



**VILLAGE OF WESTON  
NOTICE OF PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held before the Village of Weston Plan Commission, on **Monday, March 14, 2016, at 6:00 p.m.**, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

REZN-2-16-1566 Jennifer Higgins, Village of Weston, 5500 Schofield Avenue, Weston, requesting a rezoning from BP (Business Park) to LI (Limited Industrial), on property addressed as 8902 Progress Way, to allow this parcel to be combined with adjacent parcels to the east. This parcel is described as Lot 1, CSM #16895, Volume 79, Page 96, Document #1676458, and consists of 3.119 acres.

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

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

Dated this 25th day of February, 2016

Valerie Parker  
Plan Commission Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, February 29, 2016 and Monday, March 7, 2016.

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

---

---

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

---

---

ITEM DESCRIPTION: **REZONE OF 3.119 ACRES AT 8902 PROGRESS WAY FROM BP TO LI (REZN-2-16-1566)**

---

---

DATE/MTG: **PLAN COMMISSION, MONDAY, MARCH 14, 2016**

---

---

POLICY QUESTION: **Should the Plan Commission make the recommendation to the Village Board to rezone 3.119 Acres at 8902 Progress Way from BP to LI.**

---

---

RECOMMENDATION TO: **I make a motion to endorse approval, and recommend to the Trustees the rezone of 3.119 Acres at 8902 Progress Way from BP to LI.**

---

---

**LEGISLATIVE ACTION:**

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

**FISCAL IMPACT ANALYSIS:**

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

**STATUTORY / RULEMAKING / POLICY REFERENCES:**

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

PRIOR REVIEW: **None.**

---

---

**BACKGROUND:**

In August 2014, the Village created a 0.717 acre outlot on a portion of Lot 5 in Weston Business and Technology Park – South as staff was in discussions with From the Forest (FTF) purchasing the outlot and adding it to their property (lot 6) next door. Over the last year, FTF has decided they would like to purchase the entire lot, not just the 31,216 Sq. Ft. outlot. Therefore, staff is bringing this rezone before you so that the outlot and Lot 1 can both be zoned LI and can be combined together via a CSM.

Supplemental Briefer for Agenda Items under Consideration?

Attachments?

---

---



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

Application/Petition No.: **REZN-2-16-1566** Hearing Date: **March 14, 2016**  
Applicant: **Jennifer Higgins, on behalf of the Village of Weston**  
Location: **8902 Progress Way, Weston, WI 54476**  
Description: **Lot 1, of CSM #16895, Vol 79, Pg 96, Doc #1676458. Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin. More commonly known as 8902 Progress Way. This area to be rezoned consists of 3.119 acres.**

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

**GENERAL INFORMATION:**

Current Zoning: **BP Business Park**  
Definition: 94.2.02(3)(e) **BP Business Park.** The BP district accommodates office, light industrial, and other compatible businesses and support uses in a controlled business or office park setting. Allowable uses and activities include those associated with low levels of noise, odor, vibrations, and particulate emissions. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping in areas planned for commercial uses, and occasionally in areas planned for industrial uses, within the Comprehensive Plan. (Predecessor district: B-P Business Park and B-4 Office)

Proposed Zoning **LI Limited Industrial**  
Definition: 94.2.02(3)(f) **LI Limited Industrial.** The LI district accommodates primarily light industrial, storage, office, and other compatible businesses and support uses. Allowable uses are geared toward activities which are not associated with high levels of noise, odor, particulate emissions, outdoor activities, and other potential nuisances. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping in areas planned for industrial uses within the Comprehensive Plan. (Predecessor district: LMD Light Manufacturing Distribution)

Future Land Use: **Business/Office Park and adjacent to Industrial**  
FLU Description: **Business/Office Park - Office, indoor light industrial, research, and other compatible and support uses in a controlled business park, office park, and setting, where allowable uses and activities include those associated with low levels of noise, odor, vibrations, and particulate emissions. All served by a public sewer system.**

**Development Policies:**

- 1. Design developments within Business Park areas to result in higher-end “office park” or “office/research campus” setting.**
- 2. Encourage warehousing and manufacturing uses to locate away from lands planned for Business Park use, except where designed to blend within an office/research setting.**

**Typical Implemented Zoning Districts: BP Business Park (preferred). LI Light Industrial or B-2 or B-3 districts may also be appropriate where the range of uses, impacts, and aesthetics is otherwise controlled (such as through deed restrictions).**

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

1. Is the proposed rezoning consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?

**Yes. The property is located in a fringe area where either Business/Office Park and Industrial would be consistent with the comprehensive plan.**

2. Does the rezoning further the purpose and intent of this Chapter?

**Yes.**

3. Does rezoning address any of the following that are not properly addressed on the current Official Zoning Map?

**Yes, this rezone is addressing any mapping error, new or changed factors or growth patterns. The zoning map was adjusted during the March 2015 Zoning Update to rezone a small piece of land from this lot for From the Forest next door. They are now requesting to purchase the remainder of the lot so in order to put the lot back together, we need to rezone the remainder of the Lot to LI so it can be added to the small outlot that was created last year.**

4. Does the proposed zoning district maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

**Yes. This rezone will allow a current business to expand its operations.**

#### **BACKGROUND INFORMATION:**

In August 2014, the Village created a 0.717 acre outlot on a portion of Lot 5 in Weston Business and Technology Park – South as staff was in discussions with From the Forest (FTF) purchasing the outlot and adding it to their property (lot 6) next door. Over the last year, FTF has decided they would like to purchase the entire lot, not just the 31,216 Sq. Ft. outlot.

#### **CURRENT PROPERTY CONDITIONS:**

Currently the property to be rezoned is vacant commercial/industrial land in Weston's Business and Technology Park - South.

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

- 1) **Plan Commission recommends approval of the rezone request and forwards the recommendation on to the Village Board at their 3/21/16 meeting.**
- 2) **Plan Commission recommends denial of the rezone request and forwards the recommendation on to the Village Board at their 3/21/16 meeting.**
- 3) **Plan Commission takes no action and the request moves on to the Village Board at their 3/21/2016 meeting with no recommendation.**

# Village of Weston Marathon County, Wisconsin

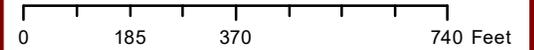


## OFFICIAL ZONING MAPS

Map Date: 2/29/2016  
 Adoption Date (Village): 3/18/2015  
 Adoption Date (ETZ): 3/18/2015



Map by the Technology Services Department,  
 Village of Weston



### LEGEND

- 8902 Progress Way
- Village of Weston
- Right-of-way
- Parcel Boundary
- Wetland
- Surface Water

### ZONING DISTRICTS

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

### OVERLAY ZONING DISTRICTS

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

### WELLHEAD PROTECTION ZONES

- Zone A
- Zone B



# Village of Weston Marathon County, Wisconsin

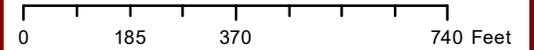


## FUTURE LAND USE

Map Date: 2/29/2016  
 Adoption Date (Village): 3/18/2015  
 Adoption Date (ETZ): 3/18/2015



Map by the Technology Services Department,  
 Village of Weston



## LEGEND

- 8902 Progress Way
- Village of Weston
- Right-of-way
- Parcel Boundary
- Wetland
- Surface Water

## FUTURE LAND USE

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

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





DOC# 1676458

*Michael J. Sydow*

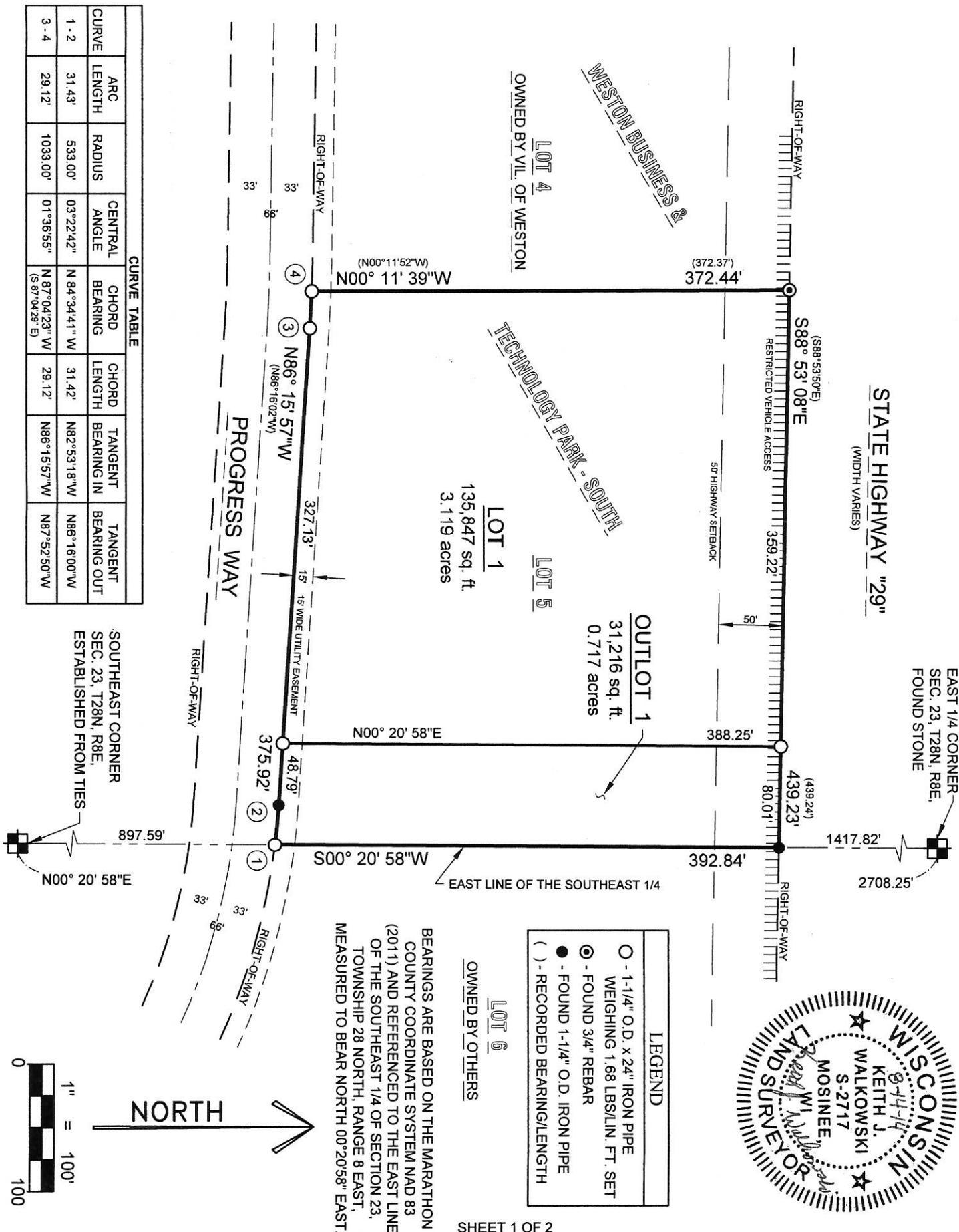
16895

Chg 30.00 Riverside Surv.  
 Chg 3.00 " " " Copy

**MARATHON CO. CERTIFIED SURVEY MAP NO. 16895**

Of Lot 5 of Weston Business and Technology Park - South, located in part of the Southeast 1/4 of the Southeast 1/4 of Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin.

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH
1-2	31.43'	533.00'	03°22'42"	N 84°34'41" W	31.42'
3-4	29.12'	1033.00'	01°36'55"	N 87°04'23" W	29.12'
				S 87°04'29" E	



SHEET 1 OF 2

<p><b>RIVERSIDE LAND SURVEYING LLC</b>          6304 KELLY PLACE WESTON, WI 54476          PH 715-241-7500 - FAX 715-355-6894          email - mail@riversidelandsurveying.com</p>	<p><b>DRAWN BY</b> M.F.L.</p>	<p><b>DATE</b> AUGUST 6, 2014</p>
	<p><b>CHECKED BY</b> K.J.W.</p>	<p><b>PROJECT NO.</b> MR-141</p>
	<p><b>PREPARED FOR:</b></p>	<p>VIL. OF WESTON</p>

# MARATHON CO. CERTIFIED SURVEY MAP NO. 16895

Of Lot 5 of Weston Business and Technology Park - South, located in part of the Southeast 1/4 of the Southeast 1/4 of Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin.

I, Keith J. Walkowski, Registered Land Surveyor S-2717, hereby certify to the best of my knowledge and belief: That I have surveyed, mapped and divided Lot 5 of Weston Business and Technology Park - South, located in part of the Southeast 1/4 of the Southeast 1/4 of Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin, described as follows:

Commencing at the Southeast corner of said Section 23; Thence North 00°20'58" East along the East line of said Southeast 1/4, 897.59 feet to the North right-of-way line of Progress Way, also the Southeast corner of said Lot 5 of Weston Business and Technology Park - South which is the point of beginning of said described parcel and the beginning of a tangential curve to the left; Thence along said North right-of-way line, 31.43 feet along the arc of said curve, said curve having a radius of 533.00 feet, a central angle of 03°22'42" and a chord that bears North 84°34'41" West for a distance of 31.42 feet; Thence North 86°15'57" West along said North right-of-way line, 375.92 feet to the beginning of a tangential curve to the left; Thence along said North right-of-way line, 29.12 feet along the arc of said curve, said curve having a radius of 1033.00 feet, a central angle of 01°36'55" and a chord that bears North 87°04'23" West for a distance of 29.12 feet to the West line of said Lot 5; Thence North 00°11'39" West along said West line, 372.44 feet to the South right-of-way line of State Highway "29"; Thence South 88°53'08" East along said South right-of-way line, 439.23 feet to the East line of said Lot 5; Thence South 00°20'58" West along said East line, 392.84 feet to the point of beginning.

That the above described parcel of land contains 167,063 square feet, or 3.836 acres more or less;

That Outlot 1 as shown hereon is a substandard lot and may not be improved upon without the prior approval of the appropriate governing bodies. That said Outlot 1 is to be conveyed to the owner of Lot 6 of Weston Business and Technology Park - South as shown on this map.

That said parcel is subject to all easements, restrictions and right-of-ways of record including a 15' wide utility easement;

That I have made this survey, division and map thereof at the direction of the Village of Weston, Owner of said parcel;

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, Chapter A-E7 of the Wisconsin Administrative Code and the subdivision regulations of Marathon County and the Village of Weston in Surveying, Mapping and Dividing the same.

That said map is a correct and accurate representation of the exterior boundaries of said parcel and the division thereof.

Dated this 14TH day of AUGUST, 2014

Keith J. Walkowski

Riverside Land Surveying LLC

Keith J. Walkowski

P.L.S. No. 2717



**Village of Weston Approval Certificate:**

Reviewed and Approved under Chapter 74 of the Village of Weston Ordinance.

By Jennifer L. Higgins

Date 8-15-2014

Village of Weston Zoning Department

SHEET 2 OF 2

 <b>RIVERSIDE LAND SURVEYING LLC</b> 6304 KELLY PLACE WESTON, WI 54476 PH 715-241-7500 - FAX 715-355-6894 email - mail@riversidelandsurveying.com	<b>DRAWN BY</b> M.F.L.	<b>DATE</b> AUGUST 6, 2014
	<b>CHECKED BY</b> K.J.W.	<b>PROJECT NO.</b> MR-141
	<b>PREPARED FOR:</b> VIL. OF WESTON	



0044070AED



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-017**

**AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM BP BUSINESS PARK TO LI LIMITED INDUSTRIAL, ON LOT 1, CSM #16895, VOLUME 79, PAGE 96, DOCUMENT #1676458, 3.119 ACRES AT 8902 PROGRESS WAY, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.**

WHEREAS, the Plan Commission of the Village of Weston having held a public hearing on the 14<sup>th</sup> day of March, 2016, on the application described below for the zoning of the property described herein; and

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

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

**SECTION 1:** On the application (REZN-2-16-1566) of Jennifer Higgins, Director of Planning and Development, 5500 Schofield Avenue, Weston, WI 54476, on behalf of property owner Village of Weston, 5500 Schofield Avenue, Weston, WI 54476, for the following territory now comprising a part of the BP Business Park zoning district, located in Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin, is hereby designated to be and become hereafter part of the following zoning district:

**LI Limited Industrial** – Lot 1, of CSM #16895, Vol 79, Pg 96, Doc #1676458. Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin. More commonly known as 8902 Progress Way. This area to be rezoned consists of 3.119 acres.

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

**SECTION 3: SEVERABILITY.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

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

Dated the 21<sup>st</sup> day of March, 2016.

VILLAGE BOARD OF WESTON

By: \_\_\_\_\_  
Barbara Ermeling, President

Attest: \_\_\_\_\_  
Sherry Weinkauf, Village Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

DRAFT