



## **AGENDA FOR PLANNING COMMISSION MEETING NOTICE**

A Planning Commission meeting will be held on **Thursday, March 28, 2024 at 5:30 PM**  
in the **Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.**

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### **Join Zoom Meeting**

<https://us06web.zoom.us/j/2708608080?pwd=ZTZ0cmllVEFEb1dzVDNwdi91UHFYQT09>

Meeting ID: 270 860 8080

Passcode: 206751

One tap mobile +13126266799,,2708608080#,,,,\*206751# US (Chicago)

### **ROLL CALL**

### **APPROVAL OF MEETING MINUTES**

- A. [February Meeting Minutes](#)

### **DISCUSSION ON COMPREHENSIVE PLAN DRAFT #1**

1. [Discussion on Comprehensive Plan of Draft #1](#)

### **PUBLIC HEARING**

1. [Public Hearing, Section 52-34 \(a\)\(3\), to consider amendments to Conditional Uses for Residential districts.](#)
2. Discussion and Recommendation on Ordinance Amendment for Section 52-34 (a)(3), Residential districts.

### **CERTIFIED SURVEY MAP**

1. [Review/Approval of Certified Survey Map \(CSM\) for Terry Jackson, Description: Located in Lot 30 of Sunny Hills West, being part of the NE1/4-SE1/4, Section 31, T18N-R1W, City of Tomah, Monroe County, Wisconsin.](#)
2. [Review/Approval of Certified Survey Map \(CSM\) for Terry Jackson, Description: Located in Lot 44 of Sunny Hills West, being part of the NE1/4-SE1/4, Section 31, T18N-R1W, City of Tomah, Monroe County, Wisconsin](#)

### **DISCUSSION ITEMS**

1. [Certificate of Appropriateness: 716 Superior Ave](#)
2. [Discussion on Due Process](#)
3. [Discussion on Ordinance 52-10 Accessory Structures](#)

### **FUTURE AGENDA ITEMS**

**FUTURE MEETING DATE: April 25, 2024**

### **ADJOURNMENT**

**NOTICE:** It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Becki Weyer, City Clerk, at 819 Superior Avenue, Tomah, WI 54660.

# MINUTES FOR PLANNING COMMISSION

A Planning Commission was held on **Thursday, February 22, 2024 at 5:30 PM** in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.

**Meeting was called to order at 5:30 PM by Mike Murray.**

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## **ROLL CALL**

Present: Bryan Meyer, Tina Thompson, Eric Prise, Mike Murray and Brian Rice.

Absent: Travis Scholze and John Glynn. Also present: Shane Rolff.

## **APPROVAL OF MEETING MINUTES**

Motion by Meyer, second by Thompson to approve the meeting minutes for January 2024. All ayes. Motion carried.

## **PUBLIC HEARING**

Public hearing opened at 5:31PM, Section 52-74 and 52-82(7)(e) and (7)(h), to consider amendments to Validity and Industrial and Agricultural uses. Rolff gave a brief overview of the ordinance amendment.

Public hearing closed at 5:32PM.

Motion by Thompson, second by Prise to approve the ordinance amendment as presented. All ayes. Motion carried.

## **PUBLIC HEARING**

Public hearing opened at 5:33 PM, Section 52-231, to consider adding Temporary uses to Permits section in Airport regulations. Rolff gave a brief overview of ordinance amendments and how it will expedite the approve process for builder. Public hearing was closed at 5:34PM.

Motion by Thompson, second by Rice to approve the ordinance amendment as presented. All ayes. Motion carried.

## **PUBLIC HEARING**

Public hearing opened at 5:35 PM, Section 52-40, to consider amendments to Schedule of regulations. Rolff gave a brief overview of the changes. Public hearing was closed at 5:36 PM.

Motion by Prise, second by Meyer to approve the ordinance amendment as presented. All ayes. Motion carried.

## **DISCUSSION ITEMS**

- A. Review/Approval of Certified Survey Map (CSM) for City of Tomah, Description: part of outlet 252 of the City of Tomah assessor's plat, and part of volume 7, certified survey maps, page 31 (DOC.#388459), Monroe County records, all being located in the NW 1/4 of the NW 1/4 of section 9, T17N-R1W, and being part of lot 1 of volume 9, certified survey maps, page 171 (DOC.#432987), Monroe County records, located in and being part of the NE 1/4 of the NE 1/4 of section 8, T17N-R1W, City of Tomah, Monroe County, Wisconsin.

Motion by Meyer, second by Prise to approve the CSM contingent upon "Town of Grand Chute" being changed to "City of Tomah". All ayes. Motion carried.

- B. Discussion and Recommendation on a Site Plan for 1715 N Superior Ave

Postponed as not all necessary documents were submitted.

- C. Discussion on 52-34(a)(3) Conditional Uses

Rolff gave a brief description of the current ordinance and how it would allow farm animals in residential district. The amendment would remove farm animals from residential districts. Will bring back in amendment format at next meeting.

D. Discussion on 52-10(1)(a)(2) Accessory Structures

The commission thought adding the language of a 10 ft setback for accessory structures that exceed 25 ft in height should be added to the ordinance. Ordinance amendment will be brought back at next meeting.

E. Discussion on Webinar "Role of the Plan Commission"

The commission members enjoyed the webinar and thought it was interesting and informative.

**FUTURE AGENDA ITEMS**

- Public hearing for 52-34 (a)(3) ordinance amendment
- Add language to 52-10 (1)(a)(2)
- Discussion on subdivision ordinance
- Comp Plan update - Vandewalle

**FUTURE MEETING DATE:**

March 28, 2024

**ADJOURNMENT**

Motion by Prise, second by Thompson to adjourn the meeting at 5:52 PM.

Written and submitted by Casey Kinnear

# 2024 City of Tomah Draft #1 Comprehensive Plan Review Meeting March 2024

## City of Tomah Comprehensive Plan Update Project Schedule

Task #	Event	Date
1	Subcommittee and Staff Review of 2013 Plan	2023
2	V&A Begins Draft 2024 Plan	December 2023
3	Online Survey	January 2024
4	Staff Review of Draft #1	February 2024
5	LRPC and Plan Commission Review of Draft #1	March 2024
6	Complete Draft #2	April 2024
7	LRPC and Plan Commission Review of Draft #2	April 2024
8	Public Hearing and Adoption	Spring/Summer 2024

### Draft #1 Orientation

- Added survey results to Appendix A
- Updated all data in Appendix B
- Made strategic changes to 2013 plan to reflect data trends, survey results, and plans completed, but much of it remains applicable in 2024

### Next Draft

- Complete all new/updated maps in Appendix B and main body of plan
- Format all documents with photos, covers, example images, etc.
- Add a new executive summary to main body of plan
- Make changes from today's LRPC and PC meeting review

### Proposed Changes From Last Comprehensive Plan

- Updated all data, maps, references, plans, and programs throughout the document.
- Added references to plans and initiatives completed (Housing Report, Downtown Plan, etc.)
- Majority of changes occurred in Land Use section and Action Plan section
  - Revamped Future Land Use category names, policies, and associated zoning districts
  - Revamped Action Plan to reflect what's been completed, new ideas and initiatives, and references to applicable plans, studies, reports, etc. completed

## Key Policy Discussion

- Chapter 3: Future Land Uses
  - Retained Medium Density and High Density Residential
  - Created new Manufactured Residential
    - Proposed standalone category for these types of uses
  - Planned Neighborhood
    - 2013 Plan: 60-70% SF, 10-15% TF, 20-25% MF
    - 2024 Plan: no percentage-based approach = more flexibility
  - Retained Downtown Mixed Use
  - Changed Commercial to Planned Mixed Use
    - Allows commercial, office, institutional, and standalone multi-family
  - Changed Business Park to Regional Mixed Use
    - Allows indoor commercial, light industrial, and warehousing
  - Created new Heavy Industrial, Extraction/Disposal, and Airport categories
    - Proposed standalone category for these types of uses
  - Created new Long-Term Growth Area category
    - Proposed to indicate where the City may grow beyond this plan (20+ years)
- Chapter 4: Action Plan
  - Retained: new indoor recreational facility, improve community appearance, revitalize downtown, enhance community corridors, improve safety, official mapping, update plan in 10 years
  - New:
    - Update the City's Park Plan and explore options for a Bicycle and Pedestrian Plan (grant eligibility and prioritization of projects)
    - Establish a unified economic development approach (assemble and market land, organize resources and partnerships)
    - Update and amend the Zoning and Subdivision Ordinance to implement recommendations of the plan, Housing Report, and Downtown Plan
    - Implement the Housing Report and Downtown Plan, with updated over planning period
    - Advance community-wide sustainability efforts (new studies/plans, policy adaptation, new programming and incentivizing efforts)
- Chapter 2: Goals, Objectives, and Policies
  - Minor changes made to reflect survey results and new plans completed, anything else that is missing or needs to be addressed here?

## Next Steps

- Make changes to Draft #1 based on the discussion today, complete maps, and format/add photos
- Review Draft #2 – April

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**Sec. 52-34. Residential districts.**

(a) *R-1 single-family residential district.*

- (1) *Established.* The R-1 district is established to delineate areas now developed with one-family detached dwellings and to delineate adjoining areas presently undeveloped or in agricultural usage likely to be developed for single-family use.
- (2) *Principal use.* One-family dwellings except manufactured homes. Manufactured homes are permitted in the R-4 and R-5 districts only.
- (3) *Conditional uses.* Home or office occupation, government and cultural, utilities, ~~and agricultural use pursuant to section 52-82(8).~~
- (4) Lot, building, yards. See schedule of regulations, section 52-40.

**ORDINANCE NO.** \_\_\_\_\_

**Ordinance Amending Section 52-34 (a) (3) of the City of Tomah  
Municipal Code**

The Common Council of the City of Tomah, Monroe County, Wisconsin, do ordain as follows:

**SECTION ONE:** Section 52-34 (a) (3) of the City of Tomah Municipal Code is hereby amended to read as follows:

(3) Conditional uses. Home or office occupation, government and cultural, and utilities.

**SECTION TWO:** All ordinances in conflict with the foregoing are hereby repealed.

**SECTION THREE:** This ordinance shall take effect upon passage and publication.

\_\_\_\_\_  
Michael Murray, Mayor

ATTEST:

\_\_\_\_\_  
Rebecca Weyer, City Clerk

READ:

PASSED:

PUBLISHED:

Curve 1  
 I = 50°09'40"  
 R = 59.77'  
 LC = N81°11'49"E, 50.67'  
 L = 52.33'

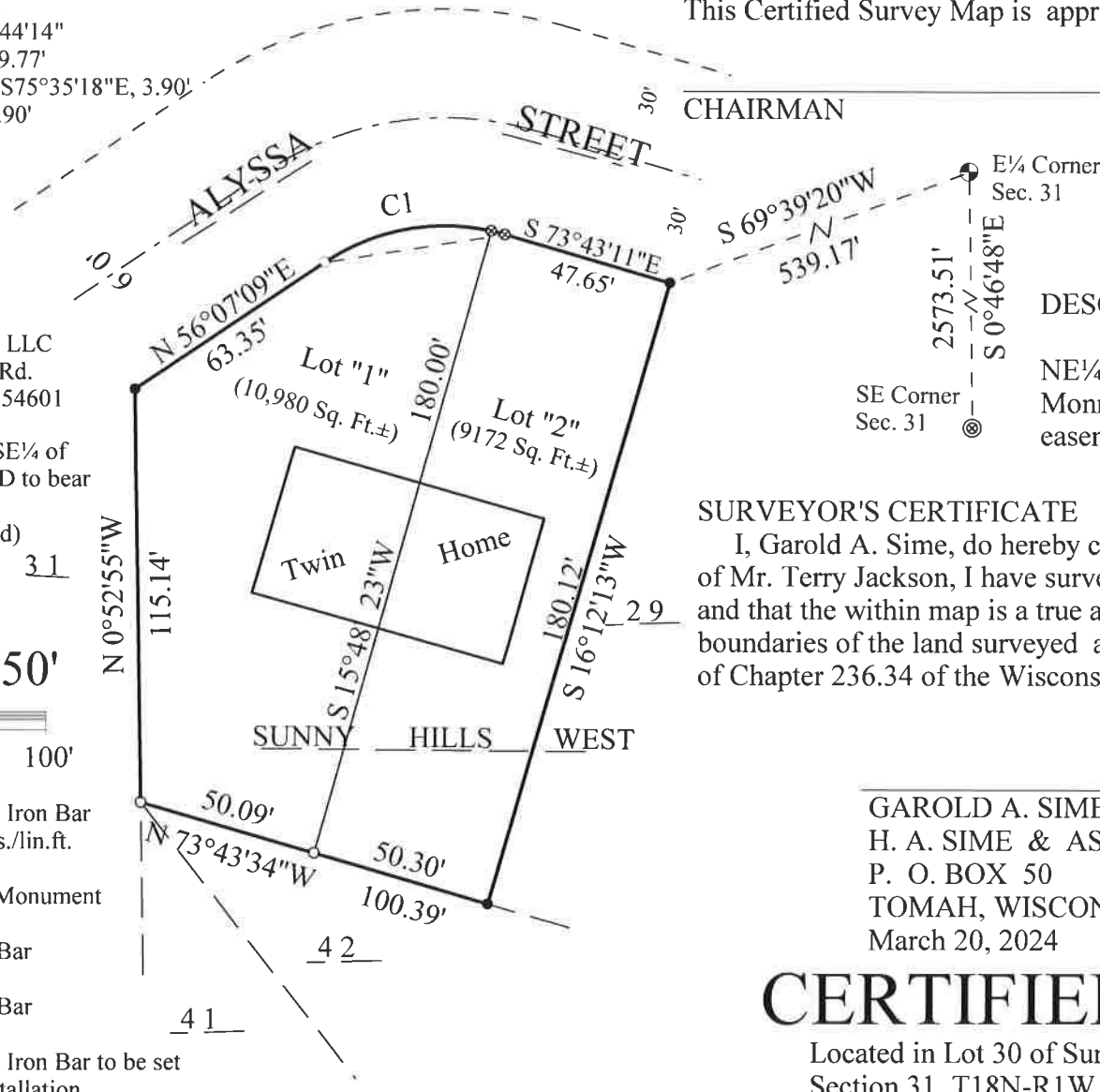
Lot 1  
 I = 46°25'26"  
 R = 59.77'  
 LC = N79°19'52"E, 47.11'  
 L = 48.43'

Lot 2  
 I = 3°44'14"  
 R = 59.77'  
 LC = S75°35'18"E, 3.90'  
 L = 3.90'

APPROVAL OF THE CITY OF TOMAH PLANNING COMMISSION

This Certified Survey Map is approved this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

CHAIRMAN



Owner: J & J Building LLC  
 4127 Kammel Rd.  
 LaCrosse, WI 54601

The east line of the SE 1/4 of Sec. 31 is ASSUMED to bear S0 24°46'48"E. (Monroe County Grid)

SCALE: 1" = 50'



- = Set 3/4"x18" Rd. Iron Bar weighing 1.50 lbs./lin.ft.
- = Found Harrison Monument
- ⊙ = Found 1 1/4" Iron Bar
- = Found 3/4" Iron Bar
- ⊗ = Mag Nail or 3/4" Iron Bar to be set after concrete installation

DESCRIPTION

Lot 30 of Sunny Hills West, being part of the NE 1/4-SE 1/4, Section 31, T18N-R1W, City of Tomah, Monroe County, Wisconsin. Subject to all easements, right-of-ways and restrictions of record.

SURVEYOR'S CERTIFICATE

I, Garold A. Sime, do hereby certify that by the order and under the direction of Mr. Terry Jackson, I have surveyed and mapped the property shown hereon and that the within map is a true and correct representation of the exterior boundaries of the land surveyed and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes to the best of my knowledge and belief.

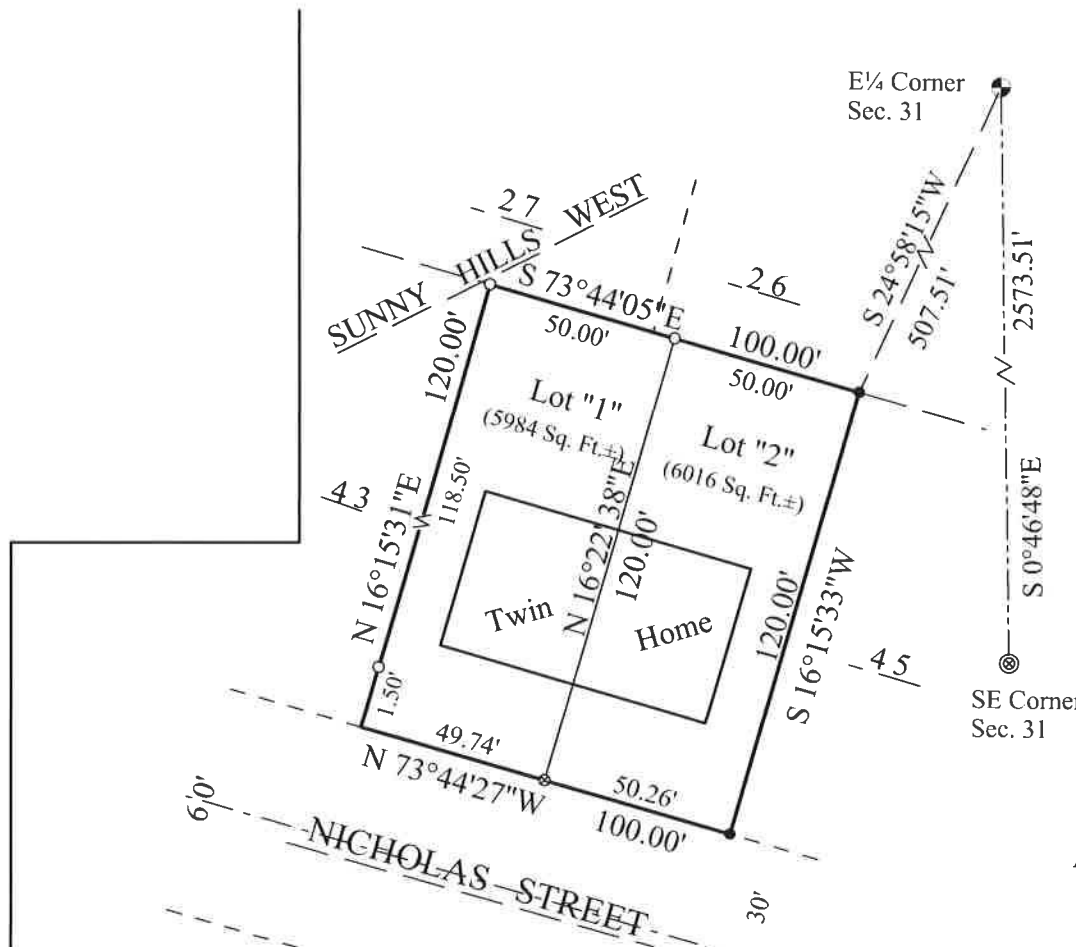
GAROLD A. SIME, PROFESSIONAL LAND SURVEYOR S-1261  
 H. A. SIME & ASSOCIATES  
 P. O. BOX 50  
 TOMAH, WISCONSIN 54660  
 March 20, 2024

CERTIFIED SURVEY MAP

Located in Lot 30 of Sunny Hills West, being part of the NE 1/4-SE 1/4, Section 31, T18N-R1W, City of Tomah, Monroe County, Wisconsin.

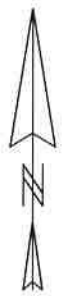
File No. 5755





The east line of the SE¼ of Sec. 31 is ASSUMED to bear S 0 24° 46' 48" E. (Monroe County Grid)

SCALE: 1" = 50'



- = Set 3/4"x18" Rd. Iron Bar weighing 1.50 lbs./lin. ft.
- ⊕ = Found Harrison Monument
- ⊙ = Found 1/4" Iron Bar
- = Found 3/4" Iron Bar
- ⊛ = Mag Nail or 3/4" Bar to be set after concrete installation

**DESCRIPTION**

Lot 44 of Sunny Hills West, being part of the NE¼-SE¼, Section 31, T18N-R1W, City of Tomah, Monroe County, Wisconsin. Subject to all easements, right-of-ways and restrictions of record.

**SURVEYOR'S CERTIFICATE**

I, Garold A. Sime, do hereby certify that by the order and under the direction of Mr. Terry Jackson, I have surveyed and mapped the property shown hereon and that the within map is a true and correct representation of the exterior boundaries of the land surveyed and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes to the best of my knowledge and belief.

GAROLD A. SIME, PROFESSIONAL LAND SURVEYOR S-1261  
 H. A. SIME & ASSOCIATES  
 P. O. BOX 50  
 TOMAH, WISCONSIN 54660  
 March 20, 2024

**APPROVAL OF THE CITY OF TOMAH PLANNING COMMISSION**

This Certified Survey Map is approved this \_\_\_\_ day of \_\_\_\_\_.

**CHAIRMAN**

Owner: J & J Building LLC  
 4127 Kammel Rd.  
 LaCrosse, WI 54601

**CERTIFIED SURVEY MAP**

Located in Lot 44 of Sunny Hills West, being part of the NE¼-SE¼, Section 31, T18N-R1W, City of Tomah, Monroe County, Wisconsin.

File No. 5755

# Certificate of Appropriateness

## City of Tomah: Building/Site Improvement Review Application for Certificate of Appropriateness

Address of Property:

716 Superior Ave.

Property Owner Name:

City of Tomah

Property Owner Address (if different from Address of Property):

819 Superior Ave.

Tomah

WI

Street

Municipality

State

Property Owner Phone Number: (Home/Mobile):

(608)374-7470

Have you reviewed the Downtown Tomah Design Standards (if applicable)?

Yes

No

Not Applicable

Have you reviewed the City's Historic Preservation Ordinance (if applicable)?

Yes

No

Not Applicable

Is your property a historic site, in a historic district, or contain a historic structure?

Yes

No

Currently listed on the Federal & State register of Historic Structures. Not listed as a City of Tomah Historic Structure.

Scope of project to include: (Please check appropriate items.)

New Construction

Siding

Signage

Building Addition

Landscaping / Fencing

Exterior Lighting

Façade Restoration

Parking / Rear Access

Other: \_\_\_\_\_

Awning/Canopy/Shutters

Doors, Windows, & Entrances

Replacement of deteriorated

Roofing

Exterior Painting

front landing & stairs

Briefly explain the proposed work: (Attach extra sheets if necessary.)

\*\*See attached

# Certificate of Appropriateness

## City of Tomah: Building/Site Improvement Review Application for Certificate of Appropriateness

**Please submit the following information:**

- One historical (if available) and one modern photograph of building
- Two (2) copies of plans of proposed work, including color and/or material samples if appropriate.
- A completed downtown design standards checklist

Estimated total cost/budget for proposed project:

\$200,000

Do you have any questions or concerns?

I understand the criteria for this application, approval and reviews by the Plan Commission and/or Historic Preservation Commission (check with Zoning Administrator if unknown whom will review), and agree to be subject to the Downtown Design Standards and/or Historic Preservation Ordinance (if applicable) for the above described work in accordance with City ordinances.

Signed: Irma Keller

Date: 3-20-24

Property Owner / Applicant

### FOR OFFICE USE ONLY

Received By: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

Approved or Denied?: \_\_\_\_\_

Date Received: \_\_\_\_\_

Conditions of Approval or

Reasons for Denial:

Page 2 of 2

# Checklist

	Applicant	Staff / ZA	PC	
<b>Colors &amp; Materials Standards</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. There are NO day-glo or fluorescent colors used on the building.
<input type="checkbox"/> NA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. There are NO bright colors used as the primary facade color.
Comments (office use only):	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Gravel aggregate materials, rough sawn wood, vinyl siding, manufactured stone veneer and polished stone are NOT being used on any facade.
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. <b>Downtown Core Only</b> , metal panel/siding systems and other panelized products are: <ul style="list-style-type: none"> <li><input type="checkbox"/> NOT visible from Superior Avenue (including corner facades), -AND-</li> <li><input type="checkbox"/> Does NOT cover more than 25% on all other facades (excluding Superior Avenue).</li> </ul>
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/>	5. <b>Transitional Area Only</b> , metal panel/siding systems and other panelized products do NOT cover more than: <ul style="list-style-type: none"> <li><input type="checkbox"/> 25% of facades facing Superior Avenue -AND-</li> <li><input type="checkbox"/> 50% of all other facades.</li> </ul>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. EIFS, metal panel/siding systems and other panelized products are NOT used at the base of the building (from 0-3 feet above street grade).
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7. A picture and a sample of each exterior material -AND- a facade illustration indicating colors/ materials is submitted.

Design Standards Checklist

# Checklist

	Applicant	Staff / ZA	PC	
<b>RESTORATION &amp; PRESERVATION</b>				
<b>Historic Cleaning &amp; Restoration Standards</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. No use of chemical or physical treatments that could damage existing painted brick or stone, such as sandblasting.
<input type="checkbox"/> NA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. If necessary, surface cleaning will use the gentlest means possible. A surface cleaning test was conducted to determine the most appropriate cleaning method.
Comments (office use only):	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. New mortar matches the original brick and mortar joint profile, including width and depth, -AND- mortar duplicates the original in color, texture and strength.
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Existing historic base panels are not planned to be filled in with concrete block, unless it matches the primary facade material. Brick, if used to infill a historic base panel, will match the building as closely as possible in size, color, and texture.
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Masonry on historic structures will NOT be painted, or stuccoed, if it has not been painted historically.
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. Existing entry openings on historic structures are retained, where feasible. If additional entry openings are needed (i.e., for deliveries) they will be placed at regular intervals and should be of similar proportions as the original entry.
	<input type="checkbox"/> NA <sub>+</sub>	<input type="checkbox"/> NA <sub>+</sub>	<input type="checkbox"/>	7. Existing window openings on facades facing a public street are retained.
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Original or historic features, including columns, bulkheads, transoms and moldings, are retained, if possible.
	<input type="checkbox"/> NA <sub>+</sub>	<input type="checkbox"/> NA	<input type="checkbox"/>	9. Inappropriate past additions to buildings should be considered for removal, including siding, signs, wood filler in window openings, stucco, or exterior siding materials

Design Standards Checklist



December 8, 2023

**PROPOSAL FOR:**  
**TOMAH LIBRARY**  
**716 SUPERIOR AVE.**  
**TOMAH, WI 54660**

We are pleased to submit our Proposal for your upcoming project in accordance with your specifications to supply all labor and material to complete the following. In accordance with your request and through subsequent meetings, we have developed plans and guidelines for your review and acceptance.

**THIS PROPOSAL IS FOR:**  
**PUBLIC LIBRARY ENTRANCE REPAIR**  
  
**JOB LOCATION:**  
**716 SUPERIOR AVE.**  
**TOMAH, WI 54660**

**1.00 GENERAL INFORMATION:**  
**A. ADMINISTRATIVE**

- .01 **Supervision:** We will assign a Supervisor to this project that is responsible for the supervision of all contracted field construction in progress. The Supervisor’s responsibilities will include the scheduling and direct supervision of contracted field construction forces, interfacing as required with Building Inspection Officials, and ensuring compliance of work in place with drawings and specifications.
- .02 **Safety:** It is Keller, Inc. position and philosophy to place a high priority on a safe job site. Therefore, we have made the necessary commitment in training, education, knowledge and equipment to be able to comply with OSHA requirements during the construction phase of this project. Our current Mod Factor of .59 (well above the industry average of 1.0 -- lower is better), is a result of our commitment from our employees to our customers to provide a safe workplace.
- .03 **Project Management:** We will assign a Project Manager and Expeditor to this project who are responsible for awarding subcontracts, verifying subcontractor insurance certificates, coordinating material deliveries to the job site, preparing Owner pay requests, approving subcontractor and supplier invoices, project schedule, assembling O&M Manuals and project close-out.
- .04 **Builder’s Risk Insurance** is included. Coverage ends at the earlier of 1) Upon occupancy of the building/ space, -or- 2) Upon substantial completion.
- .05 **Sales** and **use taxes** are included as required.
- .06 **Tax Exempt:** At the end of the project, a Credit Change Order will be issued for the actual sales tax savings.

**ADDRESS**  
224575 Lilac Avenue  
Wausau, WI 54401

**WEB SITE**  
[www.kellerbuilds.com](http://www.kellerbuilds.com)

**PHONE**  
715.84 14 1.800.236.2534



**B. PLANS AND PERMITS**

- .01 We will assist in coordinating Architectural Reviews.
- .02 State fees and state approved building plans are included.
- .03 All structural engineering shall be completed by a registered Architect or Engineer with Owner approval on final floor plan and architectural work.
- .04 Architectural and engineering design services for construction drawings and state submittals limited to:
  - Architectural and structural building plans
    - Floor plans
    - Elevation drawings
    - Cross sections and details
    - Foundation plan
- .05 Civil engineering and utility design are not included.
- .06 Keller Architect will compile exterior color samples of various materials for Owner's approval.
- .07 We will prepare a bar graph progress schedule for the project. This schedule will indicate tentative dates for starting and completion of the various stages of construction, and is updated on an as needed basis.
- .08 Keller to provide shop drawing reviews, coordinate material and equipment delivery, and train Owner in operation of equipment installed under this proposal.
- .09 All new foundation designs will be based on 2000 PSF soil bearing capacity.
- .10 Upon completion of the project, the Contractor will provide the Owner with a list of subcontractors used on the project, manufacturer's warranties, operation and maintenance manuals for the major pieces of equipment, and instruction manuals where appropriate for building systems.

**C. TEMPORARY SERVICES**

- .01 Any applicable utility fees for gas, electric, telephone, cable, sewer, etc. shall be paid directly by Owner to utility company. Costs for utility fees are excluded. Keller will assist in preparing applications to apply for utility services, which Owner shall pay direct.
- .02 Owner will provide temporary electrical power during construction, including usage costs from existing electrical service. Electrician to provide temporary service panel as needed during construction.
- .03 Temporary water to be included by Keller for masonry work.
- .04 Temporary sanitary toilet facilities for Keller's personnel and subcontractors to use during construction are included.
- .05 All equipment is included as needed to construct this facility such as concrete equipment, cranes, lifts, etc. Mobilization of all construction equipment to and from the site is included.
- .06 Waste and construction debris cleanup is included for Keller's portion of the work. A dumpster will be located at site during construction. Disposal costs for construction debris are included.
- .07 500 Lineal feet of temporary construction fence is included.



## **2.00 SITE WORK:**

### **A. CLEARING AND STRIPPING**

- .01 Vegetation and black dirt will be stripped from the building site, and stockpiled for reuse. If not enough topsoil on site, we will need to truck in for final landscaping.
- .02 Required erosion control procedures will be installed prior to startup of site work and maintained until occupancy of building by Owner. Includes silt fence, tracking pad, fabric over storm manholes, etc.

### **B. DEMOLITION**

- .01 Demolition and removal of existing stairway entrance by Keller.
- .02 Some existing masonry to be salvaged for re-use to patch damage on building columns.
- .03 Remove one section of concrete sidewalk on each side of stairs.
- .04 Selective demolition of existing structure as required for proposed new construction at building connection.

### **C. EXCAVATION AND BACKFILLING**

- .01 Excavate for foundation walls.
- .02 Compacted granular fill will be installed to the top of footing, inside and outside. Footing backfill will occur after forms are removed from footings and before wall forms are set.
- .03 Excavated material will be backfilled and compacted on the outside of the foundation walls adjacent to green areas and graded around building to provide proper drainage. Excess fill will be removed from site. The outside foundation walls adjacent to hard surfaces will be filled with compacted granular fill.
- .04 The top 6" under the floor will be compacted crusher run gravel over the compacted fill.

### **D. CONCRETE PAVING**

#### **Aprons**

- .01 The exterior concrete aprons will be reinforced with 6 x 6 (#6) (#10) welded wire mesh:
  - 14'-2" wide x 9'-10" long x 4" thick
- .02 Aprons will have a broom finish.

#### **Sidewalks**

- .03 Sidewalks will be:
  - 5' wide x 5' long x 4" thick
  - 5' wide x 5' long x 4" thick
- .04 (2) Sets of concrete steps with painted handrail.

### **E. LANDSCAPING**

- .01 Owner will provide all landscaping.

## **3.00 CONCRETE WORK:**

### **A. FOOTINGS AND WALLS**

- .01 Concrete frost walls and footing to be installed around perimeter of entrance to support concrete steps and masonry and protect from future frost movement.





**B. NOTES**

- .01 **Concrete** - Concrete will be transit mixed attaining a minimum compressive strength of 3,000 PSI for footings, 4,000 PSI for walls and 4,000 PSI for floors in place in (28) days. All exterior concrete including retaining walls, sidewalks, overhead door aprons, dumpster pads, etc. will be air entrained and 4,000 PSI in place in (28) days.
- .02 **Curing/Sealer** - All exposed exterior slabs will have a combination sealer/curing compound, ASTM C 309 or equivalent applied.
- .03 **Reinforcing** - All reinforcing shall be determined by the Engineer and placed accordingly.
- .04 **Laser Transit** - In most cases, footing, wall and floor heights will be set with a laser transit which improves accuracy of determining heights for construction.
- .05 Cold weather costs for fuel to heat the building is not included. We assume warm weather conditions based on time of pricing/bidding.
- .06 Test cylinders of the concrete pours will be taken.
- .07 Provide pumping equipment to pump concrete as required.
- .08 **Avoid using salt on concrete slabs. Concrete should be resealed every year to avoid damage from salt.**

**4.00 MASONRY WORK:**

**A. EXTERIOR MASONRY**

- .01 Labor and miscellaneous small equipment to work with excavating contractor to remove existing brick/stone masonry materials at front entry.
- .02 Labor and miscellaneous equipment to clean up existing brick and stone materials for possible reuse.
- .03 Repair lower approximately 2' of (2) existing columns at library entrance using reclaimed brick from their stair demolition.
- .04 Install new precast base stones.
- .05 Install new brick to match existing. Cannot guarantee exact match, Owner to approve brick color/style prior to ordering.
- .06 Labor and materials to set old existing caps, planters, and historic plaque.
- .07 Keller will do everything possible to remove and clean up existing planters, stone plaque, and stone pieces, but cannot be held liable if damage does occur.
- .08 Winter conditions are not included. We assume warm weather conditions based on time of pricing/bidding.

**5.00 EXCLUSIONS TO THE PROPOSAL:**

- .01 Local building permits.
- .02 Cold weather construction costs, including temporary gas, enclosures, etc.
- .03 Any provision for locating or verifying Lot Markers.
- .04 Any soil bearing verification dealing with unsuitable soils unable to be built on, any allowance for underground obstructions or any unforeseen underground environmental condition or unsuitable soil conditions.
- .05 Telephone system, IT systems, door access systems, fire alarms, security systems, electric strikes or card readers.
- .06 Owner's sign or logo on building (site sign/monument sign).



- .07 We are not responsible for any project delays due to the removal or disposal of any hazardous materials including asbestos and lead paint, etc. that may be encountered during the project and also project delays in regards to unsuitable soils.
- .08 We are not responsible for soil erosion control of the site after occupancy of the building by the Owner.
- .09 We have not included any special structural design features that Factory Mutual (F.M.), FM Global or other underwriters may or may not desire or require.
- .10 We have not included any additional costs for any special code requirements or interpretations that individual plan reviewers, municipalities or inspectors may require.
- .11 Exact color match on additions and remodels is not guaranteed, including but not limited to, roofing, masonry, siding, windows, etc.
- .12 Environmental abatement and disposal of hazardous materials, environmental testing, or removal and disposal of asbestos containing material (ACM).
- .13 Dewatering due to high water table.
- .14 Landscape maintenance or watering newly seeded grass and landscape plantings.
- .15 Parking lot and building footprint snow removal costs by Owner. Keller to bill Owner based on time & material it takes to remove snow from the building site and parking lot as needed. This is an unknown cost based on Mother Nature; and the amount of snow and the number of snowfalls we receive.
- .16 Any work to bring existing building entrances up to ADA compliance.
- .17 Keller shall not be responsible to pay for costs to repair or relocate private underground electrical lines, light pole wiring, sign wiring, phone lines, cable lines, fiber optic lines, etc. that are not marked for the project that could be damaged or encountered during construction. If the Owner suspects that there are private utilities that we should be aware of that could impact the project, the Owner shall make Keller aware of such private utilities so they can be marked by a private locate company.
- .18 Local municipal plan review fees by city/municipal outside consultants.

**6.00 FINANCIAL STABILITY:**

- .01 With the current conditions in the construction industry, financial health and security are more important than ever. As a purchaser, you need to know that the companies you are dealing with will be able to not just complete your current job, but also be there in the long run. Keller, Inc. has the history, safety record and financial stability to satisfy these concerns.
  - We have been a leader in the design/build construction market since 1960.
  - Our EMR is .59
  - Our bonding capacity is in excess of \$100 million.
  - Keller, Inc. carries a D&B Rating of 4A2.
  - Our Management Team has an average of 25 years of experience with Keller, our supervisors have an average of 27 years of experience with Keller, and our foreman have an average of 21 years of experience with Keller.



**7.00 OTHER SERVICES:**

**A. GENERAL**

- .01 Freight and taxes are included with the exception of sales tax on the retail sale of any tangible personal property.
- .02 Stake out and set grades based on existing structure.
- .03 Competent supervision throughout project to include on-site foreman, in-house expeditor and a project supervisor.
- .04 Workmanship to be completed in a professional and workmanlike manner according to standard industry practices.

**B. INSURANCE**

- .01 General Liability.
- .02 Builder's Risk Coverage to insure against all risks or physical loss except flood damage or earthquake for work completed under Keller, Inc.'s contract only. If an existing structure is being modified or added to, insurance must remain in place on the existing structure.
- .03 Worker's Compensation.
- .04 We will furnish a Certificate of Insurance upon request.
- .05 It is the Owner's responsibility to have Fire & Casualty Insurance prior to occupancy.

**C. BONDING**

- .01 In the event you need or require a Performance Bond, we will furnish at an additional fee.

**D. REFERENCE; BANKING, INSURANCE AND BONDING**

- .01 Banking: Associated Bank, Appleton (920-831-2986), Attn: Shawn Carey.
- .02 Insurance: Aon Risk Services (920-431-6234), Attn: Denise Maedke (Insurance Commercial Lines).
- .03 Bonding: Aon Risk Services (920-431-6234), Attn: Denise Maedke.

**E. CONSTRUCTION BY OWNER OR BY SEPARATE CONTRACTORS**

- .01 Owner shall schedule any other operations at the site so the work of the Contractor may be carried out in one continuous operation, and in proper sequence.

**F. OCCUPANCY**

- .01 Owner agrees not to interfere with the progress of the work and not to occupy any portion of the project until the construction on that portion is completed and accepted by Owner and authorized personnel.

**G. WARRANTIES**

- .01 We will repair, replace or correct defects as per Industry Standards as shall become necessary by reason of faulty workmanship or building materials which appear within a period of one (1) year from occupancy or completion whichever comes first. Payments in full must have been received by Keller, Inc. for any warranty to be in effect.
- .02 Concrete cracking and shrinking is an inherent, unavoidable property of concrete and is not covered under warranty. **Additionally, any popping, cracking, and spalling due to frost, ice/snow melting compounds (salt, etc.) and drainage are not covered under warranty.**
- .03 The Owner is responsible for general building preventative maintenance including, but not limited to, masonry sealing, caulking, landscaping, concrete damage from salt, etc. This includes, but is not limited to, removal of ice/snow around buildings, from downspouts, and on roofs. Ensuring proper drainage is always imperative to building maintenance. Building failures or defects due to a lack of maintenance are not covered under warranty.



**H. PAYMENT SCHEDULE**

- .01 20% Down payment upon acceptance.
- 30% Upon substantial completion of foundation work.
- 30% Upon substantial completion of concrete work.
- 15% Upon substantial completion.
- 5% Balance upon completion.
- .02 Invoices are due upon receipt. Any amount not paid on the due date will bear a service charge at the rate of one and one-half percent (1½%) per month until paid.
- .03 Contractor reserves the right to suspend work if Progress Payments are not made within (30) days. Final payment is received prior to occupancy, which constitutes acceptance, unless prior arrangements are made.
- .04 After the receipt of down payment, confirmation of loan closing (for financed projects) or confirmation of available funds (for projects funded with cash flow), Keller, Inc. will begin to order materials, issue subcontracts and schedule construction work to be done. At a minimum, Keller will need six (6) to eight (8) weeks of notice from funds verification and receipt of down payment in order to mobilize on-site, assuming that all plans and permits are completed.

---

<b>TOTAL AS LISTED:</b>	<b>\$194,665.00</b>
<b>ACCEPTED ALTERNATES:</b>	\$ _____
<b>CONTRACT TOTAL WITH ALTERNATES:</b>	\$ _____

This Proposal is private and confidential between you and Keller, Inc. It should be shared only with those who are in a confidential relationship with you or your company. This Proposal may be withdrawn by Keller if not accepted within (10) days.

- ❖ Due to the volatile pricing affecting the Construction Industry, our Proposal and respective suppliers' quotes are good for ten (10) days from the receipt of this Proposal. If the down payment for the project has not been received and/or verification of funds or loan closing does not occur within the ten (10) days of receipt of this proposal, a price adjustment may occur in the form of a written Change Order. Keller, Inc. will use our best efforts to challenge all increases, but should there be a price adjustment, we will need to pass on any increases to our Customers.



**ACCEPTANCE**

Owner:

Design Builder:

**TOMAH PUBLIC LIBRARY**

**KELLER, INC.**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: Design/Project Management

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**COLOR SELECTION DATE:** \_\_\_\_\_

If after review additional information or technical data is required, we will be happy to furnish it, if available. If there are changes or modifications to be made, please notify us as soon as possible.

**8.00 ALTERNATES FOR CONSIDERATION:**

**Accepted**

**Initials**

.01 Add to install new pre-cast caps in place of existing (not including planters).

**Add: \$5,057.00**

Yes

No

\_\_\_\_\_



# Keller

PLANNERS | ARCHITECTS | BUILDERS

FOX CITIES  
 2216 State Road 55  
 P.O. Box 620  
 Kaukauna, WI 54130  
 PHONE (920) 766-5795 /  
 1-800-236-2534  
 FAX (920) 766-5004

MADISON  
 711 Oak Dr.  
 Sun Prairie, WI 53590  
 PHONE (608) 318-2336  
 FAX (608) 318-2337

MILWAUKEE  
 W204 N11509  
 Colendale Rd  
 Germantown, WI 53022  
 PHONE (262) 250-9710  
 1-800-236-2534  
 FAX (262) 250-9740

WAUSAU  
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 Wausau, WI 54401  
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 FAX (715) 849-3181

www.kellerbuilds.com

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REVISIONS	
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PROJECT MANAGER:  
 S. BROOKS

DESIGNER:  
 G. STRAUB

DRAWN BY:  
 I. HAUN

EXPEDITOR:  
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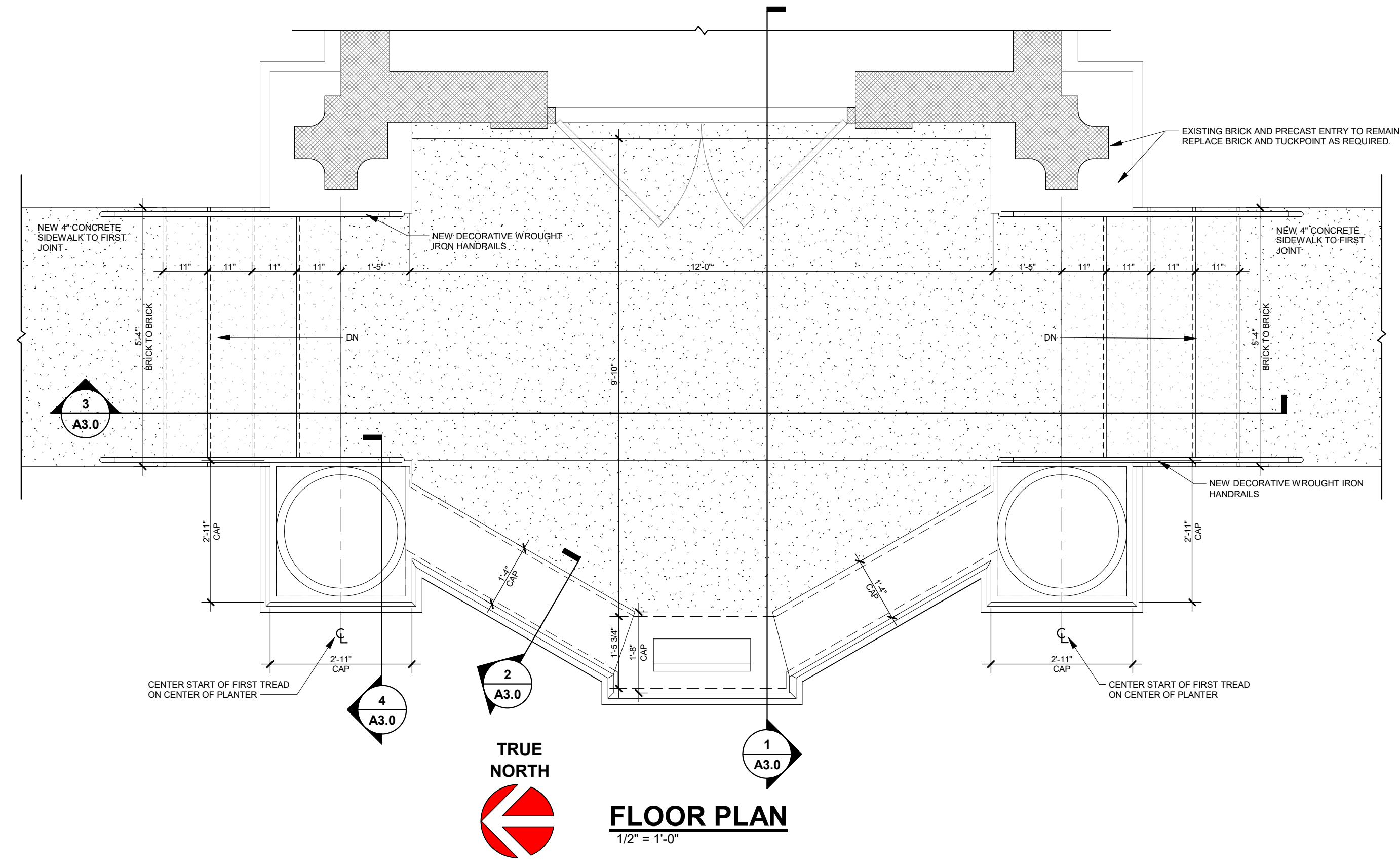
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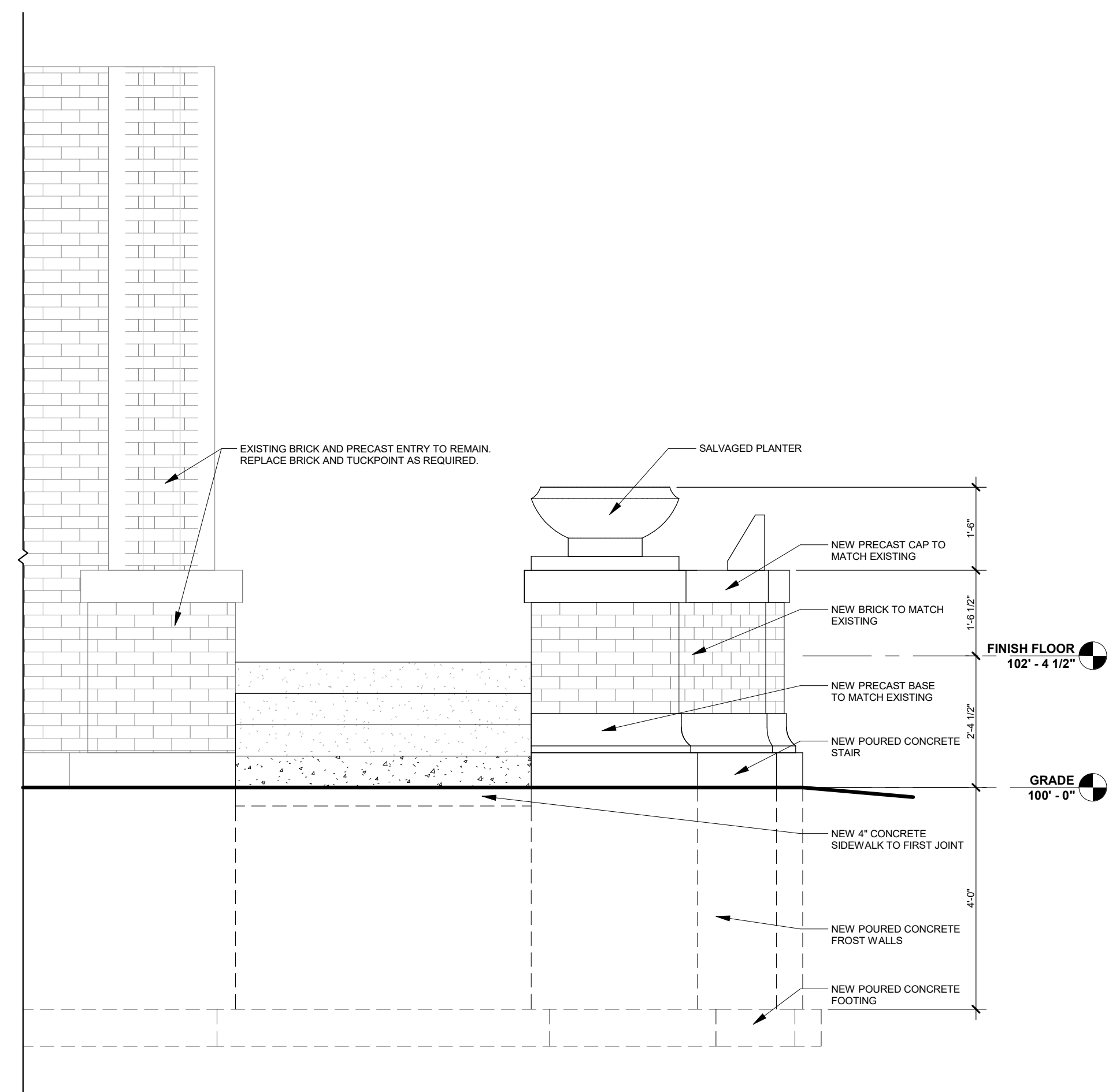
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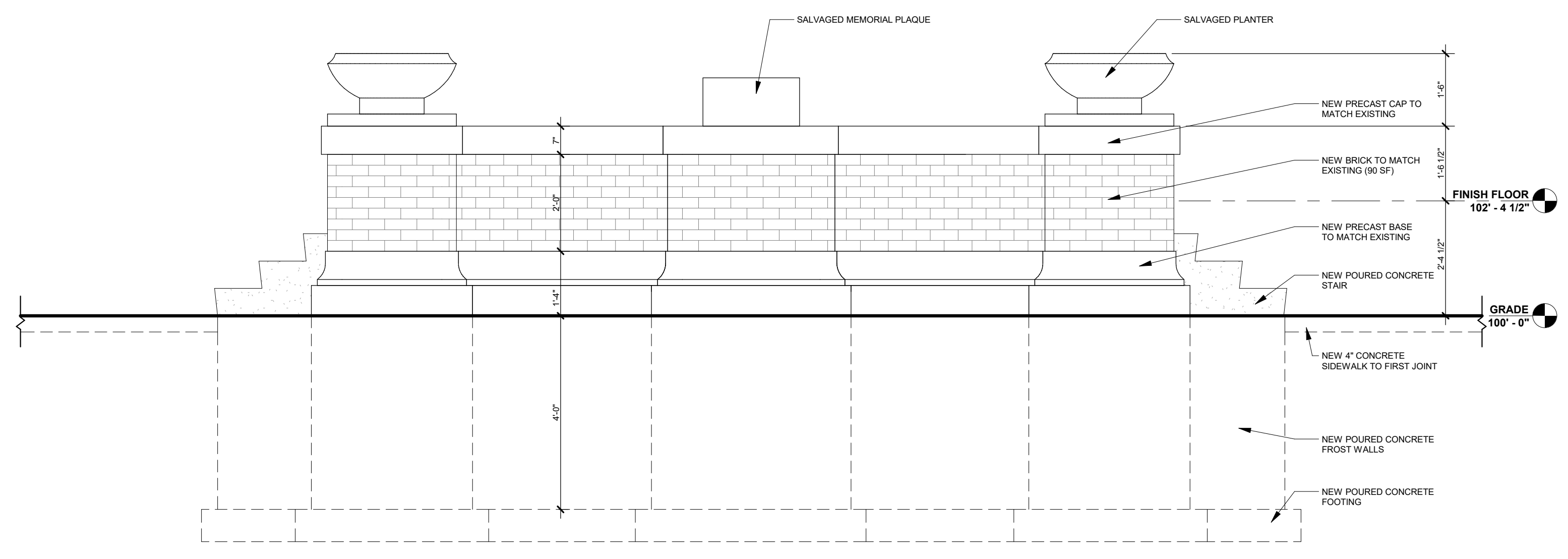
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**TRUE NORTH**  
**FLOOR PLAN**  
 1/2" = 1'-0"

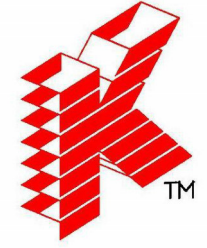


**NORTH ELEVATION**  
 1/2" = 1'-0"



**WEST ELEVATION**  
 1/2" = 1'-0"

**PRELIMINARY - NOT FOR CONSTRUCTION**



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 1-800-236-2534  
 FAX (920) 766-3004

MADISON  
 711 Lake Dr.  
 Sun Prairie, WI 53590  
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PROJECT MANAGER:  
S. BROOKS

DESIGNER:  
G. STRAUB

DRAWN BY:  
I. HAUN

EXPEDITOR:  
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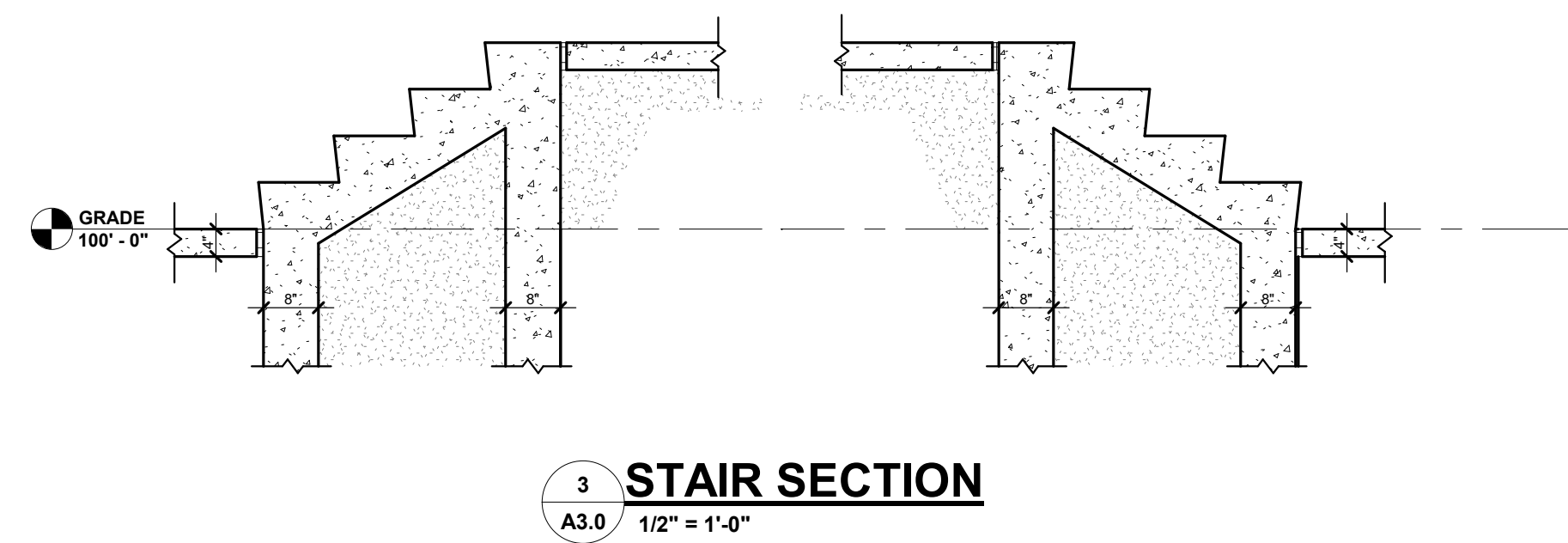
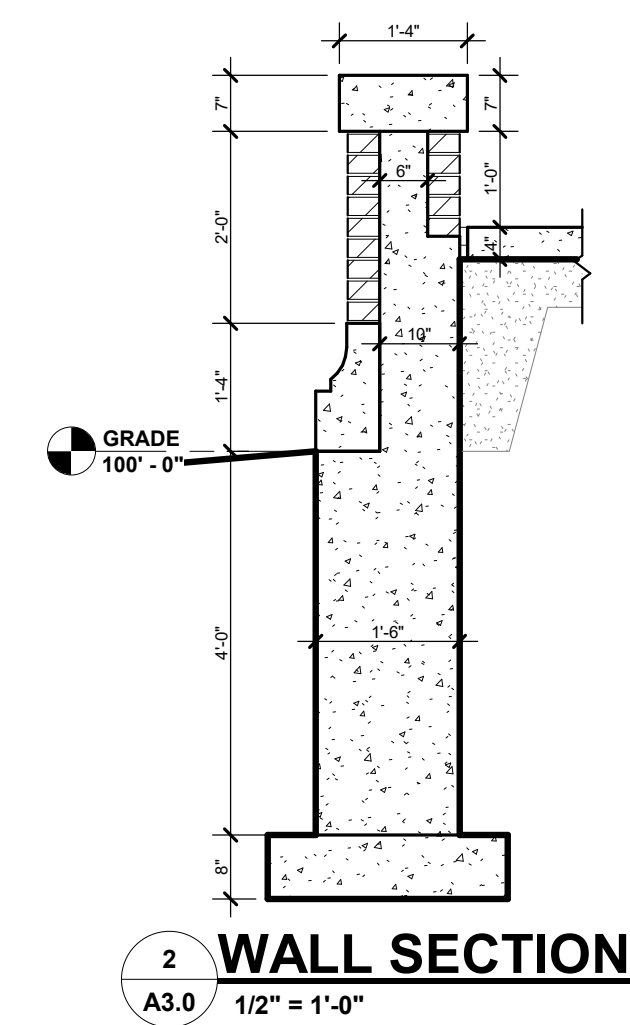
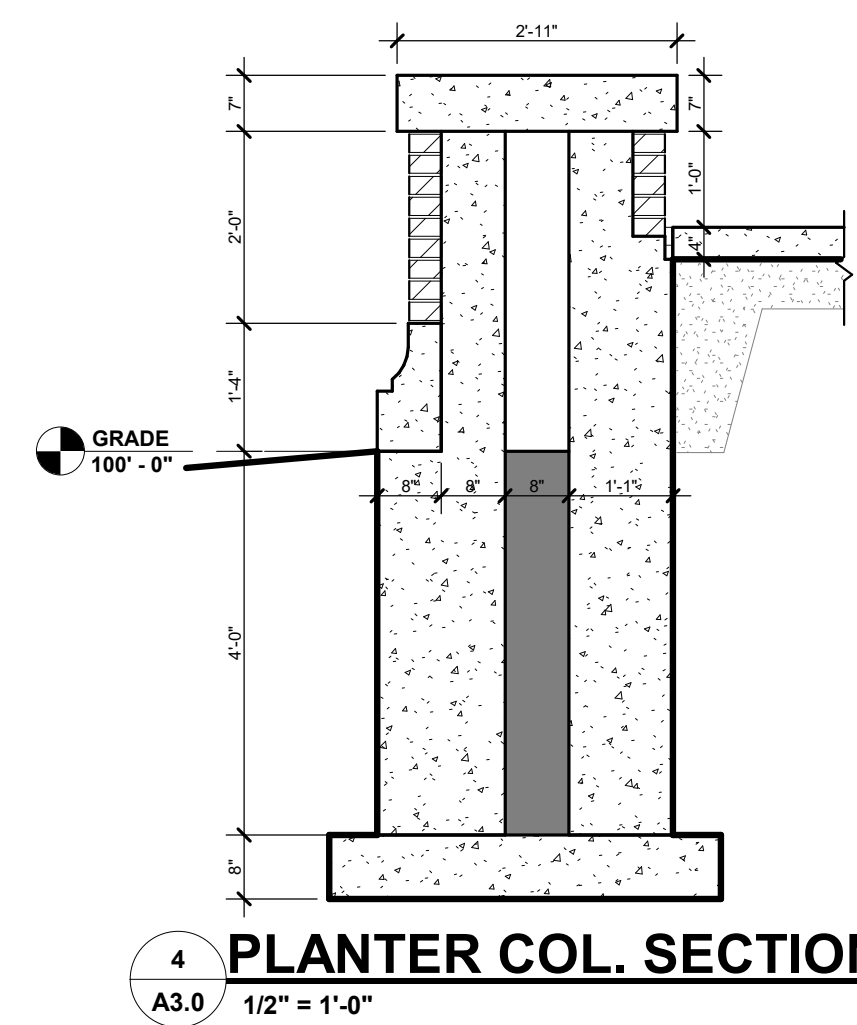
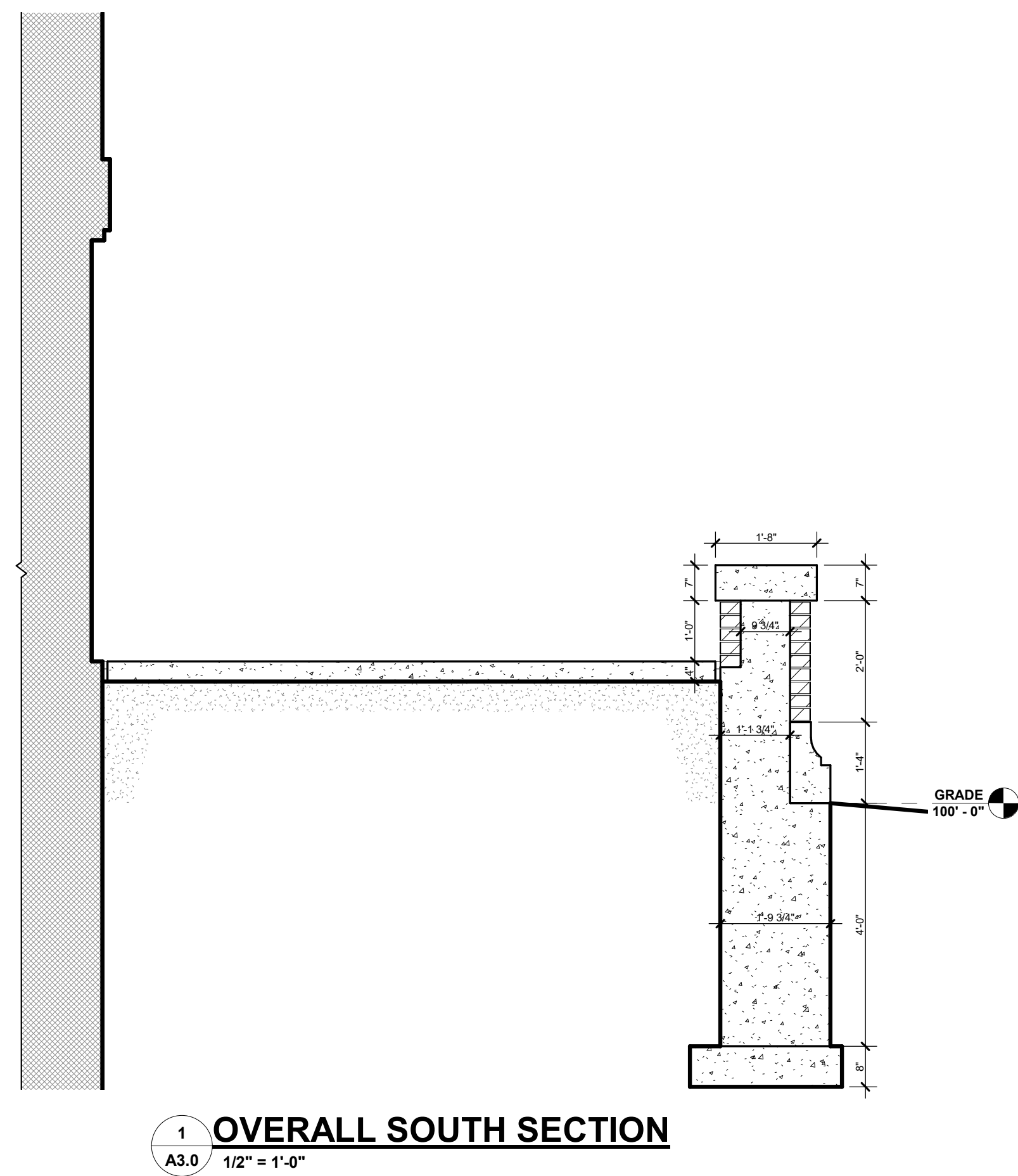
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CONTRACT NO:  
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DATE:  
04.21.2023

SHEET:  
**A3.0**



**SHEET INDEX**

- C1.0 CONCEPTUAL SITE PLAN
- EX1.0 EXISTING/DEMO FLOOR PLAN
- A1.0 FLOOR PLAN & ELEVATIONS
- A3.0 SECTIONS

**BUILDING CODE ANALYSIS**

**PROJECT ADDRESS**  
716 Superior Ave, Tomah, WI 54600

**APPLICABLE CODES**  
2015 IEBC (Historic Buildings)



**Keller**

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N216 State Road 55  
P.O. Box 620  
Kaukauna, WI 54130  
PHONE (920) 766-5795 /  
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**REVISIONS**

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**PROJECT MANAGER:** S. BROOKS

**DESIGNER:** G. STRAUB

**DRAWN BY:** I. HAUN

**EXPEDITOR:** -----

**SUPERVISOR:** -----

**PRELIMINARY NO.:** P23095

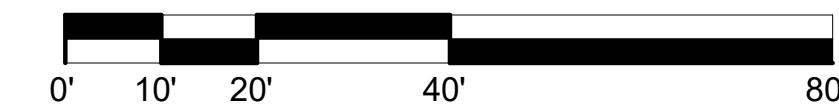
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**DATE:** 04.21.2023

**SHEET:** **C1.0**



**CONCEPTUAL SITE PLAN**  
1" = 20'-0"



THE LOT DIMENSIONS AND BEARINGS SHOWN ON THIS PLAN ARE INTERPRETED VALUES. FOLLOW UP INVESTIGATION WITH STATE AND LOCAL AUTHORITIES AND/OR WITH CERTIFIED SURVEY MAP DATA WHEN AVAILABLE IS REQUIRED.

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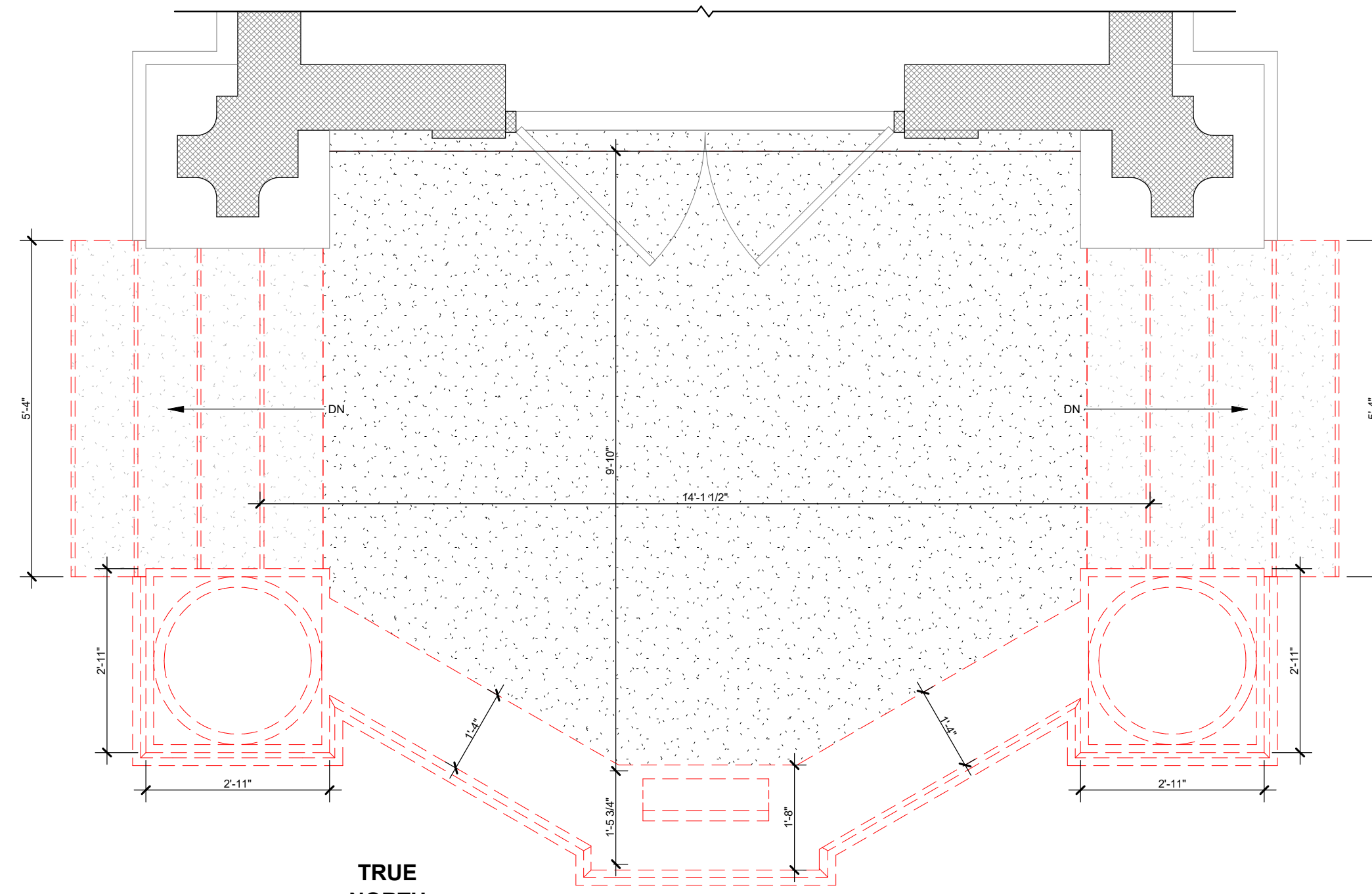
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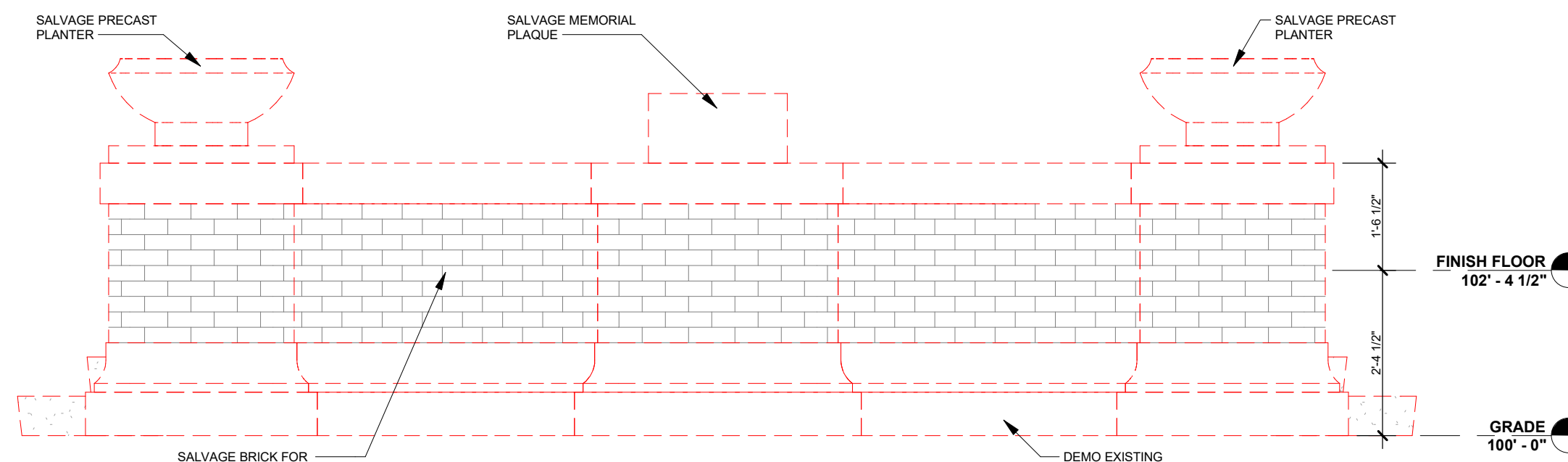
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**EXISTING/DEMO FLOOR PLAN**

1/2" = 1'-0"



**EXISTING/DEMO WEST ELEVATION**

1/2" = 1'-0"

WALL KEY	
	NEW WALL/FURRING
	NEW MASONRY/ VENEER WALL
	NEW COOLER/ FREEZER WALLS
	NEW FOUNDATION WALL
	TYPICAL EXISTING WALL
	DEMO WALLS
	FIRE WALL OR FIRE BARRIER



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SHEET:  
**EX1.0**

**PRELIMINARY - NOT FOR CONSTRUCTION**

## DUE PROCESS

Adoption of plans, ordinances and other legislative proposals related to land development standards are generally subject to intense public scrutiny because they affect private property rights, personal wealth and other closely held values. Our democratic system of government encourages public discussion of pending legislation. It is perfectly acceptable for individual community members and special interest groups to lobby elected officials for support or opposition of local legislative proposals. However, once proposed policies are adopted and become law, government bodies such as the plan commission must apply them in full view of the public following legal rules of fair play known as due process.

### Quasi-Judicial Decision-Makers Must Follow the Rules of Procedural Due Process

Not all government actions require compliance with procedural due process principles. A rule or law that applies generally does not trigger due process guarantees. Instead, procedural due process requirements are demanded of government only in cases where the government makes an individualized determination affecting specific individuals or a limited identifiable class of people.<sup>24</sup> In other words, the rules of procedural due process apply to quasi-judicial decision-makers.

<sup>24</sup> Blaesser, Brian W. et al. *Land Use and the Constitution: Principles for Planning Practice*. 1989. Planners Press. pp.42-43; Hunter, Ted and Jim Driscoll. "The Planning Commissioner as Judge." *The Commissioner*, Summer 1996; *Old Tuckaway Assocs. Ltd. Partnership v. City of Greenfield*, 180 Wis.2d 254, 509 N.W.2d 323 (Ct. App. 1993); Stephens, Otis and John Scheb. *American Constitutional Law*, 3ed. 2003. Belmont, CA: Wadsworth.

<sup>25</sup> Fourteenth Amendment to the U.S. Constitution and Article I, Section I of the Wisconsin Constitution.

Due process is a basic concept of fairness in legal proceedings that has its roots in the decision making processes used by the Greeks and Romans. It is also reiterated in the constitutions of the United States and Wisconsin.<sup>25</sup> These constitutional provisions guarantee two distinct forms of due process: substantive and procedural. Substantive due process is concerned with the reasonableness of government action and focuses on assessing the rationality of a government decision. Procedural due process, the focus of this section, is concerned with the means employed to make a government decision.

When the plan commission makes a decision that affects specific individuals (i.e. conditional use, plat review, etc.), it must follow the rules of procedural due process. These rules include:<sup>26</sup>

- Providing adequate notice of pending decisions to affected persons.
- Ensuring that each decision maker is impartial and unbiased.
- Avoiding and disclosing ex parte contacts.
- Providing an opportunity to present at hearings.
- Basing decisions on clear, pre-existing standards and factual evidence in a record that is available for review.

### Ex Parte Communication

Commission members should not have conversations or receive correspondence regarding a quasi-judicial matter that is pending before the commission or which may come before the commission except during a noticed meeting or hearing on the matter. Such outside contacts are known as "ex parte communication." Ex parte communication

<sup>26</sup> *Bi-Metallic Inv. Co. v. State Bd. of Equalization*, 239 U.S. 441, 36 S. Ct. 141, 60 L. Ed. 372 (U.S. 1915) and *Londoner v. Denver*, 210 U.S. 373, 28 S. Ct. 708, 52 L. Ed. 1103 (U.S. 1908) cited by Olson, Daniel M. "Procedural Due Process: The Basics plus Town of Castle Rock." *The Municipality*. December 2005. League of Wisconsin Municipalities.

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## Sec. 52-10. Use restrictions and performance standards.

The following restrictions and regulations shall apply:

- (1) *Principal uses.* Only those principal uses specified for a district, their essential services and the following shall be permitted in that district.
  - a. Accessory uses and structures may be allowed where they comply with the following conditions and requirements:
    1. Size of accessory structures in residential districts. Accessory structures in residential districts on lots less than or equal to one acre in size may not occupy more than 1,200 square feet or ten percent of the lot area, whichever is smaller. Accessory structures in residential districts on lots greater than one acre in size may not occupy more than 2,400 square feet or ten percent of the lot area, whichever is smaller. The measurement of accessory structure size shall include the total of all detached accessory buildings on the lot.
    2. No detached accessory structure that is less than or equal to 1200 square feet shall exceed 20 feet in height. Detached accessory structures greater than 1200 square feet shall not exceed 25 feet in height with a setback of 10 feet from the rear and side yards.
    3. Accessory uses and structures are permitted in any district, but not until their principal structure is present or under construction.
    4. All accessory structures which are attached to the principal building shall comply with the yard requirements of the principal building except for open decks. Open decks (without a roof or enclosure) may not exceed one-half the distance of the required front, side and rear yard setbacks for the zoning classification of the property.
  - b. *Unclassified or unspecified uses.* Unclassified or unspecified uses may be permitted by the plan commission after the commission has made a review and recommendation, provided that such uses are similar in character to the principal uses permitted in the district.
  - c. *Temporary uses.* Temporary uses, such as real estate sales field offices or shelters for equipment and materials being used in the construction of a permanent structure, may be permitted by the zoning inspector.
- (2) *Performance standards.* Performance standards as listed in section 52-208 shall be complied with by all uses in all districts.

(Code 1993, § 17.14; Ord. No. 2008-02-03-C, § 1, 2-12-2008; Ord. No. 2019-08-07-D, § 1, 8-13-2019; Ord. No. 2023-05-05-D, § 1, 5-16-2023)