

**PLAN COMMISSION**  
of the City of Platteville



**AGENDA**

**MONDAY, APRIL 3, 2023 – 7:00 P.M.**

**COUNCIL CHAMBERS IN CITY HALL – 75 N. BONSON STREET**

**1. ROLL CALL**

**2. APPROVE MINUTES – March 6, 2023**

**3. ZONING AMENDMENT – 1135 Perry Drive**

*Consider a request to remove the R-LO Overlay District designation from the property at 1135 Perry Drive.*

**4. CONDITIONAL USE PERMIT – 500 E. Business Highway 151**

*Consider a request for a Conditional Use Permit to allow the Grant County Humane Society to operate an animal shelter and kennel on the property at 500 E. Business Highway 151.*

**5. ADJOURN**

If you have concerns or comments related to an item on this agenda, but are unable to attend the meeting, please send the comments to [carrollj@platteville.org](mailto:carrollj@platteville.org) or call 608-348-9741 x 2235.

**PLAN COMMISSION**  
**Monday, March 6, 2023**

The regular meeting of the Plan Commission of the City of Platteville was called to order by Council President Barbara Daus at 7:00 PM in the Common Council Chambers of the Municipal Building.

**ROLL CALL:**

Present: Barbara Daus, Amy Seeboth-Wilson, Kory Wein, Todd Kasper, Robert Vosberg, and Evan Larson.  
Excused: Bill Kloster and Joie Schoonover.

**APPROVAL MINUTES – February 6, 2023**

Motion by Wein, second by Seeboth-Wilson to approve the February 6, 2023, minutes as presented. Motion carried 5-0 on a roll call vote, Vosberg abstained.

**CONDITIONAL USE PERMIT – 1651 Progressive Parkway** – The Plan Commission considered a requested conditional use permit to allow the construction of a carwash facility at 1651 Progressive Parkway. Motion by Kasper, second by Wein to recommend approval of the Conditional Use Permit to allow the carwash with a condition that a public sidewalk be included along the Business Highway 151 street frontage as well as the Progressive Parkway frontage. Motion by Larson, second by Kasper to amend the original motion to include that on-site storm water management be provided if the lot coverage exceeds 75% of impervious area or the design limit for the regional pond serving the development area.

**ADJOURN:**

Motion by Wein, second by Seeboth-Wilson to adjourn. Motion carried 5-0 on a roll call vote. The meeting was adjourned at 7:19 PM.

Respectfully submitted,

Candace Klaas, City Clerk

# STAFF REPORT

## CITY OF PLATTEVILLE

Community Planning & Development Department



**Meeting Dates:** Plan Commission – April 3, 2023  
Common Council – April 11, 2023 (Information)  
Common Council – April 25, 2023 (Action)

**Re:** Rezoning to remove overlay district

**Case #:** PC23-RZ01-04

**Applicant:** Devyn Dahlke

**Location:** 1135 Perry Drive

### Surrounding Uses and Zoning:

Direction	Land Use	Zoning	Comprehensive Plan
Property in Question	Residential	R-1/RLO	Low Density Residential
North	Residential	R-1	Low Density Residential
South	Residential	R-1/RLO	Low Density Residential
East	Residential	R-1/RLO	Low Density Residential
West	Residential	R-1/RLO	Low Density Residential

### I. BACKGROUND

1. The property at 1135 Perry Drive contains a single-family house that was recently purchased by the applicant and his father. The applicant is a student at UW-Platteville and lives there with three other students. The property has an overlay district designation that includes a restriction limiting the occupancy to no more than 2 unrelated individuals. The applicant was not aware of this restriction when purchasing the property and is requesting to have the RLO overlay district designation removed.

### II. PROJECT DESCRIPTION

2. The property is currently zoned R-1 Single Family Residential, and also has an R-LO Limited Occupancy Residential overlay zoning designation. With this designation, the property can be used as an owner-occupied residence, and as a rental property, but is limited to the number of unrelated individuals that can live there. According to the requirements of the R-LO designation, the house can be occupied by any number of individuals that compose a family (as defined by the code), but it would be limited to a

maximum of 2 individuals that are unrelated. This means that only 2 of the current occupants are allowed to live there.

3. In the R-LO Limited Occupancy Residential Overlay District, the definition of "family" is set forth below:

"Family" shall mean one of the following groups of individuals, but not more than one group at a time:

- (1) Any number of persons, all of whom are related to each other by blood, adoption, marriage, domestic partnership formed under Wis. Stats. 770, or legal guardianship, along with up to one (1) roomer or boarder not so related, living together in one dwelling unit as a single housekeeping entity; or
- (2) Not more than two (2) persons who are not related by blood, adoption, or marriage, living together in one dwelling unit as a single housekeeping entity; or
- (3) Two (2) unrelated individuals and any children of either or both of them living as a single-housekeeping unit.

For purposes of the definition of family, the term "related" shall mean a spouse, parent, child, stepchild, child of a parent in a domestic partnership, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, great-grandparent, and great-grandchild, or a child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, great-grandparent, or great-grandchild of a person in a domestic partnership. The term "related" does not include other, more distant relationships such as cousins.

The definition of family includes up to two (2) guests if the guests live and cook together with the family in a single dwelling unit and do not pay rent or give other consideration for the privilege of staying with the family. The definition of "guest" under this section is defined as a person who stays with a family for a period of less than thirty days within any rolling one-year period and does not utilize the dwelling as a legal address for any purpose.

4. The applicant is requesting a change to the property zoning to remove the R-LO overlay zoning designation, which would allow the property to be occupied by a maximum of 4 unrelated individuals.
5. In the R-1 District, the definition of family is set forth below:

"Family" shall mean any one of the following groups of individuals, but not more than one group at a time: (a) Any number of persons, all of whom are related to each other by blood, adoption, marriage, legal guardianship, or domestic partnership formed under Wis. Stats. 770, along with up to two (2) roomers or boarders not so related, living together in one dwelling unit as a single housekeeping entity; (b) Not more than four (4) persons who are not related by blood, adoption, or marriage, living together in one dwelling unit as a single housekeeping entity; or (c) Two (2) unrelated individuals and any children of either or both of them living as a single-housekeeping unit. For purposes of the definition of family, the term "related" shall mean a spouse, parent, child, stepchild, child of a parent in a domestic partnership, grandparent, grandchild, brother,

sister, uncle, aunt, nephew, niece, great-grandparent, and greatgrandchild, or a child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, great-grandparent, or great-grandchild of a person in a domestic partnership. The term "related" does not include other, more distant relationships such as cousins. The definition of family includes up to two (2) guests if the guests live and cook together with the family in a single dwelling unit and do not pay rent or give other consideration for the privilege of staying with the family. The definition of "guest" under this section is defined as a person who stays with a family for a period of less than thirty days within any rolling one-year period and does not utilize the dwelling as a legal address for any purpose.

### **III. STAFF ANALYSIS**

6. When the R-LO district designation was adopted in 2012, it was based on a petition submitted by residents. The designation only included the properties where the owner signed the petition and did not include any nearby or adjoining properties where the owner did not sign the petition. For this reason, there are gaps in the designation in various areas, including the adjacent property to the north of the applicant's property.
7. At the time the overlay district was created, the prevailing sentiment among the members of the Plan Commission and Council was that the City shouldn't be forcing this designation on any property owner that didn't want it. For that reason, they didn't include any properties where the owner didn't sign the petition. Likewise, it was the sentiment that any owner that didn't want the overlay designation could have it removed.

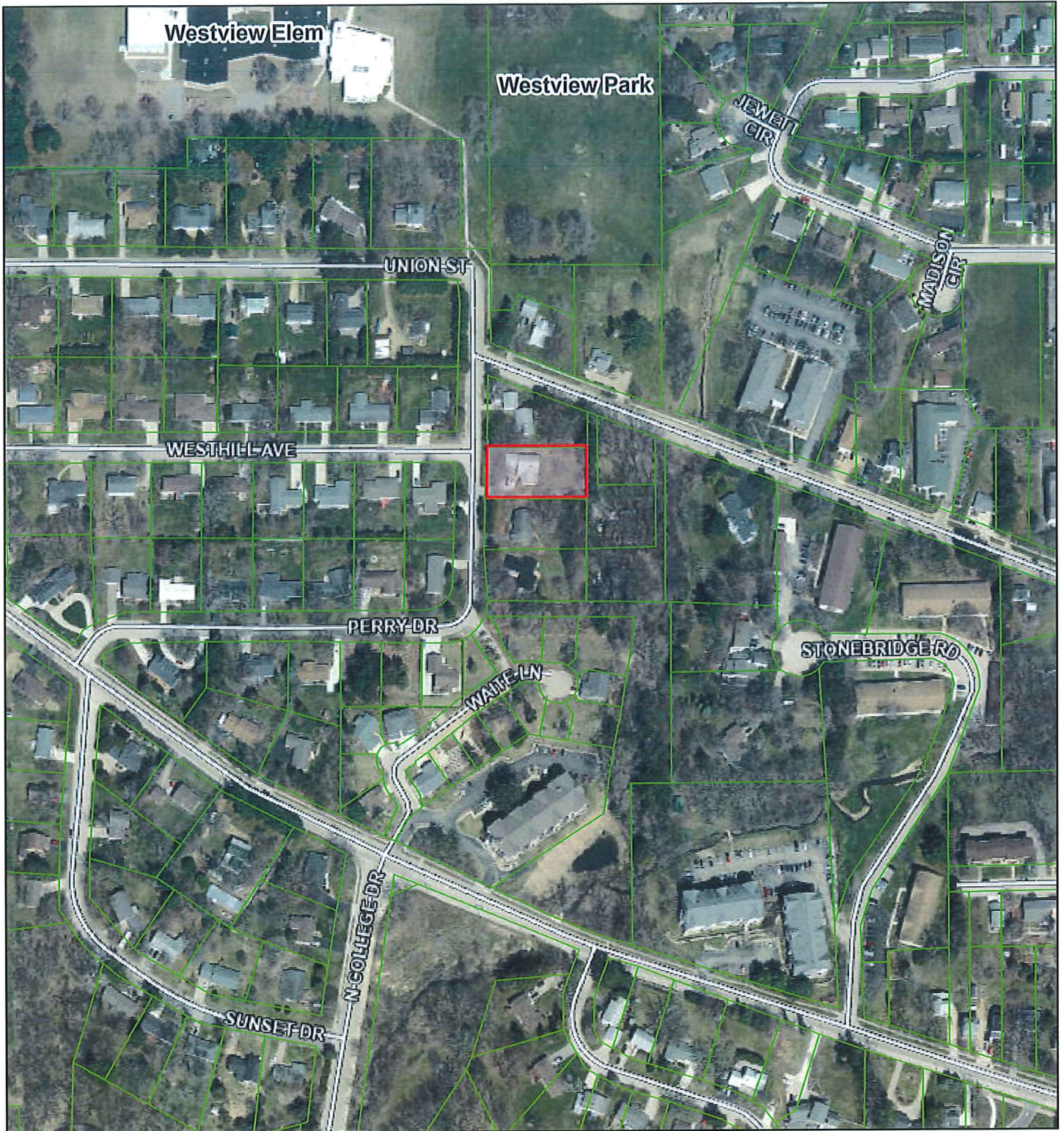
### **IV. STAFF RECOMMENDATION**

8. Staff has no concerns with the request to remove the R-LO designation. This request conforms with the original intent when the overlay district was created.

### **ATTACHMENTS:**

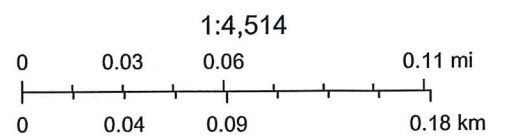
Location Map, Overlay Zone Map, Plan Commission Minutes – October 1, 2012

# City of Platteville



3/17/2023, 10:04:05 AM

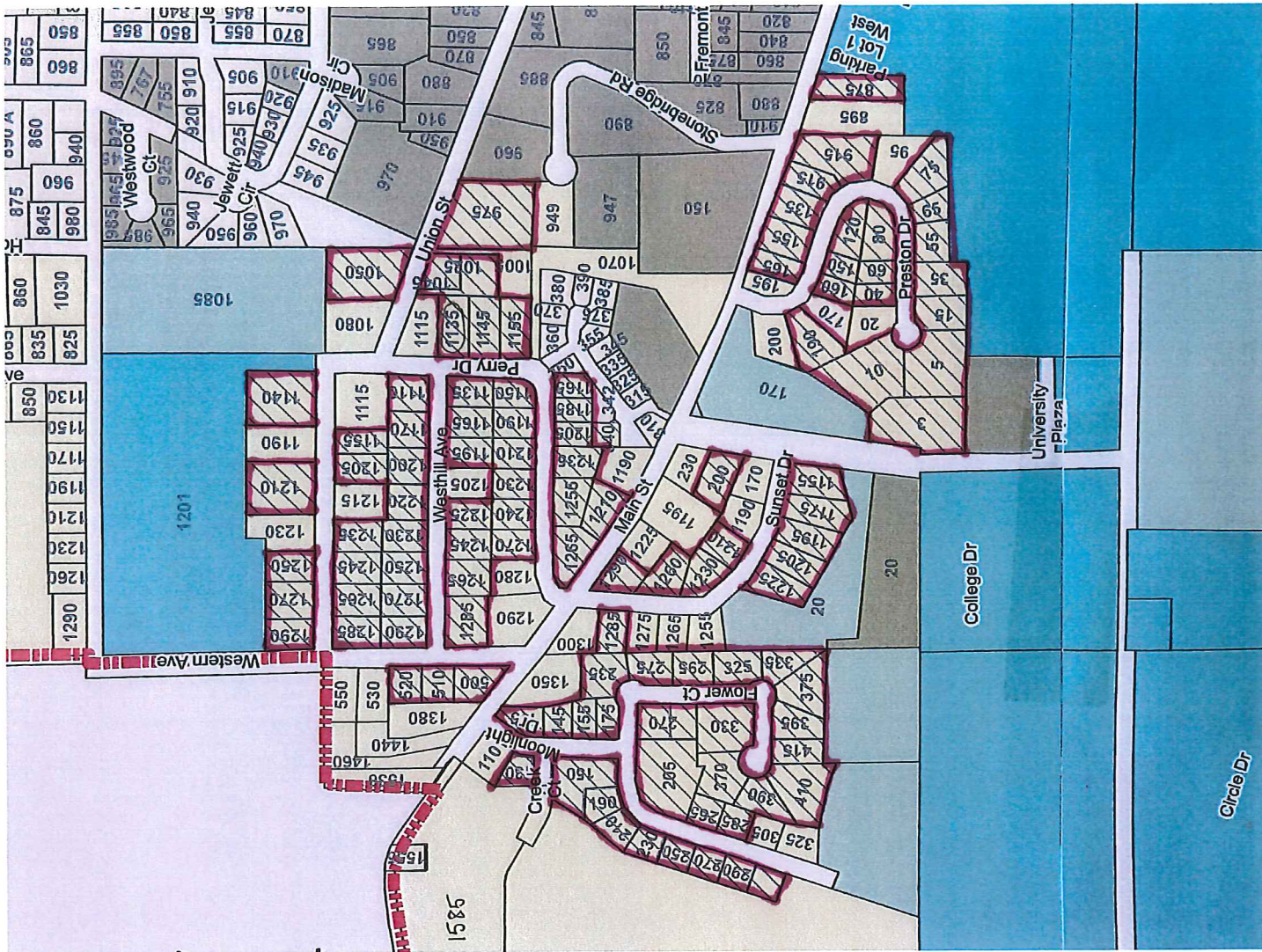
- Centerlines
- City Boundary
- Parcel Data (2022)
- Landmark Names



# ZONING MAP

2019 Edition

- Parcel Address
- Future development
- B1 - Neighborhood Business
- B2 - Central Business
- B3 - Highway Business
- C1 - Conservancy
- CBT - Central Business Transition
- I1 - Institutional
- M1 - Heavy Commercial/Light Industrial
- M2 - Industrial
- M3 - Industrial
- M4 - Applied Technology
- PUD - Planned Unit Development
- R-LO - Limited Occupancy Residential Overlay
- R1 - One Family Residential
- R2 - One & Two Family Residential
- R3 - Multi-Family Residential
- Municipal Boundary



**PLAN COMMISSION**  
**Monday, October 1, 2012**

The regular meeting of the Plan Commission of the City of Platteville was called to order by Chairperson Mike Dalecki at 7:00 p.m. in the Council Chambers of the Municipal Building.

**ROLL CALL:**

Present: Steve Becker, Chairperson Mike Dalecki, Tom Lindahl, John Miller, Gary Munson, Tom Nelson, and Karen Rogulja. Excused: Keith Buchert and Jane Leighty.

**APPROVE MINUTES OF: September 10, 2012**

Motion by Lindahl, second by Miller to approve the September 10, 2012 minutes with the corrected motions in A and B. Motion carried on a voice vote.

**MOTION:**

**A. Rezoning – Limited Occupancy Residential Overlay District (RLO) (PC12-RZ02-24) –**

Consider a request for a Limited Occupancy Overlay District designation for approximately 111 properties in the west Main Street area. Community Planning & Development Director Joe Carroll explained that a petition has been submitted from the owners of 111 properties requesting that the City rezone the properties to the RLO Limited Occupancy Residential Overlay District. All the properties being considered are currently zoned R-1 One-family Residential. The primary impact is that it reduces the maximum number of unrelated individuals that can live in a dwelling unit from 4 to 2. The existing underlying zoning requirements of the R-1 district will remain the same. Staff recommended approval. Plan Commission discussion clarified that properties in the area that chose not to be included in the petition would not be included in the overlay zoning and that the overlay zoning designation would stay with the property unless the owner petitioned to remove the designation. Public statements in favor included Rita Elver of 5 Preston Dr, Syla Kurowski of 1230 Perry Dr, John Duesbury of 40 Preston Dr, and Gene Weber of 1285 Union St. Evelyn Duesbury of 40 Preston Dr and Judy Kundert of 335 Flower Ct, registered in favor. No public statements against or in general. Motion by Lindahl, second by Munson to approve the proposed rezone of 111 parcels in the west Main Street area to the RLO Limited Occupancy Residential Overlay District as presented. Motion carried 5-1 on a roll call vote with Rogulya voting against.

- B. & C. Rezoning – 250 E Main Street (PC12-RZ01-23) –** Consider approval of a request to rezone the property at 250 E Main Street from B-2 Central Business District to CBT Central Business Transition District and **Conditional Use Permit – 250 E Main Street (PC12-CUP05-25) –** Consider approval of a request for a Conditional Use Permit to allow a portion of the ground floor space at 250 E Main Street to be used for residential use. Community Planning & Development Director Joe Carroll explained that the property is a combination of commercial and residential space located in the B-2 Central Business District which allows residential use in conjunction with commercial, but not residential use of the ground floor. The building has four residential apartments on the second floor. The first floor and basement of the building are currently vacant and the applicant would like to convert the basement and approximately half of the first floor space to residential use. This action requires the property be rezoned to CBT Central Business Transition and also requires approval of a Conditional Use Permit (CUP). The CBT district allows the proposed residential on the ground floor as a conditional use. The CBT district also has minimum parking requirements depending upon the final number of bedrooms and the area of the commercial space, whereas the current zoning does not. Staff's opinion is that the current location of the property right on Main Street and adjacent to other commercial uses seems to be more compatible with the B-2 district rather than the CBT district. The proposed



**STAFF REPORT**

**CITY OF PLATTEVILLE**

Community Planning & Development Department



**Meeting Dates:** Plan Commission - April 3, 2023  
Common Council- April 11, 2023 (Information)  
April 25, 2023 (Action)

**Re:** Conditional Use Permit

**Case #:** PC23-CUP02-05

**Applicant:** Grant County Humane Society

**Location:** 500 E. Business Highway 151

**Surrounding Uses and Zoning:**

Direction	Land Use	Zoning	Comprehensive Plan
Property in Question	Business	B-3	Business
North	City Water Plant/ Business	B-3/M-2	Business/Manufacturing
South	Business / Agriculture	B-3	Business
East	Business	B-3/M-2	Business/Manufacturing
West	Business	B-3	Business

**I. BACKGROUND**

1. The property in question currently contains a vacant commercial building. The Grant County Humane Society is interested in purchasing the property and operating an animal shelter and kennel on the site, which requires approval of a conditional use permit.

**II. PROJECT DESCRIPTION**

2. The 4.5-acre property has frontage on Valley Road and Business Highway 151; however, all vehicular access is from Business Highway 151. The building has approximately 11,664 square feet. The building will be remodeled to accommodate up to 40 dogs and 62 cats, and will include a drop-off area, surgical suite, offices, and a retail area. Outdoor kennels and a fenced play area will also be provided to the side and rear of the building. Visitor and employee parking will be provided in front of the building. In the future, depending on capacity, the operations may also include boarding animals and animal daycare services.

### III. STAFF ANALYSIS

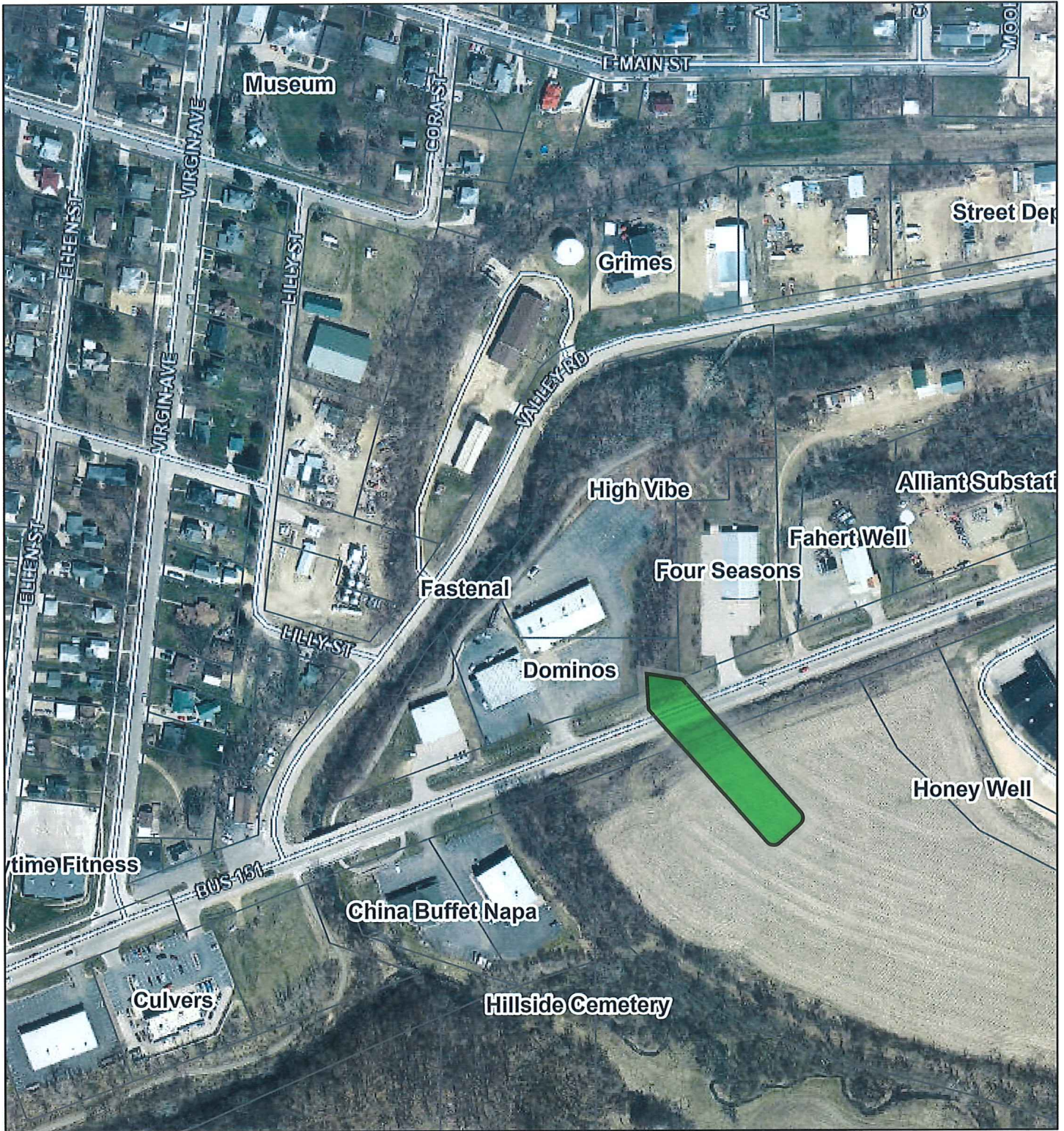
3. When considering a Conditional Use permit, consideration must be given to the standards listed in Section 22.13. Specifically, this section allows for the issuance of a Conditional Use Permit when it is shown that the “uses and structures are in accordance with the purpose and intent of the Ordinance and are found not to be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the community.” There is adequate space on the property to accommodate the proposed shelter and kennel, and the proposed use is compatible with the surrounding businesses. Overall, the proposed use appears to be in compliance with these requirements.

### IV. RECOMMENDATION




4. Staff recommends approval of the Conditional Use Permit to allow the proposed animal shelter and kennel on the property at 500 E. Business Highway 151.

**ATTACHMENTS:** Location Map, Application.

# ArcGIS Web Map



3/27/2023, 11:32:08 AM

-  Centerlines
-  City Boundary
-  Parcel Data (2022)
- Landmark Names

