

**\*AMENDED\***  
**AGENDA**  
**CITY PLAN COMMISSION**

Monday, June 6, 2016 – 6:00 PM  
Lincoln Center – 1519 Water Street, 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. Report of the May 2, 2016 Plan Commission meeting.
3. **Public Hearing** – Request from Troy Herman, representing Fred’s Towing, for a conditional use permit amendment to operate a car wrecking facility and repair shop at 801 Francis Street (Parcel ID 2308-05-10-1226).
4. Action on the above.
5. **Public Hearing** – Request from the Stevens Point Area Public School District for a conditional use permit to construct a new entrance canopy on the east building facade at 2400 Main Street (Parcel ID 2408-33-2001-04).
6. Action on the above.
7. **Public Hearing** – Request from Rettler Corporation, representing the property owner, to rezone two unaddressed parcels, totaling approximately 2.2 acres located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID’s 2408-27-3004-15 and 2408-27-3004-17) from "R-LD" Low Density Residence District to "R-3" Single and Two-Family Residence District.
8. Action on the above.
9. **Public Hearing** – Request from Rettler Corporation, representing the property owner, for a preliminary subdivision plat review at two unaddressed properties located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID’s 2408-27-3004-15 and 2408-27-3004-17).
10. Action on the above.
11. **Public Hearing** – Request from Don & Kelly Guay for a conditional use permit renewal to operate a micro-winery at 1201 Water Street (Parcel ID 2408-32-2016-03).
12. Action on the above.

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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.

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- \* 13. Request from Service Cold Storage, LLC for a site plan review of an expansion to the existing cold storage warehouse facility located within the Planned Industrial Development Zoning District at 5700 E.M. Cops Drive (Parcel IDs 2308-01-2100-03 and 2308-01-2100-05).
- 14. **Public Hearing** – Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.02(2)(a) to establish greenhouses and nurseries as a conditional use in the B-1 Neighborhood Business District and above districts.
- 15. Action on the above.
- 16. **Public Hearing** – Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically subsections 23.01(13)(a) and 23.01(13)(d) to include public and private streets.
- 17. Action on the above.
- 18. 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.
- 19. Community Development Department Monthly Report for May 2016. *Report will be provided after May 31, 2016.*
- 20. Adjourn.

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PUBLISH: May 20, 2016 and May 27, 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 June 6, 2016 at 6:00 PM in the multi-purpose room of the Lincoln Center, 1519 Water Street, Stevens Point, Wisconsin, to hear the following:

1. Request from Troy Herman, representing Fred's Towing, for a conditional use permit amendment to operate a car wrecking facility, and repair shop at 801 Francis Street (Parcel ID 2308-05-10-1226). This property being zoned "M-2" Heavy Industrial District and described as LOT 1 CSM#8754-35-134 BNG PRT NWNE S5 T23 R8 670175, City of Stevens Point, Portage County, Wisconsin.
2. Request from the Stevens Point Area Public School District for a conditional use permit to construct a new entrance canopy on the east building facade at 2400 Main Street (Parcel ID 2408-33-2001-04). This property being zoned "R-2" Single Family Residence District and described as PT NENW S33 COM NE CORN MAIN&MICHIGAN N250'E 70'N140'E100'S40'E230'S350' NL MAIN;W ALG NL MAIN400' POB EX PRT HWY (566759) 452/455;649/901;767817 798771UTIL, City of Stevens Point, Portage County, Wisconsin.
3. Request from Don & Kelly Guay for a conditional use permit renewal to operate a micro-winery at 1201 Water Street (Parcel ID 2408-32-2016-03). This property being zoned "B-3" Central Business District and described as LOT 1 & W 7 1/2' OF S 86' LOT 2 & W 42 1/2' OF N 46' LOT 2 BLK 3 EX PRT SOLD-221/210 STRONG ELLIS & OTHERS ADD S32 T24 R8 800209, City of Stevens Point, Portage County, Wisconsin.
4. Request from Rettler Corporation, representing the property owner, to rezone two unaddressed parcels, totaling approximately 2.2 acres located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID's 2408-27-3004-15 and 2408-27-3004-17) from "R-LD" Low Density Residence District to "R-3" Single and Two-Family Residence District. These properties are described as PRT FRACL NWSW COM 867' E OF SW CRNR SD 40 TH N 132' E 130' S 132' W130' TO POB EXC OL2 CSM 49/19 S27 T24 R8, and S16 RDS OF E20 RDS OF FRACL NWSW & OL 1 CSM 49/19 BNG PRT PT MANORS REPLAT IN SWSW EXCL OL2 CSM 49/19 ALL IN S27 T24 R8, City of Stevens Point, Portage County, Wisconsin.
5. Request from Rettler Corporation, representing the property owner, for a preliminary subdivision plat review at two unaddressed properties located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID's 2408-27-3004-15 and 2408-27-3004-17). These properties are zoned "R-LD" Low Density Residence District and described as, PRT FRACL NWSW COM 867' E OF SW CRNR SD 40 TH N 132' E 130' S 132' W130' TO POB EXC OL2 CSM 49/19 S27 T24 R8, and S16 RDS OF E20 RDS OF FRACL NWSW & OL 1 CSM 49/19 BNG PRT PT MANORS REPLAT IN SWSW EXCL OL2 CSM 49/19 ALL IN S27 T24 R8, City of Stevens Point, Portage County, Wisconsin.

6. Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.02(2)(a) to establish greenhouses and nurseries as a conditional use in the B-1 Neighborhood Business District and above districts.
7. Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically subsections 23.01(13)(a) and 23.01(13)(d) to include public and private streets.

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

All interested parties are invited to attend.

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

John Moe, City Clerk

REPORT OF CITY PLAN COMMISSION  
May 2, 2016 – 6:00 PM  
Lincoln Center – 1519 Water Street

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

ALSO PRESENT: Community Development Director Michael Ostrowski, Associate Planner Kyle Kearns, City Attorney Beveridge, Director Schatschneider, Alderperson Shorr, Alderperson Ryan, Alderperson Oberstadt, Alderperson Johnson, Alderperson Slowinski, Alderperson Dugan, Alderperson McComb, Alderperson Phillips, Alderperson Morrow, Bernard Landerman, Kathy Whalen, Bill Whalen, Bill Witt, Kay Witt, Karl Weyers, Tori Jennings, Jane Goudreau, Bob Moodie, Nick Busa, Paul Enerson, Krista Olson, Sandy Kratzke, Nick Kratzke, Nate Enwald, Greg Schweiger, Sonja, Nelson, Fred Boehm, Trevor Roark, Pam Dollard, Steven Laszinski, Bret Ongemach, and Shirley Ongemach.

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1. Roll call.

Discussion and possible action on the following:

2. Report of the April 4, 2016 Plan Commission meeting.
3. **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).
4. Action on the above.
5. **Public Hearing** - Request from the McDill Pond Inland Lake Protection District, for a conditional use permit to dredge in McDill Pond, south of the Patch Street Bridge and deposit dredging sediment at 4001 Patch Street (Parcel ID 2308-03-2100-05).
6. Action on the above.
7. **Public Hearing** – Request from William Schierl and Sarena Melotte for a conditional use permit to operate an inn at 1665 Main Street (Parcel ID 2408-32-1020-01).
8. Acton on the above.
9. **Public Hearing** – Request from Rettler Corporation, representing the property owner, to rezone two unaddressed parcels, totaling approximately 2.2 acres located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID’s 2408-27-3004-15 and 2408-27-3004-17) from "R-LD" Low Density Residence District to "R-3" Single and Two-Family Residence District.
10. Action on the above.

11. **Public Hearing** – Request from Rettler Corporation, representing the property owner, for a preliminary subdivision plat review at two unaddressed properties located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID's 2408-27-3004-15 and 2408-27-3004-17).
12. Action on the above.
13. **Public Hearing** – Request from Washington Construction Inc., for a preliminary subdivision plat review at two unaddressed properties located at the southwest intersection of Regent Street and Saint Paul Street (Parcel ID's 2408-28-4002-11 and 2408-28-4002-21).
14. Action on the above.
15. **Public Hearing** Request from the City of Stevens Point to rezone 24 properties within and on the fringe of the downtown from M-1 Light Industrial District to B-2 Central Business Transition District: 1000 Union St. (Parcel ID: 2408-32-2002-01), 701 Portage Street (Parcel ID: 2408-32-2006-05), 1000 Third Street (Parcel ID: 2408-32-2004-01), 1001 Union Street (Parcel ID: 2408-32-2001-11), 941 Portage Street (Parcel ID: 2408-32-2004-02), 0 Portage Street (Parcel ID: 2408-32-2005-01), 1013 Second Street (Parcel ID: 2408-32-2004-18), 1009 Second Street (Parcel ID: 2408-32-2004-05), 1001 Second Street (Parcel ID: 2408-32-2004-04), 801 Portage Street (Parcel ID: 2408-32-2005-02), 1008 Union Street (Parcel ID: 2408-32-2002-06), 1017 Union Street (Parcel ID: 2408-32-2001-13), 1016 Third Street (Parcel ID: 2408-32-2004-14), 0 Centerpoint Drive (Parcel ID: 2408-32-2005-06), 916 Centerpoint Drive (Parcel ID: 2408-32-2004-08), 1220 Briggs Court (Parcel ID: 2408-32-2001-37), 1105 Second Street (Parcel ID: 2408-32-2004-09), 0 Third Street (Parcel ID: 2408-32-2004-13), 1035 Union Street (Parcel ID: 2408-32-2001-15), 1043 Union Street (Parcel ID: 2408-32-2001-16), 0 Centerpoint Drive (Parcel ID: 2408-32-2004-17), 0 Second Street (Parcel ID: 2408-32-2004-19), 157 West Clark Street (Parcel ID: 2408-31-1013-05), and 133 & 165 West Clark Street (Parcel ID: 2408-31-1013-26).
16. Action on the above.
17. **Public Hearing** – Request from the City of Stevens Point to rezone five properties within and on the fringe of the downtown from B-4 Commercial District to B-3 Central Business District: 1111 Crosby Avenue (Parcel ID: 2408-32-2009-10), 1017 Crosby Avenue (Parcel ID: 2408-32-2007-12), 0 Main Street (Parcel ID: 2408-32-2011-11), 0 Crosby Avenue (Parcel ID: 2408-32-2011-12), and 0 Water Street (Parcel ID: 2408-32-2009-11).
18. Action on the above.
19. **Public Hearing** – Request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from B-4 Commercial District to B-2 Central Business Transition District: 1009 First Street (Parcel ID 2408-32-2005-05).
20. Action on the above.

21. **Public Hearing** – Request from the City of Stevens Point to rezone three properties within and on the fringe of the downtown from M-1 Light Industrial District to C Conservancy District: Three unaddressed parcels (Parcel ID's: 2408-31-1013-17, 2408-31-1013-02, and 2408-31-1013-01).
  22. Action on the above.
  23. **Public Hearing** – Request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from B-3 Central Business District to B-2 Central Business Transition District: 1101 First Street (Parcel ID: 2408-32-2005-07).
  24. Action on the above.
  25. **Public Hearing** – Request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from R-4 Multiple Family I Residence District to B-2 Central Business Transition District: 1009 Union Street (Parcel ID: 2408-32-2001-12).
  26. Action on the above.
  27. **Public Hearing** – Request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from R-5 Multiple Family II Residence District to B-2 Central Business Transition District: 1300 Briggs Court (Parcel ID: 2408-32-2001-36).
  28. Action on the above.
  29. **Public Hearing** – Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.02(2)(b) and 23.02(2)(c), B-2 and B-3 Commercial Zoning Districts, to remove parking stall requirements for all uses.
  30. Action on the above.
  31. **Public Hearing** – Amending the Official Street Map of the City of Stevens Point to extend Worth Court south to Clem's Way.
  32. Action on the above.
  33. **Public Hearing** – 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.
  34. Action on the above.
  35. Community Development Department Monthly Report for April 2016. *Report will be provided after April 30, 2016.*
  36. Adjourn.
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1. Roll call.

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

**Excused late:** Cooper

Discussion and possible action on the following:

2. Report of the April 4, 2016 Plan Commission meeting.

**Motion by Commissioner Curless to approve the report of April 4, 2016 Plan Commission meeting; seconded by Alderperson Kneebone.**

**Motion carried 6-0.**

Director Ostrowski explained that there were two projects that were pulled from the agenda by the applicants, the first being the Inn request from Bill Schierl and Sarena Melotte. He stated that we do not address short term rentals in our zoning ordinance, which is what they are proposing. The closest classification that is in our zoning code is an Inn classification. Inns require a conditional use within the zoning district which may lead to other requirements on the property that may not need to be pursued if it is classified as a short term rental. After further discussion, Director Ostrowski said we are going to look at addressing short term rentals in our code before moving forward with this request. Therefore, items 7 and 8 have been pulled by the applicant.

Items 9, 10, 11, and 12 regarding a request by Rettler Corporation and Dave Rowe for the rezoning and subdivision plat off of Green Avenue and Sunset Boulevard have also been pulled. There were some concerns which had been identified in the staff report, and after further discussions with the developer, he is going to look at making some modifications prior to bringing the request back for further consideration. They are looking to bring the request back next month. Director Ostrowski encouraged and concerned citizens to provide comments to him and the Community Development office regarding the request.

3. **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).

Director Ostrowski explained this request was before the commission last month, but there had been some concerns regarding the fence and shed, maintenance, and aesthetics, which have been addressed. The applicant is proposing a locked fence on the dock itself, and then a utility trailer on the shore which all would be removed when the harvesting season is done. With the modification, staff does not have any major concerns and approval is recommended with conditions listed in the staff report.

Mayor Wiza clarified that there would be no permanent structures, the dock and fencing, along with the utility trailer would be removable and the fencing would be on the dock itself.

Commissioner Haines asked if the dock would be removed as well, to which Mayor Wiza stated yes it would be removed from the water but may stay on site during winter months.

Commissioner Hoppe asked what the length of the dock was to which Director Ostrowski answered 36 feet long.

Commissioner Haines asked if there is boat access here and where is the public access, to which Mayor Wiza explained there is a landing off of Business 51 and then at the end of Heffron Street.

Mayor Wiza declared the public hearing open.

Krista Olson, 3317 Della Street, explained that the last dock section may be placed to create a T-shape due to the width of the paddle wheel on the harvesters.

**Commissioner Cooper arrived at 6:07 PM.**

Ms. Olson continued stating they are hopeful that the dock pieces would be able to fit into the trailer and everything would be removed from the site at the end of harvesting each year.

Commissioner Haines asked if this was a yearly thing, to which Ms. Olson stated yes it is based on the amount of nitrogen in the pond, the nutrient levels in the pond is excessive to the point of creating the nuisance weed requiring them to harvest McDill. They start after May 15<sup>th</sup> with harvesting operations, and run an almost full time operation and taper off in August, part time in September and finish at the end of October.

Mayor Wiza explained this has been an ongoing partnership between the Lake District and the City for quite a while. In the past the harvesters were docked at the end of Heffron in a residential area.

Aldersperson Kneebone stated she is concerned regarding the trailer and security, to which Ms. Olson explained there currently is a pole in the ground at that area and they plan use a cable to attach the trailer to the pole to prevent theft.

Aldersperson Dugan asked if other methods were researched to keep the weeds under control. Mayor Wiza stated that other methods had been researched, but none were as effective as harvesting.

Mayor Wiza declared the public hearing closed.

4. Action on the above.

**Motion by Commissioner Brush to approve the conditional use permit request from the McDill Pond Inland Lake Protection District to install a dock with fencing and utilize a utility trailer for on-site storage at 4001 Patch Street (Parcel ID 2308-03-2100-05) subject to the following conditions:**

1. All harvester equipment shall be removed from site during winter months when harvesting operations are not active.
2. All equipment shall be stored in the utility trailer or motorized vehicles.
3. All vehicles and trailers shall be stored where identified on the site plan when not in use on the site.

**seconded by Commissioner Cooper.**

Commissioner Curless stated he normally does not like to postpone things, but feels this was good to postpone and that this is a good compromise for both parties.

**Motion carried 7-0.**

5. **Public Hearing** – Request from the McDill Pond Inland Lake Protection District, for a conditional use permit to dredge in McDill Pond, south of the Patch Street Bridge and deposit dredging sediment at 4001 Patch Street (Parcel ID 2308-03-2100-05).

Director Ostrowski explained about every 15 years the McDill Lake silt trap needs to be dredged. This area is just past the bridge on Patch Street. Dredging is a conditional use within our zoning code, therefore, it is before you for review. The request is to dredge approximately 2,100 cubic yards of sand material, deposit on the site as indicated, and wait for it to dry before it is removed. Staff does not have major concerns with the request, however there may be some impact with the disc golf course for a short period of time. Note other portions of McDill have been dredged in the past. Director Ostrowski said staff recommends approval with the conditions outlined in the staff report.

Commissioner Brush asked if the map received was related to the dredging and how far they would be dredging, to which Mayor Wiza stated it is related and it shows the approximate depths of pond. Commissioner Brush then asked if the area to be dredged is the entire length, to which Mayor Wiza stated yes.

Aldersperson Kneebone asked if there were accommodations for a silt fence, to which Director Ostrowski stated condition number 6 requires silt fencing.

Mayor Wiza declared the public hearing open.

Bernard Landerman, 3350 Bonnie Bay Court, is concerned with condition 5 and leaving the material to dry for only three months. He questioned if it is possible to extend that condition for a year on the grounds that the Lake District may not be able to get rid of the material.

Aldersperson Phillips stated they have been in conversations with Stuczynski Trucking since last fall and he feels that the material should be dry and able to be removed within 2-3 months.

Krista Olson, 3317 Della Street, stated the area off of Patch Street fills in with sediment and the silt trap is filled up past the second bay. They are not going to be able to take everything along the entire length and if they tried they would have to get a large scale DNR permit which requires soil sampling and extensive costs. They are trying to maintain the existing silt trap to the point that they can.

Commissioner Brush asked where the material would be stored temporarily and would it be out of sight from the road and pond. Mayor Wiza stated with that much dredging, there would be some that would be visible, and the disc golf area would be closed while the sediment is stored there.

Aldersperson Johnson explained that solid waste short term storage is usually a maximum of nine months.

Mayor Wiza declared the public hearing closed.

6. Action on the above.

**Motion by Commissioner Cooper to approve the request from the McDill Pond Inland Lake Protection District, for a conditional use permit to dredge in McDill Pond, south of the Patch Street Bridge and deposit dredging sediment at 4001 Patch Street (Parcel ID 2308-03-2100-05) with the following conditions:**

1. A City zoning permit shall be obtained prior to work occurring.
2. All other applicable permits and approvals shall be obtained.

3. The applicant shall provide safe crossing for the Green Circle Trail.
4. The applicant shall work with the Parks department and disc-golf group to notify park patrons prior to the park closure. Notice and signage shall be provided within the disc golf park to notify park users.
5. All dredging material must be removed from the site when dried (not to exceed 3 months) by the applicant.
6. Silt fencing should be installed around the pile of dredged material.

seconded by Commissioner Brush.

**Motion carried 7-0.**

7. **Public Hearing** – Request from William Schierl and Sarena Melotte for a conditional use permit to operate an inn at 1665 Main Street (Parcel ID 2408-32-1020-01).

**This item was pulled from the agenda.**

8. Action on the above.

**This item was pulled from the agenda.**

9. **Public Hearing** – Request from Rettler Corporation, representing the property owner, to rezone two unaddressed parcels, totaling approximately 2.2 acres located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID's 2408-27-3004-15 and 2408-27-3004-17) from "R-LD" Low Density Residence District to "R-3" Single and Two-Family Residence District.

**This item was pulled from the agenda.**

10. Action on the above.

**This item was pulled from the agenda.**

11. **Public Hearing** – Request from Rettler Corporation, representing the property owner, for a preliminary subdivision plat review at two unaddressed properties located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID's 2408-27-3004-15 and 2408-27-3004-17).

**This item was pulled from the agenda.**

12. Action on the above.

**This item was pulled from the agenda.**

13. **Public Hearing** – Request from Washington Construction Inc., for a preliminary subdivision plat review at two unaddressed properties located at the southwest intersection of Regent Street and Saint Paul Street (Parcel ID's 2408-28-4002-11 and 2408-28-4002-21).

Commissioner Cooper recused himself from this agenda item due to a business relationship with the applicant.

Director Ostrowski explained this item had been before the commission in the past as a conceptual plan, mainly for review of sidewalks and whether or not they would be required. With this item the applicant is looking at doing a three lot subdivision, as additional lots were split via a CSM in the past. A total of seven lots will have been created, which requires a subdivision plat, as anything over four lots triggers the plat review. All of the lots meet the zoning requirements. Lastly, Director Ostrowski stated that given we have no plan on file that would require the sidewalks, but they could be required as part of the subdivision plat. He stated that staff recommends approval of the three lot subdivision with the recommendations in the staff report.

Mayor Wiza declared the public hearing open.

Alderperson Dugan stated she is pleased that there is infill in this area with residential single family homes. She feels that sidewalks are needed in the area being that it is two blocks from an elementary school. Requiring sidewalks with this project is a way to take a step towards requiring developers to install sidewalks and the other subdivision across the street was required to have sidewalks.

Bill Pritchard, 5456 Cardinal Drive, stated since staff and the commission recommended no sidewalks to be installed in the conceptual plan they should not be required. Lastly he stated if sidewalks are required he will not continue the development.

Tori Jennings, 1632 Ellis Street, stated that to be consistent with the Portage County Bicycle and Pedestrian Plan we want to advocate for sidewalks anytime that there is construction.

Dave Laszinski, 1100 Smith Street, feels the sidewalks are needed and agrees with the bike committee recommendation for sidewalks.

Trevor Roark, 601 Washington Avenue, feels there are plenty of locations without sidewalk. Furthermore, he feels that we need to give the public choices to not drive for mobility, health, and financial stability. He then questioned if a compromise exists where requiring sidewalks would allow construction costs to be passed onto the home owners.

Mayor Wiza declared the public hearing closed.

14. Action on the above.

Commissioner Haines stated that she feels sidewalks are needed. She feels that we should be following the plans that we have approved and the Bike and Ped Plan is one of those.

Commissioner Brush stated when this last came up, the recommendation was given since there was no provision in the Bicycle Pedestrian Plan for a sidewalk in that area, which concerned him. He feels sidewalks are needed.

Director Ostrowski stated that with the sidewalk issue, the reason why it was brought before you is because it is not in the bike and pedestrian plan. Sidewalks were not called out to be on that street, nor were they called out to be on the subdivision across the street. However, in going forward with Washington Terrace subdivision, it was almost a complete city block and it made sense to make that connection to existing sidewalk. Ideally, the whole neighborhood would have sidewalks, however, because it is not in the plan, if Mr. Pritchard would go forward as new construction under a CSM or if he just built two single family homes right now, we would not require him to install sidewalks. He further identified our building code has a provision to require sidewalks if identified in an adopted plan. However, if he goes forward with two single family homes on those lots, we would not require him to put them in because it is not called out in a plan.

Commissioner Hoppe asked with the sidewalk being installed on the east side does that connect with any other sidewalks. Director Ostrowski stated that sidewalk would connect almost all the way around the block and all the way down to St. Paul Street. Associate Planner Kyle Kearns added it does connect to the south side where there is existing sidewalk that connects to other sidewalks. Director Ostrowski explained there are sidewalks on Jordan Road, but the Washington Terrace Subdivision would have sidewalks all the way along Dearborn, all the way along Regent, and all the way down to St Paul Street. There is one house that is not part of the subdivision that does not have sidewalks. Commissioner Hoppe clarified there is sidewalk or will be sidewalk on the other side of the street. Director Ostrowski added you would have three lots with sidewalk and then a long gap where there would not be sidewalks. He continued that a more in depth sidewalk program would be beneficial to the city.

Commissioner Brush stated without sidewalks in the summer it would be feasible, but in the winter time with piles of snow on both sides of the street, it would be dangerous for children to cross the street to get to a sidewalk.

Aldersperson Kneebone stated there are places in the city where we have several gaps, and because there will be a continuous sidewalk across the street and there will be the long gap it doesn't make sense to put a sidewalk in here.

**Motion by Commissioner Hoppe to approve the request from Washington Construction Inc., for a preliminary subdivision plat review at two unaddressed properties located at the southwest intersection of Regent Street and Saint Paul Street (Parcel ID's 2408-28-4002-11 and 2408-28-4002-21) with the following conditions:**

1. Swales meeting all City Department of Public Works and Utility Departments specifications, as well as those outlined in Chapter 31, shall be installed to control stormwater.
2. A park fee shall be submitted to the City of Stevens Point in the amount as indicated in the most recent fee schedule.
3. Additional minor grammatical errors on the plan, identified by staff, shall be corrected.
4. A developer's agreement shall be drafted outlining the conditions of approval and other applicable requirements.
5. Objections from reviewing agencies shall be satisfied before the plat is recorded.
6. The plat shall conform to the provisions of Chapter 20 of the Revised Municipal code and Chapter 236 of the Wisconsin Statutes. All applicable permits from Portage County, the Wisconsin Department of Natural Resources, the City and any other authorizing agencies shall be obtained.
7. A final plat per Chapter 20, Subdivision Control Ordinance shall be submitted and reviewed by the Plan Commission and Common Council within six (6) months of the preliminary plan approval date, conforming to the provisions of Chapter 20 and Chapter 236 of the Wisconsin Statutes.

seconded by Aldersperson Kneebone.

Motion carried 4-2, with commissioners Haines and Brush voting in the negative, and Commissioner Cooper abstaining).

15. **Public Hearing** – Request from the City of Stevens Point to rezone 24 properties within and on the fringe of the downtown from M-1 Light Industrial District to B-2 Central Business Transition District: 1000 Union St. (Parcel ID: 2408-32-2002-01), 701 Portage Street (Parcel ID: 2408-32-2006-05), 1000 Third Street (Parcel ID: 2408-32-2004-01), 1001 Union Street (Parcel ID: 2408-32-2001-11), 941 Portage Street (Parcel ID: 2408-32-2004-02), 0 Portage Street (Parcel ID: 2408-32-2005-01), 1013 Second Street (Parcel ID: 2408-32-2004-18), 1009 Second Street (Parcel ID: 2408-32-2004-05), 1001 Second Street (Parcel ID: 2408-32-2004-04), 801 Portage Street (Parcel ID: 2408-32-2005-02), 1008 Union Street (Parcel ID: 2408-32-2002-06), 1017 Union Street (Parcel ID: 2408-32-2001-13), 1016 Third Street (Parcel ID: 2408-32-2004-14), 0 Centerpoint Drive (Parcel ID: 2408-32-2005-06), 916 Centerpoint Drive (Parcel ID: 2408-32-2004-08), 1220 Briggs Court (Parcel ID: 2408-32-2001-37), 1105 Second Street (Parcel ID: 2408-32-2004-09), 0 Third Street (Parcel ID: 2408-32-2004-13), 1035 Union Street (Parcel ID: 2408-32-2001-15), 1043 Union Street (Parcel ID: 2408-32-2001-16), 0 Centerpoint Drive (Parcel ID: 2408-32-2004-17), 0 Second Street (Parcel ID: 2408-32-2004-19), 157 West Clark Street (Parcel ID: 2408-31-1013-05), and 133 & 165 West Clark Street (Parcel ID: 2408-31-1013-26).

Mayor Wiza explained we had been looking at the possibility of rezoning some of the properties in the downtown area to be more in line with what our comprehensive plan is.

Director Ostrowski reminded the commission that it was presented in the past as a general talking point that we wanted to look at moving forward with some of the recommendations that are outlined in our comprehensive plan in terms of land use and zoning, specifically the downtown area. The downtown has changed since our zoning code was adopted in the 1970's. There are a lot of incompatible zoning districts within the downtown, mainly the manufacturing districts that were created for uses that existed up until the 80's and 90's. However, many of those uses no longer exist which then potentially creates concerns for the existing surrounding users. In the next several agenda items there are 36 properties that we are looking at rezoning. He showed a general area map which outlined the properties. Director Ostrowski continued, stating these properties include a variety of zoning classifications, which we want to clean this up and get a more consistent zoning classifications. In the past, we created a B-2 zoning district, Central Business Transitional District that is intended to be used on the outskirts of the downtown area to serve as a buffer or transition district into the less intense residential areas. Director Ostrowski then showed what the existing zoning looks like downtown and explained the areas in question. He then summarized the recommended rezoning classifications for the properties identified. He said when looking at this request, it would decrease the number of incompatible uses that could occur on each property. Furthermore, a meeting occurred on March 16, 2016 to describe the process and changes regarding the request, while also to obtain public feedback. About 8-10 people were in attendance. This rezoning has advantages for the property owners by reducing the setbacks within these areas and allowing for denser development, however the disadvantage is that there are not as many uses allowed in the proposed district compared to the manufacturing district, but given the surrounding uses, it is appropriate that the zoning would be consistent throughout the area. In the comprehensive future land use map, the new zoning meets the development called out in those areas. Therefore, staff recommends approval of the rezoning of the 36 properties identified. Rezoning has been separated on the agenda for a public hearing for each district.

Commissioner Haines asked for the director to remind the commission what would be the allowed uses in the Central Business Transitional district, to which Director Ostrowski read from the zoning code which included residential, office, retail, lower classifications of businesses and neighborhood businesses uses. He then stated in terms of conditional uses, you would be looking at drive up banking facilities, repair shops, bus terminals, parking facilities, taverns, and gas stations. It is a little bit less intensive than the B-3 Central Business District, but not as intense as the M-1 Light Industrial District.

Commissioner Haines asked whether the rezoning would change existing uses to a conditional uses when changing from M-1 to B-2. Director Ostrowski stated any use that changes from permitted or a conditional use to now prohibited, would be grandfathered in and allowed to continue so long as they don't expand. The one use that sticks out is the greenhouse. Greenhouse uses are not allowed within the B-2 zoning district. He has had conversations with the property owner and plans to bring back an amendment to the B-1 zoning district to allow greenhouses and small scale food production facilities. He feels the Farm Shed greenhouse use fits within the downtown and is a nice buffering use. The rezoning now however allows them to physically expand regarding setbacks.

Mayor Wiza declared the public hearing open.

No one came forward to speak.

Mayor Wiza declared the public hearing closed.

16. Action on the above.

**Motion by Alderperson Kneebone to approve the request from the City of Stevens Point to rezone 24 properties within and on the fringe of the downtown from M-1 Light Industrial District to B-2 Central Business Transition District: 1000 Union St. (Parcel ID: 2408-32-2002-01), 701 Portage Street (Parcel ID: 2408-32-2006-05), 1000 Third Street (Parcel ID: 2408-32-2004-01), 1001 Union Street (Parcel ID: 2408-32-2001-11), 941 Portage Street (Parcel ID: 2408-32-2004-02), 0 Portage Street (Parcel ID: 2408-32-2005-01), 1013 Second Street (Parcel ID: 2408-32-2004-18), 1009 Second Street (Parcel ID: 2408-32-2004-05), 1001 Second Street (Parcel ID: 2408-32-2004-04), 801 Portage Street (Parcel ID: 2408-32-2005-02), 1008 Union Street (Parcel ID: 2408-32-2002-06), 1017 Union Street (Parcel ID: 2408-32-2001-13), 1016 Third Street (Parcel ID: 2408-32-2004-14), 0 Centerpoint Drive (Parcel ID: 2408-32-2005-06), 916 Centerpoint Drive (Parcel ID: 2408-32-2004-08), 1220 Briggs Court (Parcel ID: 2408-32-2001-37), 1105 Second Street (Parcel ID: 2408-32-2004-09), 0 Third Street (Parcel ID: 2408-32-2004-13), 1035 Union Street (Parcel ID: 2408-32-2001-15), 1043 Union Street (Parcel ID: 2408-32-2001-16), 0 Centerpoint Drive (Parcel ID: 2408-32-2004-17), 0 Second Street (Parcel ID: 2408-32-2004-19), 157 West Clark Street (Parcel ID: 2408-31-1013-05), and 133 & 165 West Clark Street (Parcel ID: 2408-31-1013-26); seconded by Commissioner Curless.**

**Motion carried 7-0.**

17. **Public Hearing** – Request from the City of Stevens Point to rezone five properties within and on the fringe of the downtown from B-4 Commercial District to B-3 Central Business District: 1111 Crosby Avenue (Parcel ID: 2408-32-2009-10), 1017 Crosby Avenue (Parcel ID: 2408-32-2007-12), 0 Main Street (Parcel ID: 2408-32-2011-11), 0 Crosby Avenue (Parcel ID: 2408-32-2011-12), and 0 Water Street (Parcel ID: 2408-32-2009-11).

Mayor Wiza declared the public hearing open.

No one came forward to speak.

Mayor Wiza declared the public hearing closed.

18. Action on the above.

**Motion by Commissioner Haines to approve the request from the City of Stevens Point to rezone five properties within and on the fringe of the downtown from B-4 Commercial District to B-3 Central Business District: 1111 Crosby Avenue (Parcel ID: 2408-32-2009-10), 1017 Crosby Avenue (Parcel ID: 2408-32-2007-**

12), 0 Main Street (Parcel ID: 2408-32-2011-11), 0 Crosby Avenue (Parcel ID: 2408-32-2011-12), and 0 Water Street (Parcel ID: 2408-32-2009-11), seconded by Commissioner Hoppe.

**Motion carried 7-0.**

19. **Public Hearing** – Request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from B-4 Commercial District to B-2 Central Business Transition District: 1009 First Street (Parcel ID 2408-32-2005-05).

Mayor Wiza declared the public hearing open.

No one came forward to speak.

Mayor Wiza declared the public hearing closed.

20. Action on the above.

**Motion by Commissioner Haines to approve the request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from B-4 Commercial District to B-2 Central Business Transition District: 1009 First Street (Parcel ID 2408-32-2005-05); seconded by Commissioner Curless.**

**Motion carried 7-0.**

21. **Public Hearing** – Request from the City of Stevens Point to rezone three properties within and on the fringe of the downtown from M-1 Light Industrial District to C Conservancy District: Three unaddressed parcels (Parcel ID's: 2408-31-1013-17, 2408-31-1013-02, and 2408-31-1013-01).

Mayor Wiza declared the public hearing open.

No one came forward to speak.

Mayor Wiza declared the public hearing closed.

22. Action on the above.

**Motion by Alderperson Kneebone to approve request from the City of Stevens Point to rezone three properties within and on the fringe of the downtown from M-1 Light Industrial District to C Conservancy District: Three unaddressed parcels (Parcel ID's: 2408-31-1013-17, 2408-31-1013-02, and 2408-31-1013-01); seconded by Commissioner Brush.**

**Motion carried 7-0.**

23. **Public Hearing** – Request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from B-3 Central Business District to B-2 Central Business Transition District: 1101 First Street (Parcel ID: 2408-32-2005-07).

Mayor Wiza declared the public hearing open.

No one came forward to speak.

Mayor Wiza declared the public hearing closed.

24. Action on the above.

**Motion by Commissioner Hoppe to approve the request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from B-3 Central Business District to B-2 Central Business Transition District: 1101 First Street (Parcel ID: 2408-32-2005-07); seconded by Commissioner Curless.**

**Motion carried 7-0.**

25. **Public Hearing** – Request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from R-4 Multiple Family I Residence District to B-2 Central Business Transition District: 1009 Union Street (Parcel ID: 2408-32-2001-12).

Mayor Wiza declared the public hearing open.

No one came forward to speak.

Mayor Wiza declared the public hearing closed.

26. Action on the above.

**Motion by Commissioner Haines to approve the request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from R-4 Multiple Family I Residence District to B-2 Central Business Transition District: 1009 Union Street (Parcel ID: 2408-32-2001-12); second by Commissioner Cooper.**

**Motion carried 7-0.**

27. **Public Hearing** – Request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from R-5 Multiple Family II Residence District to B-2 Central Business Transition District: 1300 Briggs Court (Parcel ID: 2408-32-2001-36).

Mayor Wiza declared the public hearing open.

No one came forward to speak.

Mayor Wiza declared the public hearing closed.

28. Action on the above.

**Motion by Commissioner Cooper to approve the request from the City of Stevens Point to rezone one property within and on the fringe of the downtown from R-5 Multiple Family II Residence District to B-2 Central Business Transition District: 1300 Briggs Court (Parcel ID: 2408-32-2001-36); seconded by Commissioner Curless.**

**Motion carried 7-0.**

29. **Public Hearing** – Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.02(2)(b) and 23.02(2)(c), B-2 and B-3 Commercial Zoning Districts, to remove parking stall requirements for all uses.

Director Ostrowski explained under the existing zoning code, we do not have parking requirements in the downtown area. However, if a parking lot is installed, it would have to meet stall dimensions and setbacks. Parking is not required as there are a number of municipal parking lots and on-street parking. We are trying

to be denser within these areas to put buildings on lots as opposed to just parking lots. This request is to expand the parking exemption to the B-2 district as well. Therefore, parking would be exempt in the B-2 which would include properties recently rezoned, however parking can still be required under a conditional use permit review where appropriate. The other area we had identified before was the south side business district, which was recently rezoned to B-3 Central Business District, and did not require parking. Again, the request would clarify the existing parking exemption in the B-3 District and remove the parking requirement in the B-2 District.

Mayor Wiza stated this request goes hand in hand with trying to encourage alternative modes of transportation.

Mayor Wiza declared the public hearing open.

No one came forward to speak.

Mayor Wiza declared the public hearing closed.

30. Action on the above.

**Motion by Mayor Wiza to approve amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.02(2)(b) and 23.02(2)(c), B-2 and B-3 Commercial Zoning Districts, to remove parking stall requirements for all uses; seconded by Commissioner Haines.**

Commissioner Brush stated he is concerned that during events at Pfiffner Park with lots of people coming to one area there may be conflict. Mayor Wiza stated there are the transit buses, biking, and parking lots available such as MSTC. Director Ostrowski added that there are several lots in that vicinity which are city-owned lots.

Commissioner Curless asked about the Lullabye option and apartments, to which Director Ostrowski stated that is considered a conditional use and so the commission could require parking for that development. Commissioner Curless then asked if a dental office was constructed in that area, no parking would be required, to which Director Ostrowski stated correct.

**Motion carried 7-0.**

31. **Public Hearing** – Amending the Official Street Map of the City of Stevens Point to extend Worth Court south to Clem’s Way.

Director Ostrowski explained this project was previously brought before the commission to acquire the land from the county for roadway purposes and approve the CSM. Skyward had built their new headquarters and as part of the deal, a Traffic Impact Analysis was performed which indicated that a traffic light at the intersection of E.M. Copps Drive and Brilowski Road is not feasible. Therefore, the option to extend Worth Court down to Clem’s Way has been pursued. A signalized intersection exists at Clem’s Way and Brilowski Road. The next step in the process is to amend the official street map. In the upcoming months you will also see a vacation of a portion of the cul-de-sac which requires certain noticing procedures. At this point we would be extending the Worth Court right-of-way south on the official street map to Clem’s Way.

Commissioner Brush asked about the status of a short segment of E.M. Copps from Brilowski over to Worth Court, to which Director Ostrowski confirmed it would remain open and un-signalized.

Mayor Wiza declared the public hearing open.

No one came forward to speak.

Mayor Wiza declared the public hearing closed.

32. Action on the above.

**Motion by Alderperson Kneebone to approve amending the Official Street Map of the City of Stevens Point to extend Worth Court south to Clem's Way; seconded by Commissioner Haines.**

**Motion carried 7-0**

33. **Public Hearing** – 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.

Director Ostrowski stated this is the third month that this had been before the commission. We are looking at revising our property and maintenance code to adopt the international property and maintenance code and insert our local amendments. He had met with a few alderpersons since then and has made some recommended changes, and met with other staff regarding potential changes as well. This is now before the Commission one more time to identify any issues of concern, verbiage that should be changed, and also to get the opinion of regulating gravel driveways and parking lots, along with the regulation of recreational vehicle parking. This would also be the time for the public hearing to identify some of the concerns from the public and the intent for a final version to be brought back in June for adoption.

Mayor Wiza stated he has heard an issue with gravel driveways and the spillage of the gravel on to the street and sidewalks. A resident suggested that it be required to have the first 5-10 feet from the right of way be paved or hard surface to minimize this issue.

Mayor Wiza declared the public hearing open.

Alderperson Johnson pointed out the definition of waste/trash on page 110 and to have it reference Chapter 287 and Chapter 289 of the Wisconsin State Statutes regarding solid waste and recycling. She also pointed out that we would want to spell out waste, recycling, and compost in definitions to be consistent with the county ordinances.

Alderperson Ryan stated he has heard a number of complaints regarding gravel parking and owners filling up the back yard with gravel to create a parking lot. The spillover of the gravel on the sidewalk is dangerous for bikers and pedestrians. He would like to see pavement as well as a setback requirement with a percentage of green space in these locations. If the city continues allowing gravel, there should be a requirement of some type of hard edge surface to go around the gravel to attempt to keep it in the area.

Mayor Wiza declared the public hearing closed.

34. Action on the above.

Mayor Wiza stated at this time the commission will not take action on this agenda item, but if there are any comments, concerns or suggestion to contact Director Ostrowski.

Director Ostrowski explained he had spoken with other alderpersons and would take the suggestions from tonight and add them to the ordinance. In regards to gravel driveways and allowing them to exist, as long as they are well maintained in an appropriate manner, Mayor Wiza added that a definition for well-maintained

should be clarified. Director Ostrowski continued asking for direction for parking pads for recreational vehicles and if they would allow gravel or concrete parking pads. He would suggest that gravel could be allowed in the side or rear yards, but not in the front yard setback. Mayor Wiza stated he could only see that happening if they were for year round storage.

Commissioner Haines pointed out that there are areas needing clarification regarding weeds /noxious weeds, and what might be planted in the boulevard. She is wondering if it is required to have grass in the boulevard or can it be landscaped. Director Ostrowski explained noxious weeds are defined under state statute and you are not allowed to have them on your property. We don't really regulate what is in the boulevard area, and that is something we could if we wanted. This can be discussed and addressed but we would have to keep in mind it is the public right of way. Commissioner Haines asked for some clarification. Director Ostrowski explained this document is the local amendments and we can pay a fee and utilize the full document with our amendments in it, but at this time with the review stages we have to continue using the two separate documents. Commissioner Haines pointed out that one of her concerns is vegetable gardens in the front yard and she questions if that would still be allowed, to which Director Ostrowski stated yes.

Mayor Wiza again reminded the commission and public that if there are any concerns, issues or suggestions to the ordinance to contact Director Ostrowski.

35. Community Development Department Monthly Report for April 2016. *Report will be provided after April 30, 2016.*

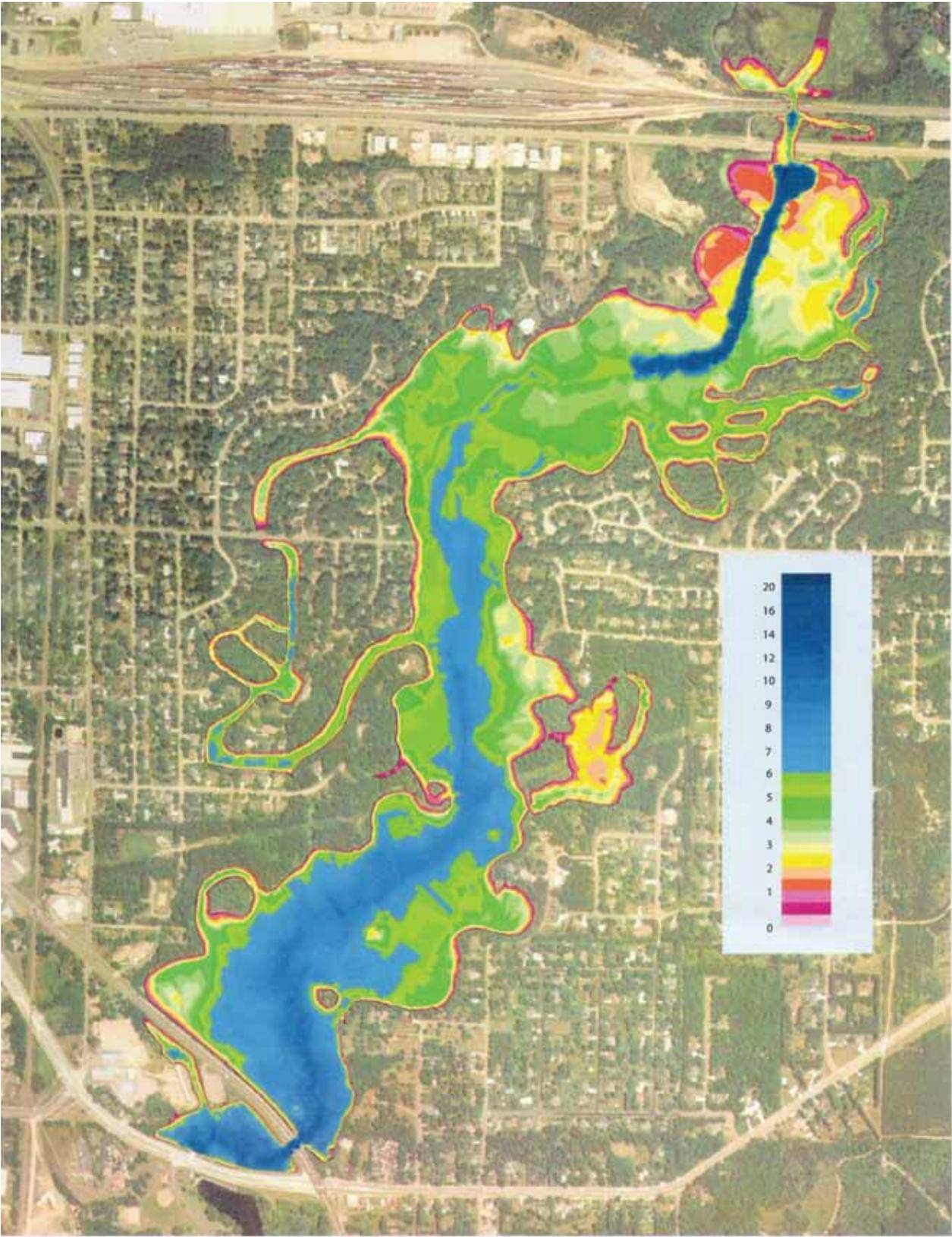
**Motion by Commissioner Cooper to place the Community Development Department Monthly Report for April 2016 on file; second by Commissioner Curless.**

**Motion carried 7-0.**

36. Adjourn.

**Adjourn at 7:20 PM**

Attachment – Provided at the Plan Commission Meeting – Pertaining to Item 5



Attachment – Provided at the Plan Commission Meeting – Pertaining to Item 7 (ITEM WAS PULLED)

**Kyle Kearns**

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**To:** Michael Ostrowski; Anna Haines (ahaines@uwsp.edu); Bob Brush; Daniel Hoppe; Dave Cooper (dcooper@papercitysavings.com); District 7; Gary Curless (joancurless@charter.net); Mike Wiza; District 2; District 8; District 4; District 3; District 1; District 6; District 7; District 9; District 5; District 10; District 11  
**Cc:** Clerks; Amy Hewitt  
**Subject:** RE: please share with City Plan Commission members

**From:** Sarena Melotte [<mailto:melotte.sarena@gmail.com>]  
**Sent:** Tuesday, April 26, 2016 3:43 PM  
**To:** Michael Ostrowski  
**Subject:** please share with City Plan Commission members

Greetings Michael, please share the following email with the City Plan Commission.

My name is Sarena Melotte. I live at 109 County RD E S, Town of Carson. My husband, Bill Schierl and I are proud to live, work, and play in the greater Stevens Point area. We are active volunteers supporting the University and philanthropic organizations such as Create Portage County, The Women's Fund, Monteverdi Chorale, Riverfront Jazz Festival, and Stevens Point Sculpture Park.

We believe that being involved helps create a thriving community and we take great pride in where we live. We also have a deep appreciation of our local history and architecture. We are proud to be the new caretakers and owners of the house at 1665 Main Street.

The property was sold AS IS and requires extensive repairs resulting from neglect, trespassers and forces of nature. We intend to incorporate the existing historical building exterior design and footprint and completely renovate the home to revive it into a single-family dwelling that will include 4 bedrooms (including a master bedroom), 4.5 baths, improved landscaping, and repainting - all reinforcing the exterior to enhance scenic beauty. This will be done in earnest using local contractors.

The property is currently zoned R-4, multifamily. We are requesting a conditional use permit that will allow us utilize the property as an "INN" for Portage County residents and visitors to the Stevens Point community.

Utilizing the property as an Inn will provide a means to preserve, restore, and improve housing stock as well as provide a historical location for visitors to have an authentic experience living like a local while visiting Stevens Point. This will encourage traveling groups and families to stay near the University and downtown businesses

while bridging the gap between the North Division and South Side business districts. We plan to provide as many locally produced or sourced products as possible for our guests to use and enjoy.

I look forward to the May 2 meeting and the opportunity to share more information with you.

Sincerely,

Sarena L. Melotte

109 County Rd E S

Stevens Point, WI 54481

h: 715.345.1199

m: 715.630.0300

[melotte.sarena@gmail.com](mailto:melotte.sarena@gmail.com)

Attachment – Provided at the Plan Commission Meeting – Pertaining to Item 35

## Community Development Report - April 2016

### Construction Report

New Construction	Owner/Location	Declared Valuation	Fees
Residential	D J Rice Development 4716 Partridge Way	\$195,000.00	\$1,000.00
Commercial			

Remodeling/ Additions	# of Permits	Declared Valuation	Fees
Residential	67	\$413,591.00	\$4,343.33
Commercial	19	\$1,020,083.78*	\$10,461.68*

Monthly Permits	Monthly Valuation	Monthly Fees	YTD Valuation	YTD Fees
87	\$1,628,674.78	\$15,805.01	\$5,321,213.33	\$51,197.82

2015:	\$4,202,422.75	\$27,801.33
2014:	\$3,826,143.35	\$26,447.13
2013:	\$10,146,415.08	\$91,093.90

\*St. Michael's Hospital Renovations

### Violation Report

#### Exterior Property Area Complaints

*Multiple Exterior Property Violations	5
*Other Exterior Property Violations	4
Accumulation of Rubbish or Garbage	8
Grass or Weeds	0
Improper Parking of Vehicles	20
Improper Storage of Refuse or Refuse Carts	2
Refuse or Refuse Carts on Curb	0
Snow and Ice	0
Storage of Household Items Outside	3
Unlicensed or Inoperable Vehicles	6
Unsanitary Conditions	0

#### Exterior Structure Complaints

*Multiple Exterior Structure Violations	2
*Other Exterior Structure Violations	1
Broken or Missing Windows	0
Defective Protective Treatment	1
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
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#### Other Violations

*Other Property Violations	2
Expired Multiple-Family License	1
Improper Occupancy: Multi-Family Dwelling	1
Improper Occupancy: Residential Dwelling	1
Work Without Permit	2
Work Without Historic Preservation Review	0

<b>Total Violations / Total Service Fees Billed</b>	<b>60/\$400.00</b>
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**Administrative Staff Report**  
**Wrecking Facility and Repair Shop**  
**Conditional Use**  
**801 Francis Street**  
**May 27, 2016**



Department of Community Development

<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Troy Herman, representing Fred's Towing</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Michael Ostrowski, Director <a href="mailto:mostrowski@stevenspoint.com">mostrowski@stevenspoint.com</a></li> <li>Kyle Kearns, Associate Planner <a href="mailto:kkearns@stevenspoint.com">kkearns@stevenspoint.com</a></li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>2308-05-10-1226</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>Effective Frontage: 207 feet</li> <li>Effective Depth: 379.8 feet</li> <li>Square Footage: 78,612.4</li> <li>Acreage: 1.805</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>"M-2" Heavy Industrial District</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Industry</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 9: McComb</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Industrial – Wrecking Facility</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>23.01(16) and 23.02(3)(b)</li> </ul>	<p><b>Request</b></p> <p>Request from Troy Herman, representing Fred's Towing, for a conditional use permit amendment to operate a car wrecking facility and repair shop at 801 Francis Street (Parcel ID 2308-05-1012-26).</p> <p><b>Attachment(s)</b></p> <ol style="list-style-type: none"> <li>Application</li> <li>Site Plans</li> </ol> <p><b>Findings of Fact</b></p> <ol style="list-style-type: none"> <li>The property is zoned "M-2" Multiple Family Residence District.</li> <li>Wrecking Facilities are a conditional use within the district.</li> <li>The City's Comprehensive Plan calls for an industrial use on this property.</li> <li>A wrecking facility operates on the property as a conditional use, granted in 2004.</li> <li>The request is to operate a repair facility at the existing wrecking facility which requires a conditional use permit amendment.</li> <li>Other uses exist on the site including indoor and outdoor storage and a portable bathroom business.</li> </ol> <p><b>Staff Recommendation</b></p> <p>Hold over until the following information is submitted:</p> <ol style="list-style-type: none"> <li>A site plan shall be submitted for review and approval by the Plan Commission showing parking, drive aisle and other pertinent zoning requirements.</li> <li>A landscaping plan shall be submitted for review and approval by the Plan Commission.</li> <li>A narrative describing all uses on the property and identifying the building or floor area used for each use shall accompany the site plan.</li> </ol> <p>Staff would recommend the following conditions in addition to the information required above:</p> <ol style="list-style-type: none"> <li>Automotive repair shall be allowed as part of the conditional use permit to operate a car and truck wrecking/towing facility.</li> <li>Refuse containers/storage shall be identified on the site plan and screened or moved to an area on site where screening exists.</li> <li>The site shall be screened from Francis Street with a minimum 6ft high opaque fence if the storage area is used for storing wrecked or towed vehicles.</li> </ol>
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4. Wrecked vehicles shall be stored not less than 40 ft. from the right of way.
5. The site shall be used for storage and not for uses that generate loud noises, especially after 6 P.M.
6. No stacking of vehicles allowed over 6 ft. in height
7. This conditional use permit shall expire **December 31, 2017**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

## Vicinity Map



## Background

The applicant, Troy Herman, is requesting a conditional use permit to operate an automotive repair business in conjunction with the existing wrecking/towing business onsite. The proposed use would occur within the existing facility. The automotive repair use may repair wrecked vehicles from the existing wrecking business but will also cater to outside patrons. See the attached existing conditional use permit for the wrecking business. All conditions on the existing permit are being met.

Note that the original approval for a wrecking/towing use included outdoor storage uses, which are permitted in the M-2 district. However, indoor storage is also occurring on the property within another existing facility. Furthermore, it appears a portable toilet business is operating onsite as well and stores equipment and toilets on the property.

While zoning regulates uses on property, it also regulates parking requirements, landscaping, and other building and property design characteristics.

## Standards of Review

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- 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 a wrecking / towing facility. Automotive repair would allow vehicles to be repaired on site. The applicant has indicated repair will occur within the existing facility and vehicles will be stored within the existing fenced storage area. Residential homes exist directly north and southeast of the property. Other manufacturing uses exist to the west, south, and east.

**Findings:** The property is located within a unique area where manufacturing and residential meet and both border the property. Given the existing wrecking and towing use, the proposed additional use should not be more intense, but may garner more traffic to the site. The automotive repair will likely attract business from outside the wrecking business and therefore increase traffic on-site. Access to the site can occur from Water Street or Francis Street. Note that the following uses would exist on the site; Wrecking/Towing, Automotive Repair, Portable Toilet Business, Indoor Storage, Outdoor Storage. Given the amount of uses on the property, staff feels the uses could be detrimental to the surrounding property owners. The properties setback on Water Street may alleviate incompatibilities with residential homes to the southeast, however residential exists directly north on Francis Street.

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

**Analysis:** See above comments regarding uses.

**Findings:** The proposed automotive repair use seems compatible to the existing wrecking/towing use. However, as mentioned above, several other uses exist on site including indoor storage and a portable toilet business. These uses increase the intensity of the property and its effect on the surrounding properties.

- 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 industry, however, property to the north and southeast is identified to remain as residential. The area is fully developed.

**Findings:** The site and neighboring industrial properties are unique in that large land area exists with smaller developed facilities. While development could occur, it is unlikely given the location and proximity to residential. Therefore, the use should not impede the normal and orderly development of surrounding property.

- 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 changes are proposed to the exterior of the facility wrecking facility. Note, a second building exists on the property used for indoor storage.



**Findings:** N/A

- 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. Access can occur via Water Street (shared drive) or Francis Street.

**Findings:** Utilities currently exist in this area to serve the uses.

- 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 Francis Street to access the wrecking/towing use and outdoor storage. However, a second ingress/egress exists at the end of Francis Street to also access the indoor storage building. Lastly, access can occur via a driveway on Water Street from a neighboring property.

**Findings:** While adequate access to the site may exist, parking for the site and uses is not easily identifiable given the gravel lot and driveways.

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

**Findings:** The uses exist, along with the zoning classification. Manufacturing typically should not be located near residential, however the zoning exists. Over time, uses have located at the site, which has increased the intensity of the property. With storage uses, the potential for truck traffic, increased noise, and decreased

aesthetics, are created. Added to that is a portable toilet business which can create other negative impacts to the surrounding neighborhood. Yet, the heavy industrial zoning permits such uses. Based on the intent of the district, along with zoning ordinances, several uses may not have been allowed if parking and other requirements were not met, including building code requirements. But, when reviewing the district and comprehensive plan, the uses should not be contrary to the land use plan for 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:** As stated above, parking and landscaping for uses have not been determined. The zoning ordinance requires parking stall counts based on uses and area. Furthermore, parking is required to be hard surfaced and screened appropriately. No site plan or landscaping plan has been submitted or exists on record in the Community Development office.

**Findings:** Staff would recommend a site plan be submitted for review by the Plan Commission to determine parking onsite parking and storage. Furthermore, a description of uses and area for each use and units counts shall accompany the site plan. Furthermore, staff would recommend a landscaping plan be submitted for the site for review and approval by the Plan Commission.

- 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 Francis 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 Francis Street. A second ingress/egress exists via a neighboring property off of Water Street.

**Findings:** This standard is met.

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

**Analysis:** The driveway on Francis Street is nearly 75 feet from Prairie Street.

**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 Francis Street. No site plan exists showing internal traffic flow or parking and drive aisles.

**Findings:** A 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 exists on file.

**Findings:** Staff is unaware of drainage concerns for the property

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

**Analysis:** No site plan has been submitted identifying parking or drive aisles.

**Findings:** A 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 proposed use within existing facilities.

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

**Analysis:** The driveway exists and is currently.

**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 exist on site and are not screened.

**Findings:** Staff would recommend refuse containers be identified on the site plan and screened or moved to an area on site where screening exists.

**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:** Noise is anticipated to increase, given the proposed automotive repair use.

**Findings:** The proposed repair facility is buffered by a storage yard and opaque fence which should assist in reducing noise to the neighboring residential properties.

- 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

Given the above findings of review for a request to operate an automotive repair facility, staff would recommend approval based on the conditions outlined on page 1 of the staff report, which includes many conditions from the original conditional use.

## Photos

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Wrecking / Towing Facility



Indoor Storage Facility



Outdoor Storage Area



Outdoor Storage – Portable Toilets and Vehicle



Outdoor Storage Area



City of Stevens Point  
Community Development Department

1515 Strong's Avenue, Stevens Point, WI 54481  
(715) 346-1567  
(715) 346-1498  
[communitydevelopment@stevenspoint.com](mailto:communitydevelopment@stevenspoint.com)  
<http://stevenspoint.com>

**APPLICATION FOR A CONDITIONAL USE PERMIT**  
(Pre-Application Conference Required)

R# 1-66095  
\$250.00  
5-17-16

**ADMINISTRATIVE SUMMARY (Staff Use Only)**

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

**APPLICANT/CONTACT INFORMATION**

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input checked="" type="checkbox"/> )	
Applicant Name	Tee-Roy's Repair / Troy Harman	Contact Name	
Address	4429 City Rd J	Address	
City, State, Zip	St. Pt WI 54482	City, State, Zip	
Telephone	715-321-1711	Telephone	
Fax	N/A	Fax	
Email	TeeRaysRepair@gmail.com	Email	

**OWNERSHIP INFORMATION**

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input type="checkbox"/> )		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name	Fred Pionek	Owner's Name	
Address	801 FRANCIS ST	Address	
City, State, Zip	Stevens Point WI 54481	City, State, Zip	
Telephone	715-341-7576	Telephone	
Fax		Fax	
Email		Email	

**PROJECT SUMMARY**

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

Legal Description of Subject Property  
801 Francis Street  
St. Pt. WI 54481

Designated Future Land Use Category	Current Use of Property

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

Currently used for towing & storage of vehicles. I would like to run my automotive repair business from this location making it convenient for customers who break down and make the business more productive

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

A service center will complement the towing business. customer will need less towing and a convenient place to repair their vehicle. Along with repairing vehicles we will provide a maintenance program which will cause less vehicles from breaking down on the roadside.

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

We will limit amount of vehicles in front parking lot. Keeping vehicles needing work inside the shop or in fenced area.

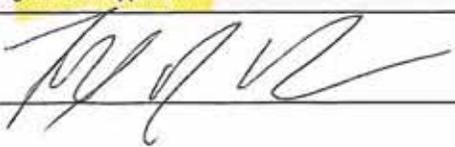
<b>Current Zoning Surrounding Subject Property</b>			
North:		South:	
East:		West:	
<b>Current Land Use Surrounding Subject Property</b>			
North:		South:	
East:		West:	

**EXHIBITS**

Owner Information Sheet	<input type="checkbox"/>	<b>Additional Exhibits If Any:</b>
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.

<b>Signature of Applicant</b>	<b>Date</b>	<b>Signature of Property Owner(s)</b>	<b>Date</b>
	5-17-16		5-17-16



CYNTHIA A WISINSKI  
PORTAGE COUNTY REGISTER OF DEEDS  
RECEIVED FOR RECORD  
Dec. 19, 2012 AT 09:00AM

CYNTHIA A WISINSKI, REGISTER OF DEEDS  
Fee Amount: \$30.00  
Total Pages 1

**RESOLUTION**

**[801 FRANCIS STREET]**

**FRED'S TOWING**

**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 at **801 Francis Street (Parcel ID 2308-05-1012-26)**, LOT 1 CSM#8754-35-134 BNG PRT NWNE S5 T23 R8 670175, City of Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating a car and truck wrecking facility, as a Conditional Use with the following conditions:

1. The site be screened from Francis Street with a minimum 6ft high opaque fence if the storage area is used for storing wrecked or towed vehicles.
2. Wrecked vehicles be stored not less than 40 ft from the right of way.
3. The site be used for storage and not for uses that generate loud noises, especially after 6 P.M.
4. No stacking of vehicles allowed over 6 ft in height
5. This conditional use permit shall expire December 31, 2016

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

Approved:

Andrew J. Halverson, Mayor

Attest:

John Moe, City Clerk

Dated: December 17, 2012  
Adopted: December 17, 2012

Drafted by: Michael Ostrowski  
Return to: City Clerk

# Administrative Staff Report

Entrance Canopy  
Conditional Use  
2400 Main Street  
May 26, 2016



Department of Community Development

<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Stevens Point Area Public School District</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Michael Ostrowski, Director <a href="mailto:mostrowski@stevenspoint.com">mostrowski@stevenspoint.com</a></li> <li>Kyle Kearns, Associate Planner <a href="mailto:kkearns@stevenspoint.com">kkearns@stevenspoint.com</a></li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>2408-33-2001-04</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>N/A Exempt</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>"R-2" Single Family Residence District</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Industry</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 2: Shorr</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Institutional – Middle School</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>23.01(16) and 23.02(1)(d)</li> </ul>	<p><b>Request</b></p> <p>Request from the Stevens Point Area Public School District for a conditional use permit to construct a new entrance canopy on the east building facade at 2400 Main Street (Parcel ID 2408-33-2001-04).</p> <p><b>Attachment(s)</b></p> <ul style="list-style-type: none"> <li>Application</li> <li>Renderings</li> </ul> <p><b>Findings of Fact</b></p> <ul style="list-style-type: none"> <li>The property is zoned "R-2" Single Family Residence District.</li> <li>Schools are a conditional use within the district and any change to the use requires a conditional use permit or amendment.</li> <li>The City's Comprehensive Plan calls for institutional use on the property.</li> <li>Several uses occur on the property including the school, recreational facilities, and offices.</li> <li>The request is to reconstruct the east entrance canopy which requires a conditional use permit.</li> </ul> <p><b>Staff Recommendation</b></p> <p>Approve, subject to the following conditions:</p> <ol style="list-style-type: none"> <li>The applicant shall obtain all applicable building permits.</li> </ol>
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### Vicinity Map



### Background

The Stevens Point Area School District is requesting a conditional use permit to reconstruct an entrance canopy on the north east entrance of the school (PJ Jacob’s middle school). Below are photos showing the existing entrance canopy and the proposed reconstruction.



Existing Entrance Canopy (Flat Roof)



Proposed Entrance Canopy (Pitched Roof)

## Standards of Review

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- 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 and building is currently utilized as an institutional use, middle school. The existing canopy is in disrepair and does not affect divert water and snow, therefore the applicant has requested a change in design. The entrance east, into the site and is partially screened by parts of the building.

**Findings:** The establishment, maintenance, or operation of the use will not be negatively effected 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:** Several other entrances exist for the facility, many of which are visible from the public right-of-way. The entrance serves as a rear entrance and will primarily be utilized by school users and patrons.

**Findings:** The request involves a change to the exterior building and not the use. This change should increase the building aesthetics and ensure the entrance is adequately covered.

- 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.

**Findings:** This standard is met as the proposed change is to the building and does not affect the property or use. It is within the current footprint of the building.

- 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 (see attached).

**Findings:** The exterior improvements to the building match the existing building materials and colors.

- 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:** No changes are proposed to the ingress/egress.

**Findings:** N/A

- 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-2" Single Family Residence Zoning District. This district is established to provide the population density used primarily for single family living, which is expected to accommodate the numerous residential developments already at the density of this district, and this district would accommodate other housing not on City sewer. This district is to be located consistent with the City's Comprehensive Plan.

**Findings:** The property and use currently exists. The proposed canopy will not change the use.

- 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 rendering has been submitted. A site plan is not required as the proposed canopy will be placed where one currently exists.

**Findings:** Staff would recommend all applicable building permits be obtained.

- 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.**

N/A

- 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. Changes are not proposed.

**Findings:** This standard is met.

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

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

**Analysis:** Refuse storage exists.

**Findings:** This standard is met.

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

**Analysis:** Significant changes to lighting is not proposed.

**Findings:** This standard is met.

- 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



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# 1-65972  
\$250  
5/6/16*

#### ADMINISTRATIVE SUMMARY (Staff Use Only)

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

#### APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/> )	
Applicant Name	Stevens Point Area Public School District	Contact Name	Donald H. Keck
Address	1900 Polk Street	Address	3400 Water Street
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	Stevens Point, WI 54481
Telephone	715-346-5456	Telephone	715-345-5518
Fax	715-345-7302	Fax	715-345-7317
Email		Email	dkeck@pointschools.net

#### OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input type="checkbox"/> )		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name	P.J. Jacobs Junior High School	Owner's Name	
Address	2400 Main Street	Address	
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	
Telephone	715-345-5422	Telephone	
Fax	715-345-7340	Fax	
Email		Email	

#### PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]		
Parcel 1	Parcel 2	Parcel 3
2400 Main Street, Stevens Point, WI		
Legal Description of Subject Property		
Designated Future Land Use Category		Current Use of Property
Explain the land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)		
This is a Junior High School. The District would like to have a new canopy/roof built over the entranceway to Door 01.		

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

The entrance at Door 01 is not visible to the neighborhood.

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

There are no negative impacts.

**Current Zoning Surrounding Subject Property**

North:		South:	
East:		West:	

**Current Land Use Surrounding Subject Property**

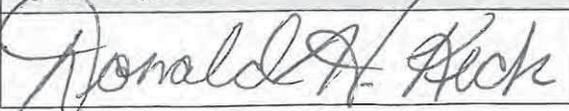
North:		South:	
East:		West:	

**EXHIBITS**

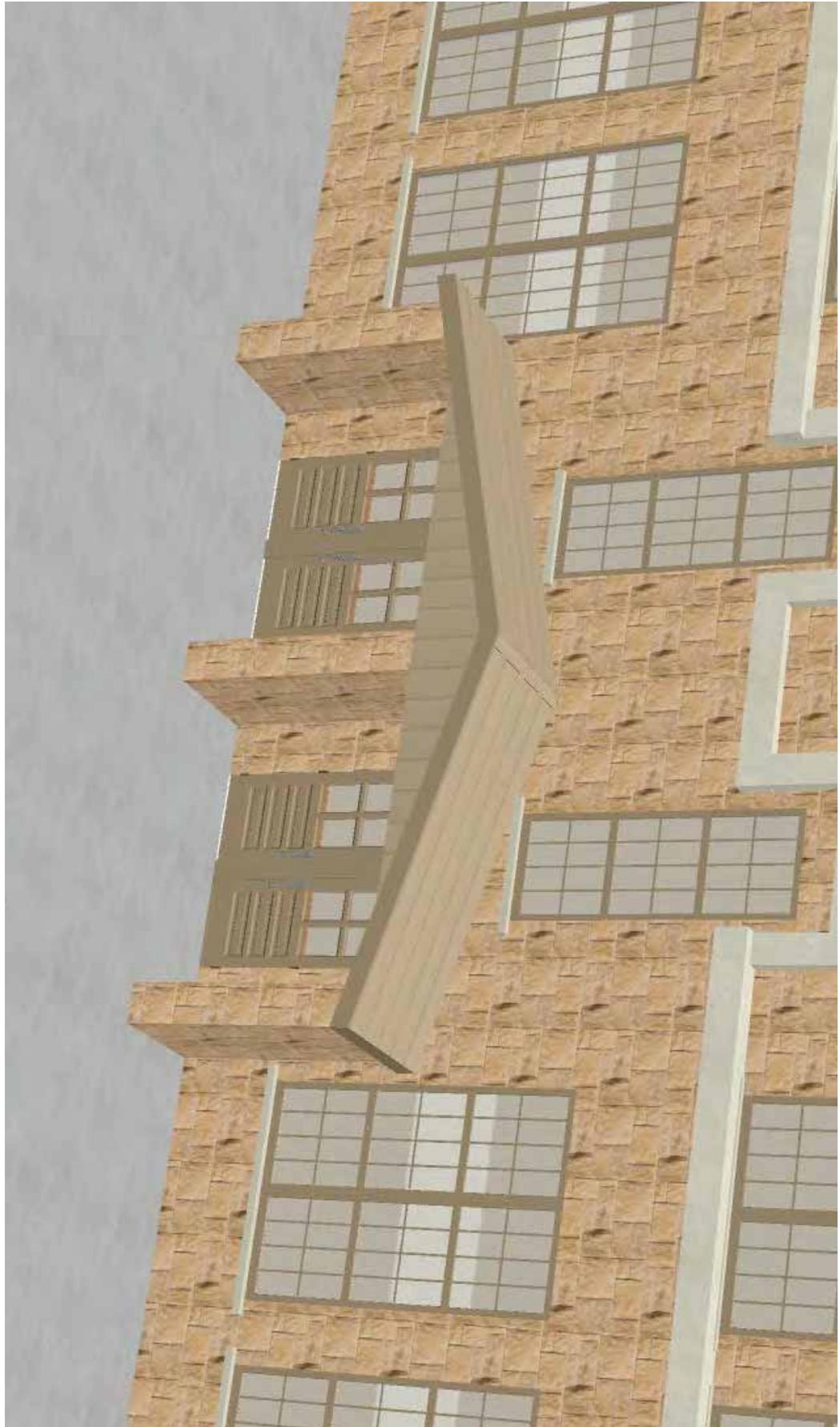
Owner Information Sheet	<input type="checkbox"/>	Additional Exhibits If Any:
Letter to District Alderperson	<input type="checkbox"/>	
Maps (vicinity, zoning, floodplains, wetlands others as requested by staff)	<input type="checkbox"/>	
Site Plan (designating primary, side, and service street frontages)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

**CERTIFICATION AND SIGNATURE**

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

Signature of Applicant	Date	Signature of Property Owner(s)	Date
	5-5-16		5-5-16





# Administrative Staff Report

## Rezone Request

### Sunset Boulevard and Green Avenue "R-LD" Low Density Residence District to "R-3" Single & Two-Family Residential May 25, 2016



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

<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Rettler Corporation, representing the property owner</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Michael Ostrowski, Director <a href="mailto:mostrowski@stevenspoint.com">mostrowski@stevenspoint.com</a></li> <li>Kyle Kearns, Associate Planner <a href="mailto:kkearns@stevenspoint.com">kkearns@stevenspoint.com</a></li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>2408-27-3004-15</li> <li>2408-27-3004-17</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>Square Footage: approx. 96,000</li> <li>Acreage: 2.2 acres</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>"R-LD" Low Density Residence District</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Residential</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 8: Dugan</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Vacant</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>23.02(1)(b) and 23.02(1)(e)</li> </ul>	<p><b>Request</b></p> <p>Request from Rettler Corporation, representing the property owner, to rezone two unaddressed parcels, totaling approximately 2.2 acres located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID's 2408-27-3004-15 and 2408-27-3004-17) from "R-LD" Low Density Residence District to "R-3" Single and Two-Family Residence District.</p> <p><b>Attachment(s)</b></p> <ul style="list-style-type: none"> <li>Application</li> <li>Preliminary Site Plan</li> <li>Example Duplexes</li> </ul> <p><b>Findings of Fact</b></p> <ul style="list-style-type: none"> <li>The property is zoned "R-LD" Low Density Residence District.</li> <li>The request is to rezone two properties, approximately 2 acres, to "R-3" Single and Two Family Residence District.</li> <li>The property is currently vacant, and is proposed to be platted for an 8 lot subdivision.</li> <li>Development on the property is slated for twin homes (duplexes).</li> <li>The City's Comprehensive Plan calls for a residential use on this property.</li> </ul> <p><b>Staff Recommendation</b></p> <p>Based upon the findings below, staff recommends approving the rezoning request for two unaddressed parcels, totaling approximately 2.2 acres located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID's 2408-27-3004-15 and 2408-27-3004-17) from "R-LD" Low Density Residence District to "R-3" Single and Two-Family Residence District.</p> <p>Please note, approving this rezoning request does not necessarily guarantee a specific layout of the lots. Once the zoning is approved, the applicant can move forward with different lot layouts, so long as they meet the requirements of the district.</p>
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## Vicinity Map



## Background

Rettler Corporation, representing the property owner, is requesting to rezone recently annexed property on Sunset Boulevard and Green Avenue. The property is slated for the development of an eight lot subdivision that consists of twin homes, some of which are zero-lot line lots.

The property was annexed a few months ago and therefore given the R-LD Low Density Residence District zoning classification. In order to allow for two-family residential development, a more intense zoning classification is required, thus triggering the rezoning request.

Below are standards of review regarding the rezoning request.

## Standards of Review

### Rezoning Request

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

**Analysis:** The minimum lot requirements in the "R-3" Single and Two-Family Residence District are as follows:

- Minimum Lot Area: Permitted Uses - 8,000 square feet

Two Family Dwellings – 15,000 square feet

Zero Lot Line – 7,000 square feet

- Minimum Lot Width: Single Family: 60 feet, or 80 feet for corner lots  
Two Family Dwellings – 100 feet  
Zero Lot Line – 50 feet

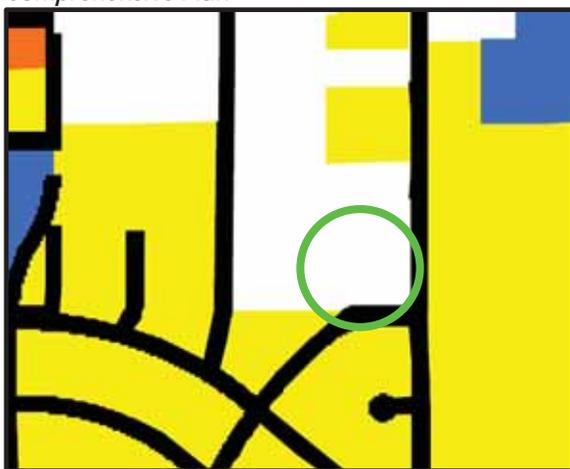
**Findings:** The current site totals over 2 acres. The proposed platted lots currently vary between 7,000 and 16,000 square feet. Again, the property owner has indicated his plans to subdivide the property into 8 lots, as proposed on the next agenda item. Lots on any plat would have to meet the minimum lot size for the district, and would have to follow land platting requirements. The current platted lots (two) meet the requirements identified above. Any land division of five or more lots requires a subdivision plat which includes preliminary and final plat review before the Plan Commission and Common Council, as well as through the State.

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

**Analysis:** While the Comprehensive Plan Future Land Use Map doesn't specifically identify the area as it was recently annexed into the City, it calls for the surrounding area to be a residential use, which already exists directly adjacent to the property. Residential is classified as single-family or two-family residences. The extraterritorial map however does identify the area to be residential in nature.

**Findings:** The applicant's request is consistent with the Extraterritorial Land Use Map within the Comprehensive Plan below. Residential future land use category includes both single and two-family residential.

*Future Land Use Map – 2005 Stevens Point Comprehensive Plan*



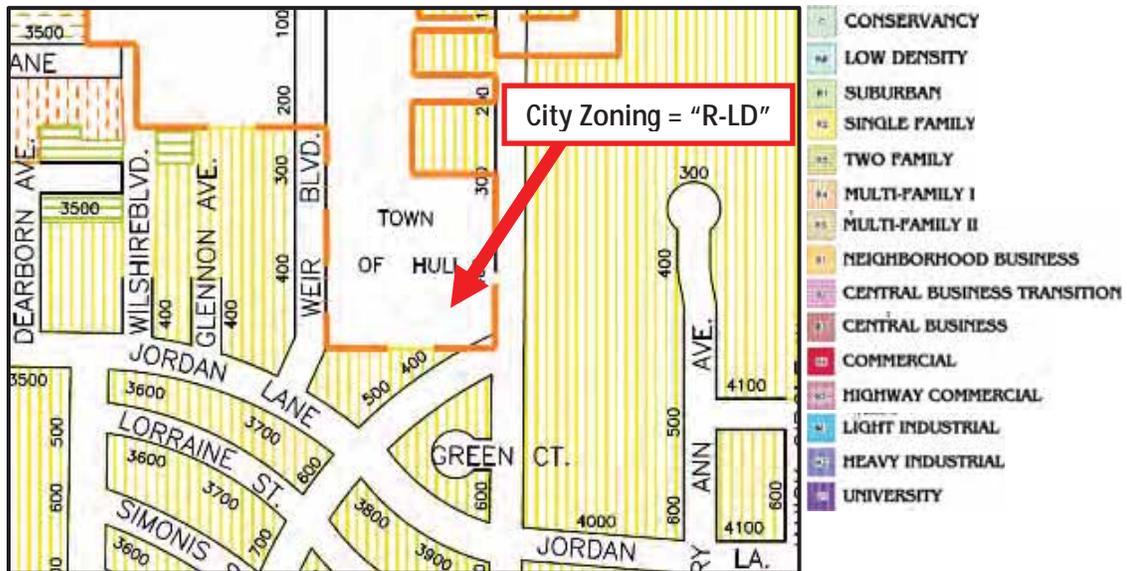
*Extraterritorial Land Use Map – 2005 Stevens Point Comprehensive Plan*



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

**Analysis:** The property is zoned "R-LD" Low Density Residence District, however has not been updated on the zoning map below. The following are the current City zoning classifications and uses of adjacent properties:

Direction	Zoning	Use
North	County Zoning = "R-2" Single Family Residence District	Vacant Land, Commercial / Industrial
South	"R-2" Single Family Residence District	Single Family homes
East	"R-2" Single Family Residence District	Single Family homes
West	County Zoning = "R-2" Single Family Residence District & Conservancy	Single Family Homes, Zero-Lot Line Duplexes, and Vacant Land



*Zoning Map – City of Stevens Point*

**Findings:** The area primarily consists of residential single family uses, and existing zoning is conducive to the use. Note that duplexes exist to the west on Glennon Avenue and Wilshire Boulevard. When reviewing the surrounding uses and zoning, it is apparent that an “R-3” Single and Two-Family zoning classification would fit within the area as the property falls on a busy thoroughfare, Green Avenue. Furthermore, the proposed development and subdivision plat which will be reviewed in the next item, creates a small neighborhood of twin homes within a cul-de-sac. Note also that the developer has identified pursuing age restrictions within the community requiring 55 and older.

Zoning exists to ensure that incompatible uses do not exist next to each other. In the proposed rezoning, and development thereafter, the twin homes and cul-de-sac development assist to create a buffer between Green Avenue and single family residential houses. The twin homes are designed to be set back from the right-of-way and face inward toward the cul-de-sac, thereby reducing any conflicts from the use amongst neighboring properties. In addition, the development characteristics mirror those found within the established neighborhood (see development renderings). Note that staff would not classify this rezoning as “spot zoning,” which is defined as the zoning of parcels within a larger zoned area that are inconsistent or incompatible, as the area is over 2 acres and will potentially consist of 8 lots.

Note that a preliminary and final plat approval would be required for the division of land into five or more acres.

Based on the findings above, the change in zoning should not create adjacent incompatible uses, and furthermore, conforms to the City’s comprehensive plan. It should assist in creating a transitional zone between single family homes and increasingly busy Green Avenue thoroughfare. Therefore, staff recommends approving the rezoning request.



City of Stevens Point  
Community Development Department

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

## APPLICATION FOR A ZONING MAP AMENDMENT - REZONING

(Pre-Application Conference Required)

### ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	-	Date Submitted	4/11/16	Fee Required	270. <sup>00</sup>	Fee Paid	270. <sup>00</sup>
Associated Applications if Any	Subdivision 8-Lot			Assigned Case Manager	Kyle Keams		
Pre-Application Conference Date	-						

### APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/> )	
Applicant Name	Ross Rettler	Contact Name	Dave Rowe
Address	3317 Business Park Dr.	Address	3501 Patch St.
City, State, Zip	Stevens Point, WI, 54482	City, State, Zip	Stevens Point, WI, 54481
Telephone	715-341-2633	Telephone	715-252-1671
Fax	715-341-0431	Fax	
Email	ross@rettler.com	Email	rowebuildersinc@yahoo.com

### OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input type="checkbox"/> )		PROPERTY OWNER 2 INFORMATION (if Needed)	
Owner's Name	Dave Rowe	Owner's Name	
Address	3501 Patch St.	Address	
City, State, Zip	Stevens Point, WI, 54481	City, State, Zip	
Telephone	715-252-1671	Telephone	
Fax		Fax	
Email	rowebuildersinc@yahoo.com	Email	

### PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]		
Parcel 1	Parcel 2	Parcel 3
020240827-10.04	020240827-10.13C	
Legal Description of Subject Property		
<p>Parcel 1: South 16 rods of the East 20 rods of fractional NW-SW of Section 27 T24N R8E                  Parcel 2: Commencing 867' East of SW corner of NW-SW, thence N. parallel with Green Ave., 132', thence east parallel with south line of said forty, 130' thence south parallel to Green Ave. 132', thence west on said forty line, 130', less OUTLOT 2 CSM # 10739-49-19</p>		
Area of Subject Property (Acres/Sq Ft)		Area of Requested Rezoning (Acres/Sq Ft)
95,979 Sq. Ft. (2.2 Acres)		95,979 Sq. Ft. (2.2 Acres)
Designated Future Land Use Category	Current Use of Property	Proposed Use of Property
R3 - Multi-Family	Vacant - Wooded	Multi-Family Housing - Duplexes
Current Zone District		Proposed Zone District
R2 - Residential		R3 - Residential

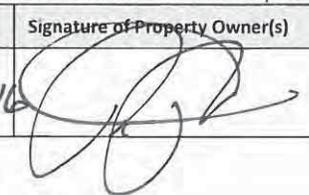
<b>Reason for the zone change request</b>			
<p>The purpose of the Re-zoning request is to allow for multi-family duplex units to be developed on the parcel that is currently zoned R2- Residential. In order for multi-family duplex units to be developed the parcel must be re-zoned to R3-Residential.</p>			
<b>Land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)</b>			
<p>The proposed multi-family development on the 2.2 acre parcel calls for five duplex units. As part of this development, a 24' public road and cul de sac with a 66' right-of-way will be constructed for access to 4 of the units. An additional 20' private access drive will access the 5th unit to the west.</p> <p>Rowe Builders Inc. plans to start Construction of the first unit as soon as possible late this spring or early this summer in 2016.</p>			
<b>Current Zoning Surrounding Subject Property</b>			
North:	R2 - Residential	South:	
East:		West:	R2 - Residential
<b>Current Land Use Surrounding Subject Property</b>			
North:	Single Family Residential Home	South:	
East:		West:	Single Family Residential Home
<b>Is the proposed zoning map amendment consistent with the Comprehensive Plan? If so how?</b>			
<p>YES, THE COMP. PLAN IDENTIFIES RESIDENTIAL AS FUTURE LAND USE. RESIDENTIAL DEVELOPMENT IS PROPOSED. (R3)</p>			

**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"/>	

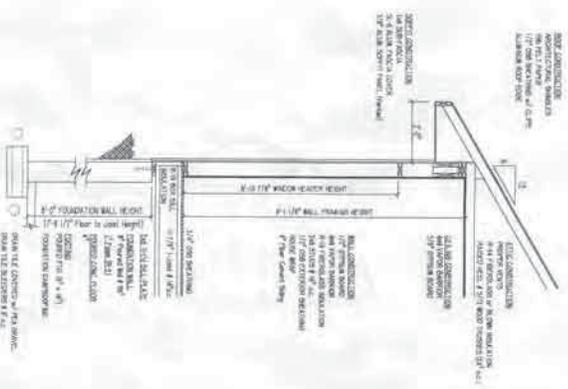
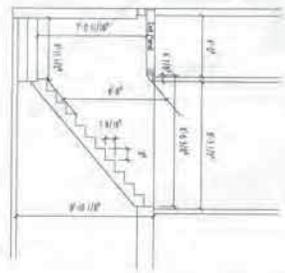
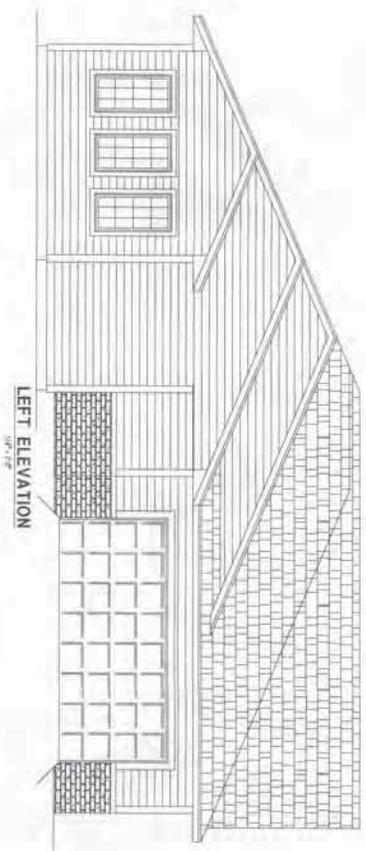
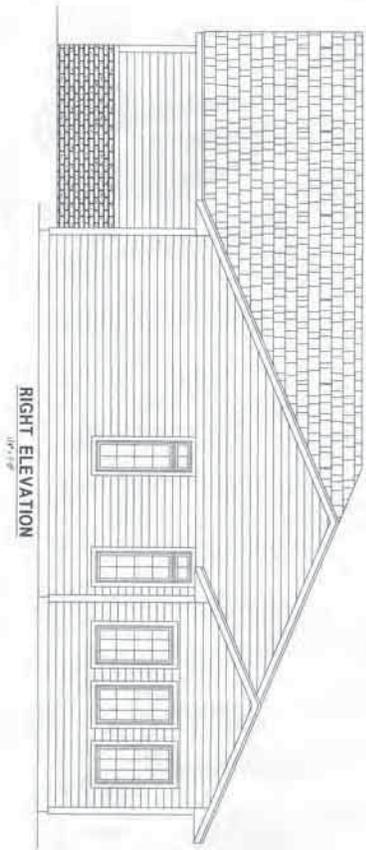
**CERTIFICATION AND SIGNATURE**

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
	04.04.16		04.11.16



2100 S. Main  
 5110 S. Lincoln

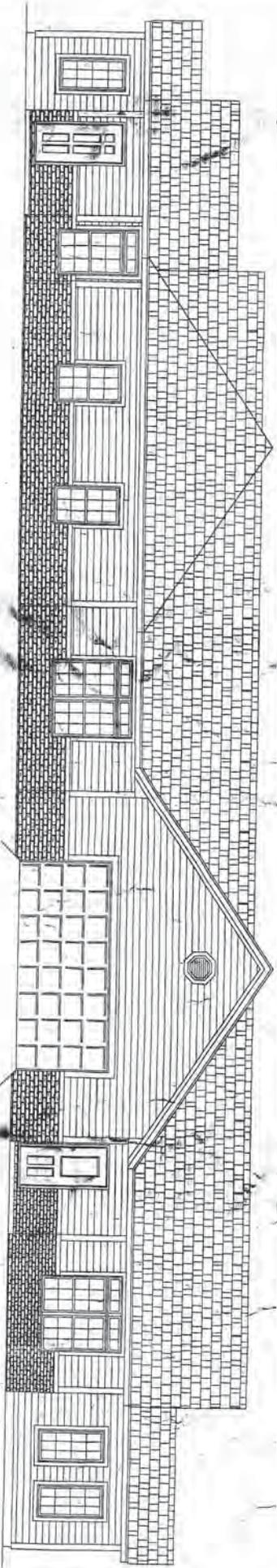


**PARTY WALL DETAIL**  
 Scale: 1/2" = 1'-0"

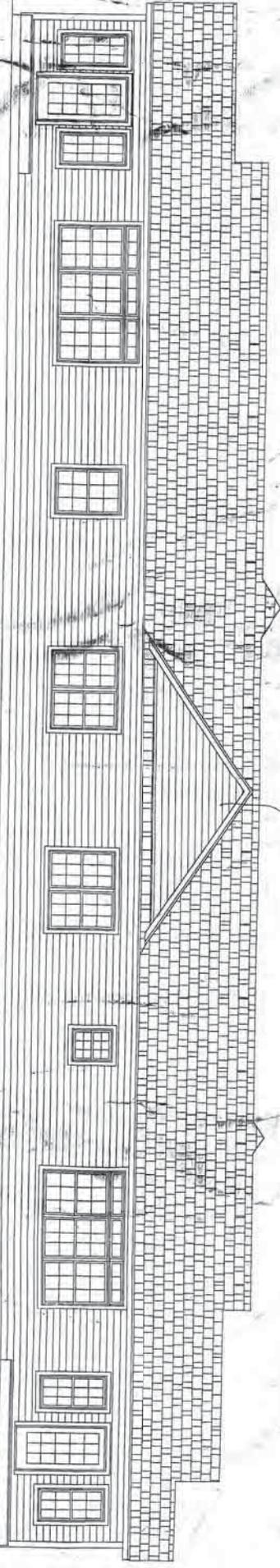
VERIFY PARTY WALL DETAIL  
 w/ LOCAL CODES

<b>ROWE BUILDERS</b> 3501 PATCH STREET Stevens Point, WI 54481 Ph: (715)344-3053 Fax: (715)344-3053	<b>Moonlight</b> Drafting & Design	DATE: 11/11/11 DRAWN BY: J. J. ROWE CHECKED BY: J. J. ROWE PROJECT NO.: 11111111	THIS DRAWING IS THE PROPERTY OF ROWE BUILDERS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ROWE BUILDERS.
	SHEET NO.: 53 TOTAL SHEETS: 53	ROWE BUILDERS/ARCHITECTS IS A REGISTERED PROFESSIONAL ARCHITECTURE FIRM LICENSED IN THE STATE OF WISCONSIN. THE ARCHITECT HAS PREPARED THIS DRAWING IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS AND ETHICS OF THE ARCHITECTURAL PROFESSION.	THIS DRAWING IS THE PROPERTY OF ROWE BUILDERS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ROWE BUILDERS.

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

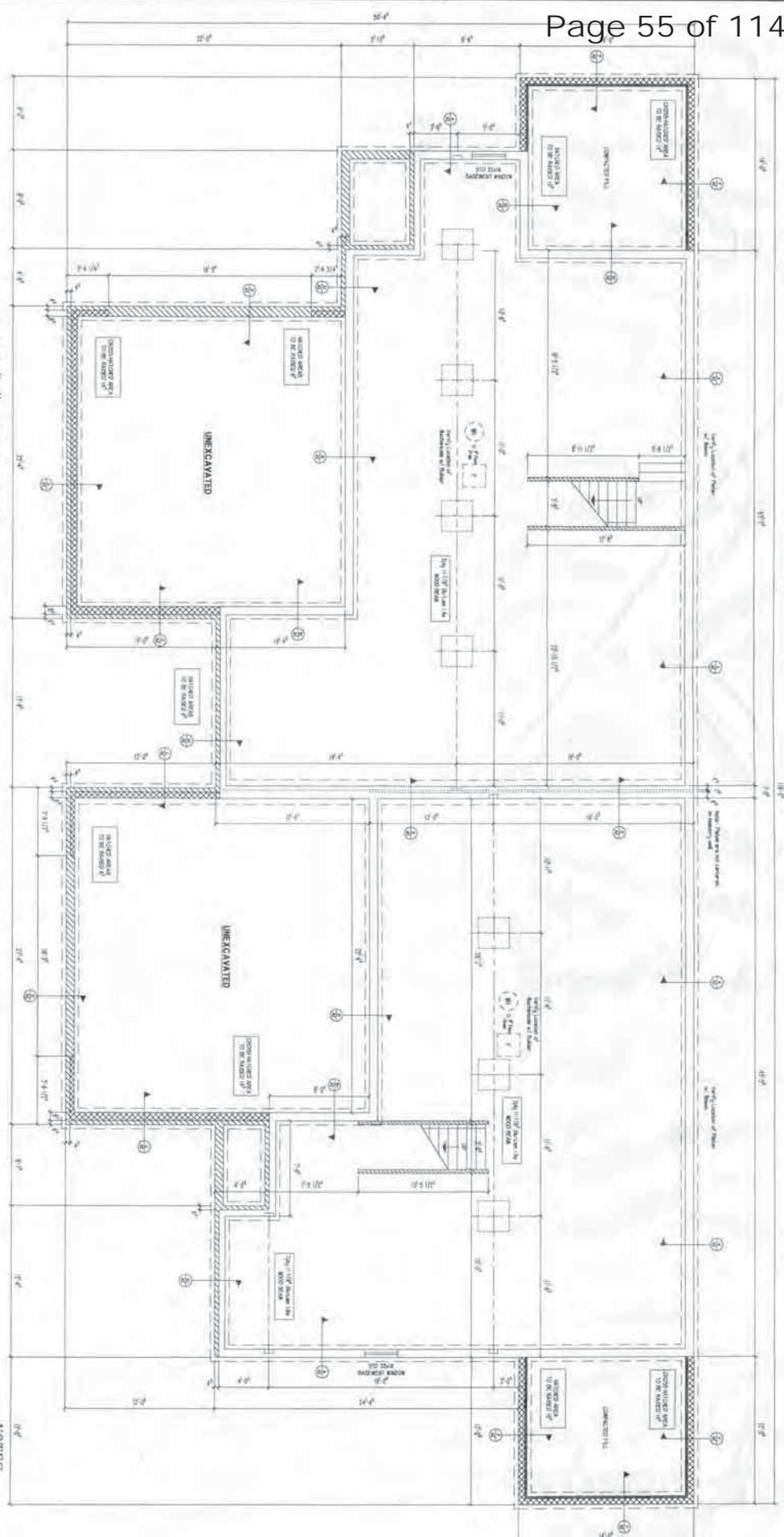


REAR ELEVATION  
1/8" = 1'-0"



DRIFT

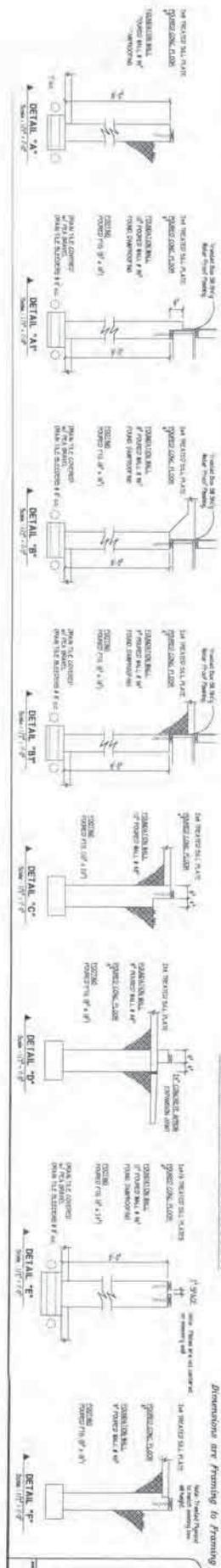
1/10/2011  
SPL & GARAGE



UNIT "A" FOUNDATION

UNIT "B" FOUNDATION

NOTES



**ROWE BUILDERS**  
 3501 PATCH STREET  
 Stevens Point, WI 54481  
 Ph: (715)344-3053 Fax: (715)344-3053

**Moonlight**  
 Drafting & Design

**NOTES**  
 1. ALL FOUNDATION WORK IS TO BE MAINTAINED.  
 2. ALL FOUNDATION WORK IS TO BE MAINTAINED.  
 3. ALL FOUNDATION WORK IS TO BE MAINTAINED.

A2



# Administrative Staff Report

**Rettler Corporation**  
**Preliminary Plat Request – Cessna Estates**  
**Subdivision**  
**Sunset Boulevard & Green Avenue**  
**May 25, 2016**



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

<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Rettler Corporation, representing the property owner</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Michael Ostrowski, Director <a href="mailto:mostrowski@stevenspoint.com">mostrowski@stevenspoint.com</a></li> <li>Kyle Kearns, Associate Planner <a href="mailto:kkearns@stevenspoint.com">kkearns@stevenspoint.com</a></li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>2408-27-3004-15</li> <li>2408-27-3004-17</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>"R-LD" Low Density Residence District</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Residential</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 8: Dugan</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>Square Footage: approx. 96,000</li> <li>Acreage: 2.2 acres</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Vacant</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>20 and 23.02(1)(e)</li> </ul>	<p><b>Request</b></p> <p>Request from Rettler Corporation, representing the property owner, for a preliminary subdivision plat review at two unaddressed properties located at the northwest intersection of Sunset Boulevard and Green Avenue (Parcel ID's 2408-27-3004-15 and 2408-27-3004-17).</p> <p><b>Attachment(s)</b></p> <ul style="list-style-type: none"> <li>Application</li> <li>Preliminary Plat</li> </ul> <p><b>Findings of Fact</b></p> <ol style="list-style-type: none"> <li>The property is zoned "R-LD" Low Density Residence District.</li> <li>Eight lots are proposed, with a cul-de-sac.</li> <li>"R-3" Zoning is required to permit twin home and duplexes. A rezoning request will be a separate item which may affect the subdivision plat.</li> <li>All eight lots are proposed to be developed with twin homes (duplexes), six as zero-lot line lots.</li> <li>Lots range in size from 7,000 square feet to 16,000 square feet.</li> <li>Depths for each lot are between 100 – 150 feet, with varying widths narrow at the cul-de-sac before widening in the rear yards.</li> <li>All lots meet the requirements of the requested rezoning "R-3" District.</li> <li>The division of land into five or more lots shall be considered a major subdivision and requires Plan Commission review and Common Council approval.</li> </ol> <p><b>Staff Recommendation</b></p> <p>Based upon the findings below, regarding the proposed use, surrounding neighborhood, and plat, staff recommends approving the preliminary subdivision plat of Cessna Estates with the following conditions:</p> <ol style="list-style-type: none"> <li>The following quarter section description; NW ¼ SW ¼ shall be displayed above (north) of the quarter section line.</li> <li>A hydrant shall be installed along the north side of Sunset Boulevard between the proposed private drive serving lot eight and the cul-de-sac (Katanya Court), or as requested by the Fire Department.</li> <li>A ten foot utility easement should be added around the entirety of the cul-de-sac, Katanya Court.</li> <li>Swales meeting all City Department of Public Works and Utility</li> </ol>
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Department specifications, as well as those outlined in Chapter 31, shall be installed to control stormwater.

5. A stormwater management plan shall be submitted and reviewed by the City Public Works and Utility departments.
6. Curb and gutter shall be installed around the entirety of Katanya Court, as well as the corners of Katanya Court and Sunset Boulevard, meeting applicable design requirements of the Public Works Department. Mountable/roll-able curb shall be permitted.
7. A landscape island within the middle of the cul-de-sac shall be prohibited, unless approved by the Public Works Department.
8. Lot 1 shall take access from Sunset Boulevard, unless otherwise approved by the Public Works Department.
9. The southernmost twin home / duplex on lot 7 shall take access from the throat or neck of Katanya Court and not the cul-de-sac circle or Sunset Boulevard, unless approved by the Public Works Department.
10. A maximum of four driveways shall be permitted to take access from the Katanya Court cul-de-sac circle unless approved by the Public Works Department.
11. Katanya Court shall be constructed of asphalt pavement and meet applicable design requirements of the Public Works Department. Other materials may be substituted by the Public Works Department.
12. Utilities shall be extended east on Sunset Boulevard and thence north in the center of Katanya Court to serve the lots and development.
13. Sidewalks shall be installed on Green Avenue (lots 1, 2 & 3), and on Sunset Boulevard along the entire subdivision.
14. A park fee shall be submitted to the City of Stevens Point in the amount indicated on the most recent fee schedule.
15. Additional minor grammatical errors on the plat, identified by staff, shall be corrected.
16. A developer's agreement shall be drafted outlining the conditions of approval and other applicable requirements.
17. Objections from reviewing agencies shall be satisfied before the plat is recorded.
18. The plat shall conform to the provisions of Chapter 20 of the Revised Municipal Code and Chapter 236 of the Wisconsin Statutes. All applicable permits from Portage County, the Wisconsin Department of Natural Resources, the City, and any other authorizing agencies shall be obtained.
19. A final plat per Chapter 20, Subdivision Control Ordinance shall be submitted and reviewed by the Plan Commission and Common Council within six (6) months of the preliminary plat approval date, conforming to the provisions of Chapter 20 and Chapter 236 of the Wisconsin Statutes.

# Vicinity Map



## Background

Rettler Corporation, representing the property owner, is proposing a small residential subdivision consisting of eight primary lots, with the majority taking access from a cul-de-sac. Lot details vary amongst lots (see attached plat). The property is requested to be rezoned from "R-LD" to "R-3" to allow for twin homes (duplexes) and zero-lot line lots. The property was recently annexed into the City of Stevens Point for development purposes.

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

*(12) "Subdivision" is a division of a lot, parcel or tract of land by the owner thereof or the owner's agent for the purpose of sale or of building development, where:*

*236.02(12)(a) The act of division creates 5 or more parcels or building sites of 1 1/2 acres each or less in area; or*

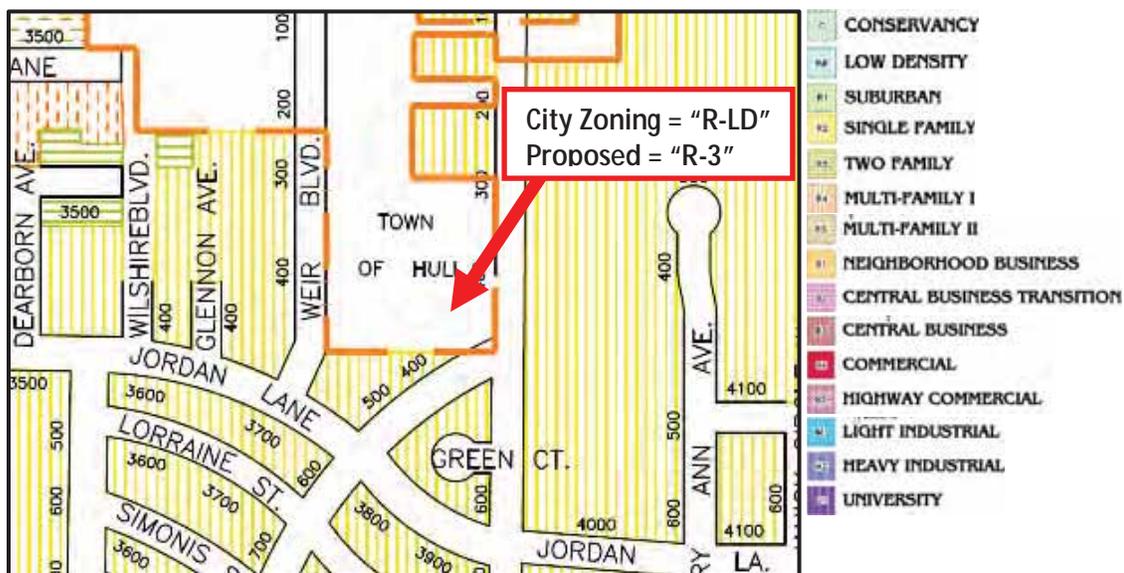
*236.02(12)(b) Five or more parcels or building sites of 1 1/2 acres each or less in area are created by successive divisions within a period of 5 years.*

## Standards of Review

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

**Analysis:** The property is zoned "R-LD" Low Density Residence District, however has not been updated on the zoning map below. The property owner has also requested a rezoning from "R-LD" to "R-3" Single and Two-Family Residence District. Lots within the vicinity of the development vary, with smaller lots (9,000 – 13,000 square feet) in the City and larger (0.5 - 1 acre) lots in the Town of Hull. The following are the current City zoning classifications and uses of adjacent properties:

Direction	Zoning	Use
North	County Zoning = "R-2" Single Family Residence District	Vacant Land, Commercial / Industrial
South	"R-2" Single Family Residence District	Single Family homes
East	"R-2" Single Family Residence District	Single Family homes
West	County Zoning = "R-2" Single Family Residence District & Conservancy	Single Family Homes, Zero-Lot Line Duplexes, and Vacant Land



Zoning Map – City of Stevens Point

**Findings:** The area primarily consists of residential single family uses, and the proposed residential use is conducive to existing uses. Note that duplexes exist to the west on Glennon Avenue and Wilshire Boulevard. When reviewing the surrounding uses and zoning, it is apparent that an "R-3" Single and Two-Family zoning classification would fit within the area as the property falls on a busy thoroughfare, Green Avenue. Furthermore, the proposed development and subdivision plat creates a small neighborhood of twin homes within a cul-de-sac. Note also that the developer has identified pursuing age restrictions within the community requiring 55 and older, although not required under the platting approval. The twin homes and cul-de-sac development assist to create a buffer between Green Avenue and single family residential houses. Furthermore, the subdivision creates a transition from small residential lots in the City to larger lots in the town. The twin homes are designed to be set back from the right-of-way and face inward toward the cul-de-sac, thereby reducing any conflicts from the use amongst neighboring properties. In addition, the development characteristics mirror those found within the established neighborhood (see development renderings). Note

that the southernmost twin home on lot one takes access from Sunset Boulevard to reduce driveways on the Katanya Court cul-de-sac.

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

**Analysis:** Lot sizes within the subdivision vary between 7,000 and 16,000 square feet. Traffic to the eight proposed lots will primarily come from a cul-de-sac off of Sunset Boulevard. Two lots and twin homes will take access from separate driveways on Sunset Boulevard (see preliminary site plan). The proposed town home development mimics elements found on single family homes and incorporates several building materials and architectural designs.



**Findings:** As stated above, the lot sizes match those within the neighborhood and act as a transition between smaller city lots and larger town lots. The proposed cul-de-sac will assist in reducing conflict from the subdivision lots on Sunset Boulevard and Green Avenue. In addition, lots on the cul-de-sac face each other and have rear or side yards that for the majority face neighboring rear and side yards. Lot 8, taking access from Sunset Boulevard, may be incompatible with the neighboring home as the driveway may extend into the backyard of the existing home. Furthermore, lot eight on the subdivision plat doesn't seem conducive to the rest of the development.

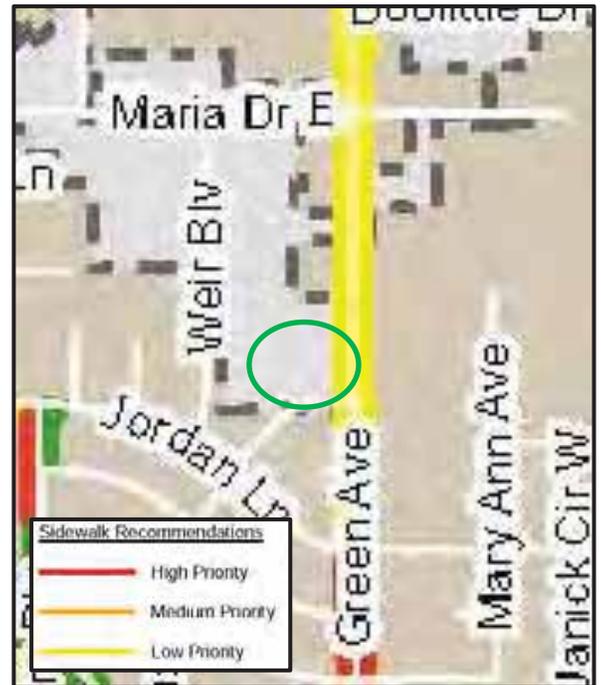
Traffic, activities, and noise within the cul-de-sac should not negatively affect the surrounding properties, however, the new cul-de-sac may be directed towards the single family home to the south, causing some potential light intrusion into that property (see email from neighbor). Visually, the proposed development of twin homes is aesthetically appealing. Staff has recommended several conditions of approval for the plat to ensure the development improves and maintains the neighborhood characteristics (see page 1 and 2).

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

**Analysis:** The property was recently annexed from the Town of Hull to the City of Stevens Point. Utilities exist to serve the area, specifically along Sunset Boulevard and Green Avenue. Driveways have been reduced on the Katanya Court cul-de-sac to allow for better snow storage and stormwater retention.

**Findings:** The subdivision does not adversely affect the City's ability to provide future improvements to the area. Staff would recommend a hydrant be installed on Sunset Boulevard between the lot eight private drive and cul-de-sac. Concerns regarding snow plowing, stormwater run-off, other infrastructure components have been alleviated with several conditions of approval outlined on page 1 and 2 of the staff report. In order to create more spacing for snow storage within the cul-de-sac, staff recommends that a maximum of four driveways take access from Katanya Court cul-de-sac circle and lot 1 and 7 take access for a twin home from Sunset Boulevard or the throat/neck of Katanya Court. Lastly, staff recommends utilities be extended on Sunset Boulevard in the right-of-way to Katanya Court and thence extended north in Katanya Court to serve the lots.

The City's adopted Bicycle and Pedestrian Plan identifies sidewalks to be installed on Green Avenue. However, this sidewalk would then be the only sidewalk within the area and thus create additional gaps within the City. Ideally, staff would like to see sidewalk on both Green and Sunset and therefore has recommended their installation.



- 4) **The proposed subdivision or land division shall comply with one of the following:**
- The proposed subdivision or land division shall represent infilling of vacant land. Infilling is defined as a subdivision or land division which will accommodate the development of vacant land located such that surrounding existing land uses render the land impractical for any but similar uses.**
  - The proposed subdivision or land division shall provide permanent open space lands for use by the general public in conformance with the adopted Parks and Open Space Plan for Portage County, Wisconsin, the City of Stevens Point adopted Parks and Open Space Plan or the City's other adopted Comprehensive Plan elements. The permanent open space lands shall be accessible and open for use by the general public.**

**Analysis:** The subdivision is infill development, as existing development surrounds the property. The development creates eight lots on an undeveloped parcel within a residential area. The City's Comprehensive Plan identifies the future use of the area as residential development.

**Findings:** This standard is met.

2005 Stevens Point Comprehensive Plan – Extraterritorial Land Use Map



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



City of Stevens Point  
Community Development Department

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

### APPLICATION FOR SUBDIVISION APPROVAL

(Pre-Application Conference Required)

#### ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted	4/11/16	Fee Required	170.00	Fee Paid	170.00
Associated Applications (if any)	S. Perzwin		Assigned Case Manager	Kyle Keans			
Pre-Application Conference Date	-		Major Subdivision	<input checked="" type="checkbox"/>	Minor Subdivision	<input type="checkbox"/>	

#### APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/> )	
Applicant Name	Ross Rettler	Contact Name	Dave Rowe
Address	3317 Business Park Dr.	Address	3501 Patch St.
City, State, Zip	Stevens Point, WI, 54482	City, State, Zip	Stevens Point, WI, 54481
Telephone	715-341-2633	Telephone	715-252-1671
Fax	715-341-0431	Fax	
Email	ross@rettler.com	Email	rowebuildersinc@yahoo.com

#### OWNERSHIP INFORMATION

PROPERTY OWNER OF RECORD 1 INFORMATION (Same as Applicant? <input type="checkbox"/> )		PROPERTY OWNER OF RECORD 2 INFORMATION (If Needed)	
Owner's Name	Dave Rowe	Owner's Name	
Address	3501 Patch St.	Address	
City, State, Zip	Stevens Point, WI, 54481	City, State, Zip	
Telephone	715-252-1671	Telephone	
Fax		Fax	
Email	rowebuildersinc@yahoo.com	Email	

#### PROJECT SUMMARY

Subdivision Name	Katanya Court		Former Subdivision Name (if any)	
Area of Subject Property (Acres/Sq Ft)	95,979 Sq. Ft. (2.2 Acres)		Proposed Number of Lots	8
Project Address:	419-423 Sunset Blvd. Stevens Point, WI 54481			
Parcel 1 - Assessor's Parcel ID Number	Parcel 2 - Assessor's Parcel ID Number (if needed)	Parcel 3 - Assessor's Parcel ID Number (if needed)		
020240827-10.04	020240827-10.13C			
Current Use of Subject Property	Wooded - Vacant			
Proposed Use of Subject Property	Multi-Family Housing - Duplexes			
Designated Future Land Use Category	Current Zone District(s)			
R3 - Residential - Multi-Family	R2 - Residential			
Is there an associated request for a Zoning Map Amendment? If yes provide the application Number?	Yes			
Number of Residential Units Proposed	Proposed Gross Residential Density	Commercial Space Proposed Sq. Ft.		
5	-	NA		
Common Open Space Proposed Sq. Ft.	Primary Open Space Designations (Cluster)	Secondary Open Space Designation (Cluster)		
-	-			

Source of Utilities:				Streets Created or Extended as part of Subdivision? If Yes What Types?	
Water	City	Sewer	City	Yes - 1 Public Cul De Sac - 1 Private Drive	
Number of Each Type of Building and Individual Units				Proposed Density (Units/Acre)	
Single-Family House					
Attached House (duplex)				5	
Row House (Number of Units)					
Apartment (Number of Units)					
Commercial Building					
Mixed Use Building (number of residential units)					
Industrial Building					
Civic Building / Institutional					
Open Lot					

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

The proposed multi-family development on the 2.2 acre parcel calls for five duplex units. As part of this development, a 24' public road and cul de sac with a 66' right-of-way will be constructed for access to 4 of the units. An additional 20' private access drive will access the 5th unit to the west.

Rowe Builders Inc. plans to start Construction of the first unit as soon as possible late this spring or early this summer in 2016.

**Current Zoning Surrounding Subject Property**

North:	R2 - Residential	South:	
East:		West:	R2 - Residential

**Current Land Use Surrounding Subject Property**

North:	Single Family Residential Home	South:	
East:		West:	Single Family Residential

**EXHIBITS (MAJOR SUBDIVISION)**

Owner Information Sheet	<input type="checkbox"/>	Additional Exhibits If Any (List):
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"/>	
Parking Plan (Location, number of spaces, reductions, and design and landscaping)	<input type="checkbox"/>	
Open Space Plan if Cluster Subdivision	<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"/>	

**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
	04.04.16		04.11.16







# Memo

**Michael Ostrowski, Director**

Community Development

City of Stevens Point

1515 Strongs Avenue

Stevens Point, WI 54481

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

mostrowski@stevenspoint.com

## City of Stevens Point – Department of Community Development

To: Plan Commission  
From: Michael Ostrowski and Kyle Kearns  
CC:  
Date: 5/27/2016  
Re: Request from Don & Kelly Guay for a conditional use permit renewal to operate a micro-winery at 1201 Water Street (Parcel ID 2408-32-2016-03).

The conditional use permit for 1201 Water Street to operate a micro-winery is expiring on June 30, 2016 (see attached permit). Staff has reviewed the property and determined all of the conditions from the original conditional use permit are being met. No complaints pertaining to the uses have been made to the Community Development Department, nor have any severe or repeated violations or offenses been recorded. Therefore, staff would recommend the approval to renew the conditional use permits for the properties and uses identified above.

In the past staff has included a two year expiration for permits similar to this, triggering this review; however, in most instances, conditions are met and the permit is reissued. Staff time to create distribution lists and notifications for several renewals can take a great deal of time, along with associated costs for public hearing notices. Staff would recommend in addition to the approval above, conditional use permits be reviewed by staff on an ongoing basis, and more thoroughly every two years. If during this time reoccurring issues or failed conditions become present, staff will bring the item back for further review by the Plan Commission. Again, the current resolution for the permit is attached. Staff would recommend the addition of the following condition, as the owner has interest in creating an outdoor seating area.

1. The premise shall be allowed to be extended to outdoor seating areas on the north and west side of the building with the submission of a site plan to be reviewed and approved by the Community Development Department.



796733

CYNTHIA A. WISINSKI  
PORTAGE COUNTY  
STEVENS POINT, WI  
RECORDED ON  
06/19/2014 1:54 PM

REC FEE: 30.00  
PAGES: 1  
FEE EXEMPT:

RESOLUTION

[1201 WATER STREET]  
[MICRO-WINERY]

**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 **1201 Water Street (Parcel ID 2408-32-2016-03)**, LOT 1 & W7 1/2' OF S 86' OF LOT 2 & W42 1/2' OF N 46' OF LOT 2 BLK 3 EXC PRT SOLD WELTMAN-221/210 S E & 0 ADD 600195 714052 714053 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes operating a micro-winery with the following conditions:

- 1) All improvements shall obtain pertinent building permits prior to construction.
- 2) Exterior improvements shall receive necessary approval by the Historic Preservation / Design Review Commission.
- 3) Truck traffic to and from the site shall not impede traffic along Crosby Avenue and Water Street.
- 4) The receiving/shipping doors shall remain closed during all other operational activities not related to receiving and shipping.
- 5) The conditional use permit shall expire in two years, on June 30, 2016.

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

Approved:

Andrew J. Halverson, Mayor

Attest:

John Moe, City Clerk

Dated: June 16, 2014  
Adopted: June 16, 2014  
Drafted by: Michael Ostrowski  
Return to: City Clerk



# Memo

**Plan Staff**

Community Development

City of Stevens Point

1515 Strongs Avenue

Stevens Point, WI 54481

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

## City of Stevens Point – Department of Community Development

To: Plan Commission  
 From: Plan Staff  
 Date: 6/2/2016  
 Re: Service Cold Storage - Site Plan Review

Service Cold Storage is proposing to construct phase two of their cold storage warehouse facility. The original facility was reviewed, approved, and constructed in 2013. During the original approval, a phase two expansion eastward was identified, however specific details were not yet determined for the phase. Now, details have been provided for the phase two expansion and are summarized below. Also see the attachments.

**Service Cold Storage Phase 2 Details:**

- Size: 97,333 square feet
- Dimensions: 225 feet by 375 feet
- Loading Docks: 15
- Parking: 15 staging semi-truck stalls

## Vicinity Map



Note that site plan review is required given the zoning classification of Planned Industrial Development District. Ordinance states the following:

**h) "PID" Planned Industrial Development District**

A Planned Industrial Development is a zoning district that is permitted within the Industrial Districts. The district allows flexibility in site design and building type standards approve by the Common Council.

1. Components of a PID

A PID approval consists of two separate steps:

- a. Approval of a rezoning and concept plan, by the Common Council; and
- b. The subsequent approval of a preliminary subdivision plat or site plan consistent with the PID concept plan by the Planning Commission.

It is important to identify that the property is currently zoned "PID" therefore; a rezoning does not need to occur. The site plan has been attached and criteria for approving, approving with conditions, or denying the plan have been review by staff below.

## Standards of Review

---

1. The proposed PID is consistent with the pertinent elements of the City of Stevens Point Comprehensive Plan and any other adopted plans.

**Analysis:** The City of Stevens Point Comprehensive Plan Identifies this area as extraterritorial and to develop into a business or industrial park.

**Findings:** This standard is met.

2. The proposed development meets the requirements of this zoning ordinance or is granted a specific deviation by the Common Council.

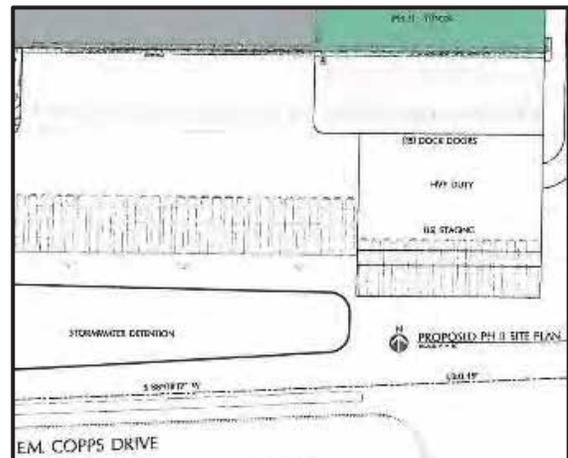
**Analysis:** Building setbacks, parking, landscaping, and other zoning requirements are met. The phase two facility will connect to the east side of the existing facility and will mimic the construction, design, and size of the original. The expansion of the proposed staged parking area for semi-trucks and trailers is proposed to have a smaller setback from the lot line to allow for adequate room for traffic circulation, see site plan. The setback is over 200 feet.

**Findings:** This standard is met.

3. The proposed PID will reinforce the existing or planned character of the area.

**Analysis:** The phase two is an addition onto the existing cold storage warehouse, and was identified and planned in the original development. It is already served by utilities and road.

**Findings:** This standard is met.



4. The site is appropriate for the uses and site design allowed in the proposed PID concept plan.

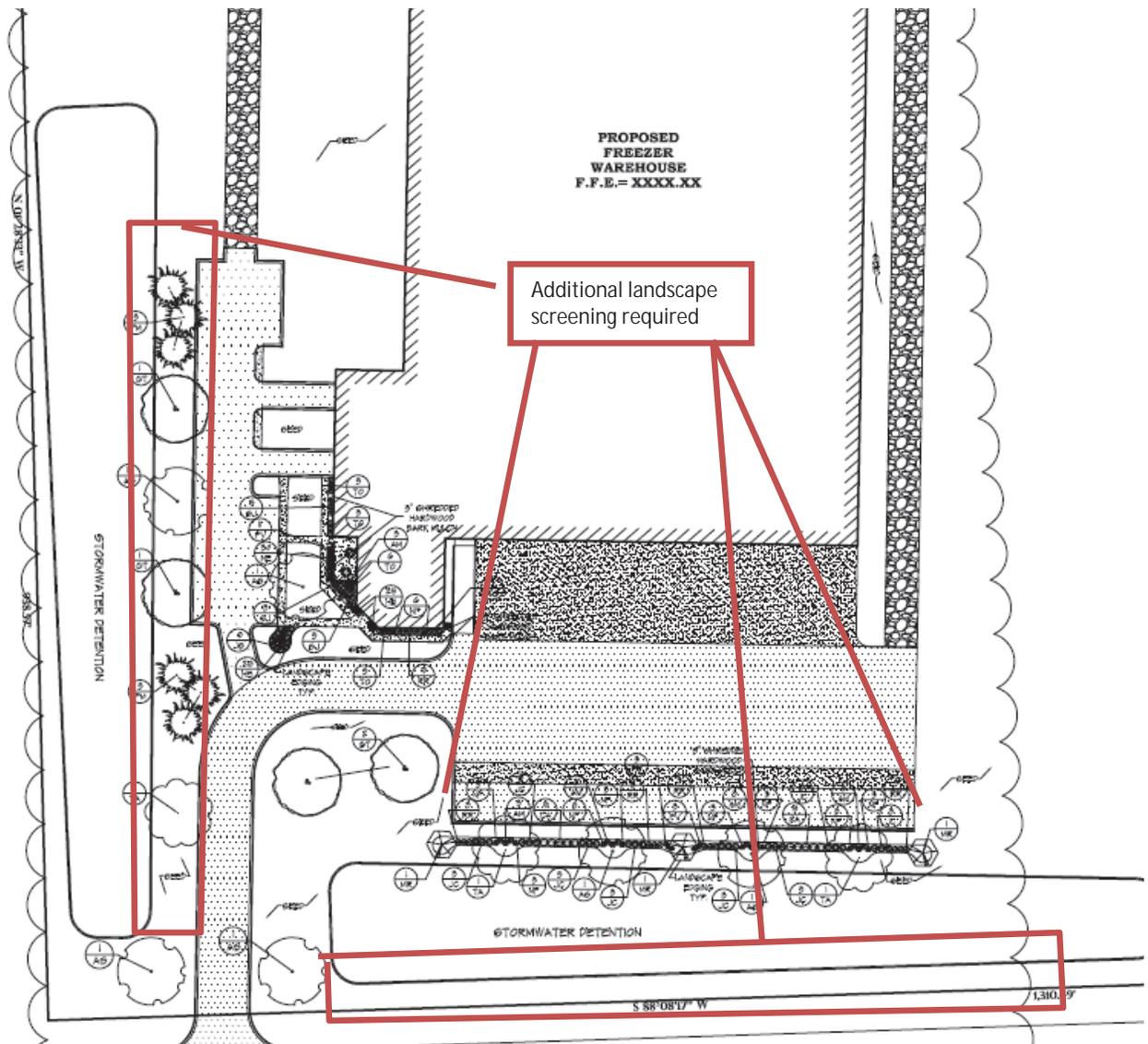
**Analysis:** The plan for the East Park Commerce Center is to create an industrial and business park. The existing facility is located in the northwest corner of the park, nearest utilities and roads, as well as, along the railroad. The proposed addition will be an extension of the existing facility, matching construction, design, and size of the original.

**Findings:** This standard is met.

5. The PID demonstrates a higher quality of site design that is more sensitive to the surrounding lands, both built and natural, than is possible under other available zoning districts.

**Analysis:** The original site design allowed for easy expansion to occur, while allowing full perimeter vehicle access, adequate onsite drainage, parking, and landscaping. Note that the stormwater ponds were constructed to accommodate greater impervious surface and should be able to handle the proposed expansion. A landscaping plan has not been submitted.

**Findings:** Staff would recommend a landscaping plan be submitted to be reviewed and approved by the community development department. The landscaping plan shall identify an extension of the existing landscaping in relation to the proposed addition. Below and attached is the original landscape plan with which the southern trailer parking area was required to be screened with a decorative fence of at least 6 feet tall or a berm (minimum of 6 feet). Furthermore, additional landscape screening along the southern and western property lines, as well as along the sides of the parking areas were required. Lastly, street trees were required to be installed along the street at a rate of 1 per every 75 lineal feet. The proposed landscaping plan for the addition should incorporate and continue these requirements to the extent applicable.



6. Public facilities and services including but not limited to schools, roads, recreation facilities, wastewater treatment, and water supply and stormwater facilities are adequate and will not be detrimentally impacted by the development or uses in the proposed PID.

**Analysis:** The facility exists and is currently served by utilities which will not in any way be detrimentally impacted. Furthermore, all other infrastructure is or will be in place to serve the expansion and will not be negatively impacted by the development.

**Findings:** This standard is met.

7. The PID will not substantially or permanently injure the appropriate use of adjacent properties.

**Analysis:** The site plan accommodates a potential future rail easement, 100 feet along the northern portion of the property. Furthermore, the easement could accommodate a spur for the cold storage warehouse and/or a spur to neighboring properties to the east. City of Stevens Point property lies to the west, where a transit facility is located.

**Findings:** The site plan and development should not injure the use or uses of adjacent properties.

Based on the findings above, staff would recommend approving the site plan for Service Cold Storage to construct an addition (phase two) onto the existing cold storage warehouse at 5700 E.M. Cops Drive with the following conditions:

- A landscaping plan shall be submitted to be reviewed and approved by the community development department. The landscaping plan shall include and identify an extension of the existing landscaping in relation to the proposed addition. Furthermore, the landscaping plan should incorporate and continue previous requirements to the extent applicable with the project which include:
    1. Landscaping and screening shall be installed to screen additional new parking within 6 months of the completion of any addition or expansion.
    2. The southern trailer parking area shall be screened with a decorative fence of at least 6 feet tall or a berm (minimum of 6 feet) with landscaping.
    3. Additional landscape screening, to be approved by staff, shall be installed along the southern and western property lines, as well as along the sides of the parking areas.
    4. Street trees shall be installed along the street at a rate of 1 per every 75 lineal feet.
    5. Landscaping shall be irrigated and maintained in perpetuity.
    6. Stormwater detention areas shall be maintained.
-

City of Stevens Point  
Community Development Department

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<http://stevenspoint.com>



## APPLICATION FOR A SITE PLAN REVIEW

(Pre-Application Conference is Required for Major and Minor Site Plan Reviews)

### ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted		Fee Required		Fee Paid	
Associated Applications (if any)				Assigned Case Manager			
Pre-Application Conference Date				Minor Site Plan	<input type="checkbox"/>	Major Site Plan	<input type="checkbox"/>

### APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/> )	
Applicant Name	Service Cold Storage - Mr. Les Dobbe	Contact Name	Tippmann Construction - Adam Tippmann
Address	5700 EM Cops Drive	Address	9009 Coldwater Road
City, State, Zip	Stevens Point, WI 54482	City, State, Zip	Fort Wayne, IN 46825
Telephone	920-915-6161	Telephone	260-615-4949
Fax		Fax	260-490-8705
Email	ldobbe@servicecold.biz	Email	atippmann@tippmanngroup.com

### OWNERSHIP INFORMATION

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

### PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]		
Parcel 1	Parcel 2	Parcel 3
281-23-0801210003	281-23-0801210005	
Legal Description of Subject Property		
See Attached		
Area of Subject Property (Acres/Sq Ft)		
27.315 Acres / 1,189,860 SF		
Current Zoning District(s)		
Planned Industrial Development		

Designated Future Land Use Category	Current Use of Property	Proposed Use of Property
	Cold Storage Distribution Facility / Industrial	Cold Storage Distribution Facility / Industrial
Describe land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)		
<p>Service Cold Storage is proposing an addition to their cold storage distribution facility. The addition will be approximately 97,333 square feet and will contain a cold storage warehouse and refrigerated dock with 15 dock doors.</p>		
Current Zoning Surrounding Subject Property		
North:	Existing Railroad	South: Heavy Industrial
East:	Planned Industrial Development	West: Heavy Industrial
Current Land Use Surrounding Subject Property		
North:	Railroad	South: Lands End Distribution Center
East:	Agriculture	West: City Transit Center

**EXHIBITS**

Owner Information Sheet	<input checked="" type="checkbox"/>	Additional Exhibits If Any (List):
Letter to District Alderperson	<input type="checkbox"/>	
Maps (vicinity, zoning, floodplains, wetlands others as requested by staff)	<input checked="" 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
	6/2/2016		

CSM # 10446-47-26

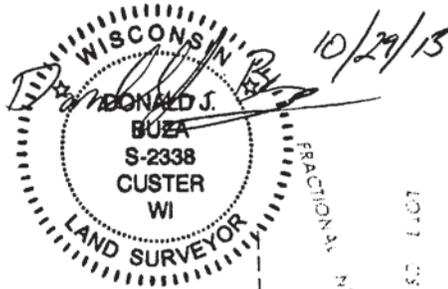
790872

CYNTHIA A. WISINSKI  
PORTAGE COUNTY  
STEVENS POINT, WI  
RECORDED ON  
10/29/2013 10:55 AM

REC FEE: 30.00  
PAGES: 2  
FEE EXEMPT:

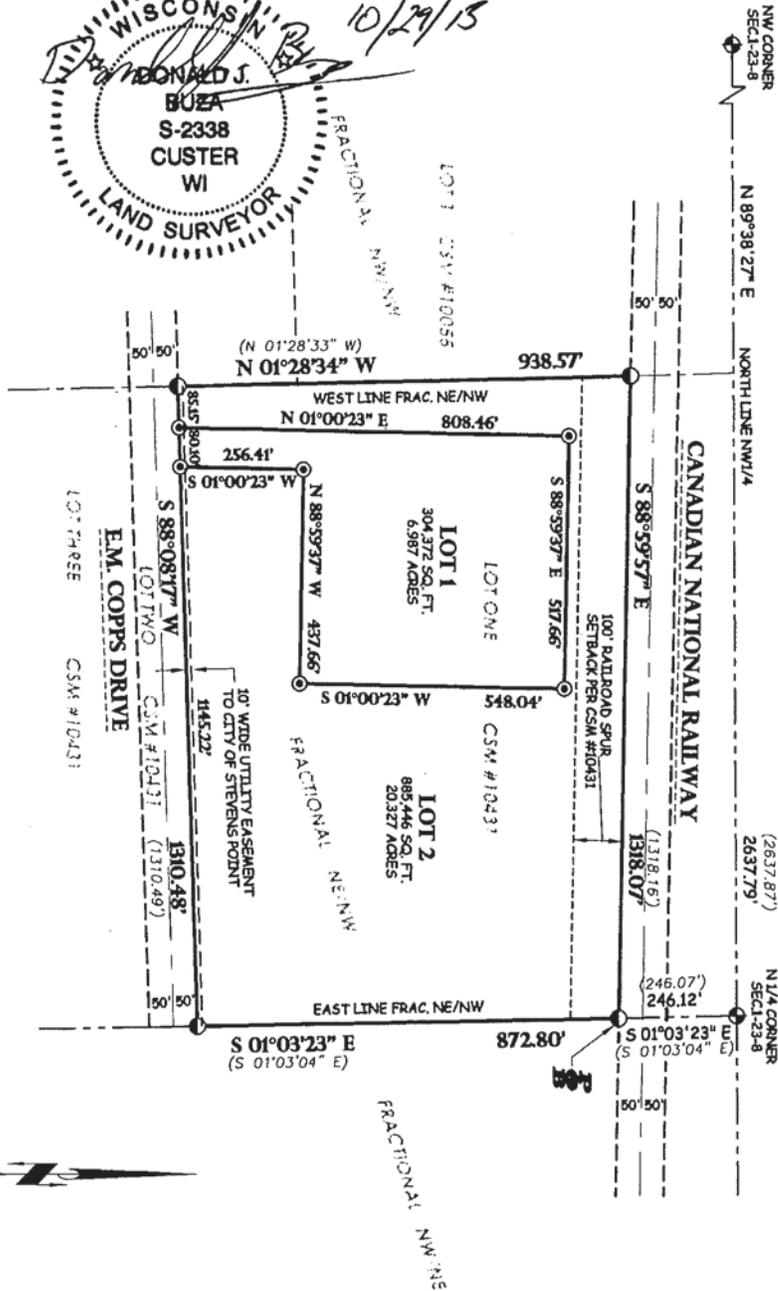
**PORTAGE COUNTY CERTIFIED SURVEY MAP**

OF LOT ONE OF CERTIFIED SURVEY MAP #10431, LOCATED IN PART OF THE FRACTIONAL NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 23 NORTH, RANGE 8 EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN.



**BASE FOR BEARING**  
IS THE WISCONSIN COUNTY COORDINATE SYSTEM, PORTAGE COUNTY ZONE. THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 23 NORTH, RANGE 8 EAST, BEARS N 89°38'27" E.

- LEGEND**
- 3/4" O.D. X .18" IRON BAR SET
  - WEIGHING 150 LB SLIN. FT.
  - 1-1/4" O.D. IRON BAR FOUND
  - HARRISON MONUMENT FOUND
  - RECORDED AS



Land Surveying  
Civil Engineering  
Landscape Architecture  
**Donald J. Buza, RLS #2338**  
5709 Windy Drive, Suite D  
Stevens Point, WI 54482  
715.344.9999(PH) 715.344.9922(FX)

THIS INSTRUMENT WAS DRAFTED BY DONALD BUZA  
AND DRAWN BY TRAVIS PLANTICO  
FIELD BOOK B-27 PAGE 10  
JOB # 13.569

SHEET 1 OF 2 SHEETS

**PORTAGE COUNTY CERTIFIED SURVEY MAP**

I, Donald J. Buza, Registered Land Surveyor, hereby certify:

That I have surveyed, divided and mapped all of Lot One of Certified Survey Map #10431, located in the Fractional Northeast ¼ of the Northwest ¼ of Section 1, Township 23 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin, described as follows:

Commencing at the North ¼ corner of Section 1, Township 23 North, Range 8 East; thence S 00°01'23"E along the East line of the Fractional Northeast ¼ of the Northwest ¼ said Section 1, 246.12 feet to the South line of Canadian National Railway and the point of beginning (POB) of the parcel to be described; thence S 01°03'23"E, 872.80 feet to the North line of E.M. Copps Drive; thence S 88°08'17"W along said North line of E.M. Copps Drive, 1310.48 feet to the West line of the Fractional Northeast ¼ of the Northwest ¼ of Section 1 ; thence N 01°28'34"W along the said West line of the Fractional Northeast ¼ of the Northwest ¼ of Section 1, 938.57 feet to the South line of the Canadian National Railway; thence S 88°59'57"E along said South Line of the Canadian National Railway, 1318.07 feet to the point of beginning.

Subject to (if any) covenants, conditions, restrictions, right-of-ways and easements of record.

That I have made such survey, land division and plat by the direction of Tippmann Group.

That such plat is a correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision ordinance of the City of Stevens Point in surveying, dividing and mapping the same.

Dated this 29<sup>th</sup> day of October, 2013.



*Donald J. Buza*

Donald J. Buza  
R.L.S. No. S-2338

**CITY OF STEVENS POINT APPROVAL**

I hereby certify this map and accompanying information is approved (conditionally approved) pursuant to the Building and Safety Ordinances of Stevens Point on the basis of the following (facts) (conditions):

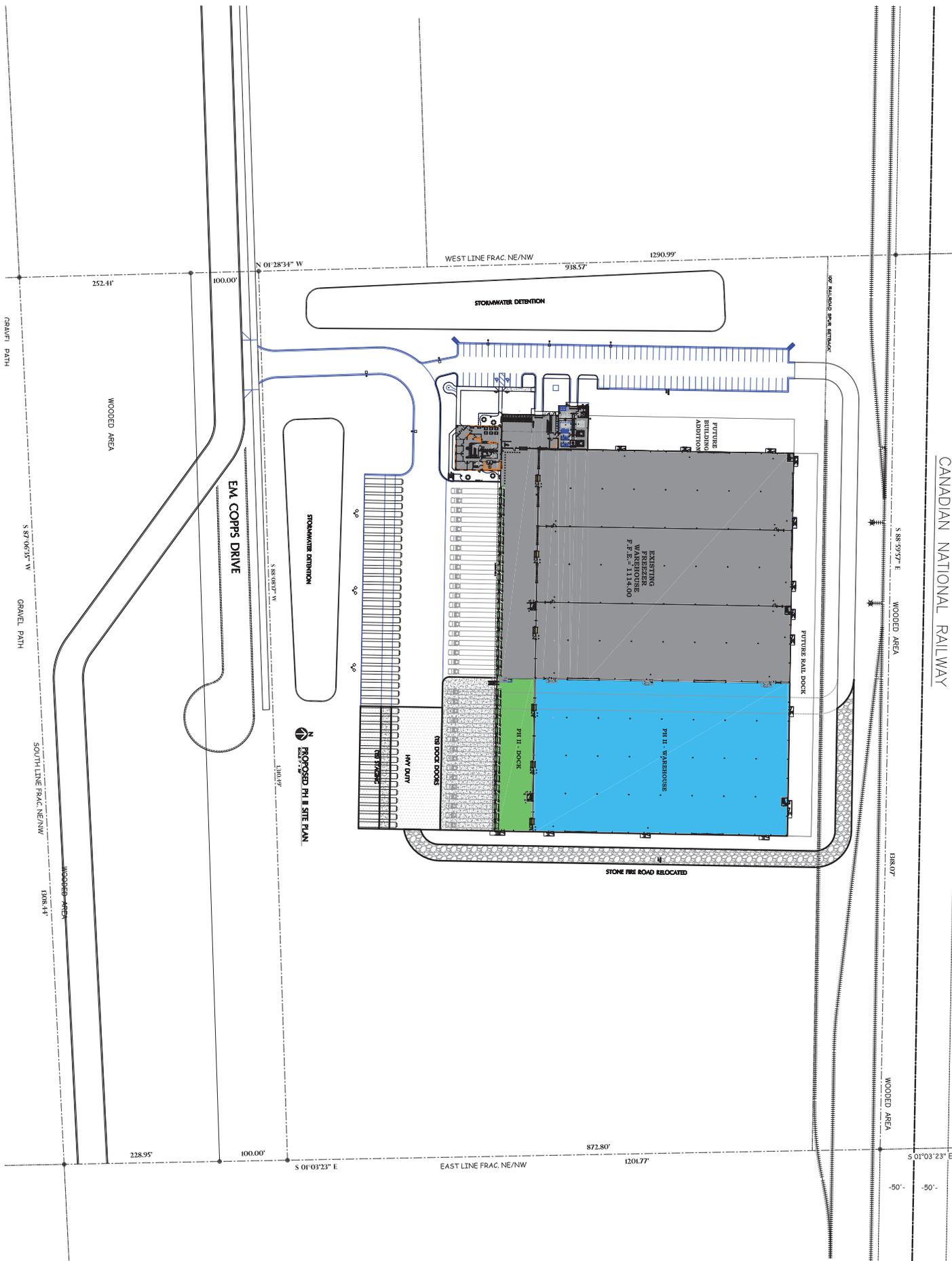
*Michelle Ostrowski*

Community Development Office

Prepared by:  
Point Of Beginning, Inc.  
5709 Windy Drive, Suite D  
Stevens Point, WI 54482

Prepared for:  
Tippmann Group  
9009 Coldwater Road  
Fort Wayne, IN 46825

Job # 13.569



<p><b>C1.0</b></p> <p>DATE: 05-24-2016          DRAWN BY: SSS          CHECKED BY: SSS</p>	<p>REVISIONS:</p> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>							<p>SHEET TITLE</p> <p><b>PROPOSED PH II SITE PLAN</b></p>	<p>PROJECT</p> <p><b>PH II DC EXPANSION FOR:</b></p> <p><b>5700 E M COPPS DRIVE STEVENS POINT, WI 54482</b></p>	<p><b>PIC SERVICE COLD STORAGE</b></p>	<p><b>PRELIMINARY DOCUMENTS</b></p> <p>DATE: 5-24-2016</p>	<p><b>TIPPMANN CONSTRUCTION</b>  <i>a Tippmann Group Company</i></p> <p>808 GOLDWATER ROAD FORT WAYNE, INDIANA 46805          PHONE: (260) 490-3000 FAX: (260) 490-8700</p>	<p>CONTINUED</p>
<p>DATE: 05-24-2016          DRAWN BY: SSS          CHECKED BY: SSS</p>													

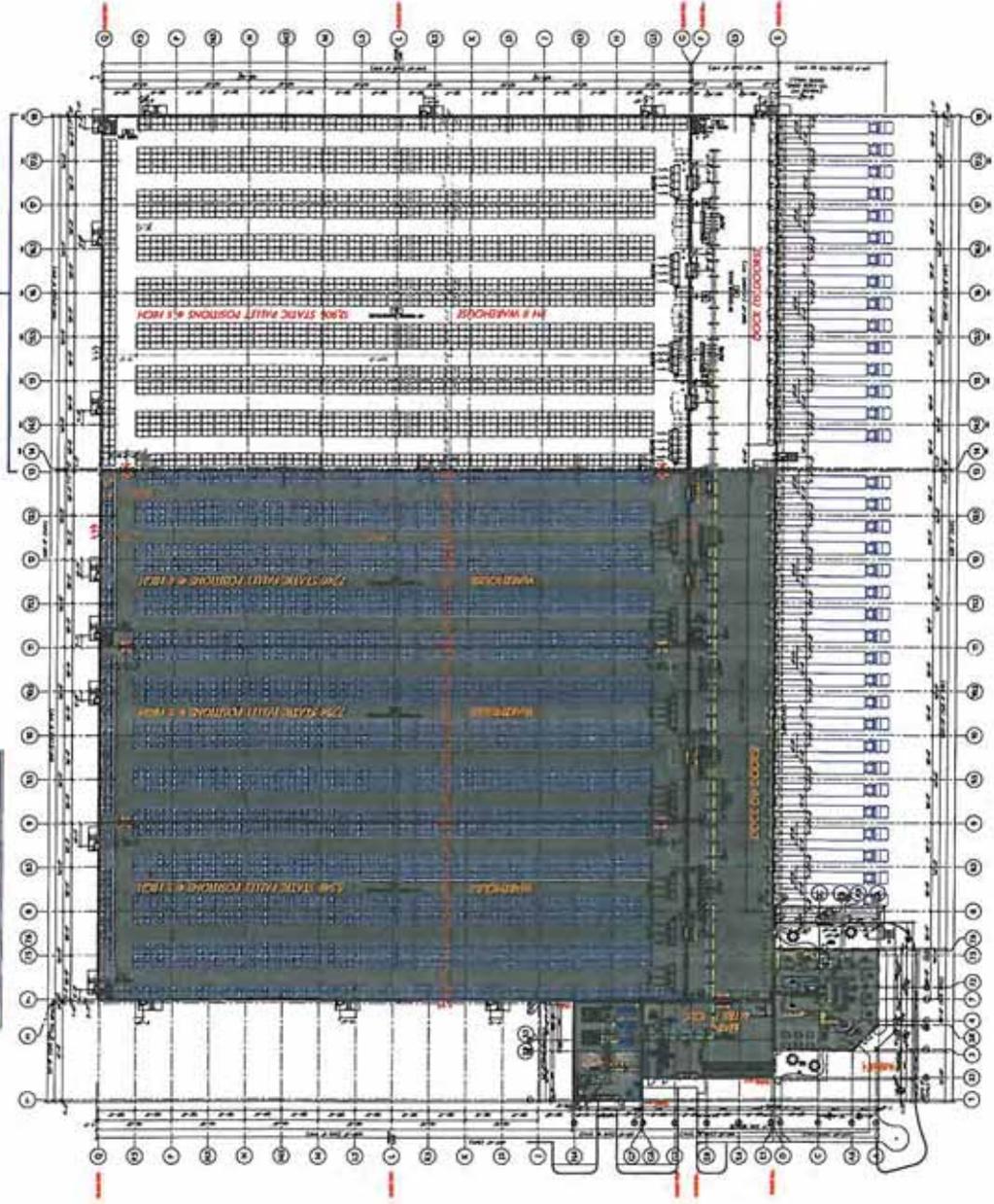
		PRELIMINARY DOCUMENTS DATE 6-1-2016		PH II DC EXPANSION FOR 5700 E M COMS DRIVE STEVENS POINT, WI 54482	REVISIONS:	SHEET:
					NO.	DATE

**PROPOSED PALLET SUMMARY**  
 PROPOSED PALLET SUMMARY - STATIC STACK - 3'x5'

ROOM	LAB	STORAGE	DOOR	STAIR	MECH	TOTAL PALLET POSITIONS
FRIDGE # 3 HIGH						12,000
<b>GRAND TOTAL</b>						<b>12,000</b>

**PROPOSED PH II & WAREHOUSE AREA SUMMARY**

WAREHOUSE - STIVING ROOM	LABS SQ FT	STAIR SQ FT
<b>TOTAL</b>		

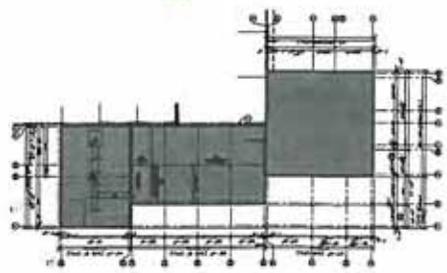


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<b>TOTAL</b>		



OVERALL FLOOR PLAN  
 SHEET 7-10











Michael Ostrowski, Director

Community Development

City of Stevens Point

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# Memo

## City of Stevens Point – Department of Community Development

To: Plan Commission

From: Michael Ostrowski and Kyle Kearns

CC:

Date: 5/27/2016

Re: Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically Subsection 23.02(2)(a) to establish greenhouses and nurseries as a conditional use in the B-1 Neighborhood Business District and above districts.

Recently, the City rezoned several properties north of downtown primarily from intense manufacturing zoning classifications to more appropriate and conducive transitional commercial district. Specifically, the existing greenhouse (1220 Briggs Court), was rezoned from M-1 Light Industrial District to B-2 Central Business Transition District.



The rezoning made the greenhouse use prohibited within the district. However the rezoning also allowed for the greenhouse to expand because of reduced setbacks. Staff have analyzed the use further and determined that it is a fitting use within the district and in the proximity between more intense downtown commercial uses and residential uses. The use acts as a good buffer between uses given its size and limited use. Furthermore, traffic and noise to the site are minimal, unless events are held within the greenhouse grounds or building. Therefore, staff is recommending to amend the zoning ordinance to allow greenhouses and nurseries as a conditional use within the B-1 Neighborhood District and above districts. Currently, greenhouses and nurseries are a permitted use in the B-4 Central Business District. Note with this recommendation, Plan Commission and Common Council would review any request for a greenhouse or nurseries, including expansion via the conditional use permit process.

Staff is recommending the following change:

Stevens Point Revised Municipal Code  
Chapter 23 – Zoning Ordinance  
Subsection 23.02(2)(a)

a)"B-1" Neighborhood Business District

1. Intent. This district is established to provide only those establishments which supply convenience goods, and professional or personal services. These districts are intended to generally serve an area less than City-wide and to be allowed only at major traffic intersections and the total extent of such district to be limited to within an immediate zone of such intersections consistent with the City's Comprehensive Plan.
2. Permitted Uses.
  - a) Permitted uses, the "R-5" District except two-family dwelling units.
  - b) Neighborhood business uses such as:
    - 1) Gift stores and antique stores
    - 2) Restaurants not over 3,000 square feet
    - 3) Dry cleaning or laundromats not over 3,000 sq.ft.
    - 4) Second-hand or resale stores
    - 5) Key shops
    - 6) Hobby shops
    - 7) Drug stores, pharmacy soda fountains, tobacco shops
    - 8) Florist shops
    - 9) Shoe repair
    - 10) Hardware stores and lawn and garden shops not over 3,000 sq. ft.
    - 11) Bakery not over 1500 sq. ft.
    - 12) Furniture and upholstery repair shops
    - 13) Tailor shops

- 14) Candy stores, ice cream shops
- 15) News stands
- 16) Pet shops and supplies, taxidermists
- 17) Vending machines
- 18) Single family residences if attached to a permitted use and occupied by the owner or manager as a permitted use
- 19) Bridal shops
- 20) Copy and duplicating services
- 21) Pottery shops not over 1,000 sq. ft.
- 22) Branch banks
- c) Accessory uses
- d) Filling of property
- 3. Conditional Uses
  - a) Conditional Uses in "R-5" District
  - b) Carry-out beer and liquor
  - c) Bowling alleys
  - d) One and two family dwelling units
  - e) Taverns and night clubs
  - f) Gas and service stations
  - g) Credit Unions and Bank
  - h) Accessory uses
  - i) Industrial pipelines
  - j) Off-premise sign/billboard
  - k) Convenience food retail outlets not exceeding 3,000 square feet
  - l) Car/Truck Wash
  - m) Expansion of existing mini-warehouse improvements
  - n) Greenhouses & Nurseries



# Memo

Michael Ostrowski, Director

Community Development

City of Stevens Point

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mostrowski@stevenspoint.com

## City of Stevens Point – Department of Community Development

To: Plan Commission  
From: Michael Ostrowski and Kyle Kearns  
Date: 5/27/2016  
Re: Amending Chapter 23 of the Revised Municipal Code, Zoning Ordinance, specifically subsections 23.01(13)(a) and 23.01(13)(d) to include public and private streets.

The City's zoning ordinance prohibits lots and development on a private road. This often times is unfavorable to development under the same ownership and for condominium developments. Furthermore, it limits lots for development that aren't accessible by existing right-of-way or a mapped street. Several instances in the City exist however where several properties and lots take access from a private road. Typically, the City will not plow private roads or pick up garbage on private roads, however other means are necessary for such services. Staff recommends including language throughout a section of the zoning code (see below) to allow lots to have access on public or private streets.

Staff is recommending the following change:

Stevens Point Revised Municipal Code  
Chapter 23 – Zoning Ordinance  
Subsection 23.01(13)(a) & 23.01(13)(d)

### 13) General Standards

- a) Street Frontage Required. Except as otherwise permitted in this ordinance, or building lots approved by the Common Council, no lot shall contain any building in whole or in part for residence purposes unless such lot abuts for at least sixty (60) feet on at least one **public or private** street.
  
- d) Structures to Have Access. Every main building hereafter erected or moved shall be on a lot adjacent to a public **or private** street, and all structures shall be situated on lots as to provide safety and convenient access for servicing, fire protection, and required off-street parking.



# Memo

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Community Development

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To: Plan Commission  
From: Michael Ostrowski  
CC: Common Council  
Date: June 1, 2016  
Subject: Property Maintenance Code

Please bring your copy of the International Property Maintenance Code that was previously provided to you.

Recently, we have been receiving some additional input on the proposed property maintenance code. With this being the case, I would like to give an additional month for comments and suggestions before we move forward for final adoption, unless the Plan Commission and Common Council feel otherwise. There are a couple of areas that still need to be discussed further:

1. Recreational vehicle parking – where allowed, how many are allowed, and do they need to be parked on a hard surface, etc.
2. Gravel parking areas – where allowed, can new ones be created, and how do they need to be maintained.

I will try and gather some pictures to provide some further examples on what could be considered. I will then present these in a presentation at the meeting to further the discussion.

The information below was provided to you prior:

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

# Community Development Report - May 2016

## Construction Report

## Violation Report

New Construction	Owner/Location	Declared Valuation	Fees	
Residential	Central Wisconsin Habitat for Humanity 340 Sixth Ave	\$67,500.00	\$1,000.00	
Residential	Generations Property Development 309 St Paul St.	\$210,000.00	\$1,000.00	
Residential	Generations Property Development 317 St Paul St.	\$210,000.00	\$1,000.00	
Residential	Generations Property Development 316 Dearborn Ave.	\$210,000.00	\$1,000.00	
Residential	Generations Property Development 308 Dearborn Ave.	\$210,000.00	\$1,000.00	
Commercial	St. Michaels Hospital 900 Illinois Ave.	\$3,012,220.00	\$31,005.16	
<b>Remodeling/ Additions</b>	<b># of Permits</b>	<b>Declared Valuation</b>	<b>Fees</b>	
Residential	71	\$426,517.00	\$4,230.00	
Commercial	23	\$658,062.00	\$7,399.62	
<b>Monthly Permits</b>	<b>Monthly Valuation</b>	<b>Monthly Fees</b>	<b>YTD Valuation</b>	<b>YTD Fees</b>
100	\$5,004,299.00	\$47,634.78	\$10,325,662.33	\$98,832.60
	2015:	\$12,004,852.81	\$44,641.07	
	2014:	\$8,808,169.35	\$43,046.58	
	2013:	\$11,237,803.33	\$102,601.06	

### Exterior Property Area Complaints

* Multiple Exterior Property Violations	12
* Other Exterior Property Violations	3
Accumulation of Rubbish or Garbage	9
Grass or Weeds	10
Improper Parking of Vehicles	11
Improper Storage of Refuse or Refuse Carts	0
Refuse or Refuse Carts on Curb	2
Snow and Ice	0
Storage of Household Items Outside	4
Unlicensed or Inoperable Vehicles	2
Unsanitary Conditions	0

### Exterior Structure Complaints

* Multiple Exterior Structure Violations	2
* Other Exterior Structure Violations	1
Broken or Missing Windows	0
Defective Protective Treatment	6
Missing or Defective Handrails/Guards	1

### Interior Structure Complaints

* Multiple Interior Structure Violations	3
* Other Interior Structure Violations	0

### Multiple Violations

* Multiple Property Violations	7
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### Other Violations

* Other Property Violations	4
Expired Multiple-Family License	0
Improper Occupancy: Multi-Family Dwelling	0
Improper Occupancy: Residential Dwelling	3
Work Without Permit	9
Work Without Historic Preservation Review	0

<b>Total Violations</b>	<b>89 / 775.00</b>
<b>Total Service Fees Billed</b>	