

REPORT OF CITY PLAN COMMISSION

December 5, 2016 – 6:00 PM

Lincoln Center – 1519 Water Street, Stevens Point, WI 54481

PRESENT: Mayor Wiza, Alderperson Kneebone, Commissioner Brush, Commissioner Haines, Commissioner Hoppe, Commissioner Curless, and Commissioner Cooper.

ALSO PRESENT: Director Ostrowski, Associate Planner Kearns, City Attorney Beveridge, Alderperson Doxtator, Alderperson Shorr, Alderperson Oberstadt, Alderperson Johnson, Alderperson Dugan, Alderperson McComb, Alderperson Phillips, Nate Enwald, Jeff Humphrey, Fred Pionek, Brian Higgins, Emily Seidel, Samie Strasser, Reid Rocheleau, James Lundberg, Dan St Pierre, Polly Dalton, and Roger Hackler.

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1. Roll call.

Discussion and possible action on the following:

2. Report of the November 7, 2016 meeting.
3. Public Hearing – Review of a conditional use permit for the purposes of operating a car and truck wrecking facility at 801 Francis Street (Parcel ID 2308-05-1012-26)
4. Action on the above.
5. Request from FORE Development and Investment Group for a conceptual project review to construct a retail development at 5423 US Highway 10, Town of Hull (County Parcel ID's 020240835-03.03 and 020240835-03.04).
6. Request from the City of Stevens Point to amend the 1998 intergovernmental agreement for growth and development on Highway 10 and Brilowski Road, between the Town of Hull and City of Stevens Point, specifically to reduce certain building, parking lot, and drive aisle setbacks.
7. Request from Point of Beginning, Inc. to remove/modify the 80% natural lot coverage requirement within Parkdale Subdivision, specifically an unaddressed parcel north of US Highway 10 and East of Badger Avenue (Parcel ID 2408-36-1200-02) and 1201 Badger Avenue (Parcel ID 2408-36-1200-01).
8. Request from Point of Beginning, Inc. for a site plan review of an office development at an unaddressed parcel north of US Highway 10 and East of Badger Avenue (Parcel ID 2408-36-1200-02).
9. Establishing/Modifying an easement for rail improvements at 5700 E.M. Copps Drive (Parcel IDs 2308-01-2100-03 and 2308-01-2100-05).
10. Request from Service Cold Storage, LLC for a site plan review of an expansion to the existing cold storage warehouse facility located within the Planned Industrial Development Zoning District at 5700 E.M. Copps Drive (Parcel IDs 2308-01-2100-03 and 2308-01-2100-05).
11. Community Development Department Monthly Report for November 2016.

12. Adjourn.

1. Roll call.

Present: Wiza, Kneebone, Brush, Haines, Hoppe, Curless, Cooper

Discussion and possible action on the following:

2. Report of the November 7, 2016 meeting.

Motion by Commissioner Cooper to approve the report of the November 7, 2016 Plan Commission meeting; seconded by Commissioner Brush.

Motion carried 7-0

3. Public Hearing – Review of a conditional use permit for the purposes of operating a car and truck wrecking facility at 801 Francis Street (Parcel ID 2308-05-1012-26)

Director Ostrowski summarized the review of a conditional use permit for the purposes of operating a car and truck wrecking facility at 801 Francis Street, noting that the renewal for this particular request would be coming up in December. He explained that conditional use permits often came up for review due to the Plan Commission and Common Council putting a timeline on them to make sure the uses on site met the conditions placed upon them. Director Ostrowski went on to explain that there had been an additional request in June to expand the use at Fred's Towing to allow an automobile repair shop, at which time staff had recommended to hold or deny the use until they had a better understanding of all uses occurring on site. He stated that there had been recent concerns of expanding uses such as a portable toilet and indoor storage business, and that they needed to make sure they met conditions and requirements for those uses on-site. Given that staff had not received any updated information for the uses occurring on-site, which has increased the intensity on the site, staff recommend to deny the renewal until the property was brought back into compliance, at which time they could then reapply for a conditional use as a wrecking and towing facility. He added that if the owners wanted to pursue a permitted use such as an automobile repair business on its own, they would need to meet other zoning regulations.

Commissioner Curless asked if wrecking meant they were crushing cars, to which Director Ostrowski stated that they did not crush cars, but stored them on-site behind a fenced area.

Commissioner Curless asked whether they had to have a DNR permit in order to demolish cars.

Director Ostrowski confirmed that they would have to have additional permits outside the city, but that the facility was more for towing and storing. He explained that if a particular use was not within the zoning code, they looked at the next closest use in order to define it, in which this case the closest use for this property was wrecking and towing.

Commissioner Haines asked if it would remain a wrecking and towing business, to which Director Ostrowski confirmed that it would.

Commissioner Hoppe asked whether the extended uses would remain.

Director Ostrowski explained that they were recommending the denial of the renewal of the conditional use permit for the wrecking and towing facility, adding that they would have to provide detailed descriptions of what other uses were in order to potentially operate them on-site. He noted that they were currently occurring in violation of the zoning code because they were not meeting pertinent zoning regulations, and that the uses would need to cease regardless of approval or denial of the request.

Mayor Wiza declared the public hearing open.

Troy Herman (4429 County Rd J), new owner of the Fred's Towing business, stated that he did not operate a wrecking facility, only a towing company. He briefly explained that they did not salvage vehicles, only store them if they couldn't immediately be taken to an automotive shop. In addition to storing vehicles, they were also a certified automotive repair shop through O'Reilly Auto Parts, and a federal transportation company that moved different types of freight. Mr. Herman also cited several businesses without permits that were running similar operations and asked why they were being looked at so closely. He stated that he was trying to adhere to the Stevens Point guidelines and get an amendment to run a repair shop.

Reid Rocheleau (408 Cedar W St, Whiting) expressed frustration with the continued operation of the repair shop even though it had been previously denied six months prior, also noting the complaint from neighboring properties that the portable toilets were being cleaned on-site. Mr. Rocheleau requested that the Plan Commission uphold their initial denial, issue consequences when properties do not follow their conditional use or are not maintained, and make efforts to get the south side cleaned up.

Fred Pionek (3640 Sunset Dr N), owner of the building and property, stated that he had not initially applied for salvage use, but that it was given to them nonetheless, noting that they never once did any wrecking under his ownership of Fred's Towing. He stated that the heavy industrial zoning should be sufficient for the use.

Mayor Wiza declared the public hearing closed.

4. Action on the above.

Commissioner Curless asked who owned the building.

Fred Pionek (3640 Sunset Dr N) explained that Fred's Towing was under new ownership as of June 3rd, but that he still maintained ownership of the building and property itself, including allowing the renters of the portable toilets.

Commissioner Curless asked if the portable toilets were cleaned on-site, to which Mr. Pionek confirmed that they were, but were done so in a contained area.

Commissioner Curless asked if the new shop, Tee-Roy's Repair LLC, also did towing and repair work, to which there was confirmation that they also did both.

Commissioner Haines asked for clarification on the business start date and issuance of the first permit.

Fred Pionek (3640 Sunset Dr N) explained that the first permit was issued about ten years prior.

Mayor Wiza stated that Director Ostrowski could answer any clarifying questions if they were not directly for the applicant or owner.

Fred Pionek (3640 Sunset Dr N) reiterated his point that they did not do any wrecking and that they were being singled out.

Commissioner Haines asked when the first conditional use was permitted.

Director Ostrowski referenced page 29 of the staff report in regards to the existing conditional use for the property, noting that it was first issued roughly ten years prior and kept at 3-4 year intervals for renewal. He explained that they became aware of the expanding uses, to which then there had been a request to amend the conditional use.

Commissioner Haines asked if they had opened the business as a towing facility and whether a conditional use was issued after the fact.

Director Ostrowski stated it was a conditional use at the time of the opening of the facility.

Associate Planner Kearns summarized information stated in the Plan Commission meeting minutes of August 2004 where they were officially granted the conditional use permit for auto towing, wrecking, and storage of cars, boats, and campers on-site. The last time it was renewed and reviewed by staff was 2012.

Mayor Wiza asked what functions were not allowed in the current zoning based the conditional use request.

Director Ostrowski stated that the wrecking facility was not allowed as a permitted use, only a conditional use. He reiterated that due to not identifying towing operations within the zoning code, they went to the next closest use which was wrecking and towing. He added that if there is no close use, then it is prohibited.

Mayor Wiza asked what use Kent's Service Center & Towing fell under as they also operated a towing and automotive repair shop, as well as potentially storing vehicles.

Director Ostrowski stated that Kent's was under repair and towing, and noted the need to look at the zoning code to make sure uses were clearly defined. He also mentioned that the conditional use had been renewed for Fred's as a towing and wrecking facility since its initial determined use in 2004.

Mayor Wiza inquired about the other similar companies mentioned, to which Director Ostrowski mentioned that Johnson Towing had a similar use and operation.

Commissioner Haines asked if the facility would have to shut down if they denied the request by December 31st.

Director Ostrowski stated that they were currently operating illegally under a conditional use permit that they had not received an amendment for, and that they would have to come back into compliance and receive that conditional use, in addition to meeting certain zoning requirements for the repair shop. He noted that staff had still not received the information that was asked for in June detailing the uses occurring on the site which was needed in order to make a better determination with what needed to be adhered to for zoning regulations.

Mayor Wiza referenced to page 19 of the staff report and summarized the three requested items from June, specifically a site plan, landscaping plan, and detailed narrative describing all uses on the property. He asked if any of the items had been submitted by the applicant, to which Director Ostrowski confirmed that no items had been submitted.

Commissioner Hoppe asked for clarification between the uses since it seemed that Fred's Towing was operating under a towing and repair use while having a wrecking and towing conditional use.

Mayor Wiza stated that it was possible that it could be classified under a different use, but that it was hard to determine because they did not know what uses were going on at the property.

Commissioner Brush asked if there was an impact with having two separate owners, one which owned the business, and the other that owned the property.

Mayor Wiza stated that there wasn't really an impact, to which Director Ostrowski added that a conditional use followed the property, not the owner.

Commissioner Curless stated that the wrecking portion of the use was misleading because they did not operate a salvage yard. He cited additional properties with similar uses that had storage where the sites may be in worse conditions, also noting the facilities minimal impact to residences due to its location. He suggested giving the applicant additional time to submit the requested information as he saw nothing wrong with the facility with the exception of the portable toilets.

Mayor Wiza stated that providing the applicant with another extension to allow them to submit the requested items before the next Plan Commission would be in their purview.

Commissioner Curless asked if they could recommend that the portable toilets not be cleaned on-site.

Director Ostrowski stated that portable toilets were a separate use, and that conditions needed to be related to the existing conditional use. He reiterated the importance of obtaining a detailed description for the uses on the site so they could outline what needed to be adhered to.

Commissioner Curless asked what they would do with the vehicles if they were not allowed to store as a towing facility.

Mayor Wiza stated that storing of vehicles for a short period of time was not contrary to the zoning, to which Director Ostrowski confirmed.

Mayor Wiza stated that long term storage might be contrary to the zoning, to which Commissioner Curless asked what was considered long term.

Mayor Wiza stated that there may be vehicles being stored over winter, to which Commissioner Curless stated that some vehicles could not be removed according to police action.

Mayor Wiza stated that they would not count it against the facility if they were required to keep the vehicles on-site by law. He explained that the confusion was that they did not know what was going on at the facility, and that some uses may already be permitted, but they had no way of knowing without the requested information.

Commissioner Curless asked if they could request that they put up a solid seven-foot fence around the property that would screen uses.

Mayor Wiza stated that they could require it, but putting a fence up wouldn't change anything.

Director Ostrowski recommended one of two motions; deny the request as indicated for reasons within the staff report, or postpone a motion to allow the applicant to submit a detailed description of what is occurring on the property. From there, he explained, they could then make an appropriate determination on what would be required rather than trying to put conditions on the site without knowing its uses.

Motion by Commissioner Curless to postpone the request for a conditional use permit for the purposes of operating a car and truck wrecking facility at 801 Francis Street (Parcel ID 2308-05-1012-26) and to allow the applicant to submit additional information prior to the next Plan Commission meeting with the following conditions;

- 1. A site plan shall be submitted for review and approval by the Plan Commission showing parking, drive aisle and other pertinent zoning requirements.**
- 2. A landscaping plan shall be submitted for review and approval by the Plan Commission.**
- 3. A narrative describing all uses on the property and identifying the building or floor area used for each use shall accompany the site plan.**

seconded by Commissioner Haines.

Commissioner Brush stated the importance of a requiring a drainage plan for the site, as he had observed sizable puddles collecting along the long-term storage area after a heavy rainfall.

Commissioner Curless noted that the term wrecking within the use was causing confusion.

Motion by Commissioner Brush to amend the motion to include the requirement of a drainage plan. Motion failed for lack of a second.

Associate Planner Kearns asked for clarification in the event that the applicant submitted nothing within the timeline given, to which it was confirmed that the conditional use permit would be automatically denied.

Fred Pionek (3640 Sunset Dr N) clarified that the contents of the portable toilets were not dumped on site.

Mayor Wiza requested that all further information concerning uses be submitted in writing.

Reid Rocheleau (408 Cedar W St, Whiting) expressed his disappointment in not requiring a drainage plan, noting that if they were cleaning the portable toilets outside, that run-off would drain right into the ground. He was not in favor of giving the applicant an extension.

Motion carried 7-0

5. Request from FORE Development and Investment Group for a conceptual project review to construct a retail development at 5423 US Highway 10, Town of Hull (County Parcel ID's 020240835-03.03 and 020240835-03.04).

Director Ostrowski stated that the property in question related to Lynn's Greenhouses on Highway 10 and an adjacent residential home on the southwest corner of the property. He explained that the lot was currently one of the last remaining properties along that corridor within the Town of Hull. The developer was looking to remove the greenhouses and home on the property and create a retail center on the site. The retail center would consist of two units with an out lot on the northeast corner of the site. Unit one would consist of 18,800 square feet, with unit two consisting of 13,500 square feet, and the outlot consisting of 6,000 square feet. He explained that in order for the development to occur, they would need annexation, rezoning, and a site plan review. The item was up for conceptual review only to get initial thoughts and concerns, noting that staff had already provided its initial concerns that were outlined within the staff report in regards to parking, sidewalks, setbacks, landscaping, and access-ways between neighboring lots. Moving forward with the development would help straighten out jagged boundaries he added.

Commissioner Hoppe asked if the retail space would be divided into units, to which Director Ostrowski clarified that it would be two separate units, referencing a similar design at the neighboring Hancock Fabric & Goodwill building.

Commissioner Hoppe asked for the status of Hancock Fabrics, to which it was confirmed that it was still closed.

Commissioner Brush asked if the two units would be adjoining, to which it was confirmed that they would be.

Commissioner Haines inquired about landscaping for the east, west, and south areas, to which Director Ostrowski stated that they would have to meet appropriate landscaping setback requirements.

Aldersperson Kneebone pointed out that there seemed to be a lot of parking spaces and concrete surfaces according to the site plan. She requested that parking be reduced and greenspace be expanded.

Director Ostrowski stated that the uses would determine the parking requirements and configuration.

Commissioner Hoppe asked if there would be a traffic study as part of the site plan, to which it was confirmed that there would not be a study.

Commissioner Brush asked for more information on the landscape islands.

Director Ostrowski explained that the landscape islands were required for every twenty stalls, and that they were typically 9 by 18 feet with a tree and appropriate shrubbery.

Aldersperson Phillips (Tenth District) asked if the city had any concerns regarding contamination within the property due to the use of fertilizers and toxins on the property for many years.

Director Ostrowski stated that the City didn't have chain of title to the property, noting that they were not a responsible party just because the property was located within the municipal boundary.

Commissioner Curless expressed favor with the proposed development.

Commissioner Hoppe expressed concern over new construction when there were already empty buildings.

Aldersperson Kneebone shared concern over the empty buildings. She also suggested that they consider putting up covered bike parking.

Commissioner Brush asked for more elaboration regarding potential contamination on the property.

Mayor Wiza summarized why there could be contamination and stated that they would not be responsible if it did exist, to which Director Ostrowski added that typically the causer or new owner of the property would be the responsible party.

6. Request from the City of Stevens Point to amend the 1998 intergovernmental agreement for growth and development on Highway 10 and Brilowski Road, between the Town of Hull and City of Stevens Point, specifically to reduce certain building, parking lot, and drive aisle setbacks.

Director Ostrowski stated that since agenda items 6, 7, and 8 all went together, he would be discussing them all at once. He began by explaining that the City of Stevens Point had a 1998 intergovernmental agreement with the Town of Hull to identify the types of uses that were going to occur in the area, and what design requirements would have had to been met. He further explained that certain elements within the 1998 agreement reflected very closely with the city's B5 zoning classification in regards to use and setbacks. Since then the city has made minor modifications to the district over time so they were no longer consistent with one another. The main reason for the request was due in part by a development looking to take place within that project plan area, but that they had come across minor conflicts with the setback requirements. Director Ostrowski explained that the proposal called for the utilization of a 30-foot setback from Highway 10 whereas the intergovernmental agreement required a 40-foot setback from Highway 10. He asked that the city move forward with amending the highlighted sections within the staff report for the proposed setbacks. He noted that the Town of Hull would have to do the same. If they denied it, the city would have to abide by the appropriate setbacks established in the 1988 agreement which was set to expire in 2018. The main purpose for this request was to create conformity and avoid any confusion for projects.

Director Ostrowski summarized the request for lifting a restriction on a CSM at an unaddressed parcel north of US Highway 10 and East of Badger Avenue and 1201 Badger Avenue which is in a wellhead protection zone. He stated that a gas station has been approved in the past for part of the property as a conditional use that had a number of conditions. He explained that the city had performed an extraterritorial review in the Town of Hull during the early 2000s, in which they typically placed a restriction near a municipal wellhead area, specifically that a certain percentage of the lot should remain in its natural state. For this particular site, a restriction was placed on the CSM to keep 80% of the property in a natural state. When The Store gas station was placed, it took about 17% of the allowable percentage, leaving just 3% left for development. Due to this restriction, it leaves the rest of the area undevelopable. Lastly, he noted that lifting the restriction was at the sole discretion of the city for the protection of the municipal water supply, adding that they did not see a lot of fertilizers being used in that area that would have the potential to contaminate the ground water supply.

Director Ostrowski stated that Point of Beginning was looking to construct a new office building in the same area. The amendment to the agreement with the Town of Hull would initially allow a parking lot with appropriate setbacks to be placed, as well as allowing future expansion of the building, noting that the current 40-foot setback requirement would force the proposed building into the wetland area. He clearly stated that development would not occur in any of the mapped wetland areas, but rather on the identified upland area. There was also an additional area of 88,800 square feet for future development. However, he noted that the development could not occur due to the 80% restriction on the CSM, which is why it had been brought forth to be lifted. He further explained that the restriction could also be modified to indicate whether certain fertilizers could be used on the site and even if the restriction was lifted, the property was within a Wellhead Protection Zone B so there were already regulations in place to protect the municipal water supply. In addition, the proposed development would also need a site plan review since it was in the B5 district, as well as Point of Beginning being interested in purchasing the entire property to construct their office building and potentially having the rest of the 88,800 square feet north of the wetlands developed. He further explained that the private road north of the wetlands had been constructed for The Store gas station, but had been six feet too narrow to be a public road, so at this time it could only be used as a private street. Were the new development to occur, the private street could also be used as an access to connect back up to the main office building and parking area for employees or company vehicles, as well as a small parking lot with access off of Highway 10 which would require State authorization, and stated that the overall proposed layout fit well. In addition, they had indicated that they were wanting to keep most of the site as natural as possible instead of having manicured lawns. He detailed some of the renderings, and proposed materials of a masonry base and columns, glass, metal panels, making sure to note that metal panels were not allowed as a primary material with the intergovernmental agreement with the Town of Hull, so they would have to make minor modifications to the exterior materials facing Highway 10. They would also have a small storage shed on the property. Lastly, staff recommend approval to lift the restriction off of the CSM to allow the proposed development to occur, as well as approving the site plan and elevation review for Point of Beginning.

Commissioner Cooper asked if there had been any discussion with the Town of Hull regarding the requests, to which Director Ostrowski stated that they would be taking it to their Town Board the following month.

Commissioner Curless asked if the developer would maintain the private road from Badger Avenue.

Director Ostrowski confirmed that the developer would be maintaining the road which would be used as an access road for Point of Beginning, The Store gas station, and a potential development to the north. He noted that if a development was to come in for the area to the north, Plan Commission would have the ability to review that site plan based on the B5 zoning classification. He also explained that since the bypass was not moving forward, the State was going to look into protecting the Highway 10 corridor, adding that Windy Drive had been serving as a backage road for a number of businesses that didn't have direct access to Highway 10. While Windy Drive seemed to make for an appropriate extension to the east, he explained that they would have to go through wetlands in order expand the city eastward which he didn't see happening anytime soon.

Commissioner Hoppe asked if there would be enough of a setback for a turn lane into the proposed driveway for Point of Beginning off Highway 10, to which it was confirmed that there was already a turn lane closer to Badger Avenue and any extension would have to be up to the State, but that the setbacks would not be affected.

Commissioner Haines expressed concern over having a driveway come off Highway 10, noting potential safety issues, to which Mayor Wiza stated that perhaps it warranted lower speed limits.

Commissioner Haines asked if the development would prevent a frontage road for Highway 10.

Director Ostrowski stated that while it wouldn't prevent the State's ability to create a frontage road, they would have to take certain steps in order to gain the proper roadway width, noting again that pushing a road through the area would go through wetlands.

Mayor Wiza agreed and reiterated that running Windy Drive towards the east would encroach on wetlands.

Commissioner Haines stated that she did not see a need for it, to which Commissioner Hoppe added that it wouldn't be a heavily used parking area.

Commissioner Haines noted that there would still be a driveway off Highway 10, to which Commissioner Hoppe added that it wouldn't have the same type of traffic as the gas station.

Commissioner Curless asked if a frontage road could be put in once the building was there and still meet its setbacks.

Director Ostrowski explained that they would most likely do a backage road. Doing a frontage road would most likely not occur given what would have to happen in terms of taking everything out, noting additional concerns with the lack of depth from Highway 10 to a frontage road and getting appropriate stacking would also become difficult. That, he explained, is why Windy Drive worked a lot better, but again noted that it would go through wetlands if extended.

Commissioner Brush asked if it was possible take some highland and make it low if they were to have compensatory wetland.

Mayor Wiza stated that it was possible, but that it was not being discussed.

Commissioner Haines asked if there was a percentage proposed in terms of the CSM, to which Director Ostrowski stated that they were looking at 40% total.

Commissioner Hoppe asked if that percentage included the 17% from the gas station, and if it did, they would be looking at an additional 23%, to which Mayor Wiza confirmed that was roughly what was needed.

Commissioner Hoppe stated his preference in leaving as much natural vegetation as possible and reducing the CSM percentage only to the percent needed.

Mayor Wiza added that the advantage to the proposed development was that they were wanting to keep the rest of the area in a natural state, to which Commissioner Haines stated that wouldn't have to if they got rid of the CSM restriction.

Mayor Wiza stated that they would still have to go through review, with Director Ostrowski adding that there would already be additional protections with the Wellhead Protection Zone B and required design standards.

Mayor Wiza lastly added that the CSM would not supersede those rules and the Wellhead Protection Zone B.

Director Ostrowski explained that restriction was placed upon that CSM when the lots were in the Town of Hull. However, since it was annexed, it now had Wellhead Protection Zone B within the city which has certain requirements and regulations in place. Those regulations would always stay in place unless the protection zone was modified itself.

Commissioner Haines expressed concern over the language within the Groundwater Protection Overlay District B, specifically citing its leniency.

Mayor Wiza reminded the council that the agreement with the Town of Hull would expire at the end of 2018.

Aldersperson Kneebone stated that it would be ideal to see the Parkdale Park walking path on the site plan in order to determine how close it would be to the development as it was a heavily used park. She expressed feeling conflicted with the request due to wanting to keep the area natural, but also seeing the need for positive development. She also stated that she had not supported the gas station as a private citizen.

Reid Rocheleau (408 Cedar W St, Whiting) stated that if the council had concerns about the development, they could just reject it. He expressed his frustration with the request, stating that accepting the request to remove the 80% restriction would compromise the highway, wetlands, and council's credibility, as well as adding that there were other areas for development. Mr. Rocheleau asked who the developer was, to which Director Ostrowski stated that the developer would be the applicant, Point of Beginning.

Aldersperson Oberstadt (Fourth District) read a letter from one of her constituents which stated concerns over agenda items 7 and 8, specifically about potentially compromising the water quality, wildlife habitat, and land value. Lastly, the constituent cited further concern over fiscal responsibility with the city growing outward while trying to meet its infill goals.

Aldersperson Johnson (Fifth District) agreed with the points stated in the constituent's letter, reiterating potential negative environmental impact due to continued outward growth. While she stated her opposition to the request, she went over points that she would like considered were the request to go forward, specifically changing the location of the bio retention area to supplement the wetlands, and ensuring that there is a rigid landscaping plan to avoid planting invasive species that could pose a risk to the wetlands. She also stated that the driveway off of Highway 10 was ill advised.

Aldersperson Dugan (Eighth District) stated her opposition to the request. She went on to briefly summarize and explain the history of the agreement, and construction of the gas station. In addition, she stated that she was not convinced that there were enough protections in place for the municipal well system. Ms. Dugan also noted that Parkdale Park was not mentioned in any of the documents they had received and requested that additional natural trails be placed within the greenspace rather than developing it, as there were already empty lots not too far from the proposed location.

Director Ostrowski, in regards to the constituent's letter, clarified that they would not be removing wetlands with the proposed project and that they would be building on the upland area. In regards to cost, he explained any outward growth and extension of Windy Drive would be done and paid by the developers and the city would only provide standard police and fire service, but not maintain it.

Lastly, he added that any decision to relocate the development to another lot would have to be made by the developer or business owner.

Commissioner Haines wanted to clarify that agenda item 6 was requested to get setbacks to match existing ones.

Director Ostrowski and Mayor Wiza clarified that the proposed setbacks would be close to our existing, noting that the proposed setbacks were highlighted within the staff report, and that the request could be approved whether they moved forward with the development or not.

Motion by Commissioner Cooper to amend the 1998 intergovernmental agreement for growth and development on Highway 10 and Brilowski Road, between the Town of Hull and City of Stevens Point, specifically to reduce certain building, parking lot, and drive aisle setbacks outlined within the staff report; seconded by Commissioner Brush.

Motion carried 7-0

7. Request from Point of Beginning, Inc. to remove/modify the 80% natural lot coverage requirement within Parkdale Subdivision, specifically an unaddressed parcel north of US Highway 10 and East of Badger Avenue (Parcel ID 2408-36-1200-02) and 1201 Badger Avenue (Parcel ID 2408-36-1200-01).

Commissioner Haines expressed her opposition to the request.

Mayor Wiza stated that he understood the opposition and stated that valid concerns had been brought forth. He also reminded the council that the wetlands would still be protected under the Wellhead Protection Zone B and the requirements and regulations associated with it would have to be met regardless of what was done. He noted that the proposed development avoided constructing in the wetlands.

Commissioner Curless asked for clarification on the developable two acres north of Windy Drive located outside of the wetlands, and asked whether the area east of the proposed development was still in the Town of Hull and also wetlands.

Director Ostrowski stated that the parcel in question right now was for the proposed development. He stated that the Parkdale Park was currently owned by the city, and while there were wetlands on the property, it did not solely consist of wetlands, and that the ability to move east would be limited.

Commissioner Curless asked if the development would be surrounded by wetlands, to which Mayor Wiza confirmed that it would be.

Aldersperson Kneebone noted several concerns, specifically that the private road would generate a lot of traffic from employees and service vehicles, resulting in salt run-off from the roads, potentially affecting the wetland vegetation. Aldersperson Kneebone pointed out that they were not just looking at the direct impact of the building, but also indirect causes. She suggested that perhaps the empty storefronts in the area could be incentivized.

Commissioner Cooper asked whether there was a certain percentage in mind that the city would like to see.

Director Ostrowski explained that he had been advised that other CSMs had restrictions placed on them during extraterritorial lot splits for the Town of Hull for the purpose of protecting the ground water supply. An exact percentage, he stated, was hard to determine, but any site plan approval would need review due to it being in the B5 district. He stated that council could place additional restrictions and base their determination on the use instead. In addition, he explained that there would not be a lot of desirability for certain uses such as retail due to its low visibility, and that it was best suited for residential or office uses like Point of Beginning. He agreed with not wanting to exceed the area that was wetlands, but noted that the applicant had worked on a development that would fit in the area without impacting the wetlands directly. He made sure to note that Alderperson Kneebone had made a good point in regards to indirect consequences resulting from general maintenance and added that certain restrictions could be placed on the development to help alleviate some of those impacts.

Commissioner Curless stated that the developable area to the north looked developable, but that it would most likely be a destination use such as a dental or doctor's office.

Commissioner Brush asked if there was a point at which the private drive would have to be a maintained by the city.

Director Ostrowski stated that he didn't see a lot of development occurring in that area, nor did he see the city running a street through any wetlands to get to those developments as it didn't make much sense financially or environmentally. With this particular development, he explained, the city would not have any financial costs in terms of extending a road or utilities other than providing standard police, fire, and ambulance service. In regards to subdivisions, they needed to see if there was a sufficient tax base to support those developments due to the high costs of maintaining those roads. With this development being somewhat infill within the boundaries of the city, there were not a lot of costs associated with it. He agreed that there were a number of things that came into play when discussing the proposed development, but that there were ways in which they could modify the CSM to provide additional protections for the groundwater supply. He reminded the council that the city had approved a gas station in a Wellhead Protection Zone next to wetlands because appropriate conditions had been placed on the development at the time to make it more palatable for approval. Lastly, he added that the proposed development would be a cleaner, office type use, and discussions on whether the city wanted to continue to develop in that area would have to be had.

Commissioner Brush asked for clarification among the three requests, and asked whether it had anything to do with site plan approval.

Mayor Wiza confirmed that they could make the change to the CSM and not approve the site plan for the proposed development. They could also place additional restrictions on the site plan such as prohibiting road salts and keeping the natural vegetation in order to further protect the wetlands.

Director Ostrowski asked that if restrictions were requested, that they be placed on the CSM rather than the site plan as the site plan mainly dealt with access for Highway 10 and its congestion. He also suggested that council postpone the request if they were not comfortable placing restrictions immediately.

Mayor Wiza stated that it was in the council's purview to postpone action on the request and direct staff to provide recommendations.

Commissioner Hoppe agreed that more needed to be planned out in terms of roads and conditions, but that they also wanted to get a more accurate percent.

Mayor Wiza stated that staff had access to knowledgeable resources that could be used in order to provide recommendations.

Commissioner Curless asked if the project was buildable if they didn't remove the 80% restriction from the CSM.

Mayor Wiza confirmed that they could not build since 17% of that allowable 20% had been used by that gas station, leaving roughly 3% for the project.

Commissioner Curless asked how much of a percent was needed.

Director Ostrowski estimated that they would need 40% total. That would include the two acres to the north, but made sure to note that it really depended on future development as they did not have a proposal for that area yet.

Aldersperson Kneebone reminded the council that they were looking at two potential developments between the wetlands, not just the office building as the applicant may want to develop both parts.

Mayor Wiza reiterated that they did not have a proposal for that second northern part yet, and it was still just potential development.

Commissioner Brush asked for clarification on the area that they were focusing on in terms of removing the 80% natural lot coverage for the whole Parkdale subdivision.

Mayor Wiza clarified the perimeter of the subdivision.

Commissioner Brush asked if it was possible to prohibit development north of Windy Drive, to which Mayor Wiza confirmed that they could place that restriction.

Motion by Commissioner Hoppe to postpone action for the request from Point of Beginning, Inc. to remove/modify the 80% natural lot coverage requirement within Parkdale Subdivision, specifically an unaddressed parcel north of US Highway 10 and East of Badger Avenue (Parcel ID 2408-36-1200-02) and 1201 Badger Avenue (Parcel ID 2408-36-1200-01), and to direct staff to investigate and come up with recommendations for consideration at a future date; seconded by Commissioner Brush.

Motion carried 7-0

8. Request from Point of Beginning, Inc. for a site plan review of an office development at an unaddressed parcel north of US Highway 10 and East of Badger Avenue (Parcel ID 2408-36-1200-02).

Director Ostrowski stated that he would take any comments or challenges relating to the site plan in order to discuss them with the applicant, adding that he was still waiting on confirmation from the State on whether or not they would allow access off Highway 10.

Mayor Wiza informed the council that they could postpone action on the item, but if they could also provide feedback either then or over the next couple of days regarding their thoughts on the presentation.

Commissioner Haines asked if they were only making comments on the proposed development, not the potential development site to the north.

Mayor Wiza confirmed that they were looking for comments on the proposed development, but stated that the north area was still relevant and that they could take comments on it.

Motion by Alderperson Kneebone to postpone the site plan review of an office development at an unaddressed parcel north of US Highway 10 and East of Badger Avenue (Parcel ID 2408-36-1200-02); seconded by Commissioner Brush.

Motion carried 7-0

9. Establishing/Modifying an easement for rail improvements at 5700 E.M. Copps Drive (Parcel IDs 2308-01-2100-03 and 2308-01-2100-05).

Director Ostrowski stated that agenda items 9 and 10 went together, thus would be discussed at the same time. Recalling a previously approved site plan from Service Cold Storage to add an addition to the back of their building, he explained that they had run into an issue with the loading docks coming into a restricted 100-foot-wide area for rail improvements that was placed prior to the construction of Service Cold Storage. The restriction was part of a CSM for future rail improvements for the East Park Commerce Center in order to provide the appropriate siding tracks to service the entire park. That being the case, potential improvements to the building could jeopardize the installation of rail with the current proposed addition. The Director went on to summarize the siding track requirements outlined within the staff report and how they would be used to connect the East Park Commerce Center. He noted that the proposed expansion did not directly impact the main line siding as the track was already there, nor was it impacted by the identified parking area. That being the case, staff recommended to establish and modify an easement outlining the 100-foot setback area with Service Cold Storage which would have to be approved by Common Council. He noted that they had already modified their plans to have trucks come in at an angle to the loading docks, but that they were still within the 100-foot easement area. The future construction of a rail was still uncertain, and that they wouldn't know if it would be required, and if so, if areas of Service Cold Storage would have to be removed. In this instance, the city would maintain its 100-foot right-of-way while allowing improvements to be made by Service Cold Storage with the understanding that if they need to be removed, they are removed at the time in which they are given, and moved at Service Cold Storage's sole cost. He reported that Service Cold Storage did have a potential to run palettes through their main building, but the current setup and storage of goods prohibited them from currently doing that since storage may be kept for a year without moving it without incurring significant costs. One of the concerns staff mentioned in the staff report was if the city did need to have Service Cold Storage remove the loading dock area, it could potentially strain the relationship if moving became detrimental to the business. While there were current good relations between the city and current owner, he noted that relationships and ownership were subject to change. Lastly, he stated that staff had discussed these options with Service Cold Storage and that they had been willing to comply if the city needed them to move. He added that moving the siding track instead of the building, while an option, could prevent potential passenger rail in the future.

Mayor Wiza briefly summarized that they would be allowing the expansion on the building with the full understanding that they would be protecting their long-term interests as a community, such as the rail.

Commissioner Hoppe asked what would happen to the agreement if ownership were to change.

Director Ostrowski stated that the agreement would be attached to the property, with Mayor Wiza adding that he didn't see a large possibility of ownership change in the near future, and that it was possible that East Park Commerce Center wouldn't need rail.

Commissioner Curless didn't foresee an issue were the property to be sold, as the documents would be clear when purchasing.

Motion by Commissioner Curless to approve establishing/modifying an easement for rail improvements at 5700 E.M. Cops Drive (Parcel IDs 2308-01-2100-03 and 2308-01-2100-05); seconded by Commissioner Haines.

Motion carried 7-0

10. Request from Service Cold Storage, LLC for a site plan review of an expansion to the existing cold storage warehouse facility located within the Planned Industrial Development Zoning District at 5700 E.M. Cops Drive (Parcel IDs 2308-01-2100-03 and 2308-01-2100-05).

Director Ostrowski recommended approving the request with the original conditions that were placed upon the original submittal minus the changes to the easement area, noting that the only difference submitted was modifying the loading docks to come in at an angle as opposed to coming straight in.

Roger Hackler (1025 Park St) stated that in regards to urban development, they should be constructing parking garages and looking at different construction.

Motion by Commissioner Haines approve the request from Service Cold Storage, LLC for a site plan review of an expansion to the existing cold storage warehouse facility located within the Planned Industrial Development Zoning District at 5700 E.M. Cops Drive (Parcel IDs 2308-01-2100-03) and 2308-01-2100-05), with the following conditions;

1. The driveway leading to the new loading docks, along with the loading parking zones and any other staging areas to the north shall be hard surfaced with concrete or asphalt.
2. The applicant shall submit an updated site plan showing the hard-surfaced area to be reviewed and approved by the Community Development Department.
3. The parking and loading area shall be screened from the west which should be identified on the site plan/landscape plan.
4. A landscaping plan shall be submitted to be reviewed and approved by the community development department.
5. Allow staff to approve modifications to the plans.

seconded by Commissioner Brush.

Motion carried 7-0

11. Community Development Department Monthly Report for November 2016.

Director Ostrowski stated that it had been another fairly decent month with Cobblestone Hotel breaking ground and the construction of a new home. He compared year to date valuation of \$54 million with 2014, where it had a similar value with the construction of the \$32 million Skyward

facility. This year they had a lot more diversification in the number of projects, as opposed to one large project.

Mayor Wiza stated that he had looked into a question from the last meeting regarding how much of the year to date valuation was taxable, to which his findings had estimated \$30-\$40 million of the valuation was taxable.

Director Ostrowski noted that the Aspirus development made it difficult to estimate taxable revenue as hospitals were typically exempt, but clinic use was not.

Commissioner Haines requested that a line item for year-to-date permits be added to the report.

Commissioner Curless asked about the next Plan Commission meeting, to which it was confirmed that it would take place on Tuesday, January 3rd, 2017

Motion by Commissioner Cooper to accept and place on file the Community Development Department Monthly Report for November 2016; seconded by Commissioner Brush.

Motion carried 7-0

12. Adjourn.

Meeting adjourned at 8:04 PM

Community Development Report - November 2016

Construction Report

New Construction/Additions	Owner/Location	Declared Valuation	Fees
Residential	300 Saint Paul St Washington Construction	\$300,000.00	\$1,000.00
Commercial	Cobblestone Hotel - 1117 Centerpoint Dr BriMark Builders, LLC	\$3,175,000.00	\$5,317.43

Remodeling	# of Permits	Declared Valuation	Fees
Residential	48	\$155,906.00	\$2,157.05
Commercial	22	\$251,002.00	\$3,480.51

Monthly Permits	Monthly Valuation	Monthly Fees	YTD Valuation	YTD Fees
72	\$3,881,908.00	\$11,954.99	\$54,036,458.31	\$288,429.26

2015: \$29,389,813.84 \$180,216.35

2014: \$54,391,935.55 \$161,512.00

2013: \$32,142,388.94 \$246,161.30

Violation Report

Exterior Property Area Complaints

*Multiple Exterior Property Violations	1
*Other Exterior Property Violations	0
Accumulation of Rubbish or Garbage	2
Grass or Weeds	0
Improper Parking of Vehicles	10
Improper Storage of Refuse or Refuse Carts	2
Refuse or Refuse Carts on Curb	1
Snow and Ice	0
Storage of Household Items Outside	4
Unlicensed or Inoperable Vehicles	0
Unsanitary Conditions	0

Exterior Structure Complaints

*Multiple Exterior Structure Violations	1
*Other Exterior Structure Violations	0
Broken or Missing Windows	0
Defective Protective Treatment	1
Missing or Defective Handrails/Guards	0

Interior Structure Complaints

*Multiple Interior Structure Violations	0
*Other Interior Structure Violations	0

Multiple Violations

*Multiple Property Violations	7
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Other Violations

*Other Property Violations	1
Multiple Violations	0
Expired Multiple-Family License	0
Improper Occupancy: Multi-Family Dwelling	0
Improper Occupancy: Residential Dwelling	0
Noise	0
Unlicensed Well(s)	0
Work w/o Historic Preservation Review	0
Work Without Permit	8

Total Violations / Total Service Fees Billed	38 / \$1,150
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