

Village of Birchwood
101 N. Main Street
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Birchwood, WI 54817



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The **Public Hearing and Special Planning Commission Meeting**
of the Village of Birchwood was held on
Tuesday, May 14th, 2024, at 6:00 p.m.
at the **Birchwood Village Hall, 101 N Main St, Birchwood, WI 54817.**

MINUTES

Pledge of Allegiance -Recited

Roll call by Clerk: Present: R. VanGilder, B. Boatman, S. Milligan, B. Hayes, M. Manning-- Absent: P. Parkos
Public Notice: Posted at the Birchwood Post Office, Village Hall, Gary's Grocery, and Village Website and in the Rice Lake Chronotype.

AGENDA ITEMS:

1. VanGilder called the Public Hearing to order. Zillmer asked that the applicant explain what he is proposing before public comment.
Regarding the Rezone Application submitted by Trinity Lutheran Church, appointed representative Chris Drost, request for land to be divided from 500 E Chetac Ave, Birchwood, WI 54817 (Parcel ID 65-106-2-37-10-25-5 15-526-672000). Contingent upon land division application approval and sale of said land, requesting rezone from Residential-1 to Commercial-1 for the purpose of construction of two self-storage buildings.
Applicant Chris Drost presented a map and picture representative of what the completed storage buildings would look like. The total acreage will be determined by the surveyor and will be between 2.95/3.05 acres depending on the setbacks from the garage. Drost continued to say that he did a comparison of gross tax revenue from nearby municipalities for self-storage buildings and according to that, he believes after the 2nd year the gross tax bill from the Village would be between \$7000-\$8000. The Clerk's office and Washburn Co Treasurer could not confirm this.
2. VanGilder asked for public comments: Linda Zillmer voiced concern over the re-zone. She discussed the need for residential properties for affordable housing in the Village. She added that this would create spot zoning- which is incompatible with the Comprehensive Plan. She also stated that there are a lot of other properties in the Village that could be used for storage sheds. She commented that if it is rezoned commercially, there is no guarantee that it would stay storage sheds. She also stated that the Board can't act on this tonight. She opposes the rezone application.
Joe Atwood agreed with Zillmer that there is a need for housing in the Village. He continued to say that spot zoning is not illegal, and that the Board can act on this application tonight.
Donna Beffa who lives on Chetac Ave voiced concern that more properties in that area could be rezoned. She is opposed.
Mary Kupper voiced concern over this setting a precedent for more lots to be rezoned. She is concerned about the property between Steve Beffa's and the church being rezoned commercially in the future. Kupper stated that this is already a busy street, and this will add more traffic. She commented that with storage units, people can come and go at all times of the day/night. Lighting is also a concern. She is opposed to the re-zone.

The meeting is open to the public and is handicapped accessible.

Agendas are posted in three public places which are the Village Hall, Gary's Grocery and Birchwood United States Postal Service Office notice boards, and on the village website www.birchwoodvillagewi.com to comply with Resolution 175-15.



Drost replied that there would be 1 light at the end of each row (2 lights on the North side). He also stated that they would close at 10 pm. According to tracking at his other facilities, they average between 0-1 car a day. He commented that people don't access them very often. Kupper replied that people with a code have access at any time. She added that she has rented a storage unit before and accessed it at all times of the day.

Drost stated that there would only be 1 gate/entrance (off Algoma Street) to access the units. Surveillance cameras will also be used. The light poles will be 16 feet high, and the lights will be directed down. The idea is to put the lights on the pole's vs on the buildings.

Manning commented that this also affects residents who live on Algoma Street because of the lighting and additional traffic.

Atwood discussed the Village ordinance regarding lighting on commercial properties that face residential properties.

Jim McGraw (Trinity Lutheran Church) stated that the property was initially going to be purchased by Timber Bay, but they decided to go another route. A Village resident was also going to purchase the property and then decided against it. The Church then listed it with a realtor, as residential property, but no one showed any interest in it. Trinity was then approached by Drost. McGraw went on to say that the church has no intent to sell any of their other properties.

Kupper asked the Village law enforcement officer for his opinion. Brunclik stated that the Village hasn't really had problems with the other storage units in town because they have cameras and are well lit.

Brunclik continued to say that he would be more concerned with additional traffic on the residential streets. Drost stated that they have tracked their other properties and traffic is minimal at those facilities.

Manning inquired about the gate off Algoma Street and asked if it will be completely off the road. Drost replied that the fence and gate will be installed where they are permitted to be. Drost stated that the gate will be open during the day and closed from 10 pm-6 am.

Zillmer commented that she hopes the Church realizes all the support they receive in the Village, and she hopes they reconsider and will try harder to sell the property for residential purposes instead.

VanGilder asked if there were any other comments or questions. None noted. VanGilder closed the public hearing.

3. VanGilder called the Special Planning Commission Committee Meeting to order.

- a. VanGilder opened the floor to discuss the petition regarding the Rezone Application submitted by Trinity Lutheran Church, appointed representative Chris Drost, for land to be divided from 500 E Chetac Ave, Birchwood, WI 54817 (Parcel ID 65-106-2-37-10-25-5 15-526-672000). Contingent upon land division application approval and sale of said land, requesting rezone from Residential-1 to Commercial-1 for the purpose of construction of two self-storage buildings. Hayes stated that the residential lots (East Hills) were on the market for 30 years and were just bought by a developer. Hayes continued to say that the Church property has been for sale as residential and there has been no interest in it. He commented that there are other properties available in the Village as well. The land between Beffa's and the Church will stay with the Church. In the future, if they would like to rezone it, they will have to go through another Public Hearing.

Manning voiced concern over the lighting. He also stated that there is land for sale in the Industrial Park that may be better suited for this than taking away residential property. He also stated that he felt the tax assessment comparisons should have been taken from the Village, not

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other municipalities. Drost said he did, but they were very low- because it's an old facility and assessed at the very bottom.

Boatman agreed lighting is a concern. He continued to say that this is an opportunity to add tax revenue for the Village.

Milligan stated that there are residential homes being built in the Village. Since there is already water/sewer on this property, it would be nice to leave it residential.

VanGilder stated he also felt it would be better left residential because there are houses and a church next to the property. Van Gilder also pointed out the map of the Industrial Park and what options are available there -since it is already zoned Commercial. Milligan commented that lighting wouldn't be an issue there either. VanGilder added that this is just another opportunity/suggestion if this doesn't get passed.

Hayes voiced concern over how long the Church is going to have to hold on to this property, considering how long it took to sell the East Hills lots. Hayes also commented that if this isn't passed, the Church will be losing a much-needed profit from the sale. VanGilder commented that the East Hills weren't really advertised in the past and when they were, they sold. Beffa added that it sounds like there are offers on the East Hills homes that have been built and there are plans for continued development ahead.

Manning and VanGilder reiterated that the Village isn't trying to take money or a sale away from the church.

VanGilder asked for any further comments/questions. None noted. Motion by VanGilder, 2nd by Manning to deny the petition for the rezone. Motion carried- 3 -2. VanGilder, Milligan, and Manning supported the motion—Hayes and Boatman voted against the motion.

4. Adjourn-Motion by Boatman, 2nd by Milligan to adjourn. Carried 5-0.

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