CITY OF NEW RICHMOND
THE CITY BEAUTIFUL

156 East First Street
New Richmond, WI 54017
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www.newrichmondwi.gov

July 26, 2018

TO ALL PLAN COMMISSION MEMBERS:

Fred Horne	**Michelle Scanlan**
Jim Zajkowski	**David Wilford**
Mike Kastens	**David Tyvoll**
MaryKay Rice	

This is to notify you that there is a Plan Commission meeting scheduled for Tuesday, August 7, 2018, at 5:00 p.m. in the Council Chambers of the Civic Center, 156 East First Street, City of New Richmond, WI.

AGENDA:

1) **Roll Call**
2) **Adoption of Agenda**
3) **Approval of the minutes from the previous meeting on May 15, 2018, and June 7, 2018**
4) **Public Hearing to consider the following:**
   a) **Petition for Annexation from Roger and Laurie Neumann for the following properties: 038-1109-95-000 consisting of 40 acres; 038-1141-40-000 consisting of 40 acres; 038-1141-30-050 consisting of 39 acres; 038-1141-10-001 consisting of 40 acres; 038-1138-10-002 consisting of 40 acres; 038-1138-10-000 consisting of 40 acres; 038-1138-10-001 consisting of 40 acres; 038-1110-30-000 consisting of 40 acres; 038-1110-10-000 consisting of 40 acres; 038-1106-50-001 consisting of 40 acres; 038-1106-50-000 consisting of 80 acres. Property is located north of Cty Hwy 64 and north of the Health Center property.**
   b) **Petition for Annexation from Roger and Laurie Neumann for 038-1101-10-00 consisting of 17.67 acres; and 038-1101-20-000 consisting of 29.76 acres; 038-1101-10-400 consisting of 2.20 acres; and 038-1101-50-000 consisting of .27 acres. Property is located South of 200th Avenue abutting the airport property.**
   c) **Petition for Annexation from St. Croix County for parcel #038-1141-30-075 for a cemetery located north of the Health Center property.**
   d) **Petition for Annexation from Brett Neumann for the following properties: 038-1106-10-010 consisting of 20 acres; 038-1105-95-010 consisting of 20 acres; 0389-1108-10 consisting of 40 acres; 038-1108-20-000 consisting of 40 acres; 038-1108-30-000 consisting of 40 acres; and 038-1108-40-000 consisting of 40 acres. Property is located north of the Health Center property.**

e) **Petition for Annexation from City of New Richmond for 038-1110-20 Compost Site consisting of 40 acres. Located north of the Health Center property.**

f) **Petition for Annexation from Jeff Miller 026-1001-50-100 Located at 1749 140th Street and described as Lot CSM 7/2014 consisting of 1.82 acres.**

g) **Amend Section 121-9.B.15 to revise rear yard setbacks for decks within the Paperjack Creek Villas PUD.**

h) **Repeal Section 121-35 of the Zoning Ordinance establishing provisions for extra-territorial zoning.**

i) **Amend Chapter 117, Article II to add provisions related to extra-territorial subdivision review.**

5) **Action on Public Hearing Agenda**
6) **Communications and Miscellaneous**
7) **Adjournment**

Fred Horne
Mayor

cc:

The News	**Northwest Cable**	**City Website**
Mike Darrow	**Nick Vivian**	**Mike Demulling**
Bob Meyer	**Dan Licht**	**Jim VanderWyst**
Craig Yehlik	**Beth Thompson**	**Rae Ann Ailts**
Josh Melstrom	**Joel Enders**	**Noah Wiedenfeld**
Jeremiah Wendt	**Weston Arndt**	**Kevin Blader**

PLAN COMMISSION MEETING
MAY 15, 2018 - 5:00 P.M.

Members Present: Fred Horne, Mike Kastens, Jim Zajkowski, Michelle Scanlan, David Tyvoll and MaryKay Rice

Members Absent: David Wilford

Others Present: Beth Thompson, Cathy Longtin and Tanya Batchelor

Fred Horne called the meeting to order and roll call was taken.

Jim Zajkowski moved to adopt the agenda as presented, seconded by Mike Kastens and carried.

MaryKay Rice moved to approve the minutes of the previous meeting on May 8, 2018, seconded by Michelle Scanlan and carried.

Public Hearing

Fred Horne declared the Public Hearing open to discuss the following:

a) Application for Conditional Use Permit from Federal Foam to allow an exception to the building exterior finish materials required within the Z7 District in accordance with Section 121-49 G4 of the Zoning Ordinance. Property is located west of 600 Wisconsin Drive and described as: 261-1070-46-005 SEC 10 T30N R18W PT NE NW & PT SE NW; FKA PT CSM 20-5082 NKA CSM 23-5574 LOT 5 (5.470AC) and Site Plan and Stormwater Review.

Beth Thompson explained that Federal Foam has submitted an Application for Conditional Use Permit for a storage facility to be built west of the existing facility with a breezeway between the existing building and the new building. This building will be used for storage with a breezeway between the existing building and the new one. The new building will be set back so that it could stand alone if not connected with the existing building. The Z7 zoning has strict rules for building elevations with 50% brick or stone. Federal Foam has applied for a Conditional Use Permit to allow less than 50% brick or stone. The uses in this area are industrial and the Comprehensive Plan also guides this area for industrial use. Utility easements are noted on the exterior of the entire lot. Discussion followed. Fred Horne declared the Public Hearing Closed.

Mike Kastens moved to approve the Conditional Use Permit for Federal Foam with the following conditions:

1) The developer shall provide a financial guarantee equal to 125 percent of the cost for materials and labor for proposed landscape plan to be held by the City until it is verified that all plantings have survived through two winter seasons between October 31 and April 30.
2) Any exterior storage of waste and recycling containers must be screened by an enclosure as required by Section 121-48 C of the Zoning Ordinance.
3) A photometric lighting plan illustrating the location and intensity of proposed exterior lighting fixtures complying with Section 121-51.A.1 of the Zoning Ordinance and is subject to review and approval of the Zoning Administrator.
4) All signs require issuance of a sign permit by the Building Inspector prior to placement and must comply with Section 121-44 of the Zoning Ordinance.

5) All grading, drainage, and erosion control shall be subject to review and approval of the Public Works Director, including execution of a maintenance agreement.
6) All utility plans shall be subject to review and approval of the Public Works Director, and:
    a. Cleanouts located within the pavement are recommended to be provided with ng the property to the north and west of their existing property. There is also an adjustment to the west lot line to accommodate for trees planted there. The existing drainage and utility easements along the old property line will be vacated by the City Council on May 14, 2018, and the new easements are shown on the CSM. MaryKay Rice moved to approve the Certified Survey Map subject to the following conditions:
    b. Vacation of existing drainage a casting rather than the concrete with PVC.
    c. Confirm that the hydrant near the building can be built with the depth of the watermain in that location.

Motion was seconded by Jim Zajkowski and carried.

The Public Hearing was declared open to discuss the following:

b) Adoption of a Comprehensive Plan update as required by the Wisconsin Smart Growth Comprehensive Planning Law.

Beth Thompson explained the process for approving the Comprehensive Plan. A draft of the plan was given to the Plan Commission members, Council members, West Central Regional Planning, St. Croix Planning and the members of the CAP group. Beth received a few suggested changes and incorporated them into the final document. Discussion followed. Fred Horne declared the Public Hearing Closed. Jim Zajkowski moved to approve the Comprehensive Plan document as presented, seconded by MaryKay Rice and carried.

MaryKay Rice moved to adjourn the meeting, seconded by Mike Kastens and carried.

Meeting adjourned at 5:47 p.m.

Tanya Batchelor
City Clerk

PLAN COMMISSION MEETING
JUNE 5, 2018 - 5:00 P.M.

Members Present: Mike Kastens, Jim Zajkowski, Michelle Scanlan, David Wilford, David Tyvoll and MaryKay Rice

Members Absent: Fred Horne

Others Present: Beth Thompson, Brett & Marnie Blackman, Scottie Ard and Tanya Batchelor

Jim Zajkowski called the meeting to order and roll call was taken.

Mike Kastens moved to adopt the agenda as presented, seconded by David Wilford and carried.

Public Hearing

Jim Zajkowski declared the Public Hearing open to discuss the following:

a) Application for Conditional Use Permit from Bret and Marnie Blackman to allow a Bed and Breakfast and Therapeutic Massage Therapy Studio in an area zoned Z5 Traditional Neighborhood District. Property is located at 313 West Second Street and described as Lots 4 and 5, Block 3 Village of Freemont in the City of New Richmond

Beth Thompson explained the Conditional Use Permit is needed to allow a bed and breakfast and massage therapy in an area zoned Z5. A neighborhood meeting was held last week. Brett and Marnie gave a presentation at that meeting on their plans for their property. Marnie gave a quick presentation to the Plan Commission. Parking was a concern, and has been addressed. Discussion followed. They will start out with three rooms that have private bathrooms to begin with and might add another room in the future. The DRC recommended approval of a conditional use permit allowing Ti Vogllio Bene Bed & Breakfast within the Z5 District, subject to the following conditions:

1. All building and fire code issues shall be subject to review and approval of the Building Inspector.

2. The operator shall provide documentation of a bed and breakfast license issued by the State of Wisconsin.

3. The need for a license for prepared food shall be subject to review and approval of St. Croix County.

4. The bed and breakfast use shall provide payment of a lodging tax as required by Section 74-1 of the City Code.

5. The therapeutic massage use shall:

    a. Be conducted only by the resident operator of the property.

b. The operator shall maintain all licenses for therapeutic massage as required by St. Croix County and/or the State of Wisconsin, which shall at all times be displayed in a public place within the building.

c. Only one client shall be provided therapeutic massage services at a time.

d. Therapeutic massage services shall be provided only within the one designated room within the building to be shown on the floor plan.

e. Hours for therapeutic massage for clients that are not guests of the bed and breakfast shall be limited to 8:00AM to 8:00PM.

Jim Zajkowski declared the Public Hearing Closed. MaryKay Rice moved to approve the Conditional Use Permit with the conditions listed above, seconded by Michelle Scanlan and carried. Mike Kastens voted no.

David Wilford moved to adjourn the meeting, seconded by Michelle Scanlan and carried.

Meeting adjourned at 5:22 p.m.

Tanya Batchelor
City Clerk

TPC
The Planning Company
3601 Thurston Avenue
Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

MEMORANDUM

TO: Beth Thompson

FROM: D. Daniel Licht, AICP

DATE: 25 July 2018

RE: New Richmond – Neumann Trust/Brett Neumann LLC/City/County Annexation

TPC FILE: 164.02

BACKGROUND

The City has received petitions from three property owners to annex 22 parcels located in Star Prairie Township. Of the 22 parcels, 18 are located north of Highway 64 and east of 115th Street. The City is also proposing to annex a City owned parcel adjacent to these parcels petitioning for annexation. The County has signed a petition to annex in an old cemetery. The other four parcels are located west of Highway 65, south of 200th Avenue adjacent to the New Richmond airport. Annexation petitions are subject to review by the Plan Commission and approval of the City Council. A public hearing to consider the annexation petitions has been noticed for the Plan Commission meeting on 7 August 2018.

Exhibits:

- Property summary
- Map of annexation parcels by owner
- Comprehensive Plan Future Land Use
- Proposed Zoning

ANALYSIS

Comprehensive Plan. The 2018 Comprehensive Plan guides the parcels at Highway 64 and 115th Street for mixed use corridor, medium-high density residential, low density residential and institutional land uses as shown on the attached map. The parcels at Highway 65 and 200th Avenue are guided for future business park uses. Annexation of the parcels provides for future orderly growth of planned urban development consistent with the Comprehensive Plan.

Zoning. Annexation of the parcels is to occur by adoption of an ordinance by the City Council that is subsequently recorded with the Secretary of State and St. Croix County Recorder with each parcel. The annexation will be effective upon the date after the annexation ordinance is published. Section 121-36.G of the Zoning Ordinance states that properties annexed to the City are designated as Z1 District, unless otherwise approved by the City Council. Based on the future land uses guided by the 2018 Comprehensive Plan, City staff proposes designation of zoning districts to allow for the planned land uses. The proposed zoning district designation for each parcel is shown in the table and map attached to this report.

Star Prairie Boundary Agreement. The City and Star Prairie Township entered into a Cooperative Plan regarding future boundaries dated 31 July 2012. The parcels are all located within the Urban Reserve Area designated by the Cooperative Plan. Annexation of property within the Urban Reserve Area from Star Prairie Township to the City of New Richmond is outlined in Section 3 of the Cooperative Plan.

- Section 3.2.1 of the Cooperative Plan states that a property owner may petition to the City Clerk requesting attachment of their property from Star Prairie Township to the City of New Richmond.

- Section 3.6.1 of the Cooperative Plan requires the City Clerk to provide written notice of the attachment request (including the petition) to Star Prairie Township.

- Section 3.6.2 of the Cooperative Plan allows Star Prairie Township 30 days from receipt of the notice to respond with any objections to the proposed attachment.

- Section 3.8 of the Cooperative Plan states that the attachment is to be enacted by adoption of an ordinance by the City Council.

- Section 3.2.1 of the Cooperative Plan states that the City may accept the petition, accept the petition subject to conditions, or deny the petition.

- If the petition is accepted and the attachment ordinance adopted by the City Council, the annexation becomes effective upon publication of said ordinance in accordance with Section 3.9 of the Cooperative Plan.

RECOMMENDATION

The petitions for annexation of the parcels within Star Prairie Township is consistent with the goals and policies of the 2018 Comprehensive Plan for future development. The proposed annexation also complies with the terms of the Star Prairie Cooperative Plan. The Development Review Committee considered the annexation petition at their meeting on 19 July 2018 and recommends approval.

POSSIBLE ACTION

A. Motion to recommend City Council **approval** of ordinance(s) annexing parcels owned by the Roger J and Laurie M Neumann Trust, Brett Neumann LLC, St. Croix County, and the City of New Richmond to the City of New Richmond

B. Motion to recommend the City Council **deny** the annexation petitions based on a finding that such action is not consistent with the policies of the Comprehensive Plan.

C. Motion to **table**.

c. Michael Darrow, City Administrator
Nick Vivian, City Attorney
Jeremiah Wendt, Public Works Director

CITY OF NEW RICHMOND
THE CITY BEAUTIFUL

PETITION FOR ANNEXATION

PURSUANT TO SECTION 66.0217(2) WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY

We, the undersigned, constituting all of the owners of the real property, and all of the electors residing in, the following territory of the town(s) of Star Prairie, St. Croix County, Wisconsin, lying contiguous to the City of New Richmond to annex the territory described below and shown on the attached scale map to the City of New Richmond, St. Croix, Wisconsin: (Please attach description)

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

Signature of Petitioners	Date	Owner/Elector	Parcel Number
1 Roger Neumann	4-14-18	Roger & Laurie Neumann	ON BACK

ADDITIONAL INFORMATION NEEDED

Approximate Value: Land $_____ Improvements $_____

Tax ID 389600587 Annual Town Property Taxes $ _____

Number of Electors _____

Present Land Use: Undeveloped 100 % Commercial _____% Industrial ____%
Residential _____% Recreational % _____

Anticipated Land Use: Commercial_____ % Industrial _____%
Residential _____% Recreational _____%

Nature of land use adjacent to this property:

In the City?_____

In the Town?_____

Application must be submitted to the Clerk at least four weeks prior to the Plan Commission meeting. Application must include a metes and bounds description of the property to be annexed and a scale map of the area.

CITY OF NEW RICHMOND
THE CITY BEAUTIFUL

PETITION FOR ANNEXATION

PURSUANT TO SECTION 66.0217(2) WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY

We, the undersigned, constituting all of the owners of the real property, and all of the electors residing in, the following territory of the town(s) of _____, St. Croix County, Wisconsin, lying contiguous to the City of New Richmond to annex the territory described below and shown on the attached scale map to the City of New Richmond, St. Croix, Wisconsin: (Please attach description)

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

Signature of Petitioners	Date	Owner/Elector	Parcel Number
1 Roger Neuman	4-13-18	Roger + Laura Neuman	on Back

ADDITIONAL INFORMATION NEEDED

Approximate Value: Land $_____ Improvements $_____

Tax ID 389600587 Annual Town Property Taxes $ on Back

Number of Electors _____

Present Land Use: Undeveloped 100 % Commercial _____% Industrial ____%
Residential _____% Recreational % _____

Anticipated Land Use: Commercial_____ % Industrial _____%
Residential _____% Recreational _____%

Nature of land use adjacent to this property:

In the City?_____

In the Town?_____

Application must be submitted to the Clerk at least four weeks prior to the Plan Commission meeting. Application must include a metes and bounds description of the property to be annexed and a scale map of the area.

CITY OF NEW RICHMOND
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PETITION FOR ANNEXATION

PURSUANT TO SECTION 66.0217(2) WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY

We, the undersigned, constituting all of the owners of the real property, and all of the electors residing in, the following territory of the town(s) of Star Prairie, St. Croix County, Wisconsin, lying contiguous to the City of New Richmond to annex the territory described below and shown on the attached scale map to the City of New Richmond, St. Croix, Wisconsin: (Please attach description)

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

Signature of Petitioners	Date	Owner/Elector	Parcel Number
1 Roger Larson County Board Chair	6-28-2018	St. Croix County	038-1141-30-075

ADDITIONAL INFORMATION NEEDED

Approximate Value: Land $ 0.00 Improvements $ 0.00

Tax ID 038-1141-30-075 Annual Town Property Taxes $ 0.00

Number of Electors: None

Present Land Use: Undeveloped 100 % Commercial _____% Industrial ____%
Cemetery Residential _____% Recreational % _____

Anticipated Land Use: Commercial_____ % Industrial _____%
Cemetery Residential _____% Recreational _____%

Nature of land use adjacent to this property:

In the City? St. Croix County Health Center - Residential

In the Town? Agricultural/Undeveloped

Application must be submitted to the Clerk at least four weeks prior to the Plan Commission meeting. Application must include a metes and bounds description of the property to be annexed and a scale map of the area.

ST. CROIX COUNTY Wisconsin
Innovation Through Cooperation

Resolution No. 12 (2018)

RESOLUTION AUTHORIZING THE SIGNING OF ANNEXATION PETITION FROM THE TOWN OF STAR PRAIRIE TO THE CITY OF NEW RICHMOND

WHEREAS, the Administration Committee has reviewed an annexation petition of parcel 038-1141-30-075 from the Town of Star Prairie to the City of New Richmond; and

WHEREAS, an annexation cannot create an island and the proposed annexation and development of surrounding properties would create an island of County owned parcel 038-1141-30-075 if not annexed; and

WHEREAS, the Cooperative Plan between the Town of Star Prairie and the City of New Richmond contemplates the annexation of the above referenced parcel.

NOW, THEREFORE, BE IT RESOLVED by the St. Croix County Board of Supervisors that it hereby authorizes the signature of an annexation petition of parcel 038-1141-30-075 from the Town of Star Prairie to the City of New Richmond.

Legal – Fiscal – Administrative Approvals:

Legal Note:

Fiscal Impact: No fiscal impact between staying in township or annexing to the City.

Scott L. Cox, Corporation Counsel 5/9/2018

Ken Witt, Interim-Finance Director 5/9/2018

Patrick Thompson, County Administrator 5/9/2018

05/14/18 Administration Committee RECOMMENDED

RESULT:	**RECOMMENDED [UNANIMOUS]**
MOVER:	Tammy Moothedan, Supervisor
SECONDER:	Dan Fosterling, Supervisor
AYES:	Sjoberg, Moothedan, Fosterling, Peterson, Leibfried

Vote Confirmation.

David Peterson Administration, Chairman 5/22/2018

St. Croix County Board of Supervisors Action:

Roll Call - Vote Requirement – Majority of Supervisors Present

RESULT:	**ADOPTED [16 TO 1]**
MOVER:	David Peterson, Supervisor
SECONDER:	Andy Brinkman, Supervisor
AYES:	Schachtner, Nordstrand, Coulter, Long, Moothedan, Fosterling, Feidler, Ostness, Larson, Hansen, Brinkman, Peterson, Anderson, Achterhof, Leibfried, Peavey
NAYS:	Roy Sjoberg
ABSENT:	Lynda Miller, District 13

This Resolution was Adopted by the St. Croix County Board of Supervisors on June 5, 2018

Cindy Campbell, County Clerk

CITY OF NEW RICHMOND
THE CITY BEAUTIFUL

PETITION FOR ANNEXATION

PURSUANT TO SECTION 66.0217(2) WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY

We, the undersigned, constituting all of the owners of the real property, and all of the electors residing in, the following territory of the town(s) of Star Prairie, St. Croix County, Wisconsin, lying contiguous to the City of New Richmond to annex the territory described below and shown on the attached scale map to the City of New Richmond, St. Croix, Wisconsin: (Please attach description)

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

Signature of Petitioners	Date	Owner/Elector	Parcel Number
1	6-20-18	Brett Neumann LLC	on back

ADDITIONAL INFORMATION NEEDED

Approximate Value: Land $_____ Improvements $_____

Tax ID 391922559 Annual Town Property Taxes $ on back

Number of Electors _____

Present Land Use: Undeveloped 100 % Commercial _____% Industrial ____%
Residential _____% Recreational % _____

Anticipated Land Use: Commercial_____ % Industrial _____%
Residential _____% Recreational _____%

Nature of land use adjacent to this property:

In the City?_____

In the Town?_____

Application must be submitted to the Clerk at least four weeks prior to the Plan Commission meeting. Application must include a metes and bounds description of the property to be annexed and a scale map of the area.

CITY OF NEW RICHMOND
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PETITION FOR ANNEXATION

PURSUANT TO SECTION 66.0217(2) WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY

We, the undersigned, constituting all of the owners of the real property, and all of the electors residing in, the following territory of the town(s) of Star Prairie, St. Croix County, Wisconsin, lying contiguous to the City of New Richmond to annex the territory described below and shown on the attached scale map to the City of New Richmond, St. Croix, Wisconsin: (Please attach description)

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

	Signature of Petitioners	Date	Owner/Elector	Parcel Number
1	Tanya Batchelder		City of New Richmond	038-1110-20

ADDITIONAL INFORMATION NEEDED

Approximate Value: Land $ 0.00 Improvements $ 0.00

Tax ID 038-1110-20 Annual Town Property Taxes $ _____

Number of Electors 0

Present Land Use: Undeveloped 100 % Commercial _____% Industrial ____%
Residential _____% Recreational % _____

Anticipated Land Use: Commercial_____ % Industrial _____%
Residential _____% Recreational _____%

Nature of land use adjacent to this property:

In the City? Farming

In the Town? Farming

Application must be submitted to the Clerk at least four weeks prior to the Plan Commission meeting. Application must include a metes and bounds description of the property to be annexed and a scale map of the area.

STAR PRAIRIE TOWNSHIP ANNEXATION PETITIONS						
Parcel		Parcel #	Owner	Acres	Future Land Use Plan	Proposed Zoning Map
Hwy. 64 /115th St.	1	038-1138-10-002	Roger J and Laurie M Neumann Trust	35.5	Mixed Use Corridor	Z3 District
	2	038-1138-10-001	Roger J and Laurie M Neumann Trust	40.0	Medium-High Density Residential	Z4 District
	3	038-1138-10-000	Roger J and Laurie M Neumann Trust	40.0	Medium-High Density Residential	Z4 District
	4	038-1141-30-050	Roger J and Laurie M Neumann Trust	39.0	Medium-High Density Residential	Z4 District
	5	038-1141-40-000	Roger J and Laurie M Neumann Trust	40.0	Medium-High Density Residential	Z4 District
	6	038-1141-10-001	Roger J and Laurie M Neumann Trust	40.0	Mixed Use Corridor	Z3 District
	7	038-1110-30-000	Roger J and Laurie M Neumann Trust	40.0	Low Density Residential	Z2 District
	8	038-1110-10-000	Roger J and Laurie M Neumann Trust	40.0	Low Density Residential	Z2 District
	9	038-1106-50-000	Roger J and Laurie M Neumann Trust	80.0	Low Density Residential	Z2 District
	10	038-1106-50-001	Roger J and Laurie M Neumann Trust	40.0	Low Density Residential	Z2 District
	11	038-1109-95-000	Roger J and Laurie M Neumann Trust	40.0	Low Density Residential	Z2 District
	12	038-1110-20-000	City of New Richmond	40.0	Institutional	Z1 District
	13	038-1108-30-000	Brett Neumann LLC	40.0	Low Density Residential	Z2 District
	14	038-1108-40-000	Brett Neumann LLC	40.0	Low Density Residential	Z2 District
	15	038-1106-10-010	Brett Neumann LLC	80.0	Low Density Residential	Z2 District
	16	038-1105-95-010	Brett Neumann LLC	80.0	Low Density Residential	Z2 District
	17	038-1108-10-000	Brett Neumann LLC	40.0	Low Density Residential	Z2 District
	18	038-1108-20-000	Brett Neumann LLC	40.0	Low Density Residential	Z2 District
	19	038-1141-30-075	St. Croix County	1.0	Institutional	Z4 District
Hwy. 65 /200th Ave.	A	038-1101-50-000	Roger J and Laurie M Neumann Living Trust	0.3	Industrial	Z7 District
	B	038-1101-20-000	Roger J and Laurie M Neumann Living Trust	29.8	Industrial	Z7 District
	C	038-1101-10-000	Roger J and Laurie M Neumann Living Trust	17.8	Industrial	Z7 District
	D	038-1101-10-400	Roger J and Laurie M Neumann Living Trust	2.2	Industrial	Z7 District

CITY OF NEW RICHMOND: ANNEXATION

Brett Neumann

Roger and Laurie Neumann

City of New Richmond

Roger and Laurie Neumann

St Croix County

118TH ST
124TH ST
126TH ST
202ND AVE
200TH AVE
W HANGAR RD
RD CC
195TH AVE
115TH ST
192ND AVE
WALL ST
HWY 65
140TH ST
AIRPORT RD
NOBLE RD
CARLSON AVE
INDUSTRIAL BLVD
HWY 64
W NORTH SHORE DR
DAKOTA AVE N
N 5TH ST
N 4TH ST
CTY RD KK
CTY RD JK

New Richmond City Boundary
New Richmond Parcels
St Croix County Parcels

Town of Star Prairie
Town of Stanton
Town of Richmond
Town of Erin Prairie

CITY OF NEW RICHMOND
THE CITY BEAUTIFUL

0 500 1,000 2,000 Feet

N W E S

Grid: WI CRS St. Croix (Feet)
Projection: Transverse Mercator
Datum: NAD 83
Date: 25 July 2018

CITY OF NEW RICHMOND: ANNEXATION PROPOSED ZONING

Brett Neumann

Roger and Laurie Neumann

City of New Richmond

Roger and Laurie Neumann

St Croix County

118TH ST
124TH ST
126TH ST
202ND AVE
200TH AVE
W HANGAR RD
CTY RD CC
195TH AVE
192ND AVE
115TH ST
CTY RD K
WALL ST
HWY 65
140TH ST
AIRPORT RD
NOBLE RD
INDUSTRIAL BLVD
HWY 64
W NORTH SHORE DR
N PIERCE AVE
N 1ST ST

Town of Star Prairie
Town of Stanton
Town of Richmond
Town of Erin Prairie

Zoning Districts

- Z1: Agriculture / Preservation District
- Z2: Sub-urban District
- Z3: Multi-Use / Corridor District
- Z4: General Urban District
- Z5: Traditional Neighborhood District
- Z6: Central Business District
- Z7: Specific Use / Industrial District
- New Richmond City Boundary

CITY OF NEW RICHMOND
THE CITY BEAUTIFUL

0 500 1,000 2,000 Feet

N W E S

Grid: WI CRS St. Croix (Feet)
Projection: Transverse Mercator
Datum: NAD 83
Date: 25 July 2018

CITY OF NEW RICHMOND: ANNEXATION FUTURE LAND USE

Brett Neumann

Roger and Laurie Neumann

City of New Richmond

Roger and Laurie Neumann

St Croix County

118TH ST
124TH ST
126TH ST
202ND AVE
200TH AVE
W HANGAR RD
CTY RD CC
195TH AVE
192ND AVE
115TH ST
HWY 65
140TH ST
AIRPORT RD
WALL ST
SON AVE
NOBLE RD
INDUSTRIAL BLVD
HWY 64
W NORTH SHORE DR
CTY RD KK
CTY RD K
N PIERCE AVE
N 1ST ST

Future Land Use

- Rural Residential
- Airport
- Institutional
- Business Park
- Commercial
- Mixed-Use Corridor
- Medium-High Density Residential
- Low Density Residential
- Green Space/Recreation/Parks
- New Richmond City Boundary

Town of Star Prairie
Town of Stanton
Town of Richmond
Town of Erin Prairie

CITY OF NEW RICHMOND
THE CITY BEAUTIFUL

0 500 1,000 2,000 Feet

N W E S

Grid: WI CRS St. Croix (Feet)
Projection: Transverse Mercator
Datum: NAD 83
Date: 25 July 2018

TPC
The Planning Company
3601 Thurston Avenue
Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

MEMORANDUM

TO: Beth Thompson

FROM: D. Daniel Licht, AICP

DATE: 27 June 2018

RE: New Richmond – Miller Annexation

TPC FILE: 164.02

BACKGROUND

The City has received a petition from Mr. Jeffrey and Lisa Miller to annex 1.82 acres located at 1749 140th Street within Richmond Township. The 1.82 acre property is developed with a single family dwelling. Annexation petitions are subject to review by the Plan Commission and approval of the City Council. A public hearing to consider the annexation petition has been noticed for the Plan Commission meeting on 7 August 2018.

Exhibits:

- Site Location Map
- Petition for Annexation

ANALYSIS

Comprehensive Plan. The Comprehensive Plan guides the subject site for future low density residential uses with availability of sanitary sewer and water utilities. The existing single family dwelling upon the property is an appropriate use consistent with the Comprehensive Plan. The property may be further subdivided in the future for additional single family lots when the abutting agricultural property to the west is subdivided and local street access is available. The annexation of the property provides for future orderly growth of planned urban uses consistent with the Comprehensive Plan.

Zoning. Annexation is acted upon by adoption of an ordinance by the City Council and recorded with the Secretary of State and St. Croix County Recorder. The annexation will be effective upon the date after the annexation ordinance is published. Section 121-36.G of the Zoning Ordinance states that properties annexed to the City are designated as Z1 District, unless otherwise approved by the City Council. With connection of the existing single family dwelling and lot area less than 5 acres as required within the Z1 District, zoning the subject site to Z2 District is appropriate. The existing single family dwelling is a permitted use within the Z2 District. The abutting property to the north of the subject site is also zoned Z2 District. Any condition of the property that does not comply with the requirements of the Zoning Ordinance upon the effective date of annexation would be allowed to continue as a legal non-conforming condition as provided for by Chapter 121, Article IV of the Zoning Ordinance.

Surrounding Uses. The existing and planned uses surrounding the subject site are described in the table below. The subject site is contiguous to existing properties within the City to the north also zoned Z2 District.

Direction	Jurisdiction	Land Use Plan	Zoning Map	Existing Use
North	City	LD Residential	Z2 District	Undeveloped
East	Town	LD Residential	NA	Agriculture
South	Town	LD Residential	NA	Rural single family dwelling
West	City	LD Residential	PUD/Z4	Rich River Trails

Lot Requirements. The Z2 District requires a minimum lot width of 80 feet and limits lot coverage to 40 percent of the lot area in accordance with Table 5 of the Zoning Ordinance. The width of the parcel abutting 140 Street is approximately 300 feet, which exceeds the Z2 District requirement. The lot coverage is estimated to be approximately 13 percent of the lot area, which is less than the limit of the Z2 District. The lot complies with the lot requirements of the Z2 District.

Setbacks. The setbacks for principal and accessory buildings within the Z2 District as required by Table 5.c and d of the Zoning Ordinance applicable to the property are as shown below. All of the existing site improvements within the property comply with these setback requirements.

- Primary front: 25ft.
- Side: 5ft.
- Rear: 20ft.

Access. The subject site has an existing driveway to 140th Street. The Comprehensive Plan designates 140th Street as a collector street. Direct lot access to collector streets is not allowed. The existing access is allowed to continue but no additional driveways will be allowed to 140th Street.

Utilities. The property is to be served by connection to City water and sewer utilities that are located within the public right-of-way abutting the subject site. Extension of utilities is to be subject to review and approval of the Public Works Director.

RECOMMENDATION

The petition for annexation is consistent with the City's Comprehensive Plan. The Development Review Committee considered the annexation petition at their meeting on 28 June 2018 and recommends approval.

POSSIBLE ACTION

A. Motion to recommend City Council **approval** of an ordinance annexing property owned by Jeffrey and Lisa Miller to the City of New Richmond to be zoned Z2 District.

B. Motion to recommend the City Council **deny** the annexation petition based on a finding that such action is not consistent with the policies of the Comprehensive Plan.

C. Motion to **table**.

c. Michael Darrow, City Administrator
Nick Vivian, City Attorney

PETITION OF ELECTORS AND PROPERTY OWNERS FOR DIRECT ANNEXATION

We, the undersigned, constituting a number of electors equal to at least a majority of the votes cast for governor in the territory described below at the last gubernatorial election and the owners of at least 1/2 of the land in area in the following territory of the Town of Richmond, St. Croix County, Wisconsin, lying contiguous to the City of New Richmond, respectfully petition the common council of the City of New Richmond to annex the territory described below and shown on the attached scale map to the City of New Richmond, St. Croix County, Wisconsin:

(Attach the legal description of territory proposed to be annexed.)

The current population of such territory is 5.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

We, the petitioners, affirm that within five (5) days of filing of this petition we will mail a copy of the Notice of Intent, scale map and legal description of the territory proposed to be annexed to the Department of Administration.

We further respectfully request that the subject property be zoned _____.

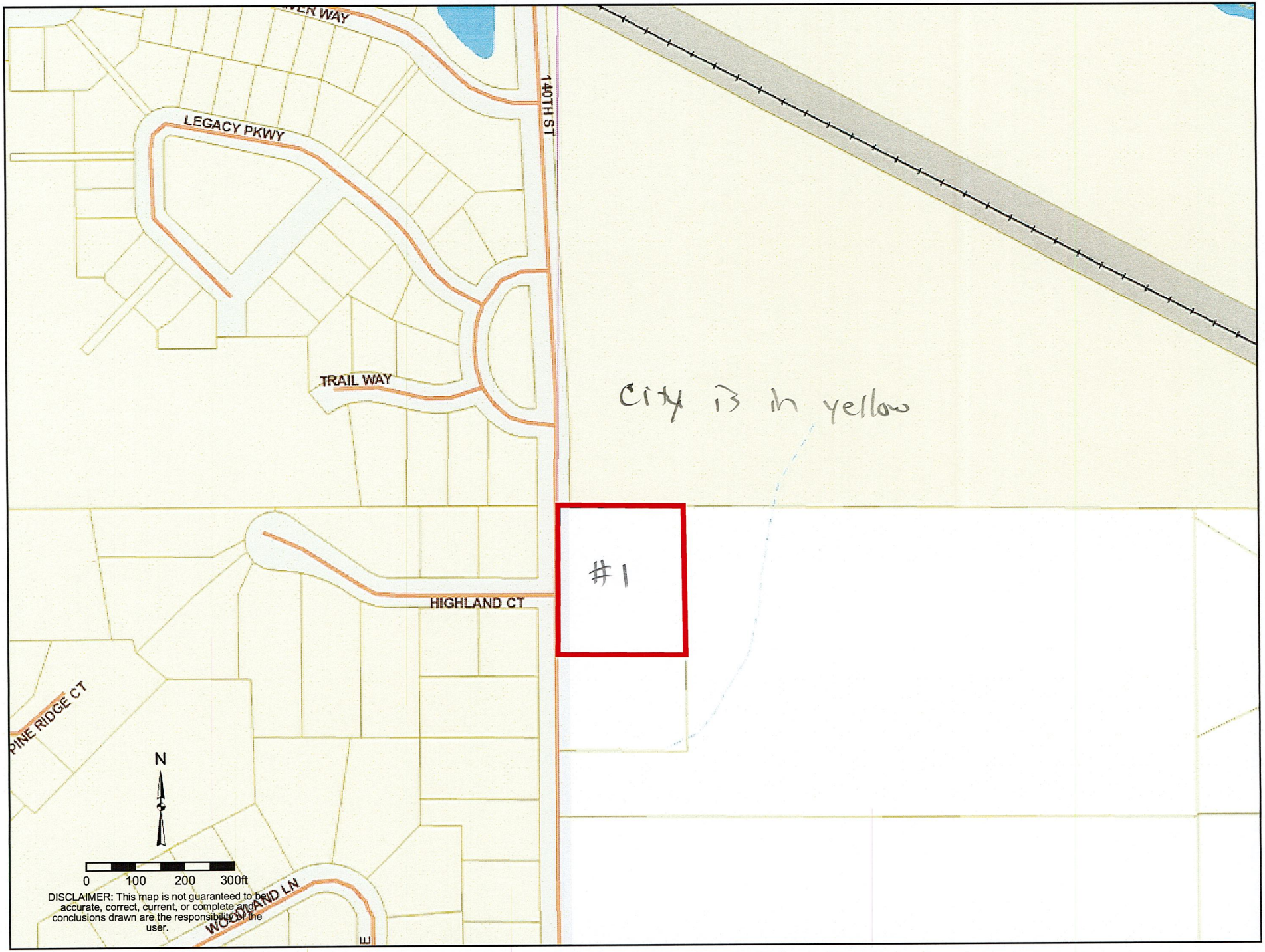
Signature of Petitioners	Date	Owner	Address of Property
1	6/12/18	SAME	1749 140th St. New Richmond WI 54017
2 Lisa Miller	6/12/18	Same	1749 140th St New Richmond WI 54017
3			
4			
5			
6			

Application must be submitted to the Clerk at least four weeks prior to the Plan Commission meeting. Application must include a metes and bounds description of the property to be annexed and a scale map of the area.

Normally meetings are held on the first Tuesday of the month at 5:00 p.m., but may be rescheduled.

Public Hearing is required. Requires a Class II Notice – Published 2 times at least 10 days before the meeting.

31
32
K
RICH RIVER WAY
GRAND AVE
140TH ST
LEGACY PKWY
TRAIL WAY
New Richmond
2
HIGHLAND CT
EVERGREEN CT
SUNSET DR
EVERGREEN DR
TownofRichmond
144TH ST
WOODLAND LN
WOODLAND LN E
N
E 6TH ST
176TH AVE
0
200
400
600ft
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.
HIGHVIEW DR


LEGACY PKWY
140TH ST
TRAIL WAY
HIGHLAND CT
PINE RIDGE CT
WOODLAND LN
City is in yellow
#1
N
0 100 200 300ft
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

440705

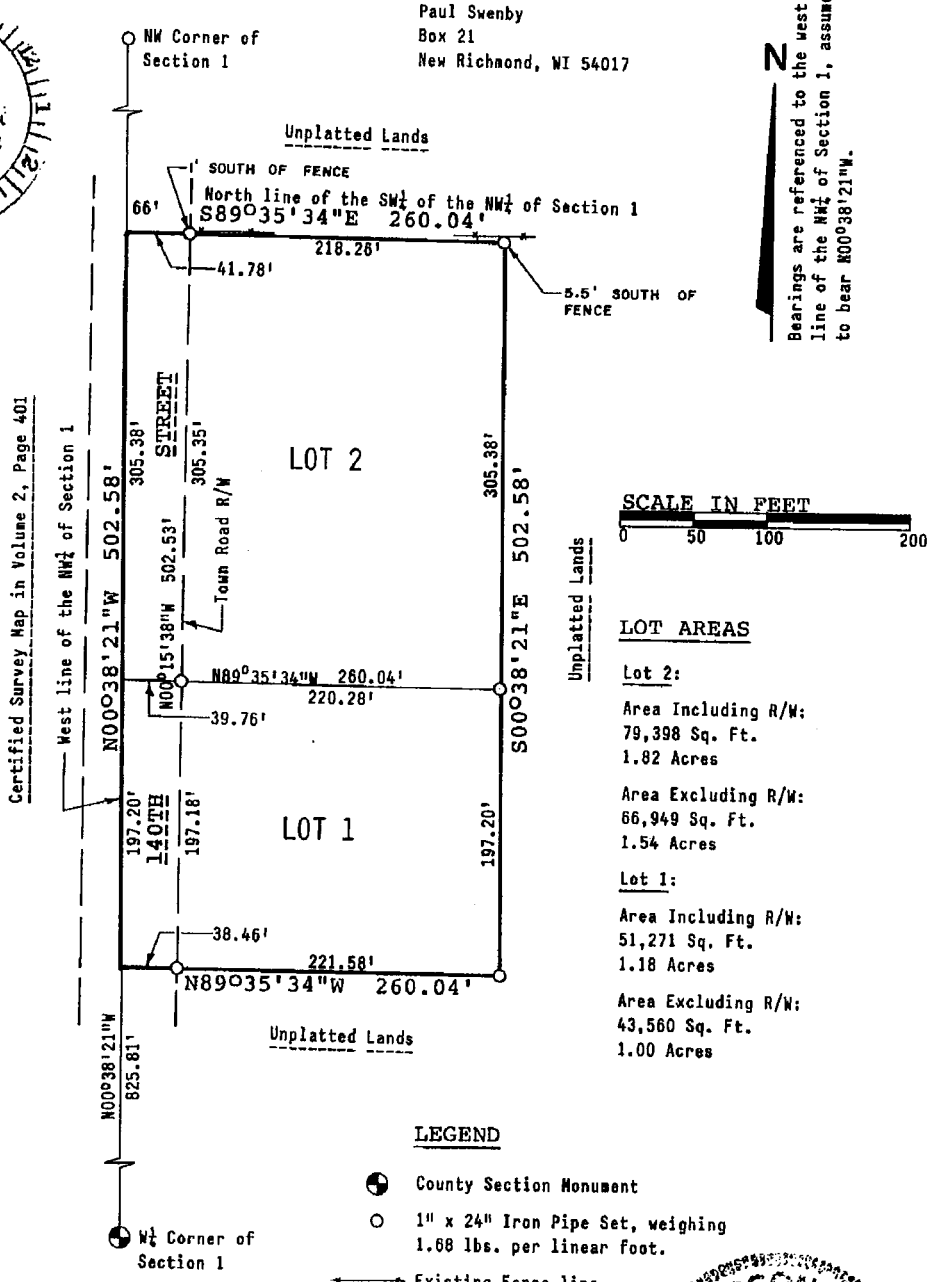
CERTIFIED SURVEY MAP

Located in part of the SW¼ of the NW¼ of Section 1, T30N, R18W, Town of Richmond, St. Croix County, Wisconsin.

FILED
AUG 22 1988
JAMES O'CONNELL
Register of Deeds
St. Croix County, Wisconsin

OWNER

Paul Swenby
Box 21
New Richmond, WI 54017



SCALE IN FEET
0 50 100 200

LOT AREAS

Lot 2:

Area Including R/W:
79,398 Sq. Ft.
1.82 Acres

Area Excluding R/W:
66,949 Sq. Ft.
1.54 Acres

Lot 1:

Area Including R/W:
51,271 Sq. Ft.
1.18 Acres

Area Excluding R/W:
43,560 Sq. Ft.
1.00 Acres

LEGEND

- County Section Monument
- ○ 1" x 24" Iron Pipe Set, weighing 1.68 lbs. per linear foot.
- Existing Fence-line

APPROVED
AUG 22 1988
ST. CROIX COUNTY
COMPREHENSIVE PARKS PLANNING AND ZONING COMMITTEE

WISCONSIN
ALKEN G. NYHAGEN
S-1408
HUDSON, WIS.
LAND SURVEYOR

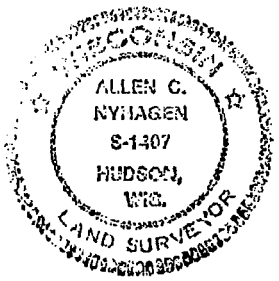
This instrument was drafted by Fran Bleskacek Job No. 88-27

SURVEYOR'S CERTIFICATE

I, Allen C. Nyhagen, registered Wisconsin Land Surveyor, do hereby certify that by the direction of Paul Swenby, I have surveyed, described and mapped the land parcel which is represented by this Certified Survey Map; that the exterior boundary of the land parcel surveyed and mapped is described as follows:

A parcel of land located in part of the SW¼ of the NW¼ of Section 1, T30N, R18W, Town of Richmond, St. Croix County, Wisconsin; further described as follows: Commencing at the W¼ corner of said Section 1; thence N00°38'21"W, along the west line of the NW¼ of said section, 825.81 feet to the point of beginning of this description; thence continuing N00°38'21"W, along said west line, 502.58 feet; thence S89°35'34"E, along the north line of the SW¼ of the NW¼ of said section, 260.04 feet; thence S00°38'21"E, 502.58 feet; thence N89°35'34"W, 260.04 feet to the point of beginning. Parcel is subject to right-of-way for Town Road as shown on this map and all other easements of record.

I, also certify that this Certified Survey Map is a correct representation to scale of the exterior boundary surveyed and described; that I have fully complied with the current provisions of Chapter 236.34 of the Wisconsin Statutes and the Land Subdivision Ordinance of the County of St. Croix in surveying and mapping same.



Allen C. Nyhagen 8/04/88

Allen C. Nyhagen Date

VOLUME 7 PAGE 2014

TPC
The Planning Company

3601 Thurston Avenue
Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

PLANNING REPORT

TO: Beth Thompson

FROM: D. Daniel Licht, AICP

DATE: 25 July 2018

RE: New Richmond –Paperjack Creek Villas; PUD District amendment

TPC FILE: 164.02

BACKGROUND

Mr. Jeremy Wilson owns the single family home located at 1323 Osprey Court. Mr. Wilson purchased the property with the existing house in 2012. The house was constructed by Oevering Homes LLC with a second floor patio door on the rear elevation of the house. Mr. Wilson is proposing to construct a 12 foot by 12 foot deck onto the rear of the house where the patio door is located. The proposed deck encroaches 7.27 feet into the required 20 foot setback.

Mr. Wilson applied for a variance to allow for construction of the proposed deck, which is subject to review and approval by the Board of Appeals in accordance with Section 121-33 of the Zoning Ordinance. The Board of Appeals considered the application following a public hearing on 9 July 2018. The Board of Appeals voted 2-1 to deny the variance application. The majority of the Board of Appeals did not believe that the criteria established by the Zoning Ordinance for approval of a variance requiring there be a physical hardship unique to the property was satisfied.

After a site visit and further review of the request and the characteristics of the lots within Paperjack Creek Villas, City staff believes that a PUD District amendment is warranted to allow for a reduced rear yard setback for decks. Amendments of an existing PUD District are processed in accordance with Section 121-29 of the Zoning Ordinance and are subject to review by the Plan Commission and approval of the City Council. A public hearing to consider the proposed amendment has been noticed for the Plan Commission meeting on 7 August 2018.

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Exhibits:

- Site Location
- Draft findings of fact
- Draft Ordinance

ANALYSIS

Comprehensive Plan. The Comprehensive Plan guides the subject site for low density residential uses. The single family dwellings constructed within the plat are consistent with the land uses guided by the Comprehensive Plan. The development of lots within the City is to be done consistent with performance standards and lot requirements established by the Zoning Ordinance. The intent of the Zoning Ordinance is to allow for complementary arrangement of land uses to avoid compatibility issues and protect public health, safety, and welfare. Setback requirements are established for the purpose of maintaining separation between buildings on adjacent properties and providing open space within the lot.

Zoning. The subject site is zoned PUD, Planned Unit Development District preserved as Section 121-9.B.15 of the Zoning Ordinance. The single family dwellings are a permitted use of the PUD District. The proposed deck on the Wilson single family dwelling above grade is integral to structure and considered to be part of the principal building. As part of the principal structure, the deck is subject to applicable setback requirements as established by the PUD District.

Setback. The PUD District establishes a 25 foot front yard setback and 20 foot rear yard setback requirement for principal buildings. The setbacks shown on the plat for the Wilson lot and several others at the entry to the cul-de-sac turnaround indicates a front yard setback at one corner of approximately 20 feet. Lots within Paperjack Creek Villas were platted with a depth ranging from 110 feet to 95 feet. The depth of the lots less the 50 feet required for the front and rear yard setbacks leaves a building envelop that is between 65 to 50 feet in depth.

The houses constructed upon the Wilson property is typical for the lots within Paperjack Creek. The house is a split entry with an attached garage forward of the dwelling. The depth of the structure is approximately 50 feet. The Wilson house is setback 24.73 feet from the rear property line. A patio door was located off of the main floor on the rear wall of the split entry house when it was constructed. A deck or steps to grade could be only 4.73 feet in depth beyond the house to comply with the 20 foot rear yard setback requirement. The Wilsons are proposing a deck that is 12 feet deep that would encroach 7.27 feet into the required rear yard setback and be setback only 12.73 feet from the rear property line.

The inability to accommodate a deck onto the Wilson dwelling is not unique condition that satisfies the undue hardship criteria established by the Zoning Ordinance for approval of a variance. However, the depth of lots less than 100 feet and layout of the split entry dwellings with a forward attached garage is common to Paperjack Creek Villas. Other lots within Paperjack Creek will encounter similar difficulties as Wilson in constructing a deck. The Board

of Appeals in 2015 approved a variance for Lot 21 to the south to allow a 4 foot encroachment into the 20 foot rear yard setback to allow for construction of a deck that is 8 feet deep. Under these circumstances, the appropriate action for the City to consider is amendment of the PUD District to allow a lesser rear yard setback for decks that would apply to all lots under similar conditions.

Setbacks are established to create separation between structures and activity within each lot to provide for land use compatibility and provide open space within the lot. The City maintains drainage and utility easements at the perimeter of each single family lot to allow for stormwater drainage. In recognition of the lots within Paperjack Creek Villas with a lot depth less than 100 feet, City staff proposes the following language regarding rear yard setbacks:

> *The rear yard setback for the principal building shall be a minimum of 20 feet, except that for lots with a depth less than 100 feet an attached deck that is not enclosed by screens, windows, walls, a pergola, or a roof shall be setback a minimum of 10 feet from a rear lot line.*

The proposed setback will maintain a reasonable separation from adjacent properties in consideration of the lot design. The proposed setback also will not result in a conflict with the drainage and utility easements dedicated along rear lot lines to provide for stormwater management. The proposed setback is consistent with the intent of the setbacks established with the PUD District and purpose of the Zoning Ordinance.

RECOMMENDATION

City staff does not believe that the Wilson or other request for variance within Paperjack Villas demonstrates an undue hardship justifying approval of a variance in accordance with the criteria established by the Zoning Ordinance. However, the shallow depth of serveral lots within Paperjack Creek and the design of the houses constructed upon these lots does create difficulties for the homeowners in constructing a deck. To this end, the Development Review Committee recommends approval of an amendment to the Paperjack Creek PUD District that will allow a 10 foot rear yard setback for decks.

POSSIBLE MOTIONS

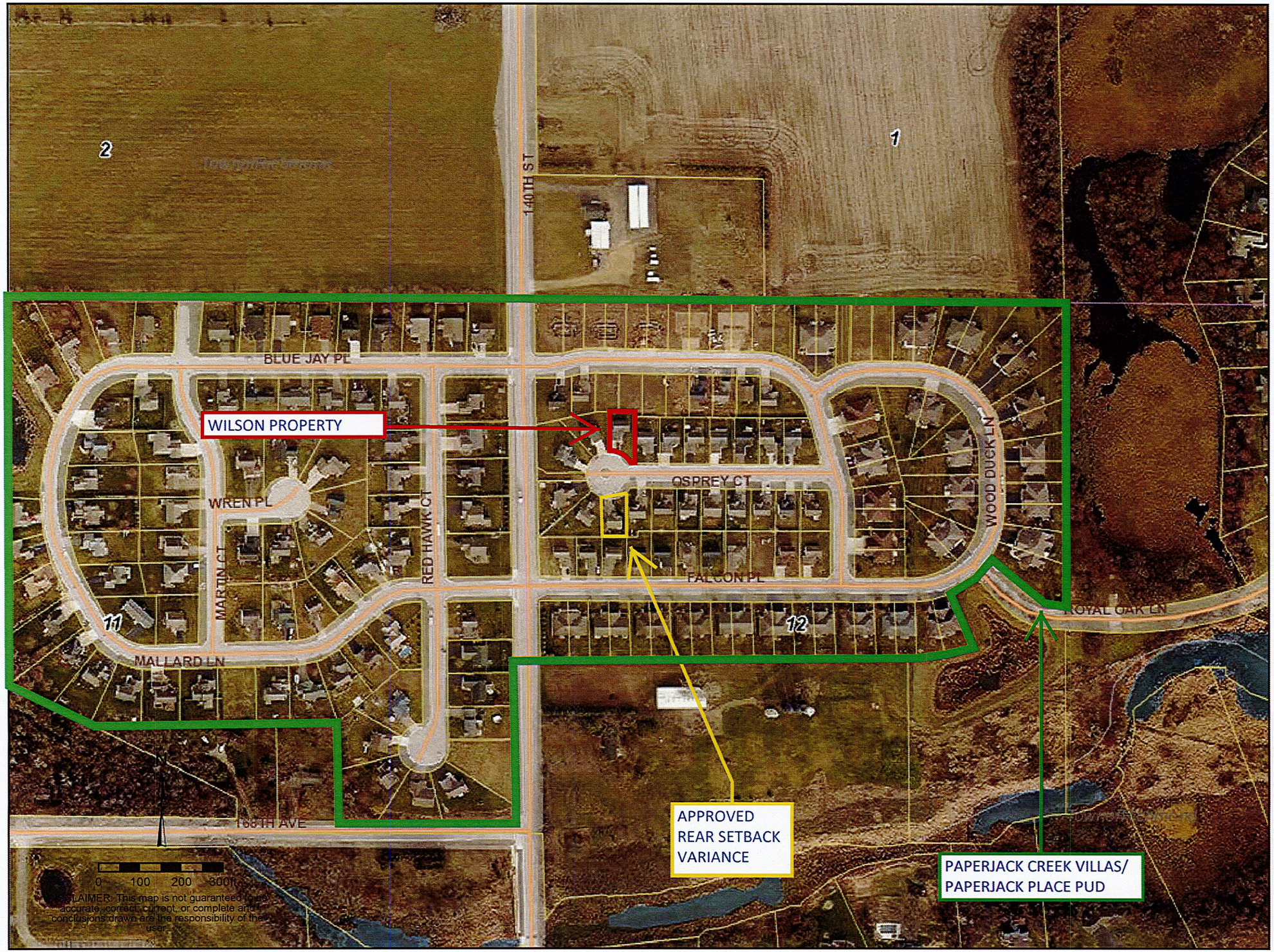
A. Motion to **approve** an amendment of the Paperjack Place and Paperjack Creek Villas PUD, subject to the following condition:

   1. The rear yard setback for the principal building shall be a minimum of 20 feet, except that for lots with a depth less than 100 feet an attached deck that is not enclosed by screens, windows, walls, a pergola, or a roof shall be setback a minimum of 10 feet from a rear lot line.

B. Motion to **deny** the application based on a finding that the request is inconsistent with the Comprehensive Plan and does not comply with the Zoning Ordinance.

C. Motion to **table** the application for further review.

c. Michael Darrow, City Administrator
Nick Vivian, City Attorney
Jeremiah Wendt, Public Works Director


2
1
140TH ST
BLUE JAY PL
WILSON PROPERTY
WREN PL
MARTIN CT
RED HAWK CT
OSPREY CT
WOOD DUCK LN
FALCON PL
ROYAL OAK LN
11
12
MALLARD LN
168TH AVE
APPROVED
REAR SETBACK
VARIANCE
PAPERJACK CREEK VILLAS/
PAPERJACK PLACE PUD
0 100 200 300ft
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

ORDINANCE #___

THE COMMON COUNCIL OF THE CITY OF NEW RICHMOND DOES ORDAIN AS FOLLOWS:

Section 1. Section 121-9.B.15 of the Zoning Ordinance (Preservation of PUD Districts) is hereby amended to read as follows:

15. Paperjack Place and Paperjack Creek Villas, Ordinance #264 adopted 4/9/01, amended [EFFECTIVE DATE].

This ordinance shall take effect immediately upon its passage and publication as provided by law.

Passed and approved:
Published and effective:

CITY OF NEW RICHMOND

By:_____
Fred Horne, Mayor

ATTEST:_____
Tanya Batchelor, City Clerk

CITY OF NEW RICHMOND
ST. CROIX COUNTY, WISCONSIN

PLANNED UNIT DEVEOPMENT

APPLICANT: City of New Richmond

APPLICATION: Amendment of a PUD, Planned Unit Development (PUD) for the Plat of Paperjack Place and Paperjack Creek Villas.

FINDINGS: Based upon review of the application and evidence received, the New Richmond City Council now makes the following findings of fact:

1. The property is guided for low density residential uses by the Comprehensive Plan.

2. A PUD, Planned Unit Development District of the property was approved by the City Council on April 9, 2001, which is preserved as Section 121-9.B.15 of the Zoning Ordinance.

3. The applicant is proposing an amendment of the PUD to modify required setbacks.

4. Applications for amendment of the Zoning Ordinance are to be processed in accordance Section 121-29 of the Zoning Ordinance and are subject to review by the Development Review Committee and Plan Commission, and approval of the City Council.

5. The Plan Commission and City Council must take into consideration the possible effects of the amendment with their judgment based upon (but not limited to) the criteria outlined in Section 121-29.D.1 of the Zoning Ordinance:

    a. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the City Comprehensive Plan, including public facilities and capital improvement plans.*

    b. *The proposed action meets the purpose and intent of this [Zoning] Ordinance or, in the case of a map or text amendment; it meets the*

purpose and intent of the individual zoning district.

c. *There is adequate public infrastructure available to serve the proposed action.*

d. *There is an adequate buffer or transition provided between potentially incompatible zoning districts.*

e. *The change will be compatible with existing and planned use in the area.*

6. The planning report dated 24 July 2018 prepared by the City Planner, The Planning Company LLC, is incorporated herein.

9. The Plan Commission opened a public hearing at their regular meeting on 7 August 2018 to consider the application, preceded by published and mailed notice; the Plan Commission reviewed of the application and received evidence; the Plan Commission closed the public hearing recommended that the City Council approve the request based on the aforementioned findings.

DECISION: Based on the foregoing information and applicable ordinances, the request is hereby **APPROVED** and is subject to the following conditions:

1. The rear yard setback for the principal building shall be a minimum of 20 feet, except that for lots with a depth less than 100 feet an attached deck that is not enclosed by screens, windows, walls, a pergola, or a roof shall be setback a minimum of 10 feet from a rear lot line.

MOTION BY:

SECOND BY:

ALL IN FAVOR:

THOSE OPPOSED:

ADOPTED by the City Council of the City of New Richmond this ____ day of _____ 2018.

CITY OF NEW RICHMOND

By:_____
Fred Horne, Mayor

Attest:_____
Tanya Batchelor, City Clerk