AGENDA
CITY PLAN COMMISSION

April 7, 2014 – 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 March 3, 2014 Plan Commission meeting.

2. Request from Point of Beginning, Inc, representing the Stevens Point Area School District, for site plan and architectural rendering review for the purposes of constructing an educational/community center, Life Skills Center, at the Stevens Point Area High School, **1201 Northpoint Drive (Parcel ID 2408-29-2100-21)**.

3. Request from Point of Beginning, representing Mark Wolf, for a conditional use permit for the purpose of constructing four, 8-unit apartment complexes at the **northwest corner of Badger Avenue and Songbird Lane (Parcel ID's 2408-36-2200-54, 2408-36-2200-55, 2408-36-2200-56, and 2408-36-2200-57).**

4. Request from Richard Bierman, representing the property owner, for a conditional use permit and site plan review, for the purpose of constructing a service shop and repair facility addition within the wellhead protection district zone B and "B-5" Highway Commercial zoning district at **5441 Highway 10 East (Parcel ID 2408-35-1300-05).**

5. Amending the Official Street Map of the City of Stevens Point by adding the following:

   a. A 66-foot wide extension of **Jefferson Street**. Such area starts approximately at the intersection of Jefferson Street and Brilowski Road and extends east to Burbank Road extended.

   b. A 66-foot wide extension of **Badger Avenue**. Such area starts approximately at the intersection of Badger Avenue and Jefferson Street extended and extends south to Old Highway 18.

   c. A 110-foot wide extension of **Burbank Road**. Such area starts approximately at the intersection of U.S. Highway 10 East and extends south to Old Highway 18.

6. Request from Jim Jakusz for a preliminary subdivision plat review of a seven lot subdivision at **1901 Brilowski Road (Parcel ID 2408-36-3202-01).**

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.

7. Amending Chapter 23, Zoning Code, of the Revised Municipal Code of the City of Stevens Point to:
    a. Define vapor bars in **Section 23.04(2)**,
    b. Place vapor bars as a conditional use within **Section 23.02(2)(a)** (*B-1 Neighborhood Business District and above districts*), and
    c. Place vapor bars as a permitted use within **Section 23.02(2)(c)** (*B-3 Central Business District and above districts*).
8. City of Stevens Point Comprehensive Plan Update process and outline.
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.

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PUBLISH: April 4, 2014 and April 11, 2014

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, April 21, 2014 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 Point of Beginning, representing Mark Wolf, for a conditional use permit for the purpose of constructing four, 8-unit apartment complexes at the northwest corner of Badger Avenue and Songbird Lane (Parcel ID's 2408-36-2200-54, 2408-36-2200-55, 2408-36-2200-56, and 2408-36-2200-57). These properties are zoned "R-4" Multiple Family 1 Residence District, and described as LOTS 2, 3, 4, and 5 CSM#9223-39-3&A BNG PRT NENW S36 & SESW S25 T24 R8 559823-ANNEX 790920, City of Stevens Point, Portage County, Wisconsin.

2. Amending the Official Street Map of the City of Stevens Point by adding the following:

    a. A 66-foot wide extension of Jefferson Street. Such area starts approximately at the intersection of Jefferson Street and Brilowski Road and extends east to Burbank Road extended.

    b. A 66-foot wide extension of Badger Avenue. Such area starts approximately at the intersection of Badger Avenue and Jefferson Street extended and extends south to Old Highway 18.

    c. A 110-foot wide extension of Burbank Road. Such area starts approximately at the intersection of U.S. Highway 10 East and extends south to Old Highway 18.

3. Request from Richard Bierman, representing the property owner, for a conditional use permit for the purpose of constructing a service shop and repair facility addition within the wellhead protection district zone B at 5441 Highway 10 East (Parcel ID 2408-35-1300-05). This property being zoned "B-5" Highway Commercial District, and described as LOT 1 CSM#9099-38-29 BNG PRT SW NE; SUBJ TO ESMT DES 690727 S35 T24 R8 787088, City of Stevens Point, Portage County, Wisconsin.

4. Request from Jim Jakusz for a preliminary subdivision plat review of a seven lot subdivision at 1901 Brilowski Road (Parcel ID 2408-36-3202-01). This property being zoned "R-2" Single Family Residence District and "R-3" Single and Two Family Residence District, and described as PRT LOT 1 CSM# 6191-23-14 & PRT NWSW DES-793566 S36 T24 ROS 2.12A 777809;778205AOC; 793566ANNX, City of Stevens Point, Portage County, Wisconsin.

5. Amending Chapter 23, Zoning Code, of the Revised Municipal Code of the City of Stevens Point to:

    a. Define vapor bars in Section 23.04(2),

    b. Place vapor bars as a conditional use within Section 23.02(2)(a) (B-1 Neighborhood Business District and above districts), and

    c. Place vapor bars as a permitted use within Section 23.02(2)(c) (B-3 Central Business District and above districts).

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

March 3, 2014 – 6:00 PM
Lincoln Center – 1519 Water Street

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

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, City Attorney Andrew Beveridge, Alderperson Suomi, Alderperson Wiza, Alderperson M. Stroik, Alderperson Trzebiatowski, Alderperson R. Stroik, Alderperson Phillips, Brandi Makuski, Nate Enwald, Cathy Dugan, Barb Jacob, Steve Smith, Dan Drexlar, Quade Varga, Asa Plonsky, MaryAnn Laszewski, Chris Overlay, Dave Worzalla, Dale Schulfer, Roger Skrzeczkoski, Steve Plaski, Joan Curless, and Todd Jacowski.

INDEX:

1. Report of the February 3, 2014 Plan Commission meeting.
2. Request from Stratford Sign Company, representing Mid-State Technical College, for a sign variance to construct a freestanding sign exceeding the size requirements at **1001 Centerpoint Drive (Parcel ID 2408-32-2029-64).**
3. Rezoning the property at **1901 Brilowski Road (Parcel ID 2408-36-3202-01)** from "R-LD" Low Density Residence District to “R-2” Single Family Residence District and “R-3” Single and Two Family Residence District.
4. Request from Chris Overlay for review and recommendation on a vapor bar concept, including the determination of use within the zoning code.
5. Repealing and recreating of **Chapter 22 (Historic Preservation / Design Review ordinance) of the Revised Municipal Code of the City of Stevens Point**.
6. Repealing and recreating of the **City of Stevens Point Historic Preservation / Design Review Commission – Design Guidelines**.
7. Amending the Wellhead Protection Map to match the legal description and relocate the map within the text to **Section 23.02(4)(e)(3.1)**.
8. Adjourn.

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1. Report of the February 3, 2014 Plan Commission meeting.

   Motion by Commissioner Patton to approve the report of the February 3, 2014 meeting; seconded by Commissioner Curless. Motion carried 7-0.

2. Request from Stratford Sign Company, representing Mid-State Technical College, for a sign variance to construct a freestanding sign exceeding the size requirements at **1001 Centerpoint Drive (Parcel ID 2408-32-2029-64)**.

   Dan Drexler, Stratford Signs, explained that the proposed sign is more than the allowed area, but not overly large in comparison to the property size and building.

   Commissioner Haines asked for specific sign dimensions for the proposed 48 square foot sign, to which economic development specialist Kyle Kearns stated they can be found on page 16 of the full packet.

Commissioner Patton asked if there would be landscaping around the sign, to which Mr. Drexler stated that is up to the college, but if that is required by the Commission, landscaping will depend on the placement of the sign. He continued explaining the sign was moved from the original location on the northeast corner due to impedance by several utilities.

Commissioner Hoppe asked what would be happening to the current mall sign, to which Director Ostrowski answered, that sign is on a different parcel, and would be removed shortly. He sees no issues with the proposed sign given the size of the property and the amount of street frontage.

Commissioner Patton asked if the applicant had any issues with the staff recommendations, to which the applicant stated no. Director Ostrowski asked that if this is approved, that staff would have the authority to work with the applicant regarding sign location as long as it still meets the setback requirements.

Motion by Commissioner Patton to approve the request for a sign variance to construct a freestanding sign exceeding the size requirements at 1001 Centerpoint Drive (Parcel ID 2408-32-2029-64) with the following conditions:

- **A sign setback of at least 5 feet shall be maintained.**
- **The sign graphics shall not exceed 48 square feet.**
- **The sign height shall not exceed 20 feet.**
- **Brick or stone matching the building shall encompass the sign supports/base.**
- **Logos and lettering shall only be illuminated on the freestanding sign, backing and border shall be opaque.**
- **A landscaping plan for the freestanding sign shall be submitted and approved by the Community Development Department.**
- **Any recommendations by the Historic Preservation / Design Commissions pertaining to the design review of the proposed freestanding sign shall apply to the sign variance.**
- **All electrical wiring shall be hidden from view.**
- **Staff shall have the authority to approve sign location changes that still meet the setback requirements.**

seconded by Commissioner Curless.

Cathy Dugan, 615 Sommers Street, asked that the sign be considered by the Historic Preservation and Design Review Commission and to keep in mind the historic character of the area. Furthermore, she expressed a concern for the brightness of the reader board, stating it may cause an issue with the residential neighborhood nearby.

Alderperson Mike Wiza stated the request is within his district and he has not received any opposition to the sign.

Commissioner Haines asked if this request complies with the review of Chapter 22 and the Design Review Guidelines, to which Director Ostrowski stated it is on the upcoming Historic Preservation / Design Review Commission agenda and staff have placed conditions on the request to better meet the design guidelines.

Motion carried 7-0.

3. Rezoning the property at **1901 Brilowski Road (Parcel ID 2408-36-3202-01)** from "R-LD" Low Density Residence District to “R-2” Single Family Residence District and “R-3” Single and Two Family Residence District.

Director Ostrowski explained we are looking at rezoning the northern portion of the property to "R-3" Single and Two Family Residence District, and the rest "R-2" Single Family Residence District. At a later date a subdivision plat will be submitted to include four zero lot line homes along Jefferson Street and two single family homes along Schiller Drive. At this time Jefferson Street would not be continued to Brilowski Road, but it would be developed as a private driveway to access those lots. Our office did receive one call from the city resident at 1728 Brilowski Road who was opposed to the zero lot line homes along Jefferson Street.

Motion by Alderperson Moore to approve the rezoning of the property at 1901 Brilowski Road (Parcel ID 2408-36-3202-01) from "R-LD" Low Density Residence District to "R-2" Single Family Residence District and "R-3" Single and Two Family Residence District; seconded by Commissioner Cooper. Motion carried 7-0.

4. Request from Chris Overlay for review and recommendation on a vapor bar concept, including the determination of use within the zoning code.

Director Ostrowski stated he received a call from Chris Overlay who is looking to open up a vapor bar within the Stevens Point area, specifically in the downtown. Currently, vapor bars are not within our zoning code and when that occurs the code is analyzed to find a similar use, but unfortunately one does not exist. Director Ostrowski also explained no action will occur at tonight's meeting, but instead, a discussion of the use and its place within the zoning code. The most similar uses are tobacco shops, permitted within the B-1 district and liquor stores or taverns, conditional uses in B-2 and B-3 downtown districts. Lastly, Director Ostrowski clarified the sale of electronic cigarettes and related merchandise would not be regulated, but rather the use as a vapor bar could be regulated. The use can be placed as permitted, conditional, or prohibited within our zoning code.

Mayor Halverson stated using electronic cigarettes or vapor smoking products is legal and therefore should be allowed within certain districts as it does not fall under the state or local tobacco laws. Furthermore, he stated that regulating vapor bars as a conditional use is unreasonable, as nothing needs to be regulated. Taverns are regulated to ensure distance separation exists from schools and other factors. Commercial districts are the most fitting place for the use and potentially industrial districts, but it should be prohibited in residential districts.

Commissioner Curless asked how the business owner would make money, would it be on product sale, to which Director Ostrowski stated correct.

Chris Overlay, applicant, explained that the concept behind a vapor bar is not necessarily focused on the cigarette product, but the focus would be on the use of Hookah. He explained a Hookah is a taller smoking instrument where vapor product can be used. Food and drinks will also be provided within the vapor bar. Lastly Mr. Overlay explained the difference between a smoke shop and the proposed vapor bar, which will act more as a gathering place for patrons to socialize with entertainment and music.

Commissioner Hoppe is concerned that the e-cigarette market is not regulated at all, what would stop an e-cigarette company from coming out with something that would release higher amounts of tobacco vapor. Mr. Overlay responded stating that perhaps operation as a conditional use would allow for regulation within the establishment.

Mayor Halverson stated the use is what is regulated by the conditional use permit, concentration of individuals, and access in and out of the location, not the legality of the carcinogens in the product. In his perspective the use of a vapor bar should be an allowed use because it does not create ancillary issues that other businesses create through the conditional use process. The proposed use is a business that offers a social environment to enjoy something that is legal.

Commissioner Haines asked for clarification as to where other communities have vapor bars located in their zoning districts. Mr. Overlay stated there are vapor bars in Rib Mountain on 17th Avenue, and in Appleton. Las Vegas also has several located in the downtown along the strip. He explained his business model is similar to a Hookah lounge, however tobacco will not be used, but instead, vapor products. Commissioner Haines stated the use may be most fitting within the B-3 commercial district.

Director Ostrowski added the lowest commercial zoning district would be B-1, which is Neighborhood Business, where taverns are allowed as a conditional use. Director Ostrowski followed up by stating vapor bars may become difficult to regulate based on their definition and what actually constitutes a vapor bar, verses just a casual environment with vapor equipment. If a lesser intense district is used than the downtown, staff would recommend the vapor bars as a conditional use within B-1 and B-2 and then permitted in B-3 districts and up.

Alderperson Moore provided an example of a situation where multiple uses would exist, such as a tavern and a retail store for vapor products and/or use. He continued, questioning whether a conditional use permit would be required, to which director Ostrowski answered a conditional use permit would be required as a tavern; however, the vaping aspect would be a permitted use in the downtown area based upon the above recommendation. Director Ostrowski noted that in lower commercial districts the use as a vapor bar could potentially exist near residential.

Commissioner Hoppe suggested the idea of creating an ordinance or plan to allow, or not allow vaping before determining what zoning districts it would be in. Furthermore, he stated cities have banned the use of electronic cigarettes inside buildings.

Commissioner Haines pointed out that not all vapors are nicotine based. Mr. Overlay clarified the liquid for vaping products comes in both forms, with and without nicotine, as well as varying levels of nicotine. Commissioner Haines questioned if electronic cigarettes were ever banned in taverns or establishment, could a vapor bar still exist. Director Ostrowski replied, explaining it really depends on what is done at the state level. He continued stating a senator has introduced a bill that would specifically exempt electronic cigarettes from the state wide smoking ban to make it clear that they are allowed and legal.

Mayor Halverson stated he has no interest in pursuing a ban on electronic cigarettes in the city. Furthermore, vapor bars are most fitting in the B-3, B-4, and B-5 districts. Districts near residential areas may warrant further analysis through a conditional use process.

Commissioner Haines asked can this fit into a use which we already have, to which Director Ostrowski answered that is what we initially looked for. The sale of vapor products would fit within general retail uses, but the vapor lounge aspect is a new use.

Alderperson Mike Wiza pointed out that vaping is different than electronic cigarettes and they are an allowed use right now. If the state decides to ban the use of them, then it would be an illegal use. His concern is that other activities that may coexist with the vapor bar may need to be regulated, such as music. He also feels it is important to clearly and specifically define vapor bars within the ordinance which will assist in determining where it is most appropriate.

Director Ostrowski explained the importance of defining vapor bars as the principal use, and/or as an accessory use. For example, a tavern may have a vapor bar as an accessory within a certain zoning district.

Cathy Dugan, 615 Sommers Street, asked why the cities of New York and Chicago have banned vapor bars, to which Mayor Halverson responded they have only banned the electronic cigarettes not the vapor bars. She then asked if nicotine could be exhaled when using vapor products and if there are harmful effects from second hand smoke, to which Director Ostrowski responded long term studies have not been conducted to determine that.

Quade Varga, 950 Highland Drive, stated the 18-20 year old population can utilize the vapor bar as a place to gather and socialize. Furthermore, he stated plant extract can be used within vaping products.

Mayor Halverson concluded the discussion stating the discussion will assist staff to define and place vapor bars in adequate locations within the zoning code for review by the commission next month.

5. Repealing and recreating of **Chapter 22 (Historic Preservation / Design Review ordinance) of the Revised Municipal Code of the City of Stevens Point**.

   Director Ostrowski stated over the last year, the Historic Preservation and Design Review Commission has been working on updating Chapter 22 and the Design Guidelines which are used to review requests within the historic districts and the design review district. Several changes to both documents have been made, including new maps, guidelines, photographs and formatting which is substantial enough to trigger repealing the existing ordinance and guidelines and recreating the new proposed documents. Mayor Halverson stated staff did a good job and feels this is a great improvement and will significantly be easier for property owners to understand. Director Ostrowski added that both documents have received State approval.

   Commissioner Curless provided an historic reconstruction example and questioned whether existing windows could be replaced with new windows based on the new ordinance and guidelines. Director Ostrowski replied, stating yes. He continued explaining locally designated historic districts follow the city's design guidelines, whereas, the request for tax credits will trigger additional state guidelines.

   Motion by Mayor Halverson to approve the repealing and recreating of Chapter 22 (Historic Preservation / Design Review ordinance) of the Revised Municipal Code of the City of Stevens Point; seconded by Commissioner Patton. Motion carried 7-0.

6. Repealing and recreating of the **City of Stevens Point Historic Preservation / Design Review Commission – Design Guidelines**.

   Motion by Mayor Halverson to approve the repealing and recreating of the City of Stevens Point Historic Preservation / Design Review Commission Design Guidelines; seconded by Commissioner Hoppe. Motion carried 7-0.

7. Amending the **Wellhead Protection Map to match the legal description and relocate the map within the text to Section 23.02(4)(e)(3.1)**.

   Motion by Mayor Halverson to amend the Wellhead Protection Map to match the legal description and relocate the map within the text to Section 23.02(4)(e)(3.1); seconded by Alderperson Moore. Motion carried 7-0.

8. Adjourn.

   Meeting Adjourned 6:44 PM.

Administrative Staff Report

Stevens Point Area High School
Site & Architectural Plan Review
Constructing an Educational / Community Center
1201 Northpoint Drive
April 7, 2014

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

Applicant(s):

- Jim Lundberg, Point of Beginning Inc.
- Stevens Point Area School District

Staff:

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

Parcel Number(s):

- 2408-29-2100-21

Zone(s):

- R-2 Single Family Residence District

Master Plan:

- Institutional / Government

Council District:

- District 11 – Moore

Lot Information:
2408-29-2100-08

- Actual Frontage: 1,720 feet
- Effective Depth: 1,091 feet
- Square Footage: 1,398,699
- Acreage: 32.1

Current Use:

- Institutional / Government (High School)

Applicable Regulations:

- 23.01(16), and 23.02(1)(b)

Request

Request from Point of Beginning, Inc, representing the Stevens Point Area School District, for site plan and architectural rendering review for the purposes of constructing an educational/community center, Life Skills Center, at the Stevens Point Area High School, **1201 Northpoint Drive (Parcel ID 2408-29-2100-21)**.

Attachment(s)

- Parcel Data Sheet
- Site Plan
- Landscaping Plan
- Elevations
- Renderings

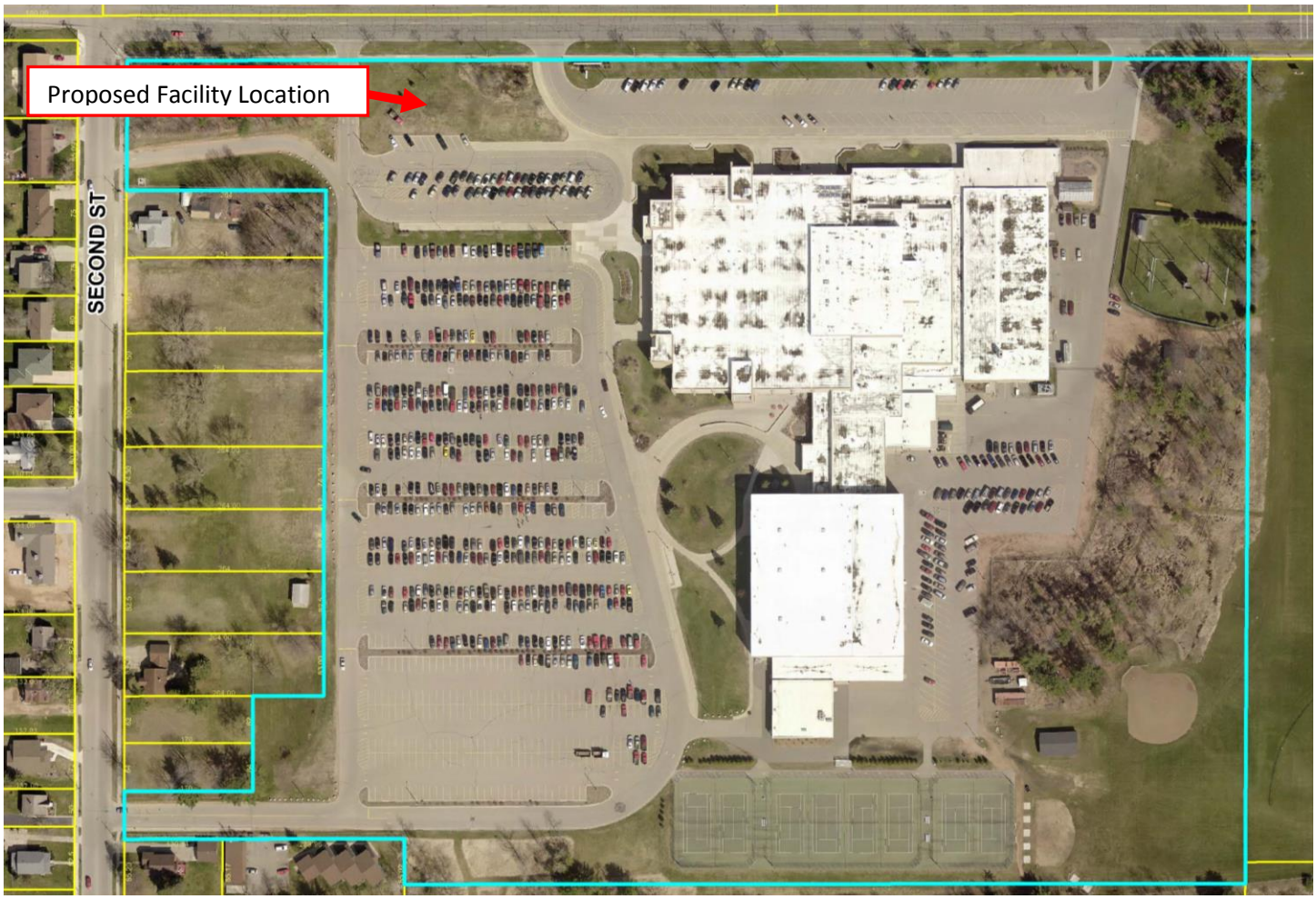
Findings of Fact

- A 3,030 square foot educational / community center is proposed on the property.
- The facility will be constructed on the same property as the high school, under the ownership of the Stevens Point Area School District.
- The property is currently zoned R-2 Single Family Residence and is utilized as an institutional use.
- A conditional use permit was granted in January 2014 with conditions to re-submit new elevation and landscape plans. Those plans are to be reviewed by the Plan Commission and approved by the Common Council.

Staff Recommendation

Approve

Vicinity Map



Background

The Stevens Point Area School District is requesting to construct an approximate 3,030 square feet educational / community center on the above identified property. It will primarily be utilized by students and staff of the nearby high school where life skills courses will be taught. A few outreach programs, "Threads of Kindness" and "Blue Light Café" will be operated out of the facility as well.

In January, a conditional use permit was approved to construct the facility with a condition stating updated renderings and architectural plans which include materials better complimenting the site and surrounding facility must be submitted for review by the Plan Commission and be approved Common Council. New elevations / renderings, along with a new landscape plan have been submitted and are attached.

The following were the conditions of approval for the conditional use permit.

Conditions of Approval

1) **Accessible parking stalls shall be installed within the parking area directly south of the facility.**

   Analysis: A single handicap accessible stall is proposed directly south of the facility within the parking area. One accessible stall is required for each 25 spaces. If this building would be considered a new school, it would be required to have 7.5 stalls per classroom. This building will have three distinct room / learning areas. Therefore, this building would require 22.5 stalls, and therefore one accessible stall.

   Findings: This condition is met.

2) **The applicant shall re-submit renderings that include additional architectural elements and materials that better compliment the site and surrounding facility. These plans shall be reviewed by the Plan Commission and approved by the Common Council.**

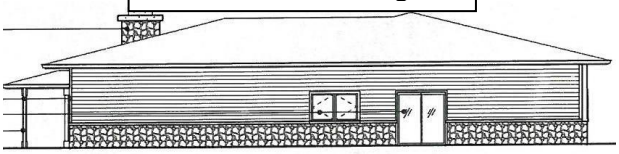
   Analysis: Textured stone, along with brick veneer are proposed to encompass the entire façade. Additionally decorative trim fascia will separate the materials and maintain consistency throughout the entire façade. Several full length windows have been added, many of which have inserted decorative grid patterns or mullions. Decorative columns partially wrapped in stone exist at entrances for three of the four facades. Lastly, roof gables exist on the north and west facades. It is also important to note that the fireplace within the original proposal has been removed.

   Findings: Several additional architectural features have been added to the facility, along with a mixture of complimenting materials. The previous plan included a single masonry band around the lower portion of the building with vinyl siding making up much of the rest of the building. The new plan includes stone and brick veneer, cement board siding and trim, as well as cement board shakes and trim. The design and materials assist in distinguishing the building as more of a commercial building, but not completely eliminating a residential character, which was identified as being important to the school district. Furthermore, all architectural elements and building materials complement each other in terms of color. Staff would recommend approving the architectural elevations and renderings for the Life Skills Center.

3) **The building's north facade shall incorporate additional architectural design elements.**

   Analysis: See comments above, along with renderings attached.

North Elevation - Original



North Elevation - Proposed

Findings: Additional architectural elements, such as a varying roof lines, a larger window with decorative mullions, and a more prominent entrance have been made to the north façade, which faces Northpoint Drive. Furthermore, the exterior building materials have been upgraded. This condition it met.

4) **Refuse containers are to be provided for this facility, the screening materials shall be those that complement the main materials of the exterior facade of the facility.**

Analysis: A dumpster enclosure is proposed on the southeast corner of the facility, adjacent to the sidewalk and parking area. This location allows for easy access from the building and for refuse removal. Additionally, landscaping is proposed to surround the dumpster corral on two sides. Screening materials for the refuse containers have not yet been proposed.

Findings: The refuse containers are proposed in a suitable location. Materials used to screen the refuse shall be those that complement the main materials of the exterior façade of the facility.

5) **An updated landscaping plan shall be submitted, providing additional screening in the form of trees and shrubbery. Such plan shall be reviewed by the Plan Commission and approved by the Common Council.**

Analysis: Ten trees have been placed on the site, which include the following species: Maple, White Oak, and Crabapple. In addition, shrubs (Hydrangea, Juniper, and Spirea) are proposed along the entire north façade with similar plants proposed on the south, east, and west facades. Landscaping is also proposed along the sidewalks leading towards the building. Nearly 150 shrubs and perennials are proposed for the site.

Findings: This condition is met.

Upon review, staff has concluded that the above conditions of approval have been met.

Name and Address	Parcel #	Alt Parcel #
Stevens Point Area Public School District 1900 Polk St Stevens Point, WI 54481	240829210021	240829210021
	Property Address	
	1201 North Point Dr	
Display Note		

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type

PERMITS

Date	Number	Amount	Purpose	Note
5/29/2012	12-0334	$7,200	110 Storage Bldg/Shed/Gazebo	26 x 32 shed
5/24/2010	37037	$140,846	020 Electrical	new fire alarm
5/18/2010	37064	$327,744	003 Addition	elevator addition
10/2/2009	36603	$0	020 Electrical	
10/2/2009	36603	$2,500	110 Storage Bldg/Shed/Gazebo	24' x 48' shed
9/21/2009	36594	$492,805	003 Addition	Fitness Center

2013 ASSESSED VALUE

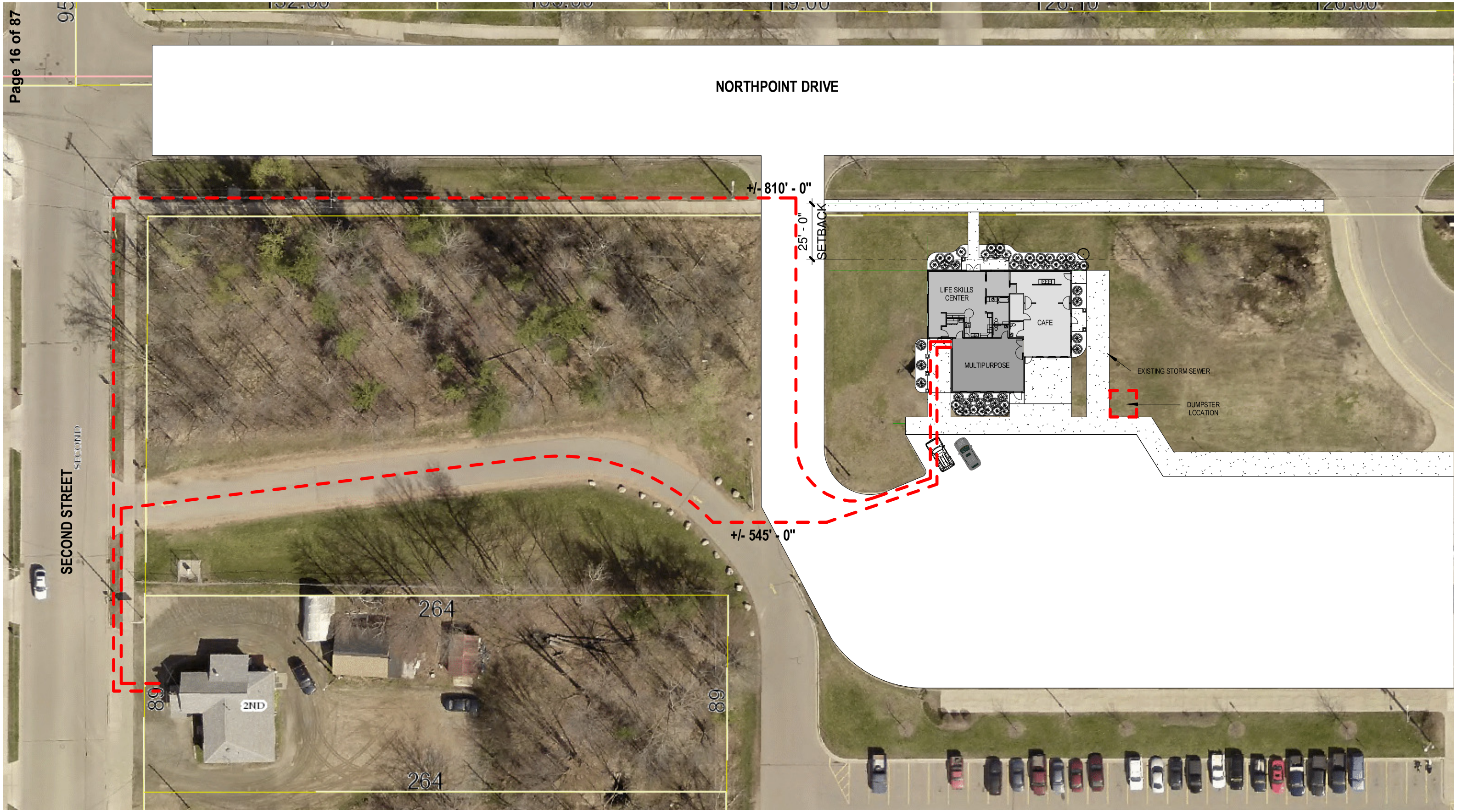
Class	Land	Improvements	Total
X2-State Exempt	$0	$0	$0
Total	$0	$0	$0

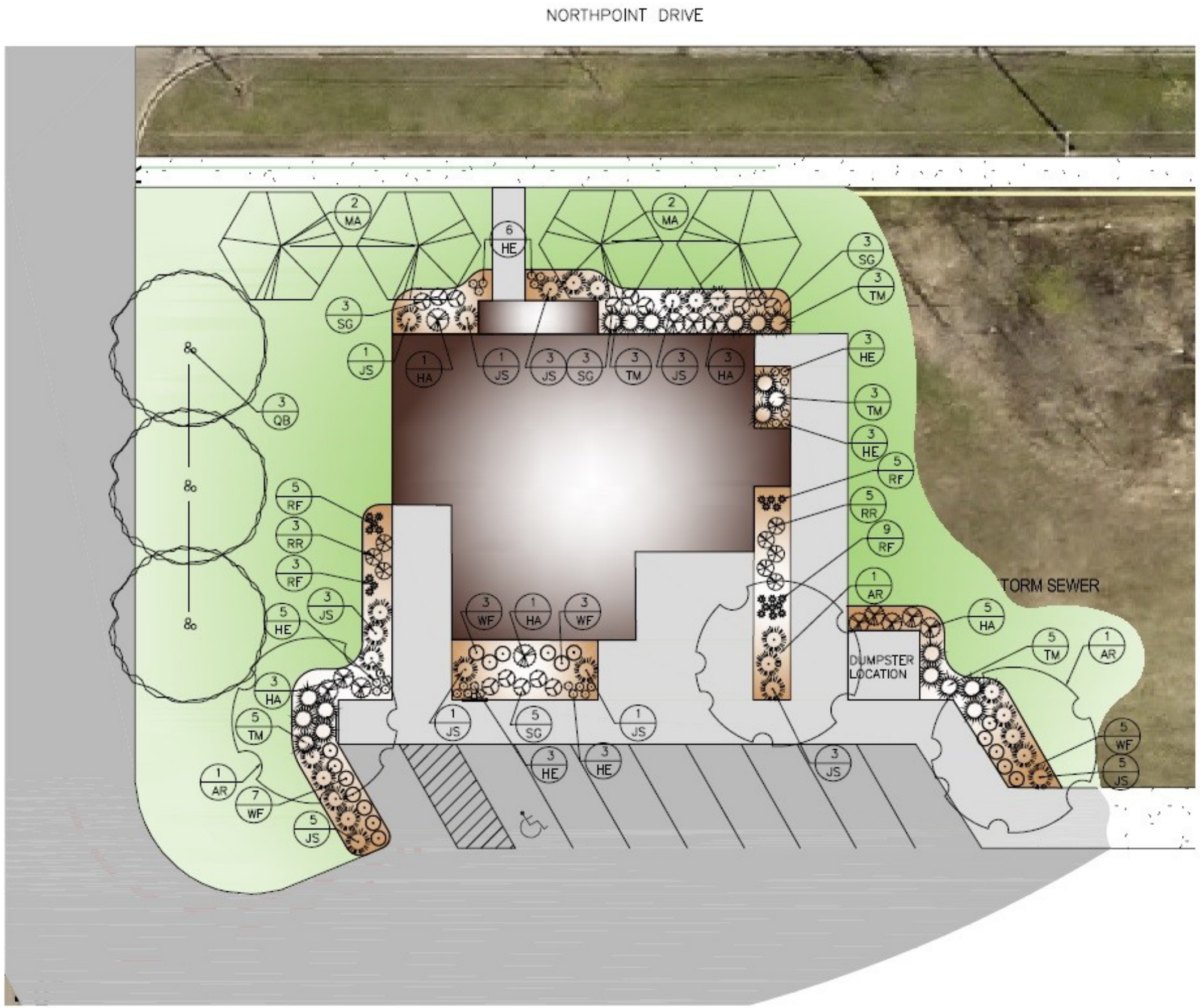
LEGAL DESCRIPTION

PRT NENW S29T24R8 COM SE COR 2ND ST.N&N POINT S171F E264F S669F W94F S126F W170F TO EL 2ND S64F E370F S61F E1121F MOL TO SEC/L N TO N POINT W ALG N POINT TO POB (SPASH) 452/428-89

PROPERTY IMAGE

PROPERTY SKETCH


NORTHPOINT DRIVE
SECOND STREET
SECOND
+/- 810' - 0"
25' - 0"
SETBACK
+/- 545' - 0"
LIFE SKILLS CENTER
CAFE
MULTIPURPOSE
EXISTING STORM SEWER
DUMPSTER LOCATION
264
264
89
89
2ND



GENERAL NOTES:

1. CONTACT DIGGER'S HOTLINE 5 WORKING DAYS PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
2. 6" OF TOPSOIL SHALL BE PROVIDED IN ALL GENERAL LANDSCAPE AREAS. LANDSCAPE CONTRACTOR SHALL VERIFY THAT SPECIFIED PLANTING SOIL DEPTH IS PRESENT PRIOR TO PLANTING.
3. SEED/FERTILIZE/CRIMP HAY MULCH ALL GENERAL LANDSCAPE AREAS DISTURBED DURING CONSTRUCTION.
4. ALL PLANT MATERIALS LISTED SHALL MEET THE STANDARDS OF THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION FOR THE SIZES GIVEN.
5. ALL TREES SHALL BE STAKED WITH A MINIMUM OF THREE STAKES.
6. EDGE-KING LANDSCAPE EDGING OR EQUAL SHALL BE PLACED AROUND ALL LANDSCAPE BEDS.
7. 3" DEPTH SHREDDED HARDWOOD BARK MULCH SHALL BE PLACED IN ALL SHRUB PLANTING BEDS. COLOR TO BE SELECTED BY OWNER.
8. FILTER FABRIC SHALL BE PLACED BENEATH ALL BARK MULCH.
9. COORDINATE ALL LANDSCAPE WORK WITH GAS, ELECTRIC, (INCLUDING MAIN SERVICE, SITE LIGHTING, CONDUITS, AND GROUNDED CABLE AND TELEPHONE CONSTRUCTION AND RESPECTING TRADES FOR THE INSTALLATION OF SAID UTILITIES.

PLANTING SCHEDULE:

TREES SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
AR	ACER RUBRUM 'NORTHWOOD'	NORTHWOOD MAPLE	2" CAL.	50'H/35'W	3
MA	MALUS 'CORALCOLE'	CORALCREST FLOWERING CRABAPPLE	1 1/2" CAL.	15'H/15'W	4
QB	QUERCUS BICOLOR	SWAMP WHITE OAK	2" CAL.	60'H/60'W	3

SHRUBS SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
HA	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE HYDRANGEA	24"	3'-5'H/W	13
JS	JUNIPERUS SABINA 'MEDAIL'	MEDAIL JUNIPER	24"	15'H/6'W	25
RR	ROSA RUGOSA 'PURPLE PAVEMENT'	PURPLE PAVEMENT ROSE	24"	3'H/3'W	8
SG	SPIRAEA JAPONICA 'GOLDMOUND'	GOLDMOUND SPIREA	18"	2'H/3'W	14
TM	TAXUS X MEDIA 'TAUNTONII'	TAUNTON YEW	24"	4'H/6'W	19
WF	WEIGELA FLORIDA 'DARK HORSE'	DARK HORSE WEIGELA	18"	3'H/3'W	18

PERENNIALS SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
HE	HEMEROCALLIS 'ROSY RETURNS'	ROSY RETURNS DAILLY	2" POT	16"H/18"W	25
RF	RUDBECKIA FULGIDA 'GOLDSTURM'	BLACK EYED SUSAN	2" POT	24"H/24"W	22

LANDSCAPE REQUIREMENTS:

REQUIREMENT: ADD TREES AT MINIMUM RATE 1 TREE PER 40 LINEAL FEET PARKING AREA
106 L.F. OF PARKING/50 = 3 REQUIRED

PROPOSED: 3 TREES

REQUIREMENT: ADD SHRUBS AT MINIMUM RATE 1 SHRUB FOR EVERY 30 INCHES OF BUILDING FACADE.
88 L.F. BUILDING FACADE/30" = 27 SHRUBS REQUIRED

PROPOSED: 27 SHRUBS

PERIMETER LANDSCAPING REQUIREMENT: 9' PARKING LOT PERIMETER LANDSCAPE BED. 1 SHRUB FOR EVERY 15 SQUARE FEET OF LANDSCAPED AREA = 326 S.F./15 = 22 SHRUBS REQUIRED

PROPOSED: 23 SHRUBS

0' 20' 40'

Scale 1"=20'

REVISIONS

DESIGNED: JOM
DRAWN: NATALIA ALDICK
DATE: 3-7-14
PROJECT NO. 13.136

PRELIMINARY LANDSCAPE PLAN

LIFE SKILLS CENTER
STEVENS POINT AREA SENIOR HIGH
CITY OF STEVENS POINT
PORTAGE COUNTY, WISCONSIN

Land Surveying
Engineering
Landscape Architecture
5709 Windy Drive, Suite D
Stevens Point, WI 54482
715.344.9999(PH) 715.344.9922(FX)

Point of Beginning

LA-1

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one inch = fifty feet 0 10 25 50 100

one inch = twenty feet 0 5 10 15 20 30 40

one inch = ten feet 0 5 10 15 20

one and one half inch = one foot 0 3" 6" 9" 1

one inch = one foot 0 1 2

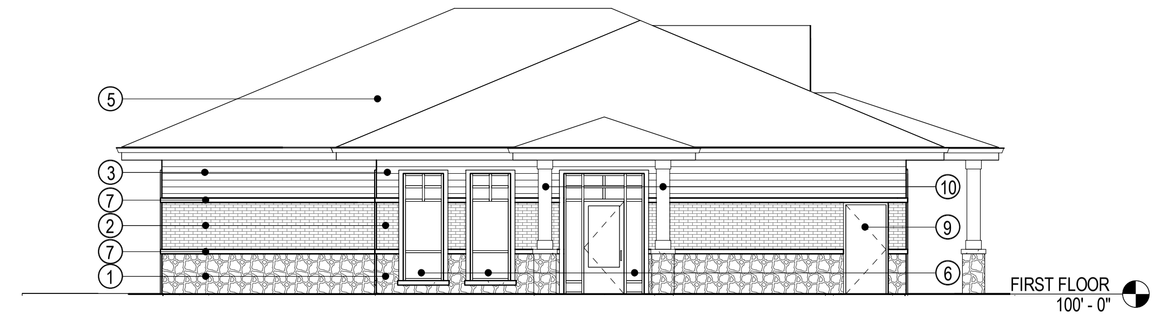
three quarters inch = one foot 0 1 2

one half inch = one foot 0 1 2

three eighths inch = one foot 0 1 2 3 4

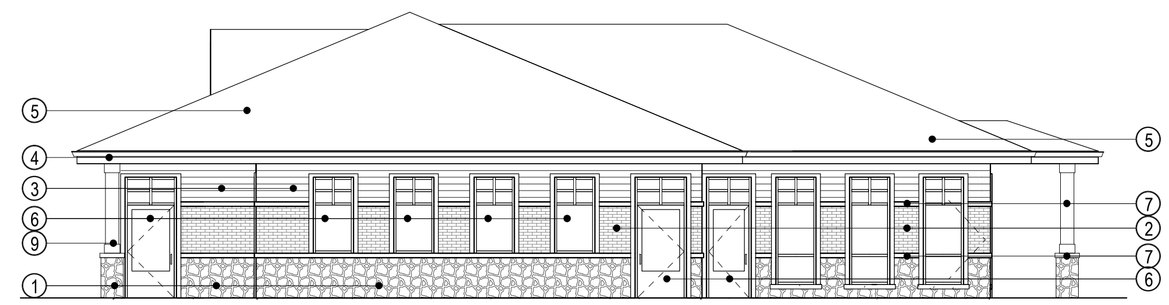
one quarter inch = one foot 0 1 2 3 4

one eighth inch = one foot 0 1 2 4 8

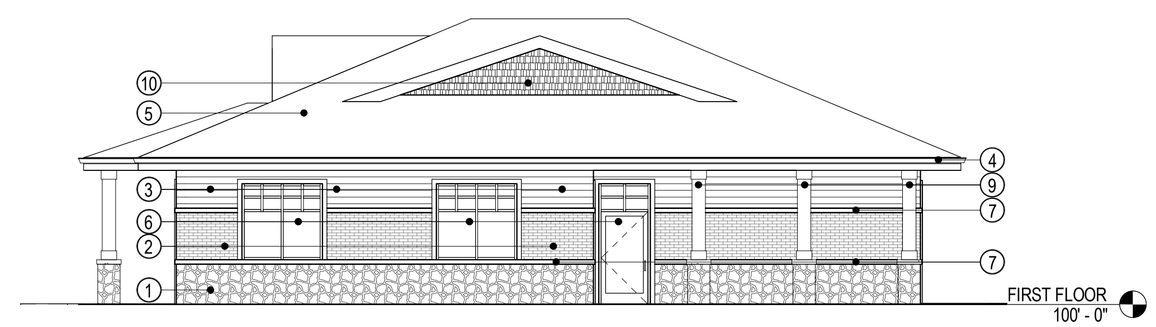


1 EAST ELEVATION
1/8" = 1'-0"

2 NORTH ELEVATION
1/8" = 1'-0"



3 SOUTH ELEVATION
1/8" = 1'-0"



4 WEST ELEVATION
1/8" = 1'-0"

KEY TO EXTERIOR MATERIALS

1. ADHESIVE APPLIED CULTURED STONE VENEER - TYP.
2. ADHESIVE APPLIED BRICK VENEER - TYP.
3. CEMENT BOARD SIDING AND TRIM - TYP.
4. PRE-FINISHED METAL FASCIA, GUTTERS, DOWNSPOUTS AND EXTENSIONS
5. ASPHALT SHINGLES - TYP.
6. ALUMINUM DOORS & WINDOWS
7. PRECAST CONCRETE ACCENT BAND/ SILL - TYP.
8. INSULATED STEEL DOOR
9. PAINTABLE COLUMN COVERS - TYP.
10. CEMENT BOARD SHAKES AND TRIM - TYP.

EXTERIOR ELEVATIONS GENERAL NOTES

SEE ARCHITECTURAL SITE PLAN AND CIVIL DRAWINGS FOR DOWNSPOUT INFORMATION (TO GRADE OR TO STORM SEWER).

SEE ROOM FINISH SCHEDULE FOR FINISHING OF EXTERIOR WOOD.

REFER TO THE PROJECT MANUAL / SPECIFICATIONS FOR ALUMINUM FRAME FINISH INFORMATION.

APPROPRIATE FRAME INSTALLATION CONTRACTOR SHALL VERIFY FRAME ROUGH OPENINGS PRIOR TO FABRICATION.

REFER TO EXTERIOR ELEVATIONS FOR WINDOW / CURTAIN WALL MULLION ALIGNMENT WITH EXTERIOR CLADDING PANELS / JOINTS, ETC.

EXTERIOR CLADDING INSTALLATION CONTRACTOR SHALL VERIFY PANEL AND JOINT LOCATIONS PRIOR TO FABRICATION.

PRELIMINARY
NOT FOR CONSTRUCTION

Contractors. Innovators. Over Achievers.
The Samuels Group

www.samuelsgroup.net

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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND RESPONSIBLE CHARGE. I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE TO WHICH THE AFFIXED STAMP REFERS.

PRINTED OR TYPED NAME

SIGNATURE DATE

ISSUED FOR: DATE

LIFE SKILLS CENTER
STEVENS POINT AREA HIGH SCHOOL
STEVENS POINT SCHOOL DISTRICT
341 N 2ND STREET
STEVENS POINT, WI 54481

EXTERIOR ELEVATIONS

DATE	2014-02-27
PROJECT NUMBER	6708D
DRAWN BY	JCS
CHECKED BY	JEJ
TIMESTAMP	2/27/2014 9:35:47 AM

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A4.0

Exterior Apartment View—Northwest

Exterior Café View—Southeast

Administrative Staff Report

Conditional Use Permit - Apartments
Northwest Corner of Badger Avenue and Songbird Lane
April 7, 2014

Department of Community Development

Applicant(s):

- Point of Beginning

Staff:

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

Parcel Number(s):

- 2308-36-2200-54
- 2408-36-2200-55
- 2408-36-2200-56
- 2408-36-2200-57

Zone(s):

- "R-4" Multiple Family I Residence District

Master Plan:

- Commercial / Office / Multi-family

Council District:

- District 7 – Trzebiatowski

Lot Information:

2408-36-2200-54

- Effective Frontage: 116.5 feet
- Effective Depth: 254.4 feet
- Square Footage: 29,622.8
- Acreage: 0.680

2408-36-2200-55

- Effective Frontage: 116 feet
- Effective Depth: 233.7 feet
- Square Footage: 27,105.7
- Acreage: 0.622

2408-36-2200-56

- Effective Frontage: 116 feet
- Effective Depth: 233.4 feet

Request

Request from Point of Beginning, representing Mark Wolf, for a conditional use permit for the purpose of constructing four, 8-unit apartment complexes at the **northwest corner of Badger Avenue and Songbird Lane (Parcel ID's 2408-36-2200-54, 2408-36-2200-55, 2408-36-2200-56, and 2408-36-2200-57).**

Attachment(s)

- Parcel ID Sheet
- Exhibit Map
- Application
- Site and Landscape Plans
- Elevations/Renderings

Findings of Fact

1. Current property is zoned R-4.
2. Multi-Family developments are a conditional use within the R-4 zoning district.
3. The request is for four, 8-unit apartment buildings with four detached garages.

Staff Recommendation

Approve, subject to the following condition(s):

1. Additional architectural elements with different building materials should be incorporated into the buildings' design. Additional brick or stone shall be incorporated into other areas of the façade and E.I.F.S. shall not be used as the primary exterior material, but rather as an accent, if at all. Additional architectural features, such as dormers, additional rooflines, jogs in the building, and additional door and window elements such as mullions and/or shutters should be incorporated into the buildings' design. The garages on the site shall also incorporate some of these elements, and compliment the main apartment buildings. A new elevation plan shall be submitted for review and approval by the Plan Commission and Common Council, incorporating some of the elements mentioned above. Also, the new elevation should have a colored rendering.
2. A total of four accessible parking stalls should be incorporated into the plan, one for each of the buildings.
3. Sidewalks shall be installed along Songbird Lane and Badger Avenue. The sidewalks shall be five feet in width. The internal sidewalks for the development shall connect to the sidewalks along Songbird Lane and Badger Avenue.

- Square Footage: 27,077.9
- Acreage: 0.622

2408-36-2200-57

- Effective Frontage: 116 feet
- Effective Depth: 233.4 feet
- Square Footage: 27,077.9
- Acreage: 0.622

Current Use:

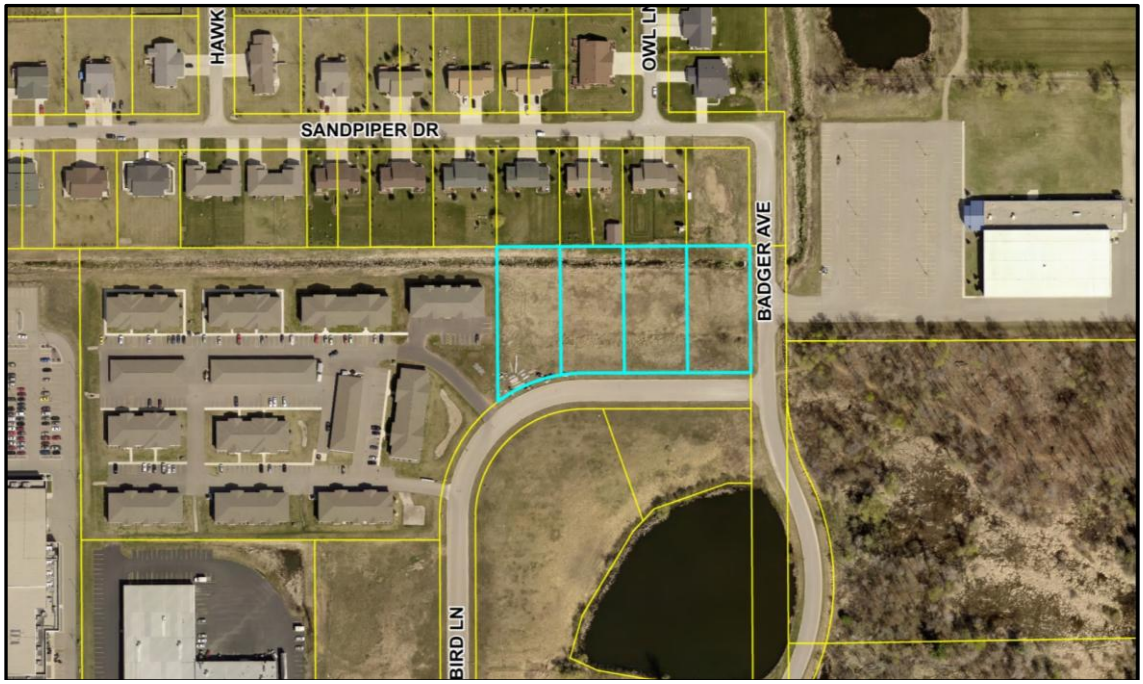
- Vacant

Applicable Regulations:

- 23.01(14), 23.01(16), and 23.02(1)(f)

4. The main access drive on Songbird Lane shall be relocated to Badger Avenue, and aligned as best possible with the driveway for the hockey and soccer complex.
5. A fire hydrant shall be installed along Badger Avenue near the intersection with the driveway. The location shall be approved by staff.
6. The apartment buildings shall be shifted to the east to allow for a greater buffer between this proposed development and the multi-family development to the west. The buffer are shall incorporate additional large trees (2.5" caliper at the time of planting) planted at a rate of one per 25 lineal feet.
7. The materials used for the refuse enclosure shall be constructed out of finished wood, masonry, or other decorative materials. Such plan shall be approved by staff. As an alternative, the refuse containers could be stored within a garage stall.
8. A grouping of evergreen type trees shall completely screen the eastern façade of the garage on Badger Avenue.
9. The maximum number of buildings shall be four, with 8-units in each building, with a maximum number of 64 bedrooms.
10. Snow shall be removed from the site, or stored in a location that it will not negatively impact adjacent properties.
11. A stormwater management plan shall be submitted to be reviewed and approved by the appropriate departments.
12. A lighting plan shall be submitted to be reviewed and approved by community development department staff. All lighting fixtures shall be cut-off fixtures. Lighting shall not exceed 0.5 foot candles at the property line.
13. Staff shall have the authority to approve minor changes to the plans.
14. The applicant shall pay the required park fee per unit to the City.
15. The owner shall secure a multi-family dwelling license for the units.

Vicinity Map



Background

Point of Beginning, representing the property owner Mark Wolf, is proposing to construct four, 8-unit apartment buildings and corresponding detached garages on the northwest corner of the intersection of Badger Avenue and Songbird Lane. Each unit will offer 2-bedrooms and a detached garage. Furthermore, units will include furnished kitchens, full bathrooms, and patios/decks. The main building façades will primarily consist of an exterior insulated finishing system (E.I.F.S), along with brick masonry near the shared building entrance. Building details are below.

Four 8-Unit Apartment Buildings

- Two-Story
- 16 Bedrooms (2 bedroom/unit) / building
- One 8-stall detached garage / building
- Enclosed Parking: 32 Stalls
- Open Parking: 32 stalls
- Shared main entrance
- Private patios/decks
- Building Dimensions: approximately 48' x 80'

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, similar in size and design, exist directly west, where two-family duplexes exist directly north. Further to the north exist single family homes. Directly south exists vacant property within Parkdale Development, likely to develop as commercial. Lastly, to the east, exists a recreational sports complex consisting of an indoor hockey rink, soccer fields, and vacant land.

   Findings: The proposed multi-family apartments fit within the neighborhood and assist in providing a gradual change in use which separates single family homes and intense commercial development. Additionally, the proposed development is essentially the last phase of the original apartment development to the west approved in 2005 and constructed in 2006. The establishment, maintenance, and operation of the use should not be detrimental to, or endanger the public health or general welfare of the surrounding neighborhood as surrounding uses are compatible. Furthermore, this area has been identified in our comprehensive plan as being a commercial / office / multi-family use.

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

   Analysis: This area has a mix of residential single family, two-family and multiple family uses. Furthermore, commercial uses primarily consisting of retail, office, and service exist to the south. Ten multi-family apartment buildings exist directly adjacent to the site which are of similar size and design.

   Findings: Four multi-family apartment buildings with associated detached garages should not be injurious to the uses already existing and permitted in this area. All four parcels are currently zoned R-4 multi-family 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 proposed buildings will be located on four existing parcels that will be combined to create 2.5 acres. Additional vacant parcels exist to the south within Parkdale development, between Songbird Lane and Badger Avenue. Additionally, a few vacant parcels exist further south along U.S. Highway 10.

Findings: The proposed project may assist with generating additional commercial development to the south, as all property to the south is zoned B-4 commercial. The increased residential density will most certainly add to the area's overall marketability and intrigue. Overall, the establishment of this use should promote additional development along Songbird Lane, Badger Avenue, and U.S. Highway 10.

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 existing development to the west of the site, as it was constructed by the same developer (see the photo to the right for an example). The proposed structures will incorporate brick into the shared building entrance, however, the remainder of the exterior will be painted E.I.F.S. A roof gable with siding is proposed above the shared entrance. Lastly, asphalt shingles will cover the roof. Private porches and patios found on the first and second floors are proposed for each unit.

Findings: There are a variety of architectural styles within this area, as a variety of different uses exist. The proposed apartment building will closely match the existing apartments to the west in style and design. While the applicant is proposing a similar style as the neighboring buildings to the west, staff would recommend additional architectural elements with different building materials. The proposed buildings will front on Songbird Lane and Badger Avenue, making them much more visible. This visibility increases the effect they may have on the surrounding neighborhood character. Added features and materials will add to and preserve the neighborhood character. Staff would recommend additional brick or stone be incorporated into other areas of the façade and that E.I.F.S. not be used as the primary exterior material, but rather as an accent, if at all. In place of E.I.F.S., cement board or hardiplank could be used. In addition, staff would recommend adding additional architectural features, such as dormers, additional rooflines, jogs in the building, and additional door and window elements such as mullions and/or shutters. Staff would recommend that these buildings differentiated from the buildings to the west, to split up the developments, and not make it look like a very large apartment complex. The garages on the site should also incorporate some of these elements, and compliment the main apartment buildings.

Staff would recommend that a new elevation plan be submitted for review and approval incorporating some of the elements mentioned above. Also, the new elevation should have a colored rendering.

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

Analysis: Utilities exist on Songbird Lane and Badger Avenue. Access to the site is proposed off of Songbird Lane, over 100 feet from Badger Avenue.

Findings: Stormwater plans shall be submitted for review and approval by the Water Department.

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

Analysis: Ingress/Egress is proposed on Songbird Lane, via one driveway. The driveway is over 100 feet from the intersection of Songbird Lane and Badger Avenue.

Findings: The driveway is an adequate distance from the adjacent intersections and should not cause congestion in this area. However, staff would recommend that the entrance be off of Badger Avenue lined up, as best possible, with the driveway to the hockey and soccer complex. This would allow the apartment buildings to be shifted to the east, allowing for a greater buffer between the apartment complex development to the west and this proposed development.

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 commercial, office, or multi-family.

Findings: The proposed use is appropriate for the intent of the "R-4" district. 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: Parking, setbacks, and lot size requirements are met.

Findings: While the zoning district standards are met, staff would recommend that with the relocation of the access drive to Badger Avenue that the buildings be shifted to the east allowing greater buffer between the two apartment developments. Staff would then recommend installing additional landscaping within this area, primarily consisting of large trees.

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 four, 8-unit apartment buildings, totaling 64 beds, with detached garages. Ten similar apartment buildings exist directly adjacent to the site. During planning phases for Parkdale Development, the parcels in question, along with the parcel with existing apartments were planned for multi-family uses and such zoned appropriately for future development. A total of 14 apartment buildings and seven detached garage buildings would exist within the area and along Songbird Lane if the requested conditional use permit is granted.

The nearest multi-family property is a senior living complex on Amber Avenue. Single and two-family residential uses exist to the north of the property.

Findings: Although several multi-family apartments exist within the vicinity, they assist in buffering other less intense uses. Furthermore, they exist near commercial uses that greatly rely on the surrounding residential neighborhoods.

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 includes four apartment buildings that front on Songbird Lane. One building fronts on both Songbird Lane and Badger Avenue. Furthermore, the garages and the open parking area are located behind the apartment buildings. Half of the tenant parking, 32 stalls will occur within the garages, whereas, the other half will be available in open-air stalls. One parking garage exists along Badger Avenue. Drainage ponds are proposed to exist in front of the buildings along Songbird Lane and will include trees and shrubs. Two open-air handicap stalls are proposed for the entire site. Six bicycle parking stalls have been provided.

Findings: Staff would recommend an accessible stall be provided for each apartment building.

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, landscaping is proposed around drainage ponds and building facades.

Findings: Staff would recommend a grouping of evergreen type trees completely screen the garage on Badger Avenue.

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

Analysis: The building's main façade faces the street (Songbird Lane).

Findings: 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. See standard four with regard to architectural building elements. The eastern most building, located on a corner, has two façades that face a street. In addition, one of the east façades of the garages faces Badger Avenue.

Findings: Please see standard four with regard to the recommended changes.

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: The primary exterior finish of the main buildings is E.I.F.S. Brick is proposed to exist at each of the building's shared entrance and extend into the second floor.

Findings: The proposed brick does not cover 25% of each building's façade. While E.I.F.S. can be substituted, staff does not feel that the architectural design or the exterior finish is enhanced with the use of E.I.F.S. in this case. Staff would recommend changes to both the architectural elements and the exterior materials of both the main buildings and the garages. Please see standard four for the recommended changes.

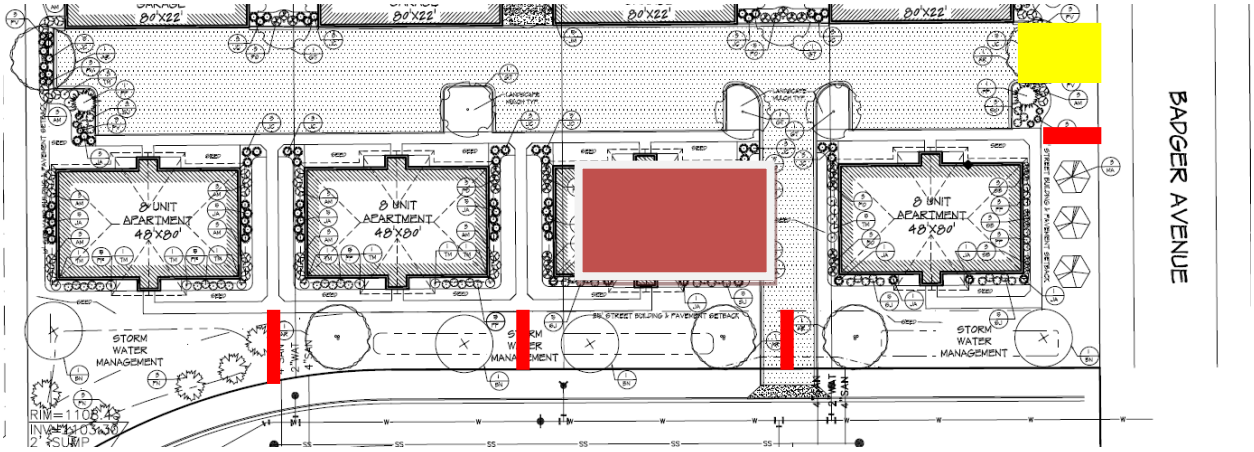
11) Access to the site shall be safe.

Analysis: The development primarily faces Songbird Lane, with the only access point off of Songbird Lane. The access drive is about 125 feet from the interstation of Songbird Lane and Badger Avenue.

No sidewalks have been identified.

Findings: The zoning code requires at least 100 feet of separation between the access point and the intersection of Songbird Lane and Badger Avenue. This standard is met. However, staff would recommend placing the access point on Badger Avenue, as it would allow for a greater buffer between this development and the multi-family development to the west.

Staff would recommend that sidewalks be installed along Songbird Lane and Badger Avenue. The sidewalks shall be a minimum of five feet in width. In addition, staff would recommend that the onsite sidewalks connect to the sidewalks on Songbird Lane and Badger Avenue.



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 Badger Avenue and Songbird Lane to adequately serve the site.

Findings: Staff would recommend that a fire hydrant be installed on Badger Avenue near the intersection of the driveway.

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

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

Analysis: Refuse enclosures are proposed on the north side of the site between two detached garage structures. The enclosure will be screened by both garages as well as by landscaping (junipers) to the north.

Findings: No plans for the exterior screening materials have been submitted. Staff would recommend that the materials used for the refuse enclosure be constructed out of finished wood, masonry, or other decorative materials. Such plan should be approved by staff. As an alternative, the refuse containers could be stored within a garage stall.

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: Light spill over onto adjacent residential properties is anticipated to be minimal due to the layout of the site and distance separation of the apartment buildings to residential properties to the north. Staff would recommend that a photometric plan be submitted to be reviewed and approved by community development department staff.

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. Any noise creating from vehicles is anticipated to be suspended between buildings and absorbed by the proposed landscaping.

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: Parking and landscape setbacks are met. A total of 40 trees and hundreds of shrubs are proposed for the site.

Findings: This standard is met.

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 40 trees are proposed for the site to screen parking and meet the requirement above.

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: All of the building fronts will be lined with landscaping. In addition, proposed drainage areas will have landscaping as well.

Findings: This standard is met.

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. No specific adjustments are needed at this time.

Findings: This standard is met.

Name and Address	Parcel #	Alt Parcel #	Land Use
Parkdale Apartments Phase 2 LLC PO Box 1076 Stevens Point, WI 54481	240836220054	240836220054	Vacant Land - Commercial
	Property Address		Neighborhood
	Songbird Ln		Apts 4-7 units (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2007	Parkdale Subdivision		R4-MULTI-FAMILY I

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Parkdale Apartments Phase 2 LLC	10/30/2013	$116,700	Warranty Deed W/Add'L F	790920		Land
Parkdale Apartments LLC	1/27/2011	$29,500	Warranty Deed	754855		Land
Barbara Nachman	2/28/2007	$125,000	Warranty Deed W/Add'L F	700502		Land

SITE DATA

Actual Frontage	116.5
Effective Frontage	116.5
Effective Depth	254.4
Square Footage	29,622.8
Acreage	0.680

PERMITS

Date	Number	Amount	Purpose	Note

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(2) - B-Commercial	$28,800	$0	$28,800
Total	$28,800	$0	$28,800

LEGAL DESCRIPTION

LOT 2 CSM#9223-39-3&A BNG PRT NENW S36 & SESW S25 T24 R8 559823-ANNEX 790920

PROPERTY IMAGE

PROPERTY SKETCH

Name and Address	Parcel #	Alt Parcel #	Land Use
Parkdale Apartments Phase 2 LLC PO Box 1076 Stevens Point, WI 54481	240836220054	240836220054	Vacant Land - Commercial
	Property Address		Neighborhood
	Songbird Ln		Apts 4-7 units (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2007	Parkdale Subdivision		R4-MULTI-FAMILY I

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
Total Area				0		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area

COMPONENTS

Bldg	Sec	Component Description	Area

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

Site Improvement	Units

STRUCTURE DATA

Age	
Year Built	
Eff. Year	
One Bedroom	
Two Bedroom	
Three Bedroom	
Total Units	
Stories	
Business Name	

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
Parkdale Apartments Phase 2 LLC PO Box 1076 Stevens Point, WI 54481	240836220055	240836220055	Vacant Land - Commercial
	Property Address		Neighborhood
	Songbird Ln		Apts 4-7 units (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2007	Parkdale Subdivision		R4-MULTI-FAMILY I

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Parkdale Apartments Phase 2 LLC	10/30/2013	$116,700	Warranty Deed W/Add'L F	790920		Land
Parkdale Apartments LLC	8/1/2011	$93,000	Warranty Deed W/Add'L F	760175		Land
The Portage County Bank	1/7/2011	$75,000	Quit Claim Deed/Addl Par	754204		Land
LCWI Properties LLC	2/28/2007	$103,500	Warranty Deed W/Add'L F	700500		Land
Barbara Nachman	2/27/2007	$125,000	Warranty Deed W/Add'L F	700502		Land

SITE DATA

Actual Frontage	116.0
Effective Frontage	116.0
Effective Depth	233.7
Square Footage	27,105.7
Acreage	0.622

PERMITS

Date	Number	Amount	Purpose	Note

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(2) - B-Commercial	$28,800	$0	$28,800
Total	$28,800	$0	$28,800

LEGAL DESCRIPTION

LOT 3 CSM#9223-39-3&A BNG PRT NENW S36 & SESW S25 T24 R8 559823-ANNEX 790920

PROPERTY IMAGE

PROPERTY SKETCH

Name and Address	Parcel #	Alt Parcel #	Land Use
Parkdale Apartments Phase 2 LLC PO Box 1076 Stevens Point, WI 54481	240836220055	240836220055	Vacant Land - Commercial
	Property Address		Neighborhood
	Songbird Ln		Apts 4-7 units (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2007	Parkdale Subdivision		R4-MULTI-FAMILY I

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
Total Area				0		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area

COMPONENTS

Bldg	Sec	Component Description	Area

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

Site Improvement	Units

STRUCTURE DATA

Age	
Year Built	
Eff. Year	
One Bedroom	
Two Bedroom	
Three Bedroom	
Total Units	
Stories	
Business Name	

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
Parkdale Apartments Phase 2 LLC PO Box 1076 Stevens Point, WI 54481	240836220056	240836220056	Vacant Land - Commercial
	Property Address		Neighborhood
	Songbird Ln		Apts 4-7 units (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2007	Parkdale Subdivision		R4-MULTI-FAMILY I

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Parkdale Apartments Phase 2 LLC	10/30/2013	$116,700	Warranty Deed W/Add'L F	790920		Land
Parkdale Apartments LLC	8/1/2011	$93,000	Warranty Deed W/Add'L F	760175		Land
The Portage County Bank	1/7/2011	$75,000	Quit Claim Deed/Addl Par	754204		Land
LCWI Properties LLC	2/28/2007	$103,500	Warranty Deed W/Add'L F	700500		Land
Barbara Nachman	2/27/2007	$125,000	Warranty Deed W/Add'L F	700502		Land

SITE DATA

Actual Frontage	116.0
Effective Frontage	116.0
Effective Depth	233.4
Square Footage	27,077.9
Acreage	0.622

PERMITS

Date	Number	Amount	Purpose	Note

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(2) - B-Commercial	$28,800	$0	$28,800
Total	$28,800	$0	$28,800

LEGAL DESCRIPTION

LOT 4 CSM#9223-39-3&A BNG PRT NENW S36 & SESW S25 T24 R8 559823-ANNEX 790920

PROPERTY IMAGE

PROPERTY SKETCH

Name and Address	Parcel #	Alt Parcel #	Land Use
Parkdale Apartments Phase 2 LLC PO Box 1076 Stevens Point, WI 54481	240836220056	240836220056	Vacant Land - Commercial
	Property Address		Neighborhood
	Songbird Ln		Apts 4-7 units (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2007	Parkdale Subdivision		R4-MULTI-FAMILY I

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
Total Area				0		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area

COMPONENTS

Bldg	Sec	Component Description	Area

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

Site Improvement	Units

STRUCTURE DATA

Age	
Year Built	
Eff. Year	
One Bedroom	
Two Bedroom	
Three Bedroom	
Total Units	
Stories	
Business Name	

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
Parkdale Apartments Phase 2 LLC PO Box 1076 Stevens Point, WI 54481	240836220057	240836220057	Vacant Land - Commercial
	Property Address		Neighborhood
	Songbird Ln		Apts 4-7 units (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2007	Parkdale Subdivision		R4-MULTI-FAMILY I

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
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Barbara Nachman	2/27/2007	$125,000	Warranty Deed W/Add'L F	700502		Land

SITE DATA

Actual Frontage	116.0
Effective Frontage	116.0
Effective Depth	233.4
Square Footage	27,077.9
Acreage	0.622

PERMITS

Date	Number	Amount	Purpose	Note

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(2) - B-Commercial	$28,800	$0	$28,800
Total	$28,800	$0	$28,800

LEGAL DESCRIPTION

LOT 5 CSM#9223-39-3&A BNG PRT NENW S36 & SESW S25 T24 R8 559823-ANNEX 790920

PROPERTY IMAGE

PROPERTY SKETCH

Name and Address	Parcel #	Alt Parcel #	Land Use
Parkdale Apartments Phase 2 LLC PO Box 1076 Stevens Point, WI 54481	240836220057	240836220057	Vacant Land - Commercial
	Property Address		Neighborhood
	Songbird Ln		Apts 4-7 units (Comm)
	Subdivision		Zoning
Display Note: New Parcel for 2007	Parkdale Subdivision		R4-MULTI-FAMILY I

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
Total Area				0		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area

COMPONENTS

Bldg	Sec	Component Description	Area

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

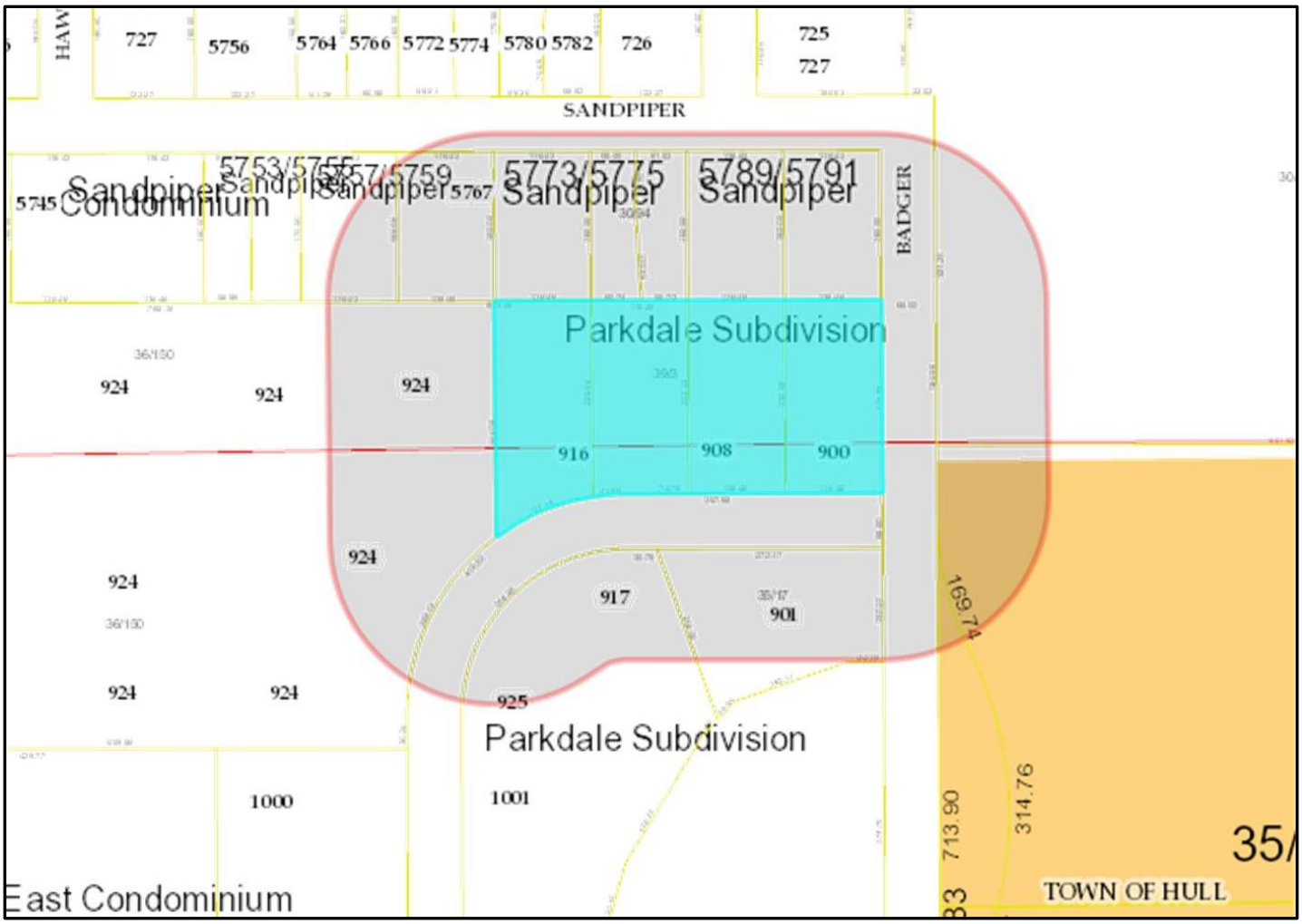
Site Improvement	Units

STRUCTURE DATA

Age	
Year Built	
Eff. Year	
One Bedroom	
Two Bedroom	
Three Bedroom	
Total Units	
Stories	
Business Name	

Information considered accurate but not guaranteed.

Conditional Use Request – Four 8-Unit Apartment Buildings – Northwest Corner of the intersection of Badger Avenue and Songbird Lane – Exhibit Map (200 Feet Boundary)



Tax Key	Name	Mailing Address	City	Zip	Property Address
281240825430003	PORTAGE COUNTY YOUTH ON ICE	PO Box 966	Stevens Point WI	54481	801 Badger Ave
281240825340115	PATRICK A TREDER	5357 WOODLAND CIR	Stevens Point WI	54482	0 Sandpiper Dr
281240825340209	BENJAMIN A & ANNETTE M HULTMAN	5789 Sandpiper Dr	Stevens Point WI	54482	5789 Sandpiper Dr
281240825340184	KEVIN J WEDDLE	5783 Sandpiper Dr	Stevens Point WI	54482	5783 Sandpiper Dr
281240825340183	MARK L & JANICE L DIESTLER	5781 Sandpiper Dr	Stevens Point WI	54482	5781 Sandpiper Dr
281240825340207	JENNIFER L SEEFELT	5773 Sandpiper Dr	Stevens Point WI	54482	5773 Sandpiper Dr
281240825340111	JUSTIN M BUSA	2160 County Rd C	Stevens Point WI	54481	5765 Sandpiper Dr
281240825340197	MATTHEW J THIELEKE	5757 Sandpiper Dr	Stevens Point WI	54482	5757 Sandpiper Dr
281240836220057	PARKDALE APARTMENTS LLC	PO BOX 1076	Stevens Point WI	54481	0 Songbird Ln
281240836220056	PARKDALE APARTMENTS LLC	PO BOX 1076	Stevens Point WI	54481	0 Songbird Ln
281240836220055	PARKDALE APARTMENTS LLC	PO BOX 1076	Stevens Point WI	54481	0 Songbird Ln
281240836220054	PARKDALE APARTMENTS LLC	5424 Highway 10 E Ste 1	Stevens Point WI	54482	0 Songbird Ln
281240836220049	PARKDALE APARTMENTS LLC	5424 Highway 10 E Ste A	Stevens Point WI	54482	924 Songbird Ln
020240836-02.06	CITY OF STEVENS POINT			0	

281240836220044	CITY OF STEVENS POINT	1515 Strongs Ave	Stevens Point WI	54481	0 Songbird Ln
281240836220042	FORWARD VISIONS LLC`	5627 Regent St	Stevens Point WI	54482	0 Badger Ave
281240836220053	PARKDALE DEVELOPMENTS LLC	3021 Patton Dr	Plover WI	54467	0 Songbird Ln
281240825340210	TRACY A PECORE	5791 Sandpiper Dr	Stevens Point WI	54481	5791 Sandpiper Dr
281240825340208	JUSTIN R RUSSELL	5775 Sandpiper Dr	Stevens Point WI	54482	5775 Sandpiper Dr
281240825340198	SARA L KENDALL	5759 Sandpiper Dr	Stevens Point WI	54482	5759 Sandpiper Dr
020240836-02.07	CITY OF STEVENS POINT	1515 STRONGS AVE	Stevens Point WI	54481	

City of Stevens Point
Community Development Department

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

APPLICATION FOR A CONDITIONAL USE PERMIT

(Pre-Application Conference Required)

3-18-14
R# 1-56098

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted	3/18/14	Fee Required	270.00	Fee Paid	270.00
Associated Applications If Any	—			Assigned Case Manager	Kyle Kearns		
Pre-Application Conference Date				Conditional Use Permit Request	Use ☒	Amend ☐	

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☐)	
Applicant Name	Parkdale Apartments Phase 2, LLC- Mark Wolf	Contact Name	
Address	PO Box 1076	Address	
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	
Telephone	(715)498-7136	Telephone	
Fax		Fax	
Email	markwolfmail@gmail.com	Email	

OWNERSHIP INFORMATION

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

PROJECT SUMMARY

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

Parcel 1	Parcel 2	Parcel 3
281240836220057	281240836220056	281240836220055 & 281240836220054

Legal Description of Subject Property

Lot 5 CSM#9223-39-3& a bng prt NENW S36 & SESW S25 T24 R8 559823-ANNEX 790920 (parcel #1)
Lot 4 CSM#9223-39-3& a bng prt NENW S36 & SESW S25 T24 R8 559823-ANNEX 790920 (parcel #2)
Lot 3 CSM#9223-39-3& a bng prt NENW S36 & SESW S25 T24 R8 559823-ANNEX 790920 (parcel #3)
Lot 2 CSM#9223-39-3& a bng prt NENW S36 & SESW S25 T24 R8 559823-ANNEX 790920 (parcel #4)

Designated Future Land Use Category	Current Use of Property
Residential	Vacant Lot

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)

This parcel is currently zoned R-4 Multi-Family. The proposed development would include (4) 8 unit apartment buildings along with (4) 8 stall garages to be constructed on the existing vacant lot. Site access would off of Songbird Lane. Stormwater management, site landscaping and number of parking stalls will be designed to meet City requirements.

How will the proposed development reinforce the existing or planned character of the neighborhood? (Use additional pages if necessary)
Currently the site is adjacent to two existing residential developments in an overall residential neighborhood. This site is also adjacent to a vacant lot and a highway commercial zone. This development would continue the multi-family character of the neighborhood.

Outline steps that will be taken to reduce any negative impacts on adjacent property. (Use additional pages if necessary)
The main apartment buildings will face Songbird Lane with the garages on the north side of the site, being screened by the apartments. Landscaping will be installed around the parking lot and perimeter of the site to screen the parking and buildings and maintain a residential feel to the property.

Current Zoning Surrounding Subject Property			
North:	R-3	South:	B-5
East:	B-5	West:	B-5
Current Land Use Surrounding Subject Property			
North:	Two-Family Homes	South:	Vacant Lot
East:	Portage County Youth on Ice (Hockey Arena)	West:	Multi-Family Apartment Complex

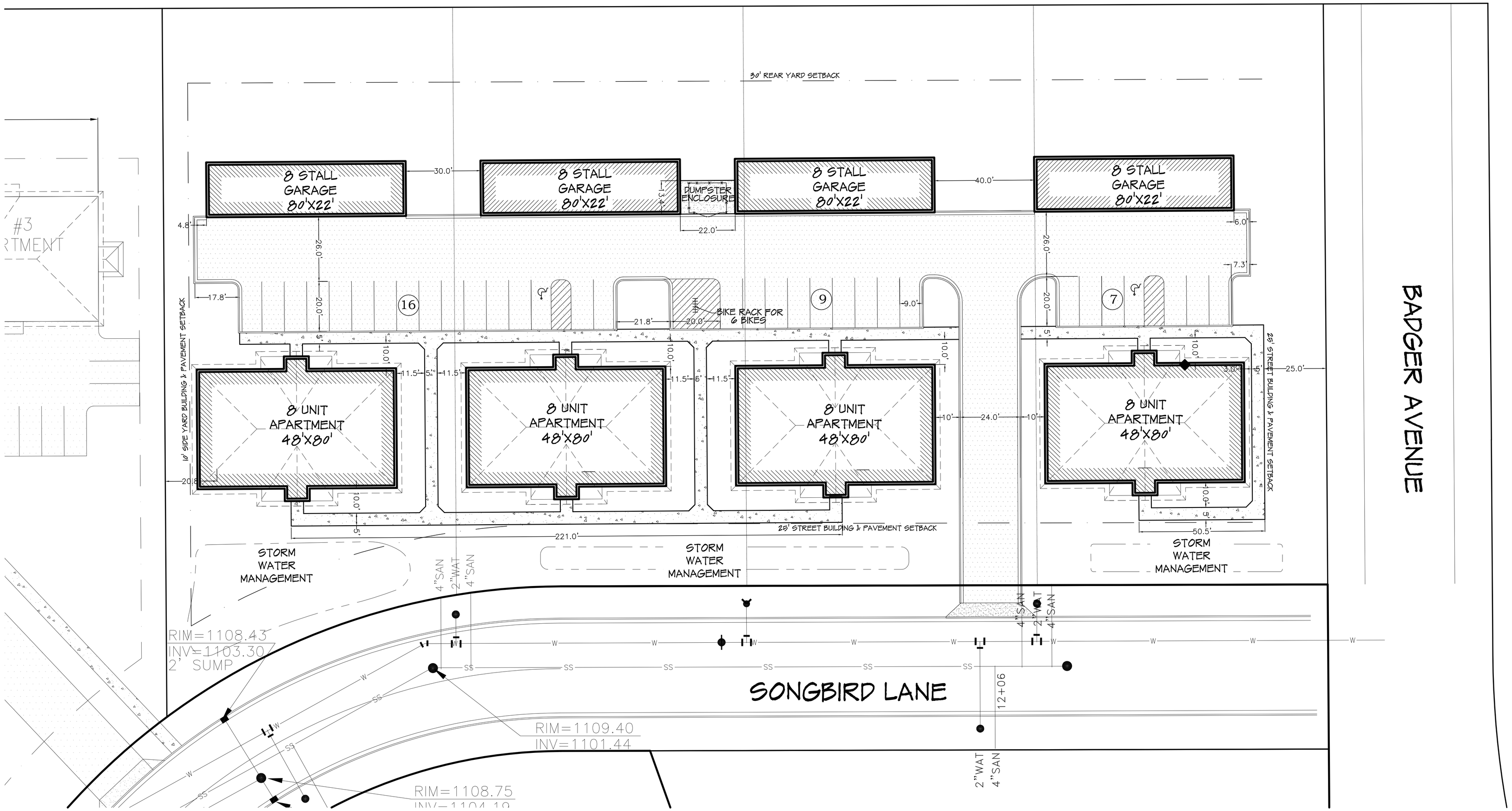
EXHIBITS

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

CERTIFICATION AND SIGNATURE

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

Signature of Applicant	Date	Signature of Property Owner(s)	Date
[signature]	3/18/14		



SITE STATISTICS

ZONING = R-4 – MULTI-FAMILY I		TOTAL LOT = 110,880 S.F.
BUILDING	CONCRETE WALKS & BITUMINOUS PAVEMENT	GREEN SPACE
25,800 S.F. OR 23.3% OF SITE	24,627 S.F. OR 22.2% OF SITE	60,453 S.F. OR 54.5% OF SITE
PARKING REQUIREMENT: 1.75 SPACES PER 2 BEDROOM UNIT: 32 UNITS X 1.75 = 56 SPACES REQUIRED		
PROPOSED: 64 SPACES		

PAVEMENT HATCH PATTERNS:

PROPOSED ASPHALTIC CONCRETE PAVEMENT

PROPOSED CONCRETE PAVEMENT

PROPOSED REINFORCED CONCRETE PAVEMENT

0' 20' 40' 60'
Scale 1"=20'

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REVISIONS

CHECKED:	JAMES LUNDBERG
DRAWN:	MELISSA KLUCK
DATE	3-18-14
PROJECT NO.	11.120T

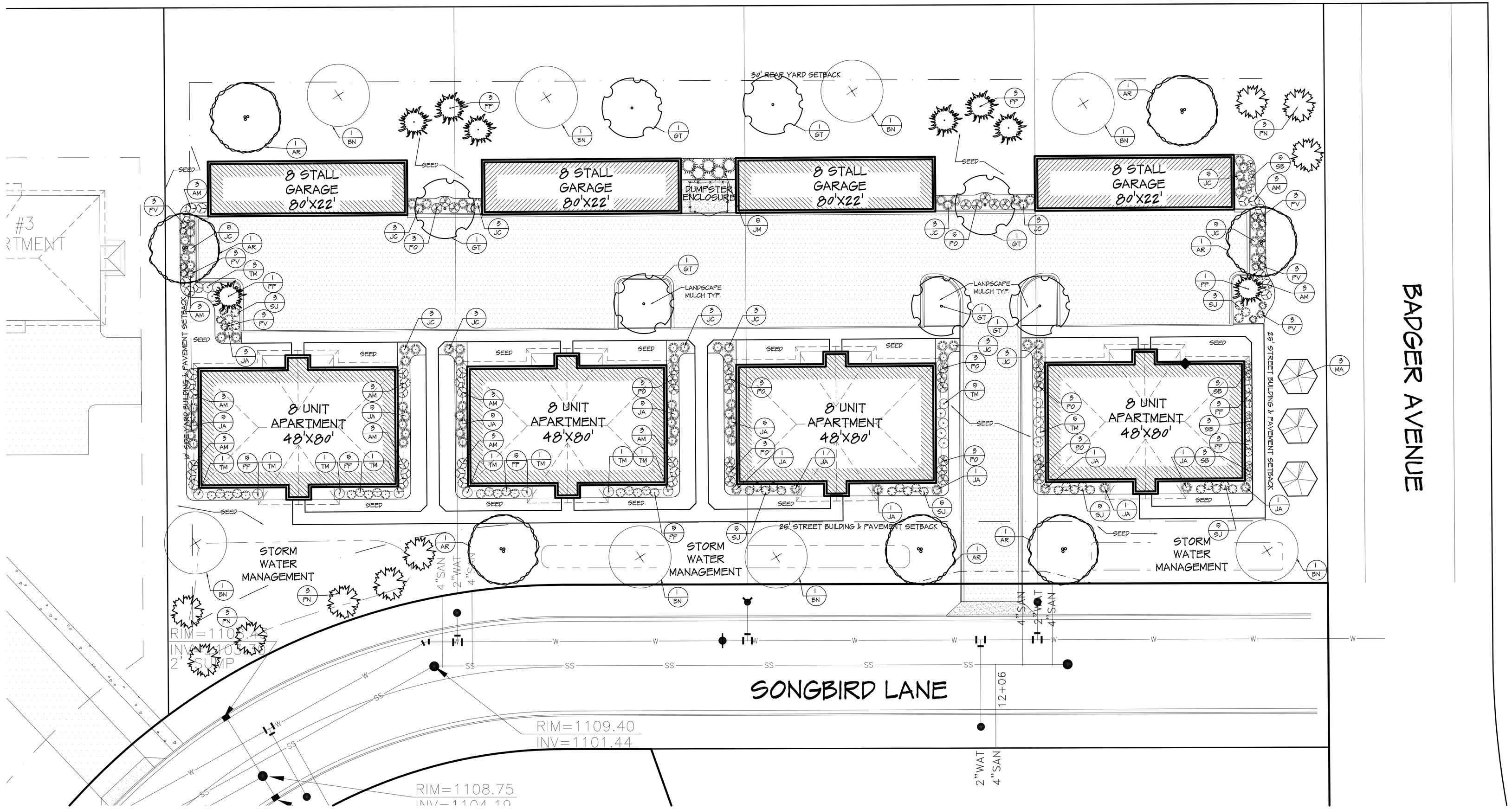
BADGER AVENUE

PRELIMINARY LAYOUT PLAN

PARKDALE APARTMENTS
SONGBIRD LANE
CITY OF STEVENS POINT
PORTAGE COUNTY, WI

Land Surveying
Engineering
Landscape Architecture
5709 Windy Drive, Suite D
Stevens Point, WI 54482
715.344.9999(Ph) 715.344.9922(Fx)
Point of Beginning

L-1



GENERAL NOTES:

1. CONTACT DIGGER'S HOTLINE 5 WORKING DAYS PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
2. 6" OF TOPSOIL SHALL BE PROVIDED IN ALL GENERAL LANDSCAPE AREAS. LANDSCAPE CONTRACTOR SHALL VERIFY THAT SPECIFIED PLANTING SOIL DEPTH IS PRESENT PRIOR TO PLANTING.
3. SEED/FERTILIZE/CRIMP HAY MULCH ALL GENERAL LANDSCAPE AREAS DISTURBED DURING CONSTRUCTION.
4. ALL PLANT MATERIALS LISTED SHALL MEET THE STANDARDS OF THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION FOR THE SIZES GIVEN.
5. ALL TREES SHALL BE STAKED WITH A MINIMUM OF THREE STAKES.
6. EDG-KING LANDSCAPE EDGING OR APPROVED EQUAL SHALL BE PLACED AROUND ALL SHRUB BEDS.
7. 3" OF SHREDDED BARK MULCH SHALL BE PLACED IN ALL SHRUB BEDS. COLOR TO BE SELECTED BY OWNER.
8. FILTER FABRIC SHALL BE PLACED BENEATH ALL LANDSCAPE STONE OR BARK MULCH.
9. COORDINATE ALL LANDSCAPE WORK WITH GAS, ELECTRIC, (INCLUDING MAIN SERVICE, SITE LIGHTING, CONDUITS AND SIGNAGE) CABLE AND TELEPHONE CONSTRUCTION AND RESPECTIVE TRADES FOR THE INSTALLATION OF SAID UTILITIES.

PLANTING SCHEDULE:

TREES SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
AR	ACER RUBRUM 'BAILCRAIG'	SCARLET JEWELL RED MAPLE	2 1/2" CAL.	40'TX25'W	7
BN	BETULA NIGRA	RIVER BIRCH	5'-6'T	50'TX35'W	8
GT	GLEDITSIA TRIACANTHOS VAR. INERMIS 'IMPCOLE'	IMPERIAL HONEYLOCUST	2 1/2" CAL.	35'TX35'W	5
MA	MALUS 'ROYALTY'	ROYALTY CRABAPPLE	1 1/2" CAL.	20'TX20'W	3
PN	PINUS NIGRA	AUSTRIAN PINE	4'-5'T	50'TX35'W	9
PP	PICEA PUNGENS 'FAT ALBERT'	FAT ALBERT SPRUCE	4'-5'T	15'TX10'W	8

SHRUBS SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
AM	ARONIA MELANOCARPA 'AUTUMN MAGIC'	AUTUMN MAGIC CHOKEBERRY	24"	4'TX4'W	33
JA	JUNIPERUS 'ANDORRA COMPACTA'	COMPACT ANDORRA JUNIPER	20"W	2'TX4'W	36
JC	JUNIPERUS CHINENSIS 'PFITZERIANA'	PFITZER JUNIPER	24"	4'TX6'W	45
JM	JUNIPERUS CHINENSIS 'MOUNTBATTEN'	MOUNTBATTEN JUNIPER	36"	13'TX6'W	5
PF	POTENTILLA FRUTICOSA 'JACKMANII'	JACKMAN POTENTILLA	20"	3'TX3'W	26
PO	PHYSOCARPUS OPULIFOLIOUS 'DONNA MAY'	LITTLE DEVIL NINEBARK	24"	4'TX4'W	27
SB	SPIRAEA X BUMALDA 'GOLDFLAME'	GOLDFLAME SPIREA	20"	3'TX3'W	14
SJ	SPIRAEA JAPONICA 'NEON FLASH'	NEON FLASH SPIREA	20"	4'TX4'W	26
TM	TAXUS X MEDIA 'TAUNTONII'	TAUNTON YEW	24"	4'TX5'W	21

ORNAMENTAL GRASS SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
PV	PANICUM VIRGATUM 'HEAVY METAL'	HEAVY METAL SWITCH GRASS	24"	3'-4'T	18

LANDSCAPE REQUIREMENTS:

REQUIREMENT: ADD TREES AT MINIMUM RATE 1 TREE PER 50 LINEAL FEET PARKING AREA.
246 L.F. OF PARKING/50 = 5 REQUIRED

PROPOSED: 6 TREES

PERIMETER LANDSCAPING REQUIREMENT: 5' PARKING LOT PERIMETER LANDSCAPE BED.
1 SHRUB FOR EVERY 15 SQUARE FEET OF LANDSCAPED AREA = 246 L.F. OF PARKING PERIMETER * 5= 1230 S.F./15 = 82 SHRUBS REQUIRED

PROPOSED: 95 SHRUBS

REQUIREMENT: ADD TREES AT MINIMUM RATE 1 TREE PER DWELLING UNIT.
32 UNITS = 32 REQUIRED

PROPOSED: 33 TREES OUTSIDE OF SCREENING AREA

REQUIREMENT: ADD ONE PLANT FOR EACH 30" OF BUILDING FACING THE STREET.
390 L.F. OF BUILDING/30" = 156 PLANTS REQUIRED

PROPOSED: 158 PLANTS

0' 20' 40' 60'
Scale 1"=20'

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REVISIONS

CHECKED:	JAMES LUNDBERG
DRAWN:	MELISSA KLUCK
DATE	3-18-14
PROJECT NO.	11.120T

PRELIMINARY LANDSCAPE PLAN

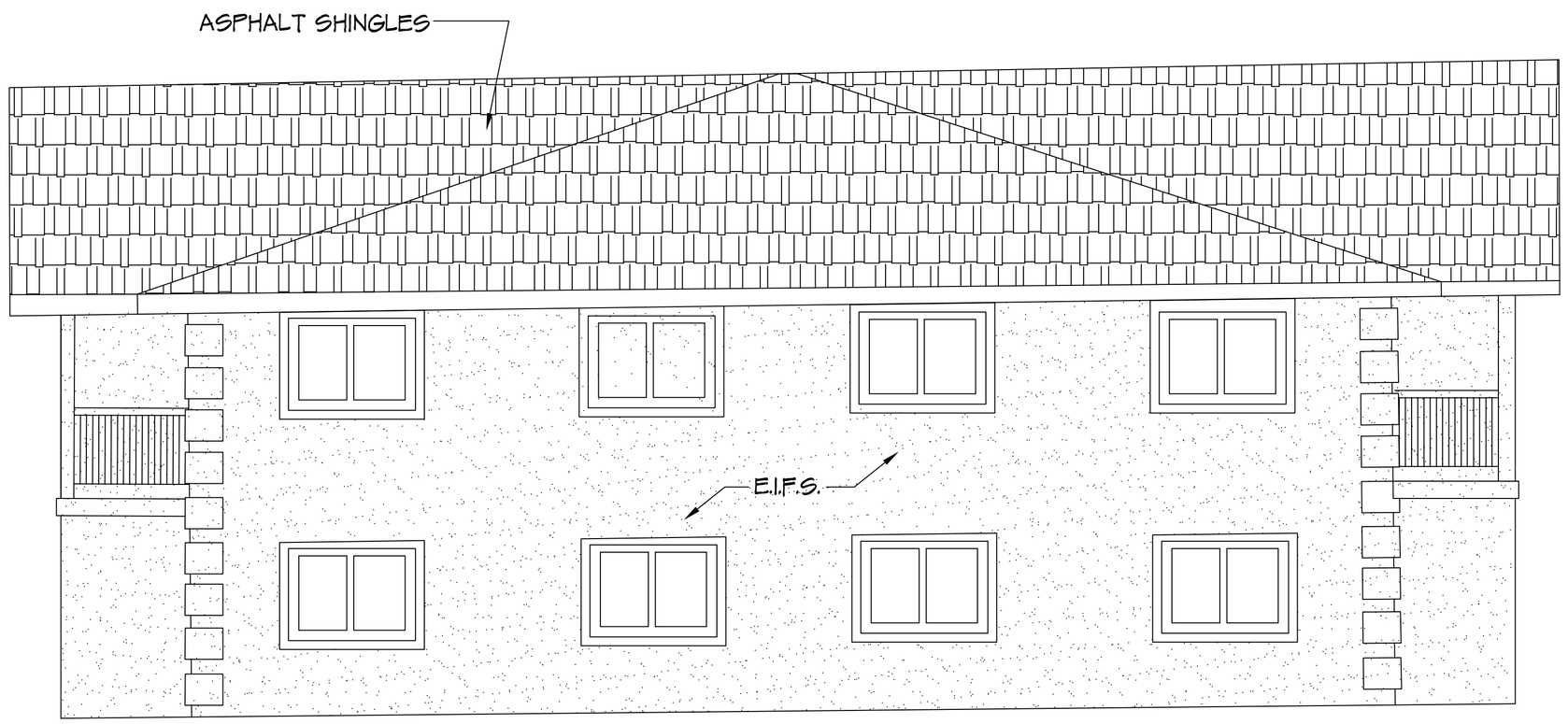
PARKDALE APARTMENTS
SONGBIRD LANE
CITY OF STEVENS POINT
PORTAGE COUNTY, WI

Land Surveying
Engineering
Landscape Architecture
5709 Windy Drive, Suite D
Stevens Point, WI 54482
715.344.9999(Ph) 715.344.9922(Fx)
Point of Beginning

LA-1

FRONT ELEVATION

SCALE 1" = 5'



SIDE ELEVATION

SCALE 1"= 5'

REVISIONS

CHECKED:	JAMES LUNDBERG
DRAWN:	MELISSA KLUCK
DATE	3-18-14
PROJECT NO.	11.120T

PARKDALE APARTMENTS
SONGBIRD LANE
CITY OF STEVENS POINT
PORTAGE COUNTY, WI

Land Surveying
Engineering
Landscape Architecture
5709 Windy Drive, Suite D
Stevens Point, WI 54482
715.344.9999(Ph) 715.344.9922(Fx)

Point of Beginning

ELEVATIONS

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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

To: Plan Commission
From: Plan Staff
CC:
Date: 3/27/2014
Subject: Conditional Use Permit – Multi-Family Apartments – Songbird Lane

Staff provided the applicant, Point of Beginning, with initial conditional use permit comments after appropriate review by applicable staff. Those comments are echoed within the staff report for the request which includes original plans for the project. After receiving comments and concerns, Point of Beginning provided updated project renderings, site plan and landscaping plan to address several of staff comments. Those documents have been attached to this memo and have been reviewed below in comparison with the initial recommended concerns and conditions of approval.

1. Additional architectural elements with different building materials should be incorporated into the buildings' design. Additional brick or stone shall be incorporated into other areas of the façade and E.I.F.S. shall not be used as the primary exterior material, but rather as an accent, if at all. Additional architectural features, such as dormers, additional rooflines, jogs in the building, and additional door and window elements such as mullions and/or shutters should be incorporated into the buildings' design. The garages on the site shall also incorporate some of these elements, and compliment the main apartment buildings. A new elevation plan shall be submitted for review and approval by the Plan Commission and Common Council, incorporating some of the elements mentioned above. Also, the new elevation should have a colored rendering.
   E.I.F.S. remains to be the buildings' primary façade material. Additionally, no stone, brick or other architectural materials have been added. Block designs on the building corners have been traded for a banding design of unknown material across the building between the first and second floor. Although a new, colored rendering has been submitted, the above condition has not been met.
2. A total of four accessible parking stalls should be incorporated into the plan, one for each of the buildings.
   The new site plan includes four accessible parking stalls. This standard is met.
3. Sidewalks shall be installed along Songbird Lane and Badger Avenue. The sidewalks shall be five feet in width. The internal sidewalks for the development shall connect to the sidewalks along Songbird Lane and Badger Avenue.
   Sidewalks extending the length of the property exist along Badger Avenue and Songbird Lane. This standard is met.
4. The main access drive on Songbird Lane shall be relocated to Badger Avenue, and aligned as best possible with the driveway for the hockey and soccer complex.
   The ingress/egress has been moved to Badger Avenue and aligns with the soccer/hockey complex across the street. This standard is met.
5. A fire hydrant shall be installed along Badger Avenue near the intersection with the driveway. The location shall be approved by staff.

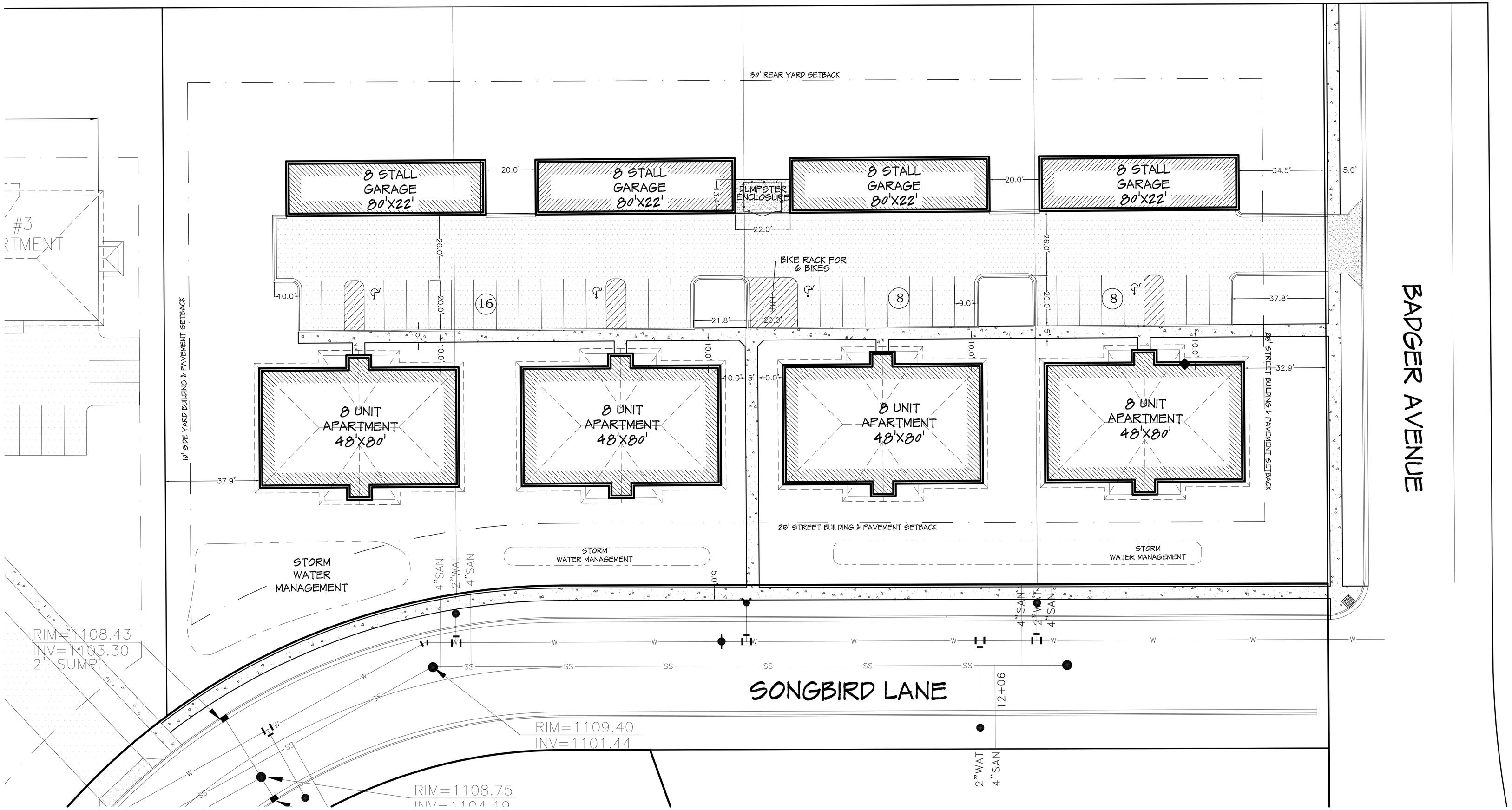
No hydrant is shown on the site plan.

6. The apartment buildings shall be shifted to the east to allow for a greater buffer between this proposed development and the multifamily development to the west. The buffer area shall incorporate additional large trees (2.5" caliper at the time of planting) planted at a rate of one per 25 lineal feet.
   The buildings have been moved east, allowing for a setback of 37 feet along the western property line. Approximately seven additional trees are proposed along the eastern property line to buffer the apartments. This standard is met.
7. The materials used for the refuse enclosure shall be constructed out of finished wood, masonry, or other decorative materials. Such plan shall be approved by staff. As an alternative, the refuse containers could be stored within a garage stall.
   Refuse containers are proposed to remain between to detached garages. Refuse enclosure materials are unknown.
8. A grouping of evergreen type trees shall completely screen the eastern façade of the garage on Badger Avenue.
   Two trees have been added and rearranged on the landscaping plan to better screen the detached garage along Badger Avenue. This standard is met.

Staff conditions and comments 9-15 (below) are not applicable to the review, therefore are recommended to remain regardless of the new renderings and site plans submitted.

9. The maximum number of buildings shall be four, with 8-units in each building, with a maximum number of 64 bedrooms.
10. Snow shall be removed from the site, or stored in a location that it will not negatively impact adjacent properties.
11. A stormwater management plan shall be submitted to be reviewed and approved by the appropriate departments.
12. A lighting plan shall be submitted to be reviewed and approved by community development department staff. All lighting fixtures shall be cut-off fixtures. Lighting shall not exceed 0.5 foot candles at the property line.
13. Staff shall have the authority to approve minor changes to the plans.
14. The applicant shall pay the required park fee per unit to the City.
15. The owner shall secure a multi-family dwelling license for the units.

In conclusion, staff has identified that conditions 2,3,4,6 and 8 (outlined in blue) have been met. Condition 1, relating to architectural design elements, building materials, and color has not yet been met. Therefore, staff would recommend continued efforts to work with the applicant to create renderings meeting the above condition to submit to the Plan Commission and Common Council at a later date for approval. In total, staff would recommend condition 1, 5, 7, and 9-15 remain relating to approval for the conditional use permit request to construct four apartment buildings along Songbird Lane and Badger Avenue.



SITE STATISTICS

ZONING = R-4 – MULTI-FAMILY I		TOTAL LOT = 110,880 S.F.
BUILDING	CONCRETE WALKS & BITUMINOUS PAVEMENT	GREEN SPACE
22,800 S.F. OR 20.6% OF SITE	20,050 S.F. OR 18.1% OF SITE	68,030 S.F. OR 61.3% OF SITE
PARKING REQUIREMENT: 1.75 SPACES PER 2 BEDROOM UNIT: 32 UNITS X 1.75 = 56 SPACES REQUIRED		
PROPOSED: 64 SPACES		

PAVEMENT HATCH PATTERNS:

PROPOSED ASPHALTIC CONCRETE PAVEMENT

PROPOSED CONCRETE PAVEMENT

PROPOSED REINFORCED CONCRETE PAVEMENT

0' 20' 40' 60'

Scale 1"=20'

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REVISIONS

CHECKED:	JAMES LUNDBERG
DRAWN:	MELISSA KLUCK
DATE	4-1-14
PROJECT NO.	14.024

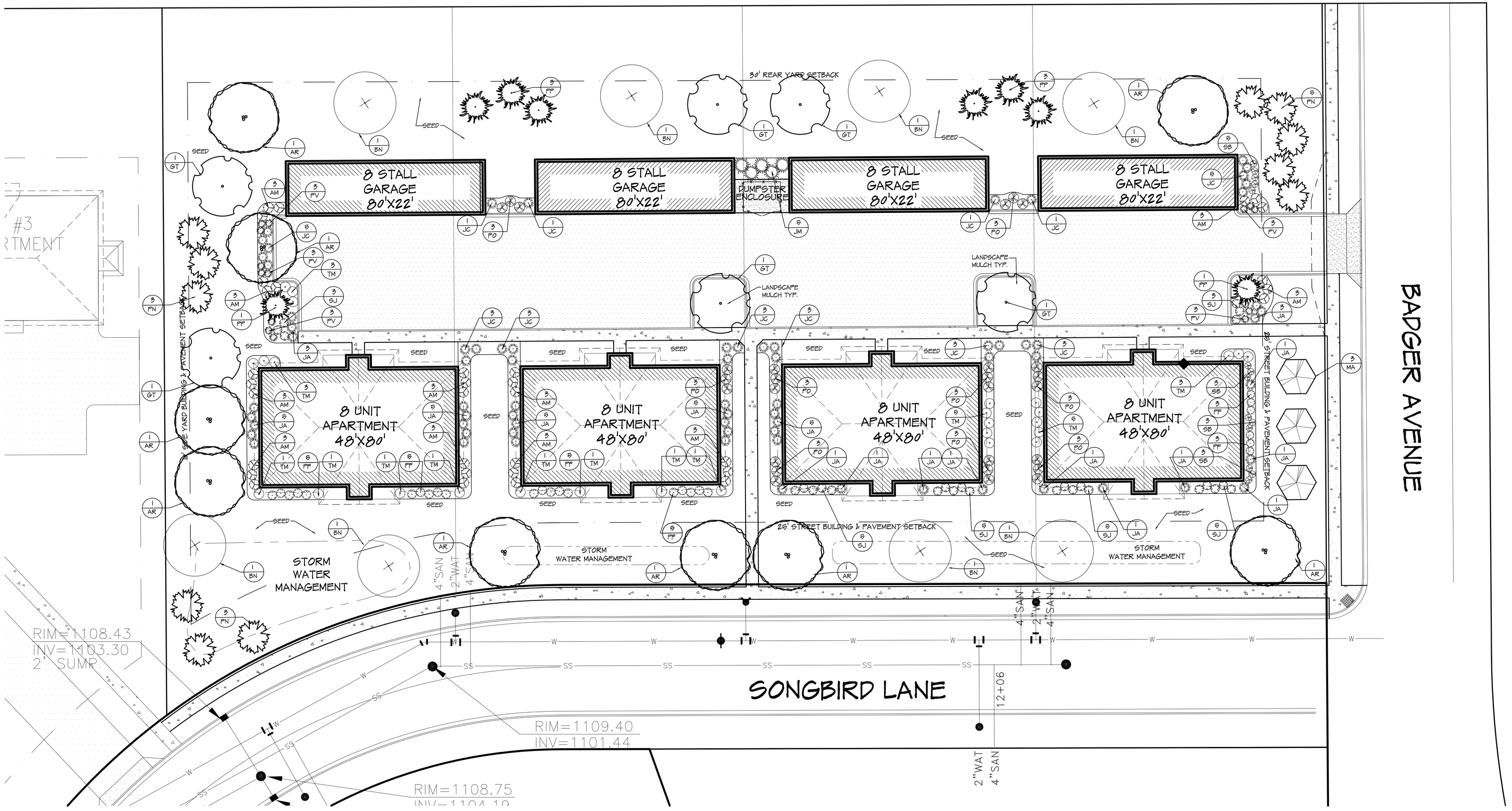
PRELIMINARY LAYOUT PLAN

PARKDALE APARTMENTS
SONGBIRD LANE
CITY OF STEVENS POINT
PORTAGE COUNTY, WI

Land Surveying
Engineering
Landscape Architecture
5709 Windy Drive, Suite D
Stevens Point, WI 54482
715.344.9999(Ph) 715.344.9922(Fx)

Point of Beginning

L-1



BADGER AVENUE

GENERAL NOTES:

1. CONTACT DIGGER'S HOTLINE 5 WORKING DAYS PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
2. 6" OF TOPSOIL SHALL BE PROVIDED IN ALL GENERAL LANDSCAPE AREAS. LANDSCAPE CONTRACTOR SHALL VERIFY THAT SPECIFIED PLANTING SOIL DEPTH IS PRESENT PRIOR TO PLANTING.
3. SEED/FERTILIZE/CRIMP HAY MULCH ALL GENERAL LANDSCAPE AREAS DISTURBED DURING CONSTRUCTION.
4. ALL PLANT MATERIALS LISTED SHALL MEET THE STANDARDS OF THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION FOR THE SIZES GIVEN.
5. ALL TREES SHALL BE STAKED WITH A MINIMUM OF THREE STAKES.
6. EDG–KING LANDSCAPE EDGING OR APPROVED EQUAL SHALL BE PLACED AROUND ALL SHRUB BEDS.
7. 3" OF SHREDDED BARK MULCH SHALL BE PLACED IN ALL SHRUB BEDS. COLOR TO BE SELECTED BY OWNER.
8. FILTER FABRIC SHALL BE PLACED BENEATH ALL LANDSCAPE STONE OR BARK MULCH.
9. COORDINATE ALL LANDSCAPE WORK WITH GAS, ELECTRIC, (INCLUDING MAIN SERVICE, SITE LIGHTING, CONDUITS AND SIGNAGE) CABLE AND TELEPHONE CONSTRUCTION AND RESPECTIVE TRADES FOR THE INSTALLATION OF SAID UTILITIES.

PLANTING SCHEDULE:

TREES

SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
AR	ACER RUBRUM 'BAILCRAIG'	SCARLET JEWELL RED MAPLE	2 1/2" CAL.	40'TX25'W	9
BN	BETULA NIGRA	RIVER BIRCH	6'–8'T	50'TX35'W	8
GT	GLEDITSIA TRIACANTHOS VAR. INERMIS 'IMPCOLE'	IMPERIAL HONEYLOCUST	2 1/2" CAL.	35'TX35'W	6
MA	MALUS 'ROYALTY'	ROYALTY CRABAPPLE	1 1/2" CAL.	20'TX20'W	3
PN	PINUS NIGRA	AUSTRIAN PINE	4'–5'T	50'TX35'W	11
PP	PICEA PUNGENS 'FAT ALBERT'	FAT ALBERT SPRUCE	4'–5'T	15'TX10'W	8

SHRUBS

SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
AM	ARONIA MELANOCARPA 'AUTUMN MAGIC'	AUTUMN MAGIC CHOKEBERRY	24"	4'TX4'W	33
JA	JUNIPERUS 'ANDORRA COMPACTA'	COMPACT ANDORRA JUNIPER	20"W	2'TX4'W	41
JC	JUNIPERUS CHINENSIS 'PFITZERIANA'	PFITZER JUNIPER	24"	4'TX6'W	32
JM	JUNIPERUS CHINENSIS 'MOUNTBATTEN'	MOUNTBATTEN JUNIPER	36"	13'TX6'W	5
PF	POTENTILLA FRUTICOSA 'JACKMANII'	JACKMAN POTENTILLA	20"	3'TX3'W	26
PO	PHYSOCARPUS OPULIFOLIOUS 'DONNA MAY'	LITTLE DEVIL NINEBARK	24"	4'TX4'W	27
SB	SPIRAEA X BUMALDA 'GOLDFLAME'	GOLDFLAME SPIREA	20"	3'TX3'W	14
SJ	SPIRAEA JAPONICA 'NEON FLASH'	NEON FLASH SPIREA	20"	4'TX4'W	26
TM	TAXUS X MEDIA 'TAUNTONII'	TAUNTON YEW	24"	4'TX5'W	27

ORNAMENTAL GRASS

SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
PV	PANICUM VIRGATUM 'HEAVY METAL'	HEAVY METAL SWITCH GRASS	24"	3'–4'T	15

LANDSCAPE REQUIREMENTS:

REQUIREMENT: ADD TREES AT MINIMUM RATE 1 TREE PER 50 LINEAL FEET PARKING AREA.
246 L.F. OF PARKING/50 = 5 REQUIRED

PROPOSED: 5 TREES

PERIMETER LANDSCAPING REQUIREMENT: 5' PARKING LOT PERIMETER LANDSCAPE BED.
1 SHRUB FOR EVERY 15 SQUARE FEET OF LANDSCAPED AREA = 246 L.F. OF PARKING PERIMETER * 5= 1230 S.F./15 = 82 SHRUBS REQUIRED

PROPOSED: 90 SHRUBS

REQUIREMENT: ADD TREES AT MINIMUM RATE 1 TREE PER DWELLING UNIT.
32 UNITS = 32 REQUIRED

PROPOSED: 33 TREES OUTSIDE OF SCREENING AREA

REQUIREMENT: ADD ONE PLANT FOR EACH 30" OF BUILDING FACING THE STREET.
390 L.F. OF BUILDING/30" = 156 PLANTS REQUIRED

PROPOSED: 156 PLANTS

0' 20' 40' 60'
Scale 1"=20'

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REVISIONS

CHECKED:	JAMES LUNDBERG
DRAWN:	MELISSA KLUCK
DATE	4-1-14
PROJECT NO.	14.024

PRELIMINARY LANDSCAPE PLAN

PARKDALE APARTMENTS
SONGBIRD LANE
CITY OF STEVENS POINT
PORTAGE COUNTY, WI

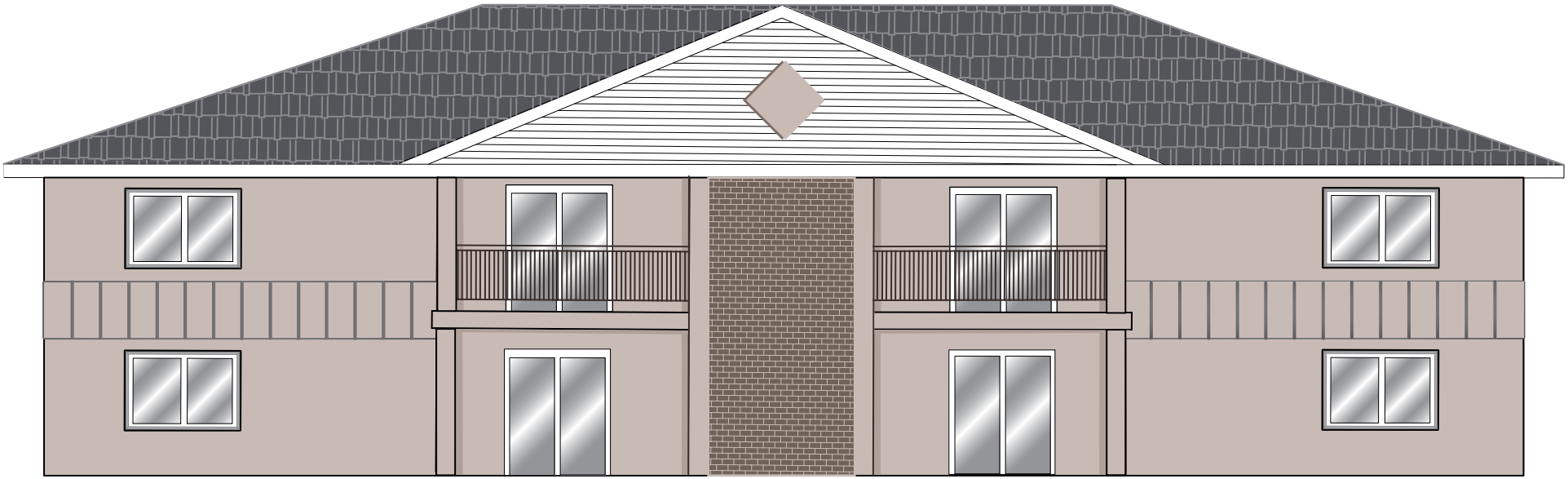
Land Surveying
Engineering
Landscape Architecture
5709 Windy Drive, Suite D
Stevens Point, WI 54482
715.344.9999(Ph) 715.344.9922(Fx)
Point of Beginning

LA-1

FRONT ELEVATION

COLOR KEY:

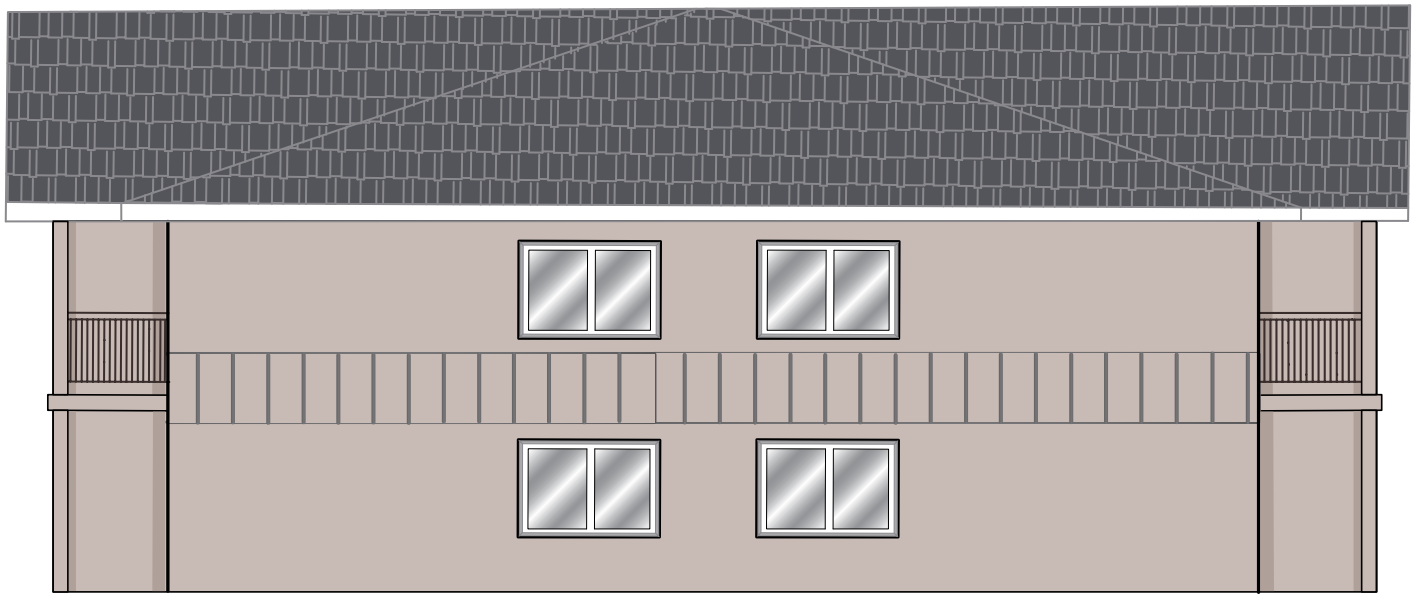
- **Fawn Brown**
- **Charcoal Gray**



SIDE ELEVATION

COLOR KEY:

- **Fawn Brown**
- **Charcoal Gray**



Administrative Staff Report

Chrysler Dealership
Conditional Use Permit and Site Plan Review
5441 Highway 10 East
April 7, 2014

Department of Community Development

Applicant(s):

- Richard Bierman

Staff:

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

Parcel Number(s):

- 2408-35-1300-05

Lot Information:

- Effective Frontage: 300 feet
- Effective Depth: 443 feet
- Square Footage: 132,897
- Acreage: 3.051

Zone(s):

- "B-5" Highway Commercial District
- Wellhead Protection Zone B

Master Plan:

- Commercial / Office / Multi-family

Council District:

- District 7: Trzebiatowski

Current Use:

- Commercial: Chrysler Dealership

Applicable Regulations:

- 23.01(16), and 23.02(2)(d), and 23.02(4)(e)

Request

Request from Richard Bierman, representing the property owner, for a conditional use permit and site plan review, for the purpose of constructing a service shop and repair facility addition within the wellhead protection district zone B and "B-5" Highway Commercial zoning district at **5441 Highway 10 East (Parcel ID 2408-35-1300-05).**

Attachment(s)

- Parcel ID Sheet
- Exhibit Map
- Application
- Supporting Documents

Findings of Fact

1. Auto sales currently exist on the property.
2. The proposed use will continue, however, the auto service / repair center will expand.
3. The property is zoned "B-5" Highway Commercial District
4. Auto service / repair centers are a permitted use within the "B-5" district.
5. The property falls within the Wellhead Protection "B Zone" District.
6. Auto service / repair centers (oil change businesses) are uses for which a conditional use permit is required within the Wellhead Protection "B Zone" District.
7. The City's Comprehensive Plan calls for a commercial use on this property.

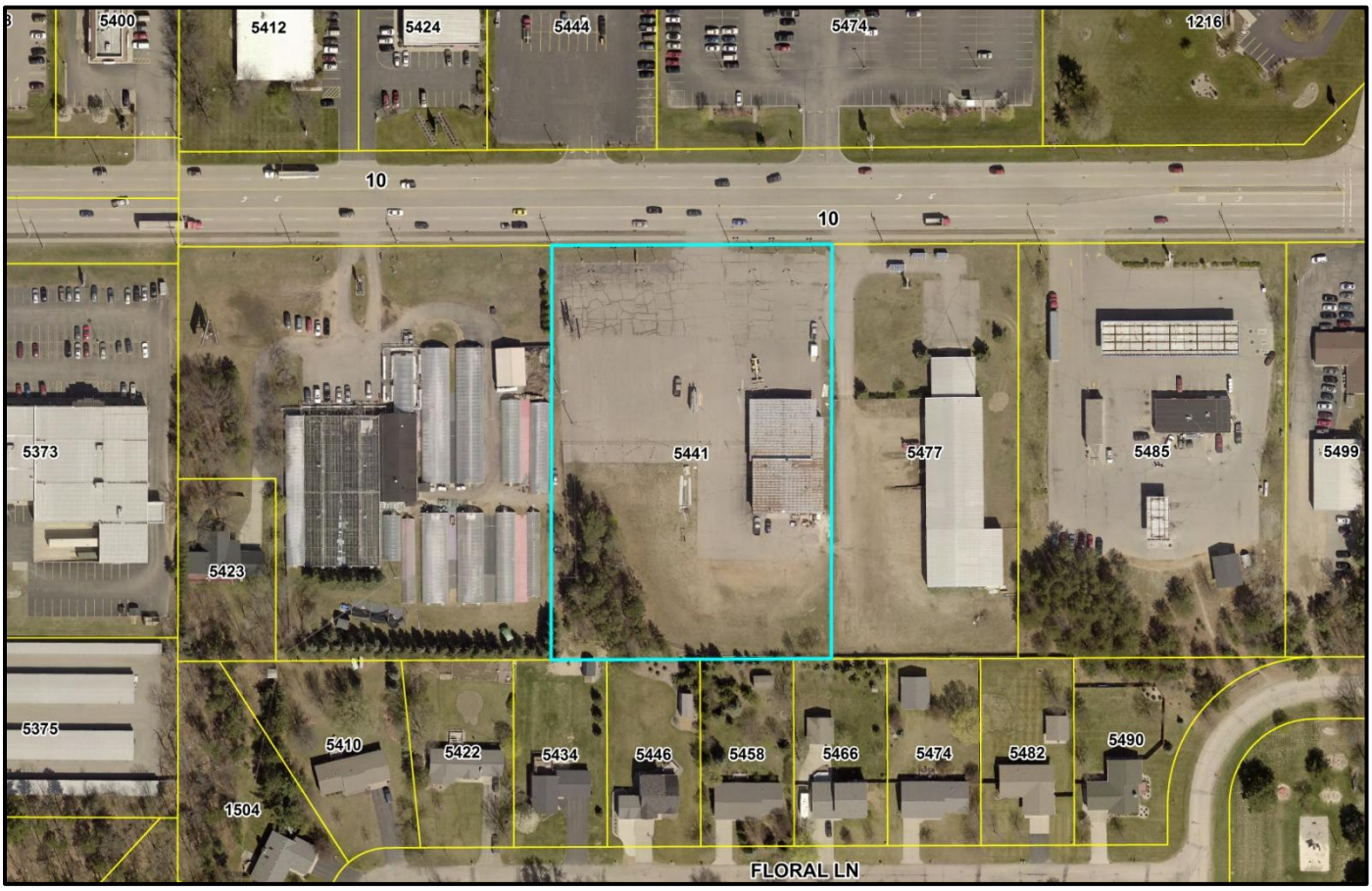
Staff Recommendation

Approve the conditional use permit, subject to the following condition(s):

1. Additional screening in the form of a solid (opaque) ten foot tall fence shall be installed on the southern property line to screen the parking and service door area from neighboring residences. Said fence shall extend from the eastern property line west to the existing tree line in the southwest corner of the property (approximately 200 feet). If the existing trees were ever to be removed, the fence shall be extended to the western property line. In lieu of a fence, dense evergreen trees that have a mature height of at least ten feet may be installed along this area. Such plan must be approved by the Community Development Department. Such landscaping shall be maintained in perpetuity.
2. Proposed pavement/asphalt along the eastern building and proposed

	addition shall meet the 5 foot setback requirement. 3. All above ground chemical storage tanks shall be at minimum double walled, unless an equal or greater protection mechanism exists. 4. No underground tanks shall be installed. 5. 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. 6. 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. 7. Catch basins shall be installed around every fill point to catch product that may drip from the loading hose during the product transfer process. 8. A spill prevention, control, and countermeasure plan shall be in place prior to the operation of the facility. 9. Monitoring wells shall be installed throughout the property at locations determined by the Director of Utilities. Testing shall be done annually, and the results shall be supplied to the Director of Utilities. City staff shall be given unrestricted access for compliance purposes. 10. The City reserves the right to establish new conditions for the purpose of protecting the groundwater supply. Furthermore, the department of Community Development and Utility department shall be notified if changes occur to chemicals, quantities, storage, or service at the facility or on the property. 11. 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. 12. If any equal or superior alternative exists over any of the conditions, as determined by the Director of Utilities and the Director of Community Development, City Stevens Point personnel shall have the ability to modify such condition(s). 13. The conditional use permit shall expire within two years after final occupancy date.

Vicinity Map

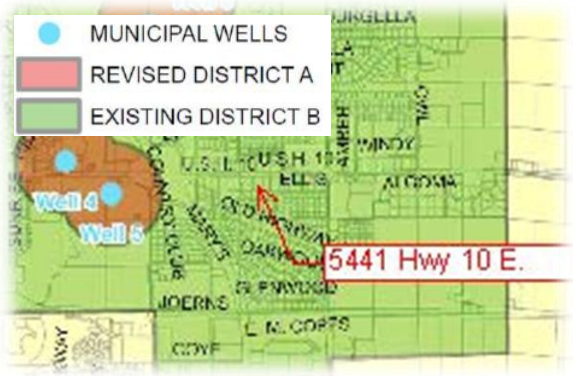


Background

Richard Bierman, representing the property owner, is proposing to construct an addition on the existing Chrysler dealership facility which will be primarily utilized for vehicle service and repair. Both vehicle sales and service occur on the site, however, the expansion would allow for a remodeled indoor show room, expanded offices, and a full service center. The request is being made because the site falls within the Wellhead Protection "B Zone" District, which allows oil changing businesses as a conditional use. Below are further details regarding the proposed facility. Additionally, as the site is zoned "B-5" Highway Commercial, site plan review is required.

While site and landscaping elements have been taken into consideration, 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:

- Property: 3.051 Acres
- Total Building Size: 14,616 sq. ft.
- Addition Size: 6,141 sq. ft.
- Use: Auto Sales & Service
- Parking: 151 spaces

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 addition will be located on the same property for which the current auto sales use already exists as a permitted use. The expansion allows for a full service center, along with the ability to expand the show room and offices. Additionally, the lot has over 150 parking stalls, which exceeds the total amount required with the addition. Asphalt is also proposed to be installed, connecting the service doors with the existing pavement. Commercial uses exist east and west of the property, as well as north across Highway 10. Residential homes exist to the south. A landscaping plan has not been submitted.

   Findings: In regards to the construction of a service and repair center within a wellhead protection district, Chrysler takes the 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. Lastly, staff would require additional screening between the residential properties to the south in the form of a solid (opaque) ten foot fence extending from the eastern property line to the existing tree line in the southwest corner of the property. The fence will assist in reducing noise levels to the properties to the south. As an alternative to the fence, staff would consider, and prefer, dense evergreen trees to meet this standard.

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

   Analysis: The property borders commercial uses on three sides, with the fourth bordering residential property. Furthermore, the proposed addition will mostly impact residential properties to the south.

   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 one relating to the proposed use and wellhead protection area. Due to the fact that little landscaping exists between the use and residential properties, staff would recommend the installation of a ten foot tall solid fence, or dense evergreen trees.

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. The proposed asphalt and addition will add stormwater runoff to the site.

   Findings: Utilities currently exist in this area. Staff would recommend a drainage plan be submitted to the Utility Department for review and approval.

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-5" Highway Commercial District: This district is established to provide for larger retail, commercial, office, service and apartment uses which depend upon access to major highways. This district is primarily intended to accommodate regional commercial uses requiring larger land areas that the "B-4" Commercial District and which depend upon region-wide usage and region-wide access. It is the intent of this district to provide for open space, to prevent congestion, to protect the highway corridor, to protect the safety of the users of the adjacent highway corridor, to protect the safety of the users of the adjacent highway and the users of the commercial sites of this district, to protect property values, and to create a convenient and safe commercial area.
- "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-5 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: Chemical and quantity lists have been attached, along with service and safety precautionary measures. Asphalt is proposed along the eastern part of the building, which does not meet setback requirements. All other applicable zoning requirements are met including parking.

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 for wellhead protection.

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. Stormwater is anticipated to increase due to the proposed pavement and addition.

Findings: Staff would recommend a drainage plan be submitted to the Utility Department for review and approval.

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
Rhinelander Real Estate LLC c/o Stevens Point Cars LLC 5441 Highway 10 E Stevens Point, WI 54482	240835130005	240835130005	Garage, Service & Auto Showrm
	Property Address		**Neighborhood**
	5441 Highway 10 E		Hwy 10/39 & East of (Comm)
	Subdivision		**Zoning**
Display Note: Revised Parcel for 2007	Certified Survey Map		B5-HWY COMM

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Rhinelander Real Estate LLC	7/9/2013	$1,200,000	Warranty Deed	787088		Land & Build.
PJK LLC	1/7/2011	$886,500	Warranty Deed	754218		Land & Build.

SITE DATA

Actual Frontage	300.0
Effective Frontage	300.0
Effective Depth	443.0
Square Footage	132,897.0
Acreage	3.051

PERMITS

Date	Number	Amount	Purpose	Note
10/2/2013	13-0553	$5,000	020 Electrical	addl parking lot lightin
5/1/2012	12-0223	$35,000	099 Sign	New Pylon & bldg sign
3/26/2012	12-0118	$15,000	024 Exterior Renovati	new parapit on front
7/27/2004	32572	$1,731	099 Sign	
12/15/1998	28136	$8,000	099 Sign	
9/22/1997	27117	$2,000	093 Sewer and/or Wat	

2013 ASSESSED VALUE

Class	Land	Improvements	Total
(2) - B-Commercial	$732,200	$199,600	$931,800
Total	$732,200	$199,600	$931,800

LEGAL DESCRIPTION

LOT 1 CSM#9099-38-29 BNG PRT SW NE; SUBJ TO ESMT DES 690727 S35 T24 R8 787088

PROPERTY IMAGE

PROPERTY SKETCH

Name and Address	Parcel #	Alt Parcel #	Land Use
Rhinelander Real Estate LLC c/o Stevens Point Cars LLC 5441 Highway 10 E Stevens Point, WI 54482	240835130005	240835130005	Garage, Service & Auto Showrm
	Property Address		Neighborhood
	5441 Highway 10 E		Hwy 10/39 & East of (Comm)
	Subdivision		Zoning
Display Note: Revised Parcel for 2007	Certified Survey Map		B5-HWY COMM

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
1	1	Service Gar (S avg)	1977	4,896	Metal - Avg	14
1	2	Auto Showroom (S avg)	1977	3,264	Metal - Avg	10
Total Area				8,160		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area

COMPONENTS

Bldg	Sec	Component Description	Area

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

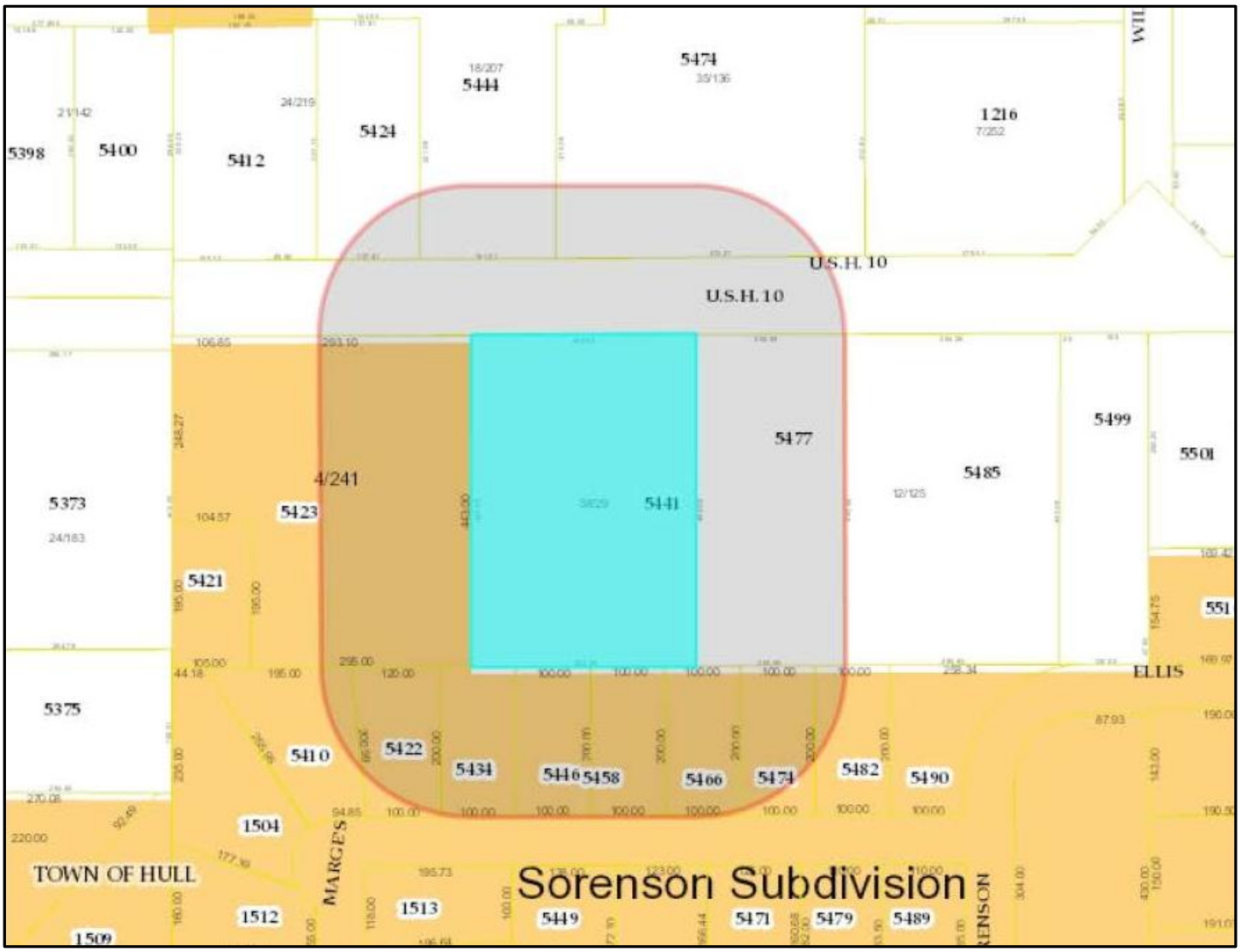
Site Improvement	Units

STRUCTURE DATA

Age	29
Year Built	1977
Eff. Year	1985
One Bedroom	
Two Bedroom	
Three Bedroom	
Total Units	
Stories	1.00
Business Name	Courtesy Used

Information considered accurate but not guaranteed.

Conditional Use Request –Service Center & Repair Facility Addition within Wellhead Protection District B – 5441 Hwy. 10 E. – Exhibit Map (200 Feet Boundary)



Tax Key	Name	Mailing Address	City, State	Zip	Property Address
020240835-A	State of Wisconsin	HY 51 ROW		0	
281240835120010	S. C. SWIDERSKI LLC	301 Main St	Mosinee WI	54455	5474 Hwy 10 E.
281240835120006	FRANK'S HARDWARE CO INC	5444 Highway 10 East	Stevens Point WI	54482	5444 Hwy 10 E.
281240835120009	WILLIAM J BAYBA	5424 Highway 10 E Ste A	Stevens Point WI	54482	5424 Hwy 10 E.
020240835-D	State of Wisconsin	DIV OF HYS		0	
281240835130001	DELZELL OIL CO C/O R STORE #25	PO Box 239	Wausau WI	54402	5485 Hwy 10 E.
281240835130003	COURTESY SPORTS INC	630 Ben's Ln	Stevens Point WI	54482	5477 Hwy 10 E.
281240835130005	PJK LLC	301 Green Ave N	Stevens Point WI	54481	5441 Hwy 10 E.
020240835-03.03	GABB INC	5423 US HIGHWAY 10 E	Stevens Point WI	54482	
208802	SYLVESTER PAVLOWSKI	5482 FLORAL LN	Stevens Point WI	54482	5482 Floral Ln.
208803	HOFFMANN G ETAL C/O ALVIN HOFFMANN	5474 FLORAL LN	Stevens Point WI	54482	5474 Floral Ln.
208804	DOUG L & JANET B	5466 FLORAL LN	Stevens Point WI	54482	5466 Floral Ln.

	JANSSEN				
208805	BEVERLY M HEINRICHS	5458 FLORAL LN	Stevens Point WI	54482	5458 Floral Ln.
208806	BRIAN J MICHALSKI & THERESA L CALCHERA	5446 FLORAL LN	Stevens Point WI	54482	5446 Floral Ln.
208807	JEFFREY D & B KITZEROW	5434 FLORAL LN	Stevens Point WI	54482	5434 Floral Ln.
208808	THOMAS R & RENEE J SCHNEEBERG	5422 FLORAL LN	Stevens Point WI	54482	5422 Floral Ln.
208809	TIMOTHY C & KIM J MILLER	5410 FLORAL LN	Stevens Point WI	54482	5410 Floral Ln.

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)

R#1-54133 3/21/14

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	—	Date Submitted	3/21/14	Fee Required	270.00	Fee Paid	270.00
Associated Applications if Any	—			Assigned Case Manager			
Pre-Application Conference Date	—			Conditional Use Permit Request	Use ☒	Amend ☐	

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☐)	
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? ☐)		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name	Rhinelander Real Estate LLC	Owner's Name	
Address	1124 Galloway Drive	Address	
City, State, Zip	Woodstock, IL 60098	City, State, Zip	
Telephone	262-249-5252	Telephone	
Fax	262-249-5244	Fax	
Email	jimbozich@sbcglobal.net	Email	

PROJECT SUMMARY

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

Parcel 1	Parcel 2	Parcel 3
5441 Highway 10 E #240835130005		

Legal Description of Subject Property

Designated Future Land Use Category	Current Use of Property
Automobile Showroom & Service	Automobile Showroom & Service

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 April early May with the ground breaking and be completed by November 2014.

RECEIVED
MAR 21 2014
COM DEV/INSP

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 remodeled and a new addition to the service center will be constructed. The existing auto sales lot will remain with some new pavement adjacent to the new service center addition added.

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

Current Zoning Surrounding Subject Property			
North:	B-5 Highway Commercial	South:	Residential - Town of Hull
East:	B-5 Highway Commercial	West:	B-5 Highway Commercial
Current Land Use Surrounding Subject Property			
North:	Retail	South:	Residential
East:	Commercial	West:	Commercial

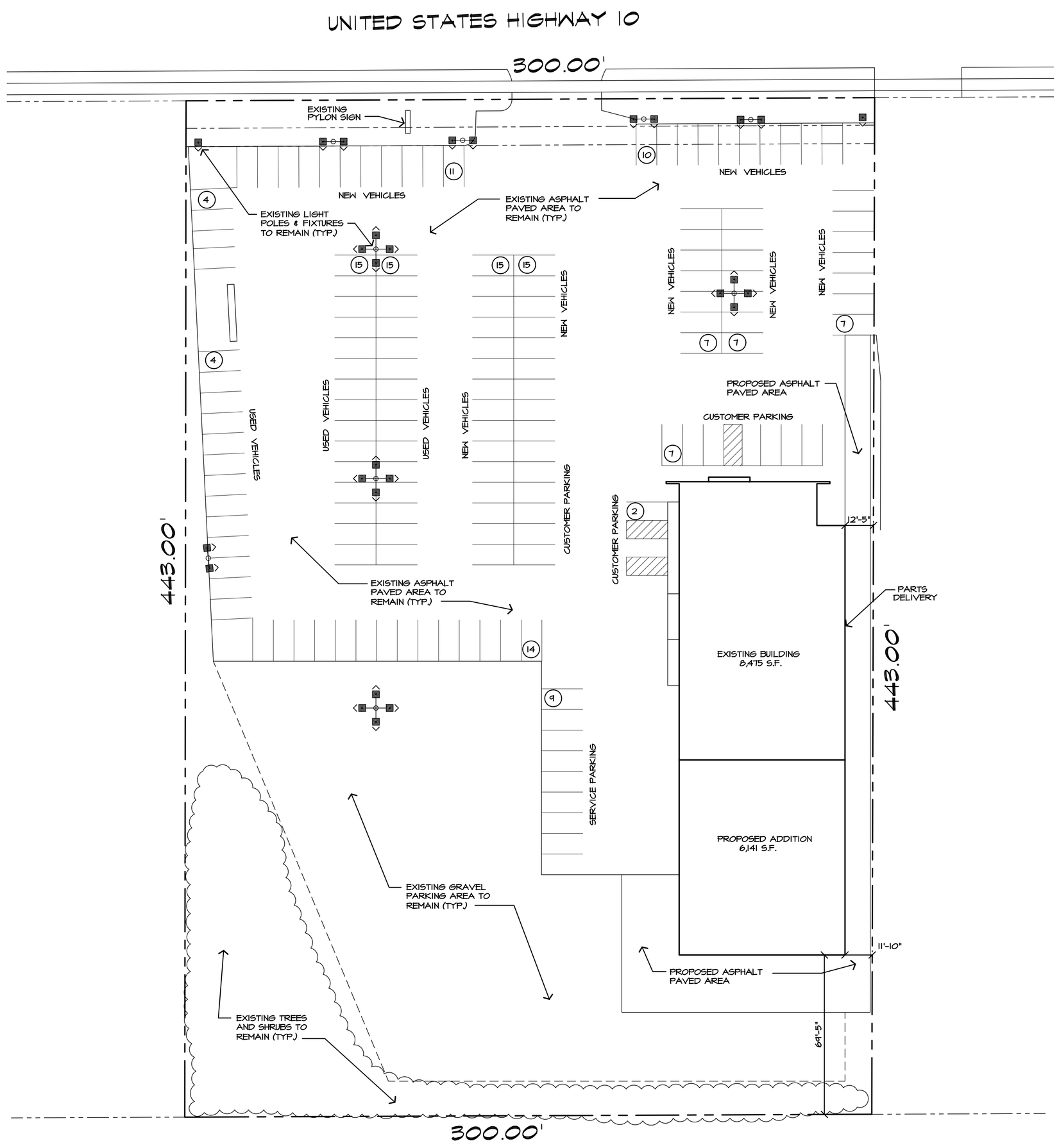
EXHIBITS

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

CERTIFICATION AND SIGNATURE

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

Signature of Applicant	Date	Signature of Property Owner(s)	Date
	3/19/14		3/19/14



N

SITE PLAN

SCALE: 1" = 30'-0"

REVISIONS	BY

CONCEPTUAL SITE PLAN

BUILDING ALTERATIONS FOR:
STEVENS POINT CHRYSLER
STEVENS POINT, WISCONSIN

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

Date	3/17/14
Scale	AS NOTED
Drawn	R.JB
Job	1384
Sheet	C-1
Of	Sheets

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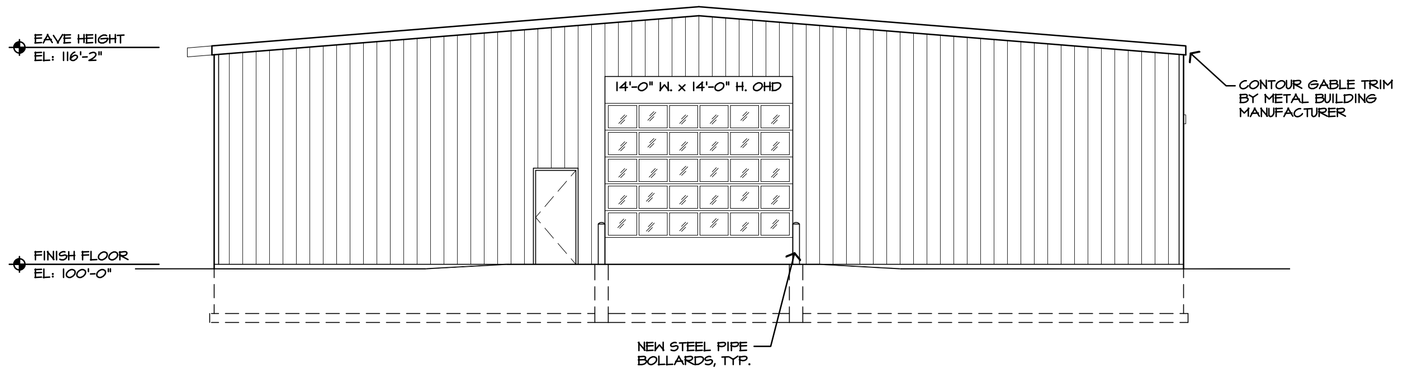
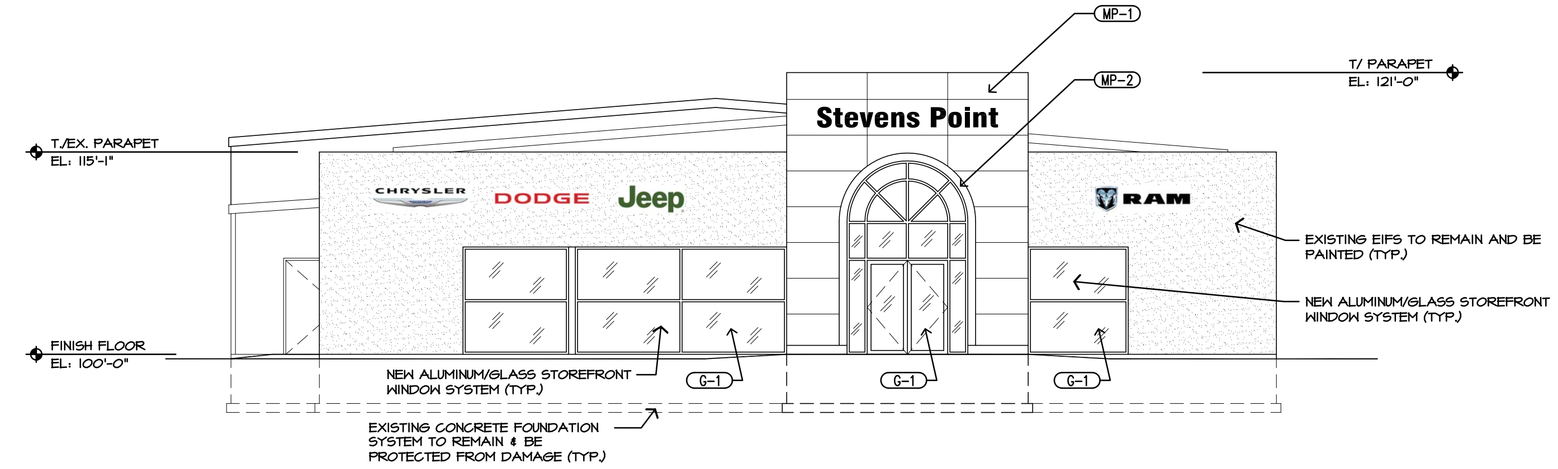


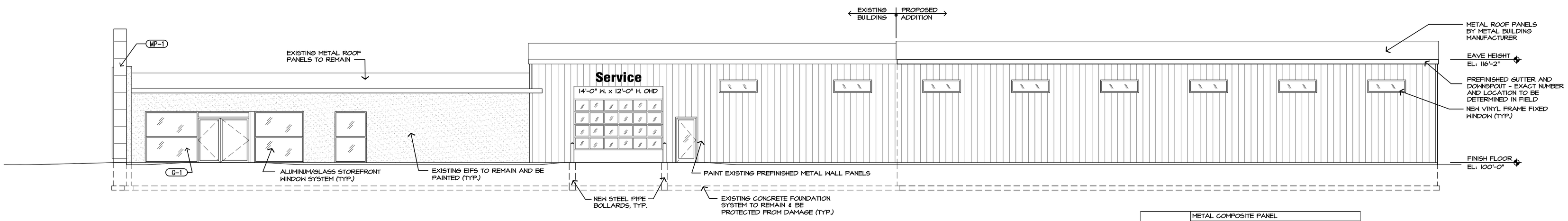
SOUTH ELEVATION

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



NORTH ELEVATION

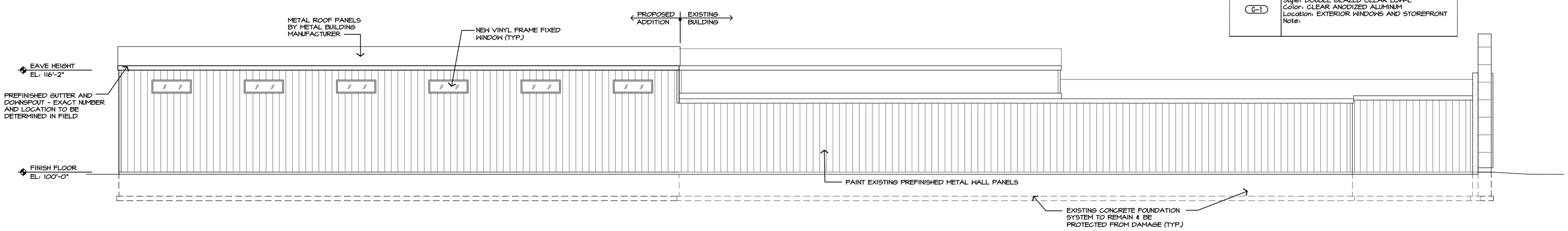
SCALE: 1/8" = 1'-0"



WEST ELEVATION

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

MP-1	METAL COMPOSITE PANEL Manufacturer: ALPOLIC Style: Dry Joint Rain Screen System Color: SILVER METALLIC Location: ENTRY ARCH Note:
MP-2	METAL WALL PANELS Manufacturer: ALCOA Style: Dry Joint Rain Screen System Color: High Polish Aluminum (mirror like) finish Location: Entry Arch Accent Band Note:
G-1	GLASS (EXTERIOR APPLICATION) Manufacturer: KAWNEER TRI FAB 451T Style: DOUBLE GLAZED CLEAR LOW-E Color: CLEAR ANODIZED ALUMINUM Location: EXTERIOR WINDOWS AND STOREFRONT Note:



EAST ELEVATION

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

REVISIONS	BY

CONCEPTUAL EXTERIOR ELEVATIONS

BUILDING ALTERATIONS FOR:
STEVENS POINT CHRYSLER
STEVENS POINT, WISCONSIN

R.B. CUSTOM DESIGNS INC.
2108 W. Johnsburg Road
Johnsburg, Illinois 60051
Phone: 815-759-4459
Fax: 815-307-8320

Date	3/17/14
Scale	AS NOTED
Drawn	R.JB
Job	1384
Sheet	A-1
Of	Sheets

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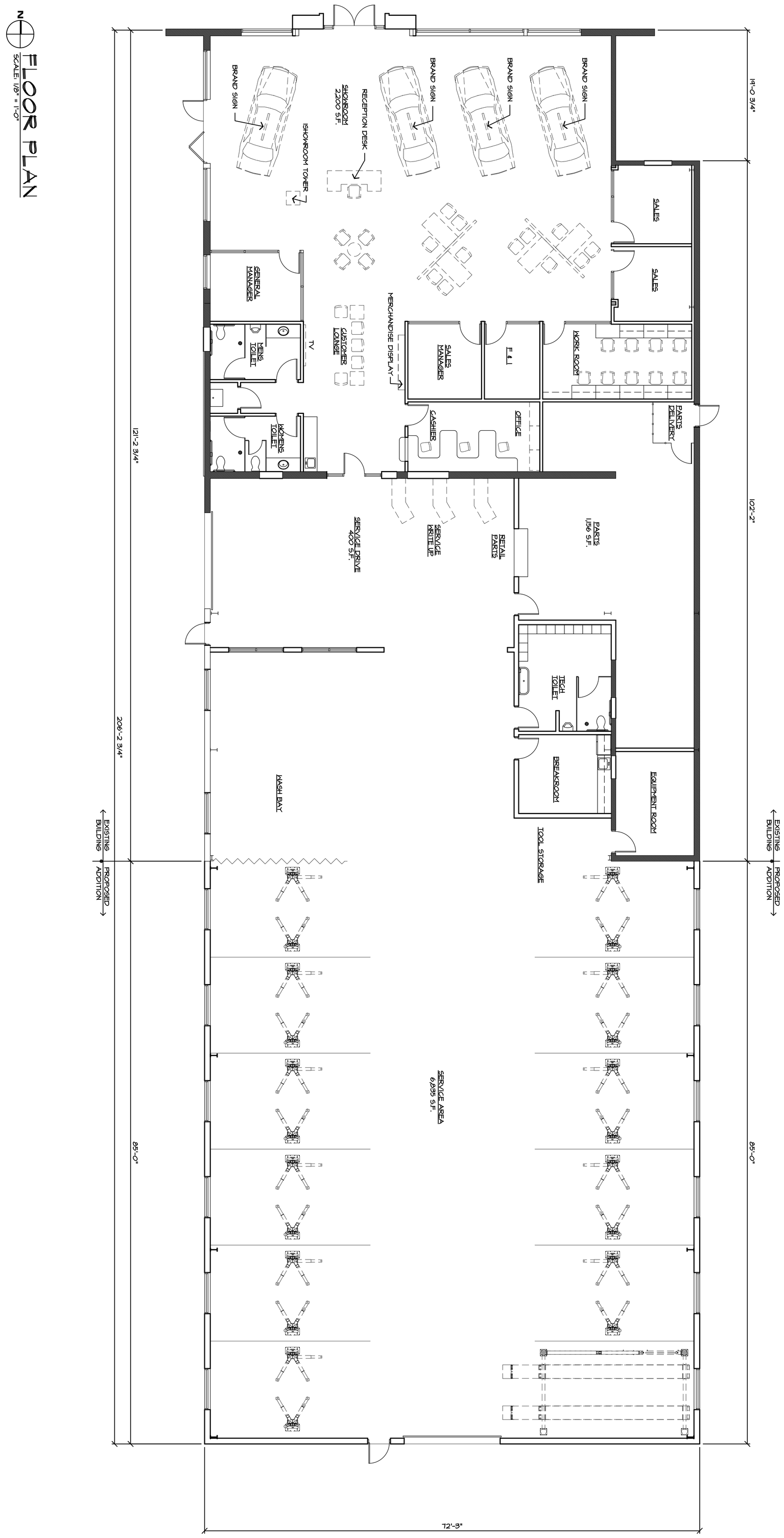


© COPYRIGHT 2014

Sheet A-2.1 Of Sheets	Job 1324	Drawn RJB	Scale AS NOTED	Date 3/17/14	R.B. CUSTOM DESIGNS INC. 2108 W. Johnsburg Road Johnsburg, Illinois 60051 Phone: 815-759-9459 Fax: 815-307-8200

BUILDING ALTERATIONS FOR:
STEVENS POINT CHRYSLER
STEVENS POINT, WISCONSIN

CONCEPTUAL FLOOR PLAN

REVISIONS	BY

CHEMICALS, QAUNTITIES, STORAGE & SERVICE SUMMARY

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

- Oil - (2) 500 gallon tanks & (1) 500 gallon waste oil tank
- Transmission fluid 50 gallons
- Anti-freeze 50 gallons
- Washer solvent 50 gallons

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.)
6) A spill containment curb will be constructed around the perimeter of the oil storage tanks floor area.

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 location

Excerpt from CHRYSLER 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 then 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.

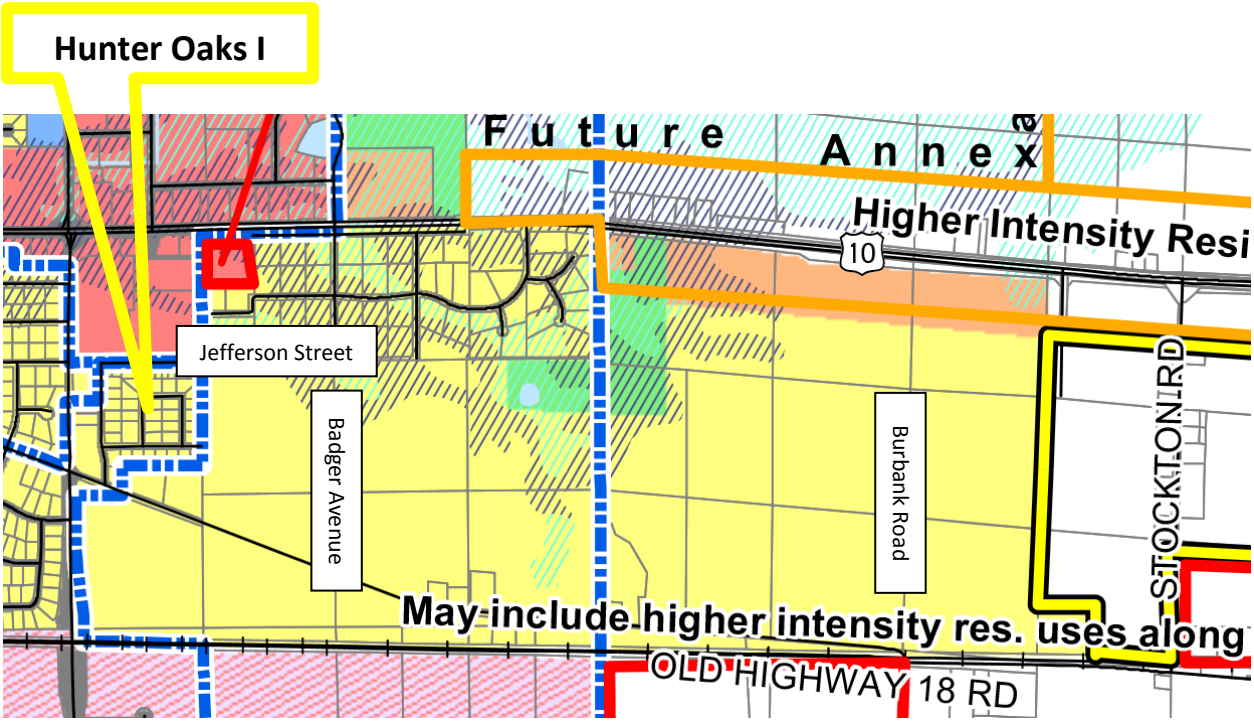
1. Personal protective equipment:
    a. Rubber boots.
    b. Gloves.
    c. Goggles.
2. First aid kits.
3. Fire extinguisher.
4. Evacuation route.
5. Shovels and brooms.

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

Memo

To: Plan Commission
From: Plan Staff
CC:
Date: 3/17/2014
Subject: Official Street Map Amendments – Jefferson Street, Badger Avenue, and Burbank Road

With the annexation and future subdivision of the property located at 1901 Brilowski Road, the Official Street Map should be amended to plan for an adequately sized Jefferson Street, at least 66 feet in width, from the intersection with Brilowski Road to the east. In planning for future growth to the east, Jefferson Street will serve as a significant east-west thoroughfare, and should be mapped appropriately. In addition, two other streets have logical extensions that will be needed. These two streets include Badger Avenue and Burbank Road. Badger Avenue should be extended from its current ending point in the Town of Hull, south to Old Highway 18. The right-of-way width should be 66 feet. The area to the east of Hunter Oaks I is designated on the Future Land Use Map to be single family residential (identified in yellow on the map below). Extending Badger Avenue will provide another access point to this location, which will help disperse traffic throughout the entire area (Highway 10, Brilowski Road, Old Highway 18, etc.). Burbank Road will likely also serve as a major north-south thoroughfare. With the significant growth projected for Stevens Point in East Park Commerce Center, as well as the growth in the Village of Plover. Therefore, we should plan on making Burbank Road an arterial street, with a 110 foot width for the right-of-way.



The proposed additions to the Official Street Map are attached.

ORDINANCE AMENDING THE REVISED MUNICIPAL CODE OF THE CITY OF STEVENS POINT

The Common Council of the City of Stevens Point do ordain as follows:

SECTION I: That the Official Street Map and Extraterritorial Street Map of the City of Stevens Point be amended by adding the following described streets:

Jefferson Street

A 66 foot wide street from its intersection with Brilowski Road (County Road "R") to its intersection with Burbank Road more particularly described as follows and depicted on attached Exhibit "A":

Said street located in the south half of the Northwest Quarter and the south half of the Northeast Quarter, the north half of the Southwest Quarter and the north half of the Southeast Quarter of Section 36, Township 24 North, Range 8 East, also located in that part of Government Lots 7, 8, 17 and 18 of Section 31, Township 24 North, Range 9 East, City of Stevens Point, Town of Hull and Town of Stockton, Portage County, Wisconsin the center line described as follows:

Beginning at the southwest corner of the Northwest Quarter of said Section 36 said point of beginning also the intersection of Brilowski Road (County Road "R") and Jefferson Street; thence easterly along the south line of said Northwest Quarter and the south line of the Northeast Quarter to its southeast corner, said corner on the Range Line between Range 8 East and Range 9 East; thence continuing easterly along the south line of Government Lot 7 and Government Lot 8 of said Section 31, Township 24 North, Range 9 East to the southeast corner of said Lot 8 and the intersection of Jefferson Street and Burbank Road and there terminating.

Badger Avenue

A 66 foot wide street from its intersection with Jefferson Street to its intersection with Old Highway 18 more particularly described as follows and depicted on attached Exhibit "A":

Said street located in the east half of the Southwest Quarter and the west half of the Southeast Quarter of Section 36, Township 24 North, Range 8 East, Town of Hull, Portage County, Wisconsin the center line describe as follows:

Beginning at the northeast corner of said Southwest Quarter of Section 36; thence southerly along the east line of said Southwest Quarter to its intersection with Old Highway 18 and there terminating.

Burbank Road

A 110 foot wide street from its intersection with United States Highway 10 (US 10) to its intersection with Old Highway 18 more particularly described as follows and depicted on attached Exhibit "A",

Said street located in the that part of Government Lots 8, 9, 16, 17, 20 and 21 of Section 31, Township 24 North, Range 9 East, Town of Stockton, Portage County, Wisconsin the center line more particularly described as follows:

Beginning at the intersection of said US 10 and the east line of said Government Lot 8 of Section 31; thence southerly along said east line and the east line of said Government Lots 17 and 20 of Section 31 to its intersection with Old Highway 18 and there terminating.

SECTION II: The City Clerk shall file a copy of the ordinance with the Register of Deeds of Portage County, Wisconsin.

SECTION III: This ordinance shall take effect upon passage and publication.

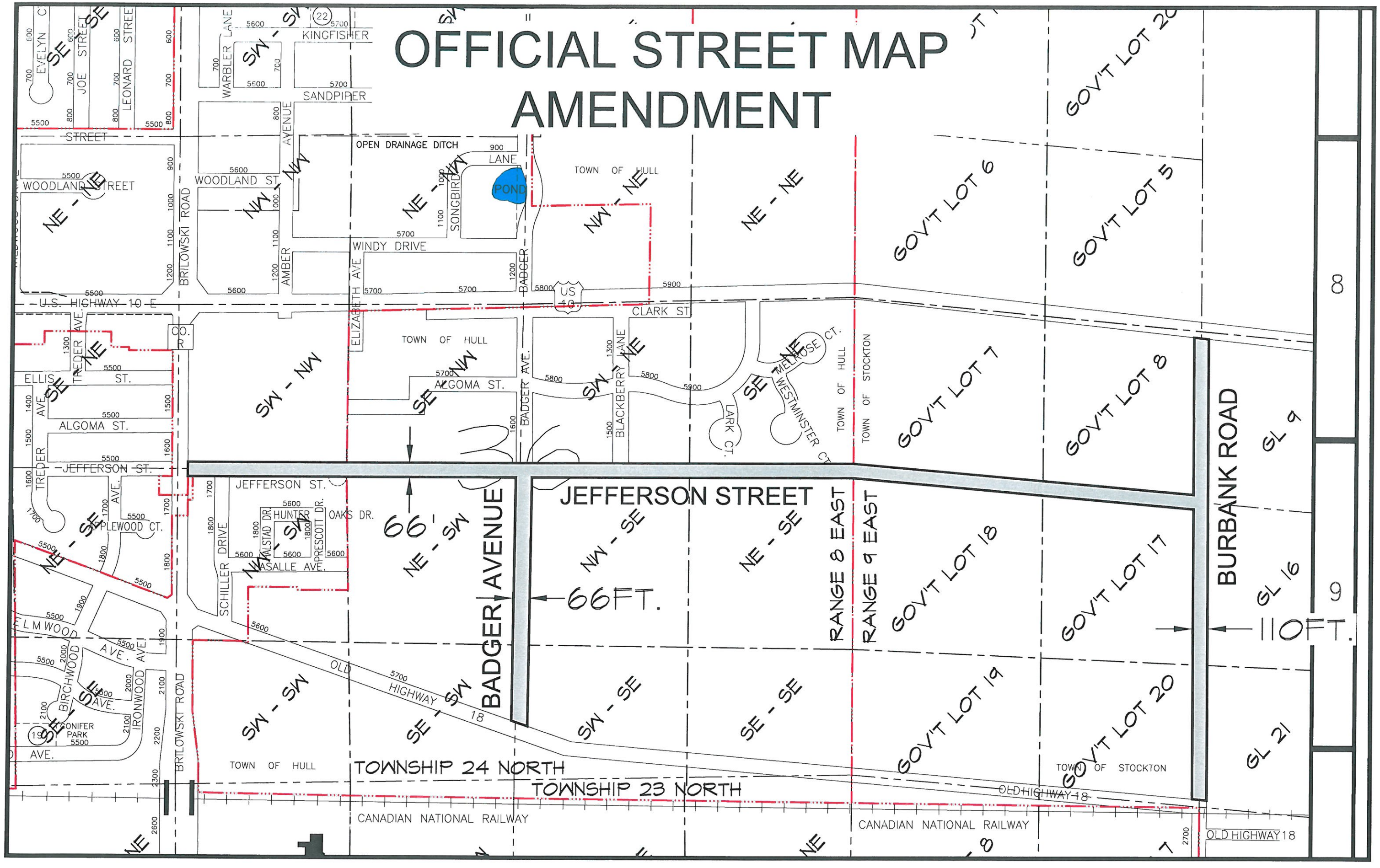
APPROVED: _____
Andrew Halverson, Mayor

ATTEST: _____
John Moe, City Clerk

Dated:
Passed:
Published:

RETURN TO: Stevens Point City Clerk
Drafted by J. Hild, City Engineering

OFFICIAL STREET MAP AMENDMENT



Administrative Staff Report

Jakusz Subdivision
Preliminary Plat Request
1901 Brilowski Road
April 7, 2014

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

Applicant(s):

- Jim Jakusz

Staff:

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

Parcel Number(s):

- 2408-36-3202-01

Zone(s):

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

Master Plan:

- Residential

Council District:

- District 6 – Slowinski

Lot Information:

- Actual Frontage: 766 feet
- Effective Frontage: 507 feet
- Effective Depth: 257 feet
- Square Footage: 97,660
- Acreage: 2.24

Current Use:

- Single Family

Applicable Regulations:

- 20 and 23.02(1)(e)

Request

Request from Jim Jakusz for a preliminary plat review for a seven (7) lot subdivision, Jakusz Subdivision, for the property located at **1901 Brilowski Road (Parcel ID 2408-36-3202-01).**

Attachment(s)

- Parcel Data Sheet
- Exhibit Map
- Application
- Preliminary Plat

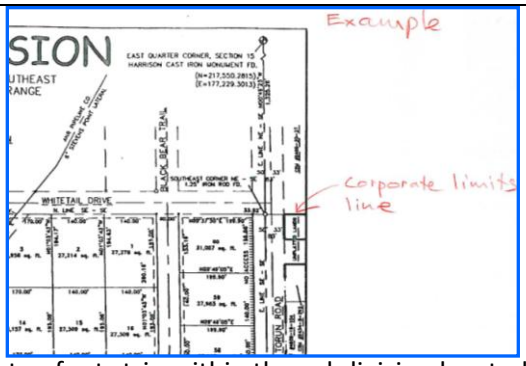
Findings of Fact

1. The property is split zoned, R-2 and R-3.
2. Seven full lots are proposed, with additional outlots and dedicated right-of-way.
3. Single family homes and duplexes are proposed and are permitted.
4. Lots are proposed to be developed individually, with the exception of duplexes which are anticipated to be zero lot line properties.
5. Single family lots are approximately 13,750 square feet. Zero lot line duplex lots are approximately 7,930 square feet.
6. Depths for each lot are between 110 – 130 feet, with varying widths.
7. All lots meet the requirements of their respective zoning districts.
8. The division of land into five or more lots shall be considered a major subdivision and requires Plan Commission review and Common Council approval.

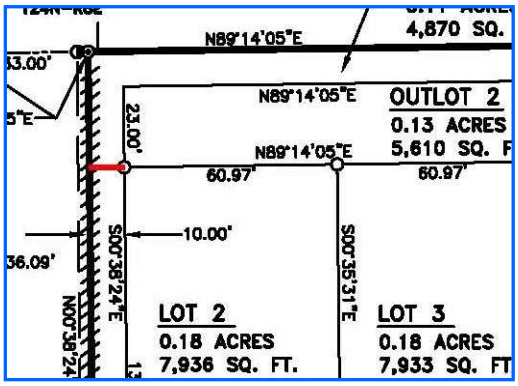
Staff Recommendation

Based upon the findings below, regarding the proposed use, surrounding neighborhood, and plat, staff recommends approving the preliminary subdivision plat of 1901 Brilowski Road with the following conditions:

1. The City of Stevens Point Treasurer should be changed to Corey Ladick.
2. The corporate limits line needs to be heavier to distinguish between the City of Stevens Point and the Town of Hull. (see example)



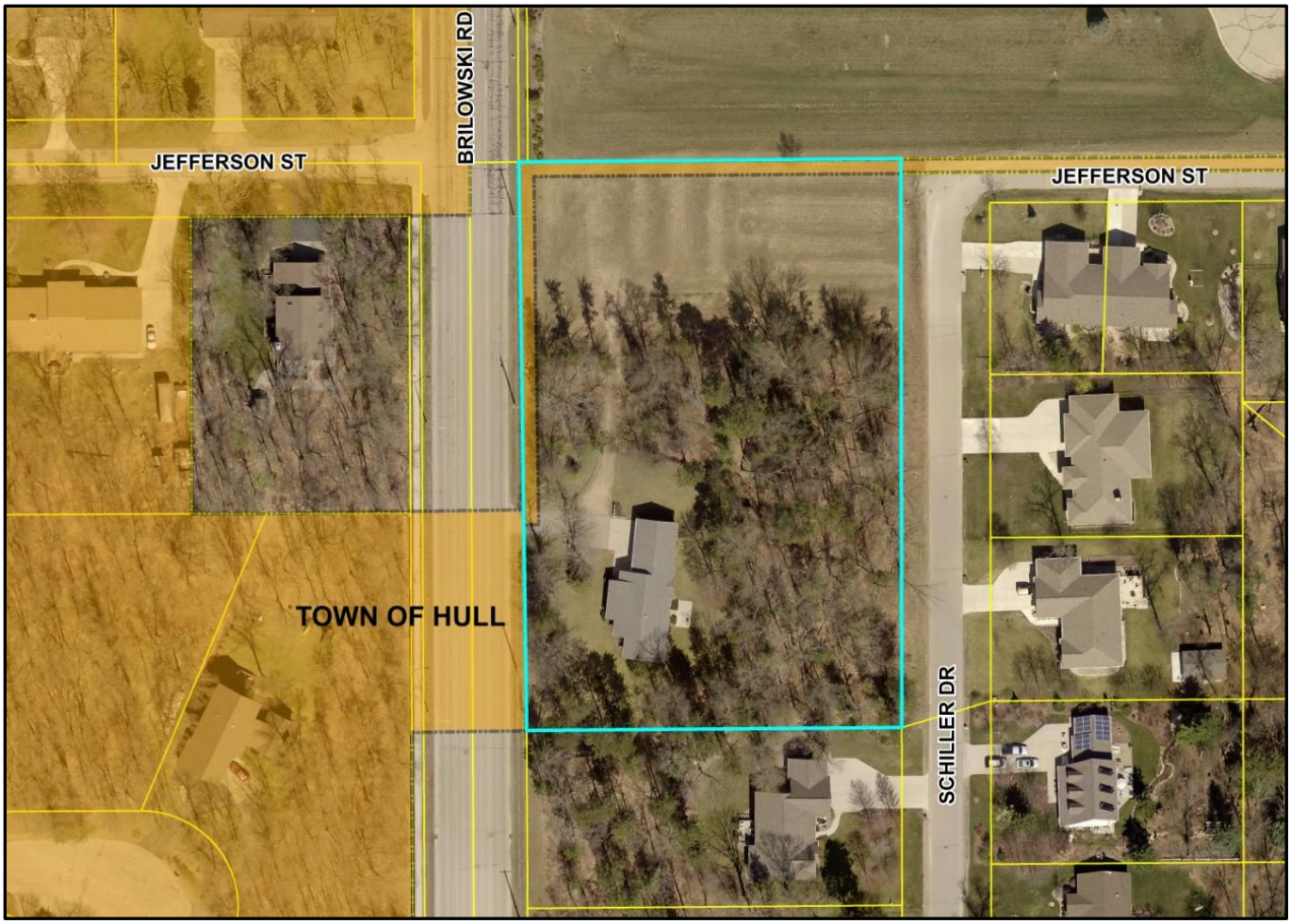
3. The ten foot strip within the subdivision located in the Town of Hull should be clearly identified and labeled as such.
4. All external boundaries shall be monumented with appropriate monumentation.
5. Outlot 1 shall be split following the northern property line of Lot 2, shown below, creating a 3rd outlot:



6. Thirty-three feet of the northern property area shall be dedicated as public right-of-way, and shall be identified on the plat.
7. Access to lots 2,3,4, and possibly 5 shall occur via a private driveway, paid for by the owner, unless Jefferson Street is extended by the City at no cost to the owner. This access should be noted on the plat. In addition, the owner shall pay for the construction of the utilities down the private driveway, or public street, to serve the zero lot line homes.
8. A statement regarding Outlot 1 and 2 should be added to the plat and indicate the following:
    a. Outlot 1 shall be dedicated to the public for right-of-way purposes.
    b. Outlot 2 shall be dedicated to the public for right-of-way purposes.
    c. Outlots 1 and 2 shall be used as a private driveway to access Lots 2, 3, 4 and 5 and shall be maintained by said lot owners until at such point Outlot 1 and 2 are developed as a public street.
9. Identify Jefferson Street on the plat (northeast).
10. A utility easement should be added south of Outlot 2 and west of Schiller Drive.
11. The "City of Stevens Point" identifier, southwest of Jefferson Street/Brilowski Road should be moved to the east to be closer to the corporate limits line.
12. Another "City of Stevens Point" note should be added in Brilowski

	Road south of the proposed subdivision. 13. A park fee shall be submitted to the City of Stevens Point in the amount of $250.00 per lot. Outlots shall not be considered. 14. Minor grammatical errors on the plat, identified by staff, shall be corrected. 15. Swales meeting all City Department of Public Works and Utility Department specifications, as well as those outlined in Chapter 31, shall be installed to control stormwater. 16. Objections from reviewing agencies, shall be satisfied before the plat shall be recorded. 17. The owner shall receive approval from the Town of Hull for the lands located within the Town of Hull. 18. The plat shall conform to the provisions of Chapter 20 of the Revised Municipal Code and Chapter 236 of the Wisconsin Statutes. All applicable permits from Portage County, the Wisconsin Department of Natural Resources, the City, and any other authorizing agencies shall be obtained. 19. A final plat per Chapter 20, Subdivision Control Ordinance shall be submitted and reviewed by the Plan Commission and Common Council within six (6) months of the preliminary plat approval date, conforming to the provisions of Chapter 20 and Chapter 236 of the Wisconsin Statutes.

Vicinity Map



Background

Jim Jakusz, property owner, is proposing a small residential subdivision consisting of seven primary lots. Lot details are below. The property is "split zoned," within both the R-2 and R-3 zoning districts and is proposed to develop with single family homes and zero lot line duplexes. One home currently exists on the property and will remain on a separate lot within the subdivision.

Major subdivision plats shall be reviewed by the Plan Commission, and approved by the Common Council. Major subdivisions are defined as:

> *(12) "Subdivision" is a division of a lot, parcel or tract of land by the owner thereof or the owner's agent for the purpose of sale or of building development, where:*
>
> *236.02(12)(a) The act of division creates 5 or more parcels or building sites of 1 1/2 acres each or less in area; or*
>
> *236.02(12)(b) Five or more parcels or building sites of 1 1/2 acres each or less in area are created by successive divisions within a period of 5 years.*

Proposed Lot Details:

Single Family Lots (2)		*Zero Lot Line Duplexes (4)*		*Existing Home Lot (1)*	
Square footage:	13,750 sq. ft.	Square footage:	7,930 sq. ft.	Square footage:	27,366 sq. ft.
Acreage:	0.32 acres	Acreage:	0.18 acres	Acreage:	0.63 acres
Frontage:	110 feet	Frontage:	61 feet	Frontage:	220 feet
Depth:	125 feet	Depth:	130 feet	Depth:	127 feet

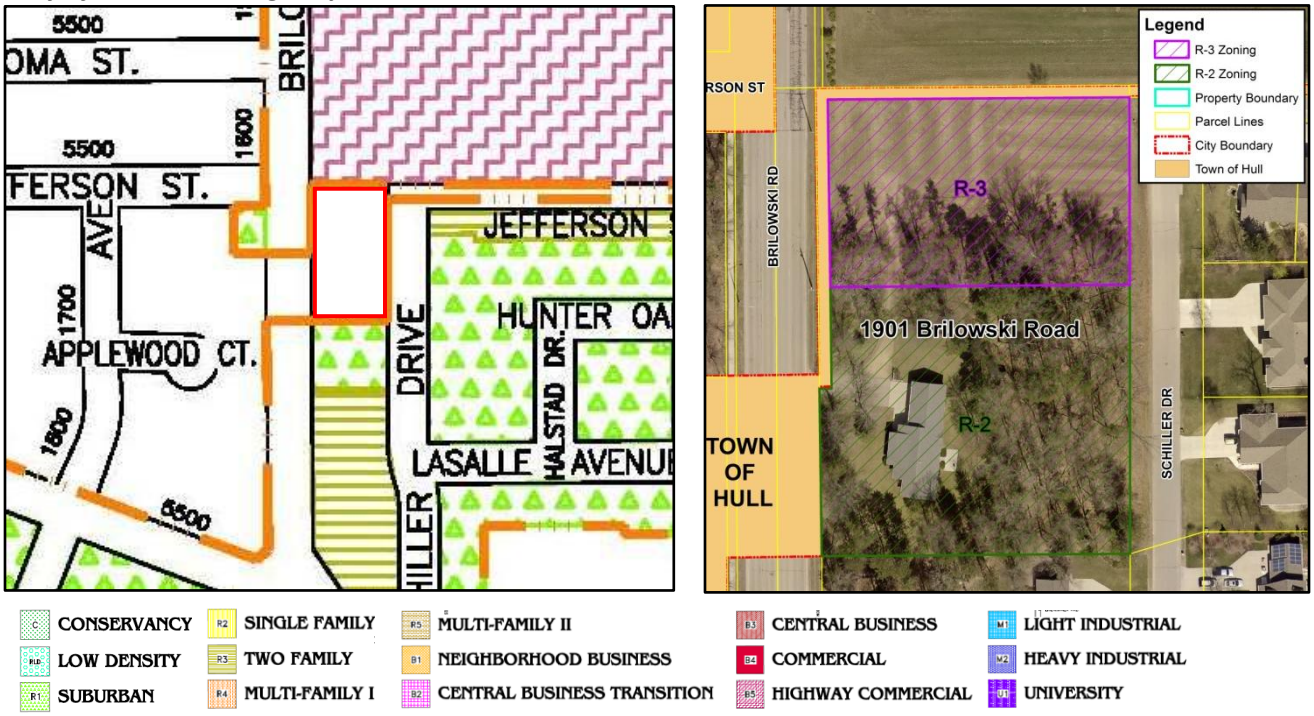
Standards of Review

1) **The proposed subdivision or land division shall be compatible with adjacent land uses and shall maintain the general land use pattern of the area in question.**

   Analysis: The property in question was recently rezoned shortly after annexation. City zoning classifications and uses of adjacent properties are as follows:

Direction	Zoning	Use
North	“B-5” Highway Commercial District	Retail
South	“R-1” Suburban Single Family District	Single Family Homes
East	“R-3” Single & Two Family Residence District “R-2” Single Family Residence District	Zero Lot Line Duplexes Single Family Homes
West	“R-1” Suburban Single Family District County Zoning "R-2" Single Family Residence	Single Family Home Single Family Homes

City of Stevens Zoning Map



Findings: A total of four two-family residential zero lot line lots are proposed on the north side of the plat. This is consistent with what exists along Jefferson Street to the east. Two single family lots are proposed on the south east side of the plat. These lots will be adjacent to existing single family homes to the south and east. The existing home at 1901 Brilowski Road will remain on a slightly larger lot.

The proposed subdivision meets the minimum performance standards (lot size, setback, etc.) in both districts for the proposed uses.

2) **The proposed subdivision or land division shall result in a development pattern which is compatible with surrounding developments and land uses. Measures of compatibility shall consider at least but not limited to lot sizes, traffic generation, access, noise and visual features.**

Analysis: The neighboring subdivision, Hunter Oaks, contains several single family homes, along with zero lot line two-family duplexes on the north.

Findings: The development pattern is similar in nature to the uses to the east within Hunter Oaks. The use of duplexes along Jefferson Street provides for a transition to the more intense commercial uses to the north. Traffic generation, noise, and visual features will likely be similar in nature to the development to the east, Hunter Oaks.

3) **The proposed subdivision or land division and the resulting development shall not demonstrably adversely affect the City's ability to provide future public utilities, install future public improvements or accomplish future annexations. The Plan Commission may consider annexation agreements with the property owner in order to comply with this requirement. The Plan Commission may also consider whether the City and Town(s) have reached an agreement on necessary public improvements and public services facilities required to serve the development.**

Analysis: Utilities exist to serve the area, specifically along Schiller Drive.

Findings: The subdivision does not adversely affect the City's ability to provide future improvements to the area. This standard is met. Sidewalks do not currently exist along Schiller Drive or Jefferson Street. Additionally, swales are common within the area and should be used as the main means to handle stormwater requirements. The owner shall be required to install utilities, at his or her expense, for the zero lot line homes.

4) The proposed subdivision or land division shall comply with one of the following:

a. The proposed subdivision or land division shall represent infilling of vacant land. Infilling is defined as a subdivision or land division which will accommodate the development of vacant land located such that surrounding existing land uses render the land impractical for any but similar uses.

b. The proposed subdivision or land division shall provide permanent open space lands for use by the general public in conformance with the adopted Parks and Open Space Plan for Portage County, Wisconsin, the City of Stevens Point adopted Parks and Open Space Plan or the City's other adopted Comprehensive Plan elements. The permanent open space lands shall be accessible and open for use by the general public.

Analysis: The subdivision is infill development, as existing development surrounds the property. The development creates seven lots on a large, displaced parcel within a developed area. The City's Comprehensive Plan identifies the future use of the area as residential development.

Findings: This standard is met.

2005 Stevens Point Comprehensive Plan – Extraterritorial Land Use Map

Based on the findings above, staff would recommend approving the preliminary subdivision plat with the conditions also found above.

Parcel Number: **281 - 24 - 0836320201**

Owners Name & Address

Last: **NORTHERN**
First: **CONSTRUCTION INC**
Address: **6056 SHARONWOOD LN**
STEVENS POINT WI
54482-0000
Property Address:
1901 BRILOWSKI RD
STEVENS POINT WI 54482-0000
School District: **5607**
Vctnl District: **0014**

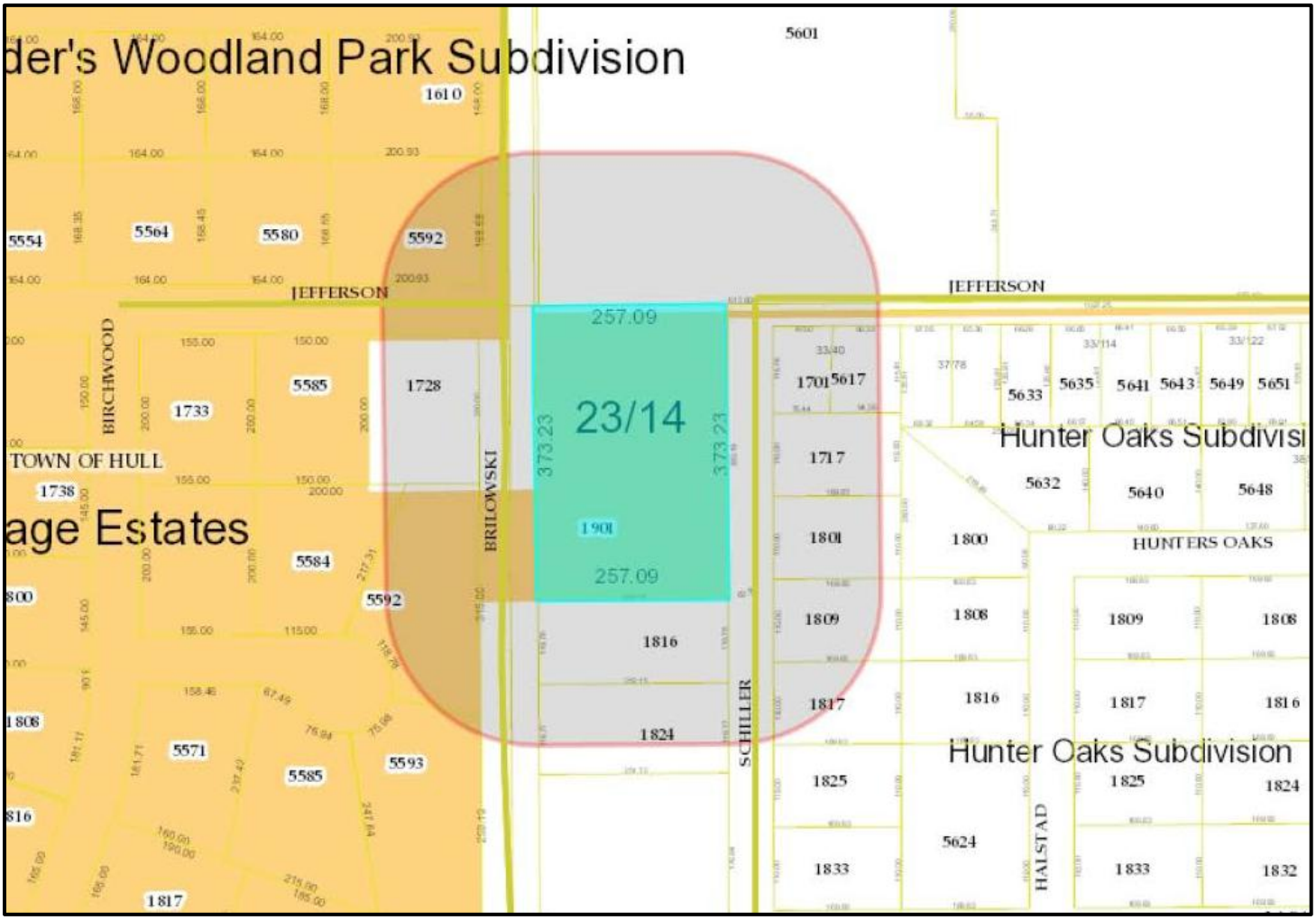
Legal Description

PRT LOT 1 CSM#
6191-23-14 & PRT NWSW
DES-793566
S36 T24 R08
2.12A 777809;778205AOC;
793566ANNX

TIF District: **00**
Total Acres: **2.12**

This Split Parcel is a New Parcel for Next Year **F10=Display Image**

Preliminary Subdivision Plat – 1901 Brilowski Road – Exhibit Map (200 Feet Boundary)



Parcel Number	Name	Mailing Address	City	Zip	Property Address
020240835-A	State of Wisconsin	HY 51 ROW		0	
281240836230004	RBR Joint Venture c/o Doyle Rogers CO	PO Drawer A	Batesville, AR	72503	5601 Hwy 10 E
281240836230099	City of Stevens Point	1515 Strongs Ave	Stevens Point, WI	54481	0 Brilowski Rd
20920502	Leonard D & M Bronk	5592 Jefferson St	Stevens Point, WI	54482	5592 Jefferson St
020240836-10.14	Town of Hull			0	
020240836-10.15	Northern Construction INC	6056 Sharonwood Ln	Stevens Point, WI	54482	1901 Brilowski Rd
020240836-10.05	the public			0	
281240836320148	Sharon m Lilyquist	5617 Jefferson St	Stevens Point, WI	54482	5617 Jefferson St
281240836320147	Charles a Bornhoeft sr	1701 Schiller Dr	Stevens Point, WI	54482	1701 Schiller Dr
281240835400101	Theodore J & Rosemary Francsis	1728 Brilowski Rd	Stevens Point, WI	54482	1728 Brilowski Rd
281240836320139	Renee P Bernauer	1717 Schiller Dr	Stevens Point, WI	54482	1717 Schiller Dr
203807	Robert l & Sharon A Kalpinski	5592 APPLEWOOD CT	Stevens Point, WI	54482	5592 Applewood Ct
203808	Robert l & Sharon A Kalpinski	5592 APPLEWOOD CT	Stevens Point, WI	54482	5584 Applewood Ct
281240836320138	Kevin k & Dawn M Ruder	1801 Schiller Dr	Stevens Point, WI	54482	1801 Schiller Dr
281240836320031	Jacqueline L Dekay Larry L Beck	1809 Schiller Dr	Stevens Point, WI	54482	1809 Schiller Dr
281240836320001	Timothy J & Mary J Higgins	1816 Schiller Dr	Stevens Point, WI	54482	1816 Schiller Dr

281240836320030	Angela & Scott P Hanz	1817 Schiller Dr	Stevens Point, WI	54482	1817 Schiller Dr
281240836320002	Ernest E & Lynn a Dominick	1824 Schiller Dr	Stevens Point, WI	54482	1824 Schiller Dr
203806	Howard D Smith and Beth Dulak - Smith	5593 APPLEWOOD CT	Stevens Point, WI	54482	5593 Applewood Ct

City of Stevens Point
Community Development Department

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

APPLICATION FOR SUBDIVISION APPROVAL

(Pre-Application Conference Required)

3-21-14
R#1-56136

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	—	Date Submitted	3/21/14	Fee Required	230	Fee Paid	230
Associated Applications (if any)	—			Assigned Case Manager	Kyle Kearns		
Pre-Application Conference Date	—			Major Subdivision	☒	Minor Subdivision	☐

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☒)	
Applicant Name	James J. Jakusz	Contact Name	
Address	6056 Sharon wood LN	Address	
City, State, Zip	STPT, WI 54482	City, State, Zip	
Telephone	715-345-0452 / 715-252-6501 Cell	Telephone	
Fax		Fax	
Email	EJJakusz@wildblue.net	Email	

OWNERSHIP INFORMATION

PROPERTY OWNER OF RECORD 1 INFORMATION (Same as Applicant? ☑)		PROPERTY OWNER OF RECORD 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

Subdivision Name	Jakusz Subdivision	Former Subdivision Name (if any)	
Area of Subject Property (Acres/Sq Ft)		Proposed Number of Lots	
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)
2408-36-3202-01	—	—

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

Number of Residential Units Proposed	Proposed Gross Residential Density	Commercial Space Proposed Sq. Ft.
7		—
Common Open Space Proposed Sq. Ft.	**Primary Open Space Designations (Cluster)**	**Secondary Open Space Designation (Cluster)**
—	—	—

Source of Utilities:				Streets Created or Extended as part of Subdivision? If Yes What Types?
Water	City	Sewer	City	Jefferson St.
Number of Each Type of Building and Individual Units				Proposed Density (Units/Acre)
Single-Family House			3	three
Attached House (duplex)			2	Two, 4 ZERO lots line
Row House (Number of Units)				
Apartment (Number of Units)				
Commercial Building				
Mixed Use Building (number of residential units)				
Industrial Building				
Civic Building / Institutional				
Open Lot				

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

Summer of 2014'

Current Zoning Surrounding Subject Property			
North:	B-4 Commercial	South:	R-1
East:	R-3 & R-1	West:	R.1 & County Zoning
Current Land Use Surrounding Subject Property			
North:	Commercial	South:	Res
East:	Res.	West:	Res.

EXHIBITS (MAJOR SUBDIVISION)

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

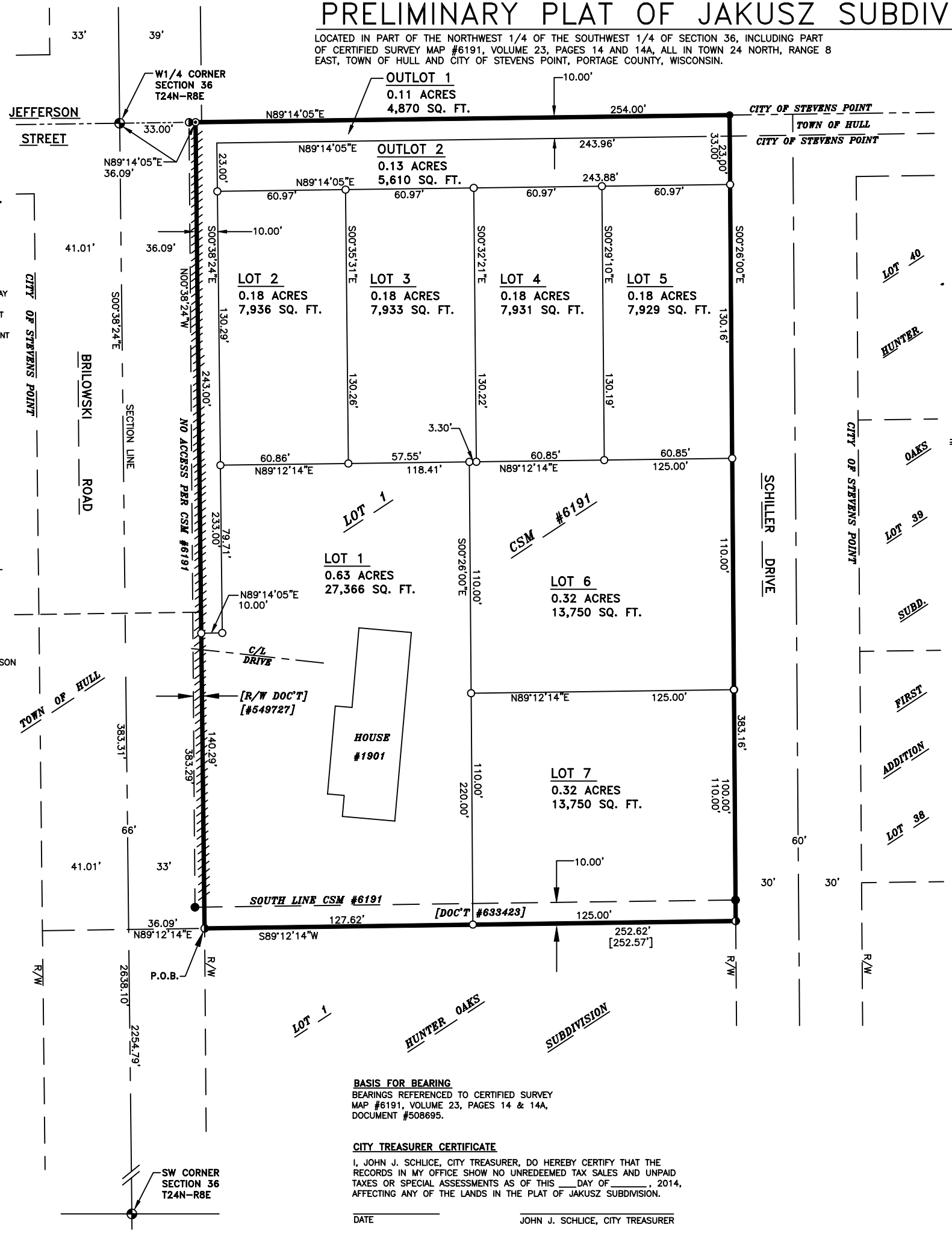
CERTIFICATION AND SIGNATURE

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

Signature of Applicant	Date	Signature of Property Owner(s)	Date
[signature]	3/21/14		

PRELIMINARY PLAT OF JAKUSZ SUBDIVISION

LOCATED IN PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, INCLUDING PART OF CERTIFIED SURVEY MAP #6191, VOLUME 23, PAGES 14 AND 14A, ALL IN TOWN 24 NORTH, RANGE 8 EAST, TOWN OF HULL AND CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN.



SURVEYOR'S CERTIFICATE

I, DALE D. ROSICKY, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED THIS PLAT OF JAKUSZ SUBDIVISION LOCATED IN PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, INCLUDING PART OF CERTIFIED SURVEY MAP #6191, VOLUME 23, PAGES 14 AND 14A, AND LANDS DESCRIBED IN DOCUMENT #633423, ALL IN TOWN 24 NORTH, RANGE 8 EAST, TOWN OF HULL AND CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 36, THENCE S00°38'24"E, ALONG THE WEST LINE OF SAID SECTION 36, 383.31 FEET, THENCE N89°12'14"E, 36.09 FEET TO THE EAST RIGHT-OF-WAY OF BRILOWSKI ROAD AND THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE N00°38'24"W, ALONG SAID RIGHT-OF-WAY, 383.29 FEET TO THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4;

THENCE N89°14'05"E, ALONG SAID NORTH LINE, 254.00 FEET TO THE WEST RIGHT-OF-WAY OF SCHILLER DRIVE;

THENCE S00°26'00"E, ALONG SAID WEST RIGHT-OF-WAY, 383.16 FEET TO THE NORTHEAST CORNER OF LOT 1 OF HUNTER OAKS SUBDIVISION;

THENCE S89°12'14"W, ALONG THE NORTH LINE OF SAID LOT 1, 252.62 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION CONTAINING 2.23 ACRES, [97,075 SQUARE FEET].

THAT I HAVE MADE SUCH SURVEY, AND MAP AT THE DIRECTION OF JIM JAKUSZ, OF NORTHERN CONSTRUCTION, INC, OWNER OF SAID LAND. THAT SAID MAP IS A TRUE AND CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF; THAT I HAVE COMPLIED FULLY WITH ALL THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES IN SURVEYING AND MAPPING THE SAME.

DATED THIS 19th DAY OF MARCH, 2014.

DALE D. ROSICKY R.L.S. #2237

OWNER'S CERTIFICATE OF DEDICATION

AS OWNER I DO HEREBY CERTIFY THAT I CAUSED THE LANDS DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, DEDICATED, AND MAPPED AS REPRESENTED ON THIS PLAT. I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S. 236.12 OR 236.10 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION.
DEPARTMENT OF ADMINISTRATION CITY OF STEVENS POINT TOWN OF HULL

JIM JAKUSZ, NORTHERN CONSTRUCTION, INC

STATE OF WISCONSIN) SS.
COUNTY OF PORTAGE)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF_____ , 2014 THE ABOVE NAMED NORTHERN CONSTRUCTION, INC, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

MY COMMISSION EXPIRES _____

DATE NOTARY PUBLIC

COMMON COUNCIL RESOLUTION

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

I, ANDREW J. HALVERSON, MAYOR, DO HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS PASSED BY THE COMMON COUNCIL AT ITS REGULAR MEETING HELD ON____ DAY OF_____ 2014.

DATE ANDREW J. HALVERSON, MAYOR

I, JOHN MOE, CITY CLERK DO HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS PASSED BY THE COMMON COUNCIL AT ITS REGULAR MEETING HELD ON____ DAY OF_____ 2014.

DATE JOHN MOE, CITY CLERK

COUNTY TREASURER CERTIFICATE

I, STEPHANIE STOKES, COUNTY TREASURER, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF THIS DAY OF_____,2014 AFFECTING ANY OF THE LANDS IN THE PLAT OF JAKUSZ SUBDIVISION.

DATE STEPHANIE STOKES, COUNTY TREASURER

TOWN OF HULL APPROVAL

THIS PLAT HAS BEEN REVIEWED AND IS HEREBY APPROVED BY THE TOWN OF HULL TOWN BOARD.

APPROVED THIS_____ DAY OF _____, 2014

TOWN CHAIRMAN TOWN CLERK

BASIS FOR BEARING

BEARINGS REFERENCED TO CERTIFIED SURVEY MAP #6191, VOLUME 23, PAGES 14 & 14A, DOCUMENT #508695.

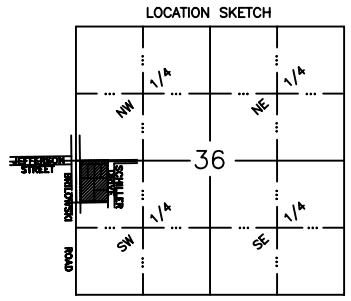
CITY TREASURER CERTIFICATE

I, JOHN J. SCHLICE, CITY TREASURER, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF THIS ___DAY OF_____, 2014, AFFECTING ANY OF THE LANDS IN THE PLAT OF JAKUSZ SUBDIVISION.

DATE JOHN J. SCHLICE, CITY TREASURER

SCALE
0 15 30
1 INCH = 30 FEET

LOCATION SKETCH



SECTION 36, T24N-R8E. (NO SCALE)

TOTAL AREA
2.23 ACRES
97,075 SQ. FT.

LEGEND

- 1"x18" IRON PIPE SET (1.68 LB/FT)
- 1 1/4"x30" IRON ROD SET (4.30 LB/FT)
- 3/4" IRON ROD FOUND
- 1" IRON PIPE FOUND
- [ ] PREVIOUSLY RECORDED
- HARRISON MONUMENT

SHEET 1 OF 1 SHEET

Revisions:

Job No:	24-08-36-15
Scale:	1"=30'
Date:	3-14
Drawn:	DDR
Designed:	DDR
Checked:	DDR

THIS INSTRUMENT DRAFTED BY:
DALE ROSICKY LAND SURVEYING, LLC.
2925 POST ROAD, STEVENS POINT, WISCONSIN

JAKUSZ SUBDIVISION

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

Memo

To: Plan Commission
From: Plan Staff
CC:
Date: 3/19/2014
Subject: Vapor Bars – Zoning Code Amendment

Last month the Plan Commission had a conversation regarding the potential of allowing vapor bars within certain districts as permitted and conditional uses. Furthermore, the definition for vapor bars was discussed, to also be included within the zoning code. Therefore, staff has drafted the following amendments to Chapter 23 to reflect the Plan Commission discussion and comments. The changes are in red.

Vapor Bar Definition:

Section 23.04(2),

VAPOR BAR – means any facility, building, structure, or establishment, whether fixed or mobile, whose business operation, whether as its principal use or as an accessory use, includes utilizing a heating element that vaporizes a liquid solution that releases nicotine or a flavored vapor, including but not limited to establishments known as vapor lounges or e-cigarette lounges.

Vapor bars as a conditional use within Section 23.02(2)(a) (B-1 Neighborhood Business District and above districts)

Section 23.02(2)(a)

1) Conditional Uses

a) Conditional Uses in "R-5" District
b) Carry-out beer and liquor
c) Bowling alleys
d) One and two family dwelling units
e) Taverns and night clubs
f) Gas and service stations
g) Credit Unions and Bank
h) Accessory uses
i) Industrial pipelines
j) Off-premise sign/billboard
k) Convenience food retail outlets not exceeding 3,000 square feet
l) Car/Truck Wash
m) Expansion of existing mini-warehouse improvements
n) Vapor bars

Vapor lounges as a permitted use within Section 23.02(2)(c) (B-3 Central Business District and above districts):

Section 23.02(2)(c)

2) Permitted Uses.

a) Permitted uses in the "B-2" District
b) Motor vehicle, marine, sales and repair but not, salvage, wrecking, storage or junking operations.
c) Household equipment sales and service
d) Department stores and discount variety stores
e) Retail stores
f) Movie theaters
g) Financial, business, professional and medical institutions
h) Banks, savings and loans, brokerage institutions, insurance companies, credit unions
i) Coin shops, bookstores, arts and crafts
j) Laundry and dry cleaning
k) Bus depot, taxi stands and taxi cab operations
l) Restaurants, beer and liquor stores
m) Indoor commercial recreational enterprises, excluding facilities such as, arenas, icedromes and similar facilities
n) Commercial and public parking lots and ramps
o) Private clubs, lodges, charitable and non-profit organizations
p) Furniture, carpet, appliance and auto supplier stores
q) Blueprinting and photostating establishments
r) Printing, publishing, engraving and bookbinding
s) Photo studios
t) Military recruiting services
u) Used car lot
v) Bicycle sales and service
w) Plumbing, heating, electrical, lighting, and paint sales and service
x) Post Office
y) Cemetery monument sales
z) Travel Bureaus
aa) Sales of hardware, building, lawn and garden supplies excluding lumber yards
bb) Preparation and sale of stone for cemetery monuments
cc) Farmer's markets, bazaars, open space markets in the public square only

dd) Cosmetology and barber colleges
ee) Accessory uses
ff) Filling of property
gg) Vapor bars

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

Memo

To: Plan Commission
From: Michael Ostrowski
CC:
Date: 3/17/2014
Subject: Comprehensive Plan Update

In 1999, the Wisconsin Legislature enacted legislation, often referred to as Wisconsin's Smart Growth law, that expanded the scope and significance of comprehensive planning in the State of Wisconsin. This law provides a basis for the development, adoption, implementation, and amendment of comprehensive plans. Essentially, this law requires that county and local general zoning ordinances; county, city, and village shoreland zoning ordinances; county and local subdivision ordinances; and local official mapping ordinances enacted or amended on or after January 1, 2010, be consistent with the comprehensive plan adopted by the unit of government enacting or amending such ordinances.

In 2006, the City of Stevens Point, in partnership with Portage County, adopted its comprehensive plan. Another requirement under the legislation is that communities must update their comprehensive plans at least every ten years. The city is nearing the ten year requirement and, therefore needs to update the plan. I have had initial conversations with Portage County Planning and Zoning staff about partnering with the update. In addition, I have also had and initial conversation with the Village of Plover about working cooperatively on certain sections of the plan, especially areas where the city and village boarder each other. The Village of Plover plans on doing their update concurrently.

More information about the comprehensive planning process, or to view our current comprehensive plan can be found at the following link: http://stevenspoint.com/index.aspx?NID=602.

Attached you will find an outline of the process and the responsibility of the stakeholders. I have also included the comprehensive planning law for your convenience.

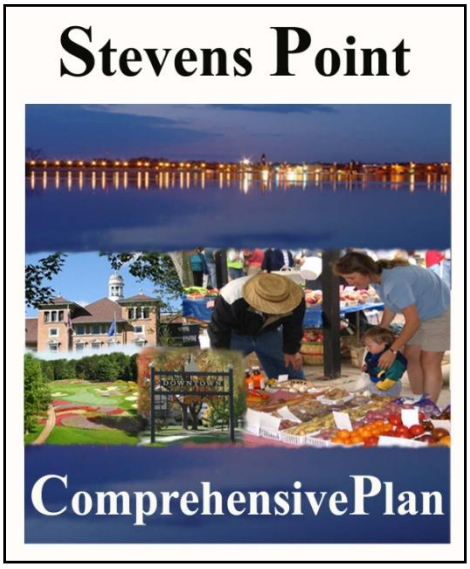
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481-3594

Department of Community Development
Ph: (715) 346-1567
Fax: (715) 346-1498

Stevens Point Comprehensive Plan Update Outline

INITIATIVE

The City of Stevens Point's comprehensive plan was adopted in January of 2006 and amended shortly thereafter in June 2006. Wisconsin state statutes 66.1001(2)(i) indicate that a comprehensive plan shall be updated no less than once every 10 years. Therefore, the city's comprehensive plan shall receive a complete update to all nine chapters and appendices by the year 2016. The update process is anticipated to begin in 2014 and has been summarized below.



DEFINITION: The comprehensive plan provides an assessment of existing conditions and future needs within the community. A 10-20 year vision is created based off anticipated change and growth that will affect the community's health, safety, and welfare. This vision is applied to several individual components where goals and objectives are developed to be used as a policy guide for future actions.

STEPS

1. **Informational Meetings:** Inform all stakeholders, including the public, plan commission and common council of the project initiative: Comprehensive Plan Update. Educate them on the project process and need.
2. **Existing Comprehensive Plan Review:** Administrative review and public review of the existing comprehensive plan.
3. **Creation of Working Draft:** Create a working draft based off internal and external review of the comprehensive plan, taking into consideration stakeholder and public comment.
4. **Review of Working Draft:** Individual review of all plan sections amongst the public, stakeholders, plan commission, and common council.
5. **Creation & Proposal of Final Draft:** Review of the working draft will lead to the creation of the final draft to be proposed for adoption.
6. **Adoption:** Recommendation by the plan commission to the common council for adoption.

UPDATE PROCESS (not chronological)

- **Vision and Mission Statement:** Update the vision and mission statement (1.8) to reflect new concepts, trends, and sustainability and other current community interests and priorities. Define the desired community's future.
- **Strengths & Weaknesses:** Internally and externally identify strengths and weaknesses within all sections of the plan, i.e. what has worked and what hasn't. Use identified strengths and weakness to support proposed changes to be applied later to individual plan sections.
- **Improve Accessibility:** Identify areas throughout the document where accessibility, flow, and ease can be improved, along with solutions for improvement, while ensuring internet adaptability is maintained or improved.

- **Data, Statistics, Facts:** Updating statistics and data in the plan, which primarily consist of Census figures is vital in developing new goals, objectives, and policies. A majority of Census data throughout the plan was from the 2000 Census. A practice to improve accessibility, meeting step 2 above, may be to provide detailed data and statistics as an appendix.
- **Integration of other Documents:** City documents, plans, and ordinances that have been updated since the comprehensive plan's creation should be infused within the plan update where necessary. Furthermore, any new ordinance revisions or other anticipated plan updates may be integral components and should be considered during the update.
- **Growth Areas:** Previous steps should lead to the determination of anticipated future land use growth areas. Preparation and planning for all types of development, along with services for those developments can assist in the timely realization of growth.
- **Revision, Addition or Deletion of Goals and Objectives:** Goals and objectives that have been accomplished should be removed, while those that are still pertinent shall remain. Those that do not reflect updated figures and components within the plan should be revised if they are still significant. New goals should be added.
- **Implementation:** Diagnose how the original plan was used and in what aspects. Adjustment may need to be made to the implementation section to ensure the document's use continues appropriately.
- **Adoption:** The comprehensive plan update will be conducted through public, noticed hearings where community members and interested persons will be encouraged to comment. Comment periods will also occur during plan commission meetings. Common council adoption of the comprehensive plan is the final step in the process.

ADMINISTRATIVE ROLE

City and Portage County Planning and Zoning staff will provide the expertise to revise and update the various plan sections and produce any new essential sections or maps determined throughout the process. City staff will lead the comprehensive plan update process however, by organizing and scheduling meetings and workshops, recording all comments, and relaying information to all stakeholders, including the county while also assisting in the creation of plan sections and maps. City and county staff will maintain a timeline following the outline to ensure all steps throughout the plan update process are complete prior to the deadline. Additionally, staff from several departments, with expertise to any correlated comprehensive plan chapters and/or components will assist in updating the plan.

Plan Commission: The plan commission will lead the update process for the comprehensive plan. Staff will present frequent progress reports for review during regular or special meetings where plan section drafts will be individually reviewed. Plan commission members will be invited and encouraged to attend all public workshops and visioning sessions. Plan commission will make a final recommendation on the entire updated draft comprehensive plan to common council.

Common Council: Similar to the plan commission, alderpersons will be invited and encouraged to attend all workshops, visioning sessions, and commission meetings. Furthermore, the common council will be provided with updates through the plan commission minutes. Final plan adoption will occur by the council.

COMMUNITY ENGAGEMENT

Several community workshops will accompany the steps above. The community will be engaged through these workshops, visioning sessions, surveys, bulletins, social media and other means. Specifically, during workshops, comprehensive plan sections will be diagnosed by staff and the public. Staff will present proposed revisions based off of new data, policies, professional expertise, etc. in hopes to solicit public comment. A defined direction for advancing each plan section would be determined.

All progress related to the plan updates, including workshops will be documented and made available to the public through several means. Furthermore, summaries of workshops will be provided to the city plan commission when reviewing draft plan sections. Draft plan sections will also be available to the public for review and comment.

(g) Sue and be sued, and to collect or compromise any obligations due to the hospital. All money received shall be paid into the joint hospital fund.

(h) Make studies and recommendations to the county board and city council or city councils relating to the operation of a hospital as the board considers advisable or the governing bodies request.

(i) Employ counsel on either a temporary or permanent basis.

(9) BUDGET. The board shall annually, before the time of the preparation of either the county or city budget under s. 65.90, prepare a budget of its anticipated receipts and expenditures for the ensuing fiscal year and determine the proportionate cost to the county and the participating city or cities under the terms of the ordinance. A certified copy of the budget, which shall include a statement of the net amount required from the county and city or cities, shall be delivered to the clerks of the respective municipalities. The county board and the common council of the city or cities shall consider the budget, and determine the amount to be raised by the respective municipalities in the proportions determined by the ordinance. After this determination, the county and city or cities respectively shall levy a tax sufficient to produce the amount to be raised by the county and city or cities.

(10) HOSPITAL FUND. A joint county−city hospital fund shall be created and established in a public depository to be specified in the ordinance. The treasurer of the respective county and city or cities shall pay into the fund the amounts specified by the ordinance and resolutions of the respective municipalities when the amounts have been collected. All of the moneys which come into the fund are appropriated to the board for the execution of its functions as provided by the ordinance and the resolutions of the respective municipalities. The moneys in the fund shall be paid out by the treasurer of the hospital board only upon the approval or direction of the board.

(11) CORRELATION OF LAWS. (a) In any case where a bid is a prerequisite to contract in connection with a county or city hospital under s. 66.0901, it is also a prerequisite to a valid contract by the board. For this purpose, the board is a municipality and the contract a public contract under s. 66.0901.

(b) All statutory requirements, not inconsistent with the provision of this section, applicable to general county or city hospitals apply to hospitals referred to in this section.

(12) REPORTS. The board shall report its activities to the county board and the city council or councils annually, or oftener as either of the municipalities requires.

(14) POWERS OF VILLAGES. Villages have all of the powers granted to cities under subs. (1) to (12) and whenever any village exercises these powers the word "city" wherever it appears in subs. (1) to (12) means "village" unless the context otherwise requires. Any village participating in the construction or other acquisition of a hospital or in its operation, pursuant to this section, may enter into lease agreements leasing the hospital and its equipment and furnishings to a nonprofit corporation.

(15) POWERS OF TOWNS. Towns have all of the powers granted to cities under subs. (1) to (12) and whenever any town exercises these powers the word "city" wherever it appears in subs. (1) to (12) means "town" unless the context otherwise requires. Any town participating in the construction or other acquisition of a hospital or in its operation, under this section, may enter into lease agreements leasing the hospital and its equipment and furnishings to a nonprofit corporation.

History: 1977 c. 29; 1983 a. 189; 1983 a. 192 s. 303 (1); 1993 a. 246; 1999 a. 150 ss. 262, 480 to 483; Stats. 1999 s. 66.0927.

SUBCHAPTER X

PLANNING, HOUSING AND TRANSPORTATION

66.1001 Comprehensive planning. (1) DEFINITIONS. In this section:

(a) "Comprehensive plan" means a guide to the physical, social, and economic development of a local governmental unit that is one of the following:

1. For a county, a development plan that is prepared or amended under s. 59.69 (2) or (3).

2. For a city, village, or town, a master plan that is adopted or amended under s. 62.23 (2) or (3).

3. For a regional planning commission, a master plan that is adopted or amended under s. 66.0309 (8), (9) or (10).

(am) "Consistent with" means furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.

(b) "Local governmental unit" means a city, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

(c) "Political subdivision" means a city, village, town, or county that may adopt, prepare, or amend a comprehensive plan.

(2) CONTENTS OF A COMPREHENSIVE PLAN. A comprehensive plan shall contain all of the following elements:

(a) *Issues and opportunities element.* Background information on the local governmental unit and a statement of overall objectives, policies, goals and programs of the local governmental unit to guide the future development and redevelopment of the local governmental unit over a 20−year planning period. Background information shall include population, household and employment forecasts that the local governmental unit uses in developing its comprehensive plan, and demographic trends, age distribution, educational levels, income levels and employment characteristics that exist within the local governmental unit.

(b) *Housing element.* A compilation of objectives, policies, goals, maps and programs of the local governmental unit to provide an adequate housing supply that meets existing and forecasted housing demand in the local governmental unit. The element shall assess the age, structural, value and occupancy characteristics of the local governmental unit's housing stock. The element shall also identify specific policies and programs that promote the development of housing for residents of the local governmental unit and provide a range of housing choices that meet the needs of persons of all income levels and of all age groups and persons with special needs, policies and programs that promote the availability of land for the development or redevelopment of low−income and moderate−income housing, and policies and programs to maintain or rehabilitate the local governmental unit's existing housing stock.

(c) *Transportation element.* A compilation of objectives, policies, goals, maps and programs to guide the future development of the various modes of transportation, including highways, transit, transportation systems for persons with disabilities, bicycles, electric personal assistive mobility devices, walking, railroads, air transportation, trucking and water transportation. The element shall compare the local governmental unit's objectives, policies, goals and programs to state and regional transportation plans. The element shall also identify highways within the local governmental unit by function and incorporate state, regional and other applicable transportation plans, including transportation corridor plans, county highway functional and jurisdictional studies, urban area and rural area transportation plans, airport master plans and rail plans that apply in the local governmental unit.

(d) *Utilities and community facilities element.* A compilation of objectives, policies, goals, maps and programs to guide the future development of utilities and community facilities in the local governmental unit such as sanitary sewer service, storm water management, water supply, solid waste disposal, on−site wastewater treatment technologies, recycling facilities, parks, telecommunications facilities, power−generating plants and transmission lines, cemeteries, health care facilities, child care facilities and other public facilities, such as police, fire and rescue facilities, libraries, schools and other governmental facilities. The element shall describe the location, use and capacity of existing

public utilities and community facilities that serve the local governmental unit, shall include an approximate timetable that forecasts the need in the local governmental unit to expand or rehabilitate existing utilities and facilities or to create new utilities and facilities and shall assess future needs for government services in the local governmental unit that are related to such utilities and facilities.

(e) *Agricultural, natural and cultural resources element.* A compilation of objectives, policies, goals, maps and programs for the conservation, and promotion of the effective management, of natural resources such as groundwater, forests, productive agricultural areas, environmentally sensitive areas, threatened and endangered species, stream corridors, surface water, floodplains, wetlands, wildlife habitat, metallic and nonmetallic mineral resources consistent with zoning limitations under s. 295.20 (2), parks, open spaces, historical and cultural resources, community design, recreational resources and other natural resources.

(f) *Economic development element.* A compilation of objectives, policies, goals, maps and programs to promote the stabilization, retention or expansion, of the economic base and quality employment opportunities in the local governmental unit, including an analysis of the labor force and economic base of the local governmental unit. The element shall assess categories or particular types of new businesses and industries that are desired by the local governmental unit. The element shall assess the local governmental unit's strengths and weaknesses with respect to attracting and retaining businesses and industries, and shall designate an adequate number of sites for such businesses and industries. The element shall also evaluate and promote the use of environmentally contaminated sites for commercial or industrial uses. The element shall also identify county, regional and state economic development programs that apply to the local governmental unit.

(g) *Intergovernmental cooperation element.* A compilation of objectives, policies, goals, maps, and programs for joint planning and decision making with other jurisdictions, including school districts, drainage districts, and adjacent local governmental units, for siting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts, drainage districts, and adjacent local governmental units, and to the region, the state and other governmental units. The element shall consider, to the greatest extent possible, the maps and plans of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, with which the local governmental unit shares common territory. The element shall incorporate any plans or agreements to which the local governmental unit is a party under s. 66.0301, 66.0307 or 66.0309. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.

(h) *Land−use element.* A compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The element shall contain a listing of the amount, type, intensity and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, industrial and other public and private uses. The element shall analyze trends in the supply, demand and price of land, opportunities for redevelopment and existing and potential land−use conflicts. The element shall contain projections, based on the background information specified in par. (a), for 20 years, in 5−year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The element shall also include a series of maps that shows current land uses and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.

(i) *Implementation element.* A compilation of programs and specific actions to be completed in a stated sequence, including proposed changes to any applicable zoning ordinances, official maps, or subdivision ordinances, to implement the objectives, policies, plans and programs contained in pars. (a) to (h). The element shall describe how each of the elements of the comprehensive plan will be integrated and made consistent with the other elements of the comprehensive plan, and shall include a mechanism to measure the local governmental unit's progress toward achieving all aspects of the comprehensive plan. The element shall include a process for updating the comprehensive plan. A comprehensive plan under this subsection shall be updated no less than once every 10 years.

(2m) EFFECT OF ENACTMENT OF A COMPREHENSIVE PLAN. The enactment of a comprehensive plan by ordinance does not make the comprehensive plan by itself a regulation.

(3) ORDINANCES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS. Except as provided in sub. (3m), beginning on January 1, 2010, if a local governmental unit enacts or amends any of the following ordinances, the ordinance shall be consistent with that local governmental unit's comprehensive plan:

(g) Official mapping ordinances enacted or amended under s. 62.23 (6).

(h) Local subdivision ordinances enacted or amended under s. 236.45 or 236.46.

(j) County zoning ordinances enacted or amended under s. 59.69.

(k) City or village zoning ordinances enacted or amended under s. 62.23 (7).

(L) Town zoning ordinances enacted or amended under s. 60.61 or 60.62.

(q) Shorelands or wetlands in shorelands zoning ordinances enacted or amended under s. 59.692, 61.351, 61.353, 62.231, or 62.233.

(3m) DELAY OF CONSISTENCY REQUIREMENT. (a) If a local governmental unit has not adopted a comprehensive plan before January 1, 2010, the local governmental unit is exempt from the requirement under sub. (3) if any of the following applies:

1. The local governmental unit has applied for but has not received a comprehensive planning grant under s. 16.965 (2), and the local governmental unit adopts a resolution stating that the local governmental unit will adopt a comprehensive plan that will take effect no later than January 1, 2012.

2. The local governmental unit has received a comprehensive planning grant under s. 16.965 (2) and has been granted an extension of time under s. 16.965 (5) to complete comprehensive planning.

(b) The exemption under par. (a) shall continue until the following dates:

1. For a local governmental unit exempt under par. (a) 1., January 1, 2012.

2. For a local governmental unit exempt under par. (a) 2., the date on which the extension of time granted under s. 16.965 (5) expires.

(4) PROCEDURES FOR ADOPTING COMPREHENSIVE PLANS. A local governmental unit shall comply with all of the following before its comprehensive plan may take effect:

(a) The governing body of a local governmental unit shall adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services, and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan. The written procedures shall provide for wide distribution of proposed, alternative, or amended elements of a comprehensive plan and shall provide an opportunity for writ-

ten comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments. The written procedures shall describe the methods the governing body of a local governmental unit will use to distribute proposed, alternative, or amended elements of a comprehensive plan to owners of property, or to persons who have a leasehold interest in property pursuant to which the persons may extract nonmetallic mineral resources in or on property, in which the allowable use or intensity of use of the property is changed by the comprehensive plan.

(b) The plan commission or other body of a local governmental unit that is authorized to prepare or amend a comprehensive plan may recommend the adoption or amendment of a comprehensive plan only by adopting a resolution by a majority vote of the entire commission. The vote shall be recorded in the official minutes of the plan commission or other body. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of a comprehensive plan. One copy of an adopted comprehensive plan, or of an amendment to such a plan, shall be sent to all of the following:

1. Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.

2. The clerk of every local governmental unit that is adjacent to the local governmental unit that is the subject of the plan that is adopted or amended as described in par. (b) (intro.).

4. After September 1, 2005, the department of administration.

5. The regional planning commission in which the local governmental unit is located.

6. The public library that serves the area in which the local governmental unit is located.

(c) No comprehensive plan that is recommended for adoption or amendment under par. (b) may take effect until the political subdivision enacts an ordinance or the regional planning commission adopts a resolution that adopts the plan or amendment. The political subdivision may not enact an ordinance or the regional planning commission may not adopt a resolution under this paragraph unless the comprehensive plan contains all of the elements specified in sub. (2). An ordinance may be enacted or a resolution may be adopted under this paragraph only by a majority vote of the members−elect, as defined in s. 59.001 (2m), of the governing body. One copy of a comprehensive plan enacted or adopted under this paragraph shall be sent to all of the entities specified under par. (b).

(d) No political subdivision may enact an ordinance or no regional planning commission may adopt a resolution under par. (c) unless the political subdivision or regional planning commission holds at least one public hearing at which the proposed ordinance or resolution is discussed. That hearing must be preceded by a class 1 notice under ch. 985 that is published at least 30 days before the hearing is held. The political subdivision or regional planning commission may also provide notice of the hearing by any other means it considers appropriate. The class 1 notice shall contain at least the following information:

1. The date, time and place of the hearing.

2. A summary, which may include a map, of the proposed comprehensive plan or amendment to such a plan.

3. The name of an individual employed by the local governmental unit who may provide additional information regarding the proposed ordinance.

4. Information relating to where and when the proposed comprehensive plan or amendment to such a plan may be inspected before the hearing, and how a copy of the plan or amendment may be obtained.

(e) At least 30 days before the hearing described in par. (d) is held, a local governmental unit shall provide written notice to all of the following:

1. An operator who has obtained, or made application for, a permit that is described under s. 295.12 (3) (d).

2. A person who has registered a marketable nonmetallic mineral deposit under s. 295.20.

3. Any other property owner or leaseholder who has an interest in property pursuant to which the person may extract nonmetallic mineral resources, if the property owner or leaseholder requests in writing that the local governmental unit provide the property owner or leaseholder notice of the hearing described in par. (d).

(f) A political subdivision shall maintain a list of persons who submit a written request to receive notice of any proposed ordinance, described under par. (c), that affects the allowable use of the property owned by the person. At least 30 days before the hearing described in par. (d) is held a political subdivision shall provide written notice, including a copy of the proposed ordinance, to all such persons. The notice shall be by mail or in any reasonable form that is agreed to by the person and the political subdivision. The political subdivision may charge each person on the list who receives a notice a fee that does not exceed the approximate cost of providing the notice to the person.

(5) APPLICABILITY OF A REGIONAL PLANNING COMMISSION'S PLAN. A regional planning commission's comprehensive plan is only advisory in its applicability to a political subdivision and a political subdivision's comprehensive plan.

(6) COMPREHENSIVE PLAN MAY TAKE EFFECT. Notwithstanding sub. (4), a comprehensive plan, or an amendment of a comprehensive plan, may take effect even if a local governmental unit fails to provide the notice that is required under sub. (4) (e) or (f), unless the local governmental unit intentionally fails to provide the notice.

History: 1999 a. 9, 148; 1999 a. 150 s. 74; Stats. 1999 s. 66.1001; 1999 a. 185 s. 57; 1999 a. 186 s. 42; 2001 a. 30, 90; 2003 a. 33, 93, 233, 307, 327; 2005 a. 26, 208; 2007 a. 121; 2009 a. 372; 2011 a. 257; 2013 a. 80.

A municipality has the authority under s. 236.45 (2) to impose a temporary town−wide prohibition on land division while developing a comprehensive plan under this section. Wisconsin Realtors Association v. Town of West Point, 2008 WI App 40, 309 Wis. 2d 199, 747 N.W.2d 681, 06−2761.

The use of the word "coordination" in various statutes dealing with municipal planning does not by itself authorize towns to invoke a power of "coordination" that would impose affirmative duties upon certain municipalities that are in addition to any other obligations that are imposed under those statutes. With respect to the development of and amendment of comprehensive plans, s. 66.1001 is to be followed by the local governmental units and political subdivisions identified in that section. OAG 3−10

66.10015 Limitation on development regulation authority.

(1) DEFINITIONS. In this section:

(a) "Approval" means a permit or authorization for building, zoning, driveway, stormwater, or other activity related to land development.

(b) "Existing requirements" means regulations, ordinances, rules, or other properly adopted requirements of a political subdivision that are in effect at the time the application for an approval is submitted to the political subdivision.

(c) "Political subdivision" means a city, village, town, or county.

(d) "Project" means a specific and identifiable land development that occurs on defined and adjacent parcels of land, which includes lands separated by roads, waterways, and easements.

(2) USE OF EXISTING REQUIREMENTS. (a) Except as provided under par. (b) or s. 66.0401, if a person has submitted an application for an approval, the political subdivision shall approve, deny, or conditionally approve the application solely based on existing requirements, unless the applicant and the political subdivision agree otherwise. An application is filed under this section on the date that the political subdivision receives the application.

(b) If a project requires more than one approval or approvals from more than one political subdivision and the applicant identifies the full scope of the project at the time of filing the application for the first approval required for the project, the existing require-