scheduled meeting – January 28, 2020

6. Adjourn

Action: Meeting adjourned by unanimous consent at 6:25 p.m.

Respectfully Submitted,

Rodney Eslinger
Clerk, Committee on Planning & Development