AGENDA
CITY PLAN COMMISSION

Monday, February 6, 2012 – 6:00 PM
Lincoln Center – 1519 Water Street, Stevens Point, WI 54481

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

Discussion and possible action on the following:

1. Reports of the January 3 and 10, 2012 Plan Commission meetings.
2. All Hazards Mitigation Planning.
3. Request from Development Partners, LLC for a conditional use permit for the purposes of constructing a 29-unit apartment complex, along with two retail/office buildings located at **532 Division Street and the adjacent southern lot (Parcel IDs 2408-29-4010-25 and 2408-29-4010-24).**
4. Request from Development Partners, LLC for a conditional use permit for the purposes of constructing a senior housing development project, consisting of a 100-unit apartment building with three detached garages, and four 3-family patios homes located at **1017 Third Street (Parcel ID 2408-32-2003-01).**
5. Request from the City of Stevens Point for a conditional use permit to dredge **portions of property of the South Channel of the McDill Pond lake bed south of Heffron Street located at 3201 Channel Drive and 3209 Channel Drive (Parcel IDs 2308-04-4004-23, 2308-04-4004-22, and an unnumbered parcel).**
6. Request from the City of Stevens Point to amend the Height Limitation Zoning Ordinance (HLZO) to change the maximum elevation height from 1155 feet to 1253 feet of a portion of the property located at **4204 Highway 66 (Parcel ID 2408-22-3400-17)**.
7. Request from Ron Kurszewski for a conditional use permit for the purposes of operating a tavern at **929 Main Street (Parcel ID 2408-32-2018-03).**
8. Amending Chapter 25 of the Revised Municipal Code as it relates to the number and size of signs on a property.
9. Zoning rewrite timeline.
10. Adjourn.

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.

REPORT OF CITY PLAN COMMISSION

Tuesday, January 3, 2012 – 6:00 PM
Lincoln Center

PRESENT: Chairperson Mayor Halverson, Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Anna Haines, Commissioner Shari Laskowski, and Commissioner Maurice Rice.

ALSO PRESENT: Community Development Director Michael Ostrowski, Alderperson Roger Trzebiatowski, Alderperson Marge Molski, Alderperson Randy Stroik, Alderperson Joanne Suomi, Alderperson Mary Stroik, Director of Public Works Joel Lemke, Matthew Brown, Chris Northwood, Fritz Schierl, Barb Jacob, Reid Rocheleau, Mike Johnson, and Alan Alden.

INDEX:

1. Report of the December 5, 2011 Plan Commission meeting.
2. Request from Schierl, Inc., for a sign variance to allow a free standing sign that exceeds 20 feet in height and 150 square feet in area to be located at **3423-3425 Main Street (Parcel ID 2408-33-1019-18).**
3. Request from Save-A-Lot, for a sign variance to allow a second free standing sign without removing an existing nonconforming sign at **3260-3274 Church Street (Parcel ID 2308-04-3008-06).**
4. Request from Save-A-Lot, for a sign variance to allow an additional wall sign of approximately 115 square feet in area at **3260-3274 Church Street (Parcel ID 2308-04-3008-06).**
5. Request from the City of Stevens Point, for a conditional use permit and project review for the construction of a Municipal Transit Center to be located at **2700 Week Street (Parcel ID 2308-01-2200-04).**
6. Request from the City of Stevens Point, for the conveyance of rights of land near the intersection of CTH HH and Hoover Avenue.
7. Submission of a Community Development Block Grant application for housing rehabilitation and related activities.
8. Other business.
9. Adjourn.

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1. Report of the December 5, 2011 Plan Commission meeting.

   Motion by Commissioner Patton to approve the report of the December 5, 2011 as presented; seconded by Commissioner Moore.

   Commissioner Rice stated he cannot participate in items 2, 3, and 4 due to conflict of interests.

   Motion carried 6-0.

2. Request from Schierl, Inc., for a sign variance to allow a free standing sign that exceeds 20 feet in height and 150 square feet in area to be located at **3423-3425 Main Street (Parcel ID 2408-33-1019-18).**

   Director Ostrowski stated Mr. Schierl is planning to replace the existing 27' high, 250 square feet in area freestanding sign with a new 25' high, 187.92 square feet sign in the existing location. The sign

code allows freestanding signs up to 20' in height and 150 square feet in area for multiple tenant establishments. Any requests to exceed the requirements within the sign code require a variance from the Plan Commission. The proposed sign would have three separate faces, one for Schierl Tire & Service, an electronic readerboard, and one tenant space:

- Schierl Tire & Service: 7'-1 ½" x 18' = 128.25 square feet
- Electronic Readerboard: 40" x 96" = 26.67 square feet
- Tenant Space: 49.5" x 96" = 33 square feet (please note, second tenant sign has been eliminated)
- TOTAL = 187.92 square feet

Director Ostrowski indicated that our sign code allows for a sign owner to replace the sign inserts on existing signs, or make modifications to nonconforming signs that do not exceed 50% of the value of the sign. If the sign variance is denied, the applicant does have the ability to change out the inserts and the old sign could likely remain. One benefit of allowing the new sign is that the sign comes closer to conformity. The height would be reduced by 2' and the area would be reduced from 250 square feet to 190 square feet. In addition, the property would have a new sign that is likely to be more aesthetically pleasing. While this is a great benefit, staff does not see a hardship or unique property characteristic that would warrant such a variance. While sign variances do not follow the same stringent requirements that zoning code variances follow, staff believes that there should be some unique reason to grant such a variance.

However, if the sign variance is granted, staff would recommend the following conditions:

- The furthest portion of the sign edge is setback at least 5'.
- The sign shall not cause any vision obstructions, either removed from the vision triangle, or have poles that are smaller than 12" in diameter and have a clearance of 10'.
- No other freestanding signs are allowed on the property.
- A landscape base shall be submitted and approved by staff prior to the installation of the sign.

Fritz Schierl, 2201 Madison Street, stated that this is something they would like to do, to change the image of Schierl Tire and Service, to enhance the aesthetics of the sign, and to move forward with a sign that is closer to the existing ordinance than what we currently have. The current sign was built in 1972, and we don't have to take it down. It is fine as is, but we believe that by replacing the sign it will aesthetically improve the overall image of Highway 10 East. The hardship, if you are looking for a hardship, look at the state economy. Find a way to let business try to improve, flourish, and create employment. Lets not try to find a way to stifle a business that wants to reinvest into our community. We will be hiring a local sign company, employ a local electrician, stimulate the economy by increasing the personal property tax base, all this is good. The sign we are requesting is closer to the ordinance than the existing one. All that we are asking is for the council to find a way to approve this request.

Randy Stroik, 9th District Alderperson, does agree with Mr. Schierl, but we are not talking about that big of a difference to making this meet this current code. When looking at the sign that is 18' x 7.5', how much would that have to shrink to have it fit into code, and then it is not an issue. Does the sign become so small that you can't see it, or does it have to be that size because that is the way it

comes out of the box, how difficult would it be to shrink it down to make it within the ordinance requirements.

Director Ostrowski stated that he had run some numbers, and you would have to reduce the top sign to 4.5 'in height and 16' in width, as well as having the 3' in height and 8' in width readerboard, and the two tenant signs that are 2' in height and 8' in width. This would get you into compliance.

Fritz Schierl stated that the challenge is for us to justify the expenditure. This is what we feel we need. We are willing to lower the sign and reduce the overall square footage, but for us to justify a $65,000 expenditure, this is what we feel we need to drive their business. If this request is denied, chances are we will do nothing; we will just replace the faces of the existing sign and move forward.

Mayor Halverson stated that the practicality in what exists today is that the sign is very dated and not very aesthetically pleasing, compared to what the new sign would look like. There is a great deal of relevance in the update of the sign, and he does like the conditions put forth by the Director, specifically the landscape bottom on the sign. Given the fact that the new sign is reducing the nonconformity and given the amount of investment he is in support of the sign. He believes it makes sense for what is going to be going on for that site, the improvements that they have made for their building facade now, and for the Copps Food Center that is going to be built directly behind it.

Motion by Commissioner Patton to approve the request from Schierl with following conditions:

- **The furthest portion of the sign edge is setback at least 5'.**
- **The sign shall not cause any vision obstructions, either removed from the vision triangle, or have poles that are smaller than 12" in diameter and have a clearance of 10'.**
- **No other freestanding signs are allowed on the property.**
- **A landscape base shall be submitted and approved by staff prior to the installation of the sign.**

seconded by Mayor Halverson.

Commissioner Haines asked for clarification about the electric readerboard and how bright it would be. Director Ostrowski stated that he had no plans for illumination levels for the sign, all that is controlled by the owner. Our current sign ordinance does not prohibit electronic readerboards, but if it is a concern to public safety, then we can address it that way. Mayor Halverson stated that the readerboard would be similar to the one at the Schierl Company has installed at The Store on the corner of Fourth Avenue and Division Street. Fritz Schierl stated that it would be identical to the readerboard as the one at the Crossroads store location.

Commissioner Haines asked clarification on the landscaping. Director Ostrowski stated that the conditions would require a landscape base that would be approved by staff.

Alderperson Stroik asked what would be the hardship that Commissioner Patton has in his motion. He would rather see the city abolish the sign ordinance and make it all a conditional use, then to create a fake hardship.

Mayor Halverson stated that the hardship is language that is out of the statue for very specific variances, this would be an exception from the sign ordinance, which is two very different things. In terms of what we are doing here, this is an exception, which is allowed by Plan Commission and Common Council approval.

Director Ostrowski stated that it is a requirement under the Sign Code that a hardship and unique property characteristic be present.

Mayor Halverson stated then the more appropriate action would be to decide to fast pace the zoning rewrite to the sign ordinance and change it to be on a case-by-case basis, or create dimensions that are more favorable to businesses. We should look at the comparables from other communities and change our sign requirements to be more flexible or have conditional uses for signs that exceed "x" square feet and "x" height.

Director Ostrowski stated that if this is the way the Plan Commission wants to proceed, whether on this corridor or other major corridors, that the sign code needs to be reviewed appropriately to have uniformity.

Mayor Halverson expressed that one of the difficult situations that the city faces is that you have a not very aesthetic sign and the Schierls' do not need to change the sign. It can stay the way it is, so it comes down to the commission to decide to keep it the way it is now, or go to the sign proposed, or specifically reexamine the entire sign ordinance as far as what we require as a community. The motion on the floor is to approve with a second, so we will either have to pass that motion, or withdraw the motion if Commissioner Patton wants to do that, or we can vote it down or approve it.

Commissioner Patton asked if the fact that it was built in 1972 could be considered as a reasonable hardship, and as far as technology upgrades. Mayor Halverson stated normally when it comes to variances; financial hardship is not a key indicator.

Commissioner Patton clarified that financial hardship would not be the reason; just that it is old and can't find parts for it, just for the practicality of continued maintenance.

Director Ostrowski stated that a valid hardship would be such things as topography of a site that blocks the sign. You might grant a reduced setback to make the sign visible.

Alderperson Moore stated that he would really like to see the sign updated, but we have to follow the variance criteria. He is disappointed that there is a business that is looking to improve itself and improve the look of the city on one of the busiest corridors coming into town and it is the way we have the sign ordinance written that prevents it. Alderperson Moore would like to see the new sign, but what is the hardship.

Commissioner Haines asked if there is the option to table this item and bring it back after reviewing the sign ordinance. Mayor Halverson explained that the current motion could be denied, and a new motion could be brought forth and acted on at that point. The broader questions relating to this issue are how many signs we want and what we want them to look like. We have to figure out what the practical mechanism would be and perhaps not act on either of the signs tonight, and go back and redo the ordinance, or grant the variance and allow them to proceed and take them on a case-by-case basis. He thinks that the conditional use process may be more applicable in this case.

Alderperson Stroik said he did not bring this up to stifle the improvements by the Schierls, but just does not see the hardship in the law as it is stated. It is our job as the city to fix this. However, if we change this ordinance just enough to make this sign conforming, within the next few months there will be someone requesting permission for a bigger sign, and we are back at the same place. He suggests making it a conditional use, and any sign over "x" amount of square feet or more than two signs, you make it a case-by-case basis, and make it a conditional use. We should take it and make the law good for business. To pass this today and say that there is a fake hardship, he would not be able to vote for it at council.

Commissioner Patton asked how long it would take to change the ordinance. Mayor Halverson stated we already have a separate scheduled meeting for zoning rewrite matters next week Tuesday, so we could take it up at that meeting, and then forward it to council, giving us enough time to have it approved. Director Ostrowski indicated that there would need to be a public hearing on the ordinance change and we do not have enough time to notice it prior to the council meeting. The earliest we could amend the ordinance would be for February.

Commissioner Patton withdrew his motion.

Motion by Commissioner Haines to table this request until the sign ordinance is amended; seconded by Commissioner Patton.

Director Ostrowski stated that another option is to create an alternative sign permit process for signs that do not quite fit the ordinance, but fit the general intent. They are not conditional uses, but alternative sign permits. They need to be reviewed and approved by the Plan Commission. However, they do need to meet certain criteria.

Alderperson Moore asked if the commission was going to postpone any actions on agenda items 2, 3, and 4 until after the sign ordinance was reviewed. Mayor Halverson stated that would be his suggestion. He mentioned that the commission could deny the request for the variances, or they would stand not acted upon until the ordinance amendment is done.

Alderperson Moore asked if the postponement would be a hardship for the Schierls'. Fritz Schierl answered that if the city going to look at this and create a policy that is better for businesses then he is fine with that.

Mike Johnson, Graphic House stated that it is virtually impossible to prove hardship under the state guidelines for hardship in any sign situation, there is always a way to comply with the intent of the law. You may have a useless sign or one that does not look like it belongs in an area. He doesn't disagree about the procedure to be reviewed; he doesn't want his item to get tabled, as his situation is different.

Barb Jacob, 1616 Depot Street, asked that the commission have a representative from a sign company assist in the rewrite to get their ideas and what is practical.

Motion by Commissioner Haines to table this request until the sign ordinance is amended; seconded by Commissioner Patton. Motion carried 5-0, with Commissioner Rice recusing.

3. Request from Save-A-Lot, for a sign variance to allow a second free standing sign without removing an existing nonconforming sign at **3260-3274 Church Street (Parcel ID 2308-04-3008-06).**

   Mayor Halverson stated that if we are going to rewrite the code to deal with variances and how they are exercised, the difficulty for us is we are going to look at the sign code in its entirety, and the use of the word variance in these requests So this is just the way it will have to be dealt with.

   Director Ostrowski stated the issue that is vastly different with this request is that the sign they are proposing, the freestanding sign, meets all the ordinance requirements. The only ordinance requirement that it doesn't meet is that when you place a second freestanding sign on the lot, which they have already, all other nonconforming freestanding signs must be removed. On this lot there are 2 free standing signs along Church Street, one is near Michigan and Church, the other is near Heffron and Church. What Save-A -Lot is requesting to do is take down the nonconforming sign at Michigan and Church and replace it with a conforming sign, which he believes is appropriate and meets the intent of the ordinance.

   Mayor Halverson asked why there is the use of the word variance then. Director Ostrowski stated that it is a variance because there is another nonconforming sign on that property. Commissioner Moore asked if they had one of their signs on the other sign. Director Ostrowski answered yes they do. He then stated that there is language in the ordinance that allows the zoning administrator to approve requests that would bring a project more in to conformity.

   Mayor Halverson wanted clarification as to why that was not used with the Schierl sign. Director Ostrowski stated that when you take down a sign and replace the sign, it is a new sign and needs to meet the new requirements, which Mr. Schierl's sign did not meet, as it was too high and too large of an area. Save A Lot is taking down a nonconforming sign and replacing it with a conforming sign, other than the fact that they still have the other sign on the property that is going to remain.

   Mayor Halverson clarified there would still be more than two signs for that particular company on the site, right. Director Ostrowski stated there will be two freestanding signs on that property, which there currently are there are now. Both of the signs on the property are nonconforming.

   Commissioner Haines asked the way the sign ordinance is written, that if there are two nonconforming signs, they both need to be removed, to which Director Ostrowski answered correct.

   Mayor Halverson clarified that those signs will not both be removed, correct. Director Ostrowski stated that they are replacing a nonconforming sign with a conforming one, just not taking down the other nonconforming sign.

   Motion by Commissioner Haines to postpone the action until the sign ordinance can be amended; seconded by Mayor Halverson. Motion carried 5-0, with Commissioner Rice recusing.

4. Request from Save-A-Lot, for a sign variance to allow an additional wall sign of approximately 115 square feet in area at **3260-3274 Church Street (Parcel ID 2308-04-3008-06).**

   Motion by Alderperson Moore to postpone the action until the sign ordinance can be amended; seconded by Commissioner Patton. Motion carried 5-0, with Commissioner Rice recusing.

5. Request from the City of Stevens Point, for a conditional use permit and project review for the construction of a Municipal Transit Center to be located at **2700 Week Street (Parcel ID 2308-01-2200-04).**

Director Ostrowski stated that the City of Stevens Point is requesting to construct an approximate 35,070 square feet transit center on the eastern half of the above described parcel. The transit center will have approximately 57 parking stalls. This type of use is a conditional use within the M-2 zoning district as well as the wellhead protection district. The conditions placed would revolve around the well head protection; staff would recommend approval with the following:

- Any hazardous substances that are used or stored onsite shall be within a proper containment area to prevent any leakage into the groundwater. The containment area shall be approved by the staff and the Department of Water/Sewer.
- Testing requirements for wellhead protection shall be met as per the Department of Water/Sewer requirements.
- A spill containment plan shall be developed by the property owner and the plan shall be approved by the Director of Water/Sewer. The plan shall develop procedures to prevent spills and the negative impacts.
- The owner shall provide the Director of Water/Sewer with a continuous updated listing of all chemicals or hazardous substances located onsite, including petroleum products.
- The owner shall provide the Director of Water/Sewer with information regarding any change to current practices that result in a change of use of hazardous substances used in business operations. The City reserves the right to impose additional restriction or to deny permission to new or different business practices.
- A photometric plan shall be submitted and approved by staff.
- If any refuse containers are located outside of the building, they should be located with an enclosure that matches the architectural design of the building.
- Stormwater and drainage requirements shall be met as per the Department of Public Works standards.

Commissioner Laskowski asked what the general intent of the facility is. Director Joel Lemke stated that it is to give the Transit Department more room. Transit is currently co-located at the City Garage with the Streets Department and the Parks maintenance area. By removing transit, it will make more room for all departments. There currently is federal funding for 80% of the project already. In looking at the location, it is great, there is connection with the bike/pedestrian trails, and gives potential for a park and ride location, and would be able to work in a rail interface. Currently, phase one of this facility is to move the transit maintenance and administrative offices out of Bukolt Park.

Commissioner Haines asked if it was designed for expansion. Director Lemke said that it was able to be expanded.

Commissioner Rice asked what a photometric plan was. Director Ostrowski indicated that it was an illumination plan for the lighting on the site.

Commissioner Laskowski asked what was the zoning north of the tracks. Mayor Halverson stated that it is currently in the Town of Hull, and it is zoned agriculture.

Motion to approve by Commissioner Moore with the following conditions:

- **Any hazardous substances that are used or stored onsite shall be within a proper containment area to prevent any leakage into the groundwater. The containment area shall be approved by the staff and the Department of Water/Sewer.**
- **Testing requirements for wellhead protection shall be met as per the Department of Water/Sewer requirements.**
- **A spill containment plan shall be developed by the property owner and the plan shall be approved by the Director of Water/Sewer. The plan shall develop procedures to prevent spills and the negative impacts.**
- **The owner shall provide the Director of Water/Sewer with a continuous updated listing of all chemicals or hazardous substances located onsite, including petroleum products.**
- **The owner shall provide the Director of Water/Sewer with information regarding any change to current practices that result in a change of use of hazardous substances used in business operations. The City reserves the right to impose additional restriction or to deny permission to new or different business practices.**
- **A photometric plan shall be submitted and approved by staff.**
- **If any refuse containers are located outside of the building, they should be located with an enclosure that matches the architectural design of the building.**
- **Stormwater and drainage requirements shall be met as per the Department of Public Works standards.**

seconded by Commissioner Patton.

Cathy Dugan, 615 Sommers Street, asked what would the 20% cost to the city be. She also asked how much would need to be built now in hopes of the future, or could a smaller facility be built now and build on it later. Mayor Halverson indicated the cost would be subject to the Finance Committee review, not the Plan Commission.

Motion carried 6-0.

6. Request from the City of Stevens Point, for the conveyance of rights of land near the intersection of CTH HH and Hoover Avenue.

   Director Ostrowski stated the intersection of HH and Hoover is planned to be reconstructed. With the reconstruction, additional property will need to be acquired by the Village of Plover as the lead agency. There is a portion of property, which the City of Stevens Point has rights to. In order for the project to continue, the City will need to convey these rights. In order to convey these rights, the Plan Commission needs to provide a recommendation to the Common Council. Staff would recommend approval.

   Motion to approve by Commissioner Patton; seconded by Commissioner Rice. Motion carried 6-0.

7. Submission of a Community Development Block Grant application for housing rehabilitation and related activities.

   Director Ostrowski stated the City had been notified that they had been selected to proceed with the final application for a Community Development Block Grant (CDBG) for housing, based on the pre application that was submitted earlier. The amount would be for up to $550,000. There will be

a public hearing on the submission of the grant application at the common council meeting on January 16, 2012. We are looking for approval to apply for this grant.

Motion to approve by Commissioner Patton; seconded by Commissioner Laskowski. Motion carried 6-0.

8. Other business.

   Director Ostrowski stated that the next plan commission meeting will be on January 10, 2012 at 4:30 PM in the City Conference Room to discuss the zoning rewrite. Also, the Historic Preservation / Design Review Commission will be meeting to on January 11, 2012 at 4:30 PM at the Portage County Library to receive a presentation of the historical survey results.

9. Adjourn.

   Meeting adjourned at 6:42 PM.

REPORT OF CITY PLAN COMMISSION

Tuesday, January 10, 2012 – 4:30 PM
City Conference Room – 1515 Strongs Avenue

PRESENT: Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Shari Laskowski, and Commissioner Maurice Rice.

ALSO PRESENT: Community Development Director Michael Ostrowski, Alderperson Andrew Beveridge, Sarah Wallace, and Cathy Dugan.

INDEX:

1. Updating the City's Citizen Participation Plan for the Community Development Block Grant (CDBG) Program.
2. Updating Chapter 20 (Subdivision) and Chapter 23 (Zoning) of the Revised Municipal Code of the City of Stevens Point.
3. Adjourn.

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1. Updating the City's Citizen Participation Plan for the Community Development Block Grant (CDBG) Program.

   Director Ostrowski indicated that the City of Stevens Point intends to submit its final application for CDBG – Housing funds. In order for the City to submit the application, it must have an updated citizen participation plan. Director Ostrowski indicated that this plan was updated back in 2009 when we applied for a CDBG for Well 11. However, this plan needs to be updated to include some changes relating to contacts for the Department of Administration and the City Clerk's Office. The State Department of Administration has reviewed the attached plan and has indicated that it meets their requirements. Staff would recommend approval of the plan. Director Ostrowski indicated that there will be a public hearing held on the submission of the grant at the next Common Council meeting on Monday, January 16, 2012.

   Motion by Commissioner Patton to approve the Citizen Participation Plan as presented; seconded by Commissioner Laskowski.

   Commissioner Rice asked if this was basically used to allow someone to comment on the process. Director Ostrowski said it outlines the public process as to how we notify hearings, what are the required public hearings that we have to have for the grant process, including the one we have to have prior to applying for the grant and the second one that we have towards the end, as a status update. In addition, if individuals want to make or register complaints, this describes how they would do that.

   Alderperson Andrew Beveridge asked if the city had received this type of the grant in the past. Director Ostrowski stated yes, we have received this type of grant in the past. The City currently has approximately $27,000 left in funding.

   Alderperson Andrew Beveridge asked if there was a lot of public participation in the past. Alderperson Moore said he believes there was a considerable amount of public participation. Director Ostrowski stated that there is a set agenda for the public hearing where we will discuss the CDBG program, the economic development and housing needs, the activities planned for the

program, as well as allowing the public a chance to speak on the submission of the grant and community needs.

Cathy Dugan, 615 Sommers Street, asked what it means for the public. Director Ostrowski stated it would be a presentation of what the grant program is, what are the eligible activities with the grant, how much we are applying for, and the public would have the opportunity to comment.

Commissioner Rice asked if these hearings would be before the Common Council. Director Ostrowski indicated that that was correct.

Cathy Dugan, 616 Sommers Street, asked if the public would get a list of those specific projects. Director Ostrowski stated typically with housing projects, it is money reserved for low to moderate income individuals to apply for and receive funds for rehabilitation, homebuyer assistance, or other similar activities. The activities will be outlined during the public hearing.

Commissioner Rice indicated these would be funds used for improving homes. Director Ostrowski indicated that this is correct. Things such as new windows or roof replacements would qualify.

Commissioner Patton clarified that this is not going to be used to build more apartments. Director Ostrowski stated that this was correct.

Director Ostrowski stated that we will have a list of projects in the council packet that the funds would be used for, and that the funds are designated for home owner rehabilitation, and some possible rental rehabilitation. We have to use these funds within 24 months, so within the first year we are recommending that these funds are used for owner-occupied, residential structures. If for some reason, no one is accessing these funds, then we would open it up for renter-occupied rehabilitation rented to low to moderate income individuals.

Motion carried 4-0.

2. Updating Chapter 20 (Subdivision) and Chapter 23 (Zoning) of the Revised Municipal Code of the City of Stevens Point.

   Director Ostrowski that he would suggest combing the zoning code with the subdivision code to create a single development code. This will make it easier to administer, as well as easier to understand for the reader and developers. In addition, he has made the previous recommended changes for Article 1. The Commission reviewed the changes and proceeded to review the requirements in Articles 3 and 4, including the creation of agricultural and park districts, as well as cluster subdivision possibilities. It was decided that staff will make the appropriate changes to Articles 3 and 4 for consideration at the next meeting.

3. Adjourn.

   Motion by Commissioner Patton to adjourn; seconded by Commissioner Laskowski. Motion carried 4-0.

   Meeting adjourned at 6:00 PM.

PLANNING AND ZONING DEPARTMENT

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

To: City of Stevens Point Plan Commission

From: Sarah Wallace, Associate Planner

Date: January 23, 2012

Re: All Hazards Mitigation Planning Discussion

For your upcoming Plan Commission Meeting, I will be attending to review with you the Portage County All Hazard Mitigation Planning Project, and lead you in discussion as it specifically relates to the City of Stevens Point.

Earlier this year, each municipality was notified of Portage County's awarded contract with the State of Wisconsin to update our County All Hazard Mitigation Plan, pursuant to Section 201.6 of the Disaster Mitigation Act of 2000, which states that after November 1, 2004, hazard mitigation project grants will not be available unless the local government has an approved Hazard Mitigation Plan completed.

Since that time, the Emergency Management and Planning and Zoning Departments have been working with the Local Emergency Planning Committee (LEPC) and the County's Hazard Mitigation Work Group to start the process of reviewing what Mitigation Strategies have been completed since the original plan was adopted in 2007, and discussing incorporating in two additional Technological Hazards (Hazardous Materials, and Dam Failure). The City of Stevens Point has had a number of key representatives (Fire, EMS, and City EMS Director) attending our Work Group meetings.

An important part of this multi-jurisdictional update will be to discuss Federal Emergency Management Agency (FEMA) regulations that have changed since our last plan. These will require each municipality to discuss any specifics for unique hazard related issues, community specific mitigation strategies, and other community specifics related to the Hazard Mitigation Plan. For a municipality to be eligible for FEMA funds for any future events that may occur, municipality must participate in the planning process, and formally adopt the County All Hazard Mitigation Plan.

For this planning process, we have identified the following Natural and Technological Hazards:

Tornadoes	Extreme Temperatures
High Winds	Fires – Wildland
Severe Storms – Winter	Drought – Agriculture
Severe Storms – Summer	Hazardous Materials
Flooding	Dam Failure

At this upcoming meeting we will be discussing your City's vulnerability to each of these hazards which will include; identify critical facilities, vulnerable structures, vulnerable populations, and

other community assets that are vulnerable, along with identifying possible and unique hazard mitigation strategies.

Each municipality's participation in this planning effort is a critical link in completing this plan and being eligible for Federal funding. Again, your input is extremely important and I look forward to working with you during this process.

Administrative Staff Report

Pointer Lodge Conditional Use
532 Division Street
February 6, 2012

Department of Community Development

Applicant(s):

- Development Partners

Staff:

- Michael Ostrowski, Director Community Development
  Ph: (715) 346-1567
  Fax: (715) 346-1498
  mostrowski@stevenspoint.com

Parcel Number(s):

- 2408-29-4010-25
- 2408-29-4010-24

Zone(s):

- "B-4" Commercial

Master Plan:

- Commercial/Office/Multi-Family

Council District:

- District 1 – Beveridge

Lot Information:

2408-29-4010-25
- Effective Frontage: 202 feet
- Effective Depth: 255 feet
- Square Footage: 51,510
- Acreage: 1.183

2408-29-4010-24
- Effective Frontage: 123 feet
- Effective Depth: 247 feet
- Square Footage: 30,381
- Acreage: 0.697

Current Use:

- Vacant Commercial

Request

Request from Development Partners, LLC for a conditional use permit for the purposes of constructing a 29-unit apartment complex, along with two retail/office buildings located at **532 Division Street and the adjacent southern lot (Parcel IDs 2408-29-4010-25 and 2408-29-4010-24)**.

Attachment(s)

- Parcel ID Sheet
- Exhibit Map
- Application
- Plans

Findings of Fact

- Current property is zoned B-4.
- Multi-Family developments are a conditional use within the B-4 zoning district.
- The request is for 29 units, with one unit being the property manager unit. There will be a total of 100 bedroom units, plus 2 bedrooms for the property manager unit.
- The development will be a phased development with the student housing building being completed first, and then the retail/office building being completed second.

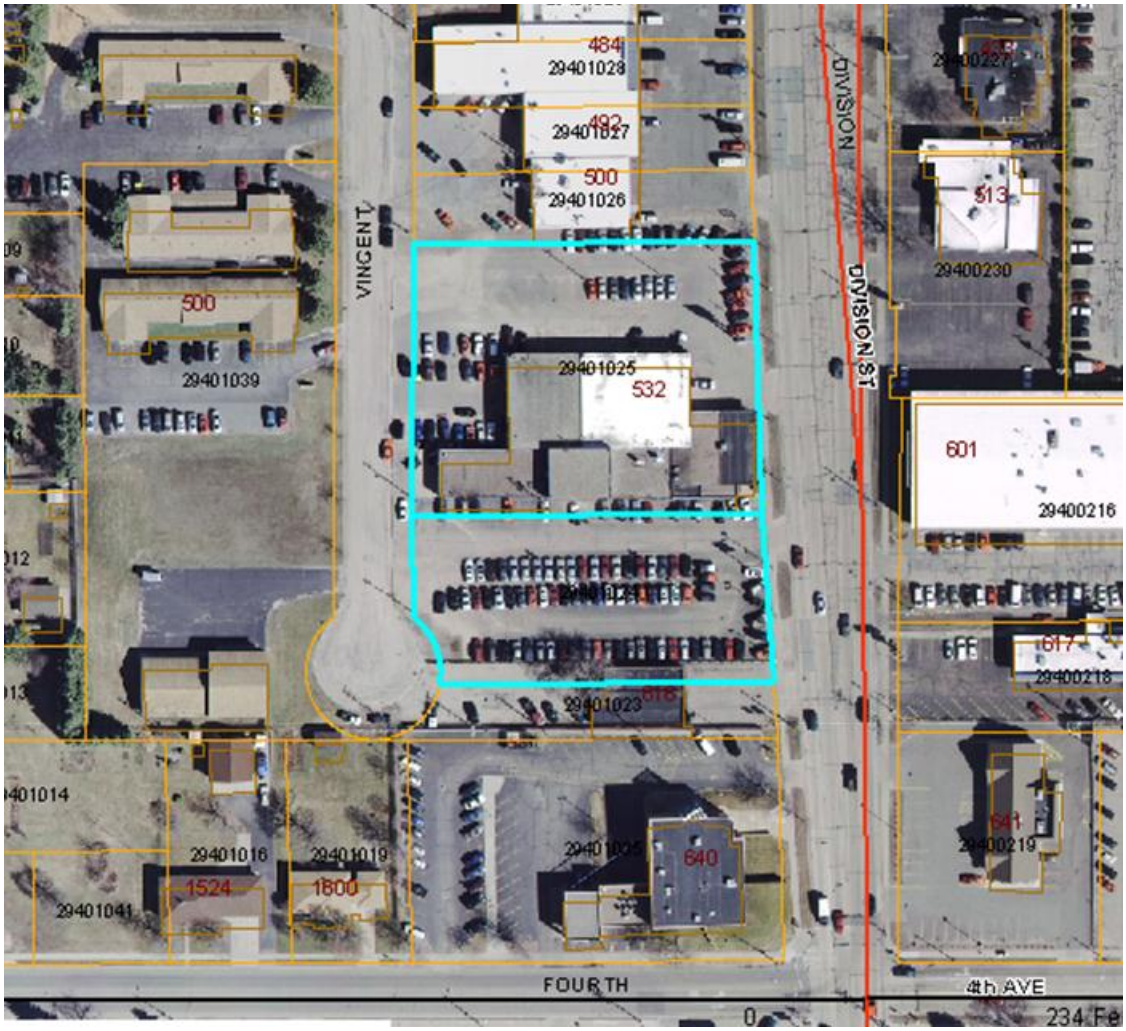
Staff Recommendation

Approve, subject to the following condition(s):

- A lighting plan shall be submitted for review and approval by staff. The lighting shall not negatively impact the adjacent properties.
- Snow shall be removed from the site, or stored in a location that it will not negatively impact adjacent properties.
- A stormwater plan will need to be reviewed and approved by the Department of Public Works.
- Design, size, and location of retail/office buildings are allowed to change with the approval by staff.

Applicable Regulations:	
• 23.01(16) and 23.02(2)(b)	

Vicinity Map



Background

Development Partners is proposing to construct a 3 story, 29-unit apartment complex on the former Cooper Motors site. One of the units on the first floor will be for the property manager. In addition, they plan to construct two retail/office buildings on the same property, making this a mixed use development. There will be 52 covered and 90 surface parking spaces. The retail/office uses will front on Division Street, with the apartment complex being set back behind the two retail/office buildings.

Standards of Review

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

Analysis: The current property is a vacant former car dealership. The proposed use will be a mixed use development that will include residential and commercial.

Findings: The establishment of this use should not be detrimental to the public. One of the main goals in our comprehensive plan is to promote mixed use development opportunities. Given the close proximity to UWSP, this development should fit in well with the existing corridor. While Division Street is predominately a commercial corridor, the placement of the apartment complex towards the back of the lot along Vincent Street and the placement of the retail/office buildings along Division Street creates an effective setting.

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

Analysis: Division Street is a highly commercialized area.

Findings: The placement of the apartment complex towards the back of the lot along Vincent Street and the placement of the retail/office buildings along Division Street creates an effective setting. With the addition of housing into this area, it will help support the nearby commercial establishments. In addition, with the close proximity to UWSP, it will allow students the ability to walk to classes, as opposed to driving.

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 current lot houses a vacant former car dealership.

Findings: The proposed project will create a cohesive development and should help spur additional development and redevelopment along this corridor.

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 development will consist of a 3-story apartment complex. The main floor will be predominately open air, covered parking. The main exterior materials of the building consist of stone veneer, brick, veneer, fiber cement siding, and asphalt shingles. The two retail/office buildings will be of similar materials.

Findings: Staff feels that the materials that have been chosen for this project create a professional look that will not adversely affect the surrounding neighborhood. The scale of this development is also complementary to surrounding development.

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

Analysis: Utilities exist both on Division Street and Vincent Street.

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 on Division Street and Vincent Street.

Findings: This project has combined the two access points on Division Street to one access point. 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 "B-4" Commercial District. This district is established to provide for retail, commercial, office, service and apartment uses in areas of good accessibility along arterial streets consistent with the City's Comprehensive Plan. This district is primarily intended to accommodate general commercial uses requiring on-site parking and arterial access.

   Findings: The proposed use is 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 use and structures meet all other zoning requirements.

   Findings: This standard is met.

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

   Analysis: The request is for an approximate 100-bedroom apartment complex.

   Findings: The use of this facility will be largely, if not completely used by university students. Given the close proximity to the campus, staff does not feel that this creates and over-concentration of high density living facilities in one 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 for the multiple-family development will occur under the building and in the side and rear yards. Parking for the office/retail establishments will occur in the front yard.

       Findings: This standard is met.

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

       Analysis: The plan provides for various landscape screening along the entire site.

       Findings: This standard is met.

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

Analysis: The multiple-family building will be set behind the retail/office buildings. The main façade will face towards Division 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: This development faces on Division Street and Vincent 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: Two access points on Division Street have been combined into one. In addition, there is one access point on Vincent Street.

Findings: This standard is met.

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

Analysis: The driveway is located towards the middle of the site and away from adjacent driveways.

Findings: This standard is met.

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

Analysis: The driveways have been located to avoid confusion and conflicts.

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: There will be one access point for each street.

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 traffic is organized with the retail/office parking separated from the apartment parking.

   Findings: This standard is met.

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

   Analysis: Neither of the intersections are screened.

   Findings: This standard is met.

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

   Analysis: There will be a bio detention basin to the south of the site.

   Findings: Snow shall be removed from the site, or stored in a location that it will not negatively impact the adjacent property owners. Stormwater requirements for the site must be reviewed and approved by the Department of Public Works.

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

   Analysis: The drive aisles and parking spaces are of adequate size.

   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: No lighting plan has been submitted.

   Findings: Staff would recommend that a lighting plan be submitted for review and approval by staff as a condition of approval. The lighting should not negatively impact the adjacent properties.

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

   Analysis: The driveway on Division Street is near the center of the site, while the driveway on Vincent Street is off of a cul-de-sac.

   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 exist at this site. There is also adequate room for emergency vehicles.

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 enclosure is located between the apartment complex and the retail/office building. It will be screened with an enclosure and landscaping.

Findings: This standard is met. Staff would recommend that the materials used for the enclosure shall be constructed out of finished wood, or masonry materials.

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

Analysis: No lighting plan has been submitted.

Findings: Staff would recommend that a lighting plan be submitted for review and approval by staff as a condition of approval.

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

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

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

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

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

Analysis: The proposed plans meet the requirements.

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: There are about 30 trees scattered throughout the site.

Findings: Staff feels that the amount of landscaping at this site provides a significant visual break from the apartment complex. In addition, with the retail/office buildings, it helps break up the area.

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 entire site is almost completely screened with landscaping. In addition, there are several internal planting areas.

   Findings: While this standard does not apply, as the site is not exclusively residential, it is met.

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

   Analysis: There is currently no greenspace on the site.

   Findings: This standard is met. The proposed plan creates additional landscape elements that tie the site together.

Name and Address	Parcel #	Alt Parcel #	Land Use
James A Cooper 108 Maple Bluff Rd N Stevens Point, WI 54482	240829401025	240829401025	Garage, Service
	Property Address		Neighborhood
	532 Division St		Division Str North (Comm)
	Subdivision		Zoning
Display Note	Certified Survey Map		B4-COMMERCIAL

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type

SITE DATA

Actual Frontage	202.0
Effective Frontage	202.0
Effective Depth	255.0
Square Footage	51,510.0
Acreage	1.183

PERMITS

Date	Number	Amount	Purpose	Note
2/1/2002	30522	$425	066 Plumbing	hwh

2011 ASSESSED VALUE

Class	Land	Improvements	Total
B-Commercial	$295,100	$297,500	$592,600
Total	$295,100	$297,500	$592,600

LEGAL DESCRIPTION

LOT 1 CSM 824-3-182 PLUS 2F ON DIVISION X 258.65F AS DES IN 351/595 BNG PRT NW SE & SW SE S29 T24 R8 ESMT-346/447-48 - 389/150

PROPERTY IMAGE

PROPERTY SKETCH

Name and Address	Parcel #	Alt Parcel #	Land Use
James A Cooper 108 Maple Bluff Rd N Stevens Point, WI 54482	240829401025	240829401025	Garage, Service
	Property Address		Neighborhood
	532 Division St		Division Str North (Comm)
	Subdivision		Zoning
Display Note	Certified Survey Map		B4-COMMERCIAL

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
1	1	Service Gar (C avg)	1963	7,924	Masonry - Avg	14
1	2	Auto Showroom (C avg)	1963	2,558	Masonry - Avg	14
1	3	Service Gar (C avg)	1975	3,780	Masonry - Avg	14
1	4	Auto Showroom (C avg)	1975	1,574	Masonry - Avg	14
1	5	Service Gar (C avg)	1988	3,230	Masonry - Avg	14
Total Area				19,066		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area

COMPONENTS

Bldg	Sec	Component Description	Area
1	1	Hoist(s)	3
1	1	Mezzanine - Storage (Avg Qual)	2,000

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

Site Improvement	Units

STRUCTURE DATA

Age	32
Year Built	1963
Eff. Year	1980
One Bedroom	
Two Bedroom	
Three Bedroom	
Total Units	
Stories	1.00
Business Name	Vacant Dealership

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
James A Cooper 108 Maple Bluff Rd N Stevens Point, WI 54482	240829401024	240829401024	Vacant Land - Commercial
	Property Address		Neighborhood
	Division St		Division Str North (Comm)
	Subdivision		Zoning
Display Note	Metes And Bounds		B4-COMMERCIAL

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type

SITE DATA

Actual Frontage	123.0
Effective Frontage	123.0
Effective Depth	247.0
Square Footage	30,381.0
Acreage	0.697

PERMITS

Date	Number	Amount	Purpose	Note

2011 ASSESSED VALUE

Class	Land	Improvements	Total
B-Commercial	$175,500	$0	$175,500
Total	$175,500	$0	$175,500

LEGAL DESCRIPTION

PRT SW SE S29 T24 R8 COM 24 RD E OF PRENTICE ST & 166F S OF NL SD 40 TH S 123F E TO EL SD 40 N 123F W TO POB EXC HY ROW & EXC ST AS DES 228/649 ESMT 229/258 346/447 - 377/26

PROPERTY IMAGE

PROPERTY SKETCH

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
James A Cooper 108 Maple Bluff Rd N Stevens Point, WI 54482	240829401024	240829401024	Vacant Land - Commercial
	Property Address		Neighborhood
	Division St		Division Str North (Comm)
	Subdivision		Zoning
Display Note	Metes And Bounds		B4-COMMERCIAL

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
Total Area				0		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area

COMPONENTS

Bldg	Sec	Component Description	Area

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

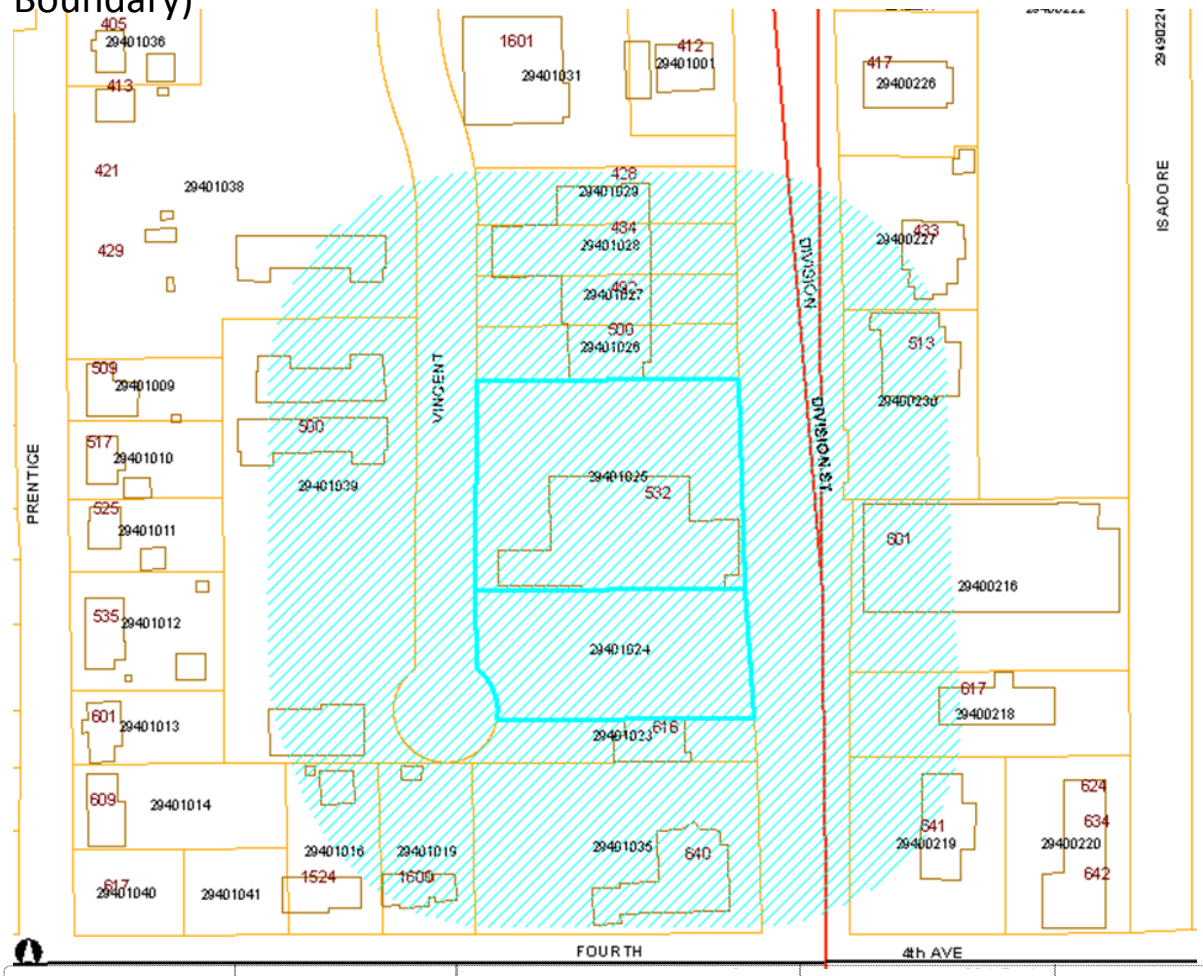
Site Improvement	Units

STRUCTURE DATA

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

Information considered accurate but not guaranteed.

Pointer Lodge - Conditional Use - Exhibit Map (200 Feet Notification Boundary)



TaxKey	Property Address	Owner Name	Mailing Address	City	State	Zip Code
281240829400216	601 Division St	Board Of Regents Of The	P O Box 8010	Madison	WI	53708
281240829400218	617 Division St	Hardee's of Stevens Point	617 Division St	Stevens Point	WI	54481
281240829400219	641 Division St	Stanley-Knuese Inc	1725 Fourth Ave	Stevens Point	WI	54481
281240829400227	433 Division St	Two Tonns LLC	4270 Touchstone Dr	Hobart	WI	54155
281240829400230	513 Division St	Thad J & Wendy Klasinski	317 Prentice St	Stevens Point	WI	54481
281240829401016	1524 Fourth Ave	James N & Virginia L Groshek	1524 Fourth Ave	Stevens Point	WI	54481
281240829401019	1600 Fourth Ave	Kyle J & Melissa L Rickert	1600 Fourth Ave	Stevens Point	WI	54481
281240829401023	616 Division St	Spaay Inc	616 Division St	Stevens Point	WI	54481
281240829401024	Division St	James A Cooper	108 Maple Bluff Rd N	Stevens Point	WI	54482
281240829401025	532 Division St	James A Cooper	108 Maple Bluff Rd N	Stevens Point	WI	54482
281240829401026	500 Division St	Muzzy Broadcasting LLC	500 Division St	Stevens Point	WI	54481
281240829401027	492 Division St	MMFM LLC	119 Sunrise Ave	Stevens Point	WI	54481
281240829401028	484 Division St	MMFM LLC	119 Sunrise Ave	Stevens Point	WI	54481
281240829401029	428 Division St	Ongies Rental Properties LLC	2208 Hwy 66 West	Stevens Point	WI	54481
281240829401035	640 Division St	Anchorbank SSB	PO Box 7933	Madison	WI	53707
281240829401038	500 Vincent St	Stevens Point Properties LLC	500 Vincent St	Stevens Point	WI	54481
281240829401039	508-20 Vincent St	Klas Properties LLC	217 Prentice St	Stevens Point	WI	54481

R# 1-45379
12-12-11
$90.00

REQUEST TO CITY OF STEVENS POINT PLAN COMMISSION

ADDRESS OF PROPERTY: 532 Division Street

____ Zoning Ordinance Change ($90.00 fee required)
XXX 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).

Applicant is requesting permitted "R-5" multi-family use in existing "B-5" Highway Commercial District for the purposes of developing a new 100-bed privately-owned and managed Student Apartment Complex and separate Retail/Office building(s).

OWNER/APPLICANT:

Name: Development Partners LLC (~~Rod~~ Grant Fisk)
Address: 349 Brantwood Drive
Neenah, Wisconsin 54956
(City, State, Zip Code)

Telephone:
Cell Phone: 920-450-0156

Signature

AGENT FOR OWNER/APPLICANT:

Name: True North Architecture LLC (Timothy G Carlson AIA)
Address: 1632 West Cloverdale Drive
Appleton, Wisconsin 54914
(City, State, Zip Code)

Telephone: 920-560-3171
Cell Phone: 920-284-2556

Signature

Scheduled Date of Plan Commission Meeting: January 3, 2012

Scheduled Date of Common Council Meeting: January 16, 2012

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 # _____

POINTER LODGE

STUDENT LIVING COMMUNITY

STEVENS POINT, WISCONSIN

ISSUED FOR SITE PLAN APPROVAL - DECEMBER 12, 2011

ARCHITECT / ENGINEER

true north ARCHITECTURE
TRUE NORTH ARCHITECTURE LLC
1632 West Cloverdale Drive Appleton, Wisconsin 54914
920.560.3171 fax 920.560.3171 e-mail info@truenortharch.com

APPLICANT / DEVELOPER

DEVELOPMENT PARTNERS
NEENAH, WISCONSIN

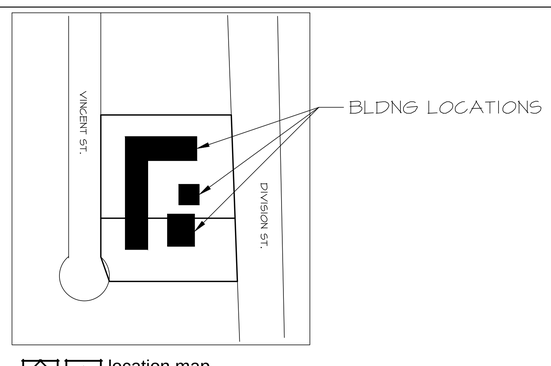
CONSTRUCTION MANAGER

SMET CONSTRUCTION SERVICES
Our Reputation is Building
300 NORTH BROADWAY SUITE 2B GREEN BAY, WI 54303
www.smet.com

CODE REQUIREMENTS

PROPERTY ADDRESS / TAX PARCEL:	532 DIVISION STREET / TAX #240829401025 AND 240829401024
EXISTING ZONING:	B–5 (HIGHWAY COMMERCIAL)
PERMITTED USE:	R–5 (MULTIPLE FAMILY II RESIDENCE DISTRICT – per 23.02(2)(a)(2)(a))
FRONT YARD SETBACK (STREET):	25 FEET (10 FEET ON VINCENT) – per 23.02(2)(d)(4)
SIDEYARD SETBACK:	0 TO 10 FEET – per 23.02(2)(d)(4)
MAXIMUM HEIGHT:	35 FEET – per 23.02(2)(d)(4)
LOT AREA AND DENSITY: (per 23.02(2)(d)(4))	(1) 2 bedroom first floor apt = 2,750 x 1 = 2,750gsf (2) 2–bedroom second floor apt = 970 x 2 = 1,940gsf (12) 4–bedroom second floor apt = 1,070 x 12 = 12,840gsf (2) 2–bedroom third floor apt = 870 x 2 = 1,740gsf (12) 4–bedroom third floor apt = 970 x 12 = 11,640gsf Retail = 7,000gsf TOTAL REQUIRED PROPERTY AREA: 37,910 GSF (0.87 ACRES)
ACTUAL PROPERTY AREA:	81,891 GSF (1.88 ACRES)
REQUIRED PARKING: (per 23.01(14)(d))	102 bedrooms = 102 x 1.0 = 102 parking spaces offices = 4,750gsf/300 = 16 parking spaces retail = 4,750gsf/200 = 24 parking spaces TOTAL = 142 required parking spaces
ACTUAL PARKING:	52 covered and 90 surface = 142 total parking spaces
LANDSCAPING FOR PARKING: (per 23.01(14)(f))	5' setback from ROW – continuous screening abutting residential min. 18"/max. 36" height; ' tree per 50lf (36"h evergreen/2" deciduous) Provide interior islands min. 2% of parking area (excluding perimeter)
BUILDING MATERIALS:	Minimum 25% of facade to be covered with masonry or decorative block. Actual – 51.8% masonry / 14.20% glass/windows
SIGNAGE:	Not included in this submittal

LOCATION MAP



north 1 T-1 location map N.T.S.

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true north
ARCHITECTURE
TRUE NORTH ARCHITECTURE LLC
1632 West Cloverdale Drive Appleton, Wisconsin 54914
920.560.3171 fax 920.560.3171 e-mail truenortharch@tds.net

REVISIONS
- -
- -

POINTER LODGE
STUDENT LIVING COMMUNITY
MASTER PLAN

STEVENS POINT WISCONSIN

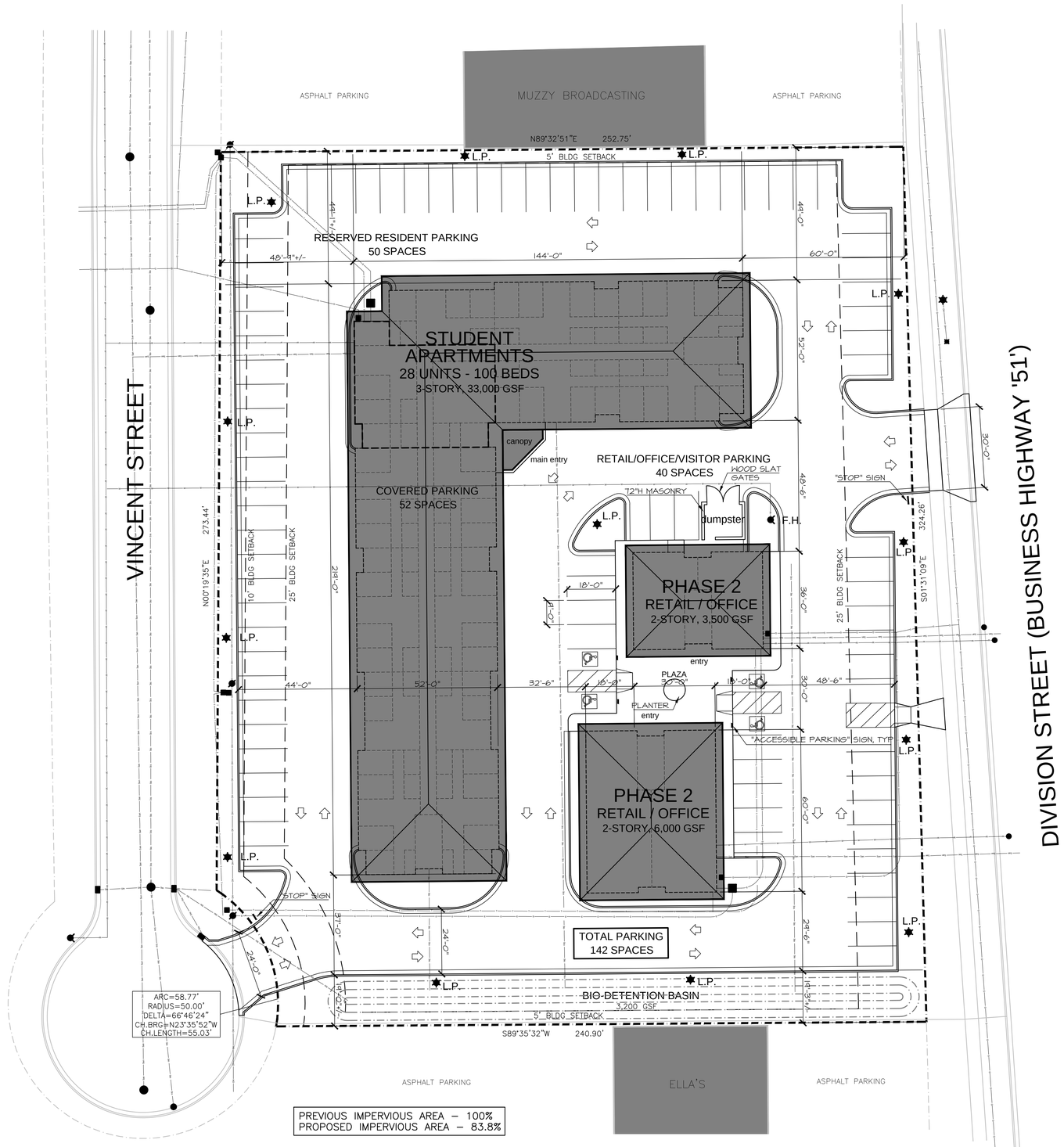
DATE	12 DECEMBER 2011
PROJECT NO.	10-252
DRAWN	LJP
CHECKED	TGC

DEVELOPMENT PARTNERS
NEENAH, WISCONSIN

SMET CONSTRUCTION SERVICES
Our Reputation is Building
300 NORTH BROADWAY, STE. 2 GREEN BAY, WI 54303
www.smet.com

SHEET NO.

T-2



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REVISIONS
- -
- -

POINTER LODGE
STUDENT LIVING COMMUNITY
MASTER PLAN

STEVENS POINT WISCONSIN

DATE	PROJECT NO.	DRAWN	CHECKED
12 DECEMBER 2011	10-252	LJP	TGC

DEVELOPMENT PARTNERS
NEENAH, WISCONSIN

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300 NORTH BROADWAY, SUITE 2070 GREEN BAY, WI 54303
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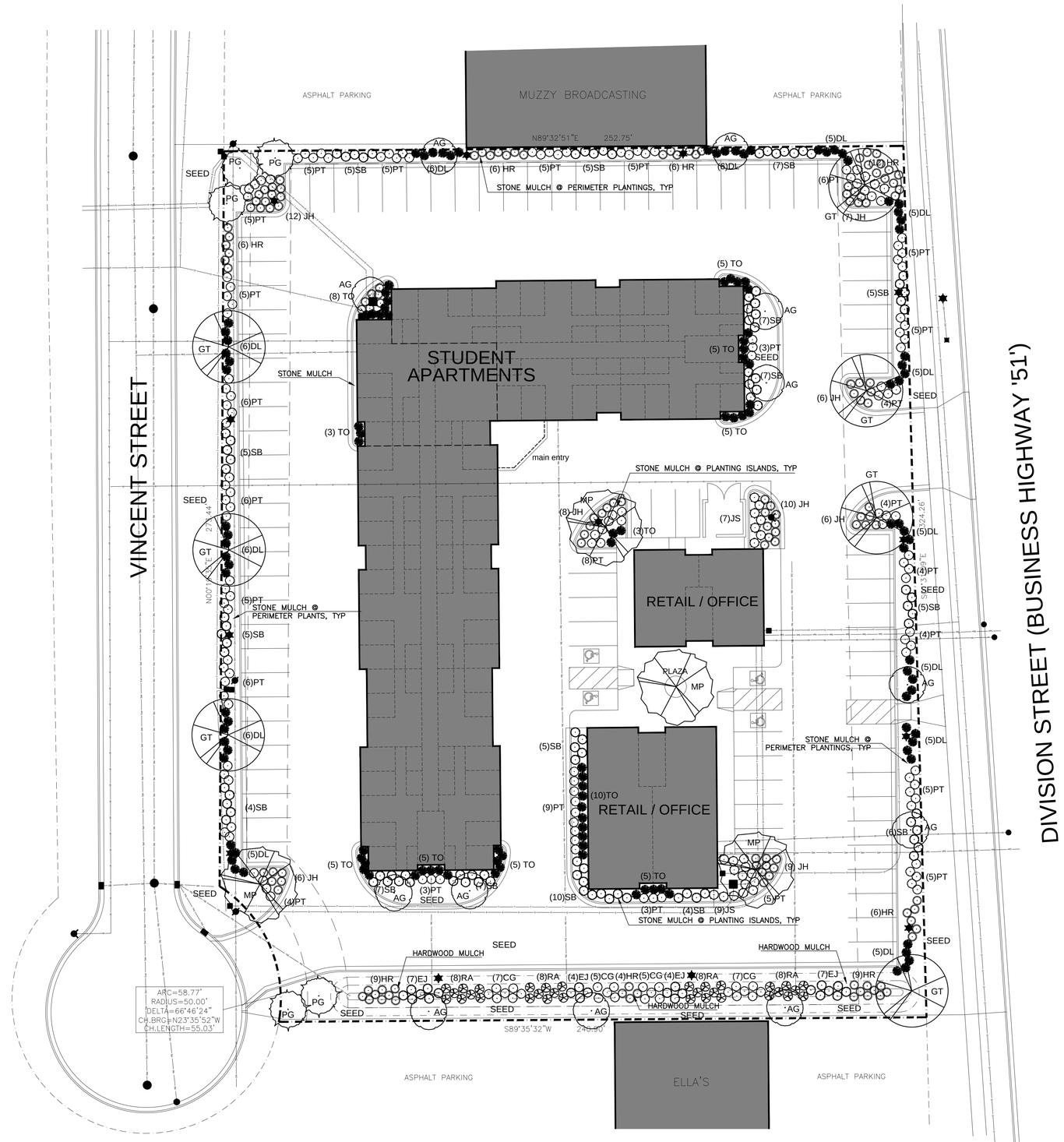
SHEET NO.

C-1



north

1 / L-1 landscaping plan

1" = 20'-0"

LANDSCAPE SCHEDULE

MARK	COMMON NAME / botanical name	SIZE INITIAL	SIZE MATURE	QTY
AG	AMUR MAPLE acer ginalla 'embers'	2-1/2"	18'	12
GT	SUNBURST HONEYLOCUST gleditsia tricanthos inermis	2-1/2"	35'	7
MP	PINK SPIRE FLOWERING CRAB malus x 'pink spire'	1-1/2"	20'	4
PG	BLACK HILLS SPRUCE picea glauca densata	6'	40'	5
JS	ROCKY MOUNTAIN JUNIPER juniperus scopulorum 'welch'	24"	10'	16
TO	WOODWARD ARBORVITAE thuja occidentalis 'woodwardii'	18"	4'	56
JH	WILTON CARPET JUNIPER (BLUE RUG) juniperus horizontalis 'wilton carpet'	1 gal	6"	64
RA	FRAGRANT SUMAC rhus aromatica	3-gal	5'	32
HR	DAYLILLY hemerocallis 'rocket city'	4" pot	36"	56
SB	GOLDFLAME SPIREA spiraea x bumalda 'goldflame'	1-gal	3'	94
PT	MACKAY'S WHITE POTENTILLA potentilla fruticosa 'mackays'	1-gal	2'	130
DL	BUSH HONEYSUCKLE diervilla lonicera	1-gal	3'	70
EJ	JOE-PYE eupatorium	1 gal	6'	22
CG	FEATHER REED GRASS calamagrostis	1 gal	6'	24

LANDSCAPING NOTES:

ALL DISTURBED GROUND AREAS TO BE SEEDED AND MULCHED WITHIN SEVEN (7) DAYS AFTER COMPLETION OF WORK IN THOSE AREAS.

LANDSCAPING CONTRACTOR IS RESPONSIBLE FOR FINE GRADING OF SITE; GENERAL CONTRACTOR / EXCAVATOR IS RESPONSIBLE FOR ROUGH GRADING TO +/- 1" OF FINAL GRADE AND PROVIDING MINIMUM 4" OF TOPSOIL AT ALL AREAS DISTURBED. LANDSCAPING CONTRACTOR SHALL EXAMINE ROUGH GRADING PRIOR TO COMMENCEMENT OF WORK; IF UNSUITABLE, LANDSCAPING CONTRACTOR SHALL NOTIFY THE ARCHITECT IN WRITING. COMMENCEMENT OF WORK BY LANDSCAPING CONTRACTOR INDICATES ACCEPTANCE OF SUBSTRATE.

LANDSCAPING CONTRACTOR SHALL PROVIDE VINYL EDGING STAKED AT MINIMUM 32" O.C., LANDSCAPING FABRIC AND STONE OR SHREDDED HARDWOOD MULCH MATERIAL AT LOCATIONS INDICATED AND WITHIN PLANTING BEDS.

LANDSCAPING CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING DIGGERS HOTLINE OR OTHER LOCATOR SERVICE(S) FOR LOCATION OF UNDERGROUND UTILITIES PRIOR TO START OF WORK.

LANDSCAPING CONTRACTOR SHALL NOTIFY ARCHITECT MINIMUM 7 DAYS, IN WRITING, PRIOR TO START OF INSTALLATION OF SPECIFIED SPECIES IS NOT AVAILABLE AND SUBSTITUTION IS REQUIRED. ALL LANDSCAPING MATERIAL SHALL BE DELIVERED SAME DAY AS INSTALLATION.

LANDSCAPING CONTRACTOR SHALL BRACE DECIDUOUS SHADE AND ORNAMENTAL TREES AND WRAP TRUNK W/FABRIC UP MINIMUM 36" ABOVE FINISH GRADE.

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POINTER LODGE
STUDENT LIVING COMMUNITY
MASTER PLAN

STEVENS POINT WISCONSIN

DATE	PROJECT NO.	DRAWN	CHECKED
12 DECEMBER 2011	10-252	LJP	TGC

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NEENAH, WISCONSIN

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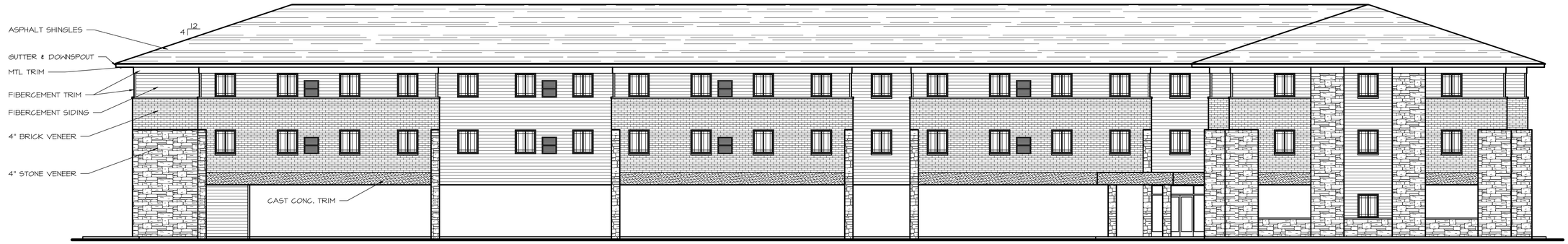
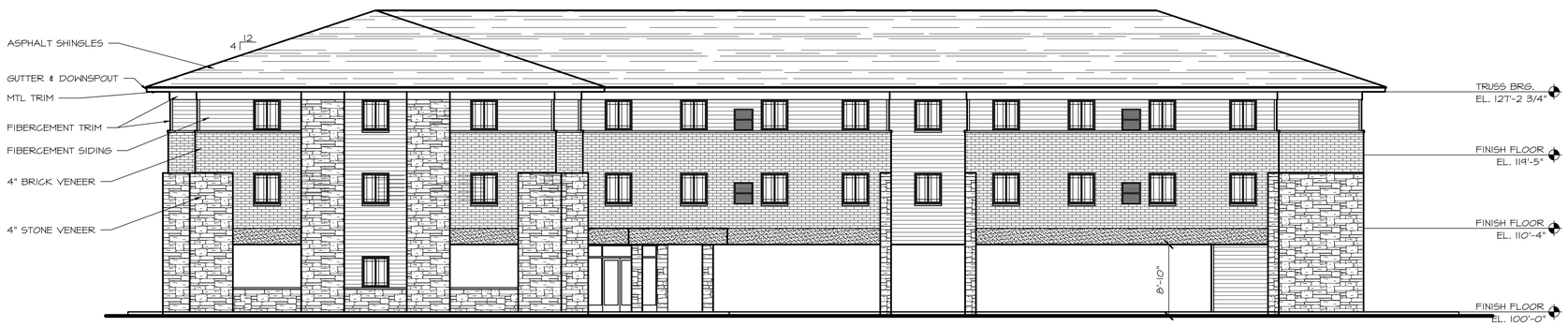
SHEET NO.

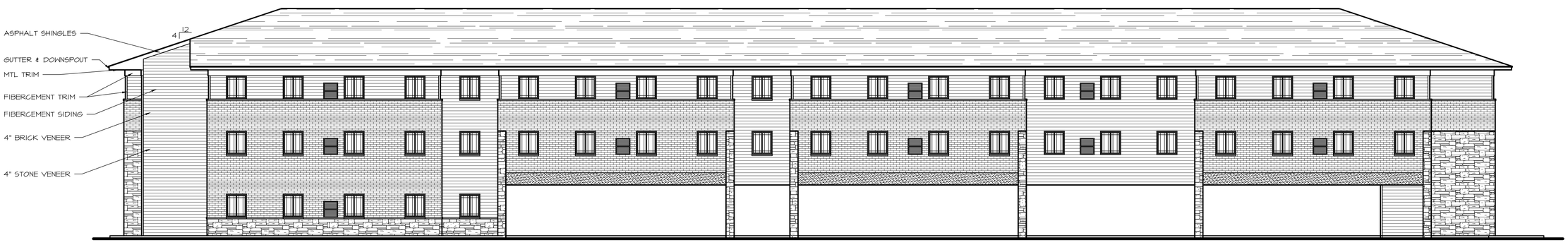
L-1



1 / A-1 east elevation
1/8" = 1'-0"



2 / A-1 south elevation
1/8" = 1'-0"



3 / A-1 west elevation
1/8" = 1'-0"

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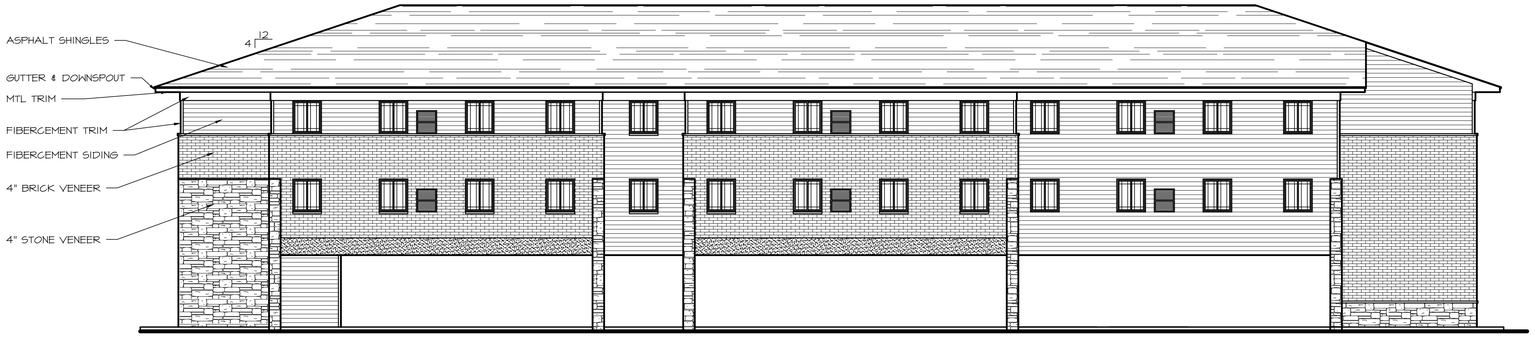
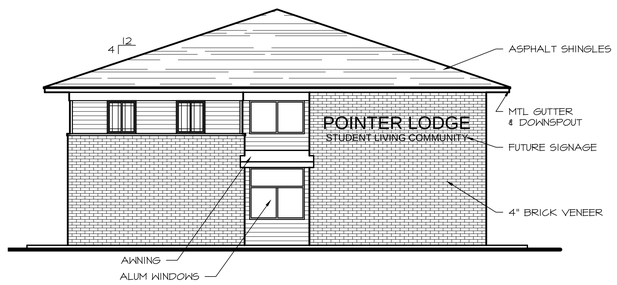


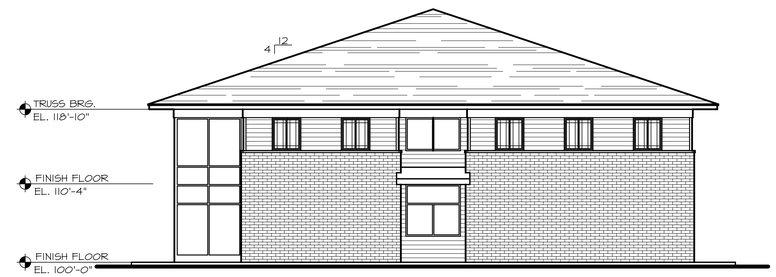
1 A-2 north elevation
1/8" = 1'-0"

2 A-2 north elevation - bldg a
1/8" = 1'-0"



3 A-2 south elevation - bldg a
1/8" = 1'-0"

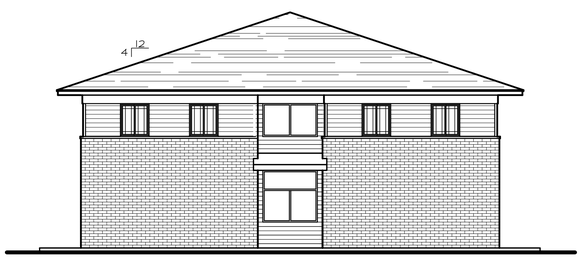
4 A-2 east elevation - bldg a
1/8" = 1'-0"



5 A-2 west elevation - bldg a
1/8" = 1'-0"

6 A-2 south elevation - bldg b
1/8" = 1'-0"

7 A-2 east elevation - bldg b
1/8" = 1'-0"



8 A-2 north elevation - bldg b
1/8" = 1'-0"

9 A-2 west elevation - bldg b
1/8" = 1'-0"

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SHEET NO.
A-2

Administrative Staff Report

Centerpoint Gardens Conditional Use
1017 Third Street
February 6, 2012

Department of Community Development

Applicant(s):

- Development Partners

Staff:

- Michael Ostrowski, Director Community Development
  Ph: (715) 346-1567
  Fax: (715) 346-1498
  mostrowski@stevenspoint.com

Parcel Number(s):

- 2408-32-2003-01

Zone(s):

- "B-2" Central Business Transition District

Master Plan:

- Downtown District

Council District:

- District 1 – Beveridge

Lot Information:

- Effective Frontage: 488 feet
- Effective Depth: 358 feet
- Square Footage: 174,704
- Acreage: 4.011

Current Use:

- Vacant

Applicable Regulations:

- 23.01(16) and 23.02(2)(b)

Request

Request from Development Partners, LLC for a conditional use permit for the purposes of constructing a senior housing development project, consisting of a 100-unit apartment building with three detached garages, and four 3-family patios homes located at **1017 Third Street (Parcel ID 2408-32-2003-01)**.

Attachment(s)

- Parcel ID Sheet
- Exhibit Map
- Application
- Plans

Findings of Fact

- Current property is zoned B-2.
- Multi-Family developments are a conditional use within the B-2 zoning district.
- The request is for a senior housing development project, consisting of a 100-unit apartment building with three detached garages, and four 3-family patios homes.
- The parking garages include 40 parking spaces, there will be 40 surface parking spaces, and 24 spaces for the detached units.
- The development will be a phased development with the patio homes being completed first, and then the apartment complex and detached garages being completed second.

Staff Recommendation

Approve, subject to the following condition(s):

- A lighting plan shall be submitted for review and approval by staff. The lighting shall not negatively impact the adjacent properties.
- Snow shall be removed from the site, or stored in a location that it will not negatively impact adjacent properties.
- A stormwater plan will need to be reviewed and approved by the Department of Public Works.
- Additional stone or brick veneer be used on the buildings as indicated within the staff report.

Vicinity Map

Background

Development Partners is proposing to construct senior living complex at the above described address. The complex will include a 100-unit apartment building with three detached garages, and four 3-family patios homes. The parking garages include 40 parking spaces, there will be 40 surface parking spaces, and 24 spaces for the detached units. There will also be a garden/patio area in the center of the lot. The development will take place in two phases. Phase 1 will include the patio homes on the north side of the lot, and phase 2 will include the senior apartments and covered garages.

Standards of Review

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

   Analysis: The current property is a vacant former industrial site. The proposed use will be a non-assisted senior living complex.

   Findings: The establishment of this use should not be detrimental to the public. The location of this development adjacent to the downtown should create additional foot traffic for businesses within the downtown. In addition, the development provides a transition area from the downtown to the single-family residential area to the north.

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

Analysis: This development will occur on the edge of the downtown and in between the more dense commercial development to the south and the single-family development to the north.

Findings: There are several different uses within this area, including single-family residential, multiple-family residential, commercial, and industrial. The proposed multiple-family use is complementary to the uses already permitted within this area.

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 current lot is vacant. The area just north of Centerpoint Drive is intended to serve as the Central Business Transitional District.

Findings: The proposed project will create a cohesive development and should help spur additional development and redevelopment within this area.

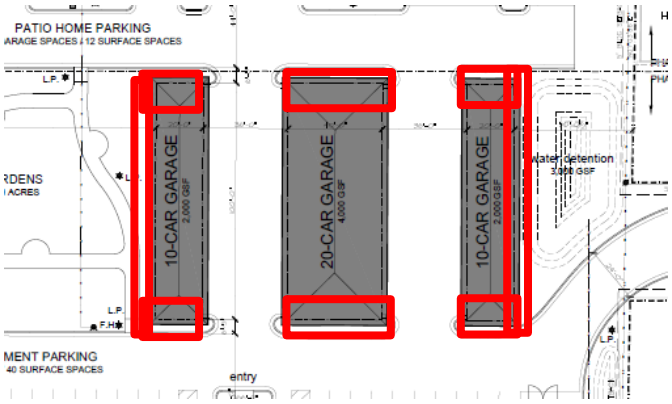
4) **The exterior architectural appeal and functional plan of any proposed structure will not be at variance with either the exterior architectural appeal and functional plan, and scale of the structures already constructed or in the course of construction in the immediate neighborhood or in the character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

Analysis: The proposed development will consist of a 3-story apartment complex, four 3-family patio homes, and three covered garages. The main exterior materials of the apartment complex building consist of stone veneer, brick veneer, fiber cement siding, and asphalt shingles. The four 3-family patio homes will have brick veneer, fiber cement siding, and asphalt shingles. The three garages will have fiber cement siding, brick veneer, and asphalt shingles.

Findings: Staff feels that the materials that have been chosen for this project are appropriate for this area. The development also transitions well from the 3-story building along Centerpoint Drive to the single-story buildings along Portage Street. With the buildings along the perimeter of the property, it creates an enclosed style development with a professional appearance along all sides of the development.

Staff would recommend that the stone veneer be increased along the Centerpoint Drive and Third Street side of the 3-story building. Staff would recommend that the stone veneer be used in areas surrounding the patio doors to break up the amount of the fiber cement siding.

For the detached garages, staff would recommend that brick or stone veneer also be included on the elevations facing outward.



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

Analysis: Utilities exist in this area.

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 on Union Street and Third Street.

Findings: The ingress/egress points provide a good circulation throughout the site.

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

Analysis: The proposed use would be within the "B-2" Central Business Transition District. It is intended that this district be applied on the fringe of the City's Central Business District for the following purposes:

- To accommodate existing, new and relocated land uses which are compatible with the retail core area.
- To provide a commercial district of intermediate intensity which will provide a buffer zone between the retail core and residential neighborhoods.

Findings: The proposed use is appropriate for the intent of this district. It provides a transition from the retail core to the residential area to the north.

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 use and structures meet all other zoning requirements.

Findings: This standard is met.

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

Analysis: The request is for a 100-unit apartment complex and four 3-family patio homes, for a total of 112 units.

Findings: The use of this facility will be for non-assisted senior living. The location of this use will be in the downtown area, an area that is intended to have higher density living. Staff does not feel that this creates and over-concentration of high density living facilities in one 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 internal portion of the lot, behind the main buildings, or within garages.

       Findings: This standard is met.

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

       Analysis: Parking will occur in the internal portion of the lot, behind the main buildings, or within garages.

       Findings: This standard is met.

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

       Analysis: All of the buildings will have the main façade face toward the 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 façades face towards the streets.

       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: This development is surrounded by four streets: Centerpoint, Third, Portage, and Union.

       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 development will have two access points, one off of Third Street and one off of Union Street.

Findings: This standard is met.

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

Analysis: The driveways are set back adequate distances from the intersections.

Findings: This standard is met.

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

Analysis: The driveways have been located to avoid confusion and conflicts.

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: There will be one access point on Third Street and one access point on Portage Street.

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 site provides good internal circulation.

Findings: This standard is met.

g. Intersections are visible and not visually screened.

Analysis: Neither of the intersections are screened.

Findings: This standard is met.

h. Adequate drainage and snow storage is provided.

Analysis: There will be a four detention basins on the site.

Findings: Snow shall be removed from the site, or stored in a location that it will not negatively impact the adjacent property owners. Stormwater requirements for the site must be reviewed and approved by the Department of Public Works.

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

Analysis: The drive aisles and parking spaces are of adequate size.

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: No lighting plan has been submitted.

Findings: Staff would recommend that a lighting plan be submitted for review and approval by staff as a condition of approval. The lighting should not negatively impact the adjacent properties.

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

Analysis: The driveways have been located to minimize the impact to adjacent properties.

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 exist at this site. There is also adequate room for emergency vehicles.

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 enclosure is located behind the main apartment building, and screened with an enclosure and landscaping.

Findings: This standard is met. Staff would recommend that the materials used for the enclosure shall be constructed out of finished wood, or masonry materials.

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

Analysis: No lighting plan has been submitted.

Findings: Staff would recommend that a lighting plan be submitted for review and approval by staff as a condition of approval.

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

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

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

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

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

   Analysis: The proposed plans meet the requirements.

   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: A comprehensive landscaping plan has been submitted that includes various trees, shrubbery, and perennials.

   Findings: Staff feels that the amount of landscaping provided enhances the aesthetic quality of the site and preserves the residential character. In addition, a 0.40 acre portion of the property has been dedicated to a walking garden area with a gazebo. The proposed trees also exceed the minimum 1.5" caliper.

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 entire site is almost completely screened with landscaping. In addition, there are several internal planting areas.

   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 current site is predominately an open grass area.

   Findings: The proposed plan provides a unique landscaped area. Staff would recommend approval of the plan as presented.

Name and Address	Parcel #	Alt Parcel #
Community Development Authority of the City of Stevens Point 1300 Briggs Ct Stevens Point, WI 54481	240832200301	240832200301
	Property Address	
	1017 Third St	
Display Note		

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Community Development Authority	12/30/2011	$532,000	Warranty Deed	766057		Land
City of Stevens Point	8/26/2008	$532,000	Warranty Deed	722025		Land
Gerrard Corporation	7/1/2002	$425,000	Warranty Deed	610381		Land

PERMITS

Date	Number	Amount	Purpose	Note
3/3/1997	26498	$0	070 Raze/Demolition	Raze All Buildings

2011 ASSESSED VALUE

Class	Land	Improvements	Total
X4-Local Exempt	$0	$0	$0
Total	$0	$0	$0

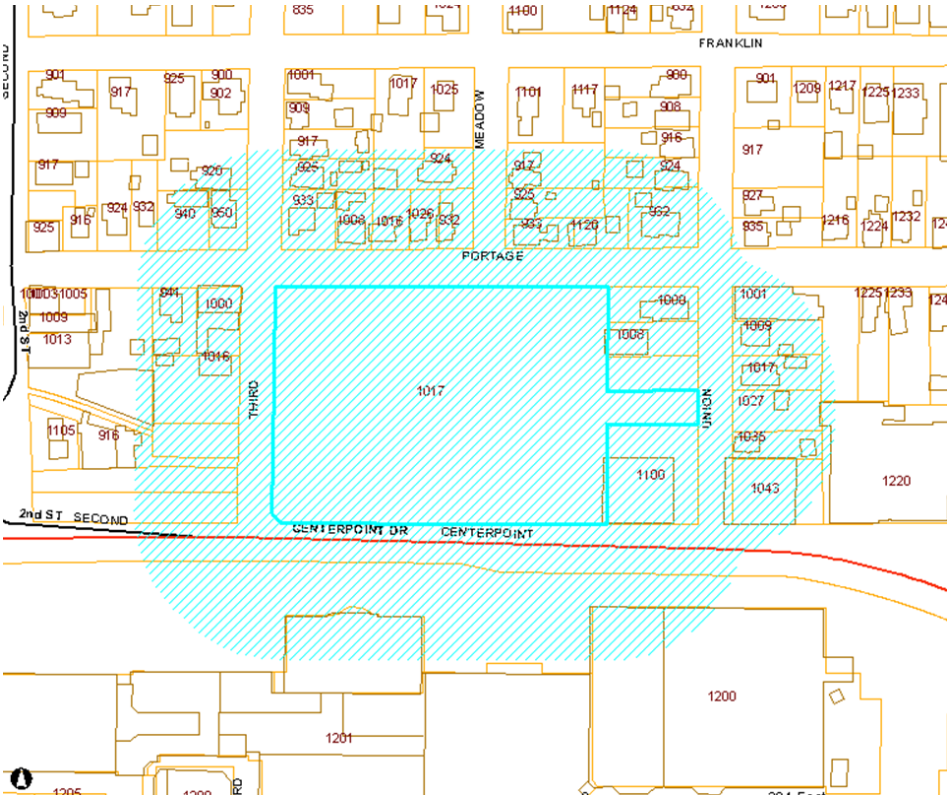
LEGAL DESCRIPTION

ALL BLK 33 & LOTS 1-6 & 10 W33' LOT 13 BLK 34 V BROWN ADD & PRT NE NW S32 T24 R8 COM SW COR BLK 33 BROWN ADD E289' S95' W289' N95' & VAC MEADOW ST ABUT SD BLK 34 EXC HWY DES IN 443/116 & 119 766057

PROPERTY IMAGE	PROPERTY SKETCH
NO IMAGE ON FILE	

Information considered accurate but not guaranteed.

Centerpoint Gardens - Conditional Use - Exhibit Map (200 Feet Notification Boundary)



TaxKey	Property Address	Owner Name	Mailing Address	City	State	Zip Code
281240829303111	932 Portage St	Colden Properties LLC	879 Wedgewood Dr	Mosinee	WI	54455
281240829303117	950 Portage St	Tony A Meshak	950 Portage St	Stevens Point	WI	54481
281240829303118	940 Portage St	Joseph D & Dawn M Cyran	1917 Church St	Stevens Point	WI	54481
281240829303119	920 Third St	Kenneth L Szymanski	920 Third St	Stevens Point	WI	54481
281240829304202	1017 A & B Franklin St	Norman A Jr & Marilou Myers	200 Washington Ave	Stevens Point	WI	54481
281240829304205	917 Third St	James Golla	917 Third St	Stevens Point	WI	54481
281240829304206	925 Third St	Joan F & Daniel P Rutkowski	925 Third St	Stevens Point	WI	54481
281240829304207	933 Third St	Robert J Cyran	933 Third St	Stevens Point	WI	54481
281240829304208	1008 Portage St	Chong & Phoua Y Xiong	1008 Portage St	Stevens Point	WI	54481
281240829304209	1016 Portage St	Pointer Rentals LLC	15321 Zirconium St	Ramsey	MN	55303
281240829304210	1026 Portage St	Ross Revocable Trust dtd 9/20/06	1380 North Second Dr	Stevens Point	WI	54482
281240829304211	932 Meadow St	Tammy J Becker	932 Meadow St	Stevens Point	WI	54481
281240829304212	924 Meadow St	Jason W Andorfer	924 Meadow St	Stevens Point	WI	54481
281240829304306	933 Meadow St	Meredith A Strong	933 Meadow St	Stevens Point	WI	54481
281240829304308	932 Union St	Jeffrey L Krolski &	932 Union St	Stevens Point	WI	54481
281240829304310	916 Union St	Thomas & Lori R Cofrin &	6913 County Road M	Sturgeon Bay	WI	54235
281240829304312	1120 Portage St	Dennis & Jodi M Olszewski	347 Deer Ln S	Stevens Point	WI	54481
281240829304313	925 Meadow St	James M & Anna C Wayer	925 Meadow St	Stevens Point	WI	54481
281240829304314	924 Union St	A Richard Labandz	4112 Sonday Dr	Amherst Junction	WI	54407
281240829304315	917 Meadow St	Jeremy E Fritsch	917 Meadow St	Stevens Point	WI	54481
281240829304415	935 Union St	DKM Properties LLC	1031 Tree Ln	Plover	WI	54467
281240832200111	1001 Union St	1001 Union LLC	221 Union St	Stevens Point	WI	54481
281240832200112	1009 Union St	Susan Carroll Rev Trst	914 Weeping Willow Court	Wisconsin Rapids	WI	54494

281240832200113	1017 Union St	Daniel Kieffer	1017 Union Street	Stevens Point	WI	54481
281240832200114	1027 Union St	Mid Wisconsin Bank	3845 Rib Mountain Dr	Wausau	WI	54401
281240832200115	1035 Union St	Robert E Jacobi	5562 S State Hwy 97	Athens	WI	54411
281240832200116	1043 Union St	Richard D & Mary K Swanson	3724 Robert Street	Stevens Point	WI	54481
281240832200117	1220 Briggs Ct	Mid Wisconsin Bank	3845 Rib Mountain Dr	Wausau	WI	54401
281240832200201	1000 Union St	Brenda S & Patrick F Suplicki	5419 Glenwood Ave	Stevens Point	WI	54481
281240832200205	Union St	Guzman Building LLC	1700 Rose Court	Plover	WI	54467
281240832200206	1008 Union St	Ronald T Hanson	425 Front St	Stevens Point	WI	54481
281240832200207	1100 Centerpoint Dr	Guzman Building LLC	1700 Rose Court	Plover	WI	54467
281240832200301	1017 Third St	City of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481
281240832200401	1000 Third St	Community Development Authority	1300 Briggs Ct	Stevens Point	WI	54481
281240832200402	941 Portage St	City of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481
281240832200408	916 Centerpoint Dr	City of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481
281240832200413	Third St	City of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481
281240832200414	1016 Third St	Eric Belke	1016 Third St	Stevens Point	WI	54481
281240832200417	Centerpoint Dr	Community Development Authority	1515 Strongs Ave	Stevens Point	WI	54481
281240832200418	1013 Second St	Belke Lumber & Mfg Co Inc	1013 Second St	Stevens Point	WI	54481
281240832200419	Second St (Parking Lot)	City of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481
281240832202950	1200 Main St	Spirit SPE Portfolio 2006-1 LLC	PO Box 19060	Green Bay	WI	54307
281240832202961	1101 Centerpoint Dr	Center Point Mall Corporation	1515 Strongs Ave	Stevens Point	WI	54481
281240832202962	Centerpoint Dr	Community Development Authorit	1515 Strongs Ave	Stevens Point	WI	54481

R#1-45380
$90.00
12-12-11

REQUEST TO CITY OF STEVENS POINT PLAN COMMISSION

ADDRESS OF PROPERTY: 1017 Third Street

____ Zoning Ordinance Change ($90.00 fee required)
XXX 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).

Applicant is requesting permitted "R-5" multi-family use in existing "B-2" Central Business Transition District for the purposes of developing a new 100-apartment privately-owned and managed Senior Living Facility and four separate 3-family stand-alone apartment buildings.

OWNER/APPLICANT:

Name: Development Partners LLC (~~Red~~ Grant Fisk)
Address: 349 Brantwood Drive
Neenah, Wisconsin 54956
(City, State, Zip Code)

Telephone: _____
Cell Phone: 920-450-0156

Signature

AGENT FOR OWNER/APPLICANT:

Name: True North Architecture LLC (Timothy G Carlson AIA)
Address: 1632 West Cloverdale Drive
Appleton, Wisconsin 54914
(City, State, Zip Code)

Telephone: 920-560-3171
Cell Phone: 920-284-2556

Signature

Scheduled Date of Plan Commission Meeting: January 3, 2012

Scheduled Date of Common Council Meeting: January 16, 2012

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 # _____

CENTERPOINT GARDENS

SENIOR LIVING COMMUNITY

STEVENS POINT, WISCONSIN

ISSUED FOR SITE PLAN APPROVAL - DECEMBER 12, 2011

ARCHITECT / ENGINEER

true north ARCHITECTURE
TRUE NORTH ARCHITECTURE LLC
1632 West Cloverdale Drive Appleton, Wisconsin 54914
920.560.3171 fax 920.560.3171 e-mail info@truenortharch.com

APPLICANT / DEVELOPER

DEVELOPMENT PARTNERS
NEENAH, WISCONSIN

CONSTRUCTION MANAGER

SMET CONSTRUCTION SERVICES
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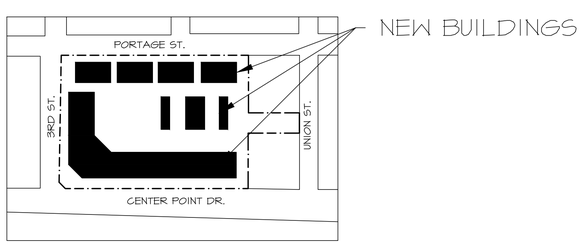
CODE REQUIREMENTS

PROPERTY ADDRESS / TAX PARCEL:	1017 THIRD STREET / TAX #240832200301
EXISTING ZONING:	B–2 (CENTRAL BUSINESS TRANSITION DISTRICT)
PERMITTED USE:	R–5 (MULTIPLE FAMILY II RESIDENCE DISTRICT – per 23.02(2)(a)(2)(a))
FRONT YARD SETBACK (STREET):	5 FEET – per 23.02(2)(b)(4)
SIDEYARD SETBACK:	0 TO 10 FEET – per 23.02(2)(b)(4)
MAXIMUM HEIGHT:	35 FEET – per 23.02(2)(b)(4)
LOT AREA AND DENSITY: (per 23.02(2)(b)(4))	(12) patio homes w/2–bedrooms = 2,750 x 12 = 33,000gsf (17) 2 bedroom first floor apt = 2,750 x 17 = 46,750gsf (11) 1 bedroom first floor apt = 2,700 x 11 = 29,700gsf (26) 2–bedroom second floor apt = 970 x 26 = 25,220gsf (10) 1–bedroom second floor apt = 920 x 10 = 9,200gsf (26) 2–bedroom third floor apt = 870 x 26 = 22,620gsf (10) 1–bedroom third floor apt = 820 x 10 = 8,200gsf TOTAL REQUIRED PROPERTY AREA: 174,690 GSF (4.01 ACRES)
ACTUAL PROPERTY AREA:	174,704 GSF (4.01 ACRES)
REQUIRED PARKING: (per 23.01(14)(d))	12 detached senior apartments = 12 x 1.5 = 18 parking spaces 100 attached senior apartments = 100 x 0.60 = 60 parking spaces
ACTUAL PARKING:	24 spaces provided for detached / 80 spaces provided for attached
LANDSCAPING FOR PARKING: (per 23.01(14)(f))	3' setback from ROW – continuous screening abutting residential min. 18"/max. 36" height; ' tree per 50lf (36"h evergreen/2" deciduous) Provide interior islands min. 2% of parking area (excluding perimeter)
BUILDING MATERIALS:	Minimum 25% of facade to be covered with masonry or decorative block. Actual – 29.70% masonry / 11.40% glass/windows
SIGNAGE:	Not included in this submittal

LOCATION MAP



north 1 T-1 location map N.T.S.

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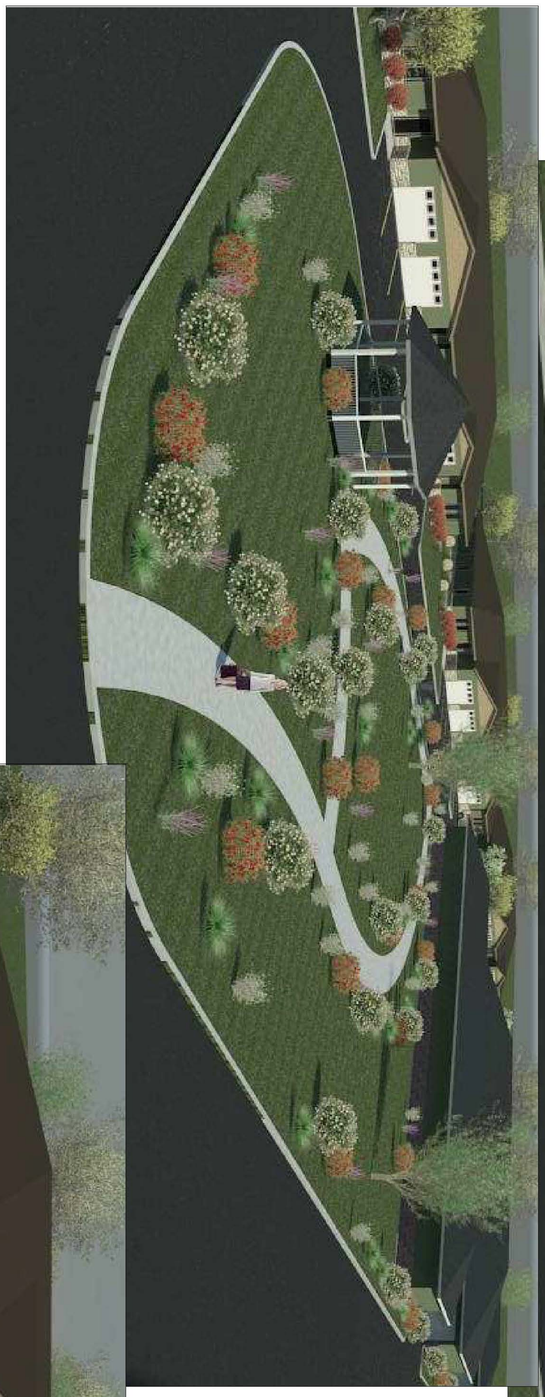

T-2

SHEET NO.

DEVELOPMENT PARTNERS NEENAH, WISCONSIN

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LJP	TGC

CENTERPOINT GARDENS

SENIOR LIVING COMMUNITY

MASTER PLAN

STEVENS POINT WISCONSIN

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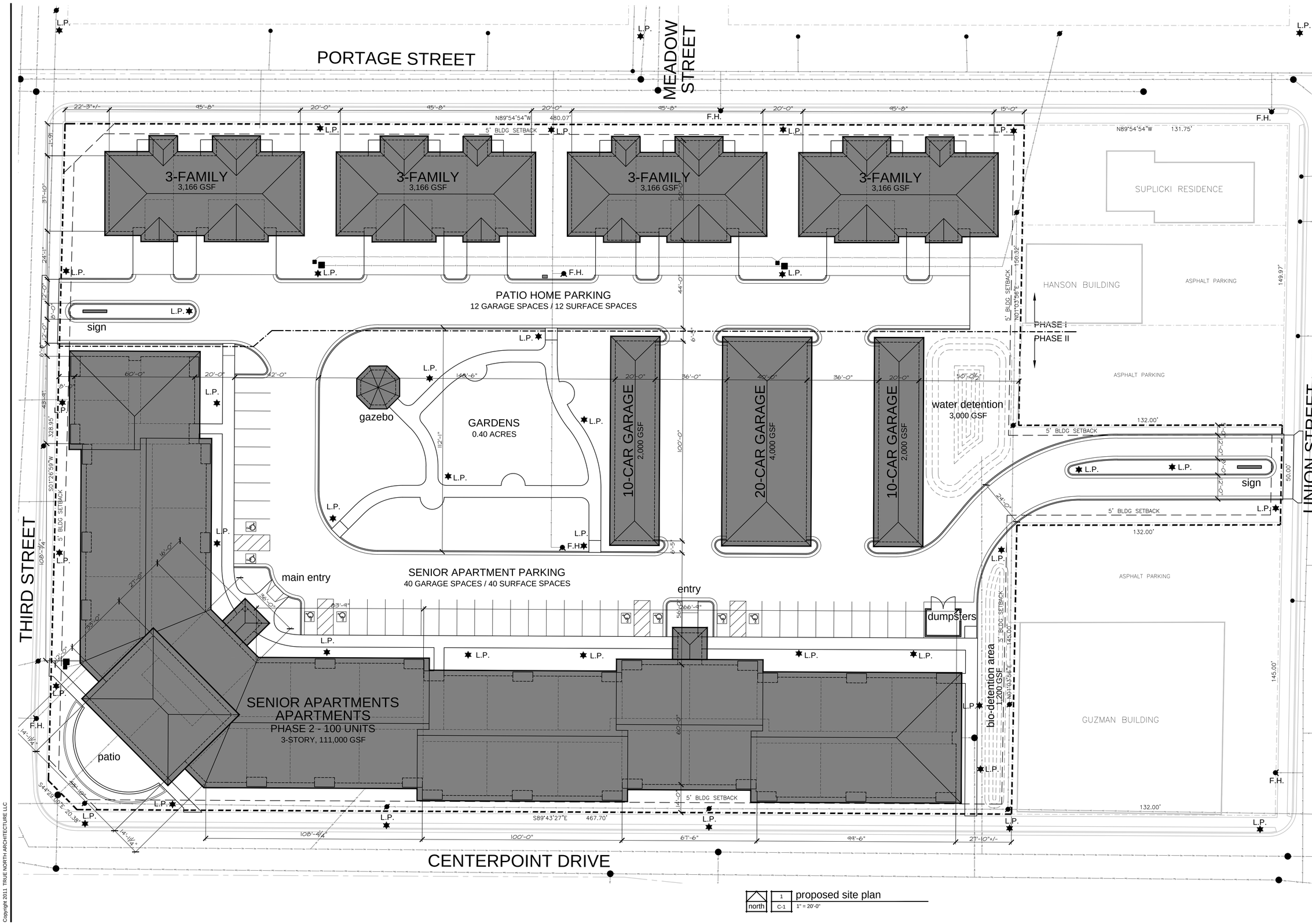

north | 1 C-1 | proposed site plan
1" = 20'-0"

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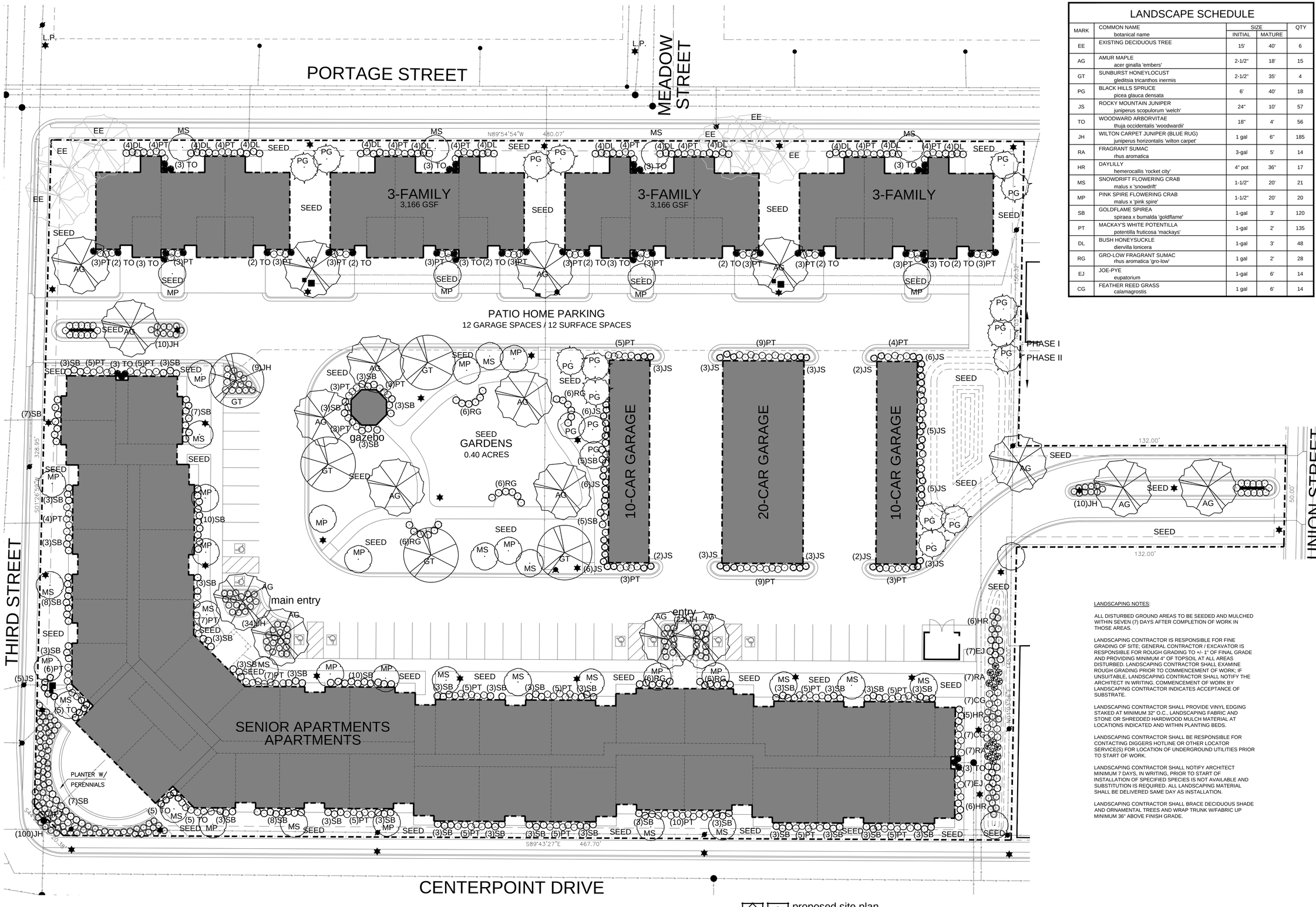
SHEET NO.
C-1



LANDSCAPE SCHEDULE

MARK	COMMON NAME / botanical name	SIZE INITIAL	SIZE MATURE	QTY
EE	EXISTING DECIDUOUS TREE	15'	40'	6
AG	AMUR MAPLE / acer ginalla 'embers'	2-1/2"	18'	15
GT	SUNBURST HONEYLOCUST / gleditsia tricanthos inermis	2-1/2"	35'	4
PG	BLACK HILLS SPRUCE / picea glauca densata	6'	40'	18
JS	ROCKY MOUNTAIN JUNIPER / juniperus scopulorum 'welch'	24"	10'	57
TO	WOODWARD ARBORVITAE / thuja occidentalis 'woodwardii'	18"	4'	56
JH	WILTON CARPET JUNIPER (BLUE RUG) / juniperus horizontalis 'wilton carpet'	1 gal	6"	185
RA	FRAGRANT SUMAC / rhus aromatica	3-gal	5'	14
HR	DAYLILLY / hemerocallis 'rocket city'	4" pot	36"	17
MS	SNOWDRIFT FLOWERING CRAB / malus x 'snowdrift'	1-1/2"	20'	21
MP	PINK SPIRE FLOWERING CRAB / malus x 'pink spire'	1-1/2"	20'	20
SB	GOLDFLAME SPIREA / spiraea x bumalda 'goldflame'	1-gal	3'	120
PT	MACKAY'S WHITE POTENTILLA / potentilla fruticosa 'mackays'	1-gal	2'	135
DL	BUSH HONEYSUCKLE / diervilla lonicera	1-gal	3'	48
RG	GRO-LOW FRAGRANT SUMAC / rhus aromatica 'gro-low'	1 gal	2'	28
EJ	JOE-PYE / eupatorium	1-gal	6'	14
CG	FEATHER REED GRASS / calamagrostis	1 gal	6'	14

LANDSCAPING NOTES:

ALL DISTURBED GROUND AREAS TO BE SEEDED AND MULCHED WITHIN SEVEN (7) DAYS AFTER COMPLETION OF WORK IN THOSE AREAS.

LANDSCAPING CONTRACTOR IS RESPONSIBLE FOR FINE GRADING OF SITE; GENERAL CONTRACTOR / EXCAVATOR IS RESPONSIBLE FOR ROUGH GRADING TO +/- 1" OF FINAL GRADE AND PROVIDING MINIMUM 4" OF TOPSOIL AT ALL AREAS DISTURBED. LANDSCAPING CONTRACTOR SHALL EXAMINE ROUGH GRADING PRIOR TO COMMENCEMENT OF WORK; IF UNSUITABLE, LANDSCAPING CONTRACTOR SHALL NOTIFY THE ARCHITECT IN WRITING. COMMENCEMENT OF WORK BY LANDSCAPING CONTRACTOR INDICATES ACCEPTANCE OF SUBSTRATE.

LANDSCAPING CONTRACTOR SHALL PROVIDE VINYL EDGING STAKED AT MINIMUM 32" O.C., LANDSCAPING FABRIC AND STONE OR SHREDDED HARDWOOD MULCH MATERIAL AT LOCATIONS INDICATED AND WITHIN PLANTING BEDS.

LANDSCAPING CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING DIGGERS HOTLINE OR OTHER LOCATOR SERVICE(S) FOR LOCATION OF UNDERGROUND UTILITIES PRIOR TO START OF WORK.

LANDSCAPING CONTRACTOR SHALL NOTIFY ARCHITECT MINIMUM 7 DAYS, IN WRITING, PRIOR TO START OF INSTALLATION OF SPECIFIED SPECIES IS NOT AVAILABLE AND SUBSTITUTION IS REQUIRED. ALL LANDSCAPING MATERIAL SHALL BE DELIVERED SAME DAY AS INSTALLATION.

LANDSCAPING CONTRACTOR SHALL BRACE DECIDUOUS SHADE AND ORNAMENTAL TREES AND WRAP TRUNK W/FABRIC UP MINIMUM 36" ABOVE FINISH GRADE.

north

1 / L-1 proposed site plan
1" = 20'-0"

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CENTERPOINT GARDENS
SENIOR LIVING COMMUNITY
MASTER PLAN
STEVENS POINT WISCONSIN

DATE	12 DECEMBER 2011
PROJECT NO.	10-249
DRAWN	LJP
CHECKED	TGC

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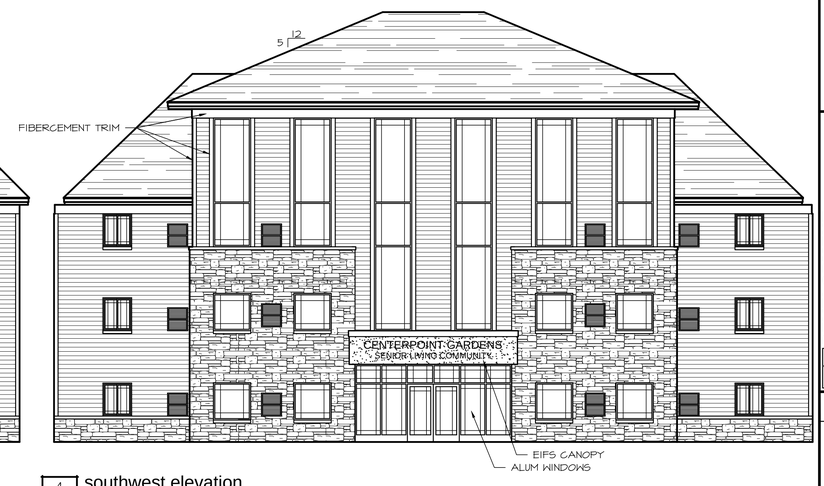
SHEET NO.
L-1

1 south elevation (east)
A-1 1/8" = 1'-0"

2 south elevation (west)
A-1 1/8" = 1'-0"

3 west elevation
A-1 1/8" = 1'-0"



4 southwest elevation
A-1 1/8" = 1'-0"

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SHEET NO.
A-1

1	north elevation - west
A-2	1/8" = 1'-0"

2	north elevation - east
A-2	1/8" = 1'-0"

3	east elevation
A-2	1/8" = 1'-0"

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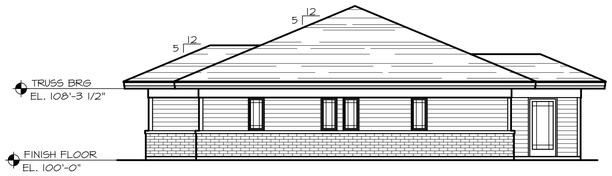
SHEET NO.
A-2

1	south elevation - patio home
A-3	1/8" = 1'-0"

2	north elevation - patio home
A-3	1/8" = 1'-0"

3	side elevation - patio home
A-3	1/8" = 1'-0"



4	side elevation - patio home
A-3	1/8" = 1'-0"

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SHEET NO.
A-3

Administrative Staff Report

City of Stevens Point Dredge Project Conditional Use
Heffron Street Channel South
February 6, 2012

Department of Community Development

Applicant(s):

- City of Stevens Point

Staff:

- Michael Ostrowski, Director Community Development
  Ph: (715) 346-1567
  Fax: (715) 346-1498
  mostrowski@stevenspoint.com

Parcel Number(s):

- 2308-04-4004-23
- 2308-04-4004-22

Zone(s):

- "R-2" Single Family Residence District

Master Plan:

- Water

Council District:

- District 10 – Brooks

Lot Information:

- N/A

Current Use:

- Water

Applicable Regulations:

- 23.01(16) and 23.02(1)(d)

Request

Request from the City of Stevens Point for a conditional use permit to dredge **portions of property of the South Channel of the McDill Pond lake bed south of Heffron Street located at 3201 Channel Drive and 3209 Channel Drive (Parcel IDs 2308-04-4004-23, 2308-04-4004-22, and an unnumbered parcel).**

Attachment(s)

- Parcel ID Sheet
- Exhibit Map
- Application

Findings of Fact

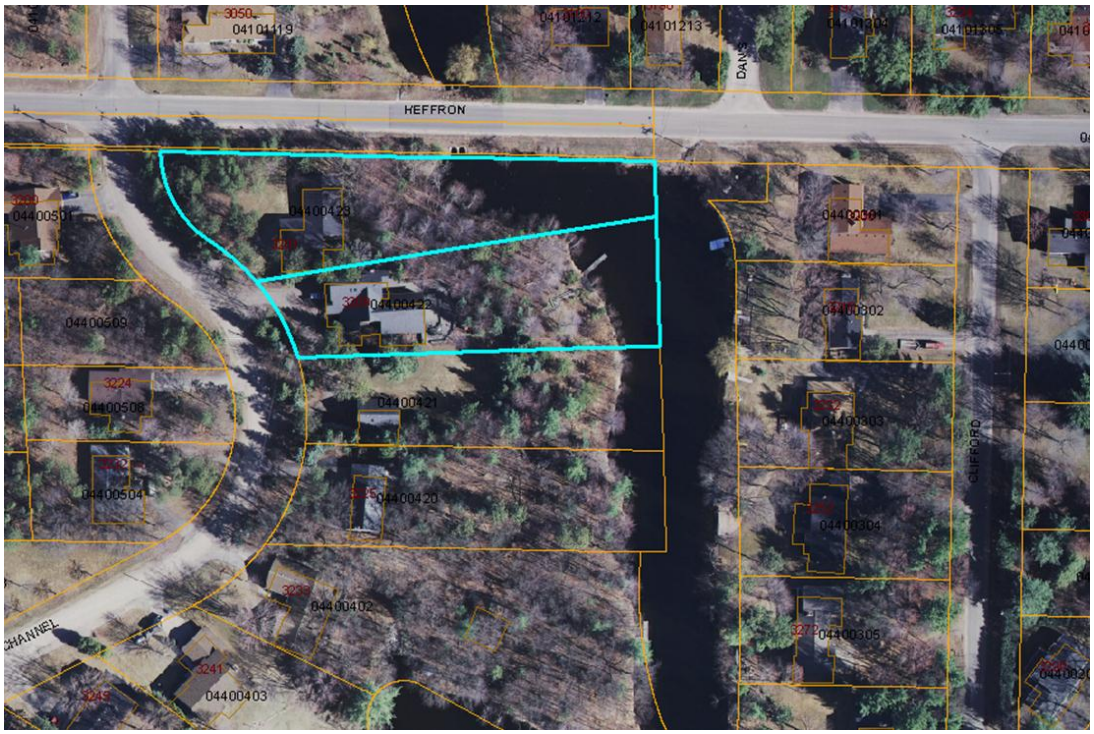
- Dredging is a conditional use within our zoning ordinance.
- Lake bed is owned by the City of Stevens Point and two other property owners.
- The fill material will be removed from site.
- Access will occur via Heffron Street.

Staff Recommendation

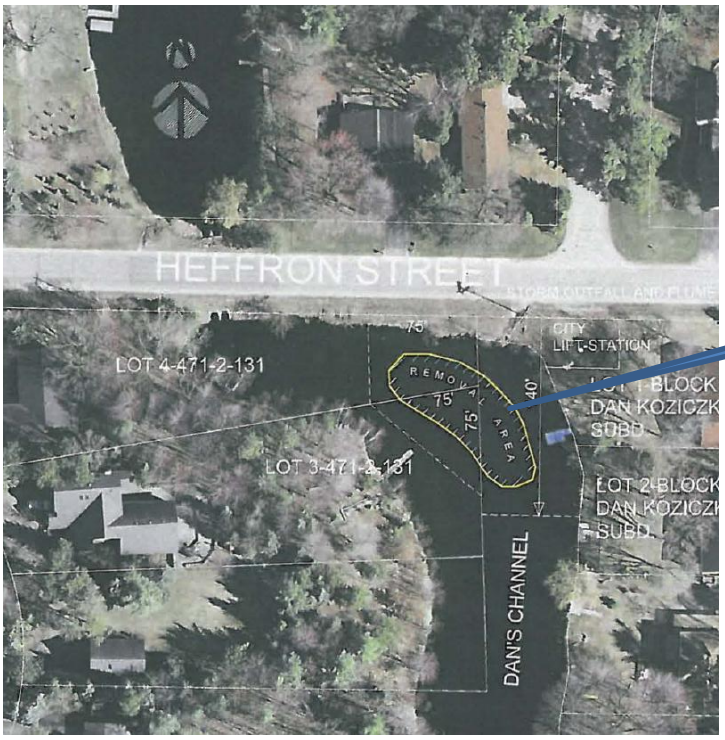
Approve, subject to the following condition(s):

- Applicants shall determine and take the necessary precautions for the protection against Blastomycosis.
- Applicants must receive approval from all other regulating agencies (e.g. Wisconsin DNR and FEMA).
- Dredging must occur in areas owned by the City, unless written permission is granted from the other property owners.

Vicinity Map



Background



The City of Stevens Point is requesting to remove dredge material from the channel immediately south of Heffron Street. A portion of this removal is of eroded sediments from the storm outfall.

Removal Area

Standards of Review

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

   Analysis: The proposed project is to dredge the lake bed in order to improve water quality and flow through the area.

   Findings: The use should not be detrimental to the general welfare of the public. The one concern that staff has is that Blastomycosis, a rare infection that may develop when people breathe in a fungus called Blastomyces dermatitidis, which is found in wood and soil, has been known to exist in this area and may be released with the disturbance of the soil. The concern is more for the individuals doing the dredging. Staff would recommend that the applicants contact the Wisconsin DNR to determine the appropriate precautions to take when working on this project. Staff would also recommend that all other necessary agency approvals are granted prior to the start of the project.

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

   Analysis: The use should not be injurious to the uses already permitted in the area.

   Findings: This standard is met. Please see standard #1.

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 dredging will occur mostly in areas that are normally under water.

   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: N/A

   Findings: N/A

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

   Analysis: N/A

   Findings: 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;**

   Analysis: Ingress/Egress will occur via Heffron Street.

   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 project will take place in an area that is normally under water.

   Findings: This standard is met.

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

   Analysis: N/A

   Findings: N/A

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: N/A

   Findings: N/A

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

    N/A

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

    N/A

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

    N/A

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

    N/A

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
David G & Lynn Holborn 3201 Channel Dr Stevens Point, WI 54481	230804400423	230804400423	Residential W/Water Frontage
	Property Address		Neighborhood
	3201 Channel Dr		284 McDill Koz Della Bon Bay
	Subdivision		Zoning
Display Note	Certified Survey Map		R2-SINGLE

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
David G & Lynn Holborn	7/1/1985	$98,000	Warranty Deed	464	659	Land & Build.

SITE DATA

Actual Frontage	0.0
Effective Frontage	0.0
Effective Depth	0.0
Square Footage	37,664.0
Acreage	0.865

PERMITS

Date	Number	Amount	Purpose	Note
9/5/2006	34263	$795	066 Plumbing	replace hwh

2011 ASSESSED VALUE

Class	Land	Improvements	Total
A-Residential	$63,000	$103,900	$166,900
Total	$63,000	$103,900	$166,900

LEGAL DESCRIPTION

LOT 4 CSM #471-2-131 BNG PRT NW SE S4 T23 R8 464/659

DWELLING DATA (1 of 1)

Style	01 Ranch			Basement	Full	Exposed	No
Ext. Wall	Wood / Masonite			Heating	Air Conditioning		
Story Height	1	Age	39	Fuel Type	Gas		
Year Built	1973	Eff. Year	1973	System Type	Warm Air		
Class	A-Residential			Total Rooms	7	Bedrooms	4
Int. Cond. Relative to Ext.	Interior Same As Exterior			Family Rooms	0		
Physical Condition	Average			Full Baths	2	Half Baths	0
Kitchen Rating	Average			Bath Rating	Average		

FEATURES

Description	Units
Masonry Adjustment	192
Fireplace	1
Openings	1
Additional Plumbing Fixtures	1
Basement Finish	1,096

ATTACHMENTS

Description	Area
Open Frame Porch	24
Frame Garage	616
Open Frame Porch	168
Concrete / Masonry Patio	200
Wood Deck	144

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
David G & Lynn Holborn 3201 Channel Dr Stevens Point, WI 54481	230804400423	230804400423	Residential W/Water Frontage
	Property Address		Neighborhood
	3201 Channel Dr		284 McDill Koz Della Bon Bay
	Subdivision		Zoning
Display Note	Certified Survey Map		R2-SINGLE

LIVING AREA

Description	Gross Area	Calculated Area
Basement	1,376.0	
Finished Basement Living Area	0.0	0.0
First Story	1,476.0	1,476.0
Second Story	0.0	0.0
Additional Story	0.0	0.0
Attic / Finished	0.0	0.0
Half Story / Finished	0.0	0.0
Attic / Unfinished	0.0	
Half Story / Unfinished	0.0	
Room / Unfinished	0.0	
Total Living Area		1,476.0

DETACHED IMPROVEMENTS

Description	Year Built	Square Feet	Grade	Condition

PROPERTY IMAGE

PROPERTY SKETCH

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
Timothy J & London L Cooper 3209 Channel Dr Stevens Point, WI 54481	230804400422	230804400422	Residential W/Water Frontage
	Property Address		**Neighborhood**
	3209 Channel Dr		284 McDill Koz Della Bon Bay
	Subdivision		**Zoning**
Display Note	Certified Survey Map		R2-SINGLE

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Timothy J & London L Cooper	8/12/2011	$525,000	Warranty Deed W/Add'L F	760564		Land & Build.

SITE DATA

Actual Frontage	0.0
Effective Frontage	0.0
Effective Depth	0.0
Square Footage	33,860.0
Acreage	0.777

PERMITS

Date	Number	Amount	Purpose	Note
11/5/1996	26374	$75,000	003 Addition	

2011 ASSESSED VALUE

Class	Land	Improvements	Total
A-Residential	$62,600	$348,100	$410,700
Total	$62,600	$348,100	$410,700

LEGAL DESCRIPTION

LOT 3 CSM #471-2-131 BNG PRT NW SE S4 T23 R8 760564

DWELLING DATA (1 of 1)

Style	06 Contemporary			Basement	Full	Exposed	No
Ext. Wall	Wood / Masonite			Heating	Air Conditioning		
Story Height	2	Age	36	Fuel Type	Gas		
Year Built	1976	Eff. Year	1976	System Type	Warm Air		
Class	A-Residential			Total Rooms	7	Bedrooms	3
Int. Cond. Relative to Ext.	Interior Same As Exterior			Family Rooms	1		
Physical Condition	Average			Full Baths	4	Half Baths	1
Kitchen Rating	Average			Bath Rating	Average		

FEATURES

Description	Units
Fireplace	1
Openings	1
Metal / Gas Fireplace	1
Additional Plumbing Fixtures	2
Basement Finish	2,298

ATTACHMENTS

Description	Area
Open Frame Porch	84
Frame Garage	550
Wood Deck	84
Wood Deck	2407

Information considered accurate but not guaranteed.

Name and Address	Parcel #	Alt Parcel #	Land Use
Timothy J & London L Cooper 3209 Channel Dr Stevens Point, WI 54481	230804400422	230804400422	Residential W/Water Frontage
	Property Address		Neighborhood
	3209 Channel Dr		284 McDill Koz Della Bon Bay
	Subdivision		Zoning
Display Note	Certified Survey Map		R2-SINGLE

LIVING AREA

Description	Gross Area	Calculated Area
Basement	2,478.0	
Finished Basement Living Area	0.0	0.0
First Story	2,494.0	2,494.0
Second Story	1,562.0	1,562.0
Additional Story	0.0	0.0
Attic / Finished	0.0	0.0
Half Story / Finished	0.0	0.0
Attic / Unfinished	0.0	
Half Story / Unfinished	0.0	
Room / Unfinished	0.0	
Total Living Area		4,056.0

DETACHED IMPROVEMENTS

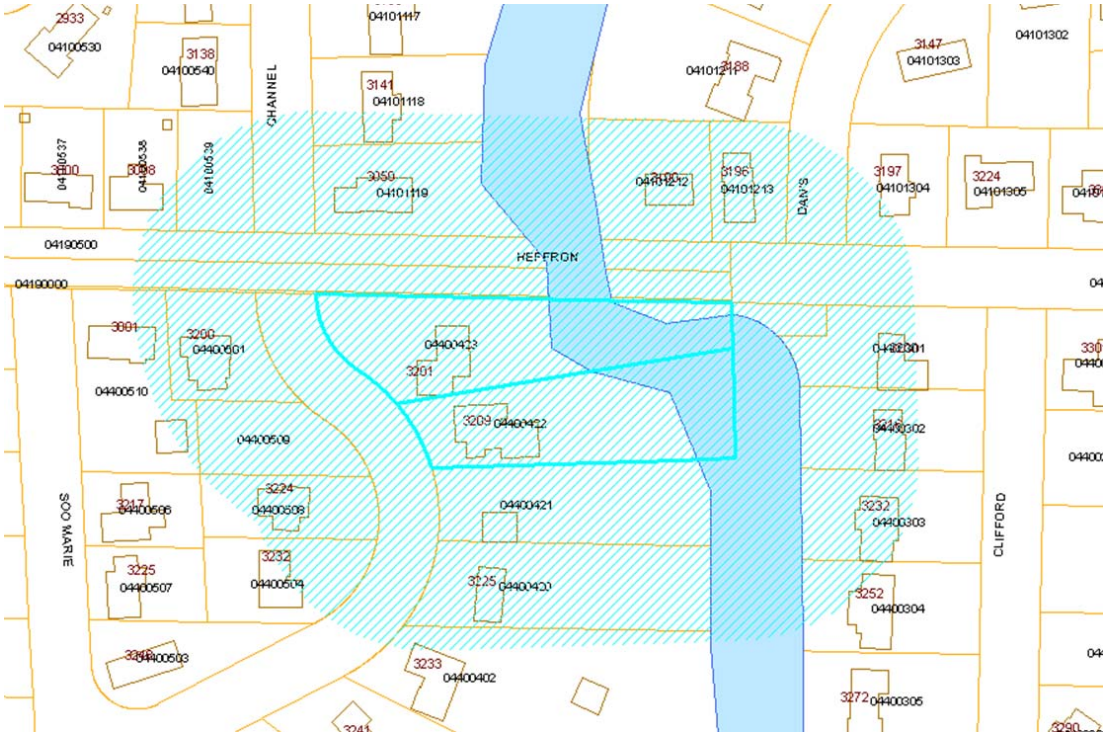
Description	Year Built	Square Feet	Grade	Condition

PROPERTY IMAGE

PROPERTY SKETCH

Information considered accurate but not guaranteed.

City of Stevens Point Dredging Project - Conditional Use - Exhibit Map (200 Feet Notification Boundary)



TaxKey	Property Address	Owner Name	Mailing Address	City	State	Zip Code
281230804100538	3008 Heffron St	Todd A Laszewski &	3008 Heffron St	Stevens Point	WI	54481
281230804100539	3148 Channel	Richard R Konkol	27 Hazelwood Dr	Stevens Point	WI	54481
281230804101118	3141 Channel Dr	Anthony J & Jeanne S Gundrum	3141 Channel Dr	Stevens Point	WI	54481
281230804101119	3050 Heffron St	Chester J Felckowski	3050 Heffron St	Stevens Point	WI	54481
281230804101211	3188 Dans Dr	Jerry L & Karen S Westerhouse	3188 Dan's Dr	Stevens Point	WI	54481
281230804101212	3100 Heffron St	Thomas J Zenner & Rhae M Stertz	3100 Heffron St	Stevens Point	WI	54481
281230804101213	3196 Dans Dr	Arnold A & Grace A Filtz	3196 Dan's Dr	Stevens Point	WI	54481
281230804101304	3197 Dans Dr	David R & Theresa Jo Knaapen	3197 Dan's Dr	Stevens Point	WI	54481
281230804190000	Heffron St (ROW)	City Of Stevens Point	1515 Strongs Avenue	Stevens Point	WI	54481
281230804190500	Heffron St	City Of Stevens Point	1515 Strongs Avenue	Stevens Point	WI	54481
281230804190545	Channel Dr	City Of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481
281230804190609	Lindbergh & Soo Marie	City Of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481
281230804400117	Inundated	Ralph S McQueen	1725 Main St	Stevens Point	WI	54481
281230804400301	3200 Clifford St	Mitchell C Fisher &	3200 Clifford St	Stevens Point	WI	54481
281230804400302	3216 Clifford St	L Wayne & Judith A Lerand	3216 Clifford St	Stevens Point	WI	54481
281230804400303	3232 Clifford St	Neil A & Chrystal L Heinrich	3232 Clifford St	Stevens Point	WI	54481
281230804400304	3252 Clifford St	Craig & Holly Busse	3252 Clifford St	Stevens Point	WI	54481
281230804400402	3233 Channel Dr	Joseph R & H Jersey	3233 Channel Dr	Stevens Point	WI	54481
281230804400420	3225 Channel Dr	Ronald D & Lynn P Spanbauer	3225 Channel Dr	Stevens Point	WI	54481
281230804400421	Channel Dr	Timothy J & London L Cooper	3209 Channel Dr	Stevens Point	WI	54481
281230804400422	3209 Channel Dr	Timothy J & London L Cooper	3209 Channel Dr	Stevens Point	WI	54481
281230804400423	3201 Channel Dr	David G & Lynn Holborn	3201 Channel Dr	Stevens Point	WI	54481

281230804400501	3200 Channel Dr	O Walter & Norma T Johanson	3200 Channel Dr	Stevens Point	WI	54481
281230804400504	3232 Channel Dr	Donald K & A Faast	3232 Channel Dr	Stevens Point	WI	54481
281230804400508	3224 Channel Dr	Barbara A Inch	3224 Channel Dr	Stevens Point	WI	54481
281230804400509	Channel Dr	Barbara A Inch	3224 Channel Dr	Stevens Point	WI	54481
281230804400510	3001 Heffron St	Robert C & Joan Collins	3001 Heffron St	Stevens Point	WI	54481
281230804490101	Dans Dr (ROW)	City Of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481
281230804490200	Heffron St (ROW)	City Of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481

REQUEST TO CITY OF STEVENS POINT PLAN COMMISSION

ADDRESS OF PROPERTY: Heffron Street Channel

___ Zoning Ordinance Change
X Conditional Use Permit
___ Variance from Zoning Ordinance -Board of Appeals
___ Variance from Sign Ordinance
___ Appeal from Subdivision Requirements
X Other

REQUESTED CHANGE: (State briefly what is being requested, and why).
The City Engineering Division is requesting approval to remove/dredge material from the channel immediately south of Heffron Street as shown in the attached drawings. A portion of this removal is of eroded sediments from the storm outfall.

OWNER/APPLICANT:

Name: Department of Public Works - Alex
Address: 1515 Strongs Avenue
Stevens Point, WI 54481
(City, State, Zip Code)

Telephone: (715) 346-1561
Cell Phone: ___

Alex J Saundus
Signature

AGENT FOR OWNER/APPLICANT:

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

Telephone: ___
Cell Phone: ___

___
Signature

Scheduled Date of Plan Commission Meeting: 2-6-12

Scheduled Date of Common Council Meeting: 2-20-12

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.

Fee Required for Rezoning Requests, Variances, and Conditional Use Permits → Waived City Project

Receipt # ___

Memo

Michael Ostrowski, Director
Community Development Department
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: 1/29/2012

Re: HLZO

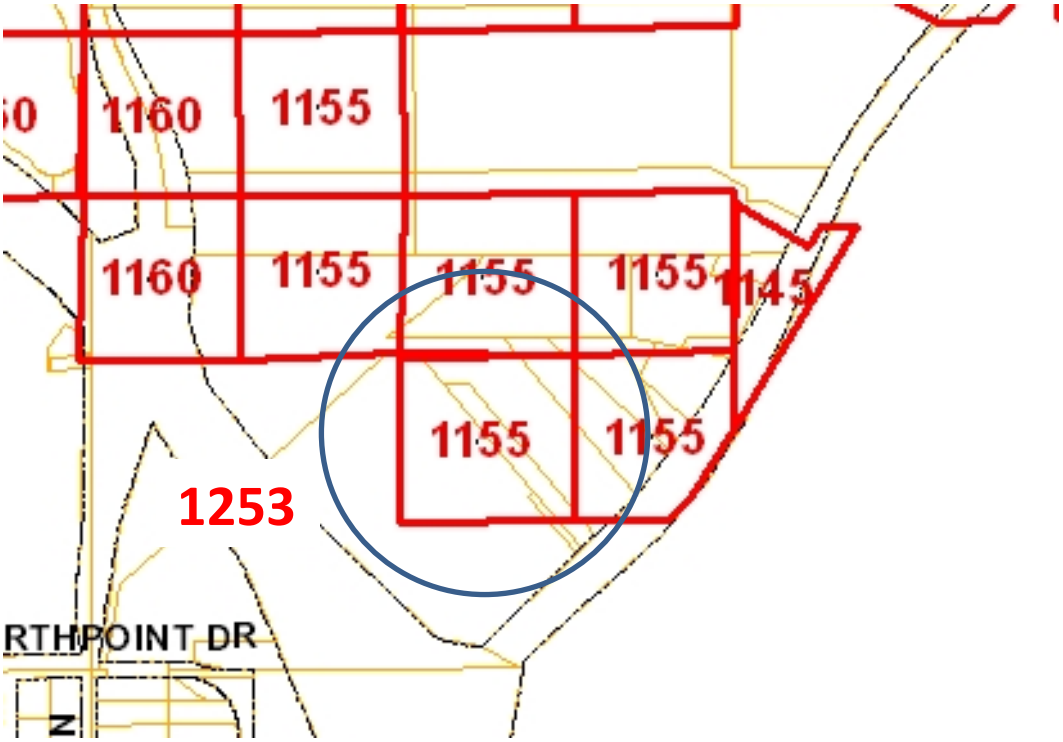
Marshfield Clinic is looking to build a new clinic at 4204 Highway 66. This property is located within the boundary of the Height Limitation Zoning Ordinance (HLZO). A portion of the property is limited to 1155 feet, while the remainder of the property is limited to 1253 feet.

At 1155 feet, it would limit the height of the proposed clinic to approximately 50 feet, while at 1253 feet, the building could be built an additional 100 feet in height without affecting the flight pattern for the airport.

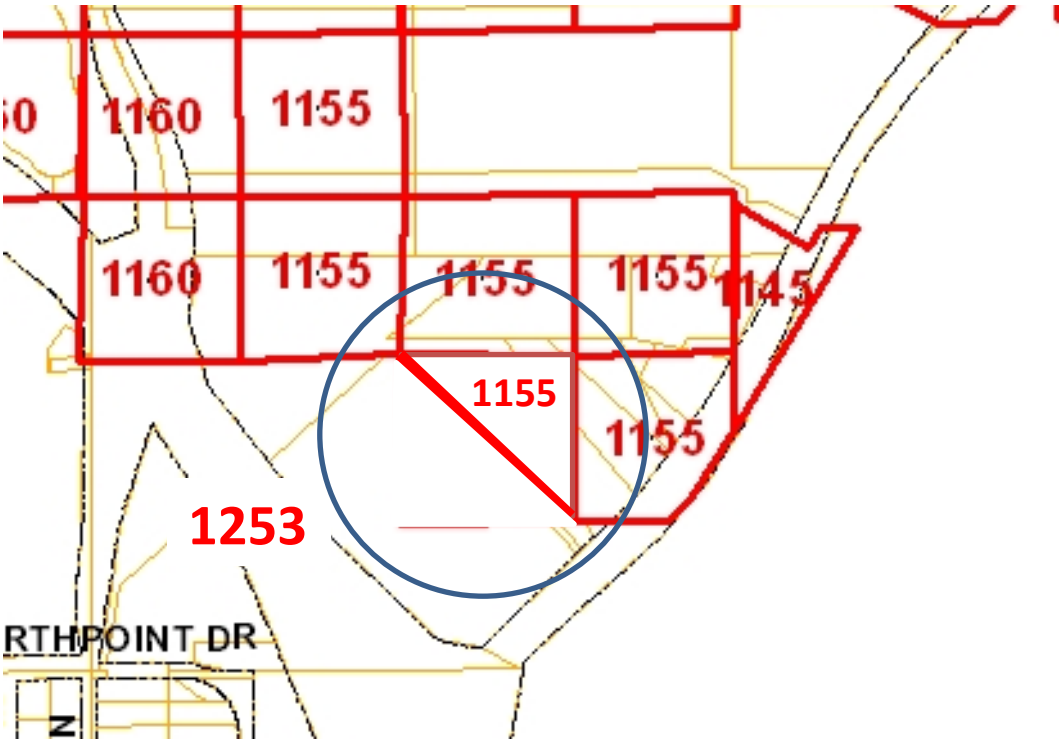
An analysis has been done to show that while the HLZO is at 1155 feet in one area of the property, it could be increased to 1253 feet without affecting the flight pattern for the airport. Please see the attached analysis.

The analysis has been reviewed by the Director of Public Works and the Airport Manager. They have provided the attached recommendation as it relates to the amendment of the HLZO from 1155 feet to 1253 feet.

Existing Map



Proposed Map



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

Joel C. Lemke
Director of Public Works
Phone: 715-346-1561
Fax: 715-346-1650

January 30, 2012

TO: City Plan Commission

RE: Modification to HLZO

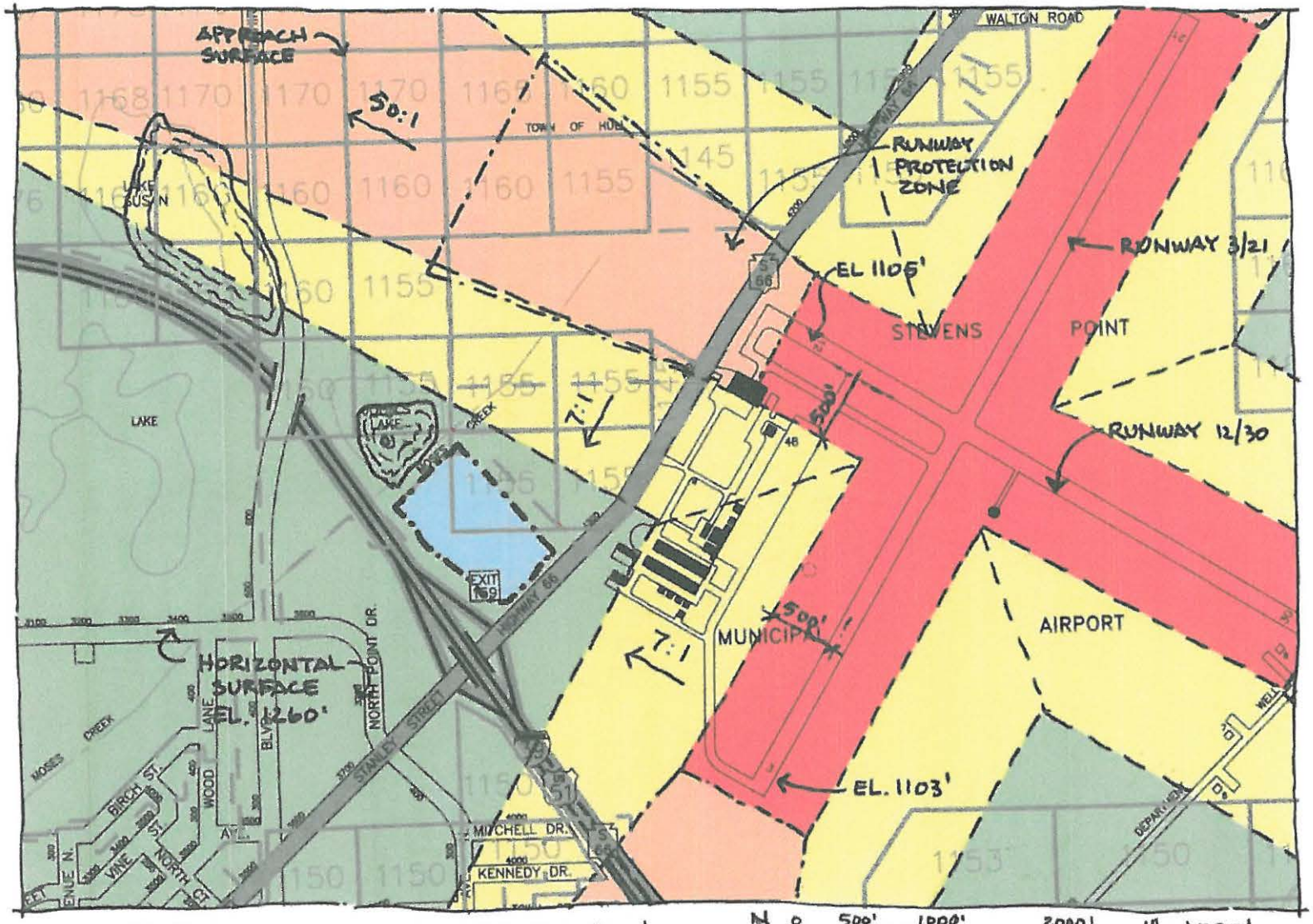
Commission:

City Staff within the Public Works Department (Airport and Engineering divisions) support the presented modification to the height limitations zoning ordinance (HLZO) with the following conditions and understandings:

1. Current and future owners recognize that the construction of and facility, including facilities that are sensitive to noise and lighting will not be cause for any consideration on the part of the City to modify Municipal Airport operations. Appropriate measures should be taken to mitigate the effects of current and future noise and light potentials created from the unobstructed operation of the Municipal Airport.
2. The City requires review authority over anything that could be considered a limiting factor to pilot visibility or a hazard to aircraft. These items include, but are not limited to, construction elements realted to: bright lights, object glare, creation of dust, emission of smoke, emission of steam, height of objects, and items that may potentially attract hazardous wildlife such as ponds and vegetation.
3. All development still has to undergo the required studies and approvals through the State Bureau of Aeronautics and/or the Federal Aviation Administration.

Sincerely,

Joel Lemke
Director of Public Works



STEVENS POINT MUNICIPAL AIRPORT (STE)
IMAGINARY SURFACES
RUNWAYS 3/21 AND 12/30, PRECISION (POTENTIAL FUTURE)

N 0 500' 1000' 2000' 1" = 1000'

ARCHITECTURAL ALLIANCE

Oliver ARCHITECTS

5/18/2011

Height Limitation Zoning Ordinance Amendment - Exhibit Map (200 Feet Notification Boundary)

TaxKey	Property Address	Owner Name	Mailing Address	City	State	Zip Code
020240822-09.04		KOSHNICK SURVTRST DOROTHY M	C/O 1934 BLUEBELL LANE	STEVENS POINT WI		544820000
020240822-10.06			217 PRENTICE ST	STEVENS POINT WI		544810000
020240822-A		STATE OF WIS HY ROW(PROJ T05-3(22))				0
020240827-A		STATE OF WISCONSIN				0
281240814430001	5311 Highway 66 / Ski Lodge	City Of Stevens Point	1515 Strongs Ave	Stevens Point	WI	54481
281240822340015	Highway 66	Lake Al LLC	217 Prentice St	Stevens Point	WI	54481
281240822340016	Highway 66	Marshfield Clinic	1000 N Oak Ave	Marshfield	WI	54449
281240822340017	4204 Highway 66	Marshfield Clinic	1000 N Oak Ave	Marshfield	WI	54449

Administrative Staff Report

Kurszewski Tavern Conditional Use
929 Main Street
February 6, 2012

Department of Community Development

Applicant(s):

- Ron Kurszewski

Staff:

- Michael Ostrowski, Director Community Development
  Ph: (715) 346-1567
  Fax: (715) 346-1498
  mostrowski@stevenspoint.com

Parcel Number(s):

- 2408-32-2018-03

Zone(s):

- "B-3" Central Business District

Master Plan:

- Downtown District

Council District:

- District 1 – Beveridge

Lot Information:

- Effective Frontage: 46 feet
- Effective Depth: 132 feet
- Square Footage: 6,072
- Acreage: 0.139

Current Use:

- Vacant

Applicable Regulations:

- 23.01(16) and 23.02(2)(c)

Request

Request from Ron Kurszewski for a conditional use permit for the purposes of operating a tavern at **929 Main Street (Parcel ID 2408-32-2018-03).**

Attachment(s)

- Parcel ID Sheet
- Exhibit Map
- Application

Findings of Fact

- Current property is zoned B-3.
- Taverns are a conditional use within the B-3 zoning district.

Staff Recommendation

Approve, subject to the following condition(s):

- The licensee shall maintain order and peace in the licensed premises.
- Any licensed premise established, operated, or maintained in violation of any of the provisions or requirements of this conditional use permit shall be grounds for suspension or revocation of this conditional use permit and/or declared to be unlawful and a public nuisance, the City may, in addition to or in lieu of, any other remedies set forth in the Stevens Point Municipal Code Chapter 12 of the City's Revised Municipal Code, commence an action to enjoin, remove, or abate such nuisance in the manner provided by law and shall take such other steps and apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such public nuisances, and restrain and enjoin any person(s) from establishing, operating, or maintaining said conditional use contrary to the provisions of this conditional use permit.
- The business must be operated in a manner that music heard from outside the building does not unreasonably disturb the peace and enjoyment of the surrounding properties.
- The licensee shall require that all exterior doors be kept closed so that noise does not unreasonably disturb the peace and enjoyment of the surrounding properties.
- The licensee shall require that the area surrounding the premises be kept clean and orderly. All cups, bottles, cans, garbage, rubbish, cigarettes, etc. shall be properly disposed of at the end of each day, and not left on the property or public right-of-way.
- All refuse containers shall be screened from view.
- A sidewalk café license may be issued without amending this conditional use.

	• The conditional use permit shall expire June 30, 2014.

Vicinity Map

Background

Mr. Kurszewski is requesting a conditional use permit for the purposes of operating a tavern at the above described location.

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 establishment has operated as a retail store for many years. Mr. Kurszewski is now requesting to have a tavern type use. The proposed establishment will likely have live music.

   Findings: The proposed use is not in conflict with the surrounding area. However, with live music, the potential for noise complaints will increase. Staff would recommend that a condition be placed on the conditional use that will ensure that noise levels heard outside the establishment are minimal. If noise levels become a concern, the Commission shall reserve the right to review and recommend the revocation of the conditional use permit to the Common Council.

   Staff would recommend that the area surrounding the premises be kept clean and orderly. All cups, bottles, cans, garbage, rubbish, cigarettes, etc. shall be properly disposed of at the end of each day.

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

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

Findings: The proposed use compliments permitted uses within the B-3 district.

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 respective area is an established area of the City.

Findings: The proposed use is not in conflict with the surrounding uses or area.

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 respective area is an established area of the City.

Findings: The current building matches the surrounding area in terms of architectural appeal and general function. No exterior changes are planned, except for a minor entrance change.

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

Analysis: Utilities exist in this area.

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: The establishment does not have any off street parking, as it is located within the B-3 district, which does not require any.

Findings: Traffic and parking will occur mainly on Main Street.

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 is within the Central Business District.

Findings: The proposed use is not in conflict with the objectives or the general intent of the Central Business 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 lot and building exist within this district, and no amendments or changes are being proposed.

Findings: The proposed use conforms to the general intent and regulations of the B-3 district.

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

N/A

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

N/A

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

Analysis: The establishment does not have any off street parking, as it is located within the B-3 district, which does not require any.

Findings: Traffic and parking will occur mainly on Main Street.

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

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

Analysis: Utilities exist at this site.

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: No change will occur regarding mechanical equipment.

Findings: All items shall be screened from view, including refuse containers.

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

Analysis: No change in lighting is proposed.

Findings: Lighting is provided by city street lights.

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

Analysis: The business will be operating within the confines of the building, and will have live music.

Findings: Staff would recommend that a condition(s) be placed on the conditional use that will ensure that noise levels heard outside the establishment are minimal. If noise levels become a concern, the Commission shall reserve the right to review and recommend the revocation of the conditional use.

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
Kurszewski Enterprises LLC 2410 Chestnut St Wisconsin Rapids, WI 54494	240832201803	240832201803	Store, Retail/Office(s)/Apt(s)
	Property Address		**Neighborhood**
	927-33 Main St		Cntrl Bus & 2nd St area(Comm)
	Subdivision		**Zoning**
Display Note	S E & Other Plat		B3-CENTRAL BUSINESS

OWNERSHIP HISTORY

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type
Kurszewski Enterprises LLC	1/3/2012	$350,000	Warranty Deed W/Add'L F	766122		Land & Build.
First National Bank	9/2/2011	$449,685	Sheriff Deed	761252		Land & Build.
LMC Properties LLC	4/22/2005	$430,000	Warranty Deed W/Add'L F	671571		Land & Build.
LMC Properties LLC	4/18/2005	$429,900	Warranty Deed W/Add'L F	671305		Land & Build.

SITE DATA

Actual Frontage	46.0
Effective Frontage	46.0
Effective Depth	132.0
Square Footage	6,072.0
Acreage	0.139

PERMITS

Date	Number	Amount	Purpose	Note
5/1/2006	33913	$150	066 Plumbing	add sinks
7/16/1998	27787	$2,000	004 Addition and Rem	Convert Office To Apt-
6/29/1998	27732	$3,000	066 Plumbing	Remodel Apt Plumbin
4/28/1998	27554	$4,000	020 Electrical	
11/18/1997	27272	$600	020 Electrical	100 amp

2011 ASSESSED VALUE

Class	Land	Improvements	Total
B-Commercial	$40,100	$252,200	$292,300
Total	$40,100	$252,200	$292,300

LEGAL DESCRIPTION

E 46' OF LOT 3 BLK 5 STRONG ELLIS & OTHERS ADD S32 T24 R8 671304-CERT 766122

PROPERTY IMAGE

PROPERTY SKETCH

Name and Address	Parcel #	Alt Parcel #	Land Use
Kurszewski Enterprises LLC 2410 Chestnut St Wisconsin Rapids, WI 54494	240832201803	240832201803	Store, Retail/Office(s)/Apt(s)
	Property Address		Neighborhood
	927-33 Main St		Cntrl Bus & 2nd St area(Comm)
	Subdivision		Zoning
Display Note	S E & Other Plat		B3-CENTRAL BUSINESS

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
1	1	Store, Retail (C avg)	1880	6,072	Masonry - Avg	14
1	2	Office Bldg (C avg)	1880	1,518	Masonry - Avg	14
1	3	Apts (C avg)	1880	4,554	Masonry - Avg	14
Total Area				12,144		

BASEMENT DATA

Bldg	Sec	Adjustment Description	Area
1	1	Store, Retail - Unfin Bsmnt	3,072

COMPONENTS

Bldg	Sec	Component Description	Area

DETACHED IMPROVEMENTS

Structure	Year Built	Square Feet	Grade	Condition

SITE IMPROVEMENTS

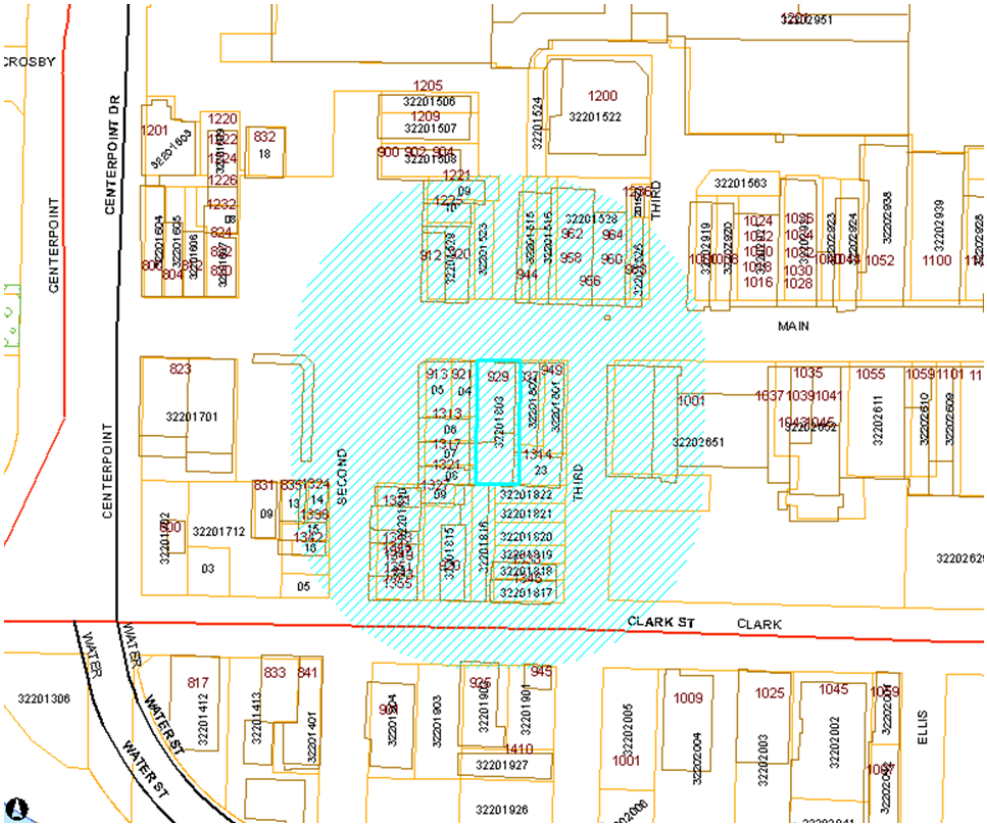
Site Improvement	Units

STRUCTURE DATA

Age	52
Year Built	1880
Eff. Year	1960
One Bedroom	2
Two Bedroom	1
Three Bedroom	
Total Units	3
Stories	2.00
Business Name	Retail Store w/ offices & apts ab

Information considered accurate but not guaranteed.

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



TaxKey	Property Address	Owner Name	Mailing Address	City	State	Zip Code
281240832201508	900-04 Main St	Peter J & Linda Leder	2001 Green Tree Rd	Junction City	WI	54443
281240832201509	1221 Second St	Michael J & Carol Brill	501 Walker Street	Stevens Point	WI	54481
281240832201510	1225 Second St	James R & Susan K Walczak	7060 Sixth Street	Stevens Point	WI	54481
281240832201515	944 Main St	Robert L & Carrie L Butt	1434 Plover Heights Road	Stevens Point	WI	54481
281240832201516	944 Main St	Robert L & Carrie L Butt	1434 Plover Heights Road	Stevens Point	WI	54481
281240832201522	1200 Third Ct	Gannett Midwest Publishing Inc	7950 Jones Branch Drive	McLean	VA	22107
281240832201523	1200 Third Ct	Gannett Midwest Publishing Inc	7950 Jones Branch Drive	McLean	VA	22107
281240832201524	1200 Third Ct	Gannett Midwest Publishing Inc	7950 Jones Branch Drive	McLean	VA	22107
281240832201526	968 Main St	Francesco & G Sciarrone &	2517 Prais St	Stevens Point	WI	54481
281240832201527	1236 Third Ct	Francesco & G Sciarrone &	2517 Prais St	Stevens Point	WI	54481
281240832201528	956-964 Main St	Schertz Properties LLC	1265 Main St Ste 104	Stevens Point	WI	54481
281240832201529	912-20 Main St	Troy Hojnacki &	P.O. Box 586	Stevens Point	WI	54481
281240832201705	Clark St	K 5 Ltd	230 Black Forest Dr	Plover	WI	54467
281240832201713	835 Main St	Schertz Properties LLC	1265 Main St Ste 104	Stevens Point	WI	54481
281240832201714	1324 Second St	Schertz Properties LLC	1265 Main St Ste 104	Stevens Point	WI	54481
281240832201715	1338 Second St	K 5 Ltd	230 Black Forest Dr	Plover	WI	54467
281240832201716	1342 Second St	James L & Mary C Graboski	1342 Second St	Stevens Point	WI	54481
281240832201801	949 Main St	M&C of Stevens Point LLC	1601 College Ave	Stevens Point	WI	54481
281240832201802	937 Main St	M&C of Stevens Point LLC	1601 College Ave	Stevens Point	WI	54481
281240832201803	929 Main St	First National Bank	111 Jefferson St	Waupaca	WI	54981
281240832201804	921-25 Main St	Susan M Simkowski	8420 Phoenix Ave #232	Fort Smith	AR	72903
281240832201805	913 Main St	T A Kessenich LLC	425 Whitetail Way	Deerfield	WI	53531

281240832201806	1313 Second St	Justin M & Julie B Gasper	1315 Second St	Stevens Point	WI	54481
281240832201807	1317 Second St	Michael P Lazare et al	1317 Second St	Stevens Point	WI	54481
281240832201808	1321 Second St	Bruce D & Stacie M Woboril	710 Fourth St	Plover	WI	54467
281240832201809	1327 Second St	Clan 4 LLC	6120 West Valley Ct	Wisconsin Rapids	WI	54494
281240832201810	1331 Second St	James B Mozuch	1331 Second St	Stevens Point	WI	54481
281240832201815	920 Clark St	George J Mattlin Jr	920 Clark Street	Stevens Point	WI	54481
281240832201816	920 Clark St	George J Mattlin Jr	920 Clark Street	Stevens Point	WI	54481
281240832201817	1346 Third St	John J Mallick	1346 Third St	Stevens Point	WI	54481
281240832201818	1338 Third St	Lois G Henke &	1338 Third Street	Stevens Point	WI	54481
281240832201819	Third St	Terrence J Check &	5394 Glenwood Avenue	Stevens Point	WI	54481
281240832201820	Third St	First National Bank	111 Jefferson St	Waupaca	WI	54981
281240832201821	Third St	First National Bank	111 Jefferson St	Waupaca	WI	54981
281240832201822	Third St	First National Bank	111 Jefferson St	Waupaca	WI	54981
281240832201823	1314 Third St	First National Bank	111 Jefferson St	Waupaca	WI	54981
281240832201825	1343-55 Second St	Kenneth D Butterfield	1343 Second Street	Stevens Point	WI	54481
281240832201901	945 Clark St	Thomas J Wolf	945 Clark St	Stevens Point	WI	54481
281240832201902	925 Clark St	Norman A Jr & Marilou Myers	200 Washington Ave	Stevens Point	WI	54481
281240832201903	Clark St	Norman A Jr & Marilou Myers	200 Washington Ave	Stevens Point	WI	54481
281240832202651	1001 Main St	City Of Stevens Point	1515 Strongs Avenue	Stevens Point	WI	54481
281240832202919	1000 Main St	Schertz-Fahrner LLC	1265 Main St Ste 104	Stevens Point	WI	54481
281240832202962	Centerpoint Dr	Community Development Authorit	1515 Strongs Ave	Stevens Point	WI	54481

#1.46090

REQUEST TO CITY OF STEVENS POINT PLAN COMMISSION

ADDRESS OF PROPERTY: 929 MAIN

___ Zoning Ordinance Change
X Conditional Use Permit
___ Variance from Zoning Ordinance -Board of Appeals
___ Variance from Sign Ordinance
___ Appeal from Subdivision Requirements
___ Other

REQUESTED CHANGE: (State briefly what is being requested, and why).
Conditional Use for Tavern / Beer/Wine

OWNER/APPLICANT:

Name: RON KURSZEWSKI
Address: 2410 CHESTNUT ST
WI RAPIDS WI 54494
(City, State, Zip Code)

Telephone: _____
Cell Phone: _____

Ronald J Kurszewski
Signature

AGENT FOR OWNER/APPLICANT:

Name: JERRY MOORE
Address: 317 DIVISION ST N
ST. PT. WI 54481
(City, State, Zip Code)

Telephone: _____
Cell Phone: _____

_____
Signature

Scheduled Date of Plan Commission Meeting: 2/6/12

Scheduled Date of Common Council Meeting: 2/20/12

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.

Fee schedule is on second page.

Receipt # _____

Memo

Michael Ostrowski, Director
Community Development Department
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: 1/28/2012

Re: Sign Code

During the last Plan Commission meeting, members expressed an interest to examine our sign code requirements as it relates to the number and size of signs on a property. Specifically, the Commission directed Staff to review the current code to determine whether changes could be made to allow for "variances" in special circumstances, whereby the typical stringent requirements of a standard zoning variance, such as a hardship, unique property condition, and not harming the public interest, would not be applied. There also was a directive to consider the prospect of revising the ordinance to allow for larger signs than the current code allows.

What some communities have done in similar circumstances has been to allow for an "alternative sign permit" to be granted. The alternative sign permit process would require plan commission review and approval, as opposed to staff review and approval. However, the proposal would need to be reviewed against a set of criteria or standards, similar to our conditional use process. As an example, the City of Marshfield has an "alternative sign permit" system, and requires the following to be met for a review of an alternative sign permit:

- Submission of a complete application.
- General compliance with the general intent and purpose of the sign code.
- The design and location of the sign would not interfere with pedestrian or vehicular safety.
- The sign would not be located so as to have a negative impact on adjacent property.
- The sign would not add to an overproliferation of signs on a property or cause needless repetition or redundancy of signage.
- The sign utilizes and/or enhances the architectural elements of the building.
- The image presented by the sign is of high quality and is consistent or compatible with the surrounding area as a whole.

The flexibility of using the alternative sign permit system can be attractive to address special circumstance. However, there are several key considerations to be made.

First, when considering whether to adopt an alternative sign permit system, the system should avoid establishing standards with the potential to be viewed as subjective and/or to be applied arbitrarily. Zoning regulations or regulations of any type should be clear and concise so that they can be interpreted with consistency, and those that allow for a high degree of discretion can lead to later legal challenges. Daniel R. Mandelker, a Professor of Law at Washington University in St. Louis, published an article in March 2009, "Practice Wise Sign Controls," in Zoning Practice, a publication of the American Planning Association. In this article, Professor Mandelker outlines the importance of drafting of a legally defensible sign code, given the first amendment freedom of speech implications. The problems do not arise when a sign would be allowed under the alternative sign permit standards, but rather, when the grounds for a later denial of a sign would be unclear on the basis of subjective or discretionary standards ("prior restraint"). Professor Mandelker wrote:

> *A local government can get sued in a number of ways because of a prior restraint problem in its sign code. One way, of course, is a suit by an applicant for a sign permit or other approval who is denied a permit, and who sues claiming the standards contained in the code are too vague . . . Local governments thus have considerable incentive to review their sign codes and correct problems in their discretionary review procedures that might raise prior restraint problems subject to judicial attack. Nor should local governments wait for litigation to carry out this review and make any necessary changes."* (Mandelker, 2009).

Mandelker suggests the following revisions to a sign code to avoid prior restraint problems:

- *Time limits must be provided for all discretionary decisions, including decisions on sign permits, variances, and design review, and appeals from any of these decisions.*
- *Do not authorize the approval of signs as conditional uses.*
- *Variances should either be prohibited or allowed only in strictly controlled circumstances.*
- *Criteria for the approval of sign permits that are needed to display a sign should be objective and ministerial.*
- *Landscaping requirements for ground signs should be objectively specified and should not require the discretionary review of a landscape plan.*
- *Planned unit developments present a special problem as the procedures for their review and approval are in a separate part of the zoning ordinance or land development code.*
- *Design review is a discretionary review procedure that deserves encouragement* (Mandelker, 2009).

As the Plan Commission reviews and considers options in modifying the sign code to allow alternative signs, or to allow other variances to the code, I caution creating review processes that are largely based on applying discretion, or that are vague so that any future conflict or legal challenges can be avoided.

Second, the Commission should consider that allowing a larger or taller sign for a particular case challenges the intent of the sign code to have uniformity not only among the signage of the City, but also between and among neighboring communities. The purpose of our sign code is as follows:

The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication in the City of Stevens Point (hereinafter referred to as the city); to maintain and enhance the beauty and unique character and enhance the aesthetic environment of the city by eliminating visual blight; to enhance the city's ability to attract sources of economic development and growth; to protect pedestrians and motorists of the city from damage or injury caused or partially attributable to the distractions and obstructions which are hereby declared to be caused by improperly sized or situated signs; to minimize the possible adverse effect of signs on nearby public and private property; to promote the public safety, welfare and convenience, and enjoyment of travel and the free flow of traffic within the city; and to provide a uniform sign ordinance between the City of Stevens Point, Village of Plover and Portage County.

When the sign code was created, one of the stated purposes was to establish a uniform sign code between the City of Stevens Point, the Village of Plover, and Portage County.

Third, if alternative sign permits are allowed, the practical administration of these signs could become more difficult.

The Plan Commission also inquired about changing the current code requirements to be more lenient by allowing larger signs. I understand that one of the intents of the sign code is to help business succeed (*attract sources of economic development and growth*), especially in difficult economic times; however, changes or amendments to the requirements within the current sign would alter standards that have been in effect for years, and which many businesses have already followed. In addition, if the code is revised at this time to allow for 25-foot tall signs, it may not be enough to curtail future requests to amend the code for even larger signs.

Communities adopt sign codes to create uniformity in signage throughout the community. This is curently done by replacing nonconforming signs with conforming signs, and only approving new signs that are conforming. If variances are granted in situations that do not warrant a variance under the existing standards, a community may never achieve the goal of conformity.

In consideration of the above points, I recommend that the Commission make the following changes to the sign code:

- Allow for larger free standing signs only for larger, planned developments that hold more than one business. For example, Crossroads Commons in Plover has three large signs that advertise the development as a whole, as well as the individual businesses, on the same sign surface.
- Allow for a second free standing sign to be erected without having to remove all existing non-conforming signs on the property, only if the entity is removing an existing non-conforming sign. This is the example of the Save-A-Lot request. With this request, we would achieve the goal of eliminating non-conforming signs, as we would be transitioning from two non-conforming signs on the property to one non-conforming sign on the property.
- Allow for larger building signs for buildings that are larger, so that the sign is more proportionate to the building. For example, if you have a building that spans over 300 lineal feet, it may warrant a larger wall sign.

- Allow for additional wall signs for businesses that front on two or more highly traveled streets.

The final two suggestions are already allowed in our sign code, but I think that we need to create specific standards to allow these signs, as our current code has a degree of discretion. Our sign code allows the following:

> *Only one wall sign, not to exceed 100 square feet, is allowed per tenant in a shopping center. One additional wall sign, not to exceed 100 square feet, is allowed for a tenant located on the end of the building only if the tenants has one sign per building front, the tenant advertised occupies the end or corner space, and only if the tenant has a public entrance on that end of the building. A tenant's request for more wall signs than allowed above or for a wall sign that is larger than 100 square feet shall require Plan Commission approval.*

The City of Marshfield has the following criteria that need to be met for a larger wall sign that are more specific and measurable:

- Additional sign area would be allowed under the following conditions:
    - If the business or development qualifies as a large building, which is defined as any building exceeding 125 feet in length/frontage or having three or more stories or have square footage in excess of 60,000 square feet. If the business or development qualifies under any of the three they will be allowed additional sign area per building elevation of up to 150 square feet, provided the following:
        - This must not exceed two percent of gross floor area of building for manufacturing or industrial facilities or big box retail.
        - This must not exceed ten percent of building facade for office buildings, public or quasi-public facilities.
    - If the building has an additional set-back it may be allowed additional sign area. The amount of signage may be increased by a percentage to be determined by dividing the number of feet the building is set-back from the front lot line, measured from the closest point of the building to the lot line, by the required amount of set-back.

Having specific criteria to allow for larger signs protects a community from potential legal challenges and creates fairness to all businesses within a community.

Bibliography

Mandelker, D. R. (2009, March). Practice Wise Sign Controls. *Zoning Practice*, pp. 1-8.