#### NOTICE

A meeting of the City of Evansville Plan Commission will be held on the date and time stated below. Notice is further given that members of the City Council and Historic Preservation Commission may be in attendance. Requests for persons with disabilities who need assistance to participate in this meeting should be made by calling City Hall at (608)-882-2266 with as much notice as possible.

## City of Evansville **Plan Commission**Regular Meeting City Hall, 31 S Madison St., Evansville, WI 53536 Tuesday, June 6<sup>th</sup>, 2023, 6:00 pm

#### **AGENDA**

- 1. Call to Order
- 2. Roll Call
- 3. Motion to Approve Agenda
- 4. Motion to waive the reading of the minutes from the May 2<sup>nd</sup>, 2023 meeting and approve them as printed.
- 5. Civility Reminder
- 6. Citizen appearances other than agenda items listed
- 7. Action Items
  - A. Review and Action of Site Plan Application 2023-0068 on parcel 6-27-559.5170 (Sienna Crest Assisted Living)
    - 1. Review Staff Report and Applicant Comments
    - 2. Public Comment
    - 3. Plan Commissioner Questions and Comments
    - 4. Motion with Conditions
  - B. Review and Action on Conditional Use Permit Application 2023-0098 and Review of Site Plan Application 2023-0097 on parcel 6-27-589 (Subway)
    - 1. Review Staff Report and Applicant Comments
    - 2. Public Hearing
    - 3. Plan Commissioner Questions and Comments
    - 4. Motion with Conditions
  - C. Review of Land Division Application 2023-0099 for a preliminary plat on parcel 6-27-930 (265 N Fourth Street)
    - 1. Staff Report and Applicant Comments
    - 2. Public Comment
    - 3. Plan Commissioner Questions and Comments
    - 4. Motion with Conditions

- D. Review of Conditional Use Permit Application 2023-0130 for a Two-Family Residence on parcel 6-27-508.11 (Lot 11, South Gate Estates)
  - 1. Staff Report and Applicant Comments
  - 2. Public Hearing
  - 3. Plan Commissioner Questions and Comments
  - 4. Motion with Conditions
- 8. Discussion Items
- 9. Community Development Report
- 10. Upcoming Meetings
  - A. Thursday, July 6<sup>th</sup>, 2023 at 6:00pm
- 11. Motion to Adjourn

#### City of Evansville Plan Commission Regular Meeting Tuesday, April 4th, 2023, 6:00 p.m.

#### **MINUTES**

Others Present

- 1. Call to Order at 6:00pm.
- 2. Roll Call:

Members	Present/A bsent
Mayor Dianne Duggan	P
Alderperson Gene Lewis	P
Alderperson Susan Becker	P
Abbey Barnes	P
John Gishnock	A
Mike Scarmon	P
Eric Klar	P

Colette Spranger (Community Dev. Director)
Jason Sergeant (City Administrator)
Jay Naatz, Nicole Naatz, Marty Hull,
Emil/JoAnne Quast, Alvin Francis, Lisa James
Ray Legris, Larry Meier, Jennifer Kraus,
Roland/Deanna Jeans, Pat Galecki, Paula Strowski
Sheri/Jim Ackley, Ken/Brenda Muth, Jon Roth
Wanda Keniston, Jim Baldauf, Gail/Graham Carr,
Kate/Bob Vredeveld, Dave Olsen, Joe Rohloff
Randi Soldner, Kristi/Paul Jensen, Roger Berg,

Joe Geoffrion, Derek Blume, Ryan Combs, Chris

Vasallo, Sue/Dan White, Adam Dassow

- 3. Motion to approve the agenda, by Becker, seconded by Klar. Approved unanimously
- 4. <u>Motion to waive the reading of the minutes from the April 4th, 2023 meeting and approve them as printed,</u> by Becker, seconded by Klar. Approved unanimously.
- 5. Civility Reminder. Duggan noted the City's commitment to conducting meetings with cordiality.
- 6. Citizen appearances other than agenda items listed.

#### 7. Action Items

- A. Review and Action on Land Division Application 2023-0093 for a two-lot certified survey map on parcel 6-27-958.091A1 (777 Brown School Road)
  - 1. Staff Report and Applicant Comments. Applicant not in attendance. Spranger summarized the report. The request is to make two parcels, one for each building on the current lot. Spranger is requesting an extension of the shared driveway easement in addition to a joint cross access and maintenance agreement for the common access areas. Applicant has expressed willingness for both requests.

- **2. Public Hearing.** Mayor Duggan opened the public hearing at 6:07pm. No comments. Public hearing closed at 6:07pm.
- 3. Plan Commissioner Ouestions and Comments. None.
- 4. Motion with Conditions.
  - Motion for Common Council to approve the certified survey map for parcel 6-27-958.091A1, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with the following conditions:
  - 1) <u>The ingress/egress easement is extended the full 183.11' length of shared property line on the side of proposed Lot 2.</u>
  - 2) <u>Applicant submits a joint cross access and maintenance agreement prior to Common Council approval.</u>
  - 3) The final CSM and joint cross access and maintenance agreement is recorded with Rock County Register of Deeds.

Motion by Becker, seconded by Klar. Approved unanimously

- B. Review of Conditional Use Permit Application 2023-0100 for an Indoor Commercial Entertainment Use (The Opti-Mystic) on parcel 6-27-22 (18 W Main)
  - 1. Review Staff Report and Applicant Comments. Spranger summarized the report, explaining that the use has been operating without a City-issue permit for a few years, having fallen through the cracks post COVID and staff turnover.
  - **2. Public Hearing.** Mayor Duggan opened the public hearing at 6:13pm. No comments. Public hearing closed at 6:13pm.
  - 3. Plan Commissioner Questions and Comments. None.
  - 4. Motion with Conditions
    - Motion to approve a Conditional Use Permit for Indoor Commercial Entertainment to operate a beverage shop per section 130-408 on parcel of land 6-27-22 located at 18 W Main Street, finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of a CUP set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following conditions:
      - 1) The business operator, now and in the future, shall comply with all provisions in the City's Zoning Code, as may be amended, related to sidewalk cafes. (Section 130-568).
      - 2) Hours of operation shall be no earlier than 6am and no later than 10pm.
      - 3) The business operator shall obtain and maintain all City, state, and county permits and licenses as may be required.
      - 4) Any substantial changes to the business model shall require a review of the existing conditional use permit.
      - 5) Any changes to signage, outdoor lighting, and/or building façade are subject to approval from the Historic Preservation Commission.
      - 6) Use cannot create a public nuisance as defined by local and state law.
      - 7) The Conditional Use Permit is recorded with the Rock County Register of Deeds.

#### C. Public Hearing for Land Division Application 2023-0099 for a preliminary plat on parcel 6-27-930 (265 N Fourth Street)

Spranger explained that an application has been made but is not yet ready for review by Plan Commission. The public hearing can be held independently of the review and action. Mayor Duggan opened the public hearing at 6:17pm.

- Lisa James, 7841 N Fifth Street. Not necessarily against it but wanted to make sure that the value of the homes proposed to be built adds to that of the neighborhood. Would also be beneficial for trees to be added/preserved.
- Randi Soldner, 434 Joshua Drive. Wondered how many of the lots would be single family homes. Spranger replied that all the homes along Fifth Street would be single family. On Fourth Street, multifamily homes would be allowed. The future land use designation for that site is mixed use. City would expect that the density of units on that parcel would be around six units per acre.
- Ms. James then asked a question about if the multifamily units would be mandated to be owner occupied. Jason Sergeant, City Administrator, clarified that the application at hand only discusses the land division, not the use of what eventually is built on this land.
- Ms. Soldner asked about the old water tower and if that was going to be taken down. Sergeant explained that the water tower is a national landmark and is not part of the land division application.
- Ms. James voiced an opinion that six units per acre was a density unlike any of the other homes in the area. Is okay with single family units, but not a three story apartment unit. Public hearing closed at 6:22pm.
- D. Closed session: Motion that Plan Commission convene in closed session pursuant to Sec. 19.85(1)(e) of the Wis. Stats.: Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed. Upon completion, Plan Commission will reconvene in open session.

#### E. Discussion and Action on Amendment to "Final Land Divider's Agreement" for Settler's Grove Review

Co-applicants Roger Berg and Dave Olsen voiced their concern that they, two thirds of the development group responsible for the Land Divider's Agreement for Settler's Grove, were not ready for discussion nor action to be taken on the version of the amendment that Plan Commission had just discussed. Mayor Duggan agreed to rescind the discussion. No action taken.

#### F. Possible Action on Land Division Application 2023-0096 for a preliminary plat on parcel 6-20-218.B (Conifer Hills, Fourth Addition)

1. Staff Report and Applicant Comments. Spranger explained that the land falls within the City's extraterritorial jurisdiction. Within that area, the City has rules about what kind of land divisions can be made. The purpose of this area is to preserve tracts of land that could potentially be annexed into the City and served by City utilities. Town of Union representatives have visited Plan Commission in the past to talk about the possibility of development in the extraterritorial area. If passed, this subdivision would be the first

approved by the Town since 2007 when the third addition of Conifer Hills was approved. As the current application stands, it goes against standards of the City's Subdivision ordinance and the goals and policies of its Comprehensive Plan. Staff has tried to think of ways to approve the application in some fashion, knowing that this was of importance to the Town. One of the ways was to limit the amount of lots created. The other issue is that the City's Future Land Use Map identifies this area as Open Space and Conservation. This land use does not call for a prohibition on development, but that development should happen with care. To give an approval for lands planned as such, site specific analysis is requested to ensure compatibility. Soil maps and steep slopes indicate at least two factors that may be less than conducive to development. The Future Transportation Map also shows a linkage between County Road M and Territorial Road, which might not be an immediate improvement, but one that ought to be preserved 20 to 30 years in the future. Spranger explained that she had prepared for Plan Commission two possible motions to recommend to Common Council— one that provided a way for the applicant to move forward with the application while staying in compliance with City ordinances and the Comprehensive Plan; the other recommending denial of the application.

Applicant Dave Olsen noted that he was unwilling to adhere to the condition to reduce the number of lots from 17 to 7 if Plan Commission were to opt for that recommended motion.

#### 2. Public Hearing. Mayor Duggan opened the public hearing at 6:55pm.

- Pat Galecki, 13323 W. Travis Trace, noted that prior additions of Conifer Hills included restrictive covenants and access to green space. There is concern that the amount of green space intended to remain after this plat keeps shifting to be less and less. Noted the application package did not indicate that there were covenants even though the application specifically asked for them.
- Jennifer Kraus, 7923 N. Bridle Sweet Drive. Chose to live in the Conifer Hills subdivision because of the unique nature of the homes, which were required to have varied floor plans by restrictive covenant. Worries about the effect new homes will have on the value of hers.
- Adam Dassow, attorney for the applicant, insinuated that denial of the plat would be similar to another in the state that was later overturned by the Wisconsin Supreme Court. He handed out copies of Lake Delavan Prop. Co. v. City of Delavan to the Plan Commission and staff.
- Brenda Muth, 13402 Travis Trace. Chuck and Delores Rohloff, the late owners of land predevelopment, personally approved the design of each home prior to construction. She is not sure who will be ensuring that the covenants will be honored with this new plat.
- JoAnne Quast, 7919 N. Territorial. Was told at a Town of Union meeting that there would be covenants with this next addition of the development. Was troubled there were none here tonight.
- Jim Ackley, 13224 Travis Trace. Voiced additional concerns about the lack of covenants.
- Deanna Jeans, 13344 W Forest Hollow Lane. Voice an opinion against a road being extended into the Morningridge Estates subdivision.

- Emil Quast, 7919 N. Territorial. Noted that some home were given exceptions to the covenants. He had concerns about the density of houses being allowed on the proposed plat. He would not be in favor of rows of alike houses being built in this new plat.
- Ryan Combs, Combs and Associates, spoke up and acknowledge he submitted the application to the City without the covenants.
- Roland Jeans, 13344 W Forest Hollow Lane. Echoed a concerned about another access to Territorial Road, stating that there were already too many stop signs.
- Derek Blume, 14342 W Golf Air Drive. Voiced a plea for the Town and City to cooperate in matters of development and land division for the benefit of the community. In favor of housing in the Town because it helps the tax base.
- Kate Vredeveld, 7937 Territorial Road. Echoed concerns about the lack of covenants on the land.
- Spranger passed on comments from Kathy Wiedel, 13250 W Forest Hollow Lane, and Shari Rasmussen, 13409 Travis Trace, who echoed concerns about the lack of covenants associated with the application and the density of homes.

Public hearing closed at 7:14pm.

- **3.** Plan Commissioner Questions and Comments. Duggan asked about the two possible motions. What would the Plan Commission need to do to decide between the two. Spranger and Sergeant replied that one Plan Commission member can chose to make either of the presented motions, or modify a motion, and another can second it. Then a vote could be taken.
- 4. Possible Motion with Possible Conditions

Motion by Becker, seconded by Lewis. Vote by roll call:

Lewis: Aye Barnes: Aye Scarmon: Aye Duggan: Aye Becker: Aye Klar: Aye

Approved unanimously.

- G. Review and Action on Conditional Use Permit Application 2023-0067 and Review of Site Plan Application 2023-0068 on parcel 6-27-559.5170 (Sienna Crest Assisted Living)
  - 1. Review Staff Report and Applicant Comments. Spranger explained that typically conditional use permits and site plans are reviewed together. The applicant still needs to submit a landscape plan. The conditional use permit can still have its public hearing and get approval while staff awaits a landscape plan.
  - 2. Public Hearing. Mayor Duggan opened the public hearing at 7:26pm.
    - Alvin Francis, 17266 County Road C, asked if the plans to widen Porter Road and replace the box culvert would interfere with these plans and if the site was in the floodplain. Reply was that the widening of Porter Road was happening just outside of this plan's boundary.

- Derek Blume, Is there a traffic study associated with this use? Spranger replied that there was no traffic study required with this development. The park across the street will have much more traffic than the
- Jay Naatz, 379 S 7<sup>th</sup> Street, wondered about potential conflicts between this driveway and widening of Porter Road. It would narrow considerably after the box culvert with little in the way of safety.
- Jon Roth, 391 S 7<sup>th</sup> Street. Asked if there would be another meeting to discuss the site plan. Affirmative.

Public hearing closed at 7:30pm.

#### 3. Plan Commissioner Questions and Comments.

#### 4. Motion with Conditions

Motion to approve a Conditional Use Permit for an Institutional Residential Use to operate an assisted living facility per section 130-376 on parcel 6-27-559.5170 finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of a CUP set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following conditions:

- 1) The business operator shall obtain and maintain all City, state, and county permits and licenses as may be required.
- 2) Any substantial changes to the business model shall require a review of the existing conditional use permit.
- 3) Use cannot create a public nuisance as defined by local and state law.
- 4) Plan Commission approves Site Plan Application 2023-0068.
- 5) The Conditional Use Permit is recorded with the Rock County Register of Deeds.

Motion by Becker, seconded by Klar. Approved unanimously

#### H. Public Hearing for Ordinance 2023-03, Amending Chapter 130, Article IV Landscaping Regulations.

Mayor Duggan opened the public hearing at 7:32pm. Roger Berg asked for a copy of the regulations. Spranger stated that the changes will allow larger users requiring lots of landscaping to transfer their points elsewhere on City public spaces. Public hearing closed at 7:33pm.

#### 8. Discussion Items.

#### 9. Community Development Report

#### 10. Next Meeting Date:

**A.** May 2<sup>nd</sup>, 2023 at 6:00 p.m.

#### 11. Motion to Adjourn by Becker, seconded by Scarmon. Approved unanimously.



#### SITE PLAN APPLICTION - STAFF REPORT FOR PLAN COMMISSION

**Applicant**: Sienna Crest Assisted Living Parcel 6-27-559.5170

Location: 725/727 Porter Road

June 1, 2023

Prepared by: Colette Spranger, Community Development Director

Direct questions and comments to: <a href="mailto:colette.spranger@ci.evansville.wi.gov">colette.spranger@ci.evansville.wi.gov</a> or 608-882-2263

**Description of request:** The applicant is seeking approval of new construction that will include two buildings upon completion. The applicant intends to build in stages. The first building anticipated is an assisted living facility with 20 beds; the second will have 20 beds devoted to residents requiring memory care. These facilities will be licensed by the Wisconsin Department of Health Services as a Ch. 83 CAN-rated (non-ambulatory) Community Based Residential Facility. The property is zoned B-3 Community Business and is currently undeveloped.

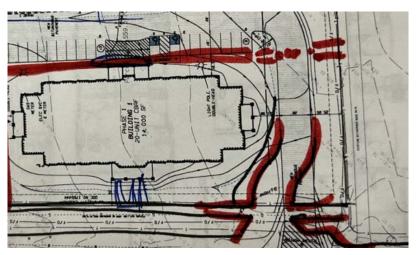
The site plan and building plan has already ready received approval from the state Department of Safety and Professional Services

Plan Commission granted a Conditional Use Permit for Institutional Residential Uses on this site at its May regular meeting.

**Staff Analysis of Request**: The proposal meets the standards outlined in the Zoning Ordinances, including those for Institutional Residential Uses. Staff would like to comment on the following:

- Addressing: Addresses are officially assigned when the building permit is issued. That said, the first building along Porter Road will be assigned 725 Porter Road. The second building will be assigned 727 Porter Road.
- Landscaping. Per Article IV of the City's zoning ordinance, this site requires 2,195 landscape points. The landscape plan as presented exceeds this requirement. The plant varieties planned adjacent to 725 Porter Road provides a good visual appearance from the West Side Park entrance across the street. Staff have received several comments from neighbors who have concerns about the impact the facility will have on the appearance and character of the existing neighborhood. A berm that currently exists between the subject parcel and lots along South Seventh Street will be kept and planed with Norway Spruce, Marmo Maple, Red Oak, and Shademaster Honeylocust trees. Once grown, these will provide ample screening of the buildings from the rest of the neighborhood.

Driveway adjustment. The driveway apron as presented on this site plan is about 25 feet away from the entrance to the highlyused multiuse path that runs parallel just west of the site. Staff and neighbor have expressed concerns about the potential for visitors to the site to confuse the path with the driveway. The adjustment preferred by City staff would be to curve the driveway approach slightly away from the path



Staff suggested adjustment to driveway approach.

entrance by about 20-30 feet, and to include a directional sign pointing road users toward the correct driveway. A directional sign on its own may be sufficient. If the site plan is approved with the driveway as presented and there are observable conflicts in the future, it could be interpreted as a nuisance or a threat to public safety. The City could ask the applicant to adjust the driveway at that time. Making the fix now could prevent this issue. Alternatively: curbing the driveway along the entrance would also differentiate between the driveway and the multiuse path.

- Stormwater conveyances. A stormwater pond is planned on the parcel to the south, which is also owned by the applicant and may develop at a later date. Technically, this means the stormwater shed by the development is not being handled on site, which the City is not in the habit of allowing. However, the City Engineer did not find an issue with the pond as presented and suggested a drainage easement as a way to establish this parcel's right to use the adjacent site's stormwater pond in perpetuity, regardless of ownership.
- Public Sidewalk. Staff has been made aware the applicant is responsible for installing sidewalk in this location. The building inspector will require this to be completed prior to an occupancy permit being issued.
- On site pedestrian connections. Evansville prides itself on its walkability and endeavors to improve pedestrian access throughout the City. When reviewing site plans throughout the City, staff and Plan Commission have been insistent on creating connections for people to walk safely and efficiently within any site, newly built or redeveloped. Staff initially suggested the addition of connection paths on the site from the front door to the public sidewalk and from the nearby multiuse path to the driveway/parking lot area, The applicant is lukewarm on these ideas, stating that the lack of pedestrian access is intentional to ensure resident safety. The lack of curbed walkways adjacent to the parking lot is also intentional, so as to prevent a tripping hazard. Staff are requesting that in the very least, a walkway be connected from the public sidewalk to an entrance for 725 Porter Road.

- Parking lot connections. Staff suggest extending walkways along the parking areas to the building entrances, similar to the Sienna Crest site that is in Platteville. (See right.) Presently, people would need to walk through the parking lot to access the main entrances of either building. These walkways needn't be curbed.
- Impact on health and safety surfaces:

Throughout the review process,



Sienna Crest site in Platteville with pedestrian walkways adjacent to the parking spaces.

several residents and some committee members expressed concern on the impact a facility such as this would have on certain City services. The fire inspector, EMS chief, and police chief all reviewed the site plan and voiced no major concerns. None felt that the addition of this facility would result in additional strain on their resources or create an adverse impact on their ability to serve the community. The fire inspector did suggest an automatic fire alarm system as opposed to a manual one, pointing out that staff would be focused on evacuating residents in an emergency. Once triggered, an automatic alarm system would place a call to 911 without staff having to call.

<u>Required Plan Commission findings for Conditional Use Permit request</u>: Section 130-104 (3) of the Municipal Code, includes criteria that should be considered in making this decision:

- Consistency of the use with the comprehensive plan. The proposed use in general and in this specific location is consistent with the city's comprehensive plan of September 2022. Staff Comment: The Comprehensive plan indicates this area be used for mixed/residential uses and a desire to create aesthetically appealing and welcoming entry corridors into the city. This proposal achieves all of the applicable goals.
- 2. Consistency with the City's zoning code, or any other plan, program, or ordinance. The proposed use in general and in this specific location is consistent with City's zoning code, or any other plan, program, or ordinance, whether adopted or under consideration pursuant to official notice of the city.
  - Staff comment: The proposed construction is consistent with the City's zoning code and other plans, programs, and ordinances.
- 3. **Effect on nearby property**. The use will not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters

affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the City's zoning code, the comprehensive plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the city.

Staff Comment: No adverse effect is anticipated on nearby property. The materials, scale, and character of the proposed buildings blend well with the neighborhood. Staff does recommend a revision to the driveway location to avoid conflict with users along the nearby trail.

- 4. **Appropriateness of use**. The use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property. Staff Comment: Housing for those requiring assisted living and memory care is appropriate in the B-3 zoning district; the applicant already has a conditional use permit for institutional residential use and meets the additional requirements for that use within the B-3 zoning district.
- 5. **Utilities and public services**. The use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by the City or any other public agency serving the subject property.

  Staff Comment: Water and sewer are available at the site. Porter Road is currently being improved in this location. Per City policy, no building permit can be issued for development until curb and gutter is in place. The fire inspector, EMS chief, and

police chief have all reviewed the site plan and have no major concerns.

**Required Plan Commission conclusion:** Section 130-104(3)(f) of the Municipal Code requires the Plan Commission to determine whether the potential public benefits of the site plan do or do not outweigh any and all potential adverse impacts. The proposed motion below states that benefits do in fact outweigh any and all potential adverse impacts.

<u>Staff recommended motion:</u> The Plan Commission approves the site plan that includes improvements as presented on parcel 6-27-559.5170, finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following conditions:

- Driveway location revised or curbed to avoid conflict with trail users.
- 2. Pedestrian walkway internal to site added to connect building entrances with public sidewalk per City Staff/Engineer approvals.
- 3. Pedestrian walkway to be extended entire length of parking areas; may be flush with pavement.
- 4. Stone veneer added to west and east wings on 725 Porter Road building.
- 5. Any variation from presented plans are approved by Plan Commission.
- 6. Any exterior lighting should be dark sky friendly and not cause glare or light-wash on neighboring parcels.

### Sienna Crest CBRF

**New Class CNA CBRF Facility** 

**Porter Road** 

Evansville, WI

CD Set

March 06, 2023

#### GENERAL NOTES AND SPECIFICATIONS

- 1. The mechanical systems design are not a part of these plans.
- 2. All work performed to meet all state and local building codes. Contact the architect with any field-discovered discrepancies.
- 3. The general contractor is to field verify all existing conditions and dimensions.
- 4. VERIFY IN FIELD locations of all property lines adjacent to new construction
- 5. Accessible parking stalls are available on site immediately outside the front
- 6. The building is Type VA construction.



#### **Sheet Index:**

#### **Architectural**

A0.0 Title Sheet

A0.1 Code Analysis Plan

#### Civil

C-100 **Dimension Plan** 

A2.0

#### Architectural

- Floor Layout Plan
- A2.1 Roof Plan / Reflected Ceiling Plan
- A2.2 Door / Frame Schedule
- A2.3 Finish Schedule / Interior Details
- A2.4 **Enlarged Plans/Interior Details**
- **Exterior Elevations**
- A3.1 **Exterior Elevations**
- A3.2 **Exterior Elevations**

#### Structural

- S1.0 Structural Notes
- Foundation Plan / Details S2.0
- Framing Plan / Details
- Braced Wall Plan / Details

## Project Location: Porter Road Evansville, WI **Location Map:**

#### Architect:

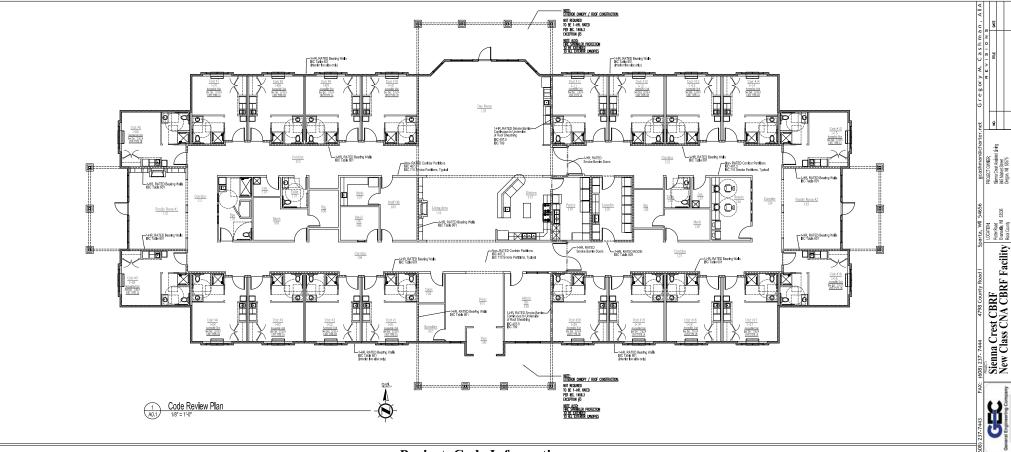
CASHMAN ASSOCIATES, Inc.

Architect Stamp:

#### **Project General Notes:**

CODE COMPLIANCE: ALL WORK OF ALL TRADES SHALL BE COMPLETED IN ACCORDANCE WITH ALL COMPRING: CODES AND ORDINANCES.

Sienna Crest CBRF New Class CNA CBRF Facility



#### **Project Code Information:**

#### DESCRIPTION:

New I-2 (CBRF) Facility

WI Dept, of Health Services (DHS) Ch. 83- Community-Based Residential Facilities DHS 83.04 (2)(f) Class C non-ambulatory (CNA) NFPA 13 Sprinklered Construction

#### APPLICABLE CODES:

- State of Wisconsin Department of Safety and Professional Services Administrative Code- Chapters 361, 362, 363, 364, 365
- 2015 International Building Code and SPS 362 - 2015 International Existing Buildings Code and SPS 366
- 2015 International Energy Conservation Code and SPS 363
- 2015 International Mechanical Code and SPS 364
- 2015 International Fuel Gas Code and SPS 365
- SPS Chapter 316 which adopts the 2017 National Electrical Code (NEC)
- SPS Plumbing Chapters 381-387 as based on SPS 362 2901
- 2015 International Fire Code
- Accessibility: ICC/ANSI A117.1-2009 as based on IBC Chapter 35 4910.1 Minimum Property Standards for Housing
- Fair Housing Act
- ADA Title III

OCCUPANCY CLASSIFICATION: IBC Section 308

IBC Section 308.4.1.1 Occupancy I-2 Condition 1:Institutional I-2:

#### Bullding Gross SF Areas:

Building Level	Building GSF I-2 Occupancy	Bullding Canopies GSF	Total GSF	
First Floor	13,984 gsf	1,291 gsf	15,275 gsf	
Building Height:			IBC Section 504.3	

Bullding Height: ±24'-10" (from main level to ridge) (50'-0" Allowable)

No. of Levels: IBC Section 504.4 One-Story Allowed

Construction Type: - Type VA- Wood Frame Protected - 1-Hr. Construction IBC Section 601

			Non-Bearing Ext. Int.			Roof Const.	
1- hr.	1- hr.	1- hr.	0- hr.	0- hr.	1- hr.	1- hr.	

OCCUPANCY SEPARATION: None

Single-Occupancy- One-Story Building

ALLOWBLE BUILDING HEIGHTS AND AREAS: IBC Chapter 5- Table 506.2

- A. (Allowable tabular area per floor) = 38,000 sf
- 38,000 sf Allowable Area > 15,275 gsf Building Fire Area

#### SPECIAL PROVISIONS:

IBC Chapter 4

IBC 407.3: IBC 710: Corridors Shall be non-rated Smoke Partitions\*
\*Note: Corridor (Bearing) Walls per IBC 601 are 1-hr. Construction IBC 407.3.1: Corridor Doors Shall be non-rated w/ positive latch hardware. IBC 407.5: IBC 709: Smoke Barrier: One, 1-Hr. Smoke Barrier is required

IBC 407.5.1:Smoke Barrler Refuge Areas: Required on both sides of Smoke Barrler DHS 83.51 (1) Area of Refuge

IBC 407.6: Automatic Sprinkler System Required per IBC 903.3.1.1 IBC 407.7: Fire Alarm System Required per IBC 907.2.6
IBC 407.8: Automatic Fire Detection: Corridors and Spaces open to Corridors must be equipped with Automatic Fire Detection

(See also exceptions in this section)

DHS 83.60 Windows (1) -Minimum Daylight size equals 8% of resident room floor area -Minimum Ventilation size equals 4% of resident room floor area

#### FIRE PROTECTION:

NFPA 13R- COMPLETE AUTOMATIC FIRE SPRINKLER SYSTEM IBC 903.2.6-Exception 1.: IBC 903.3.1.2 NFPA 13R system allowed

NFPA 72- Complete Manual Fire Alarm System-IBC 907.2.6. Entire Building and Complete Automatic Fire Detection Systemper IBC 907.2.6.

Entire Building NFPA 72- Smoke Detection Systemper IBC 907.2.6.2 DHS 83.48 (1) Interconnected smoke and Heat Detection System Required

Roof / Celling Assembly - 1- hr. Rated Construction

IBC 718.4.3 : Draftstopping in attic required- NFPA 13R Sprinkler System

#### Interior Finish Flame Spread Rating-

Class B Finish-Interior Wall and Ceiling finishes Class II Finishes- Interior Floors allowed

per IBC Table 803.11 per IBC Table 804.4.2

#### IBC Sec. 1004- Occupant Load:

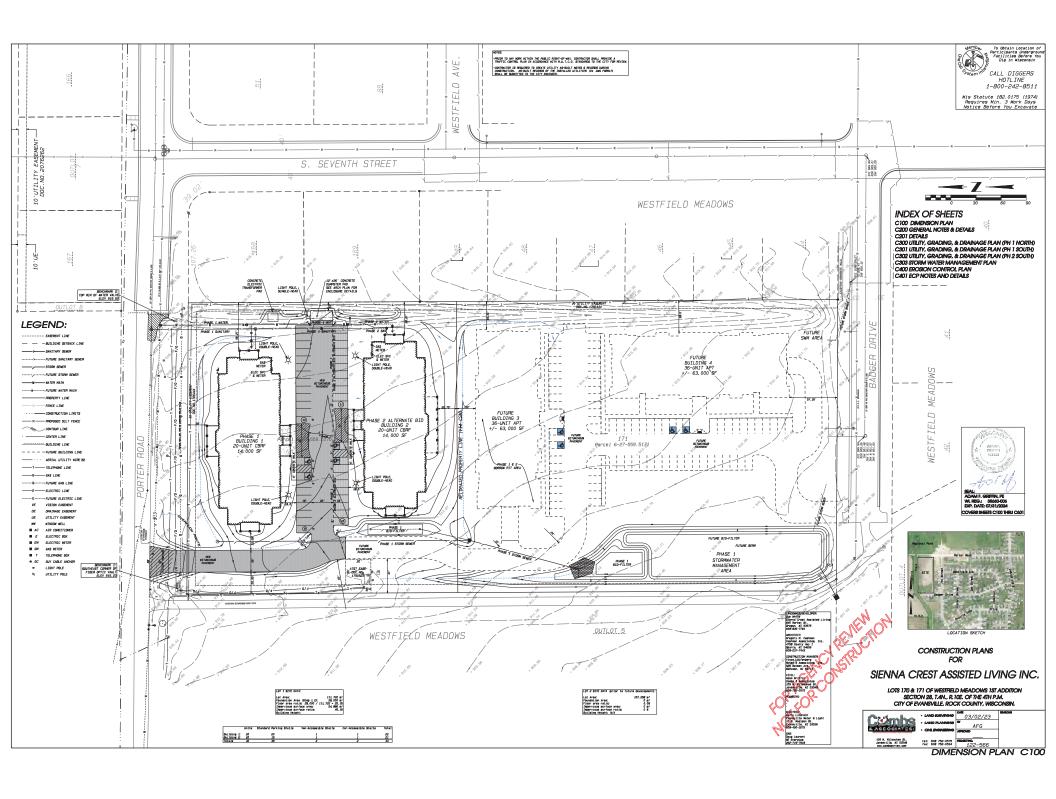
See Code Review Plan for square footages and Occupant Load

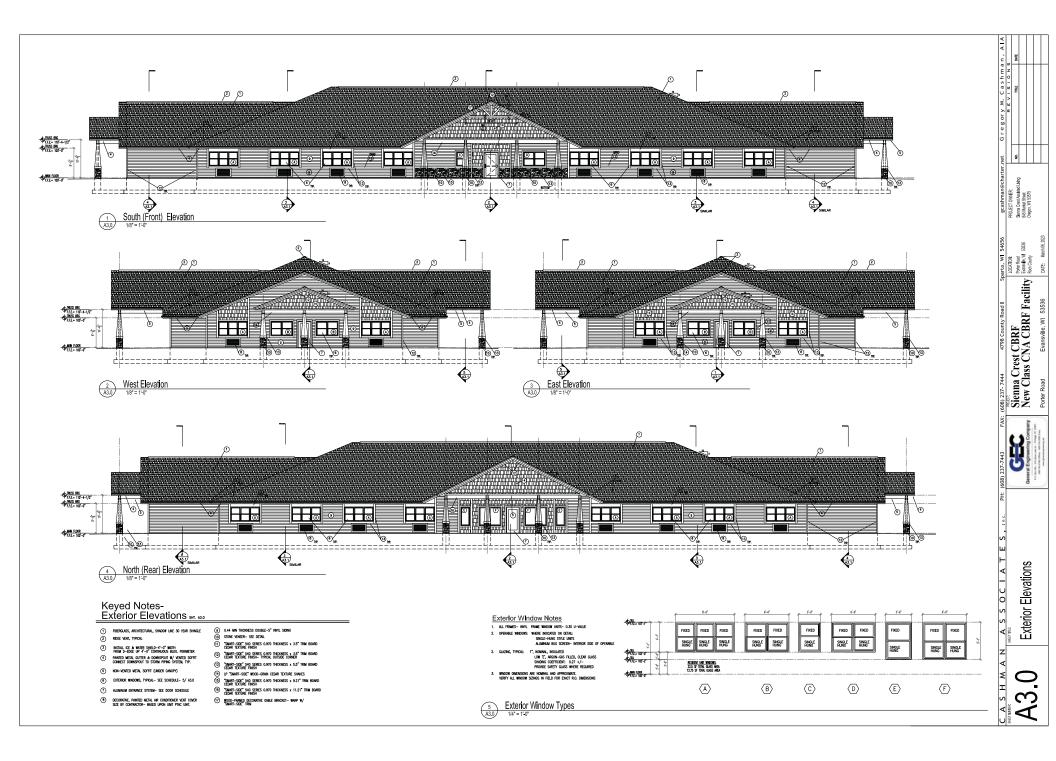
#### IBC Sec. 2902.1: Plumbing Fixtures:

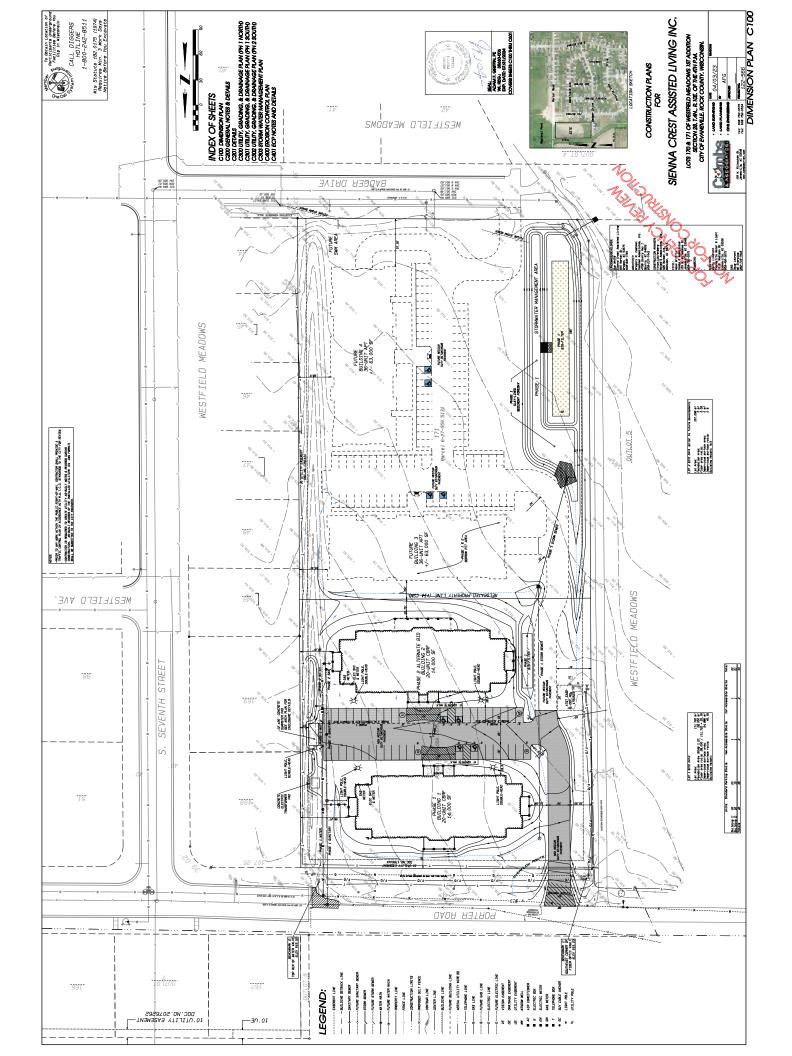
(I-2) Resident Rooms: (1) Lavatory & (1) Water Closet per room Required / Provided

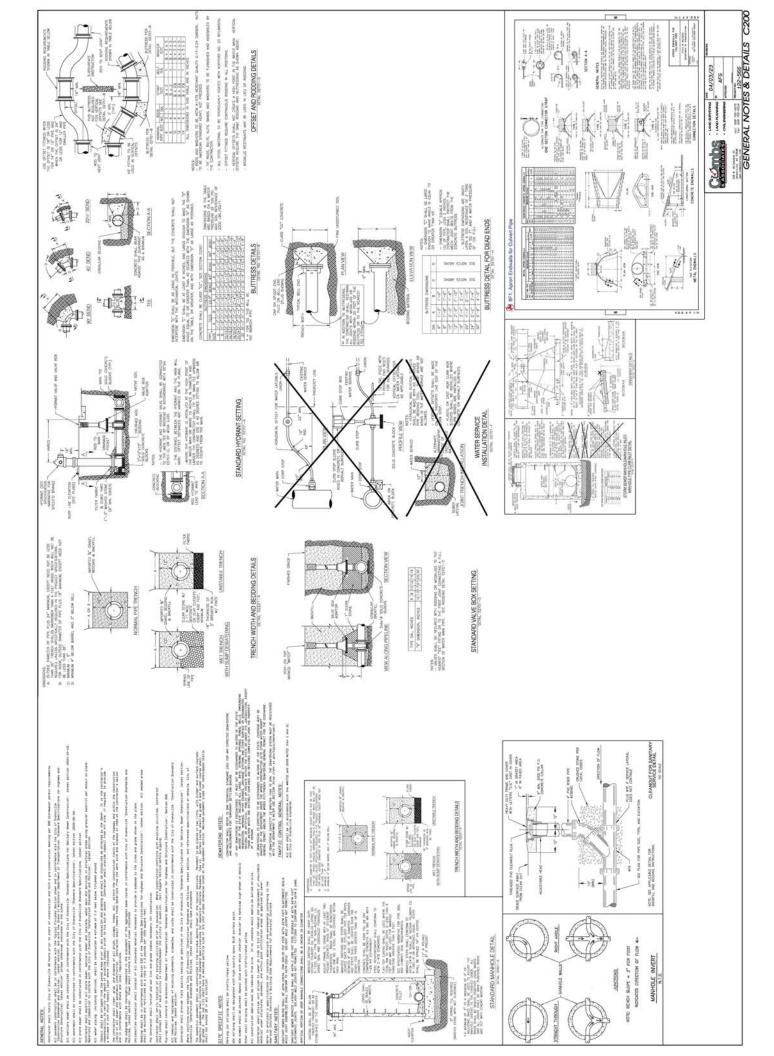
(I-2) Resident Rooms: (1) Bathtub/Shower per 15 Rooms Required /Provided Employees / Visitors: (1) Unisex Toilet Room Required- (3) Provided

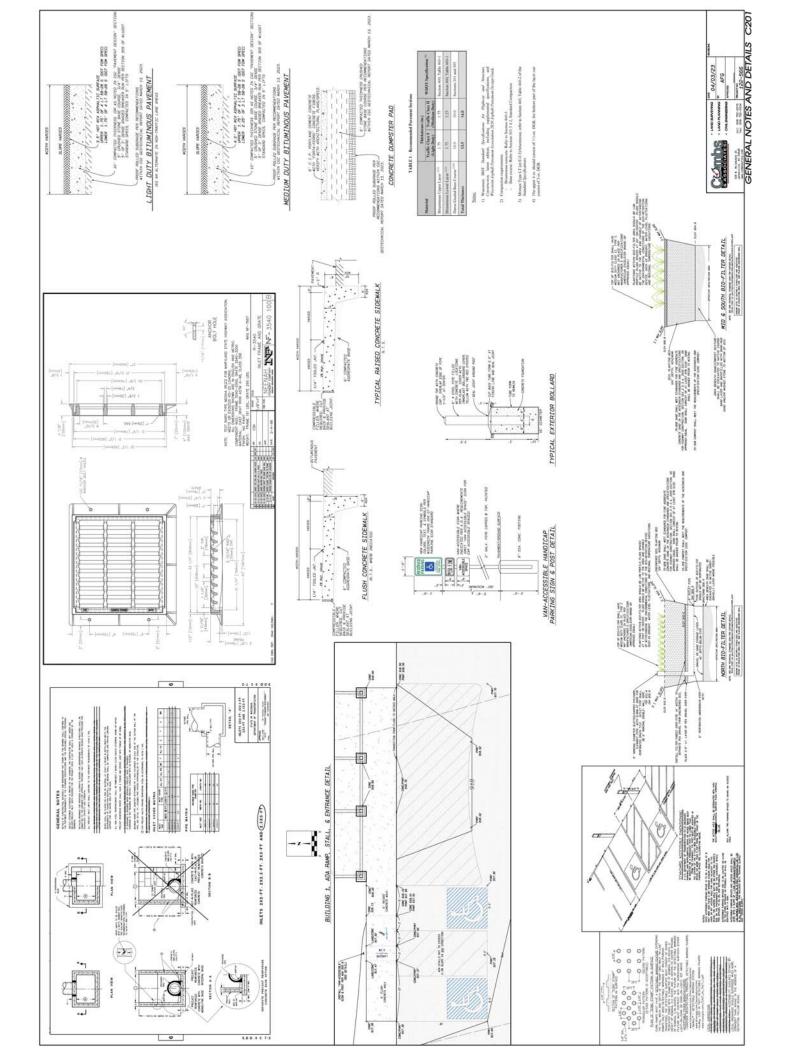
Code Analysis

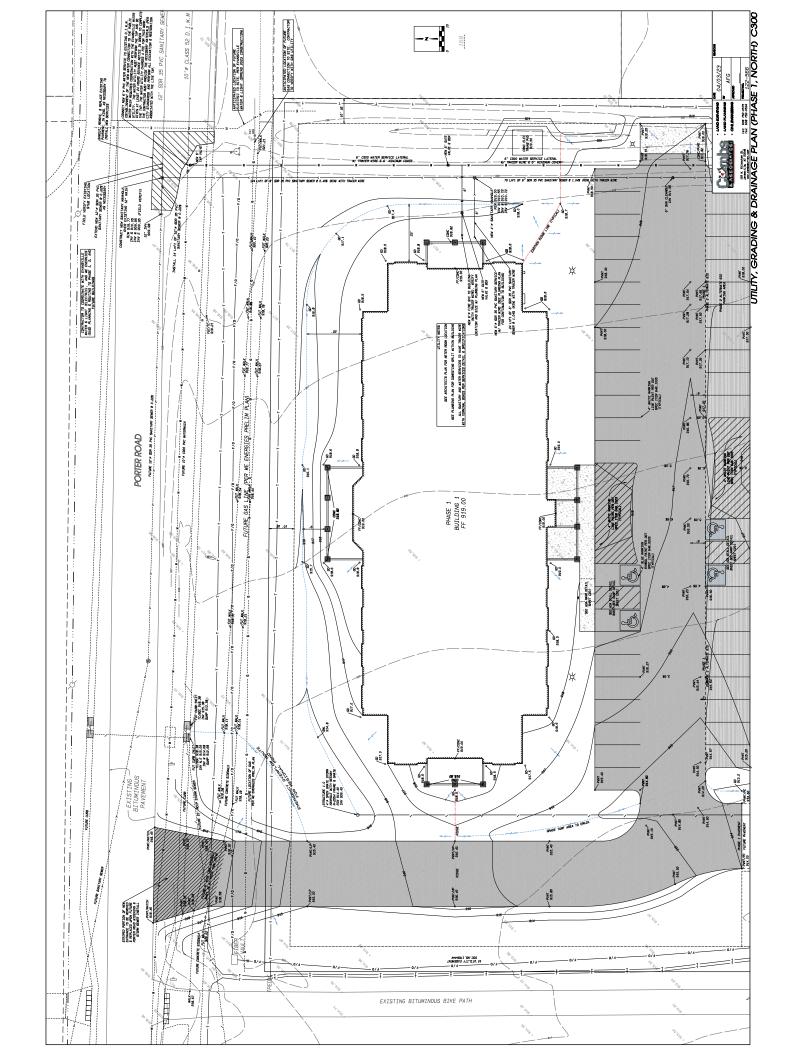


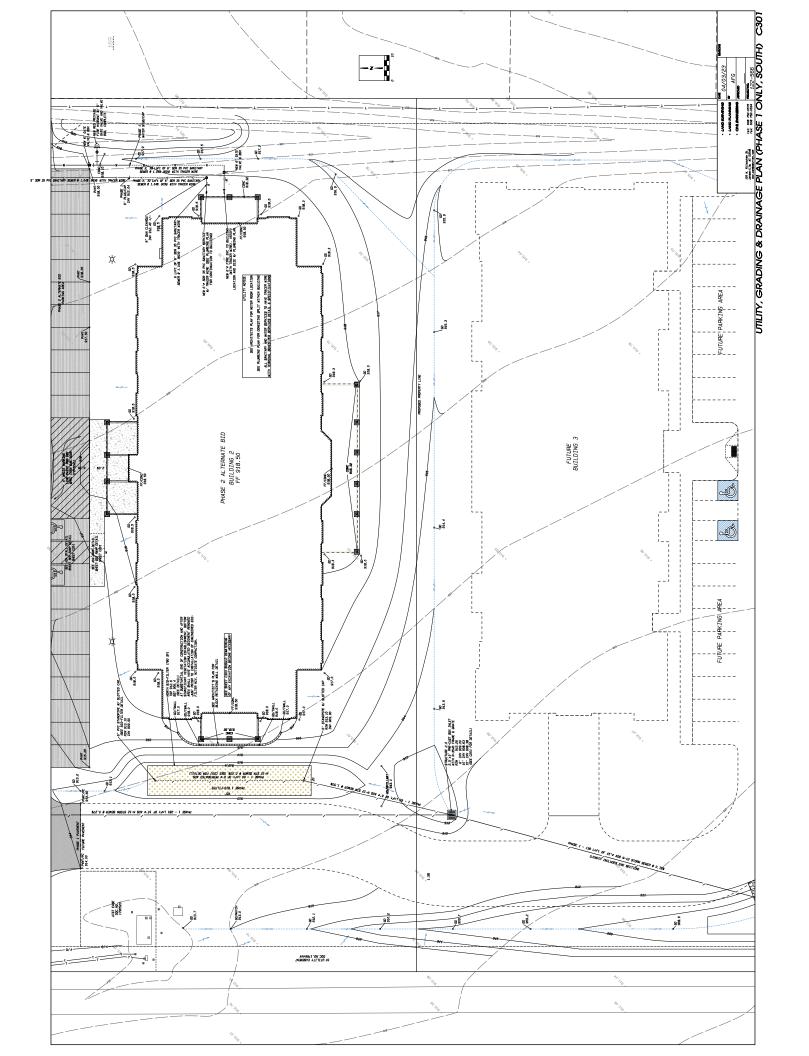


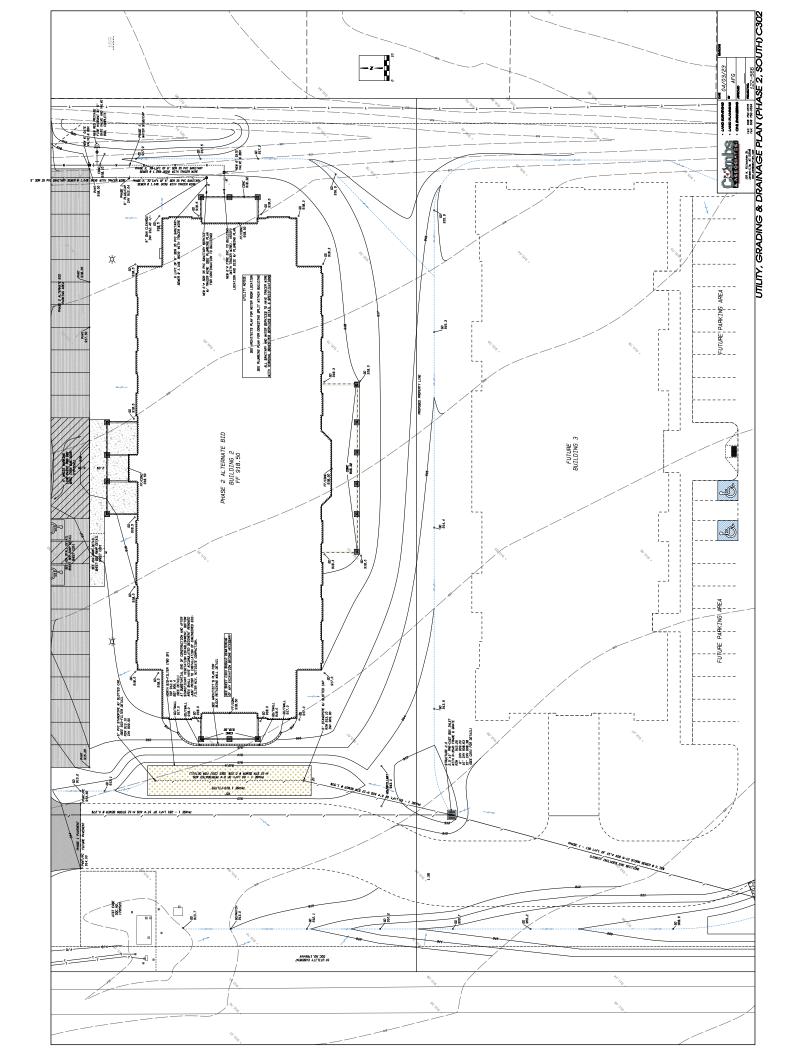


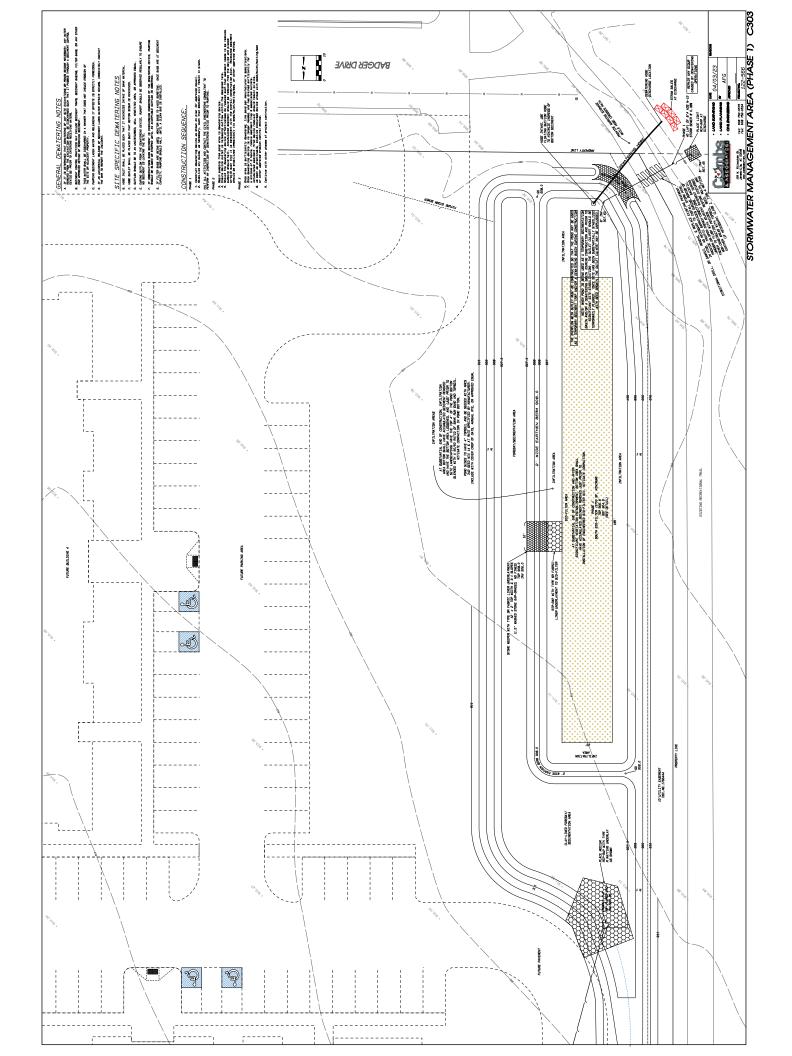


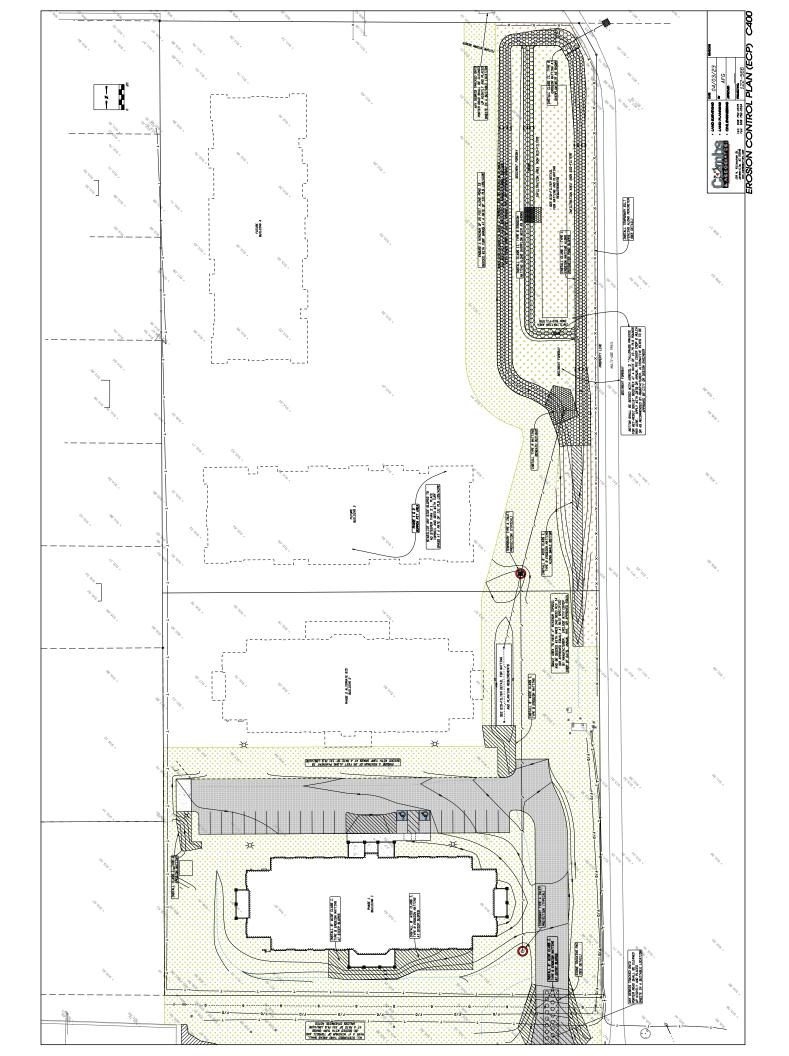












## ENERAL EXCHONNOIRS THE STORE WITH PRULITY PLAN INNERS IS CONNISC OF THIS DRUME, THE PROFITS AND PRULITY DRUME. THE STORE SECTION OF THE SECTION OF THE STORE SECTION OF THE STORE SECTION OF THE STORE SECTION OF THE SECTION OF

- ALL, CONNECTION ON REACHING STANCES THE STORE WITH STATES WELLOW STATES AND STANCES. THE STANCES WITHOUT STANCES STATES OF STANCES WITHOUT STA
  - BEST MANAGENENT PRACTICES AND CONTRACS SMALL CONTRACTO TO FEDERAL, STATE, OR LOCAL REQUIREMENTS OF MANALL OF PRACTICE, AS APPLICATED, CONTRACTOR SMALL INPLIENT ADDITION CONTRACTOR SMALL INPLIENT ADDITION ADDITION.

  - THE SITE MAP MIST CLEARY DELIBERE AL STATE MITTED AND PERMITS FOR ANY CONSTRUCTION ACTIVITY INFO. THE MITTER STATE MITTERS OF RESULATED NETLANDS. AND MIST BE MINIMATINED OP-SITE.
    - CONTINUED SHILL INTINUES CLEARING TO THE MAZIMAN EXTENT PRACTICURE OR AS REQUIRED BY BORNE, COMPACTOR SMILL ERDITE ON PLAN THE TOMOMONE MARCHE AND STROME, MEN MACH MEN, AND MAN CONTINUES FORMAL MACHITIES, ON PER MALLINGS, AND DIETE MACHINE. MEN, AND MACHINE STROME MACHITIES, ON PER MALLINGS, AND DIETE MACHINE. ALL MON MEDICATE MACHINE OF STROMES, EQUIPMENT GLANING, ETC.) SMALL BE EXCLUDED ON PROPER, PRACTICE OF STROMES.
- WHITE WE GET, A STATE OF THE WAY OF THE PROBLEM, TO STATE OF THE WORLD BY A STATE OF THE WAY OF THE
  - DISTURBED FORTIONS OF THE SITE MEDIC CONSTRUCTION ACTIVITY HAS PERMANENTLY STOPPED SHALL BE SEEDED IMMEDIATELY. DISTURBED PORTONS OF THE SITE INFRE CONSTAUCTION ACTIVITY IS PLANKED TO STOP FOR MORE THAN 14 DAYS. THEN AREAS SHALL BE SEEDED INNEDIATELY TO ANNUL PIESRASS.
- IF THE ACTION OF VENDED ANNOUNCES OF THE ADMINISTRATION CONTINUED AS AN OFFI THE TRICKEST TO REPORT THE MASSITTE OF DATE OF THE OWN THEOLOGY THE ADMINISTRATION OF THE ADMINISTRATION OF THE ADMINISTRATION OF THE ADMINISTRA
  - HILD REAL PRODUCTION OF THE SILE WAS TO COME TO COME THE SILE WAS TO CHARLESS THE SILE OF CONTINUIDE ON SUSCONTRACTORS SHALL BE RESPONSIBLE FOR REDOTHS SCOTHERT IN THE DETENTION PORCE AND ANY SUSCEPPORT THAT WHY COLLECTED IN THE STIGHT STREET DALIAN STITINGS AT CONJUNCTION WITH THE STREET, THE OF THE STILL.
- DUE TO THE SPACE CHAMES DURING THE DEVELOPMENT OF THE PROJECT, THE CONTRACTOR BALLES REPORTED TO PREVENT SHOUND THE SHELD HEAD STATES. STRAW BALLES RETO, TO PREVENT SHOUND THE SHELD SHEL SLOPES SWLL SE LEFT IN A RUIN-ENED CONDITTON DIFFING THE GRADING PHASE TO REDA ANNIET VELDCITIES AND ERGETON.
- AL CONSTRUCTOS SALL BE STABLIZED AT THE DOD OF EACH MONTHS DAY. THIS INCLUDES AND THE THE CONSTRUCTOR AND THE CONSTRUCTOR AND PALESHOT OF SALVEL OF BITTAINGS HAVING THE SOR AND CONSTRUCTOR.

BLOS AS PART OF A STABILIZATION MEASURE SHALL BE APPLIED TO PRODUCE A CONTINUOS STABLOS MILLOS ADDILL DE MAYORDES AT A RITE OF 2 TONS PICH ADDIL. IN ALL CARRE, BLOS HOST REMOVED INTO THE SILL OF DISSIDAS. THIN ELCH TONE, STABILIZE IG 6., SEED & MALCH, COMPOST, ENGSTON MAT, POLYNER LL DISTURBED, ARAC QUISITE OF STREET RIGHT-OF-MAY RECOVER SPEAKING GODING, IN R. RECT TO MARK, STABILIZATION SHALL DOZDA BITTAIN SO DATS OF TABILITAL SPEAKINGHEAU BITTAIN 7 DATS OF ACAZETING FINAL GAUGE, MAICH EFFO GOZING TIRBIT. D ENGINE THAT DISTURBED AREAS ARE NOT VILNETABLE TO EROSION FOR EXTENDED FRICOS, THE SITE NEEDS TO BE BROKEN INTO 20MES OF LAND DISTURBANCE.

WITHOUTON SHILL INDICTOR A STONE TRACCIOR HIG. AT THE POINT SE OF ACCESS AS SHOWN IN THE FLANS. THE TOTAL ACCORDING TO ACHE STANDARD 1007. METER TO MONEY SHES ASSET AS JOHN AS A STANDARD A TO ACHE TO ACHE A SET ACHE A STANDARD A ST

or the first six midge after initial stabilization (f.g., seed a major, droston mi no) of a disturbity mark, professor small be made for antering menenter more way take of the new matters blade.

VIGORO, EN AVORALUETE CONTENTE DE AL DESTADOR DE ACADEMICA ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA LOS ACADEMICAS DE ACADEMICA DE ACADEMICA ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA ACADEMICA DE ACADEMI

NOW OF SELF FOR RACID DOMESOR AND ALL LESS TO PET MAY PROMISE. THE SELECT MAY SELF THE SELF SELF SELECT MAY SELF SELECT THE SECONDALISM. SALE SECONDALISM SHALL MAY SELECT MAY SERVE THE SHALL THE SHALL THE SELECT SELECT SELECT MAY NOW AND ADDRESS THE WIND SHALL SELECT SELECT SELECT SELECT MAY SELECT AND ADDRESS THE WIND SELECT SEL MITS AWARD FROM THE SITE SHALL BE THEATED BY USING A TOMOGRAPY SEDIMENT MEIN, POSTABLE DEMETERING BASIN OF AN EQUIVALINT DEVICE.

V TROTVIQUAL SEDERILITON BLEID SALL HANK A DEPTH OF AT LEAST 3 FEET AND VOTOR & MATTAIN SHAVE SETTLING BATE OF 1500 SALLING FOR SOUNE FOOT FOR DAY. US MATE SALL FOR DISCARDED IN A MANNER THAT DOES NOT TROUE ENSITIN OF FEET IN A MANNER THAT DOES NOT TROUE ENSITIN OF

NOTICE MOST THE O "CATCHLE." THEY PROTECTION OR EQUIVALENT. REVER TO MOST MONEY. MET PROTECTION SHALL BE INSTITUTED, WHICH SHALL BE INSTITUTED PROTECTION SHALL BE INSTITUTED PROTECTION. SHALL BE INSTITUTED PROTECTION SHALL BE INSTITUTED PROTECTION. SHALL BE INSTITUTED WITHOUT THE WAY BE INSTITUTED AND ADMINISTRATE. THESE DEVICES BALL NOT BE INSTITUTED AND ADMINISTRATE.

EMBETON CONTRO. MEASURES AND STRUCTURES SERVING THE STITE MAST DE TRANSPECTED.
FALSES METRY, AND MONEYERS OF STRUCTURES OF STRUCTURED SERVING AT PROCESSER P

NOTIFICATION WITH POWER AT THE CONSTITUTE OF OPERATION WITH OF THE POWER STORY WITH POWER OF THE POWER STORY OF THE POWER OF THE POWER STORY OF THE POWER OF THE

# MANICOVANCE \*\*\* READER FOR THE TREATMENT OF STREET TO THE STREET TO THE STREET TO THE STREET THE STREET TO THE STREET THE STREET TO THE STREET THEST. THE STREET THE STREET THE STREET THE STREET THE STREET THE ST

- 1. Processors of principal particles and the service of principal particles (1. Processors of principal particles) (1. Processors of pr
  - THE CONSTRUCTION BYTRANCE SHALL BE MAINTAINED IN A CONDITION INCIDEN SHALL PREVENT TRACKING OF EACH OF MAD OND FABLE INTOHINS—WIY. THIS WAY REQUIRE PERIODIC TOP DIRECTION OF THE CONSTRUCTION PATRIANCE AS CONDITIONS DEPARTS.
- THE TRANSPER PARTING AND STORME MEET SHALL BE REFT IN GOOD CONDITION IDUITABLE FOR ADAING AND STORMED, THIS MAY REQUIRE PRESENTS TO DESSEINS OF THE TRANSPORME PLAKING.
- 6. GUTLET STRUCTURES IN THE SECTIONIATION BASINS SHALL BE MAINTAINED IN OPENATIONAL TOURISTICS AT A LITTER. SECTION SHALL BE RENOTED FIRM SECTIONAL BETTAINED FOR SECTIONAL BE RENOTED FROM SECTIONAL BETTAINED FOR SECTIONAL

## COMMUNICATION SEQUENCE

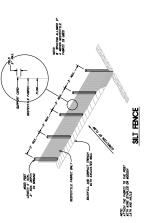
HALT ALL ACTIVITIES AND CONTACT THE CITIL ENGINEERING CONSLITANT TO PROPORE AN INSECTION OF WEST INVASORED FRACTICES (SEW 3). GENERAL PRECIDENTALISM CONTACT & STORM MATER THE CONTRACTION SHALL SOURCE, AND CONTACT A STORM MATER AND ALL BRAND COSTUMENTS AND ALL BRAND COSTUMENTS AND ALL BRAND COSTUMENTS AND ALL BRAND COSTUMENTS AND ALL BRAND COSTUMENTS. Install construction entrance/aut (a).
Propose tesporary parking and equipment storage as Install silt fencing where indicated.
Construct the vegetated indilitation swales & con-

5. Clear and grub the site 6. Begin grazing the site.

- Backfill and stabilize diversions and smales.
  Neve site in Complete proding:
  Complete proding:
  Remove of Imporery evedion and sediment control devices (only if alte is stabilized).

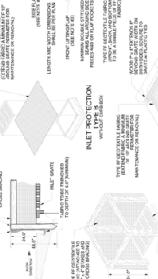


## PREPARE SOL BEFORE INSTALING BLANKETS, INCLUDING ARM RECESSARY APPLICATION OF LIME, FERRILIZER, AND SER, OF OR THE SLOPE BY ANCHORNED THE BLANKET IN A 6 DEEP X 9" MICE TREMSHIMM IN A 5 DEEP X 9" MICE TREMSHIMM IN 77. 3 (SLOPE INSTALLATION) 3 A SOUTH





## FIGURE 1. INLET PROTECTION TYPES A, B, C AND D FLAP POCKET (SEE NOTE AS) SIDE FLAP (SEE NOTE 24) TYPE FF GEOTEXTILE FABRIC (EXTEND FABRIC AMINIMI OF 10° JACUND GRATE PERMETER FOR MAINTENANCE OR REMOVAL) 2" K 4" STANE AND CROSS BRACING



JISE REBAR, STEEL PIPE, DR Z'X4" FOR SEMITIVAL

-b-5- B

TAPER BOTTOM OF BAGTO MANYAN THREE INCHES OF CLEARANCE BETWEEN THE BAG AND THE STRUCTURE, MEASURED FROM THE BOTTOM OF THE STRUCTURE WALL.

WTHOUTGRATE

INLET PROTECTION TYPE A

GEOTEXTILE FABRIC TYPE FF FOR TLAPS, TOP AND BOTTOM OF DUTISICE DF FILTER SAGE FRONT, BACK, AND BOTTOM CFFL. TERBAG BEING ONE PREDE. FRONT LIFTING FLAP IS TO BE USED WH MAINTAINING FILTER BAG.

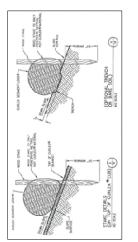
\*1A"> POCKETS SHALLBE LARSE ENDUSH TO ACCEPT WOOD 2" x4".
THE REBAR, STEEL PIPE OF WOOD SHALL BE INSTALLED IN THE REAR EACH IN SHALL NOT BLOCK THE TOP HALF OF THE DUBBEACE DENNING. SIDE FLAYS SHALL BE A MAXIMUM OF TWOINCHES LOVG, FOLD THE FABRICOVER AND REINFORDE WITH MULTIPLE STITCHES.

MANTENANCE NOTES.

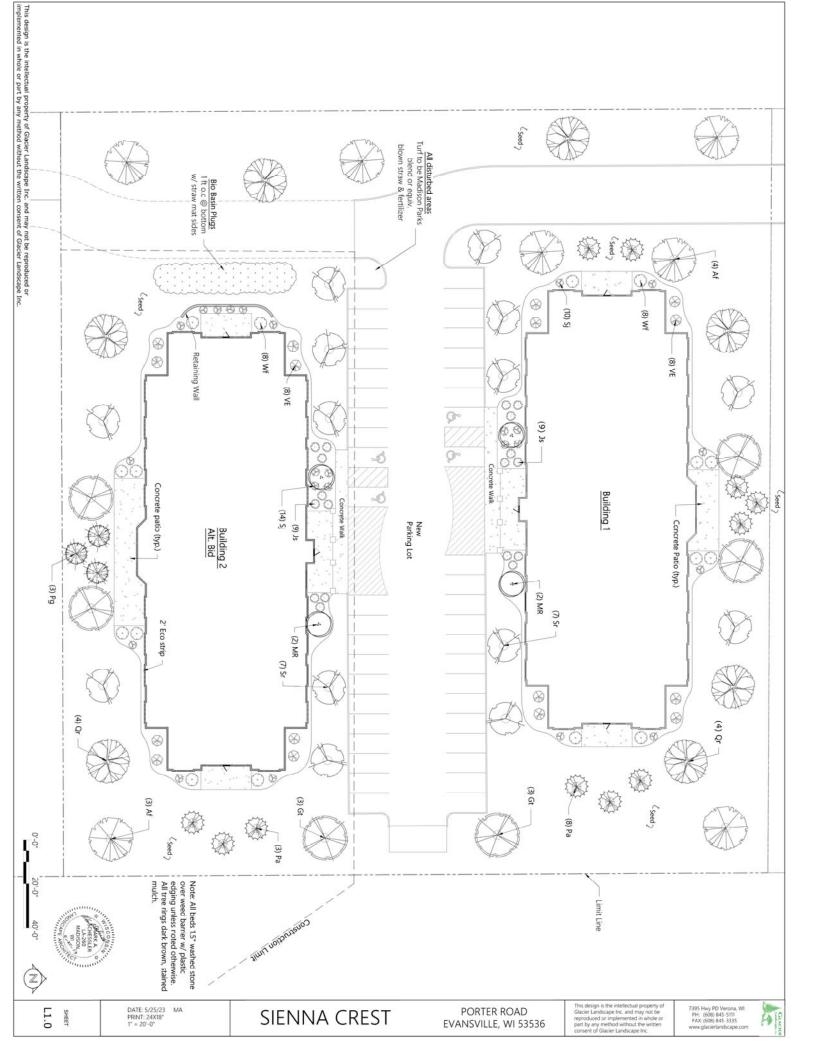


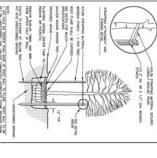
TABLE BOTTOM OF BAS TO MARTAN 3.0" SEPARATION BETWEEN THE BAG AND THE STRUCTLURE AT THE OVERLOWHOUES

CANDE INSTALLED IN ALETS
WITH OR WITHOUT CURB BOXES INLET PROTECTION TYPE D









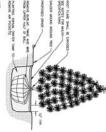
THE CENTRALISE STATES HAVE SHEET OF MODEL BY LIVER SHOOT BY THE STATES OF THE STATES AND THE STA

JS.

DECIDUOUS TREE PLANTING DETAIL

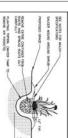
SHRUB PLANTING DETAIL

SCHOOL BY BOOK (MYLE)



SOUTH THE ADDITION THAN THAT OF ROOM THAT TO FLAME. ROOM THAT TO BE SET ON WHICH THAN THAT OF ROOM THAT TO BE SET ON WHICH THAN THAT OF ROOM THAT TO BE SET ON WHICH THE WHICH THAN THAT THE SET OF TH

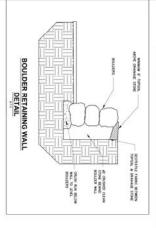
## EVERGREEN TREE PLANTING DETAIL



PERENNIAL/ORNAMENTAL GRASS

PLASTIC LANDSCAPE EDGING
DETAIL

#### TREES Evergree Pa Gt Af Qr NR ST SHRUBS Picea glauca 'Densata' Scientific Name Goldflame Spirea Wine & Roses Weigela Emerald Triumph Viburnum Red Jewel Crabapple Ivory Silk Tree Lilac Common Name Black Hills Spruce Size 18" Root Condition B&8 B&8 B&8 B&8 Individual Points Total Points Points Required 4 6 32 80 2306 300 350 400 420 120



# GENERAL PLANTING NOTES

MOTES:

It full areas to be fine graded, seeded, fertilized and straw mulched

It full areas to be separated from furl areas w plastic edging

It fain bods to be separated from furl areas w plastic edging

It fain beds to be mulched w 1.5 "washed stone is weed barrier

It fain beds to receive pre-emergent per mfly, recommendations

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alr rings

Plant all trees slightly higher than I information. inhhed grade at root flare. Back fill hole with 2/3 existing topsoil and 1/3 peat moss











Sienna Crest Plant Palette



Marmo Maple



Red Jewel Crabapple



Ivory Silk Tree Lilac



Shademaster Honeylocust



Red Oak



Goldflame Spirea



Sienna Crest Plant Palette



**Emerald Triumph Viburnum** 



Wine & Roses Weigela



Mini Arcadia Juniper



Black Hills Spruce



Norway Spruce



#### SITE PLAN APPLICTION - STAFF REPORT FOR PLAN COMMISSION

**Applicant**: Sienna Crest Assisted Living Parcel 6-27-559.5170

Location: 725/727 Porter Road

June 1, 2023

Prepared by: Colette Spranger, Community Development Director

Direct questions and comments to: <a href="mailto:colette.spranger@ci.evansville.wi.gov">colette.spranger@ci.evansville.wi.gov</a> or 608-882-2263

**Description of request:** The applicant is seeking approval of new construction that will include two buildings upon completion. The applicant intends to build in stages. The first building anticipated is an assisted living facility with 20 beds; the second will have 20 beds devoted to residents requiring memory care. These facilities will be licensed by the Wisconsin Department of Health Services as a Ch. 83 CAN-rated (non-ambulatory) Community Based Residential Facility. The property is zoned B-3 Community Business and is currently undeveloped.

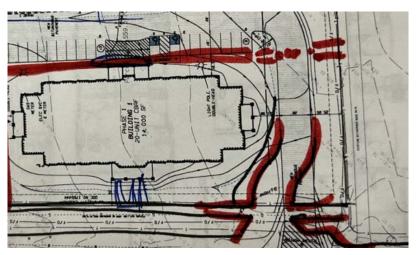
The site plan and building plan has already ready received approval from the state Department of Safety and Professional Services

Plan Commission granted a Conditional Use Permit for Institutional Residential Uses on this site at its May regular meeting.

**Staff Analysis of Request**: The proposal meets the standards outlined in the Zoning Ordinances, including those for Institutional Residential Uses. Staff would like to comment on the following:

- Addressing: Addresses are officially assigned when the building permit is issued. That said, the first building along Porter Road will be assigned 725 Porter Road. The second building will be assigned 727 Porter Road.
- Landscaping. Per Article IV of the City's zoning ordinance, this site requires 2,195 landscape points. The landscape plan as presented exceeds this requirement. The plant varieties planned adjacent to 725 Porter Road provides a good visual appearance from the West Side Park entrance across the street. Staff have received several comments from neighbors who have concerns about the impact the facility will have on the appearance and character of the existing neighborhood. A berm that currently exists between the subject parcel and lots along South Seventh Street will be kept and planed with Norway Spruce, Marmo Maple, Red Oak, and Shademaster Honeylocust trees. Once grown, these will provide ample screening of the buildings from the rest of the neighborhood.

Driveway adjustment. The driveway apron as presented on this site plan is about 25 feet away from the entrance to the highlyused multiuse path that runs parallel just west of the site. Staff and neighbor have expressed concerns about the potential for visitors to the site to confuse the path with the driveway. The adjustment preferred by City staff would be to curve the driveway approach slightly away from the path



Staff suggested adjustment to driveway approach.

entrance by about 20-30 feet, and to include a directional sign pointing road users toward the correct driveway. A directional sign on its own may be sufficient. If the site plan is approved with the driveway as presented and there are observable conflicts in the future, it could be interpreted as a nuisance or a threat to public safety. The City could ask the applicant to adjust the driveway at that time. Making the fix now could prevent this issue. Alternatively: curbing the driveway along the entrance would also differentiate between the driveway and the multiuse path.

- Stormwater conveyances. A stormwater pond is planned on the parcel to the south, which is also owned by the applicant and may develop at a later date. Technically, this means the stormwater shed by the development is not being handled on site, which the City is not in the habit of allowing. However, the City Engineer did not find an issue with the pond as presented and suggested a drainage easement as a way to establish this parcel's right to use the adjacent site's stormwater pond in perpetuity, regardless of ownership.
- Public Sidewalk. Staff has been made aware the applicant is responsible for installing sidewalk in this location. The building inspector will require this to be completed prior to an occupancy permit being issued.
- On site pedestrian connections. Evansville prides itself on its walkability and endeavors to improve pedestrian access throughout the City. When reviewing site plans throughout the City, staff and Plan Commission have been insistent on creating connections for people to walk safely and efficiently within any site, newly built or redeveloped. Staff initially suggested the addition of connection paths on the site from the front door to the public sidewalk and from the nearby multiuse path to the driveway/parking lot area, The applicant is lukewarm on these ideas, stating that the lack of pedestrian access is intentional to ensure resident safety. The lack of curbed walkways adjacent to the parking lot is also intentional, so as to prevent a tripping hazard. Staff are requesting that in the very least, a walkway be connected from the public sidewalk to an entrance for 725 Porter Road.

- Parking lot connections. Staff suggest extending walkways along the parking areas to the building entrances, similar to the Sienna Crest site that is in Platteville. (See right.) Presently, people would need to walk through the parking lot to access the main entrances of either building. These walkways needn't be curbed.
- Impact on health and safety surfaces:

Throughout the review process,



Sienna Crest site in Platteville with pedestrian walkways adjacent to the parking spaces.

several residents and some committee members expressed concern on the impact a facility such as this would have on certain City services. The fire inspector, EMS chief, and police chief all reviewed the site plan and voiced no major concerns. None felt that the addition of this facility would result in additional strain on their resources or create an adverse impact on their ability to serve the community. The fire inspector did suggest an automatic fire alarm system as opposed to a manual one, pointing out that staff would be focused on evacuating residents in an emergency. Once triggered, an automatic alarm system would place a call to 911 without staff having to call.

<u>Required Plan Commission findings for Conditional Use Permit request</u>: Section 130-104 (3) of the Municipal Code, includes criteria that should be considered in making this decision:

- Consistency of the use with the comprehensive plan. The proposed use in general and in this specific location is consistent with the city's comprehensive plan of September 2022. Staff Comment: The Comprehensive plan indicates this area be used for mixed/residential uses and a desire to create aesthetically appealing and welcoming entry corridors into the city. This proposal achieves all of the applicable goals.
- 2. Consistency with the City's zoning code, or any other plan, program, or ordinance. The proposed use in general and in this specific location is consistent with City's zoning code, or any other plan, program, or ordinance, whether adopted or under consideration pursuant to official notice of the city.
  - Staff comment: The proposed construction is consistent with the City's zoning code and other plans, programs, and ordinances.
- 3. **Effect on nearby property**. The use will not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters

affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the City's zoning code, the comprehensive plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the city.

Staff Comment: No adverse effect is anticipated on nearby property. The materials, scale, and character of the proposed buildings blend well with the neighborhood. Staff does recommend a revision to the driveway location to avoid conflict with users along the nearby trail.

- 4. **Appropriateness of use**. The use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property. Staff Comment: Housing for those requiring assisted living and memory care is appropriate in the B-3 zoning district; the applicant already has a conditional use permit for institutional residential use and meets the additional requirements for that use within the B-3 zoning district.
- 5. **Utilities and public services**. The use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by the City or any other public agency serving the subject property.

  Staff Comment: Water and sewer are available at the site. Porter Road is currently being improved in this location. Per City policy, no building permit can be issued for development until curb and gutter is in place. The fire inspector, EMS chief, and

police chief have all reviewed the site plan and have no major concerns.

**Required Plan Commission conclusion:** Section 130-104(3)(f) of the Municipal Code requires the Plan Commission to determine whether the potential public benefits of the site plan do or do not outweigh any and all potential adverse impacts. The proposed motion below states that benefits do in fact outweigh any and all potential adverse impacts.

<u>Staff recommended motion:</u> The Plan Commission approves the site plan that includes improvements as presented on parcel 6-27-559.5170, finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following conditions:

- Driveway location revised or curbed to avoid conflict with trail users.
- 2. Pedestrian walkway internal to site added to connect building entrances with public sidewalk per City Staff/Engineer approvals.
- 3. Pedestrian walkway to be extended entire length of parking areas; may be flush with pavement.
- 4. Stone veneer added to west and east wings on 725 Porter Road building.
- 5. Any variation from presented plans are approved by Plan Commission.
- 6. Any exterior lighting should be dark sky friendly and not cause glare or light-wash on neighboring parcels.

### Sienna Crest CBRF

**New Class CNA CBRF Facility** 

**Porter Road** 

Evansville, WI

CD Set

March 06, 2023

#### GENERAL NOTES AND SPECIFICATIONS

- 1. The mechanical systems design are not a part of these plans.
- 2. All work performed to meet all state and local building codes. Contact the architect with any field-discovered discrepancies.
- 3. The general contractor is to field verify all existing conditions and dimensions.
- 4. VERIFY IN FIELD locations of all property lines adjacent to new construction
- 5. Accessible parking stalls are available on site immediately outside the front
- 6. The building is Type VA construction.



#### **Sheet Index:**

#### **Architectural**

A0.0 Title Sheet

A0.1 Code Analysis Plan

#### Civil

C-100 **Dimension Plan** 

A2.0

#### Architectural

- Floor Layout Plan
- A2.1 Roof Plan / Reflected Ceiling Plan
- A2.2 Door / Frame Schedule
- A2.3 Finish Schedule / Interior Details
- A2.4 **Enlarged Plans/Interior Details**
- **Exterior Elevations**
- A3.1 **Exterior Elevations**
- A3.2 **Exterior Elevations**

#### Structural

- S1.0 Structural Notes
- Foundation Plan / Details S2.0
- Framing Plan / Details
- Braced Wall Plan / Details

## Project Location: Porter Road Evansville, WI **Location Map:**

#### Architect:

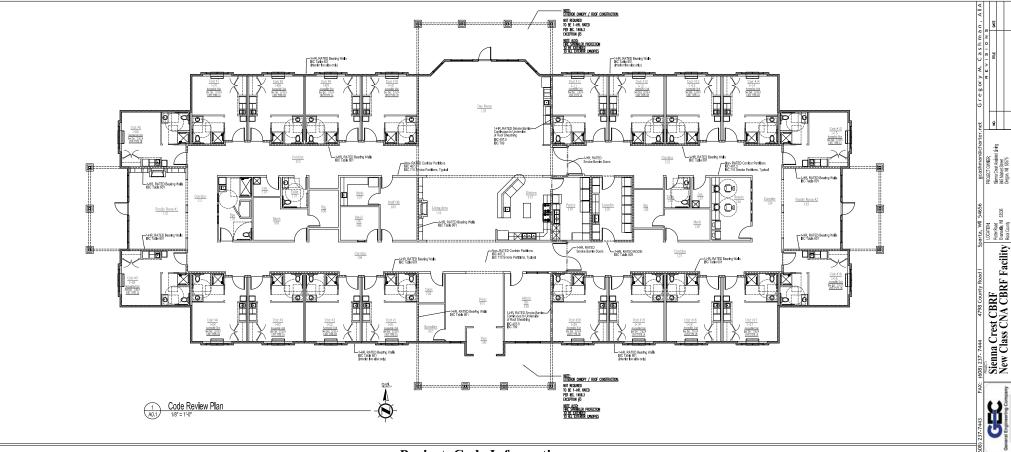
CASHMAN ASSOCIATES, Inc.

Architect Stamp:

#### **Project General Notes:**

CODE COMPLIANCE: ALL WORK OF ALL TRADES SHALL BE COMPLETED IN ACCORDANCE WITH ALL COMPRING: CODES AND ORDINANCES.

Sienna Crest CBRF New Class CNA CBRF Facility



#### **Project Code Information:**

#### DESCRIPTION:

New I-2 (CBRF) Facility

WI Dept, of Health Services (DHS) Ch. 83- Community-Based Residential Facilities DHS 83.04 (2)(f) Class C non-ambulatory (CNA) NFPA 13 Sprinklered Construction

#### APPLICABLE CODES:

- State of Wisconsin Department of Safety and Professional Services Administrative Code- Chapters 361, 362, 363, 364, 365
- 2015 International Building Code and SPS 362 - 2015 International Existing Buildings Code and SPS 366
- 2015 International Energy Conservation Code and SPS 363
- 2015 International Mechanical Code and SPS 364
- 2015 International Fuel Gas Code and SPS 365
- SPS Chapter 316 which adopts the 2017 National Electrical Code (NEC)
- SPS Plumbing Chapters 381-387 as based on SPS 362 2901
- 2015 International Fire Code
- Accessibility: ICC/ANSI A117.1-2009 as based on IBC Chapter 35 4910.1 Minimum Property Standards for Housing
- Fair Housing Act
- ADA Title III

OCCUPANCY CLASSIFICATION: IBC Section 308

IBC Section 308.4.1.1 Occupancy I-2 Condition 1:Institutional I-2:

#### Bullding Gross SF Areas:

Building Level	Building GSF I-2 Occupancy	Bullding Canopies GSF	Total GSF	
First Floor	13,984 gsf	1,291 gsf	15,275 gsf	
Building Height:			IBC Section 504.3	

Bullding Height: ±24'-10" (from main level to ridge) (50'-0" Allowable)

No. of Levels: IBC Section 504.4 One-Story Allowed

Construction Type: - Type VA- Wood Frame Protected - 1-Hr. Construction IBC Section 601

			Non-Bearing Ext. Int.			Roof Const.	
1- hr.	1- hr.	1- hr.	0- hr.	0- hr.	1- hr.	1- hr.	

OCCUPANCY SEPARATION: None

Single-Occupancy- One-Story Building

ALLOWBLE BUILDING HEIGHTS AND AREAS: IBC Chapter 5- Table 506.2

- A. (Allowable tabular area per floor) = 38,000 sf
- 38,000 sf Allowable Area > 15,275 gsf Building Fire Area

#### SPECIAL PROVISIONS:

IBC Chapter 4

IBC 407.3: IBC 710: Corridors Shall be non-rated Smoke Partitions\*
\*Note: Corridor (Bearing) Walls per IBC 601 are 1-hr. Construction IBC 407.3.1: Corridor Doors Shall be non-rated w/ positive latch hardware. IBC 407.5: IBC 709: Smoke Barrier: One, 1-Hr. Smoke Barrier is required

IBC 407.5.1:Smoke Barrler Refuge Areas: Required on both sides of Smoke Barrler DHS 83.51 (1) Area of Refuge

IBC 407.6: Automatic Sprinkler System Required per IBC 903.3.1.1 IBC 407.7: Fire Alarm System Required per IBC 907.2.6
IBC 407.8: Automatic Fire Detection: Corridors and Spaces open to Corridors must be equipped with Automatic Fire Detection

(See also exceptions in this section)

DHS 83.60 Windows (1) -Minimum Daylight size equals 8% of resident room floor area -Minimum Ventilation size equals 4% of resident room floor area

#### FIRE PROTECTION:

NFPA 13R- COMPLETE AUTOMATIC FIRE SPRINKLER SYSTEM IBC 903.2.6-Exception 1.: IBC 903.3.1.2 NFPA 13R system allowed

NFPA 72- Complete Manual Fire Alarm System-IBC 907.2.6. Entire Building and Complete Automatic Fire Detection Systemper IBC 907.2.6.

Entire Building NFPA 72- Smoke Detection Systemper IBC 907.2.6.2 DHS 83.48 (1) Interconnected smoke and Heat Detection System Required

Roof / Celling Assembly - 1- hr. Rated Construction

IBC 718.4.3 : Draftstopping in attic required- NFPA 13R Sprinkler System

#### Interior Finish Flame Spread Rating-

Class B Finish-Interior Wall and Ceiling finishes Class II Finishes- Interior Floors allowed

per IBC Table 803.11 per IBC Table 804.4.2

#### IBC Sec. 1004- Occupant Load:

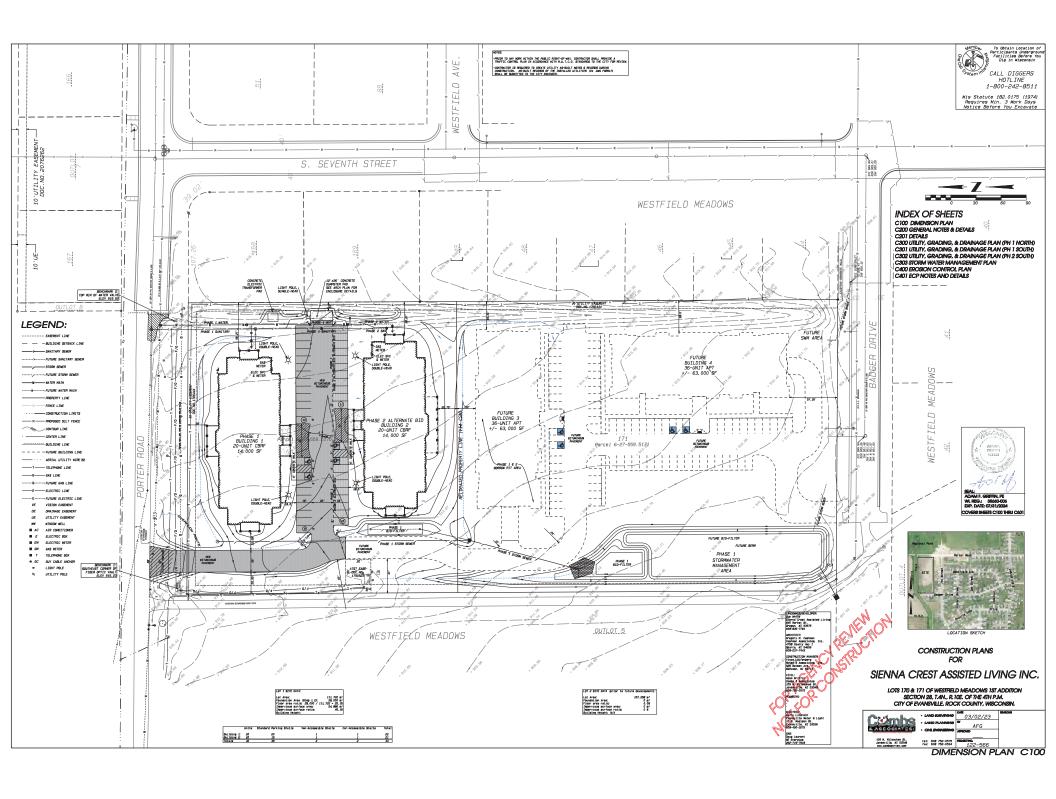
See Code Review Plan for square footages and Occupant Load

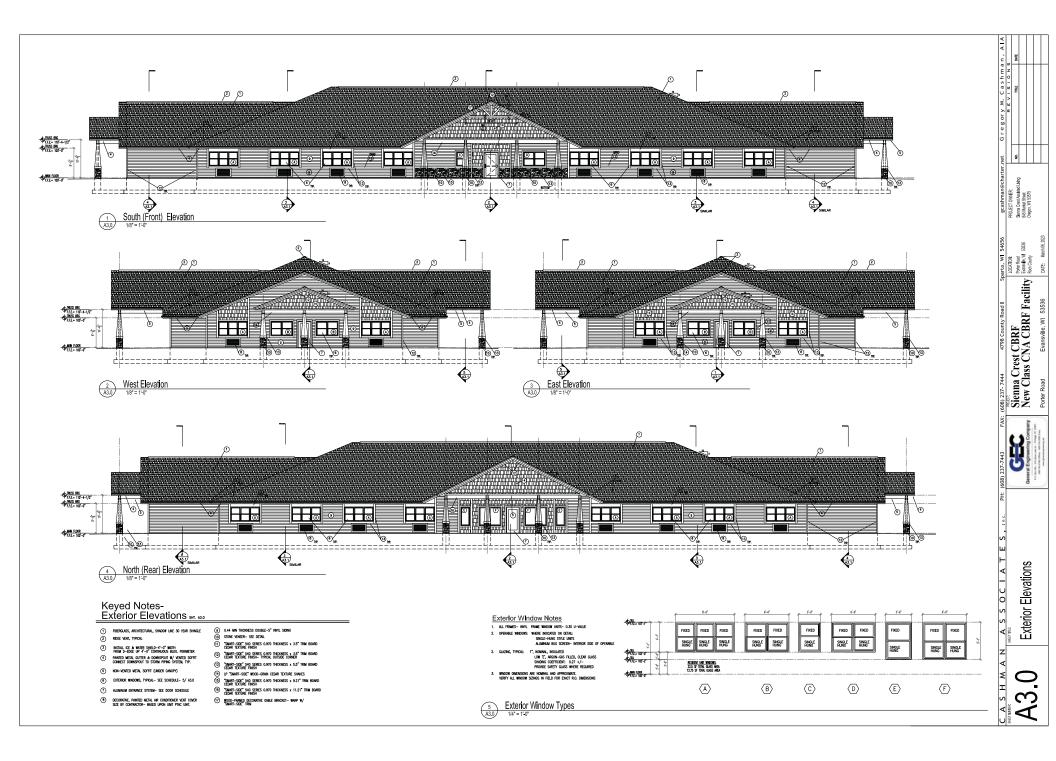
#### IBC Sec. 2902.1: Plumbing Fixtures:

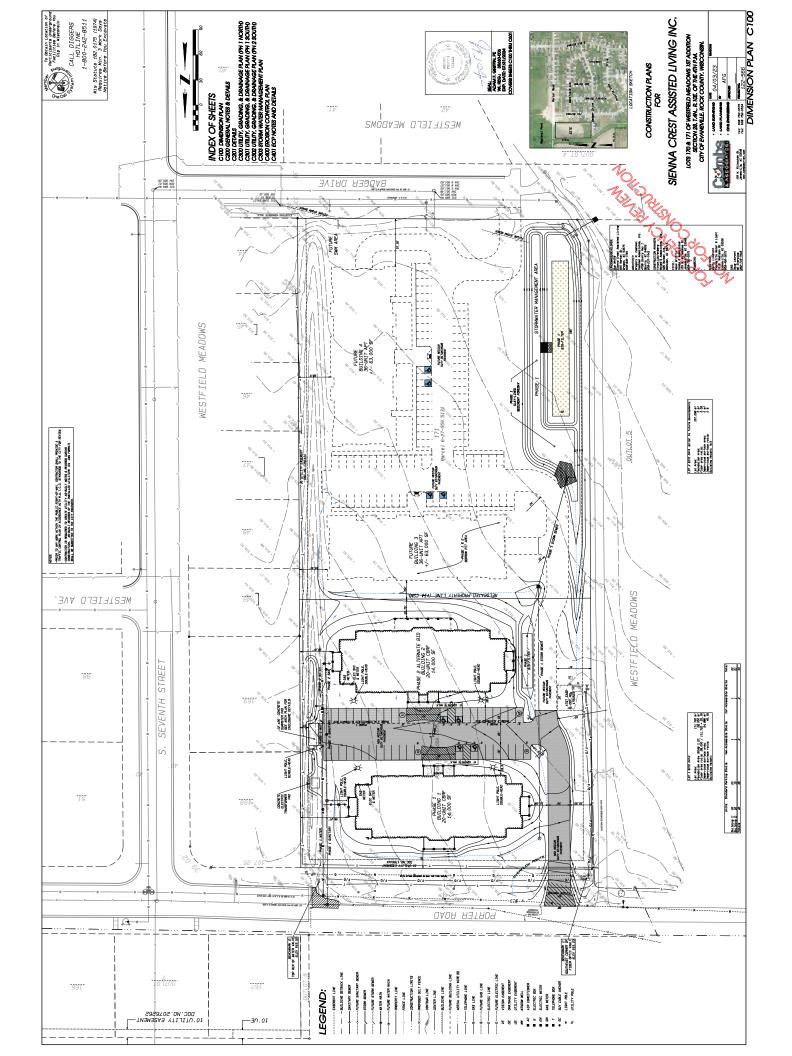
(I-2) Resident Rooms: (1) Lavatory & (1) Water Closet per room Required / Provided

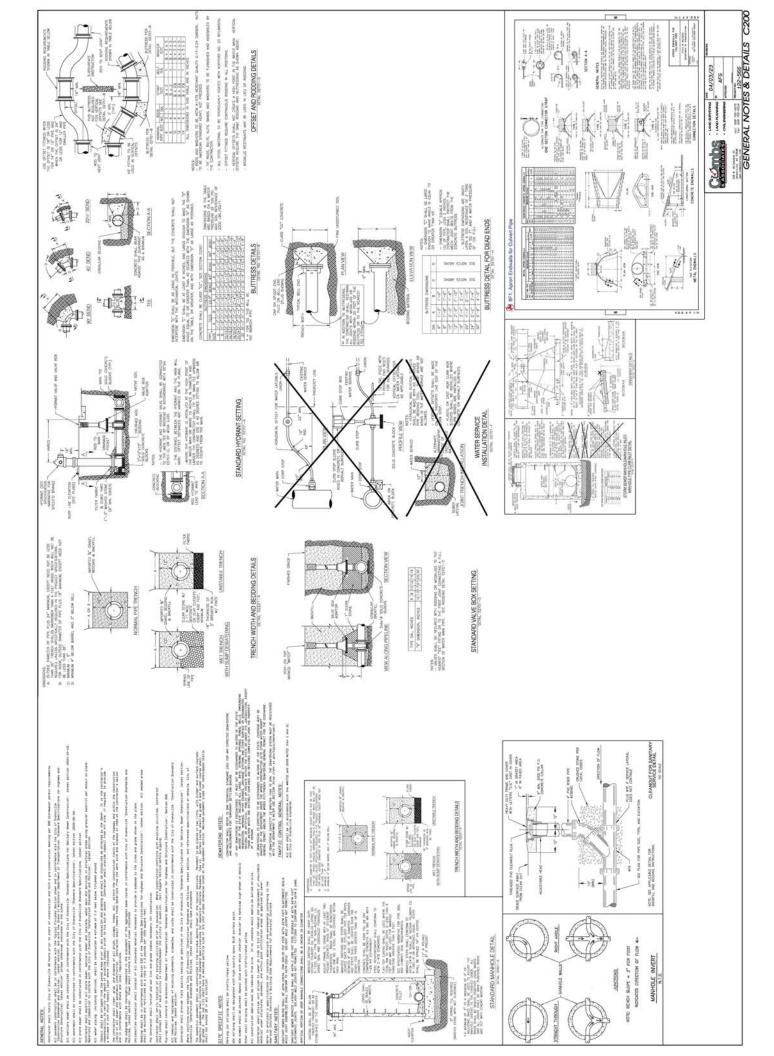
(I-2) Resident Rooms: (1) Bathtub/Shower per 15 Rooms Required /Provided Employees / Visitors: (1) Unisex Toilet Room Required- (3) Provided

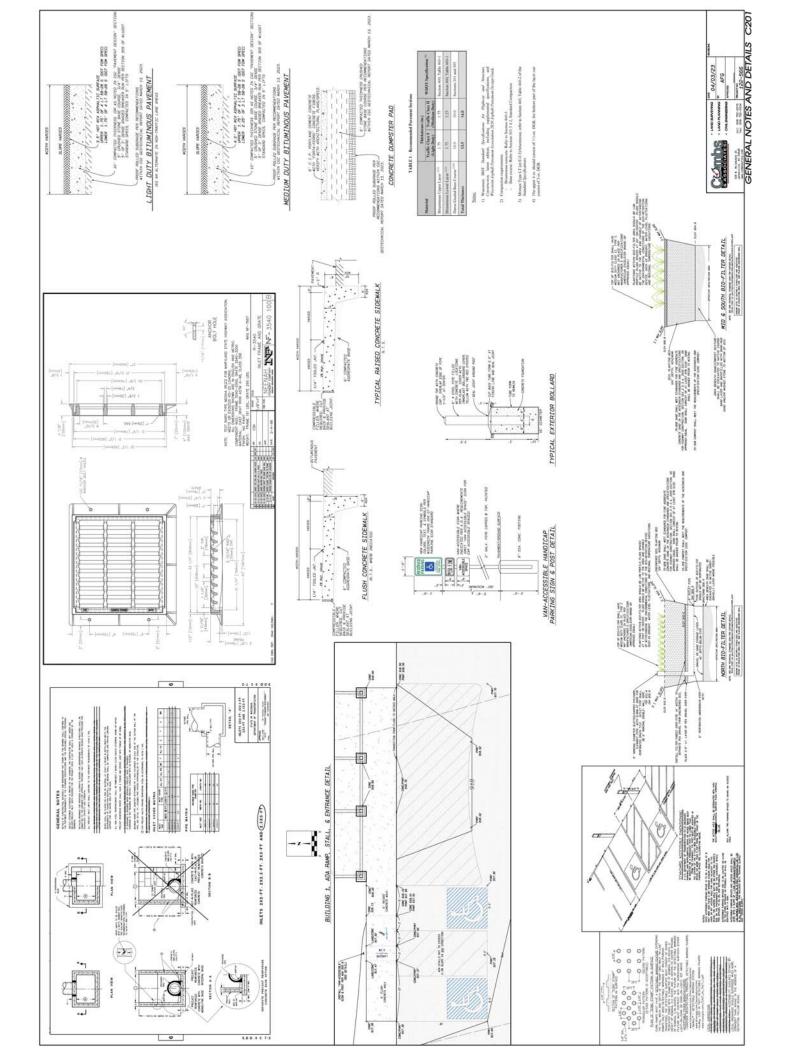
Code Analysis

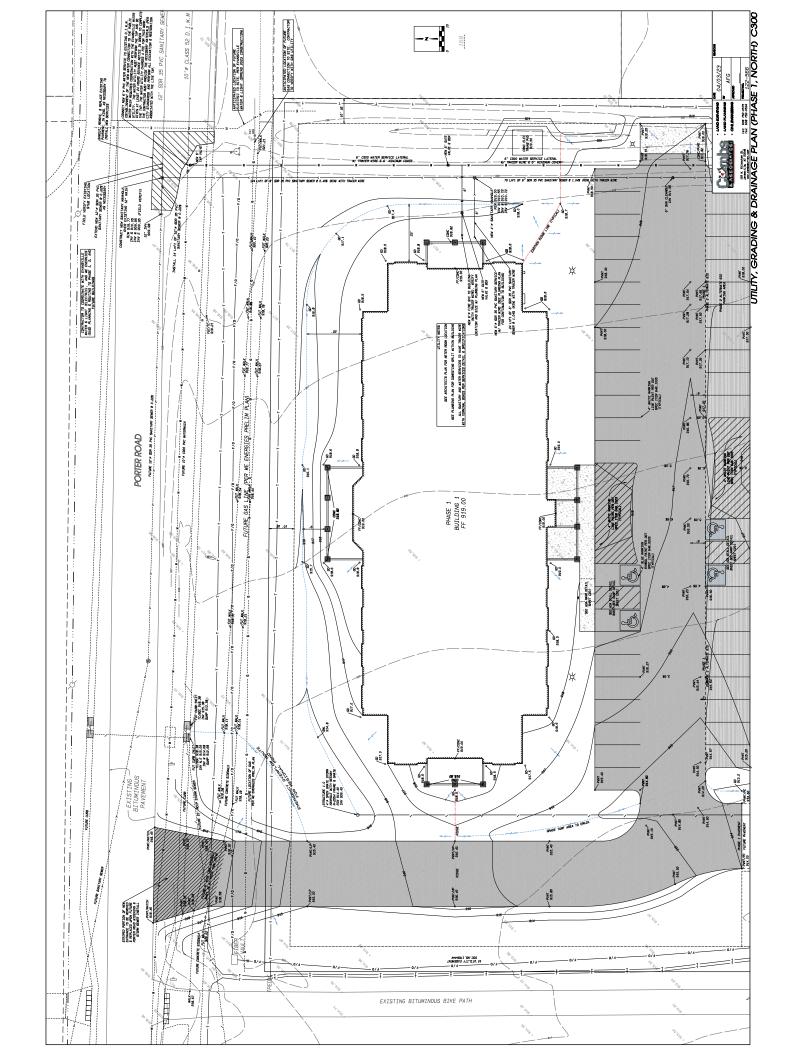


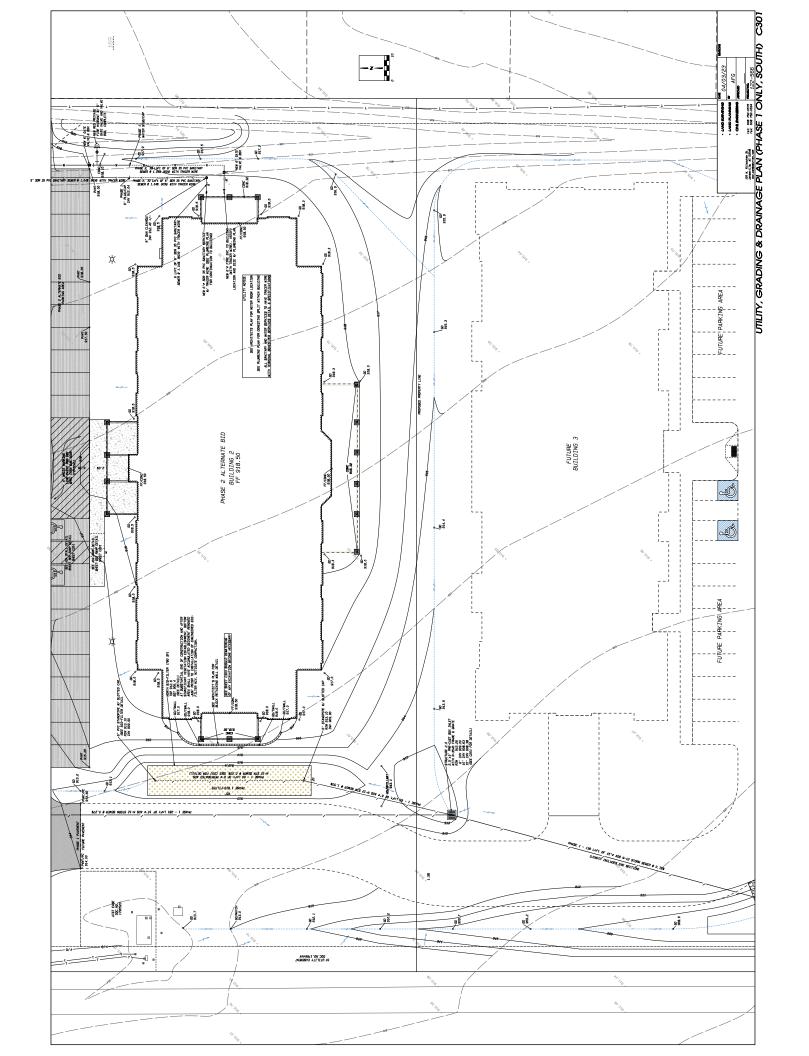


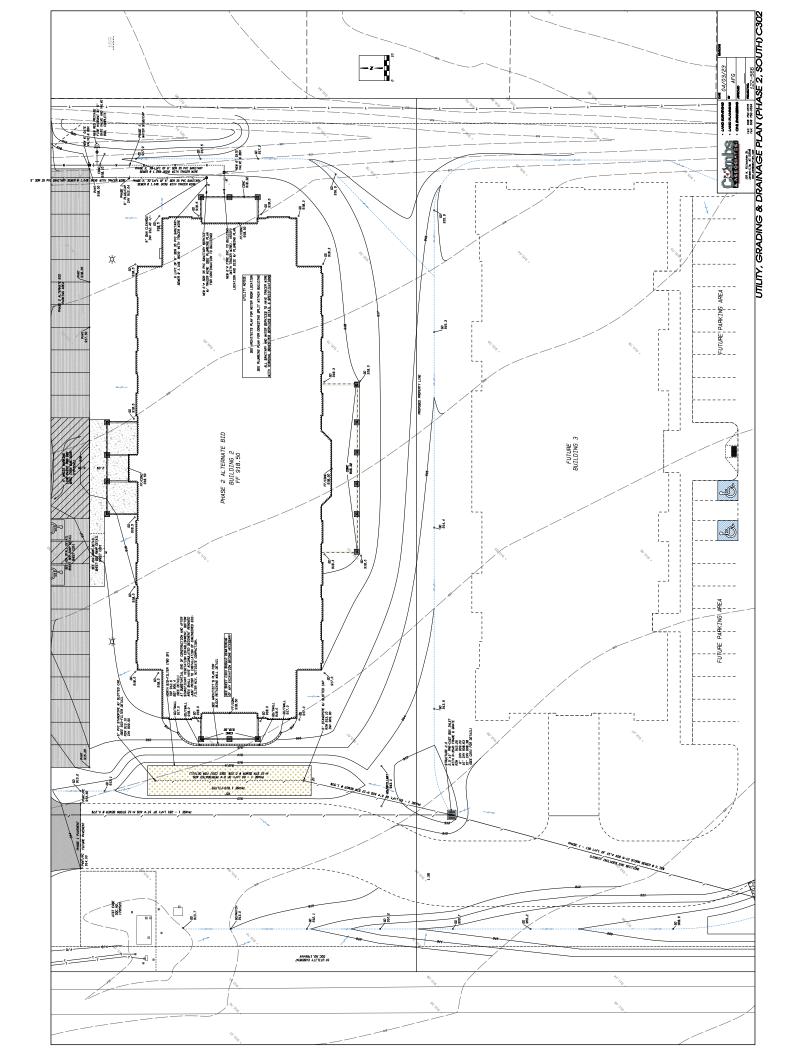


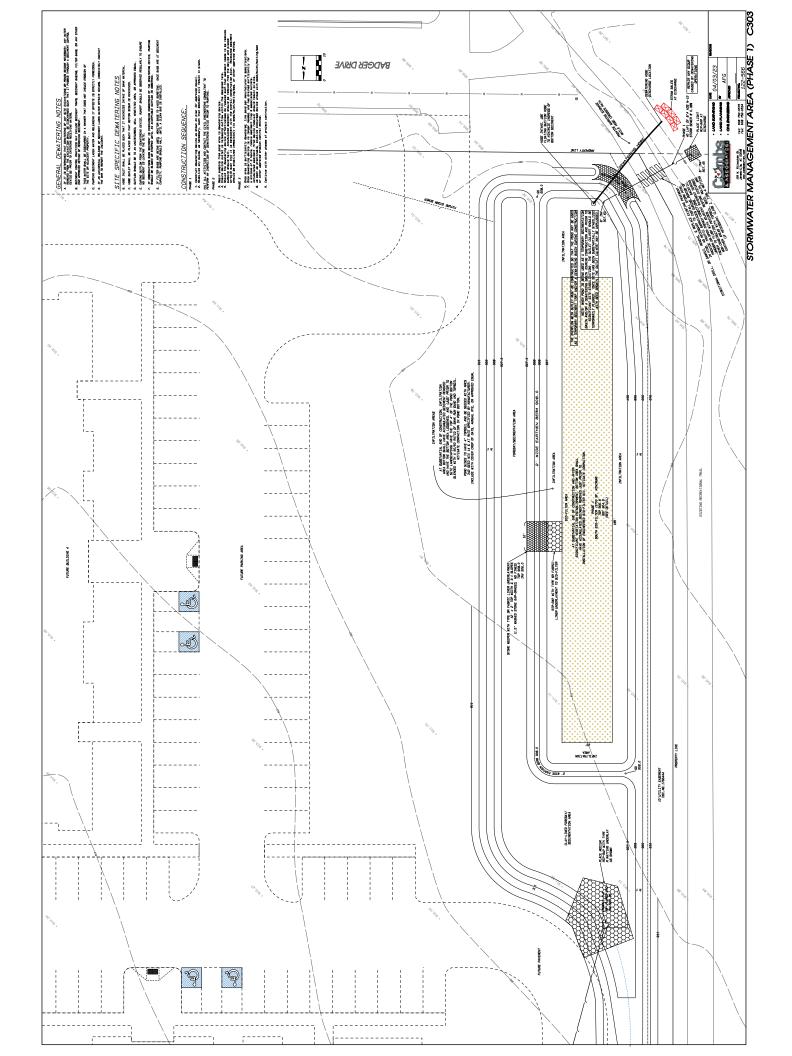


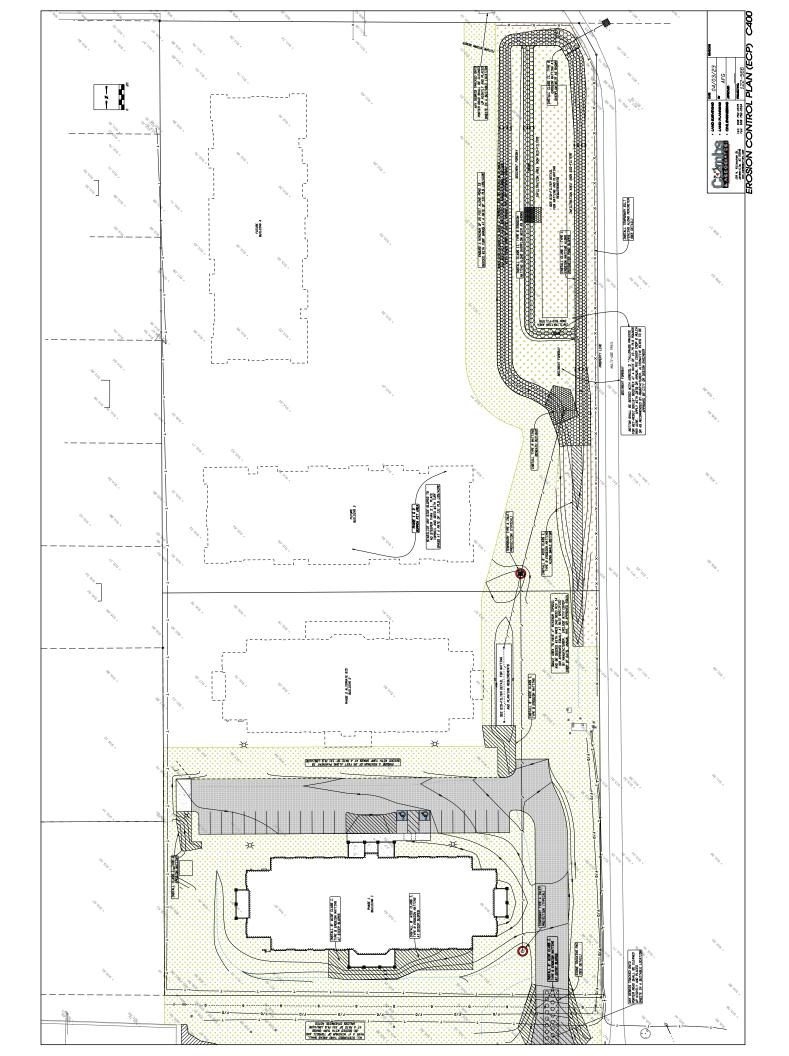












# ENERAL EXCHONNOIRS THE STORE WITH PRULITY PLAN INNERS IS CONNISC OF THIS DRUME, THE PROFITS AND PRULITY DRUME. THE STORE SECTION OF THE SECTION OF THE STORE SECTION OF THE STORE SECTION OF THE STORE SECTION OF THE STORE SECTION OF THE SECTION OF

- ALL, CONNECTION ON REACHING STANCES THE STORE WITH STANCES THE STATE STATEMENT CANCEL STATEMENT CANCEL STATEMENT CANCEL STATEMENT OF ST
  - BEST MANAGEMENT PRACTICES AND CONTRACS SMALL CONTRACTO FEDERAL, STATE, DR LOCAL REQUIREMENTS OF MANALL OF PRACTICE, AS APPLICATED, CONTRACTOR SMALL INVESTMENT MOTITIO CONTRACTS AS DIRECTED BY PRACTITION AGENTY OF DAMES.

  - THE SITE MAP MIST CLEARY DELIBERE AL STATE MITTED AND PERMITS FOR ANY CONSTRUCTION ACTIVITY INFO. THE MITTER STATE MITTERS OF RESULATED NETLANDS. AND MIST BE MITHATINED ON-SITE.

  - CONTINUED SHILL INTINUES CLEARING TO THE MAZIMAN EXTENT PRACTICURE OR AS REQUIRED BY
- BORNE, COMPACTOR SMILL ERDITE ON PLAN THE TOMOMONE MARCHE AND STROME, MARCH MARCH AND CONTROLLED AND ACCUSAGE AND ACC
- WHITE WE GET, A STATE OF THE WAY OF THE PROBLEM, TO STATE OF THE WORLD BY A STATE OF THE WAY OF THE
  - DISTURBED FORTIONS OF THE SITE MEDIC CONSTRUCTION ACTIVITY HAS PERMANENTLY STOPPED SHALL BE SEEDED IMMEDIATELY. DISTURBED PORTONS OF THE SITE INFRE CONSTAUCTION ACTIVITY IS PLANKED TO STOP FOR MORE THAN 14 DAYS. THEN AREAS SHALL BE SEEDED INNEDIATELY TO ANNUL PIESRASS.
- IF THE ACTION OF VARIOLES MANAGEMOUR PAR GRANE COMMINISTING STREAMS AND THE WASHINGTON TO REPORT THE WASHINGTON OF THE WASHINGT SHALL THE STREAMS SHALL THE WASHINGT SHALL THE STREAMS SHALL THE WASHINGT S
  - CONTINUIDE OR SUSCONTRACTORS SHALL BE RESPONSIBLE FOR REDOTHS SCOTHERT IN THE DETENTION PORCE AND ANY SUSCEPPORT THAT WHY COLLECTED IN THE STIGHT STREET DALING STITINGS AT CONJUNCTION WITH THE STREET, THE OF THE STILL.
- HILD REAL PRODUCTION OF THE SILE WAS TO CAUGE WITH THE SILE WAS THE SHARE WAS THE SILE OF THE SILE OF
- DUE TO THE SALUE CHAMBES DURING THE DEVELOPMENT OF THE PROJECT, THE CONTRACTOR BALLES REPORTED THE PROPERTY OF THE SALUES RETO, TO PREPORT DOSESTOR. SLOPES SHALL BE LEFT IN A RUNNENED CONDITION DIRTING THE GRADING PHASE TO REDA ANNIER VELDCITIES AND ERGETON.
- AL CONSTRUCTOS SALL BE STABLIZED AT THE DOD OF EACH MONTHS DAY. THIS INCLUDES MADDING THE SHAPE OF BETTALKNOW WHYNE YES MAD CONSTRUCTED.

BLOS AS PART OF A STABILIZATION MEASURE SHALL BE APPLIED TO PRODUCE A CONTINUOS STABLOS MILLOS ADDILL DE MAYORDES AT A RITE OF 2 TONS PICH ADDIL. IN ALL CARRE, BLOS HOST REMOVED INTO THE SILL OF DISSIDAS. THIN ELCH TONE, STABILIZE IG 6., SEED & MALCH, COMPOST, ENGSTON MAT, POLYNER LL DISTURBED, ARAC QUISITE OF STREET RIGHT-OF-MAY RECOVER SPEAKING GODING, IN R. RECT TO MAY, STABLE OF ACKLETING FINAL GOUSE NEW COLOURS THIST, D ENGINE THAT DISTURBED AREAS ARE NOT VILNETABLE TO EROSION FOR EXTENDED FRICOS, THE SITE NEEDS TO BE BROKEN INTO 20MES OF LAND DISTURBANCE.

WITHOUTH SHILL INDICTOR A STONE TRACCING HIG. AT THE POINT SE, OF ACCESS AS SHOWN IN THE PLANS. THE TOTAL ACCORDING TO ACHE STANDARD 1007. METER TO MONEYS ASS NOW. OF TEXTILLES STANDARDS ATT.

IETER //OFIL. ALS SHIP/POINTS ATTER //OFILATED ACTIVITIES ATTACKED. ATTACKED ACTIVITIES.

or the first six midge after initial stabilization (f.g., seed a major, droston mi no) of a disturbity mark, professor small be made for antering menenter more way take of the new matters blade.

VIGORO, EN AVORALUETE CONTENTE DE AL DESTADOR DE ACADEMICA ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA LOS ACADEMICAS DE ACADEMICA DE ACADEMICA ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA ACADEMICA DE ACADEMICA DE ACADEMICA DE ACADEMICA ACADEMICA DE ACADEMI

NOW OF SELF FOR RACID DOMESOR AND ALL LESS TO PET MANY TWO SELF. WE SELF SELF. SELF. SECONDELS SHALL RECORD THE TABLE SHALL SECONDELS. SALL SECONDELS SHALL SECONDELS. SHALL SECONDELS SHALL SECONDELS. SHALL SECONDELS SHALL SECONDELS. SHALL SECONDELS SHALL SECONDELS SHALL SHALL

V TROTVIQUAL SEDERILITON BLEID SALL HANK A DEPTH OF AT LEAST 3 FEET AND VOTOR & MATTAIN SHAVE SETTLING BATE OF 1500 SALLING FOR SOUNE FOOT FOR DAY. US MATE SALL FOR DISCARDED IN A MANNER THAT DOES NOT TROUE ENSITIN OF FEET IN A MANNER THAT DOES NOT TROUE ENSITIN OF MITS AWARD FROM THE SITE SHALL BE THEATED BY USING A TOMOGRAPY SEDIMENT MEIN, POSTABLE DEMETERING BASIN OF AN EQUIVALINT DEVICE.

EMBETON CONTRO. MEASURES AND STRUCTURES SERVING THE STITE MAST DE TRANSPECTED.
FALSES METRY, AND MONEYERS OF STRUCTURES OF STRUCTURED SERVING AT PROCESSER P

NOTIFICATION WITH POWER AT THE CONSTITUTE OF OPERATION WITH OF THE POWER STORY WITH POWER OF THE POWER STORY OF THE POWER OF THE POWER STORY OF THE POWER OF THE

# MANICOVANCE \*\*\* READER FOR THE TREATMENT OF STREET TO THE STREET TO THE

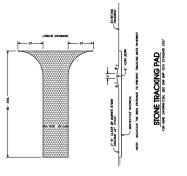
- 1. Processors of principal particles and the service of principal particles (1. Processors of principal particles) (1. Processors of pr
  - THE CONSTRUCTION BYTRANCE SHALL BE MAINTAINED IN A CONDITION INCIDEN SHALL PREVENT TRACKING OF EACH OF MAD OND FABLE, TRIGHTS—ANY. THIS WAY REQUIRE PERIODIC TOP DIRECTION OF THE CONSTRUCTION PATRIANCE AS CONDITIONS DEPARTS.
- THE TRANSMENT AND STORME MEAS SMLL BE REFT IN GOOD CONDITION IDUITABLE FOR ADACTOR AND STORMED THIS MAY REQUIRE PRESENCE OF THE TRANSMENT PLACTOR AS CAROLING REMAIN. 6. GUTLET STRUCTURES IN THE SECTIONIATION BASINS SHALL BE MAINTAINED IN OPENATIONAL TOURISTICS AT A LITTER. SECTION SHALL BE RENOTED FIRM SECTIONAL BETTAINED FOR SECTIONAL BE RENOTED FROM SECTIONAL BETTAINED FOR SECTIONAL

# COMMUNICATION SEQUENCE.

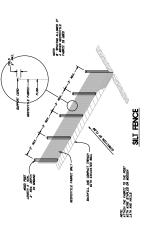
HALT ALL ACTIVITIES AND CONTACT THE CITIL ENGINEERING CONSLITANT TO PROPORE AN INSECTION OF WEST INVASORED FRACTICES (SEW 3). GENERAL PRECIDENTALISM CONTACT & STORM MATER THE CONTRACTION SHALL SOURCE, AND CONTACT A STORM MATER AND ALL BRAND COSTUMENTS AND ALL BRAND COSTUMENTS AND ALL BRAND COSTUMENTS AND ALL BRAND COSTUMENTS AND ALL BRAND COSTUMENTS. Install construction entrance/aut (a).
Propose tesporary parking and equipment storage as Install silt fencing where indicated.
Construct the vegetated indilitation swales & con-

5. Clear and grub the site 6. Begin grazing the site.

Backfill and stabilize diversions and smales.
Neve site Complete grading.
Remove o'll imporvy oversion and sediment control devices (only if alte is stabilized).

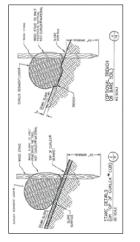


# PREPARE SOL BEFORE INSTALING BLANKETS, INCLUDING ARM RECESSARY APPLICATION OF LIME, FERRILIZER, AND SER, OF OR THE SLOPE BY ANCHORNED THE BLANKET IN A 6 DEEP X 9" MICE TREMSHIMM IN A 5 DEEP X 9" MICE TREMSHIMM IN 77. 3 (SLOPE INSTALLATION) 3 A SOUTH





#### TABLE BOTTOM OF BAS TO MARTAN 3.0" SEPARATION BETWEEN THE BAG AND THE STRUCTLURE AT THE OVERLOWHOUES JISE REBAR, STEEL PIPE, DR Z'X4" FOR SEMITIVAL FIGURE 1. INLET PROTECTION TYPES A, B, C AND D FLAP POCKET (SEE NOTE 45) -b-5- B CANDE INSTALLED IN ALETS WITH OR WITHOUT CURB BOXES INLET PROTECTION TYPE D SIDE FLAP (SEE NOTE 24) LENGTH AND WIDTH DIMENSIONS SHALL BE PER PLAN NINIMUM DCUBLE STITCHED SEAMS ALL AROUND SIDE PIECES AND ON FLAP POCACETS TYPE FF GEOTEXTLE FABRIC (FROYT, BACK, AND BOTTOM TO SE A SINGLE PIECE OF FF FABRIC) TYPE FF GEOTEXTILE FABRIC (EXTEND FABRIC AMINIMI OF 10° JACUND GRATE PERMETER FOR MAINTENANCE OR REMOVAL) FRONT LIFTINGFLAP (SEE NOTE #3) WOOD # x # EXTENDS #\* 9EYOND GRATE WIDTH ON BOTH SIDES, SECURE TO 3RATE W FLASTIGITES INLET PROTECTION TYPE C WITH CURB BOX INLET PROTECTION TYPE 8 WITHOUT CURB BOX TAPER BOTTOM OF BAGTO MANYAN THREE INCHES OF CLEARANCE BETWEEN THE BAG AND THE STRUCTURE, MEASURED FROM THE BOTTOM OF THE STRUCTURE WALL. INLE" GRATE DENCE TO BE TRENCHED WTHOUTGRATE 2" K 4" STANE AND CROSS BRACING INLET PROTECTION TYPE A DIRECTOR TRACE



WHEN BEMOUND CRAMMITAINING INLET PROTECTION, CARE SMALL BE TAKENSOT THATTHE BELLEWIT TRAYNED IN THE FABRICIDOES NOT FALL WITO THE STRUCTURE, MATERIA, PART HAS FALLEN INTO THE INLET SMALL BEIMMEDIATELY REMOVED.

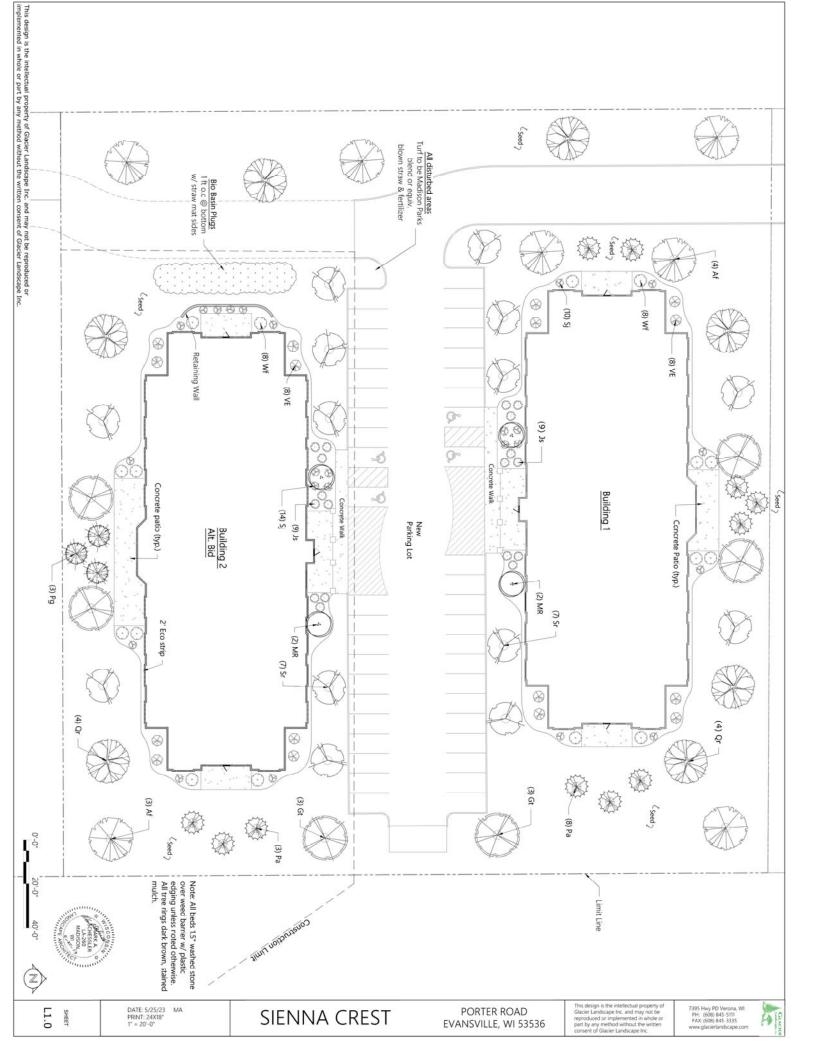
MANTENANCE NOTES.

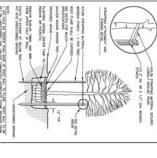
GEOTEXTILE FABRIC TYPE FF FOR TLAPS, TOP AND BOTTOM OF DUTISICE DF FILTER SAGE FRONT, BACK, AND BOTTOM CFFL. TERBAG BEING ONE PREDE.

FRONT LIFTING FLAP IS TO BE USED WH MAINTAINING FILTER BAG.

\*1A"> POCKETS SHALLBE LARSE ENDUSH TO ACCEPT WOOD 2" x4".
THE REBAR, STEEL PIPE OF WOOD SHALL BE INSTALLED IN THE REAR EACH IN SHALL NOT BLOCK THE TOP HALF OF THE DUBBEACE DENNING. SIDE FLAYS SHALL BE A MAXIMUM OF TWOINCHES LOVG, FOLD THE FABRICOVER AND REINFORDE WITH MULTPLE STITCHES.







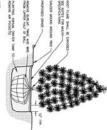
THE CENTRALISE STATES HAVE SHEET OF MODEL BY LIVER SHOOT BY THE STATES OF THE STATES AND THE STA

JS.

DECIDUOUS TREE PLANTING DETAIL

SCHOOL BY BOOK (MYLE)

SHRUB PLANTING DETAIL



EVERGREEN TREE PLANTING DETAIL

# SOUTH THE ADDITION THAN THAT OF ROOT BALL TO THANK MODE BALL TO BE SET ON WHICH BROWN BY UNKNOWN THAN THAN THAT TO BE SET ONLY WITH THE BEAUTH ADDITION TO STORY WITH THE BEAUTH STORY WITH THE BEAUTH STORY WITH STORY WITH THE BEAUTH STORY WITH STORY WITH THE BEAUTH STORY WITH STORY WITH

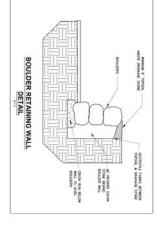


PERENNIAL/ORNAMENTAL GRASS





#### TREES Evergree Pa Gt Af Qr NR ST SHRUBS Picea glauca 'Densata' Scientific Name Goldflame Spirea Wine & Roses Weigela Emerald Triumph Viburnum Red Jewel Crabapple Ivory Silk Tree Lilac Common Name Black Hills Spruce Size 18" Root Condition B&8 B&8 B&8 B&8 Individual Points Total Points Points Required 4 6 32 80 2306 300 350 400 420 120



# GENERAL PLANTING NOTES

MOTES:

It full areas to be fine graded, seeded, fertilized and straw mulched

It full areas to be separated from furl areas w plastic edging

It fain bods to be separated from furl areas w plastic edging

It fain beds to be mulched w 1.5 "washed stone is weed barrier

It fain beds to receive pre-emergent per mfly, recommendations

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alrea of diameter schedded bark mulches

It faintfrom furl mess shall alr

rings

Plant all trees slightly higher than I information. inhhed grade at root flare. Back fill hole with 2/3 existing topsoil and 1/3 peat moss







DATE: 5/23/23 PRINT: 36X24° N.T.S



Sienna Crest Plant Palette



Marmo Maple



Red Jewel Crabapple



Ivory Silk Tree Lilac



Shademaster Honeylocust



Red Oak



Goldflame Spirea



Sienna Crest Plant Palette



**Emerald Triumph Viburnum** 



Wine & Roses Weigela



Mini Arcadia Juniper



Black Hills Spruce



Norway Spruce



#### SITE PLAN AND CONDITIONAL USE PERMIT APPLICATION - STAFF REPORT

**Applications:** SP-2023-0097, CUP-2023-0098

**Applicants**: Mary Leeder, Molly Leeder, DBA Subway

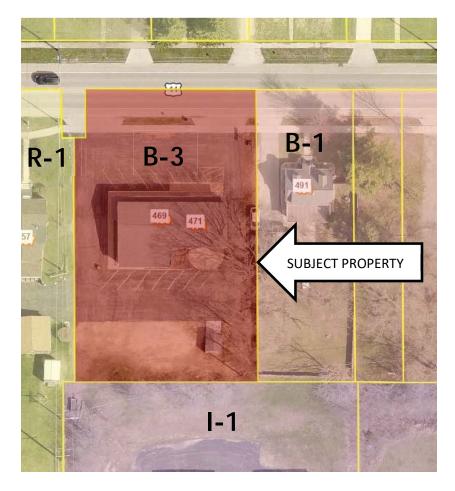
Parcel: 6-27-589

Location: 469/471 E Main

June 2, 2023

Prepared by: Colette Spranger, Community Development Director

Direct questions and comments to: colette.spranger@ci.evansville.wi.gov or 608-882-2263



**Description of request:** The applicant is seeking approval of a site plan for an addition to an existing building, parking lot expansion, and other site improvements space a multi-tenant space located at 469 and 471 East Main Street. The applicants are also seeking Conditional Use Permit approval to operate a Subway restaurant franchise with a drive up window out of 471 East Main Street, per Sections 130-407 and 130-408 of the zoning ordinance.

This parcel, 6-27-148, is currently zoned B-3 Community Business.

#### Staff Analysis of Requests:

Conditional Use Permit for Indoor Commercial Entertainment: This would allow the applicants to run their restaurant out of the 471 East Main location. The use meets the requirements as outlined in Section 110-408 of the subdivision code, including parking requirements for both businesses on site and distance away from residentially zoned properties. The restaurant would operate from 7am to 10pm Monday through Saturday and from 9am to 9pm on Sunday. There have been concerns, particularly from neighbors, about traffic congestion due to increased traffic. City staff are less concerned on that front, as the traffic for this restaurant already exists on Main Street a half mile to the west. Main Street very rarely has backed up traffic that causes a true nuisance. Staff also believe the suggested site plan provided to the applicants aids in directing traffic within the site, directing it around the building. This will help minimize conflicts of all users accessing the site.

Conditional Use Permit for Indoor Vehicle Sales and Service: The applicant received a variance in February 2023 for the proposed pick-up window to have a stacking length of 40', opposed to the otherwise required 100'. The Board of Zoning Appeals considered the hardship to be that the building's position was not positioned to allow for such a length and that the use did not cause cars to stack while waiting for their purchase. The applicants estimate that in-vehicle customers spend less than 5 minutes at the site, as they have ordered and purchased ahead of their arrival.

However, conceptual plan at that time assumed the Subway restaurant would operate at 469 East Main, not 471 East Main on the other side of the building. The driveway along the 471 East Main side of the building is about 12 feet wide with a 2 foot grass strip along the property line. This driveway is 10 feet narrower than the 469 E Main that was considered by the Board of Zoning Appeals when making their decision regarding the pick-up window. For reference, the driveway where the pick-up window is at Subway's current site, which it shares with Casey's convenience store, is about 17 feet wide. Staff is unsure whether it is wise to allow a pick-up window – even one with a very short amount of idle time – in the way of an exit lane. Plan Commission will be asked to weigh in on this decision.

**Site Plan:** This is a site with an existing building that has served many uses over time. The applicants have submitted a site plan showing what is needed for them to operate their business. Staff comments address zoning requirements and other City policies/goals.

#### Zoning Compliance

The current site does not meet some of the minimum zoning requirements in the B-3 zoning district, specifically pavement setbacks, overall landscape ratio, and landscaping. As a redevelopment site, staff encourages any sort of improvement that brings the site closer or to zoning compliance. In general, non-conforming structures or attributes are allowed to continue as long as they are not expanded or rebuilt in a way the continues the non-conforming nature.

<u>Landscape Surface Ratio:</u> The landscape surface ratio on the current site is about 0.07. The B-3 zoning district requires a landscape surface ratio of 0.15. Most of the site is covered in impervious surface – either asphalt, building or gravel – and very little of the open ground is in good condition. Staff is suggesting improvements (grass, trees if desired) to the non-paved areas in the rear of the lot. In addition, a10' x 30' landscape island adjacent to the

public sidewalk is recommended. This acts as a buffer between those using the public sidewalk and those driving in the parking area. There is a strip of grass along the east side yard lot line that should be maintained, in addition to the area around the existing pole sign. With these additions, staff estimates that the landscape surface ratio can be increased to 0.17.

Pavement Setbacks: The applicants' submitted site plan includes expanding the parking area toward the back of the lot in order to accommodate delivery trucks. Staff is asking for the minimum setback of 5 feet from the rear lot line for that paved area. On the street side lot lines, 10 feet of pavement setback is required. The added landscape area (described above) would address this deficiency. Five foot setbacks are also required along side yard lot lines. The west side yard lot line is within an easement with a neighbor for driveway access. The east side yard lot line has ~2 feet of pavement setback. (This may be larger – the applicants intend to survey the property after they understand what modifications the City will allow on the site.) City staff is not asking for modifications to either of these non-conforming areas; they may remain as they are.

<u>Landscape Plan:</u> If staff were to apply a literal interpretation of the City's landscape regulations to this site, it would require 1,300 landscape points, which can be interpreted as 26 trees. Instead, staff is recommended that landscape points be calculated based on the area of the expanded parking area. That calculation comes to about 220 landscape points – or 5 trees. (Note: Two (2) street trees are required in the right-of-way terrace area and do not count towards landscape points.)

#### **Pedestrian Connections**

Staff suggests site improvements that aid in City goals for walkability and improving pedestrian access. A painted walkway leading from the public sidewalk to the building is shown. Staff suggest using large planters as a barrier between the walkway and the existing parking spaces, both for protection and visual improvements. Ideally this walkway would include an accessible ramp at the existing curb around the building.

#### Signs

The applicants are welcome to use the existing pole sign on the site in its current location. If a new pole sign is desired, it will have to be at least 10 feet set back from the front property line and also be placed where it cannot impede visibility for drivers or pedestrians. Any new signs -- wall signs, monument signs, or similar -- will require a separate sign permit.

**Plan Commission findings:** Section 130-104(3) of the Municipal Code, includes criteria for evaluating the appropriateness of a new or changing land use.

- 1. Consistency of the use with the comprehensive plan. The proposed use in general and in this specific location is consistent with the city's comprehensive plan of October 2022.
  - **Staff Comment:** The Comprehensive Plan lists a goal of retaining and expanding existing businesses within the City, as well as broad support for infill/redevelopment that does not require expansion of City utilities and other services.
- 2. Consistency with the City's zoning code, or any other plan, program, or ordinance. The proposed use in general and in this specific location is consistent with City's

zoning code, or any other plan, program, or ordinance, whether adopted or under consideration pursuant to official notice of the city.

#### Staff comment:

The parcel does not currently meet the minimum zoning requirements, including pavement setbacks, overall landscape ratio, and landscaping. Suggested changes to the site plan will improve this site and bring it closer into conformance with the B-3 zoning district. Beyond the zoning issues, this use is thoroughly consistent with other City plans and ordinances.

3. Effect on nearby property. The use will not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the City's zoning code, the comprehensive plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the city.

**Staff Comment:** The site plan submitted indicates significant additions of concrete in the yard area. The applicant is working with a landscaper to add plantings that will offset the additional hardscape. Conditions for landscaping are listed below in the staff recommended motion. No outdoor lighting is shown on the current site plan and none is planned at the moment. No change in grading or drainage is anticipated with the addition of the patio spaces. The applicant has also reached out to neighboring properties regarding this review and public hearing.

**4. Appropriateness of use.** The use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

**Staff Comment:** This part of East Main Street is planned for walkable business.

5. **Utilities and public services**. The use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by the City or any other public agency serving the subject property.

**Staff Comment:** The property is currently served by public utilities.

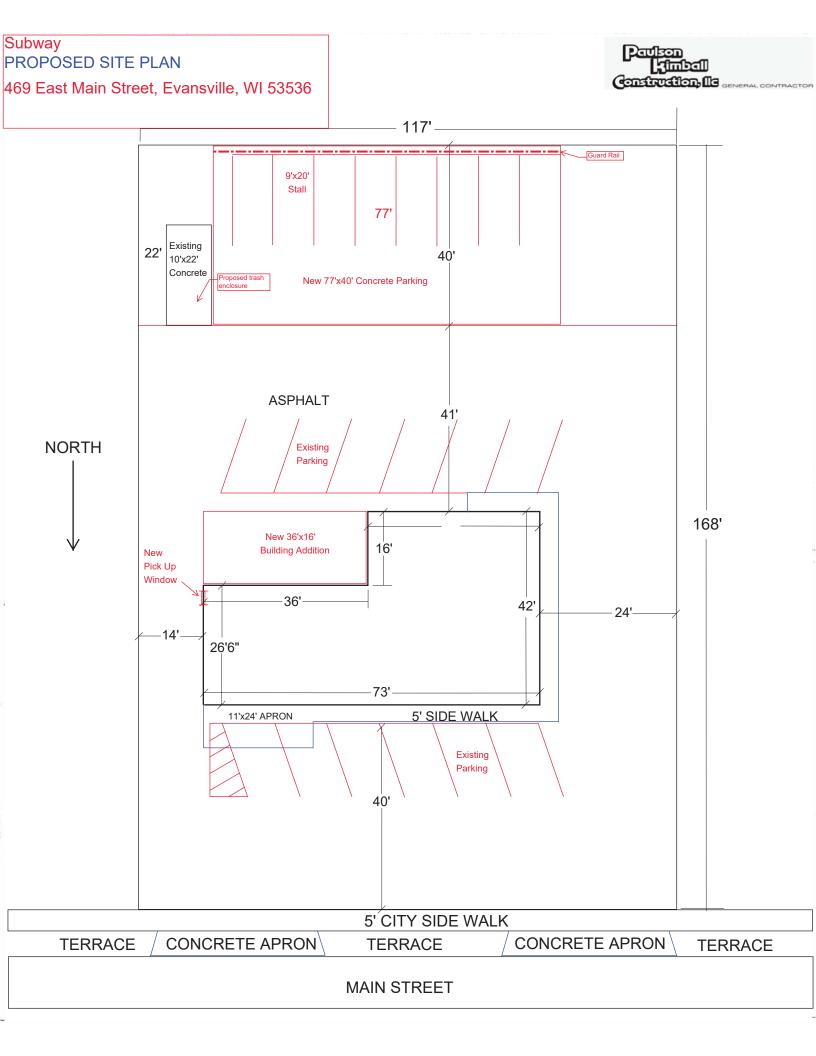
**Required Plan Commission conclusion:** Section 130-104(3)(f) of the Municipal Code requires the Plan Commission to determine whether the potential public benefits of the site plan do or do not outweigh any and all potential adverse impacts. The proposed motion below states that benefits do in fact outweigh any and all potential adverse impacts.

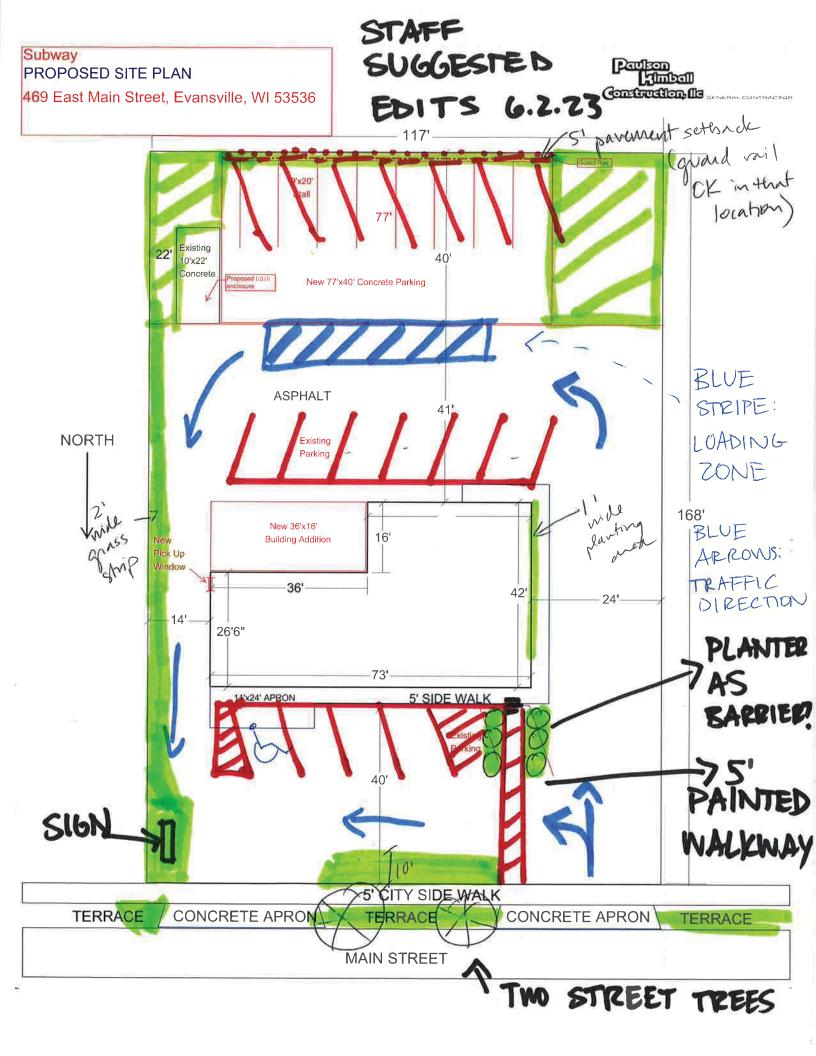
#### **Plan Commission Motion**

Motion to approve the site plan application for improvements on parcel 6-27-589 and a conditional use application to allow indoor commercial entertainment service and in-vehicle sales and service on parcel 6-27-148 per sections 130-104, 130-407, and 130-408 of the Municipal Code, and that the proposed use is consistent with the required standards and criteria of the Zoning Ordinance, and that the benefits in fact outweigh any and all potential adverse impacts, subject to the following conditions:

- 1. Two street trees are planted in East Main Street terrace and 220 points of landscaping are added to the site within a year of receiving an occupancy permit.
- 2. All exterior lighting is dark sky compliant.

- 3. Applicant applies for any appropriate building permits from the City building inspector once the site plan and conditional use are approved.
- 4. Any deviations from approved plans will require a resubmittal of application and possibly fees or enforcement action.
- 5. Use cannot create a public nuisance as defined by local and state law.
- 6. Applicant records the conditional use permit and site plan with the Rock County Register of Deeds.







#### APPLICATION FOR PRELIMINARY LAND DIVISION - STAFF REPORT

**Application No.:** LD-2023-0099 **Applicant**: RM Berg Construction

Parcel: 6-27-930

**Location**: 265 N Fourth Street

June 2, 2023

Prepared by: Colette Spranger Community Development Director

Direct questions and comments to: colette.spranger@ci.evansville.wi.gov or 608-882-2263



**Description of request:** An application for a preliminary land division to create a subdivision on parcels 6-27-930 has been submitted for consideration by Plan Commission. The request is to create a subdivision (Historic Standpipe Point) on land between the northern ends of Fifth and Fourth Street. A public hearing was held in May 2023. The applicant has met with City staff to discuss expectations for development in this area. A copy of the Preliminary Plat is attached to this staff report.

**Existing and Proposed Uses:** The existing parcel is undeveloped. The residence at 265 N Fourth Street has been razed.

The proposed plat shows six single family residential lots along Fifth Street. These can remain in the current R-1 zoning. All the lots as presented comply with the bulk requirements of the R-1 zoning district.

Along Fourth Street there is one lot with a proposed zoning of B-1. This is a very versatile zoning district, which allows single-family homes by right and duplex, townhouse, multifamily, and other residential uses by conditional use. It is staff's understanding that the intention of this lot is for some sort of multifamily (non-single family) land use. Benefits of this zoning district include a prohibition on parking areas in the front setback areas for all principal buildings as well as architectural and landscaping design standards for residential buildings.

A public hearing was held at the May 2<sup>nd</sup>, 2023 Plan Commission meeting. There were concerns from several neighbors about the appropriateness of multifamily housing along Fourth Street.

As a note – the Evansville Standpipe, the historic water tower that is listed on both the State and National Register of Historic Places – is located on City property and is outside this propose preliminary plat. It will not be affected by this development.

#### **General Comments:**

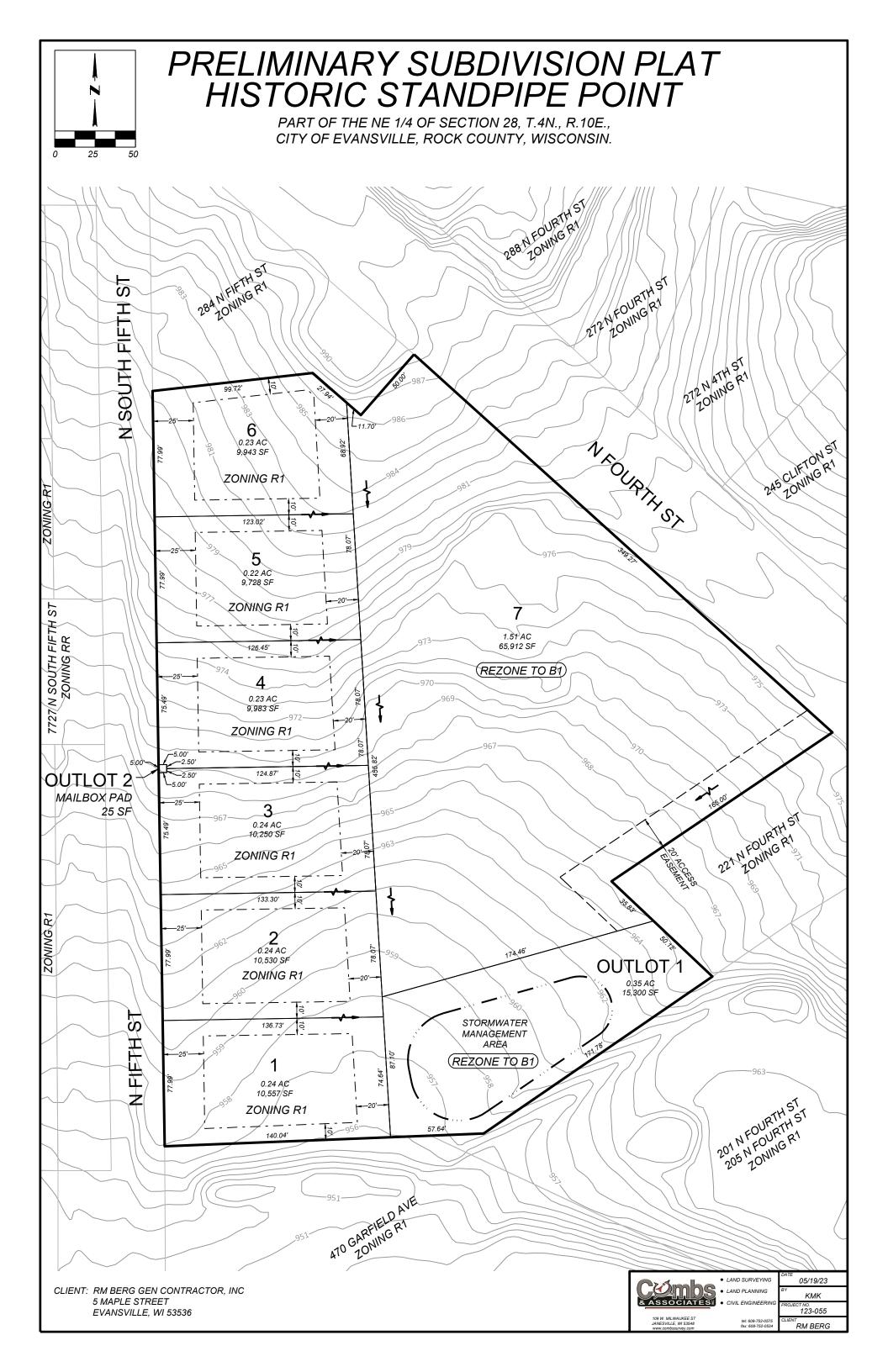
- 1. **Park land dedication**. Park land dedication is a required improvement for any new subdivision. Sec. 110-192 of the City's subdivision ordinance states that such a dedicate area must be at least 2 acres in size. When this amount of land is not available, the developer will pay a fee in lieu of dedication for each single family lot and anticipated dwelling unit. This amount will be finalized in the developer agreement.
- 2. **Sidewalks**. Sidewalks will be required along Fourth and Fifth Streets. Timing of sidewalk construction will be outlined in the developer agreement.
- 3. **Stormwater management**. On-site stormwater will be handled by an outlot that will be dedicated to the public and managed by the City.
- 4. **Developer obligations**: The applicant is RM Berg Construction. The owner of that company has received approvals in last five years for four subdivision plats in the City, but has done so under separate LLCs. Three of these projects are in various states of completion and the City holds valid letters of credit for those. Another plat has received approvals but has not yet been recorded and the City has not yet received a letter of credit to cover the improvements outlined in the developer's agreement.
- 5. **Environmental checklist**. The applicant has submitted an environmental assessment checklist as required. There is nothing to indicate that additional information is required or that a more in-depth review is warranted.

- 6. **Traffic Circulation**. Primary access to the lot will be off existing City streets. No new public roads will be required to access these sites.
- 7. **Shared lot access**. The parcel adjacent to Fourth Street, with a suggested zoning of B-1, could be subdivided at a later date or developed all at once. City staff feel shared driveway access would be ideal along Fourth Street in this location.

Consistency with the City of Evansville Comprehensive Plan and Municipal Code: The proposed land division is consistent with the Future Land Use Map of the Comprehensive Plan. The proposal also complies substantially with the design standards and environmental considerations as set forth in the Land Division Ordinance.

<u>Staff Recommended Motion:</u> Motion to approve the Preliminary Plat Application for the Historic Standpipe Point subdivision, finding that is in the public interests and substantially complies with Section 110 of the Municipal Code, subject to the following conditions.

- 1. Applicant submits Final Plat application and Final Plat in compliance with Division 3 of Chapter 110 of the Municipal code.
- 2. Final Plat revised to adjust Outlot 1 and Lot 6 lot lines as suggested by Staff.
- 3. Outlot 1 to be labeled "Dedicated to Public for stormwater purposes."
- 4. Applicant submits Rezoning application for Lot 7.
- Developer's Agreement completed and executed by both City and Developer along with final plat application.
- 6. Applicant submits Irrevocable Letter of Credit for City Engineer approval.
- 7. Developer pays required park and recreation land fees to City.
- 8. Applicant records a plat restriction, by adding suitable language to the face of the plat as approved by City Engineer, regarding prohibition of alterations of finished grades by more than six inches on utility easements and Stormwater drainage easements.





#### CONDITIONAL USE PERMIT APPLICATION - STAFF REPORT

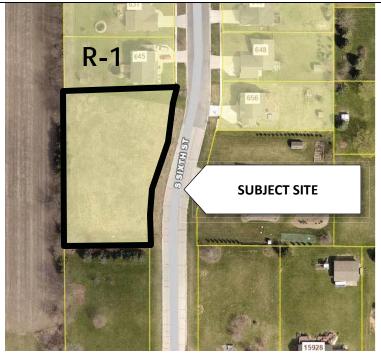
**Applicant**: Andy Phillips

**Parcel**: 6-27-508.11

Location: Lot 11, South Gate Estates (South Sixth Street)

June 2, 2023

Prepared by: Colette Spranger, Community Development Director Prepared for: City of Evansville Plan Commission



Description of request: The applicant is seeking approval of a conditional use permit on a parcel of land 6-27-508.11 (Tax ID 222 033022) located at the southwest corner of the City west of South Sixth Street, has been submitted for consideration by the Plan Commission. The request is to allow a two-unit duplex in the R-1 zoning district per section 130-324 of the Evansville Zoning Ordinance.

Staff Analysis of Request: The proposal meets many of the standards outlined in the Zoning Ordinances. The lot contains area within the mapped floodplain. The applicant anticipates working with a

surveyor to obtain a Letter of Map Revision based on Fill (LOMR-F) in order to assure the structure is completely out of the floodplain. A LOMR-F would be required even if single family home was proposed for construction. Approval of this application would allow a two-unit home to be constructed.

**Site history:** This lot was annexed into the City in 2018. At the time, the owner planned to build one single family home on the lot and had a Conditional Letter of Map Revision based on Fill (CLOMR-F) from FEMA. Prior to annexation, the owner had obtained permission from Rock County to fill the site, with the assumption that a dwelling unit served by private well and septic would be built. An annexation agreement contained terms for the developer to extend sewer and water mains to the end of the lot at their own expense. To date, that agreement has not been enforced and the deadlines within it have passed.

The lot was rezoned to R-1, the City's primary residential zoning district, after annexation. The staff report for rezoning noted that the lot was large enough for future land divisions and that a duplex could be constructed by conditional use permit. Duplex plans suggested by the applicant have a similar building footprint to those proposed in 2017/2018 by a previous owner.

In the five years that have passed since the lot was annexed, further investigation of city utilities has revealed that the sewer main is quite shallow in this area, being only 5 feet from the surface. The DNR requires at least 4 feet of depth for sewer mains. There is a good possibility that extending sewer mains to the south end of the lot would violate DNR standards. Additionally, private pumps would be required to serve a dwelling unit with a basement. (And due to a variety of site characteristics, the staff is requesting there be no basements in this location.) More thought is needed to address this issue, as extending the sewer main south in its current position to Croft Road may well result in the pipe sticking out the ground.

Since this lot can be served with City utilities via laterals, and given the likely long amount of time between now and when local septic systems may fail, the City Engineer believes forgoing the main extensions at this time is an appropriate response in order to allow development. Future lot divisions and additional dwelling units on this or any new lot will not be allowed until the mains can be properly extended further south.

<u>Required Plan Commission findings for Conditional Use Permit request</u>: Section 130-104 (3) of the Municipal Code, includes criteria that should be considered in making this decision:

- 1. Consistency of the use with the comprehensive plan. The proposed use in general and in this specific location is consistent with the city's comprehensive plan of November 2015.

  Staff Comment: The Comprehensive plan indicates a desire to promote infill development where City services are available and to provide a variety of housing types.
- 2. Consistency with the City's zoning code, or any other plan, program, or ordinance. The proposed use in general and in this specific location is consistent with City's zoning code, or any other plan, program, or ordinance, whether adopted or under consideration pursuant to official notice of the city.
  - Staff comment: The proposed construction is consistent with the City's zoning code and other plans, programs, and ordinances.
- 3. **Effect on nearby property**. The use will not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the City's zoning code, the comprehensive plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the city.

Staff Comment: No adverse effect is anticipated on nearby property. Development near the floodplain, even with a LOMR-F, puts more risk on this particular structure as opposed to nearby properties.

- 4. **Appropriateness of use**. The use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

  Staff Comment: two family dwellings are an appropriate use in the R1 district.
- 5. **Utilities and public services**. The use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by the City or any other public agency serving the subject property.

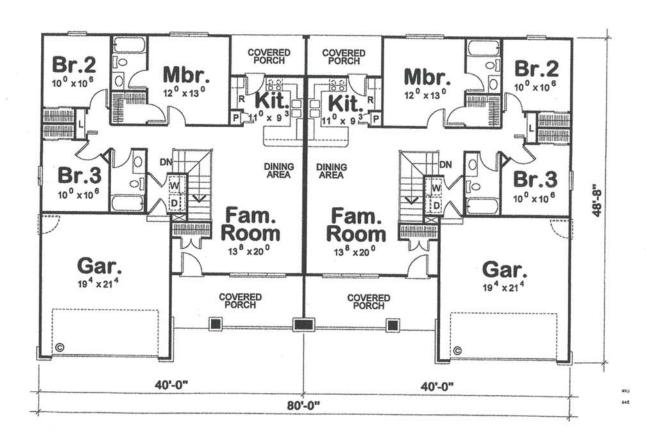
Staff Comment: Sewer and water mains are located under South Sixth Street near the northern end of the property. City Engineer feels that extending two laterals to serve the duplex from this location is appropriate, given the issues with the sewer pipe and area topography as the land descends toward Croft Road.

**Required Plan Commission conclusion:** Section 130-104(3)(f) of the Municipal Code requires the Plan Commission to determine whether the potential public benefits of the conditional use do or do not outweigh any and all potential adverse impacts. The proposed motion below states that benefits do in fact outweigh any and all potential adverse impacts.

Staff recommended motion for CUP: The Plan Commission approves the issuance of a Conditional Use Permit to construct a Two Family Dwelling per section 130-324 on parcel of land 6-27-508.11 (Tax ID 222 041011), finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of a CUP set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following conditions:

- 1. Applicant fills out City of Evansville Floodplain application and receives a LOMR-F for the property from FEMA.
- 2. Further development and subdivision of parcel 6-27-508.11 is contingent on City sewer and water mains being extended to Croft Road.
- 3. Building plans, site grading, and stormwater management plan approved by City Engineer.
- 4. Curb and gutter and sidewalk shall be built to city standards the entire length of the lot.
- 5. Upon completion of construction of any residential buildings, three street trees shall be added.
- 6. Use cannot create a public nuisance as defined by local and state law.
- 7. Conditional Use Permit is recorded with the Rock County Register of Deeds.







Washington, D.C. 20472

July 17, 2017

THE HONORABLE J. RUSSELL PODZILNI CHAIRMAN, BOARD OF SUPERVISORS, ROCK COUNTY 51 SOUTH MAIN STREET JANESVILE, WI 53545 CASE NO.: 17-05-3907C

COMMUNITY: ROCK COUNTY, WISCONSIN

(UNINCORPORATED AREAS)

COMMUNITY NO.: 550363

#### DEAR MR. PODZILNI:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Conditional Letter of Map Revision based on Fill (CLOMR-F) Comment Document. This comment document provides additional information regarding the effective NFIP map, the legal description of the property and our comments regarding this proposed project.

Additional documents are enclosed which provide information regarding the subject property and CLOMR-Fs. Please see the List of Enclosures below to determine which documents are enclosed. as referenced be included specific to this request may Other attachments If you have any questions about this letter or any of the Determination/Comment document. enclosures, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Sincerely,

Luis V. Rodriguez, P.E., Director Engineering and Modeling Division

Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

**CLOMR-F COMMENT DOCUMENT** 

cc: Mr. Adam Griffin

Date: July 17, 2017

Case No.: 17-05-3907C

CLOMR-F



#### Federal Emergency Management Agency

Washington, D.C. 20472

## CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

COMMUI	NITY AND MAP PANEL INFORMATION	LEGAL PROPERTY DESCRIPTION					
COMMUNITY	ROCK COUNTY, WISCONSIN (Unincorporated Areas)	A portion of Lot 11, South Gates Estates, as shown on the Plat recorded in Volume 32, Pages 634 and 635, in the Office of the Register of Deeds, Rock County, Wisconsin  The portion of property is more particularly described by the following					
	COMMUNITY NO.: 550363	metes and bounds:					
AFFECTED MAP PANEL	NUMBER: 55105C0014E						
	DATE: 9/16/2015						
FLUUDING SOURCE, DISIMISED INDOIGN 19		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY:42.767086, -89.318241 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83					

COMMENT TABLE REGARDING THE PROPOSED PROPERTY (PLEASE NOTE THAT THIS IS NOT A FINAL DETERMINATION. A FINAL DETERMINATION WILL BE

MADE UPON RECEIPT OF AS-BUILT INFORMATION REGARDING THIS PROPERTY.)

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT WOULD BE REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
11		South Gate Estates		Portion of Property	X (unshaded)	902.1 feet		904.2 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

STATE LOCAL CONSIDERATIONS

LEGAL PROPERTY DESCRIPTION

PORTIONS REMAIN IN THE FLOODWAY

CONDITIONAL LOMR-F DETERMINATION

This document provides the Federal Emergency Management Agency's comment regarding a request for a Conditional Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the proposed described portion(s) of the property(ies) would not be located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) if built as proposed. Our final determination will be made upon receipt of a copy of this document, as-built elevations, and a completed Community Acknowledgement form. Proper completion of this form certifies the subject property is reasonably safe from flooding in accordance with Part 65.5(a)(4) of our regulations. Further guidance on determining if the subject property is reasonably safe from flooding may be found in FEMA Technical Bulletin 10-01. A copy of this bulletin can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at http://www.fema.gov/mit/tb1001.pdf. This document is not a final determination; it only provides our comment on the proposed project in relation to the SFHA shown on the effective NFIP map.

This comment document is based on the flood data presently available. The enclosed documents provide additional information regarding this request. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director

-(-)

Engineering and Modeling Division

Federal Insurance and Mitigation Administration



#### Federal Emergency Management Agency

Washington, D.C. 20472

# CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

#### LEGAL PROPERTY DESCRIPTION (CONTINUED)

COMMENCING at the Northwest Corner of said Lot 11; thence S89°27'23"E along the North line of said Lot, a distance of 62.62 feet; thence S0°32'37"W a distance of 20.41 feet to the PLACE OF BEGINNING for the land to be herein described; thence S89°27'23"E parallel with said North line a distance of 24.53 feet; thence S6°12'52"E a distance of 147.09 feet; thence N88°52'23"W a distance of 23.62 feet; thence N11°57'33"W a distance of 84.16 feet; thence N0°32'37"E a distance of 63.66 feet to the PLACE OF BEGINNING.

## PORTIONS OF THE PROPERTY REMAIN IN THE FLOODWAY (This Additional Consideration applies to the preceding 1 Property.)

A portion of this property is located within the Special Flood Hazard Area and the National Flood Insurance Program (NFIP) regulatory floodway for the flooding source indicated on the Determination/Comment Document while the subject of this determination is not. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation, and any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Modifications to the NFIP regulatory floodway must be accepted by both the Federal Emergency Management Agency (FEMA) and the community involved. Appropriate community actions are defined in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at http://www.fema.gov/about/regoff.htm.

### CONDITIONAL LOMR-F DETERMINATION (This Additional Consideration applies to the preceding 1 Property.)

Comments regarding this conditional request are based on the flood data presently available. Our final determination will be made upon receipt of this Comment Document, certified as-built elevations and/or certified as-built survey. Since this request is for a Conditional Letter of Map Revision based on Fill, we will also require the applicable processing fee, and the "Community Acknowledgement" form. Please note that additional items may be required before a final as-built determination is issued.

This letter does not relieve Federal agencies of the need to comply with Executive Order 11988 on Floodplain Management in carrying out their responsibilities and providing Federally undertaken, financed, or assisted construction and improvements, or in their regulating or licensing activities.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director Engineering and Modeling Division

Federal Insurance and Mitigation Administration



#### Federal Emergency Management Agency

Washington, D.C. 20472

# CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

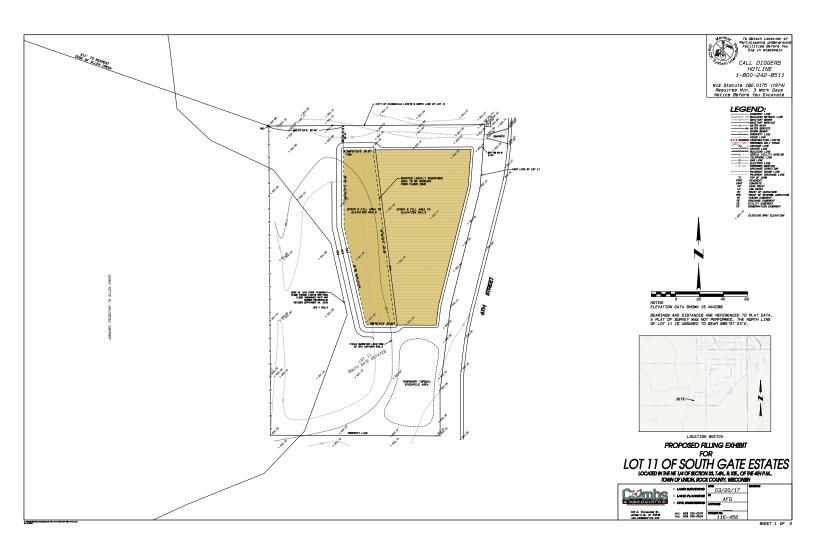
STATE AND LOCAL CONSIDERATIONS (This Additional Consideration applies to all properties in the CLOMR-F COMMENT DOCUMENT)

Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director Engineering and Modeling Division

Federal Insurance and Mitigation Administration





#### ROCK COUNTY GOVERNMENT

Planning & Development Agency

#### INTEROFFICE MEMORANDUM

TO: Rock County Planning and Development Committee

FROM: Planning & Development Agency Staff

SUBJECT: Shoreland Conditional Use Permit #2017 005 – R & K & Sons Construction

(Revised Application)

DATE: November 3, 2017

#### Summary:

The Rock County P&D Staff has received request from R&K & Sons Construction for a Shoreland Conditional Use Permit (CUP) for filling and grading activities associated with the filling of a portion of a lot to prepare for the construction of a new residence. The Conditional Use Permit is required because the project will involve greater than forty cubic yards of fill and/or greater than one thousand square feet of disturbance within the Shoreland Zoning District. The project is also within the Floodplain Zoning District of an unnamed tributary to Allen Creek. The vacant property is located in part of the SE ¼ of the NW ¼, Section 33, Union Township directly south of 645 S Sixth Street, Evansville, WI, tax parcel 6-20-390.11.

NOTE: The owner previously submitted a Conditional Use Permit application, which was denied by the Committee in August 2017. This new application includes a revised plan intended to address the neighbor's and the Committee concerns with the previous plan. The applicant has also provided an additional narrative to support the application. The staff report for the first application has been revised below where applicable to incorporate the provisions of the new plan.

The purpose of this project is to add fill to the lot in order to create a building site that is out of the Floodplain. There are specific standards in the Floodplain Zoning Ordinance which dictate how this process must occur, both from a physical standpoint on the land and from administrative standpoint. On the land, the area must be filled to an elevation at least two feet above the regional flood elevation and the fill must be contiguous to land outside the floodplain. In other words, a developer cannot simply create highpoints to build on without "dryland" access to them.

Once the fill plans are permitted the project may proceed. The type, characteristics and compaction of the soil, both on site and added, must be closely documented and certified when the site work is completed. The final elevation of the land will make it reasonably safe from surface water flooding and the physical characteristics of the fill will make it reasonably safe form subsurface water impacts. Each are required in order to remove the land from the Floodplain. Following the site work, a formal amendment to the Floodplain Zoning Maps will be required, which is an action item by the P&D Committee and the County Board. A Conditional Letter of Map Revision based on Fill (CLOMR-F) has been approved by FEMA (enclosed for reference), which is the first step in the administrative approval of a project like this. Since the first public hearing for this proposal, the Town of Union has granted a variance for the front yard setback standard to allow the proposed residence to be built closer to the road than the required 50 feet.

A copy of the construction plans are included in the packet for reference and larger copies will be available at the meeting.

Per Section 4.214(3)(B) of Shoreland Zoning Ordinance, the Planning & Development Committee shall state in writing the grounds for granting or denying a conditional use permit. This memo and recommended Conditions of Approval are intended to provide a basis for the decision.

Section 4.214(3)(C) references "Standards Applicable to All Conditional Uses." In deciding a conditional use permit application, the Committee shall evaluate the effect of the proposed use upon (ordinance language is in *italics* below and staff comments are in standard **bold** font):

- 1. The maintenance of safe and healthful conditions. This standard can generally be met if all other permitting requirements are met.
- 2. The prevention and control of water pollution including sedimentation. Erosion control measures must be established and maintained during construction to minimize runoff. The proposed Conditions of Approval (below) further address this evaluation factor.
- 3. Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage. The owner is aware of the importance of compliance with floodplain zoning requirements as described above. Surface water drainage should not be altered in this project, but the amount of runoff may be increased due to increase impervious surface on an otherwise undeveloped parcel. In the plans revised 10/19/17, the increase in impervious surface will be partially mitigated by creating a shallow excavated area on the south side of the lot to encourage infiltration. Down spouts from the house will be routed to this area where practicable along with site grading.
- 4. The erosion potential of the site based on the degree and direction of slope, soil type and vegetative cover. Erosion potential will be minimized through the use of management practices and competition of construction and stabilization in a timely fashion.
- 5. The location of the site with respect to existing or future access roads. No additional future access roads are planned in this area. It is within an existing developed area.
- 6. The need of the proposed use in a shoreland location. In order for this lot to be developed fill is required in order to flood proof the residential structure. Without fill, the property could not be built on when considering other zoning standards (such as road setbacks) and an area for a Private Onsite Wastewater Treatment System (POWTS).
- 7. Its compatibility with uses on adjacent land. The property is currently zoned Rural Residential by the Town of Union according to the information provided to the P&D Agency, which is consistent with land uses in three directions. The land use to the west is agricultural.
- 8. The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal system. A POWTS approval will be required from the Rock County Health Department.
- 9. Location factors under which:
  - a. Domestic uses shall be generally preferred; This standard can generally be met.
  - b. Uses not inherently a source of pollution within the area shall be preferred over uses that are or may be a pollution source; This standard can generally be met.
  - c. Use locations within an area tending to minimize the possibility of pollution shall be preferred over a use locations tending to increase that possibility. This standard can generally be met.

#### Recommendation(s) or Action(s):

Agency Staff recommends approval of the Shoreland Conditional Use Permit #2017 005 with the following conditions for the Committee to consider:

- 1. The characteristics of existing soils and deposition of fill must be documented, inspected and certified according to the latest revisions of FEMA Technical Bulletin 10-01, titled "Ensuring That Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding."
- 2. The permit holder shall comply with all necessary steps to complete the Flood Plain Zoning Map Amendment process found in the Rock County Flood Plain Zoning Ordinance, including but not limited to, as-built certifications of the soils and surface elevations, submission of the LOMR application to FEMA and obtaining final approval of the map amendment by the Rock County Board.
- 3. The project shall be completed according to the approved construction plans, revised 10/19/17.
- 4. A deed restriction shall be recorded at the Register of Deeds which documents the fact that the final topography of the Lot shall not be altered in the future other than for the minimum necessary related to maintenance or replacement of the private onsite wastewater treatment system.
- 5. The smallest amount of bare ground shall be exposed for as short a time as feasible and re-stabilized in a timely fashion with approved Best Management Practices.
- 6. Any topsoil piles that will remain on site shall be shaped and seeded to provide vegetative cover as soon as practical following placement. Perimeter sediment control measures shall also be installed around the piles and on the site in general.
- 7. All other necessary permits or approvals for the project shall be obtained prior to starting construction.
- 8. This permit expires one year from the date of Committee approval unless approved otherwise.



October 27, 2017

#### LEGAL NOTICE

Notice is hereby given that the Rock County Planning & Development Committee will hear a request from R&K & Sons Construction for a Shoreland Conditional Use Permit for filling and grading activities associated with the filling of a portion of a lot to prepare for the construction of a new residence. The Conditional Use Permit is required because the project will involve greater than forty cubic yards of fill and/or greater than one thousand square feet of disturbance within the Shoreland Zoning District. The project is also within the Floodplain Zoning District of an unnamed tributary to Allen Creek. This request is being made in compliance with Section 4.208(2) (A) and 4.213(3) of the Rock County Shoreland Zoning Ordinance.

The property is located in part SE ¼ of the NW 1/4 of Section 33, South Gate Estates Lot 11, Union Township, Parcel 6-20-390.11. The applicant's address is 7030 N Tolles Rd, Evansville, and the general address for this proposed project is the lot directly south of 645 S. Sixth Street, Evansville, WI.

The Public Hearing will take place in the Courthouse Conference Center, second floor, east wing of the Rock County Courthouse, 51 S. Main Street, Janesville, WI at 9:00 AM on Thursday, November 16, 2017.

Please contact the Rock County Planning & Development Agency at 608-757-5587 with any questions or to review the application materials.

Andrew Baker Senior Planner – Rock County Planning, Economic & Community Development ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY 51 SOUTH MAIN STREET JANESVILLE, WI 53545 TEL: (608) 757-5587 FAX: (608) 757-5586 WEB: WWW.CO.ROCK.WI.US



AGENCY USE ONLY

Application No. CVPZ017005

Date Received

10/22/17

Received by

AMB

#### SHORELAND CONDITIONAL USE PERMIT APPLICATION

	. r7.1 t		and a state of the state of									
				A	PPLICANT	INFC	RMATION				<b>全线</b> 管	
OWNER INFOR	MATIC	<u>N</u>	et Hafrinaldijania tila vale valler	animina managana and and and		maken) job option on our start		NUMBER OF STREET	to produce a Charact cycle bases on popular	derma manifest one compressor years a constant	F & Hillianders are an analysis of the	
(1) Name	R & K & Sons Constru				uction				Teleph	one	608-289-7640	
Address	703	0 N. Tolles	Rd.			City	ty Evansville		State	WI	Zip	53536
		ervet (et al.e.)		a e e E	PODEDTV	INIEO	RMATION	2. E 202	e far service de la		2 70,45	
LOCATION					NOPENTY	HALO	KIVIATION		1 .			
LOCATION Subdivision Name   South Gate Estates   Lot & Block   Lot 11												
Subdivision Name   South Gate Estate  Lot Size   40,308 sf					Present U		Residential	Lot 1	I		***************************************	te fa especif eller statistischen (de -ude -udebyste) byd by bybol voyvet en ferskradyre
mings property at all the probabilities are alternation for processing and	Energitar June	Contraga file at 1944 of signa, constraint for responsible to a page of the Parties Most	grafic William of the constitution of the cons	fed of glace communicated by during	Tresent o	36	Residentia		TOTAL STATE OF STATE	THE PERSON NAMED IN COLUMN TWO IS NOT	No. of Contract of Assessed	t i filmindent sind sood sood sood sood op bestering sind states and a basic sood op applying
Present Improv	ement	ts on Land	Vaca	ant								
Proposed Use o	r Activ	ity										t had yet a total a basin and read man to yet a basin and a basin and a basin a basin and a second are a
1758-1718-288	The second	Arresta, ja Siri	Fillin				MA floodpl	-	create b	uildab	le are	a. 
Suhmit sit	e plan	(scale not	ess that				area to be		raded o	r drod	and an	leting and
Submit Sit	c pran	(Searc Not )					sion control			rureug	jeu, ex	isting ana
Amount of fill in cubic yards Approximately 780 600								de California (decentra de para para para para para para para par				
Amount of distu	urbed a	area (square	e feet)	18;	900 3c	0,0	00	and the second of the second		-	CONTRACTION OF MALE MATERIAL	t pillinge somet meg en meg en trepe greek en i de en med en die er meg kalende ei en ij genedert geler
Planned Completion Date					Summer/Fall 2017 (depending on County/FEMA review timing)							
· ————————————————————————————————————												
		Any cha	nge in t	he ap	proved per	mit re	equires revi	ew by t	his agen	icv.		
Any change in the approved permit requires review by this agency.  Any change without prior approval violates the ordinance and will subject applicant to legal action												
(I/We) hereby request a Conditional Use Permit as authorized in Section 4.213 of the Rock County Zoning												
Ordinance for: Shorelands.												
					SIGI	NATUF	RE WAS A					
**************************************		C										ia džio i Partina bros razilita (
Property Owner			OR Agent/Surveyor Adam Griffin, Combs & Associates					Associates				
	**************************************											
Annual of by the Beak County Planning & Dayslanment Committee												
Approved by the Rock County Planning & Development Committee on												
Committee Des	ignee							Date				
	The state of the last of the l	and the first half of the state						Contract of the second	The same	Market St. St. St. St.	THE RESIDENCE	The second secon



- · Land Surveying
- · Land Planning
- · Civil Engineering

November 3, 2017

Andrew Baker, Senior Planner-Code Enforcement Rock County Planning & Development

Re: Ralph Crull's Lot 11 of South Gate Estates, Evansville, WI

Dear Mr. Baker,

Below is a narrative regarding the proposed activities for Mr. Crull's vacant residential lot in Evansville.

Lot 11 of South Gate Estates was platted in 2004. Prior to that, FEMA had published a FIRM in 1983 which shows the subject area in a "zone C", which is defined as an "area of minimal flooding". In 2008, FEMA remapped the area, showing the subject area as a "zone A", which is an unstudied area, even though the map now shows a shaded flood zone over a majority of the lot. After FEMA remapped again in 2015, the area is now studied and shown as a "zone AE" with a flood elevation of 902.2. The flood fringe and floodway line are coincident, and are shown over approximately 25% of the lot. As filling is not allowed in a floodway, this essentially creates a partially unbuildable platted residential lot. Furthermore, a topography survey performed by Combs & Associates in 2017 shows that in fact, the flood fringe encroaches FURTHER into the lot, making it even more difficult to build on. As FEMA and local ordinances sometimes allow filling in flood fringe areas, an opportunity may exist for creating a buildable lot consistent with surrounding lots, even though historic flood mapping presents difficulties. As such, the owner would like to fill part of the flood fringe area on the north side of the lot, while excavating material from the south side in order to compensate for any potential flood volume loss. Upon completion and application to FEMA, part of Lot 11 would be officially removed from the flood zone. Note that no filling will occur within the floodway area as shown on the 2015 FIRM.

The area surrounding Lot 11 was studied, ponds and drainage improvements were designed by others, and constructed to required standards. Upon development, the Lot 11 southerly downspouts would be routed to the newly excavated southerly area, while the northeast downspout would be routed to 6<sup>th</sup> street, and the northwest downspout routed to the existing northerly swale.

I don't believe FEMA maps account for the proposed filling & cutting area, since those areas are not mapped in a flood zone according to FEMA's map. In other words, filling in the flood fringe area would not affect FEMA's calculation of the Base Flood Elevation. I compute that we would be adding 57 cy of fill within the *surveyed* flood fringe area only (not FEMA's mapped flood zone), and only up to the BFE of 902.2. The excavated southerly area as shown has a volume of 331 cy below the BFE of 902.2 for a net difference of adding 274 cy of flood storage volume. I'd be hesitant to show any deeper excavation here, since this would create ponded water which can't escape to FEMA's flood zone via surface flow. The only means of escape would be infiltration. Neighbors may be concerned if we created a mosquito habitat.



- · Land Surveying
- Land Planning
- · Civil Engineering

To specifically address items 1-9 in the August 15 Interoffice Memorandum. My responses are:

- 1) There are no anticipated unsafe/unhealthy conditions being created via filling this lot as shown, or construction of a new residence on said fill.
- 2) During construction, erosion control measures will be implemented as shown on the proposed plans. Contractor is required to adjust any measures to deal with unforeseen circumstances until the site is stabilized.
- 3) Every attempt is being made to comply with local floodplain ordinances. As the plan as shown, adds volume to FEMA's mapped floodplain, no adverse alteration to the surface water drainage will occur.
- 4) Erosion potential of the site will be minimized with implementation of the Erosion Control Plan as shown. Slopes are kept as flat as possible, and filling is kept to a minimum to allow for future home construction. Once the site is fully stabilized, temporary erosion control measures can be removed.
- 5) No new access roads required, as this platted residential lot fronts on developed 6<sup>th</sup> street.
- 6) Various changes in FEMA flood plain mapping have impacted this platted residential lot. This lot could not be developed with a new home (similar to surrounding homes) without adding fill to elevate the home, and remove part of the lot from the surveyed flood plain. Note that **no fill is being placed within FEMA's mapped floodzone.**
- 7) Town of Union zoning shows the platted lot is Rural Residential. With the exception of the westerly floodway, the planned lot development is consistent with its surroundings.
- 8) A separate POWTS approval will be required in order to obtain an occupancy permit.
- 9) A) This lot was created and approved for residential use.
  - B) The lot will be consistent with surrounding residential uses. No increases in pollutants are anticipated.
  - C) The location of this lot is within an established residential community.

Yours truly.

Combs & Associates, Inc

Adam F. Griffin, P.E., P.L.S.

### Annexation Agreement with R&K and Sons Construction and the City of Evansville, Rock County, Wisconsin

THIS AGREEMENT is entered into between the City of Evansville (City), a Wisconsin municipal corporation, and R&K and Sons Construction (Developer), regarding annexation of the following described lands (subject property):

LOT 11 AND PART OF SOUTH SIXTH STEEET, SOUTH GATE ESTATES AND LOCATED IN THE SW 1/4 OF THE NE 1/4 OF SECTION 33, T.4N., R.10E., OF THE 4<sup>TH</sup> P.M., TOWN OF UNION, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: Commencing at the East 1/4 of said Section; thence N89°27'20"W along the South Line of the NE 1/4 of said Section, 2648.55 feet to the Center of said Section; thence N0°03'27"E 335.21 feet to the SW Corner of said Lot 11, also being at the place of beginning for the land to be herein described; thence N0°01'05"E 255.0 feet to the NW Corner of said Lot 11; thence S89°27'23"E along the North Line of said Lot and it's Easterly extension, 259.97 feet to the East Line of said South Sixth Street; thence Southwesterly along a curve to the right, along said East Line, 67.70 feet, having a radius of 290.0 feet and a chord hearing S7°43'05"W 67.54 feet; thence N89°27'23"W along a jog in said East Line, 2.57 feet; thence S14°24'21"W continuing along said East Line, 101.23 feet; thence Southerly, continuing along said East Line, along a curve to the left, 52.46 feet, having a radius of 212.50 feet and a chord bearing S7°19'59.5W 52.33 feet; thence S0°15'38"W continuing along said East Line 37.73 feet to the SW Corner of Lot 10 of said South Gate Estates; thence N89°27'23"W along the Easterly extension of the South Line of said Lot 11 and along said South Line of said Lot 11, a distance of 216.37 feet to the place of beginning.

WHEREAS, the Developer wishes to annex the subject property into the City;

NOW, THEREFORE, the parties agree that this agreement is binding on the Developer and all successors in interest as follows:

- 1. The Developer agrees to pay for the actual amount of \$597.30 in taxes that are to be paid to the Town of Union over the next five year period as provided for in 66.0217(14)(a) of the Wisconsin Statutes. The Developer shall pay the \$597.30 in a lump sum upon annexation into the City.
- 2. Within one year of annexation, the Developer agrees to connect to the City's sanitary sewer system.
- 3. Within two months of connecting to the City's sanitary sewer system, the Developer agrees to abandon any existing septic systems consistent with the requirements of SPS 383.33 of Wisconsin Administrative Code, and other state and federal laws that may apply.

- 4. The Developer agrees to pay for the costs of sewer extension to serve the property, with the sewer being extended north from the existing terminus to the southernmost edge of the property or distance approved by City Engineer. The sewer extension must be within the South Sixth Street right-of-way. Capped wye connections must also be constructed with the new sewer for future service at each of the existing parcels along the east side of US Highway 14 between the existing terminus and the southwest corner of the property. City Engineer, staff and State of WI shall approve all engineering design for the sewer extension prior to construction.
- 5. Upon completion of construction of any residential buildings, but no later than 5 years from date of annexation, three street trees shall be added. Additionally curb and gutter and sidewalk shall be built to city standards the entire length of the lot.
- 6. A City inspector shall witness the construction and testing of the sewer extension. Such inspection and testing will be at the Developer's expense. Once the sewer has been approved by the City's inspector, the City of Evansville will assume ownership of the sewer.
- 7. Within one year of annexation or upon completion of construction of any residential buildings, the Developer agrees to connect to the City's water system.
- 8. Within two months of connecting to the City's water system, the Developer agrees to remove from service and seal any existing wells, as per NR 812.26 of Wisconsin Administrative Code.
- 9. The Developer agrees to pay for the costs of water extension to serve the property, with the water being extended north from the existing terminus to the southernmost edge of the property or distance approved by City Engineer. The water extension must be within the South Sixth Street right-of-way. City Engineer and State of WI shall approve all engineering design for the water extension prior to construction.
- 10. The Developer agrees to reimburse the City for any costs incurred by the City for engineering, inspection, planning, legal, and administrative expenses in connection with this annexation and development.

IN WITNESS THEREOF, the parties have executed this Agreement on the \_\_\_\_ day of \_\_\_\_, 2018.

City of Evansville	Developer				
William C. Hurtley, Mayor	Ralph Crull, R&K and Sons				
ATTEST: Judy L. Walton, City Clerk/	/Treasurer				