

AGENDA FOR THE PLAN COMMISSION

Members noticed must notify the person who prepared agenda (see below) at least 24 hours before the meeting as to whether they will not be able to attend this meeting.

Date and Time: Tuesday, December 18, 2018, **5:15 PM**

Location: Council Chambers, Municipal Building, 101 South Blvd., Baraboo, Wisconsin

Plan Comm Notices: Mayor Palm, P. Wedekind, D. Thurow, R. Franzen, P. Liston, J. O'Neill, T. Kolb, K. Fitzwilliams

Others Noticed: T. Pinion, E. Geick, E. Truman, Brad Servin, Hayden Frank, Karen Stanley, Joe Colossa, Dan Hellenbrand, Tyler Edwards, Library, and Media.

PETITIONERS OR REPRESENTATIVES MUST BE PRESENT OR SUBJECT WILL NOT BE HEARD BY THE COMMISSION!

1. Call to Order

- a. Note compliance with the Open Meeting Law.
- b. Roll Call
- c. Approve agenda.
- d. Approve October 16, 2018 meeting minutes.

2. Public Invited to Speak (Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.)

3. Public Hearing

- a. Public Hearing to consider the request of Oak Park Place, 800 Waldo Street, for an amendment to their existing Conditional Use Permit, which was originally granted on November 20, 2007 and subsequently amended on June 17, 2008, July 25, 2011, November 15, 2016, and September 19, 2017 to allow an expansion of two (2) independent living units.
- b. Public Hearing to consider the request of Karen Stanley, to convert the existing two-story structure at 138 1st Street, formerly occupied by a business, to a mixed-use occupancy for a restaurant and professional office.
- c. Public Hearing to consider the request of Joe Colossa, Donald Horowitz, Jon Bare, and Griffin James for a Conditional Use Permit to open a micro-brewery as a tourism oriented on-site manufacturing business in the westerly portion of the existing building at 623 Broadway, located in B-1 Zoning District.
- d. Public Hearing to consider the request of Daniel J and Adelina Hellenbrand for a Conditional Use Permit to allow a one-chair beauty shop in the existing single-family residence on the 0.26-acre parcel on the northwest corner of the intersection of South Parkway and Quarry Street being part of the SW ¼ of the NE ¼ of Section 2, T11N, R6E, in an NRO Neighborhood Residential Office zoning district, at 404 South Parkway, City of Baraboo.

4. New Business

- a. Consideration of Oak Park Place's request for an amendment to their existing Conditional Use Permit at 800 Waldo Street, which was originally granted on November 20, 2007 and subsequently amended on June 17, 2008, July 25, 2011, November 15, 2016, and September 19, 2017 to allow an expansion of two (2) independent living units.
- b. Consideration of Karen Stanley's request for a Conditional Use Permit to convert the existing two-story structure at 138 1st Street, formerly occupied by a business, to a mixed-use occupancy for a restaurant and professional office.

- c. Consideration of Joe Colossa, Donald Horowitz, Jon Bare, and Griffin James' request for a Conditional Use Permit to for a mirco-brewery as a tourism oriented on-site manufacturing business in the westerly portion of the existing building at 623 Broadway, located in B-1 Zoning District.
- d. Consideration of Daniel J and Adelina Hellenbrand's request for a Conditional Use Permit to allow a one-chair beauty shop in the existing single-family residence on the 0.26-acre parcel on the northwest corner of the intersection of South Parkway and Quarry Street being part of the SW ¼ of the NE ¼ of Section 2, T11N, R6E, in an NRO Neighborhood Residential Office zoning district, at 404 South Parkway, City of Baraboo.
- e. Consider a proposed Amendment to the General Development Plan (GDP) & Specific Implementation Plan (SIP) for Oak Park Place, a multi-family residential senior living complex at 800 Waldo Street to allow an expansion of two independent living units.
- f. Review and approve a Two-Lot Certified Survey Map for land in the SE ¼ of the SW ¼ of Section 3, T11N, R6E, City of Baraboo, at 1040 State Rd 136 for Menard, Inc.
- g. Consideration of Ad-Hoc Zoning Committee's recommendation for revisions to Sections 17.08 Definitions and Conditional Uses in Sections 17.20 through 17.35 of the City of Baraboo Zoning Code.

5. Adjournment

Phil Wedekind, Mayor Designee
Agenda prepared by Kris Jackson, 355-2730, Ext. 309
Agenda Posted by Donna Munz on December 14, 2018

PLEASE TAKE NOTICE, that any person who has a qualifying as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Municipal Clerk, 101 south Blvd., or phone 355-2700, during regular business hours at least 48 hours before the meeting so that reasonable arrangements can be made to accommodate each request.

It is possible that members of, and possibly a quorum of members of, other governmental bodies of the City of Baraboo who are not members of the above Council, committee, commission or board may be in attendance at the above stated meeting to gather information. However, no formal action will be taken by any governmental body at the above stated meeting, **other than the Council, committee, commission, or board identified in the caption of this notice.**

FOR INFORMATION ONLY, NOT A NOTICE TO PUBLISH.

Minutes of Plan Commission Meeting October 16, 2018

Call to Order – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Phil Wedekind, Pat Liston, Jim O’Neill, Tom Kolb, and Roy Franzen arrived at 5:30 p.m.. Dennis Thurow and Kate Fitzwilliams were absent.

Also in attendance were Administrator Geick, Tom Pinion, Attorney Truman, Bekah Hargraves, Brian Pierce, Dan & Adelina Hellenbrand Dan Goff, Caroline Wastlund, Bill Ryan, Becky Jackson, Rebecca Hoppe, Dwayne Zawistowski, Dan Goff, Mike Carbonara, and Bren Bromley.

Call to Order

- a. **Note compliance with the Open Meeting Law.** Wedekind noted compliance with the Open Meeting Law.
- b. **Agenda Approval:** It was moved by Kolb, seconded by O’Neill to approve the agenda as posted. Motion carried unanimously.
- c. **Minutes Approval:** It was moved by O’Neill, seconded by Kolb to approve the minutes of the August 21, 2018 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – There were no speakers.

Public Hearings:

- a. **Public Hearing to Consider the request of Sherry & Dwayne Zawistowski, d/b/a DEZ Tactical Arms, Inc. for a Conditional Use Permit to allow the construction of a retail firearms store with an indoor shooting range on a 10-acre parcel in the E¼ of the NW¼ of the SE¼ of Section 3, T11N, R6E, in a B-3 Highway Oriented Business zoning district, located in the Conditional Use Overlay District at 1223 South Blvd., City of Baraboo** – Rebecca Hoppe, 840 Bascom Hill Drive (Home), 1243 South Blvd. (Business) addressed the Commission. Hoppe stated that she has heard many times that this is the “Gateway to Baraboo” and she feels having a gun shop here sends the wrong message. She stated that she has tried for 19 years to convince her children that they were safe going to school here, the school district and State has done many things to ensure the public that their kids are safe here. She feels that by placing an assault weapons manufacturing facility or even a retail facility here contradicts that message. She said that she feels that the City would be inviting a little bit of political discourse. She said that there are plenty of people in this State that are more than willing to protest anything that they don’t like, and she thinks this invites “Left Wing Mob” that we have been hearing about lately. There being no other speakers, the hearing was declared closed.
- b. **Public Hearing to consider request of Rabeka Hargraves and Jordan Darrow for a Conditional Use Permit to allow a beauty shop in the existing single-family residence on the 2-acre parcel on the east side of Vine Street in the NE¼ of the SE¼ of Section 2, T11N, R6E, in an NRO Neighborhood Office zoning district, at 729 Vine Street, City of Baraboo** – There being no speakers, the hearing was declared closed.
- c. **Public Hearing to consider request of BP Operators LLC for a Conditional Use Permit to allow a variable message sign for Pierce’s Express Market in a B-3 Highway Oriented Business zoning district, located in the SW¼ of the NE¼ of Section 36, T12N, R6E, City of Baraboo, Sauk County, Wisconsin at 935 8th Street** – There being no speakers, the hearing was declared closed.

New Business

- a. **Consideration of Sherry & Dwayne Zawistowski’s, d/b/a DEZ Tactical Arms, Inc., request for a Conditional Use Permit to allow the construction of a retail firearms store with an indoor shooting range on a 10-acre parcel in the E¼ of the NW¼ of the SE¼ of Section 3, T11N, R6E in a B-3 Highway Oriented Business zoning district, located in the Conditional Use Overlay District at 1223 South Blvd., City of Baraboo** – Brian Zawistowski, 4617 Leo Drive, Madison introduced himself to the Commission. Engineer Pinion said this parcel is immediately east of Glacier Valley Ford, directly across the street from MSA. He said that Brian and his parents have an accepted offer to purchase the property, contingent upon zoning. He said their proposal is to construct a building that would be a retail establishment to sell the firearms that they manufacture and assemble on-site. The rough site plan, building, and floor plan was presented and discussed. Attorney Truman said that given the recent change at the State level regarding municipalities’ right to put conditions or to deny a conditional use request, the burden is now on the city to be able to show objectively rather than subjectively a reason to put conditions or to deny the conditional use permit. She said that in addition, the State law does place significant restrictions municipalities’ regulation of indoor, outdoor shooting ranges. Ultimately, if a municipality has an ordinance on the books

at the time that the plans are approved, that ordinance holds. However, if there is no ordinance on the books that means that a municipality really cannot regulate it. She said that at this time the City does not have an ordinance specifically prohibiting indoor or outdoor shooting ranges, at least within this area of the City. She said that this is not to say that the City has absolutely no recourse, but at this point, in time, it is limited. Kolb asked if this would be the same type of store as Gander Outdoor. Brian Zawistowski gave an overview of what and who they are to the Commission. He said that they have a small retail store in Wisconsin Dells, and the company itself has been in business since 2004, and they have been a manufacturer ever since. He said that the retail side is relatively new to them as far as having a physical establishment. He said that their plans are to have a shooting range to go along with what they are already doing. He said that the idea is to serve the public, and there is a very large interest in firearms, and shooting sports in this area. Kolb asked what types of firearms would be manufactured. Zawistowski said that they would be manufacturing semi-automatic rifles, and offer all types of bolt action for sale. Gunsmithing would also be offered. Zawistowski said that at this time they do not offer any type of training; however, is hoping to do so in the future. Pinion stated that if approved, they would have to come back with full site plan, building elevations, landscaping, stormwater management plan, and site lighting plan. Liston said that he is not enthusiastic about this; however, he feels that the Commission has no options according to State law. Liston moved, Franzen seconded to approve the requested conditional use permit. Kolb questioned noise issues. Zawistowski stated that it is not very close to densely residential area. He said that the proposed building would be a solid concrete building with a capped roof. He said that the range inside is a ballistic rubber range, which has the sound deafening properties built into it. Liston asked Attorney Truman if decibel level is one that the Commission can control by law. Truman answered that decibel level is one that the Commission cannot regulate by State Statutes. Kolb asked what the Commission could regulate. Truman said that the Commission could regulate the site plan, lighting, elevations, etc. Kolb said that perhaps as part of the Conditional Use Permit, the Commission could look at health and safety issues. Truman said that she does not want to mislead the Commission in any way and say that this is an absolute State requirement. She said that there are still avenues that the State Statutes allow a municipality to create an ordinance; however, there is not such an ordinance on the City books at this time. Therefore, it would require the City to create an ordinance to regulate the new construction of a shooting range based on public health and safety issues. Zawistowski then mentioned that they do service law enforcement in the area. On roll call vote for the motion, Ayes – Franzen, Liston, O’Neill, and Wedekind. Nay – Kolb. Motion carried 4-1.

- b. Consideration of Rabeka Hargraves and Jordan Darrow request for a Conditional Use Permit to allow a beauty shop in the existing single-family residence on the 2-acre parcel on the east side of Vine Street in the NE ¼ of the SE ¼ of Section 2, T11N, R6E, in an NRO Neighborhood Residential Office zoning district, at 729 Vine Street, City of Baraboo – Kolb moved, Franzen seconded to approve the Conditional Use Permit request as presented. On roll call vote for the motion, Ayes – Liston, O’Neill, Kolb, Wedekind, and Franzen. Nay – 0, motion carried 5-0.
- c. Consideration of BP Operators LLC’s request for a Conditional Use Permit to allow a variable message sign for Pierce’s Express Market in a B-3 Highway Oriented Business zoning district, located in the SW¼ of the NE ¼ of Section 36, T12N, R6E, City of Baraboo, Sauk County, Wisconsin at 935 8th Street – Brian Pierce introduced himself to the Commission. Pinion presented the background for this request to the Commission. Liston moved, Franzen seconded to approve the requested conditional use permit for a variable message sign. On roll call vote for the motion, Ayes – O’Neill, Kolb, Wedekind, Franzen, and Liston. Nay – 0, motion carried 5-1.
- d. Consideration of request to rezone the 0.26-acre parcel on the northwest corner of the intersection of South Parkway and Quarry Street being part of the SW ¼ of the NE ¼ of Section 2, T11N, R6E, located at 404 South Parkway, from R-1A Single Family Residential to NRO Neighborhood Residential Office classification by Daniel J and Adelina Hellenbrand to allow the operation of a beauty shop in the existing single-family residence – Daniel Hellenbrand introduced himself and his wife to the Commission. Pinion presented the background to the Commission. It was moved by Liston, seconded by Kolb to recommend rezoning the property at 404 South Parkway from R-1A to NRO. On roll call vote for the motion, Ayes – Kolb, Wedekind, Franzen, Liston, and O’Neill. Nay – 0, motion carried 5-0
- e. Consideration of request to vacate the portion of the unimproved right-of-way of Crestview Drive (formerly Lorna Drive) lying north of 2nd Street between Lot 8 of Rehbein’s Addition to the City of Baraboo and Outlot 1 of Sauk County Certified Survey Map No. 4973 – Becky Jackson introduced herself to the Commission. Pinion presented the background to the Commission. He that the Commission members that are on the Council saw this once already and declared the intent to pursue this vacation of this unimproved right-of-way. He said that Mr. Jackson is looking to build new home on Lot 8, and according to City ordinance, in order to get occupancy, it has to be on a fully improved right-of-way. Pinion said that Jackson owns property on all three sides of this proposed vacation. It was moved by O’Neill, seconded by Kolb to recommend the vacation as requested. On roll call for the motion, Ayes – Wedekind, Franzen, Liston, O’Neill, and Kolb. Nay – 0, motion carried 5-0.

- f. Review Concept Plan for a Proposed Amendment to the General Development Plan & Specific Implementation for Oak Park Place, a multi-family residential senior living complex at 800 Waldo Street – Bill Ryan, Architectural Designs, representing Oak Park Place introduced himself to the Commission. Ryan said they recently added on to the independent living portion of the project, which the Commission had approved. He said the project was 95% complete; however, within the knuckle of where the independent living and the new addition was they ended up with some common space on all levels, and when Oak Park Place realized how much space was not being utilized, they decided to reconsider what was going to be a sitting room on all levels to decide on two of the levels to create two studio apartments, and then leave the top floor with the view of Devils Lake, and the bottom floor as large seating spaces. It was the consensus of the Commission for the project to move forward.
- g. Review Conceptual Plan for a 7-unit Condominium Development on a 2.46-acre parcel on the north side of Inverness Trail for Vintage Investments – Dan Goff introduced himself to the Commission. Pinion presented the plans to the Commission. He said that Goff is proposing to create a stand-alone condominium plat. He said the original one contemplated as many as 14 units, 7 duplexes. He said the current proposal is for seven single-family homes. It was the consensus of the Commission to have Goff move forward on his proposal.
- h. Discussion and possible recommendation to eliminate certain Conditional Uses in the Conditional Use Overlay District – Pinion said that the minutes from the last meeting summarized the discussion, and Atty. Truman has prepared the document that included the definitions that the Commission requested. Kolb has an issue under amusement and recreation services in the proposed definition, eliminating rental of rowboats and canoes. He feels that at this time, that area includes the Riverfront, and he would hate to eliminate a retail building that would sell or rent rowboats and canoes for river. Truman said that the definitions could be tailored, and her suggestion for this would be to specifically say that this is excluded from the definition. Kolb said that the definition should say “excluding rental of rowboats and canoes. Kolb then said under Indoor Institutional it includes gyms, swimming pools, and convention centers. Truman suggested stating, “excluding gyms, swimming pools, and convention centers.” It was moved by Kolb, seconded by Franzen to forward to Council with the proposed changes. Truman pointed out that in the current proposed definition for Amusement and Recreational Services does include shooting galleries. She asked the Commission if they wanted her to clarify this further; however, the Commission was okay with the current definition. On roll call vote for Franzen, Liston, O’Neill, Kolb, and Wedekind. Nay – 0, motion carried 5-0.

Adjournment - It was moved by Liston, seconded by Kolb to adjourn at 6:10 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee

**PLAN COMMISSION ITEM SUMMARY
DECEMBER 18, 2018**

SUBJECT: CONSIDERATION OF OAK PARK PLACE’S REQUEST FOR AN AMENDMENT TO THEIR EXISTING CONDITIONAL USE PERMIT AT 800 WALDO STREET, WHICH WAS ORIGINALLY GRANTED ON NOVEMBER 20, 2007 AND SUBSEQUENTLY AMENDED ON JUNE 17, 2008, JULY 25, 2011, NOVEMBER 15, 2016, AND SEPTEMBER 19, 2017 TO ALLOW AN EXPANSION OF TWO (2) INDEPENDENT LIVING UNITS.

SUMMARY OF ITEM A: In 2017, Oak Park Place was granted approval to expand their existing 3-story facility with the addition of 18 new independent living units. As part of that addition, a “sun room” was proposed on the south side of each floor at the “knuckle” of the addition. The owners would like to convert the proposed “sun room” on the 1st and 2nd floor to dwelling units. The proposed “sun room” on the third floor will be preserved and is available for all the residents’ use. Since their facility was approved as a Conditional Use Permit, they need to amend that CUP to include these six new units.

**Oak Park Place
800 Waldo Street**

Summary of Living Units

Date	Independent Living Units	Assisted Living Units	Memory Care Units	Total Units
1-Dec-18	73	40	34	147
	2	10	0	12
TOTALS	75	50	34	159

Current Unit Count

Proposed Additions

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Section 17.37 – *Conditional Use Review and Approval*, I have found the application to be complete and have reviewed it for compliance with the ordinance.

ACTION: Approve / Deny Conditional Use Permit (with certain conditions?)

SUBJECT: CONSIDERATION OF KAREN STANLEY’S REQUEST FOR A CONDITIONAL USE PERMIT TO CONVERT THE EXISTING TWO-STORY STRUCTURE AT 138 1ST STREET, FORMERLY OCCUPIED BY A BUSINESS, TO A MIXED-USE OCCUPANCY FOR A RESTAURANT AND PROFESSIONAL OFFICE.

SUMMARY OF ITEM B: Karen Stanley is in the process of purchasing the property at 138 1st Street and she would like to open a small restaurant in a portion of the existing building and use the balance of the space for professional offices. The property is located in a B-1 Central Business zoning district and is also within the Conditional Use Overlay District. Both proposed uses are permitted in the B-1 district but since this technically constitutes a change in use of the property, it is subject to a Conditional Use since it’s located in the overlay district. The property has had a variety of uses over the years that including both professional office and restaurant.

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Section 17.37 – *Conditional Use Review and Approval*, I have found the application to be complete and have reviewed it for compliance with the ordinance.

ACTION: Approve / Deny Conditional Use Permit (with certain conditions?)

SUBJECT: CONSIDERATION OF JOE COLOSSA, DONALD HOROWITZ, JON BARE, AND GRIFFIN JAMES' REQUESET FOR A CONDITIONAL USE PERMIT TO FOR A MIRCO-BREWERY AS A TOURISM ORIENTED ON-SITE MANUFACTURING BUSINESS IN THE WESTERLY PORTION OF THE EXISTING BUILDING AT 623 BROADWAY, LOCATED IN B-1 ZONING DISTRICT.

SUMMARY OF ITEM C: Joe Colossa is the owner of the Al Ringling Mansion at 623 Broadway. He and his business partners would like to open and operate a small brewery that will be located where the stage is, on the south end of the "ball room" that is located in the addition on the west side of Mansion. He believe the brewery will compliment his existing operation and attract even more tourism to Baraboo.

This type of on-site manufacturing business is allowed as a Conditional Use in the B-1 zoning district. (This process parallels the process that was used to regulate the distillery at 300 Water Street.)

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Section 17.37 – *Conditional Use Review and Approval*, I have found the application to be complete and have reviewed it for compliance with the ordinance.

ACTION: Approve / Deny Conditional Use Permit (with certain conditions?)

SUBJECT: CONSIDERATION OF DANIEL J AND ADELINA HELLENBRAND'S REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A ONE-CHARI BEAUTY SHOP IN THE EXISTING SINGLE-FAMILY RESIDENCE ON THE 0.26-ACRE PARCEL ON THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH PARKWAY AND QUARRY STREET BEING PART OF THE SW ¼ OF THE NE ¼ OF SECTION 2, T11N, R6E, IN AN NRO NEIGHBORHOOD RESIDENTIAL OFFICE ZONING DISTRICT, AT 404 SOUTH PARKWAY, CITY OF BARABOO.

SUMMARY OF ITEM D: The owners of this property would like to establish a beauty shop mail level of the existing residence. In single-family residential districts, beauty shops are specifically prohibited as a home occupation as well as a professional home office. The Zoning Code contains the following definition:

PERSONAL OR PROFESSIONAL SERVICES. Personal service and professional service land uses include all exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment bases. Examples of such uses include professional services, insurance or financial services, realty offices, medical offices, or clinics, veterinary clinics, **barber shops, beauty shops**, and related land uses.

The property was recently rezoned to NRO-Neighborhood Residential/Office which allows Personal or Professional Services as a Conditional Use. Accordingly, the property owners are now seeking a Conditional Use Permit for the proposed beauty shop. As previously discussed, this property was formerly used as a contractor's office and there is sufficient off-street parking for customers of the beauty shop.

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Section 17.37 – *Conditional Use Review and Approval*, I have found the application to be complete and have reviewed it for compliance with the ordinance.

ACTION: Approve / Deny Conditional Use Permit (with certain conditions?)

SUBJECT: CONSIDERATION OF OAK PARK PLACE, LLC'S REQUEST TO AMEND THEIR GDP/SIP FOR OAK PARK PLACE, A MULTI-FAMILY RESIDENTIAL SENIOR LIVING COMPLEX THAT INCLUDES INDEPENDENT LIVING UNITS, ASSISTED LIVING UNITS AND MEMORY CARE UNITS.

SUMMARY OF ITEM E: Oak Park Place converted their multi-family residential senior living complex to a PUD in July 2012 when they proposed additions to their independent living facilities and subdivided their property into two (2) lots. The GDP/SIP that was approved in 2012 did not contemplate any further future expansion so the GDP/SIP was amended in 2017 to allow the two new additions, 18 Independent Living Units and 10 Assisted Living Units. Since the conversion of the 1st and 2nd floor "sun rooms" to dwelling units was not part of the prior approval, the owners need to

amend the GDP.SIP accordingly. There is a narrative description of the project as well as excerpts from the Architectural and Site plans in your packet. Representatives from ADCI will be present at the meeting to explain the proposed project and address any of your questions and/or concerns.

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Section 17.36B – *Planned Unit Developments*, I have found the application to be complete and have reviewed it for compliance with the ordinance.

ACTION: Forward to Common Council with a recommendation to Approve, Conditionally Approve, or Deny the Amended GDP/SIP.

SUBJECT: REVIEW AND APPROVE A TWO-LOT CERTIFIED SURVEY MAP FOR LAND IN THE SE ¼ OF THE SW ¼ OF SECTION 3, T11N, R6E, CITY OF BARABOO, AT 1040 STATE RD 136 FOR MENARD, INC.

SUMMARY OF ITEM F: Menards is adding a second entrance lane to their yard gate. The new lane will serve as an automated express lane that allows guests to scan a phone or receipt from an online order to gain access to the yard without waiting for the gate guard to let them in. Since the additional will cross an existing property line, a situation that the Commercial Building Code prohibits, they have submitted a CSM to adjust the existing property lines. A copy of the site plan for the proposed improvement is also included in the packet for reference.

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Section 18.06 – *Certified Survey Map*, I have found the CSM to be complete and have reviewed it for compliance with the ordinance.

ACTION: Approve/Conditionally Approve / Deny the CSM.

SUBJECT: CONSIDERATION OF AD-HOC ZONING COMMITTEE’S RECOMMENDATION FOR REVISIONS TO SECTIONS 17.08 DEFINITIONS AND CONDITIONAL USES IN SECTIONS 17.20 THROUGH 17.35 OF THE CITY OF BARABOO ZONING CODE.

SUMMARY OF ITEM G: As you know, the Legislature’s recently approved ACT 67 and that has changed the way a municipality can regulate private property, including the use of CUP regulations. The Mayor appointed an Ad-Hoc Zoning Committee to review allowable conditional uses in our Zoning Code. That Committee met six times and they have provided a host of recommended changes to conditional uses for your consideration.

The City Attorney has provided a summary of those recommendations in the packet.

If the Commission decides certain uses should be eliminated, the process parallels that of a rezone since it requires an amendment to our Zoning Code.

ACTION: Forward to Common Council for a Public Hearing to amend the Zoning Code with a recommendation to Approve/Conditionally Approve/or Deny the proposed amendment.

For Office Use:	Date		Date
Application given by _____	_____	Referred to Council	_____
Received by Bldg. Inspector	_____	Public Hearing Set	_____
Fee received by Treasurer	_____	Date Notices Mailed	_____
Building Insp. Certified	_____	Public Hearing Published	_____
Filed with City Clerk	_____	Public Hearing Held	_____
Referred for Staff Review	_____	Plan Meeting Action	_____

City of Baraboo
 101 South Blvd.
 Baraboo, WI 53913
 (608) 355-2730 phone
 608 355-2719 fax

APPLICATION FOR CONDITIONAL USE PERMIT

(A non-refundable fee must accompany this application upon filing. -\$250 if public hearing required, or \$100 if no public hearing required.)

FOR TREASURER USE ONLY
 Receipt # _____
 Account # 100-22-4440

Date of Petition: _____

The undersigned, being all the owners of the real property covered by this conditional use request hereby petition the City of Baraboo Plan Commission as follows:

1. Name and address of each owner: (Please attach additional pages as necessary.)

 Scott Frank 719 Jupiter Ln, Madison WI 53718

2. Name and address of applicant if not an owner. Describe interest in site (if tenancy, attach copy of current lease):

3. Address of site: 800 Waldo St

4. Tax parcel number of site: 209-1075-01000 & 206-1075-01100

5. Accurate legal description of site (state lot, block and recorded subdivision or metes and bounds description) (Attach copy of owner's deed): NE-SE, Sect. T11N, R6E

6. Present zoning classification: R4

7. Requested conditional use: Oak Park Place is requesting permission to construct two (2) Additional unit within the footprint of the existing structure

8. Brief description of each structure presently existing on site:
The existing structure is a combination of 1, 2 & 3 Story wood framed buildings
With an exterior façade consisting of Brick, stone & siding

9. Brief description of present use of site and each structure on site:
The existing structure is a combination of 1, 2 & 3 story buildings housing a mix of senior living Units & support space. Current unit count is 69 Independent Apartments,
51 Assisted living Units (RCAC) & 35 Memory Care Units (CBRF)
10. Brief description of any proposed change in use of structures if request for conditional use is granted:
 (include change in number of employees on site)

None

11. The following arrangements have been made for serving the site with municipal sewer and water:
Current municipal services are adequate. Not additional services will be required

12. Name, address, and tax parcel number of the owners of each parcel immediately adjacent to the boundaries of the site and each parcel within 200 feet including street and alley right-of-way of each exterior boundary of the site (see section 17.37(3)(a) of City Code.)

See attached for owners of each property with 200 feet. The subject site is bordered by
Waldo St to the east and Oak park Place to the north

13. A scale map or survey map must be attached showing the following: (Note: This section is not required for home occupation requests; skip to 14.) (see section 17.37(2)(a) of City Code.)

- a. Location, boundaries, dimensions, uses, and size of the site and structures and its relationship to adjoining lands.
- b. The approximate location of existing structures on the site, easements, streets, alleys, off street parking, loading areas and driveways, highway access and access restrictions, existing street, side and rear yards, proposed surface drainage, grade elevations.

14. State in detail, the evidence indicating proof that the proposed conditional use shall conform to each of the standards for conditional uses set forth in section 17.37(2)(b) of the City Zoning Code.

WHEREFORE, the undersigned property owners hereby state that the foregoing information and all attachments to this Petition are true and correct to the best of our knowledge.

Notice to Property Owner: Conditional use permits, if granted, are subject to a 10 day appeal waiting time.

Dated this ____ day of _____, 20__.

Adam Grant

 Property owner

 Property owner

I certify that that I have reviewed this application for completeness.

Date: _____ Zoning Administrator: _____

General Development Narrative

Oak Park Place — Baraboo

Introduction:

Oak Park Place — Baraboo is an existing senior living community located at 808 Waldo Street in Baraboo Wisconsin. The campus, originally developed in 2007, includes a mix of Assisted Living and Independent Living apartments for seniors. The original campus has been expanded several times over the past 8 years and current approved to house 50 Assisted Living Residential Care Apartments (RCAC), 34 Community Based Residential Units(CBRF) and 73 Independent Living Apartments for Seniors 55 years of age and older.

1. General Project Themes and Images:

The proposed remodel accompanying the general development plan will consist of 2 Independent Living Apartments.

2. General Mix of Dwelling Units:

Existing Structure:

RCAC Apartments:
10 — Studio
38 — 1 Bedroom
2 — 2 Bedroom
Independent Apartments
40 — 1 bedroom
33 — 2 Bedroom
CBRF
34 — Studio
Total 157

Proposed Addition:

Independent Living:
2 — 1 Bedrooms
Total 159

3. Densities:

Units per Acre : $8.03 \text{ acre} / 151 \text{ units} = .053 \text{ acres per unit}$

Floor area Ratio: $205,631 \text{ sf} / 349,786 = .58$

Impervious: 194,010 sf

4. Natural Features:

The nature of the existing development will not change for the most part. Stormwater runoff will be managed by existing ponds currently in place. Proposed downspouts will be collected below grade and conveyed thru storm sewer pipe to the existing ponds. Disturbed landscaping will be replaced in kind and mature existing trees will be salvaged and replanted when possible.

5. Relationship to Right of Way:

The existing facility is located on the west side of 800 block of Waldo street. The proposed additions are located towards the property west boundary. More specifically the Assisted Living addition is located on the Northwest side and the Independent Living additions is located on the Southwest side of the existing structure.

6. City Comprehensive Plan:

It is assumed that the existing zoning classification and current development follows the current Baraboo Comprehensive Plan.

7. Planned Development Zoning Rationale:

N/A The proposed addition is an amendment to an existing zoning condition.

8. Zoning Standards:

Permitted Conditional Use: 17.23

(4) Community Living arrangements Minimum Lot Area: 2,500 sf per Dwelling Unit

Development 2500 x 159 units = 397,500 sf

Lot Area = 349,786

Minimum Lot Width: 100 Feet

Street Setback: 30 feet

Sidyard Setback: 20 feet Rear

Yard setback: 25 feet

(7) Maximum lot coverage: 40%
Lot coverage 194,010/349,716 55%

(8) MAXIMUM BUILDING HEIGHT.

(a) Principal Building Height. If the topography allows for appropriate emergency vehicle access and fire protection, the height limitation of two (2) stories not to exceed thirty-five (35) feet may be waived by the Plan Commission



Elevation A



Elevation B



Elevation C



**Architectural Design
Consultants, Inc.**

BARABOO - IL UNIT INFILL
OAK PARK PLACE

karen@3rhinomedia.com
608.444.8173

For Office Use:	Date		Date
<input type="checkbox"/> Application given by _____	_____	<input type="checkbox"/> Referred to Council	_____
<input type="checkbox"/> Received by Bldg. Inspector	_____	<input type="checkbox"/> Public Hearing Set	_____
<input type="checkbox"/> Fee received by Treasurer	_____	<input type="checkbox"/> Date Notices Mailed	_____
<input type="checkbox"/> Building Insp. Certified	_____	<input type="checkbox"/> Public Hearing Published	_____
<input type="checkbox"/> Filed with City Clerk	_____	<input type="checkbox"/> Public Hearing Held	_____
<input type="checkbox"/> Referred for Staff Review	_____	<input type="checkbox"/> Plan Meeting Action	_____

City of Baraboo
101 South Blvd.
Baraboo, WI 53913
(608) 355-2730 phone
608 355-2719 fax

APPLICATION FOR CONDITIONAL USE PERMIT

(A non-refundable fee must accompany this application upon filing. - \$250 if public hearing required, or \$100 if no public hearing required.)

FOR TREASURER USE ONLY
Receipt # _____
Account # 100-22-4440

Date of Petition: 11/29/18

The undersigned, being all the owners of the real property covered by this conditional use request hereby petition the City of Baraboo Plan Commission as follows:

1. Name and address of each owner: (Please attach additional pages as necessary.)

2. Name and address of applicant if not an owner. Describe interest in site (if tenancy, attach copy of current lease):

KAREN STANLEY
1530 TILBERRY DR. BARABOO

3. Address of site: 138 FIRST ST. BARABOO

4. Tax parcel number of site: 206-1703-00000

5. Accurate legal description of site (state lot, block and recorded subdivision or metes and bounds description) (Attach copy of owner's deed): _____

6. Present zoning classification: B-1

7. Requested conditional use: Restaurant / office / Multi-use

8. Brief description of each structure presently existing on site:

2 story Italianate / Victorian
carriage house

9. Brief description of present use of site and each structure on site:

office space

10. Brief description of any proposed change in use of structures if request for conditional use is granted:
(include change in number of employees on site)

restaurant use addition to existing office use
Expected 4-8 employees

11. The following arrangements have been made for serving the site with municipal sewer and water:

12. Name, address, and tax parcel number of the owners of each parcel immediately adjacent to the boundaries of the site and each parcel within 200 feet including street and alley right-of-way of each exterior boundary of the site (see section 17.37(3)(a) of City Code.)

(City will provide per phone call w/ KRIS)

13. A scale map or survey map must be attached showing the following: (Note: This section is not required for home occupation requests; skip to 14.) (see section 17.37(2)(a) of City Code.)

- a. Location, boundaries, dimensions, uses, and size of the site and structures and its relationship to adjoining lands.
- b. The approximate location of existing structures on the site, easements, streets, alleys, off street parking, loading areas and driveways, highway access and access restrictions, existing street, side and rear yards, proposed surface drainage, grade elevations.

14. State in detail, the evidence indicating proof that the proposed conditional use shall conform to each of the standards for conditional uses set forth in section 17.37(2)(b) of the City Zoning Code.

Property was used as restaurant 1998-2008

WHEREFORE, the undersigned property owners hereby state that the foregoing information and all attachments to this Petition are true and correct to the best of our knowledge.

Notice to Property Owner: Conditional use permits, if granted, are subject to a 10 day appeal waiting time.

Dated this 30 day of November, 2018.

[Signature]
Property owner

Property owner

I certify that that I have reviewed this application for completeness.

Date: _____ Zoning Administrator: _____

For Office Use:	Date	Date
Application given by _____	_____	Referred to Council _____
Received by Bldg. Inspector _____	Public Hearing Set _____	
Fee received by Treasurer _____	Date Notices Mailed _____	
Building Insp. Certified _____	Public Hearing Published _____	
Filed with City Clerk _____	Public Hearing Held _____	
Referred for Staff Review _____	Plan Meeting Action _____	

City of Baraboo

APPLICATION FOR CONDITIONAL USE PERMIT

101 South Blvd.
required, or

(A non-refundable fee must accompany this application upon filing. -\$250 if public hearing

Baraboo, WI 53913

required.)

(608) 355-2730 phone
608 355-2719 fax

FOR TREASURER USE ONLY
Receipt # _____
Account # 100-22-4440

Date of Petition:

The undersigned, being all the owners of the real property covered by this conditional use request hereby petition the City of Baraboo Plan Commission as follows:

1. Name and address of each owner: (Please attach additional pages as necessary.)

- Joe Colossa
623 Broadway St.
Baraboo, WI 53913

- Donald Horowitz
623 Broadway St.
Baraboo, WI 53913

- Jon Bare
623 Broadway St.
Baraboo, WI 53913

- Griffin James
702 8th Ave
Baraboo, WI 53913

2. Name and address of applicant if not an owner. Describe interest in site (if tenancy, attach copy of current lease):

3. Address of site:

Alt. Ringling Mansion
623 Broadway St.
Baraboo, WI 53913

PAID
NOV 05 2018
CITY OF BARABOO

4. Tax parcel number of site:

5. Accurate legal description of site (state lot, block and recorded subdivision or metes and bounds description) (Attach copy of owner's deed):

6. Present zoning classification:

7. Requested conditional use:

Small Brewery

8. Brief description of each structure presently existing on site:

The historic Al. Ringling Mansion built 1906 and the Ballroom added in 1948. Approx. 18,000 Sq. Ft. building

9. Brief description of present use of site and each structure on site:

The mansion is used as a museum with tours given.
The ballroom is used for events. We've averaged 50 events a year.

10. Brief description of any proposed change in use of structures if request for conditional use is granted:
(include change in number of employees on site)

The stage area of the ballroom will be used for a Small Brewery.
The main ballroom will be used as a bar + restaurant.

11. The following arrangements have been made for serving the site with municipal sewer and water:

Pre-existing.

12. Name, address, and tax parcel number of the owners of each parcel immediately adjacent to the boundaries of the site and each parcel within 200 feet including street and alley right-of-way of each exterior boundary of the site (see section 17.37(3)(a) of City Code.)

13. A scale map or survey map must be attached showing the following: (Note: This section is not required for home occupation requests; skip to 14.) (see section 17.37(2)(a) of City Code.)

- a. Location, boundaries, dimensions, uses, and size of the site and structures and its relationship to adjoining lands.
- b. The approximate location of existing structures on the site, easements, streets, alleys, off street parking, loading areas and driveways, highway access and access restrictions, existing street, side and rear yards, proposed surface drainage, grade elevations.

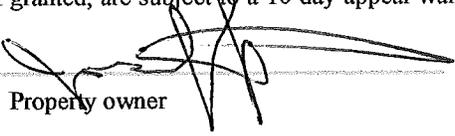
14. State in detail, the evidence indicating proof that the proposed conditional use shall conform to each of the standards for conditional uses set forth in section 17.37(2)(b) of the City Zoning Code.

WHEREFORE, the undersigned property owners hereby state that the foregoing information and all

attachments to this Petition are true and correct to the best of our knowledge.

Notice to Property Owner: Conditional use permits, if granted, are subject to a 10 day appeal waiting time.

Dated this ____ day of _____, 20__.



Property owner

Property owner

I certify that that I have reviewed this application for completeness.

Date: _____ Zoning Administrator: _____

For Office Use:	Date		Date
<input type="checkbox"/> Application given by _____	_____	<input type="checkbox"/> Referred to Council	_____
<input type="checkbox"/> Received by Bldg. Inspector	_____	<input type="checkbox"/> Public Hearing Set	_____
<input type="checkbox"/> Fee received by Treasurer	_____	<input type="checkbox"/> Date Notices Mailed	_____
<input type="checkbox"/> Building Insp. Certified	_____	<input type="checkbox"/> Public Hearing Published	_____
<input type="checkbox"/> Filed with City Clerk	_____	<input type="checkbox"/> Public Hearing Held	_____
<input type="checkbox"/> Referred for Staff Review	_____	<input type="checkbox"/> Plan Meeting Action	_____

City of Baraboo
 101 South Blvd.
 Baraboo, WI 53913
 (608) 355-2730 phone
 608 355-2719 fax

APPLICATION FOR CONDITIONAL USE PERMIT

(A non-refundable fee must accompany this application upon filing. -\$250 if public hearing required, or \$100 if no public hearing required.)

FOR TREASURER USE ONLY
Receipt # <u>9 001353</u>
Account # 100-22-4440

Date of Petition: Oct 23 2018

The undersigned, being all the owners of the real property covered by this conditional use request hereby petition the City of Baraboo Plan Commission as follows:

1. Name and address of each owner: (Please attach additional pages as necessary.)

Daniel J Hellenbrand
Adelina Hellenbrand
404 South Parkway
Baraboo WI 53913

2. Name and address of applicant if not an owner. Describe interest in site (if tenancy, attach copy of current lease):

Daniel J + Adelina Hellenbrand
404 South Parkway Baraboo WI 53913

3. Address of site: 404 South Parkway Baraboo WI 53913

4. Tax parcel number of site: 206-0988-00000

5. Accurate legal description of site (state lot, block and recorded subdivision or metes and bounds description) (Attach copy of owner's deed): _____

6. Present zoning classification: NRO

7. Requested conditional use: open Beauty Shop

8. Brief description of each structure presently existing on site:
Single family ranch style home PAID
Oct 23 2018

9. Brief description of present use of site and each structure on site: CITY OF BARABOO

Primary residence of Daniel + Adeline Hellenbrand
single family home

10. Brief description of any proposed change in use of structures if request for conditional use is granted:
(include change in number of employees on site)

Beauty Shop to the right of the garage
single employee Adeline Hellenbrand

11. The following arrangements have been made for serving the site with municipal sewer and water:

Water + Sewer already present

12. Name, address, and tax parcel number of the owners of each parcel immediately adjacent to the boundaries of the site and each parcel within 200 feet including street and alley right-of-way of each exterior boundary of the site (see section 17.37(3)(a) of City Code.)

13. A scale map or survey map must be attached showing the following: (Note: This section is not required for home-occupation requests; skip to 14.) (see section 17.37(2)(a) of City Code.)

- Location, boundaries, dimensions, uses, and size of the site and structures and its relationship to adjoining lands.
- The approximate location of existing structures on the site, easements, streets, alleys, off street parking, loading areas and driveways, highway access and access restrictions, existing street, side and rear yards, proposed surface drainage, grade elevations.

14. State in detail, the evidence indicating proof that the proposed conditional use shall conform to each of the standards for conditional uses set forth in section 17.37(2)(b) of the City Zoning Code.

Beauty shop will be in the space that was formerly office of Peterson electric. So no addition will be needed to current structure.
Surrounding neighbors include Baraboo Valley Veterinary Clinic, Jeff's Auto Repair and Mobil gas station so most neighbors are businesses.
Have Double wide driveway for parking.

WHEREFORE, the undersigned property owners hereby state that the foregoing information and all attachments to this Petition are true and correct to the best of our knowledge.

Notice to Property Owner: Conditional use permits, if granted, are subject to a 10 day appeal waiting time.

Dated this 23 day of Oct, 2018.

Daniel Hellenbrand
Property owner
Adeline Hellenbrand
Property owner

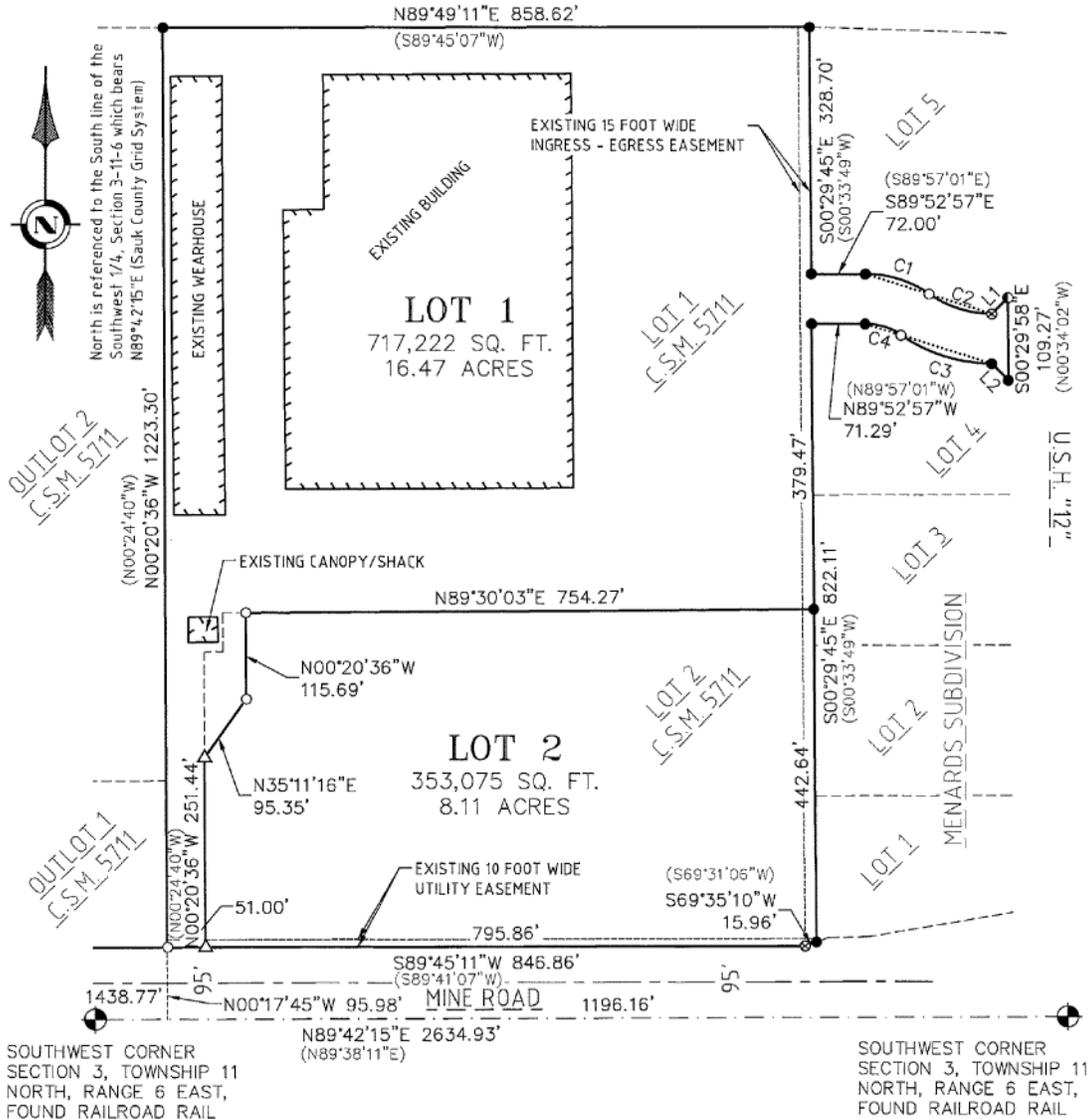
I certify that that I have reviewed this application for completeness.

Date: _____ Zoning Administrator: _____

CERTIFIED SURVEY MAP NO. _____
VOLUME _____, PAGE _____.

PART SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER,
 SECTION 3, TOWNSHIP 11 NORTH, RANGE 6 EAST, CITY OF
 BARABOO, SAUK COUNTY, WISCONSIN, BEING ALL OF LOTS 1 AND
 2, CERTIFIED SURVEY MAP, NO. 5711, VOL. 33 OF CSM, PAGE 5711,
 DOC# 959381.

LOT 2
WAL-MART SUBDIVISION



LEGEND

- ⊕ Government Corner (As Noted)
- Set 3/4" x 18" Iron Rebar Weighing 1.502 Pounds/Lineal Foot
- △ Set P.K. Nail
- Found 1" O.D. Iron Pipe
- ⦿ Found 3/4" Iron Rebar
- ⊗ Found "x" In Concrete
- () Recorded Bearing/Distance

SCALE: 1" = 200'



11/07/2018 COMPLETION DATE OF THE FIELDWORK



Dustin J. LaBlonde, PLS
 Cedar Corporation
 604 Wilson Avenue
 Menomonie, Wisconsin 54751

OWNER/PREPARED FOR:
 MENARD INC.
 4777 MENARD DRIVE
 EAU CLAIRE, WISCONSIN 54703

Dustin J. LaBlonde
 11/08/2018
 SHEET 1 OF 2 SHEETS

**CERTIFIED SURVEY MAP NO. _____
VOLUME _____, PAGE _____.**

PART SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER,
SECTION 3, TOWNSHIP 11 NORTH, RANGE 6 EAST, CITY OF
BARABOO, SAUK COUNTY, WISCONSIN, BEING ALL OF LOTS 1 AND
2, CERTIFIED SURVEY MAP, NO. 5711, VOL. 33 OF CSM, PAGE 5711,
DOC# 959381.

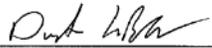
SURVEYOR'S CERTIFICATE

I, Dustin J. LaBlonde, Wisconsin Professional Land Surveyor, hereby certify that I have surveyed, divided, and mapped part of the Southeast quarter of the Southwest quarter, Section 3, Township 11 North, Range 6 East, City of Baraboo, Sauk County, Wisconsin, more particularly described as follows:

Being all of Lots 1 and 2 of Certified Survey Map, No. 5711, Vol. 33 of CSM, Page 5711, Doc# 959381.

That I have made such survey, land division, and map at the direction of Menard Inc., Owner, 4777 Menard Drive, Eau Claire, Wisconsin, 54703. That such map is a correct representation of the exterior boundaries of the land surveyed, and the subdivision thereof made. That I fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes, A-E 7 of the Wisconsin Administrative Code and the subdivision regulations of the City of Baraboo, Sauk County in surveying, dividing and mapping the same. Said survey is subject to easements of record and as shown.

Dated this 8th day of November, 2018.


Dustin J LaBlonde, P.L.S. #3096



PLAN COMMISSION RESOLUTION

Resolved, that this Certified Survey Map, in the City of Baraboo, Sauk County, Wisconsin, Menard Inc., Owner, is hereby approved by the Plan Commission.

Date: _____ Approved _____
Mayor

Date: _____ Signed _____
City Engineer

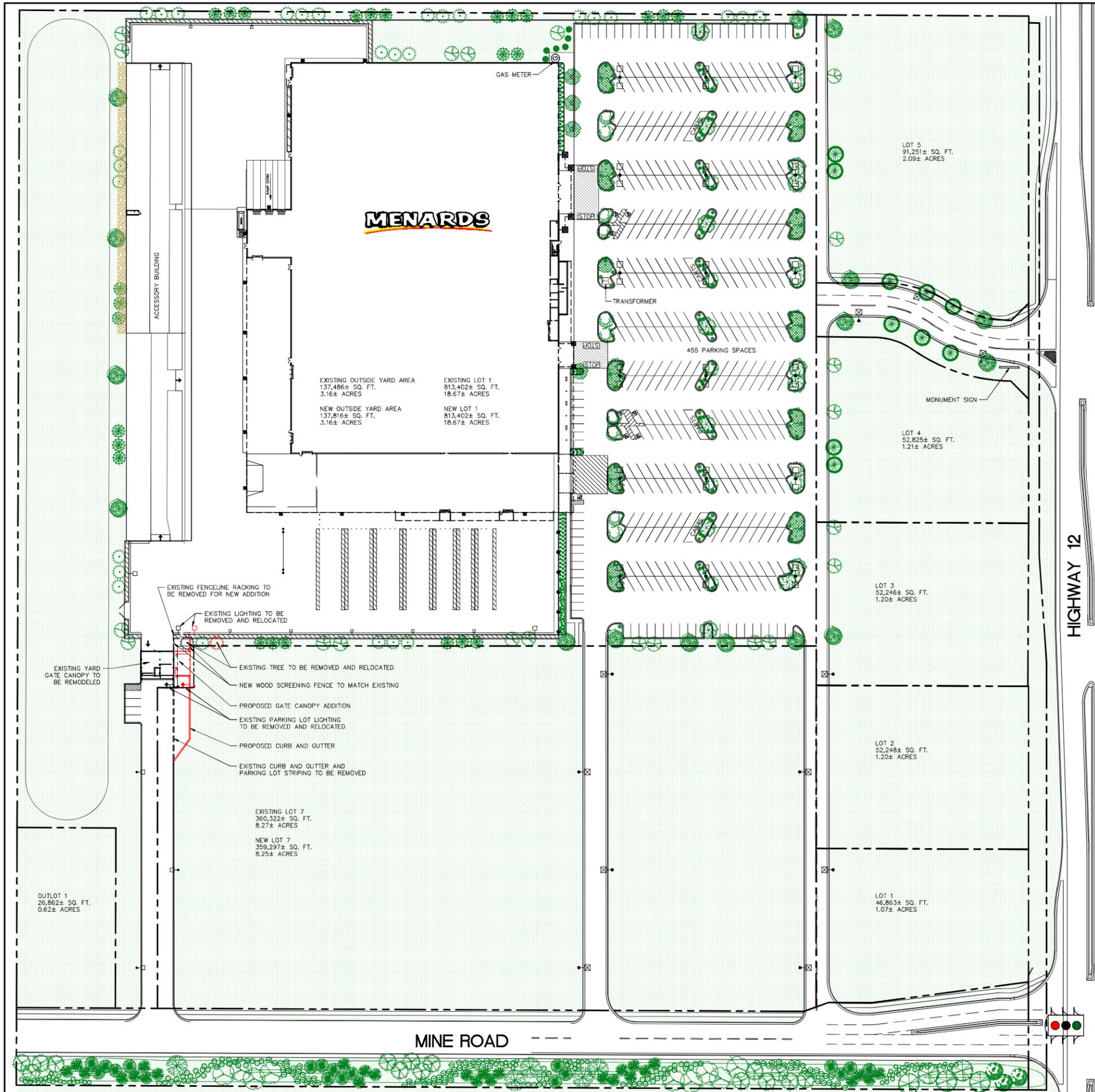
I hereby certify that the foregoing is a copy of a resolution adopted by the Plan Commission of the City of Baraboo, Wisconsin, This _____ day of _____, 2018.

Clerk

Curve Table							
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length	1st Tangent	2nd Tangent
C1	89.75'	150.50'	34°10'11"	S72°47'49"E	88.43'	S89°52'54"E	S55°42'43"E
C2	89.17'	149.50'	34°10'22"	S72°47'50"E	87.85'	S55°42'39"E	S89°53'01"E
C4	50.39'	84.50'	34°10'11"	N72°47'49"W	49.65'	N55°42'43"W	N89°52'54"W
C3	128.53'	215.50'	34°10'19"	N72°47'50"W	126.63'	N89°52'59"W	N55°42'40"W

Line Table		
Line #	Length	Direction
L1	29.93'	N44°48'40"E
L2	31.27'	N45°11'37"W

Dustin J. LaBlonde, PLS
Cedar Corporation
604 Wilson Avenue
Menomonie, Wisconsin 54751



LANDSCAPE LEGEND

SYMBOL	SCIENTIFIC, COMMON NAME	QUANTITY
	ACER SACCHARUM 'LEGACY', 'LEGACY' SUGAR MAPLE	16
	ACER RUBRUM 'NORTHWOOD', 'NORTHWOOD' RED MAPLE	9
	QUERCUS MACROCARPA, BUR OAK	5
	QUERCUS BICOLOR, SWAMP WHITE OAK	5
	FRAXINUS PENNSYLVANICA 'PATMORE', 'PATMORE' GREEN ASH	21
	GLEDITSIA TRIACANTHOS VAR. INERMIS 'SHADEMASTER', 'SHADEMASTER' THORNLESS HONEYLOCUST	25
	TILIA CORDATA 'GREENSPIRE', 'GREENSPIRE' LITTLELEAF LINDEN	13
	PRUNUS MAACKII, AMUR CHOKECHERRY	10
	RHUS TYPHINA, STAGHORN SUMAC	66
	MALUS 'DOLGO', 'DOLGO' FLOWERING CRABAPPLE	3
	MALUS 'CARDINAL', 'CARDINAL' FLOWERING CRABAPPLE	15
	MALUS 'PRAIRIE FIRE', 'PRAIRIE FIRE' FLOWERING CRABAPPLE	22
	ABIES CONCOLOR, WHITE FIR	26
	PINUS SYLVESTRIS 'SCOTCH PINE'	28
	PINUS SYLVESTRIS 'SCOTCH PINE'	1
	PINUS STROBUS, EASTERN WHITE PINE	18
	JUNIPERUS VIRGINIANA, EASTERN RED CEDAR	28
	CORNUS STOLONIFERA 'ISANTI', 'ISANTI' DOGWOOD	79
	SYRINGA VULGARIS, COMMON PURPLE LILAC	6
	VIBURNUM TRILOBUM, AMERICAN CRANBERRYBUSH VIBURNUM	76
	SPIRAEA NIPPONICA 'SNOWMOUND', 'SNOWMOUND' SPIRAEA	109
	BERBERIS THUNBERGII 'CRIMSON PYGMY', 'CRIMSON PYGMY' JAPANESE BARBERY	101
	JUNIPERUS HORIZONTALIS 'BAR HARBOR', 'BAR HARBOR' JUNIPER	64

ELECTRICAL LEGEND

	18	400W 277V M.H. CUTOFF LUMINAIRE PARKING LOT LIGHTING ON NEW 30'-0" TALL POLES
	3	400W 277V M.H. CUTOFF LUMINAIRE PARKING LOT LIGHTING ON 20'-0" TALL POLES
	11	400W 277V M.H. CUTOFF LUMINAIRE STREET LIGHTS (PER BARABOO SPECS)
	15	400W 277V M.H. CUTOFF LUMINAIRE YARD LIGHTS
	9	EXISTING 400W 277V M.H. CUTOFF LUMINAIRE YARD LIGHTS TO REMAIN
	1	EXISTING 400W 277V M.H. CUTOFF LUMINAIRE YARD LIGHT TO BE REMOVED AND RELOCATED
	6	277V M.H. DECORATIVE LAMP

Tyler Edwards
 Real Estate Representative
 Menard, Inc.
 5101 Menard Drive
 Eau Claire, Wisconsin 54703



Baraboo, Wisconsin
 Menards Site Plan
 October 25, 2018
 Scale: 1" = 60'-0"



**CITY OF BARABOO
ZONING CODE CHAPTER 17**

SUBCHAPTER I: GENERAL ZONING

- [17.20. R-1 Single Family Residential District](#)
- [17.20A R-1A Single Family Residential District](#)
- [17.21 R-2 One and Two Family Residential District](#)
- [17.22 R-3 One -Through Four-Family Residential District](#)
- [17.23 R-4 Four through 12 Family Residential District](#)
- [17.24 R-5 Thirteen Family and Up Residential District](#)
- [17.24A NRO, Neighborhood Residential/Office District](#)
- [17.25 MH Manufactured-Home \(TYPE 1\) Park District](#)
- [17.26 MH Manufactured Home \(TYPE 1\) Single Family Residential District](#)
- [17.27 B-1 Central Business District](#)
- [17.28 B-2 Central Neighborhood District](#)
- [17.29 B-3 Highway Oriented Business District](#)
- [17.30 I-1 Industrial District, Enclosed Storage](#)
- [17.31 I-2 Industrial District, Open Storage](#)
- [17.32 I-3 Industrial/Business District](#)
- [17.32A I-4 Planned Industrial/Business District](#)
- [17.33 A-1 Agricultural Transitional District](#)
- [17.34 A-2 Agricultural Holding District](#)
- [17.35 C-1 Conservancy District](#)

17.20 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT. (1652 09/14/92, 2446 08/23/16)

- (1) PURPOSE. The R-1 Single Family Residential District is established to protect the integrity of the residential areas by prohibiting incursion of incompatible residential and nonresidential uses, maintain compact residential development around existing urban-residential areas, and locate only sewered, one-family residences. This district is for low-density residential use.

(4) **CONDITIONAL USES.**

- (a) Churches.
- (b) Community Living Arrangements.
- ~~(c) Gazebo.~~
- ~~(c) Home Occupations~~
- ~~(d) Nursery, elementary and secondary schools; whether public, private or parochial.~~
- ~~(e) Parks or playgrounds.~~
- ~~(f) Professional Home Offices~~
- ~~(h) Satellite dish antennas.~~
- ~~(g) Swimming pools with accessory structure.~~
- (h) A non-profit charitable or civic organization clubhouse. (1910 07/08/97)

- ~~(k) Adult Day Care Center. (1913 07/22/97)~~
- ~~(j) Short-term rental dwelling. (2446 08/23/16)~~

17.20A R-1A SINGLE FAMILY RESIDENTIAL DISTRICT. (2148 04/13/04, 2446 08/23/16)

- (1) PURPOSE. The R-1A Single family Residential District is established to protect the integrity of the residential areas by prohibiting incursion of incompatible residential and nonresidential uses, to maintain compact residential development around the existing urban-residential areas, to locate this zone in areas without a severe soil limitation, and to locate only sewered residences of one (1) family. This district is for low-density residential use.

(4) **CONDITIONAL USES.**

- (a) Churches.
- (b) Community Living Arrangements.
- ~~(c) Gazebo.~~
- ~~(c) Home occupations.~~
- ~~(d) Nursery, elementary and secondary schools; whether public, private or parochial.~~
- ~~(e) Parks or playgrounds.~~
- ~~(f) Professional home offices.~~
- ~~(g) Swimming pools with accessory structure.~~
- (h) A non-profit charitable or civic organization clubhouse.
- (i) Adult Day Care Center.
- (k) Two-Flat Dwellings and Two-Family Dwellings, except as provided in (2)(b), above). (2269 11/27/07)
- (k) Side-by-side single family attached dwellings. [See §17.37(9)] (2257 05/22/07)
- ~~(m) Schools – public, private, or parochial; including, but not limited to, nursery, elementary, middle, and high schools; technical schools; colleges, and universities. (2305 05/26/2009, 2355 03/22/2011)~~
- ~~(n) Swimming pools with accessory structure. (2355 03/22/2011)~~
- (o) A non-profit charitable or civic organization clubhouse. (2355 03/22/2011)
- (p) Adult Day Care Center. (2355 03/22/2011)
- (p) Two-flat dwellings and two-family dwellings, ~~except as provided in (2)(b), above.~~ (2355 03/22/2011)
- (q) Side-by-side single family attached dwellings. [See §17.37(9)] (2355 03/22/2011)
- (r) Short-term rental dwelling. (2446 08/23/16)

17.21 R-2 TWO FAMILY RESIDENTIAL DISTRICT. (1652 01/15/92, 2250 04/10/07, 2446 08/23/16)

- (1) PURPOSE. The R-2 One and Two Family Residential District is established to protect the integrity of the residential areas by prohibiting incursion of incompatible residential and nonresidential uses, to maintain compact residential development around the existing urban-residential areas, to locate this zone in areas without a severe soil limitation, and to locate only sewered residences of one (1) or two (2) families. This district is for low density residential use.

(4) **CONDITIONAL USES.**

- (a) Bed-and-breakfast establishments.
- ~~(b) Cemeteries, crematoriums, and funeral homes.~~
- ~~(c) Churches.~~
- ~~(d) Clinics.~~
- ~~(e) Colleges or universities.~~
- (f) Community Living Arrangements.
- ~~(g) Gazebos.~~
- ~~(h) Home occupations.~~
- ~~(i) Hospitals and nursing homes.~~
- ~~(j) Libraries.~~
- ~~(k) Museums.~~
- ~~(l) Nursery, elementary and secondary schools; whether public, private or parochial.~~
- ~~(m) Parks or playgrounds.~~
- ~~(n) Professional cattery (1809 04/18/95).~~
- (o) Professional home offices.
- ~~(p) Satellite dish antennas.~~
- ~~(q) Schools.~~
- ~~(r) Swimming pools with accessory structure.~~
- ~~(s) A non-profit charitable or civic organization clubhouse. (1910 07/8/97)~~
- ~~(t) Adult Day Care Center. (1913 07/22/97)~~
- (u) Side-by-side single family attached dwellings. [See §17.37(9)] (2257 05/22/07)
- (v) Short-term rental dwelling. (2446 08/23/16)

17.22 R-3 THREE- AND FOUR- FAMILY RESIDENTIAL DISTRICT. (1652 09/14/92, 2250 04/10/07, 2446 08/23/16)

- (1) PURPOSE. The R-3 One through Four Family Residential District is established to protect the integrity of the residential areas by prohibiting incursion of incompatible nonresidential uses, to maintain compact residential development around the existing urban-residential areas, to locate this zone in areas without a severe soil limitation for urban development with public sewers, and to locate residences of one through four families. This district is for medium-density residential use. It is appropriate to use this district as a transitional

land use between low- and high-density residential districts, and residential and commercial districts.

(4) **CONDITIONAL USES.**

- (a) Bed-and-breakfast establishments.
- (b) Cemeteries, crematoriums, and funeral homes.
- (c) Churches.
- (d) Clinics.
- (e) Colleges or universities.
- (f) Community centers.
- (g) Community Living Arrangements.
- ~~(h) Gazebos.~~
- (i) Golf Courses
- (j) Home occupations.
- (k) Hospitals and nursing homes.
- (l) Libraries.
- (m) Licensed day care services for 9 to 20 children. (1880 08/13/96)
- ~~(n) Museums.~~
- (o) Nursery, elementary and secondary schools, whether public, private or parochial.
- (p) Parks or playgrounds.
- (q) Professional home offices.
- ~~(r) Redevelopment of a site to a 5-8 multi-family dwelling unit.~~
- ~~(s) Satellite dish antennas.~~
- (t) Schools.
- (u) Swimming pools with accessory structure.
- (v) A non-profit charitable or civic organization clubhouse. (1910 07/08/97)
- (w) Adult Day Care Center. (1913 07/22/97)
- (x) Parking lot serving a permitted use on an adjoining property. (2087 07/23/02)
- (y) Side-by-Side single family attached dwellings. [See §17.37(9)] (2257 05/22/07)
- (z) Short-term rental dwelling. (2446 08/23/16)

17.23 R-4 FOUR- THROUGH TWELVE-FAMILY RESIDENTIAL DISTRICT. (1652 09/14/92, 1868 05/14/96, 1980 07/27/99, 2446 08/23/16)

- (1) PURPOSE. The R-4 Four through Twelve Family Residential District is established to provide for high-density residential areas by providing for higher dwelling-unit-per-acre development. This district is also provided to serve as a buffer between residential and commercial and/or light industrial land uses. This district should be located in areas without a severe soil limitation for urban development with public sewers, and to locate residential developments of four through twelve family residential dwelling units.

- (4) **CONDITIONAL USES.**
- (a) Bed-and-breakfast establishments.
 - (b) Cemeteries, crematoriums, and funeral homes.
 - (c) Churches.
 - (d) Clinics.
 - (e) Colleges or universities.
 - (f) Community centers.
 - (g) Community Living Arrangements.
 - (h) Fraternities and sororities.
 - ~~(i) Gazebos.~~
 - (j) Governmental buildings.
 - ~~(k) Home occupations.~~
 - ~~(k) Hospitals, nursing homes.~~
 - ~~(l) Libraries.~~
 - ~~(m) Licensed day care services for 9 to 15 children.~~
 - ~~(n) Lodging houses.~~
 - ~~(o) Museums.~~
 - ~~(p) Nursery, elementary and secondary schools, whether public, private or parochial.~~
 - ~~(q) Parks or playgrounds.~~
 - ~~(r) Professional home offices.~~
 - ~~(t) Redevelopment of a site to a 5-8 multi-family dwelling unit.~~
 - ~~(u) Satellite dish antennas.~~
 - ~~(s) Schools.~~
 - ~~(w) Swimming pools with accessory structure.~~
 - (u*) A non-profit charitable or civic organization clubhouse. (1910 07/08/97)
 - (v*) Adult Day Care Center. (1913 07/22/97)
 - (w*) Short-term rental dwelling. (2446 08/23/16)

17.24 R-5 THIRTEEN-FAMILY AND UP RESIDENTIAL DISTRICT. (1652 09/14/92, 2446 08/23/16)

(1) **PURPOSE.** The R-5 Thirteen Family and Up Residential District is established to provide for high-density residential areas by providing for higher dwelling-unit-per-acre development. This district is also provided to serve as a buffer between lower density residential and commercial and/or light industrial land uses. This district should be located in areas without a severe soil limitation for urban development with public sewers, and to locate residential building developments of thirteen or more residential dwelling units.

- (4) **CONDITIONAL USES.**
- (a) Bed-and-breakfast establishments.
 - (b) Cemeteries, crematoriums, and funeral homes.
 - (c) Churches.
 - (d) Clinics.
 - (e) Colleges or universities.

- (f) Community centers.
- (g) Community Living Arrangements.
- (h) Fraternities and sororities.
- ~~(i) Gazebos.~~
- (j) Governmental buildings.
- ~~(k) Home occupations.~~
- ~~(k) Hospitals, nursing homes.~~
- ~~(l) Libraries.~~
- ~~(m) Licensed day care services for 9 to 15 children.~~
- ~~(n) Lodging houses.~~
- ~~(o) Museums.~~
- ~~(p) Nursery, elementary and secondary schools; whether public, private or parochial.~~
- ~~(q) Parks or playgrounds.~~
- ~~(r) Professional home offices.~~
- ~~(t) Redevelopment of a site to a 5-8 multi-family dwelling unit.~~
- ~~(u) Satellite dish antennas.~~
- ~~(s) Schools.~~
- ~~(w) Swimming pools with accessory structure.~~
- (u*) A non-profit charitable or civic organization clubhouse. (1910 07/08/97)
- (v*) Adult Day Care Center. (1913 07/22/97)
- (w*) Short-term rental dwelling.

17.24A NRO, NEIGHBORHOOD RESIDENTIAL/OFFICE DISTRICT. (2036 11/28/2000)

PURPOSE. This district is intended to permit high quality office and institutional land uses at an intensity com-parable with the older portions of the City predominately developed with homes that are desirable to maintain, where traffic volumes and adjacent land uses dictate the transition of these areas to certain nonresidential uses. The desired neighborhood character of the development is attained through landscaping requirements and by restricting the maximum building size of all buildings within each instance of this District. A range of dwelling unit types may be allowed. Significant areas of landscaping are required in this district to ensure that this effect is achieved. In order to ensure a minimum of disruption to adjacent residential development, no development within this district shall take direct access to a local residential street or a residential collector street. This district is used to provide for the permanent protection of an area that preserves the original residential appearance, yet permits office and institutional land uses, and that ensures that the neighborhood character is maintained as long as the NRO District designation is retained, regardless of how much development occurs within that area.

- (1) **CONDITIONAL USES.**
- (a) Office.
 - (b) Personal and Professional Services.
 - ~~(c) Cultivation.~~

- ~~(d)~~ ~~Selective Cutting.~~
- ~~(c)~~ Passive Outdoor Public Recreation.
- ~~(d)~~ Active Outdoor Public Recreation.
- ~~(c)~~ Indoor Institutional.
- ~~(h)~~ Public Services and Utilities.
- ~~(g)~~ Bed and Breakfast Establishments.
- ~~(h)~~ Funeral Homes.
- ~~(i)~~ Churches.
- (j) Clinics.
- (k) Colleges or Universities.
- (l) Community Living Arrangements.
- ~~(m)~~ ~~Gazebos.~~
- ~~(n)~~ Home Occupations.
- ~~(o)~~ Hospitals and Nursing Homes.
- ~~(p)~~ Libraries.
- ~~(q)~~ Museums.
- ~~(r)~~ Nursery, Elementary, & Secondary Schools, whether public, private or parochial.
- ~~(s)~~ Parks or Playgrounds.
- ~~(t)~~ Professional Home Offices.
- ~~(u)~~ ~~Satellite Dish Antennas.~~
- ~~(v)~~ Schools.
- ~~(w)~~ Swimming Pools with Accessory Structure.
- ~~(x)~~ Non-Profit Charitable or Civic Organization Clubhouse.
- ~~(y)~~ Adult Daycare Center.

17.25 MHP MANUFACTURED HOME (TYPE 1) PARK DISTRICT. (1652 09/14/92, 1734 05/16/94)

- (1) PURPOSE. To provide for a licensed Manufactured Home Park for the placement of Manufactured Homes (TYPE 1) as a conditional use. This district is designed for medium density residential use. All sites shall be connected to the City's public sewer and water systems.
- (4) CONDITIONAL USES.
 - (a) Licensed Manufactured Home Parks of not less than five (5) acres for placement of Manufactured Homes (TYPE 1) and that satisfy the requirements of Subsection (5) to (10) hereof and the requirements of this Chapter regarding the regulation and licensing of Manufactured Home Parks.
 - (b) Licensed Day Care Home for nine or more persons.
 - (c) Non-commercial community buildings for social gatherings, emergency shelters laundry or similar common usage for the entire district.

17.26 MH MANUFACTURED HOME (TYPE 1) SINGLE FAMILY RESIDENTIAL DISTRICT. (1735 05/17/94)

- (1) PURPOSE. The MH Manufactured Home (TYPE 1) Single family Residential District is established to protect the integrity of the residential areas by prohibiting incursion of incompatible residential and non-residential uses, to maintain compact residential development around the existing urban-residential areas, to locate this zone in areas without a severe soil limitation, to allow TYPE 1 Manufactured Homes that meet this chapter's definition of a dwelling, and to locate only sewered one-family residences. Parcels of land in this District shall be platted for subdivision development in accordance with Chapter 18 of this Code with a design and intention of lots being conveyed by deed to individual owners for residential occupancy primarily for TYPE 1 Manufactured Homes.
- (4) CONDITIONAL USES.
 - (a) Churches.
 - (b) Community living arrangements.
 - ~~(c)~~ ~~Gazebos.~~
 - ~~(d)~~ Nursery, elementary and secondary schools, whether public, private or parochial.
 - ~~(e)~~ Parks or playgrounds.
 - ~~(f)~~ ~~Satellite dish antennas.~~
 - ~~(g)~~ Swimming pools with accessory structure.

17.27 B-1 CENTRAL BUSINESS DISTRICT. (1652 09/14/92; 2405 12/10/13)

- (1) PURPOSE. The B-1 Central Business District is established to provide for sewered commercial activities only and to delineate areas appropriate for commercial uses which are oriented toward the Central Business District.
- (4) CONDITIONAL USES
 - (a) Car wash establishments.
 - (b) Catering shops.
 - (c) Colleges or universities.
 - (d) Community centers.
 - (e) Dry cleaning stores.
 - (f) Dwelling for up to two families on the first floor provided that: (1) there is an existing building which was originally designed for residential use; and (2) the building is located only in the following areas in the City of Baraboo, formerly Adams:
 1. Block fourteen, Lots 7 through 12, (1722 03/01/94)
 2. Block twenty-two, Lots 2 through 4, (1722 03/01/94)
 3. Block twenty-eight, Lots 3 through 8, (1722 03/01/94)
 4. Block twenty-five, Lots 5 through 8, (1722 03/01/94)

- 5. Block thirty-six, Lots 5 through 9, (1722 03/01/94)
- 6. The west sixty feet of Lot 5, Block 21 (227 Fifth Avenue) (1831 09/12/95)
- (g) Funeral homes.
- (h) Group development. (1983 07/27/99)
- (i) Manufacturing and processing (in enclosed buildings) of jewelry, musical instruments, photo-graphic printing, lithography, typesetting, and crafts.
- (j) Public garages.
- (k) Public passenger transportation terminals, except airports.
- (l) Service stations.
- (m) Tourism oriented, on-site manufacturing businesses (such as cheese, candy, glass, and gifts).
- ~~(n) Waste transfer stations.~~
- (ne) Wholesale establishments.
- (op) Residential dwelling units on the first floor of an existing building located within an area bounded by the Baraboo River on the north, Lynn Street on the south, Walnut Street on the west, and the alley to the east of Walnut Street on the east provided that there shall be a minimum of two off-street parking spaces per dwelling unit located on the same property where the building is located and the spaces shall be constructed to meet the off-street parking requirements of the Baraboo Code. (1743 05/3/94).
- ~~(q) Reserved. (1819 06/27/95, 2182 02/22/05, 2250 04/10/07)~~
- ~~(r) Any business or industry involving the above ground bulk storage of liquid petroleum or propane gas for on site use, or for sale or delivery. (1921 10/28/97)~~
- (ps) A storage building that serves an existing permitted use. (2023 08/22/2000)
- (q) Gas Stations (2046 01/09/2001)
- ~~(u) All metal clad or cinder block buildings, new or additions, constructed after January 1, 2004. (2059 06/26/01, 2132 12/09/03, 2250 04/10/07)~~
- ~~(v) All uses, whether permitted or conditional, shall be considered conditional uses with the overlay zoning district as established in §17.36C of this Code of Ordinances. (2252 04/10/07)~~
- (rw) Day care centers. (2202 08/23/05)

- ~~(sx)~~ Eating and drinking places, Type I and Type II, see (See §17.08 for Definition)
- ~~(ty)~~ Hotels or motels
- ~~(uz)~~ Laundry or dry cleaning facilities
- ~~(vaa)~~ Nightclubs
- ~~(wab)~~ Pawnshops
- ~~(xae)~~ Places of worship
- ~~(yad)~~ Pool halls
- ~~(z/ae)~~ Schools: professional, business, or technical
- (afa) Taverns
- (abg) Theaters
- (ach) Video rental stores

17.28 B-2 NEIGHBORHOOD BUSINESS DISTRICT.

- (1) PURPOSE. The B-2 Neighborhood Business District is established to provide for sewerage commercial activities having minimal visual and physical impacts on neighboring residences. These impacts include off-street parking, traffic flow and hazards, odors, hours of operation, and quality of life.
- (4) CONDITIONAL USES.
 - (a) Club houses or lodges.
 - (b) Commercial greenhouses.
 - (c) Copy shop.
 - (d) Gift shops.
 - (e) Group development. (1983 07/27/99)
 - (f) Home occupations.
 - (g) Laundromats.
 - (h) Locksmiths.
 - (i) Professional offices.
 - (j) Shoe repair shops.
 - (k) Tailors and dressmakers.
 - (l) Convenience stores.
 - (m) Eating establishments - TYPE 1 with drive-thru and/or pickup services.
 - (n) Credit agencies.
 - (o) Credit reporting and collection establishments.
 - (p) Financial institutions.
 - (q) Public administration facilities.
 - (r) Tax return preparation establishments.
 - (s) U.S. Postal Offices.
 - (t) Antique and collector stores.
 - (u) Automotive part stores.
 - (v) Janitorial supplies.
 - (w) Locksmiths.
 - (x) Music stores.
 - (y) Office equipment and supply stores.
 - (z) Radio/TV repair shops.
 - (aa) Sporting and athletic good stores.
 - (ab) Video rental stores.
 - (ac) Optical stores.
 - (ad) Delicatessens.
 - (ae) Civic, social and fraternal associations.
 - (af) Schools (professional, business, technical).
 - (ag) Reserved.

~~(ah) Any business or industry involving the above ground bulk storage of liquid petroleum or propane gas for on-site use, or for sale or delivery. (1921 10/28/97)~~

17.29 B-3 HIGHWAY-ORIENTED BUSINESS DISTRICT. (2376 04/10/2012)

(1) PURPOSE. The B-3 Highway-Oriented Business District is established to provide for sewered commercial activities oriented toward regional markets requiring highway exposure to the highway user or intended to service vehicles. The commercial activities require large lots for the buildings, off-street parking and future expansion. The location of B-3 districts shall be in areas without a severe soil limitation.

(4) CONDITIONAL USES. All uses, whether permitted or conditional, shall be considered conditional uses with the overlay zoning district as established in §17.36C of this Code of Ordinances. (2132 12/09/03, 2252 04/10/07, 2376 04/10/2012, 2445 08/23/16)

~~(a) Apartment hotels.~~

~~(b)(a) Colleges or universities.~~

~~(c)(b) Group development. (1983 07/27/99)~~

~~(d)(c) Public passenger transportation terminals, except airports and bus depots.~~

~~(e)(d) Small Animal Veterinary Clinics. Provided such use shall not include on-site large animal work, or have outside animal runs, or have overnight boarding of animals except for medical reasons. (1804 04/11/95) See also § 17.08.~~

~~(h) Any business or industry involving the above ground bulk storage of liquid petroleum or propane gas for on-site use, or for sale or delivery. (1921 10/28/97)~~

~~(i) All metal clad or cinder block buildings, new or additions, constructed after January 1, 2004. (1996 01/11/2000, 2013 05/09/2000, 2132 12/09/03, 2250 04/10/07) (This Section sunsets on 12/09/2013 or upon adoption of Smart Growth Zoning changes, whichever occurs first.)~~

17.30 I-1 INDUSTRIAL DISTRICT, ENCLOSED STORAGE. (1652 09/14/95)

(1) PURPOSE. The I-1 Industrial District, enclosed storage, is established to delineate areas to be used for industrial development and to delineate areas to be used for enclosed storage.

(4) CONDITIONAL USES. All uses, whether permitted or conditional, shall be considered conditional uses with the overlay zoning district as established in §17.36C of this Code of Ordinances. (2237 09/26/06, 2252 04/10/07)

(a) Any development within one thousand five hundred (1,500) feet of the existing or proposed inter-change or turning lane rights of way of an existing or proposed freeway or expressway.

(b) Animal hospitals and kennels with a 100-foot buffer zone to any other district.

(c) Community centers.

(d) Governmental buildings.

(e) Group development. (1983 07/27/99)

~~(ef) Libraries.~~

~~(gf) Museums.~~

~~(g) Penal and correctional institutions.~~

~~(hh) Public passenger transportation terminals, except airports.~~

(i) Retail business directly related to the primary permitted industrial use. The retail space can be two percent (2%) total gross floor area but shall not exceed one thousand (1,000) square feet.

(j) Travel agencies.

(k) Any business or industry involving the above ground bulk storage of liquid petroleum or propane gas for on-site use, or for sale or delivery. (1921 10/28/97)

~~(l) All permitted uses located within the following area shall be zoned as conditional uses: (2059 06/26/2001)~~

~~1. Broadway/South Boulevard on the west;~~

~~— The east line of Rosaline Street extended on the east;~~

~~2. The south line of 1st Avenue and 1st Street extended on the north; and~~

~~3. Lynn Street on the south.~~

~~(lm) Automobile service and repair facilities. (2237 09/26/2006)~~

~~(n) Communications towers. [See §17.38(7)] (2260 06/12/07)~~

17.31 I-2 INDUSTRIAL DISTRICT. (1652 09/14/92, 22524/10/2007)

(1) PURPOSE. The I-2 Industrial District is established to delineate areas to be used for industrial development of the uses prescribed. (2243 11/28/2006)

- (4) **CONDITIONAL USES.** All uses, whether permitted or conditional, shall be considered conditional uses with the overlay zoning district as established in §17.36C of this Code of Ordinances. (2252 04/10/07)

~~(a) All uses, whether permitted or conditional shall be considered conditional uses with the overlay zoning district as established in Section 17.36C of this Code of Ordinances.~~

- ~~(ab) Community centers.~~
- ~~(be) Governmental buildings~~
- ~~(cd) Group development. (1983 07/27/99)~~
- ~~(de) Libraries.~~
- ~~(ef) Museums.~~
- ~~(g) Penal and correctional institutions.~~
- ~~(h) Salvage yards.~~
- ~~(ig) Any business or industry involving the above ground bulk storage of liquid petroleum or propane gas for on-site use or for sale or delivery. (1921 10/28/97)~~
- ~~(j) All metal clad or cinder block buildings, new or additions, constructed after January 1, 2004. (2132 12/09/03, 2250 04/10/07, 2252 04/10/07)~~
- ~~(k) Reserved. (2252 04/10/07)~~
- ~~(l) Communications towers [See §17.38(7)] (2260 06/12/07)~~

17.32 I-3 INDUSTRIAL/BUSINESS DISTRICT.
(1772 10/25/94, 2445 8/23/16)

- (1) **PURPOSE.** The I-3 Industrial/Business District is established to delineate those areas to be used for contemporary, professional and office like settings and contemporary industrial development, including light manufacturing, warehousing and other similar industrial uses.

- (4) **CONDITIONAL USES.**
 - (a) Animal hospitals and kennels with a 100-foot buffer zone to any other district
 - (b) Community centers
 - (c) Governmental buildings
 - (d) Group development (1983 07/27/99)
 - (e) Libraries
 - (f) Museums
 - (g) Penal and correctional institutions
 - (h) Public passenger transportation terminals, except airports
 - (i) Retail businesses, selling products manufactured, produced or distributed from the principal industrial use, not exceeding 10 percent (10%) of total floor area of the permitted use
 - ~~(j) Travel agencies~~

- (k) Self-service facility
- (l) Self Service storage facility

17.32A I-4 PLANNED INDUSTRIAL/BUSINESS DISTRICT (1980 07/27/99, 2132 12/09/03, 2252 04/10/07)

- (1) **PURPOSE.** The I-4 Planned Industrial/Business District is established to delineate those areas to be used for contemporary, professional, and office-like settings, and contemporary industrial development, including light manufacturing, warehousing, and other similar industrial uses, and further including support commercial service uses for industry and businesses.

- (4) **CONDITIONAL USES** (2132 12/09/03; 2445 08/23/16)

- (a) Community centers
- (b) Government office buildings
- (c) Group development (1983 07/27/99)
- (d) Libraries
- (e) Museums
- ~~(f) Penal and correctional institution~~
- ~~(g)(f) Retail businesses selling products manufactured, produced, or distributed from the principal industrial use not exceeding 10% of the total floor area of the permitted use~~
- ~~(h) Travel agencies~~
- ~~(i)(g) Any business or industry involving the above ground bulk storage of liquid petroleum or propane gas for on-site use or for sale or delivery~~
- ~~(j) Any of the permitted uses, or combination of uses, that are constructed or developed on a parcel of land two acres or larger in size, including, but not limited to, a shopping center or mall, office, commercial or retail building or complex of buildings~~
- ~~(k)(h) Group Development~~
- ~~(l) All metal clad or cinder block buildings, new or additions, constructed after January 1, 2004. All uses, whether permitted or conditional, shall be considered conditional uses with the overlay zoning district as established in §17.36C of this Code of Ordinances. (2013 05/09/2000, 2132 12/09/03, 2250 04/10/07, 2252 04/10/07)~~
- ~~(m) All uses, whether permitted or conditional, shall be considered conditional uses with the overlay zoning district as established in §17.36C of this Code of Ordinances (2252 04/10/07)~~
- ~~(n) Reserved (2177 01/25/05, 2252 04/10/07)~~
- ~~(oi) Self-service storage facility (2247 02/13/2007; 2445 08/23/16)~~

- (5) **PROHIBITED USES**

- (a) Agricultural chemical manufacturing or processing plants, distribution facilities handling predominantly agricultural chemicals, storage facilities handling predominantly agricultural chemicals or bulk sale facilities
- (b) Asphalt products manufacturing or processing plants
- (c) Automobile car washes
- (d) Automobile service stations
- (e) Sauk building products manufacturing or processing plants involving bio-hazardous components
- (f) Cemeteries
- (g) Hazardous chemical manufacturing or processing plants, distribution facilities handling predominantly hazardous chemicals or bulk sale facilities
- (h) Dry cleaning establishments
- (i) Electronic circuit assembly plants
- (j) Electroplating plants
- (k) Exterminating shops
- (l) Feed lots
- (m) Foundries and forge plants
- (n) Garages -- for repair and servicing of motor vehicles, including body repair, painting or engine rebuilding
- (o) Highway salt storage areas
- (p) Industrial liquid waste storage areas
- (q) Junkyards and auto graveyards
- (r) Landfills or facilities for the treatment, storage or disposal of waste
- (s) Metal reduction and refinement plants
- (t) Mining operations (gravel pits)
- (u) Motor and machinery service and assembly shops
- (v) Paint products manufacturing
- (w) Petroleum products storage or processing
- ~~(x) Photography studios, including the developing of film and pictures~~
- ~~(y) Plastics manufacturing, other than molding operations and assembly operations~~
- ~~(z) Printing and publishing establishments which use non-biodegradable inks and/or volatile organic compounds~~
- ~~(aa) Pulp and paper manufacturing~~
- ~~(aba) Trucking terminals other than those used as on-site distribution centers~~
- (abe) Animal shelters
- (ace) Agricultural services
- (ade) Amusement and recreation services
- (acf) Automotive, implement and recreation vehicle sales
- (afe) Building supplies
- (agf) Garden supplies
- (ahf) All non-taxable or tax-exempt properties (i.e. churches, schools, day care centers, etc.)
- (aif) Single family

- (akj) Two-family
- (akf) Multi-family
- (alm) Boarding houses
- (am) Mobile home dealers
- (an) Contractors-building construction
- (aop) Any other use prohibited in the I-3 Industrial/Business District

17.33 A-1 AGRICULTURAL TRANSITIONAL DISTRICT. (1502 04/12/88)

- (1) PURPOSE. The A-1 Agricultural Transitional District is established to permit certain designated agricultural uses for an interim period of time until urban expansion causes the land to be developed into other uses.

- ~~(3) CONDITIONAL USES:~~
- ~~(a) Airports~~
- ~~(b) Civic, social and fraternal association houses or lodges for non-commercial use~~
- ~~(c) Colleges and universities~~
- ~~(d) Crematoriums~~
- ~~(e) Funeral homes~~
- ~~(f) Grazing of livestock with a 100-foot buffer to all districts~~
- ~~(g) Hospitals~~
- ~~(h) Sanitariums~~
- ~~(i) Any business or industry involving the above ground bulk storage of liquid petroleum or propane gas for on site use, or for sale or delivery (1921 10/28/97)~~
- ~~(j) Communications towers [See §17.38(7)] (2260 06/12/07)~~

17.34 A-2 AGRICULTURAL HOLDING DISTRICT. (1502 04/12/88)

- (1) PURPOSE. The A-2 Agricultural Holding District is established to control urban sprawl by retaining agricultural land to provide for a minimum lot size of five (5) acres, and to locate low-density residential developments in areas without severe soil limitations for non-sewered residential development. *(City Atty. Note: See 18.02(8) for minimum lot size requirements for lots not served by public sewer.)*

- (4) CONDITIONAL USES.
 - (a) Animal hospitals and kennels with a 100-foot buffer from any residential district.
 - (b) Archery ranges.
 - (c) Bed-and-breakfast establishments.
 - ~~(d) Campgrounds.~~
 - ~~(de) Commercial greenhouses.~~
 - ~~(ef) Driving ranges.~~
 - ~~(g) Fairgrounds.~~
 - ~~(hf) Golf courses.~~
 - ~~(ig) Open air markets.~~
 - ~~(ih) Orchards.~~
 - ~~(ic) Communications towers. [See §17.38(7)] (2260 06/12/07)~~

17.35 **C-1 CONSERVANCY DISTRICT.** (1502
04/12/88, 1652 09/14/92)

- (1) PURPOSE. The C-1 Conservancy District is established to preserve designated lands for conservation purposes.

~~(3) CONDITIONAL USES.~~

~~(a) Campgrounds.~~