

Conditional Use Permit – Amber’s Hideaway
1113 Broadway.
Staff Report for Plan Commission, 01/09/17

The City of Wis. Dells has received a Conditional Use Permit (CUP) application from Amber’s Hideaway for Group Lodging Facilities at 1113 Broadway.

When Amber’s Hideaway was purchased and remodeled in 2010, it is understood that apartment quarters were constructed in the basement of the main motel building. It appears these quarters were constructed under the building permit for the remodel, and the appropriate egress windows were installed. These quarters were initially utilized for the on-site maintenance employee. At some point, that maintenance employee moved out and the quarters are now used to house 6 seasonal employees of the motel. The City standard is that any dwelling unit that houses more than 4 unrelated persons should obtain a Group Lodging permit and an annual Workforce housing license. When notified of this requirement, the owners of Amber’s Hideaway immediately applied for the proper permit. The living quarters are only occupied during the summer months. It is noted that this housing is for accessory to the motel operation, does not include any motel rooms, and is only for employees of the motel. The primary use of this property will remain as a motel. Motels are only allowed to obtain this housing permit for employees of the motel on the premise.

Current City Ordinance requires 50 sq ft per person in the sleeping room. The City has encouraged new facilities to provide more space per person in facilities that contain only sleeping quarters, such as a motel. However, consideration has been given for homes with separate living and dining space to allow closer to 50 square feet in the sleeping rooms.

City standards require 1 parking stall for each 400 sq ft in each sleeping room.

City standards require at least 1 bathroom for 8 occupants.

An inspection of the facilities found them to be in quite good condition. The living quarters consist of 2 separate areas built into the basement laundry and storage area of the main motel building. The entire basement area of the building was in an orderly and well kept condition. One of the areas constructed houses the kitchen and bathroom facilities. The other area is divided into 2 sleeping rooms with a total of 550 sq ft, providing approximately 90 sq ft per person for the 6 occupants. The ceiling height in the sleeping rooms is a little lower than what is ideal, but seems acceptable for this temporary occupancy. Each of the sleeping rooms has a compliant egress window directly to the outdoors. In addition there are at least 2 exits from the basement area to the outdoors.

The sizes of the sleeping rooms in this facility are larger than the minimum requirement. The access to a separate kitchen facility is also a benefit. This facility has a large parking lot for the motel, with an additional room for parking in the back.

As with any other lodging facility, the management of the facility is of the utmost importance. The fact that the owner/operator of the facility has been maintaining the motel operation on this site to a high standard alleviates these concerns. The fact that the owner of the facility is the employer of the tenants

also alleviates tenant conduct concerns. Usually employer owner housing generate less nuisances. Generally employers are encouraged to provide housing for their employees. Given the applicants history operating this facility, the main concern for this housing application would be a change in the ownership or management of the facility. As such, the standard condition that approval is to the applicant only and is non-transferrable would apply. Any new owner or manager of the facility would have to obtain their own permit for the seasonal workforce housing at this facility.

As with all such applications for a Group Lodging Facility, it should be stated approval is contingent on continued diligence to the proper management of the facility. If the facility is deemed to become a nuisance to the neighborhood, the permit may be revoked.

It should also be noted that any approval of the Group Lodging Facility use is granted solely to the current applicant, and cannot be transferred to another party. Any sale of the property will immediately terminate the permit, and any subsequent operator will be required to obtain a separate CUP for this facility.

It has been noted that this office is not aware of any nuisances from this facility in recent years.

Conditions that have been applied to other Group lodging facility CUPs include:

1. Permit is valid only with the applicant and is non-transferrable.
2. If maintenance and supervision of the facility is not maintained at a satisfactory level, as determined by the City in its sole judgment, citations may be issued immediately and the permit may be revoked.

Chris Tollaksen
City of Wis. Dells Public Works

CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

General instructions. Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

- Office Use Only -

Initial application fee	\$525.00
Receipt number	58185
Application number	_____

1. Applicant information

Applicant name Amber's Hideaway
Street address 1113 Broadway
City Wisconsin Dells
State and zip code WI, 53965
Daytime telephone number 608-253-2623
Fax number, if any _____
E-mail, if any tanya@ambershideaway.com

2. Subject property information

Street address	<u>1113 Broadway</u>	
Parcel number		Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)		
Describe the current use	<u>motel - hospitality</u>	

3. Proposed use. Describe the proposed use.

Housing for J1 students employed through Amber's Hideaway.

4. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

Office hours 8am - 10pm
average employee hours 7:30am - 3pm
owner onsite 24/7

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5. **Off-site effects.** Describe any potential nuisances and mitigating circumstances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

- None -

6. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.373 of the Municipal Code.)

- a. Consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

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- b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

?

- c. The suitability of the subject property for the proposed use

housing for 51 workers on property

- d. Effects of the proposed use on the natural environment

- None -

- e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

- None -

- f. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district

- None -

- g. Effects of the proposed use on the city's financial ability to provide public services

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None

7. **Project map.** Attach a scaled map showing the information as listed at the end of this application. Use one of the following page sizes as appropriate: 8½" x 11", 11" x 17", or 24" x 36".

8. Applicant certification

- ◆ I certify that the application is true as of the date it was submitted to the City for review.
- ◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the agreement below.

Tanya Krause

12/13/14

Applicant Signature

Date

Governing Regulations

The procedures and standards governing this application process are found in Chapter 19, Article 4, Division 6, of the City's Municipal Code.

Reimbursement Agreement for Application Review Costs

A. Payment for Eligible Costs.

By submitting this application for review, the applicant agrees to pay all administrative costs incurred by the City in the processing, study, and review of the application including costs for planning, legal, engineering, and related services, referred to herein as eligible costs.

B. Guarantee of Payment.

To guarantee reimbursement, the applicant shall submit one of the following along with this application:

1. an irrevocable letter of credit in the name of the City in an amount as set by the zoning administrator; or
2. a cash deposit in an amount as set by the zoning administrator.

If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7 days of the invoice date. An interest rate of 1½ percent shall be charged on invoices not paid within 30 days of the invoice date. The City shall access the letter of credit to pay for overdue invoices, including late penalty charges, and submit a written notice to the applicant.

If remaining monies in the cash account are insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to deposit additional monies into the cash account in an amount as set by the zoning administrator. If the principal amount of the irrevocable letter of credit is insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to submit a second letter of credit in an amount as set by the zoning administrator. The applicant may withdraw this application prior to final action by the City Council by submitting a written letter to the City. Upon such notice, the City shall cease all work related to the review of the application. However, withdrawal of this application does not terminate this reimbursement agreement.

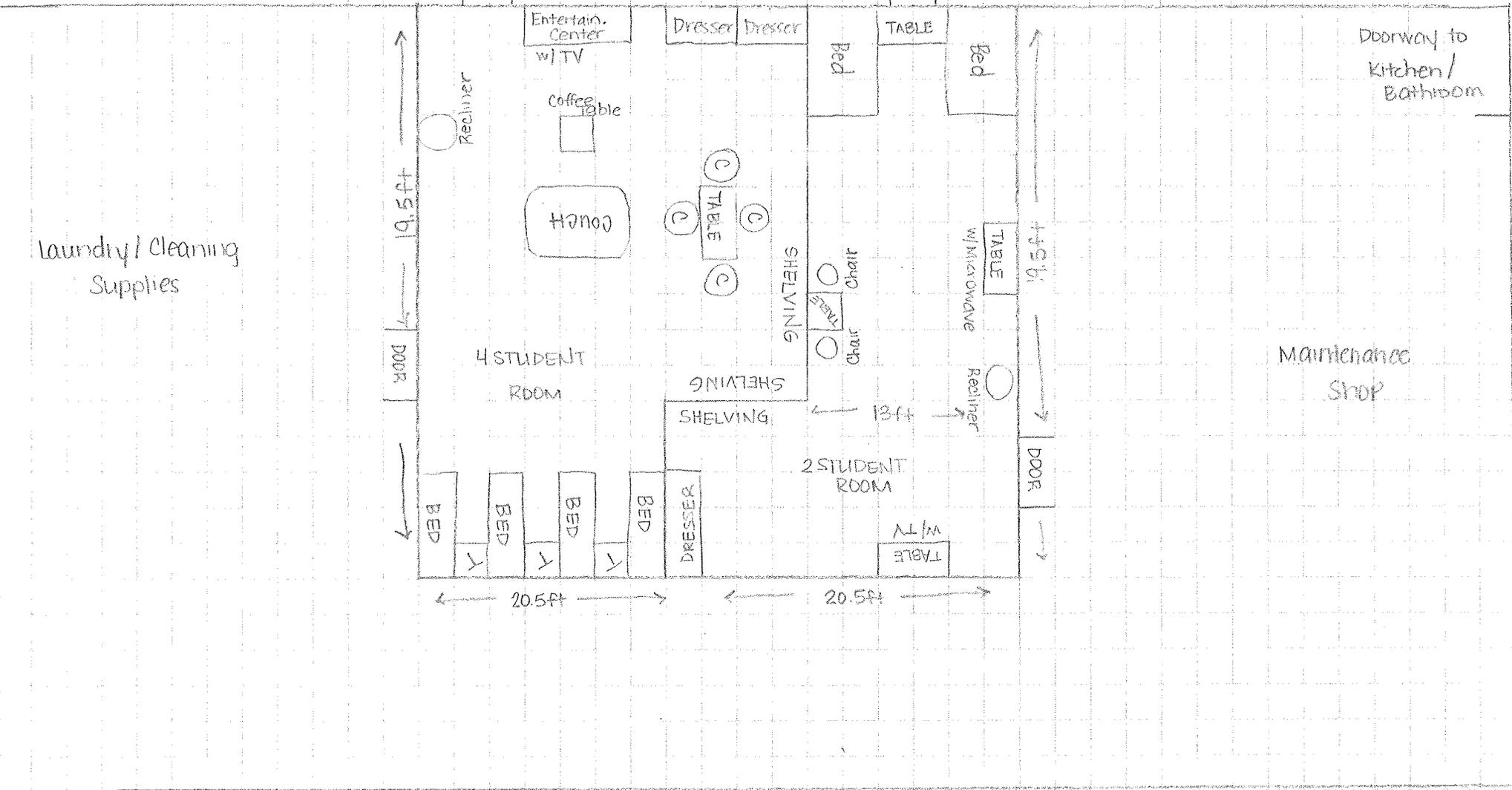
If the applicant does not pay for eligible costs, the City Clerk/Treasurer shall add the outstanding balance to the tax roll as a special assessment against the subject property. In addition, the City may pursue other legal means to obtain the outstanding balance as allowed by law.

C. Termination of Guarantee.

If a cash deposit is used to guarantee reimbursement, the City agrees to reimburse the applicant any unused monies in the cash account, including earned interest, within 60 days of the date when the City Council takes final action on the application. If a letter of credit is used, the City shall send a written letter to the applicant releasing the applicant from the letter of credit when all outstanding invoices have been paid.

Applicant Signature

Date



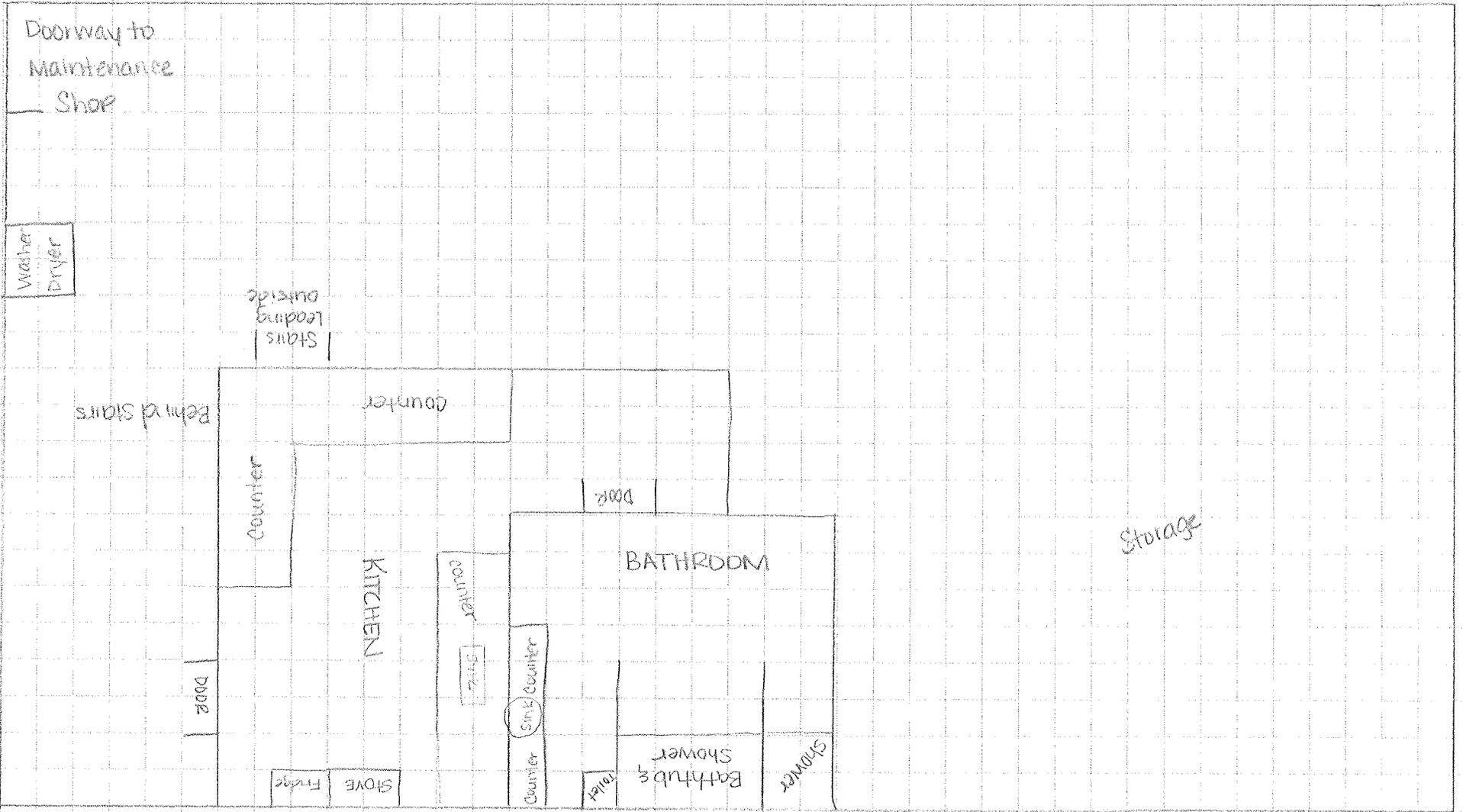
Laundry / Cleaning Supplies

Maintenance Shop

Doorway to Kitchen / Bathroom

Basement Entrance

Student On-site Housing



Student On-Site Housing