



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-040

AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM B-2 HIGHWAY BUSINESS TO B-3 GENERAL BUSINESS, AT THE INTERSECTION OF WESTON AVENUE AND COUNTY ROAD J AND ON ADVENTURE WAY, SECTIONS 24 AND 25, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

WHEREAS, Exhibit 'A' is a map indicating the location of the properties being rezoned and is attached to this ordinance;

WHEREAS, Exhibit 'B' is a table describing the properties being rezoned and is attached to this ordinance;

WHEREAS, the Plan Commission of the Village of Weston having held a public hearing on the 8th day of August, 2016, to consider the rezoning of the Land, with proposed zoning districts indicated in Exhibit 'A' and described in Exhibit 'B'; and

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

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

SECTION 1: On the application (REZN-7-16-1600) of varied property owners, properties described in Exhibit 'B', Weston, WI 54476, for the following territory now comprising a part of the B-3 General Business zoning district, located in Sections 24 and 25, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin, is hereby designated to be and become hereafter part of the following zoning district:

B-3 – General Business – Parcels of land described in Exhibit 'B' being part of the Sections 24 and 25, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin; more particularly described in Exhibit 'B'.

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

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

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

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

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

Dated the 15th day of August, 2016.

VILLAGE BOARD OF WESTON

By: Barbara Ermeling
Barbara Ermeling, President

Attest: Sherry Weinkauf
Sherry Weinkauf, Village Clerk

APPROVED: 8/15/16
PUBLISHED: 8/18/16

Village of Weston, WI
Notice of Newly Enacted Ordinance No. 16-040

Please take notice that the Village Board of Weston, Wisconsin enacted Ordinance No. 16-040:
“Ordinance No 16-040 *An Ordinance to Approve the Rezoning of Land from B-2 Highway Business to B-3 General Business, at the Intersection of Weston Avenue and County Road J and on Adventure Way, Sections 24 And 25, Village of Weston, Marathon County, Wisconsin*” on Monday, August 15, 2016.

The full text of Ordinance No. 16-040 may be obtained at the office of the Village Clerk at the Weston Municipal Center, 5500 Schofield Avenue, Weston, Wisconsin or through the Village’s website at <http://www.westonwi.gov/499/Adopted-Ordinances>.

Dated this 18th day of August, 2016
Sherry Weinkauf, Village Clerk

Published: 8/2/16

Village of Weston Marathon County, WI

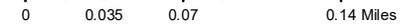


OFFICIAL ZONING MAPS EXHIBIT 'A'



Map Date: 8/3/2016
 Adoption Date (Village): 4/20/2016
 Adoption Date (ETZ): 4/20/2016
 Adoption Date (Town): 1/23/2016

Map By: Technology Services Department, Village of Weston



Legend

Properties to be Rezoned to B-3

Village of Weston

Extraterritorial Zoning (ETZ) Boundary

Town of Weston

Right-of-way

Parcel Boundary

Wetland

Surface Water

OVERLAY ZONING DISTRICTS

D-WM

D-CC

D-Condominium

D-Rail-to-Trail

D-Renaissance

Village of Weston Shoreland Zoning

WELLHEAD PROTECTION ZONES

Zone A

Zone B

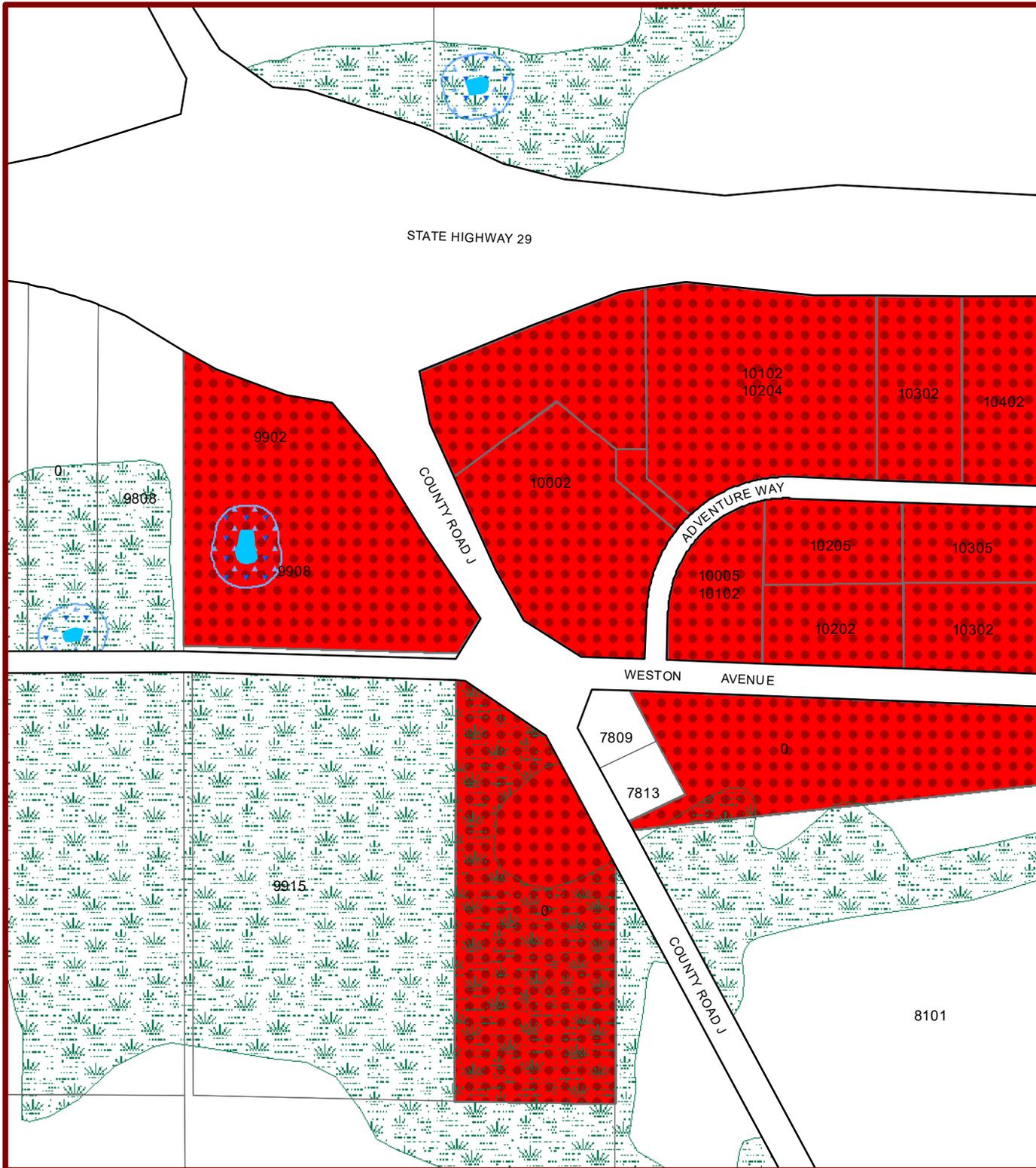


EXHIBIT 'B'

PIN	ADDRESS	PROPERTY DESCRIPTION	EXISTING ZONING	NEW ZONING
19228082440002	10102 ADVENTURE WAY	COMMERCE CROSSING Lot 2	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440003	10302 ADVENTURE WAY	COMMERCE CROSSING Lot 3	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440004	10402 ADVENTURE WAY	COMMERCE CROSSING Lot 4	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440005	10305 ADVENTURE WAY	COMMERCE CROSSING Lot 5	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440006	10205 ADVENTURE WAY	COMMERCE CROSSING Lot 6	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440007	10005 ADVENTURE WAY	COMMERCE CROSSING Lot 7	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440008	10202 WESTON AVE	COMMERCE CROSSING Lot 8	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440009	10302 WESTON AVE	COMMERCE CROSSING Lot 9	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440010	10002 ADVENTURE WAY	COMMERCE CROSSING PT OF LOT 1 - LOT 1 CSM VOL 72 PG 1 (#15730) (DOC #1565507)	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440011	0	COMMERCE CROSSING PT OF LOT 1 - LOT 2 CSM VOL 72 PG 1 (#15730) (DOC #1565507)	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440012	0	COMMERCE CROSSING PT OF LOT 1 - OUTLOT 1 CSM VOL 72 PG 1 (#15730) (DOC#1565507)	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082440990	9908 WESTON AVE	SEC 24-28-08, PT OF SW 1/4 SE 1/4 - LOT 1 CSM VOL 82 PG 25 (#17227) (DOC# 1701570)	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082510994	0	SEC 25-28-08, PT OF NW 1/4 NE ¼ EAST 500' OF SD FORTY EX HWY EX PT LYG E OF CTH 'J' EX VOL 474M-218 {RD}	B-2 – Highway Business D-CC – Commercial Corridor Overlay	B-3 – General Business D-CC – Commercial Corridor Overlay
19228082510999	0	SEC 25-28-08, PT OF NE 1/4 NE ¼ BEG AT NW COR S 472' TO NELY R/W HWY 'J' SELY 16' NELY TO PT	B-2 – Highway Business	B-3 – General Business

		ON E LN 300' S OF NE COR N 300' W TO BEG EX VOL 173M-674 VOL 190M-368 VOL 478-689(HWY)	D-CC – Commercial Corridor Overlay	D-CC – Commercial Corridor Overlay
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**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS, DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-040: AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM B-2 HIGHWAY BUSINESS TO B-3 GENERAL BUSINESS, AT THE INTERSECTION OF WESTON AVENUE AND COUNTY ROAD J AND ON ADVENTURE WAY, SECTIONS 24 AND 25, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN (REZN-7-16-1600)

DATE/MTG: BOARD OF TRUSTEES; MONDAY, AUGUST 15, 2016

POLICY QUESTION: Should the Village Board approve the Plan Commission recommendation to rezone the area of the State Highway '29' and County Highway 'J' Interchange-South from the intersection of County Highway 'J' and Weston Avenue east and Adventure Way from B-2 – Highway Business to B-3 – General Business District.

RECOMMENDATION TO: I make a motion to approve the rezone of State Highway '29' and County Highway 'J' Interchange-South from the intersection of County Highway 'J' and Weston Avenue east and Adventure Way from B-2 – Highway Business to B-3 – General Business District by the adoption of Ordinance No. 16-040.

LEGISLATIVE ACTION:

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

FISCAL IMPACT ANALYSIS:

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

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|---------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Sec. 94.16.03 |
| <input type="checkbox"/> Municipal Rules: | _____ |
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PRIOR REVIEW: Public Hearing - Plan Commission 8/8/16

BACKGROUND: Staff is proposing that the area of the State Highway '29' and County Highway 'J' Interchange-South from the intersection of County Highway 'J' and Weston Avenue east and Adventure Way from B-2 – Highway Business to B-3 – General Business District because this area of the Village is vacant and would allow for a wider range

of uses to occur. This area is identified on the Future Land Use Map as Future Commercial. The existing conditional uses within the area proposed to change would be unaffected until they either expire or the use stops for a 12-month period.

Attachments?

Draft Ordinance 16-040, Exhibit 'A' – Zoning Map and Exhibit 'B' – List of Properties and Descriptions



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, August 8, 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-7-16-1600 Jennifer Higgins, Zoning Administrator, Village of Weston, 5500 Schofield Avenue, Weston, WI 54476, requesting a rezoning from B-2 (Highway Business) with D-CC (Design Commercial Corridor) Overlay, to B-3 (General Business) with D-CC (Design Commercial Corridor) Overlay, to allow for a limited industrial use. The affected properties are situated in the State Highway 29 and County Road J interchange, but south of State Highway 29. The specific PIN, address, and property descriptions are:

PIN	ADDRESS	PROPERTY DESCRIPTION
19228082440002	10102 ADVENTURE WAY	COMMERCE CROSSING Lot 2
19228082440003	10302 ADVENTURE WAY	COMMERCE CROSSING Lot 3
19228082440004	10402 ADVENTURE WAY	COMMERCE CROSSING Lot 4
19228082440005	10305 ADVENTURE WAY	COMMERCE CROSSING Lot 5
19228082440006	10205 ADVENTURE WAY	COMMERCE CROSSING Lot 6
19228082440007	10005 ADVENTURE WAY	COMMERCE CROSSING Lot 7
19228082440008	10202 WESTON AVE	COMMERCE CROSSING Lot 8
19228082440009	10302 WESTON AVE	COMMERCE CROSSING Lot 9
19228082440010	10002 ADVENTURE WAY	COMMERCE CROSSING PT OF LOT 1 - LOT 1 CSM VOL 72 PG 1 (#15730) (DOC #1565507)
19228082440011	0	COMMERCE CROSSING PT OF LOT 1 - LOT 2 CSM VOL 72 PG 1 (#15730) (DOC #1565507)
19228082440012	0	COMMERCE CROSSING PT OF LOT 1 - OUTLOT 1 CSM VOL 72 PG 1 (#15730) (DOC#1565507)
19228082440990	9908 WESTON AVE	SEC 24-28-08, PT OF SW 1/4 SE 1/4 - LOT 1 CSM VOL 82 PG 25 (#17227) (DOC# 1701570)
19228082510994	0	SEC 25-28-08, PT OF NW 1/4 NE 1/4 - SOUTHWEST CORNER OF WESTON AVENUE AND COUNTY ROAD J
19228082510999	0	SEC 25-28-08, PT OF NE 1/4 NE 1/4 - SOUTH OF WESTON AVENUE, EAST OF 7809 AND 7813 COUNTY ROAD J

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>. **Please contact Jared Wehner, Assistant Planner, at 715-359-6114, with questions on this rezone.**

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

Dated this 21st day of July, 2016

Valerie Parker
Plan Commission Secretary

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

REQUEST FROM: JARED WEHNER, ASSISTANT PLANNER

ITEM DESCRIPTION: REZN-7-16-1600 – STATE HIGHWAY ‘29’ AND COUNTY HIGHWAY ‘J’ INTERCHANGE-SOUTH REZONE FROM B-2 HIGHWAY BUSINESS TO B-3 GENERAL BUSINESS.

DATE/MTG: PLAN COMMISSION, MONDAY, AUGUST 8, 2016 AT 6:00PM

POLICY QUESTION: Should the Plan Commission approve the rezoning of the area of the State Highway ‘29’ and County Highway ‘J’ Interchange-South from the intersection of County Highway ‘J’ and Weston Avenue east and Adventure Way from B-2 – Highway Business to B-3 – General Business District.

RECOMMENDATION TO: I recommend that the Plan Commission makes the recommendation to the Village Board to approve the rezoning of the area of the State Highway ‘29’ and County Highway ‘J’ Interchange-South from the intersection of County Highway ‘J’ and Weston Avenue east and Adventure Way from B-2 – Highway Business to B-3 – General Business District.

LEGISLATIVE ACTION:

- | | | |
|--|--|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" 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 |
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POLICY REFERENCES:

- Municipal Code:** Official Zoning Map, last adopted on April 20, 2016
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PRIOR REVIEW: Staff Review, July 6, 2016

BACKGROUND:

Staff is proposing that the area of the State Highway ‘29’ and County Highway ‘J’ Interchange-South from the intersection of County Highway ‘J’ and Weston Avenue east and Adventure Way from B-2 – Highway Business to B-3 – General Business District because this area of the Village is vacant and would allow for a wider range of uses to occur. This area is identified on the Future Land Use Map as Future Commercial. The existing conditional uses within the area proposed to change would be unaffected until they either expire or the use stops for a 12-month period.

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- Attachments: Draft Ordinance 16-040, Exhibit ‘A’ – Zoning Map and Exhibit ‘B’ – List of Properties and Descriptions**
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