

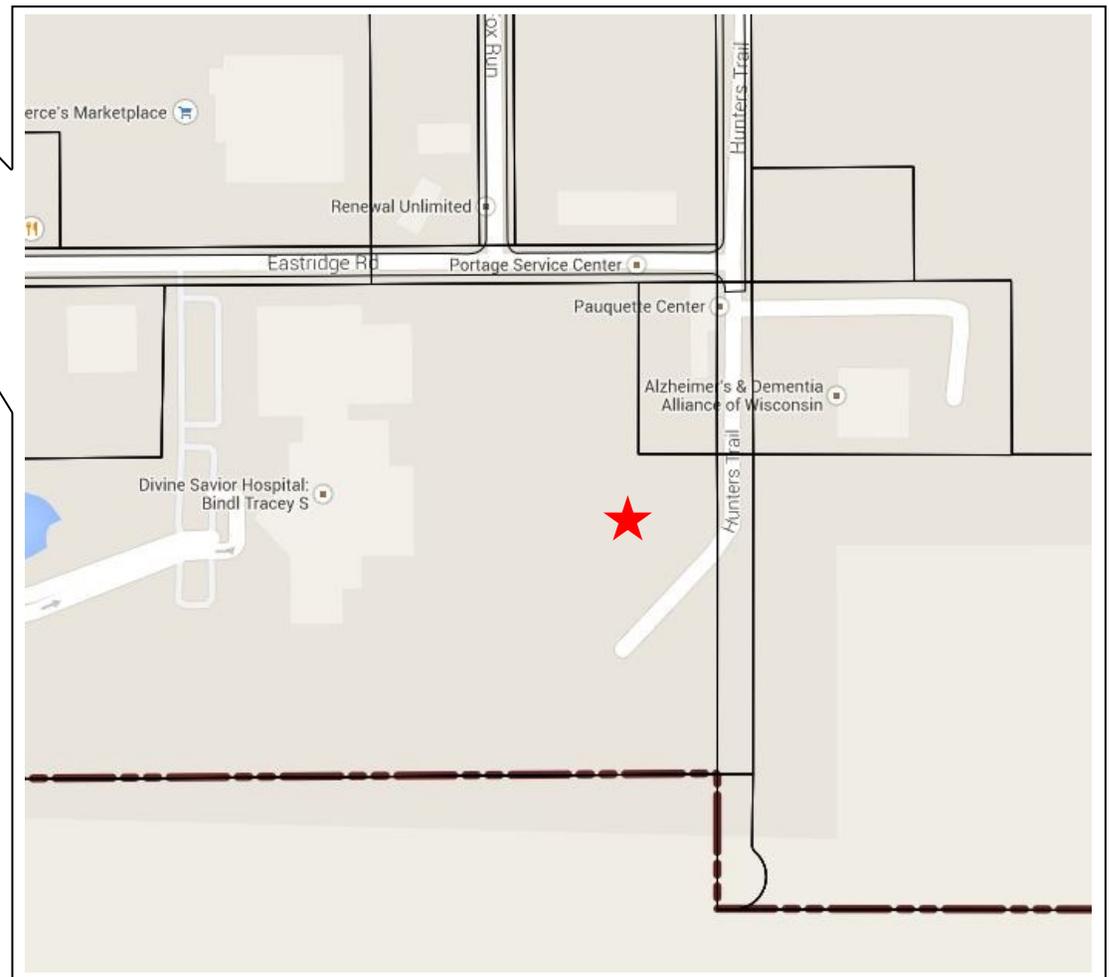
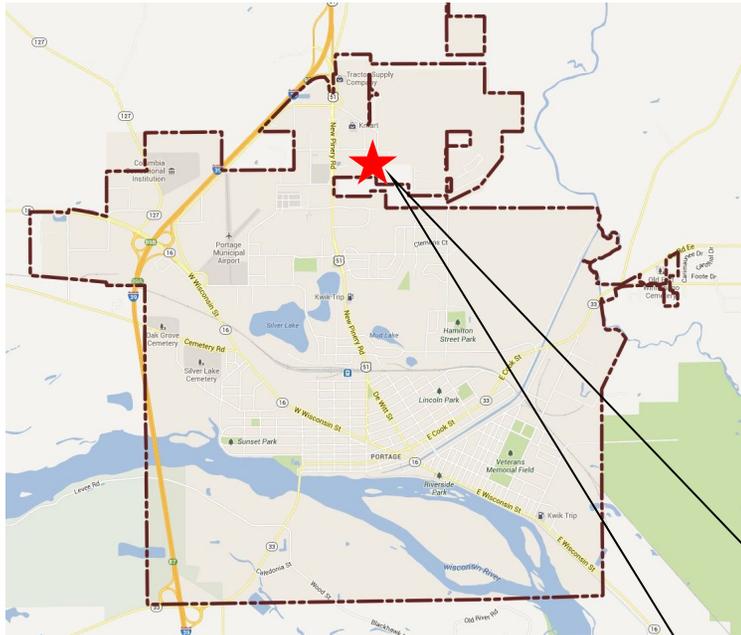


NTS

CITY OF PORTAGE, WI

Divine Savior Health Care Parcel #3142.07

Conditional Use Permit



CITY OF PORTAGE

115 West Pleasant Street
Portage, Wisconsin 53901
Telephone: (608) 742-2176 • Fax: (608) 742-8623



'Where the North Begins'

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"Where the North Begins"

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Planning Commission of the City of Portage, Wisconsin will consider the granting of a Conditional Use Permit to Divine Savior Health Care for parcel 3142.07; 2817 New Pinery Rd., City of Portage, Columbia County, Wisconsin.

A PUBLIC HEARING on the request for a Conditional Use Permit for a "large development" in the City of Portage Under ordinance 90.64 (4) (b) will be considered at the Municipal Building in Portage, Columbia County, Wisconsin on Monday, March 2, 2015 at 5:55 p.m.

ALL INTERESTED PERSONS may appear in person or by their agent for the purpose of offering proof in support of their position, opposing or endorsing the granting of this Conditional Use Permit to said property.

DATED this 10th of February, 2015.

By _____
Robert G. Redelings, P.E.
Director of Public Works

PLEASE PUBLISH
February 13, 2015
February 20, 2015

"I would like to call this public hearing before the Plan Commission to order. This hearing is being held in accordance with Section 62.23(7)(d) of the Wisconsin Statutes, to consider actions or amendments relating to Chapter 90 of the City of Portage Code of Ordinances governing Zoning."

"I would like to introduce committee members present:

Mayor Bill Tierney-Chair
Mike Charles
Robert Redelings
Jan Bauman
Brian Zirbes- Vice Chair
Pete Tofson
Vickie Greenwold

"Staff present are:

Bob Redelings-Director of Public Works
Steve Sobiek- Director of Business Development/Planning
Shawn Murphy-City Administrator."

"The following procedures will govern these proceedings:

- The Commission will hear the petition as it is printed in the agenda.
- I will open the petition's Public Hearing and then ask staff to provide a brief explanation of the item. I will then ask the petitioner or their agent if there is anything they wish to add to the staff explanation of their proposal, after which the Commission may ask questions of staff or petitioner.
- We will then give any interested parties in favor of the petition the opportunity to be heard. The chair will then give parties wishing to object to the petition an opportunity to be heard.
- The petitioner will then be given the opportunity to respond to questions or request for clarification(s) in the application, if they desire
- The Commission will debate and make its decision after the public hearing is closed and as the petition appears on the meeting agenda."

"In regard to petition for Conditional Use permit, please note the committee's decision on the Conditional Use Permit is a decision solely of the Commission. It does not go to the City Council. The decision of the Commission is final."

'FINALLY, THERE WILL BE NO DEBATE ON THE FLOOR. ALL QUESTIONS PERTAINING TO THE PETITION WILL BE DIRECTED TO THE CHAIR. Anyone wishing to speak will approach the chair and for the record provide their full name and address."

"We are now ready to begin the hearing- I declare the public hearing to be open.

It is a Conditional Use Request to allow a "large development" (Divine Savior New Medical Building /Rehab Center) in the City of Portage, Andy Palec Petitioner." "Staff will begin the hearing with their report.

- A. Is the petitioner present? Do you have anything you wish to add to the staff report?
- B. Is there anyone here who would like to speak in favor of the petition? (3 times)
- C. Is there anyone here who would like to speak against the petition? (3 times)
- D. Does the petitioner wish to offer any response to questions or clarifying comments?
- E. I declare this public hearing closed!"

**City of Portage
Plan Commission Meeting
Monday, March 2, 2015, 6:00 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room Two
Agenda**

Members: Mayor Bill Tierney, Chairperson; Robert Redelings, City Engineer, Jan Bauman, Vickie Greenwold, Brian Zirbes, Peter Tofson, Mike Charles

Public Hearing – 5:55 pm

To consider issuing a conditional use permit (CUP) to Divine Savior Healthcare for a “large development” on parcel 3142.07 at 2817 New Pinery Road, Portage, Wisconsin.

Regular Meeting – 6:00 pm

1. Roll call
2. Approval of minutes from previous meeting.
3. Discussion and possible action on conditional use permit (CUP) for Divine Savior Healthcare for a “large development” on parcel 3142.07 at 2817 New Pinery Road, Portage, Wisconsin
4. Adjournment

**City of Portage
Plan Commission Meeting
Monday, February 16th, 2015, 6:30 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room Two
Minutes**

Members present: Mayor Bill Tierney, Chairperson; Robert Redelings, City Engineer, Jan Bauman, Brian Zirbes, Peter Tofson and Mike Charles

Members excused: Vickie Greenwold

Others present: Administrator Murphy, Director Sobiek, Kirk Konkell, Vern Gove, Carolyn Hamre, Rob Roth, Beth Boaman, Mike Peters, Lynn Jerde and Bill Welsh

Public Hearing – 6:25 pm

To consider a proposed zoning map Amendment and to consider a proposed amendment to the comprehensive plan.

Mayor Tierney read the Public Hearing Notices and mentioned they had been legally published. He then opened the Public Hearing and requested staff provide comments. Administrator Murphy indicated these proposed changes were being recommended so the zoning would reflect what currently exists and the proposed land use would be compatible with the County's building plans along the canal. Subsequent to the public hearing notice, the City and County have arrived at a different plan for parcel #298. As such, it's appropriate for parcel #298 to retain the B4 zoning designation.

Mayor Tierney asked for the first time if there was anyone present who wished to speak in favor of the petition. Kirk Konkell, chairperson of Columbia County's ad hoc building committee said he was in favor of the proposed institutional land use for the 3 parcels along the canal. Mr. Konkell said he was also in favor of the proposed zoning amendments and agrees with leaving parcel #298 zoned B4 to permit on-site parking.

Mayor Tierney asked for a second and third time if there was anyone present who wished to speak in favor of the petition. Hearing no response, he asked 3 times if there was anyone present who wished to speak in opposition to the petition. Hearing no response, the Mayor declared the Public Hearing closed at 6:40 p.m.

Regular Meeting – 6:30 pm

- 1. Roll call**
- 2. Approval of minutes from previous meeting.**

Motion by Charles, second by Zirbes to approve the minutes. Motion passed 6 to 0 on call of the roll.

3. Discussion and possible action on zoning amendment for parcels (11271-) 123.A;123.B; 123.C;123.D; 123.E;123.F; 131; 131.A; 131.B; 131.C; 138; 139; 140; 132; 137; 141; 169; 170; 164; 180; 181; 182; 186; 87; 188; 189; 191; 192; 200; 236; 237; 244; 250; 251; 261; 262; 263; 296; 297;298; 305.01;1297 and 2490.04.

Administrator Murphy pointed out that the map didn't include the parcel north of Blau Chiropractic, but it was listed in the Public Notice. He also mentioned that the proposed modifications along the canal would support the County's building project. Because parcel #298 will be conveyed to the County for on-site parking, it would be appropriate to retain the B4 zoning. He said the proposed zoning changes to Veteran's Memorial Field (fairgrounds) would support the proposed modifications as outlined in the recently developed Master Plan for the area.

Zirbes inquired as to whether the area between Morgan St. and Griffith St. should also be rezoned A1. Murphy responded that it would need to be considered at a later date.

Motion by Redelings, second by Charles to recommend Council approve the zoning modifications as presented with the exception of parcel #298. Motion passed 6 to 0 on call of the roll.

4. Discussion and possible action on Comprehensive Plan Amendment for Parcels 1297, 304 and 305.1, City of Portage, Columbia County, Wisconsin.

Motion by Redelings, second by Bauman to approve the updates to the Comprehensive Plan as presented. Motion passed 5 to 0 with Zirbes abstaining.

5. Discussion and possible action on revised site plan for Crawford Oil Car Wash.

Rob Roth, RPS, presented the previous approved site plan and the proposed modified site plan and building relocation.

Redelings indicated that a light dispersion diagram still needed to be submitted and Director Sobiek mentioned that an explanation of the landscape point requirement was also needed. Mr. Roth said he was willing to work with City staff on meeting these requirements. He said the project was scheduled for completion by Memorial Day.

Tofson inquired about additional lighting for the proposed parking expansion area and Mr. Roth said he'd ensure there's no lighting deficiency. Tofson suggested

the south most stall along the building may need to be eliminated because a parked vehicle in that space could get hit by a motorist driving around the building. Mr. Roth said striping the centerline should prevent this problem but agreed to eliminate the stall.

Tofson also questioned the rock trench. Mr. Roth said the trench would intercept some of the sheet flow that currently occurs, but there'd still be drainage over the pavement during high intensity storms. Mr. Roth said the rock trench would be beneficial from a water quality perspective.

Mayor Tierney had concerns about the internal traffic pattern and the cross-over between the ingress and egress traffic. Mr. Roth explained the options that were considered, the concern for vehicle stacking that may occur out to STH 16 and concluded that this was the best scenario with the centerline striping.

Tofson suggested the exterior of the building would be more attractive with roof scuppers in lieu of gutters to collect rain water. Mr. Roth said he'd review this design change with the owners.

Motion by Charles, second by Tofson to approve the site plan conditioned upon the developer submitting approved landscaping and lighting plans. Motion passed 6 to 0 on call of the roll.

6. Old Business

- DSH Site Plan/Developer's Agreement

Redlings mentioned that the City and Divine Savior were getting close on the conditions of the Developers Agreement (DA). Construction has temporarily ceased because State approved plans need to be received, the DA needs to be approved and a Conditional Use Permit needs to be issued.

- Jeanne Mundt (Pflanz) Parking Lot

Redelings said there's nothing more to report on the proposed parking lot, but believes the developer still plans on proceeding this year.

7. Adjournment

Motion by Charles, second by Zirbes to adjourn. Motion passed 6 to 0 on call of the roll. The meeting concluded at 7:42 p.m.

Respectfully submitted, Robert G. Redelings, P.E., Public Works Director

CITY OF PORTAGE

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"Where the North Begins"

TO: Plan Commission
From: Steve Sobiek, Dir., Bus Development & Planning
Re: DSH CUP
Date: 2/26/2015

On Conditional Use permit (CUP) for Divine Savior Healthcare to build a large development in excess of 40,000 square feet on parcel 3142.07; 2817 New Pinery Road, Portage, Wisconsin.

The applicant is seeking a conditional use permit (CUP), which is required by the City's Code of Ordinances, for a proposed Wellness Center, a two-story, 106,033 gross square foot building. It will include offices for orthopedics, podiatry, audiology and facilities for physical rehabilitation. The building will also have facilities for a membership based medical wellness center and an employee day care service.

In accordance with Section 90-472 (6) of the City's Code of Ordinances, the Director of Business Development and Planning presents the following findings:

1. The Conditional Use is in harmony with the recommendations of the comprehensive plan.
2. The Condition Use will not result in substantial or undue adverse impact on nearby property, the character of the neighborhood, environment, parking, public improvements, public property, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may be in the future.
3. The Condition Use maintains the desired consistency of land uses and development related to the environs of the subject property
4. The Condition Use is located in an area that will be adequately served by, and will not impose an undue burden on any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
5. The potential public benefit outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

In addition, in accordance with Section 90-64 (6) of the City's Code of Ordinances, the development:

1. Satisfies the architectural and design requirements by complimenting the design and layout of nearby buildings and developments due to careful placement on the campus, setback from

boundary lines and the main thoroughfare, compatible and harmonious architecture and good land use principles.

2. Enhances, rather than distracts from, the desired character of the city.
3. Incorporates architectural and building facade elements, including color, texture change, and material modular changes.
4. Building design compliments other buildings on campus and in the vicinity, including ground floor facades facing the public street with arcades, entry areas, window and roof designs, and other structural and decorative elements.

Lastly, the Development Agreement between the Developer and the City includes commitments by the Developer to:

1. Obtain all necessary State and local approvals necessary for the construction of the project, and prepare and be responsible for all costs of the site plan and building plans
2. Enter into an agreement with the City for the construction and payment of public improvements as a result of a completed Traffic Impact Analysis.
3. Make public improvements before an occupancy permit can be issued, including erosion control; electric, natural gas, telephone, Cable TV and internet utilities; water main improvements; convey a water main easement.
4. Make private improvements in accordance with the approved plans, including building improvements, site work, storm water drainage, sewer improvements, and water improvements.
5. Assume responsibility of sewer connection fee, utility and improvement and inspection costs; other site plan, conditional use permit, certified survey map, occupancy permit fees; and provide financial guarantees to the City of no less than \$2,500 .
6. Standard contractor notification, indemnity, warranty, guarantee, lien, acceptance, insurance, and scheduling language.
7. Provide the City a Letter of Credit to cover and guarantee public improvements, including erosion control and water main improvements.
8. If it is determined that the Wellness Center and Property are tax exempt , a PILOT agreement shall be attained with the City by October 1, 2016 with PILOT negotiations taking into consideration Developer and City provided services.

The City agrees to review all plans and place them in approval process in an expedited manner.

As a result of the hearing notice the City has not received any inquiries regarding the conditional use. All department heads have approved the permit application.

NARRATIVE IN SUPPORT OF THE REQUEST FOR A CONDITIONAL USE PERMIT

THE WELLNESS CENTER AT DIVINE SAVIOR HEALTHCARE

In November 2014, Divine Savior Healthcare (DSH) applied for and received site plan approval for the development of a medical office building and wellness center to accommodate the existing and future growth of its orthopedic and rehabilitation services provided to the community. The proposed facility will provide offices and personal professional services, which is a permitted use in a B-3 Interchange Business District. However, because the proposed facility exceeds 40,000 square feet, the Zoning Ordinance defines it as a “Large Development” requiring a Conditional Use Permit, even though it would otherwise be permitted in the zoning district.

The proposed Wellness Center will be a two-story, 106,033 gross square foot building. It will include offices for orthopedics, podiatry, physiatry, audiology and facilities for physical rehabilitation, including physical therapy, cardiac rehabilitation and occupational therapy. The building will also have facilities for a membership based medical wellness center and an employee day care service. As part of the therapy and wellness services offered, the building will have a warm water therapy pool and a lap pool. Several meeting rooms for community health and educational programming will also be included.

The proposed building will be located in the center of the campus behind the main hospital facility with access from Hunter’s Trail. It will be connected to the hospital tunnel at the lower level. All parking for the facility is located on site and adjacent to the building entrances.

DSH believes the project is consistent with its mission of providing quality care and access to health services close to the community. DSH’s past expansion of services has resulted in space constraints in the existing medical office building. The new building will allow it to continue investing in programs and services which benefit citizens of Portage. For example, neck and back injury programs require dedicated space which cannot be accommodated in the existing medical office building. New educational facilities will permit DSH to offer more health related programming available to Portage residents. A medical wellness center will permit former patients recovering from injuries and surgery to continue their conditioning in close proximity to their therapists in an appropriate and welcoming environment.

In addition to the new building housing beneficial services to the citizens of Portage, the new building is consistent with permitted uses of the land allowed in this zoning district by right. It represents an evolution of health care services that, if denied, would not allow DSH to maintain the steady growth in services, technological advancement and efficiencies that have been a benefit to the community.

DSH believes the new building is in harmony with the surrounding properties due to careful placement on campus – setback from boundary lines and the main thoroughfare, compatible and harmonious architecture and good land use principles, such as on-site storm water detention, that lessen the impact on adjoining property owners.