



Planning & Economic
Development Department

444 West Grand Avenue
Wisconsin Rapids, WI 54495-2780
Ph: (715) 421-8225 • Fax: (715) 421-8244

April 1, 2013

Re: Zoning of Parcel 34-09861

To Whom It May Concern:

Please consider this letter verification that Parcel 34-09861, located at the southeast corner of Commerce Drive and 48th Street North within the City of Wisconsin Rapids, is zoned M-3, Industrial Park District. A copy of the M-3 regulations is attached for your reference.

If you have any questions or require additional information, please feel free to contact me at ategen@wirapids.org or 715-421-8225.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam Tegen", is written over the printed name and title.

Adam Tegen,
Director

Industrial Park District (M-3).

- (a) There is hereby created an industrial park classification for areas within the City of Wisconsin Rapids and its extra-territorial jurisdiction. Areas within the industrial park classification shall be designated as M-3 on the zoning map.
- (b) Division of Lands. Any division of land of any size within the industrial park district shall be surveyed and a plat thereof made, approved, and recorded as required by Chapter 12 of the Municipal Code of the City of Wisconsin Rapids, and Chapter 236 of the Wisconsin Statutes. Any division of any size of such platted land shall be surveyed and a certified survey map made, approved, and recorded, as required by Chapter 12 of the Wisconsin Rapids Municipal Code and Chapter 236 of the Wisconsin Statutes.
- (c) Plans Required; Approval by the Planning Commission. No building or any improvements shall be erected, placed, or altered on any building site in the industrial park district until the plans for such building or improvement, including site plan, landscape plan, building plan, and specifications have been approved by the planning commission of the City of Wisconsin Rapids. Said commission shall approve or disapprove such plans with respect to conformity with these regulations and other applicable enactments of the city, and with respect to harmony of external design and land used as it affects property within and adjacent to the industrial park district. Failure of the aforesaid commission to act upon such building or improvement plans within 60 days after submission to the city clerk shall constitute an approval of such plans.
- (d) Front Setback. No part or portion of any building shall be erected, constructed, or extended nearer than 50 feet from the front line of any parcel. Employee parking of automobiles shall be prohibited at all times within 50 feet from the front street line of any parcel. Visitor or customer parking may be allowed within a 50 foot setback when approved by the planning commission but not closer than 10 feet from the front street line. The 50-foot setback shall be entirely graded and sodded or seeded between side property lines and from the road shoulder to the building face in a manner that will produce acceptable lawn, excepting only such areas as may be required for driveways, visitor parking, or walks. Maintenance of area within street right-of-way to shoulder of road shall be the responsibility of the property owner.
- (e) Setbacks; Side and Rear.
 - (1) No part or portion of any building shall be erected, constructed, or extended nearer than 10 feet to any interior side property line, the combined total of side yard for any interior parcel shall not be less than 30 feet. Side yards on the street side or corner properties shall be 37-1/2 feet and the use of such area shall be in accordance with the provisions of Section (3) of these restrictions except that employee parking shall be permitted in this area. The 37-1/2 foot setback shall be entirely graded and sodded or seeded between the property lines and from the road shoulder to the building face in a manner that will produce an acceptable lawn, excepting only such areas as may be required for driveways, visitor or employee parking, or walks. The parking or storage of company-owned trucks, products, or equipment shall be prohibited in this area. Maintenance of this area within the street right-of-way to the shoulder of the road shall be the responsibility of the property owner.
 - (2) No part or portion of any building shall be erected, constructed, or extended nearer than 25 feet to any rear property line except that this restriction shall not apply to the erection or construction of any building or structure used for railroad loading or unloading facilities.
- (f) No building or structure of any type shall be erected, placed, or altered on any property which will occupy more than one-third the total area of said property, except that the industrial park commission may approve the erection, placement, or alteration of a building or structure for warehouse purposes on more than one-third the total area of said property if such erection, placement, or alteration is consistent with the overall development of the industrial park and does not adversely affect the development of abutting property owners. In no event shall a building or structure of any type be erected, placed, or altered on any property which would occupy more than one-half of said property. The above amendment allowing more than one-third lot coverage is intended to be applicable only to that portion of buildings or structures which are used solely for public warehousing.
- (g) Maintenance of Grounds. All grass, trees, and shrubbery must be kept watered in dry weather

and in good appearance at all times. All grass must be cut whenever necessary. If grass is not cut, the City of Wisconsin Rapids may serve notice, and if not complied with in two days, the city may cut same and add this cost to the property owner's real estate tax bill.

- (1) All weeds must be kept out by the property owner. If this is not done, the City of Wisconsin Rapids may serve notice, and if not complied with in two days, the city may cut the same and add this to the owner's real estate tax bill.
- (h) Buildings, Material, Appearance. The front of all buildings and side or rear of all buildings when facing a street, including side streets and corner properties, shall be faced with decorative masonry or other material approved by the planning commission and said facing shall extend to a minimum of 20 feet on each side of all buildings or to a natural dividing point approved by said commission. The front of a building that is set back 200 feet or more from the said property line, then the facing shall be of any material as approved by the commission and is consistent with other provisions herein. For the purpose of this regulation, standard, light-weight, or cinder concrete block are not considered decorative masonry.
 - (1) Except as otherwise provided herein, the sides and rear of all buildings shall be of any material approved by the commission.
 - (2) Where concrete block masonry is used, it shall be painted two coats of paint and shall be of decorative pattern block or other decorative treatment of plain block approved by the commission.
 - (3) All faces of all buildings must be kept in good repair and appearance at all times.
 - (4) All buildings must be of ordinary construction or better, as defined by the Building Department of Industry, Labor, and Human Relations of the State of Wisconsin.
- (i) Auto Parking Areas Required. One parking stall or not less than 180 square feet, excluding drives and approaches, shall be provided on each property for every 1,000 square feet of building area or for every two employees, whichever amount constitutes the greater number of stalls. Parking stalls shall be added on each property as required to accommodate all employees. Variances may be granted by the planning commission for warehouse or similar uses upon proof that such parking restrictions are not realistic. City streets will not be designed by the city to provide parking.
- (j) Storage of Materials. All Material or products stored outside buildings must be behind the building setback line from the street and must be screened from view from the street with solid fencing or screening approved by the planning commission. All trash must be enclosed by a fence of solid material such as will provide a suitable visual screen. Minimum height of such fence must be six feet. Fence must be kept painted or have such other finish as is generally accepted for good appearance. Wire fence is not acceptable for this purpose.
- (k) Noise, Vibration, Dust, Gas, Smoke, and Odor Regulations. No operation, manufacture, or building use in said industrial park shall produce or effect noise, vibration, dust, gas, smoke, toxic matter, or odors to an extent greater than the following maximum allowable levels.
 - (1) Noise. Sound levels shall be measured with a sound level meter and associated octave band filters manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be subject to the performance standards hereinafter prescribed providing that such noises shall be capable of being accurately measured with such equipment. Noises capable of being measured for the purpose of these restrictions shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels. Noise incapable of being so measured, such as those of an irregular or intermittent nature, shall be controlled so as to not become a nuisance to adjacent uses. At no point on the boundary of any individual parcel or the boundary of the industrial park district shall the sound intensity level of any individual operation or plant (other than the operation of motor vehicles or other transportation facilities) exceed the decibel levels in the designated octave bands shown in the following table:

MAXIMUM PERMITTED SOUND LEVEL (Decibels)		
Octave Band (Frequency, Cycles/Second)	Along Parcel Boundaries	Along Subdivision Boundaries

0-75	72	70
75-150	67	74
150-300	59	66
300-600	52	59
600-1200	46	53
1200-2400	40	47
2400-4800	34	41
above 4800	32	39

- (2) Vibration. No industrial operation or activity shall cause at any time ground transmitted vibrations in excess of the limits set forth below. Vibration (the periodic displacement, measured in inches of earth) shall be measured at any point along the exterior boundary of the industrial park district with a three component measuring instrument approved by the common council and shall be expressed as displacement in inches.

<u>Frequency Cycles/Second</u>	<u>Maximum Permitted displacement Along Subdivision Boundaries (in inches)</u>
0 to 10	0.0008
10 to 20	0.0005
20 to 30	0.0002
30 to 40	0.0002
40 and over	

- (3) Smoke and Particulate Matter. The emission of smoke particulate matter in such manner or quantity as to endanger or to be detrimental to the public health, safety, comfort, or welfare is hereby to be a public nuisance and shall henceforth be unlawful.

(a) For the purpose of grading the density of smoke, the Ringelman Chart, published and used the United States Bureau of Mines, shall be employed. The emission of smoke or particulate matter of a density greater than No. 2 on the Ringelman Chart is prohibited at all times except as otherwise provided hereinafter.

(b) The emission from all sources, within any property area of particulate matter containing more than 10 percent by weight of particles having a particle diameter larger than 44 microns is prohibited. Dust and other types of air pollution, borne by the wind from such sources as storage areas, yards, roads, and the like within property boundaries shall be kept to a minimum by appropriate landscaping, paving, oiling, fencing, or acceptable means. Emission of particulate matter from such sources, in excess of the weight limitation hereinafter specified, is prohibited.

(c) Toxic Matter. No use shall, for any period of time, discharge across the boundaries of the parcel wherein it is located, toxic matter in such concentrations as to be detrimental to, or endanger public health, safety, comfort, welfare, or cause injury or damage to property or business.

(d) Noxious and Odorous Matter. No activity or operation shall cause, at any time, the discharge of matter across property lines in such concentrations as to be noxious. The emission of odorous matter in such quantities as to be readily detectable without the use of instruments at any point along property lines is prohibited.

- (l) Explosive Materials. No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted in said industrial park district.
- (m) Burning of Rubbish. No rubbish may be burned on the premises except in an incinerator especially constructed and designed for this operation. Applicable restrictions of subsection (11) of these regulations apply to rubbish burning.
- (n) Residences Prohibited. No residential home, either single or multiple, shall be erected within the limits of the industrial park district. Existing residences may not be used for residential

purposes after the land is sold for industrial use.

- (o) Invalidation. Invalidation of any one of the subsections of this ordinance, by judgment or court order, shall in no way affect any of the other provisions hereof which remain in full force and effect.