

AGENDA
CITY PLAN COMMISSION

Monday, November 7, 2011 – 6:00 PM
Lincoln Center – 1519 Water Street, Stevens Point, WI 54481

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

1. Approval of the report of the October 3, 2011 Plan Commission meeting.
2. Discussion and possible action on the Vacation of the following alleys:
 - a. Alley that runs between and parallel with Jefferson Street and Oak Street beginning at California Avenue and ending at Texas Avenue.
 - b. Alley that runs between and parallel with Minnesota Avenue and Vermont Avenue beginning at Center Street and ending at Dixon Street.
 - c. Alley that runs between and parallel with Center Street and Oak Street beginning at Frontenac Avenue and ending at California Avenue.
 - d. Alley or a portion thereof that is located between and parallel with Minnesota Avenue and Vermont Avenue beginning at Center Street and ending at Jefferson Street.
 - e. Alley that runs between and parallel with Oak Street and Center Street beginning at Vermont Avenue and ending at Frontenac Avenue.
3. Discussion and possible action on an annexation request from Wilfred and Annette Hafner, for the purposes of annexing the property located at **340 Wood Lane** from the Town of Hull to the City of Stevens Point.
4. Discussion and possible action on establishing a permanent zoning classification for the property listed above (Hafner annexation request).
5. Discussion and possible action on a parking lot review for the USDA project located at **5417 Clems Way**.
6. Discussion and possible action on a request from Adventure 212 for a modification to the landscape requirements for a parking lot located at **3217 John Joanis Drive (Parcel ID 2308-02-4001-02)**.
7. Discussion and possible action on a request from Lamar Advertising, for a conditional use permit to locate an off-premise advertising sign at **3001 Hoover Avenue (Parcel ID 2308-02-2301-34)**.
8. Discussion and possible action on a request from Holly Carter and Tony Babl, for a conditional use permit to allow four unrelated persons to reside in a dwelling located at **1574 Water Street (Parcel ID 2408-32-3002-32)**.
9. Discussion and possible action on an annexation request from Peter and Kerry Klismith, 473 Shadow Oak Lane, Stevens Point, WI and Justin and Christina Callan, 1605 Infinity Lane, Stevens Point, WI, for the purposes of annexing the property located at the **northwest quadrant of Casimir Road and Interstate Highway 39** from the Town of Hull to the City of Stevens Point. **PETITION #1.**
10. Discussion and possible action on an annexation request from Peter and Kerry Klismith, 473 Shadow Oak Lane, Stevens Point, WI and Justin and Christina Callan, 1605 Infinity Lane, Stevens Point, WI, for the purposes of annexing the property located at the **northwest quadrant of Casimir Road and Interstate Highway 39** from the Town of Hull to the City of Stevens Point. **PETITION #2.**

Any person who has special needs while attending these meetings or needs agenda materials for these meetings should contact the City Clerk as soon as possible to ensure that a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715)346-1569, TDD# 346-1556, or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

11. Discussion and possible action on an annexation request from Peter and Kerry Klismith, 473 Shadow Oak Lane, Stevens Point, WI and Justin and Christina Callan, 1605 Infinity Lane, Stevens Point, WI, for the purposes of annexing the property located at the **northwest quadrant of Casimir Road and Interstate Highway 39** from the Town of Hull to the City of Stevens Point. **PETITION #3.**
12. Discussion and possible action on updating Chapter 23 (Zoning) of the Revised Municipal Code of the City of Stevens Point.
13. Adjourn.

REPORT OF CITY PLAN COMMISSION

Monday, October 3, 2011 – 6:00 PM

PRESENT: Chairperson Mayor Halverson, Ald. Jerry Moore, Commissioner Anna Haines, Commissioner Shari Laskowski, and Commissioner Jack Curtis.

ALSO PRESENT: Community Development Director Michael Ostrowski, Alderperson M. Stroik, Alderperson Suomi, Troy Mleziva, Cathy Dugan, Amber Garbe, Al Pennibecker, Michael Neely, Ross Rettler, Mathew Brown, Brian Kowalski, Perry Piotrowski, Robin Engum, Renee Volleter, Gary Vollert, Ray Gollon, Cassandra Clinton, Michael Vollert, and Karen Karl.

INDEX:

1. Approval of the report of the September 6, 2011 Plan Commission meeting.
2. Discussion and possible action on an annexation request from Josh and Amber Garbe, **324 Indiana Avenue North**, for the purposes of annexing a portion of **Outlot 1 of Certified Survey Map #9165-38-95** from the Town of Hull to the City of Stevens Point.
3. Discussion and possible action on establishing a permanent zoning classification for the property listed above (Garbe annexation request).
4. Discussion and possible action on a request from Kwik Trip, for a conditional use permit to operate a carwash at **1600 Maria Avenue/1601 Academy Avenue and 1616 Maria Avenue. Parcel ID 2408-29-1300-17 and 2408-29-1300-20.**
5. Discussion and possible action on a request from the Robin Engum, for an exterior building review of the proposed 24 bedroom apartment complex on the property located just **east of 117, 125, and 133 Second Street North. Parcel ID 2408-29-2400-11. – Plans to be delivered prior to meeting.**
6. Discussion and possible action on a request from Ministry, Saint Michael's Hospital, for a site plan review and a modification of the landscape requirements for the reconstruction of an existing parking lot at **2501 Main Street, 2601 Main Street, 1310 Chase Street, 1318 Chase Street, 1317 Cross Street, and Clark Street. Parcel IDs 2408-33-2025-04, 2408-33-2025-02, 2408-33-2025-14, 2408-33-2025-13, 2408-33-2025-05, and 2408-33-2025-15.**
7. Discussion and possible action on a Letter of Map Revision (LOMR) for Flood Insurance Rate Maps (FIRM) 55097C0220D and 55097C0331D to amend the base flood elevations for the City along the Big Plover River.
8. Discussion and possible action on the transferring of property located at 1017 Third Street from the City of Stevens Point to the Community Development Authority of the City of Stevens Point. **Parcel ID 2408-32-2003-01.**
9. Discussion and possible action on updating Chapter 23 (Zoning) of the Revised Municipal Code of the City of Stevens Point.
10. Adjourn.

Prior to the start of the meeting, Director Ostrowski handed out to the Plan Commission a copy of the revised report of the September 6, 2011 Plan Commission meeting; an elevation plan, landscape plan, and photos for Kwik Trip's conditional use request; and an updated plan for the exterior building review for the proposed 24 bedroom apartment complex. Those documents are attached to this report.

1. Approval of the report of the September 6, 2011 Plan Commission meeting.

Director Ostrowski handed out a revised report for the September 6, 2011 Plan Commission meeting and pointed out the change in the report that should read Commissioner Rice stated that he cannot participate, nor take any action on items 3-10 and 12 because his firm has done work for, or represents these individuals, and instead of abstaining, he stated that he recused himself from voting on those issues. In addition, Commissioner Laskowski recused herself on item 10.

Motion by Commissioner Haines to approve the report as amended; seconded by Commissioner Laskowski. Motion carried 5-0.

2. Discussion and possible action on an annexation request from Josh and Amber Garbe, **324 Indiana Avenue North**, for the purposes of annexing a portion of **Outlot 1 of Certified Survey Map #9165-38-95** from the Town of Hull to the City of Stevens Point.

Director Ostrowski stated in 2010, the Garbe's constructed a new home at 324 Indiana Avenue North, which is located within the City of Stevens Point. During the construction of this home approximately seven (7) feet of the home was built over the property line to the north. Since then, the Garbe's have acquired the parcel to the north, and it is now under their ownership. They are now requesting to annex approximately 7 feet of the parcel into the City of Stevens Point from the Town of Hull so that their home is located entirely within the city limits of Stevens Point.

Motion by Commissioner Moore to approve; seconded by Commissioner Haines.

Cathy Dugan, 615 Sommers Street - Stated she was curious on how a home could be built over the property line. Mayor Halverson stated that there could have been several factors, but the annexation would be the best way to rectify the issue.

Motion carried 5-0.

3. Discussion and possible action on establishing a permanent zoning classification for the property listed above (Garbe annexation request).

Director Ostrowski recommend that the property be zoned "PD" Planned Development District, which is the zoning classification of the owner's primary property and surrounding properties. The Future Land Use Map of the Comprehensive Plan indicates this area to be a residential use.

Motion by Commissioner Laskowski to approve a permanent zoning classification of "PD" Planned Development District; seconded by Commissioner Moore. Motion carried 5-0.

4. Discussion and possible action on a request from Kwik Trip, for a conditional use permit to operate a carwash at **1600 Maria Avenue/1601 Academy Avenue and 1616 Maria Avenue. Parcel ID 2408-29-1300-17 and 2408-29-1300-20.**

Director Ostrowski reported that Kwik Trip is proposing to construct a new gas station with a detached carwash at this location. Kwik Trip plans to remove the current structures on the two lots for this project. The reason the request is before the Plan Commission is because a carwash is considered a conditional use within the B-4 zoning district; the gas station is a permitted use. In speaking with Kwik Trip and the city engineer regarding the condition for the eastern most

ingress/egress on Maria Drive to be removed, we have determined that the ingress/egress point may be able to remain, but it will likely need to be shifted to the east about 30 feet to provide for more stacking. The second condition listed on the staff report addressed the need for screening along the western most property line. Kwik Trip has stated that they want to keep as much of the existing foliage on the west side property line as possible for screening. One of the concerns that staff has is that it is difficult to determine the amount that will remain after they put in the drive area and how much it will actually screen the adjacent property. Staff would recommend that if the Commission allows the existing foliage to remain in place of a fence, that it attached a condition that would require additional screening if too much of the existing landscaping is removed.

Cathy Dugan, 615 Sommers Street - Is opposed to the carwash and moving of the Kwik Trip store from its current location. Ms. Dugan does not think that this development is appropriate at this location, and they should just expand at their current site.

Renee Vollert, 1500 Maria Drive - Does not support the Kwik Trip development on Maria Drive. In being a resident on the opposite corner, she has many concerns, including the music played at the pumps, the intercom systems used, the sound of the carwash, possible gas spills and contamination, increased traffic, traffic patterns changing for persons attempting to "beat" the traffic signals, and increased pedestrian traffic that may cut through the back yards. Ms. Vollert did give suggestions of a taller fence for privacy and noise reduction. In addition, there should be shrubs on the outside of the fencing to soften the appearance, along with keeping the existing foliage. In addition, there should be doors on both sides of the carwash to reduce the noise.

Alderperson Suomi - Asked if a representative from Kwik Trip could explain the reason for expanding at this location.

Commissioner Laskowski - Asked for the representative to explain how they could address the noise issues.

Troy Mleziva, Kwik Trip - Stated that the current location of the Kwik Trip store is not large enough to expand for the carwash. At this location, they can do their new store layout and have a one stall carwash. As for the impact of the noise concerns, the speakers would be aimed towards the store, with volume controls inside. Kwik Trip wants to be a good neighbor, and they would be ok with limitations set on them for sound reduction. Once the facility is up and running, the store manager would be responsible for making sure that they are good neighbors and properly managing noise, traffic, and litter concerns.

Commissioner Haines questioned the lighting for the development and if the carwash itself would have doors on both sides. Mr. Mleziva stated that there are doors on both sides of the carwash, and that a photometric plan has been submitted, showing very little light spillover. He indicated that this property is going to be a LEED certified, US Green Building Council rated property, and would use all the latest LED lighting technologies. This involves the down cast of light, as well as recessed lighting.

Commissioner Haines asked about the red stripe on the carwash and whether or not that it would be illuminated. Mr. Mleziva stated that the stripe on the carwash is not illuminated.

Commissioner Laskowski asked besides the foliage that is being kept, is there any other landscaping. Mr. Mleziva said the plan is to keep the pines and install a fence on the south side of the lot, with landscaping inside the fenced area. The fencing would be a board on board fence that would look the same on both sides.

Commissioner Haines asked if there was a retention pond on Academy Avenue. Director Ostrowski stated that there is one at this location. There may be additional areas for stormwater runoff as determined by the Department of Public Works.

Mayor Halverson pointed out that the land to the west is approximately 100 feet x 500 feet and zoned B-4 Commercial. Beyond that, there is residential zoning to west to Prentice Street. The site itself is currently zoned for what Kwik Trip is planning on doing. This is a way to remove the old Super America building, and maximize the thin strip of B-4 zoning that is there. Concerns do exist for the landscaping, the width of the foliage, and what will and won't be retained, which may result in the revisiting of the condition of the fencing for screening for the length of the property line.

Commissioner Haines suggested at minimum a 5 foot fence. Mayor Halverson stated that a 6 foot fence would be best for visual screening and noise buffering.

Director Ostrowski stated that a condition should be placed on the conditional use to allow Kwik Trip, the City Engineer, and the Community Development Director to modify the ingress/egress along Maria Drive. In addition, there should be a condition that the signage on the west side of the carwash should not be illuminated.

Motion by Commissioner Laskowski to approve the conditional use permit for the carwash with the following conditions:

- **Install a solid six foot high fence along the western side of the property, while retaining as much of the existing foliage as possible (existing foliage shall be on the west side of the fence);**
- **Signage on the carwash that faces the residential area, or the western side, shall not be illuminated; and**
- **Location and design of the eastern most ingress/egress point on Maria Drive shall be determined by Kwik Trip, the Department of Public Works, and the Department of Community Development;**

seconded by Mayor Halverson. Motion carried 5-0.

5. Discussion and possible action on a request from the Robin Engum, for an exterior building review of the proposed 24 bedroom apartment complex on the property located just **east of 117, 125, and 133 Second Street North. Parcel ID 2408-29-2400-11. – Plans to be delivered prior to meeting.**

Commissioner Laskowski recused herself from this agenda item due to her company bidding on this project.

Director Ostrowski stated that the proposed 24 bedroom apartment complex was approved last month. One of the conditions of approval was to resubmit a new building elevation plan. Director Ostrowski indicated that the new elevations include a brick veneer on the bottom portion of the

complex that would face Third Street, an approximate four foot jog in the building, the addition of three dormers, and the addition of windows on the side of the building. Director Ostrowski indicated that the jog in the building should also have brick.

Mayor Halverson said it was a fair addition to what was originally presented.

Motion by Mayor Halverson to approve the plan with the condition that the brick be added to the jog in the building; seconded by Commissioner Moore. Motion carried 4-0 with Commissioner Laskowski recuing.

6. Discussion and possible action on a request from Ministry, Saint Michael's Hospital, for a site plan review and a modification of the landscape requirements for the reconstruction of an existing parking lot at **2501 Main Street, 2601 Main Street, 1310 Chase Street, 1318 Chase Street, 1317 Cross Street, and Clark Street. Parcel IDs 2408-33-2025-04, 2408-33-2025-02, 2408-33-2025-14, 2408-33-2025-13, 2408-33-2025-05, and 2408-33-2025-15.**

Mayor Halverson recused himself from this agenda item due to the fact that he is on the Board of Directors for Ministry, Saint Michael's Hospital.

Director Ostrowski stated that Ministry is in the process of reconstructing the parking lot at 2501 Main Street. Since over 50% of the parking lot is being reconstructed, Ministry is required to comply with the existing landscape requirements within our Zoning Ordinance. The Plan Commission may grant variations to the landscape requirements if the property owner has problems complying with the existing standards, including the loss of a significant amount of parking spaces. The existing layout does not meet the 15 foot setback requirement. The proposed plan increases the setback to approximately 6.5'. In addition, there is about a 10 foot wide boulevard in front of the sidewalk. If Ministry is required to meet the 15 foot setback requirement, they would lose about 47 stalls. Under the existing ordinance, they have a surplus of 24 stalls at this lot and a surplus of about 154 stalls campus wide. Under the old ordinance that we recently changed, they would be 32 stalls short at this lot or 102 stalls short campus wide. Ministry could meet the ordinance standards, however, they would then likely remove a significant portion of the greenspace to the east. In addition, with the proposed plan, they have increased the internal landscaping area. Overall, staff feels that the proposed plan meets the intent of the ordinance and would recommend approval with the following conditions:

- Stormwater requirements must be met as per Public Works department standards.
- A permit shall be obtained from the Community Development department for the parking lot construction.
- All internal and buffer landscaping shall be irrigated and maintained in perpetuity.
- The landscaping shall not cause any vision obstructions. Clearview requirements shall be maintained.
- Two additional street trees shall be installed on Cross Street.
- Additional landscaping shall be installed along the eastern edge of the parking lot and in front of the building.
- Any change in lighting shall be reviewed and approved by staff.

Motion by Commissioner Haines to approve with the following conditions:

- **Stormwater requirements must be met as per Public Works department standards;**
- **A permit shall be obtained from the Community Development department for the parking lot construction;**
- **All internal and buffer landscaping shall be irrigated and maintained in perpetuity.**
- **The landscaping shall not cause any vision obstructions. Clearview requirements shall be maintained;**
- **Two additional street trees shall be installed on Cross Street;**
- **Additional landscaping shall be installed along the eastern edge of the parking lot and in front of the building; and**
- **Any change in lighting shall be reviewed and approved by staff;**

seconded by Commissioner Laskowski. Motion carried 4-0, with Mayor Halverson recusing.

7. Discussion and possible action on a Letter of Map Revision (LOMR) for Flood Insurance Rate Maps (FIRM) 55097C0220D and 55097C0331D to amend the base flood elevations for the City along the Big Plover River.

Director Ostrowski stated that as part of amending the map, the Plan Commission must make a recommendation to the Common Council. This LOMR will revise the floodplain and possibly eliminate the need for many households to obtain flood insurance. As indicated in the enclosed letter from FEMA, the effective date of the revision is October 31, 2011, because of the needed time period for appeals.

Commissioner Haines asked if this was just for the area around McDill Pond. Director Ostrowski stated that is correct.

Commissioner Laskowski asked what triggered this review. Director Ostrowski stated that a few years ago, properties were added to the floodplain because an emergency operation plan was not filed for the dam.

Motion by Commissioner Haines to approve; seconded by Commissioner Laskowski. Motion carried 5-0.

8. Discussion and possible action on the transferring of property located at 1017 Third Street from the City of Stevens Point to the Community Development Authority of the City of Stevens Point. **Parcel ID 2408-32-2003-01.**

Director Ostrowski reported that the City has been working with a developer to redevelop the former Lullabye property located at 1017 Third Street into a senior living complex. The CDA is the body under the law who is allowed to acquire and prepare this property for redevelopment. With this said, the CDA should be the body who carries out the redevelopment of this property going forward. Since this proposed project is a multi-family development, the development will require a conditional use permit and will be back in front of the Plan Commission at a later date for this request. Staff would recommend the approval of the transfer of property.

Motion by Commissioner Moore to approve; seconded by Commissioner Haines. Motion carried 5-0.

9. Discussion and possible action on updating Chapter 23 (Zoning) of the Revised Municipal Code of the City of Stevens Point.

Director Ostrowski stated that starting next meeting the Commission will start to work on the zoning code rewrite. He asked the commissioners to start thinking about goals and objectives for the revised code. In addition, please think about what has worked well with the current code and what needs improvement.

Commissioner Haines asked if the Commission would be provided with material. Director Ostrowski stated that yes, they would be provided with the current zoning code. In addition, staff would likely bring potential amendments and suggestions to the Commission for input from the public and the Commission.

Mayor Halverson stated that there will likely be several changes including changes to districts, processes, and other standards. This Plan Commission has a wide variety of expertise and backgrounds, and should serve well as the body who reviews this code.

Commissioner Haines asked, if sections are approved, does that make them effective immediately. Mayor Halverson indicated that that we could approve them section by section.

Cathy Dugan, 615 Sommers Street - Is pleased that the zoning rewrite is going to be done and is in support of the Commission. However, she wants to make sure that the ordinance is not in conflict with other codes, and would caution the Commission from approving it section by section.

10. Adjourn.

Meeting adjourned at 6:44 PM.



Memo

Michael Ostrowski, Director

Community Development

City of Stevens Point

1515 Strongs Avenue

Stevens Point, WI 54481

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

mostrowski@stevenspoint.com

City of Stevens Point – Department of Community Development

To: Plan Commission
From: Michael Ostrowski
CC:
Date: 10/28/2011
Re: Alley Vacations

The City of Stevens Point is looking to vacate five abandoned alleys within the City. The five alleys include:

- 1) Alley or a portion thereof that is located between and parallel with Minnesota Avenue and Vermont Avenue beginning at Center Street and ending at Jefferson Street.
- 2) Alley that runs between and parallel with Minnesota Avenue and Vermont Avenue beginning at Center Street and ending at Dixon Street.
- 3) Alley that runs between and parallel with Oak Street and Center Street beginning at Vermont Avenue and ending at Frontenac Avenue.
- 4) Alley that runs between and parallel with Center Street and Oak Street beginning at Frontenac Avenue and ending at California Avenue.
- 5) Alley that runs between and parallel with Jefferson Street and Oak Street beginning at California Avenue and ending at Texas Avenue.

These alleys are unimproved alleys, meaning that they are not paved, nor provide access to the abutting properties. These alleys currently exist in a natural state. Under Wis. Stats. 66.1003(7):

The city council or village or town board may by resolution discontinue any alley or any portion of an alley which has been abandoned, at any time after the expiration of 5 years from the date of the recording of the plat by which it was dedicated. Failure or neglect to work or use any alley or any portion of an alley for a period of 5 years next preceding the date of notice provided for in sub. (8) (b) shall be considered an abandonment for the purpose of this section.

These alleys do not provide any foreseeable benefit to the City, and therefore, the City is requesting to vacate these alleys. When an alley is vacated, the property is split down the middle and returns to the abutting land owners. For example, if an alley runs west to east and is 15 feet wide, 7.5 feet would be vacated to the property owner to the north and 7.5 feet would be vacated to the property owner to the south.

Given that the alleys are no longer intended to provide access to these properties, staff would recommend approval of the vacations.

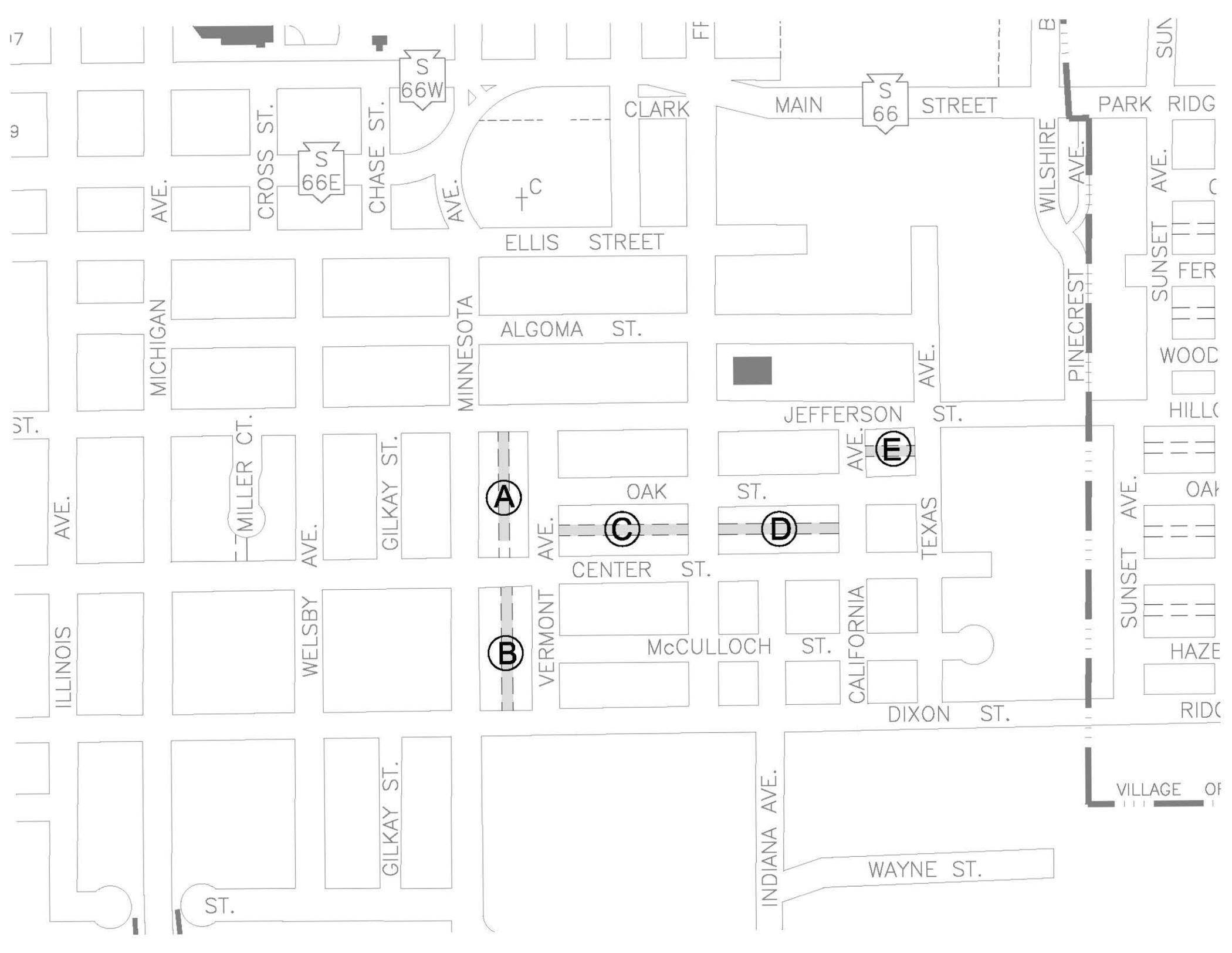


EXHIBIT A



EXHIBIT B

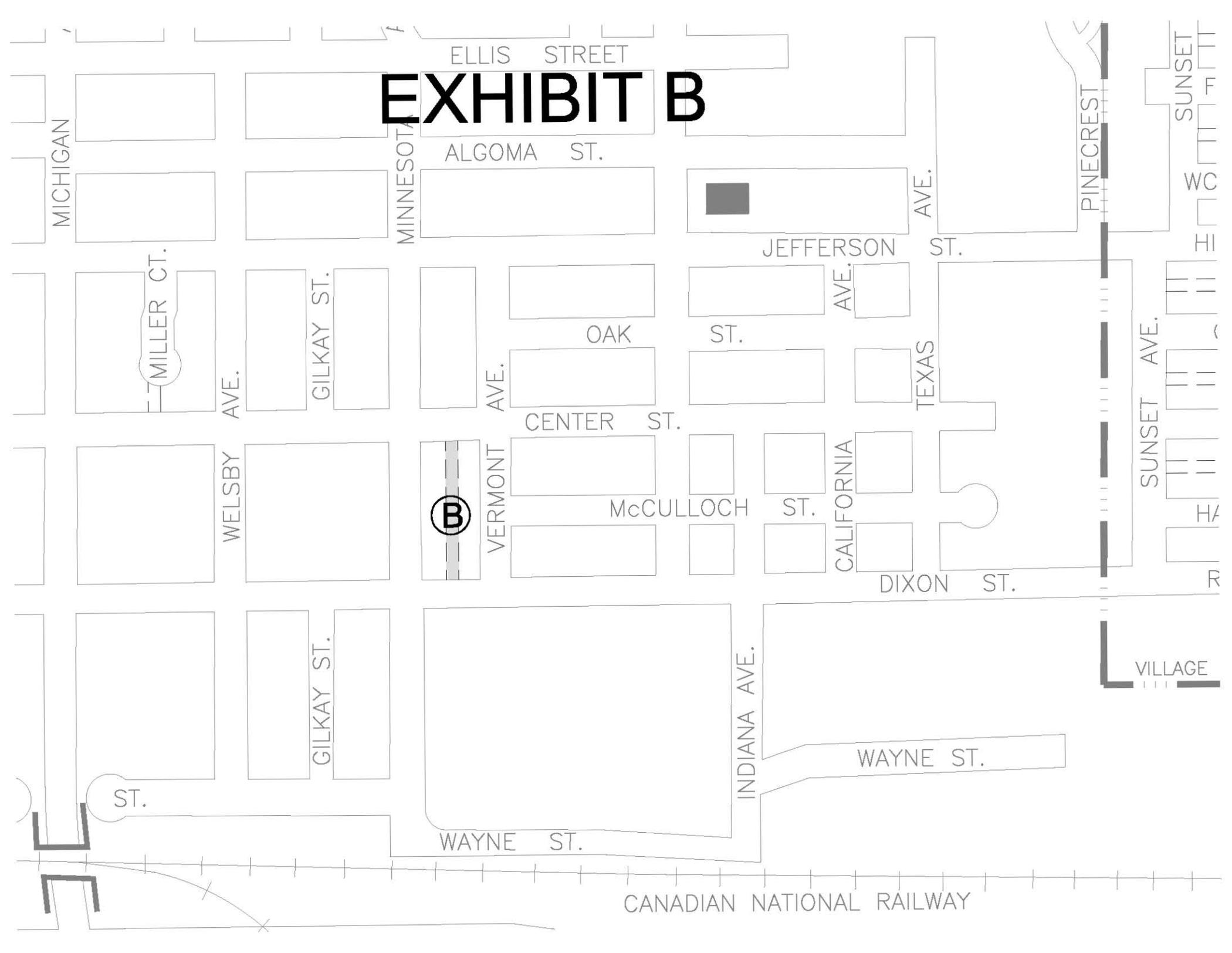


EXHIBIT C



EXHIBIT D

MINNESOTA

ELLIS STREET

ALGOMA ST.



JEFFERSON ST.

AVE.

PINECREST

VERMONT AVE.

OAK ST.

OAK ST.

AVE.



TEXAS

CENTER ST.

VERMONT

McCULLOCH ST.

CALIFORNIA

DIXON ST.

SUNSET AVE.



EXHIBIT E

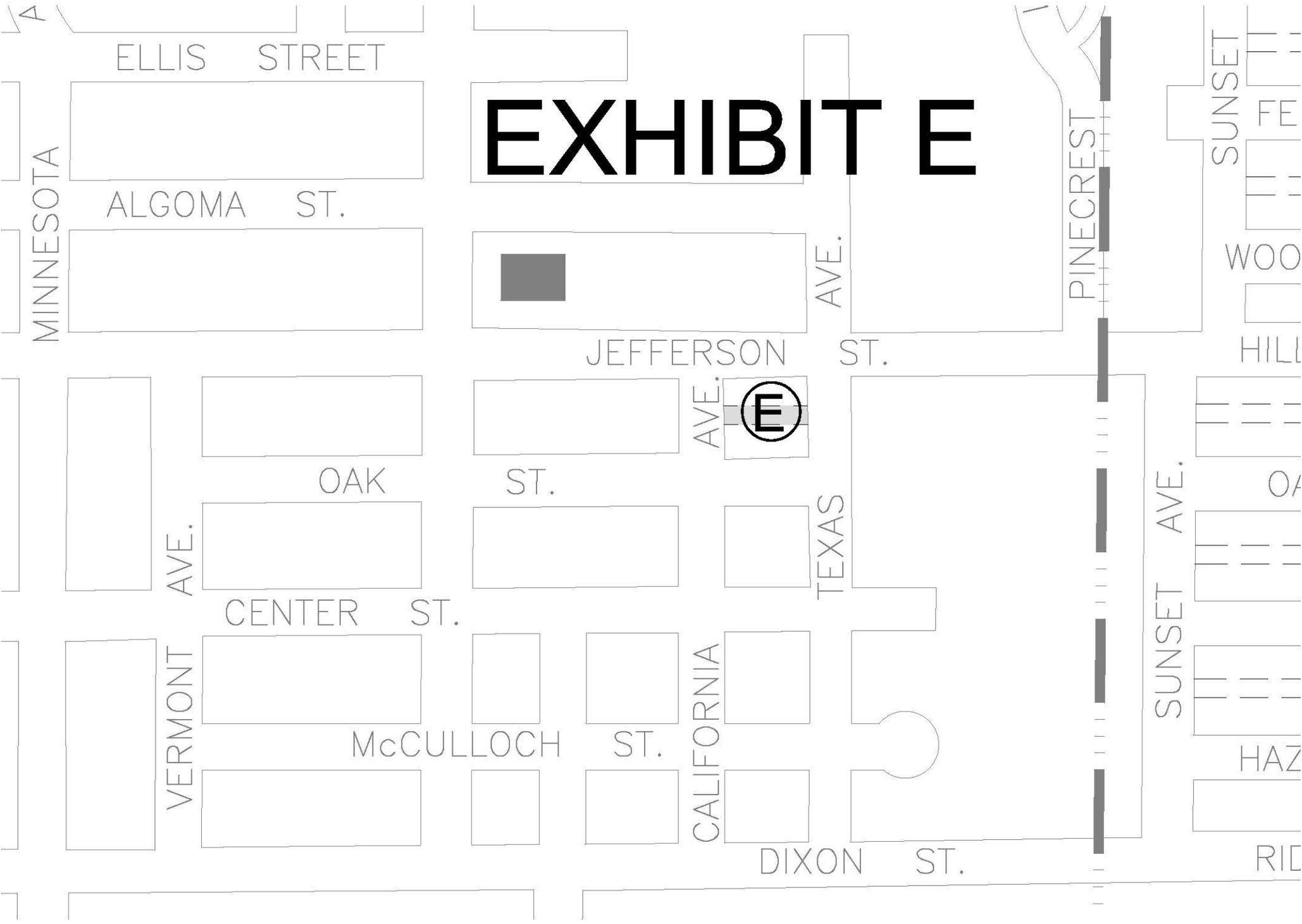
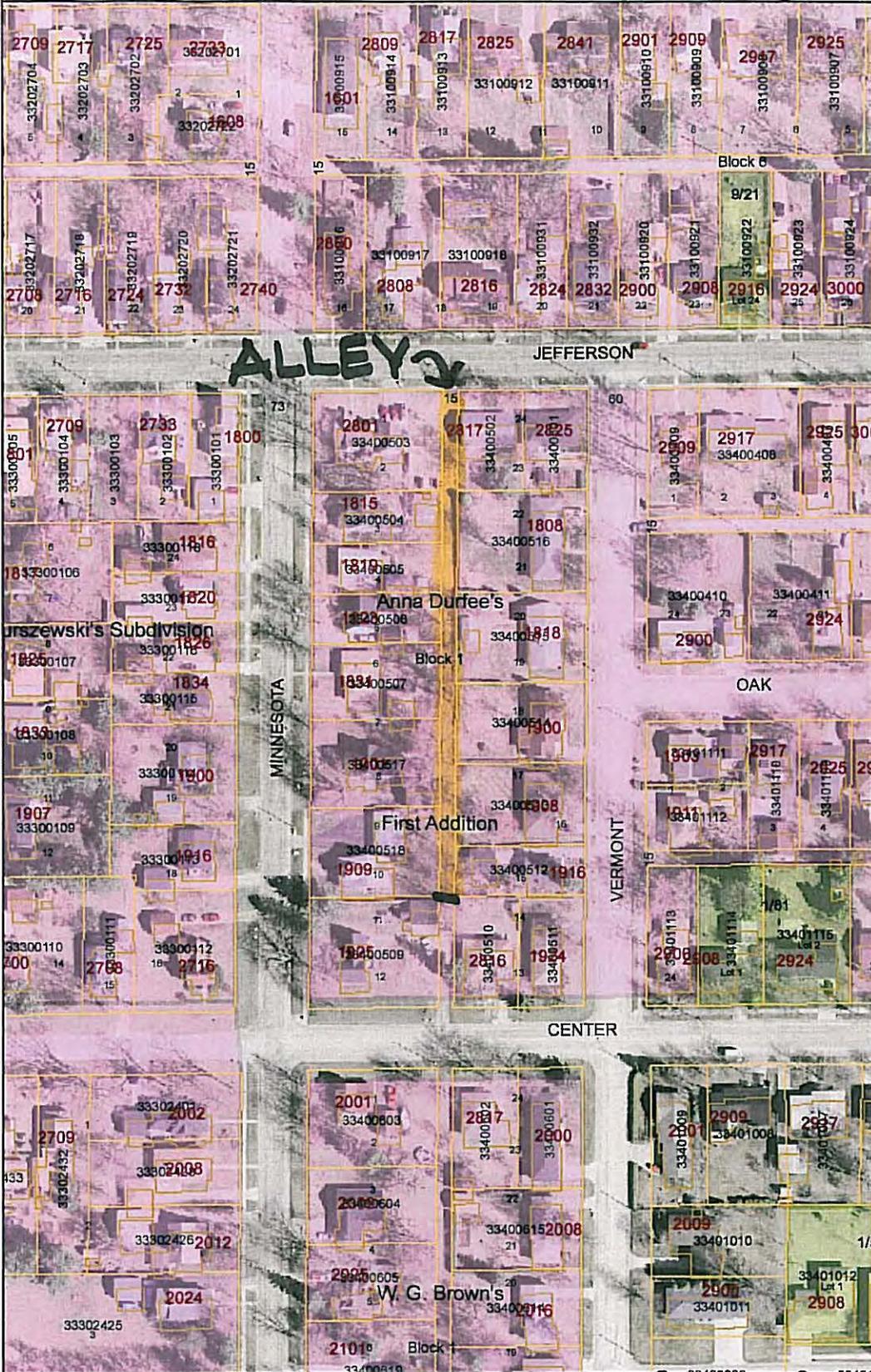


EXHIBIT 'A'



Legend

- Major Roads**
 - Major Highways
 - Major Roadways
- Addresses
- Centerlines
- Water
- City Parks
- Structures
- Hull
- Linwood
- TPlover
- ParkRidge
- VPlover
- Whiting
- Parcel Lines
- Platted Lands**
 - Unknown/Other
- TYPE**
 - Subdivision/Condominium
 - CSM
- 2005 Orthos**
- RGB**
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

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1 inch equals 150 feet

Printed on: 9/2/2011

EXHIBIT 'C'



Legend

Major Roads

- Major Highways
- Major Roadways
- Addresses
- Centerlines

Water

City Parks

Structures

Hull

Linwood

TPlover

ParkRidge

VPlover

Whiting

Parcel Lines

Platted Lands

Unknown/Other

TYPE

Subdivision/Condominium

CSM

2005 Orthos

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

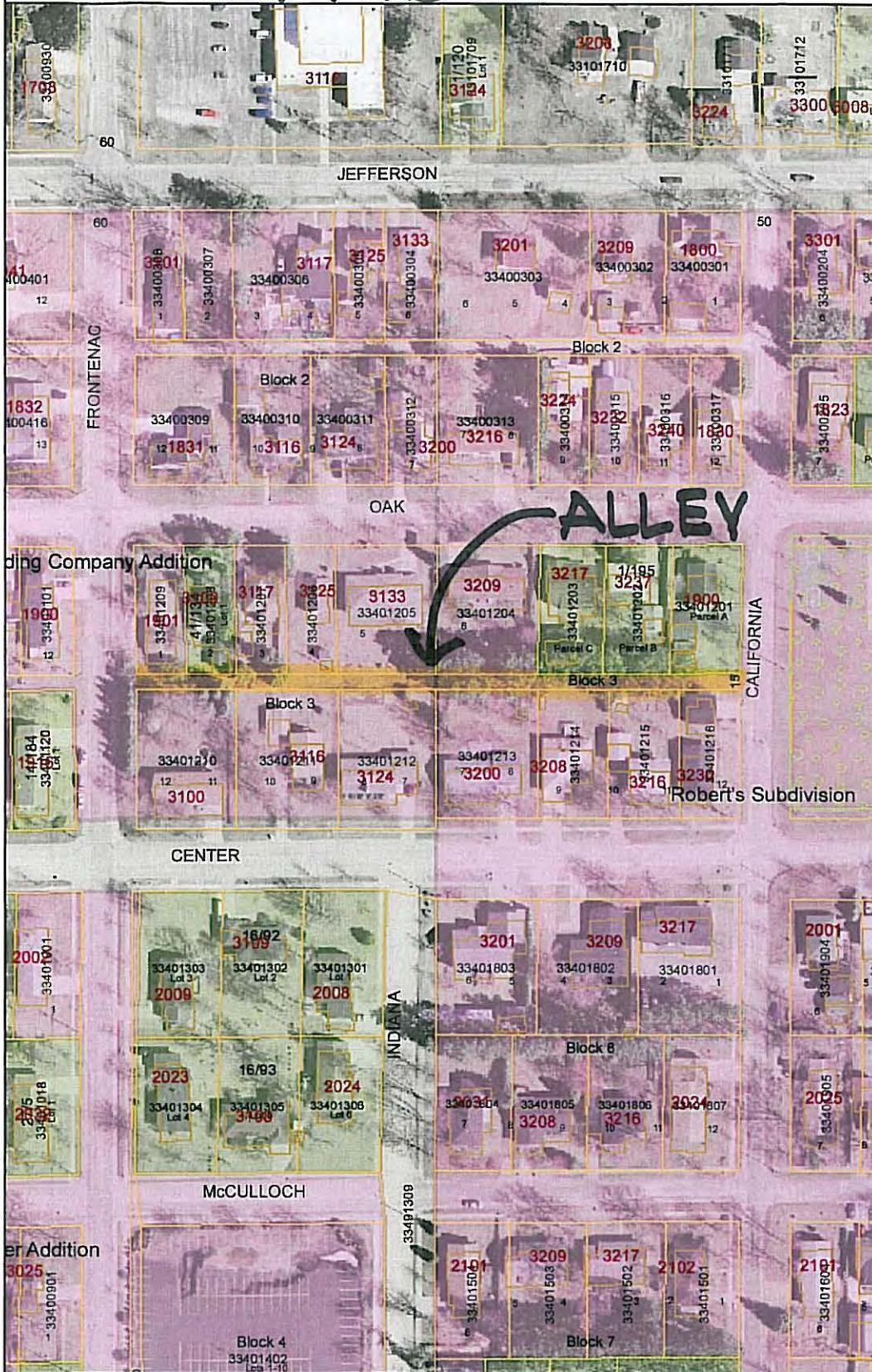
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EXHIBIT 'D'



Legend

- Major Roads**
- Major Highways
- Major Roadways
- Addresses
- Centerlines
- Water
- City Parks
- Structures
- Hull
- Linwood
- TPlover
- ParkRidge
- VPlover
- Whiting
- Parcel Lines
- Platted Lands**
- Unknown/Other
- TYPE**
- Subdivision/Condominium
- CSM
- 2005 Orthos**
- RGB**
- Red: Band_1
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EXHIBIT 'E'



Legend

Major Roads

- Major Highways
- Major Roadways
- Addresses
- Centerlines

- Water
- City Parks
- Structures
- Hull
- Linwood
- TPlover
- ParkRidge
- VPlover
- Whiting
- Parcel Lines

Platted Lands

- Unknown/Other

TYPE

- Subdivision/Condominium
- CSM

2005 Orthos

RGB

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1 inch equals 150 feet

Printed on: 9/2/2011



Memo

Michael Ostrowski, Director
Community Development
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481
Ph: (715) 346-1567 • Fax: (715) 346-1498
mostrowski@stevenspoint.com

City of Stevens Point – Department of Community Development

To: Plan Commission
From: Michael Ostrowski
CC:
Date: 10/21/2011
Re: 340 Wood Lane - Hafner Annexation

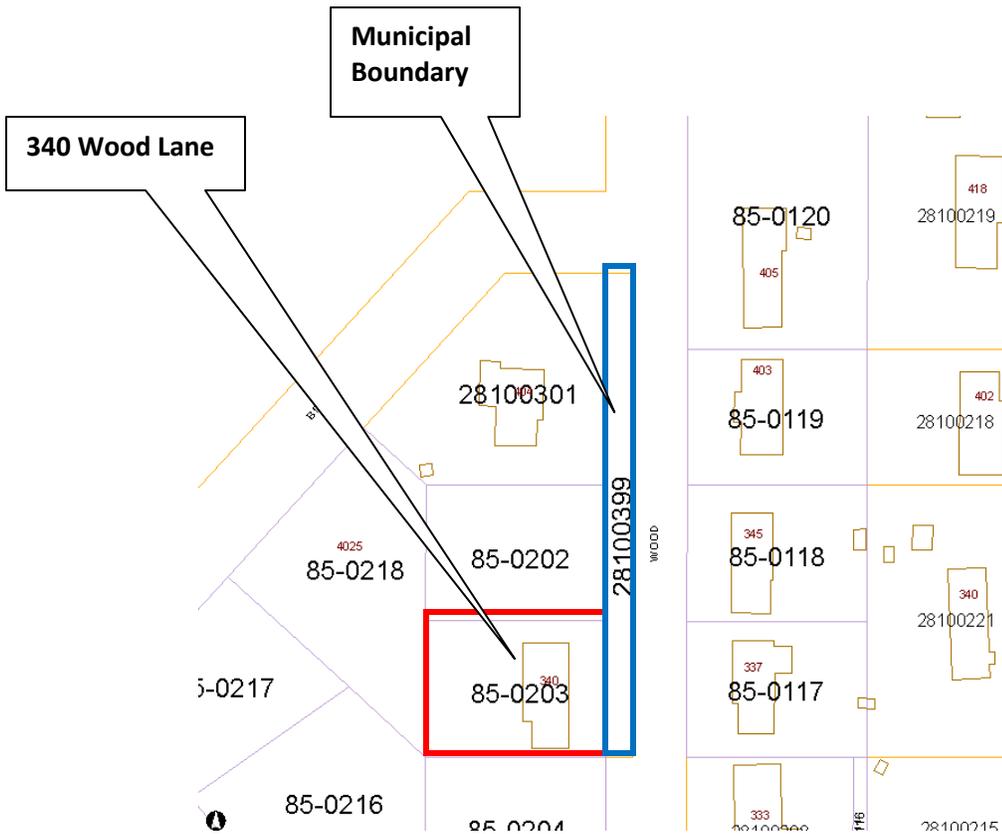
In regards to annexation, there are basically six types:

- Annexation by Unanimous Approval
- Annexation by One-Half approval
- Annexation by Referendum
- Annexation by City or Village Initiated Referendum
- Annexation of Town Islands
- Annexation of Territory Owned by a City or Village

With this request, we are dealing with annexation by unanimous approval:

66.0217(2) Direct annexation by unanimous approval. *Except as provided in this subsection and sub. (14), and subject to ss. 66.0301 (6) (d) and 66.0307 (7), if a petition for direct annexation signed by all of the electors residing in the territory and the owners of all of the real property in the territory is filed with the city or village clerk, and with the town clerk of the town or towns in which the territory is located, together with a scale map and a legal description of the property to be annexed, an annexation ordinance for the annexation of the territory may be enacted by a two-thirds vote of the elected members of the governing body of the city or village without compliance with the notice requirements of sub. (4). In an annexation under this subsection, subject to sub. (6), the person filing the petition with the city or village clerk and the town clerk shall, within 5 days of the filing, mail a copy of the scale map and a legal description of the territory to be annexed to the department and the governing body shall review the advice of the department, if any, before enacting the annexation ordinance. No territory may be annexed by a city or village under this subsection unless the territory to be annexed is contiguous to the annexing city or village.*

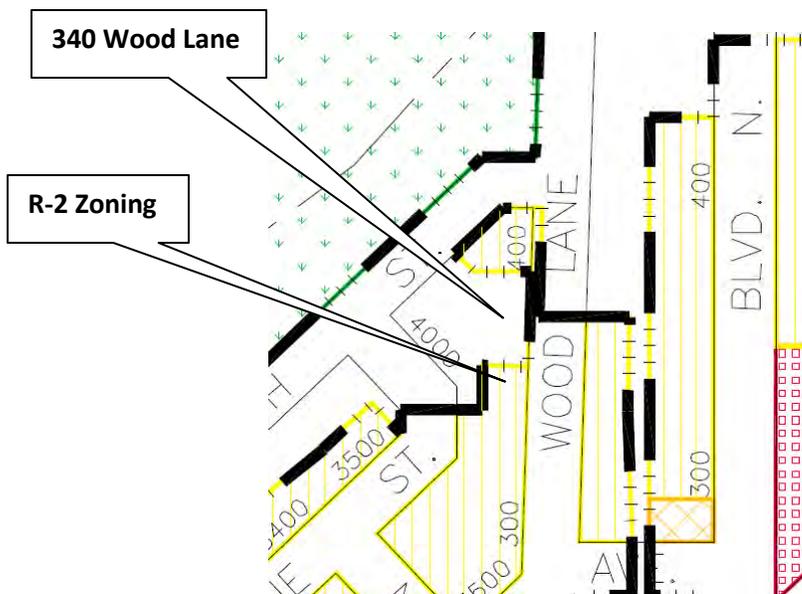
The Hafners, who reside at 340 Wood Lane in the Town of Hull, are requesting annexation for the purposes of obtaining water and sewer.



Wis. Stats. require the Plan Commission to make a recommendation to the governing body on annexation requests. In addition, our Zoning Ordinance requires the following for the zoning of property:

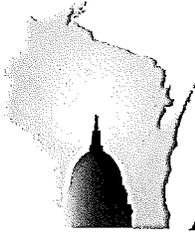
All territory annexed to the City of Stevens Point shall automatically become a part of the "R-1" Low Density Residence District until definite boundaries and zoning districts are

recommended by the City Plan Commission and adopted by the Common Council; provided, however, that the Common Council shall adopt definite boundaries and district regulations within 90 days from the date of the annexation. The Plan Commission may recommend definite zoning districts and boundaries to the City Council prior to or at the time the Council acts on a proposed annexation, and may adopt definite boundaries at the time of annexation provided the public notice procedure is followed.



Given that the annexation is a direct annexation by unanimous approval, staff would recommend approval of the annexation, and would recommend that the property be zoned "R-2" Single Family Residence District, which is the zoning classification of the surrounding area. The Future Land Use Map of the Comprehensive Plan indicates this area to be a residential use.

The State has indicated that they find this annexation request to be in the public interest.



RECEIVED

OCT 26 2011

CITY CLERKS
OFFICE

WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER

GOVERNOR

MIKE HUEBSCH

SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview/>

October 25, 2011

PETITION FILE NO. 13571

JOHN MOE, CLERK
CITY OF STEVENS POINT
1515 STRONGS AVE
STEVENS POINT, WI 54481

JANET R WOLLE, CLERK
TOWN OF HULL
4550 WOJCIK MEMORIAL DR
STEVENS POINT, WI 54481

Subject: WILFRED HAFNER ANNEXATION

The proposed annexation submitted to our office on October 5, 2011, has been reviewed and found to be in the public interest. The subject petition is for territory that is reasonably shaped and contiguous to the CITY OF STEVENS POINT.

Note: The map included with the ordinance that annexes this territory must clearly identify the existing municipal boundary in relation to the territory being annexed, and must contain a graphic scale.
(ref: S. 66.0217 (1) (g), Wis. Stats.)

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 13571**

The address of the Office of the Secretary of State is:

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
PO Box 7848
Madison WI 53707-7848

Please call me at (608) 264-6102, should you have any questions concerning this annexation review letter.

Sincerely,

Erich Schmidtke
Municipal Boundary Review

cc: petitioner

R# 1-44799

\$90.⁰⁰

10/28/11

REQUEST TO CITY OF STEVENS POINT PLAN COMMISSION

ADDRESS OF PROPERTY: 340 Wood Lane Stevens Point WI

- Zoning Ordinance Change (\$90.00 fee required)
- Conditional Use Permit (\$90.00 fee required)
- Variance from Zoning Ordinance -Board of Appeals (\$90.00 fee required)
- Variance from Sign Ordinance
- Appeal from Subdivision Requirements
- Other

REQUESTED CHANGE: (State briefly what is being requested, and why).

Water + Sewer hook up - Annexation of property

OWNER/APPLICANT:

Name: Willfred M Hafner
Address: 340 Wood Lane
Stevens Point WI 54481
(City, State, Zip Code)

Telephone: 715-341-7819
Cell Phone: _____

Willfred M Hafner
Signature

AGENT FOR OWNER/APPLICANT:

Name: _____
Address: _____
(City, State, Zip Code)

Telephone: _____
Cell Phone: _____

Signature

Scheduled Date of Plan Commission Meeting: 11-7-11

Scheduled Date of Common Council Meeting: 11-21-11

You, as the applicant, or your agent, shall attend the meeting and present your request.

All requests with supporting documentation are due at the Community Development Office three weeks prior to the actual meeting.

\$90.00 Fee Required for Rezoning Requests, Variances, and Conditional Use Permits

Receipt # _____

3 copies

Petition of Electors and Property Owners for Direct Annexation

We the undersigned, constituting all of the resident electors and the owners of all of the land in area in the following territory of the Town of Hull Portage County, Wisconsin, adjoining the City of Stevens Point, petition the Honorable Mayor and Common Council of said City to annex the territory described below as shown on the scale map to the City of Stevens Point, Portage County, Wisconsin.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporation or consolidation proceeding, if any.

The current population of the area to be annexed is 2

Signature of Petitioner

Date of Signing

Address

Signature of Petitioner	Date of Signing	Address
Wilfred M Hafner	9/24/11	340 Wood Lane Stevens Point WI
(wife) Bernette V Hafner	9/24/2011	"

Legal Description of Land Petitioned for Annexation



SECTION CORNER
SOUTH 33' 33" W 589' 45" W

SECTION LINE
N 88° 45' E 324.08'

SECTION LINE
S 264.06' W 88° 45' E

SECTION LINE
SOUTH 33' 33" W 589' 45" W

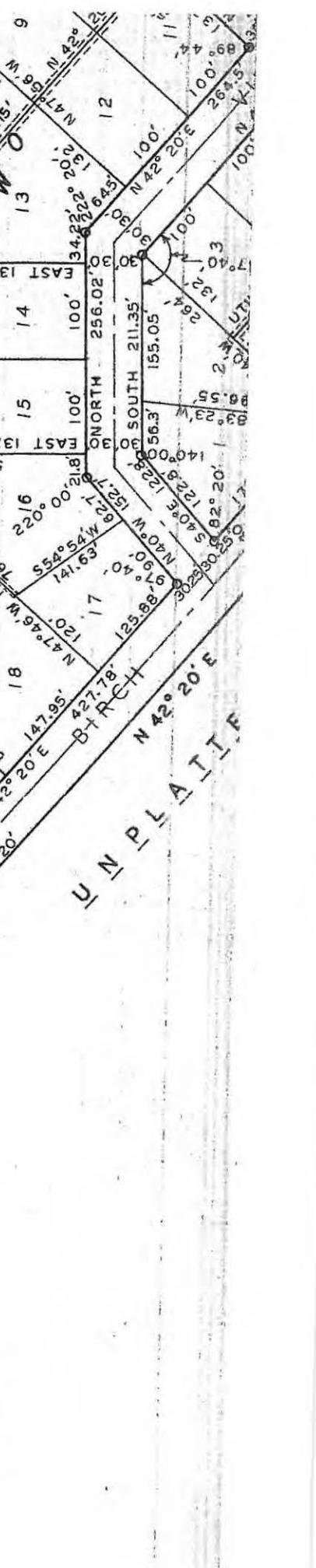
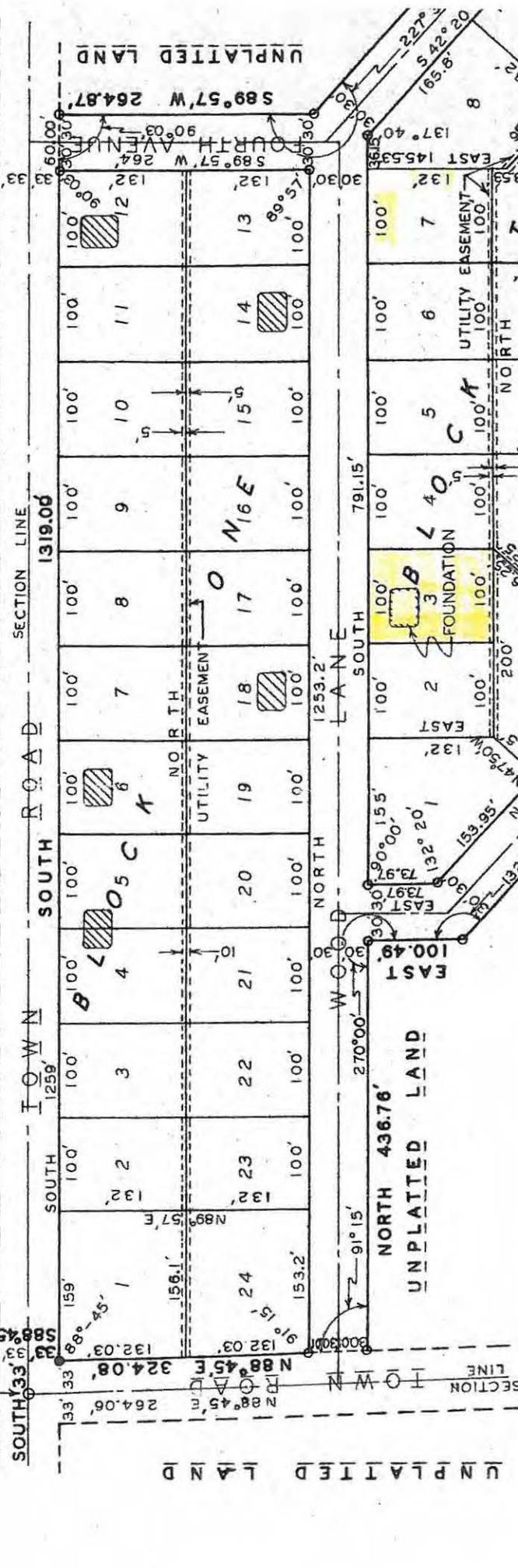
SECTION LINE
N 88° 45' E 324.08'

SECTION LINE
S 264.06' W 88° 45' E

SECTION LINE
SOUTH 33' 33" W 589' 45" W

SECTION LINE
SOUTH 1259' W 1319.06'

SECTION LINE
SOUTH 100' W 100' E



DOCUMENT NO.

375559C

STATE BAR OF WISCONSIN FORM 1 -- 1988
WARRANTY DEED

THIS SPACE RESERVED FOR RECORDING DATA

VOL 450 PAGE 542

This Deed, made between BASIL ZYNDA and JOAN ZYNDA,
husband and wife,
and WILFRED M. HAFNER, Grantor,^S

PORTAGE COUNTY, WIS.
Received this 2nd day of May
A.D. 1984 at 3:15 o'clock P.M.
Recorded in Vol 450 of
Micro-Records page 572
Theresa Gadowski
Recorder of Deeds

Grantor,^S
Grantor,^S
Witnesseth, That the said Grantor, for a valuable consideration
One Dollar and Other Valuable Consideration
conveys to Grantee the following described real estate in Portage
County, State of Wisconsin:

Pd. \$4.00

RETURN TO State Bank Reserves

All of Lot 3, Block 2 of Walter Carl Przybylski's
Subdivision in the Town of Hull, part of the Southeast
Quarter, Northeast Quarter and part of the Northeast
Quarter, Southeast Quarter, of Section 28, Township
24 North, Range 8 East.

Tax Parcel No:

TRANSFER
96.00
FEE

This is homestead property.
(is) (XXXX)

Together with all and singular the hereditaments and appurtenances thereunto belonging;
And Basil Zynda and Joan Zynda
warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except
none

and will warrant and defend the same.

Dated this 1st day of May, 19 84

(SEAL) Basil Zynda (SEAL)
BASIL ZYNDA
(SEAL) Joan Zynda (SEAL)
JOAN ZYNDA

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s)
authenticated this day of, 19

STATE OF WISCONSIN
Portage County, } ss.
Personally came before me this 1st day of
May, 19 84 the above named
Basil Zynda and Joan Zynda

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not,
authorized by § 706.06, Wis. State.)

to me known to be the person who executed the
foregoing instrument and acknowledge the same.

THIS INSTRUMENT WAS DRAFTED BY
LOUIS J. MOLEPSKE, ATTORNEY
1525 Church St.

Louis J. Molepske
Notary Public, Portage County, Wis.

Stevens Point, WI 54487
(Signatures may be authenticated or acknowledged. Both
are not necessary.)

My Commission is permanent. (If not, state expiration
date.)
XX

*Names of persons signing in any capacity should be typed or printed below their signatures.



Memo

Michael Ostrowski, Director
Community Development
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481
Ph: (715) 346-1567 • Fax: (715) 346-1498
mostrowski@stevenspoint.com

City of Stevens Point – Department of Community Development

To: Plan Commission
From: Michael Ostrowski
CC:
Date: 10/21/2011
Re: USDA – Parking Lot Review

Our zoning ordinance requires any new parking lot or an addition to an existing parking lot that is over 49 spaces to be reviewed and approved by the Plan Commission. The new USDA development in the Portage County Business Park will have an approximate 60 stall parking lot.

The following are the parking lot and landscape requirements within our zoning ordinance:

- 1) Any parking lot containing ten (10) or more contiguous spaces shall be hard-surfaced with bituminous or Portland cement concrete.**

Analysis: The parking lot will be constructed of asphalt.

Findings: This standard is met.

- 2) On the site of a building or open lot use providing an off-street parking area of five (5) or more contiguous spaces, there shall be provided landscaping between such area and the street right-of-way and/or property line.**

Analysis: The property is zoned M-2, and the surrounding properties are zoned M-2. This requires a 5' setback area for the parking lot.

Findings: The parking lot is setback at 40' on the street side and 20' on the side yard. This standard is met.

- 3) Parking areas being screened from a public right-of-way, residentially property or parking areas within a residentially developed area: 1 tree per 50 lineal feet - for parking areas being screened from commercial or industrial zoned district: 1 tree per 75 lineal feet. Any off-street parking spaces or parking lot abutting the public street right-of-way or property zoned R-1, R-2, R-3, and R-4 or used for residential purposes**

shall provide continuous screening.

Analysis: The proposed plan has trees scattered throughout the area at intervals of about one tree for every 40'.

Findings: This standard is met.

- 4) Any off-street parking spaces or parking lot abutting the public street right-of-way or property zoned R-1, R-2, R-3, and R-4 or used for residential purposes shall provide continuous screening**

Analysis: The proposed plan provides a continuous screen of the parking area using several species of plantings.

Findings: This standard is met.

- 5) For parking areas over 50,000 square feet, not less than two percent of the parking lot area, excluding the perimeter landscaping shall be landscaped with interior plantings dispersed throughout the lot and shall consist mainly of overstory/understory trees. Each separate landscaped planter island shall contain a minimum of two hundred (200) square feet of area, with one minimum dimension being ten (10) feet.**

Analysis: The parking area is less than 50,000 square feet.

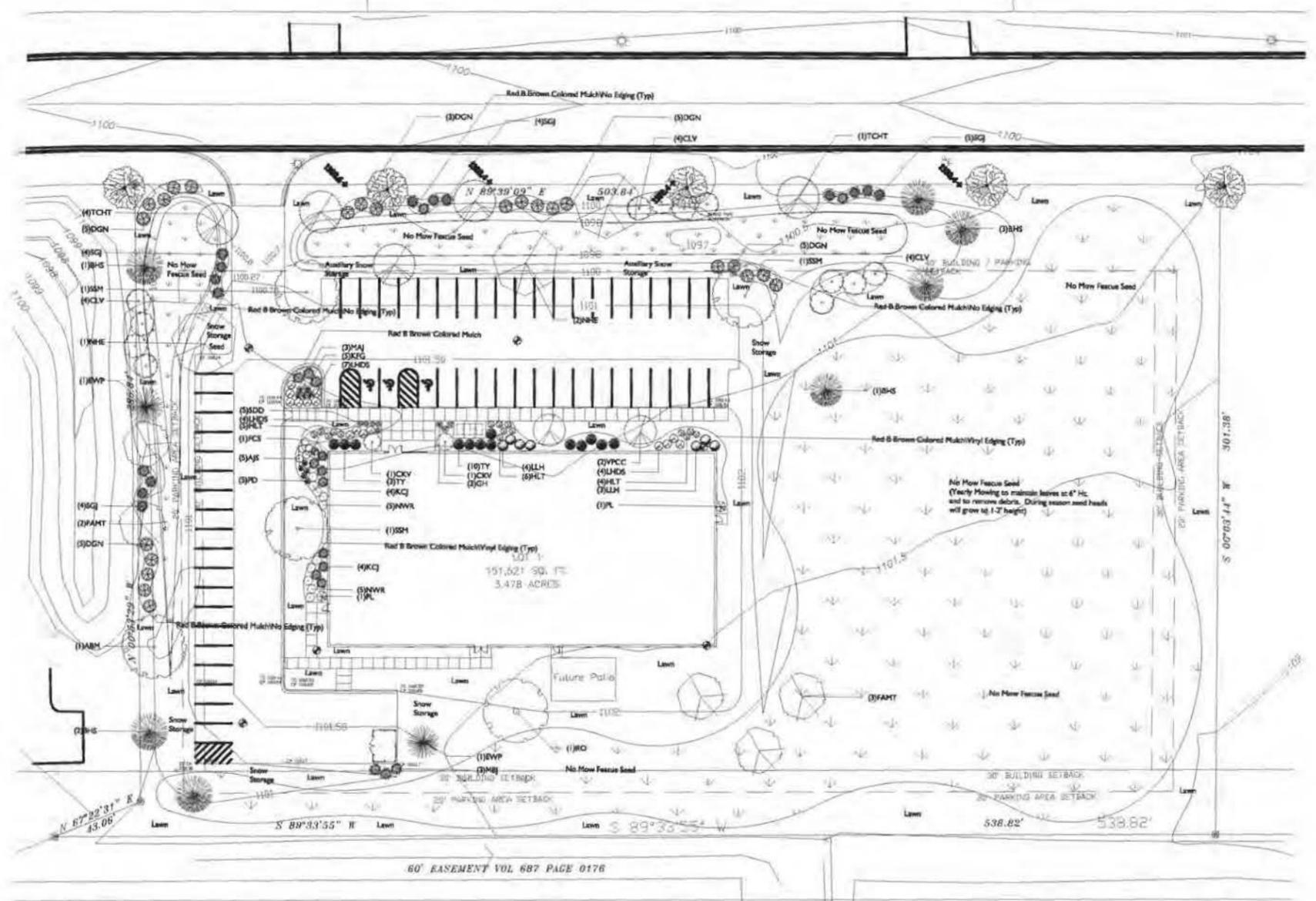
Findings: N/A

- 6) Protection of Landscape Strips and Plantings from Vehicular Encroachment. One of the following methods must be provided to eliminate vehicular encroachment in an area where parking spaces abut a landscaped area of the site: Wheel stops of masonry, steel, or heavy timber construction shall be provided at a distance of two (2) feet from the edge of the planting area. The parking space shall not extend into the required parking area setback unless approved. Curb. If curb is used, a minimum five (5) foot landscape strip shall be required. It is intended that two (2) feet of said strip may be utilized for vehicle overhang and may be credited to stall depth.**

Analysis: The proposed plan does not have curb or wheel stops for the parking stalls abutting the landscape areas.

Findings: Either curb or wheel stops as required in the zoning ordinance must be installed where the parking stalls abut the landscape areas.

Staff would recommend approval with the condition that either curb or wheel stops are installed where parking stalls abut the landscape area.



Plant Material List

Quantity	Code Name	Scientific Name	Common Name	Planting Size
1	ARM	Acer X Freemanii 'Autumn Blaze'	Autumn Blaze Maple	2" B&B
1	RCS	Hale Sargentii 'Select A' (sd)	Pinked Cologate (sd)	1 1/2" B&B
5	AMT	Acer Ginnale 'Nero' (S)	Rose Anne Maple (S)	1" B&B
2	NRE	Ulmus Parviflora X U. japonica	New Horizon Elm	2" B&B
1	RO	Quercus Rubra	Red Oak	2" B&B
1	SM1	Acer Nijmegen 'Norton'	State Street Norway Maple	2" B&B
5	TCHT	Cornus Crugallii Var. Ilex (S)	Thick Cuckoo's Nest (S)	1 1/2" B&B
2	VNCC	Malus Vilmorinii (S)	Vilmorin Pear Crabapple (S)	7" B&B

Quantity	Code Name	Scientific Name	Common Name	Planting Size
7	BS	Pinus Glauca Var. Densata	Black Hills Spruce	5" B&B
2	SWP	Pinus Strobus	Swamp White Pine	5" B&B
8	KCJ	Juniperus Chinensis 'Kalter Compact'	Kelly Compact Juniper	#2 CONT.
1	MAJ	Juniperus Sibirica 'Miss Aranda'	Miss Aranda Juniper	#3 CONT.
2	MBJ	Juniperus Chinensis 'Mountain'	Mountain Juniper	#4 B&B
17	SCJ	Juniperus Chinensis 'Sea Green'	Sea Green Juniper	#2 CONT.
18	TY	Taxus X Media 'Thurston'	Thurston Yew	18" B&B

Quantity	Code Name	Scientific Name	Common Name	Planting Size
5	AP	Sedum 'Autumn Joy'	Autumn Joy Sedum	#1 CONT.
3	GH	Hemerocallis 'Gaiety'	Gaiety Hemerocallis	#1 CONT.
15	HLT	Chionodoxa 'The Lips'	Hot Lips Tulip	#1 CONT.
5	KFG	Calamagrostis Canadensis 'Karl Foerster'	Karl Foerster's Feather Reed Grass	#1 CONT.
5	PD	Sporobolus Helicalis	Prince Dragonhead	#1 CONT.
5	SDC	Hemerocallis 'Sells De Oro'	Sells De Oro Daylily	#1 CONT.

Quantity	Code Name	Scientific Name	Common Name	Planting Size
12	CLV	Viburnum Dentatum 'Spinescent'	Chicago Lustre Anod Viburnum	#2 CONT.
3	CKV	Viburnum Carlesii 'Compassion'	Compassion Kalmian Viburnum	2 1/2" B&B
23	DGN	Physocarpus Opulifolius 'Dart's Gold'	Dart's Gold Japanese Quince	#2 CONT.
15	LDH	Lespedeza bicolor 'Little Henry'	Little Henry Dwarf Lespedeza	#2 CONT.
7	LHJ	Hydrangea Petaloides 'Lilac Land'	Lilac Land Hydrangea	#2 CONT.
10	NWR	Rosa 'Newly Wifed'	Newly Wifed Rose	#2 CONT.
2	PL	Syringa Meyerii 'Palibis'	Palibis Lilac	#2 CONT.

LANDSCAPE NOTES

A) Areas labeled "Red-Brown Colored Mulch" to receive a mixture of recycled mulch, colored brown as indicated, spread to a 3" depth over pre-emergent herbicide.

B) Individual trees (and shrub groupings) found along perimeter of property as well as those found within lawn areas to receive colored mulch (red-brown colored mulch) consisting of a mixture of recycled mulch, colored brown as indicated, spread to a minimum 2" depth (3" wide beds for shrub groupings) over pre-emergent herbicide.

C) "Viny Edging" to be Valley View Black Diamond Vinyl Edging or equivalent. Vinyl edging to be 5'-12" height x 2" length with 4 metal stakes installed per length and a minimum of 4" overlap at each joint connection. Install per manufacturer's specifications.

D) "Lawn" areas shall be fully graded and seeded with Prairie Nursery's No-Mow Lawn Mix Seed. Prairie Nursery P.O. Box 306 Westfield, WI 53984, contact by phone at (708) 475-9463 or by fax at (800)296-2741. It shall be fully graded and seeded at a rate of 5-6 lbs. per 1,000 sq. ft. for mixed turf lawn areas. The minimum recommended mowing height is to be 3-4" to prevent any damage to the grass leaves. Because of the slow growing characteristic of the fescue grass, monthly mowing is all that is required and recommended to keep the cropped lawn look for this seed type.

E) No-Mow Lawn Seed with Annual Rice (Zinnia) shall consist of the following mixture:
 23.62% Lushlow Chewing Fescue- Festuca cernuata
 23.62% Sheep Fescue- Festuca ovina
 11.81% Charlot Hard Fescue- Festuca brevipila (F. angustata)
 11.81% Shamrock Slender Creeping Red Fescue- Festuca rubra
 12.36% Navigator Creeping Red Fescue- F. rubra, subsp. rubra
 11.70% Heron Hard Fescue- Festuca brevipila
 03.99% Gulf Annual Ryegrass- Lolium multiflorum
 01.13% Inert Matter
 00.18% Other Crop Seed
 00.02% Weed Seed
 Redwood Weed Seed: None Found (Tested Nov. 2012)

F) Snow Blower Blowing shall be used on slopes greater than 3:1, and in all drainage swale locations. Each area shall be seeded with the spread seed mix noted and overlaid with 25% snow erosion control netting that is then pegged into the soil with metal staples.

G) Areas labeled "No-Mow Fescue Seed" shall receive Prairie Nursery's No-Mow Lawn Mix. Prairie Nursery P.O. Box 306 Westfield, WI 53984, contact by phone at (708) 475-9463 or by fax at (800)296-2741. It shall be fully graded and seeded at a rate of 3 lbs. per 1,000 sq. ft. for low maintenance, maintenance-free areas. Natural Meadow areas will be left to grow naturally with 0" mowing that is over and mowed in a low growing meadow effect, with seed heads that may reach 1-2' in height providing for the natural grassland effect. Several initial mowings to 4" should be done during the first growing season to control weed growth and establishment. Once established, minimal mowing is needed only 1-2 times per year. The 1/2" mow is to remove the seed heads and leaf debris from accumulating at the surface and preventing the fescue plant leaves from growing up to their full mature 6" leaf height the following season.

H) No-Mow Lawn Seed (Zinnia) shall consist of the following mixture:
 24.73% Lushlow Chewing Fescue- Festuca cernuata
 24.73% Sheep Fescue- Festuca ovina
 12.36% Charlot Hard Fescue- Festuca brevipila (F. angustata)
 12.36% Shamrock Slender Creeping Red Fescue- Festuca rubra
 12.54% Navigator Creeping Red Fescue- F. rubra, subsp. rubra
 11.70% Heron Hard Fescue- Festuca brevipila
 01.58% Inert Matter
 00.18% Other Crop Seed
 00.02% Weed Seed
 Redwood Weed Seed: None Found (Tested Nov. 2012)

I) Front back adjacent to building foundation to be mulched with Red-Brown Colored Mulch spread to a 3" depth over pre-emergent herbicide.

J) Temporary irrigation systems will be provided with the seeding to the building owner to allow for the proper seed germination and lawn coverage for the first year. After that the seed should only need irrigation during extended periods of high temperature summer drought periods lasting several weeks or more. The Temporary irrigation system should be used during this time to prevent the lawn grass from turning brown and going dormant until cooler weather and natural rainfall becomes available. With these conditions the grass will bounce back and green up on its own.

PROJECT NORTH

LANDSCAPE PLAN
SCALE: 1"=30'



USDA - STEVENS POINT,
WISCONSIN 54482

5417 CLEM'S WAY
PORTAGE COUNTY
BUSINESS PARK

DATE:	
NO. REVISION:	

SHEET TITLE:	LANDSCAPE PLAN
JOB NUMBER:	11029
DESIGNED BY:	DAK
DRAWN BY:	DAN
CHECKED BY:	DAK
DATE: STATE SUBMITTAL (0.19.2012)	
SHEET NO.:	LI.0

the
bruce
company

LANDSCAPE ARCHITECTS
LANDSCAPE CONTRACTORS

3033 HANCOCK STREET
P.O. BOX 62033
MILWAUKEE, WI 53262-0333
TEL: (414) 538-7400
FAX: (414) 538-4566



Memo

Michael Ostrowski, Director

Community Development

City of Stevens Point

1515 Strongs Avenue

Stevens Point, WI 54481

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

mostrowski@stevenspoint.com

City of Stevens Point – Department of Community Development

To: Plan Commission
From: Michael Ostrowski
CC:
Date: 10/21/2011
Re: Adventure 212 – Elimination of Curb or Wheel Stop Requirement

Adventure 212 is looking to expand their parking lot in the Portage County Business Park. The parking lot expansion will be a total of 49 stalls. Our zoning ordinance requires any new parking lot or an addition to an existing parking lot that is over 49 spaces to be reviewed and approved by the Plan Commission. Since the parking lot is not over 49 stalls, staff is to review the request. However, if the applicant requests any variation to the parking lot landscape requirements, that request must be reviewed and approved by the Plan Commission.

The proposed plan from Adventure 212 meets the landscaping requirements within our zoning ordinance, except for the curb or wheel stop requirement. The zoning ordinance requires the following in regards to the protection of landscape strips and plantings from vehicular encroachment:

- One of the following methods must be provided to eliminate vehicular encroachment in an area where parking spaces abut a landscaped area of the site:
 - Wheel stops of masonry, steel, or heavy timber construction shall be provided at a distance of two (2) feet from the edge of the planting area. The parking space shall not extend into the required parking area setback unless approved.
 - Curb. If curb is used, a minimum five (5) foot landscape strip shall be required. It is intended that two (2) feet of said strip may be utilized for vehicle overhang and may be credited to stall depth.
 - In order to accommodate potential vehicle overhang plant material which is planted within two feet from the curbed edge of the lot should maintain a height no greater than 6" at maturity.

Adventure 212 is requesting to eliminate this requirement for their proposed expansion for the following reasons: (1) the parking lot expansion is an extension of the current lot that does not have curb or wheel stops, (2) installing curb or wheel stops would hamper snow removal efforts, (3) the rest of the business park does not have curbing or wheel stops against grass

areas, and (4) curbing will create water to collect and build up.

The requirement in the zoning ordinance is there to protect the required landscape strips. The landscape strips include both the planting areas and the grass areas. The curb or wheel stop requirement prevents damage to plants and bushes from vehicular encroachment, as well as the grass area.

Adventure 212 provides a number of reasons why they feel the curb or wheel stop requirement should be eliminated:

- The parking lot expansion is an extension of the current lot that does not have curb or wheel stops.

This statement is correct. The existing parking lot does not have any curb or wheel stops. In the past, site review in the Portage County Business Park was done by Portage County Planning and Zoning. They reviewed the proposed plan against the covenants for the park. For the most part, the covenants for the park are more restrictive than our zoning ordinance for site standards. Therefore, in the past, it was determined that if the development met the covenant standards, they would meet our zoning ordinance standards. However, that is not the case in a few instances, one of which is the curb or wheel stop requirement. While curb or wheel stops are not present on the existing section of the parking lot, this is a new addition and it should follow the existing requirements.

- Installing curb or wheel stops would hamper snow removal efforts.

While the curb or wheel stops may hamper snow plowing efforts, snow plowing is one of the reasons these areas get damaged. If snow is plowed into these areas, it can damage the plantings as well as rip up the grass areas.

- The rest of the business park does not have curbing or wheel stops against grass areas.

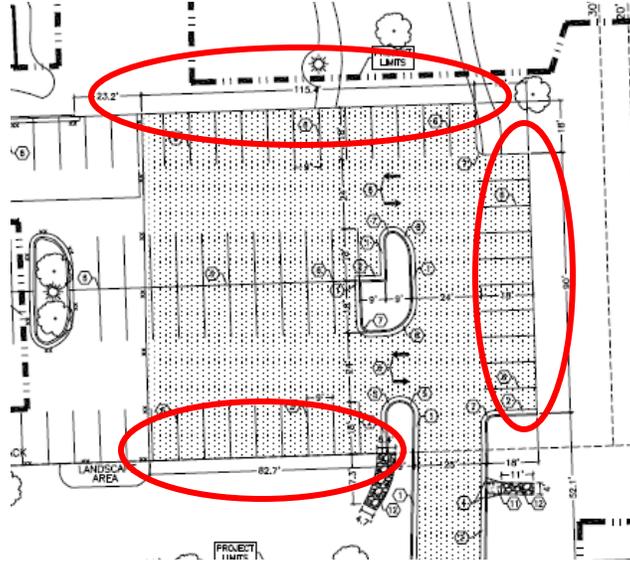
As noted in the first reason, this was not always addressed in the past. However, this is a new addition to the parking lot, and it should follow the existing requirements unless there is evidence that the curb or wheel stops will create a significant difficulty.

- Curbing will create water to collect and build up.

Having curb will assist in the directing of water off of the parking lot into proper areas and drainage ways.

In regards to this request, staff feels that this requirement serves a beneficial purpose to the maintenance of the landscape strips. It can be seen in several areas throughout the City where landscape strips have been damaged by vehicular encroachment or snow plowing. When this occurs, the landscaping is not always replaced or repaired, which reduces the aesthetic quality of the property, and the appropriate screening of the parking areas.

Staff would recommend denying the request to eliminate the curb or wheel stop requirement. Curb and wheel stops shall be installed on the east, south, and west sides of the parking lot addition.



REQUEST TO CITY OF STEVENS POINT PLAN COMMISSION

ADDRESS OF PROPERTY: 3217 John Joanis Drive, Stevens Point, WI 54482

- Zoning Ordinance Change (\$90.00 fee required)
- Conditional Use Permit (\$90.00 fee required)
- Variance from Zoning Ordinance -Board of Appeals (\$90.00 fee required)
- Variance from Sign Ordinance
- Appeal from Subdivision Requirements
- Other

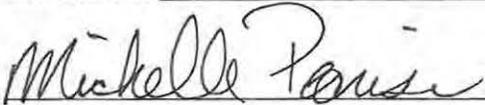
REQUESTED CHANGE: (State briefly what is being requested, and why).

Adventure 212 would like to request a variance to the curb or wheel stops at the end of each stall requirement for the following reasons: 1. This parking lot expansion is an extension of the current lot which was not required to have curb or wheel stops. 2. Installing curb or wheel stops would hamper snow removal efforts. 3. The rest of the business park does not have curbing or wheel stops against grass areas. 4. Curbing will create water to collect and build-up.

OWNER/APPLICANT:

Name: Michelle Peariso
Address: 3217 John Joanis Drive
Stevens Point, WI 54482
(City, State, Zip Code)

Telephone: 715-343-0212
Cell Phone: 715-630-4596


Signature

AGENT FOR OWNER/APPLICANT:

Name: Chris Peariso
Address: 3217 John Joanis Drive
Stevens Point, WI 54482
(City, State, Zip Code)

Telephone: 715-343-0212
Cell Phone: 715-630-4590


Signature

Scheduled Date of Plan Commission Meeting: November 7th, 2011

Scheduled Date of Common Council Meeting: _____

You, as the applicant, or your agent, shall attend the meeting and present your request.

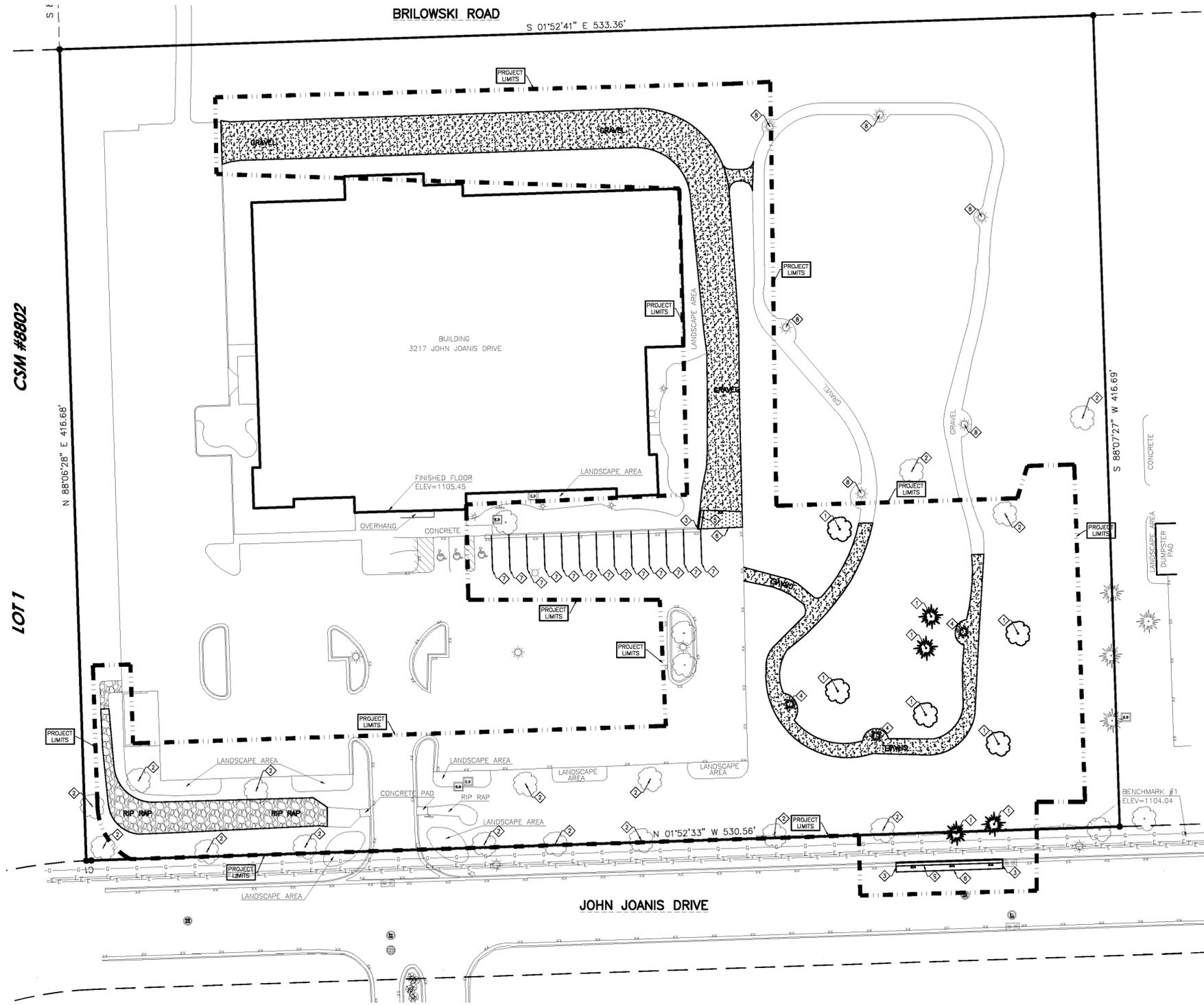
All requests with supporting documentation are due at the Community Development Office three weeks prior to the actual meeting.

\$90.00 Fee Required for Rezoning Requests, Variances, and Conditional Use Permits

Receipt # _____

LEGEND

- These standard symbols will be found in the drawing.
- SANITARY SEWER
 - STORM SEWER
 - BURIED ELECTRIC
 - BURIED GAS
 - BURIED TELEPHONE
 - WATERMAIN
 - EDGE OF BITUMINOUS
 - CONTOUR LINE
 - RECTANGULAR CATCH BASIN
 - CLEAN OUT
 - CONTROL BOX
 - HYDRANT
 - LIGHTPOLE
 - MAILBOX
 - SANITARY MANHOLE
 - SIGN
 - STORM MANHOLE
 - WATER MANHOLE
 - BUSH/SHRUB
 - TREE
 - PINE TREE
 - HARRISON MONUMENT FOUND
 - 1-1/4" O.D. IRON PIPE FOUND



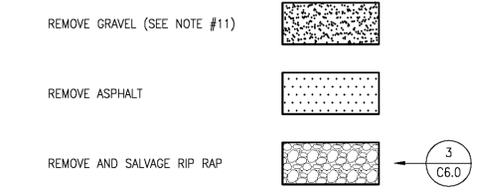
GENERAL NOTES:

1. CONTACT DIGGER'S HOTLINE 5 WORKING DAYS PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
2. ALL DEMOLITION MATERIALS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN A LEGAL MANNER EXCEPT FOR THOSE ITEMS NOTED TO BE SALVAGED, WHICH SHOULD BE TURNED OVER TO THE OWNER.
3. INSTALL ALL REQUIRED EROSION CONTROL MEASURES FOR PERIMETER PROTECTION PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
4. ALL BIDDERS PLANNING ON SUBMITTING A BID SHALL VISIT THE SITE AND REVIEW THE EXISTING CONDITIONS PRIOR TO THE BID DATE.
5. COORDINATE WITH THE OWNER AND LOCAL UTILITY COMPANIES TO LOCATE ANY EXISTING PRIVATE UTILITIES ON SITE PRIOR TO THE START OF WORK.
6. ANY EXISTING UTILITIES NOT SHOWN ON THIS DOCUMENT WHICH NEED TO BE REMOVED, RELOCATED AND OR ADJUSTED SHALL BE THE RESPONSIBILITY OF THE SITE GRADING CONTRACTOR AND INCLUDED IN THE BASE BID CONTRACT.
7. ALL EROSION CONTROL MEASURES INSTALLED SHALL BE MAINTAINED IN ACCORDANCE WITH THE LOCAL AND STATE GOVERNING AUTHORITIES.
8. STRIP TOPSOIL WITHIN THE PROJECT LIMITS IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
9. STOCKPILE STRIPPED TOPSOIL ON SITE. PLACE SILT FENCE AROUND THE BASE OF THE STOCKPILE TO PREVENT SEDIMENT TRANSPORT.
10. CONSTRUCTION TRAFFIC SHALL STAY OFF OF EXISTING PARKING LOT PAVEMENT.
11. REMOVE EXISTING GRAVEL AS NOTED ON PLAN, REPLACE GRAVEL WITH PROPOSED PAVEMENT OR 6" OF TOPSOIL. SEE SHEET C4.0 FOR CONSTRUCTION SEQUENCING SCHEDULE. DURING GRAVEL REMOVAL DISTURBANCE OUTSIDE OF GRAVEL AREA IS PROHIBITED.
12. IF TREES TO BE RELOCATED ARE NOT ABLE TO BE SALVAGED OR ARE DAMAGED DURING CONSTRUCTION, CONTRACTOR SHALL REPLACE TREE WITH ONE OF SAME SIZE AND SPECIES.
13. CONTRACTOR SHALL PROTECT EXISTING VEGETATION, DISTURBANCE OUTSIDE OF CONSTRUCTION LIMITS IS PROHIBITED.
14. STAGING AREA CANNOT BE OUTSIDE OF THE CONSTRUCTION LIMITS.

DEMOLITION KEY NOTES:

- REMOVE, SALVAGE, AND RELOCATE EXISTING TREE - SEE LANDSCAPE PLAN, SHEET C5.0, FOR PROPOSED LOCATIONS
- SAVE AND PROTECT EXISTING TREE
- SAWCUT EXISTING CURB AND GUTTER
- REMOVE EXISTING LIGHT POLE (COORDINATE WITH ELECTRICIAN)
- REMOVE CONCRETE CURB AND GUTTER
- SAWCUT EXISTING PAVEMENT
- REMOVE EXISTING PARKING LOT STRIPING
- SAVE AND MAINTAIN EXISTING LIGHT POLE (COORDINATE WITH ELECTRICIAN)

DEMOLITION HATCH PATTERNS:



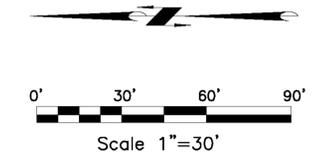
BENCH MARK

ELEVATIONS ARE REFERENCED TO DATUM RECEIVED FROM THE CITY OF STEVENS POINT ENGINEERING DEPARTMENT.
 BENCHMARK #1
 TAG BOLT ON HYDRANT, LOCATED ON THE EAST SIDE OF JOHN JOANIS DRIVE, APPROXIMATELY 450' SOUTH OF THE HOSTEL SHOPPE ENTRANCE.
 ELEVATION=1104.04

DESCRIPTION

BEING LOT 1 OF CERTIFIED SURVEY MAP #9166, LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 8 EAST, CITY OF STEVENS POINT, PORTAGE COUNTY, WISCONSIN.

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REVISIONS	
CHECKED:	JAMES LINDBERG
DRAWN:	GREG GULLICKSON
DATE:	10-21-2011
PROJECT NO.:	11.074

DEMOLITION PLAN

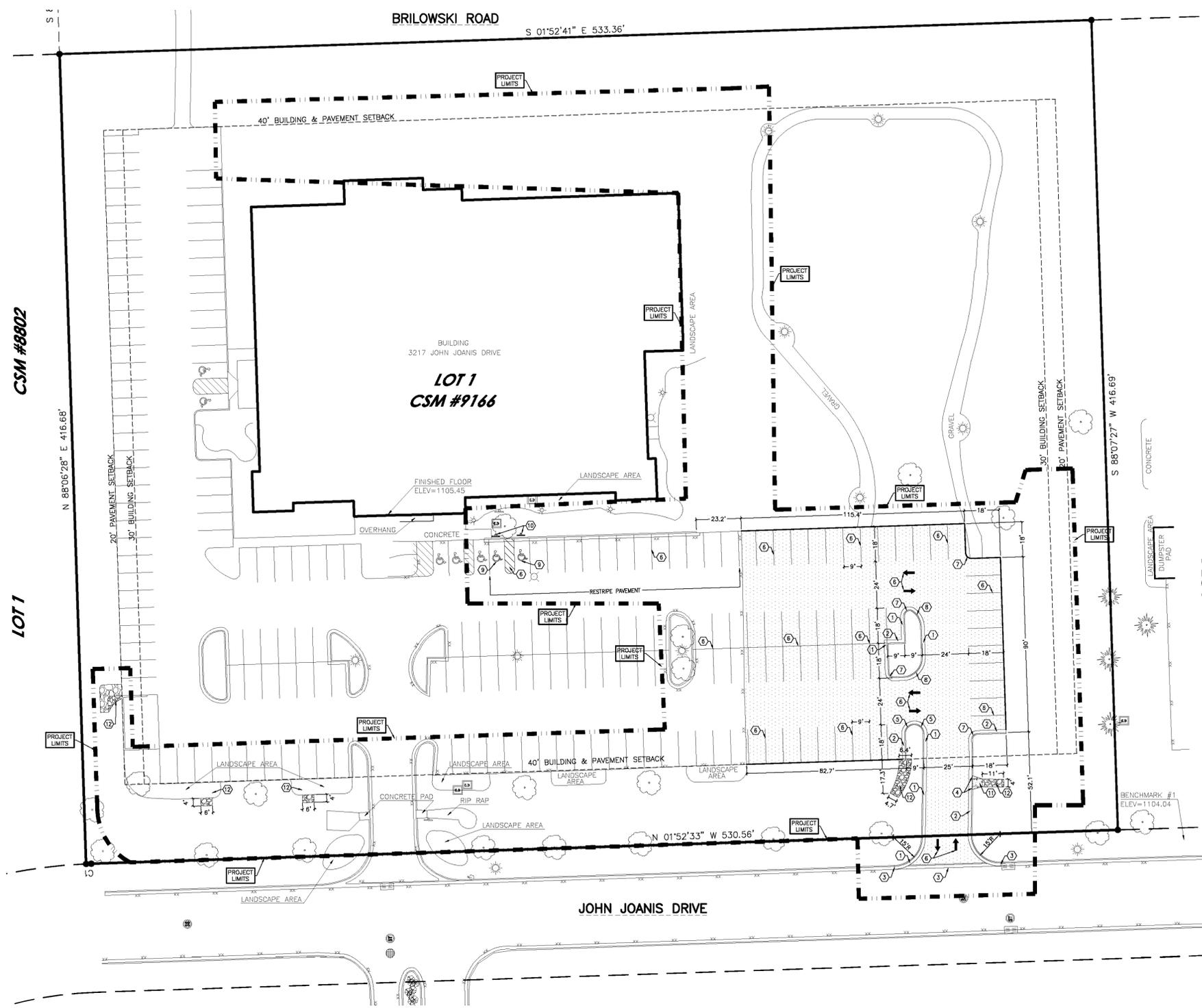
**ADVENTURE 212
 3217 JOHN JOANIS DRIVE
 CITY OF STEVENS POINT
 PORTAGE COUNTY, WISCONSIN**

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



LEGEND

- These standard symbols will be found in the drawing.
- SANITARY SEWER
 - STORM SEWER
 - BURIED ELECTRIC
 - BURIED GAS
 - BURIED TELEPHONE
 - WATERMAIN
 - EDGE OF BITUMINOUS
 - CONTOUR LINE
 - RECTANGULAR CATCH BASIN
 - CLEAN OUT
 - CONTROL BOX
 - HYDRANT
 - LIGHTPOLE
 - MAILBOX
 - SANITARY MANHOLE
 - SIGN
 - STORM MANHOLE
 - WATER MANHOLE
 - BUSH/SHRUB
 - TREE
 - PINE TREE
 - HARRISON MONUMENT FOUND
 - 1-1/4" O.D. IRON PIPE FOUND



GENERAL NOTES:

1. CONTACT DIGGER'S HOTLINE 5 WORKING DAYS PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
2. GRADE, LINE, AND LEVEL TO BE REVIEWED IN THE FIELD BY THE CONSTRUCTION MANAGER.
3. PRIOR TO THE START OF CONSTRUCTION INSTALL ALL EROSION CONTROL MEASURES IN ACCORDANCE WITH THE DEPARTMENT OF NATURAL RESOURCES AND LOCAL MUNICIPAL REGULATIONS.
4. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED IN ACCORDANCE WITH THE DEPARTMENT OF NATURAL RESOURCES AND LOCAL MUNICIPAL REGULATIONS.
5. SEE SHEET C4.0 FOR ALL REQUIRED EROSION CONTROL ELEMENTS.
6. ANY EXISTING UTILITIES NOT SHOWN ON THIS DOCUMENT WHICH NEED TO BE REMOVED, RELOCATED AND OR ADJUSTED SHALL BE THE RESPONSIBILITY OF THE SITE GRADING CONTRACTOR AND INCLUDED IN THE BASE BID CONTRACT.
7. VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
8. ALL BIDDERS PLANNING ON SUBMITTING A BID SHALL VISIT THE SITE AND REVIEW THE EXISTING CONDITIONS PRIOR TO THE BID DATE.
9. PRIOR TO THE START OF WORK VERIFY WITH THE LOCAL AUTHORITIES THAT ALL REQUIRED PERMITS HAVE BEEN ACQUIRED.
10. COORDINATE CONSTRUCTION IN THE RIGHT OF WAY WITH THE LOCAL AUTHORITIES.
11. ALL DIMENSIONS ARE SET PARALLEL OR PERPENDICULAR TO THE WEST PROPERTY LINE SAID TO BEAR N01°52'33"W.
12. ALL CURB AND GUTTER RADIUS DIMENSIONS ARE TO THE FACE OF CURB.
13. CONTRACTOR SHALL PROTECT EXISTING VEGETATION. DISTURBANCE OUTSIDE OF CONSTRUCTION LIMITS IS PROHIBITED.
14. STAGING AREA CANNOT BE OUTSIDE OF THE CONSTRUCTION LIMITS.

KEYNOTES:

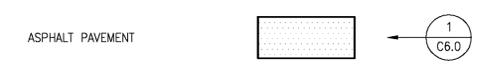
- ① 24" REJECT CURB AND GUTTER
- ② 24" STANDARD CURB AND GUTTER
- ③ 24" DRIVE-OVER CURB AND GUTTER
- ④ 1.5' CURB TAPER
- ⑤ 5' RADIUS TYP.
- ⑥ PARKING LOT STRIPING
- ⑦ 3' RADIUS TYP.
- ⑧ 10' RADIUS TYP.
- ⑨ HANDICAP PARKING STALL
- ⑩ HANDICAP PARKING SIGN
- ⑪ CONCRETE FLUME
- ⑫ RIP RAP FLUME

SITE SURFACE AREAS

	EXISTING AREA	EXISTING % OF SITE	PROPOSED AREA	PROPOSED % OF SITE
BUILDING	33,668 S.F.	15%	33,668 S.F.	15%
CONCRETE & BITUMINOUS PAVEMENT	53,219 S.F.	24%	69,285 S.F.	31%
GRAVEL	14,968 S.F.	7%	3,860 S.F.	2%
GREEN SPACE	120,360 S.F.	54%	115,402 S.F.	52%

TOTAL LOT = 222,215 S.F. (5.10 ACRES)
 AREA OF DISTURBANCE = 37,307 S.F. (0.89 ACRES)

PAVEMENT HATCH PATTERNS:



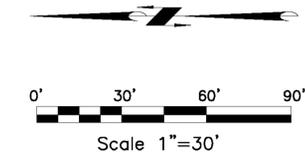
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REVISIONS

CHECKED: JAMES LINDBERG
DRAWN: GREG GULLICKSON
DATE: 10-21-2011
PROJECT NO.: 11.074

LAYOUT PLAN

**ADVENTURE 212
 3217 JOHN JOANIS DRIVE
 CITY OF STEVENS POINT
 PORTAGE COUNTY, WISCONSIN**

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

POB Beginning
 Point of Beginning
 C2.0



Administrative Staff Report

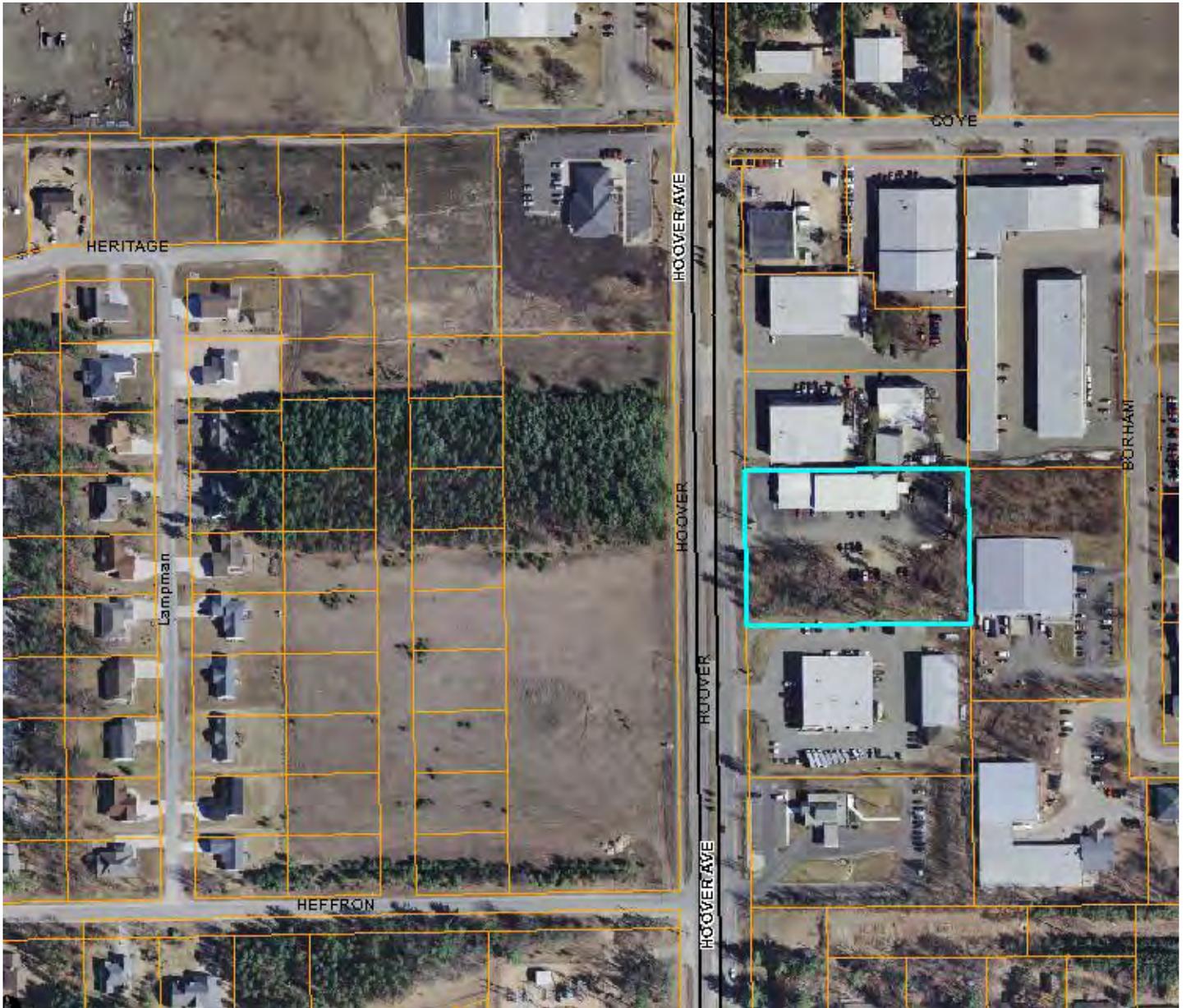
Lamar Off-Premise Sign Conditional Use
3001 Hoover Avenue
November 7, 2011



Department of Community Development

<p>Applicant(s):</p> <ul style="list-style-type: none">• Lamar Advertising <p>Staff:</p> <ul style="list-style-type: none">• Michael Ostrowski, Director Community Development Ph: (715) 346-1567 Fax: (715) 346-1498 mostrowski@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none">• 2308-02-2301-34 <p>Lot Information:</p> <ul style="list-style-type: none">• Effective Frontage: 270 feet• Effective Depth: 385 feet• Square Footage: 103,950• Acreage: 2.386 <p>Zone(s):</p> <ul style="list-style-type: none">• "M-1" Light Industrial <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 6 – Slowinski <p>Current Use:</p> <ul style="list-style-type: none">• Industrial <p>Applicable Regulations:</p> <ul style="list-style-type: none">• 23.01(16) and 23.02(3)(a)	<p>Request</p> <p>Discussion and possible action on a request Lamar Advertising, for a conditional use permit to locate an off-premise advertising sign at 3001 Hoover Avenue (Parcel ID 2308-02-2301-34).</p> <p>Attachment(s)</p> <ul style="list-style-type: none">• Parcel ID Sheet• Exhibit Map• Application• Plans <p>Findings of Fact</p> <ul style="list-style-type: none">• Off-premise advertising signs are a conditional use within the M-1 district.• The sign size would be 23' x 10'-9" or 247.25 sq. ft.• The height of the sign would be 25'.• The sign would be illuminated. <p>Staff Recommendation</p> <p>Deny, as the proposal does not meet the standards of review.</p>
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Vicinity Map



Background

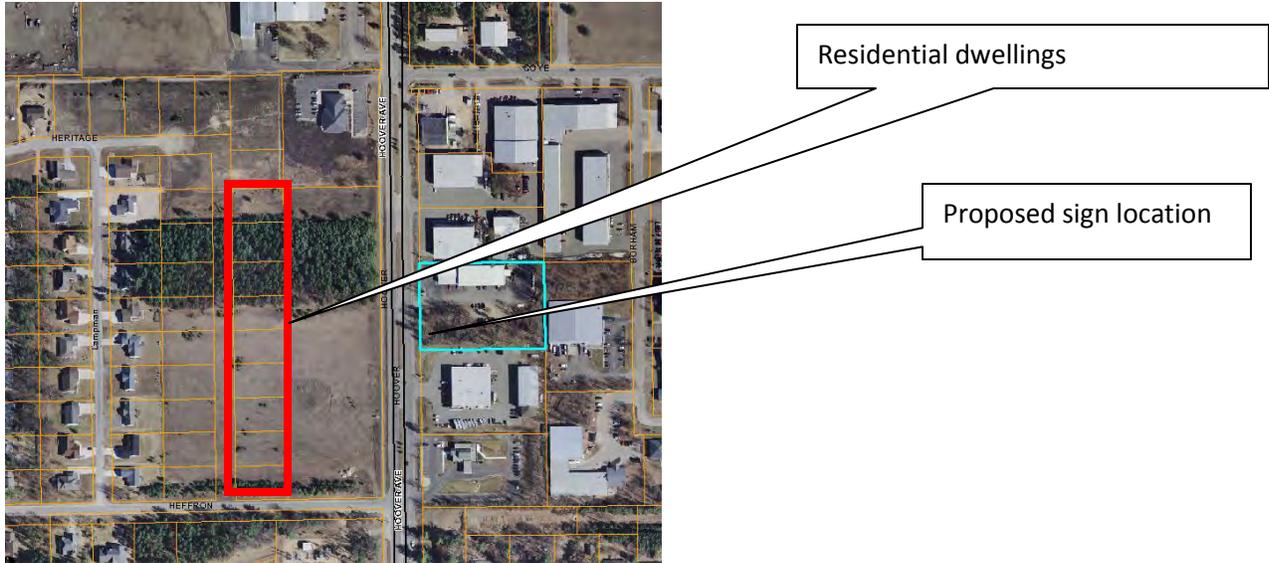
Lamar Advertising is requesting a conditional use permit for the purposes of constructing an off-premise advertising sign along Hoover Avenue. The size of the sign face is 23' x 10'-9", or 247.25 square feet. The height of the sign would be 25'. The sign would be illuminated and would be brown in color.

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 sign will be constructed towards the southwest portion of the property, fronting on Hoover Avenue.

Findings: The property in which the sign is located on is light industrial in nature (Chet’s Plumbing and Heating). The property immediately to the south is also light industrial in nature (Truck Stop USA). The property across Hoover Avenue is vacant, however, residential dwellings are adjacent to those vacant properties.



The size of the sign and illumination levels can produce a negative impact or reduce the comfort of the property owners within this area.

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

Analysis: The zoning of the property is M-1 Light Industrial, and the current use of this property is light industrial (Chet’s Plumbing and Heating). The district is established to provide for those manufacturing or other industrial uses having the least obnoxious nuisance affects and having a lower intensity of activity as compared with permitted uses of the "M-2" Heavy Industrial District. It is intended that the "M-1" district be located as a buffer between heavy manufacturing uses and commercial or high density residential uses or at other locations all consistent with the use planning principles, industrial location standards, and the City Comprehensive Plan and policies. The uses across Hoover Avenue, just west of the vacant lots are residential.

Findings: The size of the sign has the potential to reduce the visibility down the corridor. As noted in standard number 1, the sign may also reduce the comfort of the adjacent use to the south and the residential uses to the west.

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

Analysis: The proposed sign is to be erected on the southwest corner of the lot, about 10 feet off of each property line.

Findings: The placement of this sign on this lot may create difficulty in laying out a development on the lot should the current owner ever decide to divide this lot. In addition, the Comprehensive Plan calls for the area across Hoover Avenue to be a Commercial/Office/Multifamily use. If the property is developed as a multifamily use, the sign could reduce the enjoyment of that property.

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

Analysis: The proposed sign is 25' tall and almost 250 square feet in area.

Findings: Most signs on this corridor are less than 20' in height and fewer than 100-150 square feet in area. The proposed sign would be in variance with the other structures within this corridor. Hoover Avenue serves as a minor arterial for street classification. Few, if any large scale, off-premise advertising signs are located on minor arterial streets in the City of Stevens Point. Streets such as Division, Church, State Highway 10, State Highway 66, and Interstate Highway 39 are considered principal arterials, and almost always serve as the location for large scale off-premise advertising signs.

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

N/A

- 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;**

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.**

N/A

- 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: Off-premise signage is regulated by the conditional use standards.

Findings: While the off-premise signage is not specifically regulated by the sign code, the height and size of the proposed sign exceeds the height and area standards of the sign code. The reason I feel this is appropriate to address, is that the proposed sign would then be much larger than other signs within this area. Please see standard number 4.

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

N/A

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

N/A

11) Access to the site shall be safe.

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

Analysis: The sign fronts on Hoover Avenue.

Findings: This standard is met.

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

Analysis: The sign is located about 100 feet from the closest existing driveway.

Findings: This standard is met. However, if the owner of the site does decide to divide this site, the location of the sign could pose some visibility concerns. The pole of the sign is about 18" in diameter. If a sign is located within the 20' vision triangle, the diameter of the pole cannot exceed 12".

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

N/A

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

N/A

- j. Parking areas shall be safe. They shall be adequately lit, sized to meet minimum standards, graded so as to not be too steep, and paved with concrete, brick, or bituminous surfacing. The light source shall not be visible from adjacent properties. Lighting shall be developed in such a way to minimize light straying onto adjacent properties.**

N/A

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

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.**

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.**

N/A

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

Analysis: No photometric plan has been submitted. The proposed plan shows that the sign will be externally illuminated with the light pointing up. Lamar has indicated that they are able direct the light in multiple ways, including upward, downward, or have it internally illuminated.

Findings: Without a photometric plan it is difficult to determine the impact that the illumination would have on the adjacent properties or on the traffic on Hoover Avenue. Staff does have concerns with the illumination for the adjacent property to the south, the residential areas to the west, as well as for motorists on Hoover Avenue.

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

Analysis: The sign is not intended to create any noise.

Findings: If no noise is created, this standard is met.

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

N/A

Name and Address		Parcel #	Alt Parcel #	Land Use
Hoover Holdings LLC 3001 Hoover Rd Stevens Point, WI 54481		230802230134	230802230134	Warehouse, Storage/Office
		Property Address		Neighborhood
		3001 Hoover Rd		Indust Pk & Mich Ave (Comm)
		Subdivision		Zoning
Display Note		Certified Survey Map		M1-LIGHT INDUSTRIAL

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Hoover Holdings LLC	12/29/2004	\$487,300	Quit Claim Deed	667138		Land & Build.

SITE DATA

PERMITS

Actual Frontage	270.0	Date	Number	Amount	Purpose	Note
Effective Frontage	270.0	1/2/2008	35254	\$229,045	060 New Construction	metal building
Effective Depth	385.0	4/11/1997	26571	\$4,000	099 Sign	
Square Footage	103,950.0	11/5/1996	26378	\$400,000	060 New Construction	Raze Garage
Acreage	2.386	10/9/1996	26316	\$0	070 Raze/Demolition	

2011 ASSESSED VALUE

Class	Land	Improvements	Total
B-Commercial	\$71,600	\$628,800	\$700,400
Total	\$71,600	\$628,800	\$700,400

LEGAL DESCRIPTION

LOT 2 CSM #6229 -23-52 BNG PRT SW NW; SUBJ TO RC-675/61 S2 T23 R8 669/36-8 ANNEXED 682/923 667138

PROPERTY IMAGE

PROPERTY SKETCH



Name and Address		Parcel #	Alt Parcel #	Land Use
Hoover Holdings LLC 3001 Hoover Rd Stevens Point, WI 54481		230802230134	230802230134	Warehouse, Storage/Office
		Property Address		Neighborhood
		3001 Hoover Rd		Indust Pk & Mich Ave (Comm)
		Subdivision		Zoning
Display Note		Certified Survey Map		M1-LIGHT INDUSTRIAL

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
1	1	Store, Retail (S avg)	1996	5,100	Metal - Avg	12
1	2	Warehse, Storage (S avg)	1996	7,200	Metal - Avg	18
1	3	Warehse, Storage (S avg)	2008	5,700	Metal - Avg	18

Total Area		18,000
-------------------	--	--------

BASEMENT DATA

COMPONENTS

Bldg	Sec	Adjustment Description	Area	Bldg	Sec	Component Description	Area
				1	1	Mezzanine - Finished	1,200
				1	2	Mezzanine - Storage (Avg Qual)	2,900
				1	3	Loading Dock(s)	400
				1	3	Mezzanine - Storage (Avg Qual)	2,080

DETACHED IMPROVEMENTS

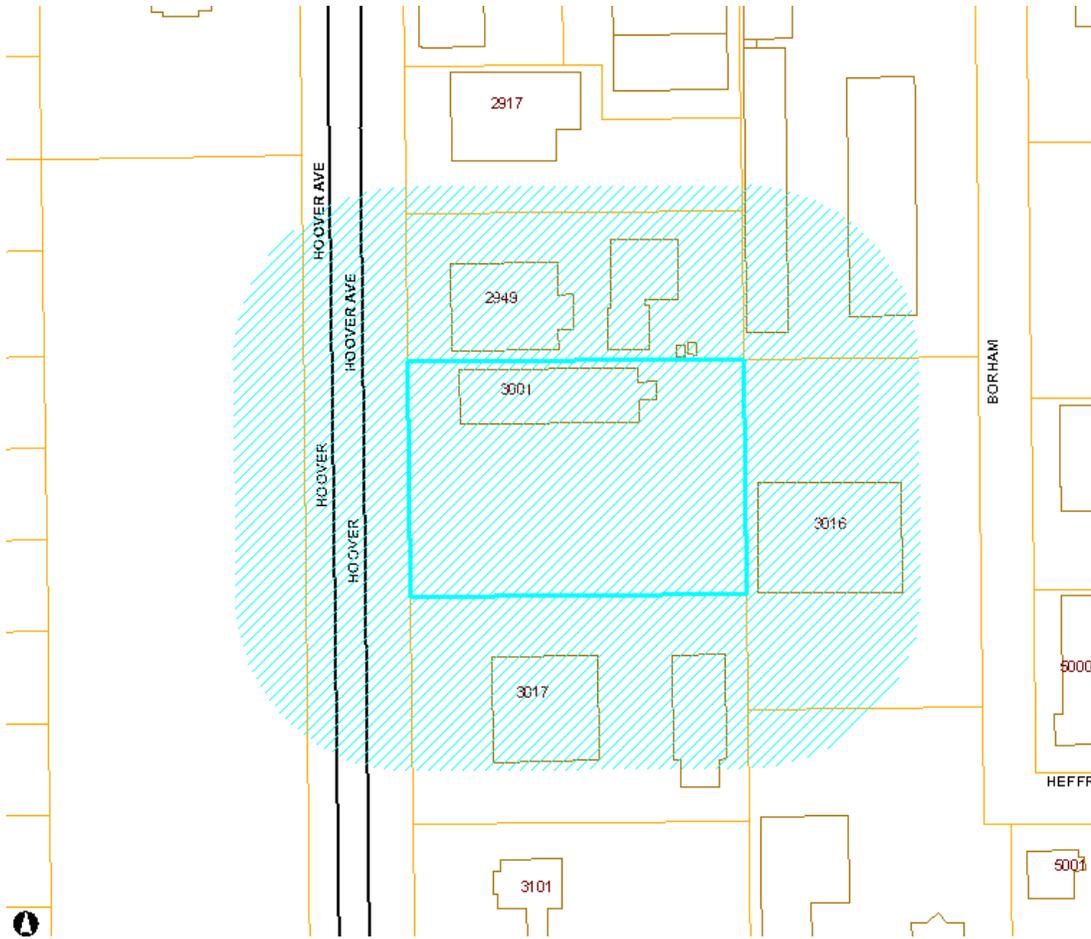
Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

STRUCTURE DATA

Site Improvement	Units	Age	11
		Year Built	1996
		Eff. Year	2000
		One Bedroom	
		Two Bedroom	
		Three Bedroom	
		Total Units	
		Stories	1.00
		Business Name	Chet's Plumbing

Lamar - Conditional Use - Exhibit Map (200 Feet Notification Boundary)



TaxKey	Property Address	Owner Name	Mailing Address	City	State	Zip Code
281230802230128	3100 Borham Ave	JH Leek LLP	3100 Borham Ave	Stevens Point	WI	54481
281230802230130	3016 Borham Ave	Wayne & Dean Johnson LLC	3016 Borham Ave	Stevens Point	WI	54481
281230802230134	3001 Hoover Rd	Hoover Holdings LLC	3001 Hoover Rd	Stevens Point	WI	54481
281230802230135	3017 Hoover Rd	Thomas & Rosalie A Modrzewski	4785 Pierce Ave	Plover	WI	54467
281230802230137	4925 Coye Dr	Wayne H & Carol A Bushman	1955 River Road	Junction City	WI	54443
281230802230140	2949 Hoover Rd	Wayne H & Carol A Bushman	1955 River Rd	Junction City	WI	54443
281230802230143	2917 Hoover Rd	Wayne H & Carol A Bushman	1955 River Rd	Junction City	WI	54443
281230803140102	Hoover Rd	Albert L & Jean A Feltz Rev Trust	N6814 Steffen Ct	Scandinavia	WI	54977

R# 1-44798
\$90
10/28/11

REQUEST TO CITY OF STEVENS POINT PLAN COMMISSION

ADDRESS OF PROPERTY: 3001 Hoover Ave.

- Zoning Ordinance Change (\$90.00 fee required)
- Conditional Use Permit (\$90.00 fee required)
- Variance from Zoning Ordinance -Board of Appeals (\$90.00 fee required)
- Variance from Sign Ordinance
- Appeal from Subdivision Requirements
- Other

REQUESTED CHANGE: (State briefly what is being requested, and why).

Lamar is requesting to place an off-premise sign on the vacant industrial lot owned by Chet's Plumbing and Heating. The request is being made because there is a need in the community for advertising space along this industrial corridor. The sign is needed for and will be used by Local Businesses, Public Entities such as SPASH and Portage County Health and Human Services and Public Service organizations such as United Way and Pass It On to name a few.

OWNER/APPLICANT:

Name: Hoover Holdings LLC D/B/A Chet's Plumbing and Heating
Address: 3001 Hoover Ave.
Stevens Point, WI
(City, State, Zip Code)

Telephone: 715-341-9530
Cell Phone: _____


Signature

AGENT FOR OWNER/APPLICANT:

Name: Rich Reinart - Lamar Advertising
Address: 9237 U.S. Hwy. 10 East
Marshfield, WI 54449
(City, State, Zip Code)

Telephone: 715-387-3449
Cell Phone: 715-897-7593


Signature

Scheduled Date of Plan Commission Meeting: November 7, 2011

Scheduled Date of Common Council Meeting: November 21, 2011

You, as the applicant, or your agent, shall attend the meeting and present your request.

All requests with supporting documentation are due at the Community Development Office three weeks prior to the actual meeting.

\$90.00 Fee Required for Rezoning Requests, Variances, and Conditional Use Permits

Receipt # _____

Chet's Plumbing and Heating

Location of Sign

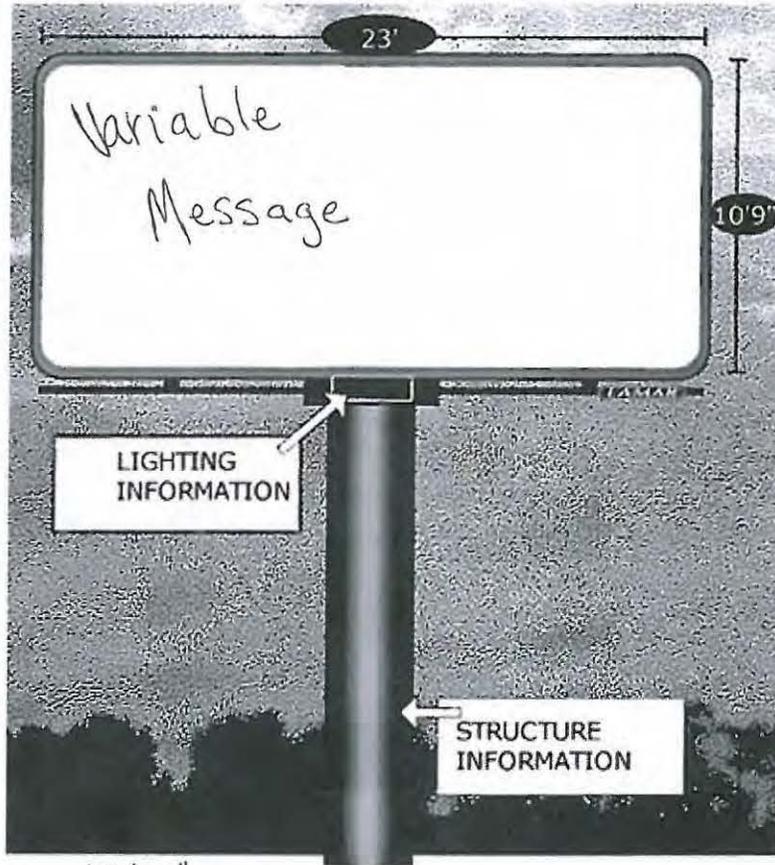


This map does not constitute a legal survey. Contact Planning and Zoning Office (715) 346-1334 Thu Oct 6 2011 04:04:35 PM.

Not to Scale

- Planned side yard and street setback is 10'. Sign will be located in Southwest Corner of lot.

LAMAR
OUTDOOR ADVERTISING



HAGL 14' 3"

OVERALL HEIGHT 25'

POSTER
CENTER MOUNT
SINGLE POLE

ADDITIONAL COMMENTS:

Sign structure would be a single pole freestanding sign.
The sign will be brown in color and would be illuminated.
Sign would be back to back and each side is 247.25 sq. ft.

Stevens Point area Businesses and Organizations Using Outdoor Ads

Partial Business Listing Includes:

Arby's
American Fence
Andrews Limited
Applebee's
Batteries Plus

Courtesy Motors
Culver's
Dairy Queen
Dave's Body Shop
Disher Insurance
DivePoint

Fazoli's
Franks Hardware
Grazies
Golden Corral
Herrschners
Hostel Shoppe
Kwik Trip
Maher's Water Care
Mark Motors
McDonalds
Ministry Health
Plover Express
Point Diesel
Roberts Irrigation
Schierl Tire and Gas Stations
Slumberland
Stevens Point Brewery
Westland Insurance

Partial listing of Public Service:

Boat Angel
Catholic Churches
Ducks Unlimited
Missing People
Pass It On
Pheasants Forever
Portage County Health and Human Services
Quality Deer Management
Red Cross
SPASH
United Way
UWSP
Whitetails Unlimited
WI DNR

Administrative Staff Report

Lucky 13 Properties Conditional Use
1547 Water Street
November 7, 2011



Department of Community Development

<p>Applicant(s):</p> <ul style="list-style-type: none">Lucky 13 Properties, Holly Carter/Tony Babl <p>Staff:</p> <ul style="list-style-type: none">Michael Ostrowski, Director Community Development Ph: (715) 346-1567 Fax: (715) 346-1498 mostrowski@stevenspoint.com <p>Parcel Number(s):</p> <ul style="list-style-type: none">2408-32-3002-32 <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">Residential <p>Council District:</p> <ul style="list-style-type: none">District 9 – Stroik <p>Lot Information:</p> <ul style="list-style-type: none">Effective Frontage: 58 feetEffective Depth: 240 feetSquare Footage: 13,920Acreage: 0.320 <p>Current Use:</p> <ul style="list-style-type: none">Single-Family <p>Applicable Regulations:</p> <ul style="list-style-type: none">23.01(16) and 23.02(1)(f)	<p>Request</p> <p>Discussion and possible action on a request from Holly Carter and Tony Babl, for a conditional use permit to allow four unrelated persons to reside in a dwelling located at 1574 Water Street (Parcel ID 2408-32-3002-32).</p> <p>Attachment(s)</p> <ul style="list-style-type: none">Parcel ID SheetExhibit MapApplication <p>Findings of Fact</p> <ul style="list-style-type: none">Current property is zoned R-4.Multi-Family developments are a conditional use within the R-4 zoning district.The request is for a maximum of 4 unrelated individuals. <p>Staff Recommendation</p> <p>Approve, subject to the following condition(s):</p> <ul style="list-style-type: none">Dwelling must not have more than 4 unrelated persons.Must receive a multiple family dwelling license.Parking must occur behind the rear plane of the home or within the garage.All vehicles must be parked on a hard surface.
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Findings: The use will remain residential, however, the number of individuals living in the unit may increase. The increase in the number of individuals should not endanger the welfare of the neighborhood. The property is adjacent to other multiple family uses.

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

Analysis: This area has a mix of residential uses, including several multiple-family uses. In addition, the property is zoned multiple-family residential.

Findings: The use should not be injurious to the uses already permitted.

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 use will take place in the existing structure.

Findings: The use should not impede the normal development of the surrounding properties.

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

Analysis: The existing structure is not planned to be modified.

Findings: The structure will be similar to the adjacent structures.

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

Analysis: Utilities exist for this property.

Findings: This standard is met.

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

Analysis: Ingress/Egress will occur at its existing location.

Findings: This standard is met.

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.

Findings: The proposed use appropriate for the intent of this 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 current dwelling exists and will not be modified. The zoning code requires that the lot area must be 10,000 square feet or greater in area to allow for a multiple family use on an existing lot. At least 125 square feet of living area must be provided per occupant.

Findings: The current lot is 13,920 square feet in area. The total living area of the structure is 1,545 square feet.

- 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 a maximum of 4 unrelated individuals.

Findings: Staff does not feel that this proposal will create an over-concentration of high density living facilities within the immediate area.

- 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 will occur in the rear yard, next to or in front of the garage.

Findings: This standard is met.

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

Analysis: Parking will occur in the rear yard, next to or in front of the garage.

Findings: This standard is met.

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

Analysis: The building exists and will not be modified. The front façade faces Water Street.

Findings: This standard is met.

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

Analysis: The main façade faces the street.

Findings: This standard is met.

11) Access to the site shall be safe.

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

Analysis: The property fronts on Water Street.

Findings: This standard is met.

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

Analysis: The driveway exists and will not be modified.

Findings: This standard is met.

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

Analysis: The property has a partially shared driveway with the property to the south.

Findings: This standard is met.

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

Analysis: There is no other access point immediately across.

Findings: This standard is met.

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

Analysis: This will be the only driveway for the site. This driveway also serves other properties.

Findings: This standard is met.

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

Analysis: The request is for 4 unrelated persons, which will not require a parking lot.

Findings: This standard is met.

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

Analysis: The ingress/egress on Water Street exists, and is not screened.

Findings: This standard is met.

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

Analysis: The request is for 4 unrelated persons, which will not require a parking lot.

Findings: This standard is met.

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

Analysis: The request is for 4 unrelated persons, which will not require a parking lot.

Findings: This standard is met.

j. Parking areas shall be safe. They shall be adequately lit, sized to meet minimum standards, graded so as to not be too steep, and paved with concrete, brick, or bituminous surfacing. The light source shall not be visible from adjacent properties. Lighting shall be developed in such a way to minimize light straying onto adjacent properties.

Analysis: The request is for 4 unrelated persons, which will not require a parking lot.

Findings: This standard is met.

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

Analysis: The request is for 4 unrelated persons, which will not require a parking lot.

Findings: This standard is met.

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

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

Analysis: Utilities currently exist for this property.

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 trash bin will be a standard residential bin.

Findings: All trash bins shall be located in the rear yard.

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

Analysis: No additional lighting is planned for this site.

Findings: This standard is met.

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

Analysis: The request is for 4 unrelated persons.

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

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

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

Analysis: The request is for 4 unrelated persons, which will not require a parking lot.

Findings: This standard is met.

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

Analysis: The request is for 4 unrelated persons, which will not require a parking lot.

Findings: This standard is met.

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

Analysis: The request is for 4 unrelated persons, which will not require a parking lot.

Findings: This standard is met.

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

Analysis: The request is for 4 unrelated persons, which will not require a parking lot.

Findings: This standard is met.

Name and Address		Parcel #	Alt Parcel #	Land Use
Lucky 13 Properties LLC 1050 County Rd DD Mosinee, WI 54455		240832300232	240832300232	Residential
		Property Address		Neighborhood
		1574 Water St		29 Central (Residential)
		Subdivision		Zoning
Display Note		Metes And Bounds		R4-MULTI-FAMILY I

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Lucky 13 Properties LLC	5/17/2011	\$70,000	Warranty Deed	758011		Land & Build.
Michael Meronek & Mark Meronek et al	5/16/2011	\$0	Term. Dec. Prop. Int.	758010		Land & Build.
Michael Meronek & Mark Meronek et al	4/1/2002	\$32,400	Quit Claim Deed	605653		Land & Build.
Michael Meronek & Mark Meronek	2/4/2000	\$58,300	Warranty Deed	57	0522	Land & Build.
Verona Meronek	1/21/2000	\$57,200	Warranty Deed	57	0088	Land & Build.

SITE DATA

PERMITS

Actual Frontage	58.0	Date	Number	Amount	Purpose	Note
Effective Frontage	58.0	8/17/2005	33469	\$5,300	024 Exterior Renovatio	siding
Effective Depth	240.0					
Square Footage	13,920.0					
Acreage	0.320					

2011 ASSESSED VALUE

Class	Land	Improvements	Total
A-Residential	\$13,500	\$62,900	\$76,400
Total	\$13,500	\$62,900	\$76,400

LEGAL DESCRIPTION

LOT 33 BLK 36 STRONG ELLIS & OTHERS AKA LOT 237 BLK 38 STRONG ELLIS & OTHERS EXC NLY 4' & PRCL 60X90 LYG REAR OF LOT 33 BLK 36 AKA LOT 237 BLK 38 EXTENDING TO EL PRAIRIE ST S E O & BNG PRT GOVT LOT 3 S32 T24 R8 758011 & STIP

DWELLING DATA (1 of 1)

Style	07 Old Style		Basement	Partial	Exposed	No
Ext. Wall	Alum / Vinyl / Steel		Heating	Air Conditioning		
Story Height	1	Age	91	Fuel Type	Gas	
Year Built	1920	Eff. Year	1920	System Type	Warm Air	
Class	A-Residential		Total Rooms	8	Bedrooms	5
Int. Cond. Relative to Ext.	Interior Same As Exterior		Family Rooms	0		
Physical Condition	Average		Full Baths	1	Half Baths	0
Kitchen Rating	Average		Bath Rating	Average		

FEATURES

ATTACHMENTS

Description	Units	Description	Area
Additional Plumbing Fixtures	2	Enclosed Frame Porch	112
		Enclosed Frame Porch	32
		Frame Garage	720
		Attached Storage Shed	200

Name and Address		Parcel #	Alt Parcel #	Land Use
Lucky 13 Properties LLC 1050 County Rd DD Mosinee, WI 54455		240832300232	240832300232	Residential
		Property Address		Neighborhood
		1574 Water St		29 Central (Residential)
Subdivision		Zoning		
Display Note		Metes And Bounds		R4-MULTI-FAMILY I

LIVING AREA

Description	Gross Area	Calculated Area
Basement	544.0	
Finished Basement Living Area	0.0	0.0
First Story	945.0	945.0
Second Story	0.0	0.0
Additional Story	0.0	0.0
Attic / Finished	0.0	0.0
Half Story / Finished	800.0	600.0
Attic / Unfinished	0.0	
Half Story / Unfinished	0.0	
Room / Unfinished	0.0	
Total Living Area		1,545.0

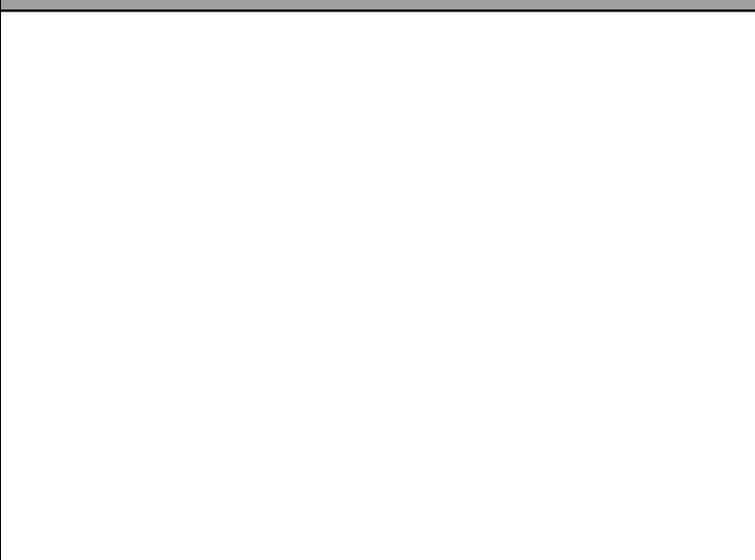
DETACHED IMPROVEMENTS

Description	Year Built	Square Feet	Grade	Condition

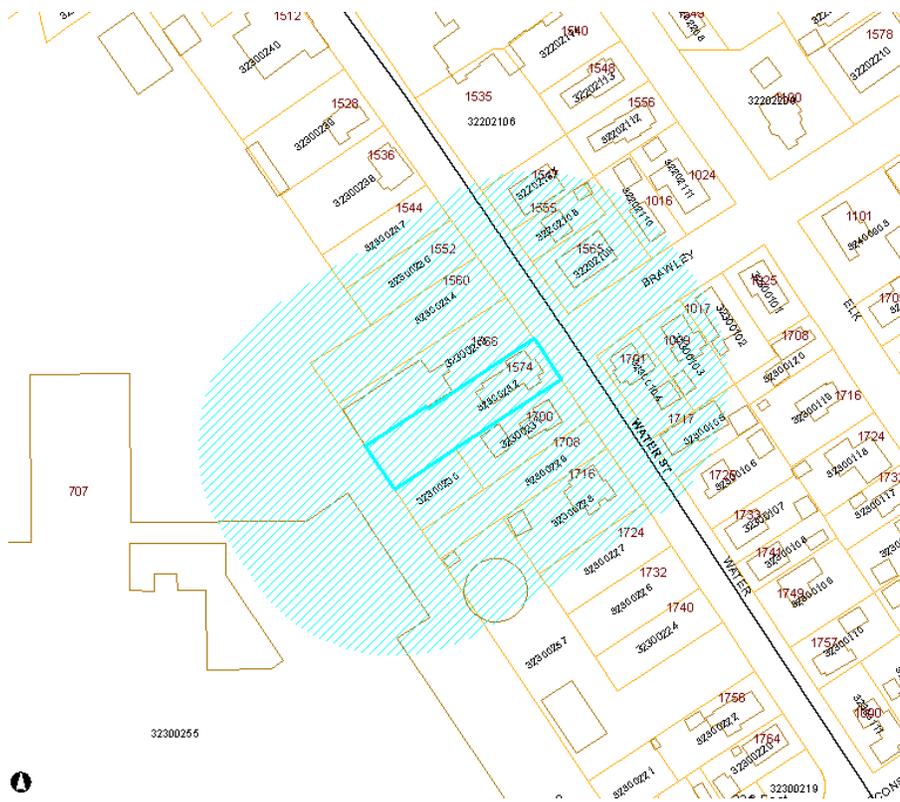
PROPERTY IMAGE



PROPERTY SKETCH



Carter/Babl - Conditional Use - Exhibit Map (200 Feet Notification Boundary)



TaxKey	Property Address	Owner Name	Mailing Address	City	State	Zip Code
281240832202106	1535 Water St	City of Stevens Point	1515 Strong's Ave	Stevens Point	WI	54481
281240832202107	1547 Water St	Robin W & Jacqueline M Engum	3038 Campsite Dr	Stevens Point	WI	54482
281240832202108	1555 Water St	Timothy R Sullivan	1555 Water Street	Stevens Point	WI	54481
281240832202109	1565 Water St	John F Jr & LuAnne Knoke	1809 Michigan Avenue	Stevens Point	WI	54481
281240832202110	1016 Brawley St	Ian H & Lisa J B Grasshoff	1016 Brawley Street	Stevens Point	WI	54481
281240832300102	1017 Brawley St	Kevin J Beyer	1017 Brawley St	Stevens Point	WI	54481
281240832300103	1009 Brawley St	Margaret T Dineen	6911 Old Sauk Ct	Madison	WI	53717
281240832300104	1701 Water St/1001 Brawley	Donald J & Leona I Wiernik	627 Wallace Place	Stevens Point	WI	54481
281240832300105	1717 Water St	Virginia L Steckel Rev Trust	1717 Water Street Apt B	Stevens Point	WI	54481
281240832300106	1725 Water St	Chad M & Nena N Fisher	1725 Water St	Stevens Point	WI	54481
281240832300227	1724 Water St	Stora Enso NA Corp	PO Box 8050	Wisconsin Rapids	WI	54495
281240832300228	1716 Water St	Joan M Ouellette &	1716 Water St	Stevens Point	WI	54481
281240832300229	1708 Water St	Stora Enso NA Corp	P O Box 8050	Wisconsin Rapids	WI	54495
281240832300230	Water St	Richard & B Stroik	3274 Edmonton Dr	Sun Prairie	WI	53590
281240832300231	1700 Water St	Jeffrey D Patton	1700 Water St	Stevens Point	WI	54481
281240832300232	1574 Water St	Michael Meronek & Mark Meronek et al	1574 Water St	Stevens Point	WI	54481
281240832300233	1568 Water St	Helayne Cigel etal	801 Soo Marie Ave	Stevens Point	WI	54481
281240832300234	1560 Water St	Stora Enso NA Corp	PO Box 8050	Wisconsin Rapids	WI	54495
281240832300236	1552 Water St	Stora Enso NA Corp	P O Box 8050	Wisconsin Rapids	WI	54495
281240832300237	1544 Water St	Stora Enso NA Corp	P O Box 8050	Wisconsin Rapids	WI	54495
281240832300255	707 Arlington Pl	Stora Enso NA Corp	8540 Gander Creek Dr	Miamisburg	OH	45342
281240832300257	1748 Water St	City Of Stevens Point	1515 Strong's Avenue	Stevens Point	WI	54481

REQUEST TO CITY OF STEVENS POINT PLAN COMMISSION

ADDRESS OF PROPERTY: 1574 Water St.

- Zoning Ordinance Change (\$90.00 fee required) *M.-I. to R-4*
- Conditional Use Permit (\$90.00 fee required) *for multi-family*
- Variance from Zoning Ordinance -Board of Appeals (\$90.00 fee required)
- Variance from Sign Ordinance
- Appeal from Subdivision Requirements
- Other

REQUESTED CHANGE: (State briefly what is being requested, and why).

OPERATING LICENSE TO ALLOW (4) FOUR UNRELATED PERSONS
TO OCCUPY HOME

OWNER/APPLICANT:

Name: Holly Carter/Tony Babi
Address: 1050 County Rd DB
Mosinee, WI 54455
(City, State, Zip Code)

Telephone: 715-572-4572 Holly
Cell Phone: 715-572-1542 Tony

Holly Carter
Signature

AGENT FOR OWNER/APPLICANT:

Name: Lucky 13 Properties, LLC
Address: 1050 County Rd DB
Mosinee, WI 54455
(City, State, Zip Code)

Telephone: 715-572-4572
Cell Phone: 715-572-1542

Tony Babi
Signature

Scheduled Date of Plan Commission Meeting: 11-7-11

Scheduled Date of Common Council Meeting: 11-21-11

You, as the applicant, or your agent, shall attend the meeting and present your request.

All requests with supporting documentation are due at the Community Development Office three weeks prior to the actual meeting.

\$90.00 Fee Required for Rezoning Requests, Variances, and Conditional Use Permits

Receipt # _____



Memo

Michael Ostrowski, Director
Community Development
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481
Ph: (715) 346-1567 • Fax: (715) 346-1498
mostrowski@stevenspoint.com

City of Stevens Point – Department of Community Development

To: Plan Commission
From: Michael Ostrowski
CC:
Date: 11/2/2011
Re: Klismith/Callan Annexation

This memo refers to three annexation petitions on the Plan Commission agenda relating to the Klismith/Callan annexation request. The Klismiths/Callans submitted three separate petitions for annexation. Since annexation petitions cannot be withdrawn after they are submitted, the Plan Commission will need to act on all three petitions.

PETITION #1

This petition for annexation failed to provide the needed “link” to make the property connected to the city limits of Stevens Point. In addition, the scaled map and legal description were incorrect. Due to these factors, staff would recommend denial of this petition.

PETITION #2

This petition failed to bring in the adjacent right-of-way area. Typically with annexation requests, the right-of-way or adjacent roadway areas are included with the request. This petition did not include parts of Casimir Road or Infinity Lane. Because of this, staff would recommend denial of this petition.

PETITION #3

This petition includes a link to the City and provides a scaled map and legal description. However, as noted in the attached review by the Wisconsin Department of Administration Municipal Boundary Review staff, two deficiencies will need to be corrected regarding the legal description (please see DOA review). This petition will be the subject of review moving forward through this staff report.

In regards to annexation, there are basically six types:

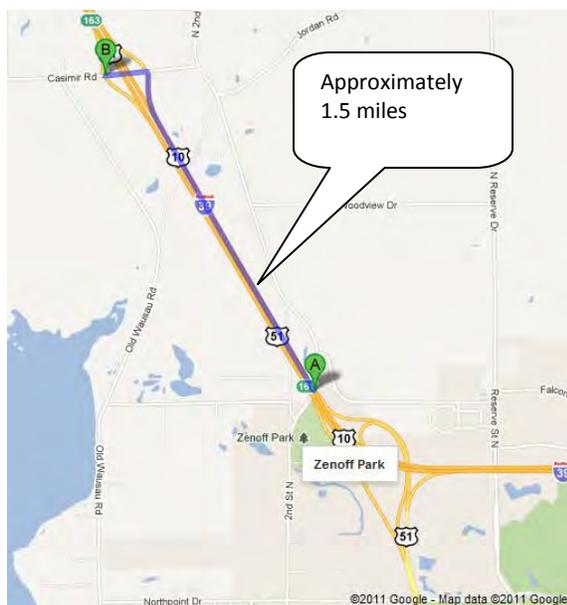
- Annexation by Unanimous Approval

- Annexation by One-Half approval
- Annexation by Referendum
- Annexation by City or Village Initiated Referendum
- Annexation of Town Islands
- Annexation of Territory Owned by a City or Village

With this request, we are dealing with annexation by unanimous approval:

66.0217(2) Direct annexation by unanimous approval. *Except as provided in this subsection and sub. (14), and subject to ss. 66.0301 (6) (d) and 66.0307 (7), if a petition for direct annexation signed by all of the electors residing in the territory and the owners of all of the real property in the territory is filed with the city or village clerk, and with the town clerk of the town or towns in which the territory is located, together with a scale map and a legal description of the property to be annexed, an annexation ordinance for the annexation of the territory may be enacted by a two-thirds vote of the elected members of the governing body of the city or village without compliance with the notice requirements of sub. (4). In an annexation under this subsection, subject to sub. (6), the person filing the petition with the city or village clerk and the town clerk shall, within 5 days of the filing, mail a copy of the scale map and a legal description of the territory to be annexed to the department and the governing body shall review the advice of the department, if any, before enacting the annexation ordinance. No territory may be annexed by a city or village under this subsection unless the territory to be annexed is contiguous to the annexing city or village.*

The request is to annex property that is located at the northwest quadrant of Casimir Road and Interstate 39. This land area is approximately 1.5 miles from the nearest city limit, and is about 67.810 acres in total, including right-of-way. The land is connected by a strip of right-of-way along Interstate 39. The request for annexation arises from the limitations of the current zoning within the Town of Hull.



State Statutes indicate that “no territory may be annexed by a city or village under this subsection unless the territory to be annexed is contiguous to the annexing city or village.” While the State Statutes do not define contiguous, the question becomes whether a 1.5 mile string along a federal highway is considered contiguous.

In addition to this, staff believes other considerations should be made with this annexation.

First, the City’s Comprehensive Plan does not note this area as a potential area for annexation. In considering the implications of this fact, notably the Comprehensive Plan indicates the following goal as it relates to the growth of the City:

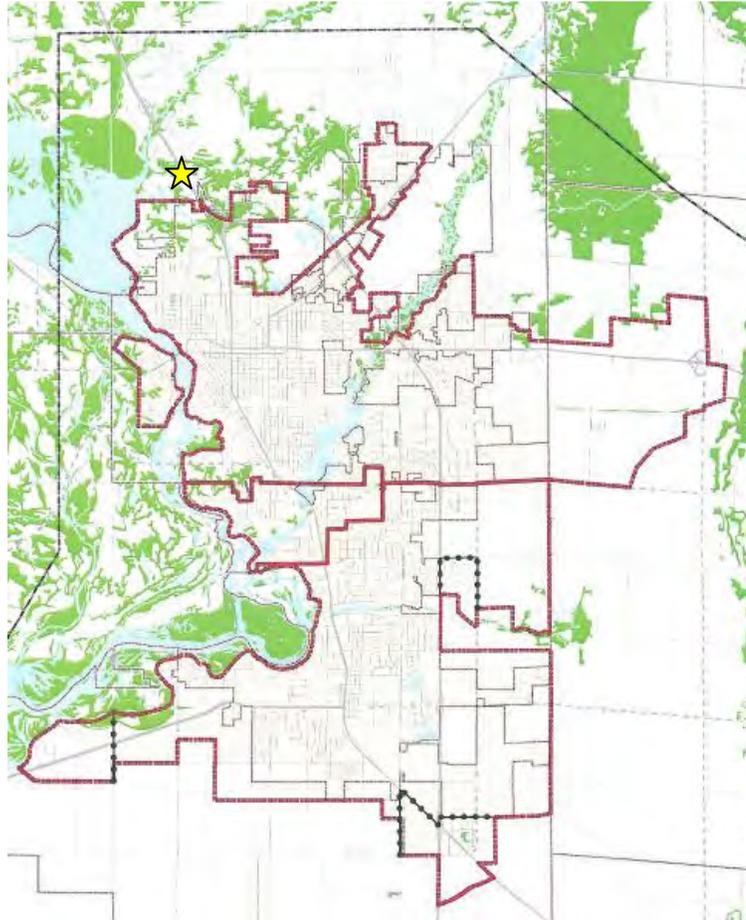
Goal B. Compact and Contiguous Growth. Accommodate new development on the City’s fringe in areas relatively contiguous to existing developed areas that allow efficient extension of public services and roads and have minimal impact to sensitive environmental resources. This goal may be modified as needed to take advantage of opportunities to develop land that is near the City but not necessarily contiguous. Certain owners who are contiguous may not be ready to develop their lands due to financial or life decisions. When owners within the City growth area are prepared to develop their properties, the City should not be forced to wait for contiguous owners to make land available for expansion.

Policy B1.2 Annexation. When sanitary sewer is requested by owners of private property outside the City limits but within the sewer service area, the City should work with property owners and pursue annexation of those properties to determine if City service can be provided and the annexation is in the interests of the City.

The Comprehensive Plan also references the Urban Development Boundary. The Urban Development Boundary represents lands that Stevens Point has identified for Future Annexation and Future Growth Zone, and inclusion in its sewer service area. It is defined as including all lands in Section 36, T24N, R8E; Sections 31 and Section 32, and Government Lots 22, 23, & 24 along with the SE1/4 and the south ½ of the NE ¼ all of Section 30, T24 N, R9E; and Section 6, T23N, R9E; and Section 1, T23N, R8E, with the exception of areas marked as “Large Lot Residential” on Map 8.7B Extraterritorial Land Use.

Second, the City recognizes that annexation is principally a landowner-driven process, and annexations within the Urban Development Boundary will depend on the availability of sanitary sewer. Since providing sanitary sewer lessens the potential for groundwater contamination of the municipal well recharge area, the cost and feasibility of extending sanitary sewer and water should be explored. The area in question is not located within the sewer service boundary. While services do not need to be expanded to this area if annexed, if they do, it may be difficult and expensive to accommodate. The north side of the Stevens Point area is characterized by high bedrock, high groundwater, and clay soil conditions.

Sewer Service Boundary Map



Third, staff acknowledges that the annexation would create irregular municipal boundary lines, which can create confusion and make administration of services more difficult.

There are additional considerations to be made that take into account the potential economic benefits to the City that the annexation may pose. The concerns mentioned above concern land use matters, and should be accompanied by economic development considerations, as economic development is also a crucial element of municipal planning to weigh public interest as a whole.

In looking at the proposed annexation, staff sees potential to benefit economically from the proposed annexation. Specifically, with the property located directly off of an interstate highway to the north of the City, it could be a prime area to develop a business corridor. As the completion of the Highway 10 bypass to Marshfield nears, business development may be drawn to the north of the City due to the increased traffic base. In addition, annexation could lead to infilling of property from the north to south along Interstate 39, eventually connecting the existing commercial corridor on the north side of the City to the annexed area.

Considerations presented regarding land use matters may be mitigated should a larger municipal plan for this area be developed. Chapter 6 of our Comprehensive Plan is the Economic Development Element. Much of this chapter addresses the need to encourage new commercial and industrial development that diversifies the local economy, adds value to the City tax base, and maintains a stable tax rate. This can be done in several ways, including the redevelopment of existing areas within the City, but also through the expansion of city boundaries in areas with a high probability of attracting business uses.

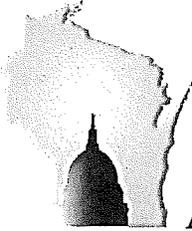
If the Plan Commission and the Common Council decide to approve this annexation request, a permanent zoning classification will need to be established for this area. This can be done at the same time as the annexation, or within 90 days from the date of annexation:

All territory annexed to the City of Stevens Point shall automatically become a part of the "R-1" Low Density Residence District until definite boundaries and zoning districts are recommended by the City Plan Commission and adopted by the Common Council; provided, however, that the Common Council shall adopt definite boundaries and district regulations within 90 days from the date of the annexation. The Plan Commission may recommend definite zoning districts and boundaries to the City Council prior to or at the time the Council acts on a proposed annexation, and may adopt definite boundaries at the time of annexation provided the public notice procedure is followed.

The applicants have requested a commercial zoning. Our general commercial zoning would be "B-4" Commercial District. As noted above, if the Plan Commission and the Common Council decide to pursue this annexation, staff would recommend that a larger plan for this area be developed prior to any development taking place.

On October 18, 2011, the Wisconsin Department of Administration Municipal Boundary Review staff indicated that they feel the proposed annexation is against the public interest. They feel that the petition is for territory that is not reasonably shaped, and is not contiguous to the City. The review by the DOA is advisory. The City has the ultimate determination on whether they enact an annexation ordinance or not.

On November 2, 2011 I received an email from the petitioners asking us to table or take no action on the submitted petition (see attached). As noted above, once a petition for annexation is filed, it cannot be withdrawn. Therefore, staff would recommend denying petitions 1 and 2, and tabling petition 3 until a later date.



WISCONSIN DEPARTMENT OF
ADMINISTRATION

RECEIVED

OCT 19 2011

CITY CLERKS
OFFICE

SCOTT WALKER
GOVERNOR

MIKE HUEBSCH
SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview/>

October 18, 2011

PETITION FILE NO. 13569

JOHN MOE, CLERK
CITY OF STEVENS POINT
1515 STRONGS AVE
STEVENS POINT, WI 54481

JANET R WOLLE, CLERK
TOWN OF HULL
4550 WOJCIK MEMORIAL DR
STEVENS POINT, WI 54481

Subject: KLISMITH/CALLAN ANNEXATION

The proposed annexation submitted to our office on September 28, 2011, has been reviewed and found to be against the public interest. The subject petition is for territory that is not reasonably shaped, and is not contiguous to the CITY OF STEVENS POINT.

The Department's statutory (s. 66.0217 (6), Wis. Stats.) public interest review of annexations examines:

- The "shape of the proposed annexation and the homogeneity of the territory with the annexing village or city..." s. 66.0217 (6)(c) 2., Wis. Stats.

Based on petitioner's map and legal description, the subject petition is for territory that is not contiguous to the City under the plain language of the annexation statute and interpretative case law. "Contiguity" is a basic tenant of annexation found in s. 66.0217, Wis. Statutes, in order to prevent "leap frog" annexation and reduce crazy-quilt jurisdictional boundaries by facilitating orderly annexation of territory.

In this instance, contiguity of the primary parcel is achieved only by including an approximately 1.4 mile long portion U.S. Highway 51 / Interstate 39 road-right-of-way, currently under the jurisdiction of Portage County and the State of Wisconsin. This type of configuration is known as a "balloon on a string," and has been determined not to meet the minimum standard for contiguity established by the Wisconsin Supreme Court in *Town of Mt. Pleasant v. City of Racine*, 24 Wis.2d 41, 127 N.W.2d 757 (1964). Wisconsin Statute 66.0217 (2) expressly prohibits the annexation of territory that is not contiguous to the annexing city or village.

- "Whether governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town or by some other village or city whose boundaries are contiguous..." s. 66.0217 (6)(c) 1., Wis. Stats.

The City, in response to the questionnaire provided by the Department, has indicated that it has no plans to provide municipal services to the territory proposed for annexation, and that once annexed the territory will be zoned for commercial use. Review of the Town and City comprehensive plans for the area shows that the City has no plans for this area, while the Town plan calls for this area to remain zoned for conservancy and general agricultural use. In addition, the Town has stated that the petitioner has been denied a request to modify the Town's comprehensive plan and allow the territory to be developed for commercial use. It appears that the petitioner is pursuing annexation in order to circumvent the Town comprehensive plan and zoning, and not due to a need for municipal services which the Town can not provide, and which the City has not shown it can provide given the challenge of extending services over the 1.4 mile distance to the territory.

The Department notes the following deficiencies in the legal description provided with the petition that must be corrected:

-The distance shown as 190.90 feet in the tenth course of the legal description must be changed to 196.90 feet to agree with the map.

-The territory must also be described by reference to lot number(s) and subdivision name (i.e. "Being lots 5, 6, 7, 8, 9, 10, 11 and outlot 1, Timber Creek Estates, and part of the SW 1/4 SE 1/4...") as required by s. 236.28, Wis Stats.

Statute allows the City to decline this petition for annexation; however, if the City decides to enact an ordinance that annexes this territory, the Department reminds the City Clerk of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 13569**

The address of the Office of the Secretary of State is:

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
PO Box 7848
Madison WI 53707-7848

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,



Erich Schmidtke
Municipal Boundary Review

cc: petitioner

#1

RECEIVED

AUG 18 2011

Petition of Electors and Property Owners for Direct Annexation

We the undersigned, constituting all of the resident electors and the owners of all of the land in area in the following territory of the Town of Hull Portage County, Wisconsin, adjoining the City of Stevens Point, petition the Honorable Mayor and Common Council of said City to annex the territory described below as shown on the scale map to the City of Stevens Point, Portage County, Wisconsin.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporation or consolidation proceeding, if any.

The current population of the area to be annexed is 3

Signature of Petitioner	Date of Signing	Address
Pete Klismith	August 9, 2011	473 Shady Oak Ln.
U. M.	August 9, 2011	473 Shady Oak Ln
Christina Callan	Aug 9, 2011	1605 Infinity Lane
Christina Callan	Aug 9 2011	1605 Infinity Lane

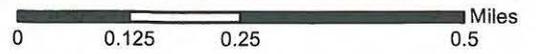
We have been unable to sell the property for residential lots, but they have been unsellable. Most persons have indicated they are too close to the interstate. We feel rezoning and annexing to the city of Stevens Point would be the best use for the land and provide growth and an economic boost for the area.

Part of the SE 1/4 of the SW 1/4
Section 7, T 24 N R 8 E,
Township of Hull, Portage County,
WI
Outlot 1, Lots 5, 6, 7, 8, 9, 10, & 11
of Timber Creek Estates
including parcel 020-92-ED01,
020-92-ED5, 020-92-ED6, 020-92-ED7,
020-92-ED8, 020-92-ED9, 020-92-E10 &
~~020-92-E11~~ 020-92-E11



City of Stevens Point

N This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



 Peter & Kerry Klismith Property

Date of Photography: March, 2010

#2

PIETZ, VANDERWAAL, STACKER & ROTTIER, S.C.

SHANE J. VANDERWAAL
GREGORY J. STACKER
STUART R. ROTTIER
DANIEL R. PETERS
PETER C. GUNTHER

September 19, 2011

ATTORNEYS AT LAW
530 JACKSON STREET
P. O. BOX 1343
WAUSAU, WISCONSIN 54402-1343

TELEPHONE
(715) 845-9211
FAX
(715) 842-9317

JOHN W. KELLEY
RICHARD J. WEBER
COLIN D. PIETZ
OF COUNSEL

E-MAIL
vanderwaal@pvslaw.com

Town of Hull
Janet Wolle, Town Clerk
4550 Wojcik Memorial Drive
Stevens Point, WI 54482

City of Stevens Point
John Moe, City Clerk
1515 Strongs Avenue
Stevens Point, WI 54481

RECEIVED

SEP 20 2011

CITY CLERKS
OFFICE

Re: Klismith/Callan annexation to the City of Stevens Point

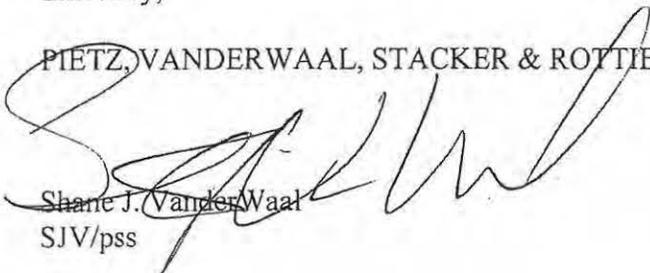
Dear Clerks:

Pursuant to Wis. Stat. §66.0217(2), enclosed please find a Petition Of Electors And Property Owners For Direct Annexation By Unanimous Approval. This Petition is requesting an annexation from the Town of Hull to the City of Stevens Point. Attached to the Petition are the required scale map and a legal description of the property to be annexed. Please note that on behalf of the Petitioners, we will be providing the Department of Administration, within five days of the day of this filing, a copy of the scale map, a legal description of the territory to be annexed, and other necessary information required by the Department of Administration with respect to this annexation.

Should you have any questions concerning the same, please feel free to contact me.

Sincerely,

PIETZ, VANDERWAAL, STACKER & ROTTIER, S.C.


Shane J. VanderWaal
SJV/pss

Enclosures

cc (w/o enc.): Peter and Kerry Klismith
Justin and Christina Callan

**PETITION OF ELECTORS AND PROPERTY OWNERS
FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL**

WE, THE UNDERSIGNED, constituting all the electors and owners of that real property in the Town of Hull, Portage County, Wisconsin, attached hereto as Exhibit 1, respectfully petition the Honorable Mayor and Common Council of the City of Stevens Point to annex that territory as legally described in Exhibit 1 attached to this Petition and as shown on the attached scale map.

WE, THE UNDERSIGNED, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

We, the Petitioners, affirm that within five (5) days of the filing of this Petition, we will mail a copy of the scale map and legal description attached hereto as Exhibit 1, which is of the territory proposed to be annexed, to the Department of Administration, Division of Intergovernmental Relations Municipal Boundary Review, 101 East Wilson Street, 10th Floor, Madison, Wisconsin 53701-0001.

The current population of the area to be annexed is - 3.

SIGNATURE OF PETITIONER

Dated: 9-15-11

Peter J. Klismith

Peter J. Klismith, Owner
473 Shadow Oak Lane
Stevens Point, WI 54481

Dated: 9-12-11

Kerry A. Klismith

Kerry A. Klismith, Owner
473 Shadow Oak Lane
Stevens Point, WI 54481

Dated: 9-14-11

Justin Callan

Justin Callan, Owner/Elector
1605 Infinity Lane
Stevens Point, WI 54481

Dated: 9-14-11

Christina Callan

Christina A. Callan, Owner/Elector
1605 Infinity Lane
Stevens Point, WI 54481

ANNEXATION DESCRIPTION

Part of the SW1/4SE1/4 and part of Fractional SW1/4, Section 7, Part of the NW1/4SW1/4 and SW1/4SW1/4, Section 17, Part of the NW1/4NE1/4, SE1/4NE1/4, SW1/4NE1/4 and NE1/4SE1/4, Section 18, and Part of the NW1/4NW1/4 and NE1/4NW1/4, Section 20, All in T24N, R8E, Town of Hull, Portage County, Wisconsin.

Commencing at the Harrison cast iron monument on the Southwest corner of Section 7 and the centerline of Casmir Road;

Thence N88°37'00"E along the South line of Section 7 and the centerline of Casmir Road, 445.50 feet;

Thence N00°07'29"W, 33.01 feet to the North line of Casmir Road and the Point of Beginning of the following description;

Thence N86°25'49"E along the North line of Casmir Road, 351.26 feet;

Thence N00°07'18"W, 266.59 feet;

Thence N88°36'42"E, 208.70 feet;

Thence S00°07'18"E, 262.99 feet to the North line of Casmir Road;

Thence N89°06'18"E along the North line of Casmir Road, 116.95 feet to the West line of Infinity Lane;

Thence N00°05'19"W along the West line of Infinity Lane, 641.47 feet and the beginning of a circular curve concave to the South with a radius of 65.00 feet and a central angle of 298°58'46";

Thence Northwesterly and Southwesterly along the arc of the curved cul-de-sac of Infinity Lane, 339.18 feet, which is measured by a chord of 66.00 feet and bears N89°54'41"E;

Thence S00°05'19"E along the East line of Infinity Lane, 640.54 feet to the North line of Casmir Road;

Thence N89°06'18"E along the North line of Casmir Road, 291.67 feet;

Thence N79°38'42"E, 389.23 feet;

Thence N88°37'00"E, 403.36 feet;

Thence S30°30'37"E, 1964.69 feet;

Thence S29°46'22"E, 2272.36 feet;

Thence S30°28'43"E, 3267.32 feet to the City limits of the City of Stevens Point;

Thence N19°08'40"E along the City Limits of the City of Stevens Point, 190.90 feet to its intersection with reference line of the North bound lane of Interstate "39" and U.S. Highway "51";

Thence N30°28'43"W along the reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 3139.76 feet to the beginning of a circular curve concave to the Northeast with a radius of 35,356.88 feet and a central angle of 00°58'20";

Thence Northwesterly along the arc of the curved reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 600.00 feet, which is measured by a chord of 600.00 feet and bears N29°59'33"W;

ANNEXATION DESCRIPTION

Thence N29°30'23"W along the reference line of the North bound lane of Interstate "39" and U.S. Highway "51, 1047.95 feet to the beginning of a circular curve concave to the Southwest with a radius of 35,641.54 feet and a central angle of 01°00'14";

Thence Northwesterly along the arc of the curved reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 624.50 feet, which is measured by a chord of 624.49 feet and bears N30°00'30"W;

Thence N30°30'37"W along the reference line of the North bound lane of Interstate "39" and U.S. Highway "51, 2768.37 feet to the beginning of a circular curve concave to the Northeast with a radius of 11,365.05 feet and a central angle of 02°34'11";

Thence Northwesterly along the arc of the curved reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 509.71 feet to the 1/16 line, which is measured by a chord of 509.67 feet and bears N29°13'31.5"W;

Thence S88°16'41"W along the 1/16 line, 1039.36 feet to a meander corner;

Thence continue S88°16'41"W along the 1/16 line, 112 feet more or less to the thread of Hay Meadow Creek;

Thence Southerly along the thread of Hay Meadow Creek to its intersection with a line bearing S88°16'41"W and is described by the following meander line;

From the aforesaid meander corner S25°36'33"W along the meander line, 242.27 feet to a meander corner;

Thence S10°40'00"W along the meander line, 267.52 feet to a meander corner;

Thence S53°09'50"E along the meander line, 400.23 feet to a meander corner and the terminus of this meander line;

Thence S88°16'41"W, 332 feet more or less to the thread of Hay Meadow Creek;

Thence N88°16'41"E, 332 feet more or less to the meander corner;

Thence S00°06'22"E, 205.28 feet;

Thence S88°37'00"W, 420.77 feet;

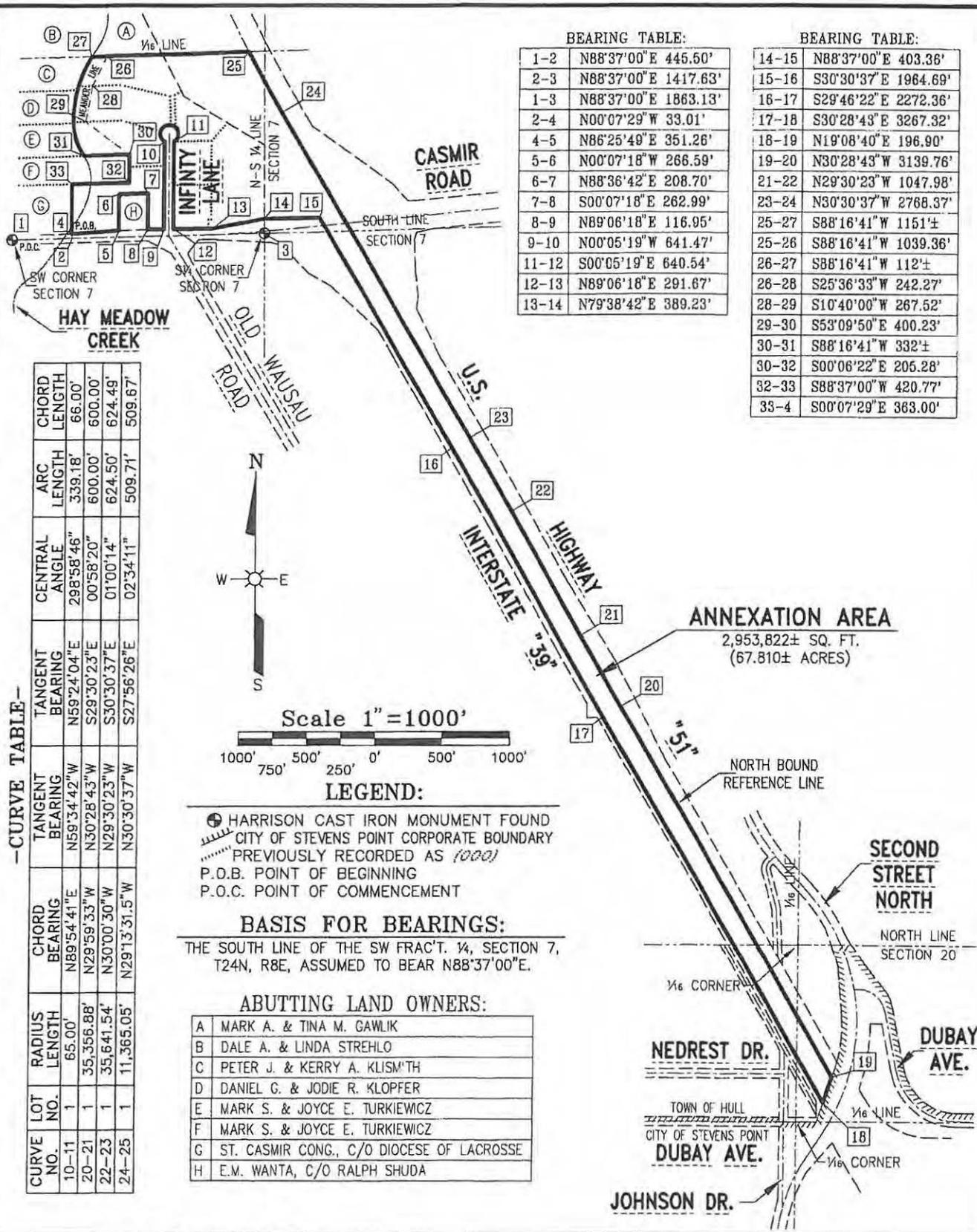
Thence S00°07'29"E, 363.00 feet to the Point of Beginning, containing 2,953,822 square feet more or less or 67.810 acres more or less.

All of the following Tax Parcel Numbers:

020-92-E05
020-92-E06
020-92-E07
020-92-E08
020-92-E09
020-92-E10
020-92-E11
020-92-EOL01

Parts of the following Tax Parcel Numbers (Road Right-of-Way):

020-24-08-07-A
020-24-08-07-12.03
020-24-08-07-15.03
020-24-08-17-B
020-24-08-17-10.06
020-24-08-17-11.14
020-24-08-18-02.02
020-24-08-18-A
020-24-08-18-C
020-24-08-18-E
020-24-08-20-A
020-24-08-20-B



BEARING TABLE:

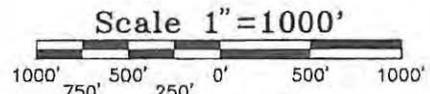
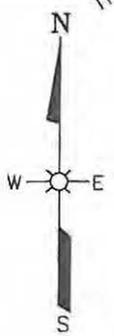
1-2	N88°37'00"E	445.50'
2-3	N88°37'00"E	1417.63'
1-3	N88°37'00"E	1863.13'
2-4	N00°07'29"W	33.01'
4-5	N86°25'49"E	351.26'
5-6	N00°07'18"W	266.59'
6-7	N88°36'42"E	208.70'
7-8	S00°07'18"E	262.99'
8-9	N89°06'18"E	116.95'
9-10	N00°05'19"W	641.47'
11-12	S00°05'19"E	640.54'
12-13	N89°06'18"E	291.67'
13-14	N79°38'42"E	389.23'

BEARING TABLE:

14-15	N88°37'00"E	403.36'
15-16	S30°30'37"E	1964.69'
16-17	S29°46'22"E	2272.36'
17-18	S30°28'43"E	3267.32'
18-19	N19°08'40"E	196.90'
19-20	N30°28'43"W	3139.76'
21-22	N29°30'23"W	1047.98'
23-24	N30°30'37"W	2768.37'
25-27	S88°16'41"W	1151±
25-26	S88°16'41"W	1039.36'
26-27	S88°16'41"W	112±
26-28	S25°36'33"W	242.27'
28-29	S10°40'00"W	267.52'
29-30	S53°09'50"E	400.23'
30-31	S88°16'41"W	332±
30-32	S00°06'22"E	205.28'
32-33	S88°37'00"W	420.77'
33-4	S00°07'29"E	363.00'

- CURVE TABLE -

CURVE NO.	LOT NO.	RADIUS LENGTH	CHORD BEARING	TANGENT BEARING	CENTRAL ANGLE	ARC LENGTH	CHORD LENGTH
10-11	1	65.00'	N89°54'41"E	N59°24'04"E	298°58'46"	339.18'	66.00'
20-21	1	35,356.88'	N29°59'33"W	S29°30'23"E	00°58'20"	600.00'	600.00'
22-23	1	35,641.54'	N30°00'30"W	S30°30'37"E	01°00'14"	624.50'	624.49'
24-25	1	11,365.05'	N29°13'31.5"W	S27°56'26"E	02°34'11"	509.71'	509.67'



LEGEND:

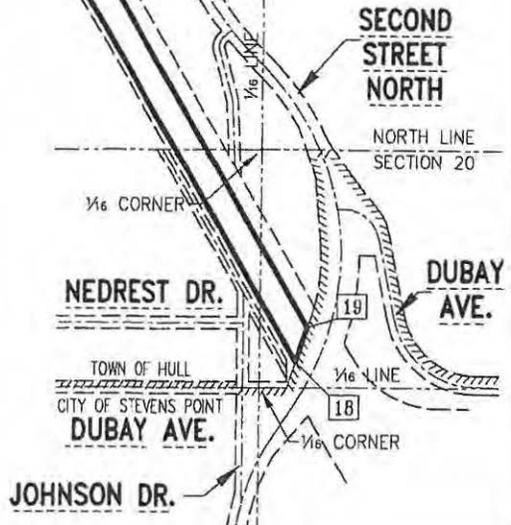
- ⊕ HARRISON CAST IRON MONUMENT FOUND
- CITY OF STEVENS POINT CORPORATE BOUNDARY PREVIOUSLY RECORDED AS 1000
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

BASIS FOR BEARINGS:
 THE SOUTH LINE OF THE SW FRAC'T. 1/4, SECTION 7, T24N, R8E, ASSUMED TO BEAR N88°37'00"E.

ABUTTING LAND OWNERS:

A	MARK A. & TINA M. GAWLIK
B	DALE A. & LINDA STREHLO
C	PETER J. & KERRY A. KLISM TH
D	DANIEL G. & JODIE R. KLOPFER
E	MARK S. & JOYCE E. TURKIEWICZ
F	MARK S. & JOYCE E. TURKIEWICZ
G	ST. CASMIR CONG., C/O DIOCESE OF LACROSSE
H	E.M. WANTA, C/O RALPH SHUDA

ANNEXATION AREA
 2,953,822± SQ. FT.
 (67.810± ACRES)



Dwg. No. 9584-A-3-D 208
 Project No. 11-102
 Drawn By: Jim Brasel
 Date: August 23, 2011
 Sheet 3 of 3 Sheets

ESP GROUP, INC.
LAMPERT-LEE & ASSOCIATES
 ENGINEERS • SURVEYORS • PLANNERS
 10968 State Hwy. 54 East • Wisconsin Rapids, WI 54494-8718
 715-424-3131 or 715-344-0068 • FAX 715-423-8774

ANNEXATION MAP

#3

PIETZ, VANDERWAAL, STACKER & ROTTIER, S.C.

ATTORNEYS AT LAW
530 JACKSON STREET
P. O. BOX 1343

WAUSAU, WISCONSIN 54402-1343

TELEPHONE
(715) 845-9211
FAX
(715) 842-9317

RECEIVED

SEP 23 2011

CITY CLERKS
OFFICE

JOHN W. KELLEY
RICHARD J. WEBER
COLIN D. PIETZ
OF COUNSEL

E-MAIL
vanderwaal@pvsrlaw.com

SHANE J. VANDERWAAL
GREGORY J. STACKER
STUART R. ROTTIER
DANIEL R. PETERS
PETER C. GUNTHER

September 22, 2011

Town of Hull
Janet Wolle, Town Clerk
4550 Wojcik Memorial Drive
Stevens Point, WI 54482

City of Stevens Point
John Moe, City Clerk
1515 Strongs Avenue
Stevens Point, WI 54481

Re: Klismith/Callan annexation to the City of Stevens Point

Dear Clerks:

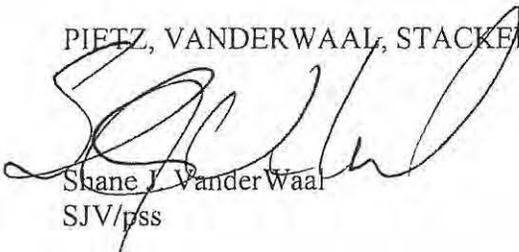
Pursuant to Wis. Stat. §66.0217(2), enclosed please find a Petition Of Electors And Property Owners For Direct Annexation By Unanimous Approval. This Petition is requesting an annexation from the Town of Hull to the City of Stevens Point. Attached to the Petition are the required scale map and a legal description of the property to be annexed. Please note that on behalf of the Petitioners, we will be providing the Department of Administration, within five days of the day of this filing, a copy of the scale map, a legal description of the territory to be annexed, and other necessary information required by the Department of Administration with respect to this annexation.

Please also note that this Petition is a new Petition for Annexation. The previous Petition submitted by correspondence dated September 19, 2011, did not encompass the entire area the Petitioners seek to annex to the City. Accordingly, this Petition is being filed and the previous Petition should be disregarded.

Should you have any questions concerning the same, please feel free to contact me.

Sincerely,

PIETZ, VANDERWAAL, STACKER & ROTTIER, S.C.


Shane J. VanderWaal
SJV/pss

Enclosures

cc (w/o enc.): Peter and Kerry Klismith
Justin and Christina Callan

**PETITION OF ELECTORS AND PROPERTY OWNERS
FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL**

WE, THE UNDERSIGNED, constituting all the electors and owners of that real property in the Town of Hull, Portage County, Wisconsin, attached hereto as Exhibit 1, respectfully petition the Honorable Mayor and Common Council of the City of Stevens Point to annex that territory as legally described in Exhibit 1 attached to this Petition and as shown on the attached scale map.

WE, THE UNDERSIGNED, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

We, the Petitioners, affirm that within five (5) days of the filing of this Petition, we will mail a copy of the scale map and legal description attached hereto as Exhibit 1, which is of the territory proposed to be annexed, to the Department of Administration, Division of Intergovernmental Relations Municipal Boundary Review, 101 East Wilson Street, 10th Floor, Madison, Wisconsin 53701-0001.

The current population of the area to be annexed is - 3.

SIGNATURE OF PETITIONER

Dated: 9/22/11

Peter J. Klismith
Peter J. Klismith, Owner
473 Shadow Oak Lane
Stevens Point, WI 54481

Dated: 9/22/11

Kerry A. Klismith
Kerry A. Klismith, Owner
473 Shadow Oak Lane
Stevens Point, WI 54481

Dated: 9/22/11

Justin Callan
Justin Callan, Owner/Elector
1605 Infinity Lane
Stevens Point, WI 54481

Dated: 9/22/11

Christina A. Callan
Christina A. Callan, Owner/Elector
1605 Infinity Lane
Stevens Point, WI 54481

ANNEXATION DESCRIPTION

Part of the SW1/4SE1/4 and part of Fractional SW1/4, Section 7, Part of the NW1/4SW1/4 and SW1/4SW1/4, Section 17, Part of the NW1/4NE1/4, SE1/4NE1/4, SW1/4NE1/4 and NE1/4SE1/4, Section 18, and Part of the NW1/4NW1/4 and NE1/4NW1/4, Section 20, All in T24N, R8E, Town of Hull, Portage County, Wisconsin.

Commencing at the Harrison cast iron monument on the Southwest corner of Section 7 and the centerline of Casimir Road;

Thence N88°37'00"E along the South line of Section 7 and the centerline of Casimir Road, 445.50 feet to the Point of Beginning of the following description;

Thence continue N88°37'00"E along the South line of Section 7 and the centerline of Casimir Road, 350.71 feet;

Thence N00°07'18"W, 313.00 feet;

Thence N88°36'42"E, 208.70 feet;

Thence S00°07'18"E, 313.02 feet to the South line of Section 7 and the centerline of Casimir Road;

Thence N88°37'00"E along the South line of Section 7 and the centerline of Casimir Road, 858.22 feet to Harrison cast iron monument on the South quarter corner of Section 7;

Thence N88°25'59"E along the South line of Section 7 and the centerline of Casimir Road, 463.93 feet;

Thence S30°30'37"E, 1844.28 feet;

Thence S29°46'22"E, 2272.36 feet;

Thence S30°28'43"E, 3267.32 feet to the City limits of the City of Stevens Point;

Thence N19°08'40"E along the City Limits of the City of Stevens Point, 190.90 feet to its intersection with reference line of the North bound lane of Interstate "39" and U.S. Highway "51";

Thence N30°28'43"W along the reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 3139.76 feet to the beginning of a circular curve concave to the Northeast with a radius of 35,356.88 feet and a central angle of 00°58'20";

Thence Northwesterly along the arc of the curved reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 600.00 feet, which is measured by a chord of 600.00 feet and bears N29°59'33"W;

Thence N29°30'23"W along the reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 1047.95 feet to the beginning of a circular curve concave to the Southwest with a radius of 35,641.54 feet and a central angle of 01°00'14";

Thence Northwesterly along the arc of the curved reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 624.50 feet, which is measured by a chord of 624.49 feet and bears N30°00'30"W;

Thence N30°30'37"W along the reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 2768.37 feet to the beginning of a circular curve concave to the Northeast with a radius of 11,365.05 feet and a central angle of 02°34'11";

ANNEXATION DESCRIPTION

Thence Northwesterly along the arc of the curved reference line of the North bound lane of Interstate "39" and U.S. Highway "51", 509.71 feet to the 1/16 line, which is measured by a chord of 509.67 feet and bears N29°13'31.5"W;

Thence S88°16'41"W along the 1/16 line, 1039.36 feet to a meander corner;

Thence continue S88°16'41"W along the 1/16 line, 112 feet more or less to the thread of Hay Meadow Creek;

Thence Southerly along the thread of Hay Meadow Creek to its intersection with a line bearing S88°16'41"W and is described by the following meander line;

From the aforesaid meander corner S25°36'33"W along the meander line, 242.27 feet to a meander corner;

Thence S10°40'00"W along the meander line, 267.52 feet to a meander corner;

Thence S53°09'50"E along the meander line, 400.23 feet to a meander corner and the terminus of this meander line;

Thence S88°16'41"W, 332 feet more or less to the thread of Hay Meadow Creek;

Thence N88°16'41"E, 332 feet more or less to the meander corner;

Thence S00°06'22"E, 205.28 feet;

Thence S88°37'00"W, 420.77 feet;

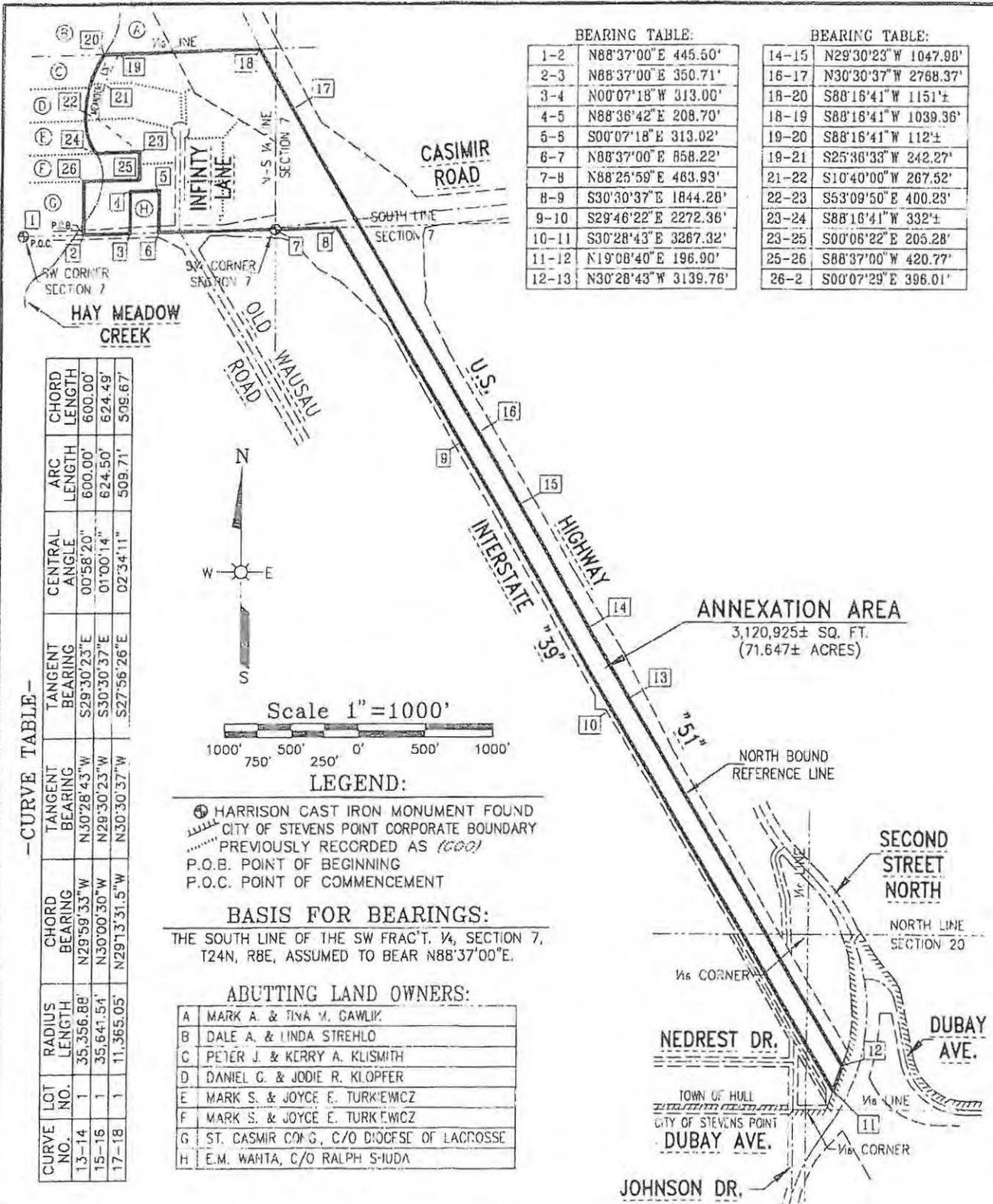
Thence S00°07'29"E, 396.01 feet to the Point of Beginning, containing 3,120,925 square feet more or less or 71.647 acres more or less.

All of the following Tax Parcel Numbers:

020-92-E05
020-92-E06
020-92-E07
020-92-E08
020-92-E09
020-92-E10
020-92-E11
020-92-EOL01

Parts of the following Tax Parcel Numbers (Road Right-of-Way):

020-24-08-07-A
020-24-08-07-12.03
020-24-08-07-15.03
020-24-08-17-B
020-24-08-17-10.06
020-24-08-17-11.14
020-24-08-18-02.02
020-24-08-18-A
020-24-08-18-C
020-24-08-18-E
020-24-08-20-A
020-24-08-20-B



BEARING TABLE:

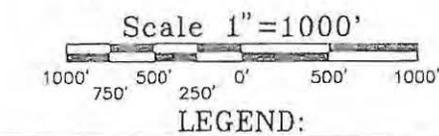
1-2	N88°37'00" E 445.50'
2-3	N88°37'00" E 350.71'
3-4	N00°07'18" W 313.00'
4-5	N88°36'42" E 208.70'
5-6	S00°07'18" E 313.02'
6-7	N88°37'00" E 858.22'
7-8	N88°25'59" E 463.93'
8-9	S30°30'37" E 1844.20'
9-10	S29°46'22" E 2272.36'
10-11	S30°28'43" E 3267.32'
11-12	N19°08'40" E 196.90'
12-13	N30°28'43" W 3139.76'

BEARING TABLE:

14-15	N29°30'23" W 1047.90'
16-17	N30°30'37" W 2768.37'
18-20	S88°16'41" W 1151±
18-19	S88°16'41" W 1039.36'
19-20	S88°16'41" W 112±
19-21	S25°36'33" W 242.27'
21-22	S10°40'00" W 267.52'
22-23	S63°09'50" E 400.23'
23-24	S88°16'41" W 332±
23-25	S00°06'22" E 205.28'
25-26	S88°37'00" W 420.77'
26-2	S00°07'29" E 396.01'

- CURVE TABLE -

CURVE NO.	LOT NO.	RADIUS LENGTH	CHORD BEARING	TANGENT BEARING	CENTRAL ANGLE	ARC LENGTH	CHORD LENGTH
13-14	1	35,356.88'	N29°59'33" W	S29°30'23" E	00°58'20"	600.00'	600.00'
15-16	1	35,641.54'	N30°00'30" W	S30°30'37" E	01°00'14"	624.50'	624.49'
17-18	1	11,365.05'	N29°13'31.5" W	S27°56'26" E	02°34'11"	509.71'	509.67'



LEGEND:

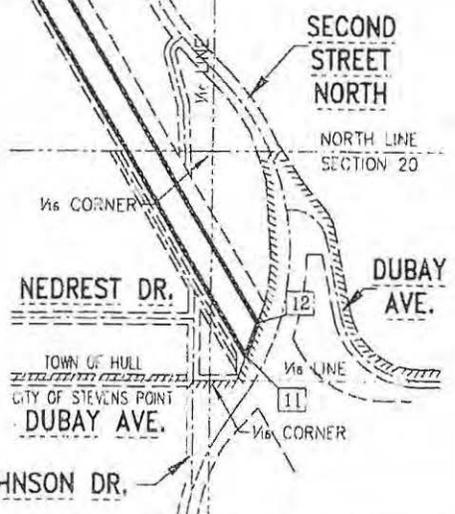
- ⊕ HARRISON CAST IRON MONUMENT FOUND
- CITY OF STEVENS POINT CORPORATE BOUNDARY PREVIOUSLY RECORDED AS (COO)
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

BASIS FOR BEARINGS:
 THE SOUTH LINE OF THE SW FRAC'T. 1/4, SECTION 7, T24N, R8E, ASSUMED TO BEAR N88°37'00"E.

ABUTTING LAND OWNERS:

A	MARK A. & TINA M. CAWLK
B	DALE A. & LINDA STREHLO
C	PETER J. & KERRY A. KLISMITH
D	DANIEL C. & JODIE R. KLOPPER
E	MARK S. & JOYCE E. TURK'EMCZ
F	MARK S. & JOYCE E. TURK'EMCZ
G	ST. CASMIR CONG., C/O DIOCESE OF LACROSSE
H	E.M. WAHTA, C/O RALPH S-IUDA

ANNEXATION AREA
 3,120,925± SQ. FT.
 (71.647± ACRES)



Dwg. No. 9584-A-3-D 208
 Project No. 11-102
 Drawn By: Jim Brasel
 Date: August 23, 2011
 Sheet 3 of 3 Sheets

ESP GROUP, INC.
LAMPERT-LEE & ASSOCIATES
 ENGINEERS • SURVEYORS • PLANNERS
 10968 State Hwy. 54 East • Wisconsin Rapids, WI 54494-8718
 715-424-3131 or 715-344-0068 • FAX 715-423-8774

ANNEXATION MAP

From: 
To: [Michael Ostrowski](#)
Subject: Annexation request
Date: Wednesday, November 02, 2011 11:10:50 AM

Mayor Halverson:

It is our wish to table our annexation request at this time. We request no action be taken on our request at this time.

Respectfully,

Peter and Kerry Klismith
Justin and Christina Callan



PLANNING AND ZONING DEPARTMENT

1462 STRONGS AVENUE, STEVENS POINT, WI 54481 • PHONE: 715-346-1334 • FAX: 715-346-1677

To: Stevens Point Plan Commission

From: Jeff Schuler, Director

JS

Date: October 28, 2011

R.E.: Proposed Klismith/Callan Annexation

Town of Hull property owners Peter and Kerry Klismith, and Justin and Christina Callan, have petitioned the City of Stevens Point for "direct annexation by unanimous approval" of approximately 68 acres of land located in the northeast quadrant of the I-39/Casimir Road interchange.

The Portage County Comprehensive Plan describes its relationship to planning issues across the 17 Towns, 9 Villages and City of Stevens Point this way: *"The land use planning done by the Portage County government, under the jurisdiction of the County Board of Supervisors, is limited to a level of "policy planning" only. It consists of a partnership between the County government and all local units of government in the County. The County's role is limited to the development of goals and policies on land use matters of Countywide significance. The local unit role is the development of detailed land use policies and plans on a voluntary basis. This County component, plus detailed local Comprehensive Plans, make up the County's complete Land Use Element."*

While it may be true that Portage County does not have legal standing to object to the proposal, we are compelled to comment and identify a number of different reasons why this annexation would be inconsistent with existing long-range planning efforts. This memo is written to express concerns that the Portage County Planning and Zoning Department has regarding the proposed annexation; these concerns can be reduced to three primary areas: location of development, intergovernmental cooperation, and following adopted local planning documents.

PORTAGE COUNTY COMPREHENSIVE PLAN (PCCP) 2025

A review of PCCP 2025 finds more than a dozen instances where annexation of the type requested can be found to be inconsistent with general County development principles/policies (list attached). The most obvious is the "string on a balloon" nature of the proposal. PCCP 2025 contains Community Goals and Policies; Policy B3 states *"Community development should occur contiguous to and extend outward from areas of existing development, encouraging urban-style development in areas with urban services or in areas where services can be most efficiently and economically provided."*

The Klismith/Callan property is located nearly 1.5 miles from the current Stevens Point boundary. The cost of extending City utilities that distance to facilitate development of the site at a more intense commercial level would seem to be prohibitive; we assume that cost will be a part of the discussion by both Plan Commission and Common Council.

Common policy discussions across most urban municipalities have focused on compact, contiguous extension of services; this would be the very example of "leap-frog" extension. The City's Comprehensive Plan establishes that annexed areas will develop based on availability of sewer and water. If development is anticipated without City water and sewer, provision of other services should be detailed, allowing the Common Council to justify inclusion of such a distant acreage.

PCCP 2025 also encourages intergovernmental cooperation. This was a key theme throughout the multi-year County-wide Comprehensive Planning effort a few short years ago. When discussing potential municipal conflicts, PCCP 2025:

- *Asks: How can annexation issues between Towns, Villages, and the City be minimized? And, recommends local municipalities need to continue to meet and work on cooperative agreements.*
- *Calls for land use planning which looks at the total scope of land use problems and potentials to assure greater validity for recommendations and a greater chance for implementation, including looking across local governmental boundaries to help insure that a common issue is not met with conflicting plans.*

Stevens Point has worked successfully with the Town of Hull in the past ("Shave/Olson" Development Agreement, precursor to the development of the Parkdale site on USH 10 E). It is our hope that a similar process can be followed for all future annexation issues. More work would seem to be needed in this particular circumstance. Citizen participation was also strongly emphasized as a part of any cooperative discussions.

STEVENS POINT URBAN AREA AREAWIDE WATER QUALITY MANAGEMENT (SSA) PLAN

This Plan was adopted in 2007 and certified by the Wisconsin Department of Natural Resources in 2008. The SSA Plan contains an analysis of sanitary sewer system capacity in the central Urban Area of Portage County. This analysis is combined with growth and development projections to establish a "Sewer Service Boundary" containing the geographic area that is considered possible, or likely to be serviced by municipal sanitary services through the year 2027. Nowhere in this document, in the extraterritorial land use mapping, descriptions of existing and future improvements to the sanitary sewer infrastructure, or drawing of the 2027 Boundary, is expansion of City development to the north of the 2007 Stevens Point corporate boundary mentioned.

PORTAGE COUNTY URBAN AREA COMPREHENSIVE PLAN (UACP) 2025

This Plan, adopted in 2006, was the result of a cooperative planning effort between the City, Villages of Plover, Whiting, and Park Ridge, and the Towns of Hull, Carson, Linwood, Stockton, and Plover. A review of that document also revealed several areas of inconsistency (see attached list). The primary disconnect between the Klismith/Callan request and UACP 2025 is there is no City expansion identified north of the 2006 Stevens Point corporate boundary.

The document also stresses the need for open and ongoing communication between Urban Area communities regarding expansion areas (which were specifically identified as east of the City along the USH 10 / Old 18 / Cty Rd HH corridor, and not to the north) and annexation. It would seem such communication has been lacking in this case.

TOWN OF HULL COMPREHENSIVE PLAN

The Town officials will be able to more than adequately discuss their previous planning efforts regarding the area included in the Klismith/Callan request. In terms of Portage County involvement, I wish to explain the depth and duration of consideration that has been given to Comprehensive Planning for Town of Hull overall, and the "I-39 West" area in particular. Commercial use of the Klismith/Callan site has been part of an on-going land use discussion for the greater portion of the last decade. During the Comprehensive Planning process, the Town determined that they did not want to see commercial zoning at the Casimir interchange. The land between the Interstate Highway and the Wisconsin River was also identified in the Comprehensive Planning process as deserving an individual, separate planning process. The Klismith/Callan land is located at the eastern edge of this "I-39 West study area". After adoption of the Hull Comprehensive Plan in 2006, the Town Plan Commission and Board took the next few years to make an in-depth study of what types of land use should be encouraged in that unique and natural resource-rich Hull neighborhood. Again, the Town Board specifically excluded commercial zoning as a possibility for the Klismith/Callan land, and when the owners applied for a rezoning to commercial, it was not approved. This brings us to the application for annexation.

PORTAGE COUNTY PLANNING AND ZONING DEPARTMENT RECOMMENDATION

The State of Wisconsin Department of Administration, in a memo dated October 18, 2011, has found the proposed annexation to be "against the public interest", citing that the territory proposed is not reasonably shaped, and is not contiguous to the City of Stevens Point. A review of the Stevens Point Comprehensive Plan finds that no northern expansion was anticipated on the adopted Extraterritorial Land Use Maps (8.7A, 8.7B), which are described as illustrating "*the Future Land Use recommendations for the Comprehensive Plan and identify how development should proceed in the future to meet the City's need for land development*" (E on p. 175). As noted earlier, there are also statements identifying annexation as being within the identified urban boundary, and "depend on the availability of sanitary sewer." It has been a general understanding that annexation and extension of utilities goes hand-in-hand.

Portage County cannot tell the City of Stevens Point what it can or cannot do in terms of annexation policy. The State's opinion is also advisory. What we DO recommend, and implore, is that the City take the time to properly discuss the issues related to this and all annexations, and in this case specifically, take no action until the discussions both internally (Plan Commission, City residents) and externally (with Town of Hull officials) have been held, and the City Comprehensive Plan is revised. At a minimum, the City's Comprehensive Plan will need to be reassessed to include justification for a new expansion of development to the north.

PORTAGE COUNTY COMPREHENSIVE PLAN 2025

Chapter 1 Issues and Opportunities

Page 27: Section 1.7 Community Goals and Policies

- Policy B3 – *“Community development should occur contiguous to and extend outward from areas of existing development, encouraging urban-style development in areas with urban services or in areas where services can be most efficiently and economically provided”*

Chapter 3 Transportation

Page 45: Section 3.3A – Key Vision Ideas for Transportation: *“Our road network is well maintained and safe. Emphasis is placed on use or expansion of existing road facilities before considering construction of new roads. The public is highly involved in the decision making process for locating new roads. Commercial development along new highways in rural areas in planned where appropriate.”*

Chapter 4 Utilities and Community Facilities

Page 71: Section 4.4 Key Vision for Public Facilities: Through community caring and involvement, we promote - *“Compact, cost-efficient utilities that are available where they are appropriate.”*

Page 72: Section 4.5 Preliminary Goals: *Plan for the provision of infrastructure, utilities, and community facilities and services to efficiently meet community needs.*

Chapter 7 Intergovernmental Cooperation

Page 199: Section 7.3 – *Identification of Existing or Potential Issues and Conflicts with Other Governmental Units*

- *How can annexation issues between Towns, Villages, and the City be minimized? – Local municipalities need to continue to meet and work on cooperative agreements.*

Chapter 8 Land Use

Page 210: Section 8.3 – Potential Land Use Conflicts, Needs and Solutions

- *Conflicts: A11 - Development problems at freeway interchange areas.*
- *Planning Needs: B4 – Direct economic development through land use planning.*
- *Planning Opportunities:*
 - *C3 – Preservation and strengthening of existing communities and neighborhoods.*
 - *C4 – Development of good land use patterns at highway interchange areas.”*

Page 211: Section 8.5 – Overall Development Goals

- *A1 – Guidance and regulation of urban and rural growth in the public interest according to sound development principles and standards, and planning programs.*

- A2 – To work for good balance between the built environment and the natural environments, particularly a harmonious relationship between urban and rural development based upon strong intergovernmental planning and coordination."

Page 212: Overall Development Goals

- A5 – Cooperation among local governments for the more economical provision of essential public services on a unified areawide basis where possible.
- A6 – Enforcement of the necessary "growth management" ordinances (zoning, subdivision, etc.) and programs in the County and its various municipalities to achieve effective implementation of goals, policies, and plans.
- A8 – Active citizen participation opportunities in development programs and decisions.

Page 216: General County-Wide Land Use Goals

- A1 Unified Approach – Land use planning which looks at the total scope of land use problems and potentials to assure greater validity for recommendations and a greater chance for implementation.
 - a – Looking across local governmental boundaries to help insure that a common issue is not met with conflicting plans.
- A3 – Well Planned Urban Growth – The continuation of planning for the growth of the Stevens Point/Plover urban area in a cooperative fashion and with a view to this urban area as a single growth unit. The Countywide interest here would be limited to just the generalized nature and extent of the urban growth rather than the internal detail of such growth. (This urban area contains the most significant concentration and diversity of changing land uses in the County and is, therefore, of a major Countywide importance. Land use developments in one part of this urban area often affect land usage in other parts even if located within another governmental jurisdiction.)

Page 217: B – Residential Land Use Goals and Policies –

- Goals for Residential Land Use –
 - a. Protection of residential uses and property values from health and safety problems and protection from conflicts with traffic and from conflicts with other land uses.

Page 221: Section 8.6(C)2 – Policies for Commercial Land Use

- h. Services Required for Commercial Use – To plan for and require, where appropriate, the provision of adequate services related to public health and safety, and necessary to the ultimate success of the business itself.

URBAN AREA COMPREHENSIVE PLAN 2025

Chapter 1 Issues and Opportunities

Page 32: Section 1.7 Urban Area Conclusions/Issues

- *Annexation is a sensitive and important subject for both the incorporated municipalities and the Towns, and formal procedures for joint talks between individual municipalities will be recommended by this plan for implementation.*

Chapter 4 Utilities and Community Facilities

Page 90: Section 4.3A Urban Area Vision Statement Related to Utilities and Community Facilities

- *IN 2025, Portage County residents enjoy a network of high quality, efficient public facilities. Through cooperation and collaboration, local units of government work together to provide services across municipal boundaries. Sewer and water services are provided within an established urban growth area, effectively reducing the impacts of sprawl development into the rural areas of the county. An exceptional educational system (K-12, the technical college, and the University) provides opportunities for lifelong learning. Portage County residents value their youth, families, seniors, and disadvantaged, and provide them with facilities and activities aimed at improving community vitality.*

Page 91: Key Vision Ideas for Public Facilities:

- *Compact, cost-efficient utilities are available where they are needed.*
- *Municipal water and sewer systems are well maintained, with maximized efficiency and well-defined boundaries that are used to control the location of new development. The municipal well fields are protected from negative impacts.*

Chapter 7 Intergovernmental Agreement

Page 183: Section 7.4 Identification of Existing/Potential Issues or Conflicts and Procedures for Resolving Them

- *B – Towns of Hull, Plover and Stockton - The Urban Area governmental units have identified the areas east of Stevens Point and Village of Plover, currently in the Towns of Hull, Plover, and Stockton, as the area targeted for future urban growth. Conflicts may arise between the Towns and the City/Village due to perceived loss of tax base.*

Chapter 8 Land Use

Page 205: Section 8.7 Land Use Goals, Objectives and Policies

- *The key to realizing an effective approach to land use management for the Portage County Urban Area will be the promotion of proper timing and location for land development. Efficiently designed and well maintained areas will generate a similar type of development, while areas of uncontrolled growth could lead to increased utility extension costs, land use conflicts, and gradual deterioration. Future*

development and redevelopment should therefore be encouraged in an orderly pattern adjacent to and compatible with existing development, rather than creating scattered areas of development too small and too costly to provide public utilities and services. Proposed developments should act as or create a buffer between higher and lower intensity land uses. In addition, Urban Area communities must strive to protect environmental resources as pressures to develop wooded and other unique natural areas for urban use increase. Development should be prohibited in floodplains and wetlands, should not disrupt natural drainage courses, and should be compatible with soil conditions.

Page 206: Section 8.7(C) Policies

- *3. Ensure that proposed uses are compatible with surrounding uses; give consideration to the opinions of neighboring landowners and the general interests of the Urban Area.*

Page 207: Section 8.8 Urban Area Land Use Conclusions

- *A. Land use issues are of great importance to the individual municipalities that make up the Portage County Urban Area, and each community will greatly benefit from continued joint discussion.*
- *C. Individual Urban Area municipalities should also be encouraged to enter into one-on-one discussions with neighboring communities, as the need arises, to resolve questions or conflicts, or to set joint planning goals or expectations.*



Memo

Michael Ostrowski, Director

Community Development

City of Stevens Point

1515 Strongs Avenue

Stevens Point, WI 54481

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

mostrowski@stevenspoint.com

City of Stevens Point – Department of Community Development

To: Plan Commission
From: Michael Ostrowski
CC:
Date: 10/14/2011
Re: Zoning Code Rewrite

At our last Plan Commission meeting I had indicated that I would like to start with the rewriting of our zoning code at the next available meeting. In looking at the potential agenda for the meeting, the meeting might get a little lengthy in time, and not leave adequate time to start the zoning rewrite process. With that said, I would like to see if we can schedule a separate meeting to start this process. I am looking at the week following the Plan Commission meeting in November. We can discuss availabilities at the November 7, 2011 Plan Commission meeting. If the meeting on November 7, 2011 is relatively short in length, we can start the discussion and possibly schedule another meeting the following week.

In looking at this process, there many ways we can proceed. We could take our existing zoning ordinance and work from it to formulate a new zoning ordinance, we could start from scratch and develop a new ordinance, or we could use a template to formulate a new zoning ordinance. In addition, we could use a combination of each of these methods.

There are advantages and disadvantages of each method. In reviewing each option, I feel that it will be more beneficial to work from a modern template/model ordinance. This will allow the process to flow much smoother, and likely reduce the amount of time in drafting this ordinance. With our existing code, it has been over three decades since it was last written, and with starting from scratch, it can take a significant amount of time that is not necessarily warranted. In addition, using a model code helps control or eliminates the incorrect references or inconsistencies throughout the code.

A significant concern with using a template/model ordinance is that it needs to fit the community. I have researched many zoning ordinances from communities, as well as standard models. In researching these ordinances, I have found a model that covers many of the goals and objectives in our comprehensive plan. In addition, it is recent and provides many of the elements that are missing in our existing ordinance. The code is out of Louisiana, and was created in the wake of the destruction caused by Hurricanes Katrina and Rita. I have included some information regarding the history of this code and what it is intended to accomplish.

Rewriting a zoning ordinance is a major task and can take a significant amount of time. The model code is broken into several sections, allowing us to take them one at a time to make it more manageable.

A few things about this code that I find unique:

- The code breaks up the City into three categories: (1) regional growth sections, (2) context areas, and (3) zoning districts. By breaking the City into these categories, it helps control the growth of the City.
- The code not only regulates on uses, it also regulates on building types. A recent trend in zoning is called form-based. Form-based codes typically regulate on the basis of building form, as opposed to the use of the building. Supporters of form-based codes feel they create a more predictable and coordinated development. This code incorporates both use and form, making it more of a hybrid approach.
- Many aspects of the code support mixed use. One of the top goals in our comprehensive plan is to encourage the mixing of compatible type land uses. The thought is that when uses are mixed, it creates a more sustainable development. In addition, it reduces the need for the automobile, while encouraging walking and biking as a main source of transportation.
- It creates standards for different types of uses. While our existing code attempts to do this through the conditional use standards, the conditional use standards are almost a one size fits all approach, which is not always the case. This code breaks out several different uses and requires certain standards to be met to allow those specific uses.
- The code provides for site development standards, such as parking and landscape standards. In addition, there are additional modules that can be incorporated into this code making these standards more specific.
- The code provides visuals to help the reader better understand the requirements.

While this code provides a very good basis to start from, it does not cover everything. As we go through each section we will likely have to make modifications. In addition, since this code was written for Louisiana communities, we will need to modify it to meet the standards for Wisconsin. In addition, one of the areas that will require the most focus is the specifications for the zoning districts. The reason being is that we do not want to create a significant number of nonconformities.

For this first meeting, I would like to get your thoughts on which method you would like to use going forward. In my opinion, I feel that using the proposed model code as the basis to start from will help keep the process moving and make for a more user friendly code. I feel that the model code provides for a good balance of Euclidean style zoning (separation by uses) and form-based zoning (regulation by building form).

In addition, I would like to go through the goals, objectives, and policies of our Comprehensive Plan. I have provided you with a listing of these and highlighted the ones that I feel are most appropriate as we go through the zoning code rewrite process.

The following documents are enclosed and will be used throughout the process:

- Existing zoning ordinance,
- Proposed model zoning ordinance, and
- Goals, objectives, and policies of our comprehensive plan.

Attachments were included in the Plan Commissioner's packets. If you would like to obtain a copy of the attachment, please click on the following links or contact the Department of Community Development at 715-346-1567:

- Comprehensive Plan Goals, Objectives, and Policies (50 pages - only included sections): <http://www.co.portage.wi.us/Comprehensive%20Plan/Planning%20Program/Stevens%20Point/Stevens%20Point.html>
- City of Stevens Point Zoning Ordinance (169 pages): <http://stevenspoint.com/DocumentView.aspx?DID=769>
- About the Toolkit (2 pages): <http://www.landusetoolkit.com/about.html>
- Model Zoning Code (224 pages): <http://www.landusetoolkit.com/zoning.html>