

AGENDA
CITY PLAN COMMISSION

November 7, 2016 – 6:00 PM

Water Department Conference Room – 300 Bliss Avenue
(A Quorum of the City Council May Attend This Meeting)

1. Roll call.

Discussion and possible action on the following:

2. Report of the September 6, 2016 Plan Commission meeting.
3. Public Hearing – Request from TOTC LLC for a conditional use permit to increase residential occupancy at 1700 Monroe Street (Parcel ID 2408-32-4035-10).
4. Action on the above.
5. Public Hearing – Request from Igna Real Estate & Investments LLC for a conditional use permit to construct an apartment building at 3600 Doolittle Drive (Parcel ID 2408-27-2300-32).
6. Action on the above.
7. Public Hearing – Request from Portage County for a conditional use permit and site plan review to install exterior mechanical equipment at the Aging and Disability Resource Center (Lincoln Center), 1519 Water Street (Parcel ID 2408-32-2021-15), which is a City owned property.
8. Action on the above.
9. 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. Copsps Drive (Parcel IDs 2308-01-2100-03 and 2308-01-2100-05).
10. Request from the City of Stevens Point to Amend Chapter 23: Zoning Ordinance of the City of Stevens Point Revised Municipal Code to define and permit short term rentals. *This item is for discussion purposes only; no formal action will be taken.*
11. Community Development Department Monthly Report for October 2016.
12. Adjourn.

Maps further defining the above area(s) may be obtained from the City of Stevens Point Department of Community Development, 1515 Strong's 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 Strong's Avenue, Stevens Point, WI 54481.

PUBLISH: October 21, 2016 and October 28, 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 November 7, 2016 at 6:00 PM in the Water Department Conference Room, 300 Bliss Avenue, Stevens Point, Wisconsin, to hear the following:

1. Request from Igna Real Estate & Investments for a conditional use permit to construct an apartment building at 3600 Doolittle Drive (Parcel ID 2408-27-2300-32). This property is zoned R-4 Multiple Family 1 Residence District and described as LOT 2 CSM#9279-39- 59 BNG PRT SWNW S27 T24 R8 799061, City of Stevens Point, Portage County, Wisconsin.
2. Request from TOTC LLC for a conditional use permit to increase residential occupancy at 1700 Monroe Street (Parcel ID 2408-32-4035-10). This property is zoned B-3 Central Business District and described as S 85' LOTS 9 & 10 BLK 4 HELM ADD 551872-CERT 553877 553878-STIP 620233, City of Stevens Point, Portage County, Wisconsin.
3. Request from Portage County for a conditional use permit and site plan review to install exterior mechanical equipment at the Aging and Disability Resource Center (Lincoln Center), 1519 Water Street (Parcel ID 2408-32-2021-15), which is a City owned property. This property is zoned R-4 Multiple Family I Residence District and R-5 Multiple Family II Residence District and described as LOTS 7 TO 11 INCL & 14 TO 18 INCL FELLOWS SUB DIV & LOT 38 BLK 35 S E & O ADD, City of Stevens Point, Portage County, Wisconsin.

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

October 3, 2016 – 6:00 PM

Lincoln Center, Multipurpose Room – 1519 Water Street, Stevens Point, WI 54481

PRESENT: Mayor Wiza, Alderperson Kneebone, Commissioner Brush, Commissioner Haines, Commissioner Curless, and Commissioner Cooper.

ALSO PRESENT: Associate Planner Kearns, City Attorney Beveridge, Alderperson Shorr, Alderperson Oberstadt, Alderperson Dugan, Alderperson Phillips, Gene Kemmeter, Matthew Brown, Carl Rasmussen, Greg Diemer, Lee Beveridge, Susan Beveridge, Ross Rettler, Cathy Firkus, Linda Strosin, Mike Cooper, Tara Cooper, Lindsay Zimmerman, Anita Bell, and Dan Drexler.

INDEX:

1. Roll call.
Discussion and possible action on the following:
2. Report of the September 6, 2016 Plan Commission meeting.
3. **Public Hearing** – Request from Matthew Brown for a conditional use permit to utilize Traditional Neighborhood Overlay District standards for reduced setbacks to construct a detached garage at 1556 Plover Street (Parcel ID 2408-32-1010-19).
4. Action on the above.
5. **Public Hearing** – Request from Andrew and Susan Beveridge for a conditional use permit to utilize Traditional Neighborhood Overlay District standards for reduced setbacks to construct a detached garage at 316 Union Street (Parcel ID 2408-29-3002-10).
6. Action on the above.
7. Request from the University of Wisconsin Stevens Point for a site plan review to construct covered bicycle parking facilities at the Dreyfus University Center addressed at 1015 Reserve Street (Parcel ID 2408-33-2004-01), and at the new Chemistry Biology Building addressed at 2101 Fourth Avenue (Parcel ID 2408-28-3007-19).
8. Request from Stratford Sign Company, LLC, representing Huntington Bank, for a sign variance to construct two freestanding signs closer than the required separation distance at 5597 US Highway 10 East (Parcel ID 2408-35-1400-10).
9. Request from Rettler Corporation, representing Operation Bootstrap, for a site plan review to expand the parking lot at 5000 Heffron Street (Parcel ID 2308-02-2301-21), which is a city-owned property.
10. Request from Lindsay and Josh Zimmerman and Michael and Tara Cooper to detach their properties from the City of Stevens Point and join them to the Town of Hull, located at 1400 Somerset Drive (Parcel ID 2408-14-3001-04) and 1396 Somerset Drive (Parcel ID 2408-14-3001-03).
11. Community Development Department Monthly Report for September 2016. *Report will be provided after September 30, 2016.*
12. Adjourn.

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1. Roll call.

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

Excused: Hoppe

Discussion and possible action on the following:

2. Report of the September 6, 2016 Plan Commission meeting.

Motion by Commissioner Cooper to approve the report of the September 6, 2016 Plan Commission meeting; seconded by Commissioner Haines.

Motion carried 6-0

3. **Public Hearing** – Request from Matthew Brown for a conditional use permit to utilize Traditional Neighborhood Overlay District standards for reduced setbacks to construct a detached garage at 1556 Plover Street (Parcel ID 2408-32-1010-19).

Mayor Wiza reported that the request from Kurt Orlikowski for a conditional use permit to increase residential occupancy at 1700 Monroe Street had been pulled and would not be discussed.

Associate Planner Kearns summarized the request from Matthew Brown for a conditional use permit to utilize Traditional Neighborhood Overlay District standards for reduced setbacks to construct a detached garage at 1556 Plover Street in order to align it with the existing driveway. In order to align it he is requesting a reduced setback of one foot, and explained that there were similar nonconforming lots in the neighborhood that contained nonconforming structures. Based on his findings, he recommended approval with conditions outlined by staff. He also noted that an additional condition regarding the overhang had been added to ensure that the structure did not encroach onto the neighboring property.

Commissioner Curless asked whether the one foot would be an issue if the neighbor had no problem with it, to which Associate Planner Kearns explained that fencing was allowed to be put up to the property line and that he always reminded every applicant that would have to cross the property line in order to maintain it, or that the applicant would hopefully have a good relationship with the neighbor.

Mayor Wiza declared the public hearing open.

Mayor Wiza declared the public hearing closed.

Aldersperson Kneebone made a statement on the behalf of Aldersperson McComb who could not attend where she had no issue with permitting the reduced setbacks.

4. Action on the above.

Motion by Commissioner Brush to approve the request from Matthew Brown for a conditional use permit to utilize Traditional Neighborhood Overlay District standards for reduced setbacks to construct a detached garage at 1556 Plover Street (Parcel ID 2408-32-1010-19) with the following conditions:

1. **The garage shall compliment the architectural appeal of the main home. Such plans shall be reviewed and approved by the Community Development department.**

2. All necessary building permits shall be obtained for the proposed work.
3. Rain gutters shall be installed on the north side of the building and the downspouts shall be directed away from adjacent properties to keep stormwater onsite
4. All other applicable ordinance requirements shall be met.
5. Staff shall have the right to make minor modifications to the plans.
6. The garage shall not have an overhang (eave) larger than one foot to ensure the structure does not encroach onto the neighboring property.

seconded by Commissioner Curless.

Motion carried 6-0

5. **Public Hearing** – Request from Andrew and Susan Beveridge for a conditional use permit to utilize Traditional Neighborhood Overlay District standards for reduced setbacks to construct a detached garage at 316 Union Street (Parcel ID 2408-29-3002-10).

Associate Planner Kearns summarized the request from Andrew and Susan Beveridge for a conditional use permit to utilize Traditional Neighborhood Overlay District standards for reduced setbacks to construct a detached garage at 316 Union Street. He explained that it was very similar to the last request. He reviewed the side yard setback requirements before referencing the rendering where he noted that the porch in the plan, as well as some of the dormers, would not be present in the actual garage. While it was a lot bigger than the last request, it was fitting for the neighborhood. He recommended approval with staff recommended conditions.

Commissioner Curless asked how big of a garage could be built within the city.

Associated Planner Kearns stated 900 square feet, with Mayor Wiza adding that it could be detached.

Commissioner Curless asked whether it pertained to the first floor, to which Mayor Wiza clarified that it was the footprint.

Associate Planner Kearns stated that it was the total of all detached accessory structures, and added that if they had a shed on the property, they would have to take into consideration the shed and the detached garage.

Mayor Wiza noted that for an attached garage it would be 1,200 square feet, to which Associate Planner Kearns added that they could have an additional 900 square feet detached to the 1,200 attached square feet.

Mayor Wiza declared the public hearing open.

Linda Strosin (308 Union St) stated concerns about construction crews coming onto her property and causing damage, and if so, if the property could be replaced to its original state.

Mayor Wiza declared the public hearing closed.

6. Action on the above.

Mayor Wiza stated that any damages incurred by the construction crews would have to be worked out between Ms. Strosin and the Beveridge's, in addition to allowing anyone onto the property.

Motion by Commissioner Haines to approve the request from Andrew and Susan Beveridge for a conditional use permit to utilize Traditional Neighborhood Overlay District standards for reduced setbacks to construct a detached garage at 316 Union Street (Parcel ID 2408-29-3002-10) with the following conditions:

1. The garage shall compliment the architectural appeal of the main home. Such plans shall be reviewed and approved by the Community Development department.
2. All necessary building permits shall be obtained for the proposed work.
3. Rain gutters shall be installed on the north side of the building and the downspouts shall be directed away from adjacent properties to keep stormwater onsite
4. All other applicable ordinance requirements shall be met.
5. Staff shall have the right to make minor modifications to the plans.
6. The garage shall not have an overhang (eave) larger than one foot to ensure the structure does not encroach onto the neighboring property.

seconded by Commissioner Curless.

Motion carried 6-0

7. Request from the University of Wisconsin Stevens Point for a site plan review to construct covered bicycle parking facilities at the Dreyfus University Center addressed at 1015 Reserve Street (Parcel ID 2408-33-2004-01), and at the new Chemistry Biology Building addressed at 2101 Fourth Avenue (Parcel ID 2408-28-3007-19).

Associate Planner Kearns summarized the request from the University of Wisconsin Stevens Point for a site plan review to construct covered bicycle parking facilities at the Dreyfus University Center addressed at 1015 Reserve Street, and at the new Chemistry Biology Building addressed at 2101 Fourth Avenue. He stated that any structure on university property required Plan Commission review and Common Council approval, and briefly explained the two separate locations for the proposed construction and bicycle structures. Mr. Kearns stated that it improved the aesthetics of the area, protected property for the students from the weather, and didn't impede traffic or on-site circulation. He recommended approval of the two sites, as well as giving the ability to staff to approve additional locations that are similar in structure and look if they came forward in the future.

Commissioner Curless asked if the racks on site two would only hold 6 bicycles.

Associate Planner Kearns stated that there were 6 bar racks, to which Mayor Wiza added that each rack could accommodate several bicycles.

Associate Planner Kearns stated they may be able to add additional racks as the structures were quite large.

Motion by Commissioner Curless to approve the request from the University of Wisconsin Stevens Point for a site plan review to construct covered bicycle parking facilities at the Dreyfus University Center addressed at 1015 Reserve Street (Parcel ID 2408-33-2004-01), and at the new Chemistry Biology Building addressed at 2101 Fourth Avenue (Parcel ID 2408-28-3007-19), as well as to allow staff to internally review and approve the installation of additional racks of similar design and size throughout the campus in the future; seconded by Commissioner Brush.

Motion carried 6-0

8. Request from Stratford Sign Company, LLC, representing Huntington Bank, for a sign variance to construct two freestanding signs closer than the required separation distance at 5597 US Highway 10 East (Parcel ID 2408-35-1400-10).

Associate Planner Kearns summarized the request from Stratford Sign Company, LLC, representing Huntington Bank, for a sign variance to construct two freestanding signs closer than the required separation distance at 5597 US Highway 10 East. He noted that sign one was located on US Highway 10, while sign two was located on the corner of Brilowski Road and US Highway 10, with a 150 foot separation along the frontage of the two signs. He explained that the property was unique in that it was zoned R-5 Multiple Family II Residence District, whereas the majority of the properties on Highway 10 were zoned B-5 Highway Commercial. The reason it was zoned R-5 dated back to its annexation when it wasn't used as a residence and the rezoning of the property hadn't occurred yet. He explained that when reviewing a request, they took marketability of the signs and access location into consideration. Mr. Kearns explained that there was a bit of a hardship when trying to access the location, so having the signs close to the intersection would make the most sense. Thus, he recommended approval with staff recommendations when taking those items into consideration as well as stating that they met all applicable sign code requirements.

Commissioner Brush asked whether the sign was high enough to be seen if there was heavy snow fall.

Associate Planner Kearns recommended deferring the question to the applicant, adding that it wasn't a review requirement when reviewing signs.

Mayor Wiza stated there were height limits, but no minimums and it was up to the applicant to decide what was best for them.

Commissioner Curless asked how high the signs were, to which Associate Planner Kearns stated they were both 5.5 feet and added that they had originally requested 16 foot high signs.

Aldersperson Kneebone stated that she had no issue with either sign, as they were essentially putting a new name on it.

Associate Planner Kearns noted there were existing free standing signs, but had found no information regarding a previous sign variance, leading to believe that it must have been approved by a past administration. He briefly explained that the face of a sign was allowed to be changed if using the existing base, but due to them requesting a whole new base, it had triggered the variance request.

Dan Drexler (1010 Conner Ave, Stratford WI) representing Stratford Signs, stated that they were replacing what was already there and that the First Merritt signs had been recently approved as of the last 5 years or so.

Motion by Alderperson Kneebone to approve the request from Stratford Sign Company, LLC, representing Huntington Bank, for a sign variance to construct two freestanding signs closer than the required separation distance at 5597 US Highway 10 East (Parcel ID 2408-35-1400-10) with the following conditions:

1. The freestanding signs shall be set back at least five feet from the property line.
2. The signs shall conform to all other applicable requirements within the sign ordinance.
3. Applicable building permits shall be obtained.
4. Minor modifications may be approved by staff.

seconded by Commissioner Haines.

Motion carried 6-0

9. Request from Rettler Corporation, representing Operation Bootstrap, for a site plan review to expand the parking lot at 5000 Heffron Street (Parcel ID 2308-02-2301-21), which is a city-owned property.

Associate Planner Kearns summarized the request from Rettler Corporation, representing Operation Bootstrap, for a site plan review to expand the parking lot at 5000 Heffron Street. He explained that the request was unique because a site plan review within the industrial park would not require review from Plan Commission or Common Council, but due to it being city-owned, it was before them. Mr. Kearns explained that the property was leased to Operation Bootstrap who still utilized the property as a community food pantry. They had constructed the building, as well as one or two additions, and were looking to extend the parking lot. He referenced the site plan, noting the proposed additional parking on the east side as well as the rough shape of the existing parking lot. He went on to explain the expansion would lead to allowing room for landscaping and the possibility of enlarging the drainage basins to accommodate the increased impervious surface.

Mr. Kearns stated that the department of public works had reviewed it and have no comments, but that they would like to see the driveway moved over to align with the southern property. He recommended approval with staff recommendations due to it meeting the majority of pertinent requirements for parking lots.

Commissioner Curless asked if they had to meet any DNR with the ponds, with which Associate Planner Kearns stated he wasn't sure as it was typically handled by the water department.

Associate Planner Kearns mentioned that he was aware of issues on that intersection corner, but was not specifically aware of what the Water Department had discussed with the applicant.

Ross Rettler (2149 Jefferson St) stated that based on the size of the site and area of disturbance, they would not have to go to the state from a storm water standpoint, and that they typically dealt with the city on similar projects to make sure they were meeting all requirements.

Commissioner Brush commented that the driveway showed a big improvement over what was existing as the water would be contained to the site instead of flowing into the street.

Motion by Commissioner Cooper to approve the request from Rettler Corporation, representing Operation Bootstrap, for a site plan review to expand the parking lot at 5000 Heffron Street (Parcel ID 2308-02-2301-21), which is a city-owned property.) with the following conditions:

1. A stall at the end of the lot shall be hashed and identified as a turn around with appropriate signage.
2. The water department and public works department shall review and approve stormwater management.
3. A landscaping plan shall be submitted meeting all applicable requirements to be reviewed and approved by community development department staff.
4. The landscaping must have a water source within 100 feet, or be irrigated.
5. Curbing, wheel stops, or an adequate alternative (as approved by the zoning administrator) must be installed for parking spaces that abut a landscaped area.
6. Six bicycle stalls must be installed as per the distance and design requirements in the zoning code.
7. Staff shall have the right to make minor modifications to the plans, as long as they meet all zoning code requirements.

seconded by Commissioner Haines.

Motion carried 6-0

10. Request from Lindsay and Josh Zimmerman and Michael and Tara Cooper to detach their properties from the City of Stevens Point and join them to the Town of Hull, located at 1400 Somerset Drive (Parcel ID 2408-14-3001-04) and 1396 Somerset Drive (Parcel ID 2408-14-3001-03).

Mayor Wiza reported that there had been a memo included with the packet, a memo from Director Schatschneider, and an email follow up to the Streets Superintendent Dennis Laidlaw regarding the request.

Commissioner Cooper announced that he would be recusing himself from the agenda item.

Associate Planner Kearns summarized the request from Lindsay and Josh Zimmerman and Michael and Tara Cooper to detach their properties from the City of Stevens Point and join them to the Town of Hull, located at 1400 Somerset Drive and 1396 Somerset Drive. He explained that in order for the detachment to occur via state statute, the owners would have to submit an application for detachment, a detachment survey, and then Plan Commission and Common Council would have to

adopt an ordinance of a vote of 3/4ths approving the detachment. In addition, the Town of Hull would also have to adopt a detachment ordinance by the same 3/4ths vote. Mr. Kearns gave a brief history of the original annexation of 1989. When reviewing the request, he found that the majority of the properties within that area didn't receive water or sanitary from the city, but that they were receiving other services such as police, fire protection, and refuse collection, as well as being taxed similarly at the City of Stevens Point tax rate versus the Town of Hull tax rate. He explained that while it may make sense to detach the properties given they border the city, it could also trigger additional detachment requests within the vicinity and other areas along the periphery of the City of Stevens Point that may not be receiving water and sanitary. Thus, he recommended denying the request for detachment, and rather looking into a boundary agreement with the Town of Hull in similar areas that may not be served by city utilities and where there were no plans to serve them with city utilities.

Commissioner Curless asked how many houses in the city didn't have sewer and water, to which Associate Planner Kearns couldn't provide an exact number, but noted most of them were on the periphery of the city.

Mayor Wiza stated that he had spoken with Director Lemke about the issue and noted that there were at least 25 parcels.

Associate Planner Kearns stated that almost everything east of Torun Road was not served by city utilities and there were probably 50 properties within that area, many of which were large lots that if utilities were extended, they would not be paying for themselves given the large expanse of acreage that they would be serving versus the amount of properties that would be receiving those utilities.

Commissioner Curless asked if the owners could pay for the utilities if they were put in, to which Associate Planner Kearns stated they could potentially special assess them. Mayor Wiza added that it would be very expensive.

Commissioner Curless referenced a previous annexation request near HH and the Forest Circle subdivision where the property owners were able to keep the Town of Plover tax assessment which was lower than Stevens Point for 10 years while making payments.

Mayor Wiza stated that while it was not out of the question, based on staff analysis it would be cost prohibited, noting that if there was an issue with the wells, they would consider it more of a priority.

Commissioner Curless asked if they were paying the same mill rate per thousand as everyone else in the city with sewer and water. Mayor Wiza confirmed that they were; only they did not receive a sewer and water bill. As a point of information, he mentioned that the parcels had not been charged a storm water utility along with a bunch of others so Director Lemke had looked into it and identified several parcels that should be paying the storm water utility but were not.

Commissioner Curless stated that while garbage collection wasn't really an advantage, they would still be receiving county protection.

Mayor Wiza stated that the parcels were in the city before they were built on, and the developers would have known that, to which Commissioner Curless stated that the buyers would have known it as well when buying it.

Mike Cooper (1396 Somerset Dr) stated that they were aware that it was in the City of Stevens Point when buying the lot, but hadn't realized that they would not get City of Stevens Point Police Department or Fire Department service, referencing to previous events where they had attempted to call the police.

Commissioner Curless asked why Mr. Cooper wanted to detach from Stevens Point, to which Mr. Cooper stated it would be for tax breaks as they were paying a top rate where across the street the rates were a lot lower. Mr. Cooper also added that he was not getting city services as he had his own water and septic. In addition to the lack of policing, he mentioned that for the first 8 years they never had their garbage picked up by the city, but the Town of Hull had picked it up.

Commissioner Curless asked Mr. Cooper if he knew what the rate was in the Town of Hull, to which he did not, but that he would save a third in taxes. Mr. Cooper stated that he didn't mind paying taxes if they were getting the services they were paying for.

Commissioner Curless asked if he had the same water problem that Highway 66 had several years ago, to which Mr. Cooper stated that he had, and that he had to drop his pump 4-5 feet in his well because the water table went down, but luckily haven't had a dry summer since then.

Mayor Wiza pointed out that fire protection and police services should be available, suggesting that perhaps the calls were made prior to a joint dispatch for both the city and county. He explained that all calls went to one center, and if it was still happening, whether with fire or police dispatch, it should be corrected right away. He also added that they had a metro response for structural fires.

Tara Cooper (1369 Somerset Dr) stated that garbage was not consistently picked up, and they hadn't received garbage pick up until point went to receptacles, also noting that the Town of Hull had picked up their garbage. Lastly, she mentioned that they were missed frequently during the holidays.

Lindsay Zimmerman (1400 Somerset Dr) elaborated on Ms. Cooper's point on how garbage pickup was unreliable, as well as recalling an incident where she was not given a garbage can due to being told she was not in the City of Stevens Point. Ms. Zimmerman stated that a representative for the Town of Hull had told her that they paid for their plows to be serviced.

Mayor Wiza stated the reason for that was because it was a Town of Hull road, but the properties were in the Stevens Point.

Lindsay Zimmerman (1400 Somerset Dr) stated that they wanted to be in the Town of Hull due to the lack of services they received.

Mayor Wiza asked if there had been pickup problems since the city was made aware of the issue, to which Ms. Zimmerman stated they had.

Mayor Wiza stated that he believed the email from the Streets Superintendent was in reference to that issue.

Commissioner Curless stated the garbage pickup and police issue could be taken care of, to which Mayor Wiza agreed that they shouldn't be an issue and stated that it would be taken care of.

Commissioner Curless asked if the tax difference was a problem.

Lindsay Zimmerman (1400 Somerset Dr) stated that their taxes should reflect the lack of services were they to stay in the city.

Aldersperson Cathy Dugan (Eighth District) was appalled at the incompetence in the past for not knowing if the owners were in the city, as well as erratically getting their services and expressing understanding for why they would want to withdraw from the city. She stated that this was a great opportunity to bring up boundary issues with the Town of Hull in order to talk about the complexities of it and how they were going to work it out in a clear manner.

Mayor Wiza stated that Chairman Holdridge had agreed to boundary talks perhaps it was time to get something laid out for the Somerset area and the area south of Highway 10 as they could be better planned.

Commissioner Brush asked if the detachment could be revised after approval, to which Mayor Wiza stated it could only if the applicants requested it.

Commissioner Brush asked what the city would lose by granting the detachment.

Mayor Wiza stated that aside from losing taxes, the biggest issue would be in creating a jagged boundary.

Commissioner Brush asked if they would not be able create a straight boundary were they to grant the request.

Mayor Wiza stated it would be more difficult, adding that it had originally been a planned annexation but the reason why the properties to the east and west were not involved was because they had already been developed.

Commissioner Haines expressed concern over setting a precedent and stated that while the services issue needed to be fixed, they also had to look into a boundary agreement, suggesting that it should not wait until a comprehensive plan was done as they needed to have a conversation sooner rather than later.

Aldersperson Kneebone agreed with Commissioner Haines, adding that she was not unsympathetic for the lack of services, and that they needed we need to work out something sooner rather than later, and that it needed to be high on the agenda to be addressed.

Commissioner Brush asked if they would we be able to defer for a specific time period in which the request would go through were they not able to come to an agreement.

Mayor Wiza deferred the question to City Attorney Beveridge.

City Attorney Beveridge stated that per statute, if there is no decision made on the petition within 60 days, it would be considered denied as a matter of law.

Mayor Wiza stated that they wouldn't be able to get a boundary agreement within 60 days, thus it would not be appropriate.

Commissioner Curless stated that the services could be taken care of with some calls, but the biggest problem seemed to be the tax dollars they had spent, adding that the city was currently

undergoing reassessment. He stated that the assessor should be aware of what was going on and that their situation should be taken into consideration.

Mayor Wiza stated that he would check with the assessor to see if that would come into play.

Aldersperson Kneebone stated that while they couldn't get an agreement within 60 days, they would be able to get the conversation started.

Commissioner Curless suggested that they may be setting a precedent if they let them out of the city.

Mayor Wiza stated that he would try to find out how many parcels did not have city sewer and water.

Commissioner Brush asked how the city could annex land that they didn't intend to provide services to.

Associate Planner Kearns stated that the primary reason for the annexation ordinance was to protect the ground water supply for the municipal wells to ensure that a factory couldn't come along and leach the ground water for the municipal wells. He added that residential use was much less intense than manufacturing use.

Anita Bell (516 Forest St) explained that if the homeowners were granted a continuance, they may be able to qualify for additional benefits from the USDA Rural Development Department that they wouldn't within the City of Stevens Point were their request to be approved and she encouraged anyone in the Town of Hull to also contact the USDA office.

Cathy Dugan (Eighth District) stated that a good first contact would be the local alderperson as they were there to assist.

Mayor Wiza reiterated the point in contacting your alderperson or his office were there any problems with city services.

Tara Cooper (1369 Somerset Dr) expressed concern in contacting her alderperson as she wasn't sure how that would change anything.

Motion by Commissioner Haines to deny the request from Lindsay and Josh Zimmerman and Michael and Tara Cooper to detach their properties from the City of Stevens Point and join them to the Town of Hull, located at 1400 Somerset Drive (Parcel ID 2408-14-3001-04) and 1396 Somerset Drive (Parcel ID 2408-14-3001-03), and to direct staff to initiate conversations with the Town of Hull on a municipal boundary agreement, to check with the assessors regarding the justification for the assessment on the property, and to contact dispatch to make them aware that these two property addresses are in the City of Stevens Point; seconded by Aldersperson Kneebone.

Motion carried 6-0

11. Community Development Department Monthly Report for September 2016. *Report will be provided after September 30, 2016.*

Mayor Wiza pointed out the year to date valuation where the city was now over 36.5 million dollars in declared value for the year, adding that it was significant considering the same period of time from 2015 was 26.5 million, 2014 was 17 million, and 2013 was 18 million. Lastly, he stated that the city was on track to have a record breaking year for development. He commended the city staff and administration.

Commissioner Curless asked for clarification on the amount of monthly permits.

Associate Planner Kearns and Mayor Wiza clarified that they were building permits taken out for residential and commercial remodels as well as new construction for the month of September.

Motion by Commissioner Cooper to accept and place on file the Community Development Department Monthly Report for September 2016; seconded by Commissioner Brush.

Motion carried 6-0

12. Adjourn.

Meeting adjourned at 7:10 PM.

Administrative Staff Report

Conditional Use Permit Amendment
 Increase Occupancy
 1700 Monroe
 October 31, 2016



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

<p>Applicant(s):</p> <ul style="list-style-type: none"> TOTC LLC <p>Staff:</p> <ul style="list-style-type: none"> Michael Ostrowski, Director mostrowski@stevenspoint.com Kyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none"> 2408-32-4035-10 <p>Zone(s):</p> <ul style="list-style-type: none"> "B-3" Central Business District <p>Master Plan:</p> <ul style="list-style-type: none"> Commercial, Office, Multi-Family <p>Council District:</p> <ul style="list-style-type: none"> District 9 – McComb <p>Lot Information:</p> <ul style="list-style-type: none"> Effective Frontage: 85 feet Effective Depth: 100 feet Square Footage: 8,500 Acreage: 0.19 <p>Current Use:</p> <ul style="list-style-type: none"> Multi-Family <p>Applicable Regulations:</p> <ul style="list-style-type: none"> 23.01(16) and 23.02(2)(c) 	<p>Request</p> <p>Request from TOTC LLC for a conditional use permit to increase residential occupancy at 1700 Monroe Street (Parcel ID 2408-32-4035-10).</p> <p>Attachment(s)</p> <ol style="list-style-type: none"> Application Site Plan <p>Findings of Fact:</p> <ol style="list-style-type: none"> The proposed request is to increase the occupancy from 24 to 36. The property is zoned "B-3" Central Business District. The existing dwelling license is for 1 unit, 24 occupants, and 6 parking spaces. Increase occupancy is requested in rooms large enough to have two occupants. No addition or significant remodeling is proposed. Bathrooms would be required and added per building code to accommodate the increase occupancy. <p>Staff Recommendation</p> <p>After review, the property has had injurious effects on the neighborhood, given the incidents occurring on site regularly. Given this, and the fact that the property has already been operating out of compliance with the number of occupants, staff would recommend denying the request to increase occupancy at this time. If proactive steps can be made to decrease the number of disturbances at the property, and the property comes back into current compliance with current city ordinances, staff would consider a review at that time.</p> <p>The police department has recommended the occupancy not increase over its current residence, which exceeds the required 24 occupants as indicated by the applicant, citing the increase in incidents and likelihood of continue increase with additional occupants.</p>
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Vicinity Map



Background

Kurt Orlikowski, representing TOTC LLC, is proposing to increase the occupancy within 1700 Monroe from 24 occupants to 36 occupants. The property currently operates as one (1) unit within the building that offers shared bathrooms, kitchens, and lounge facilities. Staff researched the facility and history of its current use, while also performing an inspection of the property. The applicant has also provided a history of their involvement with the facility which is attached. Prior to analyzing the standards of review for the conditional use permit amendment, it is important to identify findings from staff’s research.

Bedrooms exist separate from the shared facilities and are summarized below and on the attached site plan. Occupancy is primarily based on room size and access to bathrooms. Note that a few bedrooms have private bathrooms. Furthermore, 120 square feet is required in the building code for two occupants. Lastly, the maximum number of occupants that can share a bathroom, one (1) toilet, shower, and sink, is eight (8).

BUILDING DETAILS & OCCUPANCY ALLOWANCE

1st Floor (All rooms are large enough to accommodate 2 occupants)

- Room 24 – Private Bath & Kitchenette
- Room 25 – Private Bath
- Room 26
- Room 27 – Private Bath, sink only
- Room 28
- Room 29 – Private Bath & Kitchenette
- Room 30
- Room 31
- Room 32
- Shared Facility Rooms Exist, including 1 full bath

1st Floor Summary = Maximum occupants based on room size = 18
Maximum occupants based on bathrooms = 14

2nd Floor (Room Sizes Vary)

- Room 1 – Two Occupants
- Room 2 – Two Occupants
- Room 3 – Single Occupant
- Room 4 – Single Occupant
- Room 5 – Single Occupant
- Room 6 – Single Occupant
- Room 7 – Single Occupant
- Room 8 – Two Occupants
- Room 9 – Storage
- Room 10 – Single Occupant
- Room 11 – Single Occupant
- Room 12 – Storage
- Room 13 – Shared Facility / Storage
- Room 14 – Shared Facility / Storage
- Room 15 – Two Occupants
- Room 16 – Single Occupant
- Room 17 – Single Occupant
- Room 18 – Single Occupant
- Room 19 – Single Occupant
- Room 20 – Single Occupant
- Room 21 – Single Occupant
- Room 22 – Two Occupants
- Room 23 – Two Occupants
- Shared Facility Rooms Exist, including 1 full bath

1st Floor Summary = Maximum occupants based on room size = 25
Maximum occupants based on bathrooms = 8

Upon initial review of the property, the existing occupants (24 max) and bathroom facilities would not meet today's building code standards. However, as the facilities and occupancy number is existing they are allowed to continue. Furthermore, the applicant has proposed to install two additional bathroom facilities to serve the existing and proposed increase in occupancy, see the attached bathroom plan for storage room 9. Note that building code allows the use of shared facilities on adjacent building floors. Therefore, a summary has been provided below regarding the proposed bathroom addition, and requested increase in occupancy based on the allowances above.

TOTAL BUILDING FACILITIES & OCCUPANCY

Maximum occupants based on room size = 43

Maximum occupants based on existing bathrooms (2 shared, 3 private) = 22

Maximum occupants based on proposed & existing bathrooms (4 shared, 3 private) = 38

*****Note that all other applicable building codes need to be met including HVAC, lighting, etc.**

While the above figures seem to allow for the increase in occupancy in relation to the building code, several other standards exist regarding the granting of a conditional use permit amendment to increase occupancy.

Standards of Review

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

Analysis: The building historically operated at a hotel before being transformed into multi-family housing in the 1970's. The building is unique in that it operates as one unit with several shared facilities, bathrooms, kitchens, lounges, etc. The occupancy license for the facility permits a maximum of 24 occupants in one unit. The location of the building is also unique as it is located in a transitional area along a main corridor. The lot is small at only 8,500 square feet. It is important to note that the building provides rent to underserved populations, with low income.

Findings: The increase in occupancy may be detrimental to the public health and general welfare of the surrounding area. The increased density on the small property will increase traffic and activity onsite, however density can be set by the Plan Commission and Common Council. While this is likely the largest multi-family complex in the neighborhood, the neighborhood consists of single-family, two-family, multi-family, and commercial uses. See standard two below regarding incidents on the premise.

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

Analysis: Maximum occupancy in the property is 24, which was likely due to the amount of bathrooms to serve the occupants during the buildings change in use. A request has been made to increase occupancy which will require the addition of bathroom facilities. It is important to note that the applicant has indicated occupancy has exceeded 24 at times and currently is above the number. With all conditional use permit renewals or amendments, Community Development and Police Department records are reviewed. Community Development Department records for the last five years indicate no complaints have been made or received regarding the property. Police Department records indicate that several incidents have occurred on the premise over the last 3 years, 15 in 2014, 32 in 2015, and 29 to date in 2016. In 2016, these incidents range from, disturbances, open intoxication, and littering, to welfare checks, car fire, and police impersonation. Other civil matter incidents exist such as vehicle crashes, child custody, and vehicle repossession.

Findings: While this building assists in providing shelter to those who may otherwise be unable to afford housing, leaving them homeless, an occupancy increase may also increase the incidents on site. Many of the incidents above can have a negative impact on the neighborhood, especially given the number and type of incidents. Incidents in the past few years have increased, likely due to increase in residents. It is also important to recognize that too many residents within a small environment may reduce the capability for a productive transitional residence, but rather a confined, confrontational environment.

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

Analysis: The surrounding area is primarily developed. Redevelopment has recently occurred surrounding the site, and several properties are candidates for development.

Findings: Again, as occupancy is increased, incidents on site may also increase which can lead to more crime and/or incidents on neighboring properties. Furthermore, the neighborhood aesthetics are reduced as noise and traffic increases. Additionally, any increase in incidents described in standard two may deter redevelopment and reinvestment in the area which has recently seen redevelopment and a rezoning change to spark

redevelopment. However, as previously mentioned, this multi-family use in particular helps to stabilize citizens who may be struggling financially, or with other problems.

- 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 exterior renovation or remodeling is requested as part of the increase occupancy. The applicant has proposed to add two additional interior bathroom facilities in storage room 9, see attached plans.

Findings: The applicant has also identified that increasing the occupancy will allow for property improvements overtime that would otherwise not occur, as the rents garnered are not enough to perform large cost building improvements.

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

Analysis: Utilities currently exist to serve the site. A driveway from Church Street and from a nearby public parking lot to the south. No changes to parking is proposed, as the B-3 Zoning District does not require parking.

Findings: This standard is met.

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

Analysis: Ingress/Egress will not change to the site.

Findings: More occupants in the site suggests that more vehicles will also be on the premise or in nearby public parking lots.

- 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 "B-3" Central business District. This district is established to provide a single contiguous district encompassing the central business district or downtown area which will encourage primarily retail uses and a variety of supporting uses. This district is intended to help implement the community's specialized development goals and planning principles, for the CBD, particularly the development and maintenance of the downtown area as a specialized pedestrian-oriented shopping and community center.

Findings: The property was recently rezoned to this category as the neighborhood resembled that of the downtown. Furthermore, the rezoning would allow for redevelopment and uses that may have been nonconforming previously or did not meet the zoning requirements. The use is appropriate within the district.

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

Analysis: The total bedrooms (28) within the facility requires a minimum lot size of 40,380 square feet as identified within the zoning ordinance, however the lot is only 8,500 square feet. Minimum lot size

requirements exists to ensure proper density on site that doesn't create adverse impacts on surrounding developments.

Findings: Plan Commission and Common Council may determine the lot area and density of developments requiring conditional use permits. Note the property is less than ¼ of what is outlined for minimum lot size in the zoning ordinance.

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

Analysis: This request is for one unit/building with 36 occupants, where 24 occupants currently exist in one unit. A few surrounding properties are licensed for multi-family. Several other mixed use building exist within the vicinity with commercial on the first floor and residential above. Outward from the premise exists both single and two-family residential uses.

Findings: Multi-family at this large scale is rare within the neighborhood. While multi-family and apartments specifically exist in the neighborhood, the majority of the adjacent uses are commercial in nature. Furthermore, the property in question is surrounding by public parking lots or streets which act as a buffer between neighboring properties. One commercial establishment exists directly north of the building. The increase in occupancy may create an over-concentration of high density living facilities in the area. When reviewing the Police Department records, increases in occupancy may increase incidents for protective services and thereby have an adverse effect on the neighborhood.

- 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.**

Analysis: The building is existing, no exterior changes are proposed

Findings: N/A

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

Analysis: The development takes access from Church Street and the neighboring parking lots. No changes to access are proposed.

Findings: 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: Utilities currently exist to serve the site.

Findings: N/A

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: Existing refuse containers are located east of the building and are not screened.

Findings: Staff would recommend that refuse storage be screened with fencing complimenting the primary structure building materials. A site plan and refuse storage details shall be submitted to the Community Development Department to be reviewed and approved by staff.

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

Analysis: Sources of onsite lighting are unknown.

Findings: Given the property's proximity to the main thoroughfare, Church Street, and public parking lots, lighting is likely adequate for the site.

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

Analysis: The request is for an increase to occupants in a multi-family residential apartment building.

Findings: While noise may increase given the increase in occupants, the property is within a commercial mixed/use area on a heavily traveled corridor. Noises created by the increased occupancy should be minimal unless an incident occurs as previously identified in review standard three.

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.

Analysis: No physical changes are proposed to the building or property. A majority of the property is impervious surface.

Findings: N/A

After review, the property has had injurious effects on the neighborhood, given the incidents occurring on site regularly. Given this, and the fact that the property has already been operating out of compliance with the number of occupants, staff would recommend denying the request to increase occupancy at this time. If proactive steps can be made to decrease the number of disturbances at the property, and the property comes back into current compliance with current city ordinances, staff would consider a review at that time.

The police department has recommended the occupancy not increase over its current residence, which exceeds the required 24 occupants as indicated by the applicant, citing the increase in incidents and likelihood of continue increase with additional occupants.



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)

1-68369 10/24/16 \$25
1.67477

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted		Fee Required	250 ⁰⁰	Fee Paid	250 ⁰⁰
Associated Applications if Any				Assigned Case Manager	Kyle Kearns		
Pre-Application Conference Date				Conditional Use Permit Request	Use <input type="checkbox"/>	Amend <input type="checkbox"/>	

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)	
Applicant Name	Tate LLC	Contact Name	Kurt Orlowski
Address	1700 Monroe St	Address	
City, State, Zip	St Pt WI 54481	City, State, Zip	
Telephone	715-344-4054	Telephone	572-6178
Fax		Fax	
Email	Tate LLC @ charter. WI	Email	

OWNERSHIP INFORMATION

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

PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]		
Parcel 1	Parcel 2	Parcel 3
Legal Description of Subject Property		
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)		
Licensed for 24 tenants currently. would like to raise it to 36 tenants		

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

no impact known

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

no impact known

Current Zoning Surrounding Subject Property

North:		South:	
East:		West:	

Current Land Use Surrounding Subject Property

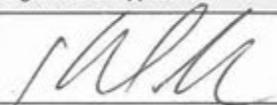
North:		South:	
East:		West:	

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
	8/16/16		

To: City of Stevens Point

Re: Conditional use permit

In 1992, I was working with the Salvation Army to find a place to live. I just came off of 2 years of recuperating from a car accident, I donated a kidney to my brother, completed an Associate degree from Midstate Tech and I established a relationship with my 6 year old daughter. I ended up with a ton of medical debts, child support payments, which were past due, and student loan debt. I asked for help from various government and nonprofit agencies and exhausted them all. The Salvation Army worked with me to get a budget that I could afford along with a plan to pay back all my debts. They let me know that I couldn't stay there anymore and it was time for me to get a place of my own. I worked 2 jobs and after everyone else took out their deductions, I made about \$1.92 an hour. The only housing option I had at the time was The Memorial Park Hotel (Turn of the Century). I quickly negotiated rent for cleaning and maintenance duties and took care of those in my "spare time". When the manager was arrested and jailed, the owner asked me to take over and manage the property. In 1994, I purchased the building on land contract and by 1996, I was working with a bank to buy the property. If I ran credit and background checks on everyone like a traditional landlord would do, I would have no renters. I wanted to help people who were trying to help themselves. Past mistakes and errors in judgement can be left in the past if someone has a clean, warm safe place to live in. The first thing I did was set down a list of rules that everyone had to follow. There really wasn't any rules at that time except pay your rent. The result was that half the people either moved out or were evicted. The reputation of the property at the time was so bad, no one would move in. I stuck it out and slowly the empty rooms were replaced by more responsible tenants. The tenants that moved in understood the need for rules. I started working with local law enforcement and the corrections department to help monitor the tenants at risk and as a result, police involvement with the property went down considerably. I reached out to those same government and nonprofit agencies that helped me in the past and let them know that I would work with them to help out their clients. The reasons that tenants live there are as different as they are. Some can't sign long leases. Some are trying to get their lives back on track. Some are just trying to save money. Every one of my tenants understands that my door is open if they need to talk. My own mistakes and experiences of the past could now be used to help others.

André Cox, General
International Leader

Paul R. Seiler
Territorial Commander

Major Dan Jennings
Divisional Commander



DOING THE
MOST GOOD

Founded in 1865 By William and Catherine Booth

The Hope Center Family Shelter
1111 Briggs Street
Stevens Point, WI 54481
715.341.2437
Fax 715.341.7377

Page 25 of 109

October 17, 2016

To whom it may concern,

I am writing this letter in support of The Turn of the Century Apartments. The Turn of the Century provides a valuable service in Stevens Point, providing low cost housing alternatives where few others exist. Stable, low-income housing assists residents from The Salvation Army Hope Center as they transition to becoming active members of our community. I support their conditional use permit application to increase their capacity.

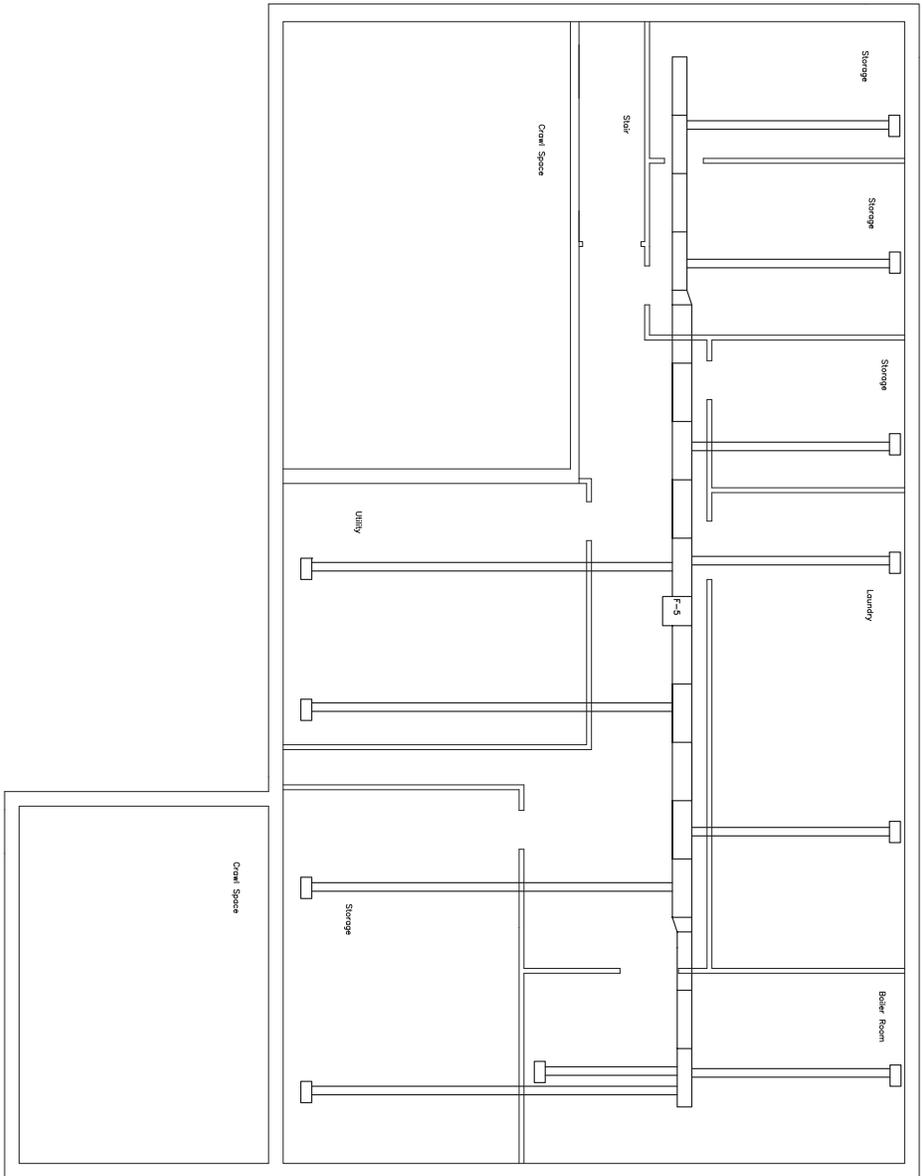
Sincerely,

Bob Quam
Director of Operations



"Have you remembered The Salvation Army in your will?"

Donations by phone 1.800.SALARMY or internet www.sastevenspoint.org



BASEMENT FLOOR HVAC
SCALE: 1/4" = 1'-0"



Korum Mach Design
1700 Monroe St
Wausau WI 54401
715-359-7494
Dennis Korum
D-1052 - Designer

REVISIONS:

DATE: 8/14/14

DESIGNER: Curt Zich

PROJECT NAME: TURN OF THE CENTURY

1700 Monroe St
Sevens Point WI

SHEET TITLE:
Heatin, Cooling,
and Ventilation

FILE #

SCALE: 1/4" = 1'-0"

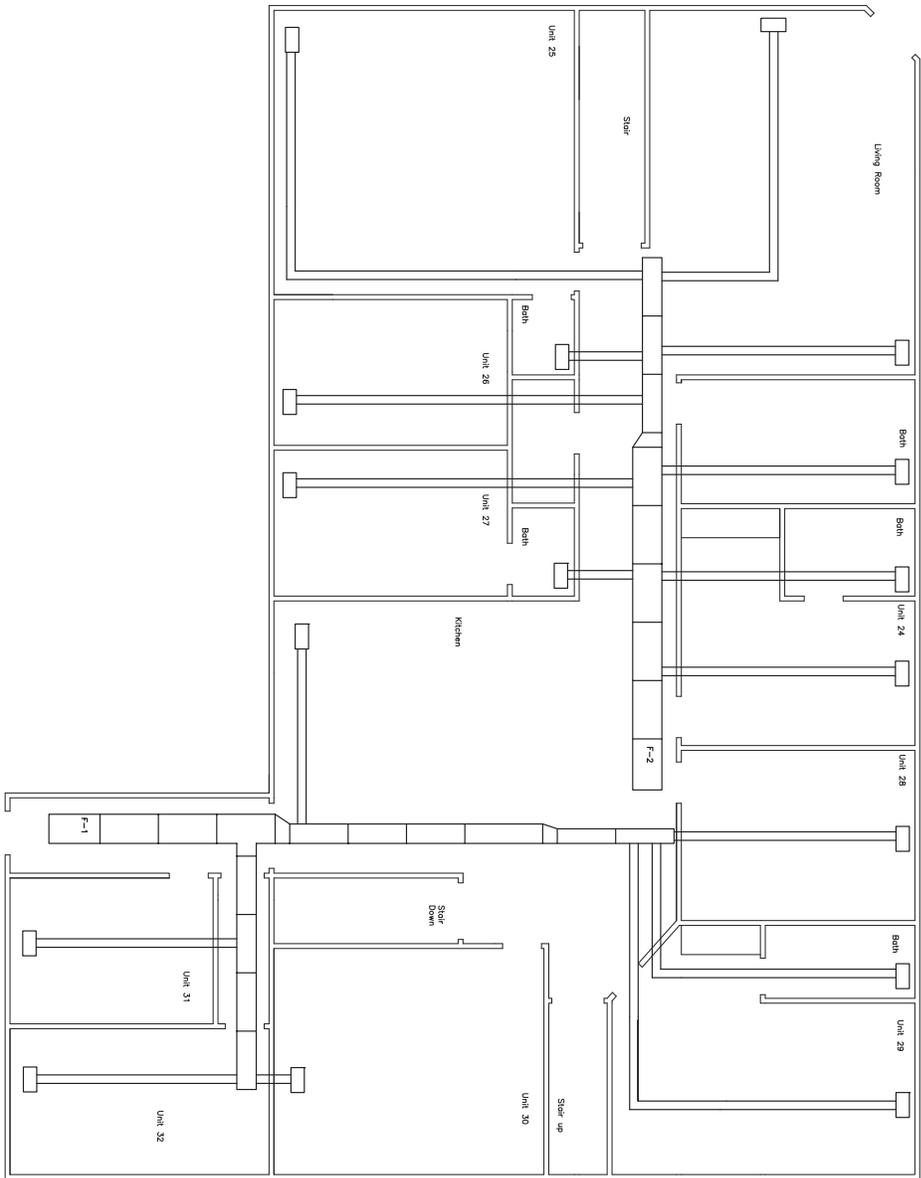
DATE: 8/14/14

PROJECT#:

DRAWING #:

H 3.00

NO. OF SHEETS



FIRST FLOOR HVAC
SCALE: 1/4" = 1'-0"



Korum Mech Design
1700 Monroe St
Wausau WI 54401
715-359-7494
Dennis Korum
D-1022 - Designer

REVISIONS:

COMPRIET © 2014 BY
Curt Zich

PROJECT NAME:
TURN OF THE
CENTURY

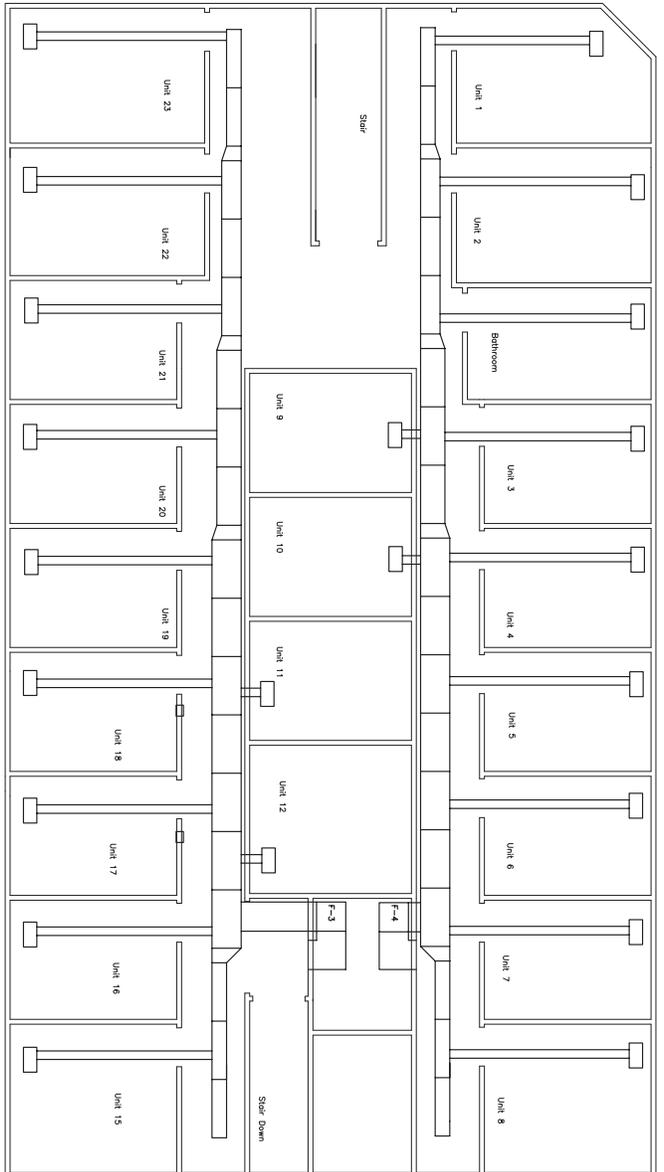
1700 Monroe St
Sevens Point WI

SHEET TITLE:
Heatin, Cooling,
and Ventilation

FILE #
SCALE: 1/4" = 1'-0"
DATE: 8/14/14
PROJECT#:
DRAWING #:

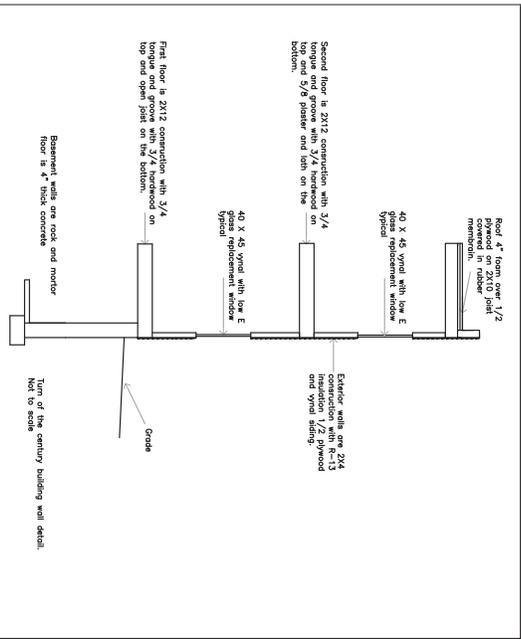
H 1.00

NO. OF SHEETS



SECOND FLOOR HVAC

SCALE: 1/4" = 1'-0"



Korum Mech Design
1700 Monroe St
Wausau WI 54401
715-359-7494
Dennis Korum
D-1024 - Designer

REVISIONS:

COMPILER © 2014 BY
Curt Zoh

PROJECT NAME
TURN OF THE
CENTURY

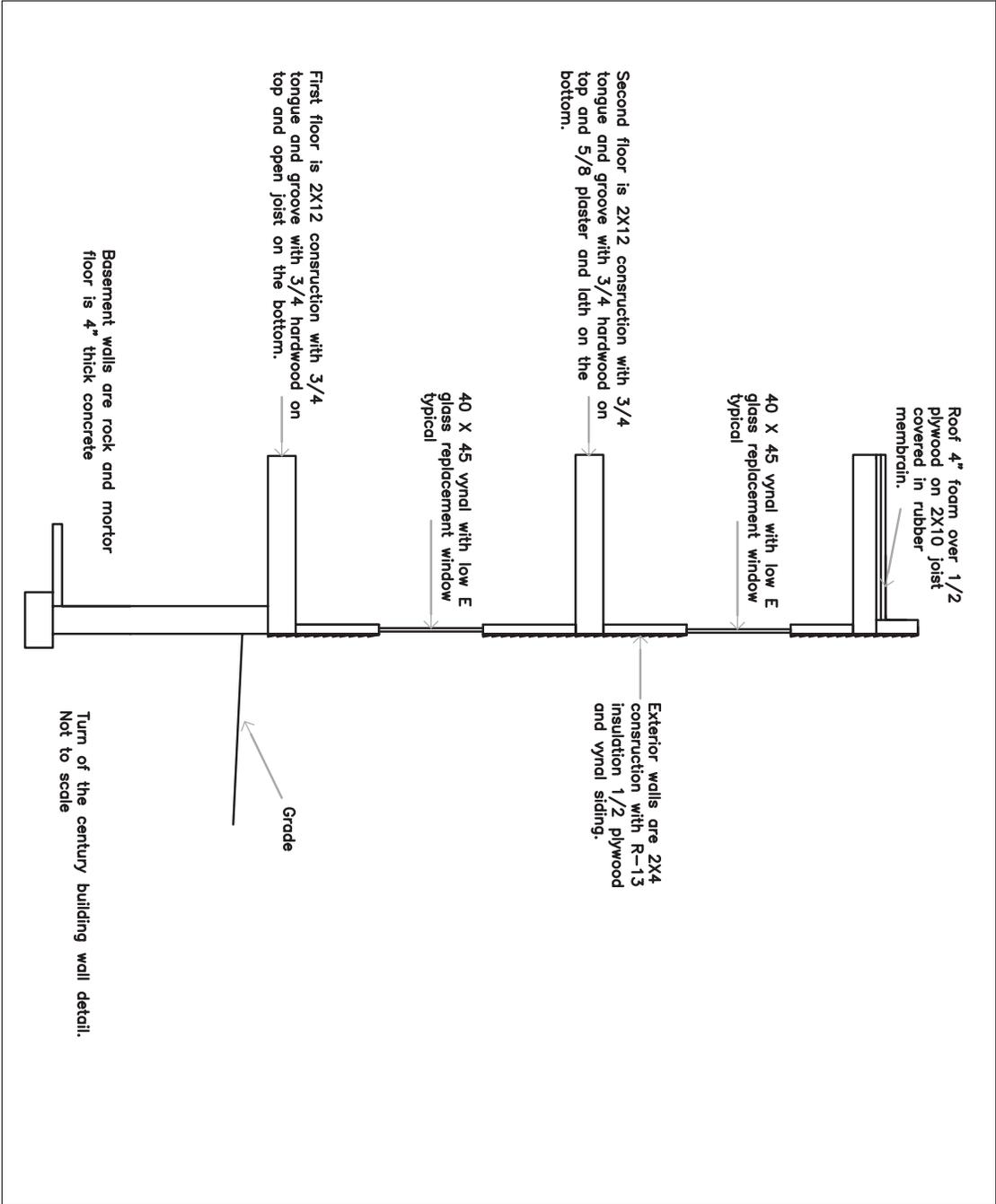
1700 Monroe St
Sevens Point WI

SHEET TITLE:
Heatin, Cooling,
and Ventilation

RLE #
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DATE: 8/14/14
PROJECT#

DRAWING #
H 200

NO. OF SHEETS



Administrative Staff Report

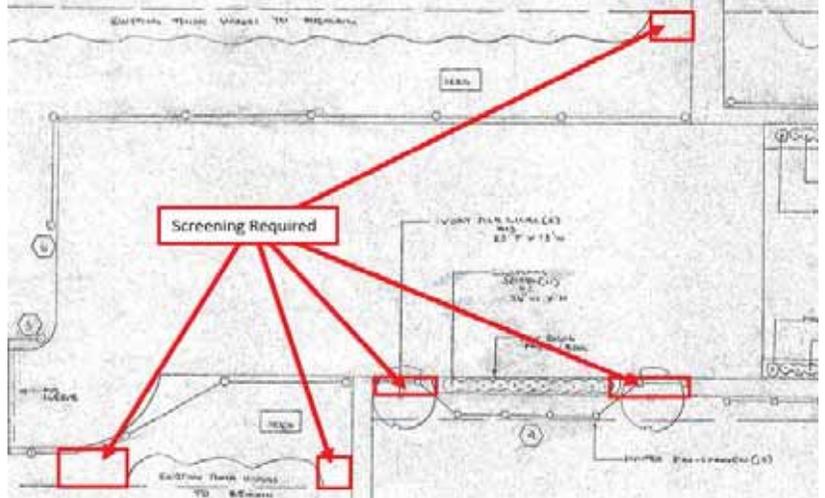
Conditional Use Permit
Construct Apartments
3600 Doolittle Drive
October 31, 2016



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

<p>Applicant(s):</p> <ul style="list-style-type: none"> • Igna Real Estate & Investments LLC <p>Staff:</p> <ul style="list-style-type: none"> • Michael Ostrowski, Director mostrowski@stevenspoint.com • Kyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none"> • 2408-27-2300-32 <p>Zone(s):</p> <ul style="list-style-type: none"> • "R-4" Multiple Family I Residence District <p>Master Plan:</p> <ul style="list-style-type: none"> • Multi-Family <p>Council District:</p> <ul style="list-style-type: none"> • District 8 – Dugan <p>Lot Information:</p> <ul style="list-style-type: none"> • Effective Frontage: 637 feet • Effective Depth: 121 feet • Square Footage: 46,937 • Acreage: 1.07 <p>Current Use:</p> <ul style="list-style-type: none"> • Vacant <p>Applicable Regulations:</p> <ul style="list-style-type: none"> • 23.01(16) and 23.02(1)(f) 	<p>Request</p> <p>Request from Igna Real Estate & Investments LLC for a conditional use permit to construct an apartment building at 3600 Doolittle Drive (Parcel ID 2408-27-2300-32).</p> <p>Attachment(s)</p> <ol style="list-style-type: none"> 1. Application 2. Site Plan 3. Renderings <p>Findings of Fact:</p> <ol style="list-style-type: none"> 1. The proposed request is to construct a 12-unit, 36-bedroom, 2-story apartment complex. 2. The property is zoned "R-4" Multi-Family I Residence District. 3. Multi-family is a conditional use within the district. 4. The applicant also owns the adjacent multi-family developed property. <p>Staff Recommendation</p> <p>Based on the findings below, staff would recommend approval of the Conditional Use Permit to construct an apartment complex with the following conditions:</p> <ol style="list-style-type: none"> 1. Applicable building codes shall be met and applicable permits obtained. 2. The maximum number of units shall be 12 with a maximum number of 36 bedrooms. 3. The driveway entrance shall be curbed. 4. A masonry or metal component shall be incorporated or wrapped around the pillars and railings of for the overhangs/patios/porches. Such materials shall be approved by the Community Development Department. 5. A more detailed landscaping plan identifying existing landscaping shall be submitted and approved by the Community Development Department. If existing screening is ever removed or reduced, new screening in the form of landscaping or fencing shall be installed to entirely screen the parking area as required.
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6. Bicycle parking shall be installed at a rate meeting the applicable requirements outlined in the zoning ordinance.
7. Snow shall be removed from the site, or stored in a location that it will not negatively impact parking, vehicular circulation, or adjacent properties.
8. Similar screening as proposed shall be installed where indicated on the site plan below.



9. Sidewalks shall be installed on the entirety of the property abutting the streets, meeting all applicable design requirements to be reviewed and approved by the director of public works. The sidewalks shall connect to the internal sidewalks as shown on the proposed plan.
10. The refuse enclosure shall be constructed of the materials that complement the main materials used on the main building, including the masonry brick as a main component of the design. The applicant shall submit details regarding the refuse storage to be reviewed and approved by the Community Development Department.
11. A lighting plan showing light intensity shall be submitted to be reviewed and approved by the Community Development Department.
12. A stormwater plan shall be submitted for review and approval by the Utility Department and/or the Public Works Department.
13. The applicant shall pay the required park fee per unit to the City.
14. Minor modifications may be approved by staff.

Vicinity Map



Background

Igna Real Estate & Investments LLC is proposing to construct a 12-unit, 36-bedroom, 2-story apartment building on Doolittle Drive. Each unit will offer 3-bedrooms and 1.5 baths. Six units will exist on the first floor, with six on the second floor. Furthermore, units will include furnished kitchens, full bathrooms, and private balconies / patios. Parking for the units will be open-air in a 29 stall parking lot. The main façade will consist of vinyl siding and brick and will have architectural characteristics such as porches, dormers, window shutters, and trim and fascia. Further building details are below.

12-Unit Apartment Complex Details

- Two-Story
- 36 Bedrooms (3 bedroom/unit)
- 6 Units per floor
- Parking: 29 Stalls (2 Handicap)
- Shared/Common Entrance
- Patios / Decks
- Building Footprint: 8,172 square feet
- Total Square Feet: Approx. 16,000

- Finishing Materials: Masonry brick, vinyl siding, & shingled roof

Standards of Review

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

Analysis: The current parcel is vacant. Multi-family apartments, commercial uses, and single-family residences exist within the direct vicinity of the property. Specifically, apartments exist to the east, commercial to the west and single family residence to the south and north.

Findings: The establishment of this use should not be detrimental to the public, as the use will be located adjacent to multiple family uses. Furthermore, the proposed use and building mimic the existing apartments within the neighborhood, specifically those directly east under the same ownership. A multiple family development seems to be the most appropriate use because of the surrounding uses.

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

Analysis: This area has a mix of uses as described above. Multiple family primarily exists directly adjacent to the site to the east. Single family residences exist to the south along Wilshire Boulevard and some single family also exist on Stanley Street. Directly west exists a gas station and convenience store, and other commercial uses along Stanley Street.

Findings: A multi-family apartment complex should not be injurious to the uses already existing and permitted in this area. Given the exposure of the site and its frontage on three streets, the property is really only conducive to multi-family or commercial uses. Furthermore, given the unique shape of the lot, commercial uses may somewhat be impeded by access which has been required from Doolittle Drive. Furthermore, the building is fronted north, along Stanley Street which allows the parking area and proposed screening to create a buffer from the southern residential.

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

Analysis: The building will be located on one parcel just over one acre in size that is primarily surrounded by development. A few vacant lots exist within the vicinity of the site to the east and southeast.

Findings: Vacant property to the east and southeast is likely to develop as multi-family or duplexes given the layout and surrounding development. The proposed project may promote additional development in the future along Doolittle Drive and Stanley Street. Note again that the developed property to the east, apartments, are owned by the applicant.

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

Analysis: The proposed building incorporates some architectural building elements such as dormers above entrances, patios, and porches, along with brick and vinyl. Multiple windows and doors along the façade exist as well with shutter and grid inserts (see attached renderings). Construction materials will include concrete, wood,

vinyl siding, metal fascia, and brick. Again, porches will have functional overhangs, under which will exist a concrete walk and landscaping. Four common entrances will exist into the facility, also under dormers.

Findings: There are a variety of architectural styles within this area, most multi-family however incorporate a two-story building design. The existing multi-family developments to the east are of a plain design that somewhat resembles the proposed building. While the applicant is proposing a similar style as the neighboring buildings, the finishing materials differ slightly. Brick is proposed to wrap around the entire building below the first floor windows, but also along the entire façade between the primary entrances on the east and west elevations. Other elements such as dormers, porches, and window shutters add character to the building. The proposed building size, finishing materials, and other building features should not be at variance with the surrounding buildings. Given that the treated wood can degrade fairly quickly compared to the rest of the building and presents an unfinished look, staff would recommend a masonry or metal component shall be incorporated or wrapped around the pillars and railings of for the overhangs/patios/porches. Such materials shall be approved by the Community Development Department.



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

Analysis: Utilities exist surrounding the developments. A driveway is proposed off of Doolittle Drive on the south side of the property to serve the development. The driveway is positioned approximately 75 feet from the intersection of Doolittle Drive and Wilshire Boulevard. The driveway provides immediate access to open-air parking. Drainage is proposed in a stormwater detention area on the northeast side of the property.

Findings: Staff would recommend a stormwater plan shall be submitted for review and approval by the Utility Department and/or the Public Works Department.

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

Analysis: Ingress/Egress will occur on Doolittle Drive via one driveway. The driveway is situated as far east as possible to allow for adequate spacing for the nearby intersection. No driveway exists across from the proposed site.

Findings: The driveway is an adequate distance from the adjacent intersection and should not cause congestion in this area. Staff would recommend that the driveway entrance be curbed to ensure its longevity and to prevent it widening into the landscaped area.

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

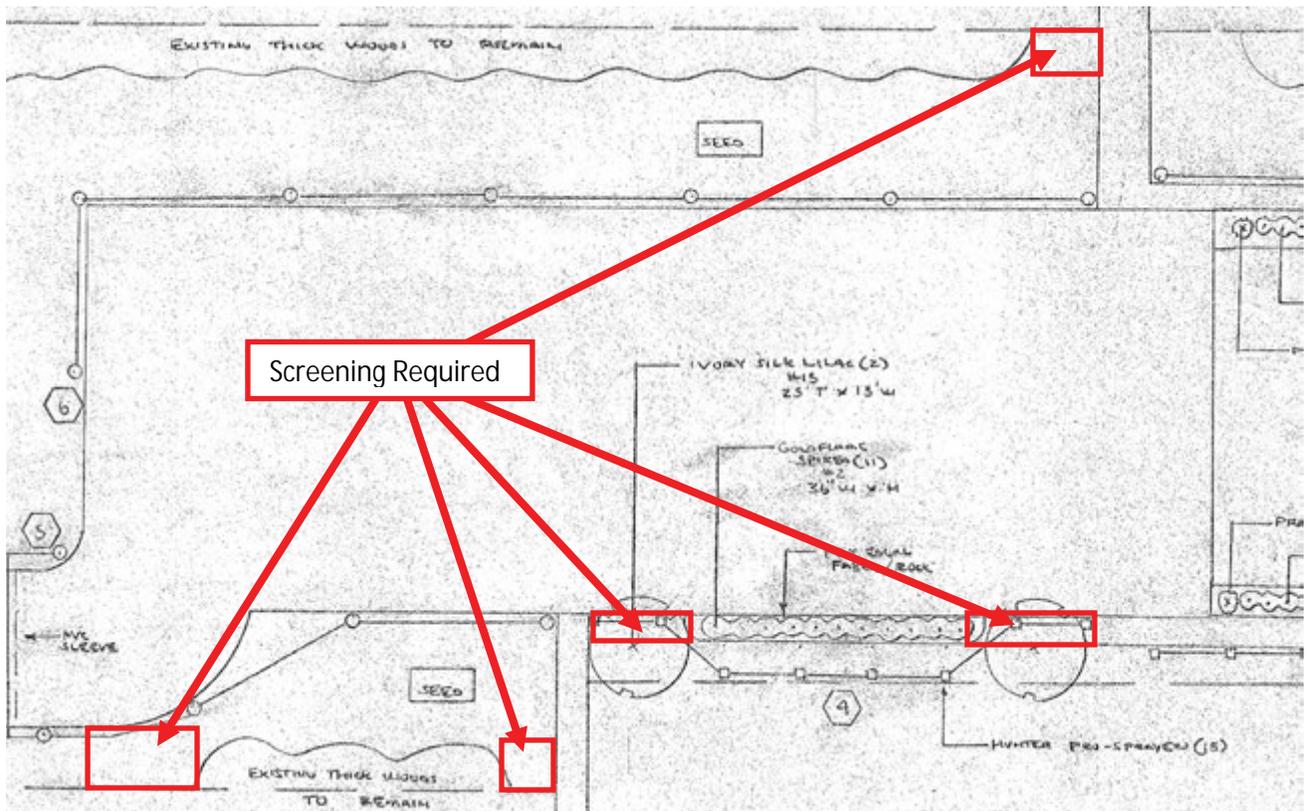
Analysis: The proposed use would be within the "R-4" Multiple Family I Residence District. This district is established to provide a medium density, mixed residential district intended to provide a transition between lower density detached housing areas and more intense non-residential land usage consistent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

Findings: The proposed use is appropriate for the intent of the "R-4" district, as multi-family residential exists to the east and southeast, and commercial uses exists to the east and north along Stanley Street. This standard is met.

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

Analysis: Building setbacks, minimum lot size and a majority of other zoning code regulations are met. Landscaping and parking lot screening requirements may not be met, as existing woods and shrubs are proposed to screen much of the parking lot.

Findings: The property owner is requesting to utilize existing trees and shrubs on site to screen the parking area. A landscaping plan has been submitted showing new landscaping around the parking lot and building. Staff would recommend similar screening as proposed below be installed where indicated on the site plan.



Furthermore, staff would recommend that a more detailed landscaping plan be submitted outlining the existing landscaping to make sure it meets ordinance requirements. If it does, in the future if existing screening is ever removed or reduced, new screening in the form of landscaping or fencing shall be installed in its place to entirely

screen the parking area as required. Lastly, staff recommends bicycle parking be installed at a rate meeting the applicable requirements outlined in the zoning ordinance.

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

Analysis: This request is for 12, three-bedroom units in one apartment complex, totaling 36 beds. Several adjacent multi-family use properties exist near the property in question. Commercial uses also exist within the neighborhood, as do single family uses.

Findings: Although several multi-family use properties exist within the vicinity, only one is of great intensity, located east on Doolittle Drive and Green Avenue. The majority are similar to the proposed building, offering 6-12 units and open-air parking. While the majority of Doolittle Drive is multi-family developments, several of them are accessed from private drives, and therefore are situated north, closer to Stanley Street. Based on the findings above, and the property characteristics, staff does not feel that this proposal will create an over-concentration of high density living facilities within the immediate area. Again, the property's surrounding uses, primarily less intense multi-family, still will most likely deter development of single-family homes on the property. Additionally, the size and shape of the parcel does not favor single-family or commercial development.

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

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

Analysis: Parking is proposed on the south side of the property. The property has several frontages, along Doolittle Drive, Wilshire Boulevard and Stanley Street, which make all sides a street yard. The building exists closer to Stanley Street, leaving the parking nearest Doolittle Drive and creating a gap or buffer between residences to the south. Existing landscaping is proposed to screen the parking stalls from Doolittle Drive.

Findings: The views from the streets will vary given the street viewed from. The building is positioned appropriately onsite, closer to the main thoroughfare Stanley Street, and therefore parking is appropriate as well.

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

Analysis: The plan identifies existing vegetation to remain to screen the parking lot on several sides. New landscaping is proposed primarily on the east side of the property.

Findings: See findings in standard eight (8) above regarding landscaping and screening.

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

Analysis: The building's main façade faces east and west.

Findings: The parcel configurations make it nearly impossible to face main façades towards Stanley Street, as meeting setbacks and providing maximum building coverage ratios would likely increase floor

height and add significant costs. Furthermore, the current positioning of the building matches others within the vicinity, both multi-family and commercial uses.

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

Analysis: See the above standard and standard four (4).

Findings: This standard is met.

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

Analysis: Brick is proposed to wrap around the entire building below the first floor windows, but also along the entire façade between the primary entrances on the east and west elevations.

Findings: This standard is met.

11) Access to the site shall be safe.

Analysis: The development takes access from Doolittle Drive via a single driveway. The driveway is located as far east as possible to ensure adequate spacing is provided from the intersection of Doolittle Drive and Wilshire Boulevard.

Findings: The proposed driveway should not impede the nearby intersection or negatively impact and adjacent driveways. The City engineer has reviewed the site plan and approved the driveway locations.

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

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

Analysis: Utilities exist surrounding the development to adequately serve the site, including fire hydrants to serve the fire department. Sidewalks are proposed as part of the development and sidewalk currently exists on the north side along Stanley Street.

Findings: This standard is met. While sidewalks are proposed as part of the development staff would still recommend the following condition: Sidewalks shall be installed on the entirety of the property abutting the streets where they do not already exist, meeting all applicable design requirements to be reviewed and approved by the director of public works. The sidewalks shall connect to the internal sidewalks as shown on the proposed plan.

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

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

Analysis: The refuse enclosure is located on southwest side of the property near the driveway. While a refuse enclosure is shown on the site plan, specific details regarding its construction and size are unknown.

Findings: Staff would recommend that the enclosure complement the materials used on the main building, including mainly utilizing a masonry component of the design. Furthermore, the applicant shall submit details regarding the refuse storage to be reviewed and approved by the Community Development Department.

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

Analysis: A lighting plan has not been provided.

Findings: Staff would recommend the submittal of a lighting plan including light intensity, to be reviewed and approved by the Community Development Department.

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

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

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

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

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

Analysis: Site plan review has occurred in previous standards of review.

Findings: See the findings standards above.

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

Analysis: The site is currently fully wooded.

Findings: Nearly a quarter of the trees are proposed to remain on site to act as screening for the parking lot and building.

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

Analysis: Vegetative landscaping is existing and proposed to screen the parking lot. A landscaping plan has been provided.

Findings: See findings on standard eight (8) above.

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

Analysis: The property is currently wooded and the development will maintain several trees.

Findings: This standard is met.

Based on the findings above, staff would recommend approving the conditional use permit to construct the apartment complex as proposed with the conditions of approval outlined on page one of the staff report. The development is appropriate for the neighborhood and parcel with which it is located.



City of Stevens Point
Community Development Department

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

APPLICATION FOR A CONDITIONAL USE PERMIT

(Pre-Application Conference Required)

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted		Fee Required		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 type="checkbox"/>)	
Applicant Name	Igna Real Estate & Investments LLC	Contact Name	Nick Ignatowski
Address		Address	6661 Pleasant Dr
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	Almond, WI 54909
Telephone	715-451-0131	Telephone	715-451-0131
Fax	n/a	Fax	n/a
Email	ignacorp@Gmail.com	Email	ignatowskinick@Gmail.com

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input type="checkbox"/>)		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name	Igna Real Estate & Investments LLC	Owner's Name	
Address	7027 Oak Road	Address	
City, State, Zip	Vesper, WI 54489	City, State, Zip	
Telephone	715-451-0131	Telephone	
Fax	n.a	Fax	
Email	ignacorp@gmail.com	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		
3600 Doo Little		
Designated Future Land Use Category		Current Use of Property
Multi Family		Vacant land
Explain the land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)		
<p>To build a 12 unit multi family apartment compls. Each unit is to be a 3 bed/1.5 bath. Submit all necessary prints, forms, and documents before the most recent commission meeting. Be approved by the commission meeting. Complete common council meeting. Submit plans to the State of WI. submit bids to contractors, and have a designated contractor. Financing is already in place. Construction on project would start in March/April of 2017. The project would expected to be finished by beginning of August of 2017.</p>		

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

The character of the neighborhood would remain the same, and I feel this project will fit very well in this area of town. This entire area consists of Multi family complexes, this area is good for public transportation since the city bus route is next to this property.

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

We will follow all of the local laws, and regulations to make sure everything is done legally.

Current Zoning Surrounding Subject Property

North:		South:	
East:		West:	

Current Land Use Surrounding Subject Property

North:		South:	
East:		West:	

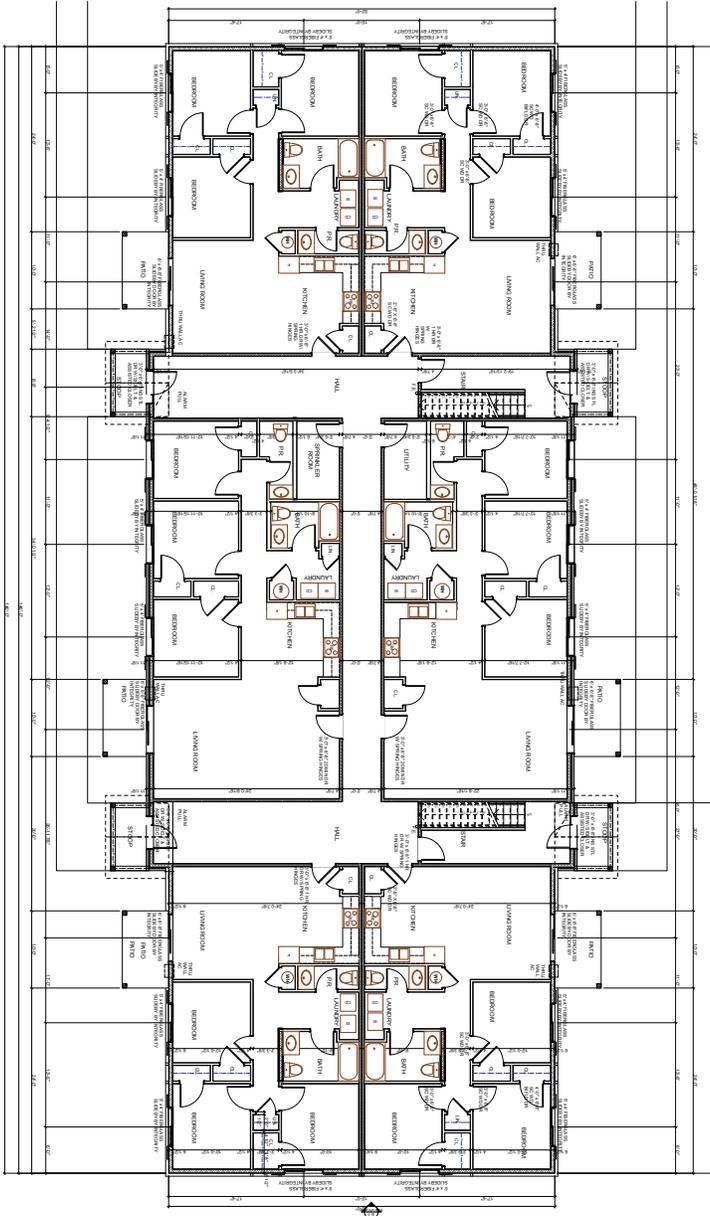
EXHIBITS

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
	09/28/16		



FIRST FLOOR PLAN



TERRENCE W. MARTIN, ARCHITECT
 2708 EAST PLANK ROAD
 APPLETON, WI 54915
 920 284-7769
 twm.architect@me.com

WILSHIRE APARTMENTS

IGNA REAL ESTATE INVESTMENTS
 WILSHIRE & DOOLITTLE
 STEVENS POINT WISCONSIN
 54881

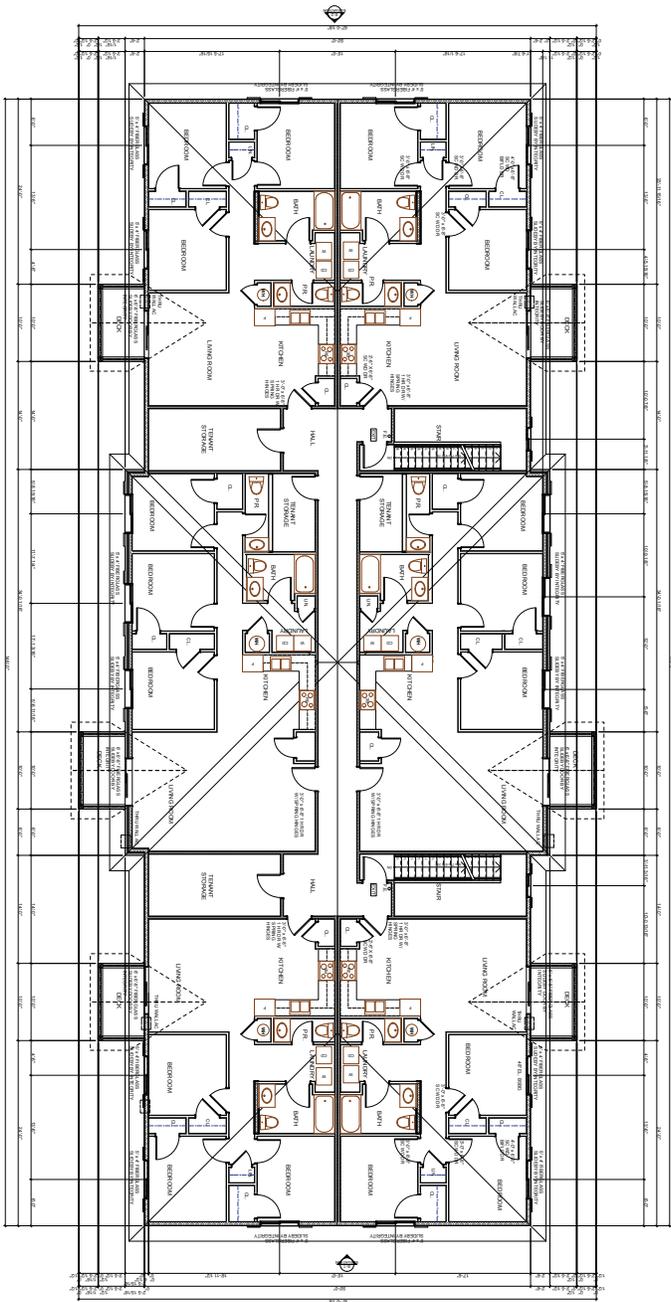
PROJECT NUMBER:
 1502

PROJECT STATUS:
 CITY SUBMITTAL

DATE OF ISSUE:
 5/20/2016

SHEET TITLE
 FIRST FLOOR PLAN

A-2



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 twm.architect@me.com

WILSHIRE APARTMENTS

IGNA REAL ESTATE INVESTMENTS
 WILSHIRE & DOOLITTLE
 STEVENS POINT WISCONSIN
 54881

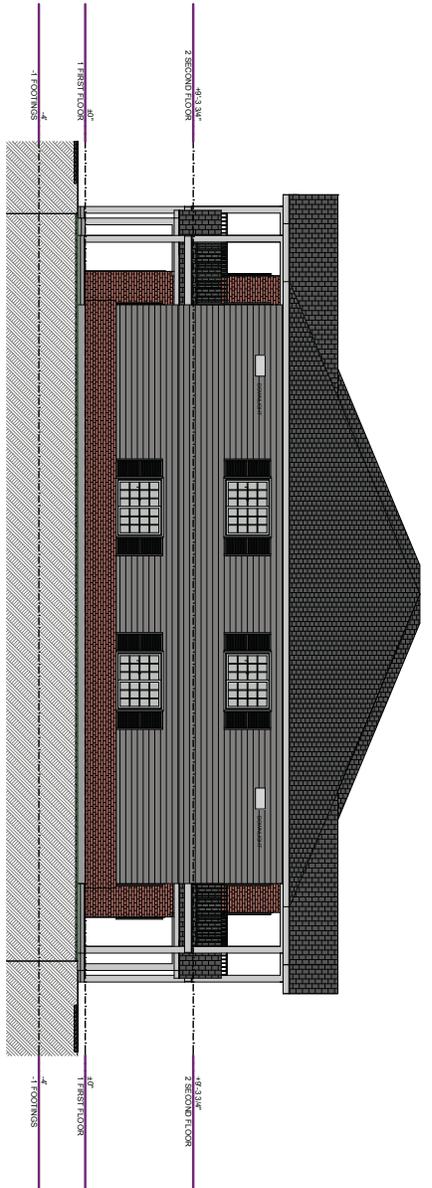
PROJECT NUMBER:
 1502

PROJECT STATUS:
 CITY SUBMITTAL

DATE OF ISSUE:
 5/20/2016

SHEET TITLE
 SECOND FLOOR PLAN

A-3



NORTH ELEVATION
SCALE: 3/32" = 1'-0"



EAST ELEVATION
SCALE: 3/32" = 1'-0"

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WILSHIRE APARTMENTS

IGNA REAL ESTATE INVESTMENTS
WILSHIRE & DOOLITTLE
STEVENS POINT WISCONSIN
54881

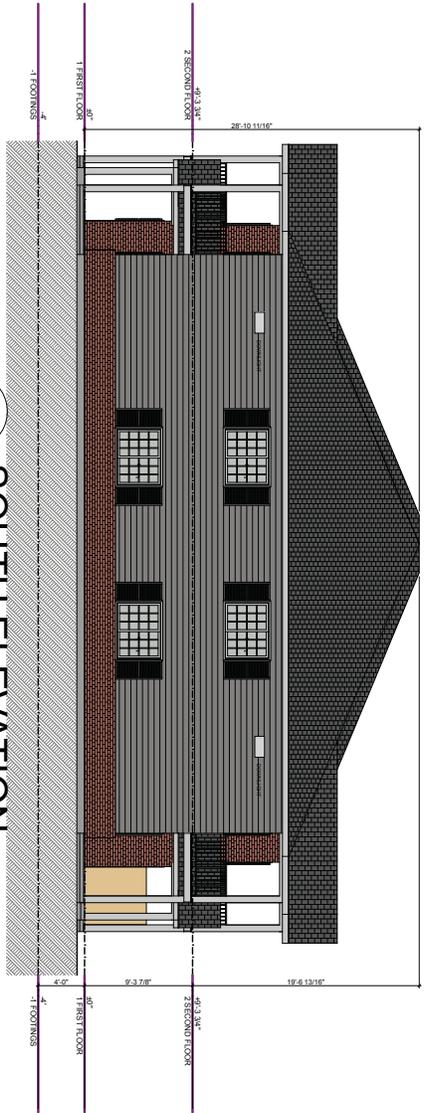
PROJECT NUMBER:
1502

PROJECT STATUS:
CITY SUBMITTAL

DATE OF ISSUE:
5/20/2016

SHEET TITLE
ELEVATIONS

A-4



SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



WEST ELEVATION
SCALE: 3/32" = 1'-0"



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WILSHIRE APARTMENTS

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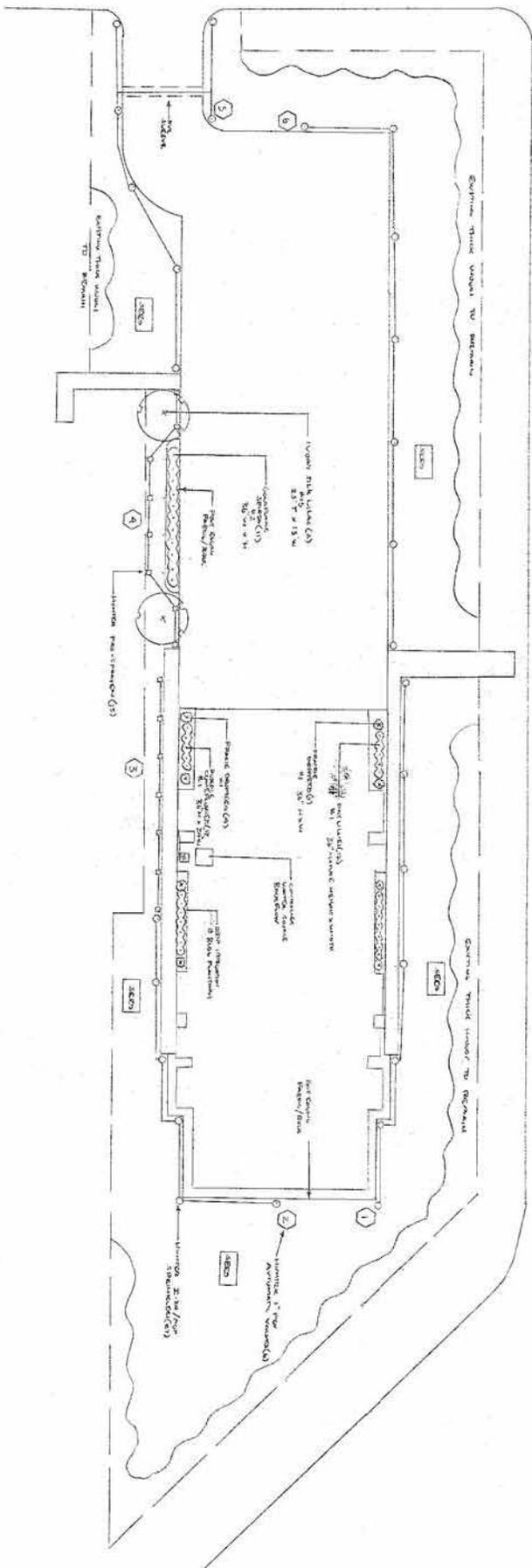
PROJECT NUMBER:
1502

PROJECT STATUS:
CITY SUBMITTAL

DATE OF ISSUE:
5/20/2016

SHEET TITLE
ELEVATIONS

A-5



MILITARY OPERATIVE BUILDINGS	
Sheet No. 1	of 1
SHEET NO. 1 OF 1	
MILITARY OPERATIVE BUILDINGS	
PROVIDE, VTS	
LAWRENCE & ASSOCIATES, INC.	
ARCHITECTS	
1000 17th Street, N.W.	
Washington, D.C. 20036	
Phone: (202) 331-1111	
Fax: (202) 331-1112	
E-mail: info@lawa.com	
www.lawa.com	

Administrative Staff Report

Install Mechanical Equipment
 Conditional Use Permit
 1519 Water Street
 November 1, 2016



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

<p>Applicant(s):</p> <ul style="list-style-type: none"> Portage County <p>Staff:</p> <ul style="list-style-type: none"> Michael Ostrowski, Director mostrowski@stevenspoint.com Kyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none"> 2408-32-2021-15 <p>Zone(s):</p> <ul style="list-style-type: none"> "R-4" Multi-Family I & "R-5" Multi-Family II District Residence District <p>Council District:</p> <ul style="list-style-type: none"> District 9 – McComb <p>Lot Information:</p> <ul style="list-style-type: none"> Actual Frontage: 485 feet Effective Depth: 235 feet Square Footage: 59,172 Acreage: 1.35 <p>Current Use:</p> <ul style="list-style-type: none"> Institutional <p>Applicable Regulations:</p> <ul style="list-style-type: none"> 23.01(16) and 23.02(1)(f) 	<p>Request</p> <p>Request from Portage County for a conditional use permit and site plan review to install exterior mechanical equipment at the Aging and Disability Resource Center (Lincoln Center), 1519 Water Street (Parcel ID 2408-32-2021-15), which is a City owned property.</p> <p>Attachment(s)</p> <ul style="list-style-type: none"> Application Pictures Equipment Specifications <p>Findings of Fact:</p> <ol style="list-style-type: none"> The proposed request is to install a natural gas powered generator on the exterior of the building. The property is zoned "R-4" Multi-Family Residence District. The property is owned by the City of Stevens Point and leased to Portage County. Improvements on City property require plan commission review. Additionally, institutional community center, senior center, youth center or library is a conditional use. <p>Staff Recommendation</p> <p>Based on the findings below, staff would recommend approval of the conditional use permit to install mechanical equipment as proposed, subject to the following conditions:</p> <ol style="list-style-type: none"> Applicable building permits shall be obtained. If the existing screening is ever removed or reduced, new screening in the form of landscaping or fencing shall be installed in its place to entirely screen the unit during all times of the year.
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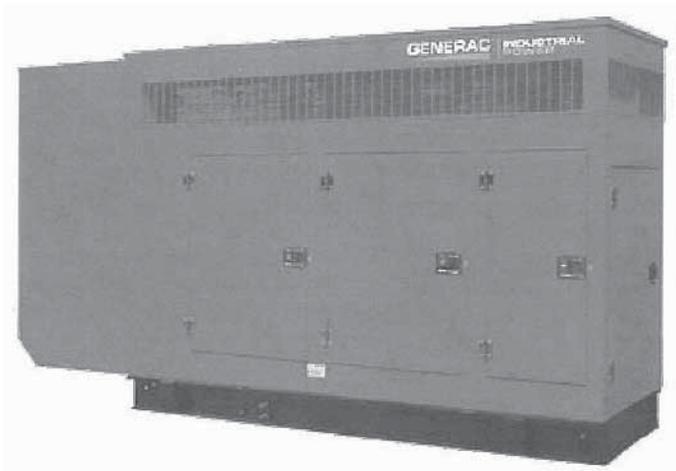
Vicinity Map



Scope of Work

Portage County is requesting to install an electric generator on the northeast exterior of the Aging Disability and Resource Center (Lincoln Center). The generator is a 35KW natural gas powered electric generator and will be situated on an existing concrete slab. The generator is proposed on the northeast façade along Elk Street. The property is owned by the City of Stevens Point and furthermore the community center use is conditional within the district which requires a conditional use permit.

Note that the Historic Preservation Design Review Commission reviewed the request on November 2, 2016.



Generator Specifications

Height: 40.9 inches (3.4 feet)

Dimensions: Length = 76 inches (6.3 feet) Width = 34.5 inches (2.875 feet)

Standards of Review

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

Analysis: The current property is used as a community center/senior center. The generator is proposed on the northeast side of the property along Elk Street on an existing slab. Existing shrubs exist and provide screening for the generator location. Homes exist across the street and to the south of the property.

Findings: The establishment of this use should not be detrimental to the public, as the use will be located screened and only utilized during power outages.

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

Analysis: This area has a mix of multi-family, two-family, and single-family uses, as well as commercial and institutional uses. Residential primarily exists directly south of the site, where as commercial and institutional exists to the north.

Findings: The generator should not be injurious to the use and for the purpose already permitted. In the event of a power failure, the generator will allow the facility to be utilized.

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

Analysis: The request is to install a piece of mechanical equipment on an existing slab near the existing natural gas line serving the building.

Findings: The installation of the generator should not impede development within the neighborhood.

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

Analysis: The generator is proposed on an existing concrete slab. It is of a simple design (see page 2 details). Exposed wires and hoses will likely penetrate the façade to serve existing infrastructure.

Findings: No major changes are proposed to the exterior of the building.



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

Analysis: The generator has been placed along this façade as the gas line serving the building exists within this vicinity.

Findings: This standard is met.

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

Analysis: No changes to ingress and egress are proposed.

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

Findings: The proposed use is appropriate for the intent of the "R-4" district, as community centers, senior centers, and youth centers or libraries are allowed via a conditional use permit.

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

Analysis: The generator is proposed on an existing slab and will be screened from the right-of-way.

Findings: This standard is met.

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

N/A

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

N/A

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

Analysis: Changes to access are not proposed.

Findings: 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: Utilities exist to serve the site and the generator. As mentioned above, the façade will need to be penetrated to run wire and hoses appropriately to serve the generator and facility.

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: The generator is proposed behind existing shrubbery, which should sufficiently screen the unit.

Findings: Staff would recommend that if the existing screening is ever removed or reduced, new screening in the form of landscaping or fencing shall be installed in its place to entirely screen the unit during all times of the year.

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

Analysis: No changes to lighting is proposed.

Findings: N/A

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

Analysis: When operating the generator with cause noise, however will only operate during power outages, or during times of testing.

Findings: Noise from the generator will be very infrequent throughout the year.

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



After review, staff would recommend approval of the conditional use permit to install a generator at this location, given the existing property characteristics that limit its location and provide existing screening.

City of Stevens Point
Community Development Department

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



APPLICATION FOR A CONDITIONAL USE PERMIT

(Pre-Application Conference Required)

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #	-	Date Submitted	10/19/16	Fee Required	City Property	Fee Paid	-
Associated Applications if Any	- HP/ORC Review			Assigned Case Manager	Kyle Keams		
Pre-Application Conference Date	-	Conditional Use Permit Request	Use <input checked="" type="checkbox"/> Amend <input type="checkbox"/>				

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)	
Applicant Name	Portage County	Contact Name	Todd Neuenfeldt
Address	1462 Strongs Ave	Address	1462 Strongs Ave
City, State, Zip	Stevens Point	City, State, Zip	Stevens Point
Telephone	715-346-1396	Telephone	715-346-1396
Fax		Fax	
Email	neuenfet@co.portage.wi.us	Email	neuenfet@co.portage.wi.us

OWNERSHIP INFORMATION

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input type="checkbox"/>)		PROPERTY OWNER 2 INFORMATION (if Needed)	
Owner's Name	City of Stevens Point	Owner's Name	
Address	1516 Strongs Ave	Address	
City, State, Zip	Stevens Point	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
1519 Water Street		
Legal Description of Subject Property		
Designated Future Land Use Category		Current Use of Property
		Aging Disability Resource Center
Explain the land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)		
<p>Portage County, at their expense, is requesting permission to add a 35 KW Natural Gas Powered Electric Generator to the Lincoln Center Building, located at 1519 Water Street. This building is operated by Portage County as the Aging Disability Resource Center and is owned by the City of Stevens Point. The generator will be placed on the East side of the building near the existing Natural Gas Service.</p>		

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

The installation of the generator will have no effect on the development or character of the neighborhood.

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

If deemed necessary plantings or fencing could be installed around the area of the generator.

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
	10-18-2016		







SG035 | 5.4L | 35 kW
INDUSTRIAL SPARK-IGNITED GENERATOR SET
 EPA Certified Stationary Emergency



STANDBY POWER RATING
 35 kW, 44 kVA, 60 Hz

PRIME POWER RATING*
 32 kW, 39 kVA, 60 Hz

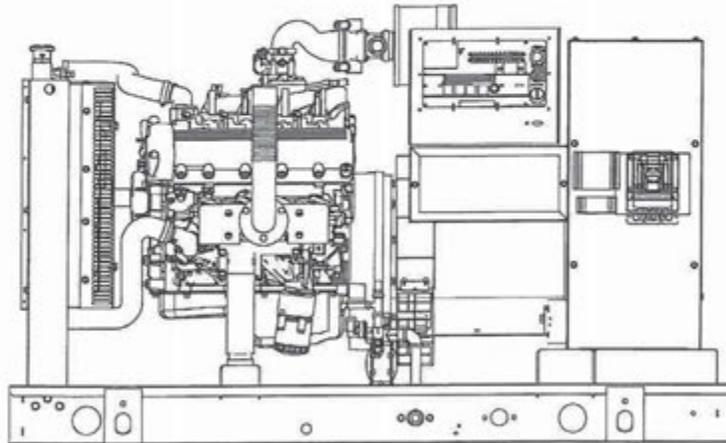


Image used for illustration purposes only



*Built in the USA using domestic and foreign parts

*EPA Certified Prime ratings are not available in the U.S. or its Territories.

CODES AND STANDARDS

Generac products are designed to the following standards:

 UL2200, UL508, UL142, UL498

 NFPA70, 99, 110, 37

 NEC700, 701, 702, 708

 ISO9001, 8528, 3046, 7637,
 Pluses #2b, 4

 NEMA ICS10, MG1, 250, ICS6, AB1

 ANSI C62.41

 IBC 2009, CBC 2010, IBC 2012, ASCE 7-05,
 ASCE 7-10, ICC-ES AC-156 (2012)

POWERING AHEAD

For over 50 years, Generac has led the industry with innovative design and superior manufacturing.

Generac ensures superior quality by designing and manufacturing most of its generator components, including alternators, enclosures and base tanks, control systems and communications software.

Generac's gensets utilize a wide variety of options, configurations and arrangements, allowing us to meet the standby power needs of practically every application.

Generac searched globally to ensure the most reliable engines power our generators. We choose only engines that have already been proven in heavy-duty industrial application under adverse conditions.

Generac is committed to ensuring our customers' service support continues after their generator purchase.

SG035 | 5.4L | 35 kW
INDUSTRIAL SPARK-IGNITED GENERATOR SET
 EPA Certified Stationary Emergency



STANDBY POWER RATING
 35 kW, 44 kVA, 60 Hz

PRIME POWER RATING*
 32 kW, 39 kVA, 60 Hz

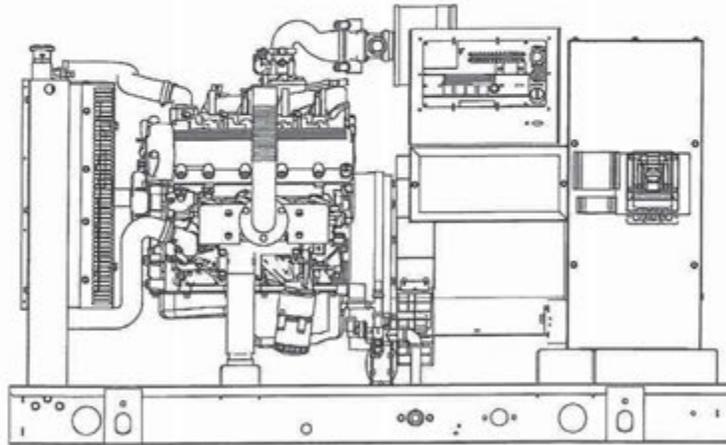


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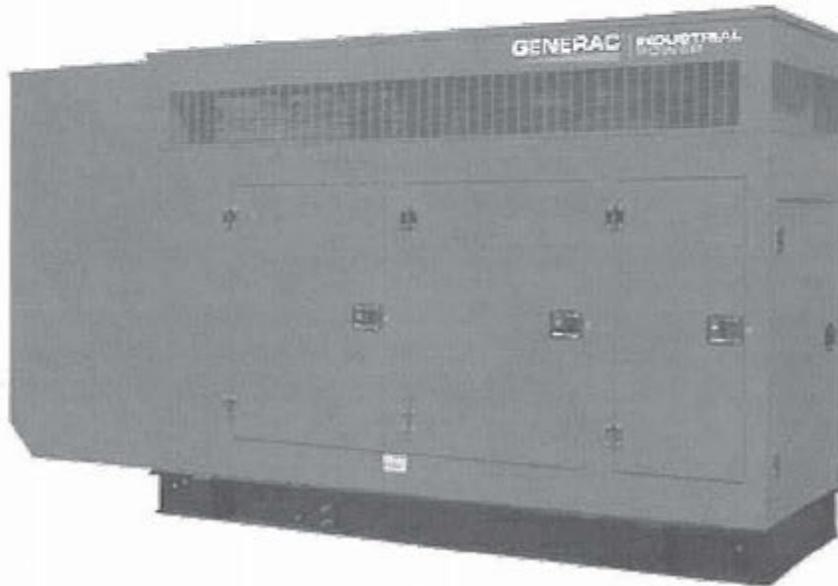
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GENERATOR ENCLOSURES



DESCRIPTION

GENERAC POWER SYSTEMS' generator enclosures provide year-round weather protection for your power equipment. Engineered with functionality and value in mind, the enclosure design benefits are unique in that the enclosures utilize dimensionally matched components for either a weather protective configuration or a sound attenuated/acoustic configuration. With common components used between design, modification and on-site upgrades can be accomplished with ease.

The enclosure design offers several benefits over the "standard enclosures" of other manufacturers. Generac's enclosures have been created with the goal of maximizing the customer's product performance satisfaction while maintaining the functionality of reducing exterior noise levels and discouraging product tampering.

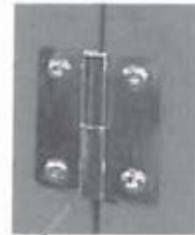
Although others may require a "premium" for a self-enclosed exhaust system, rugged steel panel construction or protective polyethylene washers under all exterior panel fasteners, Generac includes these and several other features on every enclosure configuration. Be sure to compare. Generac Enclosures offer additional design enhancement extras that other "standard enclosures" do not.

GENERATOR ENCLOSURES

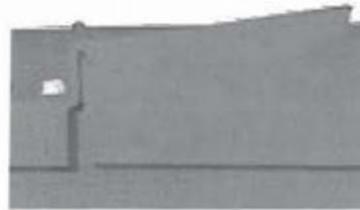
Post-Free Twin Doors
Provide Large, Unobstructed
Service Access



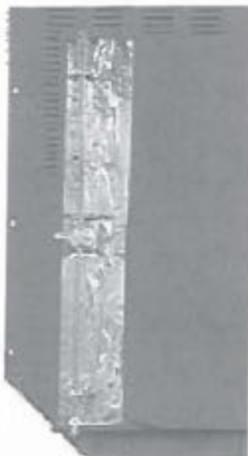
Heavy Gage, Stainless Steel, Partial Pin Hinges with Nylon Spacers
Durable, Corrosion-Free,
Removable Doors



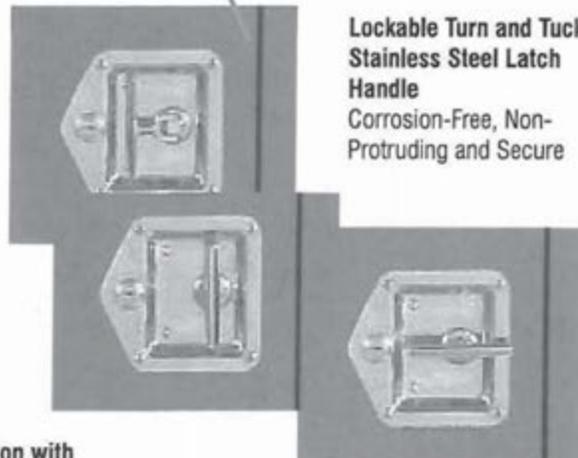
Gasket-Free, Interconnected Roof Panel Joint
Drip-Free, Maintenance-Free



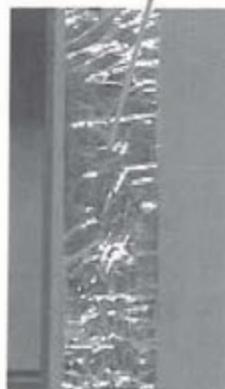
Two-Point Door Latch System
Ensures Proper Seal
Preventing Water Ingress
and Sound Egress



Lockable Turn and Tuck Stainless Steel Latch Handle
Corrosion-Free, Non-
Protruding and Secure



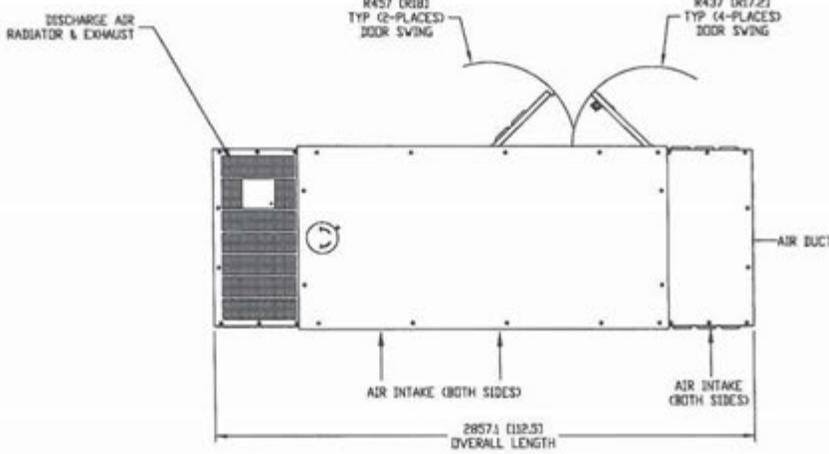
Dense, Closed-Cell Foam Insulation with Reflective Silver Mylar Layer
Improved Sound Attenuation Without
Damaging Effects From Radiant Heat
Exposure



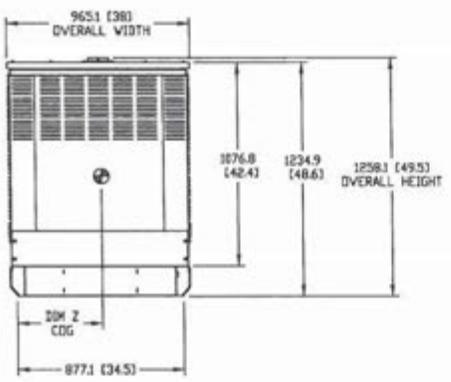
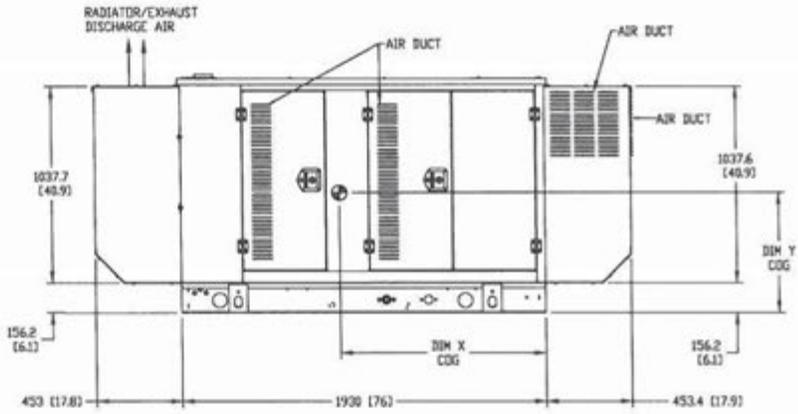
4

3

1



FOR ALL STUB-UP, WEIGHT, AND COG DETAILS, SEE CORRESPONDING OPEN SET DRAWING PER UNIT CONFIGURATION.



DRAWING CREATED FROM PRO/ENGINEER 3D FILE. ECD MODIFICATION TO BE APPLIED TO SOLID MODEL ONLY.

DIMENSIONS ARE IN MILLIMETERS (INCHES)

GENERAC

TITLE			
L1A ENCLOSURE			
G5.4L 60HZ: SG035, PG032			
SG040, PG036, SG045, PG041			
SG050, PG045			
ISSUE DATE: 6/2/14			
SIZE	CAGE NO	DWG NO	REV
B	N/A	0J6865B	F
SCALE	0.035	WT-KG	SHEET 1 of 1

INSTALLATION DRAWING

4

3

2

1

Administrative Staff Report



Site Plan Review
 Construct Addition in PID District
 5700 E.M. Copps Drive
 November 1, 2016

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

<p>Applicant(s):</p> <ul style="list-style-type: none"> • Service Cold Storage LLC <p>Staff:</p> <ul style="list-style-type: none"> • Michael Ostrowski, Director mostrowski@stevenspoint.com • Kyle Kearns, Associate Planner kkearns@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none"> • 2308-01-2100-03 & 2308-01-2100-05 <p>Zone(s):</p> <ul style="list-style-type: none"> • "PID" Planned Industrial Development <p>Master Plan:</p> <ul style="list-style-type: none"> • Business Park <p>Council District:</p> <ul style="list-style-type: none"> • District 6 – Slowinski <p>Lot Information (parcels combined):</p> <ul style="list-style-type: none"> • Effective Frontage: 1310 feet • Effective Depth: 940 feet • Square Footage: 1,189,809 • Acreage: 27.3 <p>Current Use:</p> <ul style="list-style-type: none"> • Multi-Family <p>Applicable Regulations:</p> <ul style="list-style-type: none"> • 23.01(16) and 23.02(4)(h) 	<p>Request</p> <p>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. Copps Drive (Parcel IDs 2308-01-2100-03 and 2308-01-2100-05).</p> <p>Attachment(s)</p> <ol style="list-style-type: none"> 1. Application 2. Site Plan 3. Rendering <p>Findings of Fact:</p> <ol style="list-style-type: none"> 4. The proposed request is to install a 30,000 square foot dry-storage addition on the northwest side of the building. 5. The property is zoned "PID" Planned Industrial Development District. 6. Any changes to the site in the PID District requires site plan review. 7. This addition is the third phase of the development on the site. <p>Staff Recommendation</p> <p>Based on the findings below, staff would recommend approval of the request subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The driveway leading to the new loading docks, along with the loading parking zones and any other staging areas to the north shall be hard surfaced with concrete or asphalt. 2. The applicant shall submit an updated site plan showing the hard surfaced area to be reviewed and approved by the Community Development Department. 3. The parking and loading area shall be screened from the west which should be identified on the site plan/landscape plan. 4. A landscaping plan shall be submitted to be reviewed and approved by the community development department.
--	---

Vicinity Map



Background

Service Cold Storage is proposing to construct another addition onto their existing facility. Note that site plan review recently occurred for phase two of their cold storage warehouse facility which began in June, 2016 to expand the warehouse by nearly 100,000 square feet. This would be their second expansion and includes a 30,000 square foot addition onto the northwest part of the existing building. This expansion area will be used for dry good storage rather than cold storage. Further details are provided below.

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 expansion. Details were provided earlier this year and were approved for the phase two expansion which is nearing completion. This second request essentially would constitute a phase three expansion, see expansion details below.

Service Cold Storage Phase 2 Details:

- Size: Approx. 30,000 square feet
- Dimensions: 100 feet by 303 feet
- Height: Approx. 24 feet
- Materials: Match materials and design on existing building
- Loading Docks: 4

It is important to identify that the property is currently zoned Planned Industrial Development District (PID) therefore; a rezoning does not need to occur. Site plan review is required given the zoning classification of PID. The Zoning 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 approved 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.

The site plan has been attached and criteria for approving, approving with conditions, or denying the plan have been reviewed by 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.

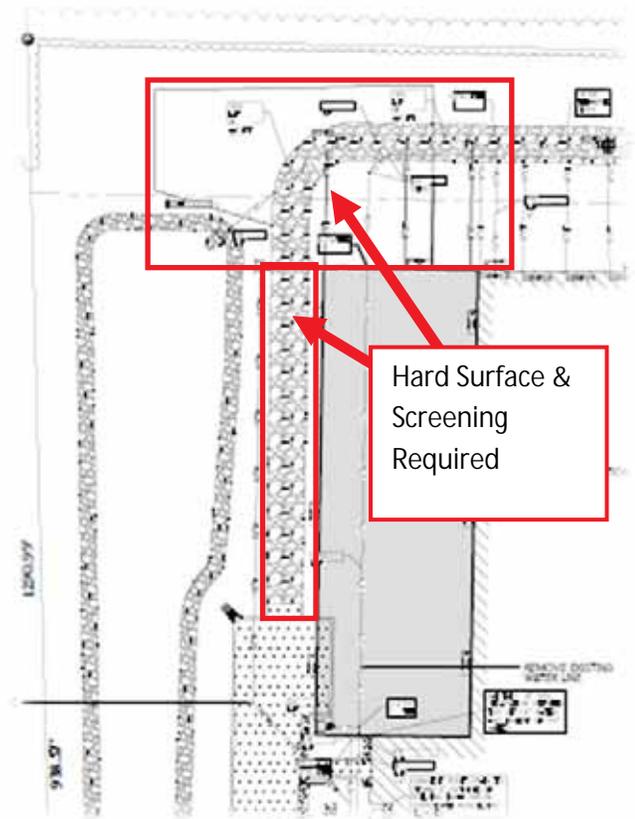
Analysis: The City of Stevens Point Comprehensive Plan identifies this area as extraterritorial and to develop into a business or industrial park.

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: Two parcels exist which encompass the existing development. The property owner is currently in the process of combining parcels. Setbacks appear to be met, however other requirements, specifically parking, are not met. The addition will not impede the existing service drive which extends around the facility. This drive is currently crushed granite/gravel. This phase 3 expansion will connect to the northwest side of the existing facility and will mimic the construction, design, and size of the original.

Findings: Staff would recommend requiring the driveway leading to the new loading docks, along with the loading parking zones and any other staging areas to the north be hard surfaced with concrete or asphalt. The applicant shall submit an updated site plan showing the hard surfaced area to be reviewed and approved by the Community Development Department. In addition, staff would recommend the parking and loading area be screened from the west which also should be identified on the site plan.



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

Analysis: This area for the proposed addition was preserved originally in the event that office, or dry goods expansion would occur.

Findings: The expansion allows for the cold storage warehouse to expand operations and diversify stock. The property is already served by utilities and road and the expansion should not negatively affect the character of the area or the park.

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 as identified in the above conditions. The landscaping plan shall identify an extension of the existing landscaping on the south side of the facility. Note that the existing access drive will remain and allow emergency vehicles complete access around the building.

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 should not be detrimentally impacted. Furthermore, all other infrastructure is or will be in place to serve the expansion and should not be negatively impacted by the development.

Findings: This standard is met.

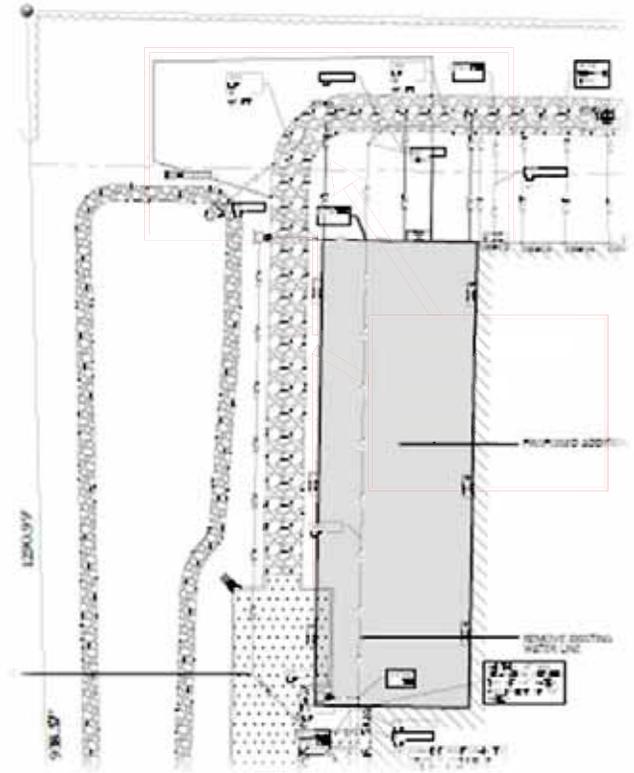
7. The PID will not substantially or permanently injure the appropriate use of adjacent properties.

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 a dry goods addition (phase three) onto the northwest corner of the existing cold storage warehouse at 5700 E.M. Copps Drive with the following conditions:

- 1) The driveway leading to the new loading docks, along with the loading parking zones and any other staging areas to the north shall be hard surfaced with concrete or asphalt.
- 2) The applicant shall submit an updated site plan showing the hard surfaced area to be reviewed and approved by the Community Development Department.
- 3) The parking and loading area shall be screened from the west which should be identified on the site plan/landscape plan.
- 4) A landscaping plan shall be submitted to be reviewed and approved by the community development department.





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 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 LLC	Contact Name	Les Dobbe
Address	5700 EM Copps Dr.	Address	5700 EM Copps Dr.
City, State, Zip	Stevens Point, WI 54482	City, State, Zip	Stevens Point, WI 54482
Telephone	715-544-4565	Telephone	920-915-6161
Fax		Fax	
Email	ldobbe@servicecold.biz	Email	ldobbe@servicecold.biz

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
Parcel Combination Parcel 23-0801210003		
Legal Description of Subject Property		
LOT 1 CSM #10446- 47-26 BNG PRT NENWS1 T23 R8;SUBJ AGMT-818368 6.99A 777336-ANNX; 778831-AOC;CSM 47/26;791257 792275UTIL		
Area of Subject Property (Acres/Sq Ft)		
Approximately 30,300 sq ft		
Current Zoning District(s)		
Planned Industrial Development		

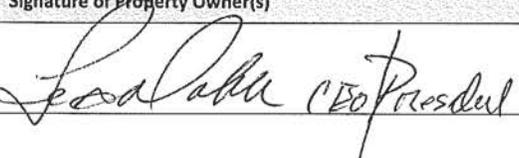
Designated Future Land Use Category		Current Use of Property		Proposed Use of Property	
Industrial Development		Vacant property		Storage Facility	
Describe land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)					
<p>The current property is vacant and sets directly on the West side of the current Service Cold Storage LLC facility. The intention is to utilize the property to build out a NON-REFRIGERATED 30,000 + sq ft addition to the existing facility. The placement of the addition would not interrupt the "cold chain" for future COLD STORAGE expansions to the EAST. Future cold storage expansions would be an extension of the existing infrastructure extending from recently completed PH II of the facility on the EAST side. Non-refrigerated expansion to the east side of the facility would adversely affect further cold storage development and its appearance and function would be inconsistent with the existing facility.</p>					
Current Zoning Surrounding Subject Property					
North:	Town of Hull	South:	Planned Industrial Development		
East:	Planned Industrial Development	West:	Heavy Industrial		
Current Land Use Surrounding Subject Property					
North:	CN Railroad & Agricultural	South:	PID & Agricultural		
East:	PID & Agricultural	West:	City Transportation Facility		

EXHIBITS

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"/>	
Building Elevations	<input checked="" 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
	10/7/2016		10/7/2016



Memo

To: Plan Commission
From: Plan Staff
CC:
Date: 10/28/2016
Subject: Request from the City of Stevens Point to Amend Chapter 23: Zoning Ordinance of the City of Stevens Point Revised Municipal Code to define and permit short term rentals. *This item is for discussion purposes only; no formal action will be taken.*

This topic of discussion has been sparked from the increase of temporary housing in the community, as well as the pursuit of a project to convert a deteriorated home on the corner of Main Street and Division Street into a short term rental facility without formal management as a hotel, motel, or bed and breakfast. Below is a great deal of background information regarding short term rentals, and how they have been incorporated into community ordinances. Staff would recommend they be addressed within the zoning code given their increased popularity, but there are many ways of addressing them. Note that this agenda item is for discussion only. Staff seeks input and feedback based on the information and attachments provided below. Once received, an ordinance can be drafted to amend the zoning code and be presented for formal action in the near future.

Short term rentals have been defined in numerous ways, but essentially are the following:

"Short-term rental" means the use or possession or the right to the use or possession of any room or rooms, or portions thereof for dwelling, sleeping or lodging purposes in any one-family dwelling, two-family dwelling, multiple dwelling, live/work unit, or secondary dwelling, by a transient. (source: Berkley, California Draft Ordinance)

"Transient" means any natural person who occupies a room in a hotel for less than 30 days. (source: Berkley, California Draft Ordinance)

Neither of the above definitions exists within our zoning code. Madison, Wisconsin has closely adopted the state of Wisconsin's definition per Chapter ATCP 72:

Tourist Rooming House (TRH). A building or portion thereof, other than a hotel, motel, bed and breakfast establishment or hostel, in which sleeping accommodations are offered for pay to tourist or transients. The definition does not include private boarding, lodging or rooming houses not accommodating tourists or transients.

The concept of renting rooms or homes on a temporary basis is not new. Vacation rentals have long been common in beachfront communities, resort towns, and other destination hotspots. However, the rise of web-based booking services such as Air Bed and Breakfast (AIRB&B) or HomeStay, has grown the number of short-term residential rentals (usually defined as rentals of less than 30 days). In addition to more traditional, commercially focused vacation rental properties, more and more home owners (and in some cases tenants) are offering the use of their residences — or rooms within their residences — as temporary rentals, either sporadically or on an ongoing basis. The university also adds to the popularity of short term rentals, whether it's for visiting students, friends of students, family members, or semester housing. Previous to the popularity of this new era short term rental age, communities addressed vacation rentals in their codes directly through licensing or zoning requirements to allow this local economic activity, while mitigating any potential negative impacts. Standards for these short-term rentals often required property owners to obtain short-term rental permits and business licenses; establish minimum and maximum rental timeframes and maximum occupancies for rental units; address potential nuisance issues such as noise, parking, and trash removal; and in some cases require one-time or annual inspections.

Many property owners choose to offer temporary housing to supplement their incomes and make use of underutilized spaces within homes. However, short term rentals can lead to potential nuisance impacts of new short-term residential rentals to adjacent homes and apartments, economic impacts of unregulated competition to hotels and traditional bed and breakfast establishments, as well as the loss of local revenue from room tax, and impacts on local rental housing markets and affordability. Without a clear ordinance defining and outlining short term rentals it becomes difficult to regulate them and address the concerns above. Furthermore, they may be deemed unlawful according to our current zoning code. Types of dwelling units are defined in our current code, including single family, two family, and multiple family. Family is also defined, which includes persons or individuals that are part of the single housekeeping entity. Transient guests typically are not responsible for housekeeping activities. It should also be noted that temporary housing is identified in the existing zoning code but requires supervision of individuals or families and is intended for permanent residents.

TEMPORARY HOUSING - housing which is intended to house individuals or families in a single facility who have no other housing available. Housing is intended to be provided for a period of six months or less. Temporary housing shall be managed by an agency who shall provide supervision during all hours of operation. Temporary housing residents shall not include individuals participating in a work release, institutional or any Department of Corrections program.

There are several examples of ordinances from other communities (see attachments) that address short term rentals. In summary, most of these ordinances follow a general framework of defining short-term residential rentals as a distinct use, establishing licensing, permitting, or taxation requirements, and creating operational or procedural standards to protect safety and mitigate potential nuisances. All offer a different twist on the topic however. Some differentiate between traditional vacation rental properties and rentals of owner-occupied units; some base their requirements on whether the owner is present in the home during the rental or whether the entire unit or individual rooms are being rented.

Some communities have passed zoning amendments specifying permitting requirements for short-term residential rentals and imposing performance standards or separation requirements on these units; others simply use business licensing ordinances to focus on registration of units and payment of any applicable taxes and fees.

Specific examples are attached from other communities in Wisconsin as well as the State of Wisconsin Department of Agriculture, Trade, and Consumer Protection (ATCP).

1. State of Wisconsin. Tourist Rooming Houses. ATCP 72, Hotels, Motels and Tourist Rooming Houses.
 - Tourist Rooming Houses (TRH) are defined as all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments.
 - In general, TRH establishments are vacation homes, cabins and cottages that are rented out to tourists and transients for a short period of time.
 - Under a TRH license, an operator may rent as many as 4 units (examples: rooms, cottages or cabins). A Hotel License is needed if 5 or more units are being rented.
2. Green Bay, Wisconsin. Code of Ordinances, Chapter 13: Zoning Ordinance. Chapter 13-300: Definitions. Section 13-302: General Definitions. Chapter 13-600: Residential Districts. Section 13-602: Principal Uses for the Residential Districts. Chapter 13-1600: Land Use Development Standards. Section 13-602: Residential uses. Part (j): Transient Residential Use.
 - Transient Residential Use: *A single-family dwelling unit in which a private home-owner's paying guests or a corporate retreat's guests are entitled to occupancy for a period less than twenty-eight (28) consecutive calendar days.*
 - Transient residential uses are permitted as conditional uses in two residential districts, subject to extensive standards (see 13-602(j)).
3. Oconomowoc, Wisconsin. Chapter 216: Rental Property, Short-Term.
 - *SHORT-TERM RENTAL: A dwelling unit (including any accessory guest house on the same property) that is rented to any person on a day-to-day basis or for a period of time of up to 30 consecutive nights.*
 - Prohibits all short-term rentals.
4. Madison, Wisconsin
 - Tourist Rooming House (TRH) – See definition on page one of the staff memo.
 - a) The establishment shall have a current license from Public Health of Madison and Dane County, as required by Wis. Admin. Code ch. DHS 195.

- b) The tourist rooming house shall be the owner's primary residence.
 - c) Owner shall register with Treasurer's office and shall pay room tax as required under Sec. 4.21, MGO.
 - d) Only the owner of the property may operate a Tourist Rooming House, except that a renter may operate if explicitly allowed in the lease.
 - e) If the operator does not occupy the residence at the time of rental, the tourist rooming house may operate no more than thirty days per licensing year; July 1st to June 30th.
 - f) If the operator occupies the residence at the time of rental, there is no limit to the number of days the Tourist Rooming House may operate.
 - g) Maximum tourist occupancy shall comply with maximum family occupancy rules in the underlying zoning district regulations.
 - h) Each establishment shall have a registry available on-site for inspection, indicating the identity of all guests, dates of stay, acknowledgement of operator presence or absence during stay, and length of stay. The registry shall include all information from the current registry year and the year immediately prior.
5. Village of Fontana, Wisconsin. *Code of Ordinances*. Chapter 18: Zoning. Article III: Land Use Regulations. Section 18-54: Table of Land Uses. Section 18-56: Commercial Land Uses. Part (s): Tourist rooming house.
- Tourist rooming houses are permitted as conditional uses in two mixed-use/commercial districts and by-right in one other mixed-use/commercial district, subject to the following standards:
 - s. *Tourist rooming house. A dwelling unit available to a single party for overnight, weekend, or weekly stays by paying guests which may or may not be owner occupied for part of the year. These uses are often referred to as "vacation rental homes" and include timeshare units. Tourist rooming houses shall adhere to the following listed regulations:*
 1. *Occupancy shall be limited to two persons per bedroom, plus an additional two persons. At no time may the number of guests exceed eight regardless of the number of bedrooms in the dwelling unit.*
 2. *The maximum stay for any party other than the owner of the premises shall be 30 consecutive days.*
 3. *The number of guest vehicles allowed on-site is limited to the number of bedrooms in the unit. On-street parking is prohibited. No recreational vehicle or tent may be used for living or sleeping purposes.*
 4. *The appearance of the dwelling shall not be altered in a manner that would cause the premises to differ from its residential character either by the use of colors, materials,*

construction, lighting, signs, or the emission of sounds, odors, dust, or vibrations the can carry beyond the premises.

5. *The availability of the tourist rooming house to the public shall not be advertised on-site.*
 6. *The tourist rooming house must be licensed by the State of Wisconsin.*
 7. *A minimum of one parking space shall be provided for each bedroom.*
6. Menasha, Wisconsin – Chapter 14, Sec. 7-14-1 Short Term Rental of Dwelling Units
- Require short-term rental permit, posted by the front door of .
 - Hotel/Motel Room tax is applicable
 - Stay length shall be 1-14 days.
 - Short-term rentals with three or more rental units, shall have a representative who permanently reside on the premise.
 - One off-street parking space shall be provided for each three persons of dwelling occupancy.

Department of Agriculture, Trade and Consumer Protection

[\(/Pages/Homepage.aspx\)](/Pages/Homepage.aspx)

Tourist Rooming Houses

Tourist Rooming Houses (TRH) are defined as all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments.

In general, TRH establishments are vacation homes, cabins and cottages that are rented out to tourists and transients for a short period of time.

Under a TRH license, an operator may rent as many as 4 units (examples: rooms, cottages or cabins). A Hotel License is needed if 5 or more units are being rented.

Duration

- Each permit issued by the department expires June 30 of each year.
- Permit dates extend from July 1st of one year through June 30 of the following year.
- If a permit is granted after April 1 of a license year, that license will extend to June 30 of the following year.
 - Example: If a business is permitted by the department on April 1, 2015, then its license will expire June 30, 2016.
- Renewal fees for existing establishments shall be submitted to the Department before June 30 each year.

Fees

Type of Facility	Annual Permit Fee	One Time Pre-Inspection Fee
Tourist Rooming House (1-4 Rooms)	\$110	\$300

Instructions

1. To obtain a license through the department, first call (608-224-4923) or [email \(mailto:datcpdfslicensing@wi.gov\)](mailto:datcpdfslicensing@wi.gov) our licensing specialists.
2. Office staff will provide you with a permit application and get you in touch with the local

- Pre-inspection.
4. After your health inspector has determined the facility is safe to open, your permit will be released.

Additional Resources

 [Tourist Rooming House Application \(/Documents/StateCombinedLicenseApp.docx\)](/Documents/StateCombinedLicenseApp.docx)

 [Room Rate Cards \(/Documents/RoomRateCards.pdf\)](/Documents/RoomRateCards.pdf)

WI Statutes

[Chapter 97, Food, Lodging and Recreation \(https://docs.legis.wisconsin.gov/statutes/statutes/97\)](https://docs.legis.wisconsin.gov/statutes/statutes/97)

WI Administrative Code

[ATCP 72, Hotels, Motels and Tourist Rooming Houses \(http://docs.legis.wisconsin.gov/code/admin_code/atcp/055/72\)](http://docs.legis.wisconsin.gov/code/admin_code/atcp/055/72)

Contact

Licensing Specialist

(608) 224-4923

[datcpdfslicensing@wi.gov \(mailto:datcpdfslicensing@wi.gov\)](mailto:datcpdfslicensing@wi.gov)

Contact Information

2811 Agriculture Dr.

P.O. Box 8911

Madison, WI 53708-8911

[\(608\) 224-5012 \(tel:16082245012\)](tel:6082245012)

[\(608\) 224-5058 \(TDD\) \(tel:16082245058\)](tel:6082245058)

[Legal/Acceptable Use \(http://www.wisconsin.gov/Pages/policies.aspx\)](http://www.wisconsin.gov/Pages/policies.aspx)

[Meeting & Public Hearing Notices \(/Pages/About_Us/MeetingPublicHearingNotices.aspx\)](/Pages/About_Us/MeetingPublicHearingNotices.aspx)

[Public Records \(/Pages/About_Us/PublicRecords.aspx\)](/Pages/About_Us/PublicRecords.aspx)

[A-Z Topics \(/Pages/About_Us/AZTopics.aspx\)](/Pages/About_Us/AZTopics.aspx)

[Employment \(/Pages/About_Us/Employment.aspx\)](/Pages/About_Us/Employment.aspx)

[Translate \(/Pages/Translate.aspx\)](/Pages/Translate.aspx)

[Sign Up for Email Updates \(https://service.govdelivery.com/accounts/WIDATCP/subscriber/new\)](https://service.govdelivery.com/accounts/WIDATCP/subscriber/new)

[Support \(/Pages/TechSupport.aspx\)](/Pages/TechSupport.aspx)

GENERAL ORDINANCE NO. 9-09

AN ORDINANCE
AMENDING CHAPTER 13,
GREEN BAY MUNICIPAL CODE,
REGARDING TRANSIENT RESIDENTIAL USES

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 13-300, Green Bay Municipal Code, is amended by adding the following definitions:

Corporate Retreat: A single-family dwelling unit which is provided with or without monetary compensation by a business, company or corporation, including a non-profit corporation, to any transient residential occupant, including, but not limited to, agents, customers, clients, consultants, employees, directors, executives or shareholders of the business, company or corporation.

Local Representative: A property owner or his or her designee who permanently resides within the City of Green Bay or a licensed property management company with a physically staffed office within the City of Green Bay who manages a Transient Residential Use.

Transient Residential Permit (TRP): A permit issued by the City of Green Bay Clerk to the Local Representative for compliance with a Conditional-Use Permit for a Transient Residential Use.

Transient Residential Use: A single-family dwelling unit in which a private home-owner's paying guests or a corporate retreat's guests are entitled to occupancy for a period less than twenty-eight (28) consecutive calendar days.

Transient Residential Occupant: A person who is entitled to occupancy at any Transient Residential Use.

Transient Room Tax: A fee based on the current hotel room tax for Brown County.

Transient Vacation Unit: A dwelling unit which is provided for compensation to transient occupants for less than 28 consecutive calendar days, other than a bed and breakfast. For the purposes of this definition, compensation includes, but is not limited to, monetary payment, services or labor of employees.

GENERAL ORDINANCE NO. 9-09
Page 2

SECTION 2. Section 13-1700, Table 17-2, Green Bay Municipal Code, is amended by adding Transient Residential Parking:

Table 17-2: Specific Off-Street Parking Requirements (Amd. GO 31-06)

Use	Minimum Parking Requirement	Notes
Residential Uses		
Dwellings		
Single-family dwelling, detached (60' lot width or greater)	2 spaces per dwelling unit, including a minimum of 2 enclosed (garage) spaces	
Single-family dwelling detached (less than 60' of lot width)	2 spaces per dwelling unit, including a minimum of 1 enclosed (garage) space	
Two-family dwelling	2 spaces per dwelling unit, including a minimum of 1 enclosed (garage) space	
Single-family attached dwelling	2 spaces per dwelling unit, including a minimum of 1 enclosed (garage) space	
Multiple-family dwelling	1 space per 1-bedroom unit 2 spaces per 2-bedroom or larger unit plus 1 visitor space per 4 units	
Senior (elderly) housing	1 space per dwelling unit	If senior housing may be converted to general housing in the future, proof of additional parking shall be required
Carriage house	1 space per dwelling unit	
Live-work unit	2 spaces per dwelling unit	At least one of the required spaces shall be accessible for client parking
Mobile home park	2 spaces per dwelling unit	
Transient Residential Parking	1 space for each 3 persons of dwelling occupancy	A site plan shall be submitted with an application for a Transient Residential Permit, which identifies the location of the required off-street parking. Exceptions to this requirement are detailed in Ch. 13-1704 Off-Street Parking, Drives and Loading

SECTION 3. Section 13-602, Table 6-1, Green Bay Municipal Code, is amended as follows:

Table 6-1. Principal Uses in the Residential Districts.

Use	District				Dev.
	R-1	R-2	R-3	RR	Stds.
Residential Uses					
Dwellings					
Single-family dwelling, detached	P	P	C	P	X
Two-family dwelling – duplex	C	P	P		X
Two-family dwelling - semi-detached	C	P	P		X
Single-family attached dwelling, townhouse	C	C	P	-	X
Multiple-family dwelling, three or four units	-	C	P	-	X
Multiple-family dwelling, more than four units	-	-	P	-	
Carriage-house	C	-	-	C	X
Live-work unit	C	C	C	P	X
Transient Residential Uses with a Conditional-Use Permit as required in Chapter 13-205	C	-	-	C	X

SECTION 4. Section 13-1602(j), Green Bay Municipal Code, regarding development standards for Transient Residential Uses is created as follows:

j. Transient Residential Use. Transient Residential Uses are incompatible with the purpose of residential neighborhoods and one of the fundamental goals of planning and zoning is protecting residential neighborhoods. Therefore, while transient residential properties may provide additional lodging opportunities for visitors, such use is commercial in nature and can have a significant adverse impact on the appearance, safety and general welfare of surrounding neighborhoods. These impacts include, but are not limited to, increased noise, traffic, overcrowding, lack of parking and general deterioration of the basic nature, purpose and quality of a residential neighborhood.

(1) Once Conditional Use approval has been granted by the Green Bay Common Council, the local representative shall obtain a Conditional Use Permit (CUP), meeting the provisions of this ordinance. The local representative shall document the names, home addresses and phone numbers of the occupants, the vehicle license plate numbers of all vehicles used by the occupants, and the date of the occupancy period. The above information must be available for City inspection upon request. The local representative must be authorized by the owner of the dwelling to respond to occupant and neighborhood questions, concerns and complaints.

(2) The occupancy period for any CUP shall be less than 28 consecutive calendar days.

(3) The number of occupants in any Transient Residential Use shall not exceed the limits set forth in the State of Wisconsin Uniform Dwelling Code and other applicable County and City of Green Bay housing regulations for residential structures based on the number of bedrooms within the unit. Each TRP shall specify the maximum number of occupants allowed.

(4) A CUP is issued to a specific owner of a Transient Residential Use. No person or entity shall hold more than one CUP. The CUP shall be terminated when the permit holder sells or transfers the real property which was offered for Transient Residential Use, except for a change in ownership where the title is held in survivorship, or transfers on the owner's death.

(5) Availability of the Transient Residential Use to the public shall not be advertised on site.

(6) The administrative permit holder and/or registrant shall collect and remit the Transient Room Tax to the Clerk of the City of Green Bay.

(7) The Conditional Use Permit shall be visible from the exterior and shall contain the following information:

a. The name and telephone number of the local representative and/or the property owner.

b. Contact information for City Hall and the Police Department in the City of Green Bay.

c. The maximum number of dwelling occupants permitted to stay in the dwelling.

d. The maximum number of vehicles allowed to be parked on the property.

e. The number and location of on-site parking spaces.

(8) The Transient Residential Use shall not violate any applicable conditions, covenants, or other restrictions on real property.

(9) Each operation shall comply with the provisions of the City of Green Bay/Brown County Health Department as well as all State and County laws governing food-handling establishments. The operation must meet the standards found in Wisconsin Administrative Code HFS 195 regarding Hotels, Motels and tourist rooming houses. Alcohol may not be sold on site.

(10) Any CUP granted by the City may be subject to review on a yearly basis or when the Planning Director or Plan Commission has reason to believe that the regulations are not being adhered to or that there are problems associated with the Transient Residential Use and/or CUP that warrant review by the Plan Commission and the Green Bay Common Council.

(11) No Recreational Vehicle (RV), camper, tent or any other temporary lodging arrangement shall be permitted on site for the purpose of providing accommodations for occupants and/or guests of a Transient Residential Use.

(12) Any outdoor event shall last no longer than one day and shall be limited to the hours of 8:00 a.m. to 10:00 p.m. Any activities on the Transient Residential Use sites shall be in compliance with the noise regulations of the City of Green Bay Municipal Code.

(13) Violations: Failure to comply with the CUP or Transient Room Tax requirements shall constitute a violation of the provisions of this section. Disturbances or nuisances caused by the tenants of an approved Transient Residential Use which violate the City Municipal Code or State law shall also constitute a violation. Penalties for each violation shall be imposed in an amount not to exceed \$500, including court costs, and may result in permit suspension or revocation.

(14) In the event of an application for a CUP for a Transient Residential Use, the following standards shall be considered by the Plan Commission and Common Council in evaluating each application:

a. The applicant does not have any previous violations with regards to a Transient Residential Permit (TRP).

GENERAL ORDINANCE NO. 9-09
Page 5

b. The applicant does not have any outstanding citations issued from the City of Green Bay.

c. The density or amount of any other Transient Residential Uses operating under a Conditional Use Permit previously issued by the Common Council within 500' of the applicant's property.

d. City Inspection records and police calls for all properties owned by the applicant are acceptable.

e. The applicant can clearly demonstrate an intent and ability to comply with the provisions of Transient Residential Use as required in Chapter 13, Zoning Code.

f. An operational plan is provided by the applicant detailing the Transient Residential Use and accommodations.

g. The applicant has conducted a neighborhood meeting, prior to making application to the Plan Commission, by inviting neighbors within 500 feet of the subject site and the applicable neighborhood association has been noticed. Those invited to the neighborhood meeting must be noticed not less than 14 days prior to the meeting.

h. Applications for Conditional Use Permits and full submittals to the Plan Commission must be made not less than two weeks prior to the next available Plan Commission meeting.

SECTION 5. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this 3rd day of August, 2009.

APPROVED:

/s/ James J. Schmitt
Mayor

ATTEST:

/s/ Chad J. Weininger
Clerk

bc

First Reading: 3/19/09
Effective Date: 8/7/09

*Town of Oconomowoc, WI**Friday, October 28, 2016*

Chapter 216. Rental Property, Short-Term

[HISTORY: Adopted by the Town Board of the Town of Oconomowoc 4-7-2014 by Ord. No. 2014-2. Amendments noted where applicable.]

§ 216-1. Title.

This chapter shall be known as the "Town of Oconomowoc Short-Term Rental Ordinance" and may be cited and pleaded as such and shall be cited herein as "this chapter," or by any reference to a section or subsection of this chapter.

§ 216-2. Authority.

This chapter is enacted pursuant to §§ 60.22 and 60.23(23), Wis. Stats.

§ 216-3. Purpose.

[Amended 2-16-2015 by Ord. No. 2015-4]

The purpose of this chapter is to prohibit short-term rental of residential property. There have been numerous complaints based on the use of residences as short-term rentals regarding excessive noise, parking, litter and concerns regarding septic capabilities, security, public safety and trespass. The current county zoning ordinance and shoreland ordinance do not include provisions that allow the use of single-family homes as short-term rentals. Notwithstanding the fact that short-term rentals are not addressed in county ordinances, the Town Board finds it necessary to adopt this chapter based upon the Town's police powers for the protection of the public health, safety, welfare, and neighborhood compatibility. The Town Board finds that short-term vacation rental of residential property would substantially intensify the use of the property in many ways, which would affect the essential character of a neighborhood and the stability of the Town. The Town Board finds that short-term rentals are a business use.

§ 216-4. Exception.

This chapter does not apply to bed and breakfasts or motels, which are regulated under the Waukesha County zoning ordinances, or to condominiums.

§ 216-5. Definitions.

- A. For the purpose of this chapter, words used in the present tense include the future, the singular number includes the plural, the word "shall" is mandatory and not directory, and the term "this chapter" shall be deemed to include all amendments hereafter made to this chapter.
- B. The following definitions apply to this chapter:

PERSON

Every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

RENTAL

An agreement granting the use of a dwelling unit to a person. Use of a dwelling unit by a recorded owner or other person or persons without monetary consideration or other benefit to the property owner shall not be considered to be a rental under this chapter.

[Amended 2-16-2015 by Ord. No. 2015-4]

RENTED

The use of a dwelling unit granted to a person in exchange for monetary consideration.

RENTER

A person who rents a short-term rental.

SHORT-TERM RENTAL

A dwelling unit (including any accessory guest house on the same property) that is rented to any person on a day-to-day basis or for a period of time of up to 30 consecutive nights.

§ 216-6. Prohibitions.

[Amended 2-16-2015 by Ord. No. 2015-4]

- A. Short-term rentals, as defined herein, shall be prohibited in the Town of Oconomowoc.
- B. Short-term rentals. Any real property that is used for short-term rental is not a single-family dwelling. Such property is deemed to be a short-term rental if it meets the definition as defined herein or all of the following circumstances apply:
 - (1) It is subject to any contract, lease, sublease, rental agreement, easement, instrument or other device (an agreement) or an oral agreement.
 - (2) The agreement or agreements create a right to occupy said property.
 - (3) Such rights of occupancy have an actual duration of less than 30 days.
 - (4) The agreement or agreements require payment or other remuneration, barter, or other benefit to the property owner.

§ 216-7. Enforcement; violations and penalties.

- A. Enforcement. It shall be the duty of the Town of Oconomowoc Building Inspector or Town Planner to supervise the administration and the enforcement of this chapter.
- B. Penalties. Violations of this chapter are subject to a citation being issued and forfeitures according to the schedule of forfeitures as may be amended from time to time. Each day of violation constitutes a separate offense and a separately punishable violation but may be joined in a single prosecution. The provisions of this section are in addition to and not in lieu of any State of Wisconsin prosecution.

§ 216-8. Severability.

If any section, subsection, provision, clause or paragraph of this chapter shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity or the remaining portions of this chapter, and it is hereby expressly declared that every other section, subsection,

provision, clause or paragraph of this chapter, irrespective of the portion thereby declared to be unconstitutional, be valid.

§ 216-9. Repeal of conflicting ordinances.

Any portions of any other ordinance previously enacted by the Town of Oconomowoc which are inconsistent with the provisions of this chapter are hereby repealed.

§ 216-10. Effective date.

This chapter shall become effective on May 1, 2014, and upon posting and publication as required by law.



City of Madison (<https://www.cityofmadison.com>)
Mayor Paul R. Soglin
 /mayor

City of Madison (/) / Mayor's Office (/mayor) /

Share

Programs (/mayor/programs) /

Short-Term Rentals (/mayor/programs/short-term-rentals)

Short-Term Rentals

Websites such as Airbnb and VRBO connect homeowners with people who need a place to stay when they're traveling. Though many homeowners use these platforms for intermittent on-the-side rentals, some property owners have gone far beyond this modest ideal. In some parts of the country, property owners are using these web platforms to operate de facto hotels, and people are buying property with the sole purpose of using it as a short-term rental. Taken to these more extensive lengths, short-term rentals have a substantial effect on neighboring property owners, changing the character of a neighborhood, and limiting the stock of affordable housing.

Madison has enacted ordinances that seek to strike a balance between the competing rights of property owners. Under city ordinance, homeowners or renters can earn some extra money renting out space in the dwelling they occupy, but reasonable restrictions ensure that neighbors retain the right to control the type of neighborhood they are living in.

Who may rent, and how often:

1. You may only rent a property if it is your primary residence.
2. The property can only be offered for rental by the owner or a renter who is explicitly authorized in the lease.
3. If the operator occupies the residence at the time of the rental, there is no limit on the number of days the residence may be rented.
4. If the operator does not occupy the residence at the time of rental, the the residence may be rented no more than thirty (30) days per licensing year; July 1 to June 30th.

What do I need to do:

There are four main agencies that property owners should check with before offering their property for short-term rental:

- **City Treasurer:** Owner must register with Treasurer's office and pay room tax as required under Sec. 4.21 [☞](#), MGO and download and fill-out application [PDF](#).

Programs (/mayor/programs)

Budget Conversations [Sections ▲](#)
 (<http://www.cityofmadison.com/budget>)

Adopt a Block Program (/mayor/programs/adopt-a-block-program)

Jeffrey Clay Erlanger Civility In Public Discourse Award (/mayor/programs/jeffrey-clay-erlanger-civility-in-public-discourse-award)

MadMarket Double Dollars Program (/mayor/doubledollars)

My Brother's Keeper Madison [Sections ▲](#)
 (/mayor/programs/my-brothers-keeper)

Neighborhood Resource Teams [Sections ▲](#)
 (/mayor/nrt)

Short-Term Rentals (/mayor/programs/short-term-rentals)

Sister Cities (/sister-cities)

Submit in-person

City of Madison Treasurer's Office
City-County Building
210 Martin Luther King Jr. Blvd.
Room 107
Madison, WI 53703-3342
Mon - Fri: 8am - 4:30pm
Get Directions [↗](#)

Submit by mail

Please make checks payable and send to:
City of Madison Treasurer
PO Box 2999
Madison, WI 53701

- **Public Health:** State law requires the establishment to have a current license from Public Health Madison and Dane County, see Wis. Admin. Code ch. ATCP 72 [↗](#). Download and fill-out the License Application for Lodging, Pool and Body: English *PDF* and Español *PDF* and view the License *PDF* Fee Schedule - Public Health for Lodging, Pool and Body Art *PDF*. The City of Madison Clerk operates as the fiscal agent for the Public Health department, so the application and fee should be submitted to the Madison City Clerk's office.

Submit in-person

City Clerk's Office
City-County Building
210 Martin Luther King Jr. Blvd.
Room 103
Madison, WI 53703-3342
Licensing Hours: Mon - Fri: 8am - 4:00pm
Get Directions [↗](#)

Submit by mail

Please make checks payable and send to:
City of Madison Treasurer
PO Box 2999
Madison, WI 53701

- **Zoning:** Most residential areas in the City of Madison allow short-term rentals. Contact City of Madison Zoning at (608) 266-4551 to ensure that this activity is allowed in your area, and to discuss conditions that may need to be met. For example, the maximum tourist occupancy must comply with maximum family occupancy rules in the underlying zoning district regulations. FAQ: Tourist Rooming House Information *PDF*
- **Department of Revenue:** Short-term rentals are subject to state sales tax. Contact Wisconsin Department of Revenue to obtain a sellers permit [↗](#).

Was this page helpful to you? * Yes No

Why or why not?

Mayor Paul R. Soglin

Mayor's Office

210 Martin Luther King Jr Blvd, Room 403
Madison, WI 53703

- Contact the Mayor
(<http://www.cityofmadison.com/mayor/contact/mayor.cfm>)
- Phone: (608) 266-4611
- Fax: (608) 267-8671
- WI Relay Service
([/dcr/WIRelayService.cfm](http://dcr/WIRelayService.cfm))

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City of Madison

FAQ: Tourist Rooming House

Tourist Rooming House (TRH)

Zoning Ordinance Definition:

Tourist Rooming House. A building or portion thereof, other than a Hotel, Motel, Bed and Breakfast Establishment or Hostel, in which sleeping accommodations are offered for pay to tourists or transients. The definition does not include private boarding, lodging or rooming houses not accommodating tourists or transients.

Supplemental Zoning Regulations:

- a) The establishment shall have a current license from Public Health of Madison and Dane County, as required by Wis. Admin. Code ch. DHS 195.
- b) The tourist rooming house shall be the owner's primary residence.
- c) Owner shall register with Treasurer's office and shall pay room tax as required under Sec. 4.21, MGO.
- d) Only the owner of the property may operate a Tourist Rooming House, except that a renter may operate if explicitly allowed in the lease.
- e) If the operator does not occupy the residence at the time of rental, the tourist rooming house may operate no more than thirty days per licensing year; July 1st to June 30th.
- f) If the operator occupies the residence at the time of rental, there is no limit to the number of days the Tourist Rooming House may operate.
- g) Maximum tourist occupancy shall comply with maximum family occupancy rules in the underlying zoning district regulations.
- h) Each establishment shall have a registry available on-site for inspection, indicating the identity of all guests, dates of stay, acknowledgement of operator presence or absence during stay, and length of stay. The registry shall include all information from the current registry year and the year immediately prior.



Zoning/Use Scenarios



- *Can I rent a bedroom in my apartment?*

Yes, a tenant may rent a room as a TRH if the lease allows the arrangement. If the tenant stays at the unit at the time of rental, there is no limit to the number of rental days allowed per year.

- *Can I rent a room in my home?*

Yes. There is no limit to the number of days you may rent a room if you stay at the home at the time of rental.

- *Can I rent a room in my condo?*

Yes. There is no limit to the number of days you may rent a room if you stay at the home at the time of rental (See Public Health comment regarding bathrooms).

- *Can I leave my apartment and rent it?*

Yes, if the lease allows the arrangement, a maximum of 30 days in a license year (See Public Health comment regarding bathrooms).

- *Can I leave my house or condo while my TRH renter is there?*

Yes, for a maximum of 30 days in a license year.

- *I own a home that is vacant. Can I rent this home as a TRH?*

No. If you own a home that you do not live in or is not your residence, no short-term rental is allowed.

- *What if my TRH renter occupies longer than 30 consecutive days?*

TRH regulations in the zoning code do not apply to people occupying for over 30 days.

- *How many people can I rent the space to?*

Same as the limitation of occupancy for the dwelling. A family is generally considered a group of related individuals. Roomers are considered unrelated individuals. The regulation of a family plus roomers depends on the zoning of the property. Check with the zoning office to clarify the correct limit. A few scenarios:

- ◆ Typical low-density residential area, primarily single-family owner occupied homes = *family plus one roomer or no more than two unrelated individuals.*
- ◆ A multiple-family zoning district, higher density, apartments or condos = *typical occupancy is limited to a family plus four roomers, or up to five unrelated individuals.*

Public Health Madison and Dane County

Tourist Rooming House License is required.

- May or may not be owner occupied at the time of the rental
- Owner can offer prepackaged, shelf-stable food, or whole fruit to their guests without a food license.
- Guests may not share bathrooms unless the house is rented to a single family.
- For unrelated guests, each bedroom must have its own bathroom or separate designated men's and women's bathrooms must be provided.
- Individual locks on the bedroom doors are required unless you rent the home to a single family.

Building Code

No building code issues beyond what is otherwise required for the residential use.

- *Is there a smoke detector rule?*
Yes, current rules for smoke detectors apply, no change required to TRH.
- *Is there a carbon monoxide rule?*
Yes, current rules for CO detectors apply, no change required for TRH.

Room Tax/Sellers Permit

Room Tax Certificate from the City of Madison Treasurer is required. Information can be found at:

<http://www.cityofmadison.com/clerk/documents/licensing/roomtaxpacket.pdf>

Still Have Questions?

Please feel free to call or come by the Department of Planning & Community & Economic Development to speak with one of our Zoning Staff.

Department of Planning & Community & Economic Development

Building Inspection Division
215 Martin Luther King Jr. Blvd., Rm. LL-100
P.O. Box 2984
Madison, WI 53701-2984

Phone: (608) 266-4551
<http://www.cityofmadison.com/dpced/bi/>



UNOFFICIAL "CLEAN" VERSION

CITY OF MADISON, WISCONSIN

AMENDED 2ND SUBSTITUTE ORDINANCE _____

PRESENTED
REFERRED

FROM THE FLOOR 8/6/13
Plan Commission; Public
Hearings: PC 8/26/13;
CC 9/3/13

Amending Sections 28.032, 28.061, 28.072, 28.082, 28.091 28.151, and 28.211 of the Madison General Ordinances to add Tourist Rooming House to the Zoning Code and to eliminate spacing requirements between bed and breakfast establishments.

LEGISTAR 31136

Drafted by: Maureen O'Brien

Date: November 15, 2013

SPONSOR: Aids. Clear, Bidar-Sielaff, Phair, and Zellers

DRAFTER'S ANALYSIS: The City has become increasingly aware of websites such as VRBO and AirBnB that facilitate short-term rentals of private homes. The current zoning code does not specifically address these rentals. The code regulates bed and breakfast establishments; however many of these new rentals would not be eligible for a bed and breakfast license. A B&B license requires the owner to be present in the home at the time of rental.

Under state law, this other type of rental is defined as a "Tourist Rooming House (TRH)." Such establishments are required to be licensed by the health department and to pay room tax just as hotels and bed and breakfast establishments do. This amendment establishes a Tourist Rooming House as a permitted use in all districts, and requires that they be operated by an owner who uses the property as his or her primary residence. It requires that a TRH be licensed with Public Health of Madison and Dane County, registered with the Treasurer's office, and pay room tax. Additionally, this amendment limits operation of a TRH to the owner of the property, unless a lease agreement specifically allows a renter to operate, and sets a maximum limit for operation of a TRH at thirty days per licensing year.

This amendment also eliminates the 500-foot spacing requirement between bed and breakfast establishments, and clarifies that a bed and breakfast establishment must be the owner's personal residence, but not necessarily his or her primary residence. This distinction would allow a person who lives part of the year in another state to operate a bed and breakfast during the time they live in their Madison home. This is different from the rule for TRH, which requires that the residence be the owner's primary residence.

POST-ADOPTION EDITOR'S NOTE: In the final version of this amendment, the 30-day limit for Tourist Rooming Houses was changed. The final version limits operation of a tourist rooming house to 30 days when the operator is not present in the home during the time of rental, sometimes referred to as a "whole house rental." However, there is no limit to the number of days a TRH may operate if the operator is home during the rental. This is similar to the rule for Bed and Breakfasts, which has no maximum days per year.

In addition, the final version of the amendment added a requirement that the operator maintain a guest registry. This guest book must be available on-site for inspection, and will assist the City in ensuring compliance with these regulations.

The Common Council of the City of Madison do hereby ordain as follows:

Approved as to form:

for Michael P. May, City Attorney

1. Table 28C-1 of Subsection (1) of Section 28.032 entitled “Residential District Uses” of the Madison General Ordinances is amended by creating therein the following:

“Residential Districts																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
Retail, Service, Recreation and Other Uses																
Tourist rooming house	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y”

2. Table 28D-2 of Section 28.061 entitled “Mixed-Use and Commercial Districts Uses” of the Madison General Ordinances is amended by creating therein the following:

“Mixed-Use and Commercial Districts							
	LMX	NMX	TSS	MXC	CC-T	CC	Supplemental Regulations
Commercial Recreation, Entertainment and Lodging							
Tourist rooming house	P	P	P	P	P	P	Y”

3. The Table 28E-2 of Subsection (1) of Section 28.072 entitled “Downtown District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Commercial Recreation, Entertainment and Lodging						
Tourist rooming house	P	P	P	P	P	Y”

4. The Table 28F-1 of Subsection (1) of Section 28.082 entitled “Employment District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Employment Districts							
	TE	SE	SEC	EC	IL	IG	Supplemental Regulations
Commercial Recreation, Entertainment and Lodging							
Tourist rooming house	P	P	P	P			Y”

5. The Table 28G-1 of Subsection (1) of Section 28.091 entitled “Special District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Special Districts						
	A	UA	CN	PR	AP	Supplemental Regulations
Commercial Recreation, Entertainment and Lodging						
Tourist rooming house	P				P	Y”

6. Section 28.151 entitled “Applicability” of the Madison General Ordinances is amended by amending and creating therein the following:

“Bed and Breakfast Establishment.

- (a) A maximum of eight (8) rooms shall be rented.
- (b) The establishment shall have a current license from Public Health of Madison and Dane County.
- (c) The only meal that may be served is breakfast to registered guests.
- (d) Fire protection shall be approved by the Fire Department, and may be more restrictive than State requirements.
- (e) Length of stay shall not exceed twenty-one (21) consecutive days for each registered guest.
- (f) No more than twenty (20) tourists or transients shall be allowed to rent at one time.
- (g) The owner of the residence shall occupy the residence at the time of rental.”

Tourist Rooming House.

- (a) The establishment shall have a current license from Public Health of Madison and Dane County, as required by Wis. Admin. Code ch. DHS 195.
- (b) The tourist rooming house shall be the operator’s primary residence.
- (c) Owner shall register with Treasurer’s office and shall pay room tax as required under Sec. 4.21, MGO.
- (d) Only the owner of the property may operate a Tourist Rooming House, except that a renter may operate if explicitly allowed in the lease.
- (e) If the operator does not occupy the residence at the time of rental, the tourist rooming house may operate no more than thirty (30) days per licensing year; July 1 to June 30th.
- (f) If the operator occupies the residence at the time of rental, there is no limit to the number of days the Tourist Rooming House may operate.
- (g) Maximum tourist occupancy shall comply with maximum family occupancy rules in the underlying zoning district regulations.
- (h) Each establishment shall have a registry available on-site for inspection, indicating the identity of all guests, dates of stay, acknowledgement of operator presence or absence during stay, and length of stay. The registry shall include all information from the current registry year and the year immediately prior.”

7. Section 28.211 entitled “Definitions” of the Madison General Ordinances is amended by amending or creating therein the following:

“Bed and Breakfast Establishment. A private residence that rents rooms as temporary lodging and which is the personal residence of the operator.

Tourist or Transient. A person who travels to a location away from his or her permanent address for a short period of time, not to exceed thirty days for vacation, pleasure, recreation, culture, business or employment.

Tourist Rooming House. A building or portion thereof, other than a Hotel, Motel, Bed and Breakfast Establishment or Hostel, in which sleeping accommodations are offered for pay to tourists or transients. The definition does not include private boarding, lodging or rooming houses not accommodating tourists or transients.”

Sec. 18-54 - Table of land uses.

The Table of Land Uses on the following pages is provided as a convenience for the zoning administrator and the general public. Where there are conflicts between the text of this chapter and the Table of Land Uses, the text shall prevail. Refer to section 18-162 for additional standards pertaining to group and large developments which are regulated as conditional uses.

Agricultural Holding (AH-35)	Lakefront Residential (LR-0)	Exurban Residential (SR-1)	Estate Residential (SR-2)	Neighborhood Residential (SR-4)	Village Residential (SR-5)	Attached Residential (AR-6)	Multi-Family Residential (MR-8)	Multi-Family Residential (MR-12)	Institutional (IN)	Neighborhood Business (NB)	Village Center (VC)	Community Business (CB)	Resort Business (RB)	Office Park (OP)	Research Park (RP)	Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: Permitted by Right C: Permitted as a Conditional Use T: Permitted as a Temporary Use
																Residential Land Uses 18-56(P)
																(a) Single-Family 35 acre lot
P														See Section 18-60		(a) Single-Family 40,000 sq. ft. lot
C	P															(a) Single-Family 30,000 sq. ft. lot
		P														(a) Single-Family 15,000 sq. ft. lot
			P													(a) Single-Family 10,000 sq. ft. lot
				P												(a) Single-Family 7,000 sq. ft. lot
					P					P	P					(a) Single-Family 5,000 sq. ft. lot
						P	P	P								(a) Single-Family 5,000 sq. ft. lot
						P	P	P		C	P					(b) Two-Flat
						P	P	P		C						(c) Twin House
						P	P	P		C						(d) Duplex
							P	P								(e) Townhouse 3-4 units
							C	P								(e) Townhouse 5-8 units
							P	P								(f) Multiplex 3-4 units
							C	P								(f) Multiplex 5-8 units
							P	P								(g) Apartment 3-4 units
							C	P								(g) Apartment 5-8 units
								C								(g) Apartment 9-16 units
C																(h) Mobile Home
C																(i) Mobile Home Subdivision
C																(j) Mobile Home Park
										P	P					(k) Mixed Use Residential
P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	(l) Existing Residential
																Commercial Land Uses 18-56(P)

										P	P	P	See Section 18-62	P	P	(a) Office	
										P	P	P			P	P	(b) Personal or Professional Service
															C		(c) Artisan Studio
										P	P	P			C		(d) Indoor Sales or Service
												P		C	C		(e) Outdoor Display
										C	P	C			C	C	(f) Indoor Entertainment
C												P			C	C	(g) Outdoor Entertainment
																	(h) In-Vehicle Sales or Service
C		C	C	C	C	C	C	C	C	C	P	C					(i) Bed and Breakfast Establishment
															C	C	(j) Commercial Indoor Lodging
							C	C	C	C	P						(k) Boarding House
							C	C	C	C	P	C			C	C	(l) Group Daycare Center (9+ Children)
C																	(m) Commercial Animal Boarding
										P	P	P		P		(n) Indoor Maintenance Service	
															C	(o) Outdoor Maintenance Service	
															C	(p) Vehicle Sales	
C																(q) Adult-Oriented Land Use	
																(r) Resort Hotel	
										C	P	C				(s) Tourist Rooming House	
																Recreational Land Uses 18-57(#)	
C													See Section 18-40			(a) Campground	
P		P	P	P	P	P	P	P	P	P	P	P			P	P	(b) Passive Outdoor Recreation
P		P	P	P	P	P	P	P	P	P	P	P			P	P	(c) Active Outdoor Recreation
C										C							(d) Intensive Outdoor Recreation
												P					(e) Lake-Related Recreation
																Institutional Land Uses 18-58(#)	
	C								C		P		See Section 18-62			(a) Indoor Institutional	
C	C								C								(b) Outdoor Institutional

limited to, the following additional uses or activities: commercial indoor lodging, indoor entertainment, outdoor entertainment, gate shows, indoor sales or service, personal or professional service, artisan studio, office, group day care center, commercial animal boarding, passive outdoor recreation, active outdoor recreation, intensive outdoor recreation, lake-related recreation, off-site parking, and limited duration special activities and events. Resort hotels may include, but are not limited to, the following facilities: meeting rooms, game rooms, restaurants, indoor and outdoor swimming pools, salons, health spas, studios, auditoriums, night clubs, lounges, convention and exhibition halls, bowling alleys, cinemas, theaters, gift shops, travel and ticket agencies, and other similar facilities designed primarily as adjuncts to and principally serving the occupants and guests of the resort. Resort hotels shall adhere to the following listed regulations:

- (1) Resort hotels shall not be used as primary or secondary residences.
- (2) Resort hotels shall adhere to the regulations of the Resort Business District (see section 18-40).

(s) Tourist rooming house. A dwelling unit available to a single party for overnight, weekend, or weekly stays by paying guests which may or may not be owner occupied for part of the year. These uses are often referred to as "vacation rental homes" and include timeshare units. Tourist rooming houses shall adhere to the following listed regulations:

- (1) Occupancy shall be limited to two persons per bedroom, plus an additional two persons. At no time may the number of guests exceed eight regardless of the number of bedrooms in the dwelling unit.**
- (2) The maximum stay for any party other than the owner of the premises shall be 30 consecutive days.**
- (3) The number of guest vehicles allowed on-site is limited to the number of bedrooms in the unit. On-street parking is prohibited. No recreational vehicle or tent may be used for living or sleeping purposes.**
- (4) The appearance of the dwelling shall not be altered in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust, or vibrations the can carry beyond the premises.**
- (5) The availability of the tourist rooming house to the public shall not be advertised on-site.**
- (6) The tourist rooming house must be licensed by the State of Wisconsin.**
- (7) A minimum of one parking space shall be provided for each bedroom.**

(Ord. No. 090412-02, § 1, 9-4-2012)

CHAPTER 14

Short-Term Rental of Dwelling Units

SEC. 7-14-1 Purpose.

The purpose of this chapter is to protect the character and stability of the city's neighborhoods by limiting and regulating short-term rental of dwelling units and to ensure that accommodations adequately provide for the health, safety and welfare of their occupants.

SEC. 7-14-2 Transient Rental Occupancy Requirements.

- A. No person shall occupy, use, operate or manage, nor offer or negotiate to use, lease, or rent a dwelling unit for short-term rental occupancy unless a short-term rental permit has been issued to the owner of that dwelling.
- B. The rental of a dwelling, or portion thereof for short-term occupancy shall be considered a motel and be subject to compliance with the requirements of Municipal Code, Chapter 10, Hotel and Motel Room Tax.
- C. A short-term rental permit is issued to a specific owner of a dwelling unit(s) and is not transferable.
- D. For the purposes of this subsection, an individual tenancy means a specific person or group of persons who together occupy or are entitled to occupy a short-term rental dwelling unit(s).
- E. The minimum duration of tenancy for an individual occupant shall be one day.
- F. The use of a dwelling for short-term occupancy shall not exceed one individual tenancy within fourteen consecutive calendar days.
- G. An individual tenancy described in Section 2 (F) shall commence on the first day that the person(s) that constitute the individual tenancy occupy or are entitled to occupy the dwelling unit.
- H. The short-term rental occupancy of a dwelling unit, as permitted by subsection A of this section shall comply with the standards of Section 3.

SEC. 7-14-3 Standards.

- A. The short-term rental occupancy of a dwelling unit, as permitted by Section 2, shall comply with the following standards:
 - 1. Permit.
 - a. Any person who is permitted to engage in the rental of a dwelling for short-term occupancy, pursuant to Section 2(A)(1), shall make application to the city, upon suitable forms furnished by the city, for a revocable transient rental permit accompanied by a fee as may be established by the Common Council. The term of the permit shall be one (1) year commencing from the date of permit issuance and must be renewed annually. If complete application and applicable fee has not been received

by the city within 10 days of the termination date, the short-term rental occupancy of the dwelling unit(s) shall be conclusively presumed to be discontinued and the city shall commence the revocation of the permit pursuant to the procedure described in Section 4(B).

- b. The city shall issue the permit where it finds the standards of subsection (A)(2) of this section are met.
2. The issuance of a short-term rental permit shall be subject to the following:
- a. Inspection.
 - i. At the time of application for a new short-term rental permit pursuant to Section 3(A)(1) the dwelling unit(s) shall be subject to inspection by the building official or his designee. The purpose of the inspection is to determine the conformance of the dwelling with the requirements of Section 15-5 of the Housing Code of the City of Menasha. Prior to the issuance of the short-term rental permit, the owner of the dwelling unit(s) shall make all necessary alterations to the dwelling required by the building official pursuant to the Housing Code of the City of Menasha and the Health Department official pursuant to Department of Health Services 195 of the Wisconsin Administrative Code.
 - b. Occupancy.
 - i. The maximum occupancy for the dwelling shall be two persons per bedroom and two additional persons (e.g., a two-bedroom dwelling is permitted a maximum occupancy of six persons). The maximum occupancy may be further limited by the requirements of subsection (A)(2)(e) of this section. For the purpose of establishing occupancy, a person is defined as an individual at least two years of age.
 - ii. The maximum occupancy on the property shall be that determined by the occupancy of the dwelling unit(s), per subsection (4)(2)(b)(i) of this section. No recreational vehicle, travel trailer, tent or other temporary shelter shall be used by any tenant on the premises for living or sleeping purposes.
 - iii. When an owner applies for a building permit for a dwelling that has a short-term rental occupancy permit that will increase the occupancy of that dwelling unit(s), the owner will provide the city documentation that additional off-street parking as required by subsection (A)(2)(e) of this section will be provided.
 - c. Short-term Rental Room Tax. Compliance with the requirements for the Municipal Code, Chapter 10, Hotel and Motel Room Tax is required.
 - d. Local Representative.
 - i. The property owner shall designate a local representative for the short-term rental. For short-term rentals with three or more rental units, there shall be a local representative who permanently resides on the premises.
 - ii. The property owner or the designated local representative shall maintain a guest and vehicle registry for each tenancy of the short-

- term rental. The register shall include the names, home addresses and phone numbers of the tenants; the vehicle license plate numbers of all vehicles used by the tenants, and the dates of the rental period. The above information must be available for city inspection upon request; failure to maintain or provide the required information constitutes a violation and is grounds for a penalty pursuant to Section 4.
- iii. The local representative must be authorized by the owner of the dwelling to respond to tenant and neighborhood questions or concerns. The local representative shall serve as the initial contact person if there are questions or complaints regarding the operation of the dwelling for—short-term rental purposes. The local representative must respond to those complaints in a timely manner to ensure that the use of the dwelling complies with the standards for short-term rental occupancy, as well as other pertinent city ordinance requirements pertaining to noise, disturbances, or nuisances, as well as state law pertaining to the consumption of alcohol, or the use of illegal drugs.
 - iv. If the police department is not able to contact the local representative in a timely manner more than twice during the term of the annual permit, this shall be considered a violation pursuant to Section 5 and that violation shall be counted in the number of violations assessed against the permit pursuant to Section 4.
 - v. The designated local representative may be changed by the permit holder from time to time throughout the term of the permit. However, to change the local representative, the permit holder must file a revised permit application that includes the name, address and telephone number of the new local representative. Failure to notify the city of a change in the local representative constitutes a violation pursuant to Section 4B and that violation shall be counted in the number of violations assessed against the permit pursuant to Section 4.
 - vi. The city will notify property owners and or residents within two hundred feet of the dwelling of the name, address and telephone number of the owner or the local representative. The purpose of this notification is so that adjacent property owners and residents can contact the responsible person to report and request the resolution of problems associated with the operation of the short-term rental.
- e. **Parking.** One off-street parking space shall be provided for each three persons of dwelling occupancy, as determined by subsection (A)(2)(b)(i) of this section; fractions shall be rounded to the next highest whole number (e.g., a dwelling with a permitted occupancy of eight persons shall provide three off-street parking spaces.) Each parking space shall be not less than 9 feet in width and not less than 171 square feet in area. Where the number of parking spaces required by this section cannot be provided

on-site, the permitted occupancy of the dwelling shall be reduced to conform to the available amount of off-street parking (e.g., a dwelling with a potential occupancy, pursuant to subsection (A)(2)(b) of this section, of eight persons, which provides only two off-street parking spaces shall have its occupancy limited to six persons.) No more vehicles shall be parked on the property than there are designated off-street parking spaces.

- f. Permit Posting. The short-term rental permit shall be posted within the dwelling adjacent to the front door. At a minimum, the permit will contain the following information:
 - i. The name of the local representative and a telephone number where the representative may be reached;
 - ii. The name and a telephone number where the property owner can be reached;
 - iii. The telephone number of the Menasha Police Department;
 - iv. The maximum number of occupants permitted to stay in the dwelling;
 - v. The maximum number of vehicles allowed to be parked on the property; and
 - vi. The number and location of on-site parking spaces.

SEC. 7-14-4 Violations and Penalties.

- A. Violations. The following conduct shall constitute a violation for which the penalties and sanctions specified in Section 4B may be imposed.
 - 1. Any property owner, or person acting as an agent for the property owner, such as a motel, real estate broker or property manager, who arranges or otherwise provides for short-term rental occupancy of a dwelling unit in violation of the provisions of this section; or
 - 2. The owner has failed to comply with the standards of Section 3; or
 - 3. The owner has failed to pay the room tax as required by Municipal Code, Chapter 10, Hotel and Motel Room Tax; or
 - 4. The tenants of the dwelling have created noise, disturbances, or nuisances, in violation of the city municipal code, or violations of state law pertaining to the consumption of alcohol, or the use of illegal drugs.
- B. Penalties.
 - 1. The permit holder is subject to the following penalties: written notice of violation, suspension, or revocation of the license.
 - a. *Written Notice of Violation.* The city shall provide the permit holder with a written notice of any violation of this section that has occurred. If applicable, a copy of the warning notice shall be sent to the local representative.
 - b. *Suspension or Revocation of License.* The city shall provide the permit holder with a written notice of the permit suspension or revocation and the reason for that suspension or revocation. The Administration Committee shall conduct a due process hearing. During the hearing the permit holder

may present such evidence as may be relevant. At the conclusion of the hearing, based on the evidence it has received, the Administration Committee may uphold, modify, or overturn the decision to suspend or revoke the permit based on the evidence it received.

2. A person who has had a short-term rental occupancy permit revoked shall not be permitted to apply for a short term rental occupancy permit until at least one year has lapsed since the date of revocation.

Community Development Report - October 2016

Construction Report

Violation Report

New Construction/Additions	Owner/Location	Declared Valuation	Fees
Residential	5708/5710 Sandpiper Drive The House Doctor LTD	\$207,700.00	\$1,500.00
Residential	2424 Osprey Retreat Bergman Builders, Inc.	\$280,000.00	\$1,000.00
Commercial	Aspirus - Stevens Point Clinic 5409 Vern Holmes Drive	\$11,863,100.00	\$14,328.57

Remodeling	# of Permits	Declared Valuation	Fees
Residential	74	\$326,395.00	\$3,684.92
Commercial	20	\$637,587.00	\$7,079.06

Monthly Permits	Monthly Valuation	Monthly Fees	YTD Valuation	YTD Fees
97	\$13,314,782.00	\$27,592.55	\$49,966,520.31	\$275,706.27

2015: \$28,735,867.31 \$173,509.21
 2014: \$21,153,587.25 \$122,095.11
 2013: \$23,615,315.94 \$168,520.55

Exterior Property Area Complaints

- *Multiple Exterior Property Violations 1
- *Other Exterior Property Violations 2
- Accumulation of Rubbish or Garbage 0
- Grass or Weeds 0
- Improper Parking of Vehicles 3
- Improper Storage of Refuse or Refuse Carts 0
- Refuse or Refuse Carts on Curb 0
- Snow and Ice 0
- Storage of Household Items Outside 0
- Unlicensed or Inoperable Vehicles 0
- Unsanitary Conditions 0

Exterior Structure Complaints

- *Multiple Exterior Structure Violations 1
- *Other Exterior Structure Violations 0
- Broken or Missing Windows 0
- Defective Protective Treatment 3
- Missing or Defective Handrails/Guards 0

Interior Structure Complaints

- *Multiple Interior Structure Violations 0
- *Other Interior Structure Violations 0

Multiple Violations

- *Multiple Property Violations 5

Other Violations

- *Other Property Violations 1
- Multiple Violations 4
- Expired Multiple-Family License 0
- Improper Occupancy: Multi-Family Dwelling 0
- Improper Occupancy: Residential Dwelling 0
- Noise 0
- Unlicensed Well(s) 0
- Work w/o Historic Preservation Review 0
- Work Without Permit 1

Total Violations / Total Service Fees Billed	21 / \$1,700
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