

TO: Plan Commission
DATE: February 23rd, 2026
SUBJECT: 320 Summit Ave, Conditional Use Permits - CUPs

A request by Mark Wille, agent for Cabintek Consulting Services LLC, for Conditional Use Permits (CUP) for 'Light Industrial Incidental to Indoor Sales' and Outdoor Display Incidental to Indoor Sales and Service'. Parcel PIN(s): 291-0815-0342-079

SITE DETAILS:

Acres: 1.02
Current Zoning: General Business (GB)
Existing Land Use: Vacant Retail Space
Future Land Use Designation: Planned Mixed Use

BACKGROUND AND APPLICATION DESCRIPTION:

The applicant is seeking approval of conditional use permits for 'Light Industrial Incidental to Indoor Sales and Service' and 'Outdoor Display Incidental to Indoor Sales and Service' to allow for light manufacturing and outdoor display uses associated with a proposed indoor retail sales business. The proposed indoor retail sales business will be the retail showroom and sales office for Cabintek Consulting Services LLC and will include a model log cabin on the retail floor. The company manufactures and sells log cabins and similar modular wooden structures. The light manufacturing to occur at this site includes making custom parts for log cabins as well as the manufacturing of other smaller wood products and some light assembly. The request for a CUP for Outdoor Display Incidental to Indoor Sales and Service is to allow for some model products to be displayed in the parking area outside the building.

STAFF EVALUATION:

Land Use and Zoning:

1. Within the General Business (GB) Zoning District, 'Light Industrial Incidental to Indoor Sales and Service' is an accessory land use permitted as a conditional use [per § 550-33C(2)(e)]. 'Light Industrial Incidental to Indoor Sales and Service' includes any light industrial activity conducted exclusively indoors which is incidental to a principal land use such as indoor sales or service on the same site [per § 550-56I].

Applicable regulations for 'Light Industrial Incidental to Indoor Sales and Service' land uses include the following:

- o The total area devoted to light industrial activity shall not exceed 15% of the total area of the buildings on the property or 5,000 square feet, whichever is less. [per § 550-56I(1)(a)].
- o Production area shall be physically separated by a wall from other activity areas and shall be soundproofed to the level required by § 550-112 for all adjacent properties. [per § 550-56I(1)(b)].

2. Within the General Business (GB) Zoning District, 'Outdoor Display Incidental to Indoor Sales and Service' is an accessory land use permitted as a conditional use [per § 550-33C(2)(c)]. 'Outdoor Display Incidental to Indoor Sales and Service' includes Outdoor display land uses include all land uses which conduct sales or display sales or rental merchandise or equipment outside of an enclosed building. [per § 550-52D].

Applicable regulations for "Outdoor Display Incidental to Indoor Sales and Service" land uses include the following:

- o Shall comply with all conditions of § 550-52D. [per § 550-56F(1)(a)].
- o Display area shall not exceed 25% of gross floor area of principal building on the site [per § 550-56F(1)(b)].

Applicable regulations for § 550-52D land uses include the following:

- The display of items shall not be permitted in permanently protected green space areas, required landscaped areas, or required bufferyards.
- The display of items shall not be permitted within required setback areas for the principal structure.
- In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of § 550-107. If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.
- Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence or line of planters, or by a clearly marked paved area.
- Signs, screening, enclosures, landscaping or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential traffic/traffic and traffic/pedestrian conflicts.
- Outdoor display shall be permitted during the entire calendar year; however, if goods are removed from the display area, all support fixtures used to display the goods shall be removed within 10 calendar days of the goods' removal.
- Inoperative vehicles or equipment, or other items typically stored or displayed in a junkyard or salvage yard, shall not be displayed for this land use.
- Facility shall provide a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property, except per Subsection D(1)(e).

WISCONSIN STATUES:

All Conditional Use Permits are subject to the requirements of Wisconsin Act 67.

Under 2017 Wisconsin Act 67: Section 16. 62.23 (7) (de) Conditional Use Permits.

1. 62.23 (7) (de)(1) *In this paragraph:*
 - a. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.
 - b. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.
2. 62.23 (7) (de)(2)
 - a. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.
 - b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.
3. 62.23 (7) (de)(3)

Upon receipt of a conditional use permit application and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.
4. 62.23 (7) (de)(4)

Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.
5. 62.23 (7) (de)(5)

If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.

PLAN COMMISSION DECISION:

Light Industrial Incidental to Indoor Sales and Service Land Use Criteria	Applicant Provided Substantial Evidence		Opponent Provided Substantial Evidence		PC Finds Standards Met	
	Yes	No	Yes	No	Yes	No
<i>The total area devoted to light industrial activity shall not exceed 15% of the total area of the buildings on the property or 5,000 square feet, whichever is less.</i>	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No
<i>Production area shall be physically separated by a wall from other activity areas and shall be soundproofed to the level required by § 550-112 for all adjacent properties.</i>	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No

BUILDING SAFETY & ZONING DIVISION
PLAN COMMISSION STAFF REPORT

Outdoor Display Incidental to Indoor Sales and Service Land Use Criteria	Applicant Provided Substantial Evidence		Opponent Provided Substantial Evidence		PC Finds Standards Met	
	Yes	No	Yes	No	Yes	No
<i>Shall comply with all conditions of § 550-52D.</i>	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No
<i>Display area shall not exceed 25% of gross floor area of principal building on the site.</i>	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No

Outdoor Display § 550-52D Land Use Criteria	Applicant Provided Substantial Evidence		Opponent Provided Substantial Evidence		PC Finds Standards Met	
	Yes	No	Yes	No	Yes	No
The display of items shall not be permitted in permanently protected green space areas, required landscaped areas, or required bufferyards.	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No
The display of items shall not be permitted within required setback areas for the principal structure.	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No
In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of § 550-107. If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No
Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence or line of planters, or by a clearly marked paved area.	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No
Signs, screening, enclosures, landscaping or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential traffic/traffic and traffic/pedestrian conflicts.	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No
Outdoor display shall be permitted during the entire calendar year; however, if goods are removed from the display area, all support fixtures used to display the goods shall be removed within 10 calendar days of the goods' removal.	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No
Inoperative vehicles or equipment, or other items typically stored or displayed in a junkyard or salvage yard, shall not be displayed for this land use.	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No
Facility shall provide a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property, except per Subsection D(1)(e).	<u>Yes</u>	No	Yes	<u>No</u>	<u>Yes</u>	No

If Plan Commission answers "no" to any of the questions, above, the CUP must be denied. Otherwise, proceed to the conditions of approval.

PLAN COMMISSION OPTIONS:

The following are possible options for the Plan Commission:

1. Deny the Conditional Use Permit, based on failure to provide substantial evidence to meet one or more of the regulatory standards.
2. Approve the Conditional Use Permit without conditions, based on successfully providing substantial evidence of regulatory compliance.
3. Approve the Conditional Use Permit with conditions as identified by the Plan Commission:

STAFF RECOMENDATION:

- Staff recommends approval of this Conditional Use Permit with conditions:
 - 1) Construct a wall between the light industrial production area and other activity areas.
 - 2) Establish a clearly delimited physical separation between the outdoor display area and vehicular parking or circulation areas.
 - 3) Limit the Outdoor Display to three display items.
 - 4) Establish independent addresses for the three units/suites on the property.

ATTACHMENTS:

- Application materials