

AGENDA
CITY PLAN COMMISSION

Monday, April 4, 2016 – 6:00 PM

Conference Room 1 & 2 – Portage County Annex Building

1462 Strongs Avenue, Stevens Point, WI 54481

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

1. Roll call.

Discussion and possible action on the following:

2. Joint Meeting with Town of Stockton Plan Commission – Comprehensive Plan Update
3. Report of the March 7, 2016 Plan Commission meeting.
4. **Public Hearing** – Request from Storage Unlimited LLC, for a conditional use permit amendment for the purposes of operating an indoor storage facility at **3256 Church Street (Parcel ID 2308-04-2008-34)**.
5. Action on the above.
6. **Public Hearing** – Request from the McDill Pond Inland Lake Protection District, for a conditional use permit to construct a shed and chain-link fence within the “C” Conservancy Zoning District at **4001 Patch Street (Parcel ID 2308-03-2100-05)**.
7. Action on the above.
8. **Public Hearing** – Request from the City of Stevens Point Public Works Department, for a conditional use permit to construct a Municipal Service and Operational Facility Garage at **1748 Water Street (Parcel ID 2408-32-3002-57) and the adjacent unaddressed parcel 2408-32-3002-21**.
9. Action on the above.
10. **Public Hearing** – Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.01(17), Nonconforming Premises, of the Revised Municipal Code to permit additions, alterations, and modifications to structures where the nonconformity is not affected.
11. Action on the above.
12. **Public Hearing** – Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.02(1)(h), “R-TND” Traditional Neighborhood Development Overlay District, of the Revised Municipal Code to clarify garage street front and corner side yard setback requirements.
13. Action on the above.

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 or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

14. Request from the City of Stevens Point for a site plan review of landscaping within Municipal Lot 14 - Shopko Lot (**Parcel ID 2408-32-2029-65**) northwest of the intersection of Main Street and Church Street.
15. Repeal and replace Chapter 21 (Building and Premises Maintenance and Occupancy) of the Revised Municipal Code of the City of Stevens Point, with the International Property Maintenance Code from the International Code Council, with local amendments.
16. Community Development Department Monthly Report for March 2016. *Report will be provided after March 31, 2016.*
17. 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: March 18, 2016 and March 25, 2016

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Plan Commission of the City of Stevens Point, Portage County, Wisconsin, will hold a Public Hearing on April 4, 2016 at 6:00 PM in Conference Room 1 & 2 of the Portage County Annex Building, 1462 Strongs Avenue, Stevens Point, WI 54481 to hear the following:

1. Request from Storage Unlimited LLC, for a conditional use permit amendment for the purposes of operating an indoor storage facility at 3256 Church Street (Parcel ID 2308-04-2008-34). This property being zoned "B-4" Commercial District and described as LOT 1 CSM#10621- 48-51 BNG PRT SWNW S4 & SESE S5 ALL IN T23 R8; ING/ EGR ESMT ON SD CSM-804282 3.95A 498/282-87;CSM13/247 803168RES, City of Stevens Point, Portage County, Wisconsin.
2. Request from the McDill Pond Inland Lake Protection District, for a conditional use permit to construct a shed and chain-link fence within the "C" Conservancy Zoning District at 4001 Patch Street (Parcel ID 2308-03-2100-05). This property being zoned "C" Conservancy District and described as LOT 2 CSM#7181-26- 111 BNG PRT N 1/2 NW FR 1/4 S3 T23 R8 (SUBJ UNRECORDED AGRMT TO CITY ST PT-GOLF DISC COURSE)138/231 273/535 405/341-ESMT 646627, City of Stevens Point, Portage County, Wisconsin.
3. Request from the City of Stevens Point Public Works Department, for a conditional use permit to construct a Municipal Service and Operational Facility Garage at 1748 Water Street (Parcel ID 2408-32-3002-57) and the adjacent unaddressed parcel 2408-32-3002-21. These properties being zoned "R-4" Multiple Family 1 Residence District and described as LOTS 1 & 2 CSM#798-3-156 BNG PRT BLK 38 STRONG ELLIS& OTHERS & BNG PRT GOVT LOT 3 S32 T24 R8 .90A 204/494;344/494 802174TERM;808968LSE 809370LSEAOC and PRT GOVT LOT 3 S32 T24 R8 BNG PRCL 60'X90' LYG IMMED W OF LOT 245 BLK 38 S E & O ADD DES 209/542 .12A 424/271, City of Stevens Point, Portage County, Wisconsin.
4. Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.01(17), Nonconforming Premises, of the Revised Municipal Code to permit additions, alterations, and modifications to structures where the nonconformity is not affected.
5. Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.02(1)(h), "R-TND" Traditional Neighborhood Development Overlay District, of the Revised Municipal Code to clarify garage street front and corner side yard setback requirements.

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

Plan Staff

Community Development

City of Stevens Point

1515 Strongs Avenue

Stevens Point, WI 54481

Ph: (715) 346-1567 • Fax: (715) 346-1498



Memo

To: Plan Commission
From: Plan Staff
CC: Common Council
Date: 3/24/2016
Subject: Joint Meeting with Town of Stockton Plan Commission – Comprehensive Plan Update

The Town of Stockton has extended an invitation to jointly discuss elements of each municipalities comprehensive plan update. Therefore, staff has arranged the first part of the April 4 Plan Commission meeting to discuss growth, development, boundaries, services, and other elements of comprehensive planning.

The City's existing Comprehensive Plan can be viewed on the City's website:
stevenspoint.com/compplan

Note the Town of Stockton borders the City to the east. A portion of land within East Park Commerce Center was annexed from the Town to the City (see map). Maps and additional materials may be provided at the meeting to assist with the discussion.

REPORT OF CITY PLAN COMMISSION
March 7, 2016 – 6:00 PM
Lincoln Center – 1519 Water Street

PRESENT: Mayor Wiza, Alderperson Mary Kneebone, Commissioner Anna Haines, Commissioner Bob Brush, Commissioner Garry Curless, and Commissioner Dave Cooper.

EXCUSED: Commissioner Hoppe

ALSO PRESENT: Community Development Director Michael Ostrowski, Associate Planner Kyle Kearns, City Attorney Beveridge, Public Works Director Scott Schatschneider, Park and Rec Director Tom Schrader, Alderperson Mrozek, Alderperson Ryan, Alderperson Oberstadt, Alderperson Johnson, Alderperson Patton, Alderperson McComb, Alderperson Phillips, Alderperson Morrow, Nate Enwald, Brandi Makuski, Al Tessmann, Reid Rocheleau, Cathy Dugan, and Trevor Roark.

INDEX:

1. Roll call.

Discussion and possible action on the following:

2. Report of the February 1, 2016 Plan Commission meeting.
3. **Public Hearing** – Request from Al Tessmann, representing the property owner, for a conditional use permit for the purposes of constructing two, two-bedroom apartment units at 1035 Main Street (Parcel ID 2408-32-2026-52).
4. Action on above.
5. Lease/license City land located directly south of 1035 Main Street (portion of Parcel ID 2408-32-2026-51) to James E & Patricia A Laabs to be used to construct a second entrance stairwell for second floor apartment uses at 1035 Main Street (Parcel ID 2408-32-2026-52).
6. **Public Hearing** – Request from the City of Stevens Point for a conditional use permit to construct a restroom facility at Pfiffner Pioneer Park, addressed as 1200 Crosby Avenue (Parcel ID 2408-32-2008-05).
7. Acton on the above.
8. **Public Hearing** – Request from Bob Woehr, representing Central Wisconsin Habitat for Humanity, for a conditional use permit to utilize the Traditional Neighborhood Overlay District reduced rear yard and side yard setback standards for the purposes of constructing a home at 2108 East Avenue (Parcel ID 2408-32-4042-15).
9. Action on the above.
10. **Public Hearing** – Amending Chapter 9 of the Revised Municipal Code, Traffic and Vehicles, specifically Subsection 9.12(v), Bicycles & Motor Bicycles, of the Revised Municipal Code to tag, regulate, and remove abandoned bicycles.

11. Action on the above.
 12. **Public Hearing** – Amending the City of Stevens Point Historic Preservation / Design Review Commission – Design Guidelines, specifically Section 3.11 Paint Guidelines, Section 7.3 Definitions, and Section 7.4 Major and Minor Works, to regulate paint and landscaping.
 13. Action on the above.
 14. Request from Dale Rosicky, representing the property owner Frank Sciarrone, for the City to donate a portion of the property between Illinois Avenue and Michigan Avenue north of Prais Street (Parcel ID 2408-28-3014-25) to be joined with 816 Michigan Avenue (Parcel ID 2408-28-3014-16).
 15. Request from Bill Pritchard for a conceptual project review to create a three-lot subdivision on the southwest corner of the intersection of Saint Paul Street and Regent Street (Parcel ID's 2408-28-4002-11 and 2408-28-4002-21).
 16. Repeal and replace Chapter 21 (Building and Premises Maintenance and Occupancy) of the Revised Municipal Code of the City of Stevens Point, with the International Property Maintenance Code from the International Code Council, with local amendments. *The public hearing for this item is anticipated to be in April or May 2016.*
 17. Approval of Certified Survey Map for Worth Court Extension to Clem's Way.
 18. Acceptance of donated land from Portage County within the Portage County Business Park to extend Worth Court south to a point terminating at the intersection of Clem's Way.
 19. Coye Drive Relocation Order to extend Coye Drive West of Hoover Road approximately 450 feet.
 20. Coye Drive Right-of-Way Plat.
 21. Request from the City of Stevens Point to apply for the Wisconsin Connect Communities designation.
 22. Community Development Department Annual Report for 2015.
 23. Community Development department Monthly Report for January and February 2016.
 24. Director's Update (informational purposes only).
 - a. Plan Commission Workshop
 - b. Downtown Rezoning
 - c. Comprehensive Plan Update
 - d. Joint Meeting with Town of Stockton
 25. Adjourn.
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1. Roll call.

Excused: Hoppe

Discussion and possible action on the following:

2. Report of the February 1, 2016 Plan Commission Meeting.

Motion by Commissioner Curless to approve the report of the February 1, 2016 Plan Commission Meeting; seconded by Commissioner Haines.

Motion carried 6-0.

3. **Public Hearing** – Request from Al Tessmann, representing the property owner, for a conditional use permit for the purposes of constructing two, two-bedroom apartment units at 1035 Main Street (Parcel ID 2408-32-2026-52).

Director Ostrowski explained this request is for two residential units above the Green Tea restaurant. This property is in the Downtown Design Review district and the Mathias Mitchell Historic District. Exterior plans have already been reviewed and approved by the Historic Preservation/Design Review Commission. This property is zoned B-3 and does not require parking, which does not require parking to be provided for the use. The reason this request is before you is because all multiple family is a conditional within the City's zoning ordinance. The second ingress/egress for the apartments would be in the rear of the building, on city property, and the next agenda item is for a lease of city land for that exit.

Commissioner Haines asked whether the rooms in the units would have enough light. Director Ostrowski stated that they would need eight percent light, and the building inspectors would review that at the time the application is reviewed. The reason that they are relocating the door is to meet that percentage requirement. He continued stating that staff recommends approval with the conditions listed in the staff report.

Commissioner Brush asked if the rear access would be a fire escape, to which Director Ostrowski stated the design is a full staircase and it is a second ingress/egress, not just a fire escape.

Aldersperson Kneebone asked if the staircase would meet code since the area is so small, to which Director Ostrowski stated yes.

Mayor Wiza declared the Public Hearing open.

Reid Rocheleau, 408 Cedar Street, has concerns regarding the exhaust system and the proposed staircase.

Mayor Wiza declared the Public Hearing closed.

4. Action on the above.

Aldersperson Kneebone said she has concerns if the stairwell in the alley would be aesthetically pleasing, and should the doors be moved. Director Ostrowski stated the staircase would be hidden by the existing wall, and yes the doors will be removed because the staircase would extent out into that area.

Commissioner Brush displayed concern for the alley-way doors in the winter. Mayor Wiza explained that all of the structural stuff would have to meet all existing building codes, including fire safety. Director Ostrowski added that the steel doors would be removed.

Motion by Commissioner Cooper to approve request from Al Tessmann, representing the property owner, for a conditional use permit for the purposes of construction two, two-bedroom apartment units at 1035 Main Street (Parcel ID 2408-32-2026-52) with the following conditions:

- A Work in the Right-of-Way Permit shall be obtained by the applicant from the Public Works Department.
- Any disrupted or disturbed features in the right-of-way due to the extension of utilities shall be restored back to its original state upon completion of the utility extension to standards acceptable to the Public Works Department.
- The applicant must secure a multi-family license prior to occupying the unit.
- Accurate floor plan of the second story shall be submitted by an architect or engineer to be reviewed by City staff prior to issuance of occupancy licensed and building permits.
- All building codes shall be met prior to issuance of occupancy license.
- Exterior improvements must be reviewed and approved by the Historic Preservation / Design Review Commission (windows, stairwell, etc.).
- The maximum number of units shall be two.

seconded by Commissioner Curless.

Motion carried 6-0.

5. Lease/licensed city land located directly south of 1035 Main Street (portion of Parcel ID 2408-32-2026-51) to James E & Patricia A Laabs to be used to construct a second entrance stairwell for second floor apartment uses at 1035 Main Street (Parcel ID 2408-32-2026-52).

Director Ostrowski explained that this is a request to lease a portion of the property for the staircase for 1035 Main Street. The city could revoke this lease with a 60 day notice where the use would have to cease, or an alternative ingress/egress would have to be approved and installed.

Commissioner Curless asked about the liability to the city regarding this stairwell on city property, to which Director Ostrowski stated that the lessee is required to have insurance and to indemnify the city.

Commissioner Brush asked if the stairwell or egress could be connected to the library, to which Mayor Wiza stated it is possible but unlikely.

Motion by Commissioner Brush to approve the lease/licensed city land located directly south of 1035 Main Street (portion of Parcel ID 2408-32-2026-51) to James E & Patricia A Laabs to be used to construct a second entrance stairwell for second floor apartment uses at 1035 Main Street (Parcel ID 2408-32-2026-52); seconded by Alderperson Kneebone.

Motion carried 6-0.

6. **Public Hearing** – request from the City of Stevens Point for a conditional use permit to construct a restroom facility at Pfiffner Pioneer Park, addressed as 1200 Crosby Avenue (Parcel ID 2408-32-2008-05).

Mayor Wiza explained that the Parks Department has identified the bathrooms at Pfiffner Park need to be updated. The design was approved at the last Parks Commission meeting. The city is now requesting a conditional use permit to construct the bathrooms.

Commissioner Haines asked what the difference is in the square footage of the new ones compared to the existing ones.

Director Schrader stated both are similar in square footage and the foot print will be basically the same as the old one. He explained the design of the structure was developed to attempt to mirror the band shell. The construction components are either a shingled roof, or metal roof which would drain into a rain garden, frosted glass windows, large chip stone blocks, and a pine tongue and groove ceiling.

Mayor Wiza declared the Public Hearing open.

No one came forward to speak.

Mayor Wiza declared the Public Hearing closed.

7. Action on the above.

Motion by Commissioner Curless to approve the request from the City of Stevens Point for a conditional use permit to construct a restroom facility at Pfiffner Pioneer Park, addressed at 1200 Crosby Avenue (Parcel ID 2408-32-2008-05) with the following conditions:

- A site plan shall be provided, identifying setbacks and other pertinent zoning standards to be reviewed by the Community Development Department.
- Alternatives for a stone façade and metal roof shall be explored as possible alternatives to the chiseled masonry block and shingled roof.
- Building codes shall be met.
- All applicable building permits shall be obtained.
- Community Development Department staff shall have the authority to review and approve minor amendments to the project.

seconded by Commissioner Curless.

Motion carried 6-0.

8. **Public Hearing** – Request from Bob Woehr, representing Central Wisconsin Habitat for Humanity, for a conditional use permit to utilize the Traditional Neighborhood Overlay District reduced rear yard and side yard setback standards for the purposes of construction a home at 2108 East Avenue (Parcel ID 2408-32-4042-15).

Director Ostrowski explained that this agenda item was pulled by the applicant, Habitat for Humanity.

9. Action on the above.

Item was pulled by the applicant.

10. **Public Hearing** – Amending chapter 9 of the Revised Municipal Code, Traffic and Vehicles, specifically Subsection 9.12(v), Bicycles & Motor Bicycles, of the Revised Municipal Code to tag, regulate, and remove abandoned bicycles.

Mayor Wiza explained this came about as part of the Bicycle and Pedestrian Advisory Committee. During winter there are a lot of bicycles parked in city bicycle racks, which may be abandoned. The committee came up with a tagging system where we will observe the bike, tag it as abandoned, and if there is no response the bicycles would be removed.

Commissioner Brush asked which department would enforce this ordinance, to which Mayor Wiza stated the Police Department, specifically the community service officers.

Mayor Wiza declared the Public Hearing open.

No one came forward to speak.

Mayor Wiza declared the Public Hearing closed.

11. Action on the above.

Motion by Alderperson Kneebone to approve the amending of Chapter 9 of the Revised Municipal Code, Traffic and Vehicles, specifically Subsection 9.12(v), Bicycles & Motor Bicycles, of the Revised Municipal code to tag, regulate, and remove abandoned bicycles; seconded by Commissioner Haines.

Motion carried 6-0.

12. **Public Hearing** – Amending the City of Stevens Point Historic Preservation / Design Review Commission – Design Guidelines, specifically Section 3.11 Paint Guidelines, Section 7.3 Definitions, and Section 7.4 Major and Minor Works, to regulate paint and landscaping.

Director Ostrowski explained that back in 2014 the commission and council had adopted the Design Guidelines, which at that time did not regulate paint. In the past the HP/DRC has regulated paint colors in the historic districts and they feels it is still important to do so as well as certain landscaping elements, specifically character defining landscaping that may be important to the district. Non-character defining landscape can be approved by staff. The commission would like to regulate paint colors, through the adoption of certain color pallets which would be appropriate for the districts. Should an applicant request a paint pallet color, it can be approved internally. The amendments being proposed include the regulation of paint colors, adopting the certain color pallets; and also the adding of character defining landscaping as being major work, so that would have to come before the HP/DRC for a review.

Commissioner Brush asked who defines the character of the landscape, to which Director Ostrowski stated it is determined by staff and the definition exists in the guidelines, we are just proposing to include the landscape portion to this definition. Commissioner Brush added he would prefer to have a Landscape Architect or the City Forester to give approval, to which Director Ostrowski confirmed that is already in the guidelines.

Commissioner Haines asked why the ordinance is so specific, to which Director Ostrowski explained these pallets have been reviewed by the National Park service.

Mayor Wiza declared the Public Hearing open.

Reid Rocheleau, 408 Cedar Street, stated he would like to see design standards extended to other neighborhoods as well.

Mayor Wiza declared the Public Hearing closed.

13. Action on the above.

Motion by Commissioner Brush to approve amending the City of Stevens Point Historic Preservation / Design Review Commission – Design Guidelines, specifically Section 3.11 Paint Guidelines, Section 7.3 Definitions, and Section 7.4 Major and Minor Works, to regulate paint and landscaping; seconded by Alderperson Kneebone.

Motion carried 6-0.

14. Request from Dale Rosicky, representing the property owner Frank Sciarrone, for the City to donate a portion of the property between Illinois Avenue and Michigan Avenue north of Prais Street (Parcel ID 2408-28-3014-25) to be joined with 816 Michigan Avenue (Parcel ID 2408-28-3014-16).

Director Ostrowski explained this was before the Plan Commission in February of 2014, regarding an area which is city owned property. This property is not dedicated as right-of-way for an alley or street, but was likely intended for that purpose at some point. This property is landlocked and there is no intent to have

an alley go through there in the foreseeable future. In 2014 letters were sent to the property owners to the east of the parcel offering the land. The City looked at dividing the land with the city surveyor, however the cost and time was not manageable. It was determined that if a landowner wishes to hire a surveyor and absorb all the other costs, the commission would consider donating the land. The property owner Dr. Sciarrone to the south has done that and his surveyor has put together a CSM to acquire the southern portion of the parcel.

Commissioner Curless asked if the city has to maintain the strip now, or do the surrounding property owners, to which Director Ostrowski answered the property is landlocked and the surrounding property owners have been maintaining it.

Motion by Commissioner Haines to approve the request from Dale Rosicky, representing the property owner Frank Sciarrone, for the City to donate a portion of the property between Illinois Avenue and Michigan Avenue, north of Prais Street (Parcel ID 2408-28-3014-25) to be joined with 816 Michigan Avenue (parcel ID 2408-28-3014-16); seconded by Commissioner Curless.

Motion carried 6-0.

15. Request from Bill Pritchard for a conceptual project review to create a three-lot subdivision on the southwest corner of the intersection of Saint Paul Street and Regent Street (Parcel ID's 2408-28-4002-11 and 2408-28-4002-21).

Director Ostrowski explained this agenda item is just for review and to obtain information as to what the commission would like to see, and no action will be taken on this item. Currently, a property owner is only allowed to split property into four lots within five years by certified survey map. Mr. Pritchard has already split two lots along Sommers Street creating four lots, and he would like to split the adjacent lots along Saint Paul Street in to three single family lots which would require a subdivision plat. The applicant is requesting this review specifically to see if the commission would require sidewalks to be installed along Saint Paul Street should a subdivision plat submitted. Director Ostrowski continued stating that on a previous subdivision plat, Washington Terrace, we required sidewalks, however it encompassed the entire city block and connected to existing sidewalks. The three lot subdivision proposed is not defined in the comprehensive plan, or the Portage County Bike and Pedestrian Plan to have sidewalks. If sidewalks were required to be installed, it would be along the three lots, and there is a significant distance until there are connecting sidewalks.

Commissioner Haines asked where the current sidewalks start, to which Director Ostrowski stated on Jordan Lane.

Commissioner Brush asked if a traffic study had been conducted, to which Director Ostrowski answered there have not been any traffic studies along this area that he is aware of. Director Ostrowski continued identifying that there are sidewalks installed along the other side of Saint Paul Street as part of the Washington Terrace Subdivision. With this area, there is still a large gap southwards towards Jordan Lane.

He continued stating that this may be before you next month as a subdivision plat where the commission could require the developer to install sidewalks. Commissioner Brush asked about the right-of-way width, if room exists for sidewalks, and what is the nearest school, to which Director Ostrowski answered room exists for the sidewalks and the nearest school would be Washington Elementary, south of the development.

Commissioner Curless stated that he would not want sidewalks in that development unless it would go all the way along the block.

Commissioner Brush asked about the Bicycle Pedestrian Advisory Committee and if they would prefer a lane striped for bike/pedestrian traffic. Mayor Wiza explained that the BPAC is just advisory to the Plan Commission and that the adopted County Bike and Pedestrian plan does not call for sidewalks in the area.

Bill Pritchard, 5456 Cardinal Drive, stated he is the developer and is looking for the feedback regarding sidewalks on these lots, and stated if not required this project would be before the commission next month.

Mayor Wiza stated the Plan Commission has the authority to require sidewalks in a development, but because it is not in the county plan, we would not change that decision.

Aldersperson Patton stated he is happy that the commission would not require sidewalks along Jordan and feels it would hurt the atmosphere of the neighborhood.

Trevor Roark, 601 Washington Avenue, stated that in reviewing the County Bike and Pedestrian Plan, they would not call out sidewalks along every parcel, lot, or development throughout the entire city. Mr. Roark feels that sidewalks would be good for the proposed subdivision.

Cathy Dugan, 615 Sommers Street, agrees with Mr. Roark, that more sidewalks are needed in this area.

Aldersperson Kneebone stated she is for a sidewalk to be installed if a logical connection to other sidewalks exists, but if there is not then it is ok to go without them.

Mayor Wiza asked if there were sidewalks installed along the east side of Saint Paul Street, to which Director Ostrowski answered they have been required with the Washington Terrace Subdivision in this area, but were not called out in the Portage County Bike and Pedestrian Plan. He continued stating that if the lots were split by a certified survey map, sidewalks would not be required, but if the lots are split by a plat, we could require them.

Commissioner Brush asked if we required sidewalks in the future, on the west side of Saint Paul Street, who would bear the expense, to which Director Ostrowski stated now the developer, later would be the individual property owner or the city.

Commissioner Haines stated that she agreed with Alderperson Kneebone about having a logical connection of sidewalks, but if not then they are not needed.

16. Repeal and replace Chapter 21 (Building and Premises Maintenance and Occupancy) of the Revised Municipal code of the City of Stevens Point, with the International Property Maintenance Code from the International Code Council, with local amendments. *The public hearing for this item is anticipated to be April or May 2016.*

Director Ostrowski explained that in the Plan Commission packet, there is a draft of the local amendments and a separate document copy of the International Property and Maintenance Code. Because of copyright issues, we are not allowed to be posted on the website, however copies are available for viewing in our office and the City Clerk's office. For building codes, we often adopt by reference a state or international building code, which is what is proposed for the Property Maintenance Code. The International Property and Maintenance Code is updated every three years, and would essentially replace chapter 21 to regulate exterior and certain interior components of property. This item is for introducing the code to the Plan Commission and Common Council for review, along with the local amendments to the code. At adoption we are allowed to provide amendments to the code made available to the public for a cost of approximately \$1500, which is much easier to interpret. Our current code has been in place for a while and the proposed code will assist in clarifying the code and ensuring consistencies. We are giving you time to look through the document, and amendments, and to receive your recommend changes. Director Ostrowski then explained comments should be provided to him for review prior to this being brought back to the commission for a public hearing and final action.

Commissioner Haines asked how this differs from the Uniform Dwelling Code, to which Director Ostrowski stated that the Uniform Dwelling Code is the code that regulates the actual construction of buildings. This regulates the maintenance or the building and property.

Reid Rocheleau, 408 Cedar Street, stated his concerns with the new code which appears to be removing an unregistered vehicle out of the ordinance as a violation.

City Attorney Beveridge clarified by reading directly from the new proposed ordinance that the language regarding unregistered vehicles pertains only to unlicensed off-road vehicles such as snowmobiles, ATV's and dirt bikes.

17. Approval of Certified Survey Map for Worth Court Extension to Clem's Way.

Director Ostrowski provided details regarding the Skyward Development Agreement which stated the city would agree to install signals at the intersection of E. M. Copps Drive and County Road R. However, after doing a traffic study it was found that that area should not have signals because of traffic hazards. Therefore, as an alternative Worth Court is proposed to be extended to Clems Way, which leads to a signalized intersection by Land's End. Director Ostrowski continued stating Portage County currently owns the area needed for the extension, and they have agreed to donate the land to the city for roadway

purposes. The Plan Commission and Common Council must approve the certified survey map for the right-of-way and accept the land donation.

Commissioner Cooper asked wouldn't we want to wait to see the impact of Skyward first, to which Mayor Wiza answered no. Mayor Wiza explained we have an agreement with Skyward to put the signalized intersection in by the end of July. In working with Skyward they agreed to allow us to do this as an alternative. We are still contractually obligated to put in that signalized intersection regardless of impacts to traffic. Skyward is set to open this month at the new facility, and this would help traffic flow for them and the entire park.

Motion by Mayor Wiza to approve the Certified Survey Map for Worth Court Extension to Clem's Way; seconded by Alderperson Kneebone.

Motion carried 6-0.

18. Acceptance of donated land from Portage county within the Portage County Business Park to extend Worth Court south to a point terminating at the intersection of Clem's Way.

Motion by Mayor Wiza to approve the acceptance of donated land from Portage County within the Portage County Business Park to extend Worth Court south to a point terminating at the intersection of Clem's Way; seconded by Commissioner Brush.

Motion carried 6-0.

19. Coye Drive Relocation Order to extend Coye Drive West of Hoover Road approximately 450 feet.

Mayor Wiza explained this is part of the Coye and Hoover intersection improvements in anticipation of the grade separation project.

Motion by Commissioner Haines to approve the Coye Drive Relocation Order to extend Coye Drive West of Hoover Road approximately 450 feet; seconded by Commissioner Cooper.

Motion carried 6-0.

20. Coye Drive Right-of-way Plat.

Motion by Commissioner Cooper to approve the Coye Drive Right-of-Way Plat; seconded by Commissioner Curless.

Motion carried 6-0.

21. Request from the City of Stevens Point to apply for the Wisconsin Connect Communities designation.

Director Ostrowski explained that the Wisconsin Connect Communities Designation is similar to the Main Street designation that the city once held up until 2011. As part of the Main Street program the city needed to have an executive director position, which was eliminated. The Wisconsin Economic Development Cooperation (WEDC) has created a similar designation which is much more affordable to a number of communities with a \$200 application fee and an annual \$200 renewal. The program provides the City with a larger network group, training for staff, and onsite visits from WEDC staff to look at other funding sources that may be available through grants. Lastly, Director Ostrowski explained this request is to notify the Commission and also get approval, as applications are due in April.

Motion by Commissioner Haines to approve the request from the City of Stevens Point to apply for the Wisconsin Connect Communities designation; seconded by Commissioner Brush.

Aldersperson McComb stated there is currently an Association of Downtown Businesses and felt it would be positive to present this to them.

Motion carried 6-0.

22. Community Development Department Annual Report for 2015.

Director Ostrowski presented the 2015 Community Development Department Annual Report.

Motion by Commissioner Cooper to accept the Community Development Annual Report for 2015; seconded by Commissioner Brush.

Motion carried 6-0.

23. Community Development Department Monthly Report for January and February 2016.

Director Ostrowski explained there is an amendment to the January report in that the total fees actually would be \$8,550.00 due to some of the abatement fees which were included in the previous total.

Motion by Aldersperson Kneebone to accept the Community Development Department Monthly Report for January and February 2016 with the amendment of the January report; seconded by Commissioner Curless.

Motion carried 6-0.

24. Director's Update (informational purposes only).
a. Plan commissioner Workshop

Director Ostrowski stated the Plan Commission Workshop will be Tuesday, March 15, 2016 and if there are still commissioners wishing to attend, please let him know.

b. Downtown Rezoning

Staff has started to look at a number of properties within the downtown that really don't fit the existing conditions regarding zoning. We have a number of properties that are zoned manufacturing that could allow very intense uses that may not be appropriate next to current uses that are located in the Central Business District. The properties have been identified and letters were sent out to the property owners inviting them to attend an upcoming meeting Wednesday, March 16, 2016 from 7:00pm-9:00pm in the Mid-State Technical College Community Engagement Room. The meeting will allow feedback and input to be gathered and staff to answer questions and provide further information.

c. Comprehensive Plan Update

Director Ostrowski reminded the Commission of the pursuit to hire a consultant to do some of the background work and drafting of the actual text for the Comprehensive Plan update. Currently the request will be sent before the Finance Committee for funding this month. Then, the next step is to release the request for proposals and select a consultant.

d. Joint Meeting with Town of Stockton

Director Ostrowski indicated the Town of Stockton's interest to conduct a joint plan commission meeting for each municipality's Comprehensive Plan update. He further described that in the past, each body has met to discuss boundaries, territorial, and growth issues. Stockton borders the city on the east, near East Park Commerce Center. Director Ostrowski would recommend meeting before the next regularly scheduled Plan Commission on April 4, 2016 for about an hour at the Portage County Annex building.

25. Adjourn.

Adjourned at 7:30 PM.

Attachment – Provided to at the Plan Commission Meeting – Pertaining to Agenda Item 6



Attachment – Provided to at the Plan Commission Meeting – Pertaining to Agenda Item 23

Community Development Report - January 2016

Construction Report

New Construction	Owner/Location	Declared Valuation	Fees
Residential			
Commercial			

Remodeling/ Additions	# of Permits	Declared Valuation	Fees
Residential	24	\$121,050.55	\$1,650.67
Commercial	13	\$769,926.00	\$7,975.00

Monthly Permits	Monthly Valuation	Monthly Fees	YTD Valuation	YTD Fees
30	\$890,976.55	\$9,625.67	\$890,976.55	\$9,625.67
			2015: \$1,228,382.50	\$8,431.03
			2014: \$443,048.00	\$2,108.00
			2013: \$850,335.00	\$8,193.48

Violation Report

Exterior Property Area Complaints	Violations
*Multiple Exterior Property Violations	12
*Other Exterior Property Violations	0
Accumulation of Rubbish or Garbage	5
Grass or Weeds	0
Improper Parking of Vehicles	12
Improper Storage of Refuse or Refuse Carts	5
Refuse or Refuse Carts on Curb	6
Snow and Ice	43
Storage of Household Items Outside	12
Unlicensed or Inoperable Vehicles	34
Unsanitary Conditions	0
Exterior Structure Complaints	
*Multiple Exterior Structure Violations	0
*Other Exterior Structure Violations	1
Broken or Missing Windows	0
Defective Protective Treatment	6
Missing or Defective Handrails/Guards	0
Interior Structure Complaints	
*Multiple Interior Structure Violations	0
*Other Interior Structure Violations	0
Multiple Violations	
*Multiple Property Violations	1
Other Violations	
*Other Property Violations	1
Expired Multiple-Family License	0
Improper Occupancy: Multi-Family Dwelling	0
Improper Occupancy: Residential Dwelling	1
Work Without Permit	6
Work Without Historic Preservation Review	0
Total Violations / Total Service Fees Billed	145/\$8,550.00

Administrative Staff Report

Indoor Storage Facility

Conditional Use Permit Amendment

3256 Church Street

March 24, 2016



Department of Community Development

<p>Applicant(s):</p> <ul style="list-style-type: none"> Storage Unlimited LLC <p>Staff:</p> <ul style="list-style-type: none"> Michael Ostrowski, Director mostrowski@stevenspoint.com Kyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none"> 2308-04-2008-34 <p>Lot Information:</p> <ul style="list-style-type: none"> Effective Frontage: 792 feet Effective Depth: 400 feet Square Footage: 172,062 Acreage: 3.95 <p>Zone(s):</p> <ul style="list-style-type: none"> "B-4" Commercial District <p>Master Plan:</p> <ul style="list-style-type: none"> Commercial <p>Council District:</p> <ul style="list-style-type: none"> District 10: Phillips <p>Current Use:</p> <ul style="list-style-type: none"> Vacant Commercial <p>Applicable Regulations:</p> <ul style="list-style-type: none"> 23.01(16) and 23.02(2)(d) 	<p>Request</p> <p>Request from Storage Unlimited LLC, for a conditional use permit amendment for the purposes of operating an indoor storage facility at 3256 Church Street (Parcel ID 2308-04-2008-34).</p> <p>Attachment(s)</p> <ul style="list-style-type: none"> Parcel ID Sheet Exhibit Map Application Site Plans <p>Findings of Fact</p> <ul style="list-style-type: none"> The property is zoned "B-4" Commercial District. Storage uses are a conditional use in the "B-4" Commercial District. The City's Comprehensive Plan calls for a commercial use on this property. The request is to convert approximately 70% of the building into indoor storage with the remaining 30% occupied by commercial or office uses, not storage. A conditional use was approved on December 21, 2015. Furthermore, an updated site plan, landscaping plan, and rendering were approved on February 1, 2016 (see attachments) <p>Staff Recommendation</p> <p>Approve, subject to the following conditions:</p> <ol style="list-style-type: none"> Windows shall be installed in the grid system that have a frosted, tinted, or other design to create an opaque appearance. Such design shall be approved by the Community Development Department. Continuous screening in the form of vegetative landscaping shall be installed along the west side of the west façade canopy. Previously approved landscaping shall be attached to the conditional use permit amendment, along with a new landscaping plan identifying the above condition to be reviewed and approved by the Community Development Department. Landscaping shall meet all current zoning standards for the existing planting areas prior to June 30, 2016. At least thirty percent of the building's south side shall be dedicated to commercial and/or office type uses, excluding storage. Deviations from the internal layout reducing the commercial/office area shall be considered an amendment to the conditional use permit and subject
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to review and approval by the Plan Commission and Common Council. Failure to maintain this area as commercial/office shall be a violation of the conditional use permit, and subject to revocation.

6. Exterior façade improvements as indicated on the attached plans shall be completed prior to occupancy by the storage use. Failure to construct the exterior improvements as identified in this time period shall be a violation of the conditional use permit, and subject to revocation.
7. Exterior refuse storage shall be screened with constructed materials matching or complementing those found on the main building. Exterior refuse storage shall occur on the north side of the building and should be reviewed and approved by staff prior to construction.
8. No exterior storage on the property shall be allowed.
9. If additional lighting is added, an illumination plan shall be submitted and reviewed and approved by staff.
10. Exterior signage shall:
 - Be in the form of channel letters where only the letters are illuminated or have a glow lighting, or
 - Be illuminated with gooseneck style lighting, or
 - If a wall cabinet is proposed, only the letters shall be illuminated, not the background of the sign. The background of the sign shall be darker than the lettering/text/images.
11. Staff shall have the authority to make minor changes.

Vicinity Map

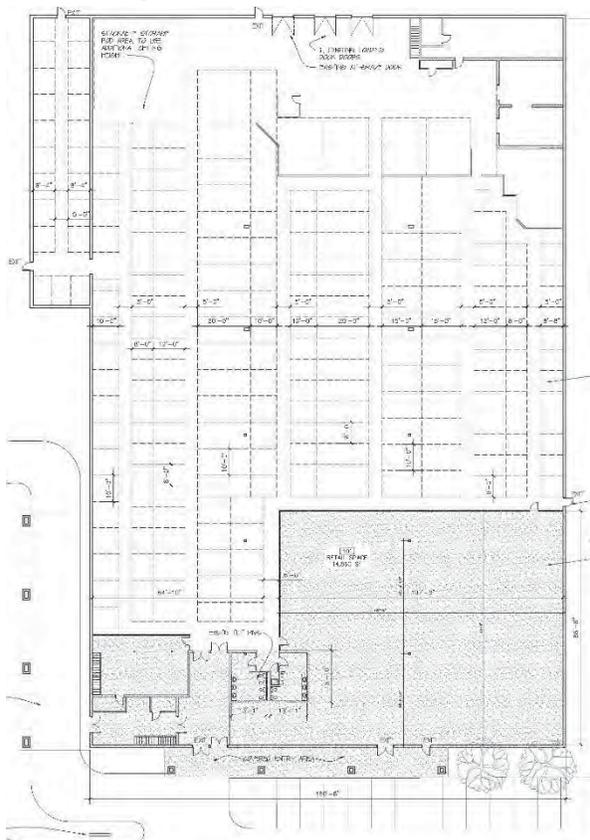


Background

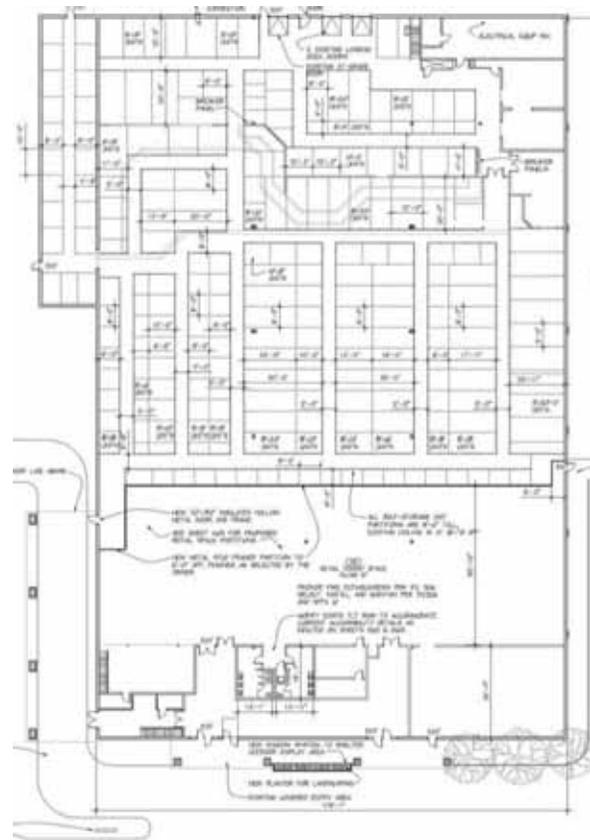
In December, 2015 a conditional use permit (CUP) was granted to the applicant to operate an indoor storage use (see attached CUP) at the location above. In addition to the approval, several conditions were added which included an updated site plan and landscaping plan to be submitted which occurred and was approved by the Plan Commission in February, 2016 (see attached plans and minutes). As the project progressed and state approved plans were received it became apparent that deviations were made from the previously approved plans. Therefore, as clearly indicated on the approved conditional use permit, any deviations from the internal layout and approved plans shall be considered an amendment to the conditional use and subject to applicable review. Below staff have summarized the changes requested by the applicant.

Requested changes:

1. Commercial Area Separation Wall – Creates roughly 16,000 square feet of commercial area (approximately 31% of the building)



Original Approved Interior Plan



Updated Interior Plan Requested

2. Window Grid System Installed (Trellis) between canopy supporting columns and behind proposed landscape planter. Note a similar request was made previously, however lacked clarity. Windows were previously thought to be installed on the building façade.



Note a full set of updated plans are attached. The site plan/landscaping plan is relatively the same, except a dumpster enclosure is identified in the north (rear) parking area. A separate, detailed landscaping plan and rendering was approved in February which staff would recommend be attached to an amended conditional use permit. You will also find a phased build-out of storage units as part of the plan set, along with an interior build-out for the commercial area. As the commercial area is a permitted use, review of the build-out will not occur and is not part of the amended conditional use permit, other than the construction of the commercial area shell. Lastly, exterior renderings showing improvements to the building have been updated to clarify the window bay system identified above. A partial east elevation and north (rear) elevation rendering have also been submitted to identify proposed exterior improvements.

Conditional use permit review standards have been identified below and specifically relate to the major changes that have been proposed for the project and are identified above. All previous agendas, packets, staff reports/memos regarding previous review of the project are available on the City website, www.StevensPoint.com.

Standards of Review

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

Analysis: The proposed use includes maintaining at least 30% of the building as commercial. Commercial space is proposed on the south side of the building and will be separated by a permanent wall.

Findings: The commercial space should create improved traffic to the site, improving aesthetics of the area and create a more welcoming environment. Overall, the operation of the use and change proposed to the interior layout should not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

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

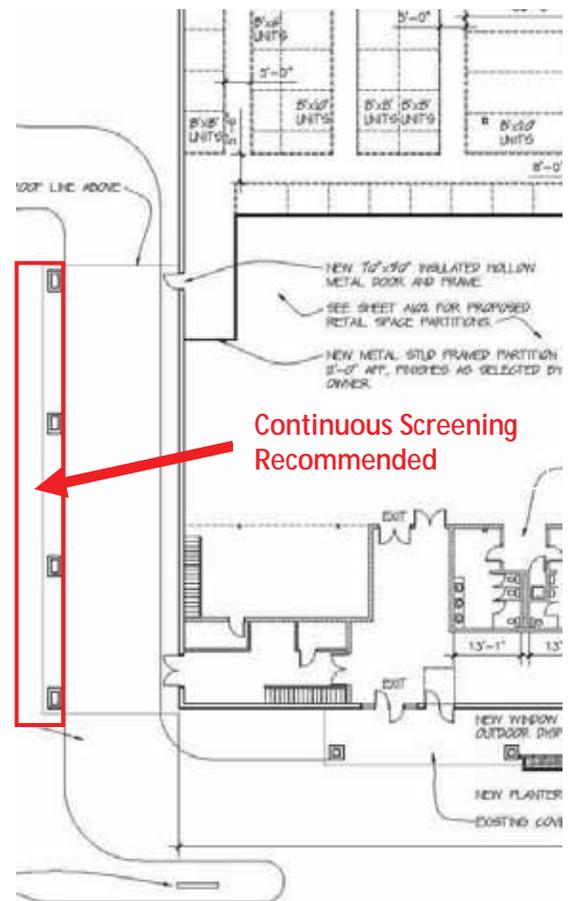
Analysis: The conditional use permit was previously granted, requiring 30% of the building to be utilized for commercial uses. The new proposed internal layout creates more fluidity to the commercial space. All south side doors will only access the commercial space. Indoor storage users must utilize side or rear entrances.

Findings: Storage, indoor or outdoor, is a conditional use within this zoning district, where as commercial (retail & offices use) are a permitted use. The commercial component will likely draw retail or office tenant(s) having higher customer traffic and use along the primary southern building facade. Southern parking would likely be utilized by the commercial tenant, improving the aesthetics of the corridor. The parking area north of the building would remain undeveloped and likely be utilized by large storage users. Therefore, proposed changes to the internal layout should not be injurious to the use and should assist in improving the Church Street Corridor.

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: Our Comprehensive Plan calls for this area to be commercial in nature. Furthermore, Church Street was identified in the Comprehensive Plan as one of the main areas for commercial development due to the north/south arterial street. The proposal includes using 30% of the building for commercial uses. Furthermore, the proposed interior change allows access on the southern façade only to the commercial area.

Findings: The proposed change to the interior layout will create access for the storage use on the side and rear facades, which may also push parking for the storage use along the same facades leaving the southern parking and entrances primarily for commercial uses. Furthermore, vehicles accessing the west façade entrance for the storage use will be covered by the existing canopy, and partially hidden. Given this access area for the storage use and its proximity to the neighboring residential, staff would recommend continuous screening in the form of landscaping west of the west façade canopy.



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 previously approved exterior elevation included the creation of large bay of windows on the south façade, and a planter was proposed in the front. Given the previously submitted renderings and elevations the window was reviewed and approved as being placed on the building façade and in a new façade opening. Instead however, the applicant proposed and intended to create a window bay grid/trellis between the existing canopy columns and directly behind the planter. Other improvements to the exterior façade as previously proposed are the same. Note however, a rendering has been submitted outlining improvement to the west and north (rear) facades. North elevation proposed changes include adding a decorative strip on the facade to match the south elevation, remove and replace the compactor door with a service door, and fill loading dock area to create an at grade entry.

Findings: Exterior improvements to the building are essential to improving the exterior architectural appeal of the building. The exterior rendering was previously approved primarily due to the installation of windows within the south side building wall façade. As they are no longer proposed to be installed on the building wall façade, they will not be as impactful to the overall aesthetics of the building. In addition, the applicant has requested the proposed window system between the canopy columns to be of a grid/trellis design. Windows within the proposed grid/trellis would assist in creating a look resembling that of an enclosed building area. Furthermore, they would assist in providing screening of anything stored behind them and under the existing canopy. Staff would recommend that windows are installed in the grid system and that they have a frosted, tinted, or other design to create an opaque appearance. Clear glass would serve little purpose as the masonry building façade would be visible behind the glass. Staff feels the proposed improvement would still assist in improving aesthetics and creating appeal to commercial tenants and patrons, while more so fitting within the commercial corridor.

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

Analysis: The respective area is an established area of the City.

Findings: Utilities currently exist in this area.

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

Analysis: Note the internal layout may slightly change traffic on the site given access to the storage use can only occur from the north and west façade.

Findings: Vehicles for the storage use will likely park under the west façade canopy where a new door is proposed or in the north parking lot where existing overhead doors exist to access the building. The new internal layout and potential changes to traffic flow will maintain southern parking for mainly the commercial uses. These changes should minimally change any anticipated traffic to the site.

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.

Not applicable with this amendment request

See previous Plan Commission Staff Report (December 7, 2015) – www.stevenspoint.com

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: An updated landscaping plan was previously submitted and approved. The building is existing and parking is proposed to remain.

Findings: Staff would recommend the previously approved landscaping plan and renderings be attached to the conditional use permit amendment.

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

N/A

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

N/A

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

The proposed changes to site plan and rendering should not greatly affect access to the site.

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

Adequate utilities exist on the site and are not changed with the conditional use permit amendment request.

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

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

Analysis: Refuse storage has been identified on the newly submitted site plan.

Findings: Staff would anticipate the need for indoor and/or outdoor trash receptacles to accommodate user traffic on site. Any additional mechanical equipment, and any refuse or recycling receptacles shall be screened from view with masonry materials matching or complementing those on the main building.

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

Analysis: A lighting plan has not been submitted.

Findings: If additional lighting is added, an illumination plan shall be submitted and reviewed and approved by staff.

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

Analysis: A residential mobile home park exists west of the site. Single family homes exist to the north.

Findings: The proposed use is anticipated to create only a small amount of noise from traffic to and from the site, as well as, loading and unloading of storage goods. Storage users may utilize the western and

northern entrances nearest to residences; therefore, staff has previously recommended continuous screening to act as an aesthetic and sound barrier. The southern entrances will strictly be utilized for commercial uses.

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

N/A

Photos



Looking East



Looking North



North Façade



West Façade - Canopy



South Facade



South Facade



Southeast Facade

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# 1-65366
9250

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	—	Date Submitted	3/16/16	Fee Required	\$ 250.00	Fee Paid	
Associated Applications if Any	—	Assigned Case Manager	Kyle Kearns				
Pre-Application Conference Date	—	Conditional Use Permit Request	Use	<input type="checkbox"/> Amend	<input checked="" type="checkbox"/> 12/21/15		

3-1716

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)	
Applicant Name	Storage Unlimited LLC	Contact Name	
Address	6640 Hwy 13 S	Address	
City, State, Zip	Wisc Rapids WI 54494	City, State, Zip	
Telephone	715-325-7867	Telephone	
Fax	715-325-6672	Fax	
Email	jaimie@stocor.com	Email	

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name		Owner's Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Fax		Fax	
Email		Email	

PROJECT SUMMARY

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

Parcel 1	Parcel 2	Parcel 3
281-23-0804200843		

Legal Description of Subject Property

Lot 1 CSM#10621-48-51 BNG, PRT SWNW S4 & SESE S5 All in T23 R8; 1NG/E6R ESMT ON SD CSM-804282 395A CSM 13/247, 803168RES 813605 RES; 813898

Designated Future Land Use Category	Current Use of Property
Mixed use - Retail & self storage	Vacant

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)

15,000 sq ft - Retail... proposed antique mall as tenant > site plan
70% of Building... Indoor mini self storage units. > Revision Request.
-see Attached-

*Construction of units & clean up has begun. Would like to open for business ASAP!!! Exterior improvements need clarification - window on order and scheduled to be installed between columns can be empty trellis or hold 1/4" glass. Not Energy efficient enough for BUILDING.
Purpose is to break up building facade & be decorative only.

Request site plan revision Approval

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

Current traffic is for car washes, fuel, groceries - this will add a storage resource and shopping component.

Front exterior improvements (southside) will add green space with (planter) trellis or Faux "window" design.

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

Biggest negative is parking lot used as road to adjoining business property.

We are careful when considering what ^{tenants} businesses to allow so they fit with the neighbors.

ie: auto body repair fumes would be negative impact. We would

Prefer to see income generated with this property so we can build in future outlot.

Current Zoning Surrounding Subject Property

North:	Multi-family	South:	Gas Station + Commercial
East:	Business	West:	multifamily

Current Land Use Surrounding Subject Property

North:	VACANT Land	South:	Kwik Trip Fuel & car wash
East:	Harders	West:	Trailer park

EXHIBITS

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

CERTIFICATION AND SIGNATURE

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

Signature of Applicant	Date	Signature of Property Owner(s)	Date
David Ramsh	3/15/2016	David Ramsh	3/15/2016

Storage Unlimited, LLC

David Ramsden, Owner

6640 State Hwy 13 South
Wisconsin Rapids, WI 54494
715-325-7867

3/15/2016

Mike,

Clean up has begun on the former Southside-Copps building!

It's a large building and everything takes time. Just cleaning the floor took several weeks. Currently, our employees are building the interior units and have constructed the exterior planter while trimming the bushes.

The building permits were issued for the planter and interior unit construction. The occupancy permits are being withheld because the state plan doesn't match what was originally approved by the city. Unfortunately, the original plan we submitted for approval didn't pass state review. By adjusting the state plan, we no longer meet the approval of the city. **Please consider the revised plan we believe will meet with both city and state approvals.**

Also, for clarification please take note of the additional photos of the front "window" that will be installed between the columns and above the planter. Esser Glass has all of the materials for this. We are waiting for necessary approvals prior to install.

We are considering starting our own retail store (specifically an antique mall) in the front space to generate some much needed income.

Time is of the essence for us to be able to get occupancy in both the mercantile section as well as the storage portion. Without your support, we cannot move forward with installing the front display or opening for business.

Please help.

Jaime White, Manager
Storage Unlimited LLC

From: [Jaime White](#)
To: [Kyle Kearns](#)
Subject: Clarification
Date: Wednesday, March 16, 2016 9:39:39 AM

The 15,190 ft designated as retail space comes out to just less than 30% (approx 29.36%).

We chose to put the wall in the location indicated on the plan so it will run between the fire sprinklers as well as add small storage units on the back side to allow a safety buffer between storage and mercantile (deter people from climbing over the wall).

Construction has already begun on the three large storage unit sections to the north of that separation wall.

Regarding the front "window" design:

We prefer the idea of trying a trellis to see how that would look as a front green space. As an antique mall this could be a nice area to add garden benches or some additional outdoor items for retail display.

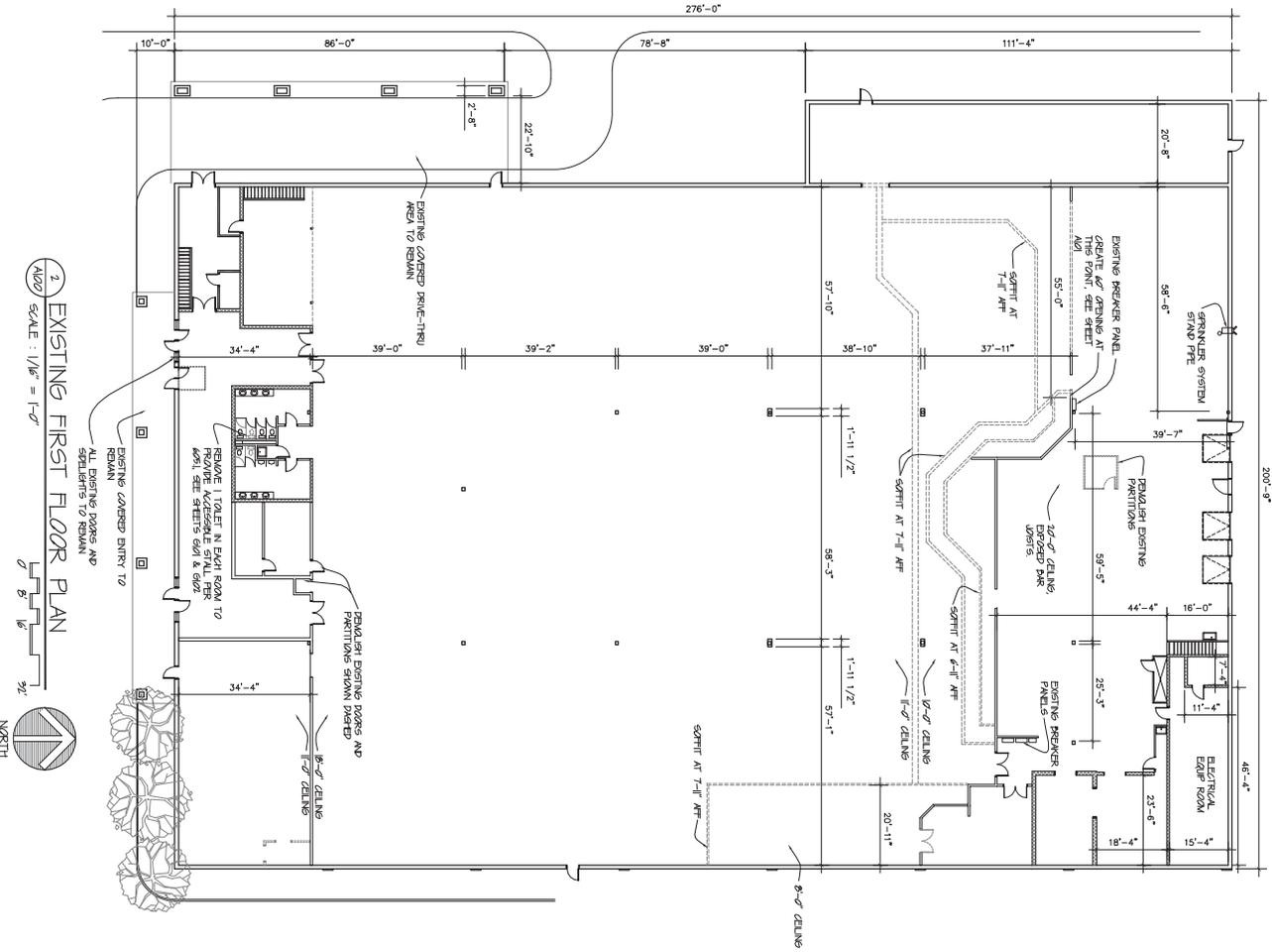
If we add an insert, we would lean towards putting in something that would be an antique glass or decorative insert (could be metal?). Anything except clear glass would be our first preference.

We are considering painting the canopy to freshen the look. We do not have a color scheme at this time.

Jaime White

715-325-2340 (office)

715-321-1261 (cell)



2 EXISTING FIRST FLOOR PLAN
 A100 SCALE: 1/8" = 1'-0"



A100

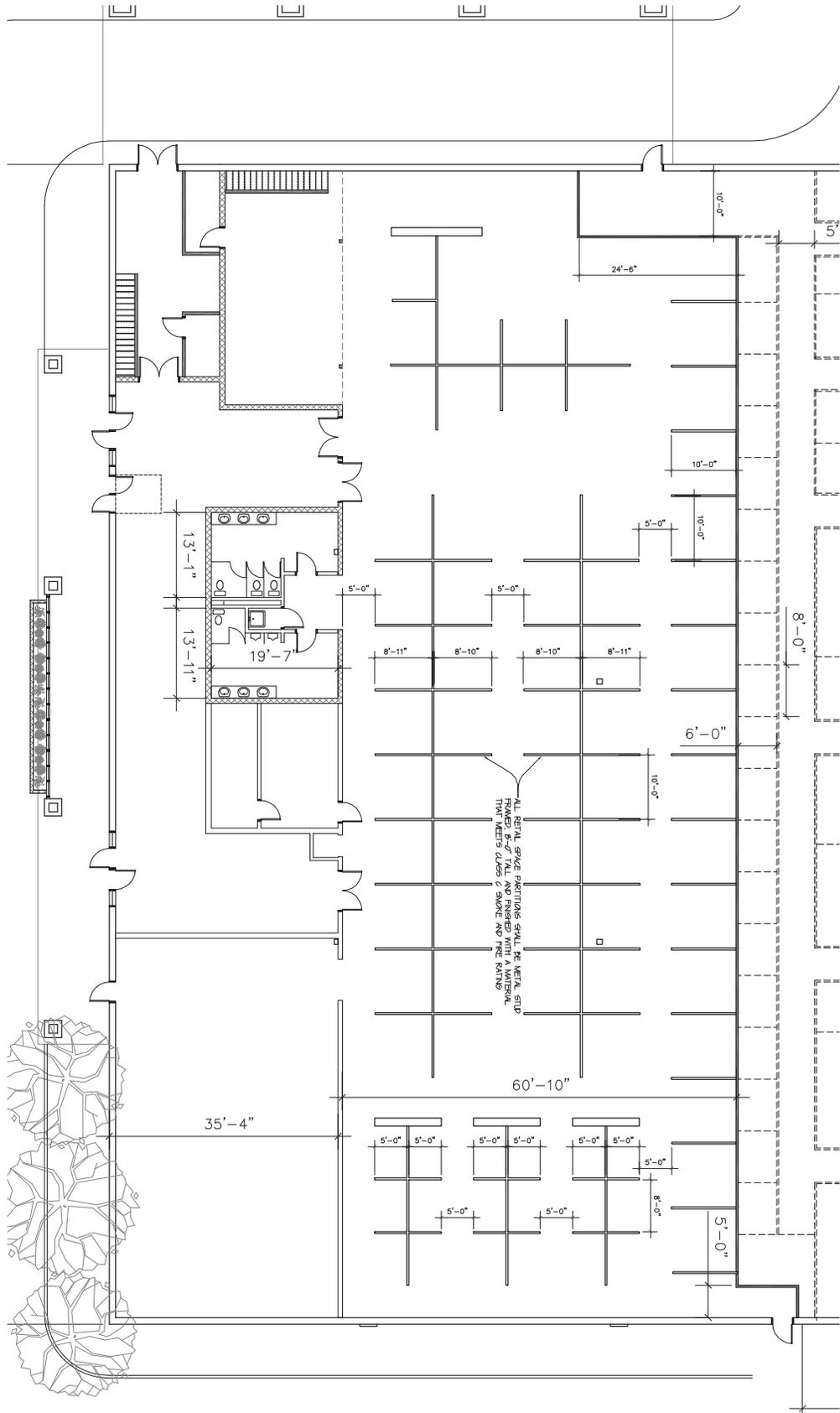
REVISIONS

NO.	DATE	DESCRIPTION
1	Jan. 4, 2016	PROJ. I.D.
2	Jan. 24, 2016	REV. 2
3	Jan. 26, 2016	REV. 3
4	Jan. 26, 2016	REV. 4
5	Jan. 26, 2016	REV. 5
6	Jan. 26, 2016	REV. 6
7	Jan. 26, 2016	REV. 7
8	Jan. 26, 2016	REV. 8
9	Jan. 26, 2016	REV. 9
10	Jan. 26, 2016	REV. 10
11	Jan. 26, 2016	REV. 11
12	Jan. 26, 2016	REV. 12
13	Jan. 26, 2016	REV. 13

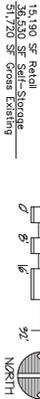
PROPOSED ALTERATIONS
 FOR
 STORAGE UNLIMITED
 3256 CHURCH STREET
 STEVENS POINT, WI 54481

EXISTING HOME
 DEMOLITION PLAN

arc central inc.
 Lucas Dolan
 architecture construction management interior design
 1530 1st street north, wisconsin rapids, WI 54484
 jlucas@arccentralinc.com 715-872-2698



1 FIRST FLOOR RETAIL SPACE PLAN
 SCALE: 1/8" = 1'-0"
 15,190 SF Retail
 26,530 SF Self-Storage
 51,720 SF Gross Leasing



NEW PARTITION	
EXISTING PARTITION	
TO BE DEMOLISHED	

A102

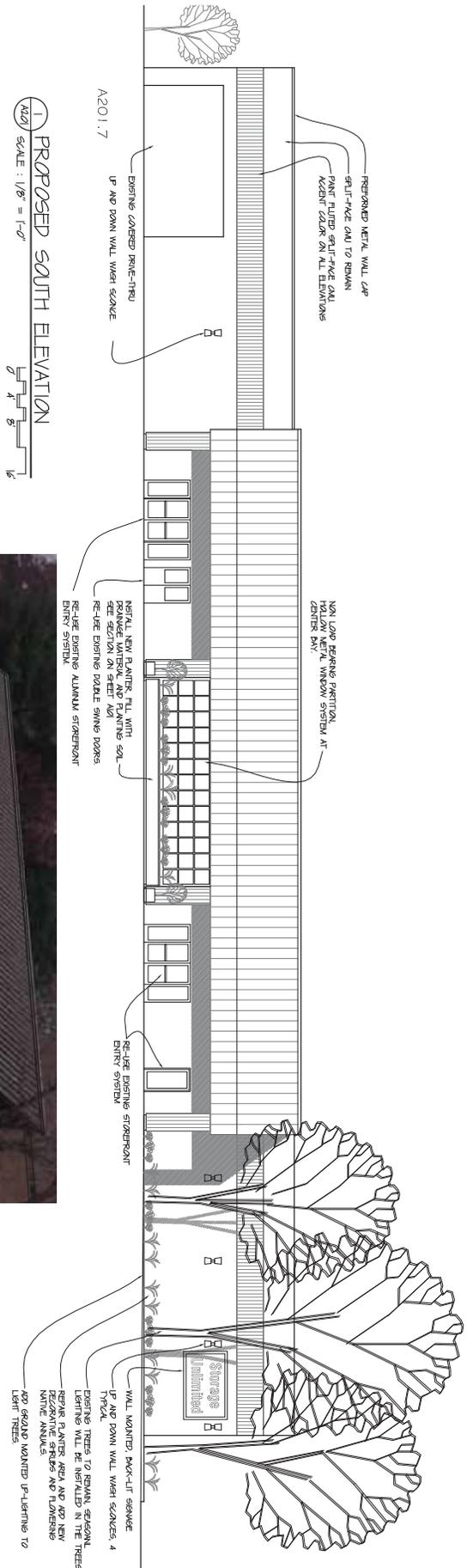
REVISIONS

NO.	DATE	DESCRIPTION
Rev 2	Jan. 4, 2016	
Subm	Jan. 26, 2016	
Subm	Feb. 09, 2016	
Rev 1	Feb. 24, 2016	
DATE	Jan. 4, 2016	
PROJECT NO.	15 016	

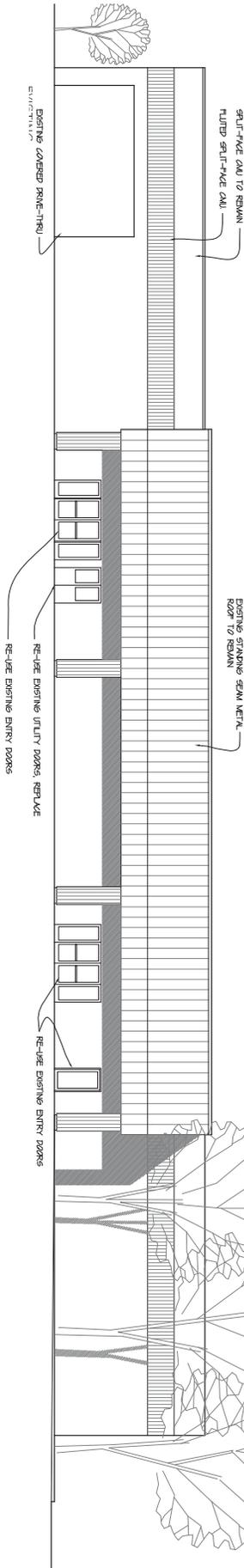
PROPOSED ALTERATIONS
 FOR
STORAGE UNLIMITED
 3256 CHURCH STREET
 STEVENS POINT, WI 54481

**FIRST FLOOR
 PLAN**

arc central inc.
 Lucas Dolan
 architecture construction management interior design
 1930 1st street north, wisconsin rapids, WI 54484
 j.lucas@arccentralinc.com 715-672-2698



NON LOAD BEARING PARTITION, METAL WINDOW SYSTEM, CENTER BAY OF COLUNNS SUPPORTING THE COVERED ENTRY, CAST IN PLACE CONCRETE FLANTER, SEE PLAN SHEET A201.7



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

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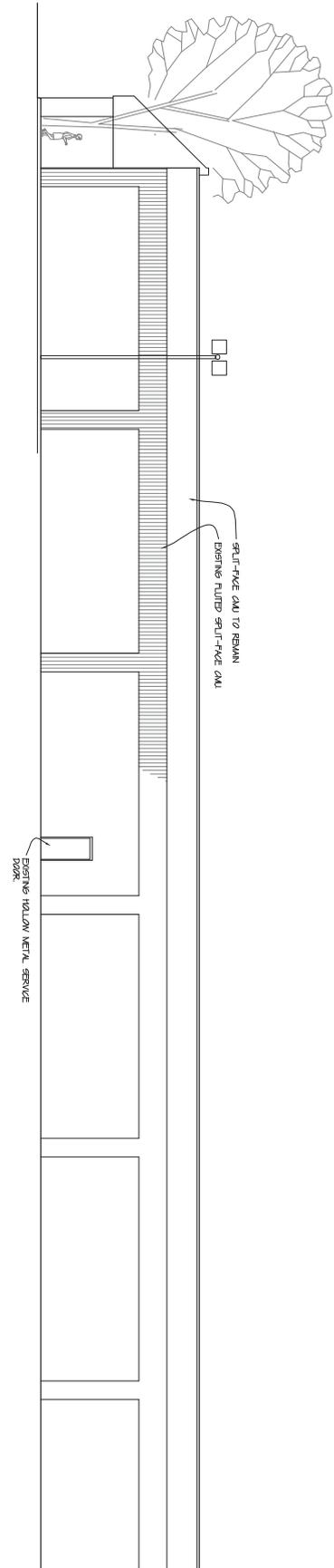
EXTERIOR BUILDING ELEVATIONS

PROPOSED ALTERATIONS FOR STORAGE UNLIMITED
3256 CHURCH STREET STEVENS POINT, WI 54481

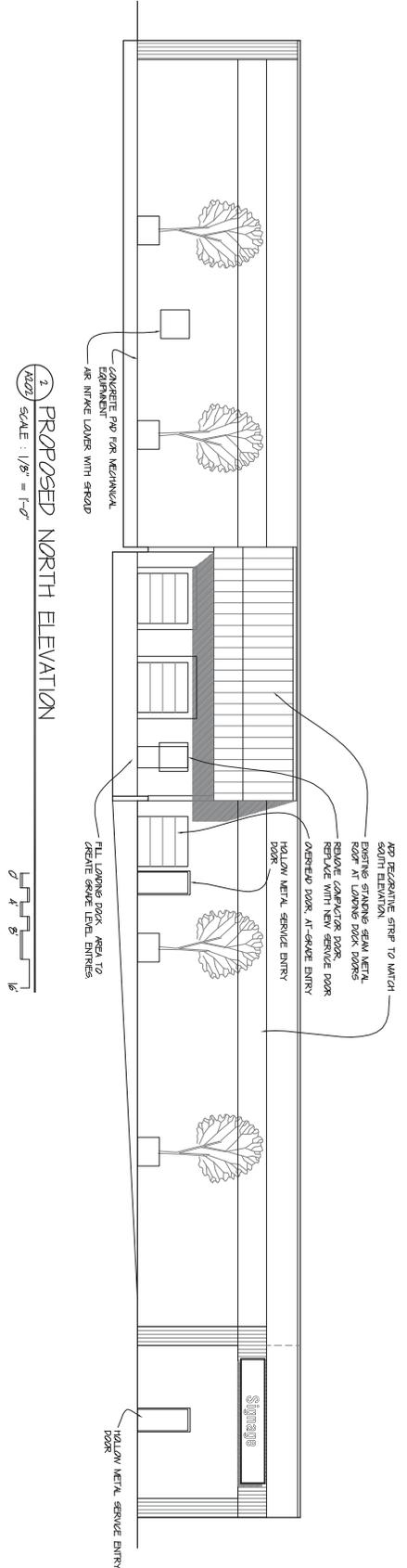
arc central inc. Lucas Dolan
architecture construction management interior design
1530 1st street north, wisconsin rapids, WI 54484
j.lucas@arccentralinc.com 715-672-2698

REVISIONS
DATE
Rev 2 - Jan. 4, 2016
Subm - Jan. 26, 2016
Rev 1 - Feb. 24, 2016
Subm - Feb. 24, 2016
Rev 1 - Feb. 24, 2016
DATE
Jan. 4, 2016
PROJECT NO.
15 016

A201



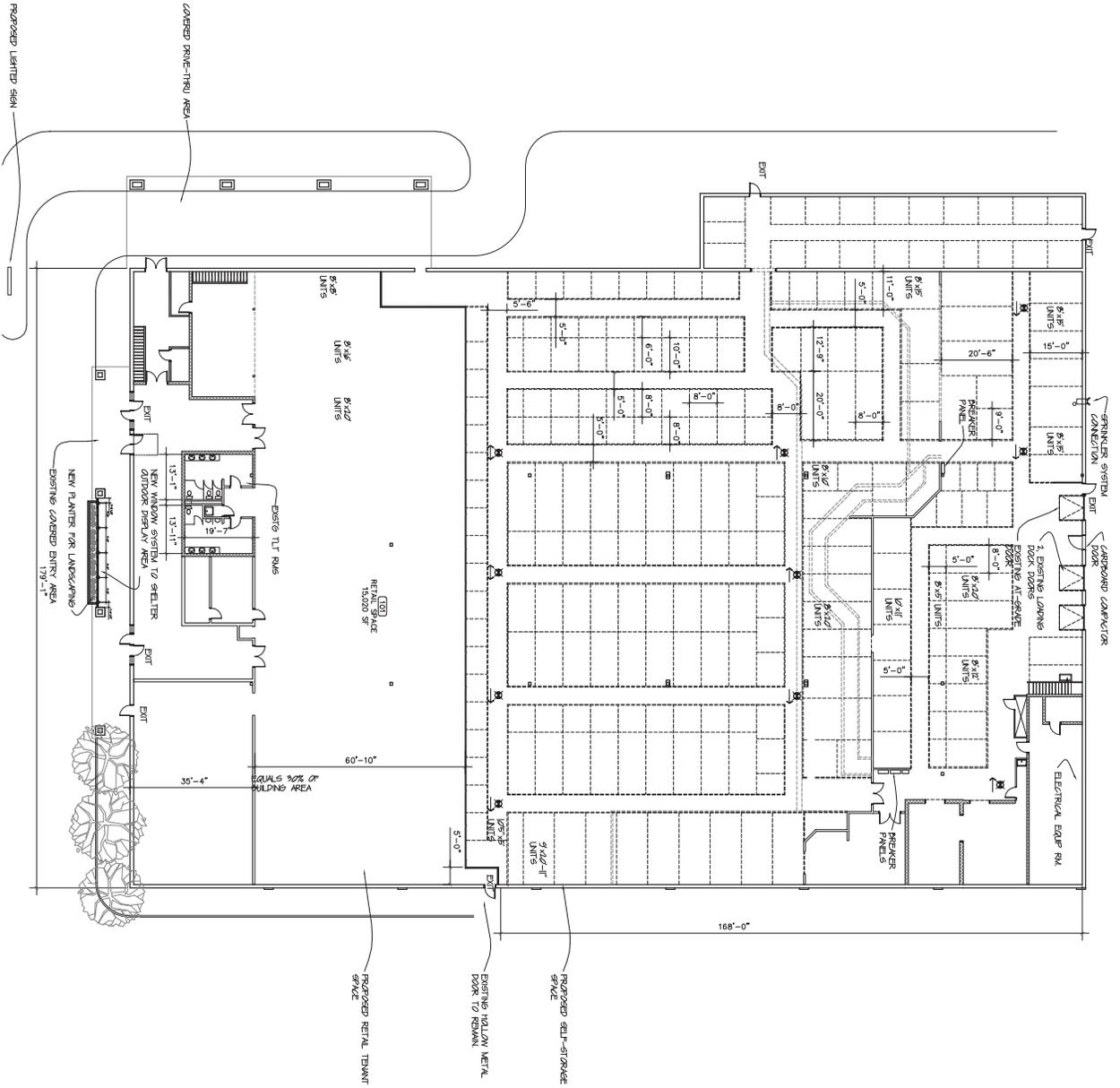
1) PARTIAL EAST ELEVATION
SCALE : 1/8" = 1'-0"



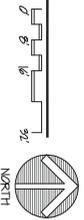
2) PROPOSED NORTH ELEVATION
SCALE : 1/8" = 1'-0"



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1 PHASE 3 STORAGE UNIT PLAN
 SCALE: 1/8" = 1'-0"



PS 3

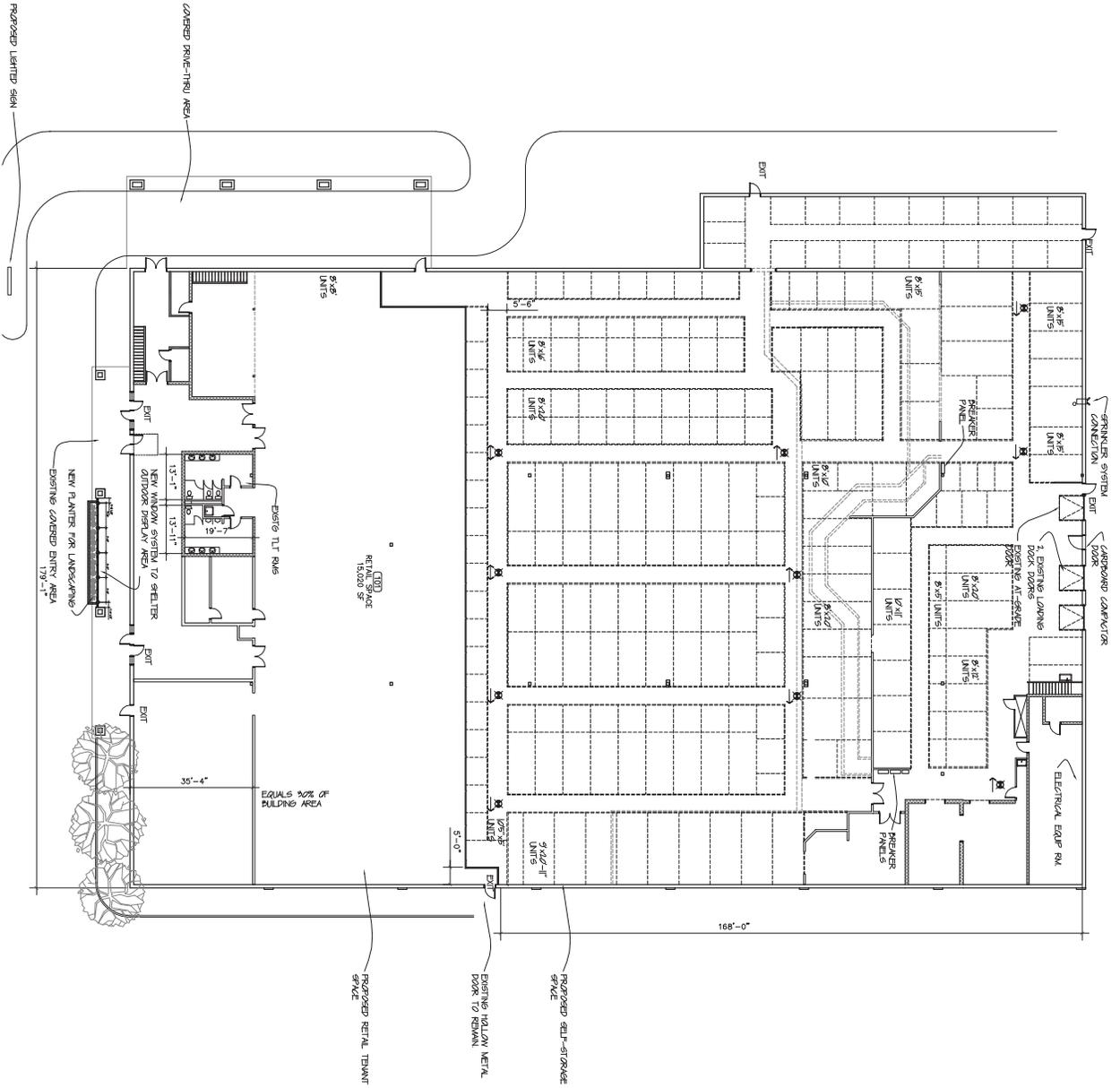
REVISIONS

Rev 2	- Jan. 4, 2016
Subm - Jan. 26, 2016	
Subm - Feb. 09, 2016	
Rev 1	- APRIL - Feb. 24, 2016
DATE	
Jan. 4, 2016	
Rev 1	
13	016

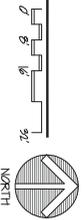
PROPOSED ALTERATIONS
 FOR
STORAGE UNLIMITED
 3256 CHURCH STREET
 STEVENS POINT, WI 54481

FIRST FLOOR PLAN

arc central inc.
Lucas Dolan
 architecture construction management interior design
 1530 1st Street North, Wisconsin Rapids, WI 54484
 j.lucas@arccentralinc.com 715-672-2698



1 PHASE 4 STORAGE UNIT PLAN
 SCALE: 1/8" = 1'-0"



PS4

REVISIONS

Rev 2	- Jan. 4, 2016	DATE
Subm - Jan. 26, 2016		
Subm - Feb. 09, 2016		
APPROVED - Feb. 24, 2016		
DATE		
Jan. 4, 2016		
PROJECT NO.		
13 016		

PROPOSED ALTERATIONS
 FOR
STORAGE UNLIMITED
 3256 CHURCH STREET
 STEVENS POINT, WI 54481

FIRST FLOOR
 PLAN

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 j.lucas@arccentralinc.com 715-672-2698

**813605**

**CYNTHIA A. WISINSKI
REGISTER OF DEEDS
PORTAGE COUNTY
STEVENS POINT, WI
RECORDED ON
12/22/2015 1:41 PM**

**REC FEE: 30.00
PAGES: 7
FEE EXEMPT:**

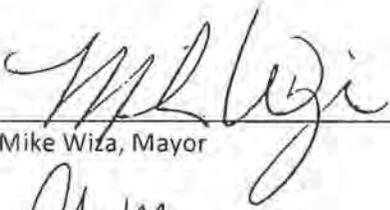
RESOLUTION**[3256 CHURCH STREET – STORAGE UNLIMITED LLC]**

BE IT RESOLVED by the Common Council of the City of Stevens Point, Portage County, Wisconsin, that based upon the application and after reviewing the Plan Commission record and hearing the testimony of interested parties, the Common Council determines that all conditions required have been met, the property located at **3256 Church Street (Parcel ID 2308-04-2008-34)**, described as LOT 1 CSM#10621-48-51 BNG PRT SWNW S4 & SESE S5 ALL IN T23 R8; ING/ EGR ESMT ON SD CSM-804282 3.95A 498/282-87;CSM13/247 803168RES, City of Stevens Point, Portage County, Wisconsin is hereby granted a Conditional Use Permit for the purposes of operating an indoor storage facility, as shown on the attached plans, and with the following conditions:

- 1. The applicant shall provide an updated site plan and landscaping plan meeting all applicable requirements to be reviewed and approved by the Plan Commission prior to any construction taking place for the storage units.**
- 2. At least thirty percent of the building's south side shall be dedicated to commercial and/or office type uses, excluding storage. Deviations from the internal layout of the commercial/office area shall be considered an amendment to the conditional use permit and subject to review and approval by the Plan Commission and Common Council. Failure to maintain this area as commercial/office shall be a violation of the conditional use permit, and subject to revocation.**
- 3. Exterior improvements shall take place to the facility as identified on the submitted rendering as part of the storage unit project, and shall be completed within one year of approval of the conditional use permit. Failure to construct the exterior improvements as identified in this time period shall be a violation of the conditional use permit, and subject to revocation.**
- 4. A site and landscaping plan shall be submitted for review and approval by the Plan Commission and Common Council.**
- 5. Exterior refuse storage shall be screened with constructed materials matching or complementing those found on the main building. Exterior refuse storage shall occur on the north side of the building and should be reviewed and approved by staff prior to construction.**
- 6. No exterior storage on the property shall be allowed.**
- 7. If additional lighting is added, an illumination plan shall be submitted and reviewed and approved by staff.**

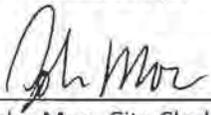
Such approval constitutes a Conditional Use under the City's ordinances.

Approved:



Mike Wiza, Mayor

Attest:



John Moe, City Clerk

Dated: December 21, 2015

Adopted: December 21, 2015

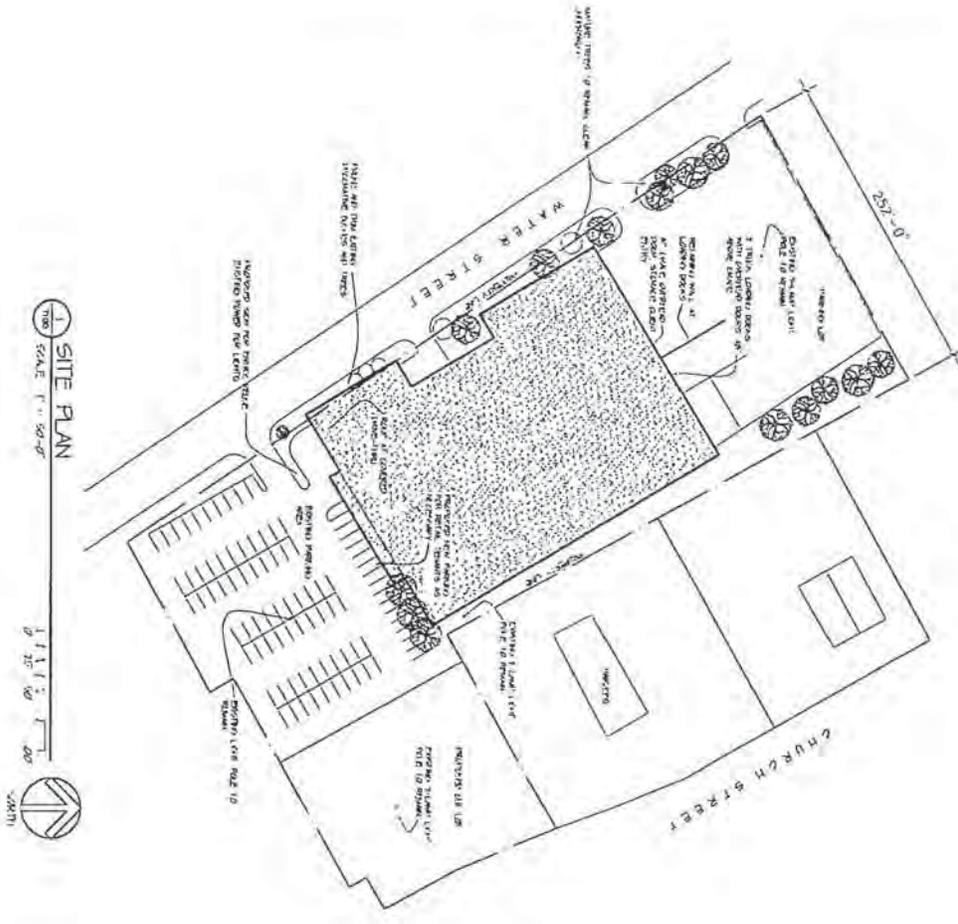
Drafted by: Michael Ostrowski

Return to: City Clerk

Building Rehabilitation Solutions for
Storage Unlimited
 3256 Church Street, Stevens Point, WI 54481

Code Data	
Occupancy Code	Warehouse, 2009 International Building Code
Occupancy Classification	303.1
Set-Back	Storage 5'
Height	Storage - 40' max
Fire Separation	Non-Separated USES 307.1.2
Assembly Height & Area	TABLE 503.2
2-Story	10,000 sq ft
3-Story	10,000 sq ft
4-Story	10,000 sq ft
5-Story	10,000 sq ft
6-Story	10,000 sq ft
7-Story	10,000 sq ft
8-Story	10,000 sq ft
9-Story	10,000 sq ft
10-Story	10,000 sq ft
11-Story	10,000 sq ft
12-Story	10,000 sq ft
13-Story	10,000 sq ft
14-Story	10,000 sq ft
15-Story	10,000 sq ft
16-Story	10,000 sq ft
17-Story	10,000 sq ft
18-Story	10,000 sq ft
19-Story	10,000 sq ft
20-Story	10,000 sq ft
21-Story	10,000 sq ft
22-Story	10,000 sq ft
23-Story	10,000 sq ft
24-Story	10,000 sq ft
25-Story	10,000 sq ft
26-Story	10,000 sq ft
27-Story	10,000 sq ft
28-Story	10,000 sq ft
29-Story	10,000 sq ft
30-Story	10,000 sq ft
31-Story	10,000 sq ft
32-Story	10,000 sq ft
33-Story	10,000 sq ft
34-Story	10,000 sq ft
35-Story	10,000 sq ft
36-Story	10,000 sq ft
37-Story	10,000 sq ft
38-Story	10,000 sq ft
39-Story	10,000 sq ft
40-Story	10,000 sq ft
41-Story	10,000 sq ft
42-Story	10,000 sq ft
43-Story	10,000 sq ft
44-Story	10,000 sq ft
45-Story	10,000 sq ft
46-Story	10,000 sq ft
47-Story	10,000 sq ft
48-Story	10,000 sq ft
49-Story	10,000 sq ft
50-Story	10,000 sq ft

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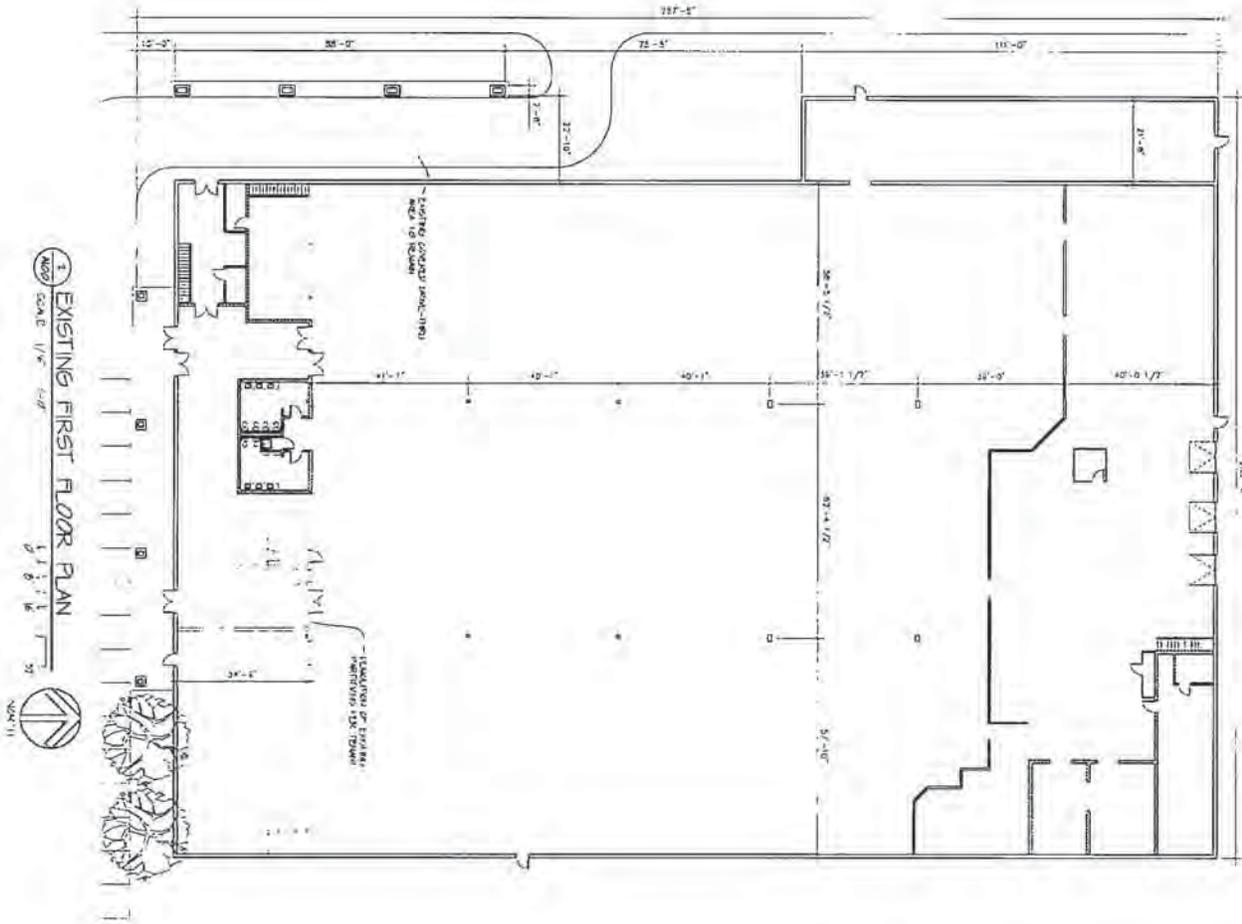


SITE PLAN
 SCALE: 1" = 50'-0"
 NORTH

DRAWING INDEX	
COVER SHEET	
1100	TITLE SHEET: IMP SITE PLAN
ARCHITECTURAL	
A100	EXISTING PLAN & DEMOLITION PLAN
A101	FIRST FLOOR PLAN
A102	RETAIL AREA PLAN
A103	BUILDING SOUTH ELEVATION
STRUCTURAL	
S100	PLAN
HVAC	
H101	BY HVAC CONNECTION
ELECTRICAL	
E101	FIRST FLOOR POWER & LIGHTING PLAN

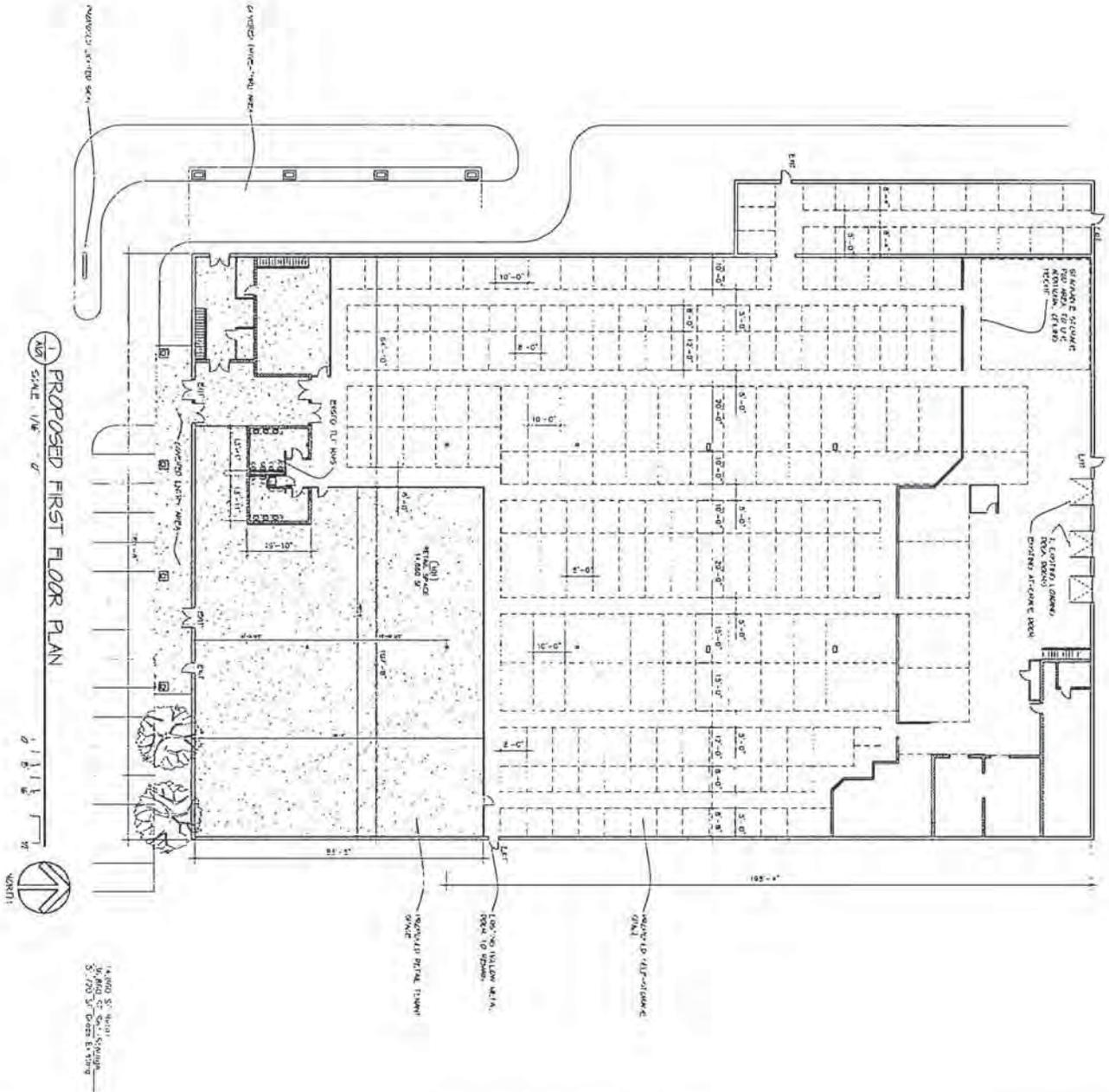
Existing items are shown in light gray.
 Proposed items are shown in dark gray.
 Items in brackets are optional.
 Items in italics are not included in the permit.

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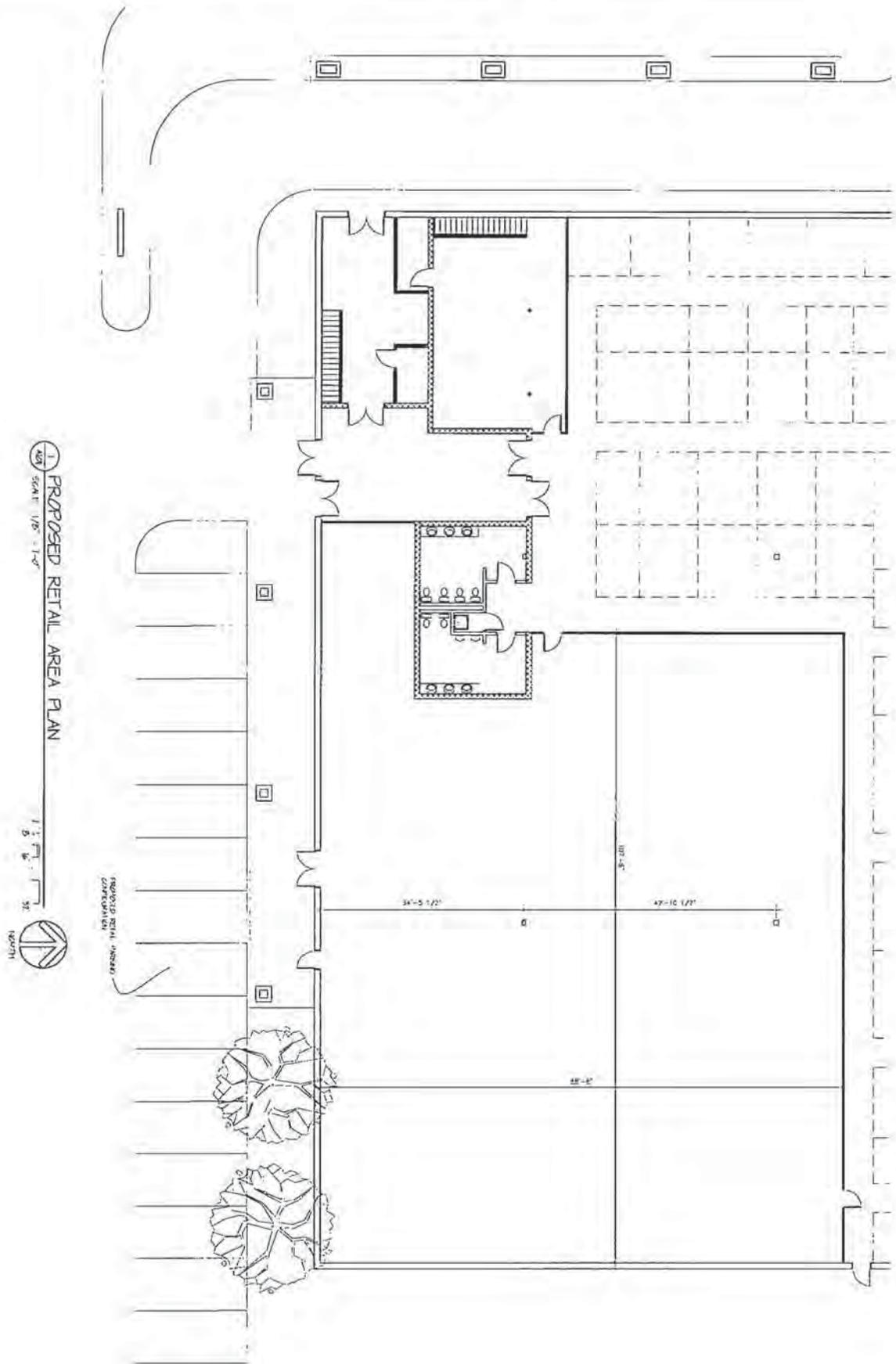


1 EXISTING FIRST FLOOR PLAN
 SCALE 1/8" = 1'-0"
 1/8" = 1'-0"

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PROPOSED RETAIL AREA PLAN



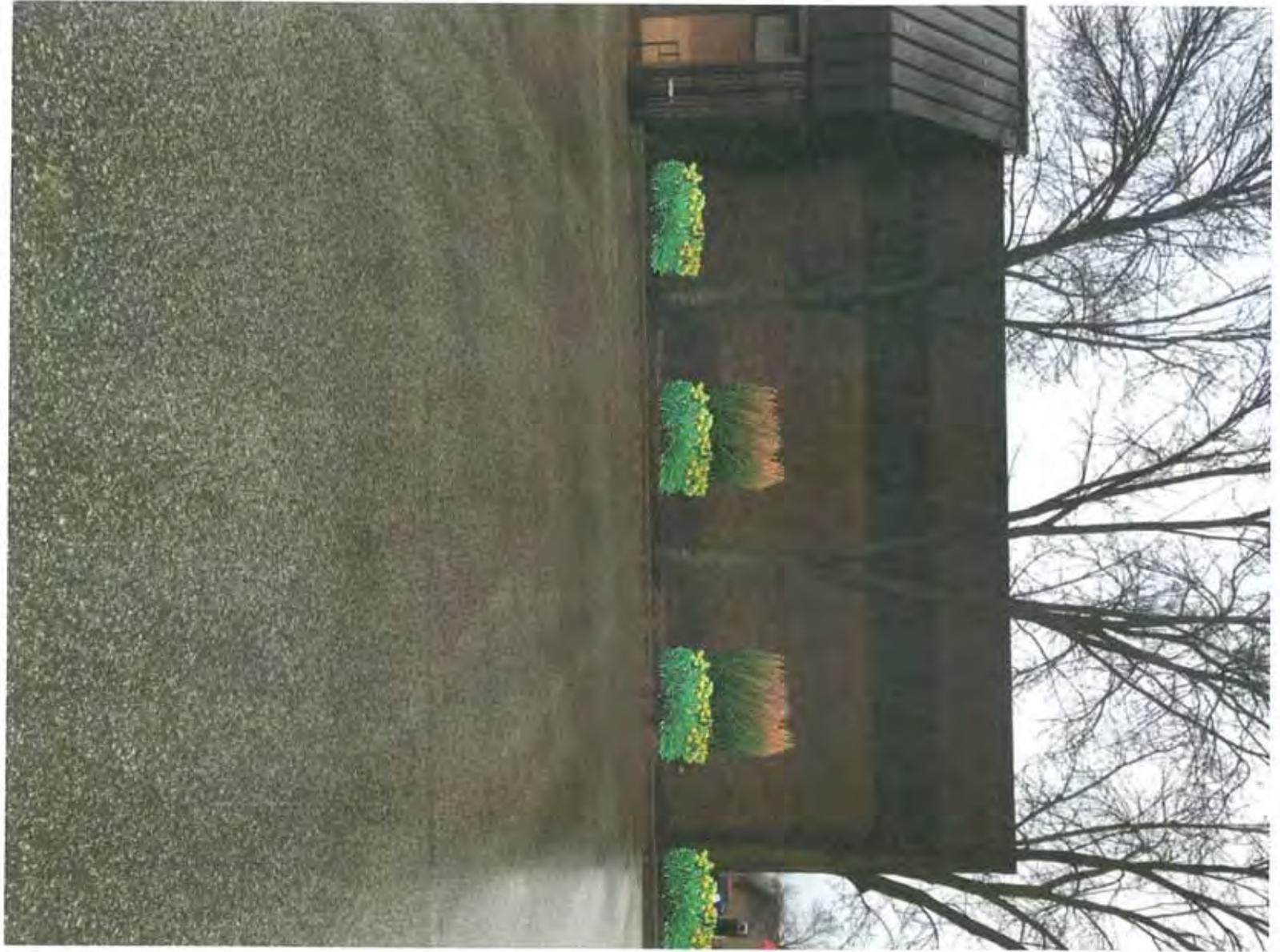
A102

DATE: 15 016

PROPOSED ALTERATIONS
 FOR
 STORAGE UNLIMITED
 3256 CHURCH STREET
 STEVENS POINT, WI 54481

FIRST FLOOR
 PLAN

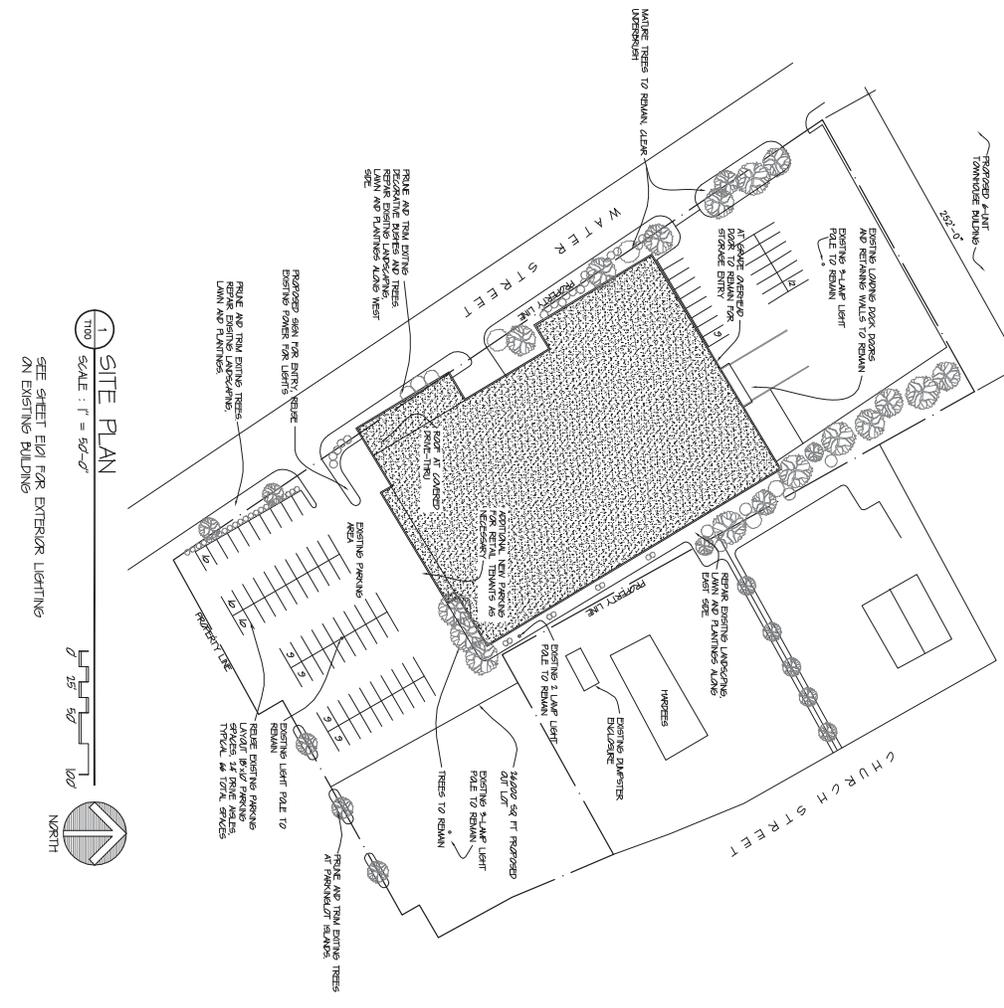
central inc.
 Lucas Dolan
ARCHITECTURAL CONSULTANTS, INC. 1020 1st Street North, Wisconsin Area #15434
 Lucas@centralinc.com 715.572.2636



Building Rehab Alterations for
Storage Unlimited
 3256 Church Street, Stevens Point, WI 54481

Code Data				
Governing Code	Wisconsin Enforced, 2009 International Building Code			
Occupancy Classification	- 303.1			
Self-Storage	- Storage S1			
Retail Space	- Mercantile M			
Fire Separations	NON SEPARATED - USES 302.3.2			
Allowable Height & Area - TABLE 603				
2 STORES	9500 SF ALLOWABLE			
Footage increase F51 S51.2	= 68% for 2 story building			
Unlimited Area - TABLE 507.3				
1 Story S1 and M occupancy	one unlimited when sprinkled.			
Actual Building Area	14,860 SF Retail			
14,860 SF Self-Storage				
51,720 SF Gross Existing				
Type of Construction - TABLE 601	TYPE III B.			
Fire Protection 903.2.1.3	THIS BUILDING IS PROTECTED BY FIRE SPRINKLER			
Occupant Capacity 1004.1.1	Self-Storage, S1 300sf per Occ. = 36,860 / 500 = 74			
Mercantile, M 60sf per Occ. = 14,860 / 60 = 247	Total = 321			
Required Exit Width - Table 1006.1	FIRST FLR = .20" PER OCC. 216" PROVIDED = .67'			
Exit Access Travel Distance 1016.1	Self-Storage, S1 300sf/occupancy, 1sf/ty sprinkled = 250 FT.			
Sanitary Facilities, Table 2902.1	321 OCCUPANTS = 160 EACH SEX			
REQUIRED				
MEN	URIN LAV	WOMEN	LAV	DRINKING FOUNTAIN
1/100	50%	1/100	1/100	1,000
2	1	2	2	
EXISTING				
MEN	URIN LAV	WOMEN	LAV	DRINKING FOUNTAIN
2	2	3	4	1

EXISTING STRUCTURE WILL BE REUSED FOR THIS PROJECT
 DESIGN LOADS, LIVE LOADS PER 1607.1
 SOIL BEARING CAPACITY, 2,500 PSF PRESUMED
 ROOF LIVE LOAD = 40 PSF GROUND SNOW LOAD
 ROOF DEAD LOAD = 15 PSF
 LATERAL LOAD (WIND) = 20 PSF
 UPLIFT AT CANOPY = 30 PSF
 FLOOR LIVE LOAD AT RETAIL = 100 PSF
 FLOOR LIVE LOAD, STORAGE = 125 PSF
 FLOOR LIVE LOAD, PASSAGE/EXIT/STAIR = 100 PSF
 FLOOR LIVE LOAD, 2ND FLOOR RETAIL = 75 PSF



DRAWING INDEX	
COVER SHEET	
T100	TITLE SHEET and SITE PLAN
ARCHITECTURAL	
A100	EXISTING PLAN & DEMOLITION PLAN
A101	FIRST FLOOR PLAN
A102	RETAIL AREA PLAN
A201	BUILDING SOUTH ELEVATION
A202	BUILDING EAST ELEVATION
STRUCTURAL	
S100	NOT USED
HVAC	
H101	NOT USED
ELECTRICAL	
E101	FIRST FLR EXTERIOR LIGHTING PLAN

14,860 SF Retail
 14,860 SF Self-Storage
 51,720 SF Gross Existing

LOCAL PARKING REQUIREMENTS
 1 SPACE PER 300sf OF RETAIL SPACE, 14,860sf PROVIDED
 14860 / 300 = 495 (50) SPACES REQUIRED

1 SPACE PER 300sf OF SELF STORAGE SPACE
 PLUS 10 UNITS 4125sf PROVIDED
 495 sf / 150 = 3.3 (3) SPACES REQUIRED
 240 UNITS / 50 = 4.8 (5) SPACES REQUIRED, 21 REQD

PRELIMINARY
 NOT FOR CONSTRUCTION

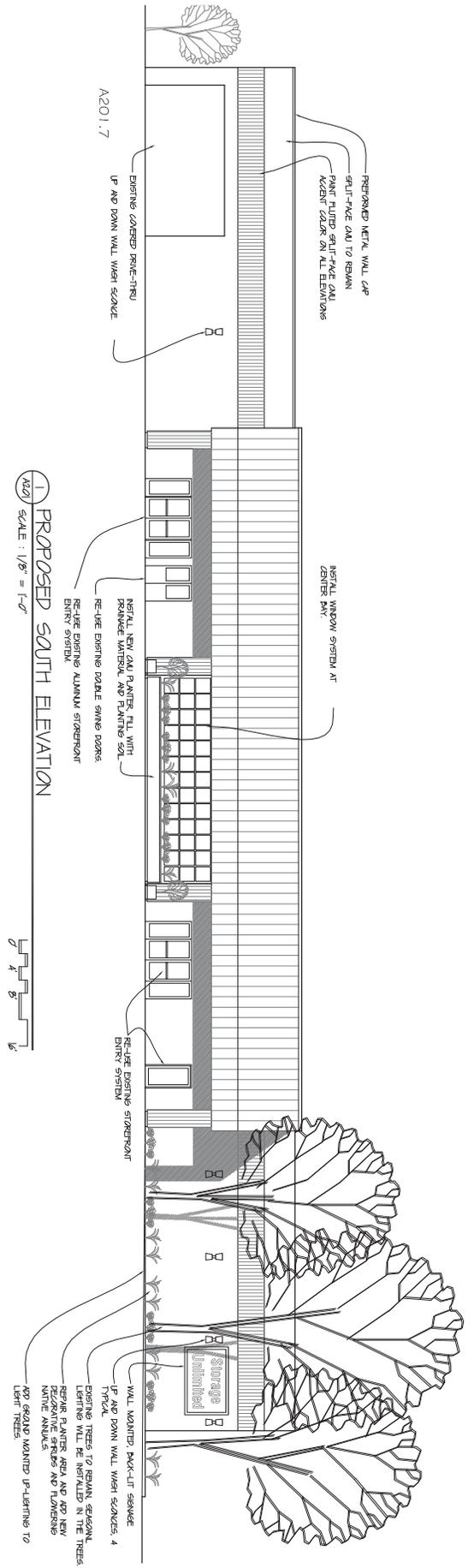
T100

DATE: Jun 4, 2016
 PROJECT NO: 15 016
 REVISIONS

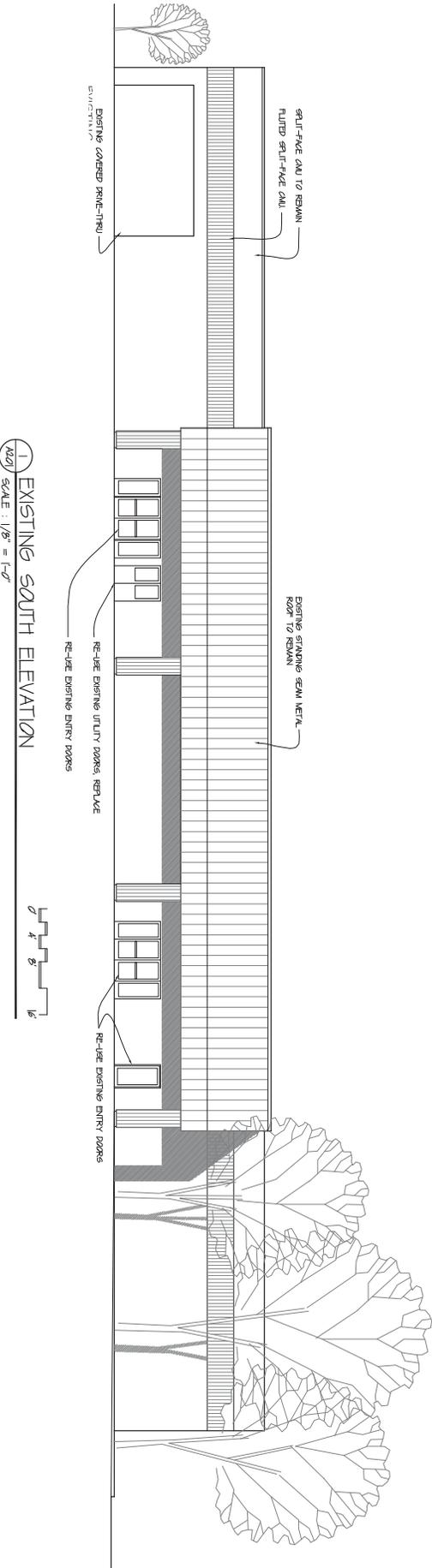
PROPOSED ALTERATIONS
 FOR
 STORAGE UNLIMITED
 3256 CHURCH STREET
 STEVENS POINT, WI 54481

TITLE SHEET
 SITE PLAN &
 CODE INFORMATION

arc central inc.
 Lucas Dolan
 architecture construction management interior design
 1530 1st street north, wisconsin rapids, WI 54484
 jlucas@arccentralinc.com 715-872-3399



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



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

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PRELIMINARY
NOT FOR CONSTRUCTION

A201

REVISIONS

DATE	DESCRIPTION
Jan. 4, 2016	PROJECT NO. 15 016

Rev 2 - Jan. 4, 2016

PROPOSED ALTERATIONS
FOR
STORAGE UNLIMITED
3256 CHURCH STREET
STEVENS POINT, WI 54481

EXTERIOR BUILDING
ELEVATIONS

arc central inc.
Lucas Dolan
architecture construction management interior design
1530 1st street north, wisconsin rapids, WI 54484
jlucas@arccentralinc.com 715-672-2698

REPORT OF CITY PLAN COMMISSION
February 1, 2016 – 6:00 PM
Lincoln Center – 1519 Water Street

PRESENT: Mayor Wiza, Alderperson Mary Kneebone, Commissioner Anna Haines, Commissioner Bob Brush, Commissioner Hoppe, Commissioner Garry Curless, and Commissioner Dave Cooper.

ALSO PRESENT: Community Development Director Michael Ostrowski, Associate Planner Kyle Kearns, City Attorney Beveridge, Alderperson Patton, Alderperson McComb, Alderperson Phillips, Alderperson Morrow, Brandi Makuski, Nate Enwald, Vincent Miresse, Cathy Dugan, Barb Jacob, Walter Clark, Joan Curless, and Conner Intress.

INDEX:

1. Roll call.

Discussion and possible action on the following:

2. Report of the December 7, 2015 Plan Commission meeting.
3. Request from Rowe Builders Inc. for the purpose of annexing 2.203 acres, three parcels, of unaddressed property located on the northwest corner of the intersection of Green Avenue and Sunset Boulevard (County Parcel ID: 020240827-10.28, 020240827-10.26, and 020240827-10.27) from the Town of Hull to the City of Stevens Point.
4. Request from Storage Unlimited LLC for site and landscaping plan review at 3256 Church Street (Parcel ID 2308-04-2008-34).
5. Request from the City of Stevens Point for approval of the Hoover Avenue Relocation Order and purchase of property for the Hoover Avenue grade separation project.
6. Request for a Revocable License Agreement with Vincent and Gina Miresse at 1008 Sixth Avenue (Parcel ID: 2408-29-3003-23) to lease city property.
7. Adjourn.

-
1. Roll call.

Present: Wiza, Kneebone, Brush, Haines, Hoppe, Curless, Cooper

Discussion and possible action on the following:

2. Report of the December 7, 2015 Plan Commission meeting.

Motion by Commissioner Cooper to approve the report of the December 7, 2015 Plan Commission meeting; seconded by Commissioner Curless.

Motion carried 7-0.

3. Request from Rowe Builders Inc. for the purpose of annexing 2.203 acres, three parcels, of unaddressed property located on the northwest corner of the intersection of Green Avenue and Sunset Boulevard (County Parcel ID: 020240827-10.28, 020240827-10.26, and 020240827-10.27) from the Town of Hull to the City of Stevens Point.

Director Ostrowski explained this property is on the corner of Sunset Boulevard and Green Avenue. It is considered one of the islands of the Town of Hull within the City of Stevens Point. This request is for an annexation by one-half approval, which is different than our usual unanimous direct annexations. This type of annexation means there are two separate owners of the properties to be annexed, Dave Rowe and Wells Fargo. A petition can be signed by the owners of one-half of the land in area within the territory, or the owners of one-half of the real property in assessed value within the territory. Staff finds that this annexation is within the public interest, and outlined within the City's Comprehensive Plan. Furthermore, the annexation would help in cleaning up both the city and town boundaries. At this time, Mr. Rowe is not requesting a rezoning, but will likely request a subdivision plat, rezoning, or a planned unit development in the future to construct zero lot line duplexes. Staff recommends approval of the annexation contingent on the states review.

Walter Clark, 425 Weir Boulevard, explained that he lives behind the property requesting to be annexed. At this time there has been a construction trailer owned by Dave Rowe parked on the property just feet from his rear property line. He has a concern that the unaesthetically pleasing trailer will remain.

Director Ostrowski responded that if the property is annexed, the city ordinances would have to be met in that the temporary structure would be allowed during development, but then would have to be moved or properly screened.

Commissioner Brush asked for clarifications as to the town and city boundaries in that area, which were pointed out by Director Ostrowski.

Cathy Dugan, 615 Sommers Street, is in favor of the annexation, but has concerns over the use of the property as zero lot line residences, and if they will be owner occupied or rented, as well as traffic patterns after development.

Motion by Commissioner Haines to approve the request from Rowe Builders Inc. for the purpose of annexing 2.203 acres, three parcels, of unaddressed property located on the northwest corner of the intersection of Green Avenue and Sunset Boulevard (County Parcel ID: 020240827-10.28, 020240827-10.26, and 020240827-10.27) from the Town of Hull to the City of Stevens Point; seconded by Commissioner Brush.

Motion carried 7-0

4. Request from Storage Unlimited LLC for site and landscaping plan review at 3256 Church Street (Parcel ID 2308-04-2008-34).

Director Ostrowski explained this property was before the commission previously for the conditional use permit for indoor storage, which was approved. One of the conditions was to come back for a site and landscape approval. Little has changed on the site plan, but the applicant has proposed to replace all dead landscaping on the landscaping plan and install new landscaping near the new bay window.

Furthermore, the updated rendering shows that a block of windows will be constructed at the front of the building with landscaping provided. Staff recommends approval with conditions outlined in the staff report.

Jamie White, 620 Seventh Street, stated that they have kept in mind the need for green space, and lighting when developing the landscape and site plans. She stated they have already had some interest in the retail space on the property.

Motion by Commissioner Curless to approve the request from Storage Unlimited LLC for site and landscaping plan review at 3256 Church Street (Parcel Id 2308-04-2008-34) with the following conditions:

- **Landscaping shall meet all current zoning standards for the existing planting areas prior to occupancy by the storage use, or by June 30, 2016, whichever comes first.**
- **Exterior façade improvements as indicated on the attached plans shall be completed prior to occupancy by the storage use.**
- **Exterior signage shall:**
 - a. **Be in the form of channel letters where only the letters are illuminated or have a glow lighting, or**
 - b. **Be illuminated with gooseneck style lighting, or**
 - c. **If a wall cabinet is proposed, only the letters shall be illuminated, not the background of the sign. The background of the sign shall be darker than the lettering/text/images.**
- **Staff shall have the authority to make minor changes.**

Seconded by Commissioner Hoppe.

Motion carried 6-0 (Cooper abstaining).

5. Request from the City of Stevens Point for approval of the Hoover Avenue Relocation Order and purchase of property for the Hoover Avenue grade separation project.

Director Ostrowski explained that the grade separation project is projected to start spring of 2017 for completion by the end of the year. In this request the Plan Commission approval is needed for acquisition of property to complete the project. On page 50 of the staff report there is a listing of properties by parcel ID starting from Joerns Drive to Kirschling Court.

Commissioner Curless asked if the Patch Street intersection will remain the same, to which Director Ostrowski stated yes there will be some acquisition of property in that area. He continued to state that there will be other intersection improvements such as along Coye Drive, but those are a different project occurring at the same time as this project.

Commissioner Brush asked what the final grade height difference will be, to which Director Ostrowski stated he does not have that statistic at this time, but would provide it to him at a later date.

Motion by Commissioner Brush to approve the request from the City of Stevens Point for approval of the Hoover Avenue Relocation Order and purchase of property for the Hoover Avenue grade separation project; seconded by Alderperson Kneebone.

Motion carried 7-0.

6. Request for a Revocable License Agreement with Vincent and Gina Miresse at **1008 Sixth Avenue (Parcel ID: 2408-29-3003-23)** to lease city property.

Mayor Wiza explained that this property is slated for the continuation of Third Street on the city's official street map. Previously it was used for a community garden, which is no longer in use. Furthermore, he stated the neighbor to the east had requested to purchase part of the property, which was approved. Now, this request is for the same neighbor, Mr. Miresse, to lease the rest of the property as a garden in exchange for maintaining it. City Attorney Beveridge has drafted a lease agreement which is revocable at any time with proper notice and has no monetary charge.

Director Ostrowski added the reason why it is before the Plan Commission is that any lease, sale, or acquisition of property by the city would require Plan Commission recommendation.

Commissioner Curless asked if there was a monetary lease on the property, would it be the entire property, and if asphalt exists on the property. Mayor Wiza answered that there is no monetary exchange, just the maintenance of the entire property, which only has a driveway apron.

Commissioner Curless asked if there were any other lease agreements like this, for land, to which Mayor Wiza stated yes with the community gardens. Director Ostrowski clarified that homeowners are required to maintain City sidewalks as they are in the right-of-way. With this scenario, this is city owned property, not specifically right-of-way; therefore, the adjacent owners are not required to maintain it.

Vinnie Miresse, 1008 Sixth Avenue, stated his intent to utilize all of the land in the parcel, not just the area identified in pink. If maintaining the entire property, he would like to utilize it for a garden type use. He further stated his plan to plant perennials on his property, but annuals on the city owned land. If possible a garden type fence would be installed around the gardens to protect from wildlife and to beautify the neighborhood and have some urban renewal to the area.

Commissioner Curless asked if the fence would be installed in all of the 66 feet of frontage, to which Mr. Miresse stated if he is allowed to utilize the area, yes.

Mayor Wiza stated that the fence is allowed as long as it complies with our fence ordinance. Director Ostrowski stated the lease does not include improvements to the property. City Attorney Beveridge stated the fencing would fall in with garden use, and that would be the Miresse's risk of improvements to the property.

Director Ostrowski pointed out to the City Attorney that the lease only included a small pink shaded area, to which it was determined that the definition of the property would need to be changed to lot one in the lease.

Motion by Mayor Wiza to approve the request for a Revocable License Agreement with Vincent and Gina Miresse at 1008 Sixth Avenue (Parcel ID: 2408-29-3003-23) to lease city property, with the

amendment to include all of lot one (the whole parcel) as the Property; seconded by Commissioner Cooper.

Motion carried 7-0.

7. Adjourn.

Meeting adjourned at 6:33 PM.

Administrative Staff Report

Construct Shed and Fence

Conditional Use

4001 Patch Street

March 28, 2015



Department of Community Development

<p>Applicant(s):</p> <ul style="list-style-type: none"> McDill Pond Inland Lake Protection District <p>Staff:</p> <ul style="list-style-type: none"> Michael Ostrowski, Director mostrowski@stevenspoint.com Kyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none"> 2308-03-2100-05 <p>Lot Information:</p> <ul style="list-style-type: none"> N/A – Exempt <p>Zone(s):</p> <ul style="list-style-type: none"> "C" Conservancy District <p>Master Plan:</p> <ul style="list-style-type: none"> Commercial <p>Council District:</p> <ul style="list-style-type: none"> District 6: Slowinski <p>Current Use:</p> <ul style="list-style-type: none"> Parkland – Disc Golf <p>Applicable Regulations:</p> <ul style="list-style-type: none"> 23.01(16) and 23.02(1)(a) 	<p>Request</p> <p>Request from the McDill Pond Inland Lake Protection District for a conditional use permit to construct a shed and chain-link fence within the "C" Conservancy Zoning District at 4001 Patch Street (Parcel ID 2308-03-2100-05)</p> <p>Attachment(s)</p> <ul style="list-style-type: none"> Application Site Plans <p>Findings of Fact</p> <ul style="list-style-type: none"> The property is zoned "C" Conservancy District. The placement of structures or devices disrupting the natural conditions in the Conservancy District requires a conditional use permit. The request is to construct a shed to store weed harvesting and other equipment, as well as a fence surrounding the shed and boat landing / docks. <p>Staff Recommendation</p> <p>Deny the conditional use permit, as the proposed improvements are not conducive to the park use, may create an attractive nuisance, impede wildlife access along the shoreline, reduce natural environment aesthetics, negatively impact other users surrounding or using the property, and create conflict among users.</p>
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Vicinity Map



Background

The McDill Pond Inland Lake Protection District are requesting to construct a shed and fence to store equipment and surround weed harvesting operations on City property located at 4001 Patch Street. Weed harvesting operations occur throughout the spring, summer, and fall on McDill pond almost daily. The staging area for these operations occurs on the southern end of the disc golf course (4001 Patch Street), identified above. A boat landing exists at this location to serve aquatic harvesters. These harvesters are stored at the docks, with dump trucks and other equipment stored on shore. The request has stemmed from security/safety issues and vandalism to the equipment. Note that as the weed harvesting site is on the disc golf course, and is visible to users. Therefore, the Lake Protection District has requested to construct an 8 foot high chain link fence to surround the boat landing, docks, dump trucks and other equipment on shore. The fence would be approximately 75 feet wide, by 35 feet deep and extend to the water's edge. Secondly, a 10 foot by 10 foot shed is proposed to be construed within the fenced area to store equipment. For further information regarding the request see the submitted application and site plan attached.

Standards of Review

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

Analysis: The proposed fence and shed are on City property where a disc golf course exists.

Findings: In the spring, summer, and fall months, patrons of the park increase and there is a concern regarding safety and vandalism of the harvesting equipment. While a fence may assist in deterring some from venturing past, the fence does not fully secure the equipment as it ends at the water's edge. With no surveillance and a gap in security, the fence may create more of an attractive nuisance. While the proposed improvement may not be detrimental to the surrounding property owners, given the large size of the property, they may be detrimental to park or water users, as the aesthetic value of the natural environment is decreased. Furthermore, other patrons of the park, such as winter users for ice events may be negatively affected by the improvements. Lastly, the fence may impede normal traffic for wildlife along the shoreline. Staff has determined that this standard has not been met.

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

Analysis: The property is primarily utilized as a disc golf course during spring, summer and falls months. Furthermore, the Lake District has been granted access to utilize a portion of the park for harvesting operations. The proposed improvements are accessory to the use already permitted.

Findings: Parks are typically utilized by the public for recreational activities and aesthetic purpose within a community. Structures within parkland typically serve the park's purpose and patrons of the park, such as bathrooms facilities, canopies, or playgrounds. The request above is for a structure and device (fencing) to be installed to serve an accessory use to the park. Furthermore, the shed and fencing are only utilized by the accessory users and not common to all users of the property. Given the property characteristics, use, and natural state, the proposed improvements may be injurious to the park users which would be deprived from fully utilizing the park. Again, as mentioned above, aesthetics from the natural environments of the land, and water are decreased with the proposed improvements. Lastly, it should be noted that the fence may not deter individuals from going on or damaging the equipment in fenced in area, as the fenced area is not completely enclosed. Staff has determined that this standard has not been met.

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 weed harvesting use currently exists on the property, along with park/recreational uses (disc golf). This request involves placing structures and devices on the property to serve the harvesting use, while also to deter vandalism and improve security. The surrounding property consists of a mix of single family, multi-family, and industrial uses.

Findings: The parcel will likely remain parkland and utilized as a disc golf course which essentially is undeveloped only with disc golf hole baskets. Again, as indicated above, proximity to neighboring uses and structures is great at several hundred feet; therefore, the proposed use should not impede normal development within the surrounding areas.

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: No structures currently exist on the property. A 10 foot by 10 foot fence is proposed, along with an 8 foot high chain link fence spanning a total of approximately 145 feet.

Findings: The addition of a small shed should not significantly detract from the architectural appeal, depending on the design, but the chain link would like impact the aesthetics of the park land, both from shore and from the water (boats, canoes, kayaks, etc.)

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

Analysis: A gated access road exists from Patch Street to the harvesting area. The property is not served by utilities.

Findings: Patrons of the park can only access the harvesting area via walking due to the existing gated access road. Access to the site via vehicles can occur when harvesting is occurring. Utilities are not need to serve the proposed improvements.

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: See standard 5 above.

Findings: Park patrons park vehicles within the immediate lot off of Patch Street. Harvesting users utilize a gated access road to reach the harvesting staging area (see attached site plan and aerial map above). No anticipated changes are expected to traffic from the proposed improvements.

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 "C" Conservancy District. This district is established to provide protection to environmentally-sensitive lands such as flood plains, wetlands, shorelands, well fields, airport fringe lands and fringe lands remote from City services and access. The district is also intended to be applied as a means of regulating the timing and direction of land development in accordance with the City's Comprehensive Plan. The City's 2006 Comprehensive Plan identifies this area to develop as institutional/government uses.

Findings: The harvesting use is currently operating on the property. Damage to equipment has occurred from vandalism which negatively impacts the harvesting operations on McDill pond. Therefore, the applicant has requested the proposed security measures, shed and fence, to reduce vandalism and increase safety. While this use is accessory to the park use, it seems fitting on a conservancy zoned property as harvesting improves the water, wildlife habitat, and wildlife. However, the construction of the proposed improvements may impact aesthetics, wildlife, and other users of the area.

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: City/County shoreland zoning is applicable on the site and will need to be met. Furthermore, the shed would require a building permit at 100 square feet.

Findings: All ordinance requirements and permits would be needed for the proposed project.

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

N/A

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

N/A

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

See standard 5 and 6 above.

- 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: No utilities serve the site.

Findings: No utilities are requested for the proposed improvements.

- 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: Two harvesters are stored at the docks when not in use. A dump truck also sits onshore for use in transporting harvested vegetation. Other equipment and vehicles may exist onshore during harvesting operations.

Findings: The proposed shed and fence may provide added security for equipment however does not effectively screen the equipment. Given the large property size and natural surrounding vegetation, harvesting equipment and operations can only be seen from the water body.

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

Analysis: No lighting as proposed.

Findings: This standard is met.

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

Analysis: Harvesting primarily occurs on the water (McDill Pond).

Findings: Little increase in noise should exist within the property with the proposed improvements.

- 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

While the use exists on the property, the structures are a conditional use. Given the findings outlined above, staff would recommend denying the conditional use, as the proposed improvements may not adequately deter vandalism. In fact, the fence could have the opposite affect and create an attractive nuisance. Furthermore, frisbees from disc golfers will may invade the fenced area and require trespassing for retrieval which also may accelerate damage to the fence, eventually causing deterioration and maintenance to improvements.

Photos



Frisbee Golf Parking Area



Access Gate to Service Road for Harvesting Operations (Broken)



Harvesting Staging Area – Boat Landing



Harvesting Staging Area – Approximate Northwest Fence Post Location



Harvesting Staging Area – View of Nearby Frisbee Golf Hole



Harvesting Staging Area – View of Nearby Frisbee Golf Hole and Pathway

Rec. # 1.065212



City of Stevens Point
Community Development Department

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

APPLICATION FOR A CONDITIONAL USE PERMIT

(Pre-Application Conference Required)

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	-	Date Submitted	2/21/16	Fee Required	250.00	Fee Paid	250.00
Associated Applications if Any	-	Assigned Case Manager	Kyle Kearns				
Pre-Application Conference Date	-	Conditional Use Permit Request	Use <input checked="" type="checkbox"/> Amend <input type="checkbox"/>				

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)	
Applicant Name	McDill Inland Lake Protection District	Contact Name	Krista Olson
Address	3317 Della St	Address	
City, State, Zip	Stevens Point WI 54481	City, State, Zip	
Telephone	715-347-8901	Telephone	
Fax		Fax	
Email	mcDillPond@charter.net	Email	

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)		PROPERTY OWNER 2 INFORMATION (if Needed)	
Owner's Name	City of Stevens Point	Owner's Name	
Address	1515 Strongs Ave	Address	
City, State, Zip	Stevens Point WI 54481	City, State, Zip	
Telephone	715-346-1567	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
2812308032/0005		
Legal Description of Subject Property		
4001 Patch St - Lot 2 CS# 7181-26-111 Being part N 1/2 NW 1/4 S3 T23 R8 Stevens Point Golf Disc Course		
Designated Future Land Use Category		Current Use of Property
Conservancy		Conservancy
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)		

McDill Lake District would like to place an 8' high Chain link Fence around the harvester landing to provide a safety fence around dangerous equipment, from mid May to Oct 1 the lake district runs its harvesting location, which includes 2 large aquatic harvesters, a dump truck, boat, docks, & various tools. There have been several incidents of vandalism to the equipment which is the responsibility

of the city to maintain. The equipment is extremely dangerous with cutting bars, chains and Diesel engines exposed. We would also like to place a 10x12 wooden storage shed within the fenced area to store tools + equipment.

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

The harvesting location was moved to this area in 2009 to remove it out of residential areas. When the disc course reopened, vandalism & trespassing on equipment became a serious issue. The fencing will provide security to the area to keep the public safe and protect individuals with too much curiosity from hurting themselves. The area outside the fencing can be naturalized to protect the shoreline & water.

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

If needed we can replant around the fence area native shoreline plants & trees using the Conservation department's free tree & shrub shoreline planting packets.

Current Zoning Surrounding Subject Property			
North:	Conservancy	South:	Public - McDill Waterway
East:	Conservancy	West:	Conservancy
Current Land Use Surrounding Subject Property			
North:	Conservancy	South:	
East:	Conservancy	West:	

EXHIBITS

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

CERTIFICATION AND SIGNATURE

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

Signature of Applicant	Date	Signature of Property Owner(s)	Date
	7/28/16		



This type

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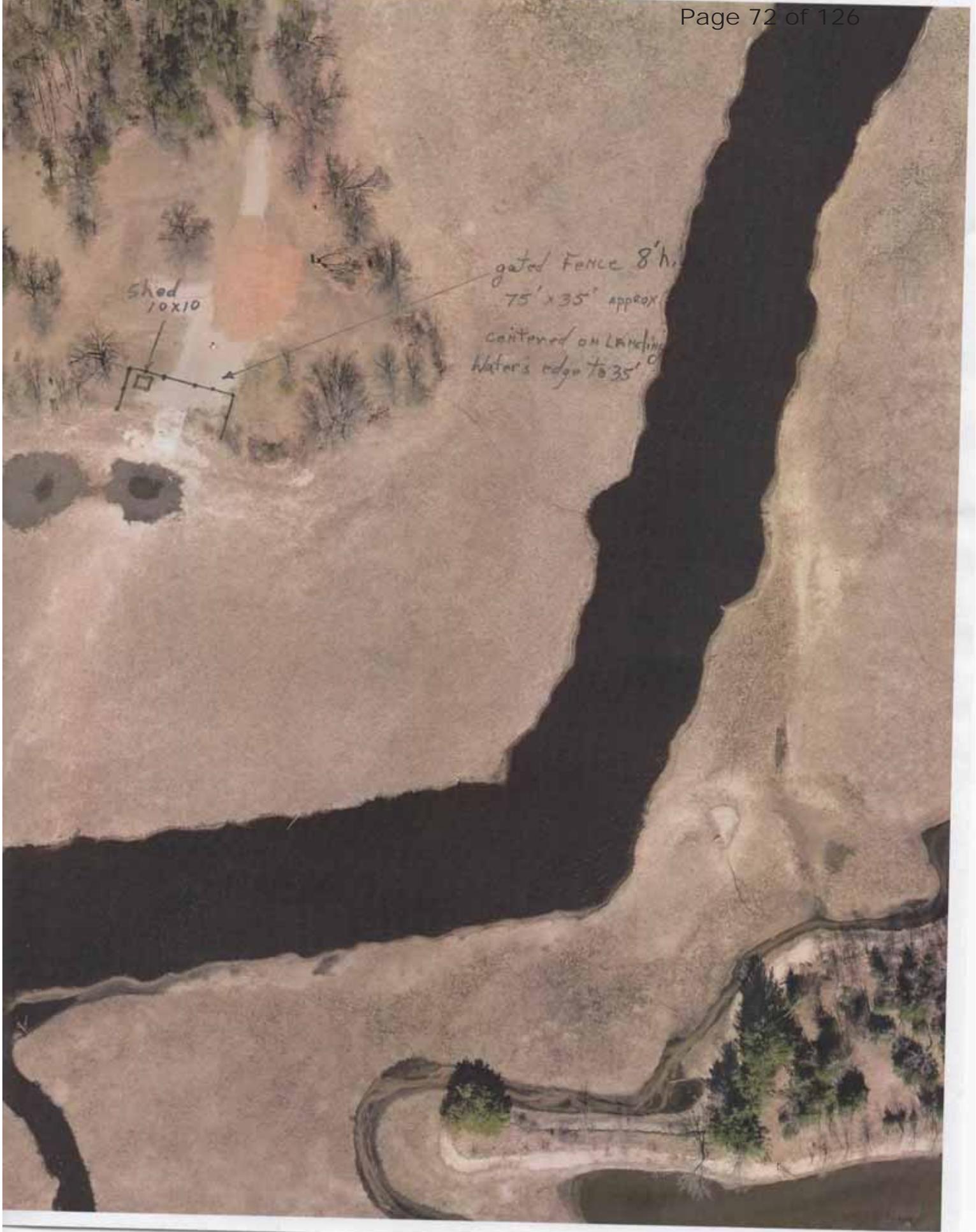
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Administrative Staff Report

Municipal Service and Operational Facility

Conditional Use

1748 Water Street

March 29, 2016



Department of Community Development

<p>Applicant(s):</p> <ul style="list-style-type: none"> City of Stevens Point, Public Works Department <p>Staff:</p> <ul style="list-style-type: none"> Michael Ostrowski, Director mostrowski@stevenspoint.com Kyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none"> 2408-32-3002-57 2408-32-3002-21 <p>Lot Information:</p> <ul style="list-style-type: none"> Effective Frontage: 70 feet Effective Depth: 240 feet Square Footage: 38,784 Acreage: 0.89 <p>Zone(s):</p> <ul style="list-style-type: none"> "R-4" Multiple Family 1 Residence District <p>Master Plan:</p> <ul style="list-style-type: none"> Institutional / Government <p>Council District:</p> <ul style="list-style-type: none"> District 9: McComb <p>Current Use:</p> <ul style="list-style-type: none"> Institutional / Government <p>Applicable Regulations:</p> <ul style="list-style-type: none"> 23.01(16) and 23.02(1)(f) 	<p>Request</p> <p>Request from the City of Stevens Point Public Works Department, for a conditional use permit to construct a Municipal Service and Operational Facility Garage at 1748 Water Street (Parcel ID 2408-32-3002-57) and the adjacent unaddressed parcel 2408-32-3002-21.</p> <p>Attachment(s)</p> <ul style="list-style-type: none"> Application Site Plans <p>Findings of Fact</p> <ul style="list-style-type: none"> The property is zoned "R-4" Multiple Family Residence District. All public improvements and buildings shall be reviewed by the Plan Commission. Government administrative facilities are a conditional use within the R-4 zoning district. The City's Comprehensive Plan calls for an institutional / government use on this property. The request is to construct an approximate 2,100 square foot (70 foot by 30 foot) municipal service and operational facility next to the existing garage at the property identified above. <p>Staff Recommendation</p> <p>Approve, subject to the following conditions:</p> <ol style="list-style-type: none"> Lots shall be combined to create one lot prior to the construction of the municipal service and operational facility. The applicant shall analyze placing the facility elsewhere on the property, such as north of the existing garage. Additional residential characteristics shall be incorporated into the design of the building, such as masonry, shingles, etc. to match neighboring residential characteristics. The design shall be reviewed/approve by the Plan Commission and Common Council. Privacy slats and/or vegetative screening shall be added to the south and eastern fence line to ensure adequate screening is provided. A landscaping plan shall be submitted identifying landscaping and screening to be reviewed/approved by Plan Commission and Common Council. The applicant shall submit an updated site plan showing setbacks, parking and other pertinent zoning requirements to be reviewed/approve by Plan Commission and Common Council.
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Vicinity Map



Background

The City of Stevens Point Public Works Department is requesting a conditional use permit to construct an approximate 2,100 square foot municipal service and operational (30 feet by 70 feet) facility at 1748 Water Street and the adjacent unaddressed parcel to the south. Note that an existing 3,000 square foot facility (40 feet by 75 feet) was constructed in 1975 on the property. The proposed facility would be located directly adjacent, south of the existing garage. The facility would be utilized to store Public Works vehicles, primarily light duty trucks, as well as survey equipment. Currently the vehicles and expensive survey equipment are parked outside and susceptible to theft, vandalism, and the natural elements. Note also that the proposed facility was approved within the adopted 2016 municipal budget. Construction is planned for September, 2016. Below are further details regarding the proposed facility. Also see the attached application and narrative further describing the facility.

Municipal Service and Operational Facility

Size: 2,100 square feet

Dimensions: 30 feet by 70 feet

Access: Five overhead doors, service door, and multiple windows

Construction Materials: Pole-Type Design (steel walls & roof)



Standards of Review

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

Analysis: The property is currently utilized for municipal storage of equipment and vehicles. Several department of Public Works / Engineering equipment and vehicles are currently being stored on the property outside. The existing garage is primarily utilized by the City's Police Department for storage. The proposal includes the construction of a municipal service facility to store Public Works / Engineering vehicles and equipment. Essentially, the use is being expanded on the site. Surrounding uses vary from intense manufacturing to single-family residential.

Findings: The property is located within a unique area where manufacturing and residential meet and both border the property. Given this, the use somewhat provides a buffer between uses, as the Paper Mill is a very intense use. Note also that single-family uses are not likely to expand within the area given the close proximity to manufacturing. However, storage is typically considered a manufacturing use and could be detrimental to the surrounding residential properties, due to the decreased aesthetics, increased noise, etc. In this case, cars and equipment are already being stored on the site, but would be stored within a facility rather than outside, therefore possibly improving aesthetics on the property. Also, the existing and proposed facilities are set back over 150 feet from the public right-of-way (Water Street), and are screened with fencing and natural vegetation. Again, however, several properties adjacent to the site could be negatively impacted by the proposed construction as it is proposed between the existing building and residential homes. Staff would recommend the applicant to analyze placing the facility elsewhere on the property, such as north of the existing garage. Furthermore, staff would recommend more residential characteristics be incorporated into the design of the building, such as masonry, shingles, etc. to match neighboring residential characteristics. Lastly, staff would recommend privacy slats or vegetative screening be added to the south and eastern fence line to ensure adequate screening is provided.

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

Analysis: Storage is currently occurring on the site. The Police Department stores vehicles and equipment in the existing facility, whereas Public Works / Engineering store vehicles and equipment onsite outside. The proposal would allow Public Works / Engineering vehicles and equipment to be stored inside a facility.

Findings: As mentioned above, the proposed facility may assist in improving aesthetics onsite, allowing for the storage of equipment and vehicles inside. Yet, it may negatively impact residential properties in close proximity. Also mentioned above, the use is being expanded with the construction of a second facility. Adequate area exists on the property which is nearly an acre and has existing fencing and screening. Therefore, the use should not be injurious to the existing use on the property.

- 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: Our Comprehensive Plan calls for this property to remain institutional / government. Furthermore, Water Street was identified in the Comprehensive Plan to develop as a mix of uses to the northwest and primarily residential to the southeast. Three vacant lots exist northeast of the site, along Water Street, which are owned by the Paper Mill. Furthermore, the City water tower exists on the site as well.

Findings: While municipal storage may not be optimal along this corridor it somewhat serves as a buffer between residential and intense manufacturing. The vacant lots nearby, under the ownership of the paper mill, will likely remain undeveloped as long as the mill is in operation. Furthermore, residential uses along Water Street and within the vicinity are likely to remain as well. The expanded use and creation of the municipal service facility should not impede the development and improvement of surrounding properties.

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

Analysis: A rendering has been submitted along with a narrative describing the construction of the facility. While the majority of the exterior finishes will be metal, windows, garage doors, and a service door are also included within the design.

Findings: The exterior improvements to the building will be essential to act as a buffer between the residential and manufacturing uses and fit within the neighborhood. Given the close proximity requested to the residential homes, staff would recommend a new design be submitted for the facility which incorporates more residential characteristics such as masonry, shingles, windows, doors, and other materials or features. Should the garage be positioned north of the existing facility, the proposed garage design may not conflict with the surrounding structures. Improved architectural design and materials will assist minimize any adverse effect on the neighborhood.

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

Analysis: The respective area is an established area of the City.

Findings: Utilities currently exist in this area.

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

Analysis: Ingress/egress currently exists from a driveway off of Water Street. Public Works / Engineering employees typically park personal vehicles at the site and retrieve municipal vehicles for work, Monday – Friday. Personal vehicles will likely remain outside during the work hours and the work week, however municipal vehicles and equipment would be stored within the proposed facility at all other times.

Findings: Traffic to the site is minimal and typically occurs in the early morning and later afternoon Monday through Friday. Traffic to the site is not proposed to increase and therefore existing ingress/egress should not create congestion of public streets.

- 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 1 Residence Zoning 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.

Findings: The property and use is unique in that a municipal utility exists on site. Overtime municipal storage has also been developed on the site given its proximity to City Hall and the Police Department. With storage uses, the potential for truck traffic, increased noise, decreased aesthetics, and indoor/outdoor storage of goods typically exists. In this instance however, vehicle and equipment currently stored outside are proposed to be stored within a facility. Furthermore, as mentioned previously, noise and traffic to the site are minimal and will remain minimal. Based on the intent of the district however, the proposed structure should have design characteristics and materials that reflect surrounding uses which include residential and manufacturing to ensure transition amongst uses is created. See staffs previous recommendation regarding building design and materials. The use should not be contrary to the land use plan for the area with conditions of approval.

- 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: A site plan has been submitted. No landscaping plan has been submitted. Furthermore, the site plan and proposed municipal facility does meet the rear yard setback of 18 feet. In addition, outdoor parking stall dimensions and setbacks have not been identified.

Findings: A site plan identifying setbacks and stall requirements shall be submitted for review by the Plan Commission and Common Council. See staffs previous condition regarding landscaping and screening. A landscaping plan should be submitted to be reviewed by the Plan Commission and Common Council.

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

N/A

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

N/A

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

- a. **All developments shall front on a public right-of-way unless recommended by the Public Works Director.**

Analysis: The use fronts on Water Street.

Findings: This standard is met.

- b. **The driveway to the site shall be located so as not to be a danger to the street flow of traffic.**

Analysis: One ingress/egress point exists on this site via Water Street.

Findings: This standard is met.

- c. **The driveway shall not be too close to neighboring intersections.**

Analysis: The ingress/egress is existing, mid-block.

Findings: This standard is met.

- d. **Alignment of the driveway shall be coordinated with adjacent access points to avoid conflict or confusion.**

Analysis: Ingress/egress already exists for the site.

Findings: This standard is met.

- e. **Only one driveway shall be allowed per site unless recommended by the Public Works Director. Two family units may be allowed more than one driveway if those driveways are separated by not less than 10 feet. Maximum driveway openings shall be 20 feet (each).**

Analysis: A single ingress/egress exists.

Findings: This standard is met.

- f. **The organization of traffic flow on-site and between the site and the street shall be organized in a clear hierarchy of flow patterns. Internal and external areas where traffic flow changes directions or creates intersections shall be organized at clear intersections and those intersections are spaced far enough apart so as to not cause confusion or problems and to provide for adequate spacing for waiting vehicles.**

Analysis: The main ingress/egress to the site is off of Water Street. The submitted site plan does not identify parking or drive aisles.

Findings: A new site plan shall be submitted.

- g. **Intersections are visible and not visually screened.**

Analysis: The intersections are not screened from view.

Findings: Vision obstructions should not be a concern.

- h. **Adequate drainage and snow storage is provided.**

Analysis: No drainage plan has been submitted.

Findings: Staff would recommend a drainage plan to be submitted and reviewed by the Utility Department.

- i. **Minimum size requirements are maintained for safe vehicle circulation.**

Analysis: The submitted site plan does not identify parking or drive aisles.

Findings: A new site plan shall be submitted.

- j. **Parking areas shall be safe. They shall be adequately lit, sized to meet minimum standards, graded so as to not be too steep, and paved with concrete, brick, or bituminous surfacing. The light source shall**

not be visible from adjacent properties. Lighting shall be developed in such a way to minimize light straying onto adjacent properties.

Analysis: A lighting plan has not been submitted.

Findings: Lighting intrusion is anticipated to be minimal, given the use of the building.

- k. **Driveways shall be located to minimize the impact to adjacent properties.**

Analysis: The driveway exists and is currently screened from the north with a fence and privacy slats.

Findings: This standard is met.

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

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

Analysis: The property has the needed utilities and access.

Findings: This standard is met.

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

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

Analysis: Refuse containers have not been identified on the site plan.

Findings: Refuse containers may not be needed for the use or may be stored inside the facility.

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

Analysis: A lighting plan has not been submitted.

Findings: Lighting intrusion is anticipated to be minimal given the use of the building.

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

Analysis: No increase in noise is anticipated as the use currently exists.

Findings: This standard is met.

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

N/A

Photos



Entrance - View from Water Street



View From Water Street – Existing Screening



Proposed Facility Location (Southwest corner)



Proposed Facility Location – Existing Garage



Proposed Facility Location - Fencing



Proposed Facility Location – Employee / City



Entrance



Northwest Corner – Parking and Existing Garage



City of Stevens Point
Community Development Department

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

APPLICATION FOR A CONDITIONAL USE PERMIT

(Pre-Application Conference Required)

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	—	Date Submitted	3/28/16	Fee Required	—	Fee Paid	—
Associated Applications If Any	—	Assigned Case Manager	Kyle Kearns				
Pre-Application Conference Date	—	Conditional Use Permit Request	Use <input checked="" type="checkbox"/>	Amend	<input type="checkbox"/>		

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)	
Applicant Name	City of Stevens Point	Contact Name	Scott Schatschneider, P.E.
Address	1515 Strongs Avenue	Address	1515 Strongs Avenue
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	Stevens Point, WI 54481
Telephone	715-346-1561	Telephone	715-346-1561
Fax	715-346-1650	Fax	715-346-1650
Email	lmusack@stevenspoint.com	Email	sschatschneider@stevenspoint.com

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name		Owner's Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Fax		Fax	
Email		Email	

PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]		
Parcel 1	Parcel 2	Parcel 3
240832300257		
Legal Description of Subject Property		
Lots 1&2 CSM #798-3-156 BNG P/RT BCK 38 Strongs, Ellis and others and PRT G out Lot 3, S32, T24, R8 204/494 344/494		
Designated Future Land Use Category		Current Use of Property
Municipal Service and Operational Facility		Municipal Service and Operational Facility
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)		
Proposed development of a municipal service and operational facility for Engineering Department to store vehicles. Schedule construction is September, 2016.		

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

SEE ATTACHED DESCRIPTION

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

SEE ATTACHED DESCRIPTION

Current Zoning Surrounding Subject Property

North:	Heavy Industrial (M2)/multi-Family (R4)	South:	Multi-Family (R4)
East:	Multi-Family (R4)	West:	Heavy Industrial (M2)

Current Land Use Surrounding Subject Property

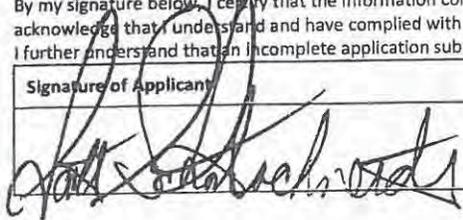
North:		South:	
East:		West:	

EXHIBITS

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

CERTIFICATION AND SIGNATURE

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

Signature of Applicant	Date	Signature of Property Owner(s)	Date
	3/28/16		

City of Stevens Point

Municipal Service and Operational Facility

The proposed development of the Municipal Service and Operational Facility will reinforce the character of the neighborhood by allowing engineering vehicles to be kept inside the building leaving a “cleaner look” to the property. The immediate need for this facility will allow expensive survey equipment that is kept in the vehicles and vehicles to be indoors out of the weather elements. The existing 40' x 75' garage that currently occupies the lot had been taken over by the police department leaving engineering vehicles and equipment outdoors.

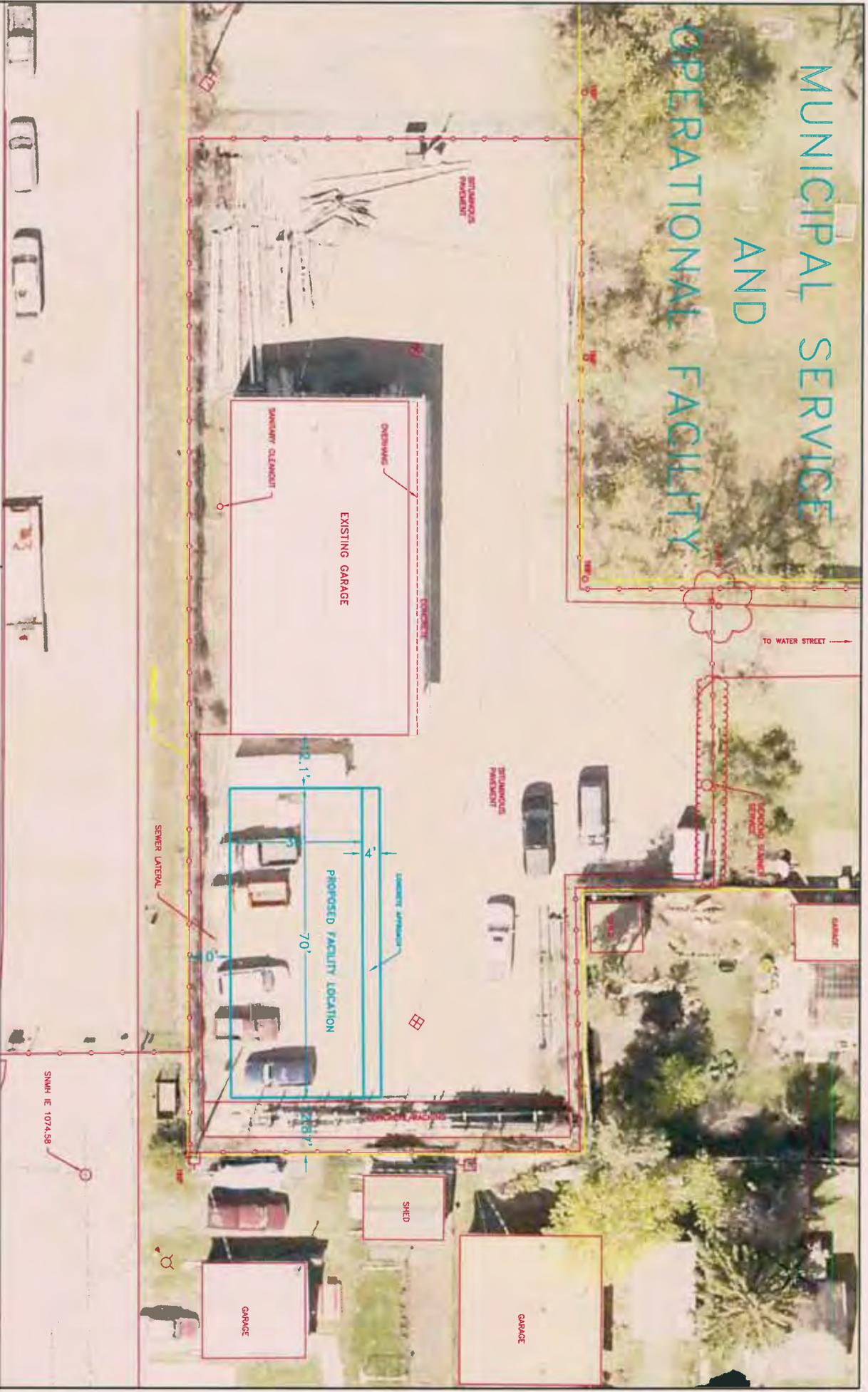
The new facility had been approved in the 2016 budget for construction (acct # 401.57.70320.8903). The construction is being planned for September 2016.

The proposed facility will be of a pole type storage building with steel walls and roof (see attached photo). The building will have five overhead doors, service door(s), windows and a concrete grade beam.

The following steps will be taken to reduce the negative impacts on adjacent properties:

- Engineering vehicles parked inside
- Facility “hidden” by fence/vines
- Approximately 200' from Water Street to not pose as an “eyesore” or cause a hindrance.
- Built to look aesthetically pleasing (similar style to existing building)
- Storage/parking area to be less cluttered

MUNICIPAL SERVICE AND OPERATIONAL FACILITY



CITY OF STEVENS POINT, WISC.

PROJECT: MUNICIPAL SERVICE AND OPERATIONAL FACILITY
 IN: WATER STREET GARAGE - SITE PLAN
 FROM: TO:

DESIGNED BY: XXX
 DRAWN BY: KHE
 REVISIONS: DATE: 00-00-00
 DATE: 01-16-16
 DATE:

SCALE: PROJECT NO. SHEET NO.
 HOR. VER. N/A N/A





Memo

Kyle Kearns

Community Development

City of Stevens Point

1515 Strongs Avenue

Stevens Point, WI 54481

Ph: (715) 346-1567 • Fax: (715) 346-1498

kkearns@stevenspoint.com

To: Plan Commission
From: Kyle Kearns
CC:
Date: March 30, 2016
Subject: Nonconforming Structures

There have been a number of instances where projects have been taken to Plan Commission for a conditional use permit for the purposes of approving setback modifications under the Traditional Neighborhood Development Overlay District (TND). The purpose and intent of the overlay district is as follows:

- 1) *Intent. The purpose of this district is to allow the development and redevelopment of residential land in the city consistent with the design principles of traditional neighborhoods. A traditional neighborhood is compact, designed for the human scale, and characterized by larger homes on smaller lots with smaller setbacks from the property lines. Other purposes include:*
 - a) *To promote the public health, safety, morals, comfort, convenience, prosperity, and general welfare of the City neighborhoods.*
 - b) *To establish a method to allow modest adjustments to the underlying zoning district setback requirements while balancing the proposal with the impact on neighborhood properties.*
 - c) *To provide adequate light, air, privacy and convenience of access to property.*
 - d) *To prevent the overcrowding of land.*
 - e) *To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.*
 - f) *To conserve and enhance the taxable value of land and buildings.*
 - g) *To encourage the most appropriate use of land throughout the City and environs.*
 - h) *To protect the character and maintain the stability of residential areas within the City and environs, and to promote the orderly and beneficial redevelopment of such areas.*
 - i) *To evaluate such additions to, and alterations or remodeling of, existing buildings or structures*
 - j) *To define the powers and duties of the administrative officers and bodies as provided hereinafter.*

While this ordinance allows for reductions in setbacks for newly constructed buildings and additions, it is also used when a property owner has a nonconforming structure and would like to add on or structurally alter the building, even though the addition or alteration meets all underlying zoning district standards. For example, if the required setback for the street yard is 25 feet, and the property owner only has 20 feet, then the owner would not be able to add on to this building at all, even if the addition

was in the rear of the building and the addition met all current standards, such as setbacks. The owner would therefore need to receive a conditional use permit to use the TND standards to move forward with the addition.

The other option would be to go through the nonconforming use/structure section of the ordinance, which reads as follows:

17) Nonconforming Premises.

- a) *Intent. This ordinance and districts therein, or any later amendments may create situations where use of premises and parking, yards, setbacks, heights, lot area, lot width and density previously permitted may become prohibited, regulated or otherwise restricted for the purpose of implementing community plans and development goals. It is the intent of this ordinance to permit the continuance of these nonconforming premises, but not to encourage their survival. Such nonconforming premises are declared by the ordinance to be incompatible with conforming premises in the districts involved.*
- b) *Existing Nonconforming Uses. A nonconforming use existing at the time of the adoption or amendment of this ordinance may be continued, but no use on such premises shall be enlarged, increased, extended, reconstructed, resumed, substituted, or altered unless the nonconformity is changed to conforming except as follows:*
 - 2) *If a nonconforming use is discontinued for a period of less than 12 months, the previous use may be resumed.*
 - 3) *Minor modifications on nonconforming uses may be approved by Zoning Administrator such as permitting substitution of a more restricted use; permitting ordinary maintenance repairs such as interior and exterior painting, decorating, paneling, and the replacement of doors, windows, and other nonstructural components; or permitting minor deviations from parking, yard, setback, height, lot width, area or density where there are special circumstances caused by the nonconformity which would deprive the subject property of privileges enjoyed by other property in the vicinity under the same zoning classification. Minor modifications are permitted only after the Zoning Administrator finds the modifications are not contrary to the public health, safety, or well-being, the modifications are compatible with surrounding uses, the modifications would not injure the neighborhood.*
 - 4) *Additions to structures not conforming with floodway standards are permitted provided they will not increase the amount of obstruction to flood flows, are flood-proofed by means other than the use of fill to the floor protection elevation, and would not, over the life of the structure, exceed 50 percent of the present equalized assessment value.*
- c) *Where a lot of record at the effective date of this ordinance, or a lot in a subdivision which the Common Council has officially approved and agreed to accept at the time of the effective date of this ordinance, has less area or width than herein required in the district in which it is located, said lot may nonetheless be used for a one-family dwelling*

or for any other non-dwelling use permitted in the district in which it is located.

18) *Nonconforming Lots.*

Nonconforming lots greater than 10,000 square feet but less than the minimum lot requirement as calculated by the lot size standards. In any R-3, Two Family District, a two-unit building may be constructed, an existing two-unit building housing a single family per unit may be rebuilt, or an existing building may be converted to two-unit use on any legal lot of record or combination of entire lots of record recorded prior to May 1, 1996 only if that lot(s) exceeds 10,000 square feet. All other requirements of the ordinance must be met.

In any Multi-family R-4 or R-5 District, a two-unit, three-unit, or four-unit multifamily building may be constructed, an existing two-family or multi-family building may be rebuilt or an existing building may be converted to up to a four-unit use on any legal lot of record or combination of entire lots of record recorded prior to March 1, 1996 only if that lot(s) exceeds 10,000 square feet. All other requirements of the ordinance must be met with the exception that the sideyard and rearyard setbacks do not have to be increased 50% in response to the neighboring uses.

The subsection in the nonconforming section of the zoning code that would allow for minor deviations to be approved would be as follows:

“or permitting minor deviations from parking, yard, setback, height, lot width, area or density where there are special circumstances caused by the nonconformity which would deprive the subject property of privileges enjoyed by other property in the vicinity under the same zoning classification. Minor modifications are permitted only after the Zoning Administrator finds the modifications are not contrary to the public health, safety, or well-being, the modifications are compatible with surrounding uses, the modifications would not injure the neighborhood.”

While this may allow the Zoning Administrator to grant minor deviations to allow for additions to occur, it is pretty discretionary. Therefore, we would recommend adding the following verbiage to the nonconforming section of the zoning code to allow enlargements to occur so long as the enlargement meets all other applicable requirements:

A nonconforming structure in which only permitted uses are operated may be enlarged or extended if the enlargement or extension can be made in compliance with all of the provisions of this chapter established for structures in the district in which the nonconforming structure is located. Such enlargement shall also be subject to all other applicable ordinances.

This should reduce the number of applicants for the TND and reduce the discretion in the zoning code.



Memo

Plan Staff

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: March 30, 2016
Subject: Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.02(1)(h), "R-TND" Traditional Neighborhood Development Overlay District, of the Revised Municipal Code to clarify garage street front and corner side yard setback requirements.

Confusion exists when reviewing the Traditional Neighborhood Overlay District standards within the zoning ordinance. Staff has had to repeatedly clarify setback standards to applicants requesting a conditional use permit for TND setbacks. The one dimensional change that we are making to the conditional use setback requirements is reducing the garage street yard setback from 25 feet to 20 feet; a garage would still need to be at least 2 feet behind the face of the principal home. With the current language, a garage would need to be at least 25 feet setback from the front street yard. The other changes relate to clarification to the text, and include:

Zoning Ordinance (Section 23.02(1)(h)(3))

3. Conditional Uses as allowed in the underlying zoning district

The Common Council may consider the following conditional use setback requirements as an alternative to the setback requirements in the underlying zoning district. These conditional use setback requirements shall be applied only to single family uses.

Conditional Use Setback requirements:

- Primary Structure
 - Front street yard - 12 feet
 - Corner street side yard - 12 feet
 - Interior side yard - 4 feet
 - Rear yard - 15 feet
- Garage (attached)
 - Front street yard - 20 feet
 - Corner street side yard - 12 feet, with no access to a public street
 - Interior side yard - 4 feet
 - Rear yard - 15 feet
- Accessory Building (detached)
 - Street front setback - 20 feet

- Corner side yard - 12 feet, with no access to a public street
- Interior side yard - 1 foot
- Rear yard - 1 foot

The corner side yard is the side yard adjoining the street on a lot bounded on two or more sides by public right of way. As applied in this conditional use, the Common Council shall define the primary facade of the home as being the front yard and the secondary facade of the home as the side yard.

The following design standards shall be incorporated into each development and will be utilized in the review of conditional use. A conditional use is not automatically allowed. A balance is required between allowing remodeling or modest additions to structures while not unduly affecting the neighboring property owner's enjoyment of open space and light.

- a. The proposed structure shall fit the overall character of the neighborhood. Neighborhood character includes the conformity or nonconformity of buildings in the immediate neighborhood with the setback requirements. Neighborhood character also includes the physical characteristics of the buildings in the immediate neighborhood including such elements as windows, exterior finishes, roof pitch, height of buildings, the diversity or homogeneity of architectural styles, porches, location of garages, density, and the like.
- b. In no case shall the front facade of the building consist of a blank wall or a series of garage doors.
- c. Developers shall vary design elements to avoid monotonous facades.
- d. One ground floor entry shall be oriented to the front of the lot on a public or private street.
- e. Garages shall be sited in several ways:
 - 1) In the rear yard, either attached or detached, accessed from a public street or an alley.
 - 2) Accessed from a public street with the garage doors facing the public street provided it be set back a minimum of two (2) feet from the front façade of the building.
- f. Consideration shall be given to the impact of the proposed addition on neighboring light, ventilation, and privacy from existing windows and yards.



Memo

Plan Staff

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: March 30, 2016
Subject: Request from the City of Stevens Point for a site plan review of landscaping within Municipal Lot 14 - Shopko Lot (Parcel ID 2408-32-2029-65) northwest of the intersection of Main Street and Church Street.

Approval was granted for the resurfacing of lot 14 (Shopko Lot) several years ago, upon which landscaping was required to be reviewed after the reconstruction. The reconstruction was split between two years and was finished last year.

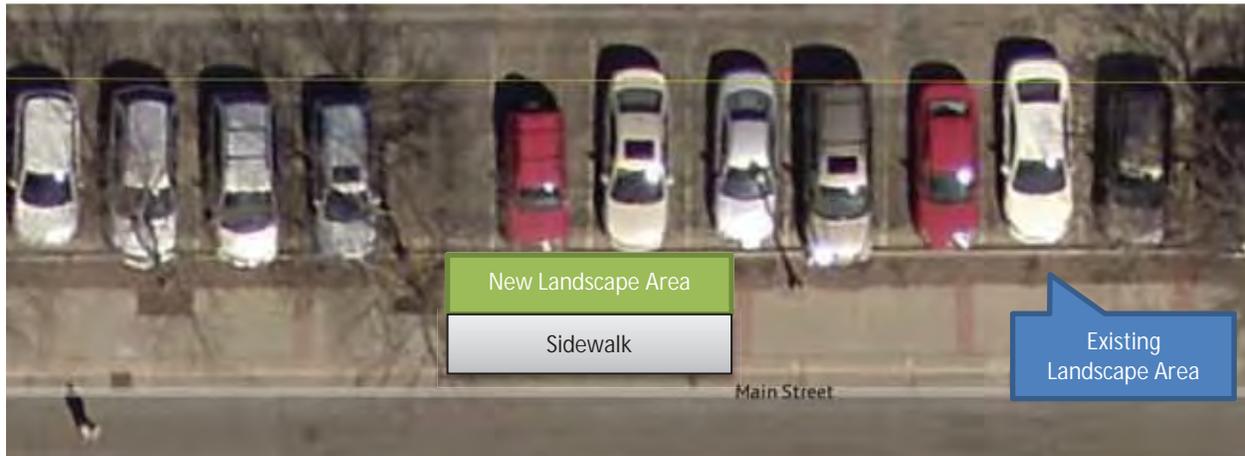
Spring 2015 Aerial Photo



A total of over 400 plants are proposed to be installed to provide complete screening as required around the parking lot. Note also that some existing shrubs and trees exist and are proposed to remain in

certain areas, including the treating of some ash trees. A full list is attached. Some ash trees and other shrubs are proposed for removal and will be replaced with other trees species or shrubs.

Given the small size of the landscaping planting strip along the southern portion of the lot, nearest to Main Street, and the large size of the sidewalk, the landscape area may be enlarged. Staff will explore the option of reducing some of the sidewalk width to gain additional planting width area. This should help reduce the stress on the landscaping and promote greater maturity of the landscaping.



Staff would recommend approving the landscaping plan for Lot 14, as well as allowing the decreased sidewalk width, where appropriate, as determined by staff.

Shopko

A

7 potentilla

Remove 2 shrubs

Stump 15'

Remove 2 shrubs

B

6 foot wide strip beginning at stop sign

Stop sign south to 2nd handicap sign is 25 ft

5 summer wine ninebark

26 ft to light pole

13 karl forester grass

37 feet to first elm tree (stay 10ft away from tree (gives 25 ft planting))

7 summer wine ninebark

35 feet to next elm tree (stay 10ft away from tree (gives 25 ft planting))

12 karl forester grass

37 feet to next elm tree (stay 10ft away from tree (gives 25 ft planting))

Light pole in between

4 summer wine ninebark

C

Tree of Hope area done

D

400 feet long

***contract out pruning low limbs crossing/ deadwood

***contract out treating ash trees

Measure DBH for estimate

Take out tree grates and cut concrete

Replant one ash trees remove one ash tree

E

Northwest corner Church St & Main St

15 Blue Oat Grass

9 Frau Dagmar Hasstrup Rugosa Rose

F

175 foot planting stop sign to lightpole

Stop sign 26 feet north to lightpole

13 Prairie dropseed grass

39 ft north to first ash tree (stay 10ft away from tree (gives 29 ft planting).

10 alpine currant

Remove ash tree plant Regal Prince oak

45 ft north to (stay 10ft away from tree (gives 35 ft planting)) to light pole

13 alpine currant

35 ft north to next ash tree (stay 10ft away from tree (gives 25 ft planting))

Remove ash and replant regal prince oak

6 alpine currant

30 ft to north to light pole(stay 10ft away from tree (gives 20 ft planting))

8 alpine currant

G

First driveway (south driveway on Church Str)

3 Judd Viburnum

7 Karl Forester grass

5 alpine currant

North side of Southmost driveway

1 japanese tree lilac

5 karl forester grass

H

Keep this row of shrubs up to Shopko sign

I

Shopko Sign

25x30

6 Fiesta Forthisya

8 Frau Dagmar Hasstrup Rugosa Rose

8 karl forester grass

5 blue oat grass

5 prairie dropseed

J

Shopko sign to stop sign

10 alpine currant

k

Stop sign planter

1 Japanese tree lilac

2 summer wine ninebark

L

Last segment

3 Karl Forester Grasees

37 feet to ash tree (25 foot planting space)

1 Bur oak

7 Compact Viburnum

37 feet to fire hydrant (25 foot planting space)

8 Compact viburnum

M

Corner Centerpoint Dr and Church St

Rip out shrubs/keep cedars

15 Frau Dagmar Hasstrup Rugosa Rose

10 Goldfinger Potentilla

8 Summer wine ninebark

N

Along Centerpoint Drive

425 feet long

Every 20 feet plant 2 blue oat grass 3 Karl Foesterr grass - two blue oat grass

3 Karl Forester grass

4 Blue oat grass

Total 39 Karl Forester Grass 52 Blue oak grass

O

Six islands in Shopko parking lot

39 potentilla goldfinger

18 Prairie dropseed grass

21 blue oat grass

Chuck Egle Nov. 5 2018

NOV 18 2018

PLANT TOTALS

TREE SPECIES	NUMBER	COST
Regal Prince Oak – <i>Quercus robur</i> 'Fastigata x bicolor' 2" B&B	2	387.50
Bur Oak – <i>Quercus macrocarpa</i> 2" B&B	1	200.00
Ivory Silk Japanese Tree Lilac – <i>Syringia reticulata</i> 'Ivory Silk' 2" B&B	2	387.50
Summer Wine Ninebark – <i>Physocarpus Opulifolius</i> 'Seward' two gallon #3 CG	28	602
Karl Foerster Feather Reed Grass – <i>Calamagrostis acutiflora</i> 'Karl Foerster' one gallon	87	1087.50
Prairie Dropseed – <i>Sporobolus heterolepis</i> one gallon	36	324.
Goldfinger Potentilla – <i>Potentilla fruticosa</i> 'Goldfinger' two gallon CG #3 -	56	868
Spring Green Compact Cranberrybush Viburnum – <i>Viburnum trilobum</i> 'Spring Green' two gallon 2" B&B.	15	326.25
Judd Viburnum – <i>Viburnum x juddii</i> two gallon Charles Li CG #3	3	84.
Alpine Currant – <i>Ribes alpinum</i> two gallon CG #3.	52	806
Frau Dagmar Hasstrup Rugosa Rose – <i>Rosa rugosa</i> 'Frau Dagmar Hasstrup' two gallon CG #3.	32	510.50
Fiesta Forsythia – <i>Forsythia x intermedia</i> 'Fiesta' two gallon CG #3.	6	108
Blue oat grass – <i>Helictotrichon sempervirens</i> – one gallon	72	864
Total	Delivery	→ 450 7005.15

3

Hand Note
Boxe Post
Past check

Installation of Plants	COST
Remove at least top three inches of old bark from entire planting area (Approximately 9,000 square feet).	2150 -

Installation includes – calling diggers hotline, digging the holes, removing marked existing plants, planting plants, applying milorganite, applying first watering, cleanup of all debris (if all garbage is separated from soil the city has a location for soil to be dumped by contractor)	5585 ⁰⁰
Mulch entire area (Approximately 9,000 square feet).	5400 ⁰⁰
TOTAL COST OF PLANT MATERIAL & INSTALLATION OF PLANTS	COST 20140

EXTRA

Staking of trees if needed.	COST \$40 @ . 40 @ .
Two year guarantee on all plants.	COST 9900 - \$1900
Watering of plants for first growing season (November 1, 2016).	COST 8800

22040

check Egle 11/05/2015

EGLE LANDSCAPING, INC.
 MCKAY NURSERY REP.
 7668 Rolling Hills Rd.
 Custer, WI 54423
 715-592-4284
 www.eaglelandscaping.com

17 times
 10 hr days
 55.00



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: Michael Ostrowski
CC: Common Council
Date: 2/20/2016, updated 3/30/2016
Subject: Property Maintenance Code

Please bring your copy of the International Property Maintenance Code that was previously provided to you. The information below was provided to you last month.

Copyright Notice: "2015 International Property Maintenance Code, International Code Council, Inc., Washington, D.C. Reproduced with permission. All rights reserved. www.iccsafe.org."

Enclosed in your packet is a copy of the International Code Council's 2015 International Property Maintenance Code (IPMC). Please note this code is being reproduced with the written consent of the International Code Council (ICC). No further reproductions or modifications can take place. This code is being supplied to you in hard copy format only, to comply with the copyright provision. This code will not be available online as part of the Plan Commission packet. Two copies of this code exist at Stevens Point City Hall (one at the Clerk's Office and one at the Community Development Department), as well as an electronic version of the 2012 version can be viewed on the ICC's website: <http://publiccodes.cyberregs.com/icod/ipmc/>.

This code would essentially replace Chapter 21 (Building and Premises Maintenance and Occupancy) of the Revised Municipal Code of the City of Stevens Point. In summary, the International Property Maintenance Code would govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment, and exterior property within the City of Stevens Point. The current code, Chapter 21, has not been updated for some time and it is important to make sure our ordinances are as clear as possible. Furthermore, there are a number of areas where the current code is silent. This can present difficulties in enforcing and working with property owners to correct such violations.

With the IPMC, local municipalities can adopt the code and make local amendments to it, as not all standards within the IPMC would apply to each jurisdiction. In addition, we can also include additional standards and clarifications.

My intent at the March meeting is to get you familiar with the code and the proposed local amendments and to identify any further changes. From there we would look at having a public hearing on the ordinance amendment in April or May, depending on the comfort level of the Commission moving forward.

Upon the conclusion of this process, I will need all of the hard copies returned to me.

If you should have any questions or concerns regarding this item, please do not hesitate to contact me

to discuss.

Thank you.

Below are the proposed draft local amendments:

101.1 Title.

Replace with: These regulations shall be known as the *Property Maintenance Code of the City of Stevens Point*, hereinafter referred to as "this code."

102.3 Application of other codes.

Replace with: Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *Building Code*, *Electrical Code*, and *Plumbing Code*. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *Zoning Code*.

102.7 Referenced codes and standards.

Repeal

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

Replace with: DEPARTMENT OF COMMUNITY DEVELOPMENT

103.1 General.

Replace with: The department of community development shall serve as the department overseeing this code and the building inspector and/or the code enforcement officer shall be known as the *code official*.

103.2 Appointment.

Replace with: The *code official* shall be the building inspector and/or the code enforcement officer.

103.3 Deputies.

Replace with: In accordance with the prescribed procedures of this jurisdiction, the *code official* shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the *code official*.

103.4 Liability.

Replace with: The *code official*, member of the property maintenance appeals board or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent

law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

103.5 Fees.

Replace with: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the most recently adopted fee schedule for the department of community development.

106.3 Prosecution of violation.

Replace with: Failure to comply with a notice of violation or order served in accordance with Section 107 may result in criminal or civil penalty.

106.4 Violation penalties.

Replace with: Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws, including a fine of one-hundred dollars (\$100.00) and not more than five-hundred dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. Nothing in this section shall limit the remedies available to the *City* in seeking to enforce the provisions of this code.

106.5 Abatement of violation.

Replace with: The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*. Should the *owner* fail to abate the violation within the timeframe provided, the *code official* shall order crews to abate such violation, and the actual costs of the same, including administrative, labor, overhead, bookkeeping, mileage, and incidentals, shall be charged to the *owner*. Failure of the *owner* to pay the related charges within thirty (30) days will result in the charges being entered on the tax roll as a special charge against said *premises* pursuant to the provisions of Section 66.0627 of the Wisconsin Statutes for collection and settlement under Chapter 74 of the Wisconsin Statutes.

107.2 Form.

Replace with: Such notice prescribed in Section 107.1 may be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.

107.3 Method of service.

Replace with: Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Posted in a conspicuous place in or about the structure affected by such notice.
3. Sent by certified or first-class mail addressed to the last known address; or
4. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Add: 107.7 Service charge. A service charge in the amount indicated in the most recently adopted fee schedule for the department of community development, may be levied against the *owner* for the inspection and preparation of any notice and order for correcting violations. In the event corrective action is not taken within the required time for compliance, or if the same or similar violation is committed on the property within a one (1) year calendar period, any subsequent notice or order may have a service fee levied against the *owner* in the amount indicated in the most recently adopted fee schedule for the community development department. Service charges that are not paid within thirty (30) days shall be entered on the tax roll as a special charge against said *premises* pursuant to the provisions of Section 66.0627 of the Wisconsin Statutes for collection and settlement under Chapter 74 of the Wisconsin Statutes. Service charges are independent of other penalties, and the payment of such service charges shall not relieve any person from complying with the requirements of this code or any other code adopted by the jurisdiction, or from any additional penalties proscribed herein.

108.1 General.

Replace with: When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure may be *condemned* pursuant to the provisions of this code.

108.2.1 Authority to disconnect service utilities.

Replace with: The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code or any code adopted by the jurisdiction in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* or owner's authorized agent and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner*, owner's authorized agent or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

109.5 Costs of emergency repairs.

Replace with: Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction may institute appropriate action against the *owner* of the *premises* or owner's authorized agent where the unsafe structure is or was located for the recovery of such costs.

110.1 General.

Replace with: The *code official* shall order the *owner* or owner's authorized agent of any *premises* upon which is located any structure, which in the *code official's* or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any structure for a period of more than two (2) years, the *code official* shall order the *owner* or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond six (6) months, unless *approved* by the building official.

110.2 Notices and orders.

Replace with: 110.2 Adoption of codes and regulations. Section 66.0413 (Razing buildings) of the Wisconsin State Statutes, and any amendments thereto, is hereby adopted and made part of this code. The razing of buildings shall be done in accordance with Section 66.0413 (Razing buildings) of the Wisconsin State Statutes.

110.3 Failure to comply.

Repeal

110.4 Salvage materials.

Repeal

111.1 Application for appeal.

Replace with: Any person directly affected by a decision of the *code official* or a notice or order issued under this code shall have the right to appeal to the property maintenance appeals board, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. The applicant must pay an appeal fee in the amount as indicated in the most recently adopted fee schedule for the department of community development. Shall such notice or order issued under this code be overturned by the board, the applicant shall be subject to a refund of the appeal fee.

111.2 Membership of board.

Replace with: The board shall consist of not less than three (3) members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not

employees of the jurisdiction. The *code official* shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the mayor, and shall serve three (3) year staggered and overlapping terms.

111.2.1 Alternate members.

Replace with: The mayor shall appoint not less than two (2) alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

111.2.2 Chairman.

Replace with: 111.2.2 Chairperson. The board shall annually select one (1) of its members to serve as chairperson.

111.2.4 Secretary.

Replace with: The *code official* shall serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the department of community development.

111.3 Notice of meeting.

Replace with: The board shall meet upon notice from the chairperson, within twenty (20) days of the filing of an appeal, or at stated periodic meetings.

111.7 Court review.

Replace with: Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law.

112.4 Failure to comply.

Insert: one-hundred dollars (\$100.00) and five-hundred dollars (\$500.00)

Add:

SECTION 113 ORDER TO VACATE

113.1 Authority. Where a notice of violation and order to comply has been issued as herein provided and upon re-inspection at the end of the time specified for compliance it is found that the violation or violations have not been corrected, or at any time when required in accordance with the emergency procedure, the *code official* may order the entire building or structure, or the parts thereof affected by the continued violations, to be vacated in accordance with the following procedures:

113.1.1 Timeframe to vacate. The vacation shall be within a reasonable time as determined by the *code official*, but shall not to exceed sixty (60) days;

113.1.2 Securing. Vacated buildings shall have all outer doors, windows, or other openings securely boarded to prevent entry as outlined in section 108.2.

113.1.3 Posting. The building shall be posted with a placard under the provisions as outlined in section 108.4.

113.2 Habitation. Such buildings shall not be used for human habitation until all violations have been corrected and a written determination obtained from the *code official* that the building or structure complies with the provisions of this code.

201.3 Terms defined in other codes.

Replace with: Where terms are not defined in this code and are defined in the Building Code, Electrical Code, Fire Code, Plumbing Code, or the Zoning Code of the City of Stevens Point, or Chapters SPS 301-388 Wisconsin Administrative Code, such terms shall have the meanings ascribed to them as stated in those codes.

SECTION 202 GENERAL DEFINITIONS

Replace: APPROVED. Authorized by a relevant code and/or acceptable to the *code official*.

Add: APPROVED SURFACE. Permitted parking and/or storage spaces for all motorized or non-motorized vehicles, machinery, and equipment shall be made permanently available for such purposes and be surfaced with asphalt, bituminous, concrete or dustless material approved by the *code official*, and shall be maintained in a smooth, well-graded condition.

Add: ATTRACTIVE NUISANCE. All premises within the jurisdiction which cause the circumstance and/or condition that would reasonably attract any person and such circumstance and/or condition which may constitute a danger to the person(s). Attractive nuisances include, but are not limited to, unused or abandoned refrigerators, freezers or other such large appliances or equipment or any parts thereof; any structurally unsound or unsafe fence or building edifice; any unsecured or abandoned excavation pit, well, cistern, storage tank or shaft; any collection of scrap lumber, trash, vegetation or other similar items; or unattended machinery or equipment, unsecured, abandoned or vacant buildings, open and unattended vehicles or vehicle trunks, or other similar unguarded conditions or situations that would injure or cause injury to any person(s).

Add: BUILDING CODE. The adopted building code for the City of Stevens Point.

Add: CAR COVER. A cover that is specifically manufactured and commercially retailed for the purpose of covering a vehicle. This cover can be a cover designed for the specific vehicle or type of vehicle or may be designed for a generic vehicle. The cover must be completely opaque, conceal the vehicle entirely and be securely fastened at all times. Generic tarps are not a permitted car cover.

Add: CITY. The City of Stevens Point.

Add: DEBRIS. Remains of anything broken-down or destroyed; ruins; rubble including but not limited to scrap metals, building materials, plastic matter, vehicle matter, or any other similar matter or materials.

Add: DIRT AND FILTH. Dirt and filth means and includes, but is not limited to, floor, sidewalk, street and other surface sweepings; discards from vacuum cleaners; soot; ashes; matter removed from gutters and downspouts; accumulations of dust, residue from fire other than soot and ashes; hair from humans and animals; and all other discarded, unused and seemingly worthless goods and commodities not otherwise described in this chapter.

Add: DRIVEWAY. The driveway is the permitted surfaced roadway leading from the public right-of-way to a legal parking space.

Add: ELECTRICAL CODE. The adopted electrical code for the City of Stevens Point.

Replace: GARBAGE. Waste and residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food and food products including, but not limited to, discarded food wrappings and containers, paper, plastic and metal products used or intended for use in connection with the storage, sale, preparation or "clean-up" relating to food items; egg shells; used coffee grounds; used tea bags; meat trimmings; entrails of animals, poultry or fish; offal; medical wastes including bandages, syringes, medicines, plaster or other casts; and decomposed putrid material; whether such items are alone or in combination with other materials.

Repeal: Inoperable Motor Vehicle.

Add: INOPERABLE VEHICLE. A vehicle, either motorized or non-motorized, and/or its parts which cannot be driven or operated upon the public streets for reasons including but not limited to being unlicensed, unroadworthy, wrecked, abandoned, or in a state of disrepair; except, vehicles specifically designed for off-road use and that are unlicenseable such as ATV's, snowmobiles, and dirt bike motorcycles, will not have their license status used to determine operability.

Add: JUNK. Scrapped, broken, or neglected items and materials. Junk includes items such as plastic, cloth, glass, rags, paper or metals that can be converted into usable articles or stock, or articles that have outlived their usefulness in their original form. Examples of "junk" include, but are not limited to, empty bottles and jars; empty metal, plastic or paper products; discarded engine or motor parts; automobile and truck parts of all descriptions; used tires, wheels and inner tubes; discarded batteries; cardboard; discarded and/or pre-used building materials; discarded and/or pre-used electrical and plumbing materials; broken pieces of concrete; discarded, broken, or neglected electrical, gas or hand-operated appliances; previously used packing materials; discarded, broken, or neglected household goods and furnishing; or any household item located outdoors that is designed for indoor use; as well as parts and pieces of any of the foregoing.

Add: LITTER. Tangible personal property which has been unlawfully scattered and/or abandoned in a public place or on private property, typically outdoors, as a form of solid waste – material which, if thrown or deposited, creates a danger to public health, safety and welfare. Litter is further defined as either hazardous, reusable-recyclable, non-hazardous, or non-usable material. Litter includes, but is not limited to, polystyrene foam, plastics, cigarette butts, candy and gum wrappers, paper towels, newspapers, food wastes, chip bags, aluminum and steel beer/soda cans, leather, rubber, clothing, textiles, wood, glass, metal, abandoned tires, vehicle parts, or other such debris that has fallen onto a public right-of-way as a result of negligent litter; litter from trash-hauling vehicles, unsecured loads, or construction sites.

Add: NOXIOUS WEEDS. Shall have the meaning as defined in Section 66.0407 of the Wisconsin State Statutes.

Add: PLANTING, PARKING STRIP. The area of the right-of-way between the constructed curb or edge of the roadway and the adjoining property line, exclusive of any improved sidewalk or any established pedestrian path.

Add: PLUMBING CODE. The adopted plumbing code for the City of Stevens Point.

Add: PUBLIC NUISANCE. A nuisance consists of doing an unlawful act, or omitting to perform a duty, or permitting an action or condition to occur or exist which intrudes, annoys, injures or endangers the comfort, repose, health or safety of others, is unreasonably offensive to the senses, or which interferes with or disrupts a neighbor's or citizen's ability to freely use or enjoy their properties or public property adjacent to where the nuisance occurs. Such nuisances include, but are not limited to, the following:

1. Unsecured *attractive nuisances*;
2. Conditions or acts which annoy, injure, or endanger the comfort, repose, health, or safety of others;
3. Conditions or acts which are offensive to the senses;
4. Conditions or acts which interfere with, obstruct, or tend to obstruct or render dangerous for passage any stream, public park, parkway, square, sidewalk, street, or highway and other rights-of-way in the city;
5. Illicit discharges into the municipal storm drainage system;
6. Unauthorized interference with, damage to, or polluting of designated habitat areas, publicly thereto;
7. Conditions or acts which obstruct the free use of property so as to essentially interfere with the comfortable enjoyment of life and property;
8. Conditions or acts which lead to blight and contribute to the deterioration of the neighborhood or adjoining property;
9. The improper parking or storage of vehicles on any residential lots which impedes the use of yard areas for light, air circulation, recreation, and landscaping; and
10. A violation of any city ordinance.

Add: PREMISES. Any building, lot, parcel, alley, real estate or land or portion of land whether improved or unimproved, including adjacent sidewalks, boulevards, parking strips and street.

Add: PUBLIC RIGHT-OF-WAY OR RIGHT-OF-WAY. "Right-of-way" means all real property owned or held by the city in fee, or by way of easement, or dedicated to the public and located within the city, and used or intended for use as a street, alley, sidewalk, public way or easement for public or private utilities, whether developed or undeveloped.

Add: PUBLICLY VISIBLE OR PUBLIC VIEW. Anything that can be seen by a person with normal vision from any sidewalk, street, alley or other public place, or from any building situated on an adjoining property.

Add: SCREENING/SCREENED. A permitted continuous solid fence, landscape planting of sufficient density that is not affected by seasonal change, a continuous wall, chain-link fence combined with commercially designed and manufactured fence slats rated at ninety percent (90%) plus sight obscuring or chain-link fence combined with commercially designed and manufactured privacy/windscreen material rated at ninety percent plus sight obscuring or combination thereof that is at least six (6) feet in height that would effectively screen a property from *public view* in which it encloses. Any dead or dying portion of the hedge shall be replaced. Fencing and screening materials must be maintained in good repair or replaced if worn or damaged. All gates leading into the enclosed area must also effectively screen the property and be kept closed. Where inoperable vehicle(s) within a screened area are visible from a neighboring structure, a car cover as defined herein, or a permitted temporary structure, must be used to further screen the vehicle. A covering/barrier such as a tarp or similar material is not permitted screening.

Add: TRASH AND WASTE. Trash and waste means, but is not limited to ashes; leaves; branches and trimmings from trees, shrubs and hedges; discarded Christmas trees; excrement and undigested residue of food eliminated by humans, animals, fish and birds; lawn, yard, garden, shrub and tree trimmings; garbage, junk and filth; discarded clothing of all descriptions; decayed or decaying materials of all kinds and descriptions; and insect-infested materials of all kinds and descriptions; whether such items are alone or in combination with other materials.

Replace: ULTIMATE DEFORMATION. The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to eighty percent (80%) or less of the maximum strength.

Add: UNROADWORTHY. Any vehicle shall be deemed unroadworthy if such vehicle does not have all operational and safety-related components maintained in a manner that makes it legal and safe to operate on the public streets.

Add: VEHICLE. A vehicle includes every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, including but not limited to, automobiles, motorcycles, trucks, buses, motorized recreational vehicles, campers, travel trailers, boat trailers, utility trailers, or other similar devices capable of moving or being moved on public right-of-way, and shall also include parts of vehicles.

Add: WATERCRAFT. A watercraft means any boat, vessel, or other craft used for navigation on or through water. (Does not include kayaks or canoes).

Replace: WEEDS. All grasses, annual plants and vegetation, other than trees or shrubs; however, this term shall not include cultivated flowers and gardens. Natural plantings of native wild plants and accepted cultivars of wild plants are a recognized type of landscaping. These areas must be tended, cultivated in a manner consistent with natural plantings, and confined to a definite area.

Replace: YARD. Any open space on a lot or lots.

Add: ZONING CODE. The adopted zoning code for the City of Stevens Point.

302.1 Sanitation.

Replace with: *Exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition free of *junk, garbage, trash, rubbish, dirt and filth* or *waste*.

302.3 Sidewalks and driveways.

Replace with: Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions, or any vegetative growth.

Add:

302.3.1 Gravel driveways and parking areas. Gravel driveways and parking areas are required to be maintained with a minimum of three inches (3") of three-quarter inch (3/4") road gravel. Failure to maintain the proper state of repair will require gravel driveways and parking areas to either be removed, or to be reconstructed with an *approved surface* in an *approved* location.

Add:

302.3.2 Snow and ice removal. The *owner, occupant* or person in charge of any building or property fronting upon or adjoining any street, and the owner or person in charge of an unoccupied dwelling or lot fronting as aforesaid, shall clean the entire width of the sidewalk in front of or adjoining such building, or unoccupied lot or dwelling, which on corner lots shall include the sidewalk or ramps extending to the street, of snow and ice from such sidewalk and cause same to be kept clear of snow and ice, provided that when ice has formed on any sidewalk that it cannot be removed, the persons herein referred to shall keep the same sprinkled with salt or sand. In the event of a snow storm, accumulated snow shall be removed from the abutting sidewalk by the owner or occupant of any premises within twenty-four (24) hours after the snow ceases to fall, except on those streets or portions thereof where no boulevard is located, in which case snow shall be removed within forty-eight (48) hours. Due to the dangerous situation caused by snow and ice on sidewalks and ramps, no further notice beyond this code shall be required to be provided by the *City* for the abatement of such violation.

Should the *owner, occupant* or person in charge of any building or property fail to remove the snow and/or ice within the timeframe indicated above, the *code official* shall order crews to do

this work, and the actual costs of the same, including administrative, labor, overhead, bookkeeping, mileage, and incidentals, shall be charged to the *owner*. Failure of the *owner* to pay the related charges within thirty (30) days will result in the charges being entered on the tax roll as a special charge against said premises pursuant to the provisions of Section 66.0627 of the Wisconsin Statutes for collection and settlement under Chapter 74 of the Wisconsin Statutes.

No *owner, occupant, or person* shall place any snow or ice on or into any sidewalk, street, or alley without permission from the Director of Public Works.

302.4 Weeds.

Replace with: *Premises and exterior property* shall be maintained free from grasses, *weeds* or plant growth in excess of seven inches (7"). *Noxious weeds* shall be prohibited.

Add:

302.4.1 Adoption of codes and regulations. Section 66.0407 (Noxious weeds) and Section 66.0517 (Weed commissioner) of the Wisconsin State Statutes, and any amendments thereto, are hereby adopted and made part of this code.

Add:

302.4.2 Duty to destroy. Every *owner* shall destroy all *noxious weeds* on all lands within the *City*, including any terraces and/or ditches abutting said property.

Add:

302.4.3 Entry. The *code official* may enter upon any lands within the *City* upon which any of the *weeds* or *noxious weeds* growing, and cut or otherwise destroy them, without being liable to an action for trespass or any other action for damages resulting from such entry and destruction, if reasonable care is exercised in the performance of the duty hereby imposed. The *code official* may also authorize the mowing of any untended lawns.

302.7 Accessory structures.

Replace with: Accessory structures, including, but not limited to *detached* garages, fences and walls, shall be maintained structurally sound and in good repair. No structure shall be in a sagging, leaning, fallen, decayed or other dilapidated or unsafe condition.

302.8 Motor vehicles.

Replace with: 302.8 Motor vehicles/vehicles/watercraft. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, vehicle, watercraft or parts thereof shall be parked, kept or stored on any premises, and no vehicle or watercraft shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth. Such

vehicles shall be declared to be *public nuisances* which shall be abated and removed as specified in this code; provided that this section shall not apply to the following:

1. A vehicle or part thereof that is stored or parked in a lawful manner on private property in connection with the business of a licensed auto wrecker or licensed vehicle dealer;
2. Any historic automobile, special interest vehicle or inoperable vehicle that is in the process of being restored; provided that all such vehicles and parts thereof which are not licensed or not operable shall be stored or parked within a building in a lawful manner where they are not publicly visible; or
3. A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes. This work shall be performed in compliance with Section 302.12 and in accordance with the *Zoning Code*.

302.9 Defacement of property

Repeal

Add:

302.9 Vehicles and/or machinery parts. Except where permitted and licensed as a wrecking yard, all premises within the city shall be maintained free of the existence and maintenance of a storage area, junkyard or dumping ground for the wrecking or dismantling of automobiles, trucks, trailers, house trailers, boats, tractors or other vehicles or machinery of any kind, or for the storing or leaving of worn out, wrecked, inoperative or abandoned automobiles, trucks, trailers, house trailers, boats, tractors or other vehicles or machinery of any kind or of any major parts thereof.

Add:

302.10 Vehicle parking/storage. Limitations on the parking of vehicles, boats, trailers, commercial and heavy commercial equipment.

302.10.1 Vehicles. Motor vehicles, or other vehicles not covered in this section, shall be parked or stored on an *approved* parking surface, shall not be parked in the required property setbacks and shall be in conformance with Chapter 23.01(14) of the Revised Municipal Code.

302.10.2 Recreational vehicles, boats, trailers. Recreational vehicles, boats, and trailers shall be parked or stored on an *approved* parking surface, shall not be parked or stored in required property setbacks and shall be in conformance with Chapter 23.01(14) of the Revised Municipal Code.

302.10.3 Machinery and equipment. Machinery and equipment shall be parked, kept or stored on an *approved* parking surface, shall not be parked or stored in required

property setbacks and shall be in conformance with Chapter 23.01(14) of the Revised Municipal Code.

302.10.4 Truck tractors, semi-trailers and commercial equipment. Truck tractors, as defined in Section 340 (Vehicles) of the Wisconsin State Statutes, or similar commercial equipment, shall not be parked or stored in residentially zoned areas, on residential property in other zones, or on sites that have not been permitted, improved and *approved* for such use. This requirement shall not apply to the parking or storage of agricultural machinery on residential premises to be used for agricultural use allowed by the *Zoning Code* or when equipment is used in conjunction with a permitted or allowed project. These vehicles shall be parked or stored on an *approved surface* outside of required property setbacks.

Add:

302.11 Vehicle and equipment repair on residential premises. Servicing, repairing, assembling, modifying, restoring, or otherwise working on any vehicle on any residential premises shall be subject to the following:

302.11.1 Occupant or occupant's family. Work shall be limited to the repair and maintenance of vehicles, equipment, or other conveyance currently registered to the *occupant* or a member of the *occupant's* family.

302.11.2 Approved areas. Work is limited to the *approved* parking surface or garage or approved accessory structure; at no time can repairs be made on the lawn, sidewalk, planting strip or the street.

302.11.3 Minor repairs. Only minor repairs such as an oil change, tire repair, small parts change, or minor routine maintenance may be performed outside of a garage or *approved* accessory structure and only then on an *approved* parking surface. The associated vehicle(s) in which such minor repairs exceed seven (7) days shall be moved inside of a building that meets applicable code and zoning requirements or be properly *screened* from *public view* and parked on an *approved surface* outside of property setbacks.

302.11.4 Nuisance. Work which creates a nuisance shall not be permitted.

Add:

302.12 Dangerous trees. All premises within the city shall be maintained free of any dead, diseased, infested or dying tree that constitutes a danger to street trees, streets, alleys or sidewalks.

Add: 302.13 Obscured public facilities. All premises within the city shall be maintained free of any object blocking, vine or climbing plants growing into, onto or over any street, tree growing within a *public right-of-way* or any public hydrant, utility meter, pole, street light, utility device, street sign or public facility or device; or the existence of any uncontrolled, uncultivated or

untended shrub, vine or plant growing on, around or nearby any hydrant, standpipe, sprinkler system connection or any other appliance or facility provided for fire protection purposes in such a way as to obscure the view thereof or impair the access thereto.

302.13.1 Overhanging trees and shrubs. Every property owner having any tree or shrub overhanging any street, alley or *right-of-way* within the city shall prune the branches so that such branches shall not interfere with the unobstructed use of the street, alley, sidewalk or *right-of-way* or obstruct the view of any street intersection. Trees and shrubs overhanging the street and alley shall be pruned to allow a minimum fourteen foot (14') clearance above the entire surface of the street or alley. Trees and shrubs overhanging the sidewalk and/or *right-of-way* shall be pruned to allow a minimum eight foot (8') clearance above the entire sidewalk surface and/or *right-of-way* to the adjoining property line. No person shall, without a written permit of the City Forester cut, prune, rake, climb, injure or remove any living tree in any *public right-of-way*, park, planting/parking strip or other public place in the city.

Add:

302.14 Privies, vaults, cesspools, etc. All premises within the city shall be maintained free of any privies, vaults, cesspools, sumps, pits, trenches or like places which create a dangerous condition or are not securely protected from flies and rats, or which are foul or malodorous.

Add:

302.15 Outdoor wood storage. Outdoor wood and firewood shall be neatly stacked not to exceed four feet (4') in height, shall be adequately supported so as not to pose a hazard to person or property, and shall not be placed in any setback or other restricted area on the property in which it is being stored.

Add:

302.16 Accumulation of dangerous materials. All premises within the city shall be maintained free of the existence of any accumulation of materials, substances or objects in a location when the same endangers property, health, safety or constitutes a fire hazard.

Add:

302.17 Open storage of materials and furnishings. No person shall openly store or keep, for a period of more than twenty-four (24) hours, any equipment, materials or furnishings; or any item that creates an unsightly condition or one that promotes urban blight or *public nuisance*. This may include, but is not limited to, indoor furniture, household appliances, auto parts, shopping carts or building materials.

Exception: Building materials neatly stacked and stored for no less than sixty (60) days for a construction project permitted with the city. The material must be weather protected, shall not be placed within property setbacks or placed in such a manner that would create a danger to property, health and/or safety.

Add:

302.18 Alley/Public right-of-way maintenance. The *owner* or *occupant*, or any person having the care or charge of any property that has alley access or an alley *right-of-way* easement, shall be responsible for maintaining that portion of the alley that fronts said property up to and including one-half (1/2) of the apparent alley centerline, and shall keep said alley or alley easement maintained in a clean, safe and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health, safety or welfare. *Public right-of-way* maintenance shall also include utility easements or *parking and/or planting strips*. Such blighting problems shall include, but are not limited to: overgrown trees, shrubs, vegetation, *weeds* and/or grasses; *garbage; junk; rubbish; dirt and filth; litter; trash; and waste*. This definition shall also include, but not be limited to, such items as couches, loveseats, chairs, mattresses, and other similar household furniture or appliances. Such items, if placed in any city alleyway or alley easement, shall be considered a *public nuisance* and abated within the time established by the *City* in accordance with Section 106.

Add:

302.19 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

Add:

302.20 Attractive nuisance. All premises within the city shall be maintained free of any accessible *attractive nuisance*.

Add:

302.21 Unsafe conditions. No *owner, occupant, or operator* of a building, building unit, or premise, shall suffer, permit, or allow any condition which may be dangerous to children because of their inability to appreciate peril and may reasonably be expected to attract them to the premises.

303.2 Enclosures.

Replace with: Private swimming pools, hot tubs and spas, containing water more than twenty-four inches (24") in depth shall be completely surrounded by a fence or barrier not less than forty-eight inches (48") in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is not less than fifty-four inches (54") above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches (6") from the gatepost. No existing pool

enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Pools, spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

304.1.1 Unsafe conditions.

Replace with: The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *Building Code: keep all original subsections in 2015 International Property Maintenance Code*

304.2 Protective treatment.

Replace with: Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Tarp or similar materials used for weather protection shall not exceed thirty (30) days. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.3 Address identification.

Replace with: Buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position to be visible from the street or road fronting the property, and at the rear of the property if there is an improved alley. Additionally, structures not fronting a public street or an alley shall also have approved numbers placed at the front and back of the building so as to be plainly visible from points as determined by the *code official*. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetical letters. Numbers shall not be spelled out. Each character shall be a minimum of four inches (4") in height with a minimum stroke width of one-half inch (0.5"). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained and not be sight obscured.

304.7 Roofs and drainage.

Replace with: The roof and flashing shall be sound, tight and not have defects that admit rain. Tarp or similar materials used for weather protection shall not exceed thirty (30) days. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior

portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a *public nuisance*.

Add:

304.13.3 Storm or thermal windows. During the period from November 1 to March 31, every window and other outside opening required for ventilation shall be equipped with a storm window or be a thermal window.

304.14 Insect screens.

Replace with: During the period from April 1 to October 31, every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum sixteen (16) mesh per inch, and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

304.15 Doors.

Replace with: Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition and weather tight. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

305.1.1 Unsafe conditions.

Replace with: The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *Building Code: keep all original subsections in 2015 International Property Maintenance Code*

306.1.1 Unsafe conditions.

Replace with: Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *Building Code: keep all original subsections in 2015 International Property Maintenance Code*

307.1 General.

Replace with: Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than twenty-four inches (24") above the floor or grade below shall have *guards*. Handrails shall be not less than thirty inches (30") in

height or more than thirty-eight inches (38") in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than thirty-six inches (36") in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: *Guards* shall not be required where exempted by the adopted building code.

SECTION 308 RUBBISH AND GARBAGE

Replace with: SECTION 308 RUBBISH, GARBAGE AND RECYCLABLE MATERIALS

308.1 Accumulation of rubbish and garbage.

Replace with: 308.1 Accumulation of rubbish, garbage and recyclable materials. *Exterior property and premises*, and the interior of every structure, shall be free from any accumulation of *rubbish, junk, trash, dirt and filth, waste, garbage*, recyclable materials, or miscellaneous materials that appear unsightly.

308.2 Disposal of rubbish.

Replace with: Every *occupant* of a structure shall dispose of all *rubbish, junk, trash, dirt and filth, waste, garbage* or recyclable materials in a clean and sanitary manner by placing such *rubbish, junk, trash, filth, waste, garbage* or recyclable materials in *approved* containers, or by taking it to an *approved* disposal facility.

308.2.1 Rubbish/garbage storage facilities. The *owner* of every occupied premises shall maintain *approved* covered containers for *rubbish, junk, trash, dirt and filth, waste, garbage* or recyclable materials, and the owner of the premises shall be responsible for the removal of *rubbish, junk, trash, dirt and filth, waste, garbage* or recyclable materials from the premises.

308.2.2 Dangerous and/or discarded appliances. Refrigerators, household appliances, and similar equipment shall not be discarded, abandoned or stored on any *premises* within the city.

308.3.2 Containers.

Replace with: The *operator* of every establishment producing garbage shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with closefitting covers for the storage of such materials until removed from the *premises* for disposal. Containers shall not be stored within the street yard setback area, except on collection days, or if they are properly *screened* from public view. Containers shall be readily accessible for removing and emptying the same shall be placed no sooner than 6:00PM the day before collection to 11:59PM the day of collection.

Add:

308.4 Disposal of recyclable materials. Every *occupant* of a structure shall dispose of recyclable materials in a clean and sanitary manner by placing such materials in *approved* material containers.

308.4.1 Containers. The *operator* of every establishment producing recyclable materials shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with closefitting covers for the storage of such materials until removed from the *premises* for disposal. Containers shall not be stored within the street yard setback area, except on collection days, or if they are properly *screened* from public view. Containers shall be readily accessible for removing and emptying the same shall be placed no sooner than 6:00PM the day before collection to 11:59PM the day of collection.

Add:

308.5 Rubbish and garbage exceptions. The following shall not be a violation of this section.

1. Compost piles less than four feet (4') in height and six feet (6') in diameter at ground level, and twenty feet (20') or more from any adjacent dwelling, and six feet (6') or more from adjoining properties.
2. Storm debris within thirty (30) days following a storm event.
3. Construction residue and debris during and for fourteen (14) days following completion of work.
4. Fallen leaves, tree needles, tree fruit and similar vegetation, during the months of October through April, inclusive.

401.3 Alternative devices.

Replace with: In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *Building Code* shall be permitted.

402.1 Habitable spaces.

Replace with: Every *habitable space* shall have not less than one window of *approved* size facing directly to the outdoors or to a court. The minimum total glazed area for every *habitable space* shall be eight percent (8%) of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than three feet (3') from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exceptions:

1. Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining

room shall be not less than eight percent (8%) of the floor area of the interior room or space, but a minimum of twenty-five (25) square feet. The exterior glazing area shall be based on the total floor area being served.

2. Habitable rooms, other than bedrooms, located in basements or ground floors do not require natural light.

403.1 Habitable spaces.

Replace with: Every *habitable space* shall have not less than one openable window. The total openable area of the window in every room shall be equal to not less than three and one-half percent (3 ½%) of the floor area of such room.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be not less than eight percent (8%) of the floor area of the interior room or space. The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.

404.3 Minimum ceiling heights.

Replace with: *Habitable spaces*, hallways, corridors, laundry areas, *bathrooms*, *toilet rooms* and habitable *basement* areas shall have a minimum clear ceiling height of seven feet(7') .

All habitable rooms, kitchens, hallways, bathrooms and corridors shall have a ceiling height of at least seven feet (7'). Habitable rooms may have ceiling heights of less than seven feet (7') provided at least fifty percent (50%) of the room's floor area has a ceiling height of at least seven feet (7'). Beams and girders or other projections shall not project more than eight inches (8") below the required ceiling height.

Exceptions:

1. In one- and two-family dwellings, beams or girders projecting a maximum of eight inches (8") below the required ceiling height.
2. *Basement* rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of six feet-eight inches (6'-8") with a minimum clear height of six feet-four inches (6'-4") under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of seven feet (7') over not less than one third (1/3) of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of five feet (5') shall be included.

404.4. Room area.

Replace with: 404.4.1 Bedroom area. Every bedroom shall contain not less than seventy (70) square feet and every bedroom occupied by more than one (1) person shall contain not less than fifty (50) square feet of floor area for each occupant thereof.

404.5 Overcrowding.

Replace with: For each occupant in a dwelling unit, at least one-hundred twenty five (125) square feet of floor area shall be provided.

404.5.1 Sleeping area.

Repeal

404.5.2 Combined areas.

Repeal

502.2 Rooming houses.

Replace with: Not less than one water closet, lavatory and bathtub or shower shall be supplied for each eight (8) *occupants*.

502.5 Public toilet facilities.

Replace with: Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the *Plumbing Code*. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during *occupancy* of the *premises*.

505.1 General.

Replace with: Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an *approved* private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *Plumbing Code*.

602.2 Residential occupancies.

Replace with: Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 70°F in all habitable rooms, *bathrooms* and *toilet rooms*.

602.3 Heat supply.

Replace with: Every *owner* and *operator* of any building who rents, leases or lets one (1) or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from November 1 to March 31 to maintain a minimum temperature of seventy degrees Fahrenheit (70°F) in all habitable rooms, *bathrooms* and *toilet rooms*.

602.4 Occupiable work spaces.

Replace with: Indoor occupiable work spaces shall be supplied with heat to maintain a minimum temperature of sixty-eight degrees Fahrenheit (68°F) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

604.3.1.1 Electrical equipment.

Replace with: Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water and damaged shall be replaced in accordance with the provisions of the *Building Code* and *Electrical Code*.

Exception: The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement: *keep all original subsections in 2015 International Property Maintenance Code*

604.3.2.1 Electrical equipment.

Replace with: Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *Building Code*.

Exception: Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

702.1 General.

Replace with: A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the *public way*. Means of egress shall comply with the *Fire Code*.

702.2 Aisles.

Replace with: The required width of aisles in accordance with the *Fire Code* shall be unobstructed.

702.3 Locked doors.

Replace with: Means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *Building Code*.

704.1 General.

Replace with: Systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *Fire Code*.

704.2.4 Smoke detection system.

Replace with: Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements of the *Fire Code*.
2. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the *dwelling* or *sleeping unit* in accordance with the *Fire Code*.
3. Activation of a smoke detector in a *dwelling* or *sleeping unit* shall not activate alarm notification appliances outside of the *dwelling* or *sleeping unit*, provided that a supervisory signal is generated and monitored in accordance with the *Fire Code*.