

AGENDA
CITY PLAN COMMISSION

Monday, August 5, 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 July 1, 2013 Plan Commission meeting.
2. Request from Brad Wolf, representing the property owner, for a conditional use permit for the purposes of constructing an attached garage using the “R-TND” Traditional Neighborhood Development Overlay District minimum side-yard setback requirements at **2024 Wyatt Ave (Parcel ID 2408-32-4046-14)**.
3. Request from Beverly Mancl for a conditional use permit for the purpose of constructing an 8-unit townhouse style apartment complex, at the southeast corner of **Echo Dells Avenue and Riverview Avenue (Parcel ID 2308-05-4300-36)**, as well as a modification to the parking lot and landscaping standards, relating to a reduced parking lot setback and location of the parking lot in a street yard.
4. Request from Richard Bierman, representing the property owner, for a conditional use permit for the purpose of constructing a car dealership and service facility within the wellhead protection district zone B at **3700 Northpoint Drive (Parcel ID 2408-27-2001-05)**.
5. Request from the City of Stevens Point to acquire approximately 1.320 acres of **Parcel ID 2308-01-2200-05** (Portage County property) for the extension of E.M. Copps Drive to the east.
6. Request from the City of Stevens Point to acquire approximately 37.01 acres (Mocadlo Property) within the **northwest corner of the East Park Commerce Center (Parcel ID 2308-01-2100-01)** to be used for right-of-way and future development sites.
7. Review and recommendation on transferring and/or selling approximately 27 acres of property located in the **northwest corner of the East Park Commerce Center (portion of Parcel ID 2308-01-2100-01)**, to Service Cold Storage, LLC.
8. Review and recommendation on extending and naming E.M. Copps Drive, east of Week Street to the eastern edge of Parcel ID 2308-01-2100-01.
9. 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: August 2, 2013 and August 9, 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, August 19, 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 Brad Wolf, representing the property owner, for a conditional use permit for the purposes of constructing an attached garage using the "R-TND" Traditional Neighborhood Development Overlay District minimum side-yard setback requirements at 2024 Wyatt Avenue (Parcel ID 2408-32-4046-14). This property being zoned "R-3" Two Family, and described as N 60' Lots 15 & 16 Blk 9 Crosby & McCulloch Add S32 T24 R8 258/128 779985TOD, City of Stevens Point, Portage County, Wisconsin.
2. Request from Beverly Mancl, for a conditional use permit for the purpose of constructing an 8-unit townhouse style apartment complex, at the southeast corner of Echo Dells Avenue and Riverview Avenue (Parcel ID 2308-05-4300-36). This property being zoned "R-4" Multiple Family 1 Residence District, and described as Lot 2 CSM # 4974-17-299 BNG SW SE S5 T23 R9 519/1082 556/284 706/328, City of Stevens Point, Portage County, Wisconsin.
3. Request from Richard Bierman, representing the property owner, for a conditional use permit for the purpose of constructing a car dealership and service facility within the wellhead protection district zone B at 3700 Northpoint Drive (Parcel ID 2408-27-2001-05). This property being zoned "B-4" Commercial District, and described as Lot 1 CSM#6410-23-233 & PT NWNW COM NW/C; TH E NL, 648.5'; TH S586.81' to POB TH E 158.6'; S135.88 to ROW; TH ALG ROW SW200.25'; N64' POB & INC 523/40; EX 260/692 787087, 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, July 1, 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 Curlless.

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, City Attorney Beveridge, Comptroller/Treasurer Corey Ladick, Alderperson Mary Stroik, Alderperson Slowinski, Alderperson Trzebiatowski, Brandi Makuski, Larry Lee, Cathy Dugan, Barb Jacob, Jon Okonek, Albert Walkush, Ray Shuda, Ken Kracht, Brian Suchowski, Jay Lakritz, Ward Wolff, Rick Giese, Jim Cooper, Wayne Bushman, Bill Cooper, Mike Cooper, Gabe Thomas, Fred Boehm, Tina Gwidt, Carie Bula, Reid Rocheleau, and Gene Kemmeter.

INDEX:

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.

-
1. Report of the June 3, 2013 Plan Commission meeting.

Motion by Alderperson Moore to approve the report of the June 3, 2013 meeting; seconded by Commissioner Curlless. Motion carried 6-0.

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)**.

Ken Kracht, Premier Auto Body, stated regarding the fence height condition, the southern neighbor has a six foot fence with privacy slats which he is requesting to match. Furthermore, Mr. Karcht stated there is an issue with security behind the building, and he feels the fence is a necessity, but would like to keep it

open so law enforcement can view the area. Lastly, he asked for staff to clarify the ability of tow truck drivers to drop off vehicles at the shop after hours.

Commissioner Curless asked if there are cars parked on the east side of the building currently, to which Mr. Kracht answered yes, there is parking on the east side of the building.

Director Ostrowski explained there are three conditions that the owner is requesting to amend from the prior conditional use resolution. The first being a six foot tall fence, as opposed to an eight foot tall fence; staff is fine with the request as long as the materials within the fence do not project higher than the six feet. Furthermore, Director Ostrowski stated the fence was recommended to screen what was inside the fenced area, and that is why the winged or hedge materials were required. Regarding the parking on the east side of the building, if the vehicles are operable or inoperable they have to have screening from the road, a parking lot would need to be paved with at least a five foot setback, as well as meet the parking lot landscape requirements outlined within the zoning code. Director Ostrowski continued stating the third request regarding inoperable motor vehicles, and those deposited by tow trucks is fine as long as they are stored inside within the next business day.

Mayor Halverson stated when the original conditional use was discussed, the concern at that time was the proximity of the nearby neighboring bedroom windows. Furthermore, he stated the height of the fence may not be as important as the transparency of the fence, and suggested 75-50% screening along the east side to maintain some visibility for law enforcement with however, 95% along the south side.

Commissioner Haines asked if there was already a fence there, to which Director Ostrowski explained there is already a fence along the south property line, which is the neighbor's fence. The proposed fencing is for the east and west sides of the property. Commissioner Curless stressed that fencing just on the east and west side of the property doesn't protect the views to the south if the property owner to the south ever took their fence down. The suggestion was then made by Commissioner Curless for the property owner to put up a fence on the south side of the property if the current fence were ever to disappear, to which Mayor Halverson agreed.

Commissioner Haines then asked if there would be gated access, to which Mayor Halverson stated yes.

Alderman Slowinski said he feels the south fence is sufficient, and is for keeping the height at the same level for the east and west side fencing. He feels the need to install the south fence if the existing one is ever removed, and since the hedge slats are unable to match the structure, he would rather see privacy slats installed, as opposed to something that does not match the building.

Brian Suchowski, 2163 Strongs Avenue and business partner of Ken Kracht, stated the commission needs to consider the requested amendments, and explained they are not a body shop, but a collision repair facility that moves cars relatively quickly. Typically, they do not keep cars in the gravel area and try to keep the cars they are working on inside the building or parked in a manner that is not distracting to citizens. Lastly, he stated that they have worked with the neighbors whom have no complaints.

Commissioner Curless asked what the definition of inoperable was, to which Director Ostrowski stated operable is considered legally drivable. Commissioner Curless clarified that every car that is taken there for repair is considered inoperable, to which Director Ostrowski explained a vehicle may be operable, having only minor fender damage and may be there multiple days. Director Ostrowski stated regardless of vehicles operability, it is considered a parking area, and would have to be screened meeting the landscaping requirements. Furthermore, the parking area would have to be asphalt or concrete and striped for vehicles.

Mayor Halverson clarified that inoperable is literally that, unable to move or drive, to which Director Ostrowski added if it is an inoperable car, it would have to be in the fenced area or inside the building.

Brian Suchowski, 2163 Strongs Avenue, explained that 90-95% of the vehicles that they repair are operable, and almost nothing sits outside overnight. He continued stating he does not prefer outside storage because it may get vandalized.

Alderson Moore expressed his concern with putting up the screen on the east side due to the visibility issues. Mayor Halverson suggested something more transparent to lessen the impact of what is parked back there, but still maintaining some ability for police to observe. Alderson Moore then asked how much the fence will keep people out of the area, to which Director Ostrowski explained it would be totally enclosed with a gate. Commissioner Patton clarified it is not going to keep anyone out, to which Director Ostrowski stated it is intended to screen what is behind it as well.

Commissioner Haines stated she can see reducing the screening requirement to provide more security with increased visibility. Mayor Halverson added perhaps 75% coverage along the east side and 95% along the west side, to which Commissioner Patton asked since the building is very close the western neighboring building, would the west side need screening. Director Ostrowski responded, stating there is less than 20 feet between the buildings, and Mayor Halverson added there really is no need for any screening on the west side.

Motion by Commissioner Patton to approve the Conditional Use Amendment to operate a body shop with the following conditions:

- The storage area shall be fenced from the west and east with a fence at least 6' tall to block vision of the stored vehicles (if a chain link fence is used, privacy slats with at least 75% screening shall be installed on the east side only). The storage of materials located within the fenced area shall not project above the 6 foot tall fence.
- 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.
- 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.
- No trash containers, parts, or similar materials shall be stored outside the fenced storage 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.
- If the southern existing neighboring fence is ever removed, the applicant shall install a 6' fence spanning from east to west with winged or hedged slats that provide 95% screening.
- The project shall be completed within one year after final approval, and may be granted a six month extension with the approval of staff.

seconded by Commissioner Curless.

Director Ostrowski emphasized that if inoperable or operable cars are parked for any period of time east of the fenced area, parking lot requirements shall be met which include paving and screening with landscaping towards the road.

Motion carried 6-0.

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.

Ward Wolff explained that at this time there is no buyer for the property, but zoning that would allow for the highest and best use of the property would give it a better chance for sale and increase the tax base for Stevens Point.

John Okonek, 2916 Dixon Street, representing the Stevens Point Catholic Cemetery Association stated he is opposed to the rezoning. Furthermore, he explained that adding another property on that corner with egress on Wilshire Boulevard will add more traffic to an already busy and congested area. It becomes a safety concern for the kids attending Washington School as well as the residents who live in that area. Mr. Okonek also explained the Cemetery Association owns the majority of the block and had a verbal agreement that when Mrs. Haertel passed away, the association would have a chance to purchase the property and continue the cemetery. Because of the verbal agreement, the cemetery has done burials almost up to the property line on the west side and any commercial development in that area would jeopardize the people that are buried there and visitors to those sites.

Jay Lakritz, BMO Harris Bank and acting trustee for the Irene Haertel estate, stated he is trying to do the best for the beneficiaries in terms of settling the estate. He stated that the beneficiaries are in favor of the rezoning, which may be the best use for the property. He pointed out that if there had been an agreement, there is nothing that is recorded or documented in the estate.

Aldersperson Trzebiatowski stated he has concerns with the safety issues that could arise from potential development, relating to the current traffic congestion and the pedestrian and traffic concerns with the ingress/egress on Wilshire Boulevard.

Cathy Dugan, 615 Sommers Street, stated she lives in the area and has recently purchased a plot within the cemetery, and feels the rezoning is inappropriate due to the plots and cemetery being so close to the lot line. Additionally, she also has concerns for the safety of the congested intersection.

Commission Haines asked why B-4 Commercial zoning was requested, to which Director Ostrowski stated B-4 is the standard commercial zoning which you see to the south of this property across Main Street. He continued stating there are commercial uses along Wilshire Boulevard, most of them office uses, and commercial activity to the south. Commissioner Haines then suggested rezoning to B-1 Neighborhood Business District as it would involve quieter and more fitting businesses.

Commissioner Patton asked what the setback was in the B-4 district, to which Director Ostrowski answered 10 feet for rear yard and five feet for side yard. Commissioner Patton then asked if the uses would include screening, to which Director Ostrowski answered depending on the use and how the structure was set on the property. Commissioner Haines added that if it was a permitted use, we may not see it before the Plan Commission again. Commissioner Patton stated that if it was zoned B-4 Commercial and they wanted to rent the house, loud parties and noise could provide disruption to the

neighboring cemetery no matter what the zoning. Mayor Halverson agreed, but explained the difference would be the time of day for cemetery visits verses that type of activity going on. Mayor Halverson continued stating why we chose to maintain this property as single family residential in the comprehensive plan was beyond him. Mayor Halverson then expressed concern as to the appropriate commercial zoning of the property based on surrounding uses, as well as the fact that the cemetery will become a city cemetery at some point.

Aldersperson Moore stated his concern for rezoning it based off the information presented, which doesn't include an immediate development occurring on the property. Commissioner Haines added she understands the rezoning concern, but feels a transition as a neighborhood district would fit much better. Director Ostrowski explained that the Neighborhood District is less intensive. Commissioner Patton asked what in our zoning districts would be comparable to Park Ridge's commercial zoning, to which Economic Development Specialist Kearns stated similar to the B-4 Commercial.

Motion by Commissioner Patton to approve the rezoning of 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.

Motion failed for lack of a second.

Motion by Mayor Halverson to approve the rezoning of the property located at 3500 Main Street (Parcel ID 2408-33-1001-15) from "R-2" Single Family Residence District to "B-1" Neighborhood Business District; seconded by Commissioner Curless.

Aldersperson Moore expressed his concern that if there is no interest in the property at this time, then it should not be before the Plan Commission.

Commissioner Patton pointed out if the zoning is left at single family, the property is much cheaper than if the zoning was commercial.

Motion carried 4-2, with Aldersperson Moore and Commissioner Patton voting in the negative.

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.

Motion by Mayor Halverson to approve the rezoning of 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; seconded by Aldersperson Moore.

Commissioner Patton asked if the sidewalks would be required to be continued by the church rectory, to which Mayor Halverson answered that would be addressed at the Department of Public Works meeting. Commissioner Patton then asked what steps are required for the continuation of this subdivision, to which Director Ostrowski answered approval from Common Council, then the state approvals for the final plat and the approval of plans for the utilities, which would be an office review.

Motion carried 6-0.

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).**

Director Ostrowski explained this is the approval of the final plat, and staff would recommend approval with staff conditions outlined in the staff report, with the exception of the condition regarding the installation of a fire hydrant. He recommended that the fire hydrant condition not identify an exact corner at the intersection for installation as it may be dependent upon utilities at that location.

Motion by Mayor Halverson to approve 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) 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 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 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.

seconded by Alderperson Moore. Motion carried 6-0.

6. 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).**

Commissioner Cooper abstained from this agenda item.

Bill Cooper, 1320 Phillips Street, presented his request to install a 30,000 gallon propane bulk tank at their existing petroleum facility. Furthermore, Mr. Cooper stated the intent for this request is due to the changing environment of the business. In order to stay competitive, propane must be offered. He stated the company was unaware of the local ordinances. The land is zoned heavy industrial, they have state approval, and the Fire Department was aware of the propane tank installation. Additionally, he explained this expansion is creating more revenue and jobs for the City, and the financing is from a local bank. The business has been at this location since 1957 and he would like to continue. Mr. Cooper then individually addressed the standards of review in the staff report. Regarding the first standard he explained that propane is a highly regulated business, extremely safe and quiet. Increases in truck traffic shouldn't be more than one truck a week. He used Lakes Gas on West River Drive as an example and pointed out that the propane tank is not 40 feet from the property line. He continued stating they are also asking for a front yard setback variance. The State of Wisconsin recognizes the street as a setback, and requires the tank to be completely guarded with steel bollards and concrete dead men, which make it impossible for vehicles to hit directly. In regards to the second standard, the reason the land was purchased in 2009 was because of the current Heavy Industrial zoning which would allow for growth of the company and use. He stated regarding standard three, this and other surrounding industrial uses have been there for many years, and are not disappearing. Regarding standard four, the tank does not fit into the architectural appeal, Mr. Cooper stated he can paint the tank to make it more appealing to the neighborhood. Mr. Cooper explained regarding standard six, the ingress/egress and traffic is mainly on Wood Street and would only increase traffic by one or two trucks a week. He addressed standard eight which he is requesting a variance to the 40 foot setback requirement. Furthermore, he explained the state and national regulations allow the use of the street as a setback, and the existing location was chosen to maximize safety and the use of their land. He also addressed standard thirteen, stating landscaping and fencing facing the residential areas would not be a problem as trees already exist along the north side of the lot. Lastly, Mr. Cooper displayed his concern regarding the 7:00am-7:00pm restrictions for truck traffic, which are unfavorable to his business, as others don't have to follow operating restrictions. He continued to explain the smaller tanks which are stored there are for sale and not filled on site.

Commissioner Curless asked if there were more posts to be installed around the tank, to which Mr. Cooper answered he can install more if recommended, however, the state had recommend either the posts or dead men. They have not been installed because he was told to stop work until permits and variances were obtained. The tank is empty at this time and will remain so until the state inspector comes back, and the bollards or dead men are placed around the tank.

Wayne Bushman, 2240 and 2160 Wood Street, is in favor of the tank and propane operation as Cooper Oil has been invested in the city for a long time, the zoning is appropriate for this type of business, and traffic in the area is not an issue.

Rick Giese, 2133 Prairie Street, has been living in the area for sixty years and has watched the business grow and evolve and through the process they have improved the aesthetics and cleanliness of the property and business. He explained the trucks have not and will not be a nuisance, and is in favor of the conditional use.

Tina Gwidt, 2108 Prairie Street, is concerned for the property values. Furthermore, she does not believe fencing will improve the aesthetics, has a concern for the risk to the neighborhood, and possible health issues if there is a leak. She asked that the commission have the tank removed.

Paul Adamski, 3117 Della Street, assures this is a very well run business, and feels this should work for them as they are a local business. He challenges the Engineering and Community Development departments to do additional research on how to make this happen rather than to stop a local longtime business from growing and contributing to our economy.

Bill Cooper explained that the tanks which store petroleum underground hold more gallons than this propane tank, which would be constantly monitored. Commissioner Haines asked why this could not be stored underground, to which Mr. Cooper answered it would be a greater expense.

Carrie Bula, 2116 Prairie Street, stated she has no problem with a business expanding, but currently the 1000 gallon tanks are right up to her back yard and the large tank points directly at her property. She cannot imagine any type of fencing that would shield the tank enough for anyone to ever buy her property and does not feel the location of the tank is appropriate.

Cathy Dugan, 615 Sommers Street, explained this is not the first time there has been conflicting uses in this area and feels a larger discussion about relocation needs to occur, but not to encourage people to build more heavy industrial. She does not feel this is the appropriate place for a propane tank.

Mike Cooper, 1396 Sommerset Drive, explained the smaller tanks are required to be purchased in bulk, and in the winter months there will be fewer on the property. He continued stating they can put up more landscaping and fencing in the area to screen the property. Mr. Cooper also pointed out that not every heavy commercial area has a transitional zone, and that the large tank itself would only hold 24,000 gallons as it is required to only hold 80% to leave room for expansion.

Wayne Bushman, 2240 Wood Street, feels that the 7:00am-7:00pm time frame would not be an issue most months, but in the winter if someone has run out of gas, it may be a necessity to have hours that are more flexible. Furthermore, he stressed that there is a need to have all the smaller tanks on site so they are available for new customers.

Reid Rocheleau, 408 Cedar Street, feels the problem is the zoning of this property, and staff should look at rezoning the residential properties to something that would increase their value for resale.

Motion by Commissioner Patton to approve a Conditional Use Permit allowing 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) with additional screening of trees to be added around the property; seconded by Alderperson Moore.

Mayor Halverson pointed out that the Plan Commission can not absolve a zoning ordinance by not accepting a condition, which is in regards to the setback of the tank itself. A separate variance from the zoning code will have to be obtained for the reduced setback. Director Ostrowski added the Board of Zoning Appeals would be the governing body over that decision, as the Plan Commission does not have that power.

Mayor Halverson clarified the motion to grant the conditional use permit for the propane tank with a condition. Commissioner Patton asked how that is different from any other variance that is granted by the Plan Commission, to which Director Ostrowski answered there are certain instances within the zoning code that allow the Plan Commission to reduce setbacks, but those are specifically outlined within the code. He continued stating that any variance from a standard within the zoning code is governed by the Board of Zoning Appeals, so if it is not written within the code, the Plan Commission does not have authority.

Aldersperson Moore asked how this was able to pass the State and Federal regulations, and why it comes down to the City to make the final decision. Director Ostrowski explained that our zoning code requires certain setbacks for certain structures which may be different from the state. One of the conditions within the state approval is that the applicant must receive all local permits and approvals, therefore, we review it based on our conditional use standards within the zoning district. Director Ostrowski continued stating that petroleum storage requires a conditional use permit under our zoning code within that district. Aldersperson Moore confirmed they meet the side and rear yard setbacks so the one setback they don't meet is between the tank and the road, to which Director Ostrowski stated correct. The recommendation from staff however is based off of the conditional use standards and whether or not this use is appropriate on this site. The plan commission can establish greater setback requirements, but can't establish lesser setbacks, therefore, requiring a variance from the board of zoning appeals.

Mayor Halverson emphasized he is not comfortable making a decision for or against this and feels he needs more time. He feels this is too intricate with the single family homes directly adjacent, and the sensitivity to the Cooper family and their long standing tradition. Additionally, Mayor Halverson stated we have to be sensitive to a 30,000 gallon propane tank and the aesthetics of it, along with the dangers. Lastly, Mayor Halverson wants to talk further with the Fire Department and other experts.

Commissioner Haines stated this brings up a question regarding land use with heavy industrial uses right next to single family homes. Director Ostrowski added the current zoning of the Cooper property is M-2 Heavy Industrial, the single family homes directly north are zoned M-1 Light Industrial, and the homes farther north along Water Street are part B-4 Commercial, R-2 Single Family, and R-3 Two Family. Mayor Halverson explained the other important difference with the other businesses such as Lakes Gas is that they had operated well before this particular zoning code, and at that point these were not conditional uses. He continued stating the balance to this is whether or not the expansion of a new fueling establishment on the same site is appropriate based on the adjacency to the existing single family homes or whether or not the zoning as such is enough to warrant this use. Commissioner Haines pointed out that to deny this project, is it enough to push this business someplace else. Mayor Halverson replied, stating this business already exists and this tank project is already 95% built.

Aldersperson Moore asked if the city has ever had a propane tank explode, to which Mayor Halverson stated in the 1950's there was a major fire and explosion not even a block from this location. Aldersperson Moore pointed out that today there are improved safety measures and does not see an issue with this tank at this location.

Mayor Halverson feels in terms of the motion, he would vote no because of needing more time to research and discuss the details of such a large tank so close to seven houses, furthermore, how to insulate the impact whether by aesthetics and the safety concerns with the proximity of the tank to the road.

Commissioner Patton stated that if a car is going that fast and out of control the distance from the road doesn't really matter and also asked for the Mayor to clarify when further information would be obtained. Mayor Halverson stated some of that can be mitigated with the barriers and it is definitely a concern, however, the request could still go to council without a recommendation, as the hearing is already scheduled and noticed.

Commissioner Haines added the other thing we are talking about is this business and agrees we want this to be a viable business which continues, but we also want these people with homes there to have fair property values, and to feel safe. Commissioner Patton stated he had lived in the neighborhood for 20

years and the area has always been that way, with homes that have always resold. Commissioner Haines explained the homes have resold without seeing a big tank there, unlike now. Commissioner Curless stated the tank probably would have no affect on the value of the property based on looking at the neighborhood, the area, and the trains and traffic. Furthermore, after speaking with some of the neighbors in the area who did not see a problem with the large tank, but didn't like seeing all the smaller tanks lined up Commissioner Curless would like to see them screened.

Director Ostrowski asked for specifics to the screening required in the motion, to which Commissioner Patton pointed out a fence is immediate, but trees take a few years to grow to obtain needed coverage, so a possible screening plan should be submitted and reviewed by the commission. Mayor Halverson moved to amend the motion to add specifically concrete barriers not bollards be installed to completely surround the tank which are anchored to the ground and at a distance protecting the tank if ever struck by vehicles, to which Commissioner Patton agreed and placed into his motion.

Motion by Commissioner Patton to approve a Conditional Use Permit allowing 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) with the following conditions:

- a) **Screening in the form of fencing and vegetation shall be installed on the property to screen the large 30,000 gallon tank and smaller storage tanks. A screening and landscaping plan shall be submitted and reviewed/approved by staff.**
- b) **Concrete barriers (not bollards) shall be installed to completely surround the tank, which are anchored to the ground, and placed in a location to protect the tank if struck by vehicles.**

seconded by Alderperson Moore.

Commissioner Haines then asked if Cooper Oil wanted to expand, could they start buying the homes, to which Mayor Halverson stated yes. Director Ostrowski added most are M-1 and would require a conditional use just like with his current zoning of the M-2. He also added that barbed wire fencing is not allowed per our code and the motion should include a statement that the Board of Zoning Appeals must approve a variance for a setback less than 40 feet, and if the board doesn't approve the appeal, then the tank must be shifted.

Mayor Halverson added that he will be looking more closely at the technology changes specifically relating to propane and the explosive nature of propane, along with the history of incidents. Further, he will be discussing these concerns more with the Fire Department as well.

Commissioner Patton asked about the Board of Zoning Appeals, to which Director Ostrowski stated if the Board of Zoning Appeals denies this request, the applicant will have to push it back to meet the setback requirements, which may in turn push it closer to residential homes. Turning the tank sideways may prevent further impediments to adjacent homes. Commissioner Patton then asked for clarification if the landscaping plan was to come back before the commission, to which director Ostrowski stated staff could be given powers of review and approval.

Mayor Halverson expressed his preference to let staff make the determination as they see the plan, with the intent of thicker foliage and evergreen trees. Director Ostrowski added if you don't want this to come back after the Board of Zoning Appeals, it must be included in the motion that the tank must meet the district setbacks if an approved variance is not granted. He clarified if the variance is granted; they are allowed to build it within that distance to the road, but if it is denied, the tank will have to be shifted

and put somewhere else on the property, and if that impacts your decision regarding your motion, you may want to see it come back before the Plan Commission.

Commissioner Patton then amended his motion to the following:

Motion by Commissioner Patton to approve a Conditional Use Permit allowing 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) with the following conditions:

- a) Screening in the form of fencing and vegetation shall be installed on the property to screen the large 30,000 gallon tank and smaller storage tanks. A screening and landscaping plan shall be submitted and reviewed/approved by staff.
- b) Concrete barriers (not bollards) shall be installed to completely surround the tank, which are anchored to the ground, and placed in a location to protect the tank from vehicles.
- c) The 30,000 gallon propane tank shall meet the zoning district setback requirements if a variance for a lesser setback is denied by the Board of Zoning Appeals.

seconded by Alderperson Moore.

Alderperson Moore asked for clarification that this approval no longer has the 7:00am-7:00pm restriction, to which Mayor Halverson stated that had been excluded.

Motion carried 4-1, with Commissioner Haines voting in the negative, and Commission Cooper abstaining.

7. Adjourn.

Meeting Adjourned 7:50 PM.

Administrative Staff Report

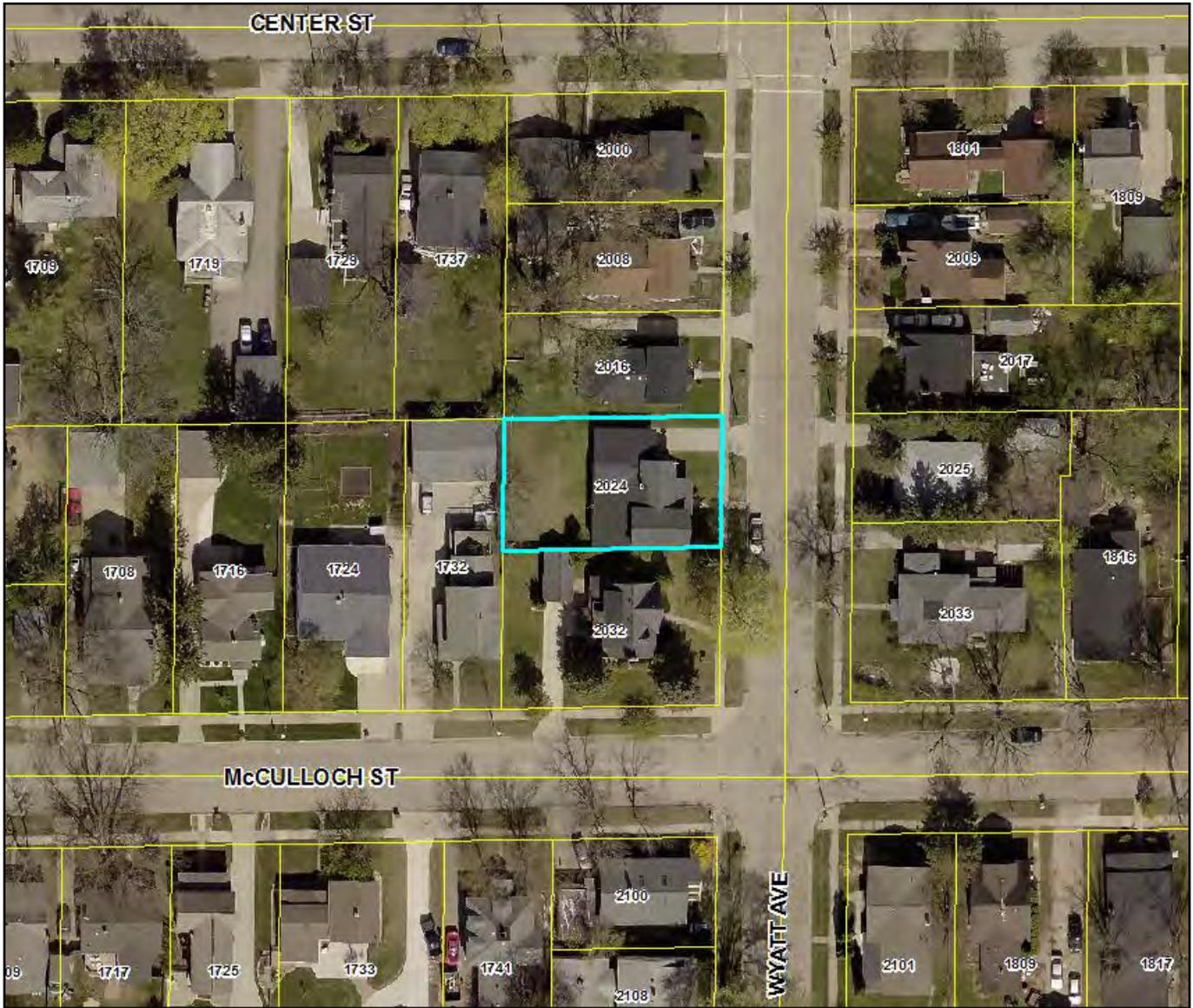
Meshak Conditional Use
2024 Wyatt Avenue
August 5, 2013



Department of Community Development

<p>Applicant(s):</p> <ul style="list-style-type: none">Frank & Sally Meshak <p>Staff:</p> <ul style="list-style-type: none">Michael Ostrowski, Director mostrowski@stevenspoint.comKyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none">2408-32-4046-14 <p>Zone(s):</p> <ul style="list-style-type: none">"R-3" Single and Two Family Residence District <p>Master Plan:</p> <ul style="list-style-type: none">Residential <p>Council District:</p> <ul style="list-style-type: none">District 5 – M. Stroik <p>Lot Information:</p> <ul style="list-style-type: none">Actual Frontage: 60 feetEffective Frontage: 60 feetEffective Depth: 100 feetSquare Footage: 6,000Acreage: 0.14 <p>Current Use:</p> <ul style="list-style-type: none">Residential <p>Applicable Regulations:</p> <ul style="list-style-type: none">23.01(16), 23.02(1)(e), and 23.02(1)(h)	<p>Request</p> <p>Request from Brad Wolf, representing the property owner, for a conditional use permit for the purposes of constructing an attached garage using the "R-TND" Traditional Neighborhood Development Overlay District minimum side-yard setback requirements at 2024 Wyatt Ave (Parcel ID 2408-32-4046-14).</p> <p>Attachment(s)</p> <ul style="list-style-type: none">Property DataExhibit MapApplicationSite Plan <p>Findings of Fact</p> <ul style="list-style-type: none">The property is zoned R-3.The property is within the Traditional Neighborhood Development (TND) Overlay District.Applicant is requesting a side yard setback of 4 feet from the northern property line. The minimum requirement in the TND Overlay District is 4 feet.Applicant will meet all other setback requirements. <p>Staff Recommendation</p> <p>Approve, subject to the following condition(s):</p> <ul style="list-style-type: none">All necessary building permits shall be obtained for the proposed work.The applicant shall not widen the curb cut and driveway within the public right-of-way without the approval of all applicable departments.The driveway shall not be wider than 20 feet.Gutters shall be installed on the entire north side of the structure and directed appropriately to prevent drainage onto adjacent properties.The materials of the new garage shall be compatible, to the extent possible, the materials on the main home.All other applicable ordinance requirements shall be met.
---	---

Vicinity Map



Background



Mr. Wolf, representing the property owner is requesting to use the Traditional Neighborhood District (TND side-yard setbacks) to reconstruct an attached garage. Currently, the home utilizes a small one car garage for which details have been provided below. The garage is deteriorated and is proposed to be demolished and reconstructed using materials similar to those found on the home. A 6 foot side-yard setback currently exists which does not meet the ordinance requirement of 7.5 feet within the "R-3" zoning district. Using the TND overlay standards, a 4 foot side-yard setback is allowed with approval from the Common Council through the conditional use process.

Existing Attached Garage:

Width: 14' 2"

Length: 26' 3"

Square Feet: 371.875

Proposed Attached Garage:

Width: 16' 2"

Length: 26' 3"

Square Feet: 424.375

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: The single family dwelling is existing and is a low intensity use.

Findings: The change should not be detrimental to the health, safety, or general welfare of the public.

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

Analysis: There is to be no change in use.

Findings: The current use is not in conflict with the surrounding neighborhood, as it is primarily residential.

- 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.

Findings: The proposed change should not impede the orderly development and improvement of the surrounding properties.

- 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 immediate area has a mix of residential homes. Neighboring homes along the same street have similar size lots with reduced setbacks which provide limited space for additions, expansions, or reconstruction.

Findings: The proposed change should not be in variance with the architectural appeal or function of the neighborhood.

- 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.

Findings: Utilities currently exist in this area.

- 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: The applicant is requesting to widen the driveway to match the width of the proposed garage.

Findings: Staff would recommend that the applicant shall not widen the curb cut and driveway within the public right-of-way without the approval of all applicable departments.

- 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 Single and Two Family Residence District. The intent of this district to provide for both single family residences and two family residences intended particularly to act as a transition district between lower intensity uses such as permitted in "C", "R-1" and "R-2" districts and higher intensity districts, consistent with the City's Comprehensive Plan. This district is intended to be provided for all lands where sewer and water is or will be required.

Findings: The use is consistent with the 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.

Findings: The proposed change to the building meets all other setback requirements.

- 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: The building is existing and fronts on Wyatt Avenue. One driveway exists for the property where parking only occurs.

Findings: This standard is met.

- 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.

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: N/A

Findings: N/A

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

Analysis: N/A

Findings: N/A

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

Analysis: N/A

Findings: N/A

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
Francis & S Meshak 2024 Wyatt Ave Stevens Point, WI 54481		240832404614	240832404614	Residential
		Property Address		Neighborhood
		2024 Wyatt Ave		29 Central (Residential)
		Subdivision		Zoning
Display Note		Crosby & Mcculloch Addn		R3-TWO FAMILY

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Francis & S Meshak	12/31/2012	\$0	Transfer on Death	779985		Land & Build.

SITE DATA

PERMITS

Actual Frontage	60.0	Date	Number	Amount	Purpose	Note
Effective Frontage	60.0	4/30/2012	12-0225	\$2,680	093 Sewer and/or Water	replace sewer lateral
Effective Depth	100.0	3/26/2012	12-0119	\$1,300	020 Electrical	change overhead serv
Square Footage	6,000.0					
Acreage	0.138					

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(1) - A-Residential	\$10,800	\$70,200	\$81,000
Total	\$10,800	\$70,200	\$81,000

LEGAL DESCRIPTION

N 60' LOTS 15 & 16 BLK 9 CROSBY & MCCULLOCH ADD S32 T24 R8 258/128 779985-TOD

DWELLING DATA (1 of 1)

Style	07 Old Style	Basement	Full	Exposed	No
Ext. Wall	Alum / Vinyl / Steel	Heating	Basic		
Story Height	2	Age	73	Fuel Type	Gas
Year Built	1916	Eff. Year	1940	System Type	Warm Air
Class	(1) - A-Residential	Total Rooms	8	Bedrooms	3
Int. Cond. Relative to Ext.	Interior Same As Exterior	Family Rooms	1		
Physical Condition	Average	Full Baths	1	Half Baths	0
Kitchen Rating	Average	Bath Rating	Average		

FEATURES

ATTACHMENTS

Description	Units	Description	Area
Additional Plumbing Fixtures	1	Frame Garage	404

7/24/2013 10:56:47 AM

GVS Property Data Card

Stevens Point

Name and Address		Parcel #	Alt Parcel #	Land Use
Francis & S Meshak 2024 Wyatt Ave Stevens Point, WI 54481		240832404614	240832404614	Residential
		Property Address		Neighborhood
		2024 Wyatt Ave		29 Central (Residential)
		Subdivision		Zoning
Display Note		Crosby & Mcculloch Addn		R3-TWO FAMILY

LIVING AREA

Description	Gross Area	Calculated Area
Basement	1,460.0	
Finished Basement Living Area	0.0	0.0
First Story	1,460.0	1,460.0
Second Story	384.0	384.0
Additional Story	0.0	0.0
Attic / Finished	0.0	0.0
Half Story / Finished	0.0	0.0
Attic / Unfinished	308.0	
Half Story / Unfinished	0.0	
Room / Unfinished	0.0	
Total Living Area		1,844.0

DETACHED IMPROVEMENTS

Description	Year Built	Square Feet	Grade	Condition

PROPERTY IMAGE

PROPERTY SKETCH



281240832404512	JESSICA S FRITSCH & CHAD M ONEIL	1816 McCulloch St	Stevens Point WI	54481	1816 MCCULLOCH ST
281240832404510	HOEKSTRA & JOHN W ANDERSON	3711 NORTH VALLEY DR	WISCONSIN RAPIDS WI	54494	2025 WYATT AVE
281240832404614	FRANCIS & S MESHAK	2024 Wyatt Ave	Stevens Point WI	54481	2024 WYATT AVE
281240832404612	CONGDON PROPERTIES INC	W1417 Autumn Wood Ln	Marinette WI	54143	1732 MCCULLOCH ST
281240832404611	RICHARD A & CLARA E SALTZ	1724 McCulloch St	Stevens Point WI	54481	1724 MCCULLOCH ST
281240832404610	JENA L & JAMIE R HON	1716 McCulloch St	Stevens Point WI	54481	1716 MCCULLOCH ST
281240832404609	ERICH T HARTMAN	1708 McCulloch St	Stevens Point WI	54481	1708 MCCULLOCH ST
281240832404607	CW & N, EJ & J VERHAGEN	3688 Bentley Rd	Custer WI	54423	2021 DIVISION ST
281240832404511	SHERYL A GURZYNSKI	2033 Wyatt Ave	Stevens Point WI	54481	2033 WYATT AVE
281240832404613	CRAIG A VAN HORN	2508 JEFFERSON ST	STEVENS POINT WI	54481	2032 WYATT AVE
281240832404205	STEVEN F & CYNTHIA D SCHMITZ	1809 McCulloch St	Stevens Point WI	54481	1809 MCCULLOCH ST
281240832404206	DKM PROPERTIES LLC	1031 Tree Ln	Plover WI	54467	2101 WYATT AVE
281240832404101	ALAN R & STEPHANIE A KINNUNEN	2100 Wyatt Ave	Stevens Point WI	54481	2100 WYATT AVE
281240832404102	JUDY A KRYSHAK	1741 MCCULLOCH ST	STEVENS POINT WI	54481	1741 MCCULLOCH ST
281240832404103	GEORGE A HEERES III	1733 McCulloch Street	Stevens Point WI	54481	1733 MCCULLOCH ST
281240832404104	GRAHAM & JANE E JENNINGS	1725 McCulloch Street	Stevens Point WI	54481	1725 MCCULLOCH ST
281240832404115	THOMAS W & THERESA J URMANSKI	2108 Wyatt Avenue	Stevens Point WI	54481	2108 WYATT AVE



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	7/8/13	Fee Required	\$ 250.00	Fee Paid	\$ 250.00
Pre-Application Conference Date	July 8, 2013			Assigned Case Manager	Kyle Kearns		

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)	
Applicant Name	FRANK AND SALLY MESHAK	Contact Name	Brod Wolf
Address	2024 W WATT AVE	Address	2721 Russet Dr.
City, State, Zip	Stevens Point WI 54481	City, State, Zip	Platteville, WI
Telephone	715-341-2851	Telephone	715-630-7273
Fax		Fax	
Email		Email	wolfgrayp

PROJECT SUMMARY

Project Type (Select All Applicable)		
Zoning Permit (Optional) <input type="checkbox"/>	Conditional Use Permit (Required) <input checked="" type="checkbox"/>	Zoning Map Amendment (Required) <input type="checkbox"/>
Administrative Adjustment (Optional) <input type="checkbox"/>	Major Site Plan (Required) <input type="checkbox"/>	Text Amendment (Required) <input type="checkbox"/>
Variance (Optional) <input type="checkbox"/>	Minor Subdivision (Required) <input type="checkbox"/>	
Minor Site Plan (Optional) <input type="checkbox"/>	Major Subdivision (Required) <input type="checkbox"/>	
Major Site Plan (Required) <input type="checkbox"/>	Planned Development (Required) <input type="checkbox"/>	
Project Address:		
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)
2403-32-4046-14	-	-
Designated Future Land Use Category		Current Zone District(s)
Residential		R3-Two Family
Is there a current application associated with this project? <input checked="" type="checkbox"/>		
Describe land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)		
Remove existing garage - Rebuild new garage in the same location		

SIGNATURES

Signature of Applicant	Date	Signature of Property Owner's (if not the Applicant)	Date
Sally Meshak	7/2/13		

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



APPLICATION FOR A CONDITIONAL USE PERMIT

(Pre-Application Conference Required)

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted		Fee Required		Fee Paid	
Associated Applications if Any				Assigned Case Manager			
Pre-Application Conference Date				Conditional Use Permit Request	Use	<input type="checkbox"/>	

APPLICANT/ CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)	
Applicant Name	FRANK AND SALLY MESHAK	Contact Name	
Address	2024 WYATT AVE	Address	
City, State, Zip	STEVENS POINT WI 54481	City, State, Zip	
Telephone	715-346-2851	Telephone	
Fax		Fax	
Email		Email	

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)		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
Legal Description of Subject Property		
2024 WYATT AVE		
Designated Future Land Use Category		Current Use of Property
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)		
REMOVE EXISTING GARAGE AND REPLACE WITH A NEW ONE. NORTH WALL OF PROPOSED BUILDING WILL BE THREE FEET FROM THE PROPERTY LINE.		

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

THE CURRENT GARAGE IS IN POOR REPAIR, AND HAS AN INADEQUATE FOUNDATION. A NEW GARAGE

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

There will be no negative impacts on adjacent properties.

Current Zoning Surrounding Subject Property

North:		South:	
East:		West:	

Current Land Use Surrounding Subject Property

North:		South:	
East:		West:	

EXHIBITS

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

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
<i>Adele Mestek</i>	<i>7/2/13</i>		

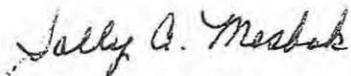
July 9, 2013

Mary Stroik
Fifth District Alderperson
1709 Ellis Street
Stevens Point, WI 54482

Dear Mary,

I am writing this letter to you as my Alderperson to request a building permit to build a garage at 2424 Wyatt Avenue. Our current garage is very old with many roof and building issues. We would like to replace our old garage with a new one that is structurally sound with the proper footings, etc. We would also like to widen the garage a little more than it is now so we have room inside to move around with ease upon exiting the vehicle. Our contractor stated that our request must be heard at the next common council meeting and that we should write a letter to you explaining our request. We have lived at this property for approximately 45 years and would hope that our request would be honored. If you have any questions, please feel free to contact me directly. Your attention to our request is greatly appreciated.

Sincerely,



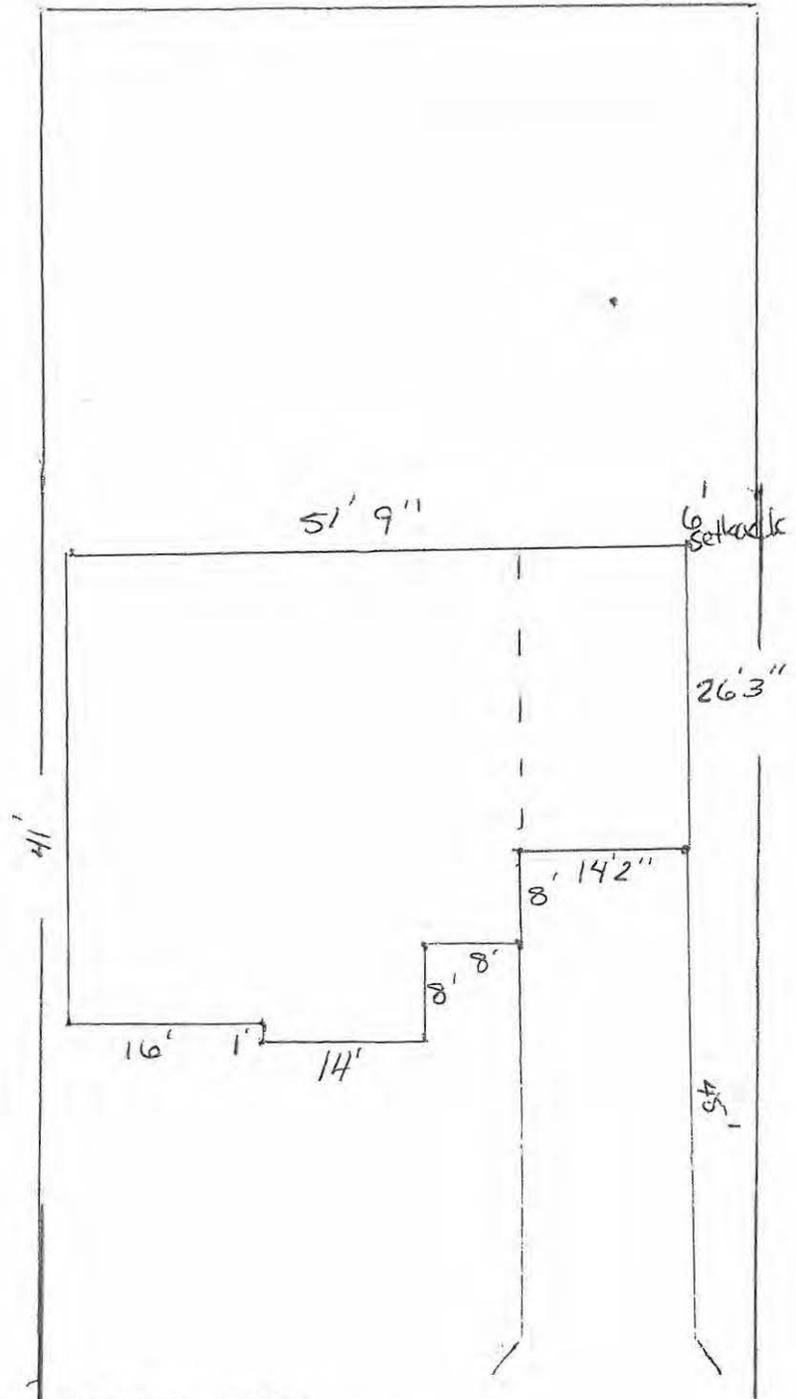
Sally A. Meshak
(715) 341-2851
2024 Wyatt Avenue
Stevens Point, WI 54481

John G. Weber Co., Inc.

New & Used Sales/Service of Wood, Plastics, Aluminum Machinery



2024 WYATT AVE.
Existing

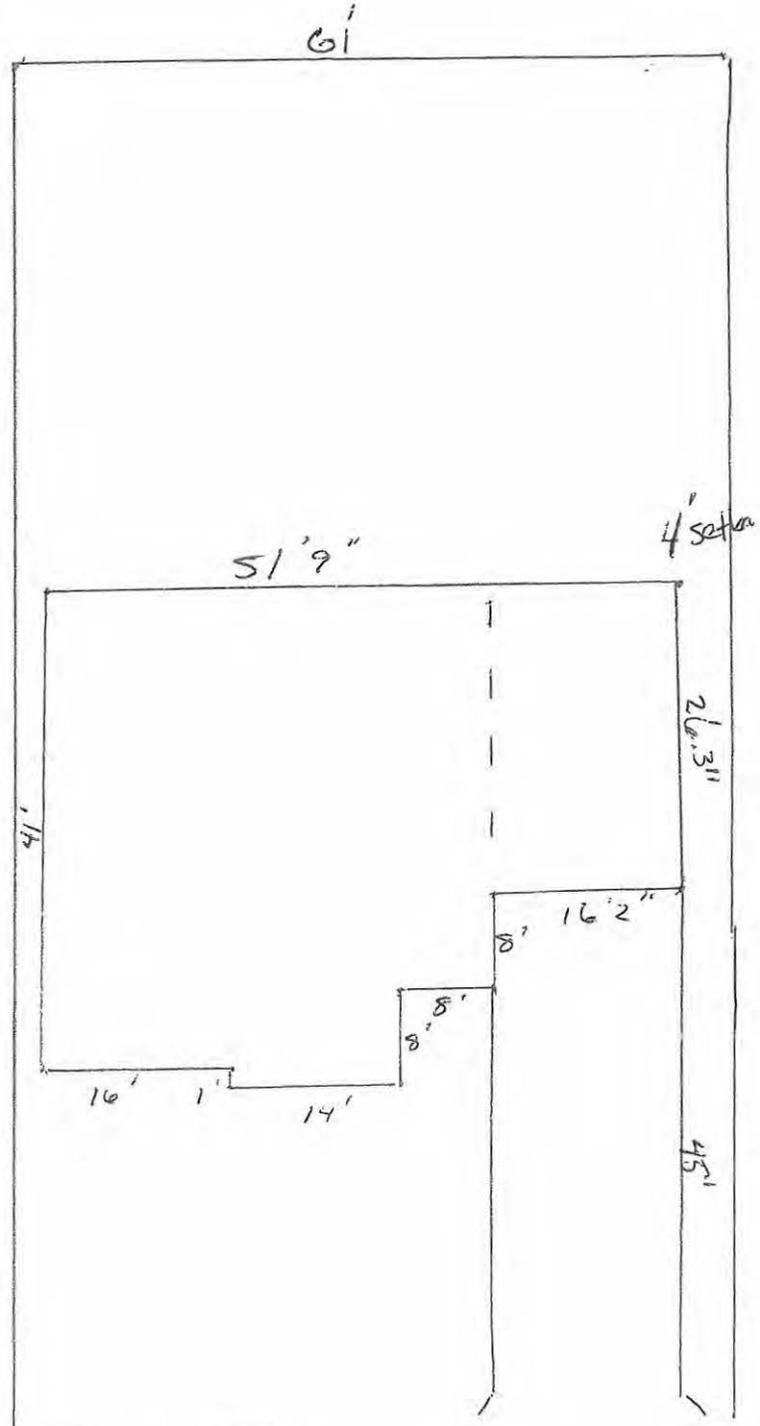


John G. Weber Co., Inc.

New & Used Sales/Service of Wood, Plastics, Aluminum Machinery



2024 Wyatt Ave.
Proposed



Administrative Staff Report

Mancl Conditional Use Southeast corner of Echo Dells Avenue & Riverview Avenue

August 5, 2013

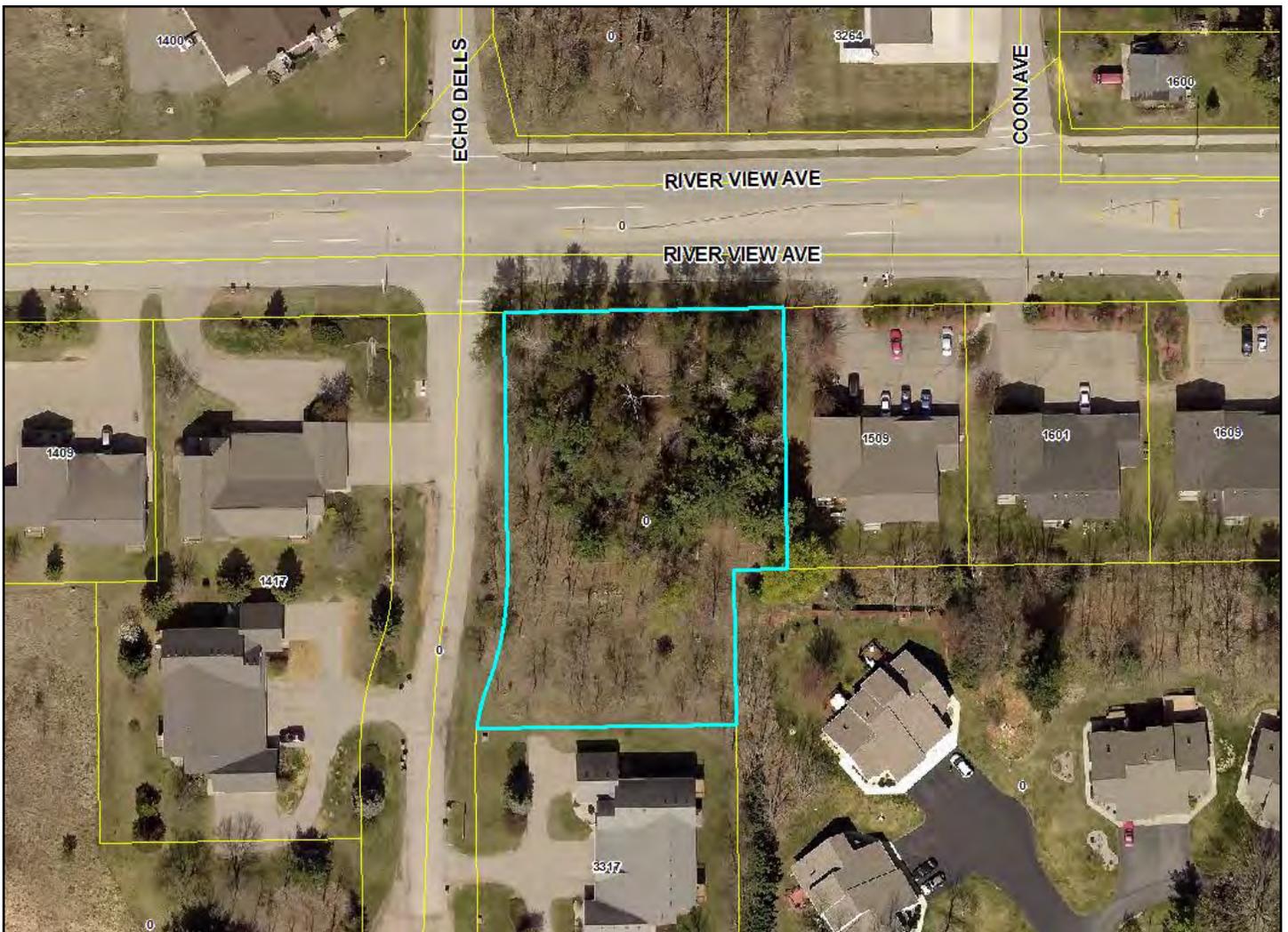


Department of Community Development

<p>Applicant(s):</p> <ul style="list-style-type: none">Beverly Mancl <p>Staff:</p> <ul style="list-style-type: none">Michael Ostrowski, Director mostrowski@stevenspoint.comKyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none">2308-05-4300-36 <p>Zone(s):</p> <ul style="list-style-type: none">"R-4" Multiple Family I Residence District <p>Master Plan:</p> <ul style="list-style-type: none">Residential <p>Council District:</p> <ul style="list-style-type: none">District 10 – Phillips <p>Lot Information: 2408-27-2301-09</p> <ul style="list-style-type: none">Effective Frontage: 234 feetEffective Depth: 155 feetSquare Footage: 36,270Acreage: 0.833 <p>Current Use:</p> <ul style="list-style-type: none">Vacant - Woodland <p>Applicable Regulations:</p> <ul style="list-style-type: none">23.01(14), 23.01(16), and 23.02(1)(f)	<p>Request</p> <p>Request from Beverly Mancl for a conditional use permit for the purpose of constructing an 8-unit townhouse style apartment complex, at the southeast corner of Echo Dells Avenue and Riverview Avenue (Parcel ID 2308-05-4300-36), as well as a modification to the parking lot and landscaping standards, relating to a reduced parking lot setback and location of the parking lot in the street yard.</p> <p>Attachment(s)</p> <ul style="list-style-type: none">Parcel ID SheetExhibit MapApplicationSite and Landscape PlansElevations/Renderings <p>Findings of Fact</p> <ul style="list-style-type: none">Current property is zoned R-4.Multi-Family developments are a conditional use within the R-4 zoning district.The request is for eight 2-bedroom townhouse units with attached garages and private entrances. <p>Staff Recommendation</p> <p>Approve, subject to the following condition(s):</p> <ol style="list-style-type: none">The applicant shall position the driveway directly across from the northern most driveway on Echo Dells Avenue, so as to minimize traffic conflicts.If sidewalks were ever to be installed by the City or property owners on directly adjacent properties, the applicant or owner of the property in question shall install sidewalks at his/her own expense within one year.Materials used for the refuse enclosure shall be constructed out of finished wood, or masonry materials.Additional vegetative landscaping to match the proposed shall be placed along the north side of the building facing Riverview Avenue.The maximum number of units shall be 8, with a maximum number of 16 bedrooms.Snow shall be removed from the site, or stored in a location that it will not negatively impact adjacent properties.A stormwater plan will need to be reviewed and approved by the Department of Public Works.A minimum of 25% of the façade shall be covered with masonry or
---	--

- decorative brick. EIFS may be considered to satisfy this requirement.
9. Staff shall have the authority to approve minor changes such as landscaping or drainage.
 10. Landscaping that screens parking, shall be allowed to encroach into the public right-of-way with approval from the appropriate staff. The owner shall manage and maintain the landscaping within the right-of-way and if ever the City were to widen the street or install sidewalks, compensation for the landscaping would not be provided. Furthermore, the owner shall remove landscaping at their own cost if the above were to occur.
 11. Supplementary landscape planters shall be installed along the westward facing building façade near entryways.
 12. The applicant shall pay the required park fee per unit to the City.

Vicinity Map



Background

Beverly Mancl is proposing to construct one townhouse style 8-unit apartment complex on the southeast corner of Echo Dells Avenue and Riverview Avenue. Each unit will offer 2-bedrooms and attached garages. Furthermore, units will include furnished kitchens, full bathrooms, private entrances and walkouts. Bedrooms will primarily exist on the second floor. Units will alternate from north to south for those with one or two car garages. The main façade will consist of several unique architectural characteristics, along with masonry building materials which will ensure aesthetics are met. Building details are below.

8 Unit Townhouse Style Apartment Complex

- Two-Story
- 16 Bedrooms (2 bedroom/unit)
- 4 Two Stall Garages
- 4 Single Stall Garages
- Parking: 21 Stalls
- Private Entrances
- Rear Walkout
- Total Square footage: 13,236

Standards of Review

Conditional Use Request

- 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: The current parcel is vacant. Multi-family apartments, townhouses and duplexes exist east, west, and south of the property. Multi-family apartments and single family homes exist to the north, across Riverview Avenue.

Findings: The establishment of this use should not be detrimental to the public, as the use will be located adjacent to multiple family uses. Furthermore, the proposed use and building mimic townhomes and duplexes, rather than large-scale apartments. A multiple family development seems to be the most appropriate use because of the surrounding uses. Lastly, residential single family uses to the north should be protected from the more intense use as the building will face Echo Dells Avenue with ingress/egress off of Echo Dells Avenue.

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

Analysis: This area has a mix residential single family and multiple family uses. Multiple family primarily exists directly adjacent to the site.

Findings: A multi-family townhouse style apartment complex should not be injurious to the uses already existing and permitted in this area.

- 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 building will be located on one parcel nearly one acre in size that is surrounded by development. Additional vacant parcels exist further to the south along Echo Dells Avenue and west along Riverview Avenue. Additionally, a vacant parcel exists across the street on Riverview Avenue.

Findings: Vacant property to the south and west are under the same ownership as the property for which the development is proposed on. The proposed project may assist with the creation of additional development in the future. Land across Riverview Avenue, zoned R-2 residential, may develop in the near future as neighboring single family homes were recently constructed. The establishment of this use may promote additional development along Riverview Avenue and Echo Dells Avenue.

- 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 proposed building will incorporate similar architectural design as the photo which is of a neighboring development constructed by the same developer. Additional architecture such as hipped dormers, distinctive windows (double hung), and several siding patterns will be prevalent. Lastly, construction materials will include wood, stone veneer, vinyl siding and concrete. Front entryways will have architectural appealing and functional overhangs, under which will exist concrete and landscaping.

Findings: There are a variety of architectural styles within this area, most however incorporate two-story buildings. The existing multi-family developments to the east are uniquely different in style and materials. While the applicant is proposing a similar style as neighboring buildings to the west, several additional architectural elements are being presented which will add to the neighborhood character. Furthermore, the main façade creates several jogs and crowns over windows that help break up any building monotony. Staff feels the difference, specifically in design would not be at variance with the exterior architectural appeal and functional plan, and scale of the structures already constructed in the immediate neighborhood.



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

Analysis: Utilities exist on Echo Dells and Riverview Avenue.

Findings: This standard is met.

- 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 will occur on Echo Dells Avenue, via one driveway. The driveway is over 75' feet from the intersection of Echo Dells Avenue and Riverview Avenue.

Findings: The driveway is an adequate distance from the adjacent intersections and should not cause congestion in this area. Staff would recommend however that the proposed driveway be positioned directly across from the northern most driveway across the street along Echo Dells Avenue to reduce traffic conflicts.

- 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 would be within the "R-4" Multiple Family I Residence District. This district is established to provide a medium density, mixed residential district intended to provide a transition between lower density detached housing areas and more intense non-residential land usage consistent with the City's Comprehensive Plan. The City's Comprehensive Plan identifies the area to develop as single family residential.

Findings: The proposed use is appropriate for the intent of the "R-4" district, as multi-family residential exists to the south, east and west, and single family residential to the north. This standard is met.

- 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: Screening, parking, setbacks and all other zoning requirements are met.

Findings: This standard 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.**

Analysis: This request is for 8 two-bedroom units in one townhouse style apartment complex, totaling 16 beds. Four adjacent multi-family use properties exist near the property in question. Single family residential exists to the north across Riverview Avenue.

Findings: Although several multi-family use properties exist within the vicinity, none are of great intensity. The majority are similar to the proposed building, offering attached garages, private entrances, and larger yards. Additionally, the property directly southeast is made up of several duplex structures, mimicking a single family neighborhood. No large, hi-rise, largely paved, multi-family structures exist within the area. Based on the findings above, and the property characteristics, staff does not feel that this proposal will create an over-concentration of high density living facilities within the immediate area. Again the property's surrounding uses, less intense multi-family, still will most likely deter development of single-family homes on the property. Additionally, the size and shape of the parcel, along with proximity to a larger thoroughfare (Riverview Avenue) does not favor single-family development.

- 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.**

- a. Parking should not be located in the front yard.**

Analysis: The development is proposed on a corner lot. Furthermore, the building and parking face Echo Dells Avenue, a secondary street, rather than Riverview Avenue, the main thoroughfare. Furthermore, adequate screening of the few visitor parking stalls is proposed. Additional landscaping is also proposed along the drainage ponds. The majority of tenant parking will occur within the attached garages. Nine visitor stalls exist on the northwest corner of the site where the property's width can accommodate them.

Findings: Adequate screening of the parking from both rights-of-way is provided.

b. Parking should be visually screened from street view and from neighboring properties.

Analysis: The plan provides for landscape screening along the parking lot, and from adjacent streets. Additionally, the applicant is requesting to place screening within the right of way which would allow for increased drive aisle widths to accommodate visitor parking.

Findings: Staff would recommend the following in regards to the request above; landscaping that screens parking, shall be allowed to encroach into the public right-of-way with approval from the appropriate staff. The owner shall manage and maintain the landscaping within the right-of-way and if ever the City were to widen the street or install sidewalks, compensation for the landscaping would not be provided. Furthermore, the owner shall remove landscaping at their own cost if the above were to occur. Additionally, supplementary landscape planters shall be installed along the westward facing building façade near entryways.

c. Building should face their main facade toward the street.

Analysis: The building's main façade faces the street (Echo Dells Avenue). Additionally, the northern side of the building will face a street as well (Riverview Avenue) Refuse storage is proposed on the northern side of the paved area.

Findings: The applicant will provide adequate screening of the refuse containers and additional masonry and architectural features along the north side of the building facing Riverview Avenue. This standard is met.

d. In cases where the main facade of the building cannot face the street, the portion of the building facing the street shall be developed in such a manner that the street-façade is developed using architectural elements like roof lines, windows, and architectural detailing to make the street facade look harmonious in scale, massing, proportion, and building form with other residential structures. (Blank walls facing the street and windows of less than 36 inches vertical are not normally acceptable.)

Analysis: The main façade faces the street and incorporates several architectural design elements and construction materials.

Findings: This standard is met.

e. A minimum of 25% of the façade shall be covered with masonry or decorative block. Exterior insulation and finish systems (EIFS) may be considered to satisfy this requirement if part of an overall architectural design scheme.

Analysis: A significant amount of masonry in the form of stone veneer is proposed to exist along the main (west) facade. Roof dormers and other features, such as attractive windows are proposed as well. Lastly, several vinyl siding patterns will exist, providing a mix of features to the building.

Findings: This standard is met.

11) Access to the site shall be safe.

Analysis: The development faces Echo Dells Avenue. One driveway will be located on the site. Approximately 75 feet of separation exists between the intersection of Echo Dells Avenue and Riverview Avenue. Traffic on Echo Dells Avenue is minimal as it dead ends after a few hundred feet off of Riverview Avenue.

Findings: The separation from the intersection is sufficient enough. Staff would recommend however that the proposed driveway be positioned directly across from the northern most driveway across the street along Echo Dells Avenue to reduce traffic conflicts.

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: Utilities exist along Echo Dells Avenue to adequately serve the site, including fire hydrants to serve the fire department.

Findings: Staff would recommend that if sidewalks were ever to be installed by the City or property owners on directly adjacent properties, the applicant or owner of the property in questions shall install sidewalks at his/her own expense within one year.

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: The refuse enclosure is located on the north side of the property, and is proposed to be fully screened with an enclosure and some landscaping to the north.

Findings: This standard is met. Staff would recommend that the materials used for the enclosure shall be constructed out of finished wood, or masonry materials.

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

Analysis: No lighting plan has been submitted. Lighting is assumed to be minimal.

Findings: Due to the large amount of existing landscaping and proposed landscaping, little if any spill over of light from the building will occur. Staff would recommend waiving the requirement for a lighting plan.

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

Analysis: The request is for a multi-family residential use.

Findings: It is not anticipated that significant noise will be created with this request.

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.

- a. All site plans shall at a minimum meet the guidelines contained in the parking setback landscaping standards.**

Analysis: The applicant is requesting a reduction of approximately 7 feet for the front yard setback in order to provide for better circulation on the site. In exchange for a reduced setback, the applicant is willing to install additional landscaping.

Findings: Given that this development is on a corner (which creates two 25' setbacks), and additional landscaping will be installed to screen the parking lot, staff would be agreeable to this request.

- b. In addition, at least one tree per dwelling unit shall be planted outside the parking screening area (minimum size of the tree at planting shall be 1.5 inch caliper)**

Analysis: Over 20 trees are scattered throughout the site, many of them will be mature as they will not be removed.

Findings: This standard is met.

- c. In addition, at least one plant for each 30 inches of building facing the street shall be planted. The size of the plants shall be a minimum of 18 inches at the time of planting. The planting may be relocated to other portions of the site.**

Analysis: A majority of the building front will be lined with landscaping. In addition, proposed drainage areas will be fully landscaped. No landscaping has been provided along the south side of the building.

Findings: For the most part, this standard is met. Staff would recommend adding some vegetative landscaping along the north side of the building facing Riverview Avenue.

- d. Adjustments to the above requirements may be made to recognize existing landscape elements preserved on the site.**

Analysis: A great deal of landscaping has been provided throughout the site. In addition, some vegetation existing on the site's borders will remain.

Findings: This standard is met.

Name and Address		Parcel #	Alt Parcel #	Land Use
Beverly A Northwood PO Box 669 Stevens Point, WI 54481		230805430036	230805430036	Vacant Land - Commercial
		Property Address		Neighborhood
		Echo Dells Ave		Division St/Church St (Comm)
		Subdivision		Zoning
Display Note		Certified Survey Map		R4-MULTI-FAMILY I

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type

SITE DATA

PERMITS

Actual Frontage	234.0	Date	Number	Amount	Purpose	Note
Effective Frontage	234.0					
Effective Depth	155.0					
Square Footage	36,270.0					
Acreage	0.833					

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(2) - B-Commercial	\$48,000	\$0	\$48,000
Total	\$48,000	\$0	\$48,000

LEGAL DESCRIPTION

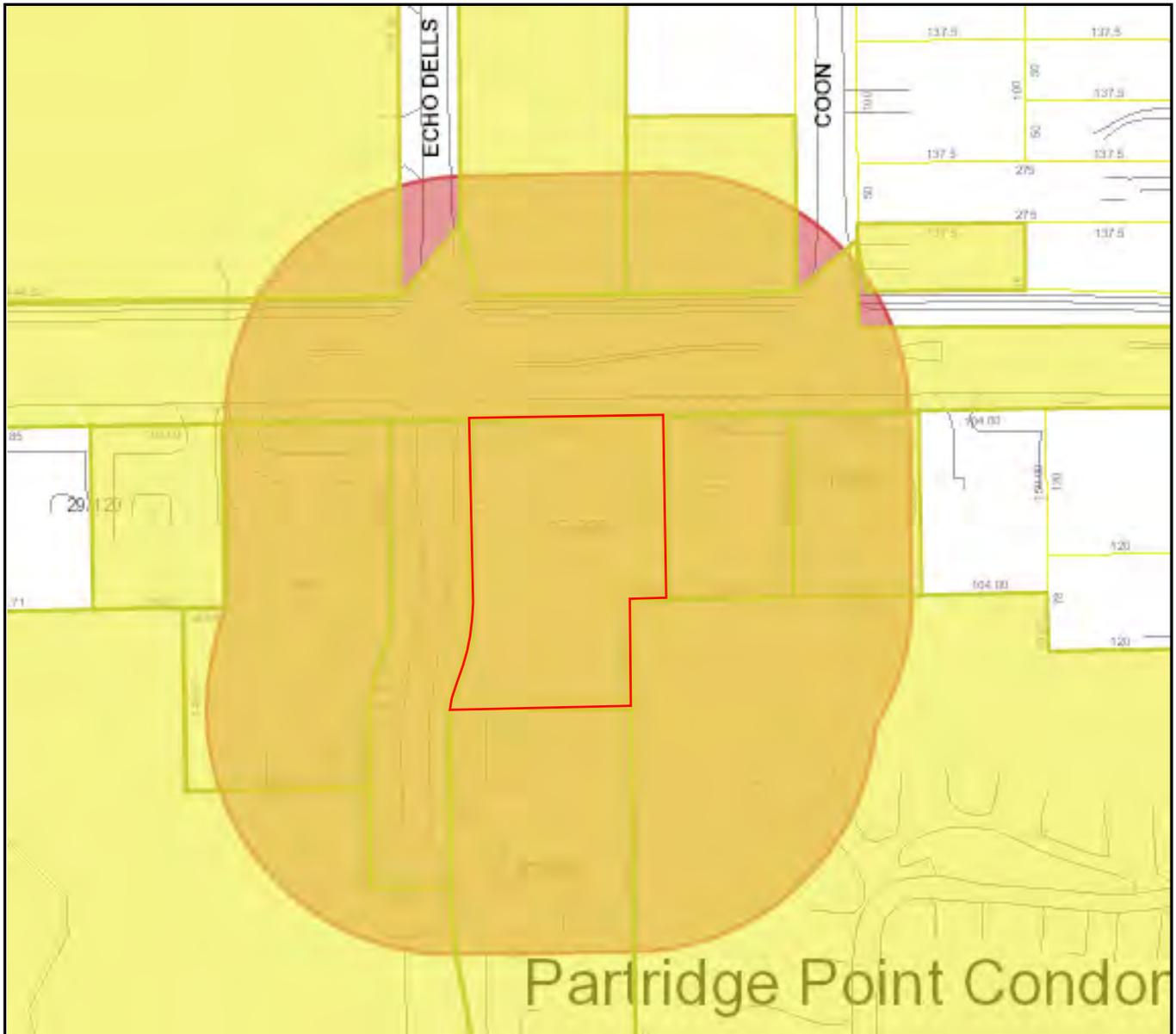
LOT 2 CSM #4974-17-299 BNG PRT LOT 1 CSM #4702-16-197 BNG PRT SW SE S5 T23 R8 519/1083 - 556/284 706/328-33

PROPERTY IMAGE

PROPERTY SKETCH

NO IMAGE ON FILE

Conditional Use Request – 8-Unit Apartment Complex – Eco Dells Avenue & Riverview Avenue – Exhibit Map (200 Feet Boundary)



Tax Key	Name	Mailing Address	City	Zip	Address	NAME
281230805420302	CHRIS & GINGER KARCH	3264 Coon Ave	Stevens Point, WI	54481	3264	COON AVE
281230805420406	WARREN COLBY	3264B Whiting Ave	Stevens Point, WI	54481	1600	RIVER VIEW AVE
281230805430007	R&D ENTERPRISES LLC	1540 Brookhaven Way	Plover, WI	54467	1601	RIVER VIEW AVE
281230805430008	R&D ENTERPRISES LLC	1540 Brookhaven Way	Plover, WI	54467	1509	RIVER VIEW AVE
281230805430036	BEVERLY A NORTHWOOD	PO Box 669	Stevens Point, WI	54481	0	ECHO DELLS AVE
281230805430099	CITY OF STEVENS POINT	1515 Strongs Ave	Stevens Point, WI	54481	0	ECHO DELLS AVE
281230805430038	BEVERLY A MANCL - HEATHER RIDGE APARTMENTS	PO Box 669	Stevens Point, WI	54481	1417	RIVER VIEW AVE
281230805430042	BEVERLY A MANCL -	PO Box 669	Stevens Point, WI	54481	1409	RIVER VIEW AVE

	HEATHER RIDGE APARTMENTS					
281230805430043	BEVERLY A NORTHWOOD	PO Box 669	Stevens Point, WI	54481	0	RIVER VIEW AVE
281230805400154	EMIL BOOHER	8716 Fountain Grove Rd	Amherst, WI	54460	0	WHITING AVE
281230805430037	BEVERLY A MANCL - HEATHER RIDGE APARTMENTS	PO Box 669	Stevens Point, WI	54481	3317	ECHO DELLS AVE
281230805300099	PORTAGE COUNTY	1516 Church St	Stevens Point, WI	54481	0	RIVER VIEW AVE
281230805420205	CANDLEWOOD INVESTMENTS LLC	1317 COLLEGE CT	Stevens Point, WI	54481	1400	RIVER VIEW AVE
281230805420304	HENRY D DANCZYK	135 Forest St North	Stevens Point, WI	54481	0	ECHO DELLS AVE



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	7/2/13	Fee Required	\$250.00	Fee Paid	
Pre-Application Conference Date	7/2/13	Assigned Case Manager	Kyle Kearns				

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)	
Applicant Name	Beverly Mancl	Contact Name	
Address	PO Box 669	Address	
City, State, Zip	Stevens Point, WI	City, State, Zip	
Telephone	715-340-9119	Telephone	
Fax		Fax	
Email		Email	

PROJECT SUMMARY

Project Type (Select All Applicable)			
Zoning Permit (Optional)	<input type="checkbox"/>	Conditional Use Permit (Required)	<input checked="" type="checkbox"/>
Administrative Adjustment (Optional)	<input type="checkbox"/>	Major Site Plan (Required)	<input type="checkbox"/>
Variance (Optional)	<input type="checkbox"/>	Minor Subdivision (Required)	<input type="checkbox"/>
Minor Site Plan (Optional)	<input type="checkbox"/>	Major Subdivision (Required)	<input type="checkbox"/>
Major Site Plan (Required)	<input type="checkbox"/>	Planned Development (Required)	<input type="checkbox"/>
Project Address:	Echo Dells Avenue		
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)	
2308-05-4300-36			
Designated Future Land Use Category	Current Zone District(s)		
	R-4 Multi Family		
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)			
<p>The land is currently undeveloped. We are planning an 8-unit townhouse style apartment building. Each unit will have two bedrooms. 3 units will have two stall attached garages and 5 will have one stall attached garages. As much existing vegetation will be left on site as possible to provide shade and screening from neighbors. The site is approximately 36,400 sf. The building footprint is 7,848 sf. We are planning to begin construction late this summer with completion by spring of 2014.</p>			

SIGNATURES

Signature of Applicant	Date	Signature of Property Owner's (If not the Applicant)	Date

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



APPLICATION FOR A CONDITIONAL USE PERMIT

(Pre-Application Conference Required)

R#1-53423
7-8-13

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	-	Date Submitted	7/8/13	Fee Required	\$250. -	Fee Paid	\$250.00
Associated Applications if Any	-	Assigned Case Manager	Kyle Keams				
Pre-Application Conference Date	7/2/13	Conditional Use Permit Request	Use	<input checked="" type="checkbox"/>			

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)	
Applicant Name	Beverly A Mancl	Contact Name	
Address	PO Box 669	Address	
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	
Telephone	715-340-9119	Telephone	
Fax		Fax	
Email	wis.pts@yahoo.com	Email	

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input type="checkbox"/>)		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
230805430036	230805430036	
Legal Description of Subject Property		
Lot 2 CSM #4974-17-299 bng prt Lot 1 CSM #4702-16-197 bng prt SW SE S5 T23 R8 519/1083 - 556/284 706/328-33		
Designated Future Land Use Category		Current Use of Property
MULTI-FAMILY		VACANT LAND
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)		
Construction of 8 unit apartment building		

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

Building is located between multi-family apartments built in 1988-1990 by same owner. Design will compliment existing development. Development will appeal to upper end of rental market.

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

STORM WATER RETENTION ON SITE . WE WILL PROVIDE LANDSCAPE SCREENING @ PARKING LOTS & RETAIN AS MUCH EXISTING LANDSCAPE (TREES) AS POSSIBLE .

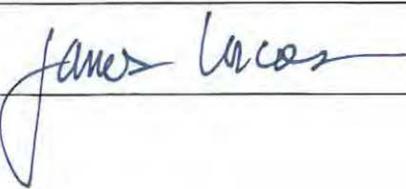
Current Zoning Surrounding Subject Property			
North:	R-4 multi-family	South:	R-4 multi-family
East:	R-4 multi-family	West:	R-4 multi-family
Current Land Use Surrounding Subject Property			
North:	R-4 multi-family	South:	R-4 multi-family
East:	R-4 multi-family	West:	R-4 multi-family

EXHIBITS

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

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
			

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
	Beverly Mancl

Property Address(es)
Echo Dells Avenue, Stevens Point, WI

Applicant's Address
PO Box 669, 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) Beverly Mancl	All <input type="checkbox"/>	<input type="checkbox"/>
	A Portion <input type="checkbox"/>	<input type="checkbox"/>
Contract Owner N/A	All <input type="checkbox"/>	<input type="checkbox"/>
	A Portion <input type="checkbox"/>	<input type="checkbox"/>
Holder of a Security Interest None	All <input type="checkbox"/>	<input type="checkbox"/>
	A Portion <input type="checkbox"/>	<input type="checkbox"/>

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

Bev Mancl Townhouse Development

Echo Dells Avenue Stevens Point, Wisconsin 54481

Code Data

Governing Code
Wisconsin Enrolled, 2009 International Building Code

Occupancy Classification - 310.1
Residential - R2

Allowable Height & Area - TABLE 503
2 STORY, 7,000 SF ALLOWABLE.
Frontage Increase PER 506.2 = 50% for 1 story building.

Actual Building Area
13,236 SF

Type of Construction - TABLE 601
TYPE V B,

Occupant Capacity 1004.1.1.1
RESIDENTIAL - 1 / 200 = 66

Required Exit Width - 1005.1
FIRST FLR = .20" PER OCC. req'd
72" PROVIDED PER UNIT = 9" PER OCC. PER UNIT

Exit Access Travel Distance 1016.1
RESIDENTIAL R2 OCC, WITHOUT SPRINKLER - 200 FT.

Fire Protection 903.3
THIS BUILDING WILL NOT BE PROTECTED BY FIRE SPRINKLER

Fire Separations
2 HR RATED CONSTRUCTION BETWEEN UNITS, TO ROOF DECK

Sanitary Facilities, Table 2902.1

REQUIRED			
PER UNIT			
TLT	BATH/SHOWER	LAV	KITCHEN SINK
1/UNIT	1/UNIT	1/UNIT	1/UNIT

PROPOSED			
PER UNIT			
TLT	BATH/SHOWER	LAV	KITCHEN SINK
2/UNIT	1/UNIT (MIN.)	1/UNIT (MIN.)	1/UNIT

Design Loads

SOIL BEARING CAPACITY, 2,500 PSF PRESUMED

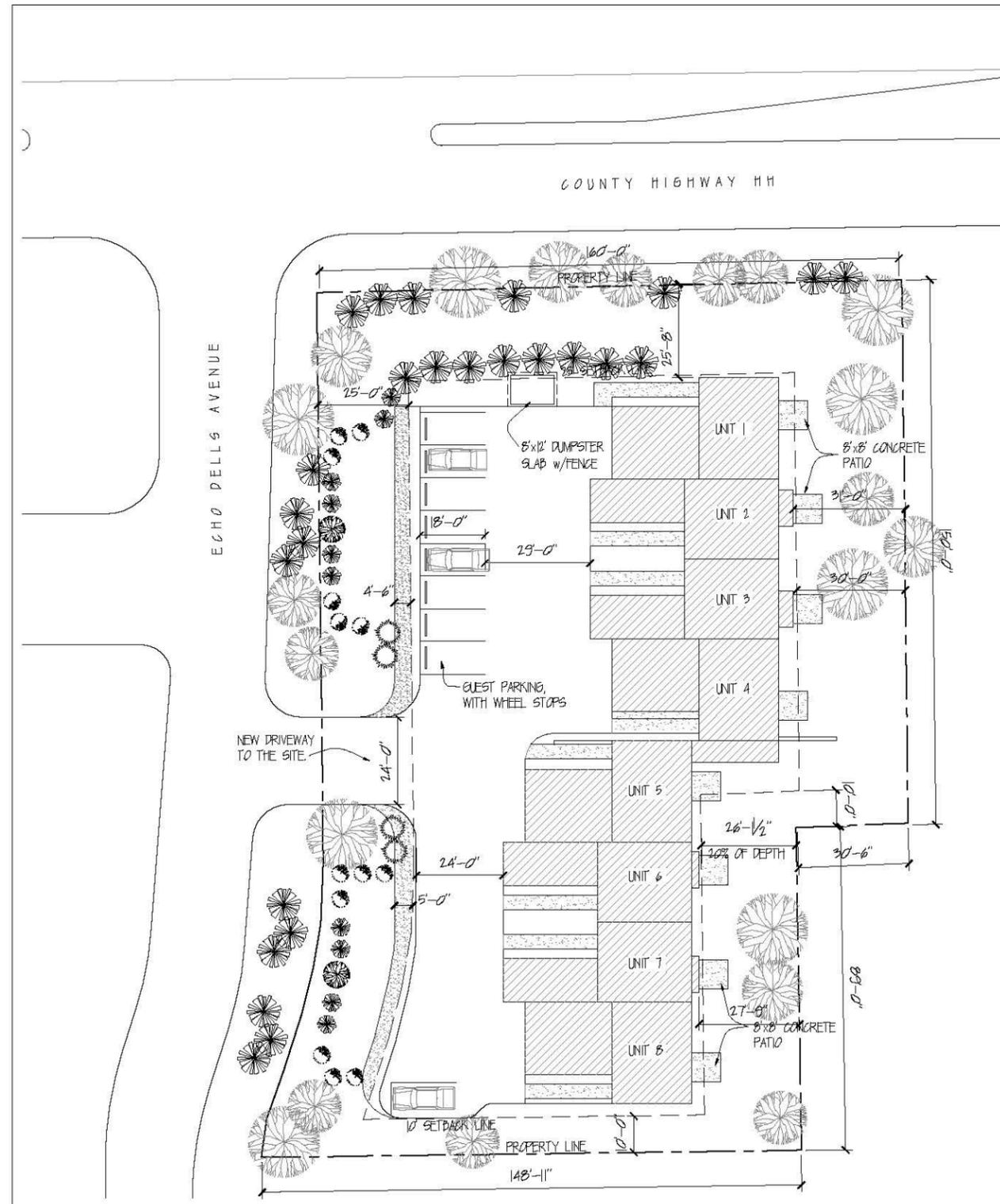
ROOF LIVE LOAD = SEE ROOF PLAN FOR LOADS

ROOF DEAD LOAD = 15 PSF AT NEW FRAMING

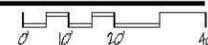
LATERAL LOAD (WIND) = 20 PSF

UPLIFT AT CANOPY = 30 PSF

1607.1
FLOOR LIVE LOAD, RESIDENTIAL R2 = 40 PSF
FLOOR LIVE LOAD, PASSAGE/EXIT = 40 PSF



1 SITE PLAN
T100 SCALE: 1" = 10'-0"

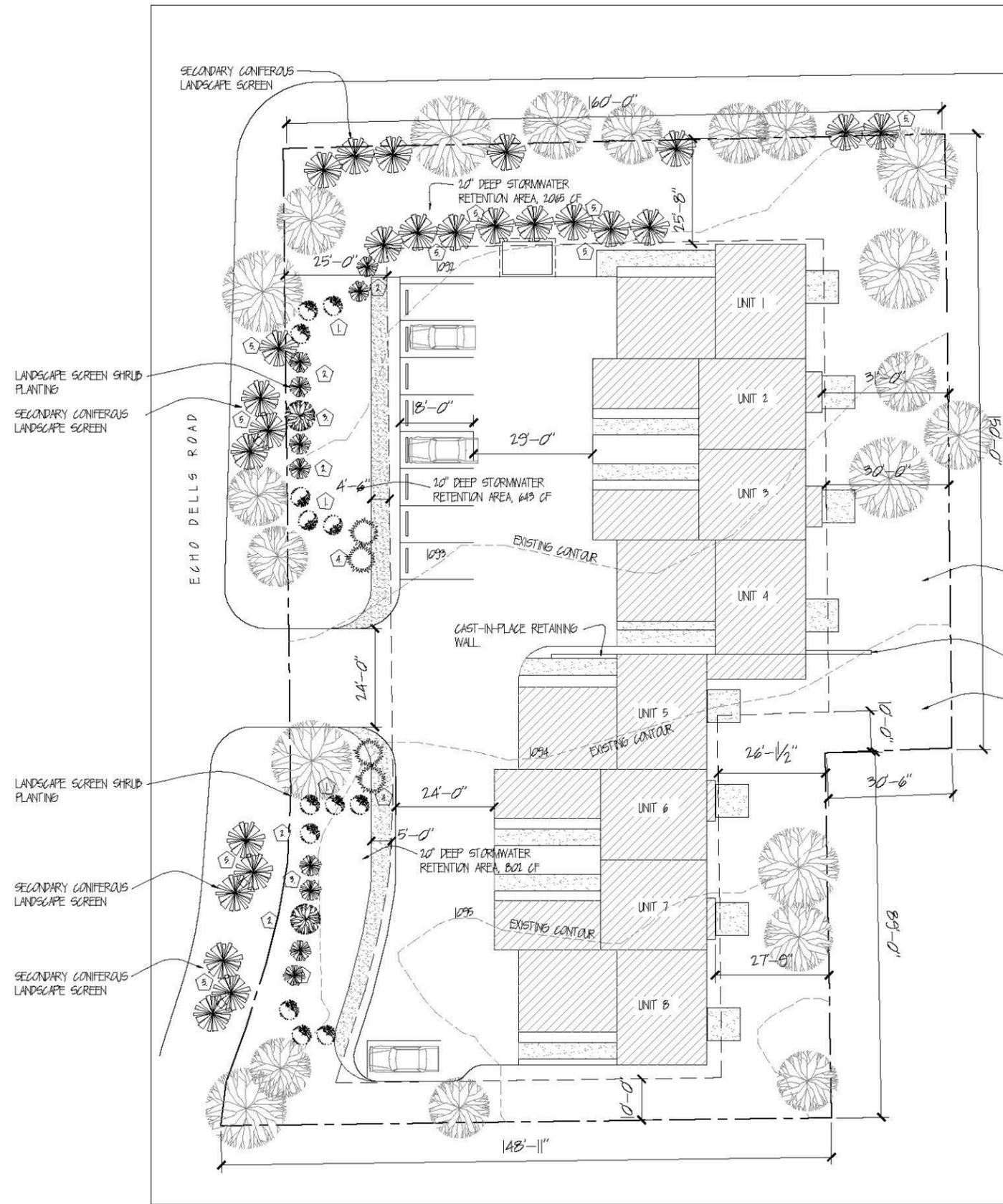


Index to Sheets

- T101 Title Sheet and Site Plan
- C101 Landscape & Drainage Plan
- C102 Grading Plan
- A000 Fire Separation Plan
- A100 Door & Room Finish Sched.
- A101 Partial 1st Floor Plan, south
- A102 Partial 1st Floor Plan, north
- A103 Partial 2nd Floor Plan, south
- A104 Partial 2nd Floor Plan, north
- A201 Exterior Elevations
- A202 Exterior Elevations
- A203 Exterior Elevations
- A301 Building Sections & Details
- A302 Building Sections & Details
- S100 Foundation Plan & Details
- S101 Second Floor Framing Plan
- S102 Roof Framing Plan
- G101 Symbols and Legends
- G102 Accessibility Details

REVISIONS

#2413 SCHEM DES
7/15/13 STATE APPR.
DATE
June 24, 2012
PROJECT NO.
13 012



TOTAL SITE:	36,390 SF
(8) TOWNHOUSES	8,001 SF
ASPHALT PAVING & CONCRETE PATIOS	9,062 SF
TOTAL BUILDING/PARKING	17,063 SF
TOTAL GREEN SPACE	19,327 SF
REQUIRED GREEN SPACE (1,200 PER UNIT)	9,600 SF
TOTAL WATER DETENTION	6,813 CF
REQ'D WATER DETENTION (4" RAINFALL)	5,688 CF
TOTAL PARKING	20 CARS
REQ'D PARKING = 2/2 BEDROOM	16 CARS
TOTAL GARAGES	12 STALLS

RETENTION AREA 1 = 2,130 SF
 RETENTION AREA 2 = 627 SF
 RETENTION AREA 3 = 788 SF
 RETENTION AREA 4 = 1,855 SF
 TOTAL = 4,090 SF
 4,090 SF x 1.66 FT = 6,813 CF

LANDSCAPE SCREEN PLANTING

- 1 FRAGRANT LILAC
- 2 GOLDEN GLOBE ARBORVITAE
- 3 FORSYTHIA (YELLOW)
- 4 HYDRANGEA (WHITE)
- 5 BALSAM FIR

1 LANDSCAPE AND DRAINAGE PLAN
 C101 SCALE: 1" = 20'-0"

SITE PLAN

NEW TOWNHOUSE DEVELOPMENT
 FOR
 PEV MANGL
 ECHO DELLS AVENUE
 STEVENS POINT, WI 54481

REVISIONS

#2413 SCHEM DES	
7/13/13 STATE APPR	
DATE	June 24, 2012
PROJECT NO.	13 012

C101

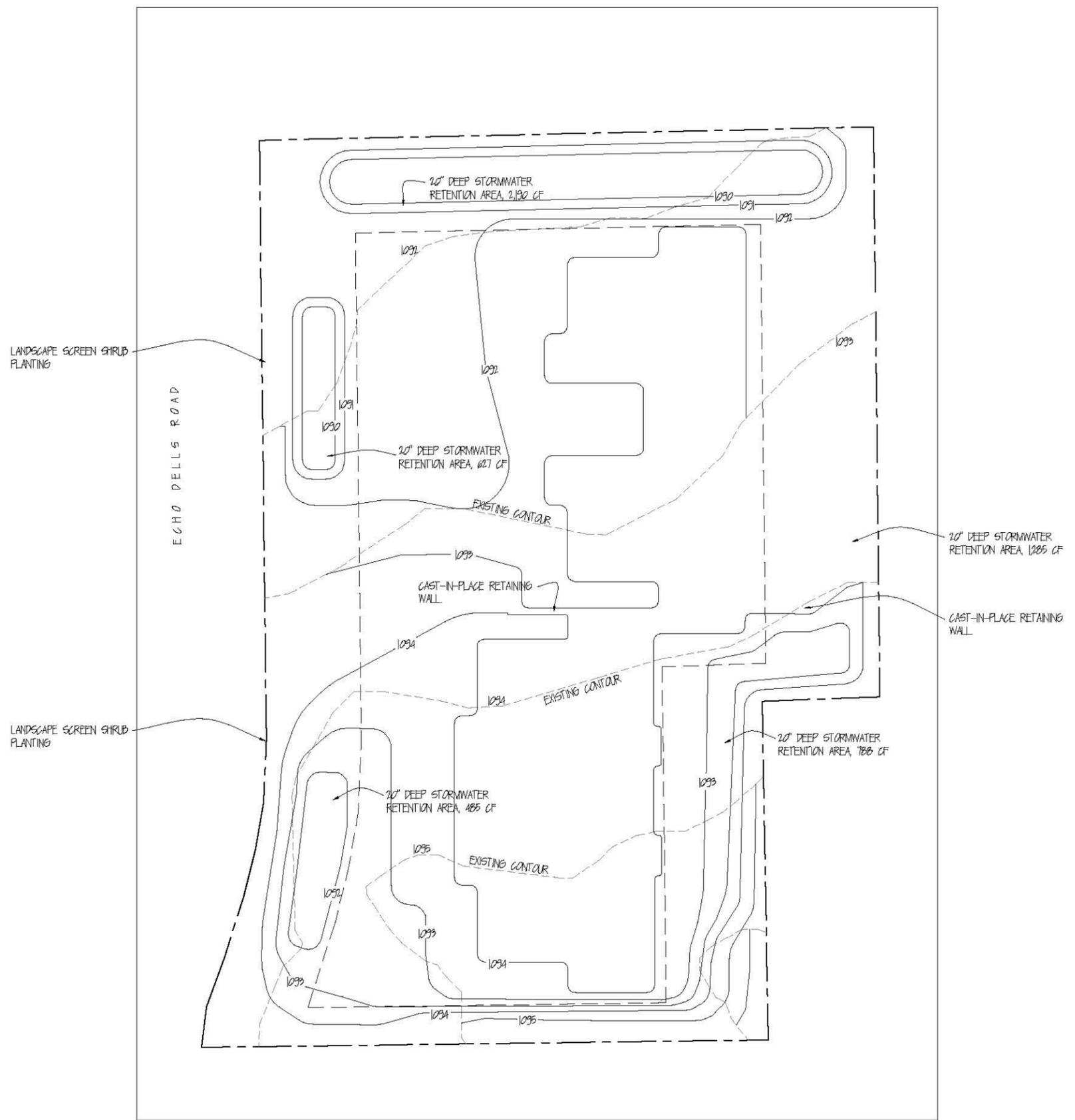
SITE PLAN

NEW TOWNHOUSE DEVELOPMENT
 FOR
 DEV MANGL
 ECHO DELLS AVENUE
 STEVENS POINT, WI 54481

REVISIONS

#2413 SCHEM DES	DATE
T1513 STATE APPR	June 24, 2012
	PROJECT NO.
	13 012

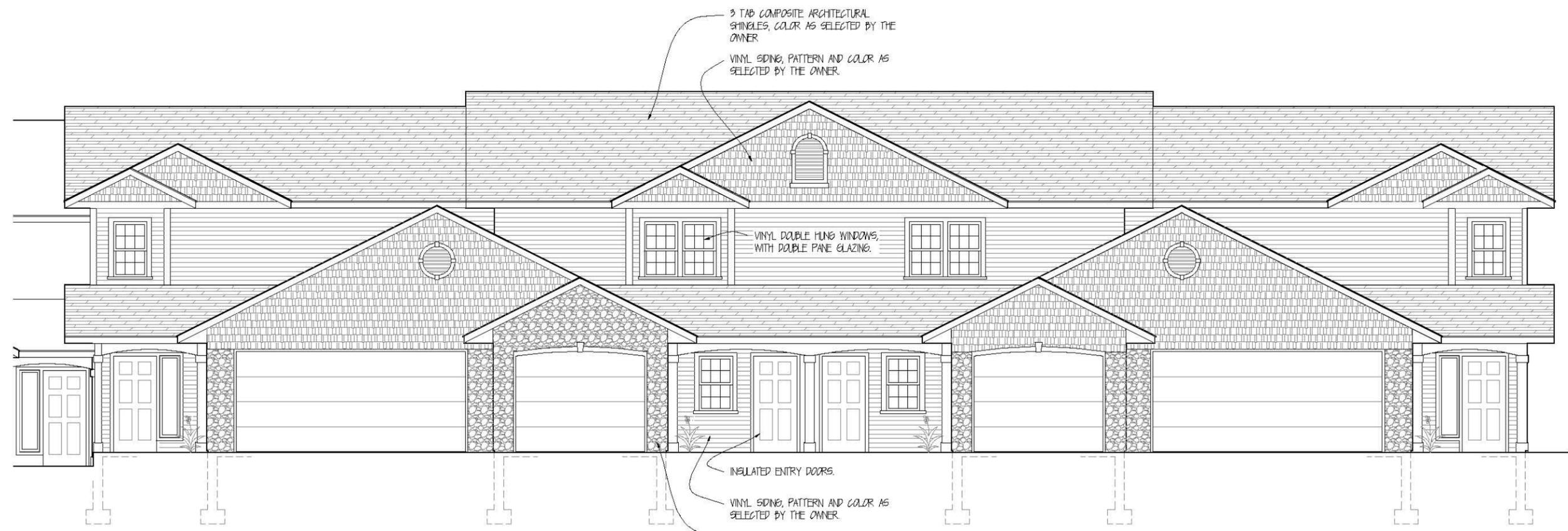
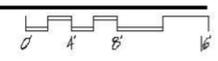
C/02



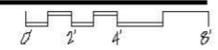
1 GRADING PLAN
 SCALE : 1" = 20'-0"
 0 10 20 40
 NORTH

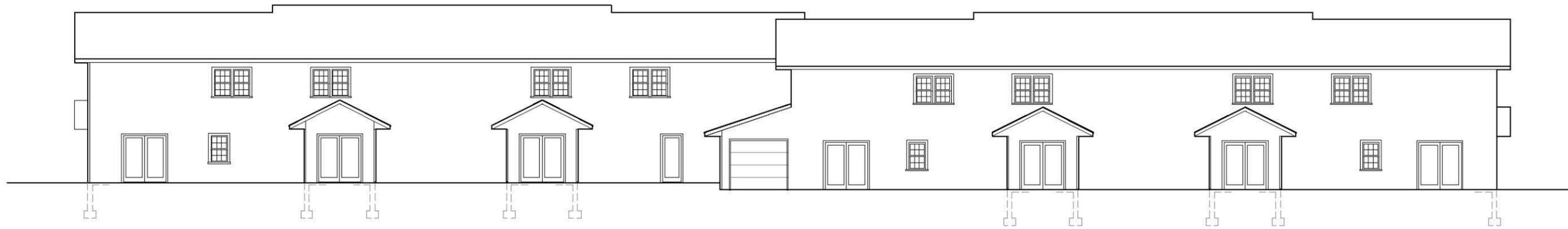


1 WEST ELEVATION
 A201 SCALE : 1/8" = 1'-0"

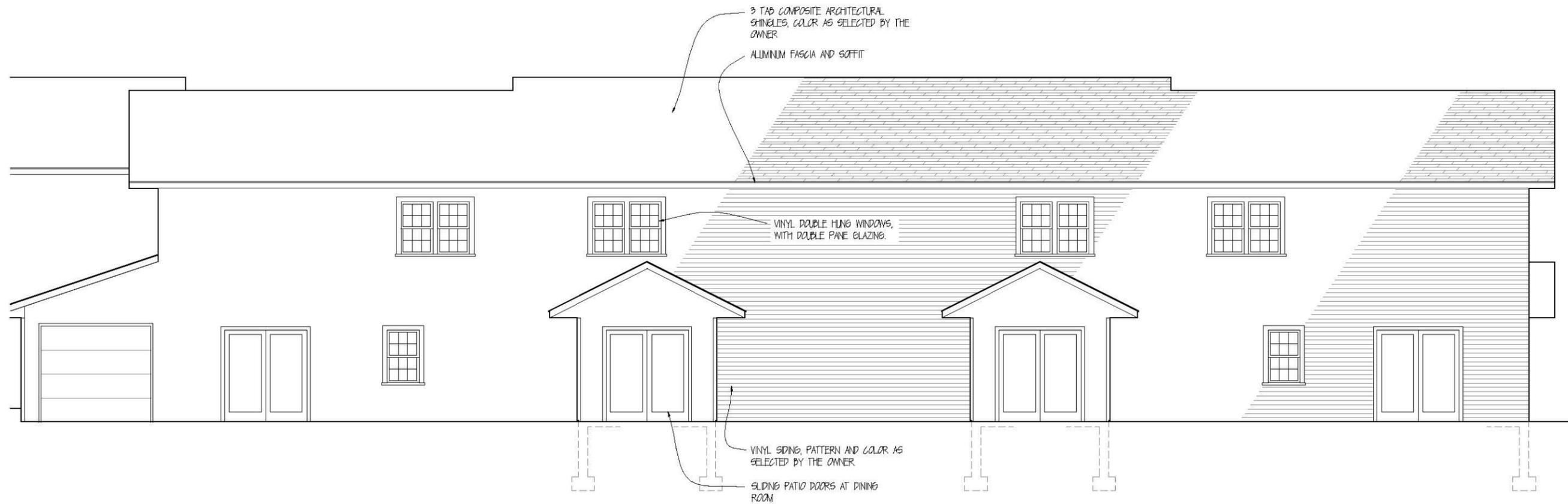
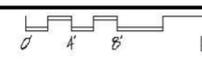


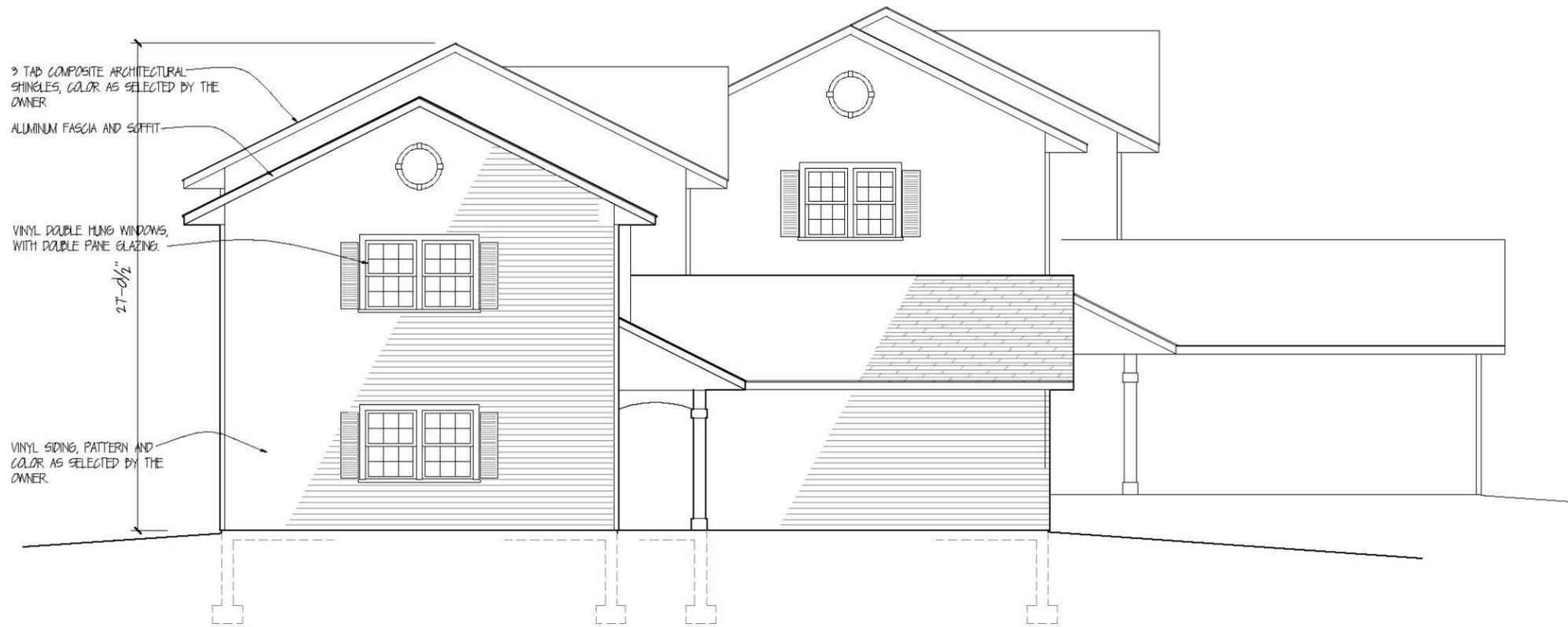
2 PARTIAL WEST ELEVATION
 A201 SCALE : 1/4" = 1'-0"



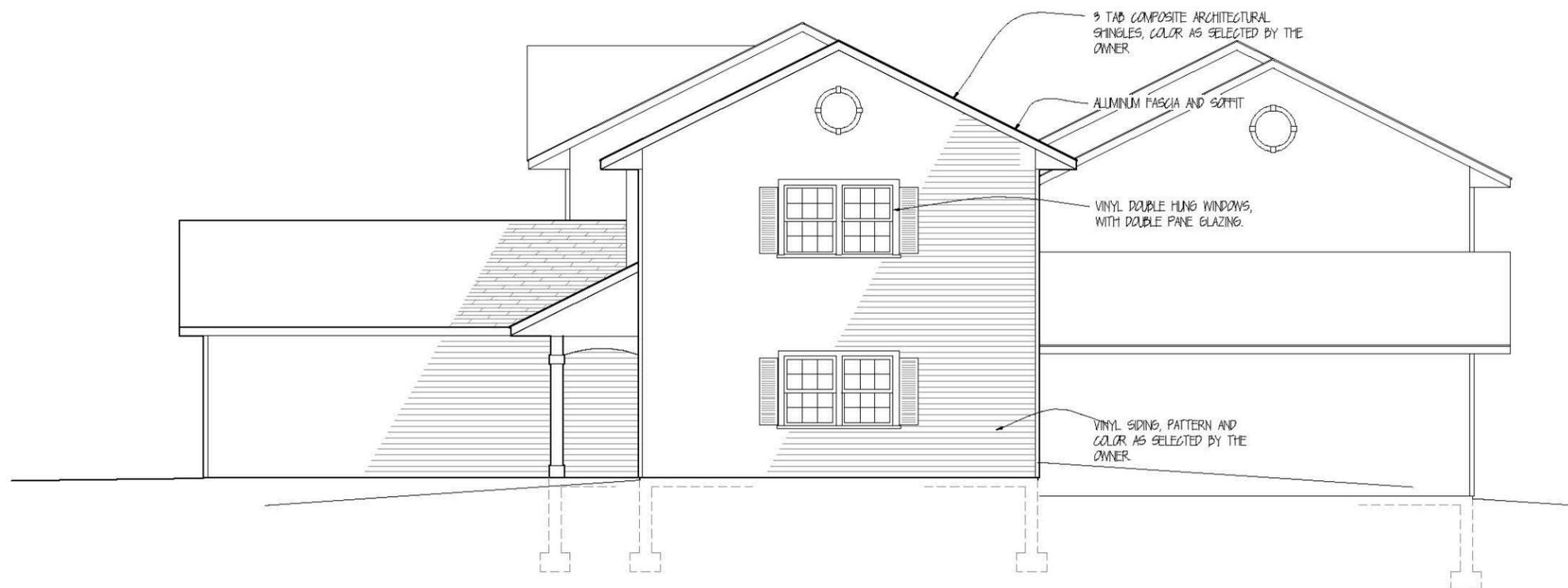
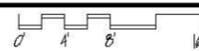


1 EAST ELEVATION
A201 SCALE : 1/8" = 1'-0"

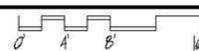




1 NORTH ELEVATION
A203 SCALE : 1/8" = 1'-0"



2 SOUTH ELEVATION
A203 SCALE : 1/8" = 1'-0"



Kyle Kearns

From: Beverly Mancl [wis.aps@yahoo.com]
Sent: Wednesday, July 31, 2013 9:28 AM
To: Kyle Kearns
Cc: Jim Lucas; David Northwood; Mike Northwood; Marcin Mrozek
Subject: Re: Heather Ridge townhome project
Attachments: 1417 & 3308 7.16.13.xls; 2013 SIMILAR PROJECT.doc; Sidewalks 2-3 & 6-7.xls; sidewalk detail.pdf

Good Morning,

Thanks for meeting with us and the helpful information. I appreciate & agree with your suggestions/requirements; they will make living in these townhomes a nicer experience. I don't have Brent's or Michael's email. Could you forward this to them as well?

I understand that the Plan Commission Meeting is Monday, August 5, 6 PM, at the Lincoln Center.

Our plans exceed city requirements for parking, 20 vs 16 required, water retention, 6,813 CF vs 5,688 required, and green space, 19,327 SF vs 9,600 SF required. We also meet the sideyard and setback requirements. We will heavily screen the north side with pine trees.

We try to make our units more like single family home living than typical apartment living. Some of the current Heather Ridge tenants have been there more than 20 years. We try to make them as comfortable as we can. Even though we meet the City's requirements, we would like to make the ingress/egress from the parking lot larger so it is easier to back up from the garage, turn around and exit the parking lot. We ask to pave 7' forward into the right of way. The extra blacktop and screening, plus maintenance will cost more money, but it will make the units better. In return we will landscape/screen into the right of way and maintain it as front yard as we have at our other units. We understand that if the City were to ever widen the street or install sidewalks, costs associated with the removal/reimbursement of planted vegetation would not be provided.

I have attached photos of our current buildings (facing this newest building), pictures of an Illinois complex to show the design/finish detail that we are incorporating into this project and a description of the unique sidewalk areas between 4 of the units.

Please let me know that you are able to open the attachments and if there is any further information you would like me to provide.

Thank you.

Bev

Beverly Mancl

PO Box 669

Stevens Point, WI 54481

715.340.9119

wis.aps@yahoo.com

Laugh when you can,

apologize when you should,

and let go of what you can't change.

Life's too short to be anything... but happy.

HEATHER RIDGE TOWNHOMES



THIS IS NOT AN EXACT REPLICA OF PROPOSED CONSTRUCTION, HOWEVER, DESIGN IDEAS ORIGINATED FROM THIS COMPLEX.

STONE WILL BE ON GARAGE POSTS AS SHOWN.

ROOF LINES WILL BE ENHANCED WITH ADDITIONAL GABLES FACING FRONT.

DECORATIVE GABLE VENTS WILL BE USED.

PORCHES WILL HAVE CURVED FASCIA AND DECORATIVE POSTS.

UNITS WILL HAVE 2 BEDROOMS, 1 ½ OR 2 BATHS, PRIVATE ENTRY, 1 OR 2 CAR

ATTACHED GARAGE, SEPARATE FURNACE WITH CENTRAL AIR.

SINGLE FAMILY APPEARANCE OF EXISTING HEATHER RIDGE APARTMENTS WILL BE CONTINUED.



HEATHER RIDGE APARTMENTS

4-PLEX APARTMENT BUILDINGS I BUILT IN 1989-1990

THESE 2 BUILDINGS ARE ACROSS THE STREET FROM MY PROPOSED 8-PLEX TOWNHOUSE COMPLEX.

PARKING IS IN FRONT OF BUILDING, BURMS WITH PLANTINGS AND GRASS IS MAINTAINED ON MY LOT PLUS IN STREET RIGHT OF WAY TO ENHANCE VISUAL APPEAL OF PROPERTY AND TO PROVIDE REQUIRED SCREENING.



1417 RIVERVIEW AVENUE



3308 ECHO DELLS AVENUE

LANDSCAPING BETWEEN SIDEWALKS FOR UNITS 2 & 3 AND 6 & 7



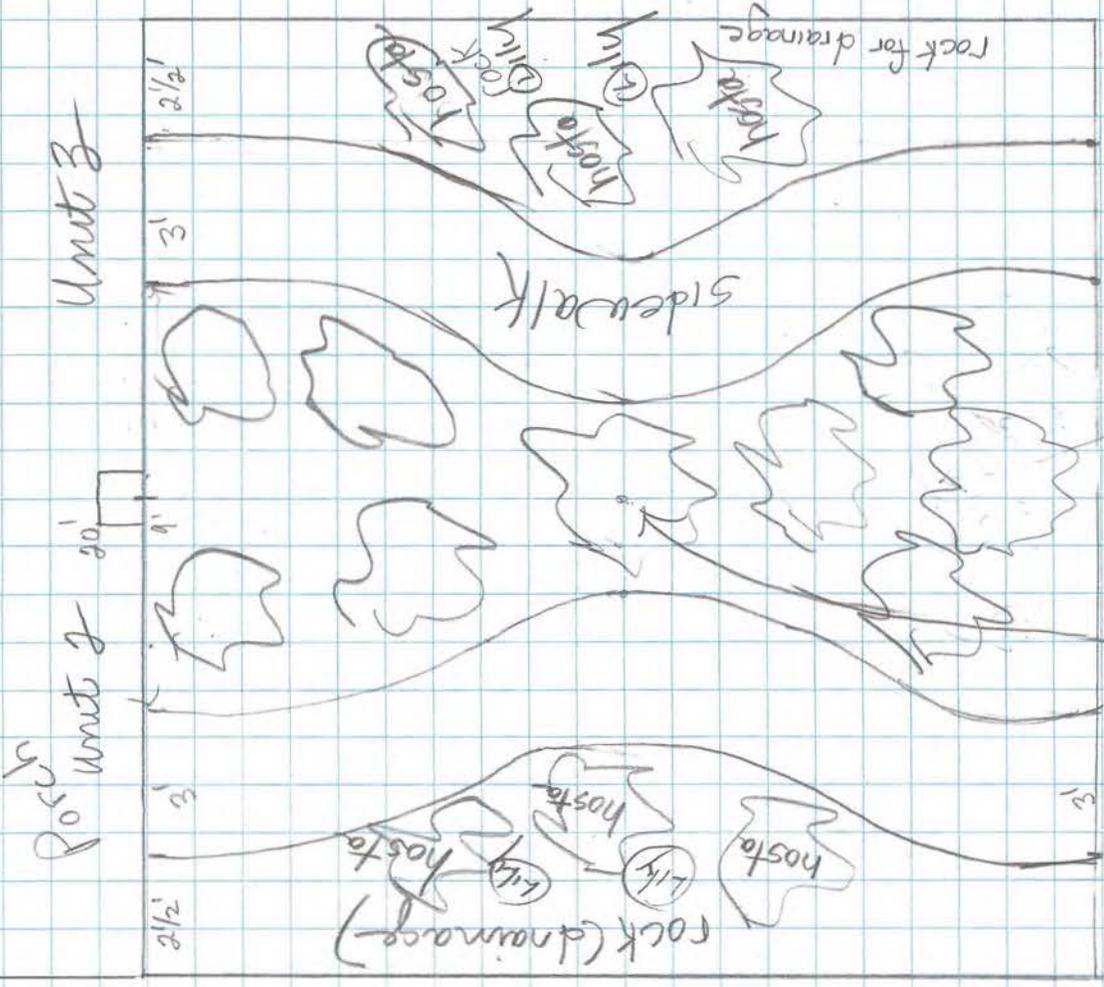
**HOSTAS,
YELLOW
ASIATIC
LILIES**



**EXAMPLE OF
CURVED SIDEWALK**

(Hopefully, deer
won't bother these
Areas.)

Between
2 & 3
6077



fall
overrun
(M.M.C.)

201

Administrative Staff Report

Honda Dealership Conditional Use
3700 Northpoint Drive
September 4, 2012



Department of Community Development

<p>Applicant(s):</p> <ul style="list-style-type: none">Richard Bierman <p>Staff:</p> <ul style="list-style-type: none">Michael Ostrowski, Director mostrowski@stevenspoint.comKyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none">2408-27-2001-05 <p>Lot Information:</p> <ul style="list-style-type: none">Effective Frontage: 735 feetEffective Depth: 216.5 feetSquare Footage: 159,162Acreage: 3.654 <p>Zone(s):</p> <ul style="list-style-type: none">"B-4" Commercial DistrictWellhead Protection Zone B <p>Master Plan:</p> <ul style="list-style-type: none">Commercial / Office / Multi-family <p>Council District:</p> <ul style="list-style-type: none">District 8: Patton <p>Current Use:</p> <ul style="list-style-type: none">Commercial: Nissan Dealership <p>Applicable Regulations:</p> <ul style="list-style-type: none">23.01(16), and 23.02(2)(d), and 23.02(4)(e)	<p>Request</p> <p>Request from Richard Bierman, representing the property owner, for a conditional use permit for the purpose of constructing a car dealership and service facility within the wellhead protection district zone B at 3700 Northpoint Drive (Parcel ID 2408-27-2001-05).</p> <p>Attachment(s)</p> <ul style="list-style-type: none">Parcel ID SheetExhibit MapApplicationSite Plan & ALTA SurveySupporting Documentation <p>Findings of Fact</p> <ul style="list-style-type: none">Auto sales currently exist on the property.The proposed use will continue the existing use and expand into an auto service / repair center.The property is zoned "B-4" Commercial DistrictAuto service / repair centers are a permitted use within the "B-4" district.The property falls within the Wellhead Protection "B Zone" District.Auto service / repair centers (oil change businesses) are uses for which a conditional use permit is required within the Wellhead Protection "B Zone" District.The City's Comprehensive Plan calls for a commercial use on this property. <p>Staff Recommendation</p> <p>Approve the conditional use permit, subject to the following condition(s):</p> <ol style="list-style-type: none">A drainage plan shall be submitted to the Department of Public Works and reviewed by all appropriate staff, meeting all stormwater requirements as per Chapter 31 of the Revised Municipal Code.All above ground chemical storage tanks shall be at minimum double walled, unless an equal or greater protection mechanism exists.No underground tanks shall be installed.Storage of all chemicals shall occur within a 100% containment area such as a concrete curb basin or tub to provide a second/third containment measure against leaks or spills.
--	--

5. Cracks and joints that open on dispensing areas or catch basins, if any, shall be filled and fixed immediately to avoid the infiltration of hazardous chemicals.
6. Catch basins shall be installed around every fill point to catch product that may drip from the loading hose during the product transfer process.
7. A spill prevention, control, and countermeasure plan shall be in place prior to the operation of the facility.
8. Monitoring wells shall be installed throughout the property at locations determined by the Director of Water and the City Engineer. Testing shall be done quarterly. City staff shall be given unrestricted access for compliance purposes. Test shall be completed annually, and the results shall be supplied to the Director of Utilities.
9. The City reserves the right to establish new conditions for the purpose of protecting the groundwater supply. Furthermore, the department of Community Development and Water department shall be notified if changes occur to chemicals, quantities, storage or service at the facility or on the property.
10. All costs associated with the conditions within this resolution shall be at the expense of the operator and/or owner. All required reports relating to sampling, analysis, and/or testing shall be provided to the City upon completion of such sampling, analysis, and/or testing.
11. If any equal or superior alternative exists over any of the conditions, as determined by the Director of Water, the state, and the Director of Community Development, City Stevens Point personnel shall have the ability to modify such condition(s).
12. The conditional use permit shall expire within two years after final occupancy date.

Vicinity Map

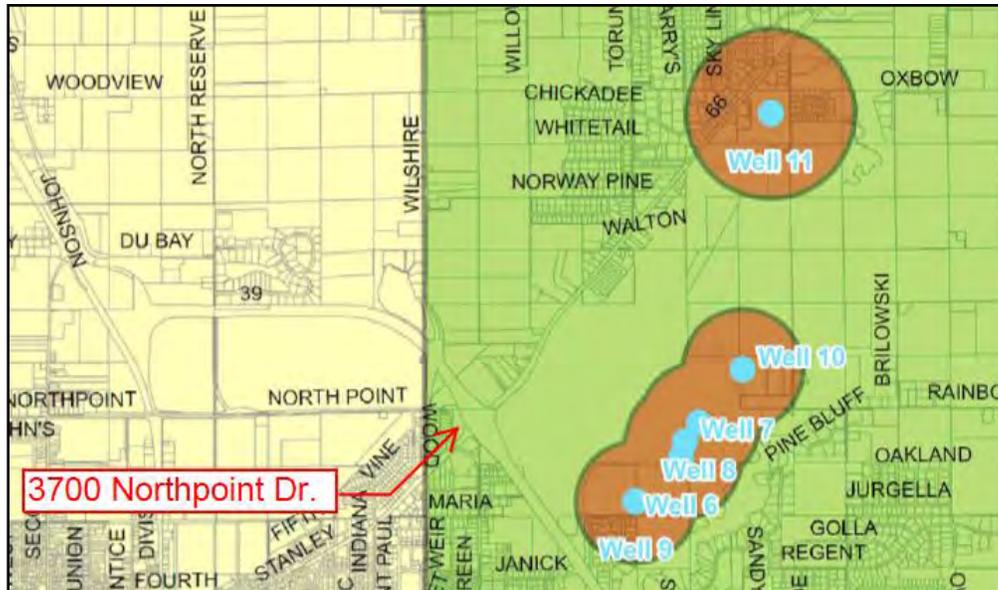


Background

Richard Bierman, representing the property owner, is proposing to construct a new Honda dealership facility at the above identified site. Currently a Nissan dealership, strictly selling vehicles, operates on the site. Furthermore, a Honda dealership currently exists across from the property. The request from the applicant incorporates relocating the existing Honda dealership to the proposed site and vice versa. The current Nissan facility will be demolished and a new 18,814 square foot facility, matching Honda Corporate specifications, will be constructed. Along with the sale of vehicles on site, relatively simple auto service and maintenance activities will also occur. As the site falls within the Wellhead Protection "B Zone" District, which allows oil changing businesses as a conditional use, this request is being made. Below are further details regarding the proposed facility.

While site and landscaping elements will need to be met, this conditional use focuses on the use within the Wellhead Protection "B-Zone" District. Because of this, many of the conditional use standards are not applicable.

Wellhead Protection Map



Proposed Development Details:

- 3.654 Acres
- Building: 18,814 sq. ft.
- Auto Sales & Service
- Parking: 251
- Approx. Setback: 70 feet
- 5' Parking Lot Setback
- New ingress/egress
- Landscaping Plan and Variance to be submitted at a later date.

- MUNICIPAL WELLS
- REVISED DISTRICT A
- EXISTING DISTRICT B

Standards of Review

Conditional Use Request

- 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: The proposed dealership will be located on the same property for which another dealership has existed for several years as a permitted use. Furthermore, the proposed facility is nearly four times the size of the existing, however will offer a showroom, offices, and service center. Additionally, the lot is proposed to include over 250 parking stalls, which is similar to the existing number of stalls. In order to attain relatively the same number of stalls with a larger facility, additional asphalt is proposed along Northpoint Drive.

Commercial uses exist east of the property, across I-39, and south of the property, across Stanley Street. Residential properties exist directly west of the property, across from Northpoint Drive. A landscaping plan has not yet been submitted as a variance from landscaping standards will be requested at a later date.

The reason for the conditional use is because the property is located within Wellhead Protection Zone B. Oil change businesses must obtain a conditional use permit to operate within the Wellhead Protect "B Zone" District.

Findings: In regards to the construction of a service and repair center within a wellhead protection district, Honda takes necessary precautions to prevent spills and leaks. Please see the chemicals, quantities, storage and service list attached. In summary, there are no proposed underground storage tanks within the facility or on the property. Additionally, storage and handling of chemicals is performed in a trench floor system connected to a

triple basin oil/water separator system. A full spill prevention, control and countermeasure plan will be in place to ensure adequate measures are taken to prevent and contain / cleanup spills or leaks. Replenishing and emptying storage tanks will be performed by vendors utilizing pumping dispenser lines directly connected to transporting tanks. Due to the findings above, staff has placed several additional conditions in the recommendation section of this report to ensure the protection of the City's groundwater used for drinking.

Furthermore, to ensure the safety of the groundwater supply, monitoring wells shall be established on the property and tested annually.

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

Analysis: The property borders public rights-of-way on three sides, with the fourth bordering a property to the north under the same ownership, zoned "R-5" Multiple Family 2 District.

Findings: The use as a car dealership and service / repair center should not be injurious to the uses already permitted within the area. Please see findings under comment 1 relating to the proposed use and wellhead protection area.

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: N/A for wellhead protection.

Findings: N/A for wellhead protection.

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: N/A for wellhead protection.

Findings: N/A for wellhead protection..

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.

Findings: Utilities, except stormwater, currently exist in this area. Staff would recommend a drainage plan be submitted to the Department of Public Works and reviewed by all appropriate staff meeting all stormwater requirements as per Chapter 31 of the Revised Municipal Code.

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: N/A for wellhead protection.

Findings: N/A for wellhead protection.

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 would be within the following districts:

- "B-4" Commercial District: This district is established to provide for retail, commercial, office, service and apartment uses in areas of good accessibility along arterial streets consistent with the City's Comprehensive Plan. This district is primarily intended to accommodate general commercial uses requiring on-site parking and arterial access.
- "District B" Wellhead Protection Overlay: This district is a secondary portion of the Stevens Point and Whiting recharge areas to be protected and includes land which lies within the five year groundwater travel zone, up-gradient from the Stevens Point and Whiting well fields. The five year time of travel (TOT) for the Stevens Point well fields is shown above in the background section regarding the property in question.

Findings: The proposed use is appropriate for the intent of the B-4 district, as repair shops are permitted. Within the Wellhead Protection Zone B district, oil change businesses or in this case, automobile service / repair centers are considered a conditional use, and may be allowed if the standards are met.

- 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 structure will meet all other zoning requirements. For a variance from landscaping standards, the applicant must submit a request before the Plan Commission and Common Council. In terms of groundwater protection, the property will meet additional requirements specified by the City and/or recommended by the Plan Commission and Common Council.

See the attached documents outlining chemicals, quantities, storage, service and safety precautions for the site.

Findings: This standard 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 for wellhead protection.

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

N/A for wellhead protection.

- 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: 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.

N/A for wellhead protection.

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 for wellhead protection.

Name and Address		Parcel #	Alt Parcel #	Land Use
Peck LLC 630 Ben's Ln Stevens Point, WI 54482		240827200105	240827200105	Showroom, Automobile
		Property Address		Neighborhood
		3700 North Point Dr		Stanley Street (Comm)
		Subdivision		Zoning
Display Note	New Parcel for 2008 rolls	Certified Survey Map		B4-COMMERCIAL

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Peck LLC Peter D & Jeri A Kopecko	3/1/2012	\$1,842,500	Warranty Deed W/Add'L P	768177		Land & Build.
	2/29/2012	\$1,842,500	Warranty Deed W/Add'L P	768176		Land & Build.

SITE DATA

PERMITS

Actual Frontage	735.0	Date	Number	Amount	Purpose	Note
Effective Frontage	735.0	10/13/2005	34030	\$12,500	099 Sign	new 20' Nissan pylon on building
Effective Depth	216.5	6/16/2005	33269	\$2,600	099 Sign	
Square Footage	159,162.0	12/8/2004	32917	\$241,000	060 New Construction	Showroom
Acreage	3.654	6/24/2002	30858	\$0	020 Electrical	

2013 PARTIAL ASSESSED VALUE

Class	Land	Improvements	Total
(2) - B-Commercial	\$274,000	\$392,800	\$666,800
Total	\$274,000	\$392,800	\$666,800

LEGAL DESCRIPTION

LOT 1 CSM#6410-23-233 & PRT NWNW COM AT NW/C; TH E ON NL, 648.5'; TH S, 586.81' TO BEG; TH N E, 158.60'; TH S, 135.88' TO NELY ROW, 200.25'; TH N, 264' TO POB ALSO INC PRT DES 523/40; EXC 260/692 BNG PRT NW NW S27 T24 R8 622/21-22 564281 623387-POA 623388 768176 768177

PROPERTY IMAGE

PROPERTY SKETCH



Name and Address		Parcel #	Alt Parcel #	Land Use
Peck LLC 630 Ben's Ln Stevens Point, WI 54482		240827200105	240827200105	Showroom, Automobile
		Property Address		Neighborhood
		3700 North Point Dr		Stanley Street (Comm)
		Subdivision		Zoning
Display Note	New Parcel for 2008 rolls	Certified Survey Map		B4-COMMERCIAL

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
1	1	Auto Showroom (S avg)	2004	3,220	Metal - Avg	14
1	2	Office Bldg (S avg)	2004	980	Metal - Avg	14

Total Area	4,200
-------------------	-------

BASEMENT DATA

COMPONENTS

Bldg	Sec	Adjustment Description	Area	Bldg	Sec	Component Description	Area

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

STRUCTURE DATA

Site Improvement	Units	Age	9
Blacktop Pkg- Avg Cond	95,200	Year Built	2004
		Eff. Year	2004
		One Bedroom	
		Two Bedroom	
		Three Bedroom	
		Total Units	
		Stories	1.00
		Business Name	Courtesy Motors-Auto Show&Sa

Conditional Use Request – Car Dealership & Service Center within Wellhead Protection District B – 3700 Northpoint Dr. – Exhibit Map (200 Feet Boundary)



Tax Key	Name	Mailing Address	City	Zip	Address
281240822330001	STEVENS POINT CONGREGATION OF JEHOVAHS WITNESSE	609 Sunset Ave	Stevens Point WI	54481	3600 NORTH POINT DR
281240822330002	PECK LLC	630 Ben's Ln	Stevens Point WI	54481	3640 NORTH POINT DR
281240827200105	PECK LLC	630 Ben's Ln	Stevens Point WI	54482	3700 NORTH POINT DR
281240827200224	LORELEI LEEWALCZAK	3628 Stanley St	Stevens Point WI	54481	NORTH POINT DR
281240827200201	TOWN HULL	4550 Wojcik Memorial Dr	Stevens Point WI	54482	HIGHWAY 51
281240827200223	LORELEI LEE WALCZAK	3628 Stanley St	Stevens Point WI	54481	NORTH POINT DR
281240827200225	STATE OF WISCONSIN	2610 Industrial St	Wisconsin Rapids WI	54495	NORTH POINT DR
281240827200222	RAMON ADELITA DEGLER DUANE E	3653 North Point Dr	Stevens Point WI	54481	3653 NORTH POINT DR
281240827200221	GUY C & MARY E STEWART	3703 North Point Dr	Stevens Point WI	54481	3703 NORTH POINT DR
281240827200220	MARK J GOLLA SR	3709 North Point Dr	Stevens Point WI	54481	3709 NORTH POINT DR
281240827200219	MARY ELLEN SCHEID KRAFT	3715 North Point Dr	Stevens Point WI	54481	3715 NORTH POINT DR
281240827200216	CURTIS J & MARTHA MKNUDTSON	2669 Kennedy Rd	Rhineland WI	54501	3710 STANLEY ST

281240827200218	BRIAN S PAGE	836 Main St	Stevens Point WI	54481	3721 NORTH POINT DR
281240827220007	PECK LLC	630 Ben's Lane	Stevens Point WI	54482	301 GREEN AVE
281240827200217	LORETTA I MICHELKAMP	3727 North Point Dr	Stevens Point WI	54481	3727 NORTH POINT DR

RECEIVED

JUL 29 2013



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)

7-29-13
Per 1-5 3648

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	Date Submitted	Fee Required	\$250. -	Fee Paid	\$250. -
Associated Applications if Any	Assigned Case Manager	Conditional Use Permit Request	Use <input type="checkbox"/>		
Pre-Application Conference Date					

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)	
Applicant Name	Richard Bierman	Contact Name	
Address	2108 W. Johnsburg Road	Address	
City, State, Zip	Johnsburg, IL 60051	City, State, Zip	
Telephone	815-759-9459	Telephone	
Fax	815-307-8200	Fax	
Email	rbierman@rbcustomdesignsinc.com	Email	

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input type="checkbox"/>)		PROPERTY OWNER 2 INFORMATION (if Needed)	
Owner's Name	Rhineland Real Estate LLC	Owner's Name	
Address	715 Wells Street	Address	
City, State, Zip	Lake Geneva, WI 53147	City, State, Zip	
Telephone	262-249-5252	Telephone	
Fax	262-249-5244	Fax	
Email	jimbozich@sboglobal.net	Email	

PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]		
Parcel 1	Parcel 2	Parcel 3
3700 North Point Road #240827200105		
Legal Description of Subject Property		
Designated Future Land Use Category		Current Use of Property
Automobile Showroom & Service		Automobile Showroom
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)		
The land use will remain the same (Automobile showroom with new Service Center) as the current use. Our current schedule will start end of August early September with the ground breaking and be completed by January 2014.		

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

The proposed development will be the same as the existing use of the parcel. The existing automobile showroom will be removed and a new automobile showroom with service center will be constructed. The existing auto sales lot will be repaved and interior landscape islands will be added.

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

We will be providing storm water management on site to meet the local, state and federal requirements to prevent storm water runoff on adjacent parcels. New site lighting shall be designed with directional light fixtures to prevent light pollution of adjacent parcels. We will propose new landscaping along the Northpoint drive and Stanley street and also interior landscape islands.

Current Zoning Surrounding Subject Property

North:	R-2 Single Family	South:	B-4 Commercial
East:	B-4 Commercial	West:	R-2 Single Family

Current Land Use Surrounding Subject Property

North:	Church	South:	Commercial
East:	Vacant / Interstate Highway	West:	Single Family

EXHIBITS

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

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
	7/24/13		7/24/13

Kyle Kearns

From: rbcusdesgn@comcast.net
Sent: Thursday, July 25, 2013 2:39 PM
To: Tpatton64@gmail.com
Cc: Kyle Kearns
Subject: New Honda Facility
Attachments: Stevens Point Honda Conceptual Site Plan.pdf; Stevens Point Honda Conceptual Floor Plan.pdf; STEVENS POINT HONDA CONCEPTUAL EXTERIOR ELEVATIONS.pdf

Hello Tony,

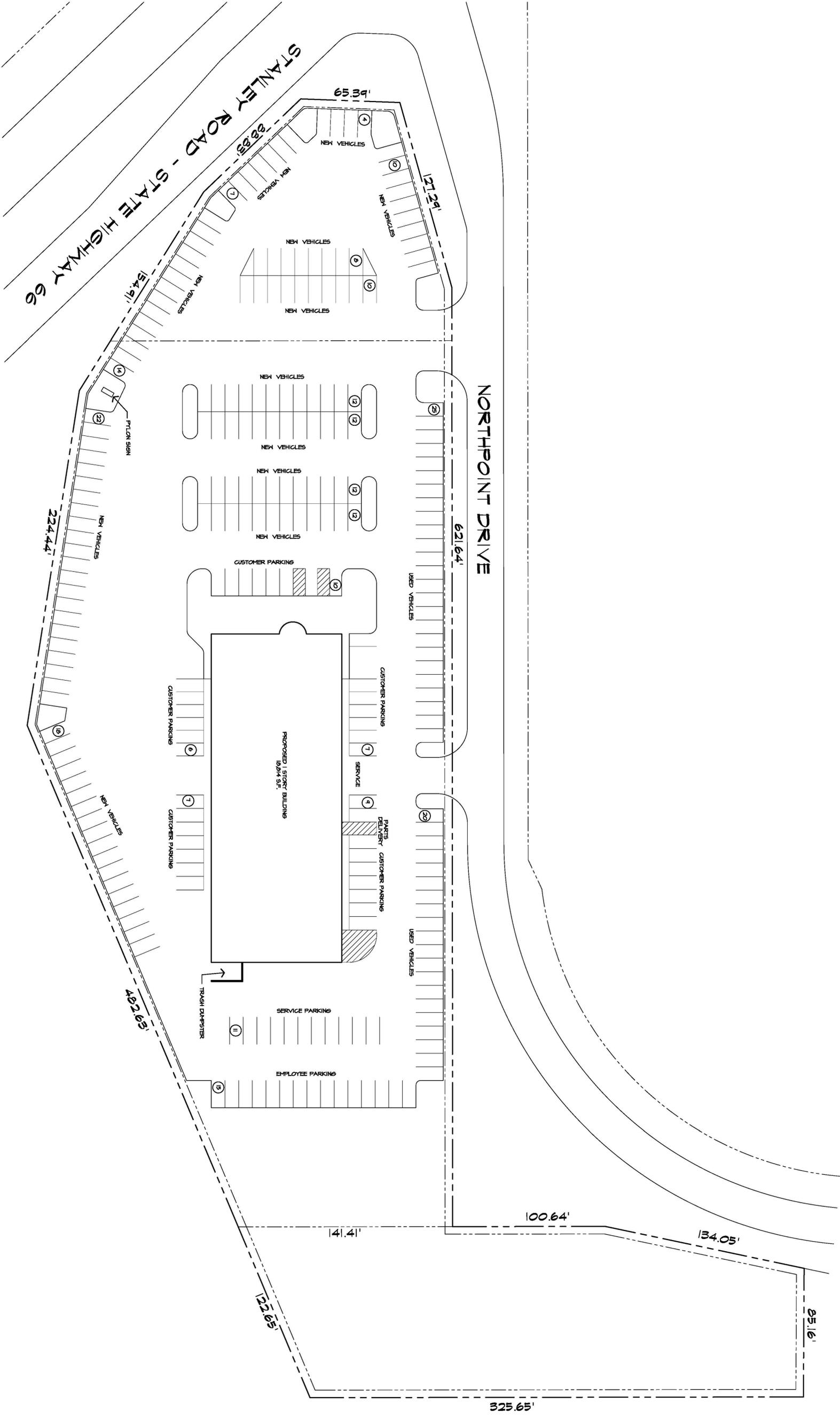
My name is Richard Bierman and I am the Architect and Project Manager for the new Honda facility that we are proposing to construct at 3700 North Point Drive in Stevens Point. Since our parcel falls within the wellhead protection zone "B", I am writing you today to inform you of our project and give you a quick synopsis of the planned facility.

The new Honda Facility will be constructed on the same site as the existing Nissan showroom and vehicle display lot. (the Nissan facility will be demolished and it's operations will be relocated across the street once the new Honda Facility is completed.) The new building will be an 18,841 S.F. 1 story facility with new showroom/office space and new automobile service area. The building will be constructed to meet the Honda Corporate standards, while also complying with all local, state and federal codes and guidelines. The existing vehicle display area will be repaved and new landscaping and new light fixtures will be installed. All new site work will be coordinated and designed by a local civil engineering firm (POB) and will be designed to meet the storm water management requirements. The new site lighting shall utilize "cutoff" fixtures, to prevent light "pollution" from reaching the adjacent residential properties.

I have attached a PDF copy of the Conceptual Site Plan, Exterior Elevations and Floor Plan for you reference. Please call if you have any questions or concerns. We are looking forward to working with the City of Stevens Point and yourself.

Thank you

Richard Bierman
R.B. Custom Designs Inc.
2108 W. Johnsburg Road
Johnsburg, IL 60051
<tel:815-759-9459>
fax:815-307-8200
web:www.rbcustomdesignsinc.com




CONCEPTUAL SITE PLAN
 SCALE: 1" = 30'-0"
 18,770 S.F. 4.363 ACRES

© COPYRIGHT 2013

Date	7/26/13
Scale	AS NOTED
Drawn	FLB
Job	13053
Sheet	1
Of	Sheets

R.B. CUSTOM DESIGNS INC.
 2108 N. Johnsborg Road
 Johnsborg, Illinois 60051
 Phone: 815-754-4454 Fax: 815-307-8200

NEW BUILDING
 STEVENS POINT HONDA
 NORTHPOINT DRIVE
 STEVENS POINT, WI 54481

CONCEPTUAL SITE PLAN



REVISIONS	BY

ALTA/ACSM LAND TITLE SURVEY

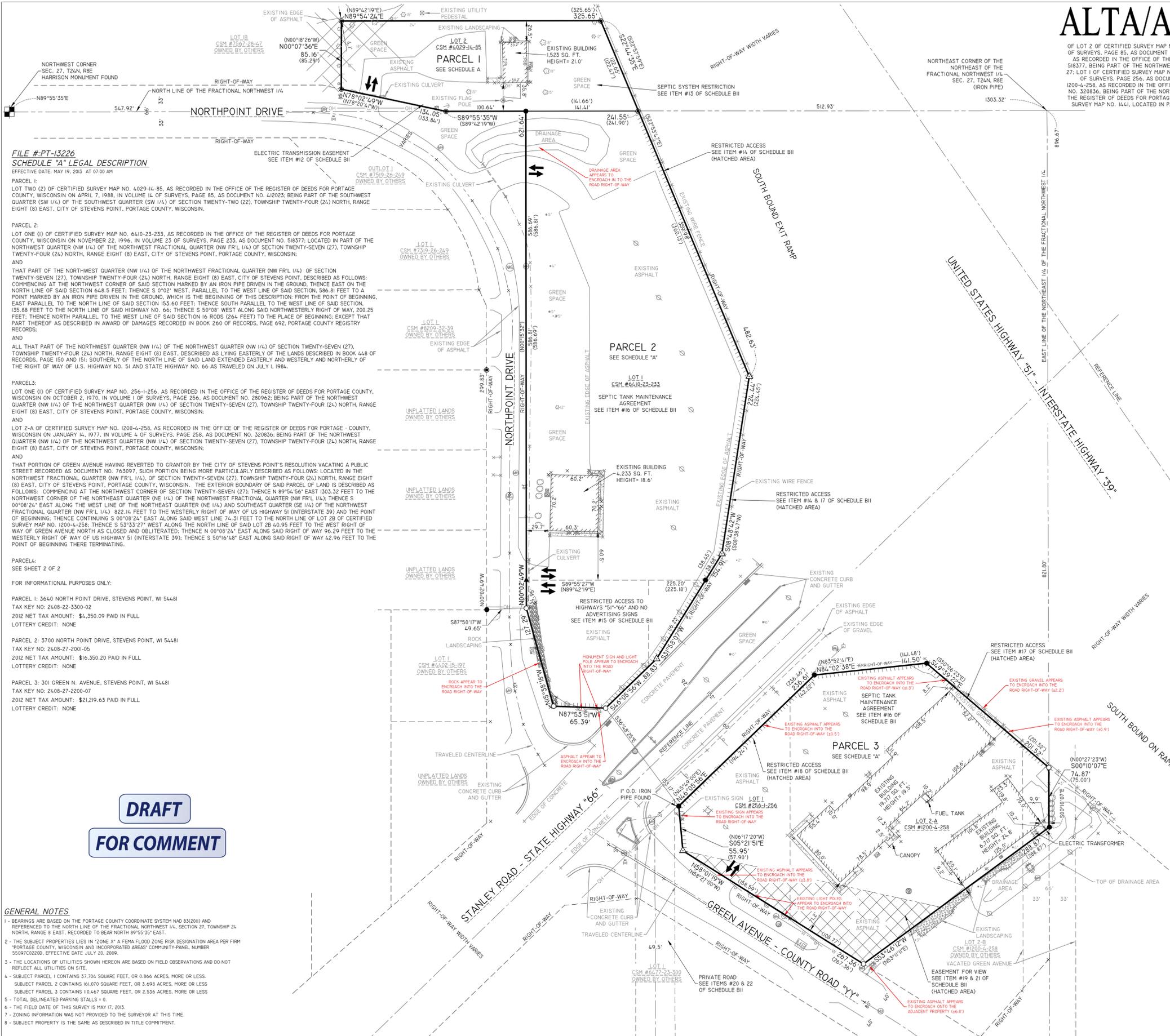
OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4029-14-85, AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON APRIL 7, 1988, IN VOLUME 14 OF SURVEYS, PAGE 85, AS DOCUMENT NO. 412025, BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 22, LOT 1 OF CERTIFIED SURVEY MAP NO. 6410-23-233, AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON NOVEMBER 22, 1996, IN VOLUME 23 OF SURVEYS, PAGE 233, AS DOCUMENT NO. 518377, BEING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27; PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27; LOT 1 OF CERTIFIED SURVEY MAP NO. 256-1-256, AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON OCTOBER 2, 1970, IN VOLUME 1 OF SURVEYS, PAGE 256, AS DOCUMENT NO. 280982, BEING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27; LOT 2-A OF CERTIFIED SURVEY MAP NO. 1200-4-258, AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON JANUARY 14, 1977, IN VOLUME 4 OF SURVEYS, PAGE 258, AS DOCUMENT NO. 320836, BEING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27; AND LOT 1 OF CERTIFIED SURVEY MAP NO. 9099-38-29, AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON JUNE 15, 2004, IN VOLUME 38 OF SURVEYS, PAGE 29, AS DOCUMENT NO. 690688, BEING ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1441, LOCATED IN PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, ALL IN TOWNSHIP 24 NORTH, RANGE 8 EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN.

SCHEDULE B - SECTION II EXCEPTIONS (SURVEYOR'S NOTES ARE WRITTEN IN ITALICS)

- FILE #PT-13226
EFFECTIVE DATE: MAY 19, 2013 AT 07:00 AM
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHED SUBSEQUENT TO THE EFFECTIVE DATE BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT. SURVEYOR HAS NOT BEEN MADE AWARE OF ANY AT THIS TIME. NOT SHOWN ON MAP.
 - LIENS, HOOD-UP CHARGES OR FEES, DEFERENCE CHARGES, RESERVE CAPACITY ASSESSMENTS, IMPACT FEES, OR OTHER CHARGES OR FEES DUE AND PAYABLE ON THE DEVELOPMENT OR IMPROVEMENT OF THE LAND, WHETHER ASSESSED OR CHARGED BEFORE OR AFTER THE DATE OF THE POLICY. SURVEYOR HAS NOT BEEN MADE AWARE OF ANY AT THIS TIME. NOT SHOWN ON MAP.
 - EASEMENTS CLAIMS OF EASEMENTS OR ENCUMBRANCES THAT ARE NOT SHOWN BY THE PUBLIC RECORDS. SURVEYOR HAS NOT BEEN MADE AWARE OF ANY AT THIS TIME. NOT SHOWN ON MAP.
 - ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE INCLUDING DISCREPANCIES, CONFLICT IN BOUNDARY LINES, SHORTAGES IN AREA, OR ANY OTHER FACTS THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND, AND THAT ARE NOT SHOWN IN THE PUBLIC RECORDS.
 - ANY LIEN OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL, THEREFORE OR HEREAFTER INCURRED, IMPOSED BY LAW AND NOT SHOWN IN THE PUBLIC RECORDS. SURVEYOR HAS NOT BEEN MADE AWARE OF ANY AT THIS TIME. NOT SHOWN ON MAP.
 - THE LIEN OF THE GENERAL REAL ESTATE TAXES FOR THE YEAR 2013 AND THEREAFTER.
 - SPECIAL ASSESSMENTS, SPECIAL TAXES OR SPECIAL CHARGES, IF ANY, PAYABLE WITH THE TAXES LEVIED OR TO BE LEVIED FOR THE CURRENT AND SUBSEQUENT YEARS. SURVEYOR HAS NOT BEEN MADE AWARE OF THESE AMOUNTS IF ANY. NOT SHOWN IN MAP.
 - RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. SURVEYOR HAS NOT BEEN MADE AWARE OF ANY AT THIS TIME. NOT SHOWN ON MAP.
 - ANY CLAIMS OF ADVERSE POSSESSION OR PRESCRIPTIVE EASEMENT. SURVEYOR HAS NOT BEEN MADE AWARE OF ANY AT THIS TIME. NOT SHOWN ON MAP.
 - RIGHTS OF THE PUBLIC AND PRIVATE RIGHTS OF OTHERS ENTITLED THERETO IN AND TO THE USE OF THE PORTION OF THE PREMISES THAT MAY BE WITHIN THE BOUNDARIES OF ANY HIGHWAY, PUBLIC ROAD, STREET, ALLEY OR OTHER PUBLIC WAY. PUBLIC RIGHT-OF-WAYS ARE SHOWN ON MAP.
 - RESTRICTIONS FOR EASEMENTS, BUILDING SETBACK LINES AND OTHER MATTERS AS SHOWN ON THE RECORDED PLAT MAP. SURVEYOR WAS NOT PROVIDED WITH A RECORDED PLAT MAP AT THIS TIME. NOT SHOWN ON SURVEY.
 - UTILITY EASEMENT GRANTED TO THE STEVENS POINT POWER COMPANY, DATED OCTOBER 15, 1906 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON NOVEMBER 3, 1915, IN BOOK 105, PAGE 203. (AFFECTS PARCEL 1) THIS EASEMENT IS SUBJECT TO THE TERMS, CONDITIONS, LABOR OR MATERIAL, THEREFORE OR HEREAFTER INCURRED, IMPOSED BY LAW AND NOT SHOWN IN THE PUBLIC RECORDS. SURVEYOR HAS NOT BEEN MADE AWARE OF ANY AT THIS TIME. NOT SHOWN ON MAP.
 - RESTRICTIONS AS NOTED ON CERTIFIED SURVEY MAP NO. 4029-14-85, (AFFECTS PARCEL 1) THE RESTRICTION STATES THAT NO ON SITE SEPTIC SYSTEM OTHER THAN THE EXISTING HOLDING TANK WILL BE ALLOWED ON LOT 2, SUBJECT PARCEL 1 IS SHOWN ON THE MAP.
 - AREA OF NO ACCESS AS SHOWN ON CERTIFIED SURVEY MAP NO. 6410-23-233. (AFFECTS SUBJECT PARCEL 2, AS SHOWN ON MAP.)
 - RESTRICTIONS AS STATED IN WARRANTY DEED RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON JULY 27, 1989, IN VOLUME 523, PAGES 248-249, AS DOCUMENT NO. 424235. (AFFECTS PARCEL 2) AFFECTS SUBJECT PARCEL 2, RESTRICTED ACCESS TO U.S.H. 51 AND S.T.H. 66. NO ADVERTISING SIGNS OR BILLBOARDS OF ANY TYPE SHALL BE LOCATED, ERRECTED OR MAINTAINED ON THE ABOVE DESCRIBE LANDS EXCEPT SUCH SIGNS OR BILLBOARDS AS MAY BE AUTHORIZED PURSUANT TO ACTIONS UNDER SECTION 84.30, WISCONSIN STATUTE AND TRANS. 201. WISCONSIN ADMINISTRATIVE CODE.
 - SEPTIC TANK MAINTENANCE AGREEMENT, DATED SEPTEMBER 26, 1985 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON SEPTEMBER 26, 1985, IN VOLUME 467, PAGE 106, AS DOCUMENT NO. 386749. (AFFECTS PARCELS 2 & 3) PARCELS 2 AND 3 ARE SHOWN ON MAP.
 - AREA OF NO ACCESS AS SHOWN ON UNRECORDED TRANSPORTATION PLAT T 05-3122. (AFFECTS PARCELS 2 & 3) AFFECTS SUBJECT PARCELS 2 & 3. AS SHOWN ON MAP.
 - AREA OF NO ACCESS AS SHOWN ON CERTIFIED SURVEY MAP NO. 256-1-256. (AFFECTS PARCEL 3) AFFECTS SUBJECT PARCEL 3, AS SHOWN ON MAP.
 - AGREEMENT AS DATED JUNE 14, 1989 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON JUNE 16, 1989, IN VOLUME 521, PAGES 929-936, AS DOCUMENT NO. 423223. (AFFECTS PARCEL 3) AFFECTS SUBJECT PARCEL 3. EASEMENT FOR VIEW. AS SHOWN ON MAP.
 - PRIVATE HIGHWAY AS STATED IN WARRANTY DEED, DATED SEPTEMBER 10, 1948 AND RECORDED IN SAID REGISTER'S OFFICE ON NOVEMBER 12, 1948, IN VOLUME 185, PAGE 376 1/2-377. (AFFECTS PARCEL 3) PRIVATE ROAD IS SHOWN ON MAP. THE PRIVATE ROAD DOES NOT ABUT SUBJECT PARCELS AFTER THE WISCONSIN DEPARTMENT OF TRANSPORTATION PLAT ACQUIRED ADDITIONAL LANDS.
 - EASEMENT DATED FEBRUARY 3, 1977 AND RECORDED IN SAID REGISTER'S OFFICE IN VOLUME 369, PAGES 476-479, AS DOCUMENT NO. 321259. (AFFECTS PARCEL 3) AFFECTS SUBJECT PARCEL 3. EASEMENT FOR VIEW. AS SHOWN ON MAP.
 - PRIVATE DRIVEWAY AS STATED IN WARRANTY DEED, DATED JULY 26, 1974 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON SEPTEMBER 11, 1974, IN VOLUME 340, PAGE 331, AS DOCUMENT NO. 304269. (AFFECTS PARCEL 3). SEE ITEM #20 OF SCHEDULE BII. AS SHOWN ON MAP.
 - 23-31. SEE SHEET 2 OF 2.
 - MORTGAGE FROM PECK LLC, A WISCONSIN LIMITED LIABILITY COMPANY TO BMO HARRIS BANK N.A., IN THE ORIGINALLY STATED AMOUNT OF \$750,000.00, DATED APRIL 23, 2012 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON MAY 2, 2012, AS DOCUMENT NO. 770537. (AFFECTS PARCEL 3)
 - MORTGAGE FROM COURTESY SPORTS, INC. TO M&L MARSHALL AND ISLEY BANK, IN THE ORIGINALLY STATED AMOUNT OF \$1,000,000.00, DATED MAY 23, 2005 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON JUNE 2, 2005, AS DOCUMENT NO. 673463. (AFFECTS PARCEL 3)
 - MORTGAGE FROM PECK LLC, A WISCONSIN LIMITED LIABILITY COMPANY TO BMO HARRIS BANK N.A., IN THE ORIGINALLY STATED AMOUNT OF \$750,000.00, DATED APRIL 23, 2012 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON MAY 2, 2012, AS DOCUMENT NO. 770536. (AFFECTS PARCEL 3)

LEGEND

- 1 1/4" O.D. IRON PIPE FOUND UNLESS NOTED
- 1 1/4" O.D. X 18" IRON PIPE WEIGHING 1.68 LBS/LIN. FT. SET METAL RIGHT-OF-WAY POST FOUND
- ▲ 3/4" REBAR FOUND
- (126.00') RECORDED BEARING/LENGTH MEASURED BEARING/LENGTH
- ⊕ EXISTING HYDRANT
- ⊕ EXISTING WATER VALVE
- ⊕ EXISTING UTILITY POLE
- ⊕ EXISTING LIGHT POLE
- ⊕ EXISTING WATER SHUTOFF
- ⊕ EXISTING DECIDUOUS TREE
- ⊕ EXISTING CONIFEROUS TREE
- ⊕ EXISTING MAILBOX
- ⊕ EXISTING AIR CONDITIONING UNIT
- ⊕ EXISTING GAS METER
- ⊕ EXISTING ELECTRIC METER
- ⊕ EXISTING UTILITY PEDESTAL
- ⊕ EXISTING GUY POLE
- ⊕ EXISTING GUY POLE
- ⊕ EXISTING STORM SEWER MANHOLE
- ⊕ EXISTING SANITARY SEWER MANHOLE
- ⊕ EXISTING HYDRANT
- ⊕ EXISTING WATER VALVE
- ⊕ EXISTING UTILITY POLE
- ⊕ EXISTING LIGHT POLE
- ⊕ EXISTING GAS VALVE
- ⊕ EXISTING CURB INLET
- ⊕ EXISTING CATCH BASIN
- ⊕ EXISTING SIGN
- ⊕ EXISTING OVERHEAD UTILITY
- ⊕ EXISTING UNDERGROUND GAS
- ⊕ EXISTING UNDERGROUND ELECTRIC
- ⊕ EXISTING UNDERGROUND TELEPHONE
- ⊕ EXISTING WATER MAIN
- ⊕ EXISTING STORM SEWER
- ⊕ EXISTING SANITARY SEWER
- ⊕ EXISTING PROPERTY LINE
- ⊕ EXISTING CONCRETE
- ⊕ EXISTING CURB & GUTTER



FILE #PT-13226 SCHEDULE "A" LEGAL DESCRIPTION

PARCEL 1:
LOT TWO (2) OF CERTIFIED SURVEY MAP NO. 4029-14-85, AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON APRIL 7, 1988, IN VOLUME 14 OF SURVEYS, PAGE 85, AS DOCUMENT NO. 412025, BEING PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-TWO (22), TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE EIGHT (8) EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN.

PARCEL 2:
LOT ONE (1) OF CERTIFIED SURVEY MAP NO. 6410-23-233, AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON NOVEMBER 22, 1996, IN VOLUME 23 OF SURVEYS, PAGE 233, AS DOCUMENT NO. 518377, LOCATED IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE EIGHT (8) EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN.

THAT PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE EIGHT (8) EAST, CITY OF STEVENS POINT, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION MARKED BY AN IRON PIPE DRIVEN IN THE GROUND, THENCE EAST ON THE NORTH LINE OF SAID SECTION 648.5 FEET; THENCE S 0°02' WEST, PARALLEL TO THE WEST LINE OF SAID SECTION, 586.81 FEET TO A POINT MARKED BY AN IRON PIPE DRIVEN IN THE GROUND, WHICH IS THE BEGINNING OF THIS DESCRIPTION; FROM THE POINT OF BEGINNING, EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 153.60 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID SECTION, 135.88 FEET TO THE NORTH LINE OF SAID HIGHWAY NO. 66; THENCE S 50°08' WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY, 200.25 FEET; THENCE NORTH PARALLEL TO THE WEST LINE OF SAID SECTION 16 RODS (264 FEET) TO THE PLACE OF BEGINNING; EXCEPT THAT PART THEREOF AS DESCRIBED IN AWARD OF DAMAGES RECORDED IN BOOK 260 OF RECORDS, PAGE 692, PORTAGE COUNTY REGISTRY RECORDS.

AND
ALL THAT PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE EIGHT (8) EAST, DESCRIBED AS LYING EASTERLY OF THE LANDS DESCRIBED IN BOOK 448 OF RECORDS, PAGE 150 AND 151; SOUTHERLY OF THE NORTH LINE OF SAID LAND EXTENDED EASTERLY AND WESTERLY AND NORTHERLY OF THE RIGHT OF WAY OF U.S. HIGHWAY NO. 51 AND STATE HIGHWAY NO. 66 AS TRAVELED ON JULY 1, 1984.

PARCELS:
LOT ONE (1) OF CERTIFIED SURVEY MAP NO. 256-1-256, AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON OCTOBER 2, 1970, IN VOLUME 1 OF SURVEYS, PAGE 256, AS DOCUMENT NO. 280982, BEING PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE EIGHT (8) EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN.

AND
LOT 2-A OF CERTIFIED SURVEY MAP NO. 1200-4-258, AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR PORTAGE COUNTY, WISCONSIN ON JANUARY 14, 1977, IN VOLUME 4 OF SURVEYS, PAGE 258, AS DOCUMENT NO. 320836, BEING PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE EIGHT (8) EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN.

AND
THAT PORTION OF GREEN AVENUE HAVING REVERTED TO GRANTOR BY THE CITY OF STEVENS POINT'S RESOLUTION VACATING A PUBLIC STREET RECORDED AS DOCUMENT NO. 765097, SUCH PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOCATED IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE EIGHT (8) EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN. THE EXTERIOR BOUNDARY OF SAID PARCEL OF LAND IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION TWENTY-SEVEN (27), THENCE N 89°54'56" EAST 1003.32 FEET TO THE NORTHWEST CORNER OF THE NEAR EAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SEVEN (27), THENCE S 0°08'24" EAST ALONG THE WEST LINE OF THE NEAR EAST QUARTER (NE 1/4) AND SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SEVEN (27), THENCE S 0°08'24" EAST ALONG THE WEST LINE OF SAID WEST LINE 74.31 FEET TO THE NORTH LINE OF LOT 2B OF CERTIFIED SURVEY MAP NO. 1200-4-258, THENCE S 53°33'27" WEST ALONG THE NORTH LINE OF SAID LOT 2B 40.95 FEET TO THE WEST RIGHT OF WAY OF GREEN AVENUE NORTH AS CLOSED AND OBLITERATED; THENCE N 00°08'24" EAST ALONG SAID RIGHT OF WAY 96.29 FEET TO THE WESTERLY RIGHT OF WAY OF U.S. HIGHWAY 51 (INTERSTATE 39); THENCE S 50°04'48" EAST ALONG SAID RIGHT OF WAY 42.96 FEET TO THE POINT OF BEGINNING THERE TERMINATING.

PARCELS:
SEE SHEET 2 OF 2

FOR INFORMATIONAL PURPOSES ONLY:
PARCEL 1: 3640 NORTH POINT DRIVE, STEVENS POINT, WI 54481
TAX KEY NO: 2408-22-3500-02
2012 NET TAX AMOUNT: \$4,350.09 PAID IN FULL
LOTTERY CREDIT: NONE

PARCEL 2: 3700 NORTH POINT DRIVE, STEVENS POINT, WI 54481
TAX KEY NO: 2408-27-2001-05
2012 NET TAX AMOUNT: \$16,350.20 PAID IN FULL
LOTTERY CREDIT: NONE

PARCEL 3: 301 GREEN N. AVENUE, STEVENS POINT, WI 54481
TAX KEY NO: 2408-27-2200-07
2012 NET TAX AMOUNT: \$21,219.63 PAID IN FULL
LOTTERY CREDIT: NONE

DRAFT
FOR COMMENT

- ### GENERAL NOTES
- BEARINGS ARE BASED ON THE PORTAGE COUNTY COORDINATE SYSTEM NAD 83(2011) AND REFERENCED TO THE NORTH LINE OF THE FRACTIONAL NORTHWEST 1/4, SECTION 27, TOWNSHIP 24 NORTH, RANGE 8 EAST, RECORDED TO BEAR NORTH 89°55'55" EAST.
 - THE SUBJECT PROPERTIES LIES IN "ZONE X" A FEMA FLOOD ZONE RISK DESIGNATION AREA PER FIRM "PORTAGE COUNTY, WISCONSIN AND INCORPORATED AREAS" COMMUNITY-PANEL NUMBER 55097C0220, EFFECTIVE DATE JULY 20, 2009.
 - THE LOCATIONS OF UTILITIES SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS AND DO NOT REFLECT ALL UTILITIES ON SITE.
 - SUBJECT PARCEL 1 CONTAINS 37.704 SQUARE FEET, OR 0.866 ACRES, MORE OR LESS. SUBJECT PARCEL 2 CONTAINS 161,070 SQUARE FEET, OR 3.698 ACRES, MORE OR LESS. SUBJECT PARCEL 3 CONTAINS 110,467 SQUARE FEET, OR 2.536 ACRES, MORE OR LESS.
 - TOTAL DELINEATED PARKING STALLS = 0.
 - THE FIELD DATE OF THIS SURVEY IS MAY 17, 2013.
 - ZONING INFORMATION WAS NOT PROVIDED TO THE SURVEYOR AT THIS TIME.
 - SUBJECT PROPERTY IS THE SAME AS DESCRIBED IN TITLE COMMITMENT.

REI Engineering, INC.
4080 N. 20TH AVENUE
WAUSAU, WISCONSIN 54401
PHONE: 715.675.9784 FAX: 715.675.4060
EMAIL: MAIL@REIENGINEERING.COM



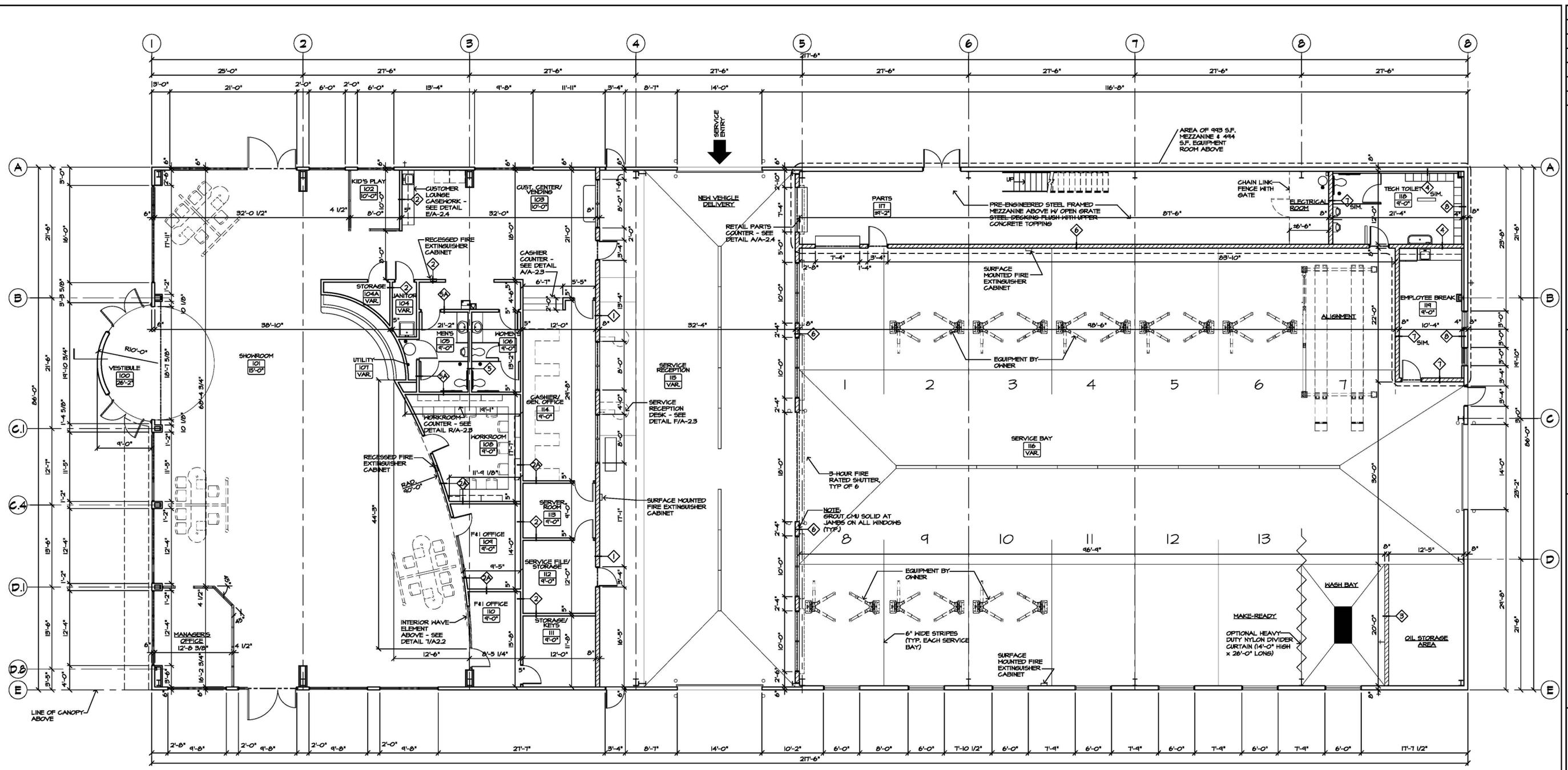
DATE	REVISION	BY	CHK'D

DESIGNED BY:	CHECKED BY: JLR
SURVEYED BY: DRD, JLR	APPROVED BY: JWP
DRAWN BY: JWP	DATE: 5-24-2013

ALTA/ACSM LAND TITLE SURVEY
COURTESY SPORTS, INC.
3640 & 3700 N. POINT DR., 301 GREEN AVE., & 5441 HIGHWAY 10 EAST
STEVENS POINT, WISCONSIN 54481 & 54482

REI
REI No. 6364
SHEET 1 OF 2

DRAWING FILE: P:\6300-6399\6364\COURTESY SPORTS.DWG(SURVEY)\6364-ALTA NORTH.DWG LAYOUT: SHEET 1
PLOTTED: MAY 29, 2013 - 11:50AM PLOTTED BY: JOSHUA P



FLOOR PLAN
SCALE: 1/8" = 1'-0"

REVISIONS	BY



FLOOR PLAN

NEW BUILDING
STEVENS POINT HONDA
NORTHPOINT DRIVE
STEVENS POINT, WI 54481

R.B. CUSTOM DESIGNS INC.
2108 N. Johnson Road
Johnson, Illinois 60051
Phone: 815-754-4451
Fax: 815-901-8200

Date	6/24/13
Scale	AS NOTED
Drawn	RJB
Job	1355
Sheet	A-2.1
Of	2

© COPYRIGHT 2013

REVISIONS	BY

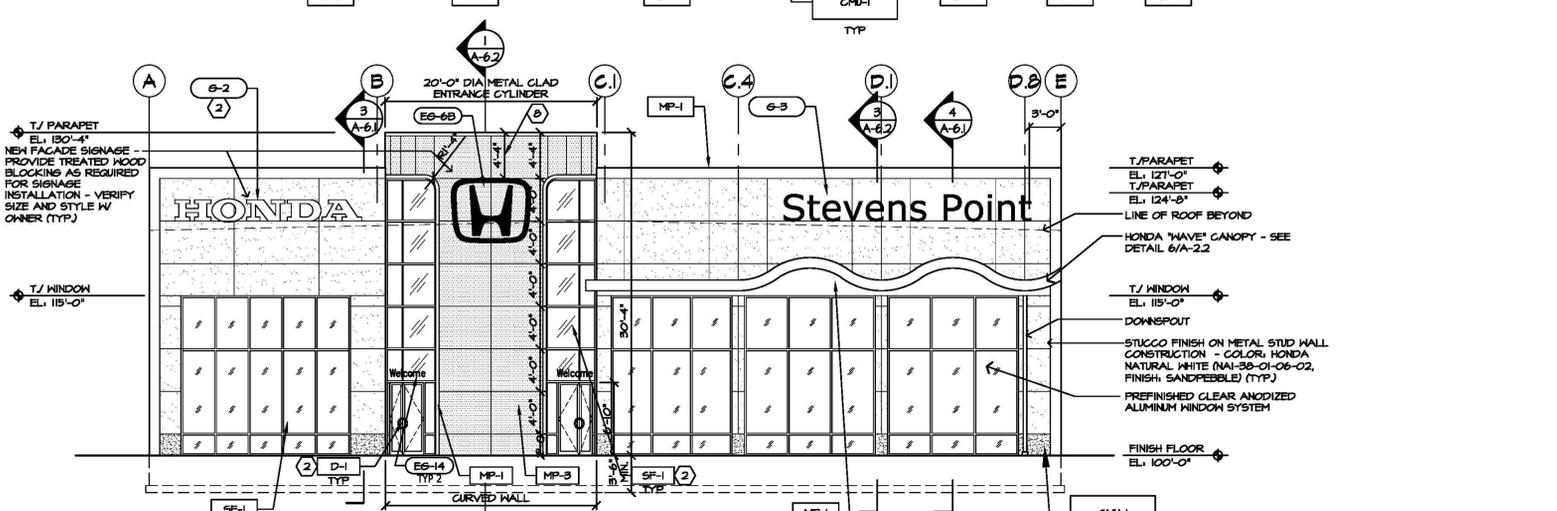
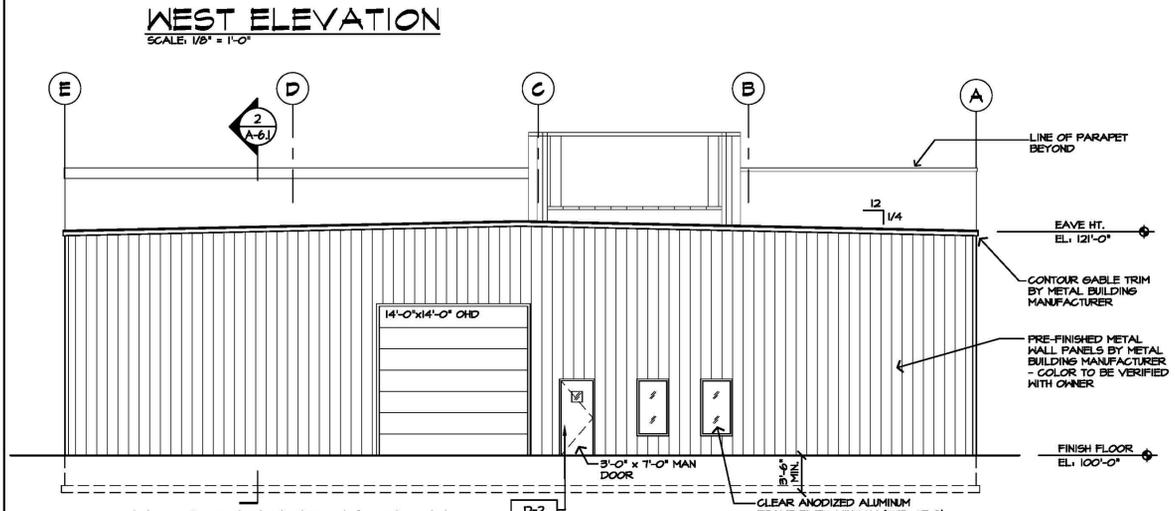
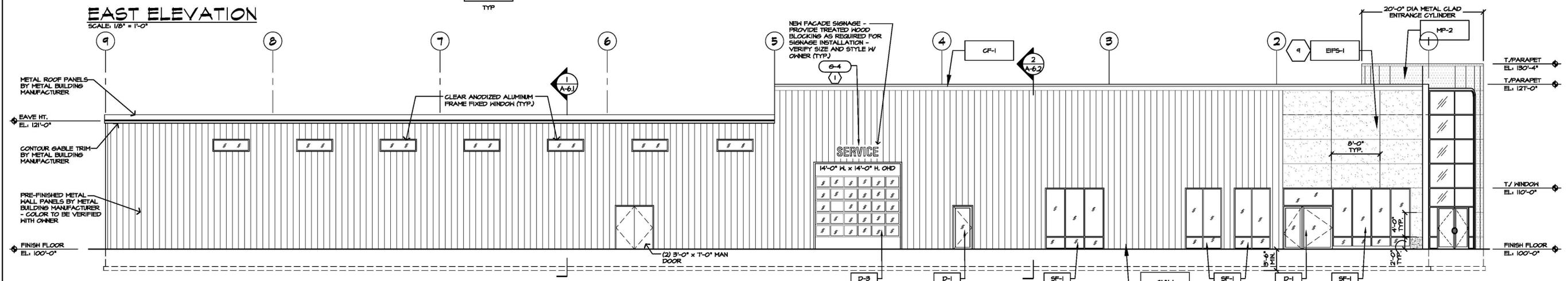
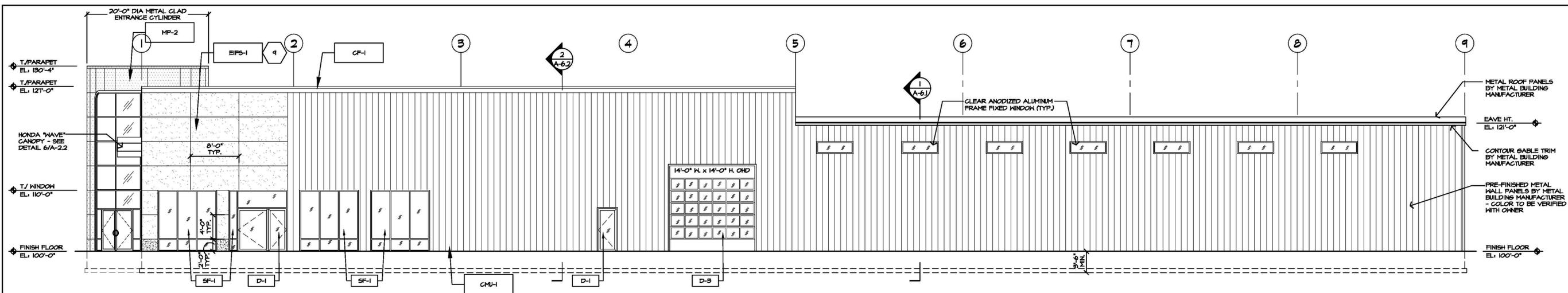


EXTERIOR ELEVATIONS

NEW BUILDING
STEVENS POINT HONDA
NORTHPOINT DRIVE
STEVENS POINT, WI 54481

R.B. CUSTOM DESIGNS INC.
208 N. Johnson Road
Johnson, Illinois 60051
Phone: 815-754-4454
Fax: 815-507-8200

Date: 7/30/13
Scale: AS NOTED
Drawn: RJB
Job: 1355
Sheet: A-1
Of: 1
Sheets



EXTERIOR FINISH LEGEND			
MARK	DESCRIPTION	MANUFACTURER	MFR. #
CF-1	CAP FLASHING	ALPOLIC	COLOR TO MATCH MP-1 (SUNRISE SILVER METALLIC)
EIPS-1	EXTERIOR INSULATED FINISHING SYSTEM	DRYVIT	HONDA CHINA WHITE #HON061021 FINISH SANDBLAST
MP-1	METAL PANEL SYSTEM	ALPOLIC	HONDA SILVER METALLIC 4MM P/N B5X DRY JOINT SYSTEM
MP-2	METAL PANEL SYSTEM	ALPOLIC	HONDA BLUE 4MM P/N HNB DRY JOINT SYSTEM
MP-3	METAL PANEL SYSTEM	ALPOLIC	HONDA WHITE 4MM P/N HNB DRY JOINT SYSTEM
SF-1	ALUMINUM STOREFRONT SYSTEM	KANNEER OR EQUAL	CLEAR ANODIZED
D-1	ALUMINUM/GLASS ENTRY DOOR	KANNEER OR EQUAL	MEDIUM STYLE - COLOR TO MATCH SF-1
D-2	SOLID MAN DOOR W/ VISION PANEL		GLIDDEN PROFESSIONAL #507Y 83/021 NATURAL WHITE
D-3	ALUMINUM/GLASS OVERHEAD DOOR		COLOR TO MATCH SF-1
D-4	ALUMINUM/GLASS OVERHEAD DOOR		GLIDDEN PROFESSIONAL #507Y 83/021 NATURAL WHITE
EP-1	EXTERIOR PAINT	GLIDDEN PROFESSIONAL	#507Y 83/021 NATURAL WHITE
EP-2	EXTERIOR PAINT	GLIDDEN PROFESSIONAL	#507Y 83/021 NATURAL WHITE HYDROSEALER PRIMER 600L-XXXXX PAINT - FORTIS 250 EXT. SATIN 2402-XXXXX COLOR: 50-31 LEHIGH MASONRY CEMENT, COLOR L-37
CMU-1	ANCHOR SPLIT FACE BLOCK	ANCHOR CONCRETE PRODUCTS	

EXTERIOR SIGNAGE NOTES
GRAPHIC COMMENTS

(E2) THE HONDA 'H' IS A 9" DEEP, NON-ILLUMINATED LOGO, FABRICATED IN ONE OF TWO RADII CURVES USING MOLDED FIBERGLASS MATERIAL. IT IS MOUNTED TO THE FACE OF THE ENTRY CYLINDER AND REQUIRES APPROPRIATE BLOCKING TO ATTACH THE SIGN TO THE CYLINDER. ACCESS MUST BE PROVIDED WITHIN THE CYLINDER FOR THROUGH BOLT CONNECTIONS.

(E3) HONDA LOGO TYPE SIGN

(E4) DEALERSHIP NAME SIGN

(E5) SERVICE CENTER SIGN

(E6) ENTRANCE WELCOME GRAPHIC

NOTE:
PATTISON SIGN GROUP (TEL: 865-643-1105) IS AMERICAN HONDA'S AUTHORIZED SIGN PROVIDER. ALL EXTERIOR HALL MOUNTED SIGNAGE HAS SPECIFIC ACCESS, ELECTRICAL, AND SUPPORT (BLOCKING) REQUIREMENTS WHICH MUST BE OBTAINED FROM PATTISON SIGN GROUP AND COORDINATED WITH DEALERS SUBCONTRACTOR. FOR MORE INFORMATION ON THESE SIGNS ARE TO BE PROVIDED, CONTACT YOUR HONDA PROGRAM MANAGER.

DRAWING NOTES

1. SIGNAGE CENTERED ABOVE DRIVE AISLE.

2. DOOR CENTERED IN STOREFRONT, WITH VERTICAL MILLION CENTERED ABOVE DOORS.

3. DIMENSION IS TO TOP OF GRAPHIC. SEE GRAPHICS SHEETS FOR ADDITIONAL INFORMATION.

4. MP-3 IS AN ACCEPTABLE ALTERNATIVE.

5. EP-2 IS AN ACCEPTABLE ALTERNATIVE IN RETROFIT CONDITIONS. SEE FINISH SCHEDULE FOR ADDITIONAL INFORMATION.

© COPYRIGHT 2013

CHEMICALS, QAUNTITIES, STORAGE & SERVICE SUMMARY

The maximum amount of fluids stored on site is as follows:

- Oil - 500 gallons
- Transmission fluid 50
- Anti-freeze 50
- Washer solvent 50

Description:

- 1) Most fluid is stored in single wall tanks, however, the waste oil is stored in a double wall tank.
- 2) There will be a safety alarm/spill protector on the waste oil container.
- 3) For emptying the tanks the process is to use the standard pumping dispenser provided by vendor. Goes from container directly to vehicle through lines.
- 4) Filling the tanks is done directly from the vendor trucks to the tanks thru lines. No modification to standard process.
- 5) Finally, as with all of our stores, there will be a SPCC in place (Spill Prevention, Control and Countermeasure Plan.)

The entire service area will utilize a trench floor drain system that is connected to a triple basin oil/water separator system.

Summary of repair activities:

- The facility will be operated as an auto dealership with full parts & service shop included.
- Repair activities will be for cars and light duty trucks.
- Typical activities will be oil changes, tire rotations, etc... Nothing out of the ordinary from what is already being done at the existing Honda location across the street at 301 N. Green Ave.

Excerpt from HONDA Safety Manual / Spill Prevention Control Plan

EMERGENCY RESPONSE

Reporting

When an incident has occurred, the General Manager, or next in command in his absence, will be the first person contacted. They can be reached by phone, paging system, or alarm.

For a **liquid chemical spill** the General Manager will:

1. Identify type of chemical spill.
2. Notify dealership personnel – by phone, page, or alarm.
3. If the incident is a liquid chemical spill that is more than 5 gallons or cannot be controlled the General Manager will **immediately call 911. ******
4. If an evacuation is needed due to a chemical spill the General Manager will initiate evacuation procedures.

****When reporting the incident give the following information:

1. Name and phone #.
2. Name and address of the facility.
3. Type of incident.
4. Name and quantity of material.
5. Extent of injuries.
6. Possible hazards to human life.

Hazardous Spill Response Plan

In the event of a hazardous substance release, that is no more than 5 gallons, the following plan will be implemented:

1. The first responder on the scene of a spill will use the PA system and call out “**Code Green**” and give the location of the spill. This will notify employees that there has been a hazardous spill.
2. The first responder on the scene of a spill will determine if the situation is hazardous. If the situation is hazardous the responder should evacuate the area and immediately notify the emergency coordinator/safety coordinator.
3. The emergency General Manager will then determine the plan of action based on the emergency and/or conditions present and implement the proper plan of action.
4. The appropriate employees will then respond to the situation. If the spill can be handle internally these employees will:
 - a. Refer to the container label and/or SDS.
 - b. Don the appropriate personal protective equipment needed to cleaning up the spill.
 - c. Set up the appropriate warning signs/devices to confine and control the chemical spill to minimize injury to personnel and property damage.
 - d. Start salvage operations and dispose of the waste after the spill as been contained.
5. The emergency General Manager will limit the number of personnel at the emergency site and will have back-up personnel standing by to provide assistance.
6. If the General Manager determines that the situation is an Immediately Dangerous to Life or Health (IDLH), he or she will evacuate the facility and call 911.

For emergencies that can be controlled in a safer manner, Dealershipname will provide their employees with the proper protective equipment to handle any situation that may arise.

1. Personal protective equipment:
 - a. Rubber boots.
 - b. Gloves.
 - c. Goggles.
2. First aid kits.
3. Fire extinguisher.
4. Evacuation route.
5. Shovels and brooms.



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

CC:

Date: 8/5/2013

Re:

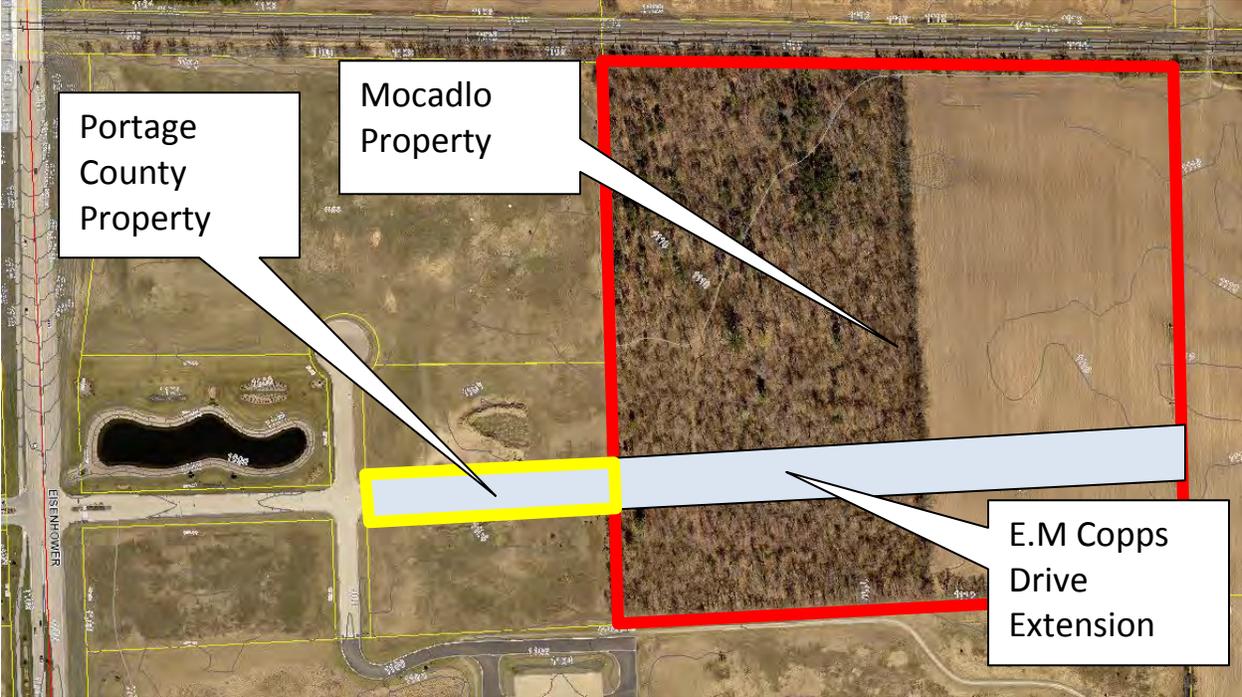
5. Request from the City of Stevens Point to acquire approximately 1.320 acres of **Parcel ID 2308-01-2200-05** (Portage County property) for the extension of E.M. Cops Drive to the east.
6. Request from the City of Stevens Point to acquire approximately 37.01 acres (Mocadlo Property) within the **northwest corner of the East Park Commerce Center (Parcel ID 2308-01-2100-01)** to be used for right-of-way and future development sites.
7. Review and recommendation on transferring and/or selling approximately 27 acres of property located in the **northwest corner of the East Park Commerce Center (portion of Parcel ID 2308-01-2100-01)**, to Service Cold Storage, LLC.
8. Review and recommendation on extending and naming E.M. Cops Drive, east of Week Street to the eastern edge of Parcel ID 2308-01-2100-01.

As part of the creation and development of East Park Commerce Center (EPCC), the City will need to extend E.M. Cops Drive from the intersection with Week Street, east to the edge of the proposed development site. Since a portion of this land is owned by Portage County, and the other is owned by the Mocadlo family, the City will need to acquire the needed land to make this occur.

Furthermore, the City has been working with Service Cold Storage, LLC to develop a 160,000+ square foot freezer warehouse development on approximately 27 acres of the Mocadlo parcel. As you may know, the City currently has an option to purchase the entire 37.01 acre parcel from the Mocadlo family for a sum of \$1,110,000. In order to acquire or sell any land, the Plan Commission must make a recommendation to the Common Council prior to final action. While there are four separate action items on the agenda, they are all part of a larger project. With these requests, the City is requesting recommendation on acquiring the land from Portage County and the Mocadlo family in order to extend E.M. Cops Drive to the development site where Service Cold Storage would be located. The City would then transfer approximately 27 acres of land to Service Cold Storage for them to commence development of a 160,000+ square foot freezer warehouse development. The remaining portion of the

37.01 acre Mocadlo parcel would be used for the extension of E.M. Copps Drive and other development opportunities.

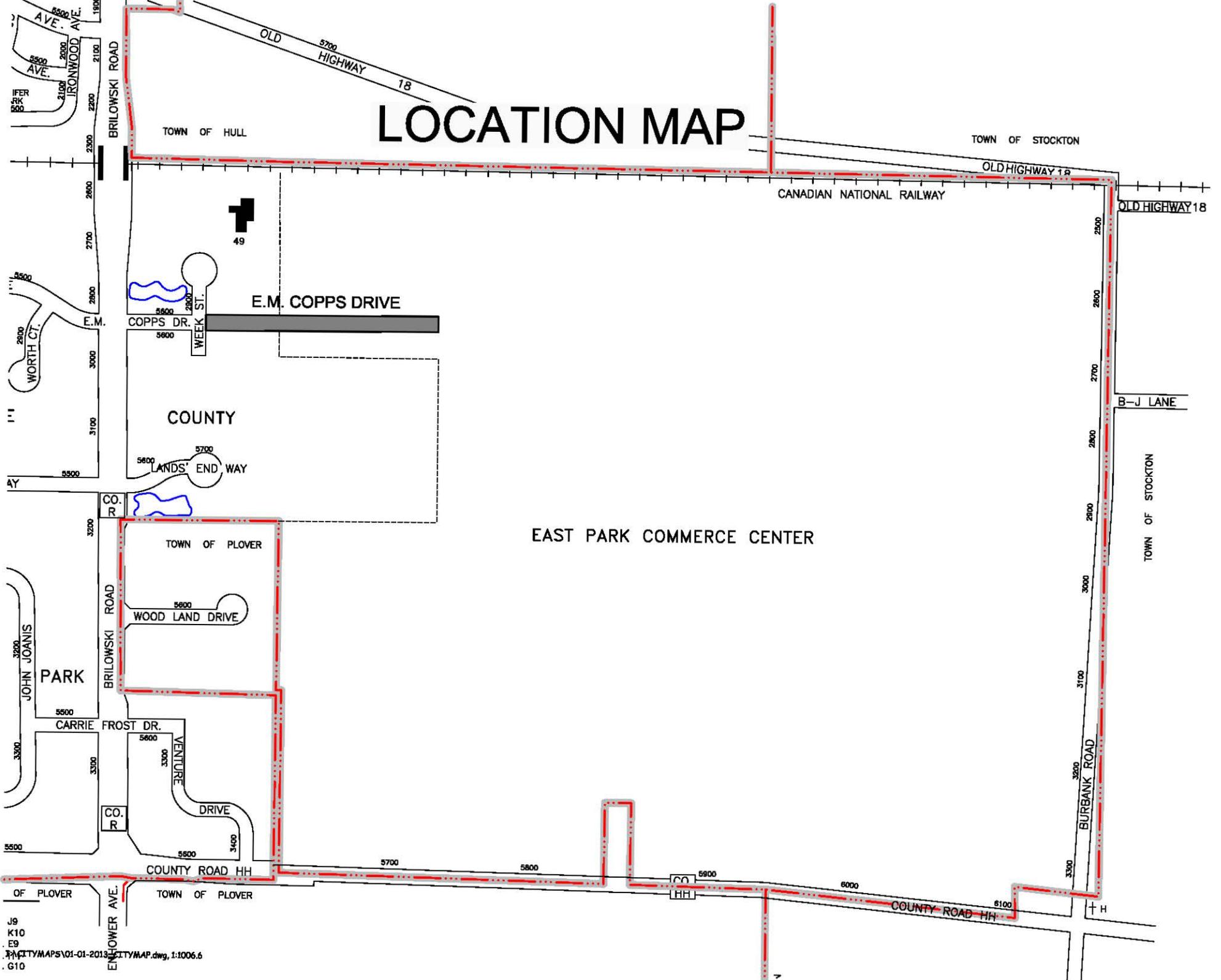
Site plan review for the Service Cold Storage project will occur at a later date.



Attached you will find the following:

- Certified Survey Map/Resolution for Naming E.M. Copps Drive
- East Park Commerce Center Concept Plan
- Service Cold Storage Development Site
- Service Cold Storage Development Agreement

LOCATION MAP



J9
K10
E9
C:\CITYMAPS\01-01-2013\CITYMAP.dwg, 1:1006.6
G10

RESOLUTION NAMING A STREET

RESOLVED by the Common Council of the City of Stevens Point, Wisconsin that the following described street be known as **“E.M. Cops Drive”**:

A 100 foot wide public street located in the Fractional Northwest Quarter of the Northwest Quarter and the Fractional Northeast Quarter of the Northwest Quarter of Section 1, Township 23 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin and more specifically described as follows and as shown on attached Exhibit ‘A’:

Commencing at the north quarter corner of said Section 1; thence South 01 degree 03 minutes 04 seconds East along the east line of said Fractional Northeast Quarter of the Northwest Quarter 1,118.87 feet to the point of beginning (P.O.B.); thence continuing South 01 degree 03 minutes 04 seconds East 100.01 feet; thence South 88 degrees 08 minutes 17 seconds West 1,309.75 feet to its intersection with the west line of said Fractional Northeast Quarter of the Northwest Quarter; thence continuing South 88 degree 08 minutes 17 seconds West 574.66 feet to the east right of way line of Week Street; thence North 01 degree 53 minutes 22 seconds West along said east right of way line of Week Street 100.00 feet; thence North 88 degrees 08 minutes 17 seconds East 575.38 feet to its intersection with the west line of said Fractional Northeast Quarter of the Northwest Quarter; thence continuing North 88 degrees 08 minutes 17 seconds East 1,310.49 feet to the east line of said Fractional Northeast Quarter of the Northwest Quarter and the point of beginning and there terminating.

BE IT FURTHER RESOLVED that a copy of this resolution and exhibit be recorded in the Office of the Register of Deeds.

APPROVED: _____
Mayor, Andrew Halverson

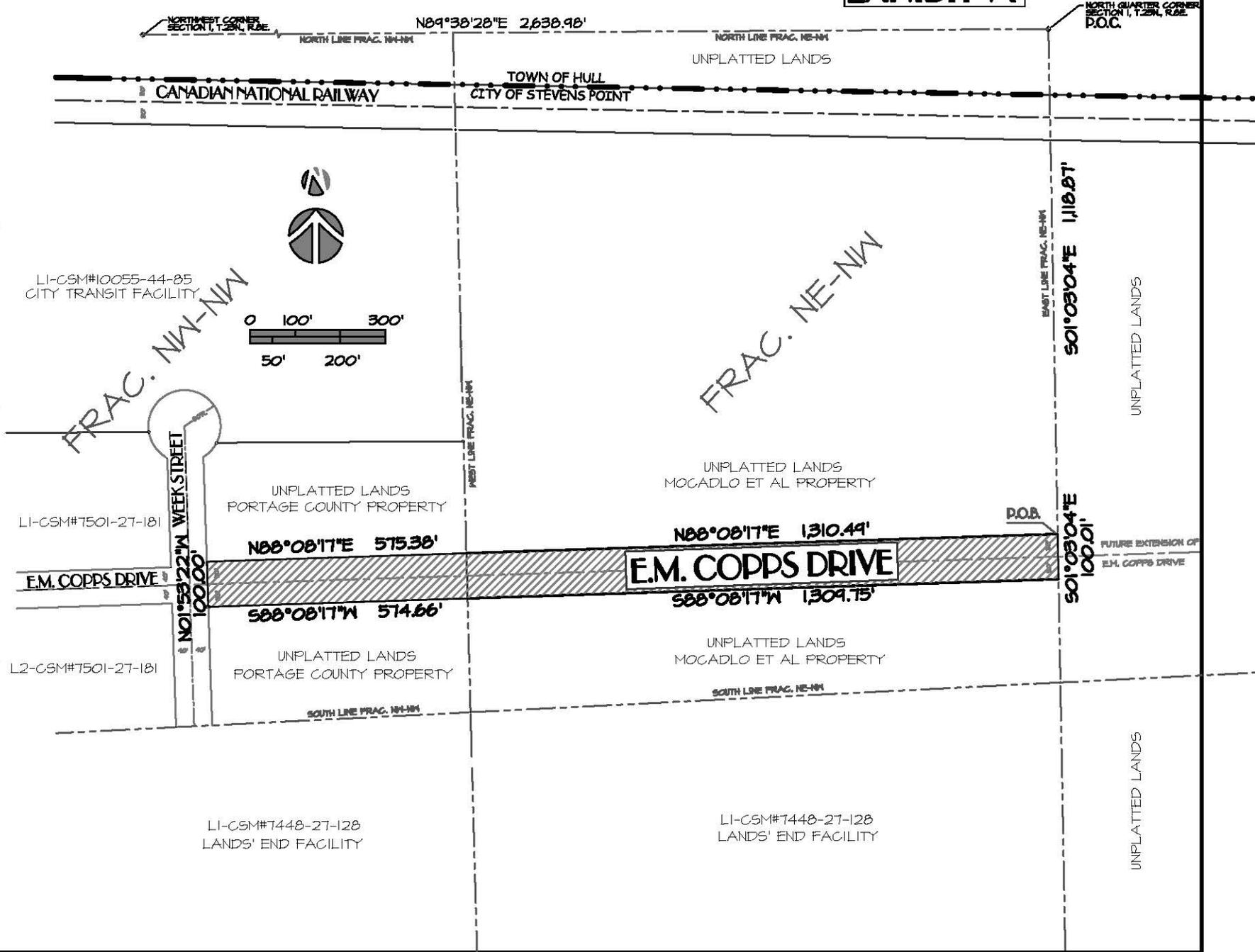
ATTEST: _____
City Clerk, John Moe

Dated:
Adopted:

E.M. COPPS DRIVE

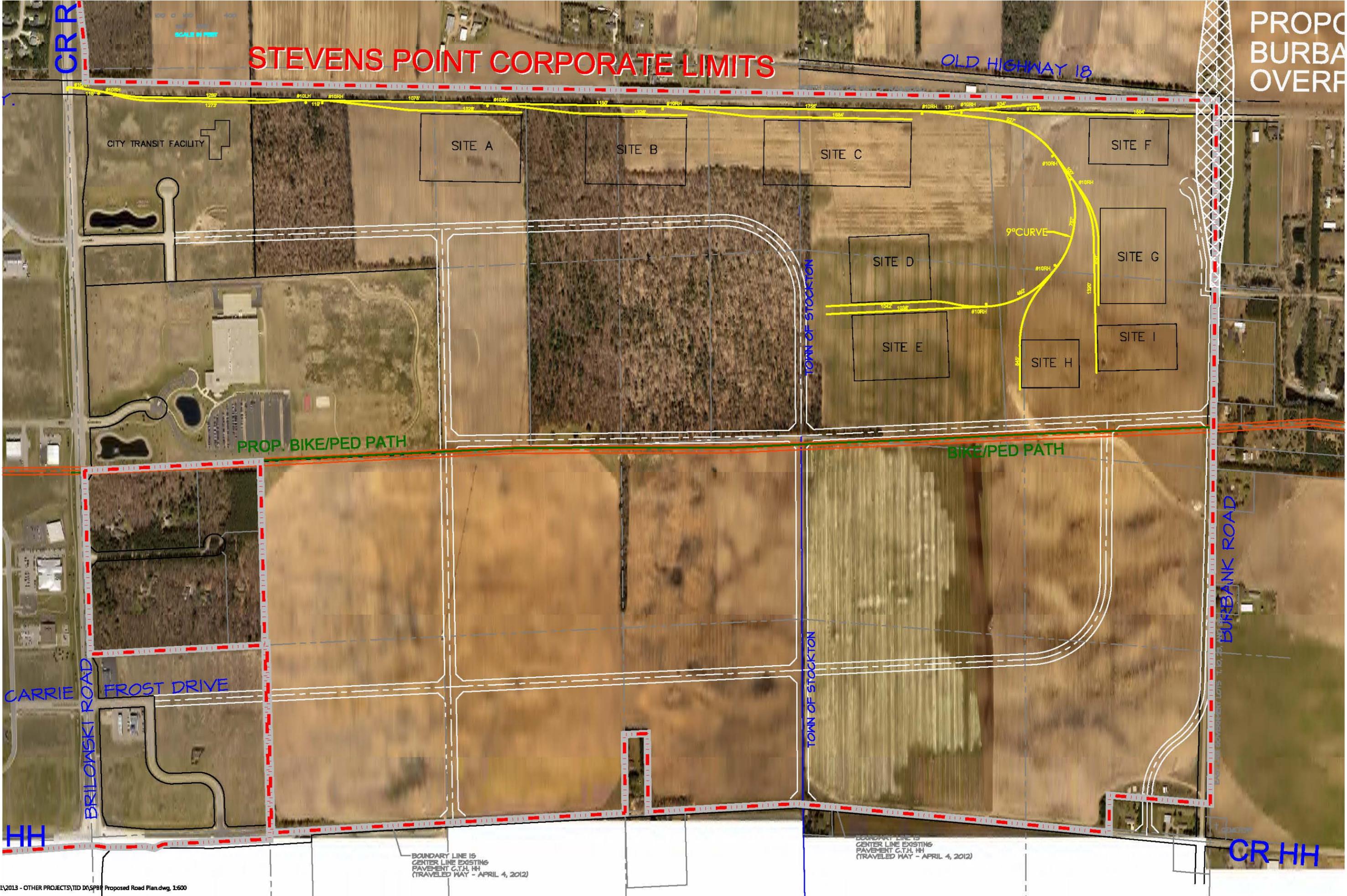
LOCATED IN THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE FRACTIONAL NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 23 NORTH, RANGE 8 EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN

EXHIBIT 'A'



STEVENS POINT CORPORATE LIMITS

PROPOSED
BURBANK
OVERPASS

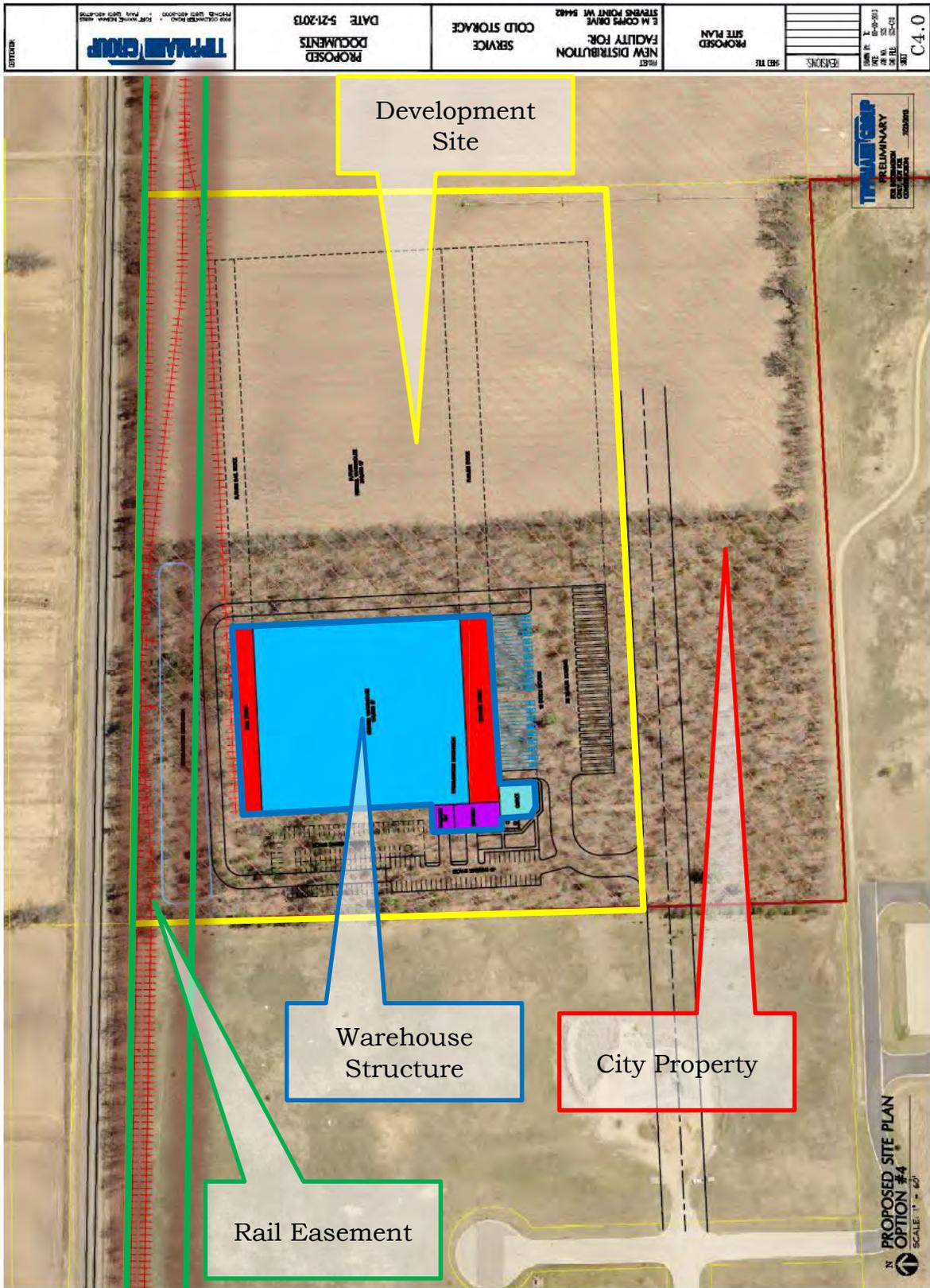


BOUNDARY LINE IS
CENTER LINE EXISTING
PAVEMENT C.T.H. HH
(TRAVELED WAY - APRIL 4, 2012)

BOUNDARY LINE IS
CENTER LINE EXISTING
PAVEMENT C.T.H. HH
(TRAVELED WAY - APRIL 4, 2012)

CR HH

Exhibit A. Development Site



Service Cold Storage

Development Agreement

Between the City of Stevens Point and Service Cold Storage, LLC

Approved by the Common Council of the City of Stevens Point: July 22, 2013

Contents

- Part 1. Definitions 5
- Part 2. Parties Warranties and Representations 5
 - Division 2.01 City Representations 5
 - Division 2.02 Developer Warranties and Representations 6
- Part 3. Parties Undertakings 7
 - Division 3.01 City Undertakings 7
 - Section 3.01.01 Transfer of Land for Fair Consideration 7
 - Section 3.01.02 Payment of Engineering and Site Related Costs 7
 - Section 3.01.03 Extension of Road Access and Right of Way 7
 - Section 3.01.04 Extension of Utilities 7
 - Section 3.01.05 Site Clearance..... 7
 - Section 3.01.06 County Highway R Intersection Improvement..... 7
 - Division 3.02 Developer Undertakings 7
 - Section 3.02.01 Permits and Approvals 7
 - Section 3.02.02 Development Costs and Value 8
 - Section 3.02.03 Development Timeline..... 8
 - Section 3.02.04 Rail Easement..... 8
 - Section 3.02.05 Payment in Lieu of Taxes 8
 - Section 3.02.06 Property Maintenance 8
 - Division 3.03 Conditions Precedent to Closing 8
 - Section 3.03.01 Purpose 8
 - Section 3.03.02 Pre-Closing Undertakings of the City 9
 - Section 3.03.03 Pre-Closing Undertakings of the Developer..... 9
- Part 4. Security 9
 - Division 4.01 Security for City Costs..... 9
- Part 5. Assignment..... 10
- Part 6. Default Provisions 10
 - Division 6.01 Notice of Default 10
 - Division 6.02 Remedies upon Developer’s Default 10
- Part 7. Notices 11
- Part 8. Nondiscrimination..... 11
- Part 9. No Personal Liability..... 11
- Part 10. Miscellaneous Provisions 12

Division 10.01	Cooperation with Grants	12
Division 10.02	Entire Agreement.....	12
Division 10.03	Survival of Warranties, Representations, and Agreements	12
Division 10.04	Governing Law	12
Division 10.05	Captions	12
Division 10.06	Counterparts.....	12
Division 10.07	Severability	12
Division 10.08	City Authorization	13
Exhibit A.	Development Site.....	16
Exhibit B.	Private Improvements.....	17

DRAFT

Development Agreement

THIS DEVELOPMENT AGREEMENT is made and entered into as of the ___ day of August, 2013 by and between the City of Stevens Point, Wisconsin, a Wisconsin municipal corporation (the "City") and Service Cold Storage, LLC, a Wisconsin limited liability company (the "Developer").

Recitals

WHEREAS, the City has, pursuant to authority granted in Wisconsin Statute Section 66.1105, created Tax Incremental District Number 9 ("hereafter referred to as "TID No. 9") for the purpose of promoting development consistent with the City's plans; and

WHEREAS, the Developer is willing to construct a cold storage facility on the Development Site if it obtains assistance from the City as set forth herein; and

WHEREAS, the City is willing to transfer the Development Site to the Developer as set forth within this Agreement; and

WHEREAS, the City is willing to provide financial assistance as set forth herein, and has determined that this Agreement is in the public interest; and

WHEREAS, the City is willing to extend road access and utilities to the Development Site; and

NOW THEREFORE, in consideration of the promises and mutual obligations of the parties contained herein, each of them does hereby represent, covenant, and agree with the other as outlined in this Agreement.

Purpose of Agreement

The parties hereto are entering into this Development Agreement for the construction of a cold storage facility development within the City of Stevens Point TID No. 9. Further, the parties have reached an understanding regarding participation in the future development and intend to enter into this Development Agreement to record the understandings and undertakings of the parties and to provide a framework within which the development may proceed.

Part 1. Definitions

As used in this Agreement, the following terms shall have the meanings indicated:

- A. "Act" means Wisconsin Statute Section 66.1105 which provides authority to the City to create TID 9.
- B. "Agreement" means this Development Agreement by and between the City and Developer, as the same may be from time to time amended.
- C. "City" means the City of Stevens Point, Wisconsin.
- D. "Developer" means Service Cold Storage, LLC, properties or assigns.
- E. "Development" means construction of a cold storage facility, and related improvements.
- F. "Development Costs" means the amounts expended by Developer for construction of the Private Improvements as required under Division 3.02 of this Agreement, which is estimated to be approximately \$14,500,000.00.
- G. "Development Site" means the site generally bounded by the yellow line in Exhibit A.
- H. "Effective Date" means the date this Agreement is authorized by all parties.
- I. "Private Improvements" means the construction of the building, but generally described as the improvements to the Development Site located within TID No. 9, and indicated in Exhibit B.
- J. "Property" includes the Development Site and Private Improvements.
- K. "Tax Increment" means as defined in Section 66.1105(2)(i) of the Wisconsin Statutes.
- L. "TID No. 9" means City of Stevens Point Tax Incremental District Number 9, and project plan created by City in accordance with Section 3.03.02.
- M. "Warehouse Structure" means the site directly underlying the warehouse structure, generally bounded by the blue line in Exhibit A.

Part 2. Parties Warranties and Representations

Division 2.01 City Representations

The City makes the following representations as the basis for the undertaking on its part herein contained:

- A. The City is a municipal corporation and political subdivision organized under the laws of the State of Wisconsin.
- B. The City has the authority to enter into this Agreement and carry out its obligations hereunder pursuant to the authority granted to it by the Wisconsin Constitution and State law.
- C. The City proposes to provide assistance to Developer in accordance with the provisions of this Agreement.
- D. The activities of the City are undertaken for the purpose defined in Section 66.1105 of the Wisconsin Statutes.
- E. The parties signing below on behalf of the City have been fully authorized to execute this Agreement on behalf of the City.

Division 2.02 Developer Warranties and Representations

The Developer makes the following warranties and representations as the basis for the undertaking on its part herein contained:

- A. Service Cold Storage, LLC, duly organized and in good standing under the laws of the State of Wisconsin, and is not in violation of any provisions of its Articles of Organization, Operating Agreement or the laws of the State of Wisconsin, has the power to perform its obligations hereunder and has duly authorized the execution, delivery and performance of this Agreement by proper company action.
- B. Developer will control the construction of the Private Improvements on the Development Site.
- C. The parties signing below for Developer warrant that they have full power and authority to execute this Agreement on behalf of Developer, and to bind Developer to the Agreement.
- D. The construction of the Private Improvements on the Development Site by Developer would not occur but for the tax increment financing assistance being provided by the City hereunder.
- E. Neither the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Agreement is prevented, limited by or conflicts with, or results in the breach of the terms, conditions, or provisions of any contractual restriction, evidence of indebtedness, agreement or instrument of whatever nature to which Developer is now a party or by which is bound, or constitutes a default under any of the foregoing.

Part 3. Parties Undertakings

Division 3.01 City Undertakings

Section 3.01.01 Transfer of Land for Fair Consideration

To further promote the goals of tax base generation and job creation, the City agrees to convey approximately 27 acres of land to the Developer in exchange for the construction of the Private Improvements on the Development Site. This 27 acre conveyance includes both the Development Site and the Structure Footprint as depicted in Exhibit A. Such conveyance shall occur upon Developer securing all other approvals and financing to complete the Private Improvements.

Section 3.01.02 Payment of Engineering and Site Related Costs

City agrees to compensate Developer for engineering and site related costs, to a maximum of \$419,000.00. Such incentive will be provided to the Developer upon Developer's completion of the structural framing/skeleton of the main building.

Section 3.01.03 Extension of Road Access and Right of Way

City agrees to extend roadway access to the Development Site. Road access shall be constructed as an extension of E.M. Copps Drive eastward from its intersection with Week Street immediately. This roadway extension shall be via a one-hundred (100) foot right of way.

Section 3.01.04 Extension of Utilities

City agrees to extend utilities to the Development Site in a manner that is equivalent in accessibility and capacity to the utilities available to the parcels north of E.M. Copps Drive, west of County Highway R, and south of the Canadian National railway within in the Portage County Business Park, also known as the original site location for this development.

Section 3.01.05 Site Clearance

City agrees to clear trees and vegetation from the Development Site at Developer's request at a total cost of \$20,400.00.

Section 3.01.06 County Highway R Intersection Improvement

City agrees that in the event this development, or a combination of developments, warrant intersection improvements at the intersection of E.M. Copps Drive and County Highway R, as determined by the City, that City should make such improvements in a manner sufficient to accommodate the increased traffic generated by such development(s).

Division 3.02 Developer Undertakings

Section 3.02.01 Permits and Approvals

Developer's obligations under Division 3.02 are contingent on obtaining permits and other governmental approvals necessary for the construction. Developer shall make all reasonable efforts to obtain such permits and approvals in a timely manner. Developer understands that this Agreement cannot obligate the City to issue any such permits or approvals.

Section 3.02.02 Development Costs and Value

Developer contemplates expending approximately \$14,500,000.00 in total on the construction of a cold storage warehouse building, also known as the Private Improvements. Upon completion, the Property shall have an assessed value of at least \$10,000,000.00.

Section 3.02.03 Development Timeline

Developer agrees to complete Private Improvements within 24 months from the Effective Date.

Section 3.02.04 Rail Easement

Developer agrees to allow a rail easement of approximately 100 feet, as depicted in Exhibit A, on the north end of the property for the installation of a siding track(s) or other railroad improvements. Such railroad improvements shall be for the joint benefit of the Developer, the City, and future owners of adjacent properties. No such improvements shall be erected in this area without the express written consent of the City. Such easement shall be recorded on the Certified Survey Map.

Section 3.02.05 Payment in Lieu of Taxes

In the event the Property, or any part of it, becomes exempt or partially exempt from property taxes, Developer shall pay to the City an amount equal to the property taxes that would otherwise have been paid as property taxes on the Property, annually, for the life of TID No. 9.

Section 3.02.06 Property Maintenance

Following completion of the Private Improvements required under Division 3.02, Developer shall maintain the Property in a good and presentable condition and shall promptly repair any damage. Developer shall maintain adequate property insurance for such purpose.

Division 3.03 Conditions Precedent to Closing

Section 3.03.01 Purpose

The parties acknowledge that the Development will require substantial financial resources. While each party is willing and prepared to perform its obligations hereunder, the parties recognize that each must begin its performance under this Agreement and continue it up to the point of Closing without absolute assurance that the others will be able to raise and commit all the funds necessary for Closing.

Section 3.03.02 Pre-Closing Undertakings of the City

Prior to closing, the City agrees that it shall:

- A. Cooperate with the Developer to facilitate their performance under Division 3.02 and Section 3.03.03.
- B. Cooperate with Developer in applying for zoning and other permits necessary for the intended Development.
- C. The Developer acknowledges that various specific undertakings of the City described in Division 3.01 and Section 3.03.02 require approvals from City's Boards, Commissions, and/or Committees, the City's Common Council, as well as from governmental bodies external to the City, some of which approvals may require public hearings and other legal proceedings as conditions precedent thereto. The City's agreements under Division 3.01 and Section 3.03.02 are conditioned upon the obtaining of all such approvals in the manner required by law. The City cannot assure that all such approvals will be obtained; however, they agree to use their best good faith efforts to obtain them on a timely basis.

Section 3.03.03 Pre-Closing Undertakings of the Developer

Prior to Closing, the Developer agrees that it shall:

- A. Cause to be organized one or more groups of individuals or corporate investors who collectively are committed to make the necessary equity investment in the Development.
- B. Submit proof of financing for the Development Project.
- C. Obtain all necessary zoning and other approvals for the Development.
- D. Cooperate with the City so as to facilitate their performance under Division 3.01 and Section 3.03.02.

Part 4. Security

Division 4.01 Security for City Costs

Developer shall grant to the City a Development Security in the form of three (3) separate liens, which shall be in the first, second, and third position, on the Development Site depicted in Exhibit A, or in a form and manner acceptable to the City, cash or equivalent, in an amount of \$1,249,400.00. The Development Site is approximately 21 acres and does not include the approximately 6 acres identified as the Warehouse Structure in Exhibit A.

The release of the security by the City shall occur at the following stages of the project:

- The First Lien shall be for 25% or \$312,350.00 of the total dollar amount of the

Security for City Costs. The City shall release this lien upon completion of 25% of the Private Improvements. Completion of 25% of the Private Improvements shall be defined as the completion of the structural framing/skeleton of the main building.

- The Second Lien shall be for 25% or \$312,350.00 of the total dollar amount of the Security for City Costs. The City shall release this lien upon completion of 50% of the Private Improvements. Completion of 50% of the Private Improvements shall be defined as the completion of enclosing the framing/skeleton of the main building with exterior finished materials.
- The Third Lien shall be for 50% or \$624,700.00 of the total dollar amount of the Security for City Costs. The City shall release this lien upon completion of 100% of the Private Improvements. Completion of 100% of the Private Improvements shall be defined as receiving final approval to fully occupy the main building for the intended use.

Part 5. Assignment

The rights, duties, and obligations of the Developer hereunder may be assigned by Developer provided that prior to any such assignment Developer procures the written consent of the City to the assignment, which consent shall not be unreasonably withheld. Partners, shareholders or members of the Developer may assign or transfer their ownership to other partners, shareholders and members of the Developer without the consent of the City. Further, the sale or transfer of less than a majority interest of the Developer shall not require the consent of the City.

Part 6. Default Provisions

Division 6.01 Notice of Default

In the event either party is in default hereunder (the "Defaulting Party"), the other party (the "Non-defaulting Party") shall be entitled to take any action allowed by applicable law by virtue of said default provided that the non-defaulting party first gives the Defaulting Party written notice of default describing the nature of the default, what action, if any, is deemed necessary to cure the same and specifying a time period of not less than thirty (30) days in which the default may be cured by the Defaulting Party.

Division 6.02 Remedies upon Developer's Default

In the event Developer defaults under the terms of this Agreement and fails to cure the default after a notice within the time period provided pursuant to Division 6.01, then the City without prejudice to any other rights or remedies afforded to the City, by applicable law may compel conformance of this Agreement by bringing an action for a specific performance hereof or make a claim for the security of the City development costs pursuant to Part 4 of this Agreement.

Part 7. Notices

All notices, demands, certificates, or other communications under this Agreement shall be sufficiently given and shall be deemed given when hand delivered or when mailed by first class mail, postage prepaid, property addressed as indicated below:

To the Developer:

Service Cold Storage, LLC, or assigns

Attn: Milton G. Austin

5500 EM Copps Drive

Stevens Point, WI 54482

With a copy to:

Attorney Rick A. Flugaur

Anderson, O'Brien, Bertz, Skrenes & Golla

1257 Main Street

Stevens Point, WI 54481

To the City:

City Clerk

City of Stevens Point

1515 Strongs Avenue

Stevens Point, WI 54481

Any party may, by written notice to the party(ies), designate a change of address for the purposes aforesaid.

Part 8. Nondiscrimination

With the performance of work under this Agreement, the Developer agrees not to discriminate against any employee or applicant for employment nor shall the development or any portion thereof be sold to, leased or used by any party in any manner to permit discrimination or restriction on the basis of race, religion, marital status, age, color, sex, sexual orientation, physical condition, disability, national origin or ancestry and that the construction and operation of the Development shall be in compliance with all effective laws, ordinances and regulations relating to discrimination on any of the foregoing grounds.

Nothing in this Part shall prohibit discrimination based on age or family status with respect to housing for older persons as permitted by applicable federal and state law.

Part 9. No Personal Liability

Under no circumstances shall any alderperson, officer, official, commissioner, director, member, partner or employee of the City, have any personal liability arising out of this Agreement, and no party shall seek or claim any such personal liability. The limitation on

personal liability included in this Part shall extend to Developer's assignment of this Agreement to a partnership or to a limited liability company consistent with Part 5.

Part 10. Miscellaneous Provisions

Division 10.01 Cooperation with Grants

If necessary, Developer shall work with and cooperate with City in providing data and information necessary for City to comply with the provisions or requirements in connection with a State or Federal grant or other funding applicable to and benefiting the Development.

Division 10.02 Entire Agreement

This document contains the entire agreement between Developer, City, and it shall inure to the benefit of and shall be binding upon the parties hereto and the respective heirs, executives, successors and assigns. This Agreement may be modified only by a written Amendment signed by the parties, which Amendment shall become effective upon the recording in the Office of Register of Deeds for Portage County.

Division 10.03 Survival of Warranties, Representations, and Agreements

Any warranty, representation, or agreement herein contained shall survive the Closing.

Division 10.04 Governing Law

The internal laws of the state of Wisconsin shall govern this Agreement.

Division 10.05 Captions

The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any of the provisions of this Agreement.

Division 10.06 Counterparts

This Agreement may be signed in any number of counterparts with the same effect as if the signatures thereto and hereto were upon the same instrument.

Division 10.07 Severability

If any provisions of this Agreement shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative or unenforceable to any extent whatever.

Division 10.08 City Authorization

The execution of this Agreement by the City was authorized by resolution of the City Council adopted 22nd day of July, 2013.

IN WITNESS WHEREOF, the parties have duly executed this Agreement, or caused it to be duly executed, as of the _____day of August, 2013.

DRAFT

THE CITY OF STEVENS POINT, WISCONSIN

BY: _____
Honorable Andrew J. Halverson, its Mayor

Attest:

John V. Moe
By: Its City Clerk

STATE OF WISCONSIN)
:SS
COUNTY OF PORTAGE)

Personally came before me this _____ day of August, 2013, Andrew J. Halverson, Mayor, and John V. Moe, City Clerk, of the above-named City of Stevens Point, Wisconsin, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and City Clerk, and acknowledged that they executed the foregoing instrument as such officers as the deed of said City of Stevens Point, by its authority.

Notary Public, State of Wisconsin

My commission expires: _____

SERVICE COLD STORAGE, LLC

A Wisconsin Limited Liability Company

Date: _____

By: _____
Milton G. Austin, Manager and Member

STATE OF WISCONSIN)

:ss

COUNTY OF PORTAGE)

Personally came before me this _____ day of August, 2013, Milton G. Austin, Manager and Member of the above-named Limited Liability Company, to me known to be the person who executed the foregoing instrument and to me known to be such member of said Limited Liability Company, and acknowledged that he executed the foregoing instrument as such Manager of said Limited Liability Company, by its authority.

Notary Public, State of _____

My commission expires: _____

DRAFT

Exhibit A. Development Site

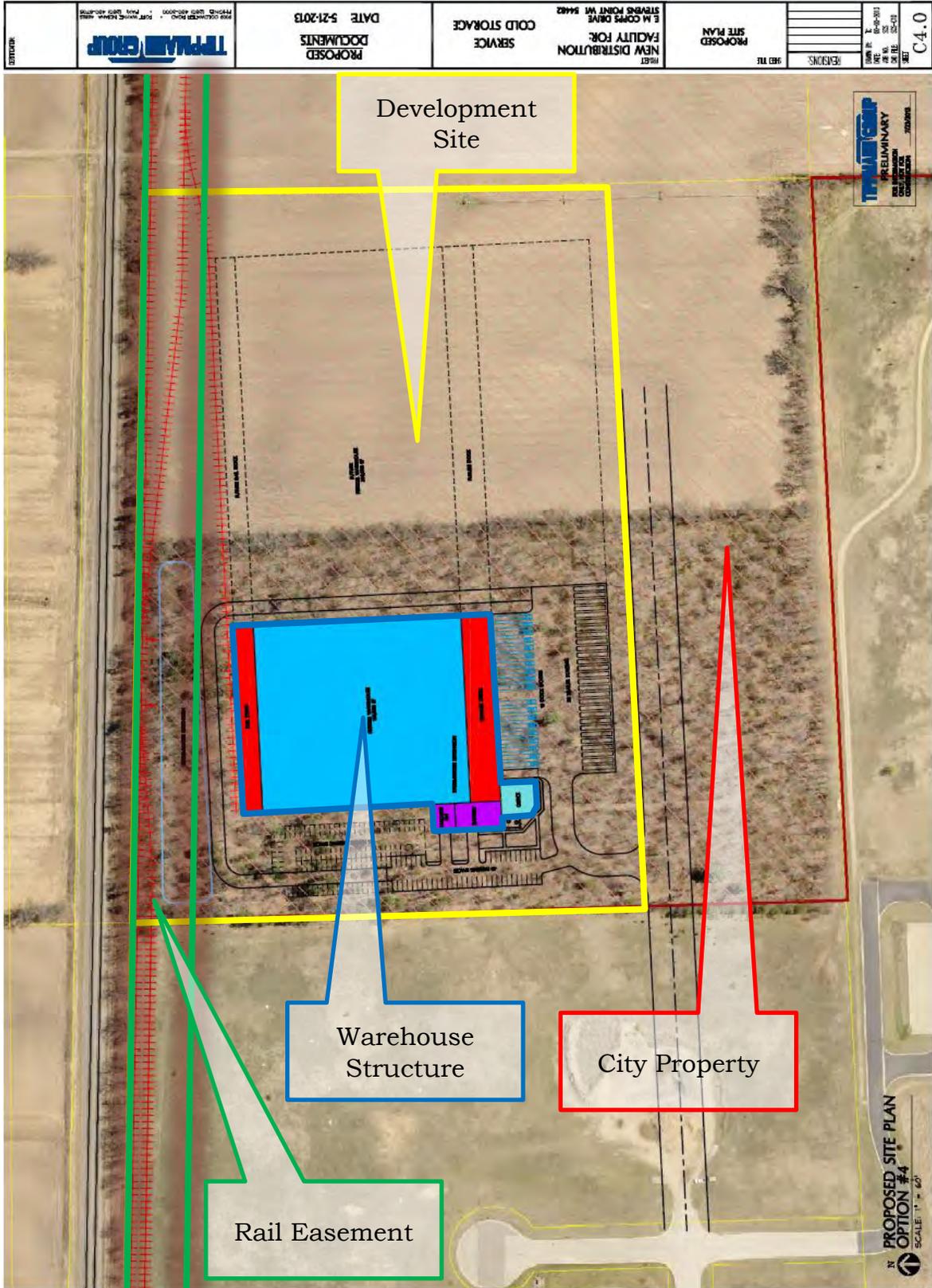


Exhibit B. Private Improvements

Service Cold Storage Total Costs

Building Cost **\$14,568,153**

160,248 total sq. ft. Building includes Mechanical Room, Machine Room, 55 foot Dock, and 2 story office.*

22,264 Available Pallet Locations

* Exhibit 1 has detailed line items for expenditures.

Equipment **\$3,158,770**

Includes Racking, Fork Lift requirements, Dock Equipment, Security, IT Equipment and Office Supplies.**

** Exhibit 2 shows detailed line items for expenditures.

Fire Protection and Safety **\$1,500,000**

Fire Safety includes pumps, backup generator, Sprinkler system, Alarms, personal protection equipment, and Fire Extinguishers. Includes sprinklers in the freezer.

Land **\$408,600**

Employment

10-25 Labor positions over 3-4 year time period
fork lift operators/laborers

3-5 Office positions over 1-3 year time period

2 Receptionists

Salesman

Accounting

3-5 Managerial Positions over 3-4 year time period

Warehouse Manager

Service Manager

Sales Manager

Shift Supervisor

Accounting Manager

Additional Seasonal Help as necessary

Total with Fire Protection and Safety **\$19,635,523**