AGENDA
CITY PLAN COMMISSION

Monday, July 1, 2013 – 6:00 PM
Lincoln Center – 1519 Water Street, Stevens Point, WI 54481

(A Quorum of the City Council May Attend This Meeting)

Discussion and possible action on the following:

1. Report of the June 3, 2013 Plan Commission meeting.
2. Request from Ken Kracht, representing Premier Auto Body, for an amendment to their Conditional Use Permit to operate a body shop, relating to parking and fencing at **3725 Patch Street (Parcel ID 2308-03-2200-47).**
3. Request from Ward Wolff, representing the property owner, to rezone the property located at **3500 Main Street (Parcel ID 2408-33-1001-15)** from "R-2" Single Family Residence District to"B-4" Commercial District.
4. Request from Gabe Thomas, representing Generations Property Development, to rezone the split zoned property **south of Regent Street, between Saint Paul Street and Dearborn Avenue (Parcel ID 2408-28-4001-06)** from both "R-2" Single Family Residence District and "R-3" Single and Two Family Residence District to entirely "R-2" Single Family Residence District**.**
5. Request from Gabe Thomas, representing Generations Property Development, for a final plat review of a thirteen (13) lot subdivision, Washington Terrace, **south of Regent Street, between Saint Paul Street and Dearborn Avenue (Parcel ID 2408-28-4001-06).**
6. Request from Bill Cooper, representing Cooper Oil Co. Inc., for a Conditional Use Permit allow the installation of a 30,000 gallon above ground liquid propane tank at **2172 Prairie Street (Parcel ID's 2408-32-4014-13 and 2408-32-4014-15).**
7. Adjourn.

Maps further defining the above area(s) may be obtained from the City of Stevens Point Department of Community Development, 1515 Strongs Avenue, Stevens Point, WI 54481, or by calling 715-346-1567, during normal business hours.

Any person who has special needs while attending these meetings or needs agenda materials for these meetings should contact the City Clerk as soon as possible to ensure that a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715)346-1569, TDD# 346-1556, or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

PUBLISH: June 28, 2013 and July 5, 2013

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Common Council of the City of Stevens Point, Portage County, Wisconsin, will hold a Public Hearing on Monday, July 15, 2013 at 7:00 PM in the Council Chambers of the County-City Building, 1516 Church Street, Stevens Point, Wisconsin, to hear the following:

1. Request from Ken Kracht, representing Premier Auto Body, for an amendment to their Conditional Use Permit to operate a body shop, relating to parking and fencing at 3725 Patch Street (Parcel ID 2308-03-2200-47). This property being zoned “M-1” Light Industrial District, and described as PRT LOT 1B CSM #3193-11-151 DES; COM NE/C PATCH ST & BUSH CRT TH S 220', W 125.35', N 220', E 125.35' TO POB 724660, City of Stevens Point, Portage County, Wisconsin.
2. Request from Ward Wolff, representing the property owner, to rezone the property located at 3500 Main Street (Parcel ID 2408-33-1001-15) from "R-2" Single Family Residence District to"B-4" Commercial District. This property being zoned "R-2" Single Family Residence District and described as THE S 300F OF THE W 172F OF THE E 363F OF NE NE LYG N OF HWY 10 S33 T24 R8 539/70 - 671/185, City of Stevens Point, Portage County, Wisconsin.
3. Request from Gabe Thomas, representing Generations Property Development, to rezone the split zoned property south of Regent Street, between Saint Paul Street and Dearborn Avenue (Parcel ID 2408-28-4001-06) from both "R-2" Single Family Residence District and "R-3" Single and Two Family Residence District to entirely "R-2" Single Family Residence District. This property being zoned "R-2" Single Family Residence and "R-3" Single and Two Family Residence Districts, and described as PRT NE SE S28 T24 R8 COM ON EL ST PAUL ST 650F E OW WL SD 40 & 130F N OF SL SD 40, TH N 464.5F. E250F, S560.2F, W125F N100F W125F TO POB 2.91A 191/220 606/1069-70, City of Stevens Point, Portage County, Wisconsin.
4. Request from Bill Cooper, representing Cooper Oil Co. Inc., for a Conditional Use Permit to allow the installation of a 30,000 gallon above ground liquid propane tank at 2172 Prairie Street (Parcel ID's 2408-32-4014-13 and 2408-32-4014-15). This property being zoned “M-2” Heavy Industrial, and described as LOTS 1, 2 & 3 CSM#6779-25-2 BNG PRT LOTS 516 & 517 BLK 58 STRONG ELLIS & OTHERS ADD & LOTS 506, 507 & 508 & THE SELY 19' OF E77' OF LOT 517 & PRTS OF LOTS 509, 510, 512, 515 & 516 AS LIES N OF & ADJ TO RR ROW ALL IN BLK 58 S E & 0 ADD;EX PRT TAKEN FOR PRAIRIE ST ROW IN DOC #689939 S32 T24 R8 355/882 826/75 549554, City of Stevens Point, Portage County, Wisconsin.

Maps further defining the above area(s) may be obtained from the City of Stevens Point Department of Community Development, 1515 Strongs Avenue, Stevens Point, WI 54481, or by calling 715-346-1567, during normal business hours.

All interested parties are invited to attend.

BY ORDER OF THE COMMON COUNCIL
OF THE CITY OF STEVENS POINT, WISCONSIN

John Moe, City Clerk

REPORT OF CITY PLAN COMMISSION

Monday, June 3, 2013 – 6:00 PM
Lincoln Center – 1519 Water Street

PRESENT: Mayor Andrew Halverson, Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Anna Haines, Commissioner Dave Cooper, and Commissioner Garry Curless.

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, City Attorney Beveridge, Comptroller Treasurer Corey Ladick, Alderperson Doxtator, Alderperson Suomi, Alderperson M. Stroik, Alderperson Trzebiatowski, Alderperson Phillips, Brandi Makuski, Stantan Thomas, Barb Jacob, Jay Johnson, Mary Ann Laszewski, David Brandt, Tom Deppiesse, Nate Enwald, Gene Kemmeter, Larry Zywicki, Lois Precourt, Kay Schmoll, Emily Fiedler, Bill Cooper, Jeff Hammerstad, Chad Fisher, Nena Fisher, Donald Buza, Gabe Thomas, Fred Boehm, Lori Buchkowski, Tim Buchkowski and Cathy Dugan.

INDEX:

1. Report of the May 6, 2013 Plan Commission meeting.
2. Request from Gabe Thomas, representing Generations Property Development, for a preliminary plat review of a thirteen (13) lot subdivision, Washington Terrace, **south of Regent Street, between Saint Paul Street and Dearborn Avenue (Parcel ID 2408-28-4001-06).**
3. Request from Jay Johnson, representing Riiser Energy, for a site plan review to construct an approximate 1,100 square foot addition onto their existing building at **5485 U.S. Highway 10 East (Parcel ID 2408-35-1300-01)**.
4. Request from Tom Deppiesse, representing Estate Wines, for a conditional use permit to operate a wine bar, serving wine, beer, and liquor at **1137 Main Street (Parcel ID 2408-32-2026-37).**
5. Request from Bill Cooper, representing BP Gas Station, for a parking lot modification to repave the parking and fueling areas without meeting the landscape setback area requirements at **3209 Church Street (Parcel ID 2308-04-3007-02).**
6. Amendment of the Revised Municipal Code of the City of Stevens Point, Chapter 25 Sign Ordinance, to allow wall signs to be placed on more than two walls (Section 25.04(7)(e)).
7. Conditional use permit renewals for the following place and activity:
   - -1001 Amber Avenue - Amber Grill (operate a tavern)
   - -1320 Strongs Avenue - Arbuckle's, (operate a tavern)
   - -200 Division Street – Pete's Sports Bar (operate a tavern)
   - -233 Division Street - Papa Joes Bar (operate a tavern)
   - -2301 Church Street - Middletown Grille (operate a tavern)
   - -1036 Main Street - Tech Lounge (operate an electronic amusement business)
8. First amendment to Reciprocal License Agreement between the Community Development Authority of the City of Stevens Point and Mid-State Technical College for the purposes of allowing encroachments onto the property south of **1001 Centerpoint Drive (Parcel ID 2408-32-2029-64)**.
9. Transferring and/or selling and/or assigning the rights to the property located at **1450 Water Street (Parcel ID 2408-32-2019-33)** and the adjacent unaddressed property **(Parcel ID 2408-32-2019-35)** from the Community Development Authority of the City of Stevens Point to Affordable Senior Housing of Central Wisconsin Inc.
10. Adjourn.

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1. Report of the May 6, 2013 Plan Commission meeting.

   Motion by Alderperson Moore to approve the report of the May 6, 2013 meeting; seconded by Commissioner Cooper. Motion carried 6-0.

2. Request from Gabe Thomas, representing Generations Property Development, for a preliminary plat review of a thirteen (13) lot subdivision, Washington Terrace, **south of Regent Street, between Saint Paul Street and Dearborn Avenue (Parcel ID 2408-28-4001-06).**

Gabe Thomas, 3716 Simonis Street, stated a 13 lot subdivision is proposed and he would like to have the recommendation of the sidewalks waived because there are not any sidewalks to the east or on Sommers Street. Furthermore, he feels the cost is not beneficial to the project.

Director Ostrowski explained this is a 13 lot subdivision and the property is currently zoned R-2 and R-3. Single family homes are proposed and would be a permitted use within these districts. Lot widths would range from 77-80 feet wide and lot area would be approximately 9,500 to 10,000 square feet per lot. Staff would recommend approval with the recommended staff conditions including the installation of sidewalks along all sides of the development area.

Fred Boehm, 128 Virginia Circle, questioned if the sidewalks were necessary. The concern is that they are non-contiguous to the rest of the city. Furthermore, Mr. Boehm stated he has concerns about having to put sidewalks in and prior to homes being built. Lastly, he questions why sidewalks are required on property they won't even own.

Alderson Trzebiatowski feels the recommendation of sidewalks should be kept as they increase safety. He also had asked in the past about why there are not sidewalks or street lighting in other newer developed subdivisions. The response received was that the developer did not request any. Lastly, he reminded the commission that to the south is the school and there will be increased pedestrian traffic as new residents move in.

Fred Boehm, 128 Virginia Circle, asked what would be the appeal process if they were required to install sidewalks, to which Mayor Halverson answered it is ultimately the decision of the Common Council.

Barb Jacob, 1616 Division Street, agrees with Alderperson Trzebiatowski; we have to start somewhere in having sidewalks installed for safety.

Commissioner Patton asked if there is sewer and water supplied to the area, to which Mayor Halverson stated it is sporadic in the area and they would have to be installed on St Paul Street. Director Ostrowski added that St. Paul Street does not have sewer or water. He also added that if the sidewalks are required to be installed, they should be installed on all four sides of the development. Commissioner Patton asked if the single family home on the corner would have to install the sidewalks, to which Director Ostrowski stated correct, but not the nearby church's property. Mayor Halverson added unless the board of Public Works assesses it to be done. Commissioner Patton continued stating he lives in the area, and even where there are sidewalks provided, many do not use them and he does not think they would increase safety as traffic speeds may just increase.

Motion by Commissioner Patton to approve the preliminary plat review of a thirteen (13) lot subdivision, Washington Terrace, south of Regent Street, between Saint Paul Street and Dearborn Avenue subject to the conditions outlined in the staff report, excluding the condition requiring sidewalks. Motion failed for lack of a second.

Commissioner Haines asked where the sidewalks begin, to which Director Ostrowski stated to the south by Jordan Lane, St. Paul to the south, and mainly southwest would have sidewalks.

Mayor Halverson explained he feels that all new subdivisions created in the city should be required to have sidewalks because it is the only way they will get installed. Furthermore, Mayor Halverson stated he supports the requirements to include sidewalks within this subdivision and all others.

Commissioner Patton pointed out if it is important to put sidewalks around the whole subdivision, then we put it in the corner as well by the church. Mayor Halverson stated we would have to approach the church or deal with that through the Board of Public Works.

Alderperson Moore asked if curb and gutter would be installed or swales, considering the past issue the city has had with them. He also asked if storm sewer is available to connect into. Mayor Halverson stated the closest storm sewer would be Frontenac Avenue which would dump into Main Street. Director Ostrowski added he had spoken with the director of public utilities who stated swales would be ok.

Commissioner Patton asked how you would put in sidewalks with swales, to which Mayor Halverson stated between the sidewalk and the street in the right of way.

Motion by Commissioner Patton to approve the preliminary plat review of a thirteen (13) lot subdivision, Washington Terrace, south of Regent Street, between Saint Paul Street and Dearborn Avenue with the conditions as follows:

- **Rezoning of all of the lots to R-2 Single Family so that all of the property has a consistent zoning classification.**
- **Sidewalks shall be installed along all sides of the development.**
- **A hydrant shall be installed on the northwest corner at the intersection of Jordan Lane and Saint Paul Street.**
- **A park fee shall be submitted to the City of Stevens Point in the amount of $250.00 per lot.**
- **A final plat per Chapter 20, Subdivision Control Ordinance shall be submitted and reviewed by the Plan Commission and Common Council within six (6) months of the preliminary plat approval date, conforming to the provisions of Chapter 20 and 236 of the Wisconsin Statutes.**

seconded by Commissioner Haines. Motion carried 6-0.

3. Request from Jay Johnson, representing Riiser Energy, for a site plan review to construct an approximate 1,100 square foot addition onto their existing building at **5485 U.S. Highway 10 East (Parcel ID 2408-35-1300-01)**.

   Director Ostrowski explained this is a request for an addition to the rear portion of the facility on Highway 10 East, and due to it being within the B-5 zoning district, any addition within that district requires Plan Commission review. He added it is about 1,100 square feet and will be used for retail product sales. The exterior will match and the parking is adequate. Staff recommends approval.

   Motion by Mayor Halverson to approve the site plan review to construct an approximate 1,100 square foot addition onto their existing building at 5485 U.S. Highway 10 East (Parcel 2408-35-1300-01); seconded by Alderperson Moore. Motion carried 6-0.

4. Request from Tom Deppiesse, representing Estate Wines, for a conditional use permit to operate a wine bar, serving wine, beer, and liquor at **1137 Main Street (Parcel ID 2408-32-2026-37).**

   Director Ostrowski explained this request is in the old K-Bueno property, and since it is a tavern type use, it would require a conditional use permit. The hours of operation are different each day of the week and staff would recommend approval with the following conditions:

   - The licensee shall maintain order and peace in the licensed premises.
   - The business must be operated in a manner that music heard from outside the building does not unreasonably disturber the peace and enjoyment of the surrounding properties.

- The licensee shall require that all exterior doors be kept closed during hours with live music so that noise does not unreasonably disturb the peace and enjoyment of the surrounding properties. If noise levels become a concern, the City reserves the right to revoke the conditional use permit.
- The licensee shall require that the area surrounding the premises be kept clean and orderly. All cups, bottles, cans, garbage, rubbish, cigarettes, etc. shall be properly disposed of at the end of each day, and not left on the property or public right-of-way.
- All refuse containers shall be screened from view.
- A sidewalk café license may be issued without amending this conditional use.
- The establishment must close by midnight daily, and not reopen before 6:00AM.
- The conditional use permit shall expire June 30, 2015.
- Any licensed premise established, operated, or maintained in violation of any of the provisions or requirements of this conditional use permit shall be grounds for suspension or revocation of this conditional use permit and/or declared to be unlawful and a public nuisance. The City may, in addition to or in lieu of, any other remedies set forth in the Chapter 12 of the Stevens Point Revised Municipal Code, commence an action to enjoin, remove, or abate such nuisance in the manner provided by law and shall take such other steps and apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such public nuisances, and restrain and enjoin any person(s) from establishing, operating, or maintain said conditional use contrary to provisions of this conditional use permit.

Commissioner Patton asked if this is called a wine bar, because it has a liquor component, does that make any difference. Director Ostrowski said we are reviewing it as a tavern.

Alderperson Moore recused himself from this agenda item.

Motion by Commissioner Haines to approve the conditional use permit to operate a wine bar, serving wine, beer, and liquor at 1137 Main Street (Parcel ID 2408-32-2026-37) with the following conditions:

- **The licensee shall maintain order and peace in the licensed premises.**
- **The business must be operated in a manner that music heard from outside the building does not unreasonably disturber the peace and enjoyment of the surrounding properties.**
- **The licensee shall require that all exterior doors be kept closed during hours with live music so that noise does not unreasonably disturb the peace and enjoyment of the surrounding properties. If noise levels become a concern, the City reserves the right to revoke the conditional use permit.**
- **The licensee shall require that the area surrounding the premises be kept clean and orderly. All cups, bottles, cans, garbage, rubbish, cigarettes, etc. shall be properly disposed of at the end of each day, and not left on the property or public right-of-way.**
- **All refuse containers shall be screened from view.**
- **A sidewalk café license may be issued without amending this conditional use.**
- **The establishment must close by midnight daily, and not reopen before 6:00AM.**
- **The conditional use permit shall expire June 30, 2015.**
- **Any licensed premise established, operated, or maintained in violation of any of the provisions or requirements of this conditional use permit shall be grounds for suspension or revocation of this conditional use permit and/or declared to be unlawful and a public nuisance. The City may, in**

addition to or in lieu of, any other remedies set forth in the Chapter 12 of the Stevens Point Revised Municipal Code, commence an action to enjoin, remove, or abate such nuisance in the manner provided by law and shall take such other steps and apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such public nuisances, and restrain and enjoin any person(s) from establishing, operating, or maintain said conditional use contrary to provisions of this conditional use permit.

seconded by Commissioner Curless. Motion carried 5-0, with Alderperson Moore recusing.

5. Request from Bill Cooper, representing BP Gas Station, for a parking lot modification to repave the parking and fueling areas without meeting the landscape setback area requirements at **3209 Church Street (Parcel ID 2308-04-3007-02).**

Commissioner Cooper recused himself from this agenda item.

Director Ostrowski explained this request is returning the parking lot to an as is condition after replacing some of the lines to the tanks. He continued stating that in terms of the setback requirements, the lot is very challenging, being that it is a corner lot and there is not a lot of setback or distance between the properties. Staff recommends approval with the conditions outlined in the staff report.

Motion by Alderperson Moore to approve the parking lot modification to repave the parking and fueling areas without meeting the landscape setback area requirements at 3209 Church Street (Parcel ID 2308-04-3007-02) with the following conditions:

- **A stormwater drainage plan shall be submitted and reviewed by the Public Works department, meeting all stormwater requirements.**
- **A permit shall be obtained from the Community Development department for the parking lot reconstruction.**
- **Clearview requirements shall be maintained.**
- **Parking stalls shall be striped, clearly identifying them on the property.**

seconded by Mayor Halverson.

Cathy Dugan, 615 Sommers Street, asked if the existing landscaping would be kept, to which Director Ostrowski stated they are only replacing the blacktop and not removing any other landscaping.

Motion carried 5-0.

6. Amendment of the Revised Municipal Code of the City of Stevens Point, Chapter 25 Sign Ordinance, to allow wall signs to be placed on more than two walls (Section 25.04(7)(e)).

Director Ostrowski explained this was brought up regarding Culver's and McDonald's, and was thought to have been taken out of the sign code a while ago. He continued, stating that given that most of the signs that come in are facing a public right of way, Plan Commission can make variations to allow additional wall signs on more than two sides of the building. Staff recommends striking the two wall component out of the sign code.

Commissioner Haines asked if the Community Development department still would have the review of signs, to which Director Ostrowski answered we would still review the signs, and they would still have to meet all other ordinance requirements for size and location. Commissioner Haines asked if the maximum area would still be 500 square feet, to which Director Ostrowski stated yes, for the total area.

Motion by Commissioner Patton to amend the Revised Municipal Code of the City of Stevens Point, Chapter 25 Sign Ordinance, to allow wall signs to be placed on more than two calls (Section 25.04(7)(e)); seconded by Commissioner Haines. Motion carried 6-0.

7. Conditional use permit renewals for the following place and activity:
   -1001 Amber Avenue - Amber Grill (operate a tavern)
   -1320 Strongs Avenue - Arbuckle's, (operate a tavern)
   -200 Division Street – Pete's Sports Bar (operate a tavern)
   -233 Division Street - Papa Joes Bar (operate a tavern)
   -2301 Church Street - Middletown Grille (operate a tavern)
   -1036 Main Street - Tech Lounge (operate an electronic amusement business)

   Director Ostrowski explained all of these had expiration dates, and typically with taverns we make them expire within two years for renewal. He continued, stating we have contacted the Police Department and no severe violations have taken place at any of these establishments. Staff recommends approval of another two year extension.

   Motion to approve the conditional use permit renewals for the following places and activities:

   -1001 Amber Avenue - Amber Grill (operate a tavern)
   -1320 Strongs Avenue - Arbuckle's, (operate a tavern)
   -200 Division Street – Pete's Sports Bar (operate a tavern)
   -233 Division Street - Papa Joes Bar (operate a tavern)
   -2301 Church Street - Middletown Grille (operate a tavern)
   -1036 Main Street - Tech Lounge (operate an electronic amusement business)

   seconded by Commissioner Cooper.

   Commissioner Haines asked about Papa Joe's patio, to which Director Ostrowski stated they did that in the past. Commissioner Haines then asked about Tech Lounge and another business downtown that has the same type of electronic amusement business, to which Director Ostrowski stated there is an Energy Café. Director Ostrowski clarified that when the Tech Lounge came before the Commission it was questioned as to whether a conditional use permit would be needed, as originally, the ordinance encompassed arcades such as the Skill Mill. This conditional use will be reviewed during our zoning code rewrite process.

   Motion carried 6-0.

8. First amendment to Reciprocal License Agreement between the Community Development Authority of the City of Stevens Point and Mid-State Technical College for the purposes of allowing encroachments onto the property south of **1001 Centerpoint Drive (Parcel ID 2408-32-2029-64)**.

   Director Ostrowski explained as part of the Mid-State Technical College redevelopment project they are going to be making some modifications to the south of the building and the south property line between Mid-State's south wall and the CDA property. He continued stating that anything they put on the wall or overhang from the wall would encroach onto CDA property. Because those encroachments would exist, the License Agreement must be amended, which requires a Plan Commission recommendation to the CDA. The encroachments would run with the building on the property and not on the land, and Mid-State would be maintaining all improvements such as snow shoveling and landscaping. Therefore, staff would recommend approval.

Motion by Commissioner Haines approve the amendment to the Reciprocal License Agreement between the Community Development Authority of the City of Stevens Point and Mid-State Technical College for the purposes of allowing encroachments onto the property south of 1001 Centerpoint Drive (Parcel ID 2408-32-2029-64); seconded by Commissioner Curless. Motion carried 6-0

9. Transferring and/or selling and/or assigning the rights to the property located at **1450 Water Street (Parcel ID 2408-32-2019-33)** and the adjacent unaddressed property **(Parcel ID 2408-32-2019-35)** from the Community Development Authority of the City of Stevens Point to Affordable Senior Housing of Central Wisconsin Inc.

Director Ostrowski explained back in April the city received three proposals for the purchase of Edgewater Manor; the CDA has decided to proceed with negotiations with Affordable Senior Housing of Central Wisconsin for the purchase price of $1.55 million. The potential purchaser would be doing very similar occupancy within the building, keeping seniors 55 and older at the facility. The Plan Commission needs to make a recommendation to the CDA on whether or not to sell the property. He continued to state that this had gone before the Plan Commission a few months ago regarding the Seramur development, but since it is a different proposal and offer it was appropriate to bring this back to the Plan Commission for review.

Commission Curless asked who the parties are involved in Affordable Senior Housing of Central Wisconsin, to which Director Ostrowski stated a person from Rhinelander, and Tom Ludwig from Stevens Point.

Commission Patton asked if the CDA had taken in account making sure the company who purchases Edgewater is viable to carry through with the project, to which Director Ostrowski answered yes, as part of the submittal process, proof of financing was required.

Barb Jacob, 1616 Depot Street, was concerned that the Plan Commission was not given the same financial information as the CDA regarding the city keeping Edgewater Manor or selling it, and feels anyone making these decisions should have the full picture.

Mary Ann Laszewski, 1209 Wisconsin Street, feels the city is obligated to keep Edgewater Manor. Our seniors are more important than the assistance proposed to be given to first time home buyers from the sale. She continued stating Affordable Senior Housing will not keep the apartments affordable and are planning on converting them to assisted care, which costs more. She feels government, including the city, is responsible to help those who cannot help themselves and should not sell an asset if we are just going to give the money away.

Reid Rocheleau, 408 Cedar Street, feels the city should wait longer and see if they get more bids if the need is there to sell, but also feels the city should retain the building. He also feels the government should provide for the public what it cannot provide for itself. The commission should not make a decision until all the information is provided.

Cathy Dugan, 615 Sommers Street, feels this is our most vulnerable population and they need a good solid government with supported care. She feels we cannot rely on the private sector and asked the commission to decide cautiously.

Barb Jacob, 1616 Depot Street, pointed out at the CDA meeting the city could make $49,547 in the first year as profit while continuing to reinvest back into the building. She feels the current vacancy is due to the unknown surrounding the building's future and feels the building needs work but it is our time to give back to Edgewater and to our seniors.

Commissioner Curless asked if this was discussed several months ago, and if Edgewater was losing money for the city. Mayor Halverson answered, it is difficult to run this project in an unsubsidized environment. Furthermore, it is challenging for the Housing Authority to run this without any federal money, which was lost when the contract for Section 8 support was not extended with Edgewater. Mayor Halverson explained that

the overall goal of Mr. Hamilton and his was to accept the new vouchers into the community, given the loss. One of the options was to sell Edgewater, however, that loss is not as great because the remaining bond issue was paid off as of this last year. He continued stating the proforma has changed, but is still not very positive as to what we can expect out of Edgewater, and the biggest challenge is the added capital for investment that is needed. Furthermore, there isn't another municipality in the state of Wisconsin that independently, through its own tax levy, owns public housing which is subsidized off of their own tax levy. He explained there is an LLC that is created that leverage tax credits that can be invested back into the renovation, similar to what was done with the Hi-Rise renovations. The CDA has controlling interest and managing rights, but has no ownership of it. The likelihood of us being able to do this again with Edgewater is non-existent. He continued, stating the ability for the CDA to re-HUD is not possible either directly or for investment back into Edgewater. The city taxpayers could borrow approximately $2 million and invest in the renovations of the building, which for the first five years would have a loss, but for the remaining years after have a positive margin taking into consideration a 95% occupancy rate, and also investment into a sinking fund for remaining or additional capital improvements. The exposure is one where there isn't an example of $2 million being on the general city levy to support public housing in the state, and aside from one or two examples in the entire Midwest, it is almost never done. A developer's agreement or offer to purchase between both parties could ensure protections for seniors are met. Mayor Halverson also explained that the interest that could be used from trust funds was intended to assist income eligible owner occupied rehabilitation of seniors while they are living in their homes. If we are able to sell to Affordable Senior Housing the principle increase of the trust funds is very advantageous, so we feel there are several positives, the other being it also goes on the tax rolls.

Commissioner Haines asked if it operates at market rate, to which Director Ostrowski answered it is $530 per month and about 40-50% of individuals have vouchers which will help subsidize their rent.

Commissioner Curless asked what is the current occupancy rate, to which Director Ostrowski stated it is about 38% vacant. He then asked if it is such a good deal, then why is it not 95% occupied. Director Ostrowski answered stating it is challenged with the need for upgrading and its competition is cheaper, so if the CDA is going to decide to keep this facility they are going to need funds for investment in the property to make it marketable.

Commissioner Patton stated he has seen several spread sheets regarding the financing, so even though they were not at the CDA meeting they do have the information.

Mayor Halverson explained there are a lot of assumptions in that proforma. If the occupancy numbers do not materialize there is a large difference in where we are with the scattered sites. If there is a deficiency on a monthly basis or annual basis, every taxpayer in the City of Stevens Point through the levy contribution of the Comptroller Treasurer would have to pay for that shortfall.

Commissioner Patton pointed out when he was on the county board the Portage County Home cost about $1 million a year when owned by the county, so for a city our size, not having the resources of the county, it could really hurt. Mayor Halverson added that loss on an annual basis for that building if the occupancy numbers don't materialize could be in the $100,000 range if we are still at 15% vacant.

Commissioner Haines asked if this private business would raise rents eventually if occupancy does not increase. Mayor Halverson answered, there would be an angel investor that entity would have to deal with, but it could be a capital investment to freshen the apartments, or a rate adjustment, but it is hard to guess.

Mayor Halverson explained one of the interests the CDA has regarding this proposal is that this was the most specific for seniors and most specific in how they were going to deal with the existing tenants that are there.

Alderperson Moore asked if this sells, we will no longer have anything to do with it and have only zoning laws to control it, so we have no guarantee that it even stays the format it is now. Mayor Halverson answered correct in regards to the zoning laws, but certain operational requirements for Edgewater can be stated within

the offer to purchase or developer's agreement. Alderperson Moore then asked what the youth donation was, to which Mayor Halverson stated that has not been answered yet.

Commissioner Curless asked about the parking problems, to which Director Ostrowski stated when the plan was to sell market rate apartments there was an issue, but if it remains the same senior based format, there is no issue.

Commissioner Cooper explained he has reviewed all the proposals and all the numbers. This is not an easy decision but given the financial constraints, the CDA felt this proposal has done the best in encompassing the Housing Authorities goals for this property.

Mayor Halverson pointed out the other big difference is we are seeing a more aggressive market develop where the Section 42 tax credits at 30 % LMI is something we want to pursue as a community. He continued stating there is a huge deficiency at that mark, which gets at the overall goals of what we are looking to do as a community.

Alderperson Moore asked if the CDA decides to sell and it becomes taxable, what will those taxes will be, to which Mayor Halverson stated that is on the Finance Committees agenda for next week relating to an overall conversation about how we will want to deal with that because there are too many unanswered questions. Director Ostrowski added that if you did it at an assessment of $1.5 million, about 15,000 dollars of tax is projected annually outside of a TIF district, however in a TIF districts, $37,000 in tax revenue per year are projected.

Commissioner Curless asked with the parking shortage, wouldn't that tend to keep the occupancy more senior, to which Mayor Halverson answered yes, and that would affect the value of the building as well.

Motion by Commissioner Patton to approve the transferring and/or selling and/or assigning the rights to the property located at 1450 Water Street (Parcel ID 2408-32-2019-33) and the adjacent unaddressed property (Parcel ID 2408-32-2019-35) from the Community Development Authority of the City of Stevens Point to Affordable Senior Housing of Central Wisconsin Inc.; seconded by Commissioner Cooper. Motion carried 4-2 with Alderperson Moore and Commissioner Haines voting in the negative.

10. Adjourn.

Meeting Adjourned 7:04 PM.

Memo

Michael Ostrowski, Director
Community Development
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481
Ph: (715) 346-1567 • Fax: (715) 346-1498
mostrowski@stevenspoint.com

City of Stevens Point – Department of Community Development

To: Plan Commission

From: Michael Ostrowski and Kyle Kearns

CC:

Date: 7/1/2013

Re: 3725 Patch Street - Conditional Use Permit Amendment

Ken Kracht, representing Premier Auto Body, is requesting an amendment to their conditional use permit issued in March, 2011 (see attached resolution). The conditional use permit was issued in 2011 as the expansion to the body shop occurred. Mr. Kracht's request specifically relates to the conditions below, attached to the 2011 conditional use permit, some of which have not been fulfilled.

- The storage area shall be fenced from the west and east with a fence at least 8' tall to block vision of the stored vehicles (if a chain link fence is used, the fence must not have privacy slats, but instead require "pipe cleaner" hedge slats or "winged slats" which are wider and provide more privacy).
- No parking shall be allowed in front of the storage area on the east side.
- No trash containers, inoperable automobiles, parts, or similar materials shall be stored outside the fenced storage area.

Regarding the above conditions, the applicant requests the following amendments:

~~1.~~ The storage area shall be fenced from the west and east with a fence at least ~~8'~~ 6' tall to block vision of stored vehicles (if a chain link fence is used, the fence must ~~not have privacy slats,~~ have privacy slats, hedge slats or winged slats. ~~but instead require "pipe cleaner" hedge slats or "winged slats" which are wider and provide more privacy).~~

Analysis: The original 8 foot fence height requirement was placed as a condition in order to provide adequate screening of larger vehicles. The neighboring fence to the south, containing privacy slats, is at a height of 6 feet. Along the west side of the property, where a portion of the fencing is required to exist, exists a building with no windows facing east. Chain link privacy slat fencing currently exists to the south on the neighboring property. Lastly, the applicant has indicated that there have been incidents of visual intrusions onto their property; privacy slats would allow law enforcement the ability to better observe these reports.

Findings: Abutting fences at similar heights will provide better aesthetics. Furthermore, the majority of vehicles and equipment stored within the enclosure are less than 6 feet. Therefore, staff would recommend approving a 6 foot tall fence, with the condition that storage of materials located within the fenced area shall not project above the 6 foot tall fence.

In regards to the privacy slats, staff would still recommend using hedge or winged slats as they provide better screening of the materials or items stored behind the fenced area, especially on the east side of the property facing the street.

Privacy – 75% Privacy Factor	Winged – 95% Privacy Factor	Hedge – 95% Privacy Factor

2. ~~No parking shall be allowed in front of the storage area on the east side.~~

Analysis: Customer and employee parking primarily occurs on the north side of the property. The applicant has stated that operable vehicles are moved out of the building during business operating hours (7 AM - 5 PM) in order to adequately perform business activities. These vehicles are parked on a gravel surface east of the building. The City's zoning code requires screening of parking lots.

Findings: Operable or inoperable vehicles shall be screened from the right-of-way, regardless if they are temporarily parked or permanently parked. Furthermore, operable vehicles shall be parked in designated stalls. In order to meet requirements above, vehicles need to be stored in

the proposed fenced area, or the parking area needs to be hard surfaced and contain painted stalls while also meeting setback and screening requirements. Based on the findings above, staff would recommend maintaining the above condition, while adding that it does not apply to operable or inoperable vehicles deposited by towing companies. In order for parking to occur, parking, landscaping, and screening requirements must be met.

3. No trash containers, ~~inoperable automobiles~~, parts, or similar materials shall be stored outside the fenced storage area.

   Analysis: The applicant has stated that all vehicles outside the fenced area are mechanically operable. Occasionally, inoperable vehicles are towed to the business during non-operating business hours and left in the area of discussion, rather than in customer parking stalls.

   Findings: If all vehicles are operable, the condition above does not apply. However, inoperable vehicles left by tow-truck companies would apply. Therefore, staff would recommend the condition state that no, trash containers, parts, or similar materials shall be stored outside the fenced area. Inoperable automobiles that are placed on the property by a towing company after hours shall be moved to a proper storage area during the next business day.

The applicant has failed to meet many of the conditions outlined above, and has failed to do so in the stated timeframe (condition 7 on the 2011 resolution). While staff understands that plans change and the building construction was delayed due to several factors, conditions should have been met. The purpose of the original conditions was to increase aesthetics, provide a buffer, and maintain the general health and wellness of the surrounding area. Upon review and findings above staff feels the above criteria are still met through the following existing and modified conditions:

1. The storage area shall be fenced from the west and east with a fence at least 6 foot tall to block vision of the stored vehicles (if a chain link fence is used, the fence must not have privacy slats, but instead require “pipe cleaner” hedge slats or “winged slats” which are wider and provide more privacy). The storage of materials located within the fenced area shall not project above the 6 foot tall fence.
2. If any trees are removed within the 10'setback to the south, they shall be replaced with an 8' solid fence or chain link fence with "pipe cleaner" hedge slats or "winged slats" and maintain as much of the existing foliage as possible. Trees more than 10' from the south property line may be eliminated at the owner's option.
3. On-site drainage shall be approved by the Public Works Department.
4. No parking shall be allowed in front of the storage area on the east side except for operable or inoperable vehicles deposited by towing companies. In order for parking to occur, parking, landscaping, and screening requirements must be met.
5. Foundation landscaping shall be installed around the building.
6. No, trash containers, parts, or similar materials shall be stored outside the fenced area. Inoperable automobiles that are placed on the property by a towing company after hours shall be moved to a proper storage area during the next business day.
7. The project shall be completed within one year after final approval, and may be granted a six month extension with the approval of staff.

Therefore, staff would recommend approving the conditional use permit amendment with the conditions above. The previous resolution is attached.

Photos

Looking South

Looking Southwest

Looking West

756972 #2044

CYNTHIA A WISINSKI
PORTAGE COUNTY REGISTER OF DEEDS
RECEIVED FOR RECORD
Apr. 12, 2011 AT 12:45PM

CYNTHIA A WISINSKI, REGISTER OF DEEDS
Fee Amount: $30.00
Total Pages 2

RESOLUTION

RESOLVED by the Common Council of the City of Stevens Point, Portage County, Wisconsin, that based upon the application and after reviewing the Plan Commission record and hearing the testimony of interested parties, the Common Council determines that all conditions required have been met, the property located at **3725 Patch Street,** described as PRT LOT 1B CSM #3193-11-151 DES; COM NE/C PATCH ST & BUSH CRT TH S 220', W 125.35', N 220', E 125.35' TO POB, City of Stevens Point, Portage County, Wisconsin, is hereby granted a **Conditional Use Permit** for the purposes of constructing an addition onto Premier Auto Body, as shown on the attached plans. The Conditional Use Permit is subject to the following conditions:

1. The storage area shall be fenced from the west and east with a fence at least 8' tall to block vision of the stored vehicles (if a chain link fence is used, the fence must not have privacy slats, but instead require "pipe cleaner" hedge slats or "winged slats" which are wider and provide more privacy).
2. If any trees are removed within the 10' setback to the south, they shall be replaced with an 8' solid fence or chain link fence with "pipe cleaner" hedge slats or "winged slats" and maintain as much of the existing foliage as possible. Trees more than 10' from the south property line may be eliminated at the owner's option.
3. On-site drainage shall be approved by the Public Works Department.
4. No parking shall be allowed in front of the storage area on the east side.
5. Foundation landscaping shall be installed around the building.
6. No trash containers, inoperable automobiles, parts, or similar materials shall be stored outside the fenced storage area.
7. The project shall be completed within one year after final approval, and may be granted a six month extension with approval by staff.

Such approval constitutes a Conditional Use under the City's ordinances.

Approved: _____
Andrew J. Halverson, Mayor

Dated: March 21, 2011
Adopted: March 21, 2011

Attest: _____
John Moe, City Clerk

Drafted by: Michael Ostrowski
Return to: City Clerk

Name and Address	Parcel #	Alt Parcel #	Land Use
Kracht Real Estate Holdings LLC 8511 Southpark Rd Wisconsin Rapids, WI 54494	230803220047	230803220047	Garage, Storage / Retail Store
	Property Address		Neighborhood
	3725 Patch St		Patch Street Area (Comm)
	Subdivision		Zoning
Display Note	Certified Survey Map		M1-LIGHT INDUSTRIAL

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Kracht Real Estate	11/14/2008	$145,000	Warranty Deed	724660		Land & Build.

SITE DATA

Actual Frontage	125.0
Effective Frontage	125.0
Effective Depth	220.0
Square Footage	27,500.0
Acreage	0.631

PERMITS

Date	Number	Amount	Purpose	Note
6/20/2011	11-438	$24,639	002 Air Conditioning &	
6/20/2011	11-438	$15,750	020 Electrical	
6/20/2011	11-438	$0	024 Exterior Renovati	
6/20/2011	11-438	$4,750	066 Plumbing	
6/20/2011	11-438	$187,160	003 Addition	5254 sq ft
10/19/2005	33626	$711	066 Plumbing	replace hwh

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(2) - B-Commercial	$22,000	$337,200	$359,200
Total	$22,000	$337,200	$359,200

LEGAL DESCRIPTION

PRT LOT 1B CSM #3193-11-151 DES; COM NE/C PATCH ST & BUSH CRT TH S 220', W 125.35', N 220', E 125.35' TO POB 724660

PROPERTY IMAGE

PROPERTY SKETCH

Name and Address	Parcel #	Alt Parcel #	Land Use
Kracht Real Estate Holdings LLC 8511 Southpark Rd Wisconsin Rapids, WI 54494	230803220047	230803220047	Garage, Storage / Retail Store
	Property Address		Neighborhood
	3725 Patch St		Patch Street Area (Comm)
	Subdivision		Zoning
Display Note	Certified Survey Map		M1-LIGHT INDUSTRIAL

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
1	1	Auto Repair Garage (S good)	1984	2,736	Metal - Good	12
1	2	Auto Repair Garage (S good)	2011	5,254	Metal - Good	14
Total Area				7,990		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area

COMPONENTS

Bldg	Sec	Component Description	Area

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

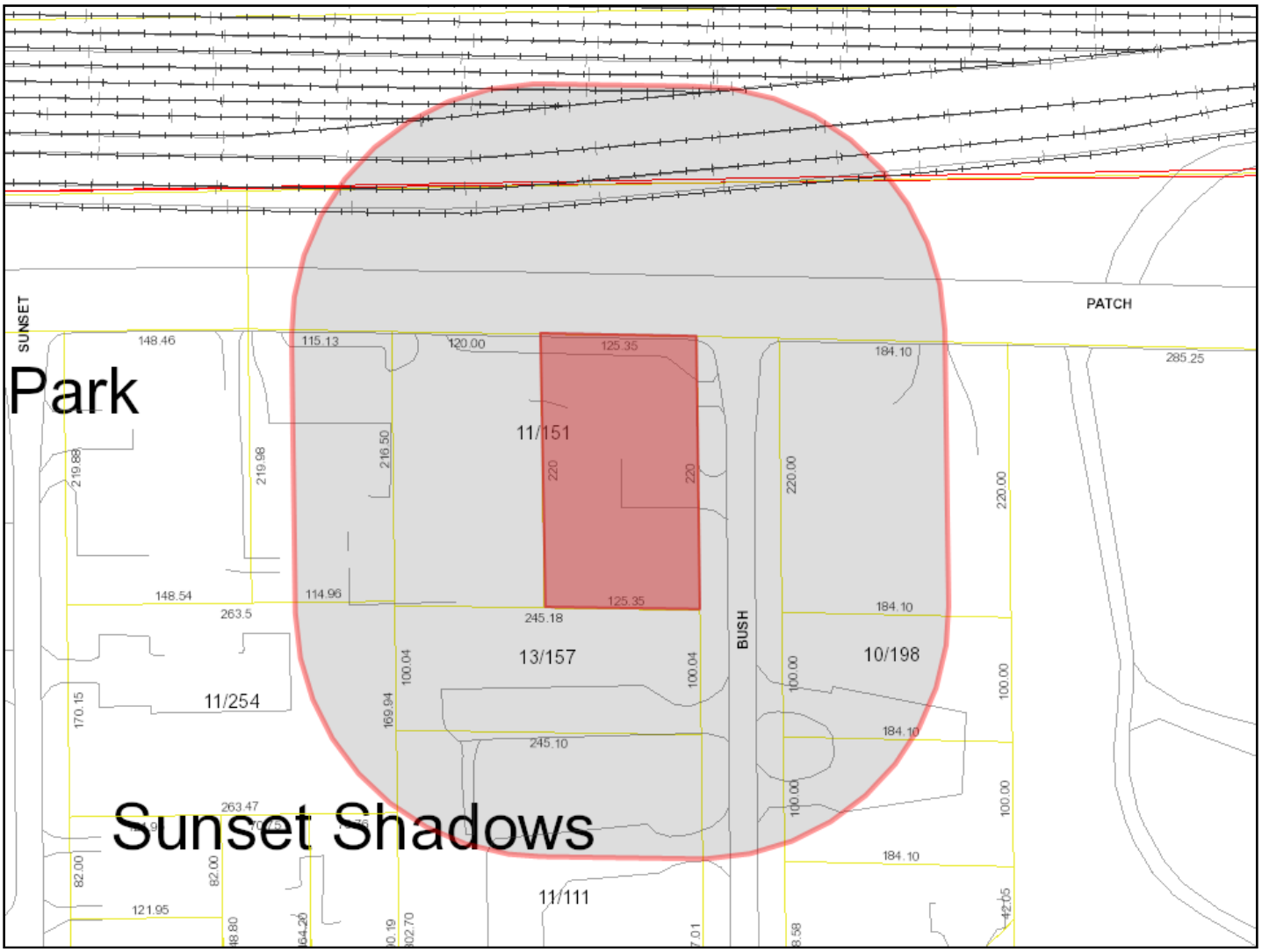
Site Improvement	Units

STRUCTURE DATA

Age	13
Year Built	1984
Eff. Year	2000
One Bedroom	
Two Bedroom	
Three Bedroom	
Total Units	
Stories	1.00
Business Name	Premier Auto Body

Information considered accurate but not guaranteed.

Conditional Use Amendment – Operate a Body Shop – 3725 Patch St. – Exhibit Map (200 Feet Boundary)



Tax Key	Name	Mailing Address	City	Zip	Address
281230803220006	WI CENTRAL LTD CN BUSINESS DEVEL	1 ADMINISTRATION RD FL1	CONCORD ON L4K 1B9 OO	0	0
281230803220023	MARTIN J & JANICE K KREBS	1965 Green Tree Rd	Junction City WI	54443	3709 PATCH ST
281230803220048	ROBERT J & JULIE A WORZELLA	1524 STATE HIGWAY 66 W	STEVENS POINT WI	54482	3717 PATCH ST
281230803220047	KRACHT REAL ESTATE HOLDINGS LLC	8511 Southpark Rd	Wisconsin Rapids WI	54494	3725 PATCH ST
281230803220017	DARRELL & ELIZABETH M PARNHAM	3801 Patch St	Stevens Point WI	54481	3801 PATCH ST
281230803220022	JARED C & LAURA A WEST	PO Box 671	Plover WI	54467	2525 SUNSET BLVD
281230803220045	BUSH COURT APARTMENTS LLC	333 Bishop's Way #160	Brookfield WI	53005	2600 BUSH CT
281230803220016	BUSH COURT APARTMENTS LLC	333 Bishop's Way #160	Brookfield WI	53005	2517 BUSH CT
281230803220028	BUSH COURT APARTMENTS LLC	333 Bishop's Way #160	Brookfield WI	53005	2600 BUSH CT
281230803220015	BUSH COURT APARTMENTS LLC	333 Bishop's Way #160	Brookfield WI	53005	2601 BUSH CT

City of Stevens Point
Community Development Department

1515 Strongs Avenue, Stevens Point, WI 54481
(715) 346-1567
(715) 346-1498
communitydevelopment@stevenspoint.com
http://stevenspoint.com

APPLICATION FOR A CONDITIONAL USE PERMIT

(Pre-Application Conference Required)

6-3-13
R#1-52873

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		**Date Submitted**	6/3/2013	**Fee Required**	$250.00	**Fee Paid**	$250.00
Associated Applications if Any				**Assigned Case Manager**			
Pre-Application Conference Date	5/21/2013			**Conditional Use Permit Request**	**Use** ☑ Amendment		

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☐)	
Applicant Name	Ken Kracht	**Contact Name**	
Address	8511 Southpark Road	**Address**	
City, State, Zip	Wisconsin Rapids, WI 54494	**City, State, Zip**	
Telephone	715-570-3576	**Telephone**	
Fax	N/A	**Fax**	
Email	impala@charter.net	**Email**	

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? ☐)		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name		**Owner's Name**	
Address		**Address**	
City, State, Zip		**City, State, Zip**	
Telephone		**Telephone**	
Fax		**Fax**	
Email		**Email**	

PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]

Parcel 1	Parcel 2	Parcel 3
3725 Patch Street Parcel #2308.03.2200.47		

Legal Description of Subject Property

PRT LOT 1B CSM #3193-11-151 DES; COM NE/C PATCH ST & B USH CRT TH S 220', W 125.3 5', N 220', E 125.35' TO POB 724660

Designated Future Land Use Category	Current Use of Property
	Auto body service center

Explain the land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)

Amendments and clarifications to conditions #1, 4, and 6 of Conditional Use Permit issued 3/21/2011 are requested. Please see attached.

How will the proposed development reinforce the existing or planned character of the neighborhood? (Use additional pages if necessary)

Outline steps that will be taken to reduce any negative impacts on adjacent property. (Use additional pages if necessary)

Current Zoning Surrounding Subject Property			
North:	M1 - Heavy Industrial	South:	R4 - Multi Family I
East:	M1 - Heavy Industrial	West:	M1 - Heavy Industrial
Current Land Use Surrounding Subject Property			
North:	Railroad yard	South:	Multi Family Residential apartments
East:	Towing company / vehicle impound yard	West:	Point Supply (business)

EXHIBITS

Owner Information Sheet	☐	Additional Exhibits If Any:
Letter to District Alderperson	☐	
Maps (vicinity, zoning, floodplains, wetlands others as requested by staff)	☐	
Site Plan (designating primary, side, and service street frontages)	☐	
Building Elevations	☐	
Parking Plan (Location, number of spaces, reductions, and design and landscaping)	☐	
Street Plan with Cross-sections	☐	
Utility Plan	☐	
Landscape Plan (including any equivalent alternative landscaping requests)	☐	
Stormwater Plan	☐	
Outdoor Lighting Plan (location of fixtures, illumination levels)	☐	

CERTIFICATION AND SIGNATURE

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

Signature of Applicant	Date	Signature of Property Owner's (If not the Applicant)	Date
Ken Kracht	6/3/2013		

APPLICANT & OWNER INFORMATION SHEET

Any applicant for a conditional use permit must provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of any deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

Application Number	Applicant's Name
	Ken Kracht

Property Address(es)

3725 Patch Street

Applicant's Address

8511 Southpark Road, Wisconsin Rapids, WI 54494

NOTE: If the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

Fee Title Owner (Has Deed of Ownership) Ken & Dawn Kracht	All	☒
	A Portion	☐
Contract Owner	All	☐
	A Portion	☐
Holder of a Security Interest	All	☐
	A Portion	☐

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

Signature of Applicant	Date Signed
Ken Kracht	06/03/2013

Condition #1) The storage area shall be fenced from the west and east with a fence at least 8' tall to block vision of the stored vehicles (if a chain link fence is used, the fence must not have privacy slats, but instead require "pipe cleaner" hedge slats or "winged slats" which are wider and provide more privacy).

Reasoning for amendment request: Since fence in condition #1 abuts neighbor's fence to south, which is a 6' fence with privacy slats, request is to allow construction of 6' fence to match heights for better aesthetics at corners instead of a 2' difference in height. Also request to allow regular privacy slats, as it costs less ($860 on 6' fence project and $1155 on 8' fence project), and provides better security screening by law enforcement at night (as we have reported "peeping Tom" incidents to police in the past from our side of the fence). There is a benefit to having some vision into storage area. On west side, any privacy slats are facing an M1 zoned building wall with no windows. Request for no privacy slats to be required on west side, or if required, regular privacy slats.

Condition #4) No parking shall be allowed in front of the storage area on the east side.

Reasoning for amendment request: When original parking plan was discussed, the area described was, and is not used for "customer parking". The area described is used for parking vehicles that are in the process of being repaired, and are never left there during non-business hours. All "in process" vehicles are parked inside the building overnight, but some need to be moved outside to provide working space inside building during business hours, which are Monday through Friday, 7am to 5pm.

Condition #6) No trash containers, inoperable automobiles, parts, or similar materials shall be stored outside the fenced storage area.

Reasoning for clarification request: All vehicles in the area discussed in Condition #4 are mechanically operable, since they need to be moved in and out of the building. Also, in the auto repair business, occasionally an inoperable vehicle is towed to our location during non-business hours, and would be temporarily placed in the area discussed in Condition #4, rather than our customer parking lots on north or east sides of the building.

Administrative Staff Report

Rezone Request - 3500 Main Street
"R-2" Single Family Residential
to "B-4" Commercial
July 1, 2013

Department of Community Development
1515 Strongs Avenue, Stevens Point, WI 54481
Ph: (715) 346-1568 - Fax: (715) 346-1498

Applicant(s):

- Ward Wolff

Staff:

- Michael Ostrowski, Director
  mostrowski@stevenspoint.com
- Kyle Kearns, Associate Planner
  kkearns@stevenspoint.com

Parcel Number(s):

- 2408-33-1001-15

Lot Information:

- Effective Frontage: 172 feet
- Effective Depth: 300 feet
- Square Footage: 51,600
- Acreage: 1.18

Zone(s):

- "R-2" Single Family Residential District

Master Plan:

- Residential

Council District:

- District 8: Patton

Current Use:

- Residential

Applicable Regulations:

- 23.02(1)(d), 23.02(2)(d)

Request

Request from Ward Wolff, representing the property owner, to rezone the property located at **3500 Main Street (Parcel ID 2408-33-1001-15)** from "R-2" Single Family Residence District to"B-4" Commercial District.

Attachment(s)

- Parcel ID Sheet
- Exhibit Map
- Application

Findings of Fact

- The property is zoned “R-2” Single Family Residence District
- The request is to rezone the property to "B-4" Commercial District.
- The property is currently utilized as a single family home.
- The City’s Comprehensive Plan calls for a residential use on this property.

Staff Recommendation

Based upon the findings, staff recommends approving the rezoning request for 3500 Main Street from "R-2" to "B-4", as the rezoning will allow a more fitting or compatible use at the site, as well as reduce the conflicts of having a single family home directly adjacent to an intense commercial area.

Vicinity Map

Background

Ward Wolff is requesting to rezone the property above to "B-4" Commercial District, as the property is for sale and primarily neighbors commercial uses. Furthermore, Mr. Wolff believes this is the best, most practical zoning for the property which is located directly adjacent to a 4-way lighted intersection.

Standards of Review

Rezoning Request

1) **The parcel(s) meets the minimum lot requirements.**

   Analysis: The minimum lot requirements in the “B-4” Commercial District are as follows:

   - Minimum Lot Area: 7,000 square feet
   - Minimum Lot Width: 60 feet, or 80 feet for corner lots.

Findings: The current lot is 51,600 square feet; 172 feet wide, with a depth of 300 feet, well exceeding the minimum lot size requirements.

2) The change in zoning is consistent with the City Comprehensive Plan.

Analysis: The Comprehensive Plan calls for this area to be a Residential type use.

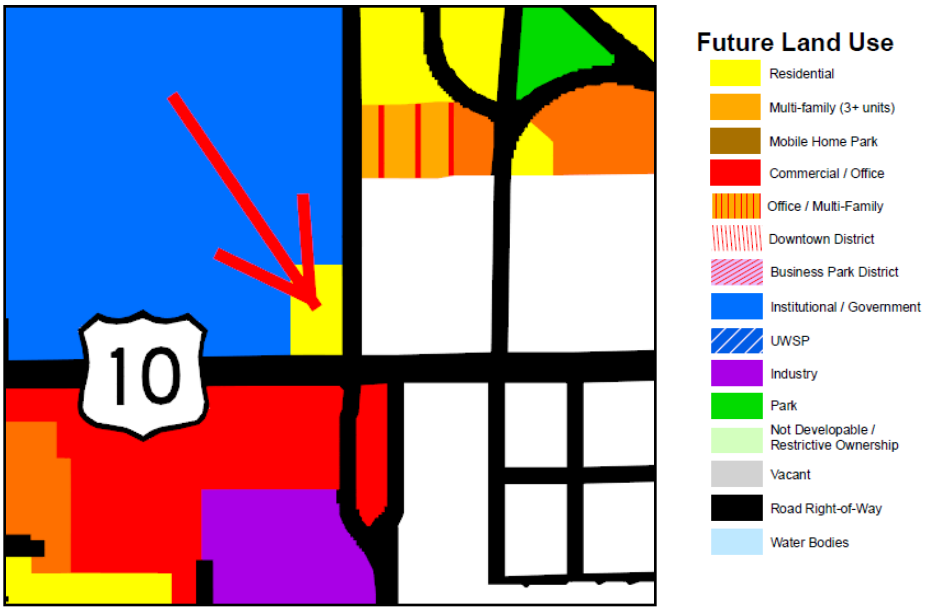
Findings: An article written by Mitchell R. Olson addresses the issue with consistency with a comprehensive plan. Olson indicates that:

> *"The prior version of the law did not define "consistent with." The new amendment defines that term, and in the process, includes two elements which weaken its ultimate effect. First, based on the laws and court opinions from other states with a history of comprehensive planning laws, there are two ways to define consistent with: loose consistency and strict consistency. Loose consistency gives the local government some discretion to determine if a land use is consistent with its plan. Consistency can be defined as "basic harmony." For example, if a city council, based on the evidence before it, could have determined that the rezoning was in basic harmony with the general plan, the rezoning is valid. Haines v. City of Phoenix, 727 P.2d 339 (Ariz. App. 1986). Conversely, strict consistency removes discretion from the governmental body. Pinecrest Lakes, Inc. v. Shidel, 795 So.2d 191 (Fla. Dist. Ct. App. 4th Dist. 2001). SB 601 only requires that the local government make a finding that a covered action "furthers or does not contradict" the Plan. This leaves significant discretion to the governmental body. It is not a strict consistency standard."* (Olson, 2010)

Also, Olson states that:

> *"Third, SB 601 limits what portions of the Plan are considered for purposes of consistency. The former version simply required consistency with "the Plan." The new amendments restrict consistency to the "objectives, goals, and policies contained in the comprehensive plan." It typically will not be difficult to show loose consistency of a subject land use ordinance with broad, overarching, and thematic plan language. To the extent the Plan makes specific recommendations for specific parcel(s), those recommendations may arguably be disregarded so long as the larger goals and objectives are not contradicted."* (Olson, 2010)

While the Future Land Use Map within the Comprehensive Plan indicates that this parcel shall remain a residential type use, staff feels that one needs to take a more encompassing view of the comprehensive plan, and not just look at the future land use map, as this is just one component. The Comprehensive Plan has many, goals, objectives, and policies. One of those goals is to reduce land use conflicts. Typically, multi-family residential uses or offices act as a buffer between higher intensity uses. In this case, higher intensity uses exist on the east and south sides of the property, failing to provide any buffers to the permitted single family use. Clearly, the single family use on this parcel is not compatible with many of the surrounding uses. Staff feels that the rezoning will allow a more fitting or compatible use at the site, as well as reduce the conflicts of having a single family home directly adjacent to an intense commercial area.

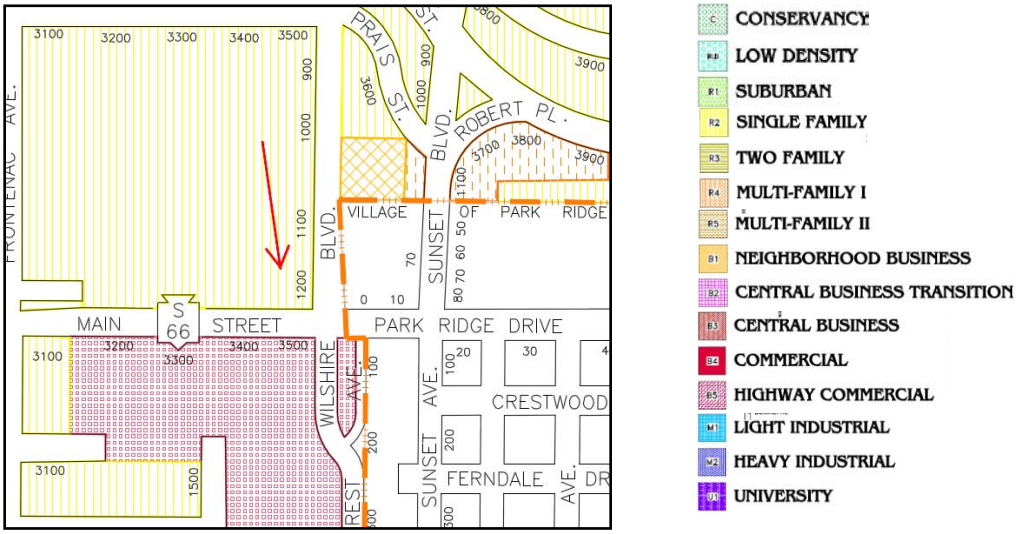


Future Land Use Map – 2005 Stevens Point Comprehensive Plan

3) The change in zoning will not create adjacent incompatible uses.

Analysis: The following are the current City and Village of Park Ridge zoning classifications and uses of adjacent properties:

Direction	Zoning	Use
North	"R-2" Single Family Residence	Cemetery/Vacant
South	"B-4" Commercial	Commercial Retail/Service
East	"Business District"	Commercial Retail/Service
West	"R-2" Single Family Residence	Cemetery



Zoning Map – City of Stevens Point

Findings: Commercial zoning surrounds over half of the property. Although adjacent residential zoning exists, there are no adjacent residential uses. The likelihood of residential uses occurring nearby is slim, as a cemetery occupies and owns all of the surrounding land zoned residential.

Highway 10 / Main Street is a main thoroughfare through the City. Commercial development has erupted along Main Street from Michigan Avenue to the City's eastern border. With increased commercial development comes increased traffic and speeds. The property's driveway fronts along Main Street where two lanes of traffic head westbound. From a safety perspective, the driveway poses great danger to motorist utilizing it. Additionally, the increased noise, traffic, and lights don't provide typical single family neighborhood conditions. It is much more fitting for a commercial use along the high volume traffic thoroughfare. With that said, the change in zoning will not create adjacent incompatible uses, as commercial zoning already exists around the property.

Works Cited

Olson, M. R. (2010, May 27). *Wisconsin Weakens Smart Growth Comprehensive Planning Law*. Retrieved June 25, 2013, from Axley Brynelson, LLP: http://axley.com/articles/wisconsin-weakens-smart-growth-052710

Name and Address	Parcel #	Alt Parcel #	Land Use
George H Haertel Trust C/O M & I Trust C0-C Ceretto P O Box 2980 Milwaukee, WI 53201	240833100115	240833100115	Residential
	Property Address		**Neighborhood**
	3500 Main St		255 Jnck PlvrH Boy Rslyn Cntrl
	Subdivision		**Zoning**
Display Note	Metes And Bounds		R2-SINGLE

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type

SITE DATA

Actual Frontage	172.0
Effective Frontage	172.0
Effective Depth	300.0
Square Footage	51,600.0
Acreage	1.185

PERMITS

Date	Number	Amount	Purpose	Note
4/24/2008	35559	$0	032 Furnace (HVAC)	oil
8/29/1995	25293	$8,000	093 Sewer and/or Wat	700' PVC 2" pressuriz

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(1) - A-Residential	$54,700	$62,700	$117,400
Total	$54,700	$62,700	$117,400

LEGAL DESCRIPTION

THE S 300F OF THE W 172F OF THE E 363F OF NE NE LYG N OF HWY 10 S33 T24 R8 539/70 - 671/185

DWELLING DATA (1 of 1)

Style	07 Old Style			Basement	Full	Exposed	No
Ext. Wall	Wood / Masonite			Heating	Air Conditioning		
Story Height	1	Age	103	Fuel Type	Oil		
Year Built	1910	Eff. Year	1910	System Type	Warm Air		
Class	(1) - A-Residential			Total Rooms	6	Bedrooms	4
Int. Cond. Relative to Ext.	Interior Same As Exterior			Family Rooms	0		
Physical Condition	Average			Full Baths	1	Half Baths	0
Kitchen Rating	Poor			Bath Rating	Average		

FEATURES

Description	Units

ATTACHMENTS

Description	Area
Enclosed Frame Porch	160
Open Frame Porch	52
Canopy	36

Information considered accurate but not guaranteed.

6/27/2013 8:47:41 AM **GVS Property Data Card** **Stevens Point**

Name and Address	Parcel #	Alt Parcel #	Land Use
George H Haertel Trust C/O M & I Trust C0-C Ceretto P O Box 2980 Milwaukee, WI 53201	240833100115	240833100115	Residential
	Property Address		**Neighborhood**
	3500 Main St		255 Jnck PlvrH Boy Rslyn Cntrl
	Subdivision		**Zoning**
Display Note	Metes And Bounds		R2-SINGLE

LIVING AREA

Description	Gross Area	Calculated Area
Basement	780.0	
Finished Basement Living Area	0.0	0.0
First Story	996.0	996.0
Second Story	0.0	0.0
Additional Story	0.0	0.0
Attic / Finished	780.0	390.0
Half Story / Finished	0.0	0.0
Attic / Unfinished	0.0	
Half Story / Unfinished	0.0	
Room / Unfinished	0.0	
Total Living Area		1,386.0

DETACHED IMPROVEMENTS

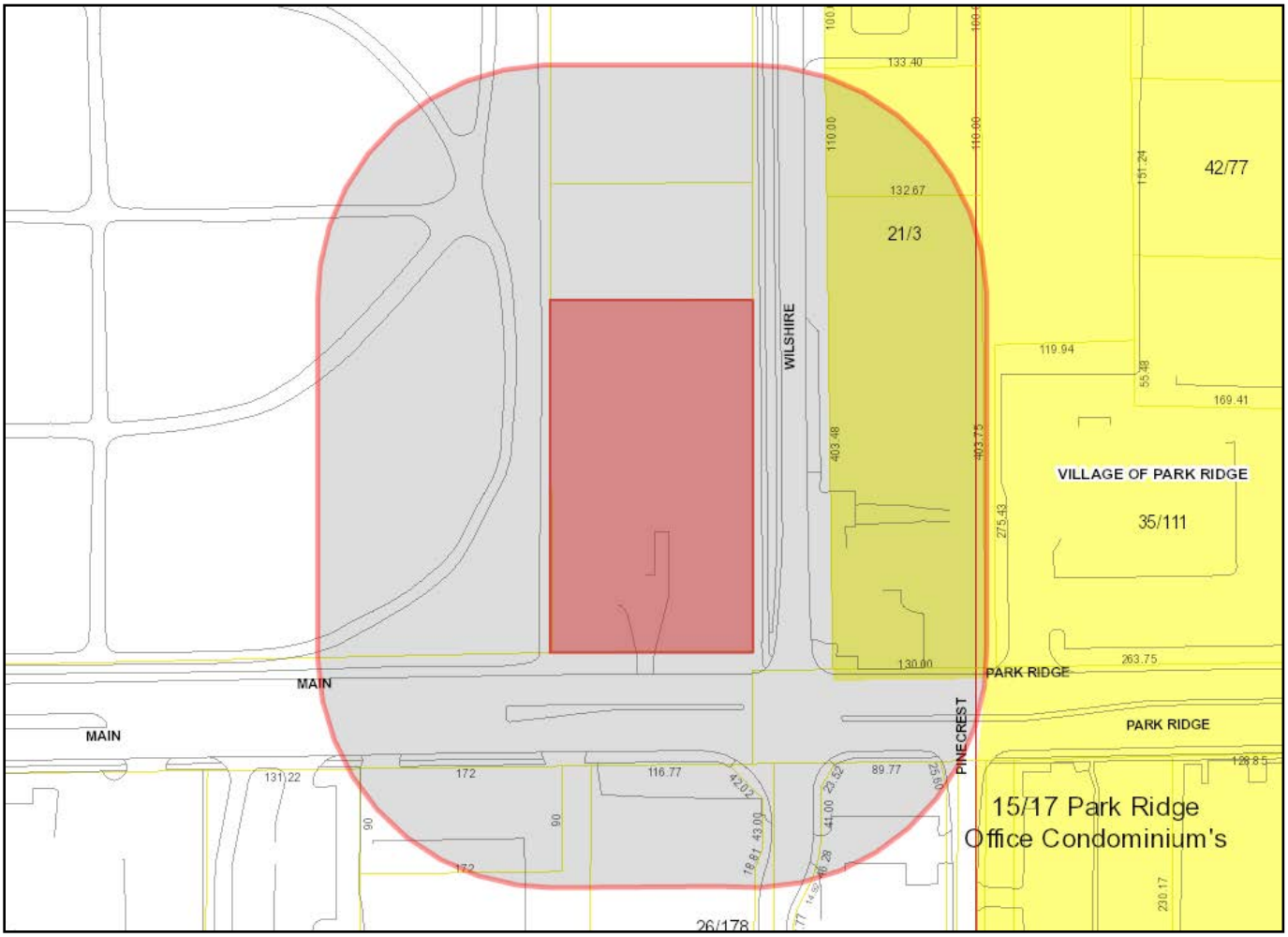
Description	Year Built	Square Feet	Grade	Condition
Garage - Detached Frame/ Block	1910	825.0	C	Average

PROPERTY IMAGE

PROPERTY SKETCH

Information considered accurate but not guaranteed.

Rezoning Request – "R-2" Single Family Residential to "B-4" Commercial – 3500 Main St. – Exhibit Map (200 Feet Boundary)



Tax Key	Name	Mailing Address	City	Zip	Address
281240833100113	STEVENS PT AREA CATHOLIC CEMETERY ASSN	3241 Prais St	Stevens Point WI	54481	0
281240833100114	STEVENS PT AREA CATHOLIC CEMETERY ASSN	3241 Prais St	Stevens Point WI	54481	0
281240833100115	HAERTEL GH TRUST C/O M&I TRUST CO-C CERT	P O Box 2980	Milwaukee WI	53201	3500 MAIN ST
281240833101938	CITY OF STEVENS POINT	1515 Strongs Avenue	Stevens Point WI	54481	0
281240833101943	THE PINERIES BANK	3601 Main St	Stevens Point WI	54481	3601 MAIN ST
281240833101945	CITY OF STEVENS POINT	1515 Strongs Ave	Stevens Point WI	54481	0
281240833101944	CITY OF STEVENS POINT	1515 Strongs Ave	Stevens Point WI	54481	0
281240833101942	STEVENS POINT 3525 MAIN WI LLC	2201 Madison St	Stevens Point WI	54481	3525 MAIN ST
281240833101918	STEVENS POINT 3425 MAIN WI LLC	2201 Madison St	Stevens Point WI	54481	3423 MAIN ST
281240833101919	MARKOVICH INVESTMENT CO	PO Box 773284	Ocala FL	34477	3409 MAIN ST
281240833101930	DUDAS LEONARD J & DALPHINE M	PO BOX 343	Stevens Point WI	54481	3333 MAIN ST
281240833100110	STEVENS PT AREA CATHOLIC CEMETERY ASSN	P O Box 497	Stevens Point WI	54481	3241 MAIN ST

City of Stevens Point
Community Development Department

1515 Strongs Avenue, Stevens Point, WI 54481
(715) 346-1567
(715) 346-1498
communitydevelopment@stevenspoint.com
http://stevenspoint.com

PRE-APPLICATION CONFERENCE REQUEST FORM

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted		Fee Required	~~$260.~~ —	Fee Paid	260
Pre-Application Conference Date				Assigned Case Manager			1-526694 5-23-13

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☐)	
Applicant Name	Jay N. Lakritz, VP-BMO Private Bank	Contact Name	Ward Wolff, First Weber Group Realtors
Address	111 E. Kilbourn Ave. 9 th Floor	Address	5424 Hwy 10 E
City, State, Zip	Milwaukee, Wis 53202	City, State, Zip	Stevens Point , Wis 54482
Telephone	414-287-8424	Telephone	715-340-9653
Fax	414-212-9760	Fax	715-341-6861
Email	jay.lakritz@bmo.com	Email	wolffw@firstweber.com

PROJECT SUMMARY

Project Type (Select All Applicable)					
Zoning Permit (Optional)	☐	Conditional Use Permit (Required)	☐	Zoning Map Amendment (Required)	☑
Administrative Adjustment (Optional)	☐	Major Site Plan (Required)	☐	Text Amendment (Required)	☐
Variance (Optional)	☐	Minor Subdivision (Required)	☐	Rezoning to B-4 Commercia	
Minor Site Plan (Optional)	☐	Major Subdivision (Required)	☐		
Major Site Plan (Required)	☐	Planned Development (Required)	☐		

Project Address:	3500 Main Street, Stevens Point, Wi

Parcel 1 – Assessor's Parcel ID Number	Parcel 2 – Assessor's Parcel ID Number (if needed)	Parcel 3 – Assessor's Parcel ID Number (if needed)
240833100115		

Designated Future Land Use Category	Current Zone District(s)

Is there a current application associated with this project?	no

Describe land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)

Great Main Street corner at Stop and Go lights.

SIGNATURES

Signature of Applicant	Date	Signature of Property Owner's (if not the Applicant)	Date
	5-17-13		

Upon turning in this request form, staff will contact you to set up a time to meet to discuss your project.

Jay N. Lakritz, Vice President
BMO Harris Bank N.A.

City of Stevens Point
Community Development Department

1515 Strongs Avenue, Stevens Point, WI 54481
(715) 346-1567
(715) 346-1498
communitydevelopment@stevenspoint.com
http://stevenspoint.com

APPLICATION FOR A ZONING MAP AMENDMENT - REZONING

(Pre-Application Conference Required)

1-52699pd 5/23/13

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted		Fee Required	$260.00	Fee Paid	$260.00
Associated Applications, If Any				Assigned Case Manager			
Pre-Application Conference Date							

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☐)	
Applicant Name	Jay N. Lakritz, VP-BMO - Private Bank	Contact Name	Ward K. Wolff, First Weber Group Realtors
Address	111 E. Kilbourn Avenue, 9 th Floor	Address	5424 Hwy 10 E
City, State, Zip	Milwaukee, WI 53202	City, State, Zip	Stevens Point, WI 54482
Telephone	414-287-8424	Telephone	715-340-9653
Fax	414-212-9760	Fax	715-341-6861
Email	jay.lakritz@bmo.com	Email	wolffw@firstweber.com

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? ☐)		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name	George H. Haertel Trust	Owner's Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Fax		Fax	
Email		Email	

PROJECT SUMMARY

Subject Property Location (Please Include Address and Assessor's Identification Number(s))		
Parcel 1	Parcel 2	Parcel 3
240833100115		

Legal Description of Subject Property

The S 300F of the W 172F of the E 363F of the NE NE lyg N of Hwy 10, S33, T24, R8, 539/70-671/185

Area of Subject Property (Acres/Sq Ft)	Area of Requested Rezoning (Acres/Sq Ft)
1.18 Acres	1.18 Acres

Designated Future Land Use Category	Current Use of Property	Proposed Use of Property
		Unk

Current Zone District	Proposed Zone District
R2 Single Family	B-4 Commercial

Reason for the zone change request:
For the highest and best use of said parcel on Main Street corner at Stop and Go Lights.

Land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)

Current Zoning Surrounding Subject Property			
North:		South:	
East:		West:	

Current Land Use Surrounding Subject Property			
North:		South:	
East:		West:	

Is the proposed zoning map amendment consistent with the Comprehensive Plan? If so, how?

EXHIBITS

Owner Information Sheet	☐	Additional Exhibits If Any:
Letter to District Alderperson	☐	
Maps: (vicinity, zoning, floodplains, wetlands, others as requested by staff)	☐	

CERTIFICATION AND SIGNATURE

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

Signature of Applicant	Date	Signature of Property Owner's (If not the Applicant)	Date
	5-22-13		

Jay N. Lakritz, Vice President
BMO Harris Bank N.A.

APPLICANT & OWNER INFORMATION SHEET

Any applicant for a zoning map amendment must provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of any deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

Application Number	Applicant's Name
	Jay N. Lakritz, VP, BMO Bank

Property Address(es)

3500 Main Street, Stevens Point, Wi 54481

Applicant's Address

111 E. Kilbourn Ave, Milwaukee, Wi 53202

NOTE: If the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

Fee Title Owner (Has Deed of Ownership) George H Haertel, Trust	All	☐
	A Portion	☐
Contract Owner	All	☐
	A Portion	☐
Holder of a Security Interest	All	☐
	A Portion	☐

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

Signature of Applicant	Date Signed
	5-22-13

Jay N. Lakritz, Vice President
BMO Harris Bank N.A.

Ward Wolff

From: <jay.lakritz@bmo.com>
To: "Ward Wolff" <wolffw@firstweber.com>
Sent: Friday, May 17, 2013 11:40 AM
Attach: 1887_0001.pdf
Subject: Re: Rezoning for 3500 Main Street..Form

I am sending you the rezoning form and check. Once we get the re-zoning approved, we can move forward with the new appraisal and the CSM.

Jay N. Lakritz
Vice President
Real Estate Trust Administrator
Trust Real Estate Department | BMO Private Bank
111 E. Kilbourn Avenue 9th Fl.
Milwaukee, WI 53202
office: (414) 287-8424
toll free: (800) 342-2265 ext. 8424
fax: (414) 212-9760
email: jay.lakritz@bmo.com

This message is intended for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the message.

The IRS indicated in circular 230 that we must inform you any tax advice contained in the body of this e-mail was not intended or written to be used, and cannot be used by the recipient for the purpose of avoiding penalties that may be imposed by the Internal Revenue Code or applicable state or local tax provisions.

From: Ward Wolff <wolffw@firstweber.com>
To: Jay Lakritz/MICorporation,
Date: 05/14/2013 03:46 PM
Subject: Rezoning for 3500 Main Street..Form

Jay
Here's the completed rezoning form for the City of Stevens Point for 3500 Main Street.
Please sign at bottom and return and I'll take it to the City. The check will be for $260.00 payable to the City of Stevens Point
Please send the check to me.
Thanks

Ward K. Wolff
GRI, CRS, CRB, ABR
First Weber Group Realtors
5424 Hwy 10 East, Suite A
Stevens Point, WI 54482

Cell: (715) 340-9653
Office: (715) 341-6688
Fax: (715) 341-6861

E-mail: wolffw@firstweber.com
www.WardWolff.FirstWeber.com

Administrative Staff Report

Washington Terrace Subdivision
Final Plat & Rezone
South of Regent St., Between
Saint Paul St. & Dearborn Ave.
July 1, 2013

Department of Community Development
1515 Strongs Avenue, Stevens Point, WI 54481
Ph: (715) 346-1568 - Fax: (715) 346-1498

Applicant(s):

- Gabe Thomas, Generations Property Development

Staff:

- Michael Ostrowski, Director mostrowski@stevenspoint.com
- Kyle Kearns, Associate Planner kkearns@stevenspoint.com

Parcel Number(s):

- 2408-28-4001-06

Zone(s):

- "R-2" Single Family Residence District
- "R-3" Single and Two Family Residence District

Master Plan:

- Residential

Council District:

- District 8 – Patton

Lot Information:

- Actual Frontage: 507 feet
- Effective Frontage: 507 feet
- Effective Depth: 250 feet
- Square Footage: 126,750
- Acreage: 2.71

Current Use:

- Vacant - Woodland

Applicable Regulations:

- 20 and 23.02(1)(e)

Request

1. Request from Gabe Thomas, representing Generations Property Development, to rezone the split zoned property **south of Regent Street, between Saint Paul Street and Dearborn Avenue (Parcel ID 2408-28-4001-06)** from both "R-2" Single Family Residence District and "R-3" Single and Two Family Residence District to entirely "R-2" Single Family Residence District**.**
2. Request from Gabe Thomas, representing Generations Property Development, for a final plat review of a thirteen (13) lot subdivision, Washington Terrace, **south of Regent Street, between Saint Paul Street and Dearborn Avenue (Parcel ID 2408-28-4001-06).**

Attachment(s)

- Parcel Data Sheet
- Exhibit Map
- Application(s)
- Final Plat

Findings of Fact

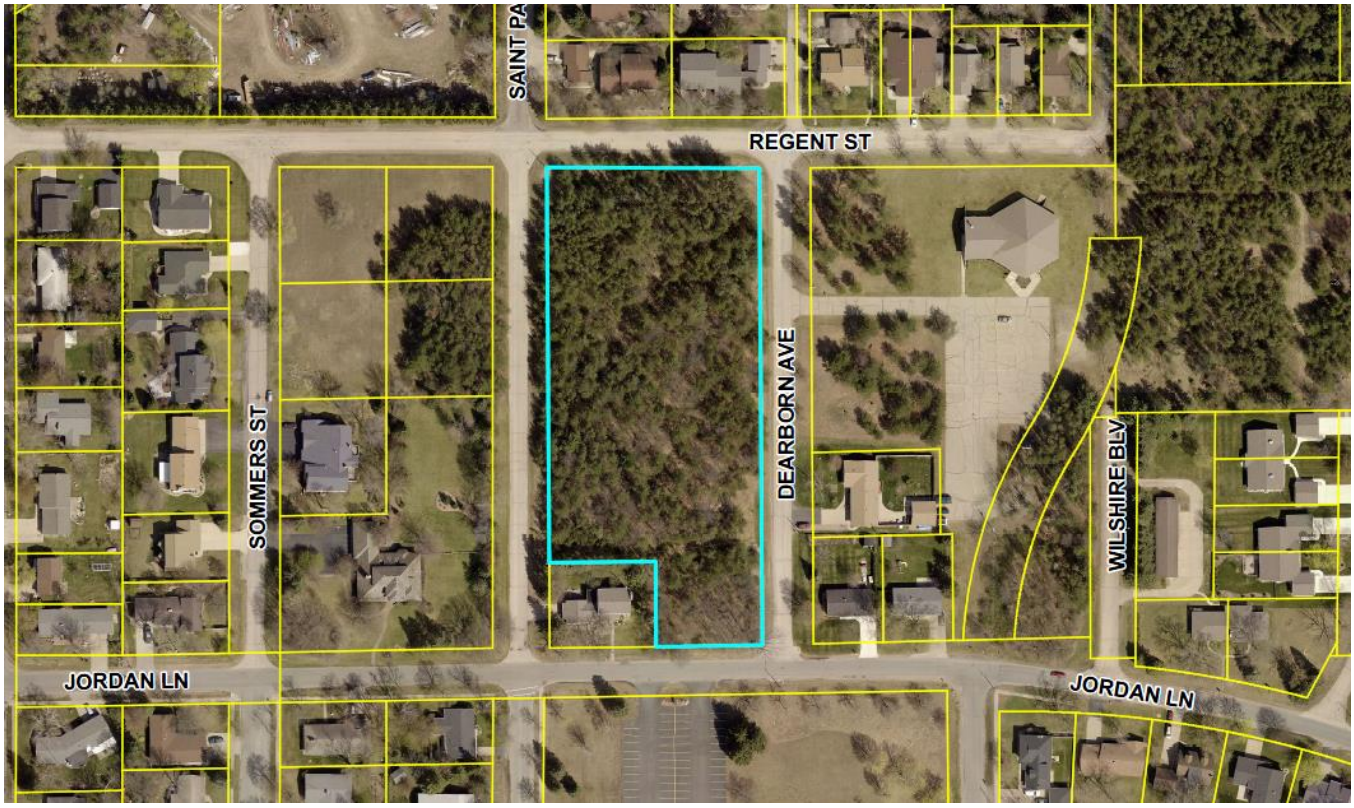
- The property is split zoned, R-2 and R-3.
- Zoning is proposed to be entirely R-2.
- Thirteen (13) lots are proposed within the subdivision.
- Single family homes are proposed and are permitted.
- Lots are proposed to be developed individually.
- The area of the lots are either 9,500 or 10,000 square feet (0.22 or 0.23 acres).
- Frontage for the lots are either 77 or 80 feet.
- Depth for each lot is 125 feet.
- All lots meet the requirements of the R-2 and/or R-3 zoning districts.
- The division of land into five or more lots shall be considered a major subdivision and required to receive Plan Commission and Common Council approval.

Staff Recommendation

1. Approve the rezoning request to "R-2"
2. Based upon the findings below, regarding the proposed use, surrounding neighborhood, zoning, and plat, staff recommends approving the final subdivision plat for Washington Terrace with the following conditions:

	a. Minor grammatical errors on the final plat, identified by staff, shall be corrected. b. Sidewalks shall be installed along all sides of the development between the swales and street. c. Swales meeting all City Department of Public Works and Utility Department specifications, as well as those outlined in Chapter 31, shall be installed on all sides of the development to control stormwater. d. A stormwater management plan shall be submitted and reviewed by all applicable departments. e. A hydrant shall be installed on the northwest corner at the intersection of Jordan Lane and Saint Paul Street. f. Utilities (sewer and water) shall be installed west of the property on Saint Paul Street at the owner's expense, at which point upon completion will be dedicated to and maintained by the City. g. A utility plan identifying all requirements above shall be submitted and reviewed by all applicable departments to ensure certain criteria and specifications are met. h. A grading plan shall be submitted and reviewed by all applicable departments. i. A park fee shall be submitted to the City of Stevens Point in the amount of $250.00 per lot. j. Any objections from reviewing agencies shall be satisfied before the plat shall be recorded. If no there are no objections, the final plat shall be approved once the reviewing agencies have reported their findings. k. The final plat shall conform to the provisions of Chapter 20 of the Revised Municipal Code and Chapter 236 of the Wisconsin Statutes. l. All applicable permits from Portage County, the Wisconsin Department of Natural Resources, the City, and any other authorizing agencies shall be obtained. m. A development agreement shall be entered into by the subdivider and the City relating to all infrastructure improvements for the project.

Vicinity Map



Background

Last month, the Common Council approved a 13 lot subdivision (Washington Terrace) submitted by Generations Property Developers with the following conditions.

- Rezoning of all of the lots to R-2 Single Family so that all of the property has a consistent zoning classification.
- Sidewalks shall be installed along all sides of the development.
- A hydrant shall be installed on the northwest corner at the intersection of Jordan Lane and Saint Paul Street.
- A park fee shall be submitted to the City of Stevens Point in the amount of $250.00 per lot.
- A final plat per Chapter 20, Subdivision Control Ordinance shall be submitted and reviewed by the Plan Commission and Common Council within six (6) months of the preliminary plat approval date, conforming to the provisions of Chapter 20 and 236 of the Wisconsin Statutes.

The last step in the subdivision process is for final plat approval. The final plat has been submitted by the applicant and is attached. Essentially, it outlines lot lines, easements, sidewalks, and streets. Furthermore, it has been submitted to the state's Department of Administration Plat Review where it will be reviewed by all applicable agencies. If the State and local governing body have no objections and approve the plat as presented, the plat can be recorded.

Washington Terrace Lot Details:

Square footage:	9,500 - 10,000
Acreage:	0.22-0.23 acres
Frontage:	77' - 80'
Depth:	125'

As the property is "split zoned," a request has also been made to rezone the property entirely to "R-2" Single Family Residence District.

Standards of Review

Rezoning Request

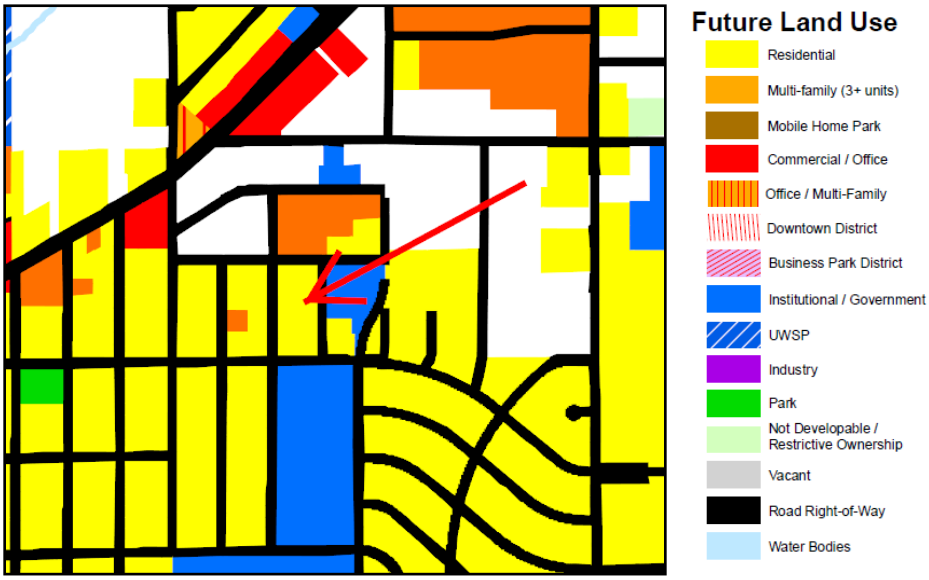
1) **The parcel(s) meets the minimum lot requirements.**

Analysis: The minimum lot requirements in the “R-2” Single Family Residential District are as follows:

- Minimum Lot Area: 8,000 square feet
- Minimum Lot Width: 60 feet, or 80 feet for corner lots.

Findings: The current lot is 51,600 square feet; 172 feet wide, with a depth of 300 feet, well exceeding the minimum lot size requirements. All lots within the proposed subdivision also meet the "R-2" district requirements.

2) **The change in zoning is consistent with the City Comprehensive Plan.**



Future Land Use Map – 2005 Stevens Point Comprehensive Plan

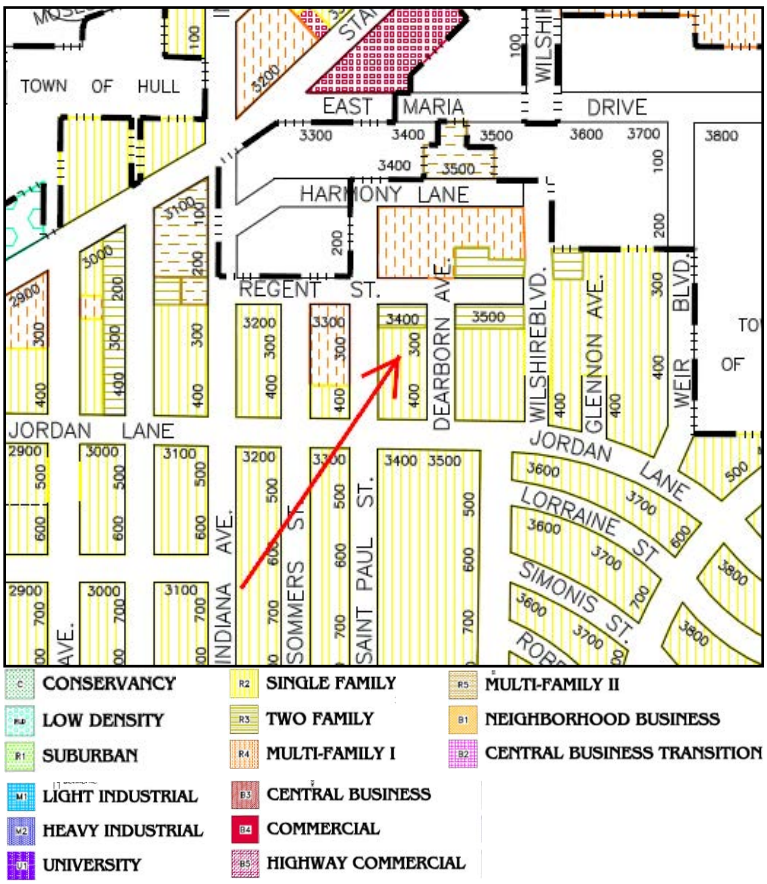
Analysis: The City’s Comprehensive Plan calls for this area to remain residential.
Findings: The proposed rezoning to allow for “R-2” Single-Family Residential zoning is consistent with the comprehensive plan.

3) **The change in zoning will not create adjacent incompatible uses.**

Analysis: The following are the current City zoning classifications and uses of adjacent properties:

Direction	Zoning	Use
North	“R-4” Multi-Family 1 Residence District	Apartments (2-story)
South	“R-2” Single Family Residence District	Homes & Church
East	“R-3” Single & Two Family Residence District “R-2” Single Family Residence District	Church Homes
West	"R-4" Multi-Family 1 Residence District “R-2” Single Family Residence	Vacant Homes

City of Stevens Point Zoning Map



Findings: Multi-family residential zoning exists on two sides of the property, to the west and north, with two-family zoning existing on the east. Single family zoning also exists to the east and is very prevalent to the south. One single-family home exists directly adjacent to the property, near the southwest corner.
It is important to note that the property is "split zoned" meaning that the single parcel carries two zoning classifications. For all intensive purposes, a single zoning classification of "R-2" Single Family Residence District should encompass the site as all lots are proposed for single family homes. If the subdivision were to occur with the properties current zoning classification, multiple parcels could be split zoned. The potential for duplexes would then exist which does not conform to the proposed subdivision.

The existing zoning classification of single and two family was most likely given to provide a buffer between multi-family uses and single family uses, however, the multi-family uses existing to the north are less intense and mirror single-family home construction. Furthermore, the multi-family zoned property west of the parcel in question is vacant and would only allow for small scale multi-family uses. Conditions can be placed upon any proposed development to occur which can protect the characteristics of the single family neighborhood. Therefore, based on the findings above, staff would recommend rezoning the property south of Regent Street, between Saint Paul Street and Dearborn Avenue to entirely "R-2" Single Family Residence District.

Final Plat

The proposed final plat displays easements for utilities, swales, and sidewalks. Furthermore, street centerlines, widths, and lot details are visible. Staff has identified a few errors on the final plat. There are no significant changes from the preliminary plat. Therefore, staff would recommend approving the final plat with the staff recommendations identified above.

Name and Address	Parcel #	Alt Parcel #	Land Use
Viking Holding Inc P O Box 366 Stevens Point, WI 54481	240828400106	240828400106	Vacant Land - Residential
	Property Address		Neighborhood
	St Paul St & Jordan Ln		255 Jnck PlvrH Boy Rslyn Cntrl
	Subdivision		Zoning
Display Note	Metes And Bounds		R2-SINGLE

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type

SITE DATA

Actual Frontage	507.0
Effective Frontage	507.0
Effective Depth	250.0
Square Footage	126,750.0
Acreage	2.910

PERMITS

Date	Number	Amount	Purpose	Note

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(1) - A-Residential	$174,600	$0	$174,600
Total	$174,600	$0	$174,600

LEGAL DESCRIPTION

PRT NE SE S28 T24 R8 COM ON EL ST PAUL ST 650F E OW WL SD 40 & 130F N OF SL SD 40, TH N 464.5F. E250F, S560.2F, W125F N100F W125F TO POB 2.91A 191/220 606/1069-70

DWELLING DATA (0 of 0)

Style				Basement		Exposed	
Ext. Wall				Heating			
Story Height		Age		Fuel Type			
Year Built	0	Eff. Year	0	System Type			
Class				Total Rooms		Bedrooms	
Int. Cond. Relative to Ext.				Family Rooms			
Physical Condition				Full Baths		Half Baths	
Kitchen Rating				Bath Rating			

FEATURES

Description	Units

ATTACHMENTS

Description	Area

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
Viking Holding Inc P O Box 366 Stevens Point, WI 54481	240828400106	240828400106	Vacant Land - Residential
	Property Address		Neighborhood
	St Paul St & Jordan Ln		255 Jnck PlvrH Boy Rslyn Cntrl
	Subdivision		Zoning
Display Note	Metes And Bounds		R2-SINGLE

LIVING AREA

Description	Gross Area	Calculated Area
Basement		
Finished Basement Living Area		
First Story		
Second Story		
Additional Story		
Attic / Finished		
Half Story / Finished		
Attic / Unfinished		
Half Story / Unfinished		
Room / Unfinished		
Total Living Area		

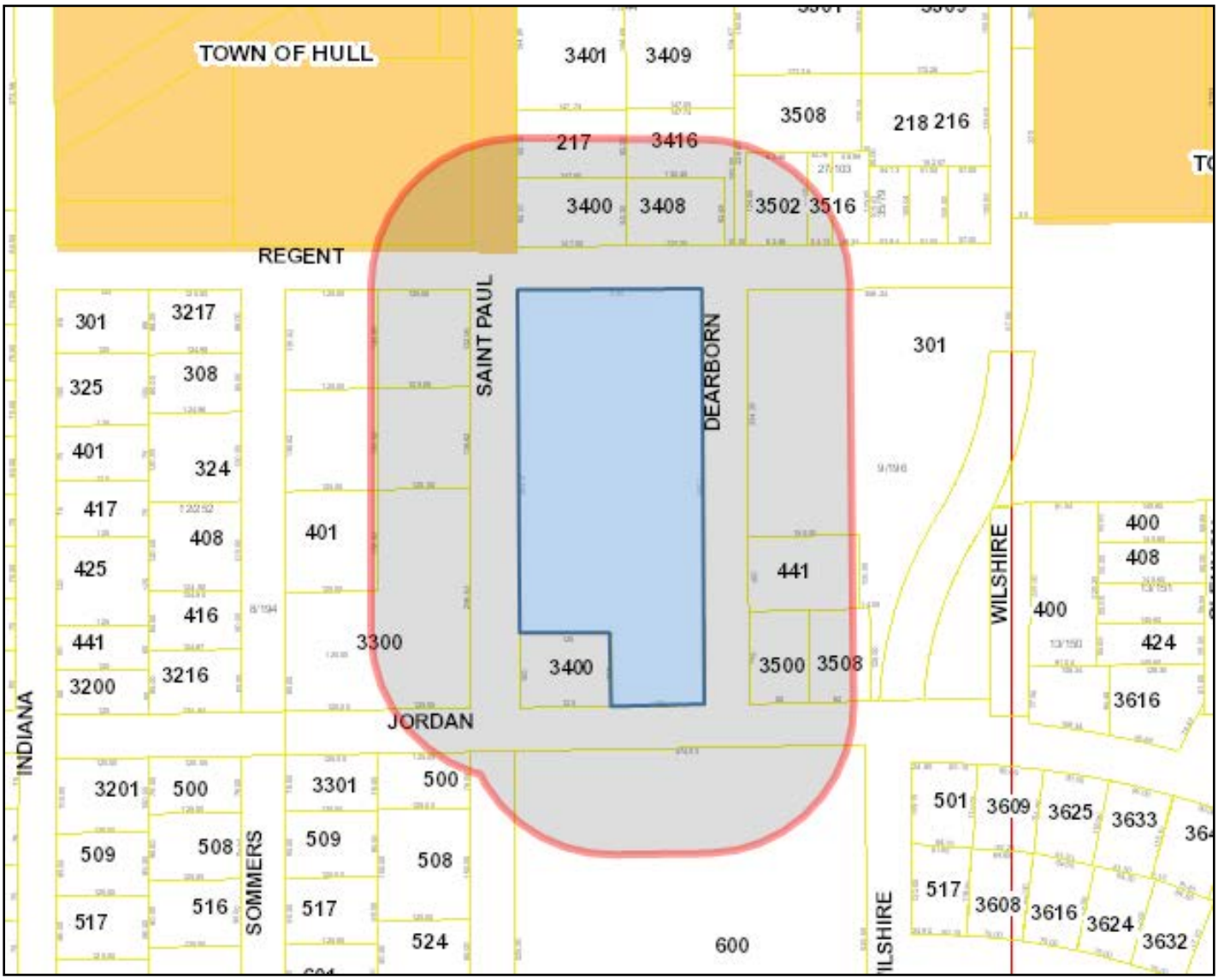
DETACHED IMPROVEMENTS

Description	Year Built	Square Feet	Grade	Condition

PROPERTY IMAGE	***PROPERTY SKETCH***
NO IMAGE ON FILE	

Information considered accurate but not guaranteed.

Rezoning Request – "R-2" Single Family Residential & "R-3" Single and Two Family Residential to entirely "R-2" Single Family Residential – South of Regent Street between Dearborn Avenue and Saint Paul Street – Exhibit Map (200 Feet Boundary)



TaxKey	Property Address	Owner Name	Mailing Address	City	State	Zip Code
240828400124	3400 Regent Street	Frank J Laskowski	2503 Torun Road	Stevens Point	WI	54482
240828400123	217 Saint Paul Street	Frank J Laskowski	2503 Torun Road	Stevens Point	WI	54482
240828400106	Saint Paul Street and Jordan Lane	Viking Holding Inc.	P.O. Box 366	Stevens Point	WI	54481
240828400110	3400 Jordan Lane	Saint Paul's Methodist Church	600 Wilshire Blvd	Stevens Point	WI	54481
240828400122	3416 Regent Street	Joshua Y & Amber Y Garbe	324 Indiana Ave N	Stevens Point	WI	54481
240828400125	3406-08 Regent Street	Don R Scaffidi	201 Green Ave N	Stevens Point	WI	54481
240828400107	301 Dearborn Ave	Hmong Alliance	301 Dearborn	Stevens Point	WI	54481

		Church of Stevens Point Inc.	Avenue			
240828400104	441 Dearborn Ave	Elmer H & Julie E Krause	441 Dearborn Ave	Stevens Point	WI	54481
240828400102	3500 Jordan Lane	Robert & R Stoltz	3500 Jordan Lane	Stevens Point	WI	54481
240828400103	3508 Jordan Lane	Jeff J & Bevin R Piantino	3508 Jordan Lane	Stevens Point	WI	54481
240828401801	600 Wilshire Blvd	Saint Paul's United Methodist Church	600 Wilshire Blvd	Stevens Point	WI	54481
240828400126	3500-02 Regent Street	Duane A Schultz	717 Mary Ann Ave	Stevens Point	WI	54481
240828400121	3508 Regent Street	Donald J & Florence V Woyak	2931 Birch St	Stevens Point	WI	54481
240828400131	3516 Regent St	Patricia S Stewart	3516 Regent St	Stevens Point	WI	54481
240828400132	3518 Regent St	Jacqueline L Hoppen	3518 Regent St	Stevens Point	WI	54481
240828401701	500 Saint Paul St	Richard & L Fossen	500 Saint Paul St	Stevens Point	WI	54481
240828400220	3300 Jordan Lane	Hans O & Laura L Hofmeister	3300 Jordan Lane	Stevens Point	WI	54481
240828400214	401 Sommers St Unit A	Earle D & Elizabeth Sievwright	401 Sommers St Unit A	Stevens Point	WI	54481
240828400221	Saint Paul St	Viking Holding Inc.	P.O. Box 366	Stevens Point	WI	54481
240828400213	Sommers St	Viking Holding Inc.	P.O. Box 366	Stevens Point	WI	54481
240828400212	Sommers & Regent St	Viking Holding Inc.	P.O. Box 366	Stevens Point	WI	54481
240828400211	Regent & Saint Paul St	Viking Holding Inc.	P.O. Box 366	Stevens Point	WI	54481

City of Stevens Point
Community Development Department

1515 Strongs Avenue, Stevens Point, WI 54481
(715) 346-1567
(715) 346-1498
communitydevelopment@stevenspoint.com
http://stevenspoint.com

APPLICATION FOR A ZONING MAP AMENDMENT - REZONING

(Pre-Application Conference Required)

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted	6/21/13	Fee Required	Waived.	Fee Paid	—
Associated Applications if Any	—			Assigned Case Manager	Kyle Kearns		
Pre-Application Conference Date	—						

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☒)	
Applicant Name	Gabe Thomas	Contact Name	Generations Property Dev. LLC
Address	3716 Simonis St.	Address	
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	
Telephone	715 340 8894	Telephone	
Fax		Fax	
Email	gthomasconstruction@gmail.com	Email	

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? ☐)		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name	Viking Holding	Owner's Name	
Address	P.O. Box 366	Address	
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	
Telephone		Telephone	
Fax		Fax	
Email		Email	

PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]		
Parcel 1	Parcel 2	Parcel 3
281240828400106 St. Paul St		

Legal Description of Subject Property

Area of Subject Property (Acres/Sq Ft)	Area of Requested Rezoning (Acres/Sq Ft)
2.9 acres	

Designated Future Land Use Category	Current Use of Property	Proposed Use of Property
Residential	2 family	Single Family Housing

Current Zone District	Proposed Zone District
R-2 & R-3	R-2

Reason for the zone change request
Per Plan Commission

Land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)
13 lot single family subdivision

Current Zoning Surrounding Subject Property			
North:		South:	
East:		West:	
Current Land Use Surrounding Subject Property			
North:		South:	
East:		West:	

Is the proposed zoning map amendment consistent with the Comprehensive Plan? If so how?

EXHIBITS

Owner Information Sheet	☐	Additional Exhibits If Any:
Letter to District Alderperson	☐	
Maps (vicinity, zoning, floodplains, wetlands others as requested by staff)	☐	

CERTIFICATION AND SIGNATURE

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

Signature of Applicant	Date	Signature of Property Owner's (If not the Applicant)	Date
[illegible]	6/21/13		

APPLICANT & OWNER INFORMATION SHEET

Any applicant for a zoning map amendment must provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of any deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

Application Number	Applicant's Name
	Gabe Thomas Generation Property Dev

Property Address(es)

0 st. Paul st.

Applicant's Address

3716 Simonis st. Stevens Point.

NOTE: If the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

Fee Title Owner (Has Deed of Ownership)	All	☐
	A Portion	☐
Contract Owner	All	☐
	A Portion	☐
Holder of a Security Interest	All	☐
	A Portion	☐

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

Signature of Applicant	Date Signed
G. GT	6/21/13

City of Stevens Point
Community Development Department

1515 Strongs Avenue, Stevens Point, WI 54481
(715) 346-1567
(715) 346-1498
communitydevelopment@stevenspoint.com
http://stevenspoint.com

APPLICATION FOR SUBDIVISION APPROVAL

(Pre-Application Conference Required)

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	—	Date Submitted	6/21/13	Fee Required	$50.00	Fee Paid	$50.00
Associated Applications (if any)	—			Assigned Case Manager	Kyle Kearns		
Pre-Application Conference Date	Preliminary Approved 6/3/13			Major Subdivision	☒	Minor Subdivision	☐

Final Plat

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☐)	
Applicant Name	GENERATIONS PROPERTY DEV., LLC	Contact Name	GABE THOMAS
Address	3716 SIMONIS ST.	Address	
City, State, Zip	STEVENS POINT, WI 54481	City, State, Zip	
Telephone	715-340-8899	Telephone	
Fax		Fax	
Email	gthomasconstruction@ymail.com	Email	

OWNERSHIP INFORMATION

PROPERTY OWNER OF RECORD 1 INFORMATION (Same as Applicant? ☐)		PROPERTY OWNER OF RECORD 2 INFORMATION (If Needed)	
Owner's Name	VIKING HOLDING, INC.	Owner's Name	
Address	P.O. BOX 366	Address	
City, State, Zip	STEVENS POINT, WI 54481	City, State, Zip	
Telephone		Telephone	
Fax		Fax	
Email		Email	

PROJECT SUMMARY

Subdivision Name	WASHINGTON TERRACE	Former Subdivision Name (if any)	—
Area of Subject Property (Acres/Sq Ft)	2.9 ACRES	Proposed Number of Lots	13
Project Address:	SAINT PAUL ST.		

Parcel 1 – Assessor's Parcel ID Number	Parcel 2 – Assessor's Parcel ID Number (if needed)	Parcel 3 – Assessor's Parcel ID Number (if needed)
281 2408 28400106		

Current Use of Subject Property	VACANT, WOODED
Proposed Use of Subject Property	SINGLE FAMILY HOMES
Designated Future Land Use Category	Current Zone District(s)
RESIDENTIAL	R-2 & R-3
Is there an associated request for a Zoning Map Amendment? If yes provide the application Number?	

Number of Residential Units Proposed	Proposed Gross Residential Density	Commercial Space Proposed Sq. Ft.
13		—
Common Open Space Proposed Sq. Ft.	**Primary Open Space Designations (Cluster)**	**Secondary Open Space Designation (Cluster)**
—	—	—

Source of Utilities:				Streets Created or Extended as part of Subdivision? If Yes What Types?
Water	CITY	Sewer	CITY	NONE
Number of Each Type of Building and Individual Units				Proposed Density (Units/Acre)
Single-Family House			13	4.5/ACRE
Attached House (duplex)				
Row House (Number of Units)				
Apartment (Number of Units)				
Commercial Building				
Mixed Use Building (number of residential units)				
Industrial Building				
Civic Building / Institutional				
Open Lot				

Describe land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)

DEVELOPE 13 (SINGLE FAMILY) LOTS.

DEVELOPMENT TO BEGIN UPON ALL FINAL APPROVALS AND RECORDING OF THE SUBDIVISION.

Current Zoning Surrounding Subject Property			
North:	R4	South:	R2
East:	R2, R3	West:	R2, R4
Current Land Use Surrounding Subject Property			
North:	THREE FAMILY RESIDENCE	South:	CHURCH
East:	CHURCH, RESIDENTIAL	West:	RESIDENTIAL, VACANT LAND

EXHIBITS (MAJOR SUBDIVISION)

		Additional Exhibits If Any (List):
Owner Information Sheet	☐	FINAL SUBDIVISION PLAT
Letter to District Alderperson	☐	
Maps (vicinity, zoning, floodplains, wetlands others as requested by staff)	☐	
Site Plan (designating primary, side, and service street frontages)	☐	
Parking Plan (Location, number of spaces, reductions, and design and landscaping)	☐	
Open Space Plan if Cluster Subdivision	☐	
Street Plan with Cross-sections	☐	
Utility Plan	☐	
Landscape Plan (including any equivalent alternative landscaping requests)	☐	
Stormwater Plan	☐	

CERTIFICATION AND SIGNATURE

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

Signature of Applicant	Date	Signature of Property Owner's (If not the Applicant)	Date
O. Gt	6/21/13		

APPLICANT & OWNER INFORMATION SHEET

Any applicant for a subdivision must provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of any deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

Application Number	Applicant's Name
	GENERATIONS PROPERTY DEV., LLC c/o GABE THOMAS

Property Address(es)

SAINT PAUL ST.

Applicant's Address

3716 SIMONIS ST., STEVENS POINT, WI 54481

NOTE: If the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

Fee Title Owner (Has Deed of Ownership) VIKING HOLDING, INC.	All	☒
	A Portion	☐
Contract Owner	All	☐
	A Portion	☐
Holder of a Security Interest	All	☐
	A Portion	☐

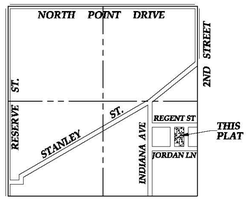
List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

Signature of Applicant	Date Signed
[illegible]	6/21/13

WASHINGTON TERRACE

A SUBDIVISION LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 24 NORTH, RANGE 8 EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN.

LOCATION SKETCH



SECTION 28, T 24 N, R 8 E
(NOT TO SCALE)

COUNTY TREASURER CERTIFICATE

I, STEPHANIE STOKES, COUNTY TREASURER, DO HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF THE _____ DAY OF _____, 2013, AFFECTING THE PLAT OF "WASHINGTON TERRACE".

COUNTY TREASURER _____ DATE _____

CITY TREASURER CERTIFICATE

I, COREY LADICK, CITY TREASURER, DO HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF THE _____ DAY OF _____, 2013, AFFECTING THE PLAT OF "WASHINGTON TERRACE".

COREY LADICK, CITY TREASURER _____ DATE _____

COMMON COUNCIL RESOLUTION

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STEVENS POINT, WISCONSIN, THAT THE PLAT ENTITLED "WASHINGTON TERRACE", BE AND THE SAME IS HEREBY APPROVED.

ANDREW HALVERSON, MAYOR _____ DATE _____

I, JOHN MOE, CITY CLERK, DO HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS PASSED BY THE COMMON COUNCIL AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, 2013.

JOHN MOE, CITY CLERK _____ DATE _____

BASE FOR BEARING

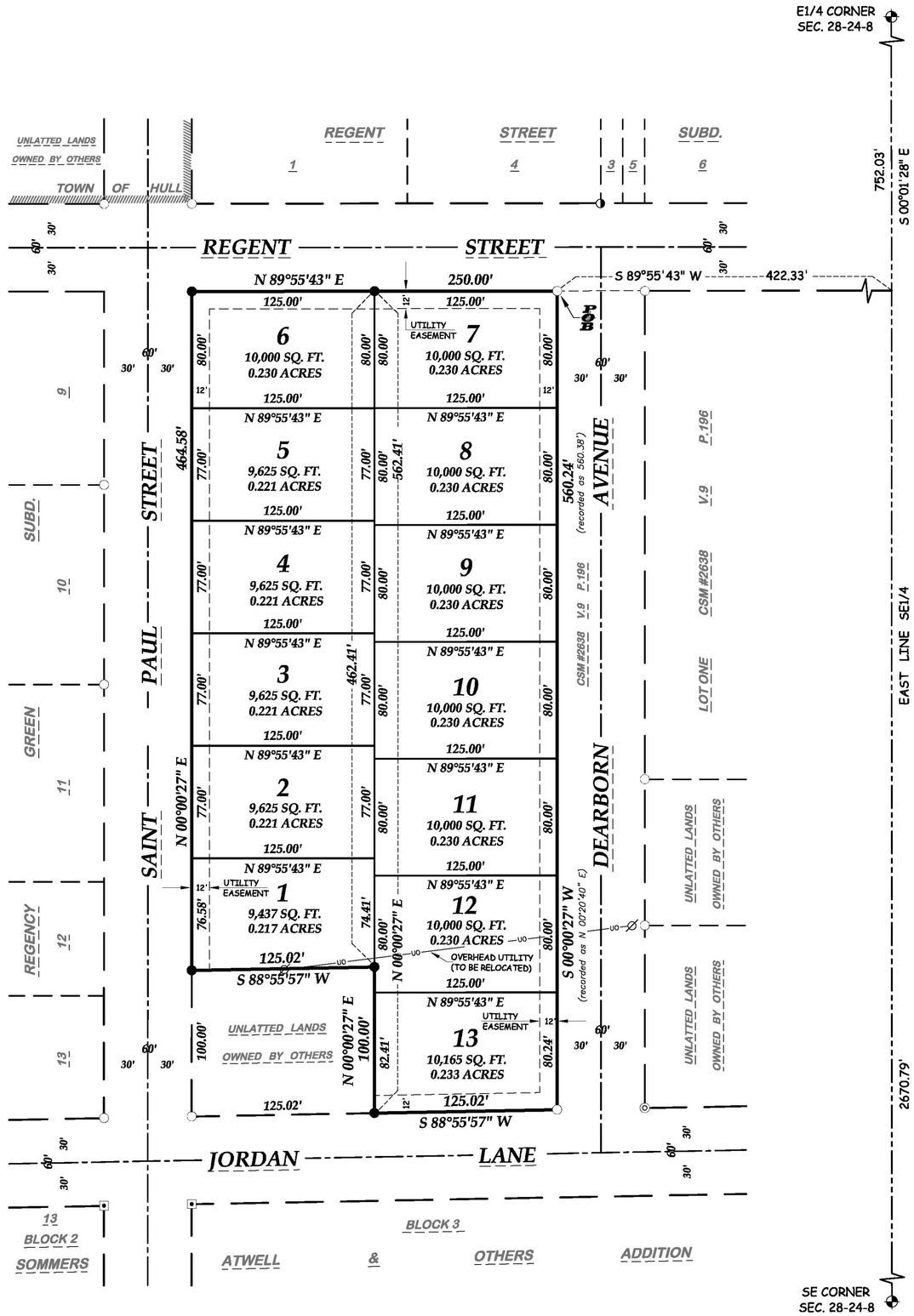
THE WISCONSIN COUNTY COORDINATE SYSTEM, PORTAGE COUNTY ZONE. THE EAST LINE OF THE SE1/4 OF SECTION 28, T 24 N, R 8 E BEARS S 00°01'28" E.

0' 50' 100'
1"= 50'

LEGEND

- 1-1/4"O.D. X 18" IRON BAR SET WEIGHING 4.30 LBS/LIN. FT.
- 1-1/4" O.D. IRON PIPE FOUND
- 2-1/4" O.D. IRON PIPE FOUND
- 3/4" O.D. IRON BAR FOUND
- CONCRETE MONUMENT FOUND
- HARRISON MONUMENT FOUND
- ( ) RECORDED AS

ALL OTHER LOT CORNERS STAKED WITH 3/4"O.D. x 18" IRON BARS WEIGHING 1.50 LBS/LINEAL FT



SURVEYOR'S CERTIFICATE

I, DONALD J. BUZA, REGISTERED LAND SURVEYOR, HEREBY CERTIFY:
THAT I HAVE SURVEYED, DIVIDED AND MAPPED THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 24 NORTH, RANGE 8 EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 28, TOWNSHIP 24 NORTH, RANGE 8 EAST; THENCE S 00°01'28"E ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 28, 752.03 FEET TO THE SOUTH LINE OF REGENT STREET; THENCE S 89°55'43"W ALONG SAID SOUTH LINE OF REGENT STREET, 422.33 FEET TO THE INTERSECTION WITH THE WEST LINE OF DEARBORNE AVENUE, SAID POINT BEING THE POINT OF BEGINNING (POB) OF THE PARCEL TO BE DESCRIBED; THENCE S 00°00'27"W ALONG SAID WEST LINE OF DEARBORNE AVENUE, 560.24 FEET TO THE INTERSECTION WITH THE NORTH LINE OF JORDAN LANE; THENCE S 88°55'57"W ALONG SAID NORTH LINE OF JORDAN LANE, 125.02 FEET; THENCE N 00°00'27"E, 100.00 FEET; THENCE S 88°55'57"W, 125.02 FEET TO THE EAST LINE OF SAINT PAUL STREET; THENCE N 00°00'27"E ALONG SAID EAST LINE OF SAINT PAUL STREET, 464.58 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF REGENT STREET; THENCE N 89°55'43"E ALONG SAID SOUTH LINE OF REGENT STREET, 250.00 FEET TOTHE POINT OF BEGINNING.

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND PLAT BY THE DIRECTION OF GENERATIONS PROPERTY DEVELOPMENT, LLC.

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCES OF THE CITY OF STEVENS POINT IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS _____ DAY OF _____, 2013.

_____
DONALD J. BUZA, RLS #2338

CORPORATE OWNERS CERTIFICATE OF DEDICATION

GENERATIONS PROPERTY DEVELOPMENT, LLC, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTITY THAT SAID CORPORATION CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS PLAT.

GENERATIONS PROPERTY DEVELOPMENT, LLC, DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 OF WISCONSIN STATUTES, TO BE SUBMITTED TOTHE FOLLOWING FOR APPROVAL OR OBJECTION:

APPROVING AUTHORITY — CITY OF STEVENS POINT
OBJECTING AUTHORITY — DEPARTMENT OF ADMINISTRATION

IN WITNESS WHEREOF, THE SAID GENERATIONS PROPERTY DEVELOPMENT, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY OWEN G. THOMAS AND FREDERICK J. BOEHM, OWNERS, AT _____, WISCONSIN AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED ON THIS _____ DAY OF _____, 2013.

IN THE PRESENCE OF:

OWEN G. THOMAS _____ FREDERICK J. BOEHM _____

STATE OF WISCONSIN)
PORTAGE COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2013, OWEN G. THOMAS AND FREDERICK J. BOEHM, OWNERS OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN AS SUCH OWNERS OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

_____, _____, WISCONSIN.
NOTARY PUBLIC

MY COMMISSION EXPIRES _____.

CONSENT OF CORPORATE MORTGAGEE

INTERNATIONAL BANK OF AMHERST, AMHERST, WISCONSIN, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF GENERATIONS PROPERTY DEVELOPMENT, LLC, OWNER.

IN WITNESS WHEREOF, THE SAID INTERNATIONAL BANK OF AMHERST, HAS CAUSED THESE PRESENTS TO BE SIGNED BY H.B. POMEROY, ITS PRESIDENT AND COUNTERSIGNED BY _____, ITS SECRETARY (CASHIER), AT AMHERST, WISCONSIN, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED THIS _____ DAY OF _____, 2013.

IN THE PRESENCE OF:

H.B. POMEROY, PRESIDENT _____ SECRETARY (CASHIER) _____ DATE _____

STATE OF WISCONSIN)
PORTAGE COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2013, H.B. POMEROY, PRESIDENT, AND _____, SECRETARY (CASHIER) OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH PRESEDENT AND SECRETARY (CASHIER) OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

_____, _____, WISCONSIN.
NOTARY PUBLIC

MY COMMISSION EXPIRES _____.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

REVISIONS

POB Point of Beginning
Land Surveying
Engineering
Landscape Architecture
Donald J. Buza, RLS #2338
5709 Windy Drive, Suite D
Stevens Point, WI 54482
715.344.9999(Ph) 715.344.9922(Fx)

Administrative Staff Report

Cooper Propane LLC
Conditional Use Request
2172 Prairie Street
July 1, 2013

Department of Community Development
1515 Strongs Avenue, Stevens Point, WI 54481
Ph: (715) 346-1568 - Fax: (715) 346-1498

Applicant(s):

- Bill Cooper

Staff:

- Michael Ostrowski, Director mostrowski@stevenspoint.com
- Kyle Kearns, Associate Planner kkearns@stevenspoint.com

Parcel Number(s):

- 2408-32-4014-13
- 2408-32-4014-15

Zone(s):

- "M-2" Heavy Industrial District

Master Plan:

- Industry

Council District:

- District 9 – Stroik

Lot Information:

- Actual Frontage: 300 feet
- Effective Frontage: 300 feet
- Effective Depth: 199.5 feet
- Square Footage: 59,844.1
- Acreage: 1.37

Current Use:

- Gasoline/Petroleum and Propane storage.

Applicable Regulations:

- 23.01(16), and 23.02(3)(b)

Request

Request from Bill Cooper, representing Cooper Oil Co. Inc., for a Conditional Use Permit to allow the installation of a 30,000 gallon above ground liquid propane tank at **2172 Prairie Street (Parcel ID's 2408-32-4014-13 and 2408-32-4014-15).**

Attachment(s)

- Property Data
- Exhibit Map
- Application
- Plans
- State Approval Letter
- Supporting Documents

Findings of Fact

- The property is zoned "M-2" Heavy Industrial District.
- The propane tank is currently in the process of being installed, along with associated uses.
- A conditional use permit is required for the following: storage and distribution of petroleum products; refining, processing, smelting of minerals or ores; wholesale gasoline sales or storage; chemical manufacturing; petroleum products manufacturing, refining or storing; and sales, rental storage and distribution of household and commercial fuel tanks.
- The propane tank does not meet the required 40 foot street setback.

Staff Recommendation

After review, staff does not feel the use meets all of the standards, therefore, would recommend denying the request for a conditional use permit for the installation of a liquid propane tank.

Vicinity Map

Background

Mr. Cooper is requesting a conditional use permit to operate a propane storage and distribution business at 2172 Prairie Street. Currently, the property is home to a bulk oil, gasoline, and diesel business. This request would be an expansion of the existing business, as it involves the sale and distribution of another petroleum product on an adjacent lot. It is important to clarify that the above ground propane tank was installed within the last few months prior to obtaining a required conditional use permit. The aplicant received approval to install the tank from the Wisonsin Department of Safety and Professional Services (DSPS). The attached letter from the WI DSPS outlines the approval and required conditions for installation. Additionally several smaller tanks exist on site. Below are details regarding the propane tank.

Liquefied Petroleum Gas Tank (LPG - Propane)

Size: 30,000 gallon
Working Pressure (PSIG): 250
Length: 36 feet
Inner Diameter: 10.86 feet
Nominal Thickness: .75 inches

Fencing is proposed to exist with barbed wire, enclosing the eastern part of the tank to prevent tampering and control distribution. Barbed wire is prohibited within the confines of the City (Chapter 30.04(3)(D)), unless granted through a conditional use permit.

Standards of Review

1) **The establishment, maintenance, or operation of the use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.**

   Analysis: Several residential properties (7) exist directly adjacent to the property in question and several more to the north. Although many are zoned light or heavy manufacturing, their continued use is allowed to occur and therefore, certain protections are provided for them through the zoning code. Several incompatible uses exist within the heavy manufacturing districts that are detrimental to neighboring residential uses.

   Findings: Although the distribution and storage of petroleum products is already in use on a nearby lot, it does not mean that expansion of the use can or should automatically occur. Uses such as heavy manufacturing and residential are rarely recommended coinciding, however, they occasionally do as the uses began before zoning regulations, and or the residences were used by the workers of the nearby manufacturing uses. This may be the case in the current request above. It is assumed that increased trucking to and from the propane site will accompany the use, which in turn increases noise and dust.

   Furthermore, there is an elevated risk of danger from petroleum product storage and distribution which jeopardizes the safety of nearby residential homes in the area. Although an accident is very unlikely, as employees receive rigorous training and facilities must meet stringent requirements, the risk for surrounding neighbors still exists. Therefore, the public's health, safety, morals, comfort, and general welfare may be endangered from the proposed use, and therefore this standard is not met.

2) **The use will not be injurious to the use and for the purpose already permitted;**

   Analysis: The M-2 district is established to provide for those manufacturing or other industrial uses having more obnoxious or nuisance effects than the "M-1" Light Industrial District and having greater intensity of manufacturing, processing, employment, traffic, and other related activities. It is intended that the "M-2" district generally be located distant from non-manufacturing uses: that it be buffered by the "M-1" district or by major highways, rivers, open space, or high intensity commercial uses, and that all "M-2" districts be consistent with the City's Comprehensive Plan.

   Findings: Non-manufacturing uses (residential) exist directly adjacent to the site. No buffer district or uses exist between the higher intensity proposed manufacturing/industrial use and residential uses. While some manufacturing and residential uses could coexist, staff does not feel that the proposed use is compatible with surrounding properties, and it may even inhibit redevelopment of this area. This area was identified as a redevelopment area within our comprehensive plan.

3) **The establishment of the use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;**

Analysis: The respective area is an established area of the City which was formerly a mix of manufacturing and industry as the railroad was nearby. Residential homes are interspersed throughout the neighborhood, occurring primarily north and east of the property. Most recently, manufacturing and industry within the area has decreased as rail transit has been superseded by trucking in the area.

Findings: The proposed use is in conflict with the surrounding uses and may impede in the sale or value of neighboring of residential homes. Additionally, residential development may be disrupted due to the increased engenderment of public health and safety.

4) **The exterior architectural appeal and functional plan of any proposed structure will not be at variance with either the exterior architectural appeal and functional plan, and scale of the structures already constructed or in the course of construction in the immediate neighborhood or in the character of the applicable district so as to result in a substantial or undue adverse effect on the neighborhood;**

Analysis: The respective area is an established area of the City that is made up of larger manufacturing buildings and residential homes. The large propane tank currently exists, along with several other smaller tanks. A chain link fence with barbed wire is proposed to surround almost half of the propane tank.

Findings: The constructed propane tank does not match that of surrounding structures in size, shape, or architecture. Furthermore, the large 30,000 gallon propane tank has no aesthetic appeal. Additionally, the proposed chain link fence with barbed wire will add to the unpleasant aesthetics that surrounding property owners must view from their backyards.

5) **Adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided;**

Analysis: The respective area is an established area of the City. Furthermore, the propane tank and foundation were constructed on a gravel lot. A truck route exists along Water Street.

Findings: Utilities currently exist in this area. No additional utilities are needed to serve the proposed use.

6) **Adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;**

   Analysis: Ingress/egress is provided on site and is available through the neighboring, similarly used parcel.

   Findings: Traffic will occur mainly on Wood Street, however, access may occur off of Prairie Street and through the adjacent southern property under the same ownership. The increase of trucks on nearby streets is assumed through the creation of the proposed use. In addition, the current setback from the street of the structure is a concern. It does not meet the setback requirements for the district, and it may cause safety issues with motorists.

7) **The proposed use is not contrary to the objectives of any duly adopted land use plan for the City of Stevens Point, any of its components, and/or its environs.**

   Analysis: The proposed use is within the Heavy Manufacturing District.

   Findings: The proposed use is not in conflict with the objectives or the general intent of the Heavy Manufacturing District.

8) **The use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.**

   Analysis: The lot and building exist. Any exterior improvements shall meet the zoning requirements for the district. The existing 30,000 gallon propane tank does not meet the street yard setback requirement of 40 feet. The tank is setback 23 feet.

   Findings: In order to meet the required 40 foot setback, the propane tank must be relocated. A variance for the setback would likely be denied as no hardship or unique property characteristics exist, and it is contrary to the public interest. If the conditional use permit is granted, staff would recommend the use cease until the required setback is met.

9) **The proposal will not result in an over-concentration of high density living facilities in one area so as to result in a substantial or undue adverse effect on the neighborhood, on the school system, and the social and protective services systems of the community.**

   N/A

10) **Principal - Applications for exclusive multifamily residential uses: The view from the street should maintain a residential character. The view should be dominated by the building and not by garages, parking, mechanical equipment, garbage containers, or other storage.**

    N/A

11) **Access to the site shall be safe.**

    Analysis: Access to the site is off of Wood Street or via the connected property to the south. A truck route exists on Water Street. Trucks accessing Wood Street from Water Street would utilize one of the following streets;

Depot Street, Park Street, Shaurette Street, or Wisconsin Street. Employee parking is not proposed to occur on the site. The tank is not safeguarded by any bollards or similar protections.

Findings: Staff has concerns with the closeness of the tank to the street and the safety issues it could cause with traveling motorists, or people entering or leaving the site.

12) There shall be adequate utilities to serve the site.

a. The Public Works Director, Police Chief, and Fire Chief shall determine whether there is adequate sanitary sewer, potable water, storm drainage, street capacity, emergency access, public protection services, and other utilities to serve the proposed development. They shall review the plan to ensure safety and access for safety vehicles.

Analysis: The property currently exists, and adequate utilities exist at the site.

Findings: This standard is met.

13) The privacy of the neighboring development and the proposed development shall be maintained as much as practical. Guidelines:

a. Mechanical equipment including refuse storage shall be screened from neighboring properties.

Analysis: Refuse storage is not associated with the proposed use. The large and small propane tanks are considered equipment storage, and should be screened from view from neighboring properties and the street.

Findings: If approved, staff would recommend continuous screening in the form of fencing or landscaping at a height of 6 feet on all sides of the property which face residential.

b. Lighting shall be located to minimize intrusion onto the neighboring properties.

Analysis: No change in lighting is planned.

Findings: This standard is met.

c. Sources of noise shall be located in a manner that minimizes impact to neighboring properties.

Analysis: Noise associated with the proposed use should be primarily from trucks.

Findings: If approved, staff would recommend that activities related to the proposed use shall occur between the hours of 7:00 AM and 7:00 PM. Furthermore, if noise associated with the distribution of propane becomes a concern, the Commission shall reserve the right to review and recommend the revocation of the conditional use.

14) Principal - Applications for exclusive multifamily residential uses. Landscaping shall be provided or existing landscape elements shall be preserved to maintain a sense of residential character, define boundaries, and to enhance the sense of enclosure and privacy.

N/A

Photos

Name and Address	Parcel #	Alt Parcel #	Land Use
Cooper Oil Co Inc P O Box 165 Stevens Point, WI 54481	240832401415	240832401408	Warehouse, Storage
	Property Address		Neighborhood
	2172 Prairie St		Division St/Church St (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2009	S E & Other Plat		M2-HEAVY INDUSTRIAL

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type

SITE DATA

Actual Frontage	300.0
Effective Frontage	300.0
Effective Depth	199.5
Square Footage	59,844.1
Acreage	1.374

PERMITS

Date	Number	Amount	Purpose	Note
7/14/2008	35685	$8,900	060 New Construction	enclose loading area
9/13/2007	35056	$8,700	060 New Construction	pour concrete wall/ram
2/11/2002	30539	$8,000	099 Sign	
8/10/1999	28610	$1,000	066 Plumbing	
4/19/1999	28393	$253,000	060 New Construction	80 x 96 building

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(2) - B-Commercial	$58,100	$386,500	$444,600
Total	$58,100	$386,500	$444,600

LEGAL DESCRIPTION

LOTS 1, 2 & 3 CSM#6779-25-2 BNG PRT LOTS 516 & 517 BLK 58 STRONG ELLIS & OTHERS ADD & LOTS 506, 507 & 508 & THE SELY 19' OF E77' OF LOT 517 & PRTS OF LOTS 509, 510, 512, 515 & 516 AS LIES N OF & ADJ TO RR ROW ALL IN BLK 58 S E & 0 ADD;EX PRT TAKEN FOR PRAIRIE ST ROW IN DOC #689939 S32 T24 R8 355/882 826/75 549554

PROPERTY IMAGE

PROPERTY SKETCH

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
Cooper Oil Co Inc P O Box 165 Stevens Point, WI 54481	240832401415	240832401408	Warehouse, Storage
	Property Address		Neighborhood
	2172 Prairie St		Division St/Church St (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2009	S E & Other Plat		M2-HEAVY INDUSTRIAL

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
1	1	Warehse, Storage (C avg)	1910	7,417	Masonry - Avg	13
1	2	Office Bldg (C low)	1910	1,114	Masonry - Low	12
2	1	Warehse, Storage (S avg)	1984	2,000	Metal - Avg	16
2	2	Warehse, Distrbn (S avg)	1999	7,860	Metal - Avg	18
Total Area				18,391		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area

COMPONENTS

Bldg	Sec	Component Description	Area
1	1	Loading Dock(s)	640
2	2	Canopy - Wood or Steel	1,975

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition
Outside Open Storage	1980	360.0	C	Average

SITE IMPROVEMENTS

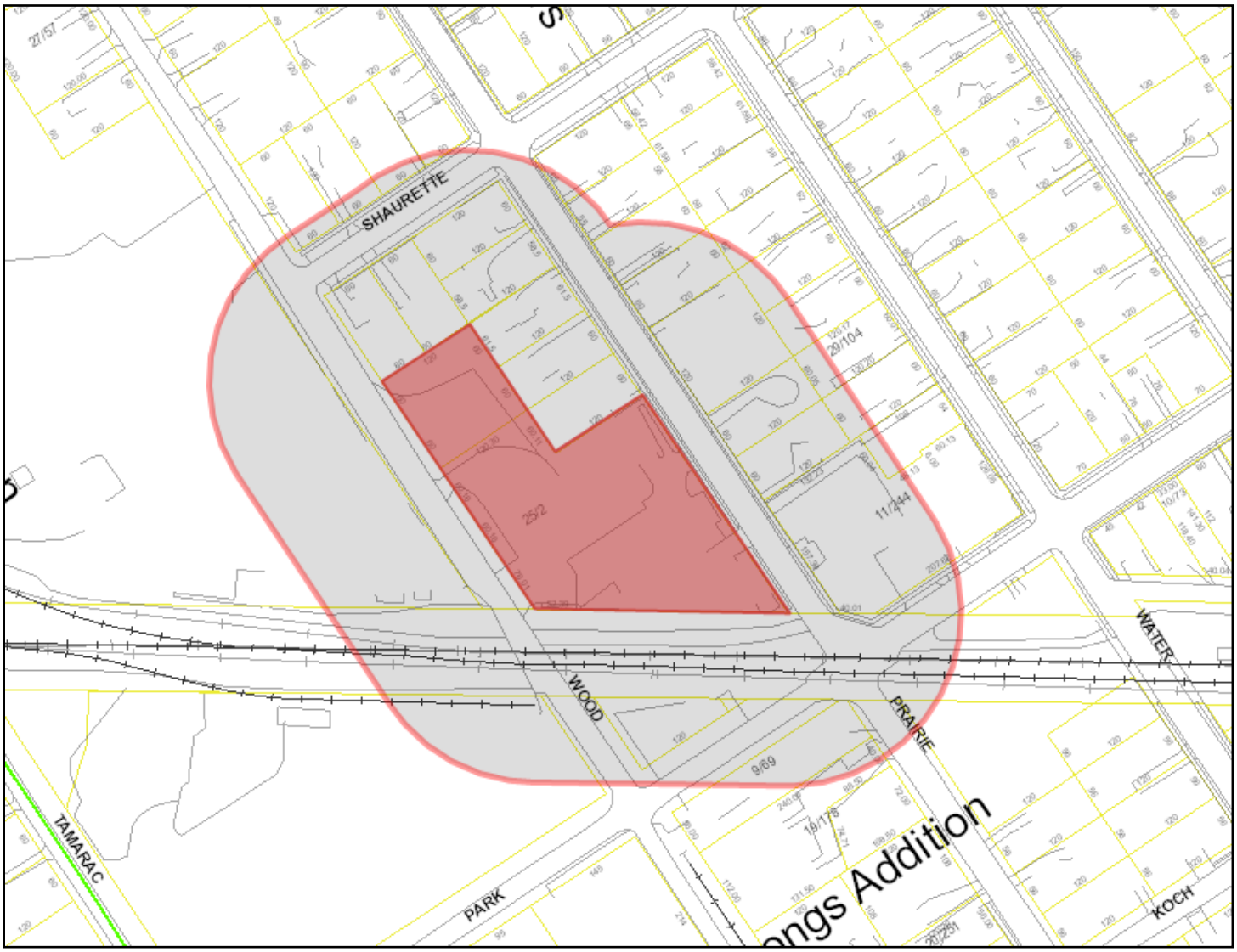
Site Improvement	Units

STRUCTURE DATA

Age	33
Year Built	1910
Eff. Year	1980
One Bedroom	
Two Bedroom	
Three Bedroom	
Total Units	
Stories	1.00
Business Name	Warehouses 2 bldgs

Information considered accurate but not guaranteed.

Conditional Use Request – Above Ground Propane Tank – 2172 Prairie St. – Exhibit Map (200 Feet Boundary)



Tax Key	Name	Mailing Address	City	Zip	Address
281240831401604	WISCONSIN CENTRAL CN BUS DEV & RE	1 ADMINISTRATION RD FL1	CONCORD ON L4K 1B9 OO	0	0
281240832301205	WOOD STREET PROPERTIES LLC	1955 RIVER ROAD	JUNCTION CITY WI	54443	2116 WOOD ST
281240832402303	THOMAS OKONEK	2916 Dixon	Stevens Point WI	54481	2109 PRAIRIE ST
281240832402318	JOSEPH S & CYNTHIA A MAPES	2124 Water St	Stevens Point WI	54481	2124 WATER ST
281240832401401	HOUA & MAY LOR YANG	2100 Prairie St	Stevens Point WI	54481	2100 PRAIRIE ST
281240832402304	MARK D MARTI	2117 Prairie Street	Stevens Point WI	54481	2117 PRAIRIE ST
281240832402317	LORNA SILVICKE	1551 Polk Ln	Rosholt WI	54473	2132 WATER ST
281240832401412	RICKI J GWIDT	2108 Prairie St	Stevens Point WI	54481	2108 PRAIRIE ST
281240832402305	ROBERT J GIESE	2125 Prairie St	Stevens Point WI	54481	2125 PRAIRIE ST
281240832401402	SHF SERVICES LLC	1411 Melissa Ct	Plover WI	54467	809 SHAURETTE ST
281240832402316	AMBER R MUSOLFF	2140 Water Street	Stevens Point WI	54481	2140 WATER ST
281240832401411	MICHAEL D & CARRIE E BULA	6364 Everett Heights Ct	Plover WI	54467	2116 PRAIRIE ST
281240832401403	SUMMIT POINT PROPERIES LLC	1070 CROWN POINTE	SUAMICO WI	54173	801 SHAURETTE

		CIR			ST
281240832402306	RICHARD C GIESE	2133 Prairie St	Stevens Point WI	54481	2133 PRAIRIE ST
281240832402315	JAMES T CYCHOSZ	541 Avon	Wisconsin Rapids WI	54494	2148 WATER ST
281240832401410	WILLIAM G & D HERZ	2124 Prairie St	Stevens Point WI	54481	2124 PRAIRIE ST
281240832401413	COOPER OIL CO INC	PO Box 165	Stevens Point WI	54481	0
281240832402314	RYAN J & LARA C KUZJAK	312 W Blodgett St	Marshfield WI	54449	2156 WATER ST
281240832401409	HERZ MICHAEL&ANDREW&D JANISZEWSKI TG	417 West Cornell Ave	Stevens Point WI	54481	2132 PRAIRIE ST
281240832402307	YANG MAI XIONG LOR	3323 Howard Avenue	Stevens Point WI	54481	2157 PRAIRIE ST
281240832402313	ANTHONY OPIOLA REV TRUST	404 Polk St	Stevens Point WI	54481	0
281240832401415	COOPER OIL CO INC	P O Box 165	Stevens Point WI	54481	2172 PRAIRIE ST
281240832402308	CAP SERVICES INC	5499 Hwy 10 East	Stevens Point WI	54481	2165 PRAIRIE ST
281240832402321	ANOTHONY & FAMILY OPIOLA REV TRUST	404 Polk St	Stevens Point WI	54481	916 PARK ST
281240832301012	WOOD STREET PROPERTIES LLC	1955 River Rd	Junction City WI	54443	2240 WOOD ST
281240832401406	DAVID & DONNA SUCHON	825 Park St	Stevens Point WI	54481	808 PARK ST
281240832401407	PORTAGE COUNTY	1516 Church Street	Stevens Point WI	54481	0
281240832401601	DAVID A SUCHON & DONNA R BERNAS	825 Park St	Stevens Point WI	54481	825 PARK ST
281240832402211	CITY OF STEVENS POINT	1515 Strongs Ave	Stevens Point WI	54484	2325 PRAIRIE ST
281240832401611	NEWHOUSE PROPERTIES 101 LLC	4705 Dickens Dr	Granite Bay CA	95746	2308 PRAIRIE ST
281240832301409	RICK & CYNTHIA A TIELENS	1321 Robin Ln	Stevens Point WI	54481	800 & A Shaurette St.
281240832301410	ROBERT L PESCH	810 Shaurette St	Stevens Point WI	54481	810 Shaurette St
281240832301411	CLEMENT J & HILLARY E STENCIL	818 Shaurette St	Stevens Point WI	54481	818 Shaurette St
281240832301412	RICHARD BAUER	W4662 State Rd 67	Campbellsport WI	53010	824 & A Shaurette St
281240832402302	NANCY HUDY	901 Shaurette St	Stevens Point WI	54481	901 Shaurette St

City of Stevens Point
Community Development Department

1515 Strongs Avenue, Stevens Point, WI 54481
(715) 346-1567
(715) 346-1498
communitydevelopment@stevenspoint.com
http://stevenspoint.com

PRE-APPLICATION CONFERENCE REQUEST FORM

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted	06/12/13	Fee Required	$250.00	Fee Paid	
Pre-Application Conference Date	06/11/13			Assigned Case Manager	Kyle Kearns		

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☒)	
Applicant Name	COOPER PROPANE	Contact Name	BILL COOPER
Address	2172 PRAIRIE ST	Address	
City, State, Zip	STEVENS POINT, WI 54481	City, State, Zip	
Telephone	715-344-9132	Telephone	
Fax	715-344-6568	Fax	
Email	COOPOIL@SOLARUS.NET	Email	

PROJECT SUMMARY

Project Type (Select All Applicable)					
Zoning Permit (Optional)	☐	Conditional Use Permit (Required)	☒	Zoning Map Amendment (Required)	☐
Administrative Adjustment (Optional)	☐	Major Site Plan (Required)	☐	Text Amendment (Required)	☐
Variance (Optional)	☐	Minor Subdivision (Required)	☐		
Minor Site Plan (Optional)	☐	Major Subdivision (Required)	☐		
Major Site Plan (Required)	☐	Planned Development (Required)	☐		

Project Address:	2173 WOOD ST, STEVENS POINT, WI 54481	
Parcel 1 – Assessor's Parcel ID Number	Parcel 2 – Assessor's Parcel ID Number (If needed)	Parcel 3 – Assessor's Parcel ID Number (If needed)
281240832401415	-	-
Designated Future Land Use Category	Current Zone District(s)	
Industry	M-2 Heavy Industrial	
Is there a current application associated with this project?	YES	

Describe land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)

INSTALLATION OF A 30,000 GAL ABOVE GROUND PROPANE TANK.

SIGNATURES

Signature of Applicant	Date	Signature of Property Owner's (If not the Applicant)	Date
[signature]	6-11-13		

Upon turning in this request form, staff will contact you to set up a time to meet to discuss your project.

City of Stevens Point
Community Development Department

1515 Strongs Avenue, Stevens Point, WI 54481
(715) 346-1567
(715) 346-1498
communitydevelopment@stevenspoint.com
http://stevenspoint.com

APPLICATION FOR A CONDITIONAL USE PERMIT

(Pre-Application Conference Required)

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	—	Date Submitted	06/12/13	Fee Required	$250.00	Fee Paid	
Associated Applications if Any				Assigned Case Manager	Kyle Kearns		
Pre-Application Conference Date	06/11/13			Conditional Use Permit Request	Use ☒		

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☒)	
Applicant Name	COOPER PROPANE LLC	Contact Name	
Address	2172 PRAIRIE ST	Address	
City, State, Zip	STEVENS POINT, WI 54481	City, State, Zip	
Telephone	715-344-9132	Telephone	
Fax	715-344-6568	Fax	
Email	COOPOIL@SOLARUS.NET	Email	

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? ☐)		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name	JIM & RAY COOPER	Owner's Name	
Address	1908 PINE ST	Address	
City, State, Zip	STEVENS POINT, WI 54481	City, State, Zip	
Telephone	715-344-6380	Telephone	
Fax		Fax	
Email		Email	

PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]

Parcel 1	Parcel 2	Parcel 3
2408-32-4014-15	—	—

Legal Description of Subject Property

Lots 1, 2 & 3 CSM # 6779-25-2 Being Prt Lots 516 & 517 Blk 58 Strongs Ellis & Others Add & Lots 506, 507 & 508 & The Sely 19' of E77' of Lots 517 & Prts of Lots 504, 506, 512, 515 & 516 as Lies N of & Adj. to RR ROW All in Blk 58 SE & O Add; Ex Prt Taken for Prairie St. Row In Doc # 689939 S32 T24 R8

Designated Future Land Use Category	Current Use of Property
Industry	Office / Storage / Commercial

Explain the land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)

INSTALLATION OF A 30,000 GAL ABOVE GROUND PROPANE TANK. PLANS HAVE BEEN APPROVED BY THE STATE OF WIS. A PARTIAL PROPERTY FENCE (CHAIN LINK) WILL BE INSTALLED TO DISCOURAGE PEOPLE FROM COMING ONTO PROPERTY.

How will the proposed development reinforce the existing or planned character of the neighborhood? (Use additional pages if necessary)
THE PROPERTY IS ALREADY A BULK OIL, GASOLINE & DIESEL BUSINESS. THE ADDITION OF THE PROPANE TANK WOULD NOT BE OUT OF LINE WITH WHAT ALREADY EXISTS IN THE NEIGHBORHOOD. THE NEIGHBORHOOD IS MOSTLY INDUSTRIAL ALREADY & TANK WOULD BE LOCATED NEXT TO THE ALREADY EXISTING TRUCK ROUTE.
Outline steps that will be taken to reduce any negative impacts on adjacent property. (Use additional pages if necessary)

Current Zoning Surrounding Subject Property			
North:	R-3 Two Family & M-1 Light Ind.	South:	M-2 Heavy Industrial
East:	B-4 Commercial & R-3 Two Family	West:	M-2 Heavy Industrial
Current Land Use Surrounding Subject Property			
North:	Residential	South:	Industrial
East:	Commercial & Residential	West:	Industrial / Manufacturing

EXHIBITS

Owner Information Sheet	☐	Additional Exhibits If Any:
Letter to District Alderperson	☐	
Maps (vicinity, zoning, floodplains, wetlands others as requested by staff)	☐	
Site Plan (designating primary, side, and service street frontages)	☐	
Building Elevations	☐	
Parking Plan (Location, number of spaces, reductions, and design and landscaping)	☐	
Street Plan with Cross-sections	☐	
Utility Plan	☐	
Landscape Plan (including any equivalent alternative landscaping requests)	☐	
Stormwater Plan	☐	
Outdoor Lighting Plan (location of fixtures, illumination levels)	☐	

CERTIFICATION AND SIGNATURE

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

Signature of Applicant	Date	Signature of Property Owner's (If not the Applicant)	Date
	6-11-13		6-11-13

APPLICANT & OWNER INFORMATION SHEET

Any applicant for a conditional use permit must provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of any deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

Application Number	Applicant's Name
	WILLIAM COOPER

Property Address(es)

2173 WOOD ST, STEVENS POINT, WI 54481

Applicant's Address

1320 PHILLIPS ST, STEVENS POINT, WI 54481

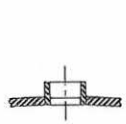
NOTE: If the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

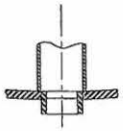
Fee Title Owner (Has Deed of Ownership)	All	☐
	A Portion	☒
Contract Owner	All	☐
	A Portion	☐
Holder of a Security Interest	All	☐
	A Portion	☐

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

Signature of Applicant	Date Signed
[signature]	6-11-13

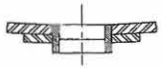


NOZZLE DETAIL
N2 N3 N4 N5
N6 N7 N8 N9



NOZZLE DETAIL
N10

NOZZLE DETAIL
N11



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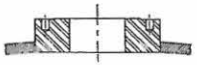
N12



NOZZLE DETAIL
N13

CERTIFIED BY:
APACHE STAINLESS EQUIP. CORP.
PLOVER, WISCONSIN

MAX. ALLOW. WORKING PRESSURE
250 PSIG AT 125 °F

MAX. ALLOW. EXTERNAL PRESSURE
NONE PSIG AT 125 °F

MIN. DESIGN METAL TEMPERATURE
15 °F AT 250 PSIG

MFG'S SERIAL NO. TBD
YEAR BUILT 2012
EQUIP. NO. TBD

APACHE

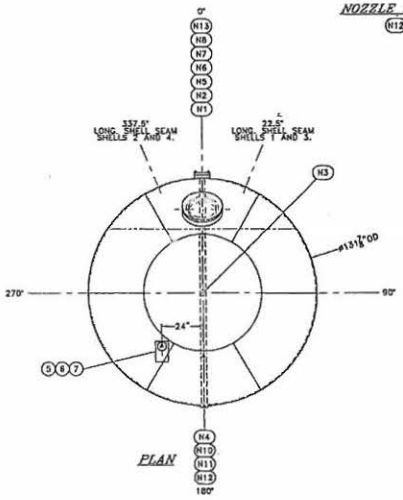
NAMEPLATE DETAIL 5

NOTES:

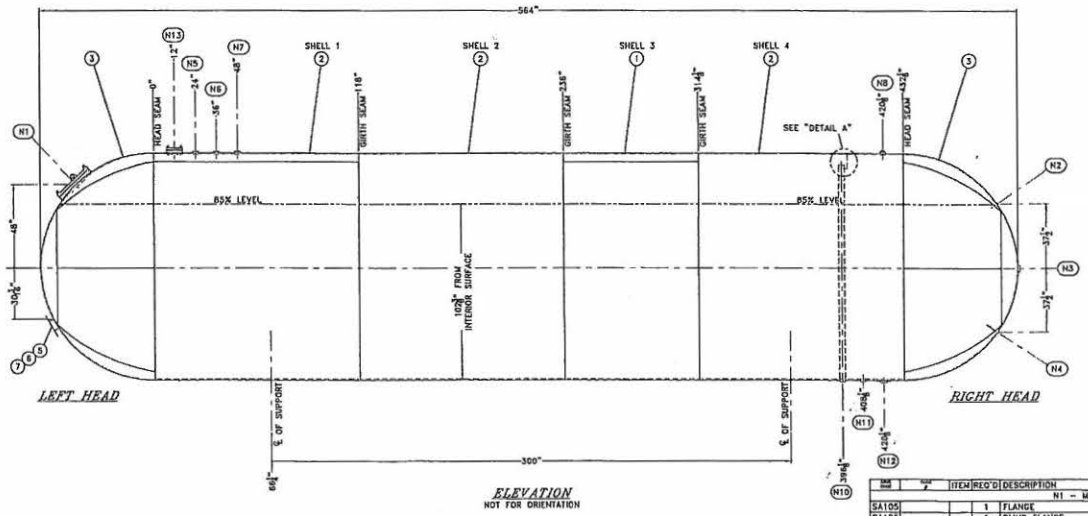
1. FLANGE BOLT HOLES ARE TO STRADDLE MAJOR VERTICAL AND HORIZONTAL CENTERLINES, UNLESS OTHERWISE NOTED.
2. REMOVE ALL BURRS AND SHARP EDGES.
3. WELD SEAMS IN VESSEL HEADS AND SHELL SHOULD BE LOCATED TO AVOID ALL NOZZLES, ACCESS OPENINGS AND REINFORCEMENT PADS, WHERE POSSIBLE.
4. THE CORROSION RESISTANCE OF THE EQUIPMENT IS NOT THE RESPONSIBILITY OF APACHE STAINLESS WITHOUT WRITTEN ACCEPTANCE BASED ON A SPECIFIC SERVICE.
5. PRODUCTION TO PROVIDE PROTECTION FOR ALL NOZZLES AND FITTINGS PRIOR TO SHIPMENT.
6. SUITABLE PRESSURE RELIEF MUST BE INSTALLED BY CUSTOMER FOR VESSEL OPERATION.
7. ALL TOLERANCES ARE IN ACCORDANCE WITH THE LATEST EDITION OF THE A.S.M.E. BOILER AND PRESSURE VESSEL CODE, SECTION VIII, DIVISION 1.
8. ALL NOZZLE REPADS OR REPADS CROSSING WELD SEAMS MUST BE PROVIDED WITH (1)#1/8" MIN. WEEPHOLE LOCATED AT LOWEST POINT WHEN VESSEL IS IN ITS NORMAL OPERATING POSITION.
9. VESSEL TO BE HYDROSTATICALLY TESTED BY FILLING W/WATER AND LEFT TO STAND. CHECK FOR DEFECTS. REPAIR & RETEST IF NECESSARY.
10. ALL WELDING TO BE DONE BY CERTIFIED WELDERS IN ACCORDANCE WITH THE REQUIREMENTS OF THE A.S.M.E. PRESSURE VESSEL CODE, SECTION IX.
11. ALL CODE MATERIAL MUST COMPLY WITH ONE OF THE FOLLOWING A.S.M.E. CODE SPEC. NO.S AS PER SECTION II, PART 'A':
    SHEET & PLATE: SA612
    BAR & RODS: SA36
    PIPE: SA53B
    FORGINGS: SA105
    FITTING SPEC: SA234,WPB
    BOLTS: SA193
    NUTS: SA194
    (ALTERNATES TO THE ABOVE ARE ACCEPTABLE, PROVIDED THEY ARE IN COMPLIANCE WITH SECTION II, PART 'A'.)
12. ALL WELDS TO BE CONTINUOUS, CRACK & CREVICE FREE.
13. SOME VIEWS ON ELEVATION SHOWN OUT OF POSITION FOR CLARITY.
14. LIFT WITH SPREADER BAR.
15. ALL EXTERIOR CARBON STEEL TO BE BLASTED AND COATED WITH ONE COAT OF SHOP PRIMER.
16. RADIOGRAPHY NOTES: HEADS= FULL X-RAY; SHELL= FULL X-RAY.
17. EMPTY VESSEL WEIGHT = 49,000 LBS.
    FLOODED TANK WEIGHT (USING SPECIFIC OF 1.0) = 359,000 LBS.

MATERIAL		INTERIOR FINISH	EXTERIOR FINISH
SHELL:	SA612	MILL	MILL
RIGHT HEAD:	SA612	MILL	MILL
LEFT HEAD:	SA612	MILL	MILL
JACKET:	NA	NA	NA
TOP:	NA	NA	NA
BOTTOM:	NA	NA	NA
INSULATION SHROUD:	NA	NA	NA
TOP:	NA	NA	NA
BOTTOM:	NA	NA	NA
GASKET:	NA		
INSULATION:	NA		
PAINT:	NOTE 13		
WELD FINISHES			
INTERIOR:	NA		
EXTERIOR:	NA		
JACKET:	NA		

SPECIFICATION	VESSEL	NA
CODE	ASME	NA
CODE YEAR-ADDENDA	2010/2011a	NA
INSPECTION & STAMP	YES	NA
MINIMUM TEMPERATURE °F	15	NA
MAX. ALLOWABLE TEMP. °F	125	NA
MAX. ALLOWABLE PRESS.-PSIG	250	NA
CORROSION ALLOWANCE (INCH)	NA	NA
HYDROSTATIC TEST-PSIG	525	NA
DESIGN VACUUM-PSI	NONE	NA
HEATING MEDIUM	NA	NA
COOLING MEDIUM	NA	NA
SPECIFIC GRAVITY	0.51	NA
POSTWELD HEAT TREATMENT	NONE	NA
RADIOGRAPH:	NOTE 19	
WORKING CAPACITY:	25,500 GALLONS	
FLOODED CAPACITY:	30,000 GALLONS APPROX	
EMPTY VESSEL WEIGHT:	NOTE 20	
FLOODED TANK WEIGHT:	NOTE 20	
JACKET CAPACITY:	NA	



PLAN



LEFT HEAD

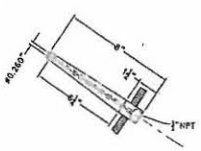
RIGHT HEAD

ELEVATION
NOT FOR ORIENTATION

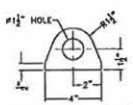
APPROVED FOR
ASME CONSTRUCTION

CERTIFIED PRINT
DATE: 4/19/13 BY: TJD

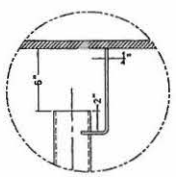
DWG NO	REV	ITEM	REQ'D	DESCRIPTION	MAT'L	DIMENSIONS
				N1 - MANWAY		
SA105			1	FLANGE	CS	16" 150# PAD 3" THICK
SA105			1	BLIND FLANGE	CS	16" 150#
			1	GASKET	316L	16"-150# SPIRAL WOUND
SA193			16	STUD	B7	1"-8TPI X 4-1/2" LONG
SA194			16	HEX NUT	GR2H	1"-8TPI
SA36			1	LIFT TAB	CS	3/8" PLATE
				N2 - LIQUID LEVEL		
SA105			1	COUPLING	CS	3/4" NPT 3000# HALF
				N3 - FLOAT GAUGE		
SA105			1	COUPLING	CS	2-1/2" NPT 3000# HALF
				N4 - THERMOWELL		
			1	THERMOWELL	CS	1/2"NPT x 8"OAL (6"INS.)
				N5, N6, N7 - RELIEF, N8 - VAPOR		
SA105			4	COUPLING	CS	2" NPT 3000# HALF
SA105			1	PLUG (N8)	CS	2" NPT
				N10 - VAPOR RETURN		
SA105			1	COUPLING	CS	2" NPT 3000# HALF
SA53			1	PIPE	GR. B	3" SCH 40.
SA516			1	PIPE SUPPORT	GR. 70	1/4" PLATE X 3" WIDE
				N11 - LIQUID FILL		
SA105			1	COUPLING	CS	2" NPT 3000# HALF
				N12 - DISCHARGE		
SA105			1	COUPLING	CS	3" NPT 3000# HALF
SA105			1	REPAD	GR. 70	5/8" x 2" WIDE
				N13 - MULTIPORT		
SA105			1	FLANGE	CS	4" 300# PAD X 2-1/2" THICK
SA105			1	BLIND FLANGE	CS	4" 300#
			1	GASKET	316L	4"-150# SPIRAL WOUND
SA193			8	STUD	B7	3/4"-10UNC X 3-1/2" LONG
SA194			8	HEX NUT	GR2H	3/4"-10UNC



NOZZLE DETAIL
N4

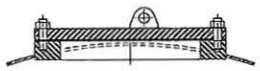


LIFT TAB DETAIL



DETAIL A

SHELL TO HEAD DETAIL



NOZZLE DETAIL
N1

DWG NO	REV	ITEM	REQ'D	DESCRIPTION	MAT'L	DIMENSIONS
SA612		1	1	SHELL	CS	0.75"x 78.125"x 131.875"OD
SA612		2	3	SHELL	CS	0.75"x 118"x 131.875"OD
SA612		3	1	LEFT HEAD	CS	0.39" MIN., 1/2" NOM., 131.875" OD HEMI HEAD
SA612		4	1	RIGHT HEAD	CS	0.39" MIN., 1/2" NOM., 131.875" OD HEMI HEAD
SA240		5	1	NAMEPLATE BRACKET	SS	11GA 3" STANDOFF
		6	1	NAMEPLATE	SS	APACHE STANDARD
		7	1	LOGO	VINYL	APACHE STANDARD

WELD FINISH STANDARDS
NF = WELD FINISH

SURFACE DESCRIPTIONS:
1 = AS WELDED (RELATIVELY SMOOTH, CONTINUOUS, CRACK AND CREVICE FREE.)
2 = PASSIVATED
3 = COLOR CLEANED (NO WELD DISCOLORATION PRESENT)
4 = GLASS BEAD
5 = GRIND SMOOTH (WELDS CLEANED AND RIFFLE GROUND OFF, SO CRCL BEAD IS NOT GROUND FLUSH)
6 = RIBBON GRIND FLUSH (WELD AREAS TAPER AND GROUND FLUSH WITH PARENT METAL-MIST SPECIFY GRIT. TAPING NOT REQUIRED WHEN STRIP DIMENSIONS WITH TRACK)
7 = FLUSH GRIND (WELDS GROUND SMOOTH, MARKS DO NOT BLEND WITH PARENT MATERIAL, THOUGH SMOOTHNESS IS THE SAME -MIST SPECIFY GRIT)
8 = BLENDED (POLISH MARKS ON WELD BLEND WITH POLISH MARKS ON PARENT MATERIAL, NO POLISH MARKS PRESENT)

REV.	CH#	DESCRIPTION	BY	DATE	REV.	CH#	DESCRIPTION	BY	DATE
		REVISED PER CUSTOMER COMMENTS	TJD	4/16/13					

APACHE STAINLESS EQUIPMENT CORP.
2010 WEST INDUSTRIAL DRIVE—P.O. BOX 336
BEAVER DAM, WISCONSIN 53916
PH: 920-887-3721—FAX: 920-887-0226—EMAIL: info@apachestainless.com

THIS DRAWING INCLUDING THE DESIGN AND PRINCIPLES OF CONSTRUCTION DISCLOSED IN THE PROPERTY OF APACHE STAINLESS EQUIPMENT CORPORATION AND IS SUBMITTED WITH THE UNDERSTANDING THAT IT IS NOT TO BE REPRODUCED NOR COPIED IN WHOLE OR IN PART NOR LOANED OR OTHERWISE COMMUNICATED TO ANY THIRD PARTY NOR USED IN ANY MANNER DETRIMENTAL TO THE INTERESTS OF APACHE, WITHOUT ITS EXPRESS CONSENT. ACCEPTANCE OF THIS DRAWING WILL BE CONSTRUED AS AN AGREEMENT TO THE ABOVE.

CUSTOMER: LPC & NH3
P.O. NUMBER:
SHEET NO: 1 OF 1
NEXT DWG:
DESIGNER: SEE DRAWING 0-1006-101
REV. 1
SHT. 1 OF 1

EQUIPMENT: 30K GALLON LPC TANK
MATERIAL:
DRAWN: TJD
JOB NO.: FAPE
CHK'D:
DATE: 3/26/13
APPV'D:
SCALE: 1 = 32
DWG. NUMBER: D-7425-01

PART ID: 129523

DIVISION OF INDUSTRY SERVICES
141 NW BARSTOW ST FL 4TH
WAUKESHA WI 53188-3789
Contact Through Relay
www.dsps.wi.gov
www.wisconsin.gov

Scott Walker, Governor
Dave Ross, Secretary

May 7, 2013

CUST ID No. 272098

JEFF MUNZEL
LPG & NH3 SUPPLY INC
1200 1ST ST NE
BUFFALO MN 55313

COOPER PROPANE LLC
2172 PRAIRIE ST
PO BOX 165
STEVENS POINT WI 54481

SITE INSPECTION REQUIRED FOR
CONDITIONAL APPROVAL
PLAN APPROVAL EXPIRES: 05/07/2014

Identification Numbers
Transaction ID No. 2243457
Site ID No. 64704
Please refer to both identification numbers, above, in all correspondence with the agency.

FOR:

Installation of NEW HORIZONTAL APPACHE STAINLEESS 30,000 LPG STORAGE TANK
Regulated Object ID No.: 1426622; NB # Not given, Cont. S.A. 1623 sq. ft; Year: 2013
Facility: 64704 Cooper Oil, 2172 Prairie St, Stevens Point WI 54481 Portage County

The submittal described above has been reviewed for conformance with applicable Wisconsin Administrative Codes and Wisconsin Statutes. The submittal has been CONDITIONALLY APPROVED. The owner, as defined in chapter 101.01(10), Wisconsin Statutes, is responsible for compliance with all code requirements.

The following conditions shall be met during construction or installation and prior to use:

1. SPS 340.31(1) The local fire department shall be notified of installation with a "SBD-9656, Certificate of Installation" within 10 business days of the installation. (Form is attached to a copy of this approval letter.)
2. SPS 340.34 (2) b The installer shall **notify Inspector Dean Yourchuck Jr, @ (608) 235-0607** at least five (5) business days prior to the start of construction to arrange for inspection
3. NFPA 58, 5.2.8.3 Markings specified for ASME containers shall be on a stainless steel nameplate attached to the container located to remain visible after the container is installed and shall have a National Board registration number. (Provide a copy of the tank MDR upon receipt / make available at site inspection.)
4. NFPA 58, 5.7.8.1 G Shut-off valves either shall be located in a readily accessible position less than 6 feet above ground level or provide extension handles, stairs or platforms for easy access or shall be equipped for remote operation.
5. NFPA 58, 5.7.8.5 Container inlet and outlet connections on ASME containers of more than 2000 gallon water capacity shall be labeled to designate whether they communicate with vapor or liquid space.
6. NFPA 58, 5.9 Pipe, hose, fittings and valves shall meet the requirements of this section.
7. NFPA 58, 6.3.1 Containers installed shall meet distance requirement with respect to other containers, important buildings or line of adjoining property that may be built upon per applicable tables of this section.(minimum 50 ft distance to lot lines)
8. NFPA 58, 6.4.5.2 Loose or piled combustible material or weeds and long grass shall be separated from containers by a minimum of 10 feet.
9. NFPA 58, 6.5.3 Point of transfer (load/unloading) locations shall meet the requirements of this section including distance requirements per Table 6.5.3.
10. NFPA 58, 6.6.1.2 LP-Gas containers, or systems of which they are part shall be protected from damage by vehicles. (Verify at site inspection that crash posts are not needed)
11. NFPA 58, 6.9.3.1 Piping shall be installed per ASME / ANSI B 31.3 *Process Piping*, or Section 6.9.
12. NFPA 58, 6.12.10 Emergency shut-offs shall be installed in accordance with this section. All installations shall have at least one clearly identified and easily accessible manually operated remote emergency shutoff device located not less than 25 feet nor more than 100 feet in the path of egress from emergency shut-off.

13. NFPA 58, 6.18.1 Operations and Maintenance The provisions of Chapter 14 shall apply to all new and existing LPG installations. (Facilities shall prepare and maintain written operating manuals including emergency action for the operator, owner can provide a written statement to inspector at site inspection that manual is completed and will be made available upon request)
14. NFPA 58, 6.25.3.1 Protect ASME Containers and dispensing stations. Fire protection shall be provided for locations with an aggregate water capacity of more than 4000 gallons. The modes of fire protection shall be specified in a written product release prevention and incident preparedness review. (Owner can provide a written statement to inspector at site inspection that written review is completed and will be made available upon request)
15. NFPA 58, 6.25.4.2 Each industrial plant shall be provided with at least one approved portable fire extinguisher having a minimum capacity of 18 # of dry chemical with B-C rating.
16. All work performed must comply with Chapter SPS 340, Wisconsin Administrative Code and NFPA 58-2011 including electrical which was not part of this review for conditional approval.

A copy of the approved plans, specifications and this letter shall be on-site during construction and open to inspection by authorized representatives of the Department, which may include local inspectors. All permits required by the state or the local municipality shall be obtained prior to commencement of construction/installation/operation.

In granting this approval, the Division of Industry Services reserves the right to require changes or additions, should conditions arise making them necessary for code compliance. As per state stats 101.12(2), nothing in this review shall relieve the designer of the responsibility for designing a safe building, structure, or component. The Division does not take responsibility for the design or construction of the reviewed items..

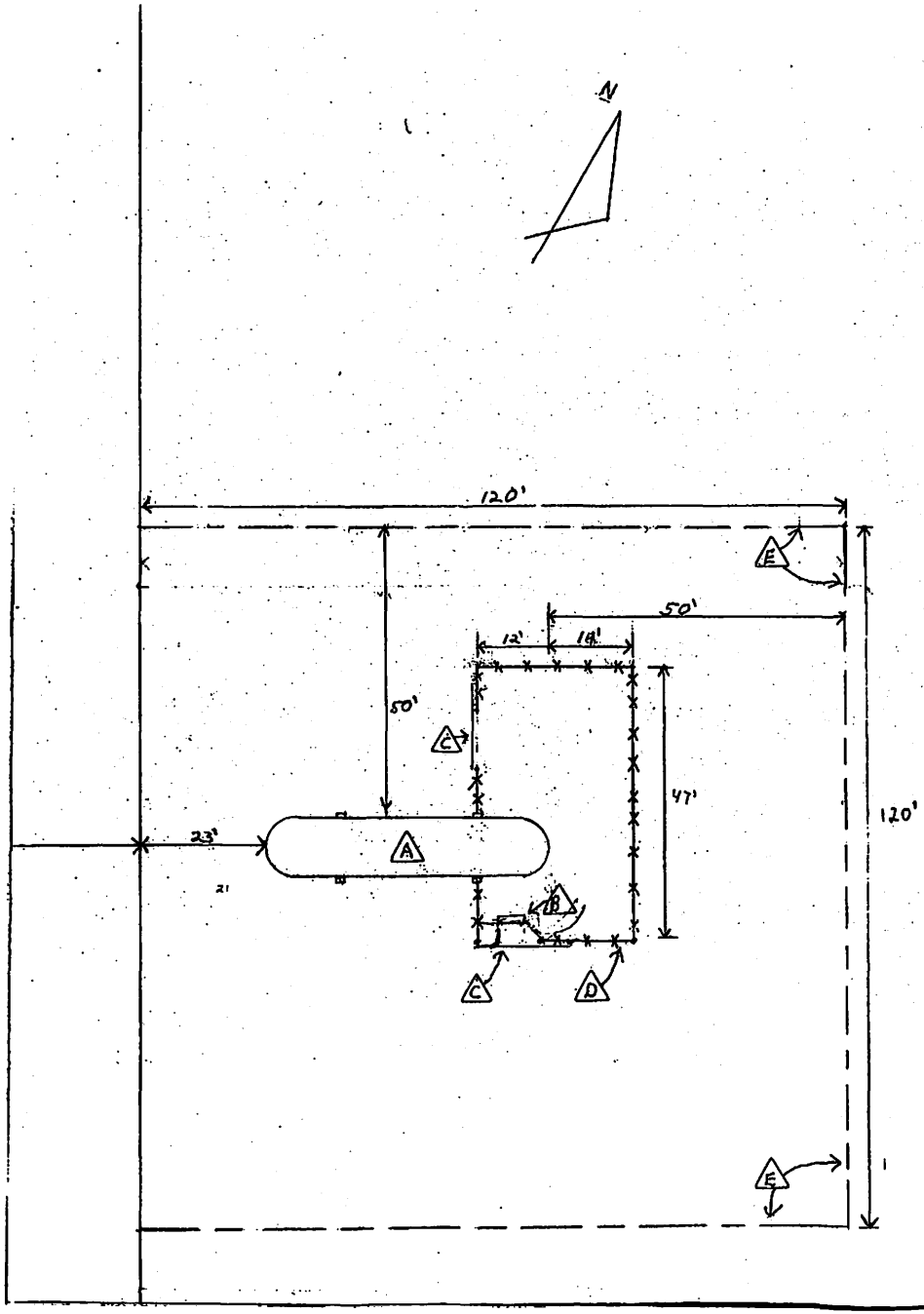
Inquiries concerning this correspondence may be made to me at the telephone number listed below, or at the address on this letterhead. We look forward to working with you to make this code-compliant construction.

Sincerely,

Fee Required $	700.00
Fee Received $	700.00
Balance Due $	0.00
WiSMART code:	8258B

Michael J Verhagen
Mechanical Safety Consultant
(262)548-8617
mike.verhagen@wisconsin.gov

cc: DeanYourchuck Jr, Boiler Safety Inspector, (608) 235-0607
Rick Merkle, Bureau Section Chief



NOTE:

A NEW 30,000 GALLON PROPANE TANK

B COMBINATION TRANSPORT UNLOADING BULK TRUCK LOADING BULKHEAD

C 10' SLIDE GATE

D 6' INDUSTRIAL FENCE WITH 3 STRANDS BARBWIRE

E PROPERTY LINE

NOTE:
INSTALLATION WILL COMPLY WITH THE LATEST EDITION OF N.F.P.A. #58 & ALL LAWS & REGULATIONS OF THE STATE OF WISCONSIN IN REGARDS TO THE STORAGE & HANDLING OF PROPANE GAS

5 of 2

Propane in Your Community

PROPANE education & research COUNCIL

Nearly 60 million Americans safely use and rely on propane. About 90 percent of U.S. propane supplies are produced at facilities in our country, making propane a secure and reliable energy resource.

PROPANE – A VERSATILE AND RELIABLE FUEL

Nearly 60 million Americans safely use and rely on propane. Propane heats homes, water, outdoor spaces, and many schools in rural areas. It cooks hot meals and provides clean and comforting fireplaces. It fuels grills for backyard barbecues. On farms, propane controls pests and weeds, dries crops, and powers irrigation systems. In factories and warehouses, propane powers the forklifts and construction equipment that keep our economy moving.

Propane helps to fuel the buses that drive our children to school and the fleets that provide goods and services to our communities. Propane emits fewer greenhouse gases than gasoline- or diesel-fueled engines, which helps to reduce the pollution in the air we breathe.

Propane is a non-toxic gas produced from natural gas processing and crude oil refining. It's also American-made. About 90 percent of U.S. propane supplies are produced at facilities in our country, making propane a secure and reliable energy resource.

SAFETY IS OUR HIGHEST PRIORITY

Propane is a safe fuel when properly stored, transported, handled, and used. That safety comes from a combination of stringent codes and regulations, and the industry's extensive education, training, and safety-awareness programs. Safety is the industry's highest priority.

Training Our Workforce

Thousands of men and women work in the propane industry every day. We are committed to providing our workers the most up-to-date training and information to keep them – and their customers and communities – safe.

As part of this commitment, the Certified Employee Training Program was established. Since its development in 1988, the Certified Employee Training Program has been assuring that the industry's workers have the necessary knowledge and skills to perform their jobs safely and effectively.

Before any employee begins working at a propane storage facility, he/she is trained on all aspects of the safe handling of propane and plant safety. Training programs are updated and refreshed frequently to ensure that employees are equipped with the most current safety procedures and information available.

The propane industry continues to support, build, and enhance these programs to ensure our workers stay safe, knowledgeable, and prepared in the field.

Supporting Our Local Firefighters and Emergency Responders

Ensuring that our local firefighters and other emergency responders have the tools and training to do their jobs safely and effectively is a goal of the propane industry.

The Propane Emergencies program is a comprehensive training program for firefighters and emergency responders that is used by 35 state firefighter training academies. With more than 200,000 firefighters trained, the Propane Emergencies program continues to be the benchmark by which many other safety training programs are measured.

This collaborative effort means that more emergency responders are kept safe, knowledgeable, and better equipped to avoid propane-related injuries. The propane industry will continue to support these brave individuals with top-notch training and education to ensure their safety in the future.

"The propane industry's commitment to the safety and health of our nation's emergency response community is very strong. In fact, the Propane Emergencies program, which has trained our firefighters on safely responding to a propane incident, serves as a model program for other industries to follow."

Glen Rudner
Hazardous Materials Officer
Virginia Department of Emergency Management

A REGULATED INDUSTRY WITH AN EXCELLENT SAFETY RECORD

Propane Storage Facilities Help Get Propane to Consumers

The U.S. propane industry has created a vast distribution network to get propane to consumers in all 50 states. Department of Transportation regulations and other codes and standards provide for the safe storage and transport of propane on our highways, railroads, and waterways.

Propane storage facilities are known in the propane industry as "bulk plants." There are approximately 13,500 of these facilities. Each bulk plant is different. However, there is equipment common to every plant:

1. Bulk storage tanks – the size will vary to meet the needs of customers.
2. Unloading stations – to unload transport trucks or railroad tank cars.
3. Filling stations – to fill cylinders or to fill delivery trucks.

Bulk propane storage tanks are constructed of steel in accordance with several codes and standards. They are installed on a firm foundation and are protected to prevent tampering.

Propane Storage Facilities Have an Excellent Safety Record

Propane storage facilities have an excellent safety record. This safety record is the result of rigorous employee training and the implementation of numerous, industry-recommended practices and procedures. State and federal regulations and standards also help to keep propane storage facilities as safe as possible.

In an effort to identify the level of risk a propane installation poses to the general public, the U.S. Department of Energy instituted a study in 1981. The study concluded that the risk of a fatality to the general public resulting from a propane transportation or storage incident is actually smaller than the likelihood of death by a lightning strike or a tornado.

Additionally, Texas A&M University completed a study in 2006 that examined propane-related accidents in the U.S. The study concluded that very few incidents and no fatalities occurred at propane storage and distribution facilities during the nine-year study period.

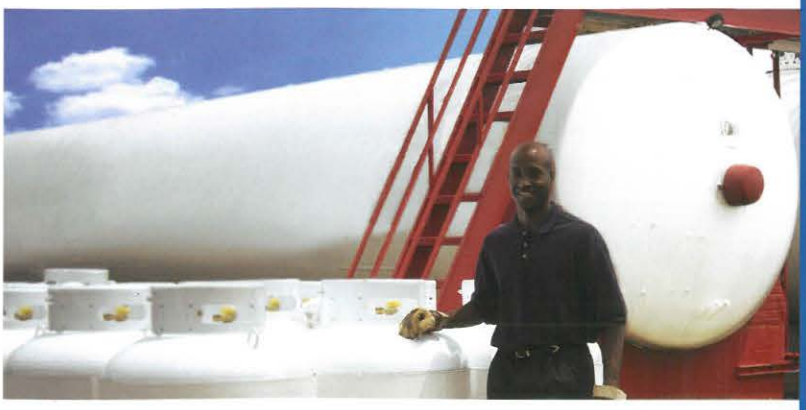
Careful Preparation and Planning to Ensure Safety

Every propane storage facility is required to have an emergency system that, when activated, immediately stops the flow of propane. This is one of the many safety features that helps to ensure the safety of the general public, as well as employees and emergency responders.

Many new propane storage facility installations are required to prepare fire safety plans. In general, fire safety plans are prepared to provide information and establish procedures to help ensure the safety of the public, employees, and emergency responders.

Emergency action, response, and plant security plans may also be developed for a new propane storage facility installation. Training, communication, and emergency procedures are often established.

The type and content of plans that a new propane storage facility submits vary depending on local and state requirements. Often, propane companies work closely with state or local fire authorities in the preparation of these plans.



Every propane storage facility is required to have an emergency system that immediately stops the flow of propane. This is one of the many safety features that helps to ensure the safety of the general public, employees, and emergency responders.

Propane companies are part of the community too. We strive to be responsible stewards of the community and the environment.

A GOOD NEIGHBOR FOR YOU AND THE ENVIRONMENT

Propane storage facilities are neat, clean, and visually superior to many industrial installations. They also do not emit odors under normal operation and do not produce a significant amount of noise compared to other industries.

Propane is non-toxic, which means it produces no pollutants, either below or above ground. Approximately 17 million gallons of gasoline are spilled each year when refilling outdoor power equipment alone, which may contaminate soil and groundwater. By contrast, any propane that would leak quickly dissipates in the air. Propane facilities do not disturb the natural environment.

Propane Facilities Provide Economic Benefits to the Community

Many propane storage facilities are locally owned, family-operated businesses that provide propane to various customers in the area. A new propane storage facility provides the community with several benefits that meet local economic and community goals.

Benefits include:

- New jobs that will be filled locally
- Enhancement of community's tax base
- Provides basic goods and services to local residents and keeps these expenditures within the community
- Enhanced business activity and economic development
- Safe, dependable, and efficient energy source

We Are Part of the Community

Propane companies are part of the community too. We live and work here. We strive to be responsible stewards of the community and the environment. It is important that we continue to work with residents, community leaders, firefighters, and other authorities in an upfront and responsible manner to address any safety issues or concerns regarding the use of propane.

Frequently Asked Questions

Q: Will a propane facility affect my home's value?

A: New propane facilities placed in areas that are zoned for commercial or industrial installations will have an affect on property values comparable to an industrial facility located in the same area.

Q: Is a propane facility harmful to the environment?

A: Propane is non-toxic. It will dissipate in the air if spilled. Propane does not adversely affect groundwater or soil.

Q: Will adjacent property owners be bothered by odors?

A: The normal operation of a propane storage facility does not produce odors that affect nearby residents. On very rare occasions, adjacent property owners may sense the slight smell of the odorant used in propane.

Q: Is a propane facility noisy?

A: Compared to typical industrial facilities, propane facilities do not produce a significant amount of noise.

Q: Do propane storage facilities have a good safety record?

A: Propane facilities have an excellent safety record. According to a recent study by Texas A&M University, there were very few incidents and no fatalities at propane storage facilities during the nine-year study period.

Q: Am I at risk by living near a propane facility?

A: There is always some amount of risk associated with all fuels, whether it's the fuel that heats our homes or the fuel that powers our cars and trucks. According to the U.S. Department of Energy, the risk of a fatality to the general public resulting from a propane transportation or storage incident is minimal (1 in 37,000,000). By comparison, this risk is much less than that of death by lightning or a tornado.

Q: Are local fire departments trained to assist in a propane fire or emergency?

A: Yes. Through the industry-sponsored Propane Emergencies program, more than 200,000 firefighters have been trained to handle propane-related emergencies. The program is being used by 35 state firefighter training academies.

Q: Will a propane facility help the local economy?

A: Propane storage facilities add jobs and enhance the community's tax base.

Q: Who decides if a propane storage facility will be built in the community?

A: Local government councils or commissions are responsible for making the final decision on the building of a propane storage facility. Public comments and input are encouraged during the decision process.

Q: Are employees of propane facilities well-trained?

A: The propane industry has developed several award-winning and state-of-the-art safety and training programs. Employees go through a rigorous training program before they are allowed to handle propane.

Q: Where can I get more information on propane safety?

A: Go to **www.usepropane.com** to get more information on propane and propane safety. Also, your local propane marketer can be of assistance.