



## PLANNING COMMISSION MEETING

February 6, 2023  
4:00 PM

### PUBLIC MEETING NOTICE

#### PLANNING COMMISSION

Mayor Blaser, Chairperson  
Ryan Austin, Alderperson  
Lee Thao  
Eric Daven  
Susan Feith  
Ben Goodreau  
Thaddeus Kubisiak

#### AGENDA ITEM RECIPIENTS

Sue Schill, City Attorney  
Erika Esser, Secretary  
Jennifer Gossick, City Clerk

Notice is hereby given of a meeting of the Wisconsin Rapids Planning Commission to be held in the Council Chambers at City Hall, 444 West Grand Avenue, Wisconsin Rapids, on **Monday, February 6, 2023, at 4:00 PM**. The meeting will be streamed live on the City of Wisconsin Rapids Facebook page and will also be broadcast live on Charter Cable Channel 985 and Solarus HD Cable Channel 3. If a member of the public wishes to access this meeting live via Zoom audio conferencing, you must contact the City Clerk at least 24 hours prior to the start of the meeting to coordinate your access. This meeting is also available after its conclusion on the City's Facebook page and Community Media's YouTube page, which can be accessed at [www.wr-cm.org](http://www.wr-cm.org). It is possible that members of the Planning Commission may appear remotely via video or audioconferencing for this meeting.

### AGENDA

1. Approval of the report from the January 9, 2023, Plan Commission meeting
2. **Animal Medical and Surgical Clinic of Wisconsin Rapids – 22-001285:** request for a site plan review to perform site improvements at 1210 River Run Drive (Parcel ID 3411865)
3. **Cool Investment LLC (Tom Richards) – 23-000041:** public hearing and action on a request for a conditional use permit to establish retail sales, more than 40,000 square feet and construct a building addition at 1100 East Riverview Expressway (Parcel ID 3411796)
4. **Cool Investment LLC (Tom Richards) – 23-000029:** request for a site plan review to perform site improvements at 1000 Riverview Expressway (Parcel ID Number 3411793)
5. **Cool Investment LLC (Tom Richards) – 23-000040:** request for a sign exception to install additional signage on an off-premise sign at 1335 8<sup>th</sup> Street South (Parcel ID 3411785)

6. **Cool Investment LLC (Tom Richards) – 23-000039:** request for a sign exception to install an off-premise sign in an outlot at 1140 East Riverview Expressway (Parcel ID 3411798)
7. **Immanuel Lutheran Church and School – 23-000032:** action on a request for an amendment to the City's Comprehensive Plan, specifically map 7-2 Future Land Use Map, to reclassify an unaddressed parcel at the northeast intersection of 24<sup>th</sup> Street South and County Highway W (Parcel ID 3409225) and a portion of 1501 24<sup>th</sup> Street South (Parcel ID 3409200) from a Commercial land use classification to a Governmental/Public/Institutional land use classification
8. **Immanuel Lutheran Church and School – 23-000032:** public hearing and action on a request for a zoning map amendment to rezone an unaddressed parcel at the northeast intersection of 24<sup>th</sup> Street South and County Highway W (Parcel ID 3409225) and a portion of 1501 24<sup>th</sup> Street South (Parcel ID 3409200) from R-2 Mixed Residential District to I-1 Institutional District
9. **City of Wisconsin Rapids – 23-000022:** request to annex city owned territory, including right-of-way, totaling 3.975 acres in size from the Town of Grand Rapids, located at 2420 Saratoga Street, 2440 Saratoga Street, 2540 Saratoga Street, and 2620 Saratoga Street (Town Parcel ID Numbers 0700279, 0700279B, 0700279A, and 0700278), and to temporarily zone the parcels Mixed Use Commercial district (B-5)
10. Adjourn

The City of Wisconsin Rapids encourages participation from all its citizens. If participation at this meeting is not possible due to a disability or other reasons, notification to the city clerk's office at least 24 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. Call the clerk at (715) 421-8200 to request accommodations.

PUBLISH: January 20<sup>th</sup> and 27<sup>th</sup>, 2023

## NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the City of Wisconsin Rapids Planning Commission will hold a **Public Hearing on Monday, February 6, 2023 at 4:00 PM** within the Council Chambers at City Hall, 444 West Grand Avenue, Wisconsin Rapids. Participation at the public hearing is encouraged. The public can also submit comments prior the hearing by contacting the Community Development Department at 715-421-8228 or [CommunityDevelopment@wirapids.org](mailto:CommunityDevelopment@wirapids.org). The following items will be heard and possibly acted on:

1. Public hearing and action on a request from Immanuel Lutheran Church and School for a zoning map amendment to rezone an unaddressed parcel at the northeast intersection of 24<sup>th</sup> Street South and County Highway W (Parcel ID 3409225) and a portion of 1501 24<sup>th</sup> Street South (Parcel ID 3409200) from R-2 Mixed Residential District to I-1 Institutional District.

Further details regarding the specific requests can be obtained within the Community Development Department at City Hall, or by calling the department at 715-421-8228.

The City of Wisconsin Rapids encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk's office at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. Call the Clerk at (715) 421-8200 to request accommodations.

Jennifer Gossick,  
Wisconsin Rapids City Clerk

PUBLISH: January 22 & 29, 2023

## NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the City of Wisconsin Rapids Planning Commission will hold a **Public Hearing on Monday, February 6, 2023 at 4:00 PM** within the Council Chambers at City Hall, 444 West Grand Avenue, Wisconsin Rapids. Participation at the public hearing is encouraged. The public can also submit comments prior the hearing by contacting the Community Development Department at 715-421-8228 or [CommunityDevelopment@wirapids.org](mailto:CommunityDevelopment@wirapids.org). The following items will be heard and possibly acted on:

1. Public hearing and action on a request from Cool Investments LLC for a conditional use permit to create four retail tenant suites, totaling over 40,000 square feet at 1100 East Riverview Expressway (Parcel ID 3411796).

Further details regarding the specific requests can be obtained within the Community Development Department at City Hall, or by calling the department at 715-421-8228.

The City of Wisconsin Rapids encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk's office at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. Call the Clerk at (715) 421-8200 to request accommodations.

Jennifer Gossick,  
Wisconsin Rapids City Clerk



PUBLISH: Friday, January 20<sup>th</sup>, 2023

## NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the City of Wisconsin Rapids Common Council will hold a **Public Hearing on Tuesday, February 21, 2023 at 6:00 PM** within the Council Chambers at City Hall, 444 West Grand Avenue, Wisconsin Rapids. Participation at the public hearing is encouraged. The public can also provide comments prior the hearing by contacting the Community Development Department at 715-421-8228 or [CommunityDevelopment@wirapids.org](mailto:CommunityDevelopment@wirapids.org). The following items will be heard and possibly acted on:

1. Public hearing and action on a request from Immanuel Lutheran Church and School for an amendment to the City's Comprehensive Plan, specifically map 7-2 Future Land Use Map, to reclassify an unaddressed parcel at the northeast intersection of 24<sup>th</sup> Street South and County Highway W (Parcel ID 3409225) and a portion of 1501 24<sup>th</sup> Street South (Parcel ID 3409200) from a Commercial land use classification to a Governmental/Public/Institutional land use classification.

Further details regarding the specific requests can be obtained within the Community Development Department at City Hall, or by calling the department at 715-421-8228.

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Jennifer Gossick,  
Wisconsin Rapids City Clerk

## REPORT OF THE PLANNING COMMISSION

Date of Meeting: January 9, 2023

### Report #1

The Planning Commission met at 4:00 p.m. on January 9, 2023 in the Council Chambers at City Hall. Members present included Lee Thao, Ryan Austin, Susan Feith, Ben Goodreau and Thaddeus Kubisiak. Eric Daven and Shane Blaser were absent. Also present were Community Development Director Kyle Kearns, Associate Planner Carrie Edmondson, Alderperson Dennis Polach, Larry Koopman, Jim Lucas, Nathan Flinders and Nathan Monville.

The meeting was called to order at 4:00 p.m.

1. Approval of the report from the December 5, 2022 Plan Commission meeting

Motion by Goodreau to approve the report from the December 5, 2022 Plan Commission meeting; second by Thao.

Motion carried (4 – 0)

Member Kubisiak entered the meeting

2. **Theresa Cashman – 22-001285:** request for a special exception from architectural standards for trash enclosures in commercial districts at 3820 8th Street South (Parcel ID 3413806)

Carrie Edmondson provided a brief summary of the item. Staff recommended denial of the request due to the applicant's failure to provide completed plans for the enclosure.

Jim Lucas, representing Theresa Cashman, provided information on the applicant's proposed construction and landscape modifications of the trash enclosure.

Motion by Feith do deny the request for a special exception from architectural standards for trash enclosures in commercial districts at 3820 8th Street South (Parcel ID 3413806), due to lacking details on landscaping and the fencing gate; second by Goodreau.

Motion carried (5 – 0)

3. **N&N Auto Outlet – 22-001286:** request for site plan review to perform site improvements at 641 Dale Street (Parcel ID 3408020, 3408029, and 3408021)

Ms. Edmondson provided a synopsis of the request. Approval was recommended with the conditions outlined in the staff report.

Mr. Kearns answered member Feith's questions about paving on the site.

Motion by Goodreau to approve the request for site plan review to perform site improvements at 641 Dale Street (Parcel ID 3408020, 3408029, and 3408021), subject to the following conditions:

1. A Certified Survey Map demonstrating lot consolidation of the three parcels must be finalized prior to construction.
2. Proper signage shall be installed identifying vehicle directions.
3. The six parking spaces adjacent to the residential properties to the north shall be marked employee parking only.
4. Light from the parking area shall not exceed 0.2 foot-candles at a neighboring commercial property line and 0.1 foot-candles at the neighboring residential property line once mitigation measures are implemented.

5. All applicable right-of-way and stormwater permits must be obtained through the Engineering Department.
6. Stormwater management must comply with Chapters 32 and Chapter 35 of the Municipal Code during and after construction.
7. Vision triangle requirements shall be met and reflected in an updated site plan to be submitted to and approved by the Community Development Department.
8. All applicable permits through the City shall be obtained.
9. Community Development Department staff shall have the authority to approve minor modifications to the plans.

Second by Feith

Motion carried (5 – 0)

4. Adjourn

Motion by Austin to adjourn; second by Kubisiak

Motion carried (5 – 0)

Meeting adjourned at 4:18 p.m.

Respectfully Submitted by Erika Esser, Secretary

**Administrative Staff Report**  
**Animal Medical and Surgical Clinic of**  
**Wisconsin Rapids**  
**Site Plan Review**  
**1210 River Run Drive**  
**January 27, 2023**



<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Animal Medical and Surgical Clinic of Wisconsin Rapids</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Kyle Kearns, Community Development Director</li> <li>Carrie Edmondson, Associate Planner</li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>3411865</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>Effective Frontage: 200 feet</li> <li>Effective Depth: 163.48 feet</li> <li>Square Footage: 32,709</li> <li>Acreage: .751 Acres</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>"B-3" Neighborhood Commercial District</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 8 - Bemke</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Mixed Use</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Vacant</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>Chapter 11 - Zoning</li> </ul>	<p><b>Request</b></p> <p><b>22-001285; Animal Medical and Surgical Clinic of Wisconsin Rapids – request for a site plan review to perform site improvements at 1210 River Run Drive (Parcel ID 3411865)</b></p> <p><b>Attachment(s)</b></p> <ol style="list-style-type: none"> <li>Application</li> <li>Plans</li> <li>Parking Needs Narrative</li> </ol> <p><b>Findings of Fact</b></p> <ol style="list-style-type: none"> <li>The request is to make site improvements by constructing a parking lot on the property.</li> <li>The property is zoned "B-3" Neighborhood Commercial District.</li> <li>A veterinary clinic, small animal is a conditionally permitted use in the "B-3" Neighborhood Commercial District.</li> <li>The proposed parking lot would be ancillary to the veterinary clinic located at 1221 Parkwood Drive.</li> <li>Any significant changes to the site require site plan review by Plan Commission, but do not constitute an expansion of the use.</li> <li>A building plan – architectural review (AR), plan of operation (PO), site plan (SP), and zoning permit (ZP) are required.</li> </ol> <p><b>Staff Recommendation</b></p> <p>Approve the request from the applicant for a request for a site plan review to perform site improvements at 1210 River Run Drive (Parcel ID 3411865), subject to the following condition(s):</p> <ol style="list-style-type: none"> <li>Proper signage shall be installed identifying vehicle directions.</li> <li>A permanent parking agreement detailing the off-site parking and the shared parking must be submitted to the City Attorney for approval.</li> <li>A copy of the approved parking agreement must be submitted and recorded in the Wood County register of deeds and a copy must be filed with the Community Development Director.</li> <li>Light from the parking area shall not exceed 0.2 foot-candles at a neighboring commercial property line and 0.1 foot-candles at the neighboring residential property line.</li> </ol>
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5. All applicable right-of-way and stormwater permits must be obtained through the Engineering Department.
6. Stormwater management must comply with Chapters 32 and Chapter 35 of the Municipal Code during and after construction.
7. All applicable permits through the City shall be obtained.
8. Community Development Department staff shall have the authority to approve minor modifications to the plans.

## Vicinity Map



## Site Photos





## Background

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The Animal Medical and Surgical Clinic of Wisconsin Rapids is proposing to create a parking lot northwest of their existing veterinary clinic to better accommodate employees and patients. The existing clinic parking lot at 1221 Parkwood Drive has 20 parking spaces and 1 ADA approved accessible parking space. At present, they employ 22 people and have as many as nine clients at a given time. In addition, their near future plans include expansion of the veterinary clinic. Therefore, they are proposing to use the vacant lot at 1210 River Run Drive northwest of their existing veterinary clinic to develop a parking lot.

They are planning to create a shared parking agreement with Rapids School of Performing Arts (dance studio), located at 1211 Parkwood Drive south of the subject parcel and directly west of the veterinary clinic. The Rapids School of Performing Arts is also parking deficient, with a total of 25 spaces and approximately 60 vehicles arriving at pick-up and drop-off times. One non accessible parking space at the existing veterinary clinic would be converted to an accessible ADA approved space. The Rapids School of Performing Arts currently has two ADA approved accessible spaces. The two accessible spaces at each business are located near the main entrances.

The newly proposed parking lot would include 47 total new parking spaces. The proposed spaces exceed the minimum parking required by over 15 percent for the veterinary clinic. The Plan Commission may allow the number of parking spaces to exceed the 15 percent threshold through the special exception process if they determine the additional spaces are necessary for the particular use or location. The necessity of the extra parking spaces is explained in greater detail in the applicant's narrative attached. Staff has determined that in this case the special exception is warranted due to the fact that the use requires more parking than the amount of available parking at the principal site.

Article 17 Parking and Loading Facilities in Chapter 11 Zoning details much support for projects that include shared parking. More specifically, the Common Council makes the following legislative finding:

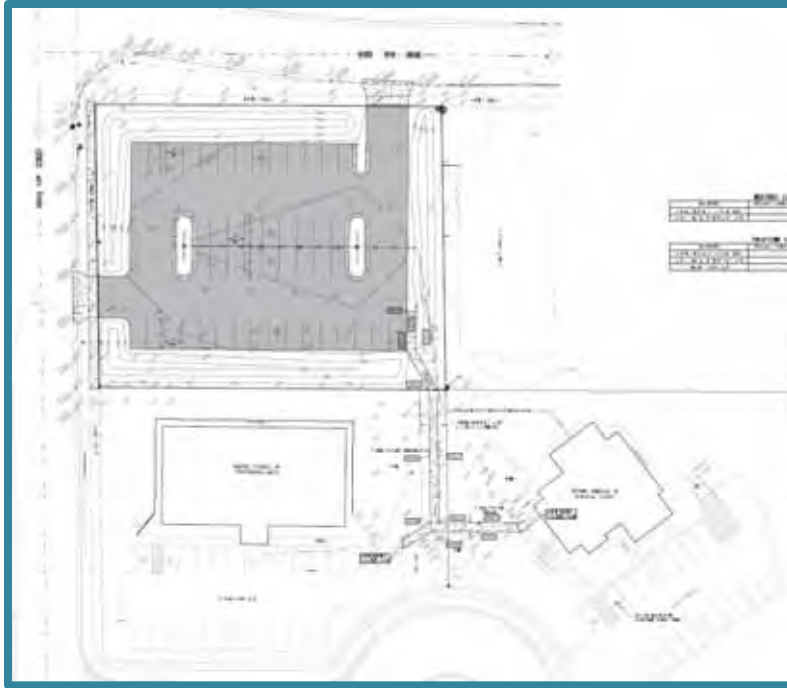
*“(5) Shared parking can reduce parking facility costs (including aesthetic and environmental impacts), allows greater flexibility in facility location and site design, and encourages more efficient land use.”*

The Zoning Administrator may authorize shared parking when:

- (1) the applicant shows that there is no substantial conflict or overlap in the principal operating hours of the building or use for which the joint use of parking facilities is proposed;*
- (2) the parking facility for which joint use is proposed is located within 500 feet of the building or use required to provide parking;*
- (3) directional signage is provided where appropriate and allowed; and*
- (4) pedestrian routes are direct, clear, and safe.*

Staff has determined that in this case all conditions for shared parking are met.

The Code also outlines allowance for parking in commercial and industrial districts to be located on a different lot when located within 500 feet from the lot with the principal use, provided the parking is located within the same zoning district. An 18,761 square foot paved parking lot is proposed on the 32,709 square foot parcel and will provide 47 additional parking spaces. Enhanced pedestrian access will be integrated with a five-foot wide sidewalk that is proposed to be constructed in the southeast corner of the site. The sidewalk will continue through a 15-foot easement that will be recorded along the eastern property line of the Rapids School of Performing Arts parcel. This sidewalk will connect to walkways located in front of the veterinary clinic and the dance studio.



It is important to note that a veterinary clinic, small animal is a conditionally permitted use in the B-3 Neighborhood Commercial district, and a conditional use permit for the use was obtained in 1993 at this location. The construction of parking is not considered an expansion of the use. However, the zoning ordinance requires site plan review for development of the parking lot. Below are the applicable standards of review:

## Standards of Review

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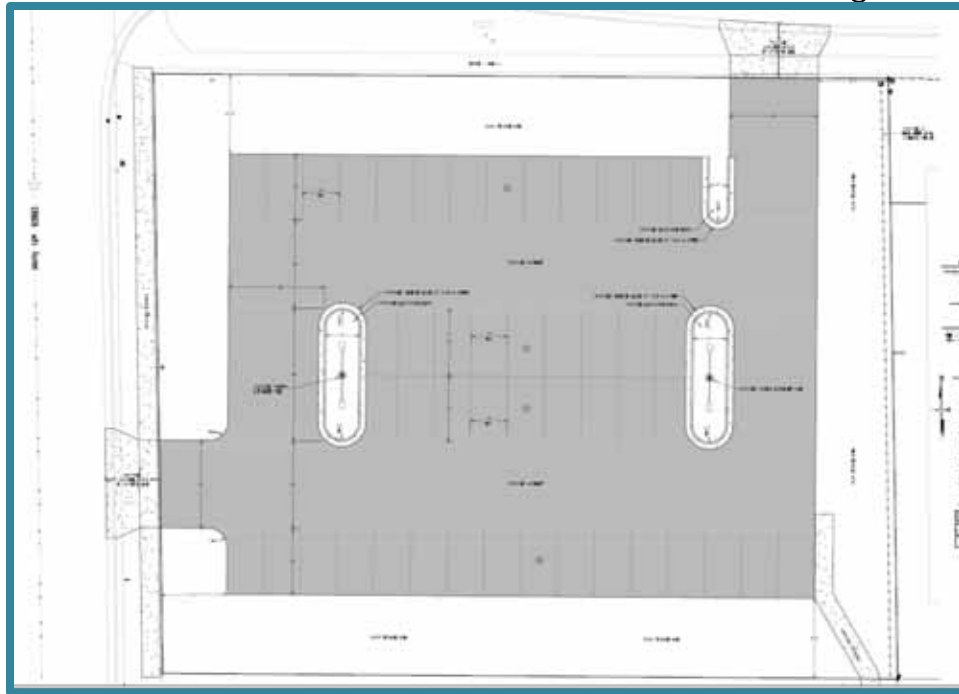
### 1) Use

**Analysis:** The veterinary clinic, small animal is a conditionally permitted use in the B-3 Neighborhood Commercial district. A conditional use permit was previously granted in 1993.

**Findings:** The use is conditionally permitted. A parking lot construction is not considered an expansion of the use and therefore does not require a conditional use permit amendment but does require a site plan review. Note that a building plan – architectural review (AR), plan of operation (PO), site plan review (SP), and zoning permit (ZP) are required.

### 2) Dimensional Standards

**Analysis:** The B-3 district requires a 10,000 minimum lot area. The site is 32,709 square feet. No structure is proposed to be constructed on the property, only paved parking area, therefore building coverage does not apply. The proposed impervious surface is approximately 58 percent, meeting the 80 percent maximum allowed.



**Findings:** The overall site design consists of a traditional parking lot design with a mix of impervious and permeable surface area. It is atypical to construct only parking upon a commercial lot. However, when considering the context of the surrounding area, the amount of additional parking that would be provided by developing this lot is keeping in scale with the building to parking lot ratio of the surrounding area as seen below.



The proposed improvements will add needed customer and employee parking with minimal impact. Additionally, the integrated pedestrian path will greatly enhance pedestrian safety.

### 3) Ingress/Egress



**Analysis:** Ingress and egress will be provided with two-way access from 12th Street South and River Run Drive. This provides adequate access to the site.

**Findings:** Driveway standards are met, and the proposed improvements will provide sufficient ingress and egress. Pedestrian ingress and egress will be facilitated by the pedestrian walkway which is proposed to be incorporated into the southeast corner of the parking lot and through an easement within the property to the south.

4) **Parking**

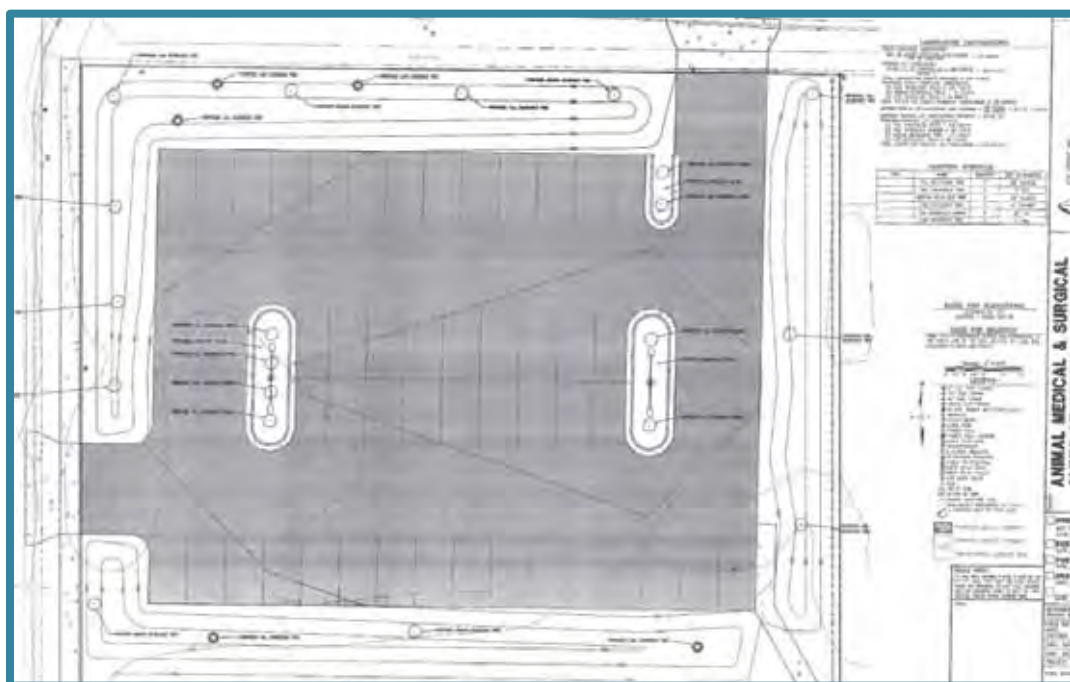
**Analysis:** The use (veterinary clinic, small animal) requires one parking space for each 300 feet of gross floor area, for a total of 9 parking spaces. One ADA approved accessible space is required.

**Findings:** The current development meets the number of required parking spaces. This request is applicant initiated due to the use and operational need for additional parking. The parking deficiency of the adjacent dance studio provides an opportunity for a shared parking agreement. Staff recognizes that the proposed parking is substantially higher than the recommended minimum. When considering the written narrative of the applicant, it is evident that substantial additional parking is necessitated.

The Plan Commission may allow additional parking exceeding 15 percent of the required parking through the Special Exception process. This can be done when the Plan Commission determines that additional parking is needed for the particular use or location. Staff recommends granting the special exception due to the operations and needs associated with the veterinary clinic use.

5) **Landscaping**

**Analysis:** Construction of the parking lot creates the need to meet street frontage and parking lot landscape point requirements. Building foundation landscape points would not apply, as there is no building proposed to be developed on site. There is a total of 364 feet of frontage on River Run Drive and 12<sup>th</sup> Street South, therefore 219 street frontage landscaping points are required. The proposed paved area is 18,761 square feet, therefore 188 parking lot points are required. In addition, 611 square feet of landscaped area must be located within the paved area perimeter. The applicant has provided a detailed landscape plan the identifies a total of 414 landscape points including a mix of evergreen trees, deciduous trees, and deciduous shrubs.



**Findings:** The applicant is proposing a mix of sizes and types of trees to meet the street frontage planting requirements. There are a total of 219 street frontage planting points proposed, 55 percent include tall trees (50 percent required), and 34 percent include medium trees (30 percent required). There are a total of 195 parking lot points proposed, 62 percent are tall trees (60 percent required) and the remainder are medium trees, low trees, and tall shrubs. Tall shrubs account for 21 percent of the landscape points (a minimum of 20 percent are required). There are three interior landscape islands proposed for a total of 900 square feet, meeting the interior landscaping requirement. In summary, landscape requirements are met.

**6) Architectural Review**

**Not Applicable – No improvements are proposed to the building.**

**7) Lighting & Photometric Plan**

**Analysis:** Regulations for onsite lighting are related to light trespass (foot-candles) beyond the property line and total lighting levels (lumens). Lighting from the business use should not exceed 0.2 foot-candles at a neighboring commercial property line and 0.1 foot-candles for residential.

**Findings:** The applicant has submitted a lighting plan. The plan shows the projected intensity of illumination will exceed the permitted standard at the property line to the east. Staff is suggesting the intensity be reduced or a fence be installed to mitigate the impact.

In summary, the proposed parking lot development is in close proximity to the veterinary clinic and will adequately accommodate their growing demand for parking. Moreover, the additional parking provides an opportunity to capitalize on the shared parking encouraged by Chapter 11 – Zoning and will assist to alleviate the parking deficiency experienced by the adjacent dance studio. Construction of the parking lot will be keeping within the overall scale of development of the surrounding area. Therefore, staff would recommend approval of the site plan, subject to the conditions mentioned above and summarized on page one of the staff report.



BY	DATE	DESCRIPTION

ESP GROUP, INC.  
 LAMPERT-LEE & ASSOCIATES  
 ENGINEERS • SURVEYORS • PLANNERS

10968 State Hwy. 54 East • Wausau, WI 54984-8718  
 715-424-3131 • FAX 715-423-8774

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**ANIMAL MEDICAL & SURGICAL  
 CLINIC OF WISCONSIN RAPIDS**

**PROPOSED PARKING LOT**

**PROPOSED SITE PLAN & LIGHTING PLAN**

CLIENT: \_\_\_\_\_  
 PROJECT: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_  
 PREPARED BY: \_\_\_\_\_  
 NOT FOR CONSTRUCTION

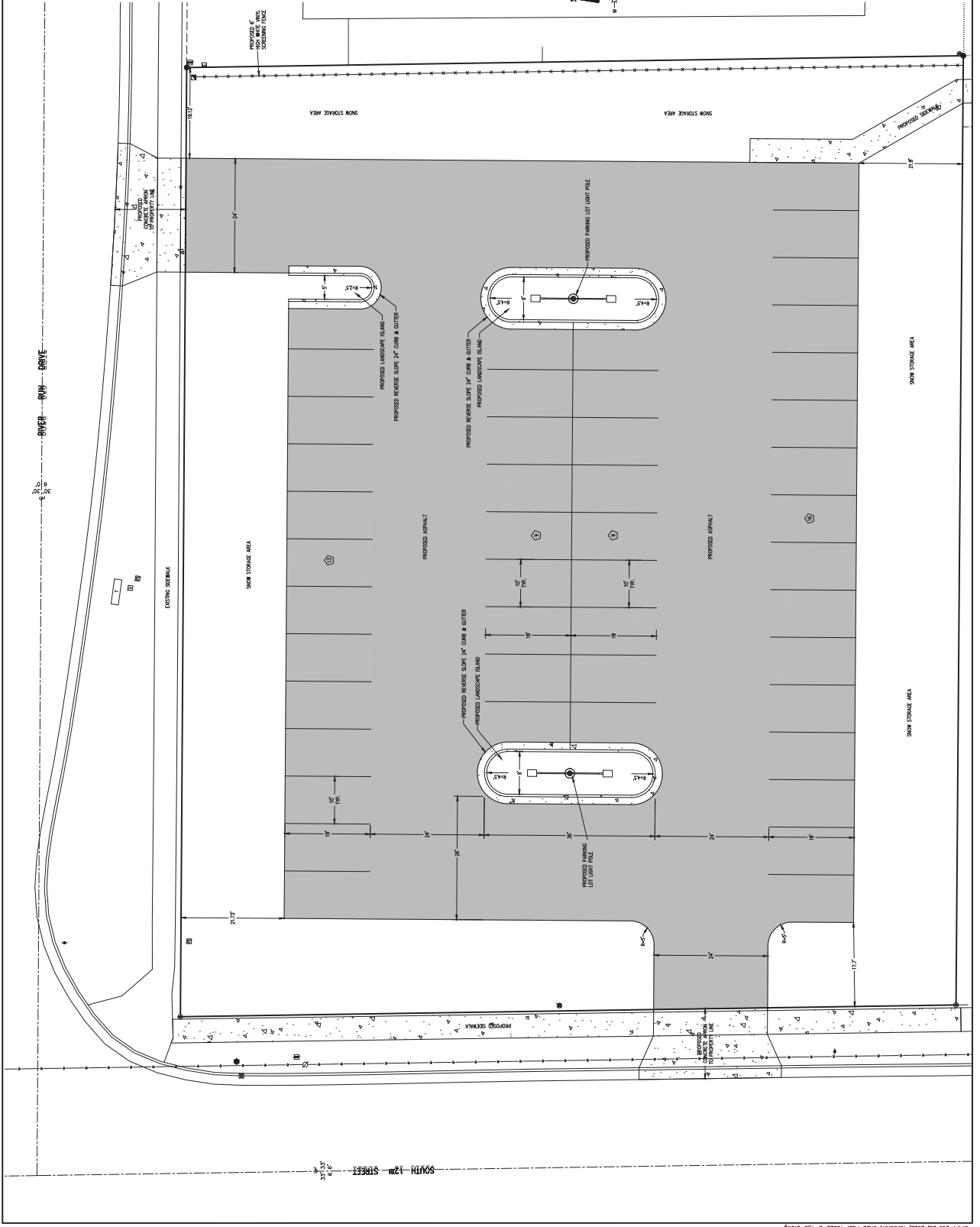
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DESIGNER: LARRY KOSKOVSKI  
 DRAWN BY: PAT PATRICK  
 CHECKED BY: \_\_\_\_\_  
 DATE: NOV. 18, 2024  
 DWG. NO. 10522-B-2-0  
 PROJECT NO. 22-134  
 PLAN SHEET 2  
 OF 5  
 SHEET(S)



**IMPERVIOUS AREA RATIO:**  
 13,332 S.F. IMPERVIOUS AREA = 480 x 100 = 48K  
 32,998 S.F. LOT AREA

**BASIS FOR ELEVATIONS:**  
 ELEVATION = TIE-IN AND IS  
 ALABAMA, RE. 134

**BASIS FOR BEARINGS:**  
 BEARINGS ARE GIVEN AS TRUE BEARINGS TO  
 THE NORTH LINE OF THE 1/4" SECTION 20, T29N, R1E  
 MEASURED TO BEAR NEAREST 1/2"

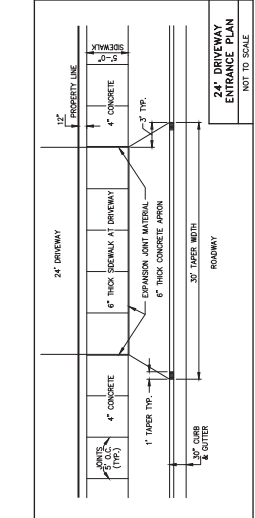
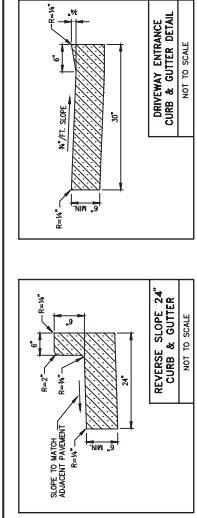
Scale 1" = 10'

LEGEND:  
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 66. 1/2" R.O.D. FOUND  
 67. 1/2" R.O.D. FOUND  
 68. 1/2" R.O.D. FOUND  
 69. 1/2" R.O.D. FOUND  
 70. 1/2" R.O.D. FOUND  
 71. 1/2" R.O.D. FOUND  
 72. 1/2" R.O.D. FOUND  
 73. 1/2" R.O.D. FOUND  
 74. 1/2" R.O.D. FOUND  
 75. 1/2" R.O.D. FOUND  
 76. 1/2" R.O.D. FOUND  
 77. 1/2" R.O.D. FOUND  
 78. 1/2" R.O.D. FOUND  
 79. 1/2" R.O.D. FOUND  
 80. 1/2" R.O.D. FOUND  
 81. 1/2" R.O.D. FOUND  
 82. 1/2" R.O.D. FOUND  
 83. 1/2" R.O.D. FOUND  
 84. 1/2" R.O.D. FOUND  
 85. 1/2" R.O.D. FOUND  
 86. 1/2" R.O.D. FOUND  
 87. 1/2" R.O.D. FOUND  
 88. 1/2" R.O.D. FOUND  
 89. 1/2" R.O.D. FOUND  
 90. 1/2" R.O.D. FOUND  
 91. 1/2" R.O.D. FOUND  
 92. 1/2" R.O.D. FOUND  
 93. 1/2" R.O.D. FOUND  
 94. 1/2" R.O.D. FOUND  
 95. 1/2" R.O.D. FOUND  
 96. 1/2" R.O.D. FOUND  
 97. 1/2" R.O.D. FOUND  
 98. 1/2" R.O.D. FOUND  
 99. 1/2" R.O.D. FOUND  
 100. 1/2" R.O.D. FOUND

**SCALE NOTE:**  
 IF YOU ARE VIEWING THESE PLANS IN AN  
 ELECTRONIC FORMAT, THE DIMENSIONS  
 FROM THE ORIGINAL STATE WILL VARY  
 FROM THE DIMENSIONS SHOWN ON THESE  
 PLANS. PLEASE REFER TO THE ORIGINAL  
 STATE SCALE LEGEND FOR  
 SEAL.

SHOWN AS TO BE USED IN CONJUNCTION WITH  
 AN ORIGINAL SIGNATURE AND DATE.



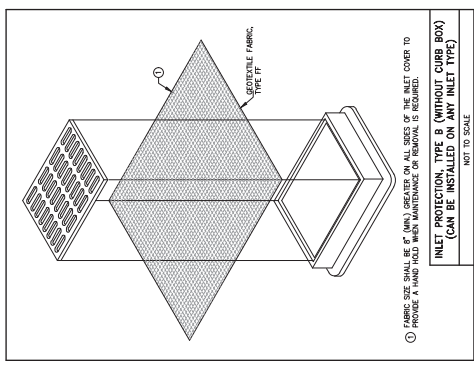
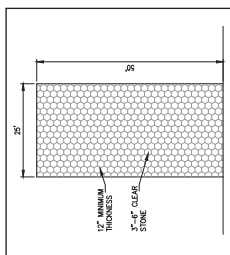
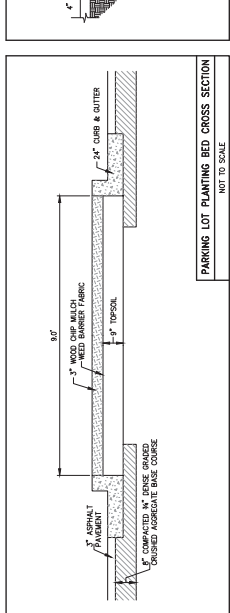
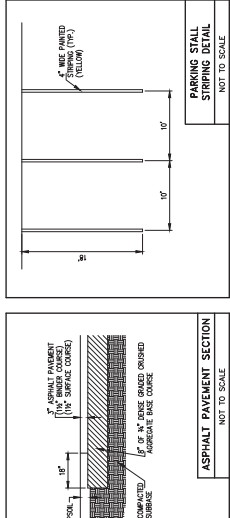
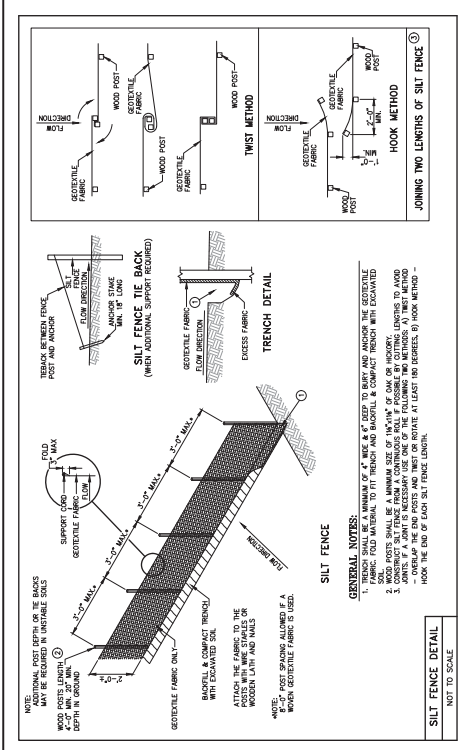


**EROSION CONTROL NOTES:**

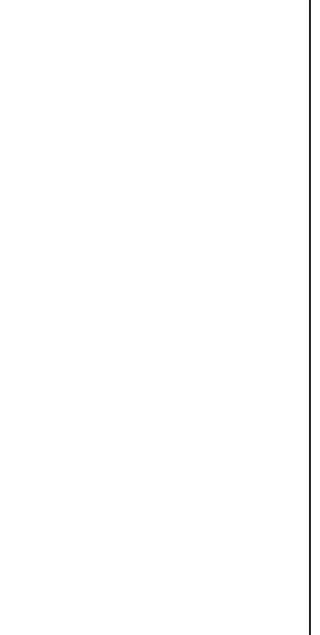
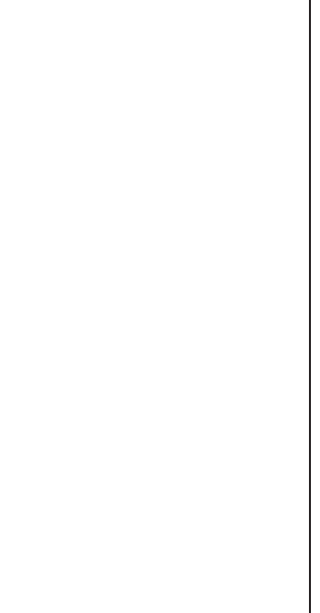
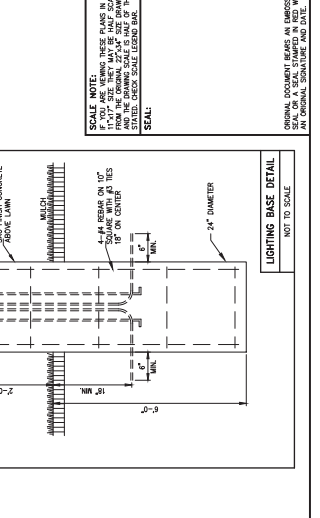
1. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE BEGINNING OF THE PROJECT.
2. THE CONTRACTOR SHALL MAINTAIN AND MAINTAIN EROSION AND SEDIMENT CONTROL STRUCTURES TO LIMIT EROSION AND SEDIMENT FROM LEAVING THE CONSTRUCTION AREA. EROSION AND SEDIMENT CONTROL STRUCTURES SHALL BE CONSTRUCTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. EROSION AND SEDIMENT CONTROL STRUCTURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
3. EROSION CONTROL MEASURES SHALL BE INSPECTED AT LEAST ONCE EVERY 7 DAYS AND WITHIN 24 HOURS AFTER A RAINFALL EVENT OF 0.5 INCHES OR GREATER.
4. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
6. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
7. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
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9. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
10. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
11. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

**GENERAL NOTES:**

1. CONTRACTOR SHALL MAINTAIN DRAINAGE DURING ALL PHASES OF CONSTRUCTION. STANDING WATER SHALL BE PUMPED TO NEAREST DRAINAGE AREA.
2. CONTRACTOR SHALL MAINTAIN CONTACT WITH LOCAL AGENCIES THROUGHOUT CONSTRUCTION TO ENSURE COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
3. CONTRACTOR SHALL MAINTAIN CONTACT WITH LOCAL AGENCIES THROUGHOUT CONSTRUCTION TO ENSURE COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
4. CONTRACTOR SHALL MAINTAIN CONTACT WITH LOCAL AGENCIES THROUGHOUT CONSTRUCTION TO ENSURE COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
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8. CONTRACTOR SHALL MAINTAIN CONTACT WITH LOCAL AGENCIES THROUGHOUT CONSTRUCTION TO ENSURE COMPLIANCE WITH ALL APPLICABLE REGULATIONS.
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11. CONTRACTOR SHALL MAINTAIN CONTACT WITH LOCAL AGENCIES THROUGHOUT CONSTRUCTION TO ENSURE COMPLIANCE WITH ALL APPLICABLE REGULATIONS.



**DETAILS & NOTES**



**SCALE NOTE:**  
 IF YOU ARE VIEWING THESE PLANS IN AN ELECTRONIC FORMAT, THE DIMENSIONS SHOWN FROM THE ORIGINAL STATE SHALL PREVAIL OVER ANY DIMENSIONS SHOWN IN THIS ELECTRONIC FORMAT. PLEASE REFER TO THE ORIGINAL STATE FOR DIMENSIONS.





BY	DATE	DESCRIPTION

ESP GROUP, INC.  
 LAMPERT-LEE & ASSOCIATES  
 ENGINEERS • SURVEYORS • PLANNERS  
 10968 State Hwy. 54 East • Wisconsin Rapids, WI 54494-8718  
 715-424-3131 • FAX 715-423-8774  
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**ANIMAL MEDICAL & SURGICAL CLINIC OF WISCONSIN RAPIDS**  
**PROPOSED PARKING LOT**  
**PARKING PLAN & SIDEWALK GRADING PLAN**

TITLE: PROJECT: CLIENT: PRELIMINARY: NOT FOR CONSTRUCTION: DATE: FOR BIDDING ONLY: DATE: FOR CONSTRUCTION: DATE: DRAWING OF RECORD: DATE: DESIGNER: LARRY V. LAMPERT, P.E. DRAWN BY: PAT FAY, P.E. FIELD DATA BY: DATE: DWG. NO. 10522-B-6-0 PROJECT NO. 22-134 PLAN SHEET 6 OF 15 SHEET(S)



**EXISTING PARKING SCHEDULE:**

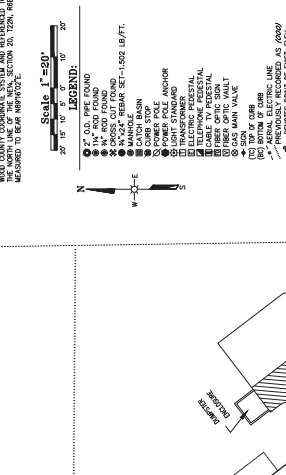
DESCRIPTION	STANDARD PARKING STALLS	ACCESSIBLE PARKING STALLS	TOTAL PARKING STALLS
ANIMAL MEDICAL & SURGICAL CLINIC	20	2	22
RAPIDS SCHOOL OF PERFORMING ARTS	23	0	23
<b>TOTAL</b>	<b>43</b>	<b>2</b>	<b>45</b>

**PROPOSED PARKING SCHEDULE:**

DESCRIPTION	STANDARD PARKING STALLS	ACCESSIBLE PARKING STALLS	TOTAL PARKING STALLS
ANIMAL MEDICAL & SURGICAL CLINIC	19	2	21
RAPIDS SCHOOL OF PERFORMING ARTS	23	0	23
SHARED PARKING LOT	47	0	47
<b>TOTAL</b>	<b>89</b>	<b>2</b>	<b>91</b>

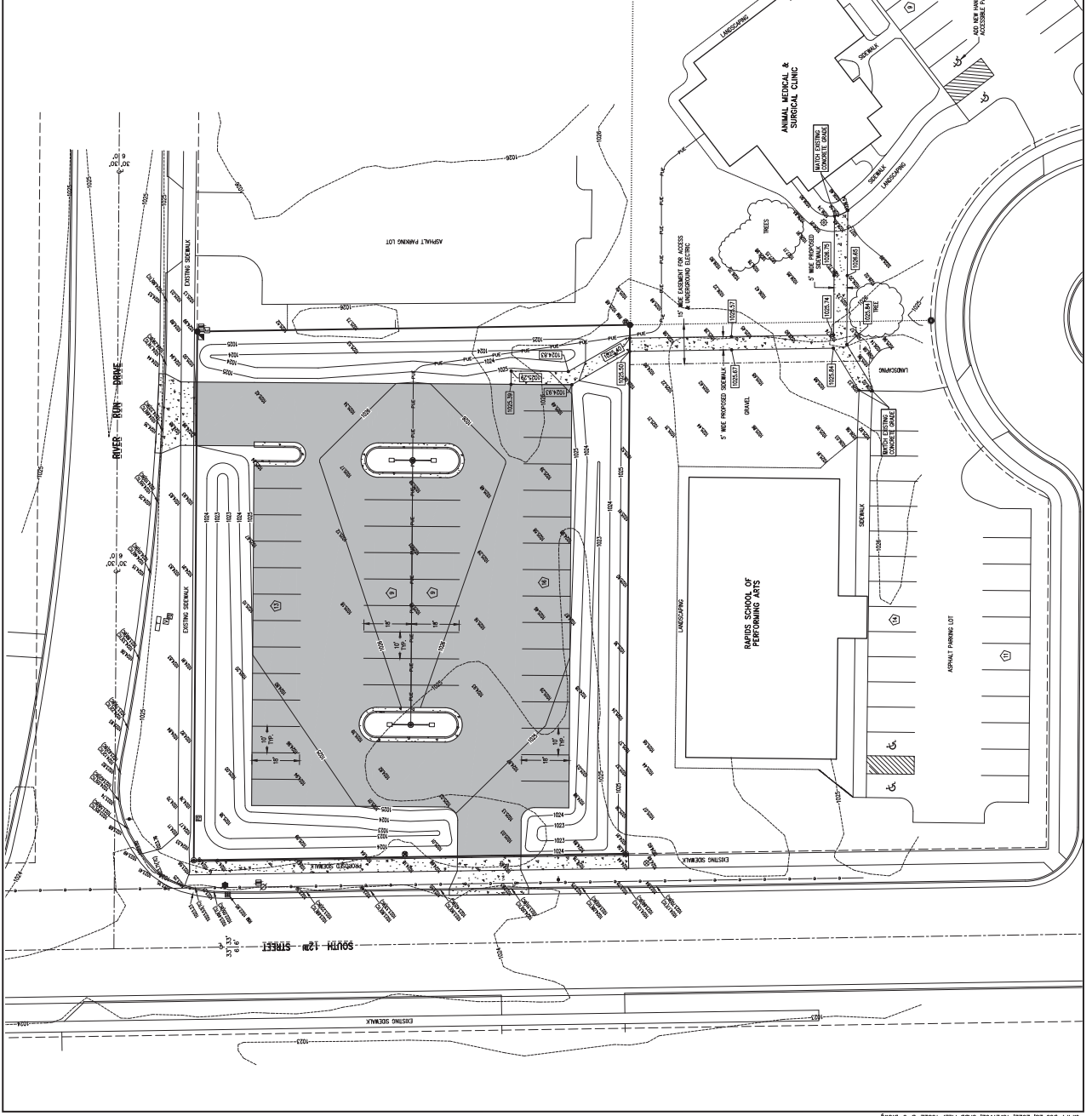
**LEGEND:**

- 1" O.D. PIPE FOUND
- 4" O.D. PIPE FOUND
- 6" O.D. PIPE FOUND
- 8" O.D. PIPE FOUND
- 12" O.D. PIPE FOUND
- 18" O.D. PIPE FOUND
- 24" O.D. PIPE FOUND
- 30" O.D. PIPE FOUND
- 36" O.D. PIPE FOUND
- 42" O.D. PIPE FOUND
- 48" O.D. PIPE FOUND
- 54" O.D. PIPE FOUND
- 60" O.D. PIPE FOUND
- 66" O.D. PIPE FOUND
- 72" O.D. PIPE FOUND
- 78" O.D. PIPE FOUND
- 84" O.D. PIPE FOUND
- 90" O.D. PIPE FOUND
- 96" O.D. PIPE FOUND
- 102" O.D. PIPE FOUND
- 108" O.D. PIPE FOUND
- 114" O.D. PIPE FOUND
- 120" O.D. PIPE FOUND
- 126" O.D. PIPE FOUND
- 132" O.D. PIPE FOUND
- 138" O.D. PIPE FOUND
- 144" O.D. PIPE FOUND
- 150" O.D. PIPE FOUND
- 156" O.D. PIPE FOUND
- 162" O.D. PIPE FOUND
- 168" O.D. PIPE FOUND
- 174" O.D. PIPE FOUND
- 180" O.D. PIPE FOUND
- 186" O.D. PIPE FOUND
- 192" O.D. PIPE FOUND
- 198" O.D. PIPE FOUND
- 204" O.D. PIPE FOUND
- 210" O.D. PIPE FOUND
- 216" O.D. PIPE FOUND
- 222" O.D. PIPE FOUND
- 228" O.D. PIPE FOUND
- 234" O.D. PIPE FOUND
- 240" O.D. PIPE FOUND
- 246" O.D. PIPE FOUND
- 252" O.D. PIPE FOUND
- 258" O.D. PIPE FOUND
- 264" O.D. PIPE FOUND
- 270" O.D. PIPE FOUND
- 276" O.D. PIPE FOUND
- 282" O.D. PIPE FOUND
- 288" O.D. PIPE FOUND
- 294" O.D. PIPE FOUND
- 300" O.D. PIPE FOUND



**NOTES:**

- IF YOU ARE VIEWING THESE PLANS IN AN ATTEMPT TO OBTAIN A PERMIT FROM THE LOCAL GOVERNMENT, YOU MUST VERIFY THAT THE LOCAL GOVERNMENT HAS THE NECESSARY AUTHORITY TO ISSUE SUCH A PERMIT.
- THESE PLANS ARE BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE SURVEYOR. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND NO APPARENT DISCREPANCIES BETWEEN THE INFORMATION PROVIDED AND THE ACTUAL CONDITIONS OF THE SITE.
- THESE PLANS DO NOT CONSTITUTE A GUARANTEE OF ACCURACY OR A WARRANTY OF ANY KIND.
- THESE PLANS ARE THE PROPERTY OF LAMPERT-LEE & ASSOCIATES AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF LAMPERT-LEE & ASSOCIATES.
- THESE PLANS ARE SUBJECT TO CHANGE WITHOUT NOTICE.
- THESE PLANS ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF LAMPERT-LEE & ASSOCIATES.
- THESE PLANS ARE NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF LAMPERT-LEE & ASSOCIATES.
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**Enterprise Lighting Ltd**  
*Manufacturers' Representative*

**Date: Jan 9, 2023**

Page 21 of 115

Enterprise Lighting, LTD.  
2007 Pewaukee Rd.  
Waukesha WI 53188  
Phone: (262) 953-2700  
Fax: (262) 953-2710

Job Name  
**Animal Medical & Surgical Clinic of Wisconsin Rapids**  
ELL23-118563  
Wisconsin Rapids WI

Bid Date  
Jan 9, 2023

Submittal Date  
Jan 9, 2023



**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin Rapids

RSX1 LED P2 40K R5S MVOLT SPA DDBXD

Notes:

Type:

ELL23-118563



# RSX1 LED Area Luminaire



Catalog Number

Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

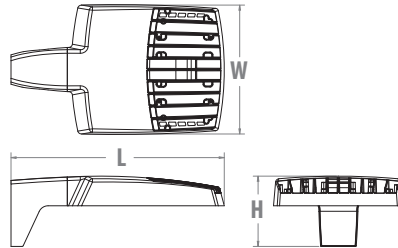
## Introduction

The new RSX LED Area family delivers maximum value by providing significant energy savings, long life and outstanding photometric performance at an affordable price. The RSX1 delivers 7,000 to 17,000 lumens allowing it to replace 70W to 400W HID luminaires.

The RSX features an integral universal mounting mechanism that allows the luminaire to be mounted on most existing drill hole patterns. This "no-drill" solution provides significant labor savings. An easy-access door on the bottom of mounting arm allows for wiring without opening the electrical compartment. A mast arm adaptor, adjustable integral slipfitter and other mounting configurations are available.

## Specifications

- EPA (ft<sup>2</sup>@0°):** 0.57 ft<sup>2</sup> (0.05 m<sup>2</sup>)
- Length:** 21.8" (55.4 cm) (SPA mount)
- Width:** 13.3" (33.8 cm)
- Height:** 3.0" (7.6 cm) Main Body  
7.2" (18.4 cm) Arm
- Weight: (SPA mount):** 22.0 lbs (10.0 kg)



## Ordering Information

## EXAMPLE: RSX1 LED P4 40K R3 MVOLT SPA DDBXD

Series	Performance Package	Color Temperature	Distribution	Voltage	Mounting
RSX1 LED	P1 P2 P3 P4	30K 3000K 40K 4000K 50K 5000K	R2 Type 2 Wide R3 Type 3 Wide R3S Type 3 Short R4 Type 4 Wide R4S Type 4 Short R5 Type 5 Wide <sup>1</sup> R5S Type 5 Short <sup>1</sup> AFR Automotive Front Row AFRR90 Automotive Front Row Right Rotated AFRL90 Automotive Front Row Left Rotated	MVOLT (120V-277V) <sup>2</sup> HVOLT (347V-480V) <sup>3</sup> XVOLT (277V-480V) <sup>4</sup> <b>(use specific voltage for options as noted)</b> 120 <sup>3</sup> 277 <sup>5</sup> 208 <sup>3</sup> 347 <sup>5</sup> 240 <sup>3</sup> 480 <sup>5</sup>	SPA Square pole mounting (3.0" min. SQ pole for 1 at 90°, 3.5" min. SQ pole for 2, 3, 4 at 90°) RPA Round pole mounting (3.2" min. dia. RND pole for 2, 3, 4 at 90°, 3.0" min. dia. RND pole for 1 at 90°, 2 at 180°, 3 at 120°) MA Mast arm adaptor (fits 2-3/8" OD horizontal tenon) IS Adjustable slipfitter (fits 2-3/8" OD tenon) <sup>6</sup> WBA Wall bracket <sup>1</sup> WBASC Wall bracket with surface conduit box AASP Adjustable tilt arm square pole mounting <sup>6</sup> AARP Adjustable tilt arm round pole mounting <sup>6</sup> AAWB Adjustable tilt arm with wall bracket <sup>6</sup> AAWSC Adjustable tilt arm wall bracket and surface conduit box <sup>6</sup>

Options	Finish
<p><b>Shipped Installed</b></p> <p>HS House-side shield<sup>7</sup></p> <p>PE Photocontrol, button style<sup>8,9</sup></p> <p>PEX Photocontrol external threaded, adjustable<sup>9,10</sup></p> <p>PER7 Seven-wire twist-lock receptacle only (no controls)<sup>9,11,12,13</sup></p> <p>CE34 Conduit entry 3/4" NPT (Qty 2)</p> <p>SF Single fuse (120, 277, 347)<sup>5</sup></p> <p>DF Double fuse (208, 240, 480)<sup>5</sup></p> <p>SPD20KV 20KV Surge pack (10KV standard)</p> <p>FAO Field adjustable output<sup>9,13</sup></p> <p>DMG 0-10V dimming extend out back of housing for external control (control ordered separate)<sup>9,13</sup></p>	<p><b>Shipped Installed</b></p> <p><b>*Standalone and Networked Sensors/Controls (factory default settings, see table page 9)</b></p> <p>NLTAIR2 nLight AIR generation 2<sup>13,14,15</sup></p> <p>PIRHN Networked, Bi-Level motion/ambient sensor (for use with NLTAIR2)<sup>13,15,16</sup></p> <p>BAA Buy America(n) Act Compliant</p> <p><b>*Note: PIRHN with nLight Air can be used as a standalone or networked solution. Sensor coverage pattern is affected when luminaire is tilted.</b></p> <p><b>Shipped Separately (requires some field assembly)</b></p> <p>EGS External glare shield<sup>7</sup></p> <p>EGFV External glare full visor (360° around light aperture)<sup>7</sup></p> <p>BS Bird spikes<sup>17</sup></p>
	<p>DDBXD Dark Bronze</p> <p>DBLXD Black</p> <p>DNAXD Natural Aluminum</p> <p>DWHXD White</p> <p>DDBTXD Textured Dark Bronze</p> <p>DBLTXD Textured Black</p> <p>DNATXD Textured Natural Aluminum</p> <p>DWHGXD Textured White</p>





**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin Rapids

**RSX1 LED P2 40K R5S MVOLT SPA DDBXD**

Notes:

Type:

ELL23-118563

### Ordering Information

#### Accessories

Ordered and shipped separately.

RSX1HS	RSX1 House side shield (includes 1 shield)
RSX1HSAFRR U	RSX1 House side shield for AFR rotated optics (includes 1 shield)
RSX1EGS (FINISH) U	External glares shield (specify finish)
RSX1EGV (FINISH) U	External glare full visor (specify finish)
RSXRPA (FINISH) U	RSX Universal round pole adaptor plate (specify finish)
RSXWBA (FINISH) U	RSX WBA wall bracket (specify finish) <sup>1</sup>
RSXSCB (FINISH) U	RSX Surface conduit box (specify finish, for use with WBA, WBA not included)
DLL127F 1.5 JU	Photocell -SSL twist-lock (120-277V) <sup>18</sup>
DLL347F 1.5 CULJU	Photocell -SSL twist-lock (347V) <sup>18</sup>
DLL480F 1.5 CULJU	Photocell -SSL twist-lock (480V) <sup>18</sup>
DSHORT5BK U	Shorting cap <sup>18</sup>

#### NOTES

- Any Type 5 distribution, is not available with WBA.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- HVOLT driver operates on any line voltage from 347-480V (50/60 Hz).
- XVOLT driver not available with P1 or P2. XVOLT driver operates on any line voltage from 277V-480V (50/60 Hz). XVOLT not available with fusing (SF or DF) and not available with PE or PEX.
- Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V.
- Maximum tilt is 90° above horizontal.
- It may be ordered as an accessory.
- Requires MVOLT or 347V.
- Not available in combination with other light sensing control options (following options cannot be combined: PE, PEX, PER7, FAO, DMG, PIRHN). Exception: PE or PEX and FAO can be combined.
- Requires 120V, 208V, 240V or 277V.
- Twistlock photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Shorting Cap included. Dimming leads capped for future use.
- For units with option PER7, the mounting must be restricted to +/- 45° from horizontal aim per ANSI C136.10-2010.
- Two or more of the following options cannot be combined including DMG, PER7, FAO and PIRHN.
- Must be ordered with PIRHN.
- Requires MVOLT or HVOLT.
- Must be ordered with NLTAIR2. For additional information on PIRHN visit [here](#).
- Must be ordered with fixture for factory pre-drilling.
- Requires luminaire to be specified with PER7 option. Ordered and shipped as a separate line item from Acuity Brands Controls.

### External Shields



House Side Shield



External Glare Shield

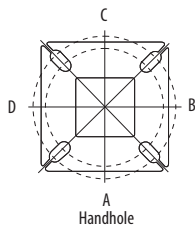


External 360 Full Visor

### Pole/Mounting Information

Accessories including bullhorns, cross arms and other adapters are available under the accessories tab at Lithonia's Outdoor Poles and Arms product page. Click here to visit [Accessories](#).

#### HANDHOLE ORIENTATION



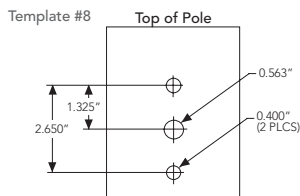
#### Round Tenon Mount - Pole Top Slipfitters

Tenon O.D.	RSX Mounting	Single	2 at 180°	2 at 90°	3 at 120°	3 at 90°	4 at 90°
2 - 3/8"	RPA, AARP	AS3-5190	AS3-5280	AS3-5290	AS3-5320	AS3-5390	AS3-5490
2 - 7/8"	RPA, AARP	AST25-190	AST25-280	AST25-290	AST25-320	AST25-390	AST25-490
4"	RPA, AARP	AST35-190	AST35-280	AST35-290	AST35-320	AST35-390	AST35-490

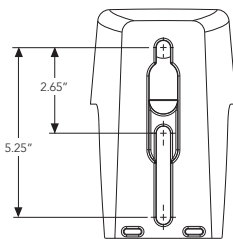
#### Drill/Side Location by Configuration Type

Drilling Template	Mounting Option	Configuration Type					
		Single	2 @ 180	2 @ 90	3 @ 120	3 @ 90	4 @ 90
#8	Head Location	Side B	Side B & D	Side B & C	Round Pole Only	Side B, C & D	Side A, B, C & D
	Drill Nomenclature	DM19AS	DM28AS	DM29AS	DM32AS	DM39AS	DM49AS

#### RSX POLE DRILLING



#### RSX STANDARD ARM & ADJUSTABLE ARM



#### RSX1 - Luminaire EPA

\*Includes luminaire and integral mounting arm. Other tenons, arms, brackets or other accessories are not included in this EPA data.

Fixture Quantity & Mounting Configuration	Mounting Type	Tilt	Single	2 @ 90	2 @ 180	3 @ 90	3 @ 120	4 @ 90	2 Side by Side	3 Side by Side	4 Side by Side
			Single	2 @ 90	2 @ 180	3 @ 90	3 @ 120	4 @ 90	2 Side by Side	3 Side by Side	4 Side by Side
SPA - Square Pole Adaptor	0°	0°	0.57	1.03	1.05	1.52	1.36	2.03	1.31	1.7	2.26
RPA - Round Pole Adaptor		0°	0.62	1.08	1.15	1.62	1.46	2.13	1.36	1.8	2.36
MA - Mast Arm Adaptor		0°	0.49	0.95	0.89	1.36	1.2	1.87	1.23	1.54	2.1
IS - Integral Slipfitter AASP/AARP - Adjustable Arm Square/Round Pole	0°	0°	0.57	1.03	1.05	1.52	1.36	2.03	1.31	1.7	2.26
		10°	0.68	1.34	1.33	2	1.74	2.64	1.35	2.03	2.71
		20°	0.87	1.71	1.73	2.56	2.26	3.42	1.75	2.62	3.49
		30°	1.24	2.19	2.3	3.21	2.87	4.36	2.49	3.73	4.97
		40°	1.81	2.68	2.98	3.85	3.68	5.30	3.62	5.43	7.24
		45°	2.11	2.92	3.44	4.2	4.08	5.77	4.22	6.33	8.44
		50°	2.31	3.17	3.72	4.52	4.44	6.26	4.62	6.94	9.25
		60°	2.71	3.66	4.38	5.21	5.15	7.24	5.43	8.14	10.86
		70°	2.78	3.98	4.54	5.67	5.47	7.91	5.52	8.27	11.03
80°	2.76	4.18	4.62	5.97	5.76	8.31	5.51	8.27	11.03		
90°	2.73	4.25	4.64	6.11	5.91	8.47	5.45	8.18	10.97		





**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin Rapids

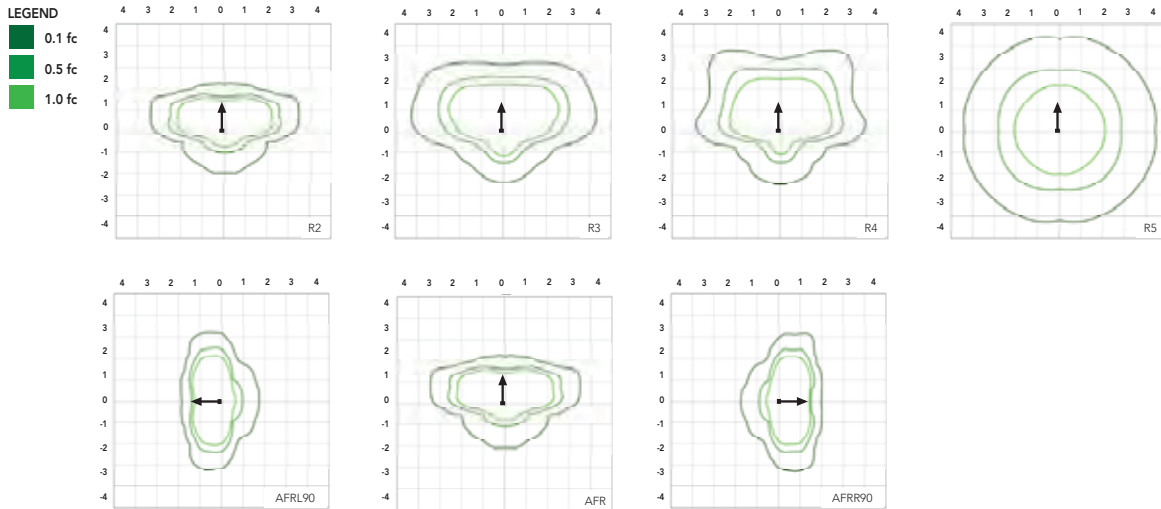
Notes:

ELL23-118563

### Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's [RSX Area homepage](#).

Isofootcandle plots for the RSX1 LED P4 40K. Distances are in units of mounting height (20').



### Performance Data

#### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-50°C (32-122°F).

Ambient	Ambient	Lumen Multiplier
0°C	32°F	1.05
5°C	41°F	1.04
10°C	50°F	1.03
15°C	59°F	1.02
20°C	68°F	1.01
25°C	77°F	1.00
30°C	86°F	0.99
35°C	95°F	0.98
40°C	104°F	0.97
45°C	113°F	0.96
50°C	122°F	0.95

#### Electrical Load

Performance Package	System Watts (W)	Current (A)					
		120V	208V	240V	277V	347V	480V
P1	51W	0.42	0.25	0.21	0.19	0.14	0.11
P2	72W	0.60	0.35	0.30	0.26	0.21	0.15
P3	109W	0.91	0.52	0.45	0.39	0.31	0.23
P4	133W	1.11	0.64	0.55	0.48	0.38	0.27

#### Projected LED Lumen Maintenance

Operating Hours	50,000	75,000	100,000
Lumen Maintenance Factor	>0.97	>0.95	>0.92

Values calculated according to IESNA TM-21-11 methodology and valid up to 40°C.





**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin Rapids

**Type:**  
RSX1 LED P2 40K R5S MVOLT SPA DDBXD

Notes:

ELL23-118563

**Performance Data**

**Lumen Output**

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Performance Package	System Watts	Distribution Type	30K (3000K, 70 CRI)					40K (4000K, 70 CRI)					50K (5000K, 70 CRI)				
			Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
P1	51W	R2	6,482	1	0	1	126	7,121	1	0	1	139	7,121	1	0	1	139
		R3	6,459	1	0	2	127	7,096	1	0	2	139	7,096	1	0	2	139
		R3S	6,631	1	0	1	129	7,286	1	0	2	142	7,286	1	0	2	142
		R4	6,543	1	0	2	128	7,189	1	0	2	141	7,189	1	0	2	141
		R4S	6,313	1	0	1	124	6,936	1	0	1	136	6,936	1	0	1	136
		R5	6,631	3	0	2	130	7,286	3	0	2	143	7,286	3	0	2	143
		R5S	6,807	3	0	1	133	7,479	3	0	1	147	7,479	3	0	1	147
		AFR	6,473	1	0	1	127	7,112	1	0	1	139	7,112	1	0	1	139
		AFRR90	6,535	2	0	2	127	7,179	2	0	2	140	7,179	2	0	2	140
		AFRL90	6,562	2	0	1	128	7,210	2	0	2	140	7,210	2	0	2	140
P2	72W	R2	8,991	2	0	1	123	9,878	2	0	1	135	9,878	2	0	1	135
		R3	8,959	2	0	2	124	9,843	2	0	2	137	9,843	2	0	2	137
		R3S	9,198	2	0	2	126	10,106	2	0	2	139	10,106	2	0	2	139
		R4	9,077	2	0	2	126	9,972	2	0	2	139	9,972	2	0	2	139
		R4S	8,757	1	0	2	122	9,622	2	0	2	134	9,622	2	0	2	134
		R5	9,198	4	0	2	128	10,106	4	0	2	140	10,106	4	0	2	140
		R5S	9,443	3	0	1	131	10,374	3	0	1	144	10,374	3	0	1	144
		AFR	8,979	2	0	1	125	9,865	2	0	1	137	9,865	2	0	1	137
		AFRR90	9,064	3	0	2	124	9,959	3	0	2	137	9,959	3	0	2	137
		AFRL90	9,102	3	0	2	125	10,001	3	0	2	137	10,001	3	0	2	137
P3	109W	R2	12,808	2	0	1	117	14,072	2	0	2	129	14,072	2	0	2	129
		R3	12,763	2	0	2	117	14,023	2	0	2	129	14,023	2	0	2	129
		R3S	13,104	2	0	2	120	14,397	2	0	2	132	14,397	2	0	2	132
		R4	12,930	2	0	2	119	14,206	2	0	2	130	14,206	2	0	2	130
		R4S	12,475	2	0	2	114	13,707	2	0	2	126	13,707	2	0	2	126
		R5	13,104	4	0	2	120	14,397	4	0	2	132	14,397	4	0	2	132
		R5S	13,452	3	0	2	123	14,779	3	0	2	136	14,779	3	0	2	136
		AFR	12,791	2	0	1	117	14,053	2	0	2	129	14,053	2	0	2	129
		AFRR90	12,913	3	0	3	118	14,187	3	0	3	130	14,187	3	0	3	130
		AFRL90	12,967	3	0	2	118	14,247	3	0	3	130	14,247	3	0	3	130
P4	133W	R2	14,943	2	0	2	112	16,417	2	0	2	123	16,417	2	0	2	123
		R3	14,890	2	0	3	112	16,360	2	0	3	123	16,360	2	0	3	123
		R3S	15,287	2	0	2	115	16,796	2	0	2	126	16,796	2	0	2	126
		R4	15,085	2	0	3	113	16,574	2	0	3	125	16,574	2	0	3	125
		R4S	14,554	2	0	2	109	15,991	2	0	2	120	15,991	2	0	2	120
		R5	15,287	4	0	2	115	16,796	4	0	2	126	16,796	4	0	2	126
		R5S	15,693	4	0	2	118	17,242	4	0	2	130	17,242	4	0	2	130
		AFR	14,923	2	0	2	112	16,395	2	0	2	123	16,395	2	0	2	123
		AFRR90	15,065	3	0	3	113	16,551	3	0	3	124	16,551	3	0	3	124
		AFRL90	15,128	3	0	3	114	16,621	3	0	3	125	16,621	3	0	3	125





**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin  
Rapids

Notes:

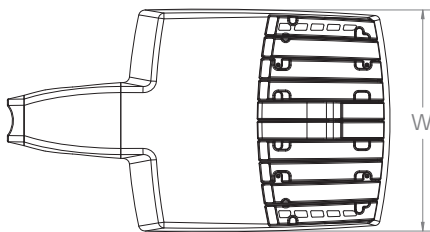
ELL23-118563

## Dimensions & Weights

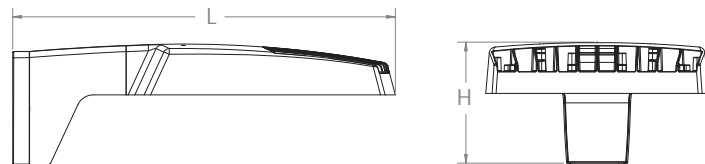
### Luminaire Weight by Mounting Type

Mounting Configuration	Total Luminaire Weight
SPA	22 lbs
RPA	24 lbs
MA	22 lbs
WBA	25 lbs
WBASC	28 lbs
IS	25 lbs
AASP	25 lbs
AARP	27 lbs
AAWB	28 lbs
AAWSC	31 lbs

#### RSX1 with Round Pole Adapter (RPA)



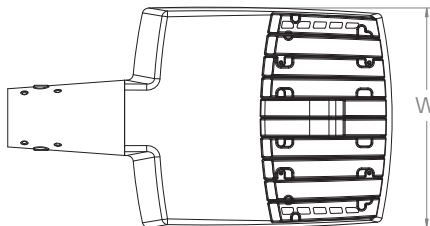
Length: 22.8" (57.9 cm)  
Width: 13.3" (33.8 cm)  
Height: 3.0" (7.6 cm) Main Body  
7.2" (18.4 cm) Arm



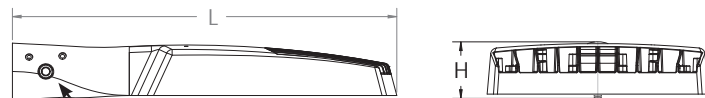
Note: RPA — Round Pole mount can also be used to mount on square poles by omitting the round pole adapter plate shown here.



#### RSX1 with Mast Arm Adapter (MA)

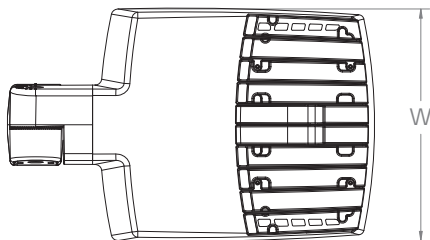


Length: 23.2" (59.1 cm)  
Width: 13.3" (33.8 cm)  
Height: 3.0" (7.6 cm) Main Body  
3.5" (8.9 cm) Arm

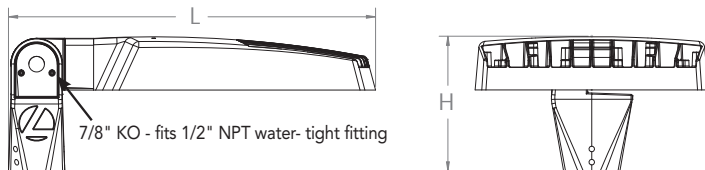


7/16" locking thru bolt/nut provided

#### RSX1 with Adjustable Slipfitter (IS)



Length: 20.7" (52.7 cm)  
Width: 13.3" (33.8 cm)  
Height: 3.0" (7.6 cm) Main Body  
7.6" (19.3 cm) Arm



7/8" KO - fits 1/2" NPT water-tight fitting





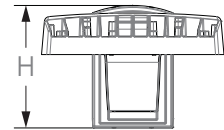
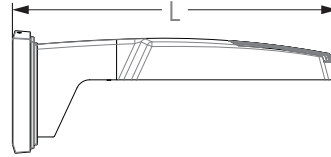
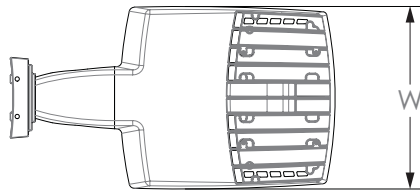
**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin  
Rapids

Notes:

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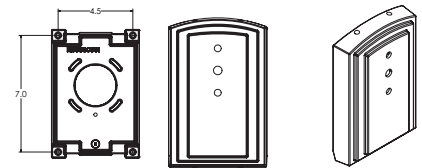
**Dimensions**

**RSX1 with Wall Bracket (WBA)**

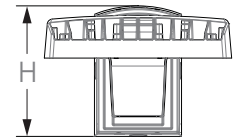
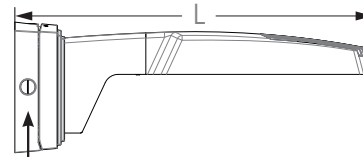
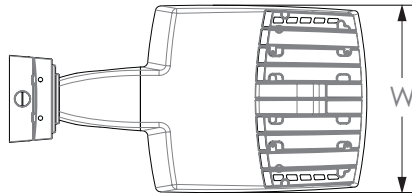


Length: 23.6" (59.9 cm)  
Width: 13.3" (33.8 cm)  
Height: 3.0" (7.6 cm) Main Body  
8.9" (22.6 cm) Arm

**Wall Bracket (WBA) Mounting Detail**



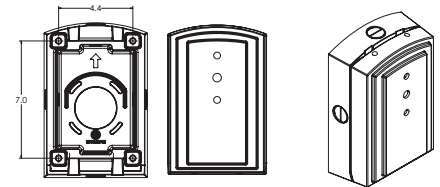
**RSX1 with Wall Bracket with Surface Conduit Box (WBASC)**



3/4" NPT taps with plugs - Qty (4) provided

Length: 25.3" (64.3 cm)  
Width: 13.3" (33.8 cm)  
Height: 3.0" (7.6 cm) Main Body  
9.2" (23.4 cm) Arm

**Surface Conduit Box (SCB) Mounting Detail**





**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin Rapids

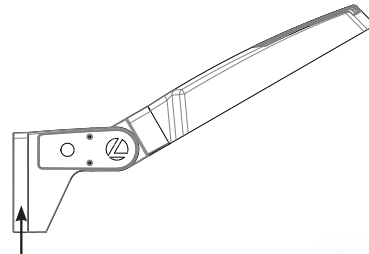
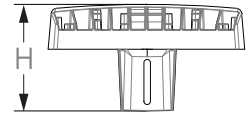
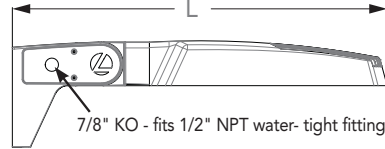
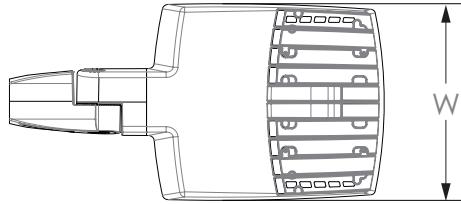
**RSX1 LED P2 40K R5S MVOLT SPA DDBXD**

Notes:

ELL23-118563

**Dimensions**

**RSX1 with Adjustable Tilt Arm - Square or Round Pole (AASP or AARP)**



Length: 25.3" (65.3 cm) AASP  
26.3" (66.8 cm) AARP  
Width: 13.3" (33.8 cm)  
Height: 3.0" (7.6 cm) Main Body  
7.2" (18.2 cm) Arm

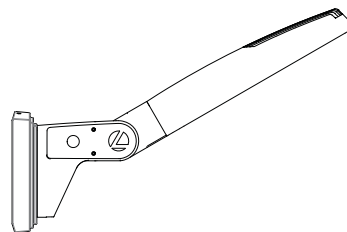
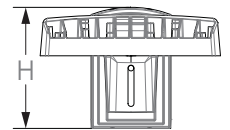
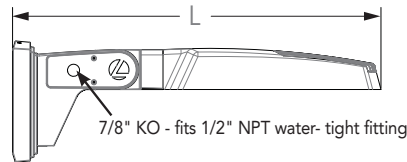
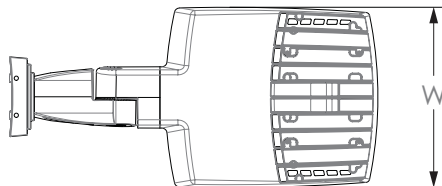
**NOTE:**  
RPA - Round Pole mount can also be used to mount on square poles by omitting the round pole adapter plate shown here.

**Notes**

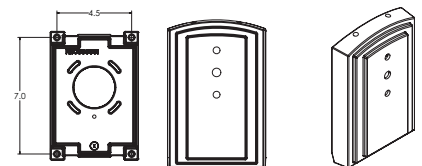
AASP: Requires 3.0" min. square pole for 1 at 90°. Requires 3.5" min. square pole for mounting 2, 3, 4 at 90°.

AARP: Requires 3.2" min. dia. round pole for 2, 3, 4 at 90°. Requires 3.0" min. dia. round pole for mounting 1 at 90°, 2 at 180°, 3 at 120°.

**RSX1 with Adjustable Tilt Arm with Wall Bracket (AAWB)**



**Wall Bracket (WBA) Mounting Detail**



Length: 27.1" (68.8 cm)  
Width: 13.3" (33.8 cm)  
Height: 3.0" (7.6 cm) Main Body  
8.9" (22.6 cm) Arm







**Job Name:**

Animal Medical & Surgical Clinic of Wisconsin Rapids

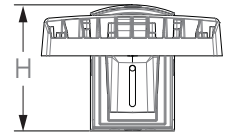
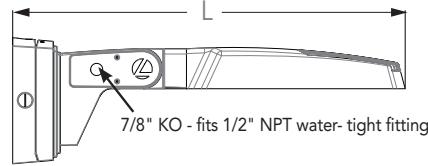
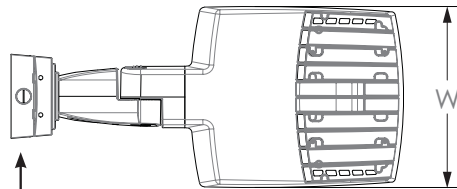
**RSX1 LED P2 40K R5S MVOLT SPA DDBXD**

Notes:

ELL23-118563

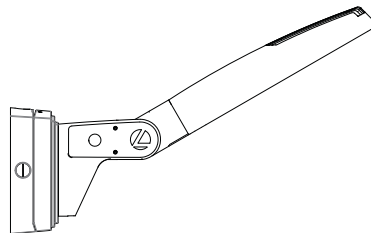
**Dimensions**

**RSX1 with Adjustable Tilt Arm with Wall Bracket and Surface Conduit Box (AAWSC)**

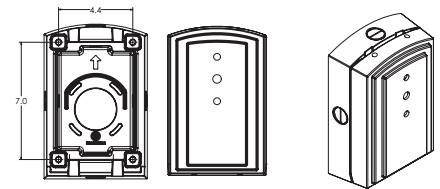


3/4" NPT taps with plugs - Qty (4) provided

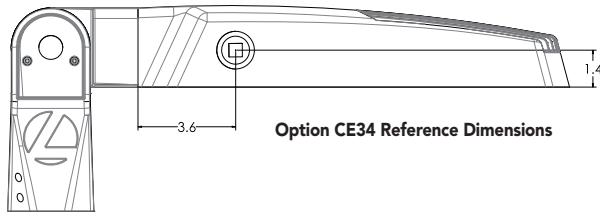
Length: 28.8" (73.2 cm)  
Width: 13.3" (33.8 cm)  
Height: 3.0" (7.6 cm) Main Body  
9.2" (23.4 cm) Arm



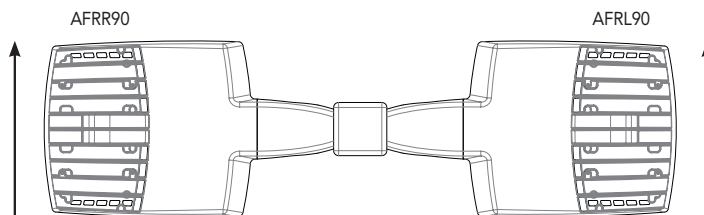
**Surface Conduit Box (SCB) Mounting Detail**



**Additional Reference Drawings**



**Automotive Front Row - Rotated Optics (AFRL90/R90)**



(Example: 2@180 - arrows indicate direction of light exiting the luminaire)

**Job Name:**

Animal Medical &amp; Surgical Clinic of Wisconsin Rapids

RSX1 LED P2 40K R5S MVOLT SPA  
DDBXD

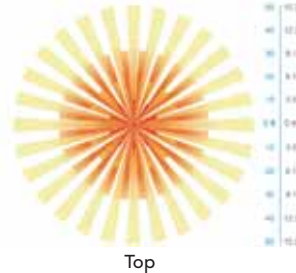
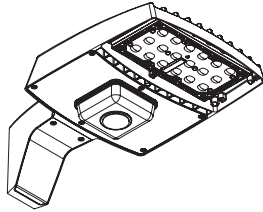
Notes:

ELL23-118563

## nLight Control - Sensor Coverage and Settings

### nLight Sensor Coverage Pattern

#### NLTAIR2 PIRHN



Top



Side

Motion Sensor Default Settings - Option PIRHN

Option	Dimmed State (unoccupied)	High Level (when occupied)	Photocell Operation	Dwell Time (occupancy time delay)	Ramp-up Time (from unoccupied to occupied)	Ramp-down Time (from occupied to unoccupied)
NLTAIR2 PIRHN	Approx. 30% Output	100% Output	Enabled @ 1.5FC	7.5 minutes	3 seconds	5 minutes

\*Note: NLTAIR2 PIRHN default settings including photocell set-point, high/low dim rates, and occupancy sensor time delay are all configurable using the Clarity Pro App. Sensor coverage pattern shown with luminaire at 0°. Sensor coverage pattern is affected when luminaire is tilted.

## FEATURES & SPECIFICATIONS

### INTENDED USE

The RSX LED area family is designed to provide a long-lasting, energy-efficient solution for the one-for-one replacement of existing metal halide or high pressure sodium lighting. The RSX1 delivers 7,000 to 17,000 lumens and is ideal for replacing 70W to 400W HID pole-mounted luminaires in parking lots and other area lighting applications.

### CONSTRUCTION

The RSX LED area luminaire features a rugged die-cast aluminum main body that uses heat-dissipating fins and flow-through venting to provide optimal thermal management that both enhances LED performance and extends component life. Integral "no drill" mounting arm allows the luminaire to be mounted on existing pole drillings, greatly reducing installation labor. The light engines and housing are sealed against moisture and environmental contaminants to IP66. The low-profile design results in a low EPA, allowing pole optimization. All mountings are rated for minimum 1.5 G vibration load per ANSI C136.31. 3G Mountings: Include SPA, RPA, MA, IS, AASP, and AARP rated for 3G vibration. 1.5G Mountings: Include WBA, WBASC, AAWB and AAWSC rated for 1.5G vibration.

### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures superior adhesion as well as a minimum finish thickness of 3 mils. The result is a high-quality finish that is warranted not to crack or peel.

### OPTICS

Precision acrylic refractive lenses are engineered for superior application efficiency, distributing the light to where it is needed most. Available in short and wide pattern distributions including Type 2, Type 3, Type 3S, Type 4, Type 4S, Type 5, Type 5S, AFR (Automotive Front Row), and AFR rotated AFR90 and ARFL90.

### ELECTRICAL

Light engine(s) configurations consist of high-efficacy LEDs mounted on metal-core circuit boards and aluminum heat sinks to maximize heat dissipation. Light engines are IP66 rated. LED lumen maintenance is >L92/100,000 hours. CCT's of 3000K, 4000K and 5000K (minimum 70 CRI) are available. Fixtures ship standard with 0-10v dimming driver. Class 1 electronic drivers ensure system power factor >90% and THD <20%. Easily serviceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

### STANDARD CONTROLS

The RSX LED area luminaire has a wide assortment of control options. Dusk to dawn controls include MVOLT and 347V button-type photocells and NEMA twist-lock photocell receptacles.

### nLIGHT AIR CONTROLS

The RSX LED area luminaire is also available with nLight® AIR for the ultimate in wireless control. This powerful controls platform provides out-of-the-box basic motion sensing with photocontrol functionality and is suitable for mounting heights up to 40 feet. No commissioning is required when using factory default settings that provide basic stand-alone motion occupancy dimming that is switched on and off with a built-in photocell. See chart above for motion sensor default out-of-box settings. For more advanced wireless functionality, such as group dimming, nLight AIR can be commissioned using a smartphone and the easy-to-use CLAIRITY app. nLight AIR equipped luminaires can be grouped, resulting in motion sensor and photocell group response without the need for additional equipment. Scheduled dimming with motion sensor over-ride can be achieved when used with the nLight Eclipse. Additional information about nLight Air can be found [here](#).

### INSTALLATION

Integral "no-drill" mounting arm allows for fast, easy mounting using existing pole drillings. Select the "SPA" option for square poles and the "RPA" option to mount to round poles. Note, the RPA mount can also be used for mounting to square poles by omitting the RPA adapter plate. Select the "MA" option to attach the luminaire to a 2 3/8" horizontal mast arm or the "IS" option for an adjustable slipfitter that mounts on a 2 3/8" OD tenon. The adjustable slipfitter has an integral junction box and offers easy installation. Can be tilted up to 90° above horizontal. Additional mountings are available including a wall bracket, adjustable tilt arm for direct-to-pole and wall and a surface conduit box for wall mount applications.

### LISTINGS

CSA Certified to meet U.S. and Canadian standards. Suitable for wet locations. Rated for -40°C minimum ambient. DesignLights Consortium® (DLC) Premium qualified product and DLC qualified product. Not all versions of this product may be DLC Premium qualified or DLC qualified. Please check the DLC Qualified Products List at [www.designlights.org/QPL](http://www.designlights.org/QPL) to confirm which versions are qualified.

International Dark-Sky Association (IDA) Fixture Seal of Approval (FSA) is available for all products on this page utilizing 3000K color temperature only. U.S. Patent No. D882, 1465

### BUY AMERICAN ACT

Product with the BAA option is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT regulations. Please refer to [www.acuitybrands.com/buy-american](http://www.acuitybrands.com/buy-american) for additional information.

### WARRANTY

5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: [www.acuitybrands.com/support/warranty/terms-and-conditions](http://www.acuitybrands.com/support/warranty/terms-and-conditions)

**Note:** Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.





**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin  
Rapids

Notes:

ELL23-118563



## FEATURES & SPECIFICATIONS

**INTENDED USE** — These specifications are for USA standards only. Square Straight Steel is a general purpose light pole for up to 39-foot mounting heights. This pole provides a robust yet cost effective option for mounting area lights and floodlights.

### CONSTRUCTION

**Pole Shaft:** The pole shaft is of uniform dimension and wall thickness and is made of a weldable-grade, hot-rolled, commercial-quality steel tubing with a minimum yield of 55 KSI (11-gauge, 0.120"), or 50 KSI (7-gauge, 0.179"). Shaft is one-piece with a full-length longitudinal high-frequency electric resistance weld. Uniformly square in cross-section with flat sides, small corner radii and excellent torsional qualities. Available shaft widths are 4", 5" and 6".

**Pole Top:** Options include tenon top, drilled for side mount fixture, tenon with drilling (includes extra handhole) and open top. Side drilled and open top poles include a removable top cap.

**Handhole:** A reinforced handhole with grounding provision is provided at 18" from the base on side A. Positioning the handhole lower may not be possible and requires engineering review; consult Tech Support-Outdoor for further information. Every handhole includes a cover and cover attachment hardware. The handhole has a nominal dimension of 2.5" x 5".

**Base Cover:** A durable ABS plastic two-piece full base cover, finished to match the pole, is provided with each pole assembly. Additional base cover options are available upon request.

**Anchor Base/Bolts:** Anchor base is fabricated from steel that meets ASTM A36 standards and can be altered to match existing foundations; consult factory for modifications. Anchor bolts are manufactured to ASTM F1554 Standards grade 55, (55 KSI minimum yield strength and tensile strength of 75-95 KSI). Top threaded portion (nominal 12") is hot-dipped galvanized per ASTM A-153.

**HARDWARE** — All structural fasteners are high-strength galvanized carbon steel. All non-structural fasteners are galvanized or zinc-plated carbon steel or stainless steel.

**FINISH** — Extra durable painted finish is coated with TGIC (Triglycidyl Isocyanurate) Polyester powder that meets 5A and 5B classifications of ASTM D3359. Powder-coat finishes include Dark Bronze, White, Black, and Natural Aluminum colors. Architectural Colors and Special Finishes are available by quote and include, but are not limited to Paint over Hot-dipped Galvanized, RAL Colors, Custom Colors and Extended Warranty Finishes.

**BUY AMERICAN ACT** — Product with the BAA option is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT regulations. Please refer to [www.acuitybrands.com/buy-american](http://www.acuitybrands.com/buy-american) for additional information.

**INSTALLATION** — Do not erect poles without having fixtures installed. Factory-supplied templates must be used when setting anchor bolts. Lithonia Lighting will not accept claim for incorrect anchorage placement due to failure to use Lithonia Lighting factory templates. If poles are stored outside, all protective wrapping must be removed immediately upon delivery to prevent finish damage. Lithonia Lighting is not responsible for the foundation design.

**WARRANTY** — 1-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: [www.acuitybrands.com/support/warranty/terms-and-conditions](http://www.acuitybrands.com/support/warranty/terms-and-conditions)

**NOTE:** Actual performance may differ as a result of end-user environment and application. Specifications subject to change without notice.

Catalog  
Number

Notes

Type



Anchor Base Poles

SSS

SQUARE STRAIGHT STEEL

BAA

OUTDOOR

POLE-SSS



**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin  
Rapids

Notes:

ELL23-118563

## SSS Square Straight Steel Poles

### ORDERING INFORMATION

Lead times will vary depending on options selected. Consult with your sales representative.

Example: SSS 20 5C DM19 DDBXD

SSS	23'					
Series	Nominal fixture mounting height	Nominal shaft base size/wall thickness <sup>2</sup>	Mounting <sup>3</sup>		Options	Finish <sup>4</sup>
SSS <sup>1</sup>	10'-39' (for 1/2 ft increments, add -6 to the pole height. Ex: 20-6 equals 20ft 6in.)  See technical information table for complete ordering information.)	4C 4" 11g (0.120") 4G 4" 7g (0.179") 5C 5" 11g (0.120") 5G 5" 7g (0.179") 6G 6" 7g (0.179")  See technical information table for complete ordering information.)	Tenon mounting PT Open top (includes top cap) T20 2-3/8" O.D. (2" NPS) T25 2-7/8" O.D. (2-1/2" NPS) T30 3-1/2" O.D. (3" NPS) T35 4" O.D. (3-1/2" NPS) KAC/KAD/KSE/KSF/KVR/KVF Drill mounting <sup>4</sup> DM19 1 at 90° DM28 2 at 180° DM28 PL 2 at 180° with one side plugged DM29 2 at 90° DM39 3 at 90° DM49 4 at 90°  CSX/DSX/RXS/AERIS™/OMERO™/HLA/KAX Drill mounting <sup>4</sup> DM19AS 1 at 90° DM28AS 2 at 180° DM29AS 2 at 90° DM39AS 3 at 90° DM49AS 4 at 90° RAD drill mounting <sup>4,5</sup> DM19RAD 1 at 90° DM28RAD 2 at 180° DM29RAD 2 at 90° DM39RAD 3 at 90° DM49RAD 4 at 90° ESX Drill mounting <sup>4</sup> DM19ESX 1 at 90° DM28ESX 2 at 180° DM29ESX 2 at 90° DM39ESX 3 at 90° DM49ESX 4 at 90°	AERIS™ Suspend drill mounting <sup>4,6</sup> DM19AST_ 1 at 90° DM28AST_ 2 at 180° DM29AST_ 2 at 90° DM39AST_ 3 at 90° DM49AST_ 4 at 90° OMERO™ Suspend drill mounting <sup>4,6</sup> DM19MRT_ 1 at 90° DM28MRT_ 2 at 180° DM29MRT_ 2 at 90° DM39MRT_ 3 at 90° DM49MRT_ 4 at 90°	Shipped installed VD Vibration damper <sup>7</sup> HAxy Horizontal arm bracket (1 fixture) <sup>8,9</sup> FDLxy Festoon outlet less electrical <sup>8,10</sup> CPL12/xy 1/2" coupling <sup>8</sup> CPL34/xy 3/4" coupling <sup>8</sup> CPL1/xy 1" coupling <sup>8</sup> NPL12/xy 1/2" threaded nipple <sup>8</sup> NPL34/xy 3/4" threaded nipple <sup>8</sup> NPL1/xy 1" threaded nipple <sup>8</sup> EHHxy Extra handhole <sup>8,11</sup> NEC NEC 410.30 compliant gasketed handhole (Not UL Labeled) IC Interior coating <sup>12</sup>  L/AB Less anchor bolts (Include when anchor bolts are not needed) TP Tamper resistant handhole cover fasteners UL UL listed with label (Includes NEC compliant cover) BAA Buy America(n) Act Compliant <sup>13</sup>	Super durable paint colors DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLTXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white Other finishes GALV Galvanized finish Architectural colors and special finishes Paint over Galvanized, RAL Colors, Custom Colors and Extended Warranty Finishes available.

#### NOTES:

- Handhole covers (HHO), full base covers (FBC) and top caps (TC) shipped separately. No need to call out in nomenclature. For additional parts please order as replacements.
- Wall thickness will be signified with a "C" (11 Gauge) or a "G" (7-Gauge) in nomenclature. "C" - 0.120" | "G" - 0.179".
- PT open top poles include top cap. When ordering tenon mounting and drill mounting for the same pole, follow this example: DM28/T20. The combination includes a required extra handhole.
- Refer to the fixture spec sheet for the correct drilling template pattern and orientation compatibility.
- All RAD drilling's require a minimum top O.D. of 4".
- Insert "1" or "2" to designate fixture size; e.g. DM19AST2.
- On 4" and 5" poles, VD cannot be installed if provisions (EHH, FDL, NPL, CPL) are located higher than 2/3 of the pole's total height.  
Example: Pole height is 25ft, A provision cannot be placed above 16ft.
- Specify location and orientation when ordering option.  
For "x": Specify the height above the base of pole in feet or feet and inches; separate feet and inches with a "-".  
Example: 5ft = 5 and 20ft 3in = 20-3  
For "y": Specify orientation from handhole (A,B,C,D) Refer to the Handhole Orientation diagram below.  
Example: 1/2" coupling at 5' 8"; orientation C = CPL12/5-8C
- Horizontal arm is 18" x 2-3/8" O.D. tenon standard, with radius curve providing 12" rise and 2-3/8" O.D. If ordering two horizontal arm at the same height, specify with HAxy. Example: HA20BD.
- FDL does not come with GFCI outlet or handhole cover. These must be supplied by contractor or electrician.
- Combination of tenon-top and drill mount includes extra handhole. EHH includes cover.
- Provides enhanced corrosion resistance.
- Use when mill certifications are required.
- Finish must be specified. Additional colors available; see Architectural Colors brochure linked [here](#) (Form No. 794.3).

**Accessories:** Order as separate catalog number.

PL DT20 Plugs for ESX drillings  
PL DT8 Plugs for DMxxAS drillings



POLE-SSS



**Job Name:**  
Animal Medical & Surgical Clinic of Wisconsin Rapids

Notes:

ELL23-118563

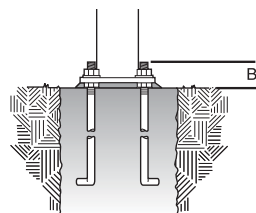
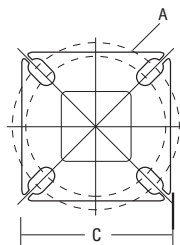
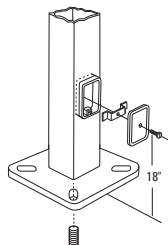
## SSS Square Straight Steel Poles

### TECHNICAL INFORMATION — EPA (ft<sup>2</sup>) with 1.3 gust

Catalog Number	Nominal Shaft Length (ft.)*	Pole Shaft Size (Base in. x Top in. x ft.)	Wall thick (in)	Gauge	EPA (ft <sup>2</sup> ) with 1.3 gust						Bolt circle (in)	Bolt size (in. x in. x in.)	Approximate ship weight (lbs.)
					80 MPH	Max. weight	90 MPH	Max. weight	100 MPH	Max. weight			
SSS 10 4C	10	4.0 x 10.0	0.120"	11	30.6	765	23.8	595	18.9	473	8-9	3/4 x 18 x 3	75
SSS 12 4C	12	4.0 x 12.0	0.120"	11	24.4	610	18.8	470	14.8	370	8-9	3/4 x 18 x 3	90
SSS 14 4C	14	4.0 x 14.0	0.120"	11	19.9	498	15.1	378	11.7	293	8-9	3/4 x 18 x 3	100
SSS 16 4C	16	4.0 x 16.0	0.120"	11	15.9	398	11.8	295	8.9	223	8-9	3/4 x 18 x 3	115
SSS 18 4C	18	4.0 x 18.0	0.120"	11	12.6	315	9.2	230	6.7	168	8-9	3/4 x 18 x 3	125
SSS 20 4C	20	4.0 x 20.0	0.120"	11	9.6	240	6.7	167	4.5	150	8-9	3/4 x 18 x 3	140
SSS 20 4G	20	4.0 x 20.0	0.179"	7	14	350	11	275	8	200	8-9	3/4 x 30 x 3	198
SSS 20 5C	20	5.0 x 20.0	0.120"	11	17.7	443	12.7	343	9.4	235	10-12	1 x 36 x 4	185
SSS 20 5G	20	5.0 x 20.0	0.179"	7	28.1	703	21.4	535	16.2	405	10-12	1 x 36 x 4	265
SSS 25 4C	25	4.0 x 25.0	0.120"	11	4.8	150	2.6	100	1	50	8-9	3/4 x 18 x 3	170
SSS 25 4G	25	4.0 x 25.0	0.179"	7	10.8	270	7.7	188	5.4	135	8-9	3/4 x 30 x 3	245
SSS 25 5C	25	5.0 x 25.0	0.120"	11	9.8	245	6.3	157	3.7	150	10-12	1 x 36 x 4	225
SSS 25 5G	25	5.0 x 25.0	0.179"	7	18.5	463	13.3	333	9.5	238	10-12	1 x 36 x 4	360
SSS 30 4G	30	4.0 x 30.0	0.179"	7	6.7	168	4.4	110	2.6	65	8-9	3/4 x 30 x 3	295
SSS 30 5C	30	5.0 x 30.0	0.120"	11	4.7	150	2	50	--	--	10-12	1 x 36 x 4	265
SSS 30 5G	30	5.0 x 30.0	0.179"	7	10.7	267	6.7	167	3.9	100	10-12	1 x 36 x 4	380
SSS 30 6G	30	6.0 x 30.0	0.179"	7	19	475	13.2	330	9	225	11-13	1 x 36 x 4	520
SSS 35 5G	35	5.0 x 35.0	0.179"	7	5.9	150	2.5	100	--	--	10-12	1 x 36 x 4	440
SSS 35 6G	35	6.0 x 35.0	0.179"	7	12.4	310	7.6	190	4.2	105	11-13	1 x 36 x 4	540
SSS 39 6G	39	6.0 x 39.0	0.179"	7	7.2	180	3	75	--	--	11-13	1 x 36 x 4	605

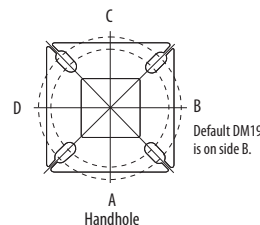
NOTE: \* EPA values are based ASCE 7-93 wind map. For 1/2 ft increments, add -6 to the pole height. Ex: 20-6 equals 20ft 6in.

### BASE DETAIL



POLE DATA							
Shaft base size	Bolt circle A	Bolt projection B	Base square C	Base plate thickness	Template description	Anchor bolt description	Anchor bolt and template description
4"C	8" - 9"	3.25"- 3.75"	8"- 8.25"	0.75"	ABTEMPLATE PJ50004	AB18-0	ABSSS-4C
4"G	8" - 9"	3.38"- 3.75"	8"- 8.25"	0.875"	ABTEMPLATE PJ50004	AB30-0	ABSSS-4G
5"	10" - 12"	3.5"- 4"	11"	1"	ABTEMPLATE PJ50010	AB36-0	ABSSS-5
6"	11" - 13"	4"- 4.50"	12.5"	1"	ABTEMPLATE PJ50011	AB36-0	N/A

### HANDHOLE ORIENTATION



### IMPORTANT INSTALLATION NOTES:

- Do not erect poles without having fixtures installed.
- Factory-supplied templates must be used when setting anchor bolts. Lithonia Lighting will not accept claim for incorrect anchorage placement due to failure to use Lithonia Lighting factory templates.
- If poles are stored outside, all protective wrapping must be removed immediately upon delivery to prevent finish damage.
- Lithonia Lighting is not responsible for the foundation design.
- Bolt circles have +/- 1/2" tolerance.

CAUTION: These specifications are intended for general purposes only. Lithonia Lighting reserves the right to change material or design, without prior notice, in a continuing effort to upgrade its products.



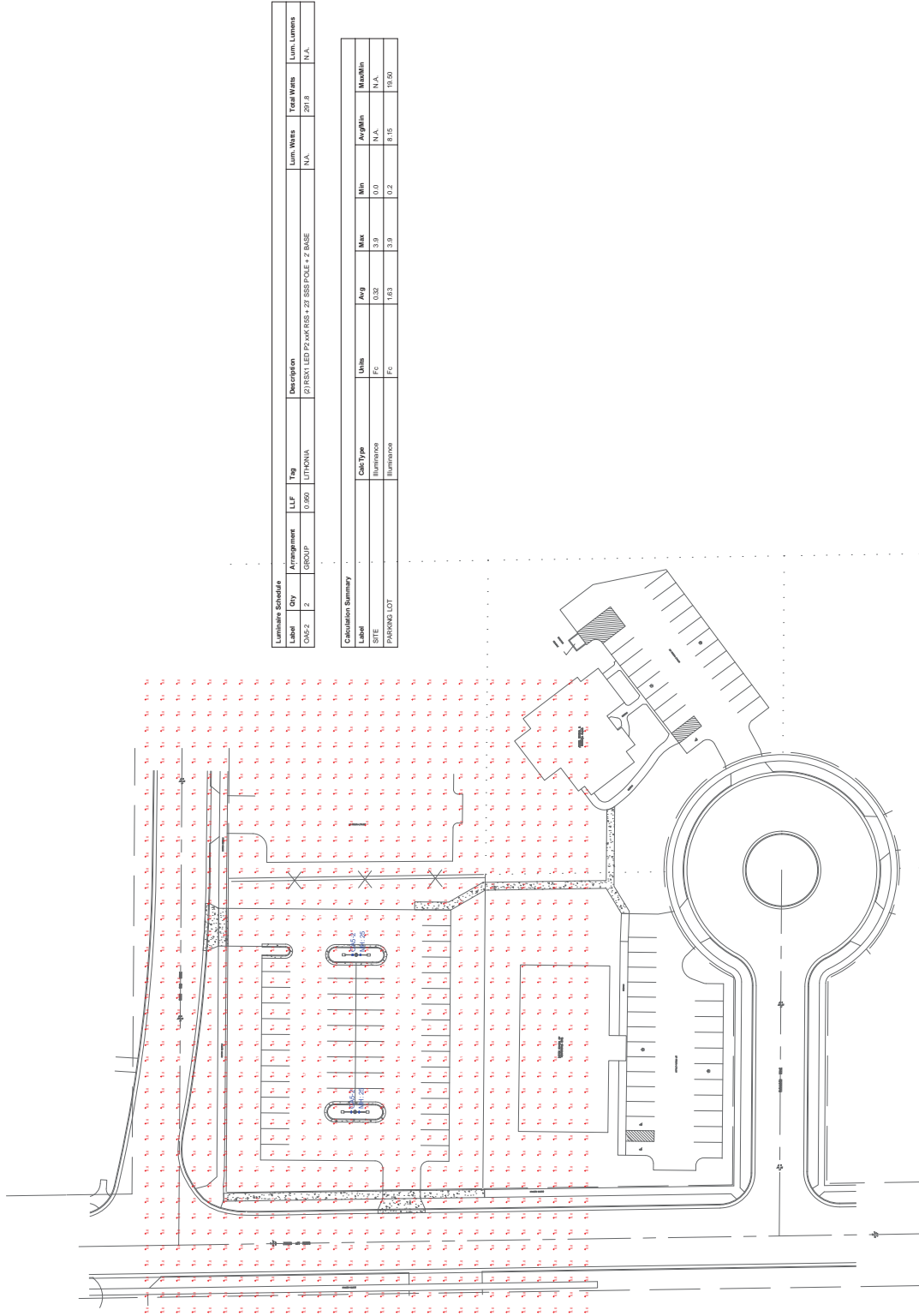
POLE-SSS



#	DATE	COMMENTS

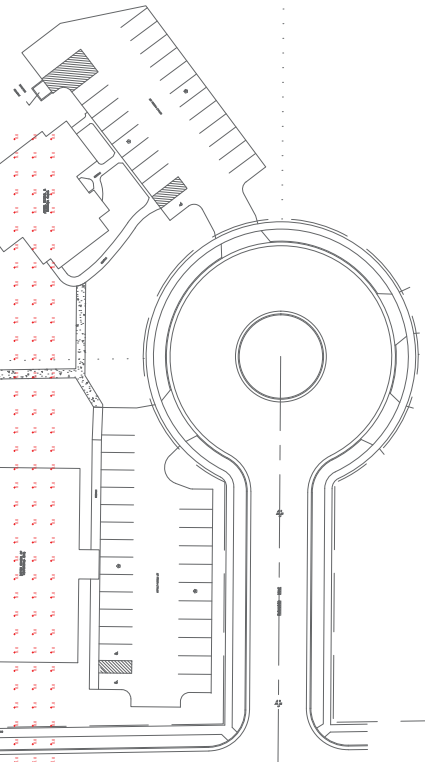
DRAWN BY : LB
DATE : JAN 06, 2023
SCALE : 1/32" = 1'-0"

ANIMAL MEDICAL & SURGICAL CLINIC OF WISCONSIN RAPIDS
WISCONSIN RAPIDS, WISCONSIN
SITE LIGHTING LAYOUT



Luminaire Schedule	Qty	Arrangement	LLF	Tag	Description	Lum. Wats	Total Wats	Lum. Lumens
DS-2	2	GROUP	0.80	LITRONA	(2) REVYLED P20xR85 + 27 SSS POLE + Z BASE	N.A.	291.8	N.A.

Label	Calc Type	Units	Avg	Max	Min	AvgW/m	MaxW/m
SITE	Illuminance	FC	0.32	3.9	0.0	N.A.	N.A.
PARKING LOT	Illuminance	FC	0.3	3.9	0.2	0.15	19.50



REVISIONS

City of Wisconsin Rapids  
Planning/Zoning Committee  
c/c Animal Medical & Surgical Clinic of Wisconsin Rapids, Dr. Ponce

This letter is meant as a means to inform the city of our intention/reasoning as to why we hope to rent additional parking space from Dr. Ponce at The Animal Medical & Surgical Clinic.

When we built our facility in 2015, zoning regulations and permeated water retention rules only allowed us to have a solid parking surface of 22 spaces. We, then, were allowed a gravel side lot to help with some overflow due to the congested lot. Since the start of our business, we have excitedly grown to a facility of 345 students and 12 staff servicing the greater Central Wisconsin Area. At any given time, we run three separate classes in addition to private voice lessons. Each of our two large studios houses 20 students, the small having 15 students, in addition to three faculty, two desk staff and one music teacher. Because of our exciting growth, we also have student volunteers that help in the classroom setting which adds 4 additional drivers per class session. We have had to enforce a "semi-closed" campus because of the lack of spots, only allowing parents of our pre-school students to stay to watch classes. That allots for 15 families, 6 faculty, and 4 student drivers during those times. In addition, high schoolers drive themselves, which is an additional 15-20 students at any given time taking parking spots. What this means, is the potential for 60 vehicles doing drop off/pick up at the same time and an overflowing front and side lot of parked vehicles. We also have many families that travel from rural surrounding areas that stay and park for the duration of their child's classes to eliminate long back and forth travel time. Because of the safety of students running to 12th street to "hitch a ride" with families unable to park in our lot, and the turn-around street of Parkwood Drive being less than ideal for kid traffic, we were granted a street light near our driveway because the City understood the safety hazard of young students traveling to and from the street. This helped immensely, but we still have many families that park on a very busy 12th street where children run to vehicles post class.

As you can imagine, we were extremely excited to hear of the potential parking lot adjacent to our property. Dr. Ponce kindly reached out offering to rent some of the space to us, as she (and many others) have also witnessed our parking shortage over the course of the past few years. Having additional parking options and traffic control to enter/exit our business area would be a huge safety relief for our business.

We would be happy to take pictures/video of our business during hours to show proof of the need for additional parking. We resume classes post Winter break on January 9th.





As a growing veterinary clinic, we are in need of additional parking. We currently employ 22 people and have marked 19 spaces in our existing parking lot. With three providers seeing patients, we can potentially have nine clients requiring parking at the same time (one finishing an appointment, one in an appointment, and one waiting for their appointment to start), not including those that stop in for a purpose other than a scheduled appointment (paying a bill, picking up a prescription, etc). Our staff is currently double parking, with many of them on our lawn, to accommodate our client's parking needs. While we are making that work for now, problems will arise as snow begins to accumulate, blocking some of the overflow areas. Additionally, we are booking appointments three months out and having to turn away as many as fifteen pet owners daily, which means that we need to hire at least one more veterinarian and additional support staff to accommodate the needs of our pet-owning community. We are working with our financial advisors on plans to build an addition onto the clinic in 2024 that will support, at a minimum, two more full time veterinarians and the six support staff those doctors will require, bringing our staff parking space needs up to 30 and our client needs to a minimum of 15 spaces. The proposed building addition, including an expanded basement with egresses, could bring the square footage of the clinic to more than 7300 square feet.

We have also been discussing parking with the neighboring dance studio, The Rapids School Of Performing Arts. They approached us when they opened to ask if their patrons could park in our current space during the evening hours after the clinic has closed for the day. Even having been granted that permission there are times each weekday evening when there will be vehicles parked on both sides of Parkwood Drive as well as overflowing onto 12th Street. It is dangerous for all concerned with dance students cutting between parked cars to get to and from their own, Parkwood Drive being narrowed to a width that only allows one vehicle to pass at a time, and visibility when entering 12th from Parkwood hindered by parked cars. We will be working with an attorney to draft an agreement between Animal Medical and Surgical Clinic/Ponce Properties and Julie Engum-Korpal/Rapids School Of Performing Arts for an easement between the proposed parking lot and the veterinary clinic property, as well as a lease agreement to provide the School with additional parking for their students. I don't know the particulars of the School's needs, but I do know that they have up to five dance classes running consecutively in each of their three studios from 4 pm through 9 pm, Monday through Friday, with students being picked up and dropped off at the same time. Even if they only have five students per class (judging by the traffic we see it's likely that there are many more), there could be thirty patron cars parking around the school at any given time with a minimum of three staff needing parking as well. They currently have 22 paved spaces on their property.

Please let us know if you have any questions regarding this requested exception.

Thank you,

Kristie Ponce  
Owner, Animal Medical And Surgical Clinic of Wisconsin Rapids  
Owner, Ponce Properties





Site Plan & Plan of Operation Application  
City of Wisconsin Rapids, Wisconsin

Version: January 3, 2019

Community Development Department  
444 West Grand Avenue  
Wisconsin Rapids, WI 54495-2780  
P: (715) 421-8228 Fax: (715) 421-8291

**Overview:** The Planning Commission reviews site plans and plans of operation for those land uses specifically requiring such review as listed in the land-use matrix (Appendix A of the zoning code).

**Governing regulations:** The procedures and standards governing the review of this application are found in Article 5 of the City's zoning code (Chapter 11 of the municipal code).

**General instructions:** Complete this application and submit one copy to the Community Development Department. Alternatively, you can submit your application online at <https://wisconsinrapids.zoninghub.com/>

**Application fee:** \$175.00 for new; \$125.00 for amendment of prior approval

Note: Site plan/plan of operation review and architectural review can be combined into one application fee.

**Application submittal deadline:** Applications must be submitted at least 3 weeks prior to the meeting. Please consult the annual Planning Commission schedule for specific dates.

**Mandatory meeting with staff:** To ensure that all the required information is provided and that there is a complete understanding of the process, the applicant must meet with City staff to discuss the request and necessary items. Please contact the Community Development Department to schedule an appointment.

**Office Use Only**

Date Received \_\_\_\_\_  
Received By \_\_\_\_\_  
Fee \_\_\_\_\_  
Case # \_\_\_\_\_  
Aldermanic District \_\_\_\_\_  
Plan Commission Date \_\_\_\_\_

**1. Applicant information**

Applicant name Animal Medical & Surgical Clinic Of WR  
Street address 1221 Parkwood Drive  
City, state, zip code Wisconsin Rapids, WI 54494  
Daytime telephone number 715-421-2006  
Email klponcedvm@gmail.com

**2. Agent contact information** Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	<u>Agent 1</u>	<u>Agent 2</u>
Name	<u>Larry D. Koopman, P.E.</u>	_____
Company	<u>Lampert-Lee &amp; Associates</u>	_____
Street address	<u>10968 State Highway 54 E</u>	_____
City, state, zip code	<u>Wisconsin Rapids, WI 54494</u>	_____
Daytime telephone number	<u>715-424-3131</u>	_____
Email	<u>lkoopman@lampertlee.com</u>	_____

**3. Type of application (check all that apply)**

- Site plan Complete Part A, B and D
- Plan of operation Complete Part A, C and D

- New project
- Amendment of prior approval (if any)

If an amendment, the date of last approval (if any): \_\_\_\_\_

**Part A. About the Property**

**4. Subject property information**

Physical address 1210 River Run Drive

Parcel number(s) 3411865

Note: The parcel number can be found on the tax bill for the property or it may be obtained from the Community Development Department.

Is the subject property currently in violation of the City's zoning ordinance as determined by the City's zoning administrator?

- No
- Yes

If yes, please explain.

**Comment:** Pursuant to Section 11.04.10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, special charges, or other required payments that are specifically related to the subject property?

- No
- Yes

If yes, please explain.

**Comment:** Pursuant to Section 11.04.11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, special assessments, special charges, or other required payments are delinquent and unpaid.

**5. Zoning information** (refer to <https://wisconsinrapids.zoninghub.com/zoningmap.aspx>)

The subject property is located in the following base zoning district(s). (check all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> RR Rural Residential                        | <input type="checkbox"/> R-8 Manufactured Home Park             | <input type="checkbox"/> M-1 General Industrial  |
| <input type="checkbox"/> R-1 Single-family Residential               | <input type="checkbox"/> B-1 Downtown Commercial                | <input type="checkbox"/> M-2 Heavy Industrial    |
| <input type="checkbox"/> R-2 Mixed Residential                       | <input type="checkbox"/> B-2 General Commercial                 | <input type="checkbox"/> I-1 Institutional       |
| <input type="checkbox"/> R-3 Multi-family Medium Density Residential | <input checked="" type="checkbox"/> B-3 Neighborhood Commercial | <input type="checkbox"/> P-1 Park and Recreation |
| <input type="checkbox"/> R-4 Multi-family High Density Residential   | <input type="checkbox"/> B-5 Mixed Use Commercial               | <input type="checkbox"/> C-1 Conservancy         |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Planned Development (PDD) | <input type="checkbox"/> Shoreland         | <input type="checkbox"/> Floodplain          |
| <input type="checkbox"/> Downtown Design           | <input type="checkbox"/> Shoreland-Wetland | <input type="checkbox"/> Wellhead Protection |

**Part B. Site Plan** (See the standards and requirements in Division 6 of Article 6.)

**6. Building type.** Which of the following building types best describes the building?

- |  |                                     |   |
|--|-------------------------------------|---|
| <input type="checkbox"/> Townhouse     | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial                   |
| <input type="checkbox"/> Multi-family  | <input type="checkbox"/> Work/live  | <input checked="" type="checkbox"/> Parking structure |
| <input type="checkbox"/> Institutional |                                     |   |

Please refer to Appendix D for any design requirements that may apply.

**7. Encroachments.**

Aside from driveways connecting to the street, will any part of the proposed project encroach into a public right-of-way?

- No
- Yes

If yes, please explain.

**8. Site parameters (area in square feet or acres)**

Subject property	32,709 sq. ft.
Building coverage	0 sq. ft.
Outdoor storage	0 sq. ft.
Stormwater facilities	11,697 sq. ft.
Impervious surfaces	18,761 sq. ft.
Landscaping and other undeveloped areas	11,782 sq. ft.
Wetlands	0 sq. ft.
100-year floodplain	0 sq.ft.

Impervious surfaces include buildings, parking areas and driveways, sidewalks, decks, patios, and other types of 'hard' surfaces.

Attach appropriate documentation if there are any wetlands.

**9. Street access**

Name	New Access	Change to Existing Access	No Change to Existing Access
South 12th Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
River Run Drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**10. Traffic generation**

Will the proposed project create 500 trips per day or more?

- No
- Yes     Attach a traffic impact report to this application. See s. 11.06.151 of the zoning code for additional details.

Will the proposed project create 300 trips per day or more, but less than 500?

- No
- Yes     The city may require a traffic impact report as described in s. 11.06.151 of the zoning code. Please contact the Community Development Department for further guidance.

**11. Parking** (See the standards and requirements in Article 17 of the zoning code.)

Minimum number of required spaces	12	See Appendix B of the zoning code for parking requirements for the proposed land use(s).
Proposed number of spaces	68	If the number of proposed spaces exceeds what is required by more than 15 percent, the Planning Commission may grant a special exception to allow oversized parking areas. (See s. 11.17.03(r) of the zoning code.)
ADA van accessible spaces	2	

Other ADA accessible spaces	<u>0</u>	
Number of electric charging stations (if any)	<u>0</u>	Charging stations are not required, but are recommended.
Bicycle parking spaces	<u>0</u>	Bike parking is not required, but is recommended. (See s. 11.17.06 of the zoning code.)
Number of spaces in front of the building	<u>21</u>	The number of spaces in front of the building may be limited depending on the zoning district. (See Appendix C of the zoning code.)
Number of spaces on the side(s) of the building	<u>0</u>	
Number of spaces to the rear of the building	<u>47</u>	

**12. Outdoor lighting** (See the standards and requirements in Article 18 of the zoning code.)

	<b>Number of Fixtures</b>	<b>Lumens</b>
Building 1	<u>          </u>	<u>          </u>
Building 2	<u>          </u>	<u>          </u>
Building 3	<u>          </u>	<u>          </u>
Parking lot 1	<u>4</u>	<u>          </u>
Parking lot 2	<u>          </u>	<u>          </u>
Parking lot 3	<u>          </u>	<u>          </u>
Other	<u>          </u>	<u>          </u>
Other	<u>          </u>	<u>          </u>
Total	<u>          </u>	<u>          </u>

Maximum lighting levels at each property boundary line (in footcandles):           

Height of parking lot lights above grade (if any):           

Attach a photometric plan to this application along with manufacturer's cut sheets for the different kinds of light fixtures.

**13. Fencing.** Will the proposed project include fencing?

- No
- Yes (See Article 15 of the zoning code for the standards and requirements that apply.)

If yes, please describe and/or attach a fencing plan.

6' high white vinyl fence along east side of proposed parking lot to provide screening for the neighboring dental clinic.

**14. Stormwater.** Describe how stormwater generated on the site will be handled.

Stormwater from the proposed parking lot will sheet flow from the parking lot to 3 stormwater infiltration basins located between the parking lot and the street right-of ways.

**15. Site plan.** Attach a site plan drawn to scale with the following information to the extent it applies to the proposed project. The items with an asterisk are required. Check those elements that are included.

Background Project Information	Buildings and Outdoor Storage/Activity Areas	Transportation Facilities (existing and proposed)
<input checked="" type="checkbox"/> Project name*	<input type="checkbox"/> Existing and proposed	<input checked="" type="checkbox"/> Streets
<input checked="" type="checkbox"/> Applicant name*	<input type="checkbox"/> Existing within 50 feet of subject property	<input checked="" type="checkbox"/> Driveways and road access onto public and private roads
<input checked="" type="checkbox"/> Preparation date/revision*	<b>Required Setbacks</b>	<input checked="" type="checkbox"/> Sidewalks and trails
<input checked="" type="checkbox"/> Name of preparer*	<input type="checkbox"/> Yard setbacks (front, side, rear and shore)	<input type="checkbox"/> Fire lanes (i.e., fire apparatus access)
<b>Survey Information</b>	<input type="checkbox"/> On-site septic systems	<input type="checkbox"/> Clear visibility triangles (location and dimensions)
<input checked="" type="checkbox"/> North arrow and graphic scale*	<input type="checkbox"/> On-site wells and off-site wells within 10 feet of the perimeter of the subject property	<b>On-Site Parking (existing and proposed)</b>
<input type="checkbox"/> Address of subject property or legal description*	<b>Landscaping Features (existing and proposed)</b>	<input checked="" type="checkbox"/> Access aisles and parking spaces by size
<input checked="" type="checkbox"/> Property boundaries *	<input checked="" type="checkbox"/> Fences, buffers, and berms	<input checked="" type="checkbox"/> Location of accessible parking spaces
<input checked="" type="checkbox"/> Acreage of subject property*	<input checked="" type="checkbox"/> Pervious and impervious surfaces by type	<input type="checkbox"/> Location and specifications/dimensions for accessibility ramps
<b>Project Development Information</b>	<input type="checkbox"/> Site amenities (benches, fountains, etc.)	<input type="checkbox"/> Type and location of on-site parking signs and traffic control signs
<input type="checkbox"/> Land use summary table by density/intensity and acreage*	<input type="checkbox"/> Existing trees and other prominent vegetation	<input checked="" type="checkbox"/> Surface materials for parking lot (e.g., concrete, bituminous concrete, pavers)
<input checked="" type="checkbox"/> Easements/rights-of-ways (location, width, purpose, ownership)	<input checked="" type="checkbox"/> Trees / shrubs to be planted, including a plant list and specs.	<input checked="" type="checkbox"/> Snow storage areas
<input type="checkbox"/> Common areas/conservancy areas (location, purpose, ownership)	Trees / shrubs to be retained	<input type="checkbox"/> Areas designated for queuing of vehicles for drive-through facilities (e.g., car washes, drive-up service windows, etc.)
<input type="checkbox"/> Land to be dedicated to the public (boundaries, area, purpose)	<b>Outdoor Lighting (existing and proposed)</b>	<input checked="" type="checkbox"/> Pedestrian walks between the parking lot and the building
<b>Setting</b>	<input checked="" type="checkbox"/> Location	<input type="checkbox"/> Designated areas of a parking area for pedestrian walks
<input checked="" type="checkbox"/> Property boundaries within 50 feet of the subject property	<input checked="" type="checkbox"/> Fixture specifications	<input type="checkbox"/> Loading lanes and loading docks
<input type="checkbox"/> Land uses within 50 feet of the subject property	<b>Stormwater Facilities (existing and proposed)</b>	<input checked="" type="checkbox"/> Stormwater drainage
<input type="checkbox"/> Zoning district boundaries within 50 feet of the subject property	<input checked="" type="checkbox"/> Location	<input checked="" type="checkbox"/> Distance between parking areas and adjoining properties if less than 20 feet
<input type="checkbox"/> Municipal boundaries within 50 feet of the subject property	<input type="checkbox"/> Specifications for each facility	<input type="checkbox"/> Areas designated for bicycle parking
<b>Site Features (existing and proposed)</b>	<b>Utilities (existing and proposed)</b>	<b>Signs (existing and proposed)</b>
<input checked="" type="checkbox"/> Ground contours when slopes exceed 8 percent	<input checked="" type="checkbox"/> Location	<input type="checkbox"/> Location
<input type="checkbox"/> Wetlands	<input checked="" type="checkbox"/> Type (sewer, telephone, etc.) (buried or overhead, if applicable)	<input type="checkbox"/> Specifications for each sign including type, height, dimensions, lighting, and other factors considered during the review process
<input type="checkbox"/> Woodlands	<input type="checkbox"/> Size/capacity, if applicable	
<input type="checkbox"/> Wildlife habitat, including critical wildlife habitat		
<input type="checkbox"/> Environmentally sensitive features		
<input type="checkbox"/> Water resources (rivers, ponds, etc.) and ordinary high-water mark for navigable waters		
<input type="checkbox"/> Floodplain boundaries and elevations of the same		

**Part C. Plan of Operation**

**16. Operating conditions**

Hours of operation:	<u>M-F 7:00 am to 5:30 pm</u>	
Estimated number of full-time employees	<u>30</u>	
Estimated number of part-time employees	<u>0</u>	
Maximum number of employees onsite at peak hours	<u>30</u>	
Will the proposed business operation create any noise outside of the building?	<u>No</u>	Refer to s. 11.06.147 of the zoning code.
Will the proposed business operation create any emissions (e.g., fumes, smoke, steam, vapor, dust,) to the atmosphere?	<u>No</u>	Refer to s. 11.06.148 of the zoning code.
Will the proposed business operation create any vibrations outside of the building?	<u>No</u>	Refer to s. 11.06.149 of the zoning code.
Will the proposed business operation involve any explosives or other flammable materials?	<u>No</u>	Refer to s. 11.06.150 of the zoning code.
Will the proposed business operation involve any radioactive materials?	<u>No</u>	
Will the proposed business operation create special needs for wastewater disposal?	<u>No</u>	
Will the proposed business operation require unusually high levels of public water?	<u>No</u>	

**17. Licensing.** What kind of federal, state, county or city licensees will be required to operate the proposed business?

Veterinary License

**Part D. Other**

**18. Attachments** List any attachments included with your application.

Photometric plan for parking lot lights, cut sheets for parking lot lights and poles, civil engineering plans, cut sheet for vinyl fence, HydroCAD Stormwater modeling report for proposed parking lot, letters from the Animal Medical & Surgical Clinic and the Rapids School of Performing Arts explaining the need for more parking.

**19. Other information** You may provide any other information you feel is relevant to the review of your application.

**20. Mandatory meeting with staff**

When did you meet with the Community Development Director?

November 2022

Month/year



**21. Applicant certification**

- I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes City officials and employees, and other designated agents, including those retained by the City, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

**Dr. Kristie Ponce**

\_\_\_\_\_  
Name – print

\_\_\_\_\_  
Name – Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name – print

\_\_\_\_\_  
Name – Signature

\_\_\_\_\_  
Date



**Special Exception**  
**City of Wisconsin Rapids, Wisconsin**  
 Version: January 3, 2019

**Community Development Department**  
 444 West Grand Avenue  
 Wisconsin Rapids, WI 54495-2780  
 P: (715) 421-8228 Fax: (715) 421-8291

**Overview:** Upon written petition, the Planning Commission may, on a case-by-case basis, grant a special exception for those development standards specifically noted as special exceptions in the zoning code. (See section 3 of this application for a listing). In making its decision, the Planning Commission must consider a variety of factors. General evaluation criteria apply to all special exceptions and special evaluation criteria may also apply.

**Governing regulations:** The procedures and standards governing the review of this application are found in Article 5 of the City's zoning code (Chapter 11 of the municipal code).

**General instructions:** Complete this application and submit one copy to the Community Development Department. Alternatively, you can submit your application online at <https://wisconsinrapids.zoninghub.com/>

**Application fee:** \$75.00

**Application submittal deadline:** Applications must be submitted at least 3 weeks prior to the meeting. Please consult the annual Planning Commission schedule for specific dates.

**Mandatory meeting with staff:** To ensure that all the required information is provided and that there is a complete understanding of the process, the applicant must meet with City staff to discuss the request and necessary items. Please contact the Community Development Department to schedule an appointment.

**Office Use Only**

Date Received \_\_\_\_\_  
 Received By \_\_\_\_\_  
 Fee \_\_\_\_\_  
 Case # \_\_\_\_\_  
 Aldermanic District \_\_\_\_\_  
 Plan Commission Date \_\_\_\_\_

**1. Applicant information**

Applicant name Animal Medical & Surgical Clinic of WR  
 Street address 1221 Parkwood Drive  
 City, state, zip code Wisconsin Rapids, WI 54494  
 Daytime telephone number 715-421-2006  
 Email klponcedvm@gmail.com

**2. Agent contact information** Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	<u>Agent 1</u>	<u>Agent 2</u>
Name	<u>Larry D. Koopman, P.E.</u>	_____
Company	<u>Lampert-Lee &amp; Associates</u>	_____
Street address	<u>10968 State Highway 54 E</u>	_____
City, state, zip code	<u>Wisconsin Rapids, WI 54494</u>	_____
Daytime telephone number	<u>715-424-3131</u>	_____
Email	<u>lkoopman@lampertlee.com</u>	_____

**3. Type of special exception.** Select the special exception you are requesting.

- s. 11.06.35 Allow removal of a principal building, while retaining the accessory building
- s. 11.06.108 Allow spires, steeples, copulas, and chimneys on institutional, commercial, and industrial buildings
- s. 11.06.108 Allow roof-mounted solar systems that exceed building height limitations
- s. 11.06.117 Allow accessory building in front of principal building
- s. 11.06.118 Allow a greater amount of parking in front of a building in the B-2 and B-3 districts
- s. 11.06.203 Allow overhead doors to face a public street (Architectural Review)
- s. 11.17.03 Allow a lesser standard for parking requirements
- s. 11.17.03 Allow more parking than what is required
- s. 11.18.43 Allow more outdoor lighting when needed to ensure public safety
- Appendix B (3.07) Allow the use of other exterior building materials on a single-family residence

- Appendix B (17.14) Allow a deviation from standards for a home occupation when operator has a temporary or permanent disability
- Appendix B (17.27) Allow a free-standing solar energy system to extend into a setback when no other location on the parcel is acceptable
- Appendix B (17.27) Allow a free-standing solar energy system to be located in the front yard when no other location on the parcel is acceptable
- Appendix C (M-1 & M-2 Districts) Allow an increase in building height

4. Subject property information

Physical address 1210 River Run Drive

Parcel number(s) 3411865

Note: The parcel number can be found on the tax bill for the property or it may be obtained from the Community Development Department.

Is the subject property currently in violation of the City's zoning ordinance as determined by the City's zoning administrator?

- No
- Yes

If yes, please explain.

**Comment:** Pursuant to Section 11.04.10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, special charges, or other required payments that are specifically related to the subject property?

- No
- Yes

If yes, please explain.

**Comment:** Pursuant to Section 11.04.11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, special assessments, special charges, or other required payments are delinquent and unpaid.

5. Evaluation criteria The factors listed below will be used in evaluating this application. Your responses are important.

1. The size of the property in comparison to other properties in the area.

Parcel # 3411865 is 32,709 sq. ft., Parcel # 3411867 to the east is 32,750 sq. ft., Parcel # 3411868 to the south is 29,596 sq. ft. Parcel # 3411869 to the southeast is 33,253 sq. ft.

2. The extent to which the issuance of the special exception would be in keeping with the overall intent of the zoning code.

The zoning code's intent is that adequate off street parking be provided for each land use. Currently both the Animal Medical & Surgical Clinic and the the Rapids School of Performing Arts lack sufficient parking. See attached letters

3. Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception.

The parking lot requirements in the zoning ordinance are based on one stall for every so many square feet of building area depending on the land use. The ordinance assumes the density of occupancy in the building is uniform for all the various land uses. In this case the density of occupancy is high.

4. The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception was granted.

The project area is a vacant lot that was overgrown with scraggly shrubs and trees. The proposed parking lot and landscaping will be a visual improvement and no adverse affects to the environment are anticipated as all storm water will be treated and infiltrated on site.

5. The nature and extent of anticipated positive and negative effects on properties in the area.

The proposed parking lot will be used by both the Animal Medical & Surgical Clinic and the Rapids School of Performing Arts. Having sufficient off street parking for staff and customers for both will improve safety in the neighborhood. The adjacent Dental Clinic requested a screening fence on the east side of the parking lot and that request will be honored.

6. Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception.

A screening fence with be installed on the east side of the parking lot and the parking lot will have landscaped curb islands and perimeter landscaping.

7. A factor specifically listed under a section of this chapter authorizing the issuance of a special exception.

A ground surface parking lot shall not exceed the number of minimum parking spaces by more than 15 percent, except that the Planning Commission may allow more parking spaces above that threshold as a special exception provided the commission determines that additional spaces are needed for that particular use or location.

8. Any other factor that relates to the purposes of this chapter set forth in s. 11.01.05 or as allowed by state law.

6. **Attachments** List any attachments included with your application.

Civil Engineering plans including the landscape plan, cut sheet for vinyl fence, cut sheets for parking lot lights and poles, letters from the Animal Medical & Surgical Clinic and the Rapids School of Performing Arts explaining the need for more parking.

7. **Other information** You may provide any other information you feel is relevant to the review of your application.

[Empty box for other information]

8. **Mandatory meeting with staff**

When did you meet with the Community Development Director?

November 2022 Month/year

9. **Applicant certification**

- I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes City officials and employees, and other designated agents, including those retained by the City, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
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- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

**Dr. Kristie Ponce**

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Name – print

\_\_\_\_\_  
Name – Signature

\_\_\_\_\_  
Date

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Name – print

\_\_\_\_\_  
Name – Signature

\_\_\_\_\_  
Date

# Administrative Staff Report

## Conditional Use Amendment: Retail Sales, more than 40,000 square feet, Addition Plan Commission Review 1100 E. Riverview Expy. January 31, 2023



<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>• Cool Investment LLC (Tom Richards)</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>• Kyle Kearns, Director of Community Development</li> <li>• Carrie Edmondson, Associate Planner</li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>• 3411796</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>• Acreage: 5.85</li> <li>• Square Footage: 254,826</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>• "B-2" General Commercial district</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>• District 8 - Bemke</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>• Commercial</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>• Retail</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>• Chapter 11 - Zoning</li> </ul>	<p><b>Request</b></p> <p><b>Cool Investment, LLC (Tom Richards) – 23-000041:</b> public hearing and action on a request for a Conditional Use Permit to establish retail sales, more than 40,000 square feet and construct a building addition at 1100 East Riverview Expressway (Parcel ID 3411796).</p> <p><b>Attachment(s)</b></p> <ol style="list-style-type: none"> <li>1. Application</li> <li>2. Plans</li> <li>3. Renderings</li> </ol> <p><b>Findings of Fact</b></p> <ol style="list-style-type: none"> <li>1. The property is 5.85 acres, and the proposed use is classified as retail sales, more than 40,000 sq. ft. in Chapter 11 – Zoning.</li> <li>2. The request is to construct four multi-tenant spaces ranging from 13,450 square feet to 41,112 square feet within the existing commercial building, as well as construct a loading dock.</li> <li>3. The property is zoned "B-2" General Commercial.</li> <li>4. This is a conditionally permitted use in the "B-2" General Commercial district.</li> <li>5. The previous retail store received a Conditional Use Permit in 1986, however the property has been vacant over 12 continuous months and is being renovated.</li> <li>6. Due to re-establishment of the use and the proposed commercial renovations, a Conditional Use Permit is required.</li> </ol> <p><b>Staff Recommendation</b></p> <p>Approve the request from the applicant for a Conditional Use Permit to establish retail sales, more than 40,000 square feet and construct a building addition at 1100 East Riverview Expressway (Parcel ID 3411796), subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. EIFS shall be permitted as an architectural decorative element within the building façade.</li> <li>2. The metal canopy encroachment shall be recognized, approved, and maintained by way of a written easement and encroachment agreement between both property owners. The encroachment shall not exceed five (5) feet. The easement agreement shall be recorded.</li> <li>3. Lighting from the development shall not exceed 0.1 foot-candles at neighboring residential property lines or 0.2 foot-candles at</li> </ol>
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neighboring commercial property lines, except where shared parking and cross-access occurs between commercial uses.

4. Applicable building and stormwater permit (state and local) shall be obtained.
5. Minor modifications to the plan shall be permitted to be reviewed and approved by the Community Development Department.

### Vicinity Map

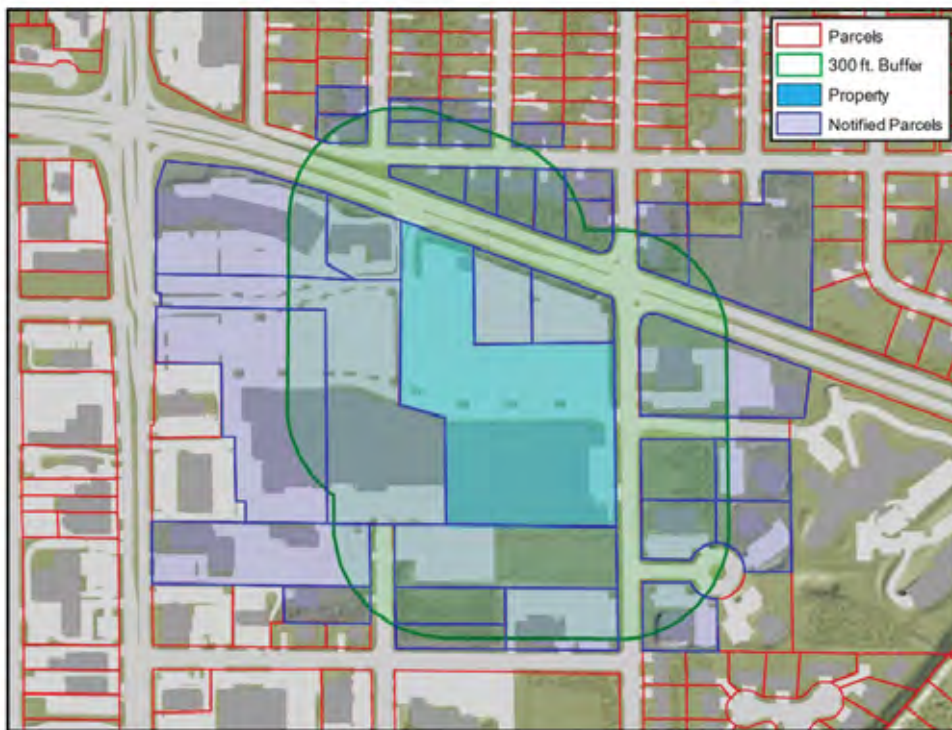


### Site Photos





Exhibit Map



## Background

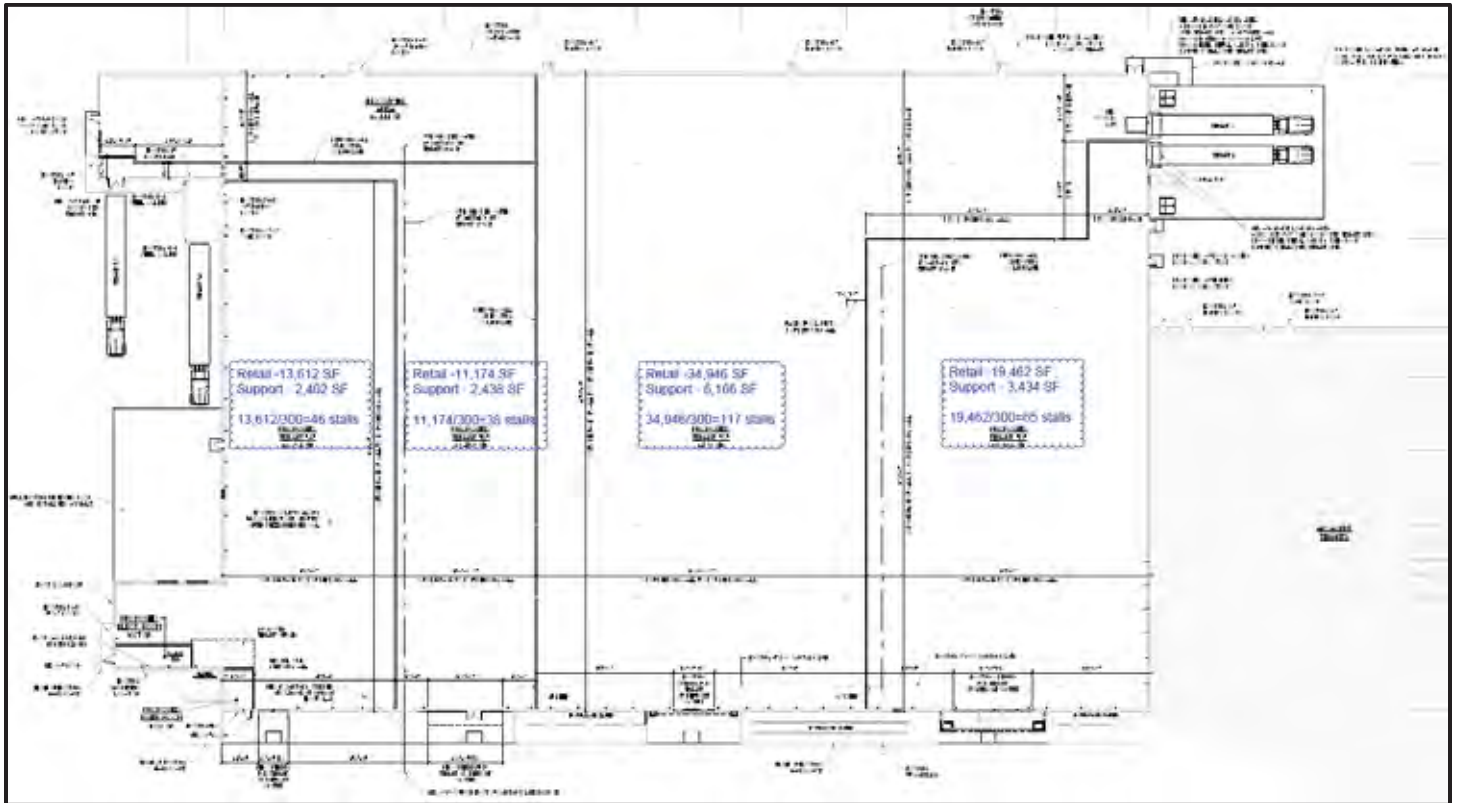
The extensive commercial retail shopping center site located south of the East Riverview Expressway between 8<sup>th</sup> Street South and 12<sup>th</sup> Street South has been granted several previous approvals, the first of which was a Conditional Use Permit in 1978 for a shopping center. Today, this expansive shopping center site consists of several individual parcels. The subject parcel for this request is the easternmost portion of the large contiguous commercial structure and is directly adjacent to 12<sup>th</sup> Street South, which was formerly Shopko.

This use is categorized as retail sales, more than 40,000 square feet, in Chapter 11 – Zoning, and requires a conditional use permit in the B-2 General Commercial district. The site received prior Conditional Use Permit approval for a shopping center in 1978 and subsequent Conditional Use Permit amendments. However, the Conditional Use Permit



has terminated due to the space being vacant for over 12 months. The applicant is proposing to re-establish retail uses within the space by creating four tenant spaces ranging from 13,450 square feet to 41,112 square feet:

Tenant Space	Size
Tenant A	16,014 square feet
Tenant B	13,450 square feet
Tenant C	41,112 square feet
Tenant D	22,896 square feet
<b>Total Retail:</b>	<b>93,472 square feet</b>
<i>Unoccupied Space</i>	<i>6,444 square feet</i>



The creation of four tenant spaces will require two new penetrations in the north façade and involve expanding and improving the two existing openings. The layout above identifies the tenant entrances and the demising floor plan. The existing eastern loading dock will also be relocated from the northeast to the southeast portion of the building. Additionally, a second loading dock area is being proposed on the southwest side of the property, as shown above.

The conditional use permit standards of review are analyzed below, and more information can be found within the attached application and plans. Additionally, site plan review standards, as well as applicable architectural standards are also analyzed below.

### Conditional Use Permit Standards of Review 11.05.55 Basis of decision

Generally. When reviewing conditional uses other than nonconforming conditional uses, the review authority shall consider the following factors:

- 1) the size of the parcel on which the proposed use will occur;

**Analysis:** The property is 5.85 acres.

**Findings:** The property is developed and is adequate in size to accommodate utilization of the existing commercial property and the proposed renovations. All dimensional requirements are met, and no impervious surface conditions will be altered, as the proposed addition encroaches only into the existing parking perimeter.

**2) the presence of and compatibility with other uses on the subject property, if any;**

**Analysis:** The large retail space is the only building on the subject parcel.

**Findings:** The proposed improvements will generate increases in vehicle and pedestrian patterns. What has been a substantially underutilized vacant space the past few years, will now be sufficiently activated. This use will be complementary to the existing commercial uses on the entire commercial retail site.

**3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);**

**Analysis:** See the above analysis and findings. Improvements to accommodate four tenants will occur on the existing façade and protrude into the existing impervious area. The retail uses will operate within the existing commercial building. Loading will change slightly on the east side, but will not change ingress/egress. New west side loading is proposed that has resulted in a shared access agreement. A separate site plan review is occurring for the adjacent site improvements, but coincide with the new loading dock and existing adjacent operations.

**Findings:** The use will operate within the existing commercial building. Small additions will occur for a few of the tenants entrances and loading dock improvements as previously discussed. Further, this use is consistent with the subject property and surrounding buildings and uses, as the site was originally developed as a retail commercial site.

**4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;**

**Analysis:** Ingress and egress to the site will remain unchanged. Retail sales of all sizes requires 1 parking space per 300 square feet of retail floor area, requiring a total of 264 parking spaces based on the amount of retail floor area and 7 additional ADA approved accessible parking spaces. This lot includes 259 total parking spaces, including 9 ADA approved accessible parking spaces.

**Findings:** Overall, the vehicle and pedestrian access for the retail uses will remain similar to what existed previously. Four separate pedestrian crosswalks are proposed from parking to tenant entrances which are sufficient. This lot is deficient 16 parking spaces. However Chapter 11 – Zoning allows shared parking as determined by the Zoning Administrator when the following conditions are met:

*(1) the applicant shows that there is no substantial conflict or overlap in the principal operating hours of the building or use for which the joint use of parking facilities is proposed;*

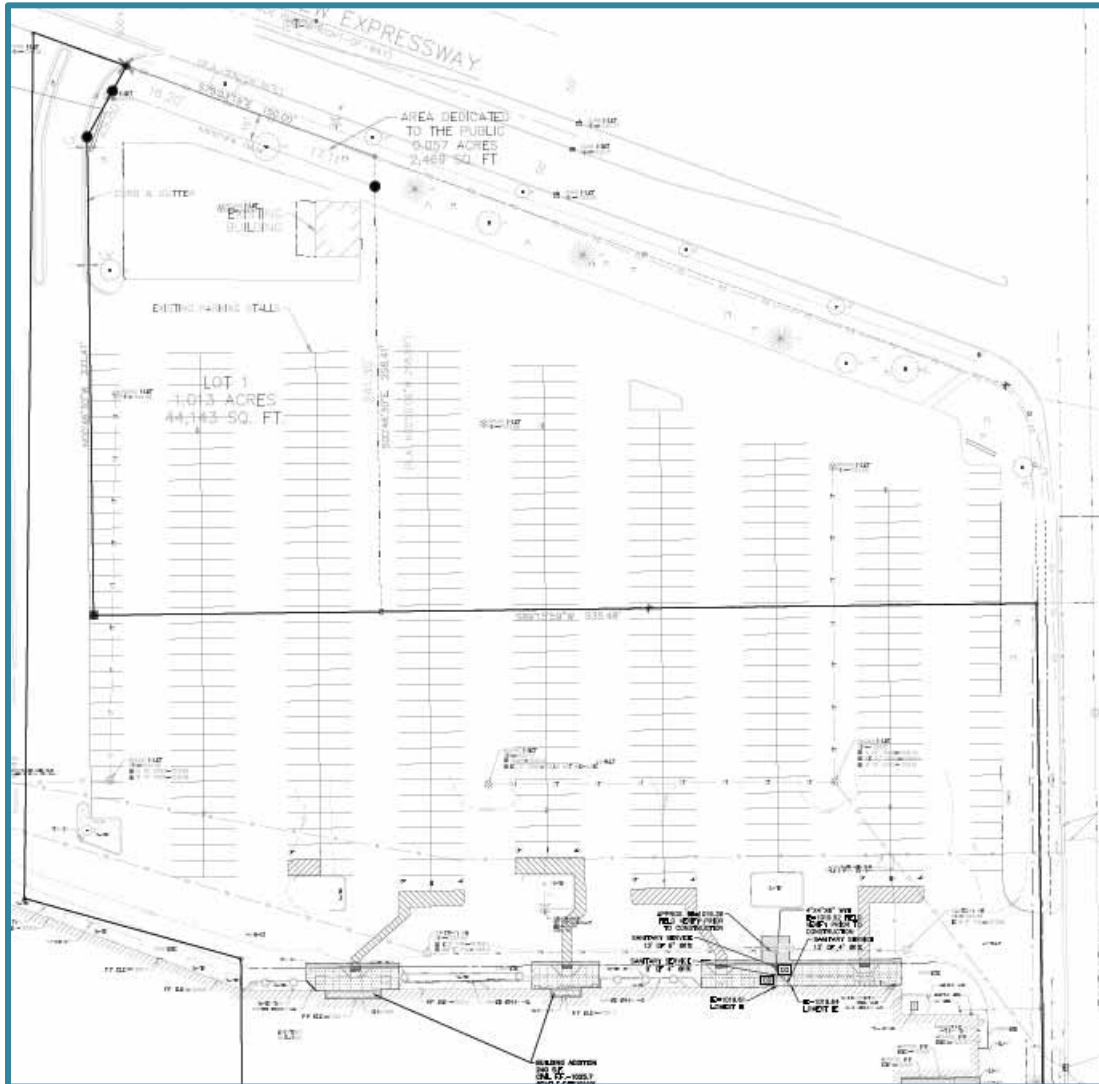
*(2) the parking facility for which joint use is proposed is located within 500 feet of the building or use required to provide parking;*

*(3) directional signage is provided where appropriate and allowed; and*

*(4) pedestrian routes are direct, clear, and safe.*

Because of the wide mix of varied uses within this shopping center including commercial retail, church, appointment-based services, and restaurants, shared parking is appropriate in this case. The applicant has also indicated that the middle lot identified below will remain parking due to the requirements of

several of the anticipated tenants. When incorporating these additional 60+ stalls, parking is easily accommodated. No other major changes are proposed to the sites vehicle and pedestrian infrastructure.



5) the suitability of the subject property for the proposed use;

**Analysis:** The subject parcel has functioned well in the past as a site for larger commercial retail use, however, in recent years it has been underutilized due to the closure of Shopko. Moreover, the site has never been fully developed, as outlots remain undeveloped in front of the building along East River Expressway.

**Findings:** The renovations and small entrance addition will have minimal impact when considering scale, and the property will remain suitable for the proposed use. In addition, the creation of four tenant suites will significantly increase the marketability of the site and improve the longevity of tenants, as well as act as a catalyst to outlot development.

6) effects of the proposed use on the natural environment;

**Analysis:** The retail use was previously established for the property, including the surrounding parcels. Overtime additional buildings were constructed to be part of the overall shopping center plaza, which recognized shared access, parking, signage, etc.

**Findings:** No major change is occurring to the site which will have a negative effect on the natural environment, as the changes are on the existing building or within existing developed areas. Loading dock site improvements

on the southwest side of the building will be reviewed in a separate staff report as they are on an adjacent parcel. Therefore, there will be minimal impact to existing green space. Staff would recommend all stormwater requirements, state and local, be met.

**7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;**

**Analysis:** Operational considerations including number of employees, hours, and material storage would be similar to the commercial retail use that existed previously. Circulation patterns for truck shipment and delivery would be altered as there would be loading docks added to the southwest corner of the building with access from 10<sup>th</sup> Street South. In addition, the docks will slightly change on the east side as well.

**Findings:** Operations for the four retail tenants would be similar to the large commercial retail use that existed previously in terms of employees, hours, and material storage. Truck circulation would be altered with a loading dock now provided on the southwest corner of the building. Trucks would access this loading dock from 10<sup>th</sup> Street South which is currently used by the adjacent grocery store. The east side docks would maintain access with 12 Street South.

**8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and**

**Analysis:** The surrounding area is fully developed.

**Findings:** The re-establishment of a commercial retail use and building renovations should not impede the normal development and improvement of the surrounding area.

**9) any other factor that relates to the purposes of this chapter set forth in s. 11.01.05 or as allowed by state law.**

**Analysis:** Notices regarding the request were sent to neighbors within a 300-foot boundary of the property.

**Findings:** Concerned citizens can attend the meeting and provide input at the public hearing. At the time of this report, no citizens have inquired about the project.

## Site Plan & Architectural Standards of Review

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**1) Use**

**Analysis:** Retail sales, more than 40,000 square feet requires a conditional use permit in the B-2 General Commercial district. Major changes to an existing building, such as new penetrations and additions also require a conditional use permit.

**Findings:** See the conditional use permit standards above. Note that a building plan – architectural review (AR), site plan review (SP), plan of operation (PO), and zoning permit (ZP) are required for a retail sale, more than 40,000 square foot use. Note that some standards may not be applicable or only apply to the renovated areas of the site and building.

**2) Dimensional Standards**

**Analysis:** The B-2 district requires 10,000 square feet, and the lot is over 5 acres. Building setbacks for the improvements are met, except for two metal canopies over the proposed west side loading doors. These canopies will protrude over the lot line. The building coverage ratio and impervious surface ratio are unknown, but the coverage ratio will only change minimally, and the impervious surface ratio will remain unchanged.



**Findings:** The applicable dimensional standards appear to be met, except for the proposed metal canopies over the west side loading dock. As these improvements are fixed to the building, they are considered permanent and protrude over the lot line, which increases the nonconforming setback and would not normally be permitted. Section 11.06.143 of the zoning ordinance identifies the ability for awnings, canopies and marquees to be extended across the property line into the public right-of-way with written authorization and City approval. The zoning ordinance does not, however, provide for an extension of canopies across the property line of a privately owned property. However, staff recognizes the following unique circumstances:

- (1) Both properties were once commonly owned and previously developed as such with shared facilities and features throughout, as many malls and shopping centers were. Recently those buildings have been subdivided or otherwise partitioned and many need shared parking and other easements or other special arrangements in order to provide access, infrastructure, and services to each store or business to ensure the success of the developments. Many are "zero lot line" properties which precludes any ability to make minimal exterior enhancements;
- (2) The proposed canopies address drainage issues, mainly for the property which is encroached upon;
- (3) Both property owners have agreed to a written access easement which recognizes the ability of the developer to use the property for ingress and egress to the loading docks;
- (4) Both property owners have agreed to a written encroachment easement which would allow the encroachment of the canopies across the property line;
- (5) The encroachment of the canopies is only five (5) feet and is an improvement that could easily be removed without affecting the structure and operation; and
- (6) The approval of the canopy is not adverse to the public health, safety or welfare; is in keeping with the spirit and intent of the zoning ordinance; is compatible with the property; and would not be detrimental to the area or surrounding properties.

Therefore, staff would recommend the approval of the metal canopies encroachment under this section if the encroachment is recognized, approved, and maintained by way of a written easement and encroachment agreement between both property owners and is identified in relation to the proposed use as presented.

### 3) Ingress/Egress

**Analysis:** Vehicles will enter and exit the site in the same manner. There will be some change to truck traffic ingress and egress for delivery and shipments. Pedestrian ingress and egress will be clearly marked to each tenant entrance.

**Findings:** The site and proposed plan will sufficiently handle vehicle and pedestrian ingress and egress. Truck traffic for shipment and deliveries will be accessed from 10<sup>th</sup> Street South with the proposed loading dock. Diverting delivery vehicles from the entrance used by customers and employees will be beneficial to the overall circulation of the site.

### 4) Parking

**Analysis:** Based on the information submitted and noted previously in the report, a total of 264 non accessible spaces would be required on site and 7 additional ADA approved accessible parking spaces. On this parcel, it appears there are a total of 250 non accessible spaces plus 9 delineated ADA approved accessible parking spaces for a total of 259.

**Findings:** Our Parking and Loading section has a provision for Zoning Administrator approved shared parking. This project would be an appropriate use of that provision, as the middle outlot with over 60 parking stalls will remain for commercial parking.

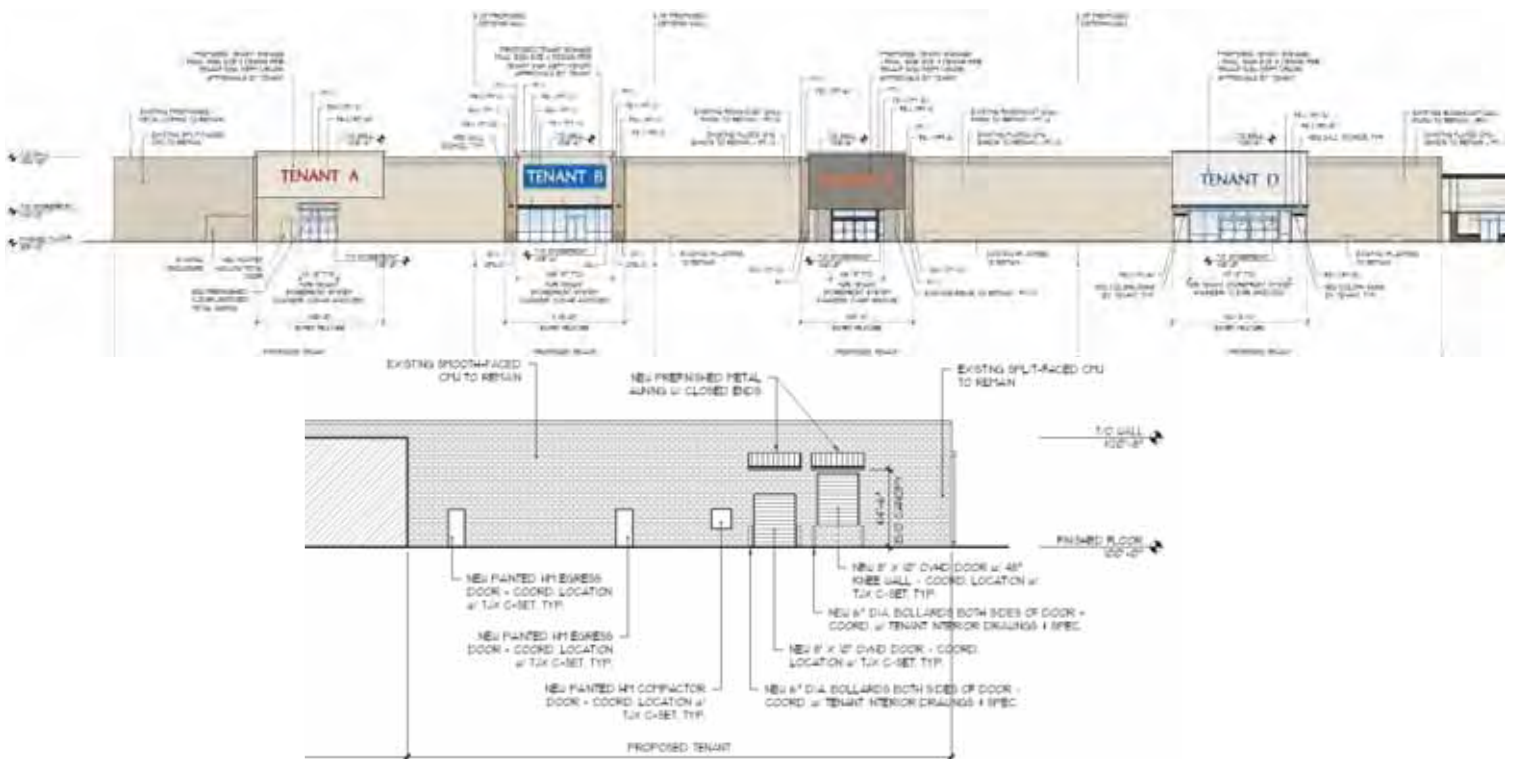
5) Landscaping

**Analysis:** There is no landscaping required, as no major physical site changes are occurring, and the small entrance renovation addition is less than 500 square feet.

**Findings:** A landscaping plan has not been submitted and no additional landscaping is required. However, foundation planters between tenant entrances are noted on the plan and will remain.

6) Architectural Review

**Analysis:** The proposed entrances are primarily constructed from glass, EIFS, stone/brick, and metal. The primary façade material however is EIFS which is proposed in several different forms and colors along the entire northing building façade. The additions referenced in the report are to create a flush building façade for tenant C and D, which involves filling in the recessed existing entrances. Furthermore, tenant C and D will have a more prominent entrance with pilaster/columns that extend to an entrance canopy. Tenant B also has columns with a small amount of stone work. Aside from EIFS changes, tenant A, only has a small metal canopy above the entrance. The new west side loading dock penetrations are not on primary façades and therefore have limited architectural requirements.



**Findings:** The design and architecture of the proposed addition will consist of color and materials to match the existing building and are a major improvement over the existing façade. Furthermore, the entrances create enough distinction to adequately separate the spaces, but Tenant A could be improved to match the vertical elements found in the other entrances. Additionally, while not a requirement, creating architectural elements between spaces to tie the entire façade together would be a visual improvement. The existing planters between entrances, will create some connection, if planted regularly and maintained. While EIFS isn't specifically noted as a decorative façade material, the Planning Commission can improve the it for such use in certain situations.

7) Lighting & Photometric Plan

**Analysis:** A lighting and photometric plan has been submitted.

**Findings:** Existing light poles will be utilized, but new LED lighting will be installed. Lighting from the development shall not exceed 0.1 foot-candles at neighboring residential property lines and 0.2 at commercial property lines, however, with existing shared parking and shared access between commercial uses, light trespass is occurring and permitted where appropriate.

In summary, this redevelopment project is consistent with the original planning vision for this site and the surrounding area. Dividing the existing structure into smaller tenant spaces creates uses that are more consistent with present day demand. Dividing the space will also create visual interest and stagger the space activation throughout the day. Moreover, multiple tenants ensures a better longevity for the use or reuse of the space and can act as a catalyst for other tenants and developments. The size of the building is increasing marginally and infrastructural demands resulting from the development will be similar to those that existed with the original development of the site. Upon review, staff would recommend approving the conditional use permit to establish the retail sales use, more than 40,000 square feet including the major building renovations proposed, subject to the conditions outlined on page one.



# Conditional Use Application

## City of Wisconsin Rapids, Wisconsin

Version: January 3, 2019

Page 58 of 115

**Community Development Department**  
 444 West Grand Avenue  
 Wisconsin Rapids, WI 54495-2780  
 P: (715) 421-8228 Fax: (715) 421-8291

**Overview:** The City's zoning regulations identify land uses that may be allowed in each of the zoning districts either by right or as a conditional use. By definition, a conditional use is a land use that may or may not be appropriate on a given parcel depending on a wide range of factors that relate to the proposed use and the particular circumstances relating to the parcel and surrounding properties. Conditional uses are therefore considered on a case-by-case basis. As part of the review process, the Planning Commission and Common Council conduct a joint public hearing to solicit input from the general public and other interested parties. When reviewing conditional use applications, the Planning Commission serves in an advisory capacity to the Common Council, which makes the final decision. The recommendation of the Planning Commission and the decision of the Village Board are based on the evidence and testimony received as part of the application and through the public hearing process.

**If you submit an application, do not contact any member on the Planning Commission or the Common Council until after a final decision has been made.**

**Governing regulations:** The procedures and standards governing the review of this application are found in Article 5 of the City's zoning code (Chapter 11 of the municipal code).

**General instructions:** Complete this application and submit one copy to the Community Development Department. Alternatively, you can submit your application online at <https://wisconsinrapids.zoninghub.com/>

**Application fee:** \$250.00 for principal and accessory uses; \$100.00 for temporary uses and \$50.00 for administrative renewals

**Application submittal deadline:** Applications must be submitted at least 3 weeks prior to the meeting. Please consult the annual Planning Commission schedule for specific dates.

**Mandatory meeting with staff:** To ensure that all the required information is provided and that there is a complete understanding of the process, the applicant must meet with City staff to discuss the request and necessary items. Please contact the Community Development Department to schedule an appointment.

**Aldersperson notification** Before you submit your application, you will need to send a letter to the Aldersperson of the district of where the request is taking place, explaining the request. Please attach the notification letter with your application materials.

### Office Use Only

Date Received \_\_\_\_\_  
 Received By \_\_\_\_\_  
 Fee \_\_\_\_\_  
 Case # \_\_\_\_\_  
 Aldermanic District \_\_\_\_\_  
 Plan Commission Date \_\_\_\_\_

#### 1. Applicant information

Applicant name Tom Richards  
 Street address PO Box 13807  
 City, state, zip code Scottsdale, AZ 85267  
 Daytime telephone number 480-628-5331  
 Email twr@twrcompany.com

**2. Agent contact information** Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	<u>Agent 1</u>	<u>Agent 2</u>
Name	<u>Eric Drazkowski, P.E.</u>	<u>Tim Yokes</u>
Company	<u>Excel Engineering, Inc.</u>	<u>Logic Design &amp; Architecture, Inc.</u>
Street address	<u>100 Camelot Dr.</u>	<u>10400 W Innovation Dr, Suite 330</u>
City, state, zip code	<u>Fond du Lac, WI 54935</u>	<u>Milwaukee, WI 53226</u>
Daytime telephone number	<u>920-926-9800</u>	<u>920-838-4405</u>
Email	<u>eric.drazkowski@excelengineer.com</u>	<u>tyokes@logicda.com</u>

**3. Type of application (select one)**

New conditional use

Yes  No Are there any other current conditional use approvals for the property?

If yes, provide the year of issuance and a short description.

An amendment of a previously approved conditional use

**4. Subject property information**

Physical address 1100 E. Riverview Expressway

Parcel number(s) 3411796 3411793

Note: The parcel number can be found on the tax bill for the property or it may be obtained from the Community Development Department.

Is the subject property currently in violation of the City's zoning ordinance as determined by the City's zoning administrator?

No  
 Yes

If yes, please explain.

**Comment:** Pursuant to Section 11.04.10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, special charges, or other required payments that are specifically related to the subject property?

No  
 Yes

If yes, please explain.

**Comment:** Pursuant to Section 11.04.11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, special assessments, special charges, or other required payments are delinquent and unpaid.

**5. Zoning information** (refer to <https://wisconsinrapids.zoninghub.com/zoningmap.aspx>)

The subject property is located in the following base zoning district(s). (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> RR Rural Residential                        | <input type="checkbox"/> R-8 Manufactured Home Park        | <input type="checkbox"/> M-1 General Industrial  |
| <input type="checkbox"/> R-1 Single-family Residential               | <input type="checkbox"/> B-1 Downtown Commercial           | <input type="checkbox"/> M-2 Heavy Industrial    |
| <input type="checkbox"/> R-2 Mixed Residential                       | <input checked="" type="checkbox"/> B-2 General Commercial | <input type="checkbox"/> I-1 Institutional       |
| <input type="checkbox"/> R-3 Multi-family Medium Density Residential | <input type="checkbox"/> B-3 Neighborhood Commercial       | <input type="checkbox"/> P-1 Park and Recreation |
| <input type="checkbox"/> R-4 Multi-family High Density Residential   | <input type="checkbox"/> B-5 Mixed Use Commercial          | <input type="checkbox"/> C-1 Conservancy         |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Planned Development (PDD) | <input type="checkbox"/> Shoreland         | <input type="checkbox"/> Floodplain          |
| <input type="checkbox"/> Downtown Design           | <input type="checkbox"/> Shoreland-Wetland | <input type="checkbox"/> Wellhead Protection |

**6. Current use** Describe the current use of the subject property.

The current use of the subject property is Retail.  
The building was originally designed for a Shopko dept store and is currently vacant.

**7. Proposed use** Describe the proposed conditional use or the proposed amendment.

The proposed conditional use of the subject property will remain Retail.  
The building will be subdivided into (4) tenant spaces

**8. Evaluation criteria** The factors listed below will be used in evaluating this application. Your responses are important.

1. The size of the parcel on which the proposed use will occur.

approximately 5.85 acres.

2. The presence of and compatibility with other uses on the subject property if any.

The proposed use will be similar to the previous tenant.

3. The location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses).

No changes - use will use the existing building.

4. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site.

No changes anticipated - proposed tenants are similar use and impact

5. The suitability of the subject property for the proposed use.

The site previously housed a single retail tenant. The proposed tenants are similar but smaller individual footprints.

6. Effects of the proposed use on the natural environment.

No significant changes to the site.

7. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances.

The operations of the proposed tenant use will be similar to the previous tenant.  
Hours of operation are not anticipated to create a nuisance.

8. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts.

The proposed use will be similar to the previous tenant and has the potential to draw new/additional tenants to the surrounding vacant spaces.

9. Any other factor that relates to the purposes of this chapter set forth in s. 11.01.05 or as allowed by state law.

**9. Supplemental materials** Attach the following to this application form.

1. A project map with the information listed in Appendix F of the zoning code.
2. Proposed construction plans (if applicable)
3. The letter you sent to the Alderperson for the district in which the project is located.

**10. Attachments** List any attachments included with your application.

Civil Plans - submitted w/ Site Plan Application  
Proposed Floor Plan & Elevations - submitted w/ Site Plan Application  
Email to Alderperson Bemke

**11. Other information** You may provide any other information you feel is relevant to the review of your application.

**12. Mandatory meeting with staff**

When did you meet with the Community Development Director?

November 2022

Month/year



Conditional Use Application  
City of Wisconsin Rapids, Wisconsin  
Page 5


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**13. Applicant certification**

- I understand that I, or any of my agents, may not discuss this application with any member of the Planning Commission or the Common Council until after a final decision is rendered.
- I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes City officials and employees, and other designated agents, including those retained by the City, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

Tom Richards  
\_\_\_\_\_  
Name – print

DocuSigned by:  
  
 2C35C33B59A7473...  
 \_\_\_\_\_  
 Name – Signature

1/24/2023  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Name – print

\_\_\_\_\_  
Name – Signature

\_\_\_\_\_  
Date

**SECTIONAL NOTES, PLAN SPECIFICATIONS AND REQUIREMENTS**

**SITE INFORMATION:**  
PROPERTY AREA: 24,843 S.F. (5.65 ACRES)  
EXISTING ZONING: R2 (GENERAL COMMERCIAL)  
PROPOSED ZONING: R2 (GENERAL COMMERCIAL)  
PROPOSED USE: MULTI-TENANT RETAIL  
AREA OF SITE DISTURBANCE: 18,860 S.F.  
SETBACKS BUILDING: FRONT (NORTH) = 25'  
REAR (SOUTH) = 25'  
SIDE (EAST) = 25'  
SIDE (WEST) = 25'  
PAVEMENT: FRONT (NORTH) = 8" P  
REAR (SOUTH) = 8" P  
REAR (EAST) = 8" P  
REAR (WEST) = 8" P  
PARKING REQUIRED: 177 SPACES PER 300 S.F. OF RETAIL SPACE (94,477,000÷300)  
PARKING PROVIDED: 274 SPACES ON PROPERTY (8 S.I.C. ACCESSIBLE)  
TOTAL 1, 2, & 3 HOUR PARKING: 208 SPACES  
LANDSCAPE REQUIREMENTS: MIN. LANDSCAPE SURFACE RATIO: 20%  
MAXIMUM LOT COVERAGE - BUILDING ONLY: 60%

**EXISTING SITE DATA**

AREA (AC)	AREA (SF)	RATIO
IMPAVED SITE AREA	24,843	24.84
PAVEMENT (TOP & CONC)	3,319	13.36
LANDSCAPE/OPEN SPACE	5,338	21.49

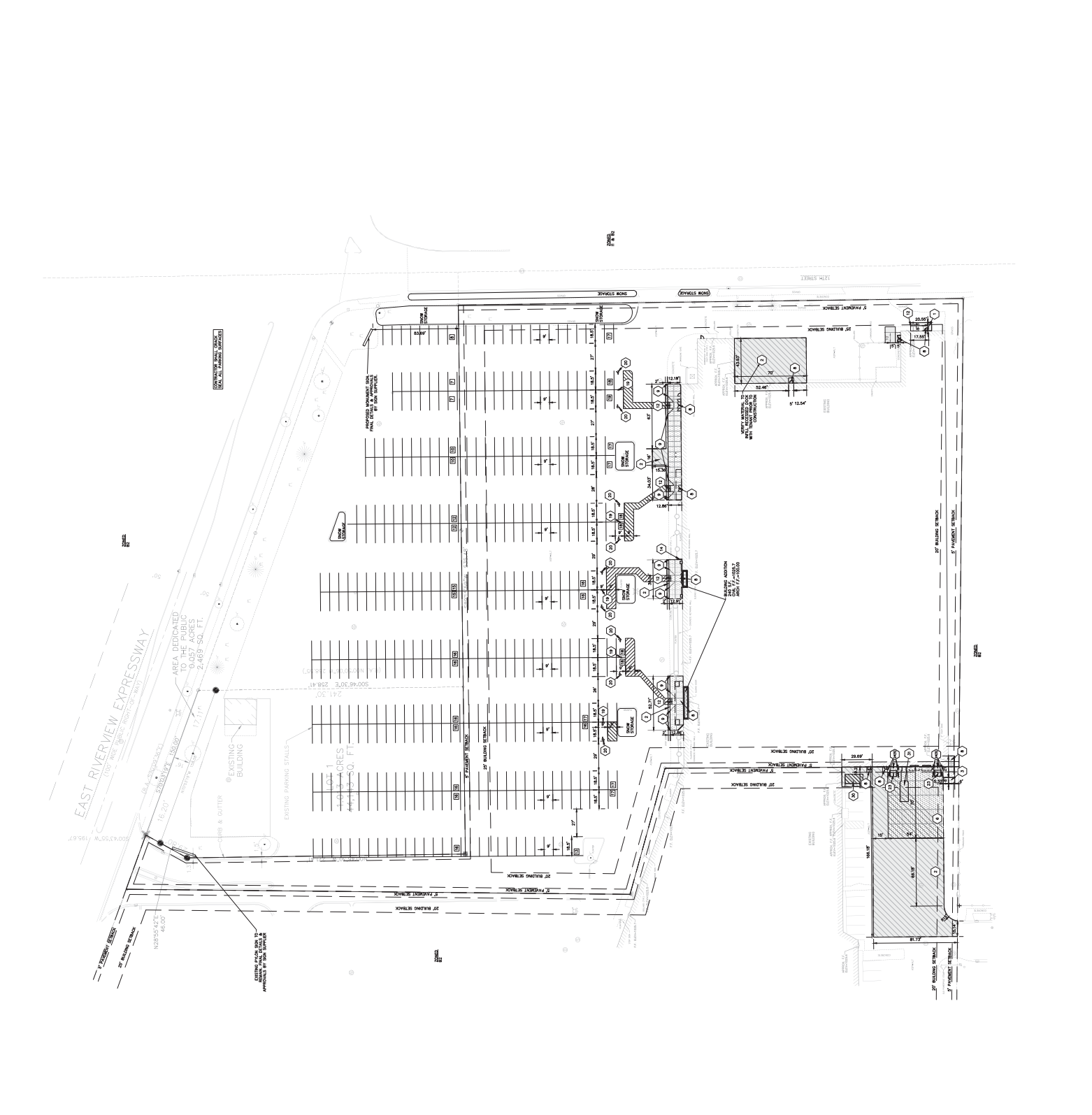
**PROPOSED SITE DATA**

AREA (AC)	AREA (SF)	RATIO
IMPAVED FLOOR AREA	3,319	13.36
PAVEMENT (TOP & CONC)	3,319	13.36
LANDSCAPE/OPEN SPACE	5,338	21.49

- SITE PLAN KEYNOTES**
- STANDARD ASPHALT SECTION (TYP.)
  - HEAVY DUTY ASPHALT SECTION (TYP.)
  - CONCRETE SIDEWALK (TYP.)
  - LOADING DOCK CONCRETE (TYP.)
  - CONCRETE STWOP (TYP.) SEE ARCH. PLANS FOR DETAILS.
  - RAISED WALK (TYP.)
  - FLUSH WALK (TYP.)
  - CURB RAMP (TYP.)
  - HANDICAP SIGN (TYP.)
  - HANDICAP STALL & STRIPING PER STATE CODES.
  - DUMPSTER (SEE DETAIL ON ARCH. PLAN)
  - 4" CONCRETE BOLLARDS (SEE DETAIL ON ARCH. PLAN)
  - PAINT STRIPING (TYP.) COLOR TO MATCH PARKING STALL STRIPING.
  - COMPACTOR (TYPE BY OWNER)

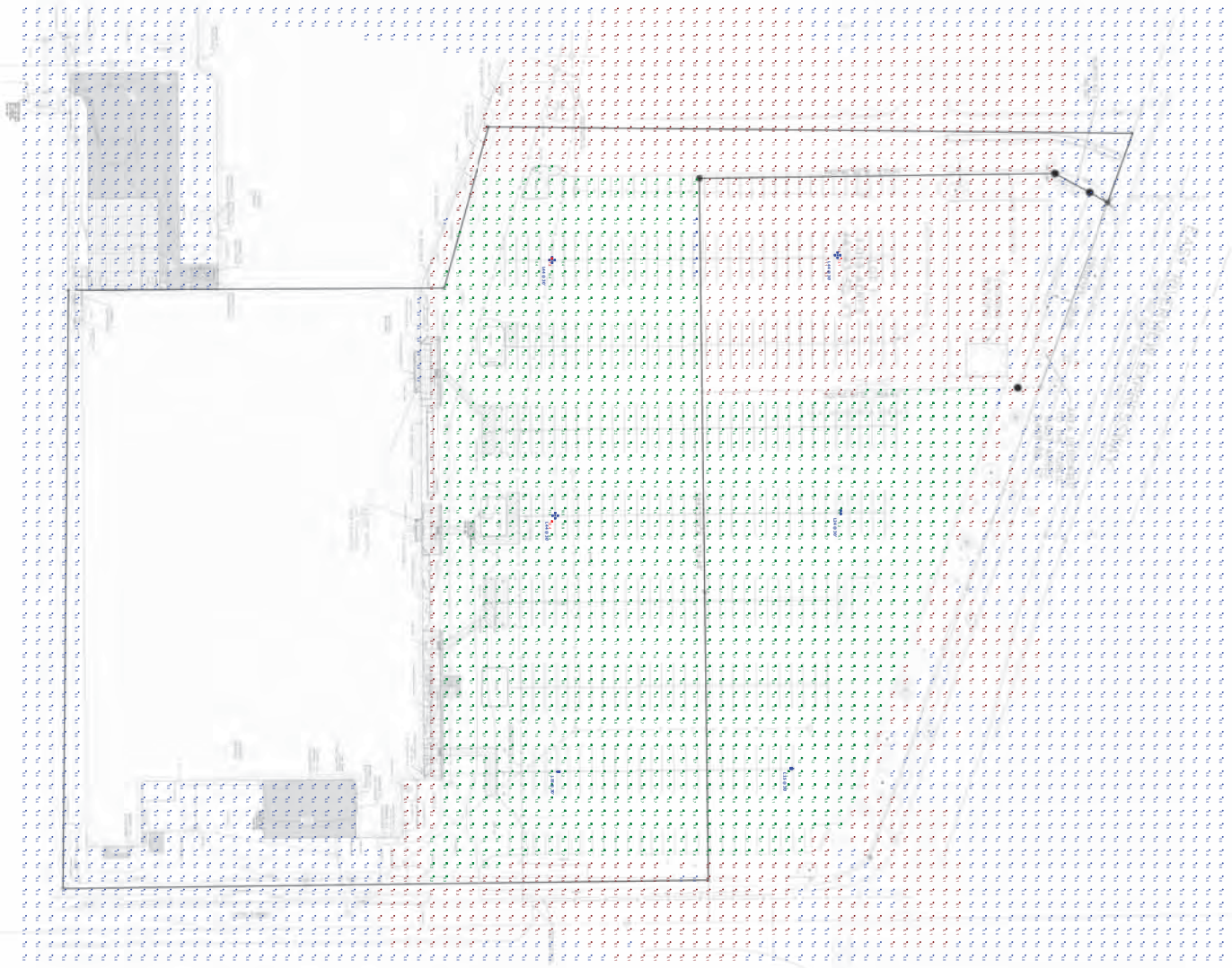
**EXISTING LANDSCAPE**

- STANDARD ASPHALT
- HEAVY DUTY ASPHALT
- CONCRETE SIDEWALK
- LOADING DOCK CONCRETE
- CONCRETE



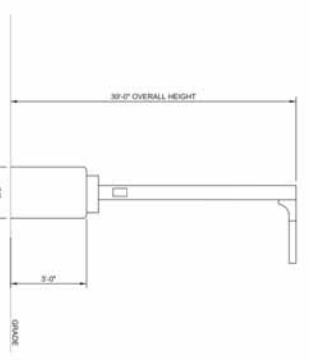






**D-Series Slim 2**  
LED Area Luminaire

Technical specifications and product details for the D-Series Slim 2 luminaire, including dimensions, weight, and performance metrics.



**LIGHT POLE DETAIL**  
NO SCALE

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	4x4 Luminaire		4x6 Luminaire
	6x6 Luminaire		8x8 Luminaire
	12x12 Luminaire		18x18 Luminaire

**C3.1**  
CIVIL SITE PHOTOMETRIC PLAN & DETAILS



**Administrative Staff Report**  
**Cool Investment LLC (Tom Richards)**  
**Site Plan Review**  
**1000 East Riverview Expressway**  
**January 27, 2023**



<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Cool Investment LLC (Tom Richards)</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Kyle Kearns, Community Development Director</li> <li>Carrie Edmondson, Associate Planner</li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>3411793</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>Effective Frontage: 86 feet</li> <li>Effective Depth: 570 feet</li> <li>Square Footage: 203,183</li> <li>Acreage: 4.67 Acres</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>"B-2" General Commercial District</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 8 - Bemke</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Commercial</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Retail/Institutional</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>Chapter 11 - Zoning</li> </ul>	<p><b>Request</b></p> <p><b>Cool Investment LLC (Tom Richards) – 23-000029:</b> request for a site plan review to perform site improvements at 1000 East Riverview Expressway (Parcel ID Number 3411793)</p> <p><b>Attachment(s)</b></p> <ol style="list-style-type: none"> <li>Application</li> <li>Plans</li> </ol> <p><b>Findings of Fact</b></p> <ol style="list-style-type: none"> <li>The request is to make site improvements by constructing hard surface and loading dock improvements on the property.</li> <li>The property is zoned "B-2" General Commercial District.</li> <li>Ingress/egress improvements related to loading docks are permitted and ancillary to the Commercial Uses on the property.</li> <li>Any significant changes to the site require site plan review by Plan Commission.</li> <li>A building plan – architectural review (AR), plan of operation (PO), site plan (SP), and zoning permit (ZP) are required.</li> </ol> <p><b>Staff Recommendation</b></p> <p>Approve the request from the applicant for a request for a site plan review to perform site improvements at 1000 East Riverview Expressway (Parcel ID Number 3411793), subject to the following condition(s):</p> <ol style="list-style-type: none"> <li>Details for a refuse enclosure constructed of brick, textured concrete masonry units, and/or wood shall be provided, to be approved by the Community Development Department.</li> <li>All applicable right-of-way and stormwater permits must be obtained through the Engineering Department.</li> <li>Stormwater management must comply with Chapters 32 and Chapter 35 of the Municipal Code during and after construction.</li> <li>All applicable permits through the City shall be obtained.</li> <li>Community Development Department staff shall have the authority to approve minor modifications to the plans.</li> </ol>
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## Vicinity Map

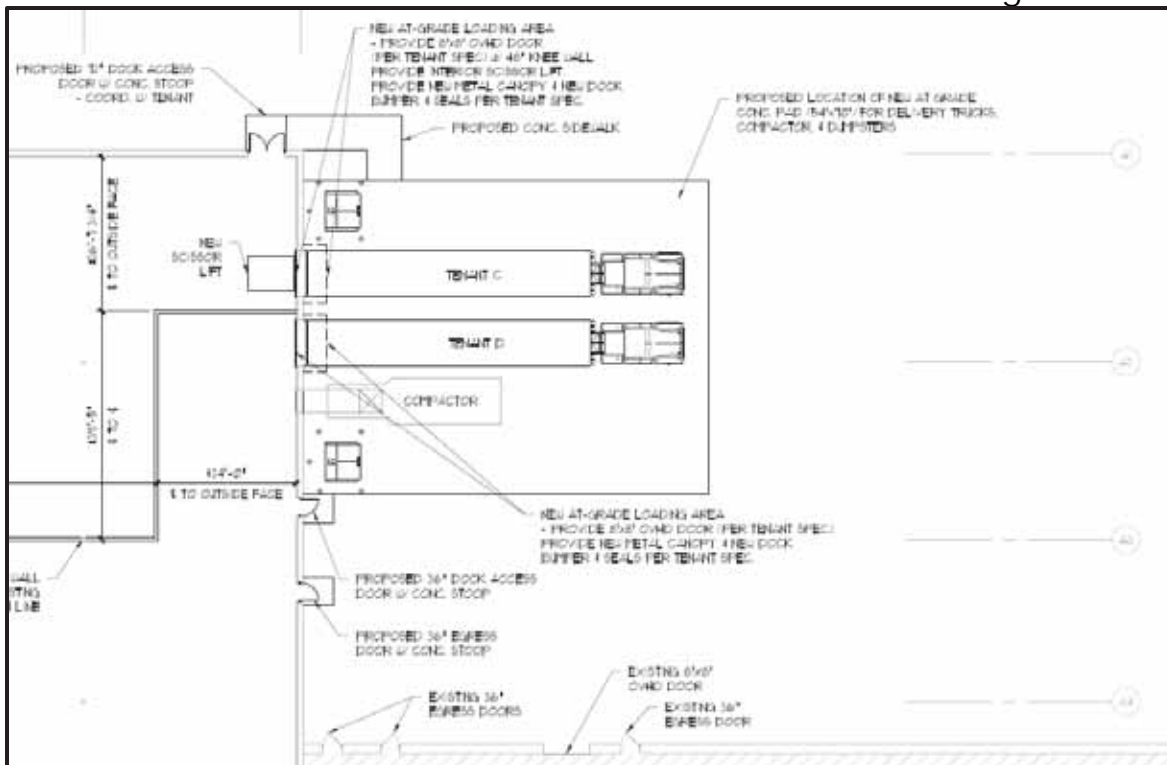


## Background

As part of the adjacent retail development, creating four tenant suites in the former Shopko, the applicant has entered into an agreement with the neighbor to develop an area serving the new loading dock on the southwest side of the building. At present, the area is gravel and is not being used. Proposed improvements for the area include a large concrete pad extending from 10<sup>th</sup> street south top the building and existing asphalt, two refuse storage areas, and an area for a large compactor. Again, these improvements coincide with the new loading docks proposed at 1100 East Riverview expressway and shown below.







Any exterior improvements require site plan review approval by the Planning Commission.

## Standards of Review

### 1) Use

**Analysis:** The buildings were originally constructed for retail uses, therefore, associated loading areas were constructed on the rear of the buildings. The former Shopko however was originally only a single tenant use but is now being proposed to be a four-tenant building. Two tenants will use the existing eastern docks and the other two will use the proposed loading docks.

**Findings:** The use is conditionally permitted. A parking lot construction is not considered an expansion of the use and therefore does not require a conditional use permit amendment but does require a site plan review. Note that a building plan – architectural review (AR), plan of operation (PO), site plan review (SP), and zoning permit (ZP) are required.

### 2) Dimensional Standards

**Analysis:** The B-2 district lot requirements are met; however, the building is unique given it's zero-lot-line configuration and shared access. The proposed improvements are interpreted as being permitted under the shared access language of the ordinance. Dimensionally, the concrete area is 5 feet from the property line and is being proposed within an area that is already impervious (gravel).

**Findings:** While the impervious surface ratio is exceeded on the site, the improvements are not increasing the ratio, but bringing it into compliance meeting the hard surface requirement. Furthermore, an executed agreement exists regarding the shared access and easement for the improvements, with which is filed in the Community Development Department.

### 3) Ingress/Egress

**Analysis:** Ingress and egress to the improved area will occur via 10<sup>th</sup> Street South, which directly intersects the private property. While 10<sup>th</sup> Street is not a truck route, trucks are permitted to utilize local roads only as necessary to serve the business. In addition, trucks can circulate through the site via the share access route on 8<sup>th</sup> Street.

**Findings:** Driveway standards are met, and the proposed improvements will provide sufficient ingress and egress, while also not negatively impacting existing onsite or adjacent operations.

#### 4) Parking

**Analysis:** The improvements are for loading berths to serve the new tenants at 1100 East Riverview Expressway. The berths are located on hard surface in the rear of the building.

**Findings:** The loading berths meet the applicable standards and do not interfere with the right-of-way, onsite traffics or pedestrian circulation.

#### 5) Landscaping – N/A

#### 6) Architectural Review

**Analysis:** Refuse storage areas are identified for each tenant (2 total) and appear to be surrounded by bollards. The following is required for refuse storage:

*(13) When trash, garbage and recyclable materials are stored out-of-doors, such materials shall be concealed or suitably screened from public view. When located in a commercial zoning district, the enclosure must be made of brick, textured concrete masonry units, and/or wood. When located in an industrial zoning district, the enclosure must be made of brick, textured concrete masonry units, wood, and/or chain-link with slats. The Plan Commission, via special exception, can approve a chain link enclosure in a commercial zoning district when the following standards are met:*

1. *The enclosure shall be located within the rear yard.*
2. *The chain link fence shall have privacy slats installed.*
3. *Landscaping, in the form of shrubs shall completely screen the enclosure at maturity and be a minimum of 50% of the enclosure height at planting, except the enclosure gate.*
4. *The enclosure gate shall be 100% opaque and made of wood, synthetic or metal materials. A chain link gate is permitted when a principal, or accessory building completely screen the gate from the right-of-way or adjacent lot.*

**Findings:** Staff would recommend the refuse storage be screened with an enclosure made of brick, textured concrete masonry units, and/or wood, to be approved by the Community Development Department. The Plan Commission can also approve the above exception if further details on the fence, landscaping and enclosure gate are provided.

#### 7) Lighting & Photometric Plan

**Analysis:** Regulations for onsite lighting are related to light trespass (foot-candles) beyond the property line and total lighting levels (lumens). Lighting from the business use should not exceed 0.2 foot-candles at a neighboring commercial property line and 0.1 foot-candles for residential.

**Findings:** No new lighting is being proposed as part of the site improvements.

In summary, the proposed improvements to serve the new loading docks are appropriate for the site and meet the applicable standards with the conditions recommended on page 1 of the staff report. Therefore, staff would recommend approval of the request.



**Site Plan & Plan of Operation Application**  
 City of Wisconsin Rapids, Wisconsin  
 Version: January 3, 2019

**Community Development Department**  
 444 West Grand Avenue  
 Wisconsin Rapids, WI 54495-2780  
 P: (715) 421-8228 Fax: (715) 421-8291

**Overview:** The Planning Commission reviews site plans and plans of operation for those land uses specifically requiring such review as listed in the land-use matrix (Appendix A of the zoning code).

**Governing regulations:** The procedures and standards governing the review of this application are found in Article 5 of the City's zoning code (Chapter 11 of the municipal code).

**General instructions:** Complete this application and submit one copy to the Community Development Department. Alternatively, you can submit your application online at <https://wisconsinrapids.zoninghub.com/>

**Application fee:** \$175.00 for new; \$125.00 for amendment of prior approval

Note: Site plan/plan of operation review and architectural review can be combined into one application fee.

**Application submittal deadline:** Applications must be submitted at least 3 weeks prior to the meeting. Please consult the annual Planning Commission schedule for specific dates.

**Mandatory meeting with staff:** To ensure that all the required information is provided and that there is a complete understanding of the process, the applicant must meet with City staff to discuss the request and necessary items. Please contact the Community Development Department to schedule an appointment.

**Office Use Only**

Date Received 1/16/23  
 Received By CE  
 Fee \$175.00  
 Case # 23-000029  
 Aldermanic District 8 Bernice  
 Plan Commission Date 2/6/23

**1. Applicant Information**

Applicant name Tom Richards  
 Street address PO Box 13807  
 City, state, zip code Scottsdale, AZ 85267  
 Daytime telephone number 480-628-5331  
 Email twr@twrcompany.com

**2. Agent contact information** Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	<u>Agent 1</u>	<u>Agent 2</u>
Name	<u>Eric Draskowski, P.E.</u>	<u>Tim Yokes</u>
Company	<u>Excel Engineering, Inc.</u>	<u>Logic Design &amp; Architecture, Inc.</u>
Street address	<u>100 Camelot Dr.</u>	<u>10400 W Innovation Dr, Suite 330</u>
City, state, zip code	<u>Fond du Lac, WI 54935</u>	<u>Milwaukee, WI 53226</u>
Daytime telephone number	<u>920-926-9800</u>	<u>920-838-4405</u>
Email	<u>eric.draskowski@excelengineer.com</u>	<u>tyokes@logicda.com</u>

**3. Type of application (check all that apply)**

- Site plan Complete Part A, B and D
- Plan of operation Complete Part A, C and D
- New project
- Amendment of prior approval (if any)

If an amendment, the date of last approval (if any): \_\_\_\_\_



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**Part A. About the Property**

**4. Subject property information**

Physical address 1100 E. Riverview Expressway

Parcel number(s) 3411796 3411793

Note: The parcel number can be found on the tax bill for the property or it may be obtained from the Community Development Department.

Is the subject property currently in violation of the City's zoning ordinance as determined by the City's zoning administrator?

- No
- Yes

If yes, please explain.

Not that we are aware of.

**Comment:** Pursuant to Section 11.04.10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, special charges, or other required payments that are specifically related to the subject property?

- No
- Yes

If yes, please explain.

Not that we are aware of.

**Comment:** Pursuant to Section 11.04.11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, special assessments, special charges, or other required payments are delinquent and unpaid.

**5. Zoning Information** (refer to <https://wisconsinrapids.zoninghub.com/zoningmap.aspx>)

The subject property is located in the following base zoning district(s). (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> RR Rural Residential                        | <input type="checkbox"/> R-8 Manufactured Home Park        | <input type="checkbox"/> M-1 General Industrial  |
| <input type="checkbox"/> R-1 Single-family Residential               | <input type="checkbox"/> B-1 Downtown Commercial           | <input type="checkbox"/> M-2 Heavy Industrial    |
| <input type="checkbox"/> R-2 Mixed Residential                       | <input checked="" type="checkbox"/> B-2 General Commercial | <input type="checkbox"/> I-1 Institutional       |
| <input type="checkbox"/> R-3 Multi-family Medium Density Residential | <input type="checkbox"/> B-3 Neighborhood Commercial       | <input type="checkbox"/> P-1 Park and Recreation |
| <input type="checkbox"/> R-4 Multi-family High Density Residential   | <input type="checkbox"/> B-5 Mixed Use Commercial          | <input type="checkbox"/> C-1 Conservancy         |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Planned Development (PDD) | <input type="checkbox"/> Shoreland         | <input type="checkbox"/> Floodplain          |
| <input type="checkbox"/> Downtown Design           | <input type="checkbox"/> Shoreland-Wetland | <input type="checkbox"/> Wellhead Protection |

**Part B. Site Plan** (See the standards and requirements in Division 6 of Article 6.)

**6. Building type.** Which of the following building types best describes the building?

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Townhouse     | <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Industrial        |
| <input type="checkbox"/> Multi-family  | <input type="checkbox"/> Work/live             | <input type="checkbox"/> Parking structure |
| <input type="checkbox"/> Institutional |  |  |

Please refer to Appendix D for any design requirements that may apply.

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**7. Encroachments.**

Aside from driveways connecting to the street, will any part of the proposed project encroach into a public right-of-way?

- No
- Yes

If yes, please explain.

**8. Site parameters (area in square feet or acres)**

Subject property	<u>5.85 acres</u>
Building coverage	<u>2.31 acres</u>
Outdoor storage	<u>-</u>
Stormwater facilities	<u>-</u>
Impervious surfaces	<u>5.50 acres</u>
Landscaping and other undeveloped areas	<u>0.35 acres</u>
Wetlands	<u>-</u>
100-year floodplain	<u>-</u>

Impervious surfaces include buildings, parking areas and driveways, sidewalks, decks, patios, and other types of 'hard' surfaces.

Attach appropriate documentation if there are any wetlands.

**9. Street access**

Name	New Access	Change to Existing Access	No Change to Existing Access
12th Street	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Riverview Expressway (54)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10th Street South	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**10. Traffic generation**

Will the proposed project create 500 trips per day or more?

- No similar use
- Yes Attach a traffic impact report to this application. See s. 11.06.151 of the zoning code for additional details.

Will the proposed project create 300 trips per day or more, but less than 500?

- No
- Yes The city may require a traffic impact report as described in s. 11.06.151 of the zoning code. Please contact the Community Development Department for further guidance.  
 similar existing use, minimal increase if any

**11. Parking (See the standards and requirements in Article 17 of the zoning code.)**

Minimum number of required spaces	<u>312 spaces</u>
	<u>276 on property</u>
	<u>208 Lot 1, 2, 3</u>
Proposed number of spaces	<u>484 Total</u>
ADA van accessible spaces	<u>9</u>

See Appendix B of the zoning code for parking requirements for the proposed land use(s).

If the number of proposed spaces exceeds what is required by more than 15 percent, the Planning Commission may grant a special exception to allow oversized parking areas. (See s. 11.17.03(r) of the zoning code.)

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Other ADA accessible spaces	-	
Number of electric charging stations (if any)	-	Charging stations are not required, but are recommended.
Bicycle parking spaces	-	Bike parking is not required, but is recommended. (See s. 11.17.06 of the zoning code.)
Number of spaces in front of the building	484	The number of spaces in front of the building may be limited depending on the zoning district. (See Appendix C of the zoning code.)
Number of spaces on the side(s) of the building	-	
Number of spaces to the rear of the building	-	

**12. Outdoor lighting** (See the standards and requirements in Article 18 of the zoning code.)

	Number of Fixtures	Lumens
Building 1		
Building 2		
Building 3		
Parking lot 1	3	93,907
Parking lot 2	3	88,676
Parking lot 3		
Other		
Other		
Total	6	182,583

Maximum lighting levels at each property boundary line (in footcandles):  Height of parking lot lights above grade (if any):	West = 0.8 fc North = 1.4 fc East = 0.5 fc  30'	Attach a photometric plan to this application along with manufacturer's cut sheets for the different kinds of light fixtures.
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**13. Fencing.** Will the proposed project include fencing?

- No  
 Yes (See Article 15 of the zoning code for the standards and requirements that apply.)

If yes, please describe and/or attach a fencing plan.

**14. Stormwater.** Describe how stormwater generated on the site will be handled.

Less than 1 acre disturbed. Stormwater detention not required. Modified areas on site will drain to existing storm system.



15. **Site plan.** Attach a site plan drawn to scale with the following information to the extent it applies to the proposed project. The items with an asterisk are required. Check those elements that are included.

Background Project Information	Buildings and Outdoor Storage/Activity Areas	Transportation Facilities (existing and proposed)
<input checked="" type="checkbox"/> Project name*	<input checked="" type="checkbox"/> Existing and proposed	<input checked="" type="checkbox"/> Streets
<input checked="" type="checkbox"/> Applicant name*	<input checked="" type="checkbox"/> Existing within 50 feet of subject property	<input checked="" type="checkbox"/> Driveways and road access onto public and private roads
<input checked="" type="checkbox"/> Preparation date/revision*	<b>Required Setbacks</b>	
<input checked="" type="checkbox"/> Name of preparer*	<input checked="" type="checkbox"/> Yard setbacks (front, side, rear and shore)	<input checked="" type="checkbox"/> Sidewalks and trails
<b>Survey Information</b>		
<input checked="" type="checkbox"/> North arrow and graphic scale*	<input type="checkbox"/> On-site septic systems	<input type="checkbox"/> Fire lanes (i.e., fire apparatus access)
<input checked="" type="checkbox"/> Address of subject property or legal description*	<input type="checkbox"/> On-site wells and off-site wells within 10 feet of the perimeter of the subject property	<input type="checkbox"/> Clear visibility triangles (location and dimensions)
<input checked="" type="checkbox"/> Property boundaries *	<b>Landscaping Features (existing and proposed)</b>	
<input checked="" type="checkbox"/> Acreage of subject property*	<input type="checkbox"/> Fences, buffers, and berms	<input checked="" type="checkbox"/> Access aisles and parking spaces by size
<b>Project Development Information</b>		
<input checked="" type="checkbox"/> Land use summary table by density/intensity and acreage*	<input checked="" type="checkbox"/> Pervious and impervious surfaces by type	<input checked="" type="checkbox"/> Location of accessible parking spaces
<input type="checkbox"/> Easements/rights-of-ways (location, width, purpose, ownership)	<input checked="" type="checkbox"/> Site amenities (benches, fountains, etc.)	<input checked="" type="checkbox"/> Location and specifications/dimensions for accessibility ramps
<input type="checkbox"/> Common areas/conservancy areas (location, purpose, ownership)	<input checked="" type="checkbox"/> Existing trees and other prominent vegetation	<input checked="" type="checkbox"/> Type and location of on-site parking signs and traffic control signs
<input checked="" type="checkbox"/> Land to be dedicated to the public (boundaries, area, purpose)	<input type="checkbox"/> Trees / shrubs to be planted, including a plant list and specs,	<input checked="" type="checkbox"/> Surface materials for parking lot (e.g., concrete, bituminous concrete, pavers)
<b>Setting</b>		
<input checked="" type="checkbox"/> Property boundaries within 50 feet of the subject property	Trees / shrubs to be retained	<input checked="" type="checkbox"/> Snow storage areas
<input checked="" type="checkbox"/> Land uses within 50 feet of the subject property	<b>Outdoor Lighting (existing and proposed)</b>	
<input checked="" type="checkbox"/> Zoning district boundaries within 50 feet of the subject property	<input checked="" type="checkbox"/> Location	<input type="checkbox"/> Areas designated for queuing of vehicles for drive-through facilities (e.g., car washes, drive-up service windows, etc.)
<input type="checkbox"/> Municipal boundaries within 50 feet of the subject property	<input checked="" type="checkbox"/> Fixture specifications	<input checked="" type="checkbox"/> Pedestrian walks between the parking lot and the building
<b>Site Features (existing and proposed)</b>		
<input type="checkbox"/> Ground contours when slopes exceed 8 percent	<b>Stormwater Facilities (existing and proposed)</b>	
<input type="checkbox"/> Wetlands	<input type="checkbox"/> Location	<input checked="" type="checkbox"/> Designated areas of a parking area for pedestrian walks
<input type="checkbox"/> Woodlands	<input type="checkbox"/> Specifications for each facility	<input checked="" type="checkbox"/> Loading lanes and loading docks
<input type="checkbox"/> Wildlife habitat, including critical wildlife habitat	<b>Utilities (existing and proposed)</b>	
<input type="checkbox"/> Environmentally sensitive features	<input checked="" type="checkbox"/> Location	<input checked="" type="checkbox"/> Stormwater drainage
<input type="checkbox"/> Water resources (rivers, ponds, etc.) and ordinary high-water mark for navigable waters	<input checked="" type="checkbox"/> Type (sewer, telephone, etc.) (buried or overhead, if applicable)	<input type="checkbox"/> Distance between parking areas and adjoining properties if less than 20 feet
<input type="checkbox"/> Floodplain boundaries and elevations of the same	<input checked="" type="checkbox"/> Size/capacity, if applicable	<input type="checkbox"/> Areas designated for bicycle parking
<b>Signs (existing and proposed)</b>		
		<input checked="" type="checkbox"/> Location
		<input type="checkbox"/> Specifications for each sign including type, height, dimensions, lighting, and other factors considered during the review process

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**Part C. Plan of Operation**

**16. Operating conditions**

Hours of operation:	<u>Typical business hours of retailers 1E- 8:00am - 8:00pm</u>	
Estimated number of full-time employees	<u>TBD- Based on retailer/tenant</u>	
Estimated number of part-time employees	<u>TBD- Based on retailer/tenant</u>	
Maximum number of employees onsite at peak hours	<u>TBD- Based on retailer/tenant</u>	
Will the proposed business operation create any noise outside of the building?	<u>No</u>	Refer to s. 11.06.147 of the zoning code.
Will the proposed business operation create any emissions (e.g., fumes, smoke, steam, vapor, dust,) to the atmosphere?	<u>No</u>	Refer to s. 11.06.148 of the zoning code.
Will the proposed business operation create any vibrations outside of the building?	<u>No</u>	Refer to s. 11.06.149 of the zoning code.
Will the proposed business operation involve any explosives or other flammable materials?	<u>No</u>	Refer to s. 11.06.150 of the zoning code.
Will the proposed business operation involve any radioactive materials?	<u>No</u>	
Will the proposed business operation create special needs for wastewater disposal?	<u>No</u>	
Will the proposed business operation require unusually high levels of public water?	<u>No</u>	

**17. Licensing** What kind of federal, state, county or city licensees will be required to operate the proposed business?

If applicable, each tenant shall apply for required approvals

**Part D. Other**

**18. Attachments** List any attachments included with your application.

Civil sheets C0.1-C3.1  
Architecture Elevations

**19. Other information** You may provide any other information you feel is relevant to the review of your application.

**20. Mandatory meeting with staff**

When did you meet with the Community Development Director?

November/2022

Month/year

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**21. Applicant certification**

- I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes City officials and employees, and other designated agents, including those retained by the City, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

Tom Richards

Name -- print

DocuSigned by:

Tom Richards

2C35C33B59A7473...

Name -- Signature

1/12/2023

Date

Name -- print

Name -- Signature

Date

# Administrative Staff Report

## Cool Investment LLC (Tom Richards)

### Sign Exception

1335 8<sup>th</sup> Street South  
January 27, 2023



<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Cool Investment, LLC (Tom Richards)</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Kyle Kearns, Director</li> <li>Carrie Edmondson, Associate Planner</li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>3411785</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>Effective Frontage: 444.4 feet</li> <li>Effective Depth: 307.4 feet</li> <li>Acreage: 2.91 Acres</li> <li>Area: 126,654 Square Feet</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>General Commercial (B-2)</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 8 - Bemke</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Commercial</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Commercial</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>Chapter 11 – Zoning</li> <li>Chapter 46 – Sign Regulations</li> </ul>	<p><b>Request</b></p> <p>Cool Investment LLC (Tom Richards) – 23-000039: request for a sign exception to install additional signage on an off-premise sign at 1335 8<sup>th</sup> Street South (Parcel ID 3411785)</p> <p><b>Attachment(s)</b></p> <ol style="list-style-type: none"> <li>Sign Exception Application</li> </ol> <p><b>Findings of Fact</b></p> <ol style="list-style-type: none"> <li>The property is located within the B-2 General Commercial district.</li> <li>The request includes an exception to install additional signage on an off-premise sign in the B-2 General Commercial district.</li> <li>Plan Commission can approve sign exceptions.</li> </ol> <p><b>Staff Recommendation</b></p> <p>Approve the request for a sign exception to install additional signage on an off-premise sign at 1335 8<sup>th</sup> Street South (Parcel ID 3411785), subject to the following conditions:</p> <ol style="list-style-type: none"> <li><u>No new sign cabinets may be added. All new signage must be located within existing cabinets due to the nonconforming nature of the existing sign.</u></li> <li>The property owner is responsible to abide by all City Sign Code regulations, and any unified signage agreements or similar agreements shall be regulated privately.</li> </ol>
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## Vicinity Map



## Background

The applicant is requesting an off-premise freestanding sign to advertise for the four tenants at the adjacent site located at 1335 8<sup>th</sup> Street South. Chapter 46 – Signs offers the following definition for an off-premise sign:

*Off-premises sign means a sign, including billboard, which advertises goods, products, facilities, or services not necessarily located on the premises, or directs persons to a different location from where the sign is located. Athletic field signs shall not be considered off-premises signs.*

Off-premise signs are prohibited in the City Sign Code. The Sign Code details the following intent of prohibited signs:

*(a) Intent. Some specific signs and classes of sign, provide little value in identifying a specific business, promoting advertising for a business or communication for a business, and may only harm community aesthetics and/or the public welfare.*

In addition, under **46.02 Purpose** of Chapter 46 – Signs, one of the purposes listed is to:

*(7) restrict off-premise signage to reduce visual clutter thereby helping to prevent unsafe traffic conditions*

However, the City Sign Code permits the following:

**Section 46-25 Sign Exception.** *(a) Sign Exceptions are appropriate for proposed signage that is not completely described by the terms of this Code or not fully in compliance with the specific provisions of the Code. Exceptions shall be reviewed and approved by the City Plan Commission. The Plan*



Commission shall use the following to determine whether to approve the exception, in addition to the requirements outlined in section 11.05 – Division 7 of the Municipal Code.

- (1) ...may make considerations for unique signs that match or have similar architectural styles or materials as principal building(s).
- (2) Site difficulties.
- (3) If a proposed sign structure...would take up required parking spaces...
- (4) Signs where a Sign Exception is specifically required elsewhere in the chapter, such as a mural...
- (5) Sign code is unclear or contradicting.

In addition, the Plan Commission shall consider **Zoning Ordinance section 11.05-division 7**:

- (1) the size of the property in comparison to other properties in the area.
- (2) the extent to which the issuance of the special exception would be in keeping with the overall intent of this chapter;
- (3) whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception;
- (4) the nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception was granted;
- (5) the nature and extent of anticipated positive and negative effects on properties in the area;
- (6) actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception;
- (7) a factor specifically listed under a section of this chapter authorizing the issuance of a special exception; and any other factor that relates to the purposes of this chapter set forth in s. 11.01.05 or as allowed by state law.

## Standards of Review

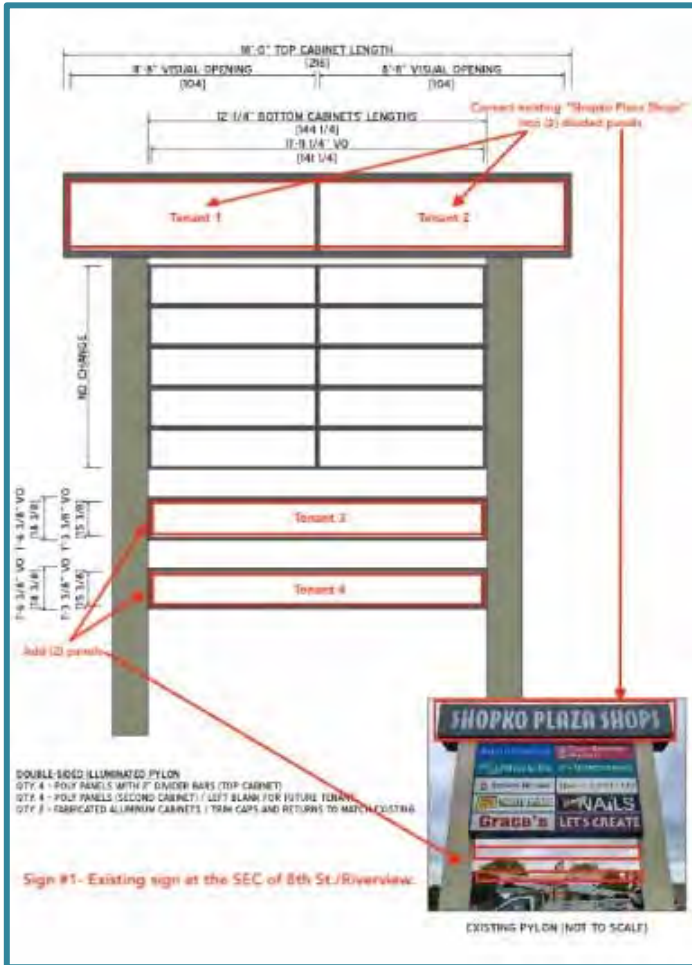
Overall, because of the size of this parcel and the fact that buildings are directly adjacent to one another, the overall site configuration has the feel of a large-interconnected site. However, the City Sign Code does not allow for this property to be considered as one large shopping center property from a sign standpoint. The Sign Code requires that signage is considered parcel by parcel regardless of ownership or proximity. Therefore any signage at 1335 8<sup>th</sup> Street South advertising for businesses other than those located on that parcel would be considered off-premise signs.

The existing sign located at 1335 8<sup>th</sup> Street South is 19 feet 6 inches tall. It is nonconforming due to not meeting setbacks and being located within the vision triangle. The vision triangle is measured by connecting two 40 foot lengths along East Riverview Expressway and 8<sup>th</sup> Street South. Nonconforming signs are defined in the Sign Code as:





a sign that does not meet current code regulations but was permitted under a previous ordinance or regulation.



Nonconforming signs are not permitted to be enlarged or reconfigured. Therefore, the new panels would have to be installed within existing sign cabinets, as sign copy and face can be changed.

*Chapter 46 Sign Code Section 46.25 Sign Exception* states that the Plan Commission can grant *Sign Exceptions when (2) Site Difficulties* are present. *The adjustment may be approved if the following criteria are found to be met.*

a. *There is no reasonable place on the site for an allowed sign without an adjustment to achieve visibility standards to the street immediately in front of the site. This may include consideration of an off-premise sign where appropriate.*

d. *The adjustment is the minimum needed for a sign to meet the visibility standards.*

e. *Additional signage may not constitute an over proliferation of signs on a property or cause needless repetition or redundancy of signage.*

Although the entrance off of 8<sup>th</sup> Street South is not a street immediately in front of the site, it is a key entrance to the 1100 East Riverview Expressway site. It is reasonable to expect that these tenants would desire visibility from this location and justifies the need for off-premise signage, especially given the busy intersection. Patrons would have the ability to react sooner on both 8<sup>th</sup> Street and the Expressway. Also, the previous sign cabinet advertised for the retail use Shopko, formally at the same location. A provision exists to allow for cabinet changes on existing nonconforming signs. The top cabinet could be replaced with a sign advertising all four tenants, which would equate to larger signs (13.5 sq. ft.) than the tenants below (8.75 sq. ft.).

Regarding new panels on the sign, the increased sign size would meet the standard, however the potential for vision impairment may be increased. In reality however, given the unique property boundary at the northwest corner, and sidewalk/boulevard, coupled with the controlled intersection and separate turn lanes, any visual impairment to motorist may be minimal. Yet, a concern exists for any precedent an approval could set for other nonconforming signs which encroach in the vision triangle. While staff supports the changing of existing cabinet for an off-premise sign purpose, staff would caution the Plan Commission regarding the enlargement of the nonconforming sign via the two proposed panels.

In summary, there are site difficulties present with the site located at 1100 East Riverview Expressway. It is reasonable to expect that any potential tenants would want the ability to advertise at a key point of entry near their business locations, but it is also desirable to coordinate signage to reduce an appearance of over proliferation, and ensure visibility standards are met.



# Sign Exception Application

## City of Wisconsin Rapids, Wisconsin

Community Development Department  
444 West Grand Avenue  
Wisconsin Rapids, WI 54495-2780  
Ph: (715) 421-8228

**Overview:** The Planning Commission reviews sign exception requests where compliance with Chapter 46 (Sign Code) is not met. Standards of review are outlined in section 46.25 of the Sign Code.

**General instructions:** Complete this application and submit one copy to the Community Development Department. Alternatively, you can submit your application online at <https://wisconsinrapids.zoninghub.com/>

**Application fee:** \$150.00

**Application submittal deadline:** Applications must be submitted 3 weeks prior to the Plan Commission meeting. Please consult the annual Planning Commission Schedule for specific dates.

**Recommended meeting with staff:** To ensure that all the required information is provided and that there is a complete understanding of the process, the applicant should meet with City staff to discuss the request and necessary items. Please contact the Community Development Department to schedule an appointment.

**OFFICE USE ONLY**

Application Number: \_\_\_\_\_ Fee Paid: \$ \_\_\_\_\_ Fee Received By: \_\_\_\_\_ Date Received: \_\_\_\_\_

Parcel Number: 3411796, 3411798, 3411785 Property Address: 1100 E. Riverview Expressway- Former Shopko

Property Owner / Applicant (circle)		Agent, if any
Name	Cool Investment LLC	c/o Tom Richards (Partner/Property Owner)
Street address	4241 N. Winfield Scott Plaza #201	
City, state, zip code	Scottsdale, Arizona 85251	
Daytime telephone	480-628-5331	
E-mail address	twr@twrcompany.com	

**General Description of the proposed sign project:**

Requesting a signage exception for (2) signs to accomodate redevelopment of the former Shopko building from a single tenant retail building into a (4) tenant retail building. The additional signage will serve to energize the eastern portion of the shopping center which shall bring awareness to the proposed (4) new tenants and former Shopko, and enhance the entire shopping centers traffic, commerce, overall occupancy, stability, and long term health.

**Reason for the sign exception request:**

In order to accomodate needed signage for the proposed (4) tenants, code requires the proposed exception. The proposed and existing retailers will benefit from the awareness of their location and enhance their long term investment in the community and this location. Proposing a partial remodel of Sign #1, and new ground Sign #2.

**Section and detail of Sign Code requesting relief or exception from:**

Sign #1- Section 46.25 (Sign Exception)- Existing sign. Proposing to remove "Shopko Plaza Shops" due to retailer no longer in operation and convert panels into a divided panel for 2 tenants (not increasing overall dimensions). Add (2) panels at the bottom.  
Sign #2- New proposed ground sign. Section 46.18, B-2 Commercial (table summary).

**Zoning information** (refer to <https://wisconsinrapids.zoninghub.com/zoningmap.aspx>)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> RR Rural Residential                        | <input type="checkbox"/> R-8 Manufactured Home Park        | <input type="checkbox"/> M-1 General Industrial  |
| <input type="checkbox"/> R-1 Single family Residential               | <input type="checkbox"/> B-1 Downtown Commercial           | <input type="checkbox"/> M-2 Heavy Industrial    |
| <input type="checkbox"/> R-2 Mixed Residential                       | <input checked="" type="checkbox"/> B-2 General Commercial | <input type="checkbox"/> I-1 Institutional       |
| <input type="checkbox"/> R-3 Multi-family Medium Density Residential | <input type="checkbox"/> B-3 Neighborhood Commercial       | <input type="checkbox"/> P-1 Park and Recreation |
| <input type="checkbox"/> R-4 Multi-family High Density Residential   | <input type="checkbox"/> B-5 Mixed Use Commercial          | <input type="checkbox"/> C-1 Conservancy         |

**Standards of Review:** The Plan Commission shall use the following to determine whether to approve the exception, in addition to the requirements outlined in section 11.05 – Division 7 of the Municipal Code.

- 1) If the sign is not in full compliance with the definition or the type of sign is not permitted within a given district, the Plan Commission may make considerations for unique signs that match or have similar architectural styles or materials as the principal building(s).
- 2) Site difficulties. If there are unusual site factors, which preclude an allowed sign from being visible to the street immediately in front of the site, an adjustment may be granted to achieve visibility standards. This adjustment is not intended to be used to make signs visible to other streets, but to address site difficulties of visibility to the street on which the sign has direct frontage. Site difficulties may include the sign face being blocked due to topography of the site, elevation of street, setback of the existing development, or landscaping on the site, or from abutting development or landscaping. This set of adjustment criteria is generally intended to allow greater flexibility in placement and dimension requirements of the sign. The adjustment may be approved if the following criteria are found to be met:
  - a. There is no reasonable place on the site for an allowed sign without an adjustment to achieve visibility standards to the street immediately in front of the site. This may include consideration of an off-premise sign where appropriate.
  - b. If the proposed sign extends into the five-foot setback requirement, the sign will not create a traffic or safety hazard.
  - c. Of potential adjustments to meet the visibility standard, the request is the most consistent with the surrounding development and sign patterns.
  - d. The adjustment is the minimum needed for a sign to meet the visibility standards.
  - e. Additional signage may not constitute an over proliferation of signs on a property or cause needless repetition or redundancy of signage.
  - f. The sign would not be located so as to have a negative impact on adjacent property.
  - g. The size and height adjustment is the minimal to adhere visibility standards.
- 3) If a proposed sign structure, including required landscaped areas would take up required parking spaces and is unable to be suitably placed where setbacks can be met and required parking is not removed, the Plan Commission may reduce or waive the setbacks and landscaping requirement.
- 4) Signs where a Sign Exception is specifically required elsewhere in this chapter such as a mural, may not need to meet all of the above criteria for approval. These are unique signs, and the Plan Commission may grant approval on a case by case basis.
- 5) The Zoning Administrator may require a Sign Exception review when provisions of the sign code are unclear or contradicting.

**Provide further details regarding the request in relation to the above standards:**

Notes- Regarding Sign #2, the nearest sign is approximately 530' away at the Riverview Expressway entrance. There is currently no existing signage at the SWC of Riverview/12th St. which presents and excellent opportunity for the eastern portion of the shopping center. Both Pad 3 and the Shopko building are owned by the Applicant and for the benefit of the mutual parcels. Applicant is working collectively with the adjacent property owner who is in agreement with the proposed signage enhancements. Applicant believes the proposed signage creates a high impact result with limited modifications to existing conditions.

**Applicant certification**

- I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes City officials and employees, and other designated agents, including those retained by the City, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner and/or Applicant:

Tom Richards  
 \_\_\_\_\_  
 Name – print

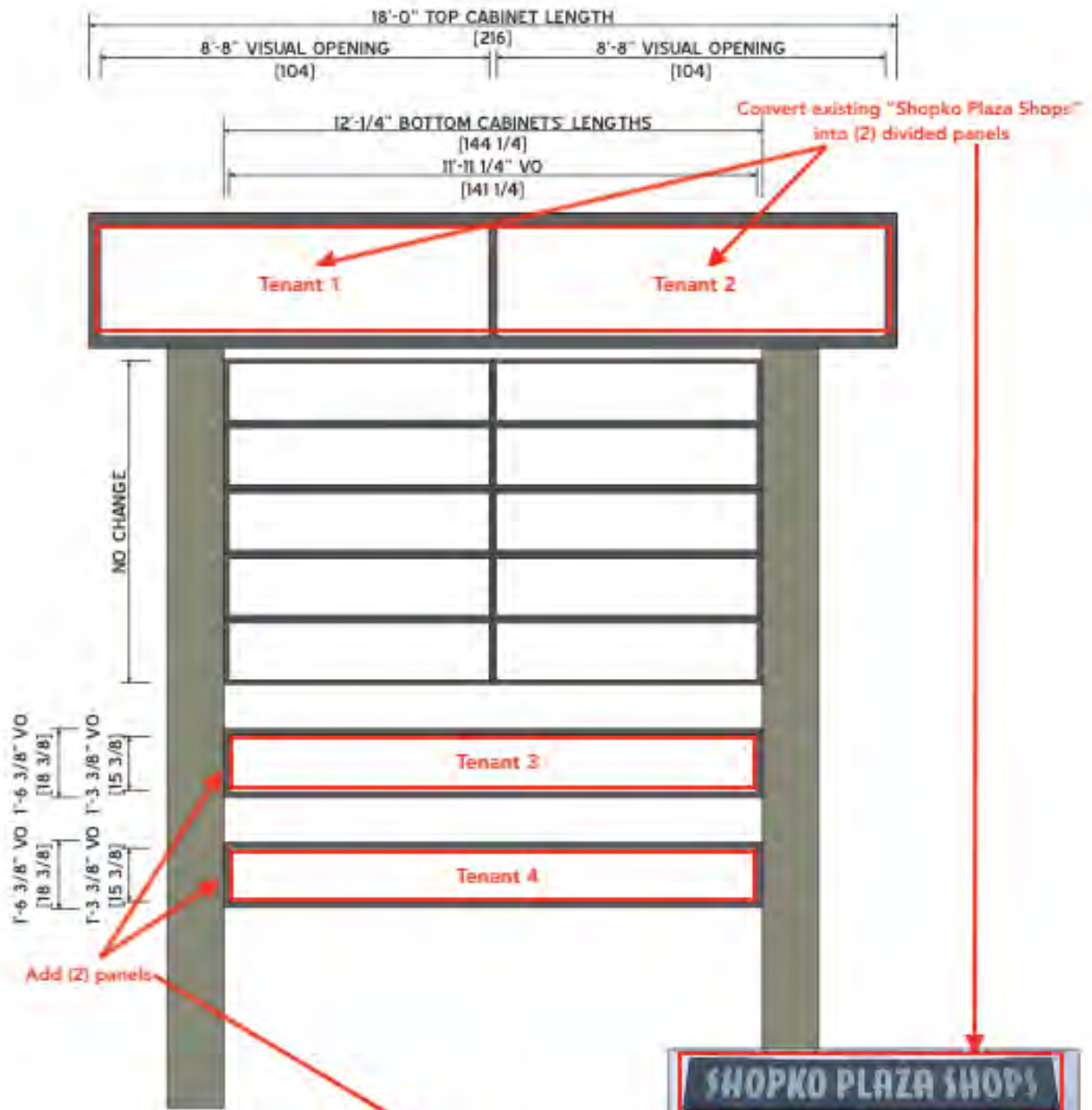
DocuSigned by:  
  
 \_\_\_\_\_  
 Name – Signature

1/24/2023  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Name – print

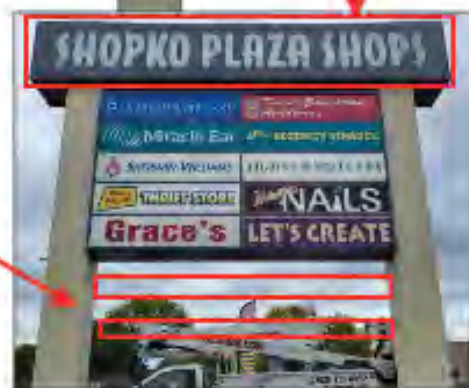
\_\_\_\_\_  
 Name – Signature

\_\_\_\_\_  
 Date



- DOUBLE-SIDED ILLUMINATED PYLON
- QTY. 4 - POLY PANELS WITH 2" DIVIDER BARS (TOP CABINET)
- QTY. 4 - POLY PANELS (SECOND CABINET) / LEFT BLANK FOR FUTURE TENANT
- QTY. 2 - FABRICATED ALUMINUM CABINETS / TRIM CAPS AND RETURNS TO MATCH EXISTING

Sign #1- Existing sign at the SEC of 8th St./Riverview.



EXISTING PYLON (NOT TO SCALE)





# Administrative Staff Report

## Cool Investment LLC (Tom Richards)

### Sign Exception

1140 East Riverview Expressway  
January 27, 2023



<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Cool Investment, LLC (Tom Richards)</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Kyle Kearns, Director</li> <li>Carrie Edmondson, Associate Planner</li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>3411798</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>Effective Frontage: 228.4 feet</li> <li>Effective Depth: 116.8 feet</li> <li>Acreage: 0.804 Acres</li> <li>Area: 35,005 Square Feet</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>General Commercial (B-2)</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 8 - Bemke</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Commercial</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Vacant</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>Chapter 11 – Zoning</li> <li>Chapter 46 – Sign Regulations</li> </ul>	<p><b>Request</b></p> <p>Cool Investment LLC (Tom Richards) – 23-000039: request for a sign exception to install an off-premise sign in an outlot at 1140 East Riverview Expressway (Parcel ID 3411798)</p> <p><b>Attachment(s)</b></p> <ol style="list-style-type: none"> <li>Sign Exception Application</li> </ol> <p><b>Findings of Fact</b></p> <ol style="list-style-type: none"> <li>The property is currently vacant.</li> <li>The property is located within the B-2 General Commercial district.</li> <li>The request includes an exception to allow an off-premise sign in the B-2 General Commercial district.</li> <li>Plan Commission can approve sign exceptions.</li> </ol> <p><b>Staff Recommendation</b></p> <p>Approve the request for a sign exception to locate the proposed off-premise sign at 1140 East Riverview Expressway (Parcel ID 3411798) with conditions:</p> <ol style="list-style-type: none"> <li>No additional tenants shall be added to the sign and no additional freestanding signs shall exist on the property.</li> <li>Copy within the existing cabinets shall be permitted to be changed.</li> <li>The property owner is responsible to abide by all City Sign Code regulations, and any unified signage agreements or similar agreements shall be regulated privately.</li> </ol>
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## Vicinity Map



## Background

The applicant is requesting an off-premise freestanding sign to advertise for the four tenants at the adjacent site located at 1100 East Riverview Expressway. Chapter 46 – Signs offers the following definition for an off-premise sign:

*Off-premises sign means a sign, including billboard, which advertises goods, products, facilities, or services not necessarily located on the premises, or directs persons to a different location from where the sign is located. Athletic field signs shall not be considered off-premises signs.*

Off-premise signs are prohibited in the City Sign Code. The Sign Code details the following intent of prohibited signs:

*(a) Intent. Some specific signs and classes of sign, provide little value in identifying a specific business, promoting advertising for a business or communication for a business, and may only harm community aesthetics and/or the public welfare.*

In addition, under **46.02 Purpose** of Chapter 46 – Signs, one of the purposes listed is to:

*(7) restrict off-premise signage to reduce visual clutter thereby helping to prevent unsafe traffic conditions*

However, the City Sign Code permits the following:

**Section 46-25 Sign Exception.** (a) *Sign Exceptions are appropriate for proposed signage that is not completely described by the terms of this Code or not fully in compliance with the specific provisions of the Code. Exceptions shall be reviewed and approved by the City Plan Commission. The Plan Commission shall use the following to determine whether to approve the exception, in addition to the requirements outlined in section 11.05 – Division 7 of the Municipal Code.*

- (1) *...may make considerations for unique signs that match or have similar architectural styles or materials as principal building(s).*
- (2) *Site difficulties.*
- (3) *If a proposed sign structure...would take up required parking spaces...*
- (4) *Signs where a Sign Exception is specifically required elsewhere in the chapter, such as a mural...*
- (5) *Sign code is unclear or contradicting.*

In addition, the Plan Commission shall consider **Zoning Ordinance section 11.05-division 7:**

- (1) *the size of the property in comparison to other properties in the area.*
- (2) *the extent to which the issuance of the special exception would be in keeping with the overall intent of this chapter;*
- (3) *whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception;*
- (4) *the nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception was granted;*
- (5) *the nature and extent of anticipated positive and negative effects on properties in the area;*
- (6) *actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception;*
- (7) *a factor specifically listed under a section of this chapter authorizing the issuance of a special exception; and any other factor that relates to the purposes of this chapter set forth in s. 11.01.05 or as allowed by state law.*

## Standards of Review

Overall, because of the size and configuration of this parcel and the surrounding parcels and the way in which they were developed, the overall site has the feel of a large integrated shopping center. However, the City Sign Code does not allow for this property to be considered as one large shopping center property from a sign standpoint. The Sign Code requires that signage is considered parcel by parcel regardless of ownership or proximity. Therefore because the property at 1140 East Riverview Expressway contains no development, any signage on that parcel would be considered off-premise signage.

This signage is being requested for the four future property tenants to be located at 1100 East Riverview Expressway. Note that the parcel located at 1100 East Riverview Expressway has a 40-foot non-conforming ground sign at the access point on East Riverview Expressway. A sign permit application has been received to modify sign cabinets for this sign to advertise for the four potential tenants.



The applicant’s preference is for a second ground sign along East Riverview Expressway on the corner of 12<sup>th</sup> Street South. The Sign Code allows for one ground sign per street frontage that provides property access when signs are at least 300 feet apart. Therefore, a second sign would be permitted on 12<sup>th</sup> Street South but will not be nearly as impactful. Furthermore, if the lot at 1140 East Riverview Expressway were to be developed, a ground sign along the East Riverview Expressway would be permitted. However, advertising for off site businesses would not be permitted, hence the Sign Exception request for off-premise signage.

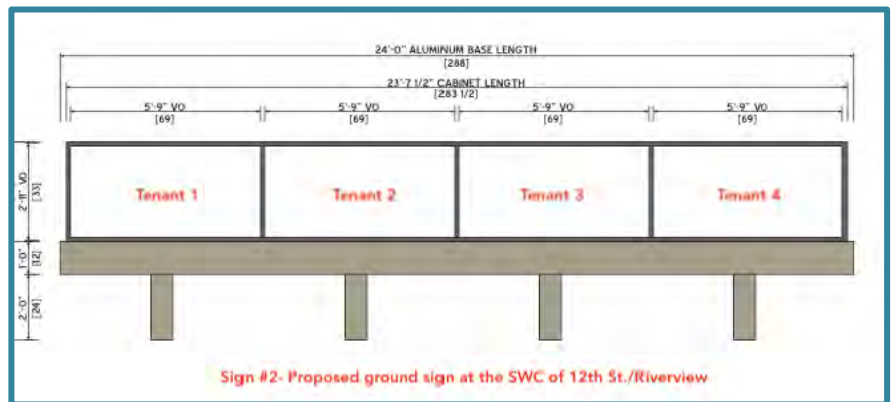
*Chapter 46 Sign Code Section 46.25 Sign Exception states that the Plan Commission can grant Sign Exceptions when (2) Site Difficulties are present. The adjustment may be approved if the following criteria are found to be met.*

*a. There is no reasonable place on the site for an allowed sign without an adjustment to achieve visibility standards to the street immediately in front of the site. This may include consideration of an off-premise sign where appropriate.*

*e. Additional signage may not constitute an over proliferation of signs on a property or cause needless repetition or redundancy of signage.*

The property at 1100 East Riverview Expressway is permitted a ground sign from 12<sup>th</sup> Street South, because it is a street that provides direct property access. Additionally, signage would be reduced if one multi-tenant sign was created as proposed, for the off-premise tenants (4) and any future development, versus having two separate signs. This not only helps to achieve visibility standards but reduces the appearance of over proliferation of signs that could result within this area. The subject site at 1140 East Riverview Expressway is adjacent to the 1100 East Riverview Expressway and presently under the same ownership. The site is a reasonable location to advertise for the commercial site and allows visibility from the street immediately in front of the site. Safety is also improved via an off-premise location, as vehicles can react and utilize the larger intersection and turn lanes on 12<sup>th</sup> Street South for patronizing the multi-tenant building, versus the smaller shared driveway off of the Expressway.

Staff does have concerns about the sign design. Ground signs in the B-2 General Commercial district are permitted to be 0.5 square feet per lineal feet of the longest street frontage or 1 square feet per lineal foot of the longest building face, whichever is greater. The longest street frontage in this case is approximately 228 feet. Therefore the ground sign can be no greater than 114 square feet. The proposed design is 72 square feet, but includes only the four off-site tenants.



If the site becomes developed, a new tenant may wish to be added, however the developer has indicated that they wouldn’t permit additional signage. It is recommended, no additional tenants be added to the sign and no additional freestanding signs on the property. In addition, any unified sign agreements shall be the responsibility of private property owners. Property owners are responsible for the signage on their respective parcels.

There are site difficulties present with the site located at 1100 East Riverview Expressway. It is reasonable to expect that any potential tenants would want the ability to advertise on street frontage near their business locations and it is desirable to coordinate signage to reduce an appearance of over proliferation. Based on the above review and findings, staff is recommending approval subject to conditions included listed on page one of the staff report.





**Sign #2: Proposed ground sign at the SWC of 12th St./Riverview**

**ILLUMINATED MONUMENT SIGN**

QTY 1 - SINGLE-SIDED FABRICATED ALUMINUM CABINET / PAINTED TO MATCH CABINETS FROM PYLONS / 10" DEPTH

QTY 1 - ALUMINUM BASE

QTY 4 - SINGLE-SIDED POLY FACES

WHITE LED ILLUMINATION

QTY 4 - DIGITALLY PRINTED VINYL GRAPHIC WITH LAMINATE APPLIED TO ONE SIDE OF FACE (3850, 8520)





# Administrative Staff Report

## Immanuel Lutheran Church and School Comprehensive Plan Amendment and Rezoning: 1501 24<sup>th</sup> Street South Plan Commission Review January 27, 2023



<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Immanuel Lutheran Church and School</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Kyle Kearns, Community Development Director</li> <li>Carrie Edmondson, Associate Planner</li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>3409225 and a portion of 3409200</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>Effective Frontage: 200 feet</li> <li>Effective Depth: 163.48 feet</li> <li>Square Footage: 32,709</li> <li>Acreage: 27 Acres</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>"R-2" Mixed Residential District</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 8 - Bemke</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Commercial</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Vacant</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>Chapter 11 - Zoning</li> </ul>	<p><b>Request</b></p> <p><b>Immanuel Lutheran Church and School – 23-000032:</b> public hearing and action on a request for an amendment to the City's Comprehensive Plan, specifically map 7-2 Future Land Use Map, to reclassify an unaddressed parcel at the northeast intersection of 24<sup>th</sup> Street South and County Highway W (Parcel ID 3409225) and a portion of 1501 24<sup>th</sup> Street South (Parcel ID 3409200) from a Commercial land use classification to a Governmental/Public/Institutional land use classification.</p> <p><b>Immanuel Lutheran Church and School – 23-000032:</b> public hearing and action on a request for a zoning map amendment to rezone an unaddressed parcel at the northeast intersection of 24<sup>th</sup> Street South and County Highway W (Parcel ID 3409225) and a portion of 1501 24<sup>th</sup> Street South (Parcel ID 3409200) from R-2 Mixed Residential District to I-1 Institutional District.</p> <p><b>Attachment(s)</b></p> <ol style="list-style-type: none"> <li>Application</li> <li>Plans</li> </ol> <p><b>Findings of Fact</b></p> <ol style="list-style-type: none"> <li>The property is currently identified to develop as Commercial in the Comprehensive Plan.</li> <li>A request has been made to change the future land use designation in the Comprehensive Plan to Governmental/Public/Institutional.</li> <li>A request has also been made to rezone the property from R-2 Mixed Residential District to I-1 Institutional District.</li> <li>The Comprehensive Plan must be amended as the future land use map identifies the property to remain commercial which would be inconsistent with the rezoning request.</li> <li>The property is primarily surrounded by large vacant lots and a large commercial retail parcel.</li> <li>The reason for the request is to establish an institutional site to include a church, school, and civic use facility.</li> </ol> <p><b>Staff Recommendation</b></p> <ol style="list-style-type: none"> <li>Approve the request to amend the City's Comprehensive Plan to reclassify Parcel No. 3409225 and a portion of Parcel No. 3409200, subject to a new Certified Survey Map, to Governmental/Public/Institutional on the future land use map of the Comprehensive Plan.</li> <li>Approve the request to rezone Parcel No. 3409225 and a portion of Parcel No. 3409200, subject to a new Certified Survey Map, to I-1 Institutional District.</li> </ol>
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# Vicinity Map



# Site Photos



## Background

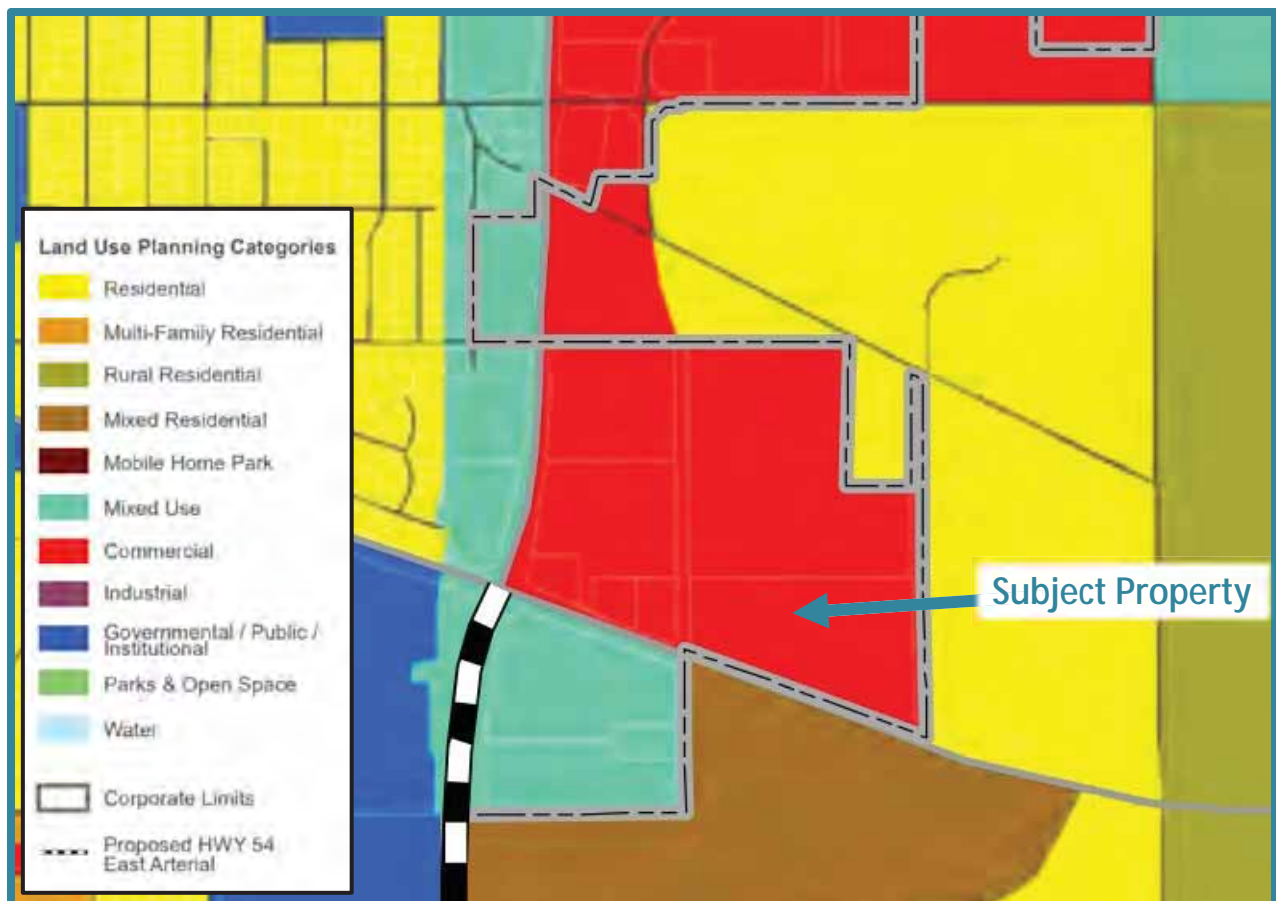
The applicant is requesting to amend the City's Comprehensive Plan Future Land Use Map (Map 7-2) to a Governmental/Public/Institutional land use designation in order to then rezone the property at the northeast corner of County Highway W and 24<sup>th</sup> Street South from R-2 Mixed Residential district to I-1 Institutional district. The I-1 Institutional district would be consistent with the intended use of the property which includes a church, school, and civic use facility. These uses are conditionally permitted in the I-1 Institutional district. Additionally, the proposed rezone to I-1 Institutional would be consistent with the future land use designation of Governmental/Public/Institutional as required, if amended.

The conceptual plan for the site includes a large, 20,138 square feet, building of to the south for the church and event center, and a smaller 6,126 square foot building slightly north for the school site. There are a total of 225 parking spaces proposed.



## Comprehensive Plan Amendment Review Standards

Staff has reviewed the request based on two criteria: (1) consistency with the Comprehensive Plan, and (2) whether the amendment is in the public interest. Below is an analysis of each criterion along with findings of fact relating to the property. Furthermore, Section 8.6 of the Comprehensive Plan, describing future land use categories is below.





Comprehensive Plan – Chapter 7.2 (F)

**F. Future Land Use**

A future land use plan displays the desired patterns of development and establishes the future intent of growth in the community. These areas are not intended as zoning but indicate the type of zoning that should prevail. Land use and zoning are similar, but they are not the same. Land use categories are more general, while zoning is much more detailed. Zoning is the legal tool to regulate specific land uses. Since the land use categories are generalized, it is possible that more than one zoning district would correspond to each of the categories. The city has a zoning code and related map that details the current zoning and requirements. As described in Table 9, ten basic future land use-planning categories were established for the future land use plan map. The single largest land area is designated for residential uses.

Existing Designation:

**Commercial:** Areas for a wide range of commercial development, including retail sales, personal and professional services, and offices. This area may also include lands designated for environmental protection and compatible civic uses.

Proposed Designation:

**Governmental/Public/Institutional:** Areas for a wide range of governmental, public, and institutional uses. These areas may be in public or private ownership. This area may also include lands designated for environmental protection

The table below outlines the surrounding zoning and existing land uses.

Direction	Zoning	Uses	Future Land Use Designation
North	R-2 Mixed Residential	Vacant	Commercial
South	Town of Grand Rapids	Vacant	Mixed Residential
East	Town of Grand Rapids	Vacant	Residential
West	B-2 General Commercial	Commercial Retail	Commercial

**1. Is the proposed amendment in the public interest?**

**Analysis:** The property exists within a largely undeveloped area on the eastern boundary of the City. There is a substantial commercial development directly west and it is reasonable to understand why in the past it was designated Commercial for future land use planning purposes. However, because it is a large parcel in a primarily undeveloped area along the City’s fringe it is practical and suitable that this large parcel would be designated Governmental/Public/Institutional, as these designations require more land area and tend to be consistent with a wide range of land uses.

**Findings:** Given the surrounding land use designations and uses, the Governmental/Public/Institutional future land use designation is consistent and fitting for this site. These uses are typically considered buffers as they tend to include less intensive uses on large parcels. The land use designation provides a suitable transition between the residential parcels to the south and east and commercial parcels to the north and west. This amendment is consistent with the overarching future land use goals of the City and with the public interest.

**2. Is the proposed amendment consistent with the remainder of the plan?**

**Analysis:** The proposed amendment creates a land use designation for this parcel of Governmental/Public/Institutional rather than the previous designation of Commercial.

**Findings:** The Comprehensive Plan identifies several goals, objectives and policies that would be consistent with the proposed amendment. Chapter 4 Utilities and Community Facilities outlines the following:

*Goal: Promote an effective and efficient supply of utilities, facilities, and services that meet the needs and expectations of residents, and contribute to the sustainability of the community.*

*Objective 1. Coordinate community facilities and utility systems development and use with land use, transportation, and natural resource planning.*

Chapter 7 Land Use identifies the following two policies:

*Policy 12. Prohibit incompatible land uses (e.g. high traffic generators, noisy or unaesthetic uses) from locating next to residential neighborhoods.*

*Policy 13. Discourage high traffic volumes in residential neighborhoods.*

This amendment ensures that needed community facilities (church, school, civic use facility) can be appropriately sited on a substantially sized parcel. It also ensures that undeveloped residential neighborhoods are suitably buffered from the sizeable commercial parcels to the west.

## Rezoning Standards of Review

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**Zoning map amendment.** If a proposed amendment would revise the zoning map, the Planning Commission in making its recommendation and the Common Council in making its decision shall consider the following factors:

**1. whether the amendment is consistent with the City's comprehensive plan, including future land use maps or similar maps;**

**Analysis:** The Comprehensive Plan future land use map is proposed to be amended as well. Currently the Comprehensive Plan indicates a future land use category of Commercial.

**Findings:** See the previous standards above regarding the proposed Comprehensive Plan amendment. A rezoning request to an institutional zoning classification would not be consistent with the current Comprehensive Plan, unless the Comprehensive Plan is amended.

**2. whether the amendment is consistent with other planning documents adopted by the Common Council;**

**Analysis:** The rezone is consistent with other planning documents adopted by the Common Council including the Comprehensive Plan, relevant Municipal Code Chapters including Chapter 11 – Zoning, Comprehensive Outdoor Recreation Plan and the Sewer Service Area Plan. In addition, the property does not fall within any other pertinent overlay districts or planning area.

**Findings:** The amendment is consistent with other planning documents adopted by the Common Council. Typically uses permitted within the I-1 Institutional district would be considered less intensive than those uses permitted within the B-2 General Commercial district and therefore less inclined to conflict with any existing planning documents.

**3. the extent to which the amendment will or will likely increase or decrease the number of nonconforming uses and structures; and**

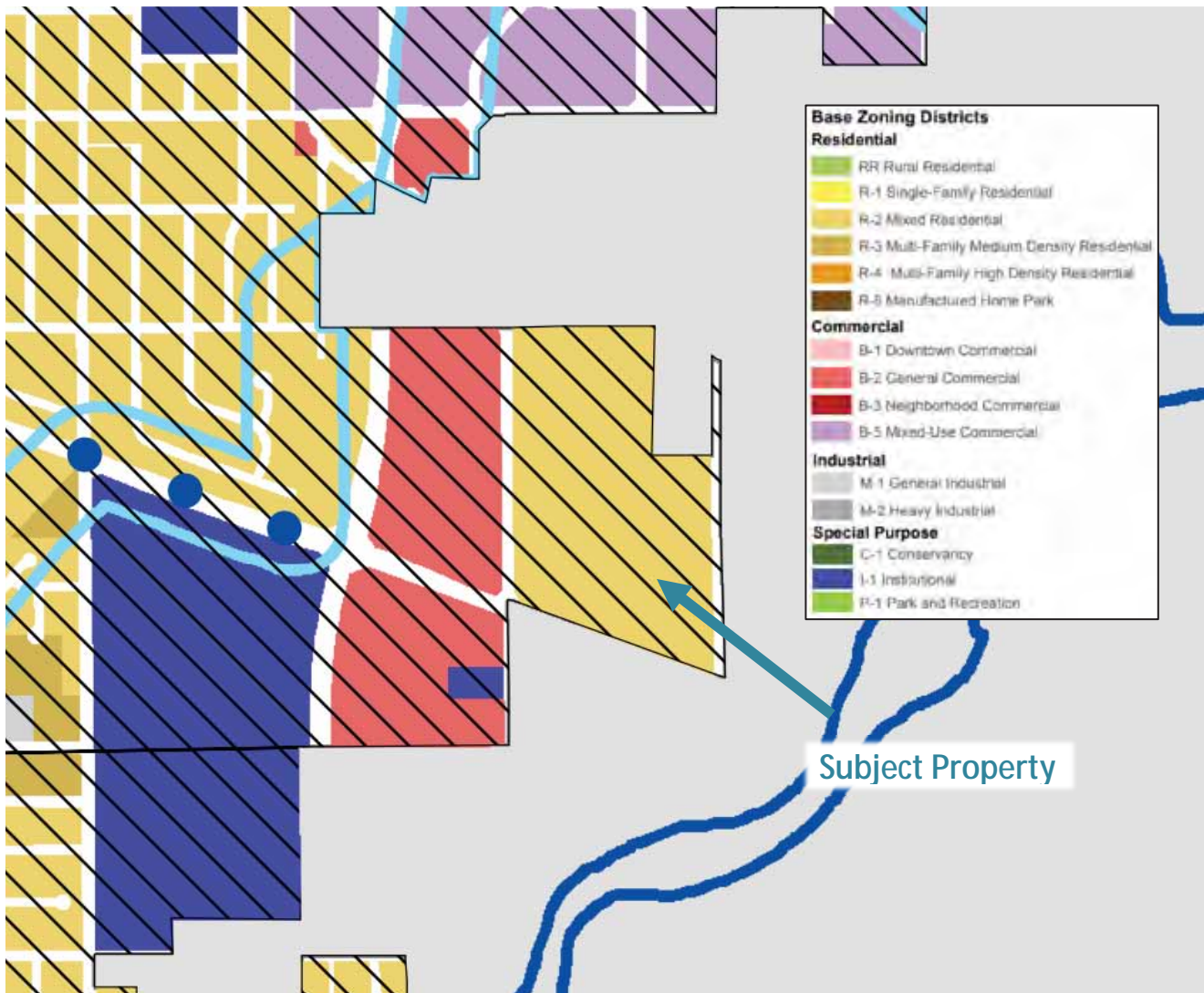
**Analysis:** The property is vacant. The lot is 27 acres.

**Findings:** No buildings exist on the property, and the lot meets the requirements of the I-1 Institutional District. It is an appropriate site for uses permitted conditionally and by right in the district.



4. any other factor not specifically or generally listed, but deemed appropriate by the Planning Commission or Common Council given the particular circumstances.

**Analysis:** Below is the zoning map showing the property and surrounding properties.



Institutional uses often consist of one single user on a substantially sized parcel. They are spread throughout the City, and it is not uncommon to see I-1 Institutional district sites on the City’s outer fringes. The sites often include churches, schools, and public facilities and are well suited to be located adjacent to a variety of uses including those that are both residential and commercial in nature.

Therefore, staff is recommending approval of the rezone from R-2 Mixed Residential district to I-1 Institutional district contingent upon approval of the Comprehensive Plan Amendment. Note the applicant is creating a certified survey map to create once parcel for the use and rezoning. The survey is required to be completed and recorded prior to final action by City Council. Furthermore, the survey can be approved internally. Failure to produce a recorded survey prior to Council action will result in postponement of the item.



**Code Amendment**  
**City of Wisconsin Rapids, Wisconsin**  
 Version: January 3, 2019

**Community Development Department**  
 444 West Grand Avenue  
 Wisconsin Rapids, WI 54485-2780  
 P: (715) 421-8228 Fax: (715) 421-8291

**Overview:** The Common Council adopted the City's zoning code, which consists of text and a zoning map. Both of these can be amended.

**Governing regulations:** The procedures and standards governing the review of this application are found in Article 5 of the City's zoning code (Chapter 11 of the municipal code).

**General instructions:** Complete this application and submit one copy to the Community Development Department. Alternatively, you can submit your application online at <https://wisconsinrapids.zoninghub.com/>

**Application fee:** \$300.00 for zoning map (rezoning); \$300 for text amendment

**Application submittal deadline:** Applications must be submitted at least 3 weeks prior to the meeting. Please consult the annual Planning Commission schedule for specific dates.

**Mandatory meeting with staff:** To ensure that all the required information is provided and that there is a complete understanding of the process, the applicant must meet with City staff to discuss the request and necessary items. Please contact the Community Development Department to schedule an appointment.

**Office Use Only**

Date Received \_\_\_\_\_

Received By \_\_\_\_\_

Fee \_\_\_\_\_

Case # \_\_\_\_\_

Aldermanic District \_\_\_\_\_

Plan Commission Date \_\_\_\_\_

**1. Applicant information**

Applicant name Immanuel Lutheran Church & School

Street address 111 11th St N

City, state, zip code Wisconsin Rapids, WI 54494

Daytime telephone number 715-423-3260

Email jblum@immanuelrapids.com

**2. Agent contact information** Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

<b>Agent 1</b>	<b>Agent 2</b>
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Name <u>Peter Schneider</u>	
-----------------------------	--

Company <u>Groth Design Group</u>	
-----------------------------------	--

Street address <u>N58 W6181 Columbia Road</u>	
---	--

City, state, zip code <u>Cedarburg, WI 53012</u>	
--	--

Daytime telephone number <u>262-377-8001</u>	
--	--

Email <u>pschneider@gdg-architects.com</u>	
--	--

**3. Type of proposed amendment (check one or both)**

- Map amendment Complete Part A and C
- Text amendment Complete Part B and C

**Part A. Questions Related to Map Amendment**

**4. Subject property information**

Physical address 1501 24TH ST S

Parcel number(s) 0700339 3409200 34092225

Note: The parcel number can be found on the tax bill for the property or it may be obtained from the Community Development Department.



Is the subject property currently in violation of the City's zoning ordinance as determined by the City's zoning administrator?

- No
- Yes

If yes, please explain.

**Comment:** Pursuant to Section 11.04.10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, special charges, or other required payments that are specifically related to the subject property?

- No
- Yes

If yes, please explain.

**Comment:** Pursuant to Section 11.04.11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, special assessments, special charges, or other required payments are delinquent and unpaid.

**5. Zoning information** (refer to <https://wisconsinrapids.zoninghub.com/zoningmap.aspx>)

The subject property is located in the following base zoning district(s). (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> RR Rural Residential                        | <input type="checkbox"/> R-8 Manufactured Home Park  | <input type="checkbox"/> M-1 General Industrial  |
| <input type="checkbox"/> R-1 Single-family Residential               | <input type="checkbox"/> B-1 Downtown Commercial     | <input type="checkbox"/> M-2 Heavy Industrial    |
| <input checked="" type="checkbox"/> R-2 Mixed Residential            | <input type="checkbox"/> B-2 General Commercial      | <input type="checkbox"/> I-1 Institutional       |
| <input type="checkbox"/> R-3 Multi-family Medium Density Residential | <input type="checkbox"/> B-3 Neighborhood Commercial | <input type="checkbox"/> P-1 Park and Recreation |
| <input type="checkbox"/> R-4 Multi-family High Density Residential   | <input type="checkbox"/> B-5 Mixed Use Commercial    | <input type="checkbox"/> C-1 Conservancy         |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Planned Development (PDD) | <input type="checkbox"/> Shoreland         | <input type="checkbox"/> Floodplain          |
| <input type="checkbox"/> Downtown Design           | <input type="checkbox"/> Shoreland-Wetland | <input type="checkbox"/> Wellhead Protection |

**6. Proposed map amendment.** Select the general reason(s) why you believe the zoning classification should be changed and provide additional details.

- The zoning designation should be brought into conformity with the City's comprehensive plan.

- A mapping error was made on the official zoning map.

Other

The owner would like to re-zone all of parcel 3409200 & a portion of 3409225 to be I-1 Institutional as indicated on the attached diagram. The owner would like to construct a new church, school, & event center on the southern 27 acres of the combined sites. The owner is working on a CSM to document these changes.

**7. Consistency with zoning requirements**

Are there any buildings on the subject property?

No  
 Yes

If yes, please describe each and state whether it is consistent with the proposed zoning classification.

1.
2.
3.
4.

Are there any existing land uses on the subject property?

No – Land is vacant / undeveloped  
 Yes

If yes, please describe each, including conditional uses, and state whether it is consistent with the proposed zoning classification.

1.
2.
3.
4.
5.
6.

Does the size of the subject property comply with the minimum lot size of the proposed zoning district?

No  
 Yes

If no, describe why you believe the map amendment should be made in spite of this.

--

Has the City approved a variance or special exception for the subject property?

No  
 Yes

If yes, provide the year of issuance and a short description of each one.

1.
2.
3.
4.

**Part B. Questions Related to Text Amendment**

---

8. **Proposed text amendment.** For each proposed text amendment, identify the section number (e.g., 7-444) to be revised and describe the proposed change and the reason(s) why you believe the change should be made.

Section number	Proposed change	Justification
1.		
2.		
3.		
4.		

**Part C.**

---

9. **Attachments** List any attachments included with your application.

2023-0116 Immanuel Rapids - Site Zoning Diagram 2023-01-13 Site Plan
---

10. **Other information** You may provide any other information you feel is relevant to the review of your application.

--



**11. Mandatory meeting with staff**

When did you meet with the Community Development Director?

01/2023

Month/year

**12. Applicant certification**

- I understand that I, or any of my agents, may not discuss this application with any member of the Planning Commission or the Common Council until after a final decision is rendered.
- I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes City officials and employees, and other designated agents, including those retained by the City, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

**Jonathan Blum**

**01.16.2023**

Name – print

Name – Signature

Date

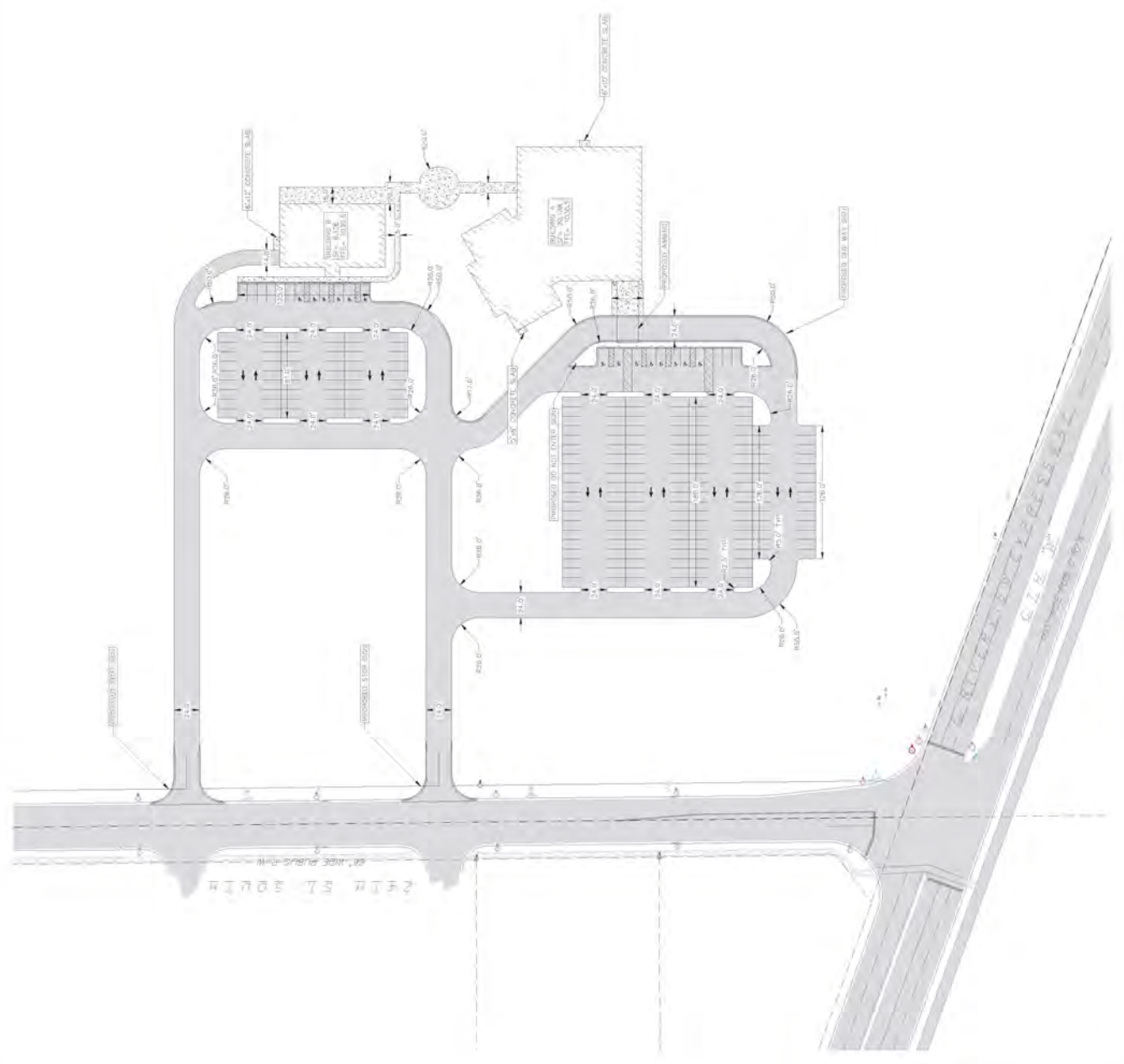
Name – print

Name – Signature

Date



**LEGEND**  
PROPERTY AREA: 215,000 SF (3.4 ACRES)  
PAVED AREA: 28,000 SF (0.64 ACRES)  
PARKING AREA: 14,000 SF  
TOTAL PARKING SPACES: 225







## MEMO

To: Plan Commission  
From: Kyle Kearns, Director of Community Development  
Carrie Edmondson, Associate Planner  
Date: January 27, 2023  
Re: **City of Wisconsin Rapids – 23-000022:** request to annex city owned territory, including right-of-way, totaling 3.975 acres in size from the Town of Grand Rapids, located at 2420 Saratoga Street, 2440 Saratoga Street, 2540 Saratoga Street, and 2620 Saratoga Street (Town Parcel ID Numbers 0700279, 0700279B, 0700279A, and 0700278), and to temporarily zone the parcels Mixed Use Commercial district (B-5)

The City of Wisconsin Rapids is proposing to annex approximately 3.975 acres of property from the Town of Grand Rapids to the City.

In regards to annexation, there are basically six types:

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

With this request, we are considering annexation of a territory owned by a City or Village as the four subject parcels are owned by the City.

**66.0223 Annexation of territory owned by a city or village.**

*(1) In addition to other methods provided by law and subject to sub. (2) and ss. [66.0301 \(6\) \(d\)](#) and [66.0307 \(7\)](#), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and attaches the territory to the village or city upon the filing of 7 certified copies of the ordinance with the secretary of administration, together with 7 copies of a plat showing the boundaries of the territory attached. The city or village shall also file with the county clerk or board of*





*election commissioners the report required by s. 5.15 (4) (b). Two copies of the ordinance and plat shall be forwarded by the secretary of administration to the department of transportation, one copy to the department of administration, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of public instruction. Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed or delivered to the clerk of the county in which the annexed territory is located. Sections 66.0203 (8) (c) and 66.0217 (11) apply to annexations under this section.*

**Map of Proposed Annexed Territory**



↑  
**Town of Grand Rapids (Unshaded)**

↑  
**City of Wisconsin Rapids (Green)**

Wis. Stats. require the Plan Commission to make a recommendation to the governing body on annexation requests. In addition, Chapter 29 Annexation of the Municipal Code requires the following:

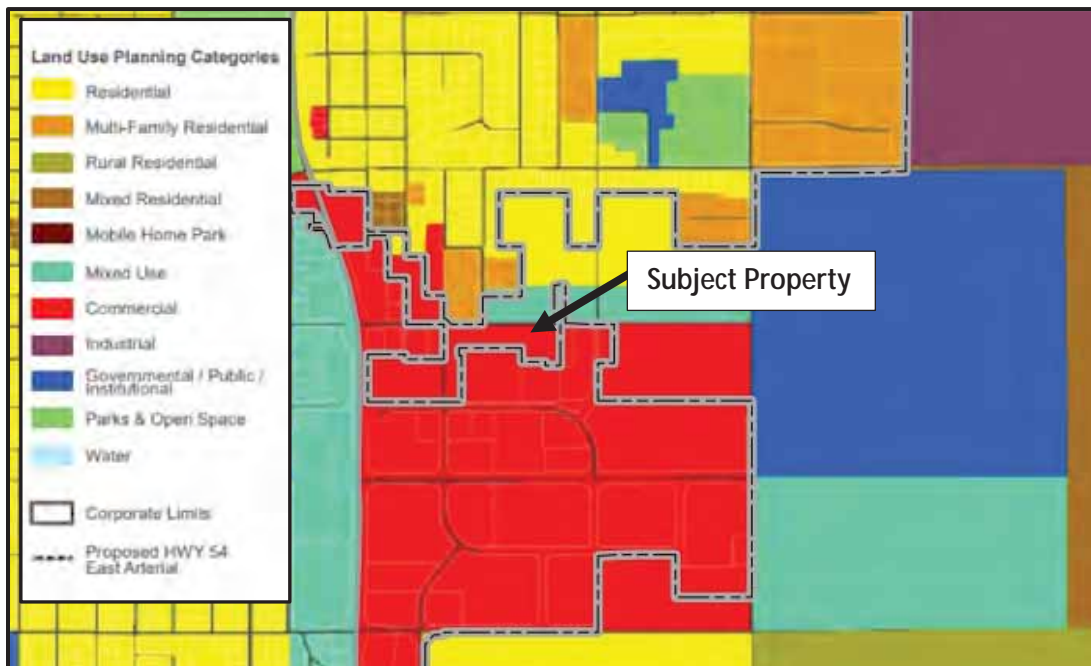
**29.01 STATUTES ADOPTED** - *The statutory provisions set forth in Section 66.0217, 66.0219, 66.0221, and 66.0223 of the Wisconsin Statutes, and any amendments thereto, relating to the annexation of territory, are hereby adopted.*





**29.02 ZONING** - All territory annexed to the City of Wisconsin Rapids shall automatically become a part of the R-2 residential district until definite boundaries and zoning districts are recommended by the Planning Commission and adopted by the Common Council; provided, however, that the Common Council shall adopt definite boundaries and district regulations within 90 days from the date of the annexation. The Planning Commission may recommend definite zoning districts and boundaries to the common council prior to or at the time the council acts on a proposed annexation and may adopt definite boundaries at the time of annexation provided the public notice procedure is followed. (MC#989)

**Wisconsin Rapids Comprehensive Plan – Future Land Use Map**



The property under consideration is located on the City's east side and is directly adjacent to City property to the north and the south. It is adjacent to Town of Grand Rapids lands to the east and west. The annexation includes four parcels and half of Saratoga Street to be dedicated as right-of-way. The City's future land use map (above) identifies the future land use as Commercial.

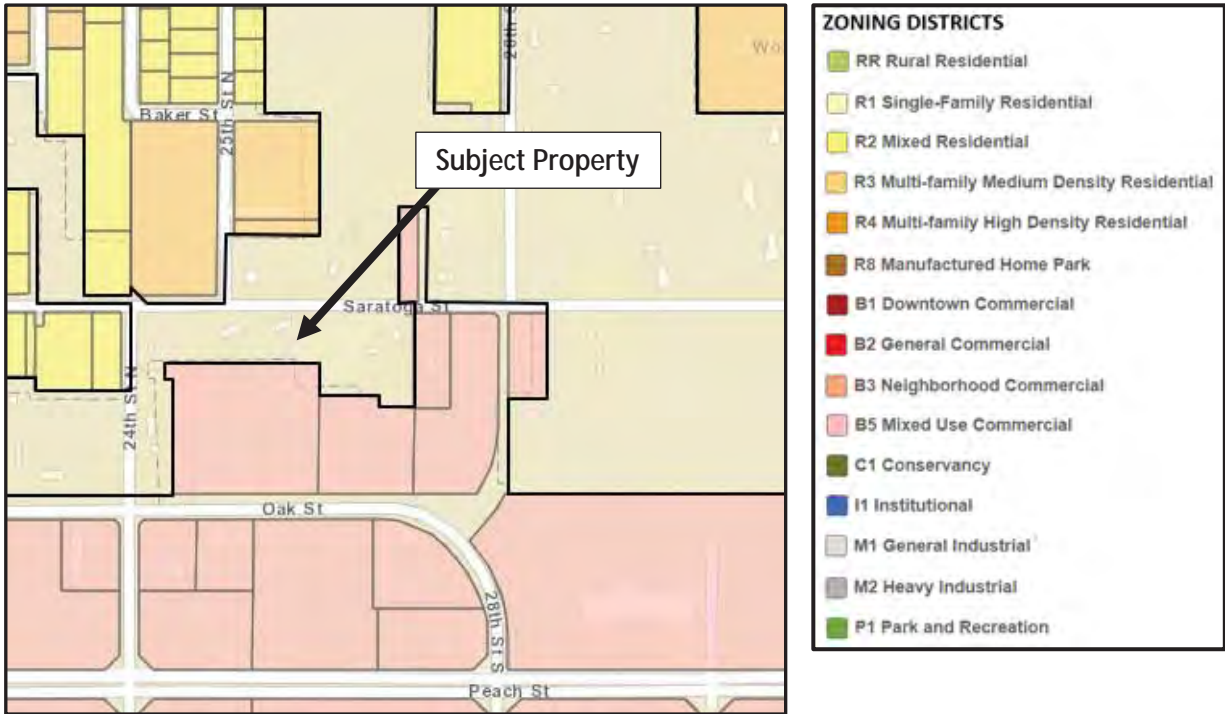
Upon annexation, properties are automatically zoned R-2 residential district, however, the request includes a temporary zoning of B-5 Mixed-Use Commercial district to be consistent with the adjacent property to the south. A permanent zoning request for B-5 District will be made in March. The temporary zoning of the property is appropriate given the overarching planning vision outlined in the Comprehensive Plan. It is also consistent with surrounding uses, future intent, and overall purpose of the district.

**Mixed-Use Commercial (B-5) district Description:** This district is intended to be applied exclusively to those areas depicted on the city's adopted land use plan map as "general mixed use." These areas have been determined, via the city's comprehensive master planning process, to potentially be



appropriated for a variety of land uses given the character of the existing development pattern in the area, the proximity of the area to major transportation facilities, and the availability of blocks of land which are sufficiently large to allow for integrated, coordinated, comprehensive site planning and mixing of compatible, well-planned land uses.

**City of Wisconsin Rapids Zoning Map**



Given the above findings, the annexation seems fitting given the shared boundary with the city. The City plans to utilize these lands and adjacent property to create a dog park. Furthermore, the property can be served with utilities after a preferred extension plan is adopted. The need for water service is likely, but sewer or sanitary may not be necessary. Lastly, the proposed use of the property as a park is a permitted use in the B-5 Mixed Use Commercial district, but would require site plan review. Therefore, staff would recommend approval of the annexation as proposed.

With regard to zoning, the temporary B-5 Mixed-Use Commercial zoning classification is fitting for the property when reviewing the surrounding zoning and proposed uses. Staff would recommend a permanent zoning classification be adopted next month (March).

# APPLICATION FOR REVIEW OF ANNEXATION REQUEST

FEES	
WITH SUBMITTED EXHIBITS.....	\$30.00
WITHOUT SUBMITTED EXHIBITS.....	\$150.00
RECEIPT # _____	DATE _____

SUBMITTED BY Kyle Kearns  
 MAILING ADDRESS 444 West Grand Avenue  
 HOME PHONE 715-421-8228 WORK PHONE: -

GENERAL DESCRIPTION OF PROPERTY TO BE ANNEXED:  
Part of City owned business park - Woodlands. The property includes four parcels, totalling 4 acres (3.975). It includes half of the right of way on Saratoga St. The proposed use is for a City Dog Park.

NUMBER OF PROPERTY OWNERS: 1 NUMBER OF PROPERTIES: 4

IS ANNEXATION REQUEST MADE BY UNANIMOUS CONSENT OF ALL PROPERTY OWNERS?  YES  NO

IS ANNEXATION REQUEST MADE BY UNANIMOUS CONSENT OF ALL ELECTORS LIVING ON THE PROPERTY?  YES  NO

Stats 66.0223

PLEASE COMPLETE THE FOLLOWING INFORMATION ON THE PRIMARY REQUESTING PARTY.

Town Parcel 0700279

ADDRESS OF PROPERTY		PROPERTY OWNER
<u>2420 Saratoga Street</u>		<u>City of Wisconsin Rapids</u>
PROPERTY OWNER MAILING ADDRESS		OWNER PHONE #
<u>444 West Grand Avenue</u>		<u>715-421-8228</u>
ACRES	VALUE	POPULATION
<u>0.57</u>	<u>Exempt</u>	<u>0</u>
ARE THERE WATER OR SEPTIC PROBLEMS?		ARE HOUSE NUMBERS READABLE FROM THE STREET?
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> YES <u>N/A</u> <input type="checkbox"/> NO
OWNER WILLING TO DEDICATE RIGHT-OF-WAY TO THE CITY FOR EASEMENTS?		PROPERTY OWNER IS:
<input type="checkbox"/> YES <u>N/A</u> <input type="checkbox"/> NO		<input checked="" type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED
NAMES(S) OF ELECTORS		ELECTOR'S PHONE #
<u>-</u>		<u>-</u>
ELECTORS ARE:		
<input checked="" type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED		



PLEASE COMPLETE THE FOLLOWING INFORMATION FOR EACH PROPERTY

Town Parcel = 0700279B

ADDRESS OF PROPERTY		PROPERTY OWNER	
2410 Saratoga Street		" "	
PROPERTY OWNER MAILING ADDRESS			OWNER PHONE #
" "			" "
ACRES	VALUE	POPULATION	
1.00	Exempt	-	
ARE THERE WATER OR SEPTIC PROBLEMS?		ARE HOUSE NUMBERS READABLE FROM THE STREET?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <i>N/A</i> <input type="checkbox"/> No	
IS PROPERTY OWNER WILLING TO DEDICATE RIGHT-OF-WAY TO THE CITY OF EASEMENTS?		PROPERTY OWNER IS:	
<input type="checkbox"/> Yes <i>N/A</i> <input type="checkbox"/> No		<input checked="" type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED	
NAMES(S) OF ELECTORS		ELECTOR'S PHONE #	
-		-	
		ELECTORS ARE:	
		<input checked="" type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED	

Town Parcel = 0700279A

ADDRESS OF PROPERTY		PROPERTY OWNER	
2540 Saratoga Street		" "	
PROPERTY OWNER MAILING ADDRESS			OWNER PHONE #
" "			" "
ACRES	VALUE	POPULATION	
1.00	Exempt	-	
ARE THERE WATER OR SEPTIC PROBLEMS?		ARE HOUSE NUMBERS READABLE FROM THE STREET?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <i>N/A</i> <input type="checkbox"/> No	
IS PROPERTY OWNER WILLING TO DEDICATE RIGHT-OF-WAY TO THE CITY OF EASEMENTS?		PROPERTY OWNER IS:	
<input type="checkbox"/> Yes <i>N/A</i> <input type="checkbox"/> No		<input checked="" type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED	
NAMES(S) OF ELECTORS		ELECTOR'S PHONE #	
-		-	
		ELECTORS ARE:	
		<input checked="" type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED	

PLEASE COMPLETE THE FOLLOWING INFORMATION FOR EACH PROPERTY

Town Parcel: 0700278

ADDRESS OF PROPERTY		PROPERTY OWNER	
2620 Senatoga Street		" "	
PROPERTY OWNER MAILING ADDRESS			OWNER PHONE #
" "			" "
ACRES	VALUE	POPULATION	
1.31	Exempt	-	
ARE THERE WATER OR SEPTIC PROBLEMS?		ARE HOUSE NUMBERS READABLE FROM THE STREET?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes      N/A <input type="checkbox"/> No	
IS PROPERTY OWNER WILLING TO DEDICATE RIGHT-OF-WAY TO THE CITY OF EASEMENTS?			PROPERTY OWNER IS:
<input type="checkbox"/> Yes      N/A <input type="checkbox"/> No			<input checked="" type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED
NAMES(S) OF ELECTORS			ELECTOR'S PHONE #
-			-
			ELECTORS ARE:
			<input checked="" type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED

ADDRESS OF PROPERTY		PROPERTY OWNER	
PROPERTY OWNER MAILING ADDRESS			OWNER PHONE #
ACRES	VALUE	POPULATION	
ARE THERE WATER OR SEPTIC PROBLEMS?		ARE HOUSE NUMBERS READABLE FROM THE STREET?	
<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
IS PROPERTY OWNER WILLING TO DEDICATE RIGHT-OF-WAY TO THE CITY OF EASEMENTS?			PROPERTY OWNER IS:
<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED
NAMES(S) OF ELECTORS			ELECTOR'S PHONE #
			ELECTORS ARE:
			<input type="checkbox"/> FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> UNDECIDED



STAFF REVIEW OF ANNEXATION REQUEST

Please complete and return to city clerk's office no later than January 25th, 2023

ENGINEERING DEPARTMENT:

NAME *Joe Eichleay* TITLE *City Engineer*

RECOMMEND:  IN FAVOR  AGAINST COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CODE ENFORCEMENT DEPARTMENT:

NAME *Carrie Edwards* TITLE *Associate Planner*

RECOMMEND:  IN FAVOR  AGAINST COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*\** POLICE DEPARTMENT:

NAME *Michael S. Patenaude* TITLE *Interim Police Chief*

RECOMMEND:  IN FAVOR  AGAINST COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

FIRE DEPARTMENT:

NAME *Todd Ecker* TITLE *Fire Chief*

RECOMMEND:  IN FAVOR  AGAINST COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PLANNING COMMISSION:	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	DATE _____
STATE <i>N/A Stats 66-0223</i>	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	DATE <u>—</u>
COUNCIL (FINAL)	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	DATE _____



approval of the annexation at the referendum election may be enacted by the governing body of the city or village. The ordinance may temporarily designate the classification of the annexed area for zoning purposes until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). The proposed interim zoning ordinance shall be referred to and recommended by the plan commission prior to introduction. Authority to make a temporary classification is not effective when the county zoning ordinance prevails during litigation as provided in s. 59.69 (7).

(7) **APPEAL.** An appeal from the order of the circuit court is limited to contested issues determined by the circuit court. An appeal shall not stay the conduct of the referendum election, if one is ordered, but the statement of the election results and the copies of the certificate and plat may not be filed with the secretary of administration until the appeal has been determined.

(8) **LAW APPLICABLE.** Sections 66.0203 (8) (c) and 66.0217 (11) apply to annexations under this section.

(9) **TERRITORY EXCEPTED.** This section does not apply to any territory located in an area for which a certificate of incorporation was issued before February 24, 1959, by the secretary of state, even if the incorporation of the territory is later held to be invalid by a court.

(10) **LIMITATIONS ON ANNEXATION AUTHORITY.** (a) 1. Except as provided in subd. 2., no territory may be annexed by a city or village under this section unless the city or village agrees to pay annually to the town, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under s. 70.65, in the year in which the annexation is final.

2. No payments under subd. 1. must be made if the city or village, and the town, enter into a boundary agreement under s. 66.0225, 66.0301, or 66.0307.

(b) No territory may be annexed by a city or village under this section if no part of the city or village is located in the same county as the territory that is subject to the proposed annexation unless all of the following occur:

1. The town board adopts a resolution approving the proposed annexation.

2. The county board of the county in which the territory is located adopts a resolution approving the proposed annexation.

**History:** 1979 c. 89; 1987 a. 391; 1991 a. 269; 1993 a. 301, 329; 1995 a. 201; 1999 a. 150 s. 68; Stats. 1999 s. 66.0219; 1999 a. 182 s. 200; 2001 a. 30; 2003 a. 171, 317; 2007 a. 43; 2011 a. 75; 2013 a. 80; 2015 a. 55; 2017 a. 365 s. 111.

**Cross-reference:** See s. 281.43 (1m) for provision authorizing use of this section when the DNR orders sewer service to areas outside municipal limits.

A trial court finding that no facts evinced a need for the city to acquire the proposed territory, thereby violating the rule of reason, would not be disturbed when it could be reasonably concluded from the adjudicative facts that: 1) the irregular shape and boundaries of the territory were designed arbitrarily and capriciously solely to assure the success of the annexation and to overcome the opposition of a majority of the electors residing in the towns; 2) a reasonable need for the annexation based on the claimed growth of the city and overflow of population into adjoining areas was not established; and 3) aside from a nursing home some 2 miles distant from the city boundary, there was no showing that the proposed annexation area was in need of the city's services which were adequately supplied by the towns. *City of Beloit v. Town of Beloit*, 47 Wis. 2d 377, 177 N.W.2d 361 (1970).

The term "disbursements" in sub. (3) does not include attorney fees. *City of Beloit v. Town of Beloit*, 47 Wis. 2d 377, 177 N.W.2d 361 (1970).

Under the rule of prior precedence, in case of conflict between competing annexations, or between an annexation and a proceeding for the incorporation of a city or village, the proceeding first instituted has precedence, and the later one must yield. Annexation proceedings did not lose priority status when the ordinances were deemed invalid and dismissed by the circuit court but subsequently vindicated on appeal. *Town of Campbell v. City of La Crosse*, 2003 WI App 139, 266 Wis. 2d 107, 667 N.W.2d 356, 02–1150.

### 66.0221 Annexation of and creation of town islands.

(1) Upon its own motion and subject to sub. (3) and ss. 66.0301 (6) (d) and 66.0307 (7), a city or village, by a two-thirds vote of the entire membership of its governing body, may enact an ordinance annexing territory which comprises a portion of a town or towns and which was completely surrounded by territory of the city or village on December 2, 1973. The ordinance shall include all surrounded town areas except those that are exempt by mutual agreement of all of the governing bodies involved. The annexation ordinance shall contain a legal description of the territory and

the name of the town or towns from which the territory is detached. Upon enactment of the ordinance, the city or village clerk immediately shall file 6 certified copies of the ordinance with the secretary of administration, together with 6 copies of a scale map. The city or village shall also file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (b). The secretary of administration shall forward 2 copies of the ordinance and scale map to the department of transportation, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of administration. This subsection does not apply if the town island was created only by the annexation of a railroad right-of-way or drainage ditch. This subsection does not apply to land owned by a town government which has existing town government buildings located on the land. No town island may be annexed under this subsection if the island consists of over 65 acres or contains over 100 residents. Section 66.0217 (11) applies to annexations under this subsection. Except as provided in sub. (2), after December 2, 1973, no city or village may, by annexation, create a town area which is completely surrounded by the city or village.

(2) A city or village may, by annexation, create a town area that is completely surrounded by the city or village if a cooperative plan for boundary change under s. 66.0301 (6) or 66.0307, to which the town and the annexing city or village are parties, applies to the territory that is annexed.

(3) (a) 1. Except as provided in subd. 2., no territory may be annexed by a city or village under this section unless the city or village agrees to pay annually to the town, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under s. 70.65, in the year in which the annexation is final.

2. No payments under subd. 1. must be made if the city or village, and the town, enter into a boundary agreement under s. 66.0225, 66.0301, or 66.0307.

(b) No territory may be annexed by a city or village under this section if no part of the city or village is located in the same county as the territory that is subject to the proposed annexation unless all of the following occur:

1. The town board adopts a resolution approving the proposed annexation.

2. The county board of the county in which the territory is located adopts a resolution approving the proposed annexation.

**History:** 1999 a. 150 s. 62; 2001 a. 16; 2003 a. 317; 2007 a. 43; 2015 a. 55; 2017 a. 360.

A town from which 2 town islands were detached by annexation had no standing to challenge the constitutionality of the statute. *Town of Germantown v. Village of Germantown*, 70 Wis. 2d 704, 235 N.W.2d 486 (1975).

This is a clear and unambiguous provision allowing, with certain exceptions, for the annexation by a city or village in a single ordinance all town islands meeting the statutorily defined criteria. Annexation by a city of 7 separate town islands via 7 separate municipal ordinances was impermissible under s. 66.021 (15) [now s. 66.0221] since the power to annex must be exercised by a municipality in strict conformity with the statute conferring it. *Town of Blooming Grove v. City of Madison*, 70 Wis. 2d 770, 235 N.W.2d 493 (1975).

The statute does not prohibit a "functional town island." *Wagner Mobil, Inc. v. City of Madison*, 190 Wis. 2d 585, 527 N.W.2d 301 (1995).

### 66.0223 Annexation of territory owned by a city or village.

(1) In addition to other methods provided by law and subject to sub. (2) and ss. 66.0301 (6) (d) and 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and attaches the territory to the village or city upon the filing of 7 certified copies of the ordinance with the secretary of administration, together with 7 copies of a plat showing the boundaries of the territory attached. The city or village shall also file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (b). Two copies



of the ordinance and plat shall be forwarded by the secretary of administration to the department of transportation, one copy to the department of administration, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of public instruction. Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed or delivered to the clerk of the county in which the annexed territory is located. Sections 66.0203 (8) (c) and 66.0217 (11) apply to annexations under this section.

(2) No territory may be annexed by a city or village under this section if no part of the city or village is located in the same county as the territory that is subject to the proposed annexation unless all of the following occur:

(a) The town board adopts a resolution approving the proposed annexation.

(b) The county board of the county in which the territory is located adopts a resolution approving the proposed annexation.

(c) The city or village, and the town, enter into a boundary agreement under s. 66.0225, 66.0301, or 66.0307.

**History:** 1973 c. 90; 1977 c. 29 s. 1654 (8) (c); 1991 a. 269; 1993 a. 329; 1995 a. 27 s. 9145 (1); 1995 a. 201; 1997 a. 27; 1999 a. 150 s. 69; Stats. 1999 s. 66.0223; 2003 a. 171, 317, 327; 2007 a. 43; 2013 a. 80; 2015 a. 55; 2017 a. 360.

A challenge to annexation under this section is not subject to the time limit under s. 66.021 (10) [now s. 66.0217 (11)]. *Kaiser v. City of Mauston*, 99 Wis. 2d 345, 299 N.W.2d 259 (Ct. App. 1980).

**66.0225 Stipulated boundary agreements in contested boundary actions.** (1) **DEFINITIONS.** In this section, "municipality" means a city, village, or town.

(2) **CONTESTED ANNEXATIONS.** Any 2 municipalities whose boundaries are immediately adjacent at any point and who are parties to an action, proceeding, or appeal in court for the purpose of testing the validity of an annexation may enter into a written stipulation, compromising and settling the litigation and determining the portion of the common boundary line between the municipalities that is the subject of the annexation. The court having jurisdiction of the litigation, whether the circuit court, the court of appeals, or the supreme court, may enter a final judgment incorporating the provisions of the stipulation and fixing the common boundary line between the municipalities involved. A stipulation changing boundaries of municipalities shall be approved by the governing body of each municipality and s. 66.0217 (9) and (11) shall apply. A change of municipal boundaries under this section is subject to a referendum of the electors residing within the territory whose jurisdiction is subject to change under the stipulation, if within 30 days after the publication of the stipulation to change boundaries in a newspaper of general circulation in that territory, a petition for a referendum conforming to the requirements of s. 8.40 signed by at least 20 percent of the electors residing within that territory is filed with the clerk of the municipality from which the greater area is proposed to be removed and is filed as provided in s. 8.37. The referendum shall be conducted as are annexation referenda. If the referendum election fails, all proceedings under this section are void.

(3) **CONTESTED BOUNDARY ACTIONS.** (a) In this subsection, "boundary action" means an action, proceeding, or appeal in court contesting the validity of an annexation, consolidation, detachment, or incorporation.

(b) If 2 municipalities whose boundaries are immediately adjacent at any point are parties to a boundary action, the municipalities may enter into an agreement under s. 66.0301 (6) or s. 66.0307 as part of a stipulation to settle the boundary action. The court may approve and make part of the final judgment a stipulation that includes an agreement under s. 66.0301 (6) or s. 66.0307.

(4) **AUTHORITY FOR CERTAIN STIPULATIONS.** A stipulation that is court-approved under this section before January 19, 2008, that affects the location of a boundary between municipalities, is not invalid as lacking authority to affect the location of the boundary.

**History:** 1977 c. 187; 1989 a. 192; 1991 a. 269; 1999 a. 150 s. 71; Stats. 1999 s. 66.0225; 1999 a. 182 s. 201; 1999 a. 186; 2001 a. 30; 2007 a. 43.

**66.0227 Detachment of territory.** Subject to ss. 66.0301 (6) (d) and 66.0307 (7), territory may be detached from a city or village and attached to a city, village or town to which it is contiguous as follows:

(1) A petition signed by a majority of the owners of three-fourths of the taxable land in area within the territory to be detached or, if there is no taxable land in the territory, by all owners of land in the territory, shall be filed with the clerk of the city or village from which detachment is sought, within 120 days after the date of publication of a class 1 notice, under ch. 985, of intention to circulate a petition of detachment.

(2) An ordinance detaching the territory may be enacted within 60 days after the filing of the petition, by a vote of three-fourths of all the members of the governing body of the detaching city or village and its terms accepted within 60 days after enactment, by an ordinance enacted by a vote of three-fourths of all the members of the governing body of the city, village or town to which the territory is to be attached. The failure of a governing body to adopt the ordinance under this subsection is a rejection of the petition and all proceedings are void.

(3) The governing body of a city, village or town involved may, or if a petition conforming to the requirements of s. 8.40 signed by a number of qualified electors equal to at least 5 percent of the votes cast for governor in the city, village or town at the last gubernatorial election, demanding a referendum, is presented to it within 30 days after the passage of either of the ordinances under sub. (2) shall, submit the question to the electors of the city, village or town whose electors petitioned for detachment, at a referendum election called for that purpose not less than 70 days nor more than 100 days after the filing of the petition, or after the enactment of either ordinance. The petition shall be filed as provided in s. 8.37. If a number of electors cannot be determined on the basis of reported election statistics, the number shall be determined in accordance with s. 60.74 (6). The governing body of the municipality shall appoint 3 election inspectors who are resident electors to supervise the referendum. The ballots shall contain the words "For Detachment" and "Against Detachment". The inspectors shall certify the results of the election by their attached affidavits and file a copy with the clerk of each town, village or city involved, and none of the ordinances may take effect nor be in force unless a majority of the electors approve the question. The referendum election shall be conducted in accordance with chs. 6 and 7 to the extent applicable.

(4) If an area which has been subject to a city or village zoning ordinance is detached from one municipality and attached to another under this section, the regulations imposed by the zoning ordinance continue in effect and shall be enforced by the attaching city, village or town until changed by official action of the governing body of the municipality, except that if the detachment or attachment is contested in the courts, the zoning ordinance of the detaching municipality prevails, and the detaching city or village has jurisdiction over the zoning in the area affected until ultimate determination of the court action.

(5) The ordinance, certificate and plat shall be filed and recorded in the same manner as annexations under s. 66.0217 (9) (a). The requirements for the secretary of administration are the same as in s. 66.0217 (9) (b).

(6) Because the creation of congressional, legislative, supervisory and aldermanic districts of equal population is a matter of statewide concern, any detachment action that affects a tract of land that is the subject of an ordinance enacted or resolution adopted by a city during the period from January 1, 1990, to April 1, 1991, or any later date, expressing an intent to not exercise the city's authority to annex territory before April 1, 1991, or the specified later date, taken by a municipality during the period beginning on April 1 of the year commencing after each federal decennial census of population and ending on June 30 of the year commencing after that census, is effective on July 1 of the year commencing after that census or at a later date as specified in the



## EXHIBIT A DOG PARK ANNEXATION

ALL THAT PART OF THE NORTHEAST ¼ OF SECTION 16, TOWN 22 NORTH, RANGE 6 EAST, IN WOOD COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 16 THENCE RUNNING S 0°15'18" W ALONG THE WEST LINE OF SAID SECTION 1318.17 FEET TO A POINT, THENCE N 89°58'46" E, 1315.11 FEET ALONG THE ¼ LINE OF THE NW ¼ OF THE NW ¼ OF SECTION 16, T22N, R6E, TO THE NE CORNER OF THE SE ¼ OF THE NW ¼ OF SECTION 16, T22N, R6E, THENCE CONTINUING N 89° 51'22" E 1437.34 FEET ALONG CENTERLINE OF SARATOGA ST, TO THE POINT OF BEGINNING, THENCE S 0°07'00", 209.83 FEET; THENCE N 89°51'22" E, 536.45 FEET; THENCE S 0°00'05" W, 109.71 FEET; THENCE N 89°51'22" E, 206.11 FEET, THENCE N 0°00'05" E, 105.67 FEET; THENCE N 2°34'17" E 89.07 FEET THENCE S 89°51'22" W, 27.71 FEET; THENCE 2°34'17" E, 125.04 FEET; THENCE S 89°51'22" W, 724.05 FEET; TO THE POINT OF BEGINNING, CONTAINING 3.975 ACRES.



DRAWING:			
DRAWN BY: SNL	PLOT DATE: January 11, 2023	PROJ. NO. 2022-09	SCALE: 1" = 200'
DRAWING FILE: S:\Engineering\PROJECTS\2022-09 Dog Park\Exhibits\by_COWR\ANNEX EXHIBIT.dwg			